NEW YORK TIMES
MAY 21

The Meaning of Freedom

Two weeks ago, when 1,000 Birmingham Negroes were arrested for chanting demands for "freedom," the commander of the city's police sneered as the youthful demonstrators were swept off to jail. "If you'd ask half of them what freedom means, they couldn't tell you," he declared. Yesterday the United States Supreme Court made some important new contributions toward providing every American with a clearer definition of what freedom means.

One thing it said was that in Birmingham and all other cities that make segregation a matter of public policy, whether by ordinance or official ukase, no Negro can be prosecuted for seeking service in a "white only" restaurant or other public place. Another thing it said was that, where attempts are made to enforce such enacted patterns of segregation, no Negro can be arrested for insisting on his equal right to use a public park. These fresh breaches in the wall of discrimination will make it increasingly hard to stem the tide toward implementing the constitutional guarantees of racial equality, to which the court gave such impetus with its historic ruling on public school desegregation nine years ago.

Their most immediate effect will be to bolster the pact between leaders of the Negro and white communities of Birmingham, and thus to help end the repression that has made it so hard for the Negroes of that industrial city to realize genuine freedom. The desegregation of lunchrooms and other store facilities was a keystone of that pact. So was an upgrading of job opportunities for Negroes.

The court's new rulings should reinforce the respect for legal process that is the only durable foundation for all liberty. Extremists in the Ku Klux Klan and the White Citizens Council are once again put on notice that equality of opportunity is the inexorable wave of the future. The advocates of nonviolence and orderly methods in Negro ranks now have powerful new ammunition to use against the Black Muslims and other advocates of total warfare with the white community. The Court has again proved its worth as a force for national unity based on justice.

MAY 21 1963

NEW YORK TIMES

SUPREME COURT LEGALIZES SIT-INS IN CITIES ENFORCING SEGREGATION; BIRMINGHAM'S SCHOOLS DROP 1,100

RULINGS FREE 31

Public Policy Is Held Decisive in Cases From 4 States

By ANTHONY LEWIS

Special to The New York Times

WASHINGTON, May 20—The Supreme Court said today that a city that makes segregation a policy by ordinance or official statements could not prosecute Negroes for seeking service in privately owned stores.

In such a setting the Court said a refusal to serve Negroes cannot be attributed to the storekeeper alone. He is so influenced by public policy, the argument went, that the discrimination can be laid to the state and is therefore unconstitutional.

On that reasoning the Court set aside the convictions of 29 Negroes and three white students for sit-in demonstrations at lunch counters. The cases came from Alabama, Louisiana and North and South Carolina.

The main opinions in a series of 8 to 1 votes, written by Chief Justice Earl Warren, were restricted to the particular facts. Nevertheless they may have a [illegible] on the fortunes of racial [illegible] in the South.

More Protests Likely

Reversal of the students' convictions will doubtless encourage further Negro demonstrations for the right to eat at lunch counters and for other rights.

It was just such demonstrations that brought Birmingham to a severe racial crisis this month. Two of the cases decided today were from Birmingham.

In Greensboro, N. C., Negroes demonstrating against segregation of restaurants and the stores were urged Monday to [illegible] stores [illegible].

For Birmingham specifically the decision means that sit-in demonstrators may legally be prosecuted so long as the city's restaurant segregation ordinance remains on the books.

The Birmingham ordinance, under the logic of today's cases, affects only private stores' decision not to serve Negroes and makes that decision a reflection of unconstitutional public policy. What the local result of a repeal of the ordinance would be was not decided today.

The significance of the Court's reasoning is that the [illegible] has been racial discrimination [illegible] allowed to cover official public policy. Private persons and businesses have been free to discriminate as they wish.

But in a long series of cases the Court has made it clear that [illegible] involved with private discrimination as [illegible] public discrimination. The cases go that distance a little further.

The Court did not reach the decisions without evidence of some difficulty. They had been under consideration since last November.

Justice John Marshall Harlan dissented in some of the cases. One was put over for reargument next fall.

The first case came from Greenville, S. C., where lunch counters are still segregated. Ten Negro boys and girls were convicted of trespass and sentenced to $100 or 30 days for sitting-in at the lunch counter of an S. H. Kress store.

Greenville has an ordinance requiring the segregation of eating places. The students were not prosecuted under this law. The city contended that the store manager would have refused to serve them had there been no ordinance.

But Chief Justice Warren said that the ordinance, whether invoked or not, effectively encouraged segregation in Greenville. The storeowner, he said, "is left with no choice of his own."

Thus the "convictions cannot stand," the Chief Justice said "even assuming that the manager would have acted as he did independently of the existence of the ordinance."

Based on Law's Compulsion

"When a state agency passes a law compelling persons to discriminate and the state's criminal processes are employed in a way which enforces the discrimination, such a palpable violation of the 14th Amendment cannot be saved by attempting to separate the mental urges of the discriminators."

Justice Harlan disagreed with that reasoning. He said that whether the manager discriminated on his own or because of the ordinance was "a question of fact" that should be decided.

In this Greenville case, he noted, the manager had mentioned the ordinance at the trial. Justice Harlan said that that sufficed to establish state action and he concurred in reversing the convictions.

The second case, from Birmingham, involved 10 Negro students convicted of trespass sitting at lunch counters in department stores. They were fined $100 each and sentenced to 30 days at hard labor.

Since Birmingham has an ordinance requiring segregation in eating places, the Court reversed the convictions on the authority of the Greenville decision. Its judgment came in a two-line, unsigned opinion.

Found Record Muddy

Justice Harlan thought the record was "muddy" and would have sent it back to the Alabama courts for clarification.

Birmingham was the scene of the third case. The Negro ministers, the Rev. F. L. Shuttlesworth and the Rev. Charles Billups, were convicted of "aiding and abetting" a violation of the city trespass law—by encouraging the students in the previous case to conduct sit-ins.

Chief Justice Warren said could not be a crime to aid and abet something that was itself a crime. Justice Harlan would have reversed Mr. Billups' conviction for lack of evidence but have sent Mr. Shuttlesworth's back for retrial at a new trial.

A fourth case came from Durham, N. C., where lunch counters have been desegregated since this incident. Five Negroes from North Carolina College and two whites from Duke University drew sentences up to 30 days for sitting in at a Kresge store.

Durham also has a restaurant segregation ordinance. But it was not mentioned by anyone at the trial, noticed until the Solicitor General, Archibald Cox, called the Supreme Court's attention to it in arguing as a friend of the court.

Reconsideration Ordered

For this reason the Court, in an unsigned opinion, vacated the judgments and sent the case back to the Supreme Court of North Carolina for reconsideration. Justice Harlan joined in this disposition.

Continued on Page 19, Column 1

The most difficult of the cases was the [illegible] from New Orleans. For a sit-in at a McCrory store three Negro students and one white were fined $350 each and sentenced to 60 days in jail.

New Orleans had no restaurant segregation ordinance, but when a series of sit-in demonstrations began, the police chief and Mayor denounced them. The Mayor had a public statement that they would not "be permitted."

Chief Justice Warren said those official statements amounted to a notice "that the city would not permit Negroes to seek desegregated service in restaurants."

"Consequently," he went on, "the city must be treated exactly as if it had an ordinance prohibiting such conduct.

"These convictions," the Chief Justice concluded, "commanded as they were by the voice of the state directing segregated service at the restaurant, cannot stand."

Equivalence Doubted

Justice Harlan rejected the theory that official statements could be the legal equivalent of an ordinance. But he said there was some evidence of collaboration between city and store officials, and he would require a new trial to explore that element.

Justice William O. Douglas, in a separate concurring opinion, said he considered the restaurant discrimination in New Orleans "state action" because restaurants are licensed and because a business open to the public had called in state law enforcement power.

The New Orleans lunch counters have been desegregated since this case began.

The Court also decided today, unanimously, a race case slightly different from the sit-ins.

WASHINGTON POST-TIMES HERALD MAY 21 1963

1081 Alabama Students Barred

By Don McKee

Associated Press

Dr. Theo Wright, school superintendent of Birmingham, announced the city board of education has ordered more than 1000 Negro pupils who took part in the recent protests expelled or suspended.

BIRMINGHAM, Ala., May 20 (AP) — The Birmingham Board of Education today ordered principals at 30 schools to expel or suspend 1081 Negro students arrested in recent anti-segregation demonstrations.

Negro leaders decided to fight the order in the courts.

"We are authorizing our lawyers to look into the legal aspects of this matter and file suit in Federal court on the grounds that the pupils had been expelled without a hearing," said Dr. Martin Luther King Jr.

The decision saved an uncertain biracial truce which had been threatened by the School Board's order.

"We will not call for a mass walkout or boycott of the schools," Dr. King said, "nor will we call for a renewal of demonstrations at this point.

"We will not seek to correct an unwise act by moving hastily into another unwise act."

Dr. King, who flew here today from Atlanta, said earlier that Negro leaders had no agreement with the School Board concerning the pupils, "but we felt the Board would be reasonable enough to deal with this problem in a different way."

He called the expulsion order "unfortunate, unjust and unwise" and said "I can assure you that something will be done about it. However we don't want to answer an unwise action with an unwise reply."

The integration leader said a meeting of the pupils affected has been set for 9 a. m. Tuesday at a church.

Two other Negro leaders had talked earlier of a mass school boycott and possible renewed demonstrations.

"All Negroes will boycott the schools," warned the Rev. Charles Billups, one of the leaders in a desegregation drive that landed about 2400 Negroes in jail between April 3 and May 6.

The Rev. Fred L. Shuttlesworth, titular head of the drive, said in Cincinnati that the Board's action was very unwise and might bring more demonstrations.

Mr. Billups said the pupils would go on strike of their own accord as a sympathy gesture.

"The day they expel or suspend the first pupil, then we hope to have 34,000 pupils out of school," he said. That is the entire Negro enrollment.

Ex-Leader of Klan Held In Shooting Up Homes

ANNISTON, Ala., May 20 (UPI)—Kenneth Adams, 42, a former Ku Klux Klan leader who has been involved in several racial incidents, was arrested today and charged with firing shotgun blasts into two Negro homes here May 12, about 12 hours after the Birmingham riots.

He and William H. [illegible] Jr., 25, also were charged with intimidating with a pistol two Negro women about one hour before the shotgun blasts were fired into the homes. There were no injuries in any of the incidents.

ALABAMA LEGAL CHALLENGE TO MR. KENNEDY

GOVERNOR ASKS FOR INJUNCTION

DEFENDING THE SOUTH AGAINST "FOREIGNERS"

From Our Own Correspondent

WASHINGTON, May 19

Mr. George Wallace, the Governor of Alabama, sought an injunction from the United States Supreme Court this week-end to prevent President Kennedy from using the federal troops which he sent to Alabama last Monday because of racial violence. A few hours later the Governor and the President met at a ceremony in northern Alabama, but apparently confined their conversation to the weather.

Mr. Kennedy, who was helping to celebrate the thirtieth anniversary of the creation of the Tennessee Valley Authority, made some pointed references to the need for responsible citizens to respect the law. The Justice Department in Washington said the Governor's suit ignored the national character of the United States.

LESSON FOR LONDON

In an interview with your Correspondent and another British journalist last week Mr. Wallace made it clear that he regards the rest of the country as virtually foreign territory where domestic disputes are concerned, although he vowed loyalty to the United States if it were menaced from outside. He insisted that the President was on weak constitutional ground in sending troops to Alabama, and expressed his determination to bring the issue of states rights before the courts at every opportunity.

The Governor is a short, aggressive man who was twice bantam weight boxing champion of Alabama and earned his nickname, "the Fighting Little Judge" in the struggle against desegregation. He insisted that segregation existed in every part of the world where the black and white races lived in close proximity, and that if there were more Negroes in London it would be realized that their morals and attitudes were different.

REFORMED MAN-EATERS

He appeared convinced that slaves were still sold in the streets of Liberia, that the Congolese were cannibals, and that the president of one African state was a reformed man-eater. Assured that none of these impressions was accurate, he replied with a bland smile: "Well, they didn't give it up long ago."

He said that until such persons began rejecting the part of foreign aid which came from the south he would not worry about the overseas impact of Alabama's racial troubles. "Most of those spear-carriers not only don't know where the United States is but they don't know where they are themselves," he asserted. In any case the United States was already feeding most of them.

APPEAL TO BRITAIN

White southerners, he said, were Anglo-Saxon (to prove it he found our surnames in the local telephone directory) and they believed, like the British, that they were better than anyone else. He had a great admiration for Britain, which had refused to be pushed around by Hitler, and the south had been the first to rise in support in 1940. Why could not the British understand the southern attitude? The rest of the United States was full of Reds. Alabama

INJUNCTION

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Whenever, during the interview, an assistant brought in another photograph for the Governor to autograph, or the telephone rang, we rose to go but Mr. Wallace waved us back to our seats and told his callers that he was explaining things to two gentlemen from Britain. Every now and then he spat with great accuracy into his wastepaper basket. Finally he offered us cigars which he admitted were Cuban

As he removed the bands he remarked: "I would not buy anything Cuban, but these were a gift." We left

ALABAMIAN SUES ON USE OF TROOPS

High Court Is Asked to Find Kennedy Action Illegal

By JACK RAYMOND

Special to The New York Times

WASHINGTON, May 18 — Gov. George C. Wallace of Alabama asked the Supreme Court today to find that President Kennedy had acted unconstitutionally in ordering troops in Alabama because of racial disturbances in Birmingham.

In Nashville, Tenn., where Mr. Kennedy was making a speech, his press secretary, Pierre Salinger, issued this statement from the President:

"This is a government of laws to which all are subject. If Governor Wallace feels there is a legal question, then this [the Court] is the proper place to settle this question."

The Governor filed a motion with the clerk of the Supreme Court formally challenging the legality of the President's action. He argued that there had been no official request from Alabama for assistance under Article IV of the Constitution.

Amendment Is Attached

Article IV authorizes the Federal Government to act against domestic violence "on the application of the Legislature, or of the Executive" of a state.

When the President dispatched troops to the vicinity of Birmingham May 12, he did so on the basis of Section 333 of Title 10 of the United States Code. This section gives him power to quell civil disturbances. The statute was originally passed in 1871 and was last revised in 1956.

Governor Wallace asked the Court to find the 14th Amendment to the Constitution unconstitutional to find unconstitutional the statute on which the President acted. He also asked the Court to find it unconstitutional.

The 14th Amendment, declared in force July 28, 1868, superseded the Supreme Court's ruling in the Dred Scott case, which held that national citizenship was determined by state citizenship.

McNamara Named in Suit

Under the 14th Amendment [illegible] shall [illegible] any state deprive any person of life, liberty or property without due process of law, nor deny any person within its jurisdiction the equal protection of the laws."

Governor Wallace asked that this amendment, which has been the basis of most civil rights actions of recent years, be declared null and void.

The Alabamian's motion also named Secretary of Defense Robert S. McNamara as a defendant.

The Supreme Court has original jurisdiction in disputes between states and between a state and the Federal Government.

There was no indication of when the Court would act. The petition requested a speedy ruling.

Governor Wallace indicated his intention to sue almost immediately after President Kennedy announced last Sunday night that Army units specially trained in riot duty had been deployed for possible use in Birmingham. Negro desegregation demonstrations there have met considerable official resistance.

The President acted after the home of the Rev. A. D. King, a brother of the Rev. Dr. Martin Luther King Jr., the Negro integration leader, was bombed and a motel was bombed, and rioting broke out in Birmingham.

Calm Prevails in City

About 3,000 [illegible] paratroopers, military policemen and others were moved by truck from Fort Benning, Ga., to Fort McClellan, Ala., and by plane from Fort Bragg, N. C., to Maxwell Air Force Base about 60 miles southeast of Birmingham.

Since then relative calm has prevailed in Birmingham.

Governor Wallace charged as soon as the troops were moved that the President was setting up a "military dictatorship" and the troops must be removed "if free government is to continue."

In the suit filed today, the Governor asked for both temporary and permanent injunctions against the use of Federal troops without a formal request by the State of Alabama.

The suit said that the President had directed "the defendant, Robert S. McNamara, Secretary of Defense, "to send members of the armed forces into Alabama May 12, allegedly to suppress domestic violence. It asked the Court to find this action "unconstitutional and void."

The petition charged that Federal forces had not only been sent to positions near Birmingham, but were also "deployed presently in the city of Birmingham."

Incitement Is Charged

Recounting events prior to May 12, the petition said that "Martin Luther King, Fred Shuttlesworth, Ralph Abernathy, Wyatt Tee Walker and other Negroes had led or incited unlawful parades and racial demonstrations in Birmingham."

The petition referred to Negro ministers and other members of the Southern Christian Leadership Conference.

In addition, the petition continued, "various demonstrators committed acts of violence on police law-enforcement officials" of both the city of Birmingham and the state of Alabama.

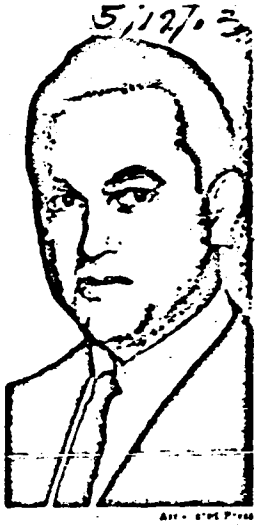
It referred to bombing incidents in Birmingham and said that "hundreds of Negroes rioted and caused severe personal injuries and property damage within the city."

'Irreparable Harm' Feared

City, county and state officials carried out "such measures as were necessary to suppress the domestic violence," the petition said. The same officials "are able and will not fail or refuse" to suppress any violence in the future, it said.

The petition charged that "irreparable harm" would result if the Federal Government did not withdraw the troops. It particularly stressed the presence of a small advance "command post" that has been set up in Birmingham, in the event that troops are sent there. Government sources have said they would not send troops into the city unless uncontrollable violence breaks out.

Commenting on Governor Wallace's emphasis upon Article IV of the Constitution, officials have said that the provisions of it mean that other laws or provisions of the Constitution could not be followed by the President in carrying out his duties to protect the rights of citizens.



Associated Press

CIVIL RIGHTS CRITIC: Gov. George C. Wallace of Alabama, who asked Supreme Court to nullify 14th Amendment to Constitution.

NEW YORK HERALD-TRIBUNE
MAY 19, 1963

Wallace Suit Hits Both JFK, 14th Amendment

By Laurence Barrett

WASHINGTON

Gov. George C. Wallace of Alabama took an official step [illegible] Supreme Court [illegible]

[illegible] President's press secretary said: "This is a government of laws to which all are subject." If Governor Wallace feels there is a legal question, then this is the court is the proper place to settle this [illegible]

The Justice Department said the Wallace petition was [illegible] to raise no merit.

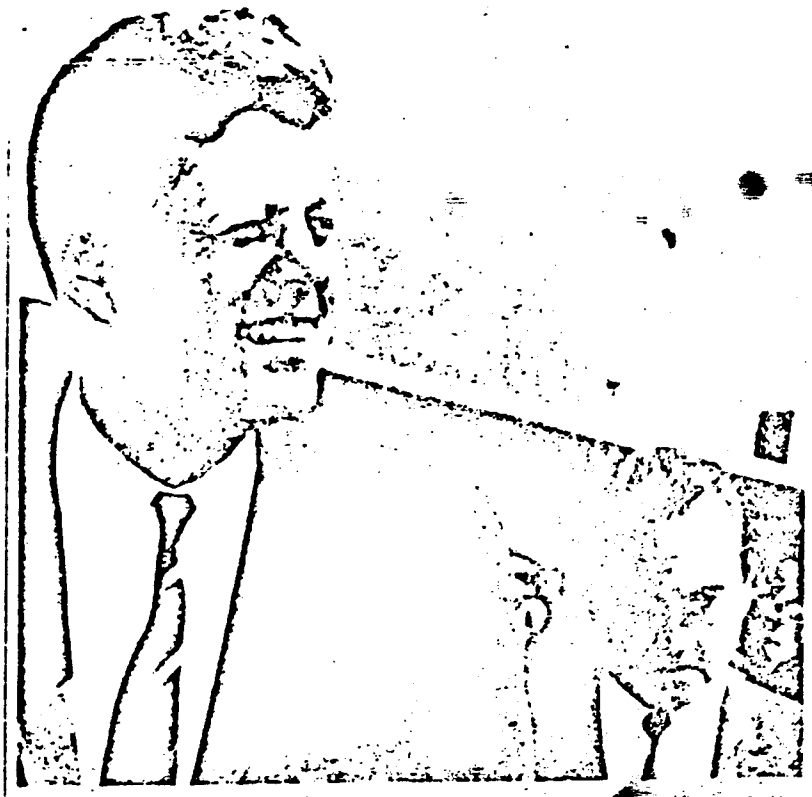
[illegible] department said: "The [illegible] Government action [illegible]

[illegible]

IT WAS MUTUAL: President Kennedy left, and Gov. George Wallace of Alabama shake hands as the President [illegible] helicopter at Muscle Shoals, Ala., yesterday. Later, they had a "not unfriendly" exchange in [illegible], Ala., where President spoke.

NEW YORK HERALD-TRIBUNE
MAY 19, 1963

In South—Kennedy Asks For Rights, Law, Order



FACES FACING THE CROWD: President Kennedy, left, smiles his famous smile while Alabama's Gov. George Wallace grits his teeth and concentrates on the ground at Muscle Shoals, Ala., yesterday. About 12,000 persons were on hand to mark the 30th anniversary of TVA and listen to the President plead for racial harmony.

OBLIGATIONS: To

By Don Iseman

HUNTSVILLE, Ala.

President Kennedy came

yesterday and

Shoals to this city, site of the Redstone Arsenal and the Marshall Space Flight Center.

KENNEDY—P. 46

Kennedy on Rights, Law, Order in South

(Continued from page one)

back at Andrews Air Force Base, near Washington at 7:30 p m He transferred to a Marine helicopter and flew to Camp David, in Maryland's Catoctin Mountains.

In Nashville, Mr. Kennedy was welcomed by 200,000 well-wishers and there were 30,000 on hand at Vanderbilt University to hear the Chief Executive summon all Americans to uphold the law of the nation

Responsible Elements

While Mr. Kennedy declared that there is a "continuing debate" about civil rights, he said he would speak "not of your rights as Americans but of your responsibility"

As the crowd applauded at various points the President dent reasoned that one man's defiance of the law or a court order inspires defiance by others "leading to a breakdown of all justice and order"

It was to the moderates that the President addressed the principal message of his speech that "the responsibilities of the educated citizen" include obligations to pursue learning, serve the public and uphold the law

The language was tactfully low-keyed as the President noted that the nation "is now engaged in a continuing debate about the rights of a portion of its citizens."

"That debate will go on," the President predicted, "and those rights will expand, until the standard first forged by the nation's founders has been reached—and all Americans enjoy equal opportunity and liberty under law"

But, Mr Kennedy reminded his listeners citizen responsibility is a principle of equal importance with citizens rights, and neither can be neglected without peril to the other.

"All Americans must be responsible citizens said Mr Kennedy, "but some must be more responsible than others"

As he focused his lecture-like speech on the obligations of the educated, the President had a special message for Southern officials, such as Mississippi's Gov Ross Barnett, who have defied integration orders of Federal courts who have defied integration orders of Federal courts

The educated man knows, the President said, "that for one man to defy a law or a court order he does not like is to invite others to defy those which they do not like, leading to a breakdown of all justice and order."

"He knows, too," the President continued, "that every fellow is entitled to be regarded with decency and treated with dignity. Any educated citizen who seeks to subvert the law, to suppress freedom, or to subject other human beings to acts that are less than human, degrades his heritage, ignores his learning and betrays his obligation"

The world has watched "recent events" in the U. S. with "alarm and dismay," the President reminded his listeners in clear but oblique reference to the racial troubles that have flared recently in Nashville, Birmingham and other cities.

At Muscle Shoals, Gov Wallace waved to the President as his helicopter touched down Together they walked into the TVA administration building and a crowd of 15,000 shouted approval

Protest on Troops

But the Alabama Governor listened grimly a few minutes later as the President declared:

"The people of this area know that the Federal government is not a stranger and not an enemy"

While the President was paying tribute to George Norris, the former Senator from Nebraska who is regarded as the father of TVA, Gov Wallace looked over the crowd and said, "These folks don't want Federal troops here" He was referring to the riot-trained troops Mr Kennedy ordered into the Birmingham area last week

The President avoided any civil rights references, but did note that "without the national government, there could be no TVA"

Relaxed in the 82-degree temperature Mr Kennedy boarded his helicopter, accompanied by Gov. Wallace, and together they flew to Huntsville, the last stop on the President's swing

And what did they talk about

The Governor said "We looked at the great Tennessee Valley and discussed things briefly"

Mr Wallace acknowledged that they did talk about the racial situation, but the President spent much of the time sightseeing

Dr Wernher van Braun America's top space scientist, was among those who greeted Mr Kennedy at Huntsville, home of the Redstone Arsenal In the crowd was Tallulah Bankhead, in the front row in the airfield seats, as the President spoke briefly from a temporary platform

Again, Mr Kennedy skipped racial issues, confining his talk to space and America's accomplishments.

"You who are building the missiles are not only shooting them into space but you are also raising the prestige of this country," he told the crowd of 7,000.

The President chose to ride with Alabama's two Senators, John J. Sparkman and Lister Hill, when the group, leaving his helicopter, entered cars to get to the speaker's platform And Mr Kennedy left the Governor to his own devices in a five-minute waiting period before he delivered his speech.

In addition to the two Alabama senators, Mr. Kennedy was accompanied on the trip by two Alabama Representatives, Carl Elliott and Albert Rains, and four House members from Tennessee.

Kennedy Speaking

President Kennedy, in his address at Vanderbilt University yesterday, commented at length on the rights of some American citizens, the responsibilities of all Americans and the obligation to adhere to the rule of law. His words on these topics:

ON HUMAN RIGHTS

Liberty without learning is in peril—and learning without liberty is in vain. This state, this city and the campus have long stood for both human rights and human enlightenment—and let that forever be true.

This nation is now engaged in a continuing debate about the rights of a portion of its citizens. The debate will go on, and those rights will expand, until the standard first forged by the nation's founders has been reached—and all Americans enjoy equal opportunity and liberty under law.

ON RESPONSIBILITY

But this nation was not founded solely on the principle of citizens' rights Equally important—though too infrequently discussed—is the citizen's responsibility For our privileges can be no greater than our obligations. The protection of our rights can endure no longer than the performance of our responsibilities. Each can be neglected only at the peril of the other

I would speak to you today, therefore, not of your rights as Americans but of your responsibilities They are many in number and different in nature. They do not rest with equal weight upon the shoulders of all. Equality of opportunity does not mean equality of responsibility. All Americans must be responsible citizens but some must be more responsible than others, by virtue of their public or private position, their role in the family or community, their prospects for the future or their legacy from the past. Increased responsibility goes with increased ability—for "of those to whom much is given, much is required"

ON THE LAW

The educated citizen knows that law is the adhesive force in the cement of society, creating order out of chaos and coherence in place of anarchy He knows that for one man to defy a law or court order he does not like is to invite others to defy those which they do not like, leading to a breakdown of all justice and order. He knows, too, that every fellow man is entitled to be regarded with decency and treated with dignity. Any educated citizen who seeks to subvert the law, to suppress freedom, or to subject other human beings to acts that are less than human, degrades his heritage, ignores his learning and betrays his obligation.

Certain other societies may respect the rule of force we respect the rule of law.

Others may pursue their ends through the use of terror and repression—we adjust our differences through courts and conciliation.

The nation—indeed, the whole world—has watched recent events in the United States with alarm and dismay No one can deny the complexity of the problems involved in assuring to all our citizens their full rights as Americans But no one can gainsay the fact that the determination to secure those rights is in the highest traditions of American freedom

In these moments of trade disorder, a special burden rests on the educated men and women of our country—to reject the temptations of prejudice and violence, and to reaffirm the values of freedom and law on which our society depends

NEW YORK HERALD-TRIBUNE
MAY 19, 1963

Shaky Alabama Truce And New Bomb Threats

By United Press International

BIRMINGHAM.

Unarmed Negro volunteers and a police force of 1,200 were on the alert here yesterday in the face of threats of new racial bombings.

President Kennedy, visiting the South for the 30th anniversary of the Tennessee Valley Authority, appealed for an end of racial violence. He urged people "to reject the temptations of prejudice and violence and to reaffirm the values of freedom and law on which our society depends."

The Rev. Dr. Martin Luther King Jr., Southern integration leader, said this week end "will be crucial" to a shaky truce negotiated recently by a biracial committee. The truce ended mass demonstrations by Negroes.

Police Chief Jamie Moore said stepped-up week end patrols would move through the Negro section where last Saturday night two bombings touched off four hours of rioting by Negroes. He also said he was "taking other steps we think necessary" but wouldn't elaborate.

Dr. King said Negroes had volunteered to guard at least 12 homes of Negro leaders, Negro churches and the A.G. Gaston Motel where he and his lieutenants have stayed. He said the guards would be unarmed but would be ready to sound the alarm in the event of a repeat of last Saturday's bombings.

During the day the negro section appeared almost normal. However, city police, reinformed by highway patrolmen, were seen frequently.

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KENNEDY, IN SOUTH, HAILS NEGRO DRIVE FOR CIVIL RIGHTS

It Is in 'Highest Traditions' of U.S. Freedom, He Asserts at Vanderbilt Celebration

30 T.V.A. YEARS LAUDED

With Wallace on Platform at Muscle Shoals, President Defends Federal Role

Text of Kennedy's speech on civil right is on Page 62.

By TOM WICKER
Special to The New York Times

MUSCLE SHOALS, Ala., May 18 President Kennedy told a Southern audience today that the efforts of Negroes to secure their rights were "in the highest traditions of American freedom."

In a speech at a convocation honoring the 90th anniversary of Vanderbilt University at Nashville, Tenn., Mr. Kennedy said that the nation's "continuing debate about the rights of a portion of its citizens" would continue.

"Those rights will expand," the President said, "until the standard first forged by the nation's founders has been reached and all Americans enjoy equal opportunity and liberty under law."

Meets Gov. Wallace

Then the president flew on to Muscle Shoals, Ala., where he encountered Gov. George C. Wallace of Alabama.

Mr. Wallace caused a suit to be filed this morning in the United States Supreme Court against the use of Federal troops in the Alabama racial crisis.

Despite that, Governor Wallace was scheduled to fly with the President in Mr. Kennedy's helicopter from Muscle Shoals to Huntsville, Ala. before the President returned to Washington.

Both Alabama and Tennessee have been torn in recent weeks by racial unrest that several times has exploded into violence in Birmingham and Nashville. Alarmed by bombings and rioting in Birmingham last Saturday and Sunday, Mr. Kennedy sent specially trained Federal troops into Alabama.

Held in Readiness

These forces have not been used but are on the alert.

"The nation, indeed the whole world," Mr. Kennedy said, has watched such events "with alarm and dismay."

The crowd of 28,000 in the Vanderbilt Stadium several times applauded Mr. Kennedy's remarks on civil rights. As he arrived in the city, a crowd estimated at 150,000 watched politely but without a great show of enthusiasm along the motorcade route through downtown Nashville.

The President was given a great ovation when he drove into the stadium in an open

Continued on Page 62, Column 1

HAILS NEGRO FIGHT

VISITOR TO VANDERBILT President Kennedy with Senator Estes Kefauver, Democrat of Tennessee, at Vanderbilt University stadium where he spoke at convocation.

A Tragic Disorder

Saluting Cordell H

Bismarck Quote

Bite attack

The New York Times Sunday May 19, 1963

[illegible] anniversary of the Tennessee Valley Authority, and to a development" against criticism by States'-Rights advocates.

"The Federal Government is not a stranger or an enemy," he said in a text prepared for delivery of the "national Government." "It is the people of fifty states joining in a national effort to seek progress in every [illegible]."

The President said that TVA was "a fitting answer to Socialism—and it certainly is not creeping."

Mr. Kennedy, who seldom spoke enthusiastically about the TVA while a United States Representative and Senator from Massachusetts, was glowing in his praise of that institution today.

"In the minds of men the world over," the President said, "the initials TVA stand for progress."

The accomplishments of the Tennessee Valley Authority, he said, have given "the undecided and the uncommitted an impression of growth and vitality and concern for human well-being which cannot be matched anywhere else in the world."

He cited TVA's work in providing electrification, park and recreation areas, new private industrial growth, flood control, river transportation, new types of fertilizer and farming techniques, reforestation, and fish and wildlife conservation.

"And new opportunities, new frontiers to explore are opening up every year," the President said, seemingly in answer to critics who argue that TVA has done its work and should be sold to private interests.

He cited work on tributary rivers, reclamation of strip-mining lands, new recreational areas and new studies of flood land zoning and planning.

A Cooperative Effort

Much of TVA's success, the President said, has been due to its combination of government and private enterprise. Thus, he said, the people of the Tennessee Valley region have plain evidence that the Federal Government is not "an outsider, an intruder, an adversary."

Without it, he said, there would have been no TVA, no control of water pollution or assistance to depressed areas, fewer hospitals, rural libraries or college buildings, and inadequate school lunch and milk programs.

It is the Federal Government, he said, that in cooperation with the states has enabled the farmers of the area "to stay ahead of the bugs, the boll weevils and the mortgage bankers" down from dissipations and the other third ruled Germany. I do not know which third of the student body of Vanderbilt is here today, but I am confident we're talking to the future rulers of Tennessee and America in the third of this university.

The essence of Vanderbilt is still learning; the essence of its outlook is still liberty; and liberty and learning will be and must be the touchstones of Vanderbilt University and of any free university in this country or the world. I say two touchstones - yet they are almost inseparable; inseparable if not indistinguishable. For liberty without learning is always in peril and learning without liberty is always in vain.

This state, this city, this campus have stood long for both human rights and human enlightenment and let that forever be true.

Debate To Go On

This nation is now engaged in a continuing debate about the rights of a portion of its citizens. That will go on and those rights will expand until the standard first forged by the nation's founders has been reached—and all Americans enjoy equal opportunity and liberty under law.

But this nation was not founded solely on the principle of citizen rights. Equally important - though too often not discussed - is the citizen's responsibility. For our privileges can be no greater than our obligations. The protection of our rights can endure no longer than the performance of our responsibilities. Each can be neglected only at the peril of the other.

I speak to you today, therefore, not of your rights as Americans but of your responsibilities. They are many in number and different in nature. They do not rest with equal weight upon the shoulders of all. Equality of opportunity does not mean equality of responsibility.

All Americans must be re- life struggle.

"Every man sent out from a university," said Prof Woodrow Wilson, "every man sent out from a university should be a man of his nation, as well as a man of his time."

You have responsibilities in short, to use your talents for the benefit of the society, which helped develop those talents. You must decide, as Goethe put it, whether you will be an anvil or a hammer - whether you will give to the world in which you were reared and educated, the broadest possible benefits of that education.

3 Special Obligations

Of the many special obligations incumbent upon an educated citizen, I would cite three as outstanding:

Your obligation to the pursuit of learning.

Your obligation to serve the public.

Your obligation to uphold the law.

If the pursuit of learning is not defended by the educated citizen, it will not be defended at all. For there will always be those who scoff at intellectuals, who cry out against research, who seek to limit our educational system.

Ignorance A Peril

Modern cynics and skeptics see no more reason for landing a man on the moon - which we shall do - than the cynics and skeptics of half a millenium ago saw for the discovery of this country. They see no harm in paying those to whom they entrust the minds of their children a smaller wage than is paid to those to whom they entrust the care of their plumbing.

But the educated citizen knows how much more there is to know. He knows that knowledge is power, more so today than ever before.

He knows that only an educated and informed people will be a free people that the ignorance of one voter in a democracy impairs the security of all and that if we [illegible] pace of anarchy. He knows

"So, too, in life," he said, of the honorable and the good, it is they who act who rightly win the prizes."

I urge all of you here today - especially those who are students—to act, to enter the lists of public service and rightly win or lose the prize.

The Natural Aristocracy

For we can have only one form of aristocracy in this country, as Jefferson wrote long ago, in rejecting John Adams' suggestion of an artificial aristocracy of wealth and birth. It is, he wrote, the natural aristocracy of character and talent, and the best form of government, he added, was that which selected these men for positions of responsibility.

I would hope that all educated citizens would fulfill this obligation — in politics, in government, here in Nashville, here in this state, in the Peace Corps, in the Foreign Service, in the Government Service, in the Tennessee Valley, in the world.

You will find the pleasures greater than the pay. You may endure more public attacks than support. But you will have the unequaled satisfaction of knowing that your character and talent are contributing to the direction and success of this free society.

Law A Creator of Order

Third, and finally, the educated citizen has an obligation to uphold the law. This is the obligation of every citizen in a free and peaceful society — but the educated citizen has a special responsibility by the virtue of his greater understanding. For, whether he has ever studied history or current events, ethics or civics, the rules of a profession or the tools of a trade, he knows that only a respect for the law makes possible for free men to dwell together in peace and progress.

He knows that law is the adhesive force of the cement of society, creating order out of chaos and coherence in

WASHINGTON EVENING STAR

THE EVENING STAR
Washington, D. C., Monday, May 20, 1963

Theft of Dynamite Probed in Birmingham

BIRMINGHAM, Ala., May 20 (AP).—Authorities are investigating the theft of a large amount of dynamite several days before twin blasts touched off Negro rioting in this Southern city.

Two cases of dynamite were stolen from a storage house prior to the May 11 bombings of a Negro house and a motel, Sheriff Melvin Bailey disclosed yesterday. Normally, that would be 100 pounds.

"It's a frightening amount," said Sheriff Bailey. "There is plenty of loose dynamite in this area."

The bombings on May 11 ruined the home of the Rev. A. D. King, brother of integration leader Dr. Martin Luther King, jr., and damaged a Negro motel that has served as headquarters for the anti-segregation drive.

An uneasy calm prevailed during the week end. Nearly 1,300 law enforcement officers were available for duty and potential trouble areas were under heavy patrol. About 3,000 Federal troops, called up by President Kennedy for possible use in Birmingham, were on standby at two Alabama bases.

Gov. George C. Wallace, who has sent about 700 State officers into the city, filed suit Saturday in an effort to block any use of the Federal troops.

In other developments related to the Birmingham situation:

About 800 persons, mostly whites, marched in White Plains, N. Y., in support of integration and—in the words of a placard—protesting "Birmingham police terror."

A Negro leader said Birmingham Negroes are among the roughest in the Nation and that new provocations could bring terrible violence. Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, made the remarks on a New York radio program.

Senator Harrison A. Williams, jr., Democrat of New Jersey, said at a Plainfield, N. J., rally observing the emancipation centennial that "there are elements of the Birmingham explosion in every community where inequality among races exist . . ."

WASHINGTON EVENING STAR

MAY 20 1963

JENKIN LLOYD JONES

Double Standards Cut Two Ways

Endless Setbacks Seen for Negroes If Responsibilities Are Glossed Over

Among the worst enemies of American Negroes today are many who proclaim themselves as the Negroes' best friends.

These are the people who gloss over, alibi, explain away or attempt to cover up a rising tide of Negro misbehavior in America's big cities. They represent the "It's-all-the-white-man's fault" school. Down this road lie endless disappointments and setbacks for America's Negro citizens. The inevitable reaction will be particularly rough on those young colored kids who are really trying to better themselves.

A once-submerged race doesn't rise on a record of irresponsibility. Unpunished crime is not the way to obtain social acceptance. Illegitimacy, family abandonment and relief loafing by preference are pretty sure methods of drying up good will. No amount of fair employment legislation will overcome the disastrous results of a record of bad citizenship.

Yet these are the net result of a peculiar social philosophy that has attempted to tell Negroes that they are not responsible for their actions.

Following a riot at the Washington baseball park last month in which a group of young Negro toughs attacked white fans for no reason, Mrs. Agnes Meyer ascribed the outbreak to frustration.

"The Negro is sick and tired of being kicked around 90 years after passage of the 14th Amendment, which promised him equality," said Mrs. Meyer. She called for a new outpouring of Federal money to meet the "social, educational and economic problems" of Negroes in the District of Columbia.

Well, the Negro certainly has been kicked around. He needs better schools and wider job opportunities. But he also needs a greater sense of responsibility. Washington news stories are drearily repetitive about young muggers and purse-snatchers who are "released to the custody of their parents." What kind of parents?

People don't walk in the Washington parks after dark anymore. These are parks that belong to the whole Nation. When the sun goes down, upper Central Park in New York City is deserted and the policemen patrol in pairs. Sure, there's plenty of white juvenile delinquency. But the comparative crime rates make chilling reading even though the NAACP has made every effort to have racial designations suppressed on the police records.

There is too much sly hypocrisy in the effort to assure Negroes that, however they behave, they are merely innocent victims of white bigotry.

Under our outmoded electoral college system, Negro votes in the large States are rich prizes. You can help gather these prizes by thundering oratory against the little Alabama town where integration would result in Negro majorities in all the schools. Yet there isn't a single politician in Washington of either party who has school-age children who couldn't, if he wished, send them to schools where Negro children are in the majority. How many do?

The Southern whites have plenty to answer for. One of their great errors was the acceptance of a racial double standard of behavior. Southern courts were notoriously lenient with Negroes who stole from Negroes or killed Negroes. It was only when Negroes transgressed against whites that retribution was swift and often brutal.

But the Northern sentimentalists have set up a double standard in reverse. The little candy store owner who is beaten to death by colored thugs draws only mild tongue-clucking and perhaps an editorial, "Where Have We Failed?" Yet the riotous white kid on the Ol' Miss campus who throws eggs at James H. Meredith is photographed for a four-column spread on Page One and treated as a national menace.

Race relations are not going to improve in America until we climb off these double standards. Crime is crime. Whites and Negroes, alike, have a right to be protected. And they have equal obligations in crime prevention.

In this respect, American Negroes who count themselves among the leaders of their race have been doing a terrible job. They have been long on self-pity and short on self-criticism. It has been more fun to organize marches into Dixie than to level with their people about the end result of the attacks on police in Harlem.

This failure of leadership has been immensely damaging to Negro aspirations. The shenanigans of Adam Clayton Powell have hurt Negroes at least as badly as the stubbornness of Gov. Ross Barnett. It is ironic that the only strong voice calling for better Negro behavior comes from the Black Muslims, who are as racist as the White Citizens Councilites, but are in favor of black supremacy.

Better opportunities may be presented to Negroes by court action, but they can be retained and expanded only by demonstrating reliability. A court has ordered Continental Airlines to hire a Negro pilot. Hooray! There isn't any reason why a Negro shouldn't fly a transport plane. But if he shows up at operations disheveled and hung over he'll betray his people.

Many Americans now concede that it is an outrage to keep a good pilot on the ground because his skin is black. But no one will want to fly with a bad pilot who is in the cockpit by court order merely because his skin is black.

It's as simple as that. Second-class citizens will never become first-class citizens by behaving like third-class citizens. American Negroes need more friends who are honest with them, and more leaders who are ready to go to war against all double standards — even those that have been comfortable.

WASHINGTON EVENING STAR

Actress Seized in Rites At Moore Killing Site

ATTALLA, Ala., May 20 (AP).—As a racial demonstrator, Actress Madeleine Sherwood won applause from Negro spectators and a trip to an Alabama jail with 10 other Freedom Marchers.

They were arrested yesterday beside U. S. Highway 11 at the spot where Baltimore Postman William L. Moore was shot to death April 24.

Mr. Moore was walking to Jackson, Miss., where he hoped to present his integration views to Gov. Ross Barnett.

This was the third group of walkers arrested in Alabama since May 1. Others are awaiting trial on charges of breach of peace, the same charge placed against Miss Sherwood's group.

Four of the demonstrators, including Miss Sherwood, fell to the grass beside the high-

Actress Madeleine Sherwood is carried bodily to a patrol car by Alabama highway patrolmen after a bi-racial memorial service for slain freedom walker William L. Moore.—AP Wirephoto.

NEW YORK HERALD-TRIBUNE
MAY 19, 1963

Shaky Alabama Truce And New Bomb Threats

By United Press International

BIRMINGHAM.

Unarmed Negro volunteers and a police force of 1,200 were on the alert here yesterday in the face of threats of new racial bombings.

President Kennedy, visiting the South for the 30th anniversary of the Tennessee Valley Authority, appealed for an end of racial violence. He urged people "to reject the temptations of prejudice and violence and to reaffirm the values of freedom and law on which our society depends."

The Rev. Dr. Martin Luther King Jr., Southern integration leader, said this week end "will be crucial" to a shaky truce negotiated recently by a biracial committee. The truce ended mass demonstrations by Negroes.

Police Chief Jamie Moore said stepped-up week end patrols would move through the Negro section where last Saturday night two bombings touched off four hours of rioting by Negroes. He also said he was "taking other steps we think necessary" but wouldn't elaborate.

Dr. King said Negroes had volunteered to guard at least 12 homes of Negro leaders, Negro churches and the A.G. Gaston Motel where he and his lieutenants have stayed. He said the guards would be unarmed but would be ready to sound the alarm in the event of a repeat of last Saturday's bombings.

During the day the negro section appeared almost normal. However, city police, reinforced by highway patrolmen, were seen frequently.

State Public Safety Commissioner Albert Lingo had 200 highway patrolmen here backed up by 300 Conservation Department officers and Alcoholic Beverage Control Board agents. There were another 700 officers standing by from the city, county and surrounding municipalities.

President Kennedy moved 3,000 riot-trained soldiers to military bases at Montgomery and Anniston, ready to rush here if more trouble developed. Gov. George C. Wallace yesterday asked the Supreme Court to order the President to withdraw the troops on grounds the law under which Mr. Kennedy acted was unconstitutional.

WASHINGTON EVENING STAR

MAY 17 1963

Events Indicate

Dollar Big Force in Racial Picture

By ROBERT DIETSCH
Star-Herald Staff Writer

As events in Birmingham indicate the Yankee dollar—as well as the Dixie dollar—is proving a mitigating force in this country's racial problems.

In the South but also in the North, businessmen and business groups are acting as buffers between Negro demands and white political and social resistance.

For the most part, business' action, wary and cautious as it is, is motivated by desire to keep sales high, to please all potential customers regardless of skin color and to take advantage of the Negro's rising income.

THE DESIRE

But to some degree at least, business leadership is impelled by a desire to keep a community, county or state attractive as a place of industrial growth coupled with a feeling that integration is inevitable and should be speeded.

"Generally speaking," says Commerce Secretary and former North Carolina governor Luther Hodges, "the businessman can look at this thing a little more dispassionately. He is interested in the future of his community. He is generally, with some exceptions, interested in the community relationships, the people to people relationships."

"Politicians," Mr. Hodges observes, "are inclined to measure what they say and what they don't say by what effect it might have on their political futures.

"Businessmen don't operate that way."

VIEW

"There's no doubt but that the forward looking businessman is working to ease racial tensions in the South and even in the North," says Clarence Mitchell, Washington director for the National Association for the Advancement of Colored People (NAACP).

"Trouble is, forward looking executives still are in the minority."

But Mr. Mitchell says generally speaking business is ahead of the politicians.

WASHINGTON POST-TIMES HERALD

MAY 20 1963

Fantasy in Alabama

Alabama's suit to prevent the use of Federal troops in that state is significant largely as a reflection of the state of mind of Gov. George C. Wallace. It has, of course, no legal significance. The Supreme Court will necessarily declare the law of the land, and there is no real question as to what that law is. The United States is a Nation and not the kind of loose, pre-Civil-War confederation that Governor Wallace seems to wish it was.

The fantastic nature of the Alabama suit is perhaps best seen in the contention that the Fourteenth Amendment is itself unconstitutional. Over many decades the Supreme Court has listened to thousands of arguments about the meaning of the Fourteenth Amendment. The deep roots of that amendment as a part of our constitutional system have been affirmed by a host of Justices of many different political complexions. When a Governor turns his back upon this flood of history and tries to contend that the Amendment itself is invalid, his flight of fancy disqualifies him as a responsible official.

It has long been clear, moreover, that the President has ample power to protect any part of the Union from violence and to see that Federal law is enforced, without any request from a governor or other state officials. As early as 1795 Congress authorized the President to use armed force, if necessary, "in case of an insurection in any state." The discretion as to when this power should be exercised was also left, as Chief Justice Taney once pointed out, to the President. In several instances Presidents have found it necessary to exercise this power. President Cleveland sent Federal troops into Chicago, without any request from the state, to quell the violence connected with the Pullman strike. In deciding the *Debs* case which grew out of this incident, the Supreme Court ruled:

> The entire strength of the Nation may be used to enforce in any part of the land the full and free exercise of all national powers and the security of all rights entrusted by the Constitution to its care.

The attempt to deny this power, whether in Little Rock, Oxford or Birmingham, is a throwback to the thinking which caused the Civil War. Not only has the Government, with the overwhelming concurrence of the people, rebuttressed this principle; it has also widened the scope of basic constitutional rights that it will protect, by the use of Federal force, when and if necessary. This is the inescapable fact of life in the United States in the 1960s to which the extremists of the South will have to adjust themselves.

Probably the greatest hope lies in the appeal which President Kennedy made at Vanderbilt University in Nashville. The President made it unmistakably clear that the fight to secure the rights of all citizens will continue because it "is in the highest traditions of American freedom." But he did not scold even the extremists. Rather, his appeal was to a new generation of educated young people: "In these moments of tragic disorder, a special burden rests on the educated men and women of our country—to reject the temptations of prejudice and violence, and to reaffirm the values of freedom and law on which our free society depends."

A troubled future will be in store until the men who are looking backward in Alabama and elsewhere are relieved of power by those who understand the responsibilities as well as the privileges of freedom.

MAY 2

WASHINGTON POST-TIMES HERALD

5?

'New City' Seen Emerging

Uneasy Birmingham Undergoes Transition

By Robert E. Baker
Staff Reporter

News Analysis

BIRMINGHAM, Ala.—Last week, following the bombing of a Negro house and motel and the resulting riot by angry Negroes, Birmingham residents exhibited a wry sense of humor with parodies on the city's slogan, "It's nice to have you in Birmingham."

"It's nice to bomb you in Havingham," was one version. "It's nice to have a Birmingham to have you in," was another.

All things considered, Birmingham has shown a stability in this period of racial tension that it didn't have a year or so ago.

As one influential lawyer put it: "Birmingham's past answer to Negro protests, like the Freedom Riders two years ago, was to tolerate them getting beaten up at the bus station."

But this time it's a different city.

No White Mobs Appear

There is the frequently expressed pride, perhaps with a touch of surprise, that no white mobs gathered during the two weeks of Negro demonstrations nor during the riot of last Saturday night.

There is still anxiety. Synagogues are bathed in light at night and are guarded by off-duty police as a precaution against the few demented wild ones equipped with dynamite and a speeding car who somehow blame Jewish merchants for the minimal desegregation of lunch counters that helped establish the truce here.

Downtown stores privately report that business is off 40 to 50 per cent, but first by a Negro boycott and then by a tense atmosphere that keeps customers at home or in suburban shopping centers.

Some angry whites are trying to organize a white [illegible]

Mayor Art Hanes characterized the old Birmingham as he spoke to a rally of dissident whites sponsored by the United Americans for Conservative Government.

Hanes said the Kennedy Administration, local businessmen and newspapers and communism were responsible for the desegregation about to come in Birmingham. He had rejected all Negro efforts to negotiate with him, he said, "because they don't have anything we want."

Repudiated by Voters

His is a fading voice, repudiated in a move toward moderation in the April 3 election when voters chose Mayor Albert Boutwell to head a new form of government.

Hanes's legal battle to extend his reign is expected to be ended soon by a ruling of the Alabama Supreme Court.

In a squad car outside the rally sat Eugene (Bull) Connor, the tough Police Commissioner who has molded himself into a symbol of segregation over the years and whose tenure is also wrapped up in the Hanes litigation. Connor seemed to sense the demise of old Birmingham.

"Boys, you don't [illegible] old Bull in there," Connor told reporters. "Now is not the time for making speeches. Now is the time for law and order."

The City's "Big Mules"

The new Birmingham was represented this week by the emergence, at last, of the "Big Mules"—the three or four score of top executives who employ three-fourths of the working force.

They long have had the influence to guide Birmingham into moderation but, reluctant to participate in any controversy other than personal bickering within the country club set, hadn't used it.

They banded together as [illegible] he sent to Alabama on a standby basis, that defiant Gov. George C. Wallace would then withdraw his State troopers, that Boutwell would then support the desegregation agreement and that everybody would act sensibly.

The alternative, it was realized, was chaos.

Some Consolations

There was consolation in the prospect that Gov. Wallace has sworn himself to a showdown he cannot win and thus probably will be the last Alabama Governor to sweep into office on racism. There was consolation that Birmingham is not alone in the South or North in having to face the spirited new Negro and accommodate him.

There are hard times ahead for Birmingham. A Federal Court is expected within two weeks to command desegregation of Birmingham public schools in September and desegregation of the University of Alabama is imminent, though Wallace has vowed he will not let this happen. And, while Mayor Boutwell and his new City Council are not the kind of men to close schools rather than desegregate them, the Birmingham School Board is packed with "Bull" Connor appointees who will remain in office as the la[illegible] times come.

Thoughtful Birmingham residents sweltered in humid 90-degree heat last week and opined that it was going to be a long, hot summer.

boycott because store facilities are to be desegregated. Some store managers are concerned that their sales clerks, usually a chatty bunch when the boss makes his rounds, are giving them the silent treatment.

One Store Closing

A story in the back pages of the local newspapers last week noted that a chain store was closing its downtown branch in two weeks because of a lack of business. Another chain store replaced its manager because he was particularly belligerent and insulting to Negro sit-ins during the recent demonstrations.

State troopers are everywhere. More than one patrol car, locked for the night, was parked along a main street with an automatic rifle lying on the back seat.

This is Birmingham's trying period of transition.

the Senior Citizens Committee last year and, two weeks ago, appointed a subcommittee to work out an agreement with the Negroes. Only last Thursday, when public tolerance of the desegregation agreement seemed to be slipping fast, did they identify themselves and call for an end to irresponsibility, violence and hate. It is a commentary on Birmingham's past that, by their pronouncement, these "big mules" were showing courage.

Responsible Viewpoint

As the week ended, responsible whites were nurturing the growing feeling that Birmingham was maturing and would pull through.

There was the hope that the State Supreme Court would rule for Mayor Boutwell, that President Kennedy would then immediately withdraw the 3000 Federal troops

WASHINGTON POST-TIMES HERALD

MAY 20 1963

Birmingham Police Alert For Stolen Dynamite

By Don McKee

BIRMINGHAM, Ala., May 19 (AP) — A large dynamite theft preceded night bombings that set off rioting by Negroes here a week ago, Sheriff Melvin Bailey disclosed today.

"There is plenty of loose dynamite in this area," Bailey said. Theft from a storage house of two cases of the explosive several days before the blasts has been under intensive investigation, he said.

Authorities had nearly 1300 law enforcement officers on call over the weekend as a guard against another strike by bomb tossers.

An explosives expert who declined use of his name said normally a case of dynamite contains 50 pounds of explosives and that major damage could be wrought with that amount.

There are about 120 sticks of dynamite per case, he said. It was estimated that only a few sticks were used in the May 11 blasts.

Federal, state and local authorities are investigating the blasts which ruined the suburban home of Negro minister Rev. A. D. King and a Negro motel, headquarters for integration leaders.

No substantial progress has been reported by investigators.

Several hundred state troopers, special deputies, city and county policemen were patroling the city.

Col. Albert J. Lingo, state safety director and head of the highway patrol, said his force alone has about 700 men. This includes some deputized National Guardsmen.

"We'll be here indefinitely," Lingo said. That was the attitude of city and county authorities since the bombings and rioting a week ago caught them off guard.

MAY 20 1963

NEW YORK TIMES

Cheers for Kennedy In South Regarded As Good '64 Omen

By TOM WICKER

Special to The New York Times

WASHINGTON, May 19

President Kennedy found a welcome in the South yesterday that may help nullify the political threat of extreme segregationists such as Gov. George C. Wallace of Alabama.

The Governor, who has bitterly attacked the President's civil rights policies, yielded none of his views yesterday when he met Mr. Kennedy at Muscle Shoals, Ala., and then accompanied him on a helicopter ride to Huntsville.

Later, at a news conference, Governor Wallace plainly indicated that he would seek to withhold Alabama's 10 electoral votes from Mr. Kennedy in 1964 by the device of "unpledged electors."

Applauded at Vanderbilt

But at Nashville, in Vanderbilt University's Stadium, the President was warmly applauded by a Southern audience. It seemed to share his view that the Negro's drive to secure his civil rights was "in the highest tradition of American freedom."

In both Tennessee and Alabama there was evidence at every point of Mr. Kennedy's high personal popularity, despite the fact that twice he has sent Federal troops into the South following racial disturbances at Oxford, Miss., and Birmingham.

Because his trip had been planned weeks ago, before the recent violence in Alabama and

Continued on Page 20 Column 3

SOUTHERN CHEERS BUOY UP KENNEDY

Continued From Page 1, Col. 8

Nashville, it was not designed to have a bearing on the racial crisis. As a result, Mr. Kennedy had little contact yesterday with Negro leaders and the Negro people themselves.

Encouraged by Tour

But the President's policy of encouraging white moderates to assert themselves in working out reasonable desegregation policies with Negro leaders found encouragement on his Southern tour.

The nearly 30,000 who heard the President speak in Nashville were gathered on a university campus in a city that has shown a generally progressive attitude on the Negro question. Still, the applause for Mr. Kennedy's remarks on civil rights—as forthright as any a President has made in the South—was somewhat surprising.

It was particularly noticeable when the President called for observance of the law—the cornerstone of the policy he has followed in seeking to avoid violence while bringing Negroes into a larger share of American life.

Mr. Kennedy's personal reception was comparable to the enthusiasm he usually arouses outside the South.

T.V.A. Warmly Praised

His welcome may have been heightened at Muscle Shoals, because he spoke glowingly of the Tennessee Valley Authority, a revered institution in that region, and at Huntsville, because at that space center he again pledged that the United States would "be first in space" in the sixties.

But in both towns, the eagerness of the crowds to see him and shake his hand suggested little resentment over his civil rights policies. At Huntsville he was almost mobbed when he left the platform to shake hands with Tallulah Bankhead, the Alabama-born actress.

At Nashville, the police estimated that 150,000 lined the streets to see him, and—save for a few right-wing placards at the airport—there was scarcely a sign of hostility. One Vanderbilt University dormitory displayed mixed emotions—a large Confederate flag and a larger sign that read "Welcome, Mr. President."

In both Tennessee, a Republican state in the Presidential election of 1960, and Alabama, a state that gave Mr. Kennedy only half its electors, Senators, Representatives and local officials crowded forward to see and be seen with him. That is a good barometer of political pressures.

Governor Reserved

Governor Wallace was the exception. He told reporters that he had been invited to ride in the President's helicopter, had not sought the honor for himself. He was lukewarm to a suggestion that he might meet Mr. Kennedy again for a more thorough discussion of the segregation problem.

Those who heard the two men converse on the helicopter ride said that their exchange of views on racial segregation and civil rights was emphatic. Neither budged the other from his position, although neither was unfriendly.

President Kennedy later had nothing to say about the meeting.

At his news conference, Governor Wallace insisted that there was "nothing personal" involved. He said he had supported Mr. Kennedy for Vice President at the Democratic National Convention in 1956 and for President in 1960. As for whom he would support in 1964, he said:

"Your guess might be as good as mine."

Says He Won't Bolt

He denied that he would vote Republican, or move into a third party. And to reports that he would run himself, he replied:

"I never thought hardly I'd ever been elected Governor."

Gov. Wallace also pointedly explained that Alabama law permits the state to vote for a slate of unpledged electors—whose votes could be withdrawn from any candidate unacceptable to the electors, or cast for someone not on the ballot.

Six Alabama electors' votes were withheld from Mr. Kennedy in 1960; so were eight from Mississippi. Conceivably the withholding of a significant bloc of votes in 1964 could throw a close election into the House of Representatives. There each Southern state would have one vote, as would each of the other states.

Says South Will Decide

"The South is going to decide who the next President is," Governor Wallace said. "There'll be a lot of changed attitudes on the part of a lot of voters in 1964. Anybody running for President is going to have it pretty tough in the South unless he takes into account the attitude of the people down here."

If that is true, an important question raised by Mr. Kennedy's trip into the South yesterday might be this one:

Who more nearly represents "the attitude of the people of the South"—Governor Wallace of Alabama or the 30,000 applauding moderates in the Vanderbilt Stadium?

NEW YORK TIMES MAY 20 1963

ALABAMA SEIZES 11 IN FREEDOM WALK

Actress In Group Seeking to Resume Postman's Hike

By CLAUDE SITTON
Special to The New York Times

KEENER, Ala., May 19—Five whites and six Negroes were arrested today at the site of a postman's slaying as they sought to resume his "Freedom Walk" to Jackson, Miss.

Alabama highway patrolmen and Etowah County sheriff's deputies seized them on U.S. Route 11 when they marched away after having joined 20 Negroes from this area in a memorial service for the postman, William L. Moore. The 35-year-old white integrationist from Baltimore was shot here on the night of April 23.

The eight men and three women arrested were charged with breach of the peace and imprisoned in the Etowah County jail at Gadsden in lieu of $300 bond each. The group, which was sponsored by the Congress of Racial Equality, included Madeleine Sherwood, 36, stage and screen actress from New York.

Miss Sherwood, a native of Canada, lay down on the grass beside three white men and Negro after officers had told them they wer under arrest.

The troopers and deputies carried the three men to squad cars and dumped them in.

Patrol Sgt. R. P. Hooks returned and asked Miss Sherwood: "Can't you walk, little lady?" The actress, who had said before setting out on the demonstration that she was afraid, lady silently in the grass.

Actress Carried to Car

Sergeant Hooks and another officer picked her up gently by the arms and carried her, feet trailing, to a patrol car.

Four other Negroes were arrested by troopers on charges of having made illegal turns. They had driven past the slaying site into adjoining DeKalb County and were halted after having turned around. Two, who were from outside the state, were jaied at Fort Payne in lieu of $100 bonds.

Nineteen other "Freedom Walkers" had been arrested two weeks ago while attempting to carry out Mr. Moore's hike—nine near here and 10 after they had tramped from Chattanooga, Tenn., across northwest Georgia and into Alabama. The ten were picked up just inside the state line by troopers who used an electrical prod pole on several demonstrators who lay down on the pavement.

BIRMINGHAM REPORTS THEFT OF DYNAMITE

BIRMINGHAM, Ala., May 19 (AP) — The theft of a large supply of dynamite preceded the night bombing that set off rioting by Negroes a week ago, Sheriff Melvin Bailey disclosed today.

"There is plenty of loose dynamite in this area," he said.

The theft of two cases of the explosive from a storage house several days before the blasts has been under intensive investigation, the sheriff said.

Authorities had nearly 1,300 law enforcement officers on call this weekend as a check against more bombings.

Sheriff Bailey said there had been no reports of explosives stolen since the bombings.

The blasts last weekend ruined the suburban home of a Negro leader, the Rev. A. D. King, and a Negro motel that was serving as headquarters for integration leaders.

Meanwhile, several hundred state troopers, special deputies, city and county policemen held the uneasy city under tight security.

Col. Albert J. Lingo, state Safety director and head of the Highway Patrol, said his force of about 700 men would be here indefinitely."

NEW YORK TIMES

MAY 20 1963

Morse Assails Wallace Stand

MONTREAL (Canadian Press)—Senator Wayne Morse, Democrat of Oregon, said today that Gov. George C. Wallace of Alabama "needs a refresher course in American constitutional law." In an interview during a visit here to address the Canadian Association for Labor Israel (Histadrut), he said there was no way Mr. Wallace could justify his course of action in the Birmingham, Ala., race strife. The United States Negro has "waited long enough" for his constitutional rights, he said.

'They eyed into

THE NEW YORK TIMES, MONDAY, MAY 2

800 JOIN PROTEST OVER BIRMINGHAM

Rally at White Plains Hears 'Savagery' Denounced

By JOHN W. STEVENS

WHITE PLAINS, May 1

Uniquely London Dry

Uniquely Booth's

BOOTH'S

THE NEW YORK TIMES, MONDAY, MAY 20, 1963

Birmingham Negroes Won't Stand Provocations, Group Warns

By MILTON BRACKER

The executive secretary of the National Association for the Advancement of Colored People warned yesterday that Negroes in Birmingham, Ala., were "some of the toughest in the United States."

"If there is an incident there I shudder to think what will happen because they will not the great rank and file of the 100,000 will not accede to the fine discipline of [the Rev. Dr. Martin Luther] King."

The official, Roy Wilkins, continued:

Some of the Negroes would follow the example of Dr. King, the president of the Southern Christian Leadership Conference, Mr. Wilkins said.

"But I think the troops are needed in Alabama," he went on. "I think they ought to be on constant alert, and I think at the slightest noise, they ought to be sent into Birmingham because frankly, from the information we have I do not trust the state's peace officers."

On the CBS radio program "Let's Find Out," Mr. Wilkins was asked about Dr. King's use of school children in the Birmingham demonstration.

Mr. Wilkins, who last night reported on the progress of school desegregation generally at the N.A.A.C.P. annual Freedom Fund dinner at the American Hotel, replied:

"I think you have to leave the decision of the deployment of troops and the methods that are used to the general on the scene. Offhand, I could say that the Negro in this country is engaged in a war for his rights and for his status as a citizen. It's literally a war.

"The other side is using every weapon, underhand, overhand and I would say that the Negro is justified in using every legitimate weapon and every possible risk. It engages involved the King [illegible] that's descended [illegible]

The N.A.A.C.P. [illegible] injunction from [illegible] Alabama, Mr. Wilkins noted, but observers had reported that "the children was [illegible] and that every child over the age of 10 was [illegible] of what the circumstances were and that they wanted to [illegible] "It was no child's prank and they weren't [illegible] he added.

Mr. Wilkins said [illegible] were at the [illegible] of using [illegible] and there were rumors that the Ku Klux Klan was mobilizing.

He rejected a suggestion that a riot in Washington [illegible] predominantly Negro high [illegible] trains last Thursday was caused by racial hostility. "A football game [illegible] Negroes there," he said. He cited a soccer game in Glasgow, Scotland in which "they had to have cops to keep Protestants and Catholics apart."

Mr. Wilkins said he agreed with President Kennedy that demonstrations were dangerous, but he recalled an "old adage" that "if you ask for an extreme goal, you might get a moderate victory."

One of Mr. Wilkins' interviewers was [illegible] Holman of CBS, a Negro reporter who was beaten in Harlem last Tuesday by men he identified as Black Muslims. The program with Mr. Wilkins was recorded three days later.

Last night's dinner marked the 100th anniversary of the Emancipation Proclamation and Supreme Court decision of May 17, 1954, which called segregation in the public schools unconstitutional.

Guests of honor were State Senator Leroy Johnson of Georgia and Sarah Patton Boyle, author of "Gentlemen's Agreement." Speakers included Edward R. Dudley, president of Manhattan; the Right Rev. Stephen Gill Spottswood, bishop of the African Methodist Episcopal Zion Church, and chairman of the N.A.A.C.P. board of directors, and the Rev. George B. Cannon, dinner chairman.

On a CBS television program yesterday, "The Way to Go," the Rev. Dr. Eubanus Alleyne Hildebrand said the racial situation in the country could be summarized by the statement: "The Negro is no longer asking or begging, he is demanding."

Dr. Hildebrand is pastor of the Bethel African Methodist Episcopal Church in Harlem and president of the New York branch of the N.A.A.C.P.

WASHINGTON EVENING STAR

DAVID LAWRENCE

5/17/63

Goldwater and the Alabama Issue

Negative Voting by Angry Democrats Held Significant for His 'Candidacy'

Much has been written lately about the rise of Senator Barry Goldwater of Arizona as a possible Republican nominee, but the significance of his candidacy in relation to the Birmingham controversy has gone almost unnoticed.

For several months now, reports from the South have indicated Senator Goldwater stood a good chance of carrying the electoral votes of many Southern States if he were nominated for the Presidency in 1964. But this is related to the dilemma of the Democratic Party.

Thus, in almost every Southern State, the United States Senators and Representatives are dependent on the Democratic Party machinery. They must support the Democratic Party organization to be re-elected. Senator Olin D. Johnston, Democrat of South Carolina, made reference to the problem at a recent meeting of Alabama Democratic Party leaders in Birmingham. He said:

"As soon as you develop a strong two-party system in the South you are going to get the same minority-vote baiting that you have in cities like New York, Chicago and Kansas City. When we reach that point in southern politics our States' rights will . . . go out the window. You will be turning over your Senators and Representatives like the farmer plows his field every spring.

"The last strength of States' rights is vested in the powers of your Representatives in Washington whom you have elected, and re-elected and re-elected. Their seniority is the source of your strength and power in Washington to preserve our States' rights. Once you start swapping your statesmen for Republicans, the battle of States' rights will be lost."

This is a logical theory, but it may not necessarily convince the voters. They usually vote their resentments. That's why many incumbent Democrats in the South feel they have to express themselves vehemently in criticism of the Kennedy administration's tactics in Birmingham, especially in connection with the President's threat to use Federal troops.

The Republicans in the South who are candidates for office usually soft-pedal the "civil rights" issue. But their brethren in the North do not. Senator Johnston is right about the "minority-vote baiting." Some of the so-called "Liberal" Republicans in the Northern States are constantly prodding the administration to brush aside States' rights. Their demand is for the use of more Federal troops and bayonets. These Republicans are dependent largely on Negro votes in the North, so they, too, present an artificial image to the people.

The crux of the problem is the lack of courage of many men in public life. They care more for re-election than they do for basic principles which are being trampled upon in the game of politics.

There is obviously a need for a two-party system everywhere in the country. The voter wants an alternative. Often he doesn't care if the other party's platform is no better than that of the incumbent's. The tendency is to defeat at the polls the party which caused the grievance and teach a lesson for the future to the elected nominees of the other party.

Negative voting is customary throughout the United States. Many Southern Democrats would vote for Senator Goldwater as a means of expressing their disapproval of the Kennedy administration. The Arizona Senator, incidentally, will argue for civil rights and equality but wants the goal to be achieved only through the proper legal processes. He can even espouse the cause of "integration" and not be offensive to the South as long as he insists that it be achieved through legal and constitutional methods and not by usurpation or by methods which are coercive and unlawful.

Senator Goldwater may or may not become the Republican nominee for President, but he is one of the few Republicans active in national politics who has the temerity to insist on constitutionalism, as he forgoes the opportunities for demagoguery on the "civil rights" issue.

The Republicans in the South have been making gains in the last few years. But they have done so as an "opposition" party. They are often as "conservative," if not more so, than their Democratic opponents. The close race in Alabama last year for the United States Senate has encouraged the Republicans. The same trend has been noticeable in other States. Votes have been given to the Republicans by persons who are resentful of the policies of the Kennedy administration.

The big question is whether the current antagonism will abate or whether it will grow by the time the 1964 election is at hand. It could develop that, even with the active participation of the Democratic members of Congress on the side of the Kennedy administration, the negative vote will be large enough to put some of the Southern States in the electoral column of an opposition party.

Daily News

WASHINGTON ~~EVENING STAR~~

Negotiation of Misunderstanding

Hitch in Birmingham

Disagreement over a desegregation pact between colored leaders and white businessmen today cast a shadow over Birmingham's racial truce.

Integration strategist Martin Luther King Jr. indicated that demonstrations would be resumed in the Alabama steel city unless the "misunderstanding" was cleared up.

There were demonstrations in Greensboro, N.C., and Richmond, Va., last night and rumblings of further racial discontent at Jackson, Miss. Human relations committees were formed at Nashville, Tenn., and Anniston, Ala., to consider racial problems and Knoxville, Tenn., began a program that could make it the most integrated city in the South.

Mr. King told a press conference yesterday the version of the agreement announced by a group of white businessmen did not go as far as Negroes understood it would. The announcement said one colored clerk would be hired by a downtown department store and that some lunch counters would be desegregated 90 days after the State Supreme Court untangles Birmingham's city government controversy.

"We expect clerks and upgrading of colored employes in all stores," not just one, Mr. King said. Lunch desegregation should come 90 days after the end of the demonstrations, he said, not at the end of a court battle between two groups claiming to be the legal city government.

Sidney Smyer, head of the businessmen's committee that negotiated the agreement, said the differences should be resolved by further negotiation, not in the press. Mr. King agreed, and expressed hope the issue could be settled without further racial demonstrations.

Colored students staged another march thru Greensboro last night but the demonstrators were silent and orderly and there were no arrests. Colored leaders vowed to continue the demonstrations until segregation walls crumble in the North Carolina textile city. About 100 Negroes, mostly college students, paraded in front of several downtown theaters at Richmond to protest segregation. They lined up outside the ticket windows and individually asked to buy tickets. They were refused.

At Jackson, the National Association for The Advancement of Colored People accused Mayor Allen Thompson of picking colored "Yes Men" to meet with city officials to discuss racial problems. Mississippi NAACP officials said plans are being formed for possible boycotts, demonstrations, picketing and other measures to force desegregation of public facilities in Jackson.

The Anniston City Commission established a committee of five whites and four Negroes to make recommendations on matters concerning "human relations and the security, health, and social and moral welfare of the community."

If the program in Knoxville goes as planned, there soon will be no officials segregation in the city of 180,000, Mayor John Duncan yesterday set up a committee to "work peacefully for the prompt and orderly desegregation of all public facilities." (UPI)

(UPI Tele...)

Birmingham Mayor Art Hanes in a speech to some 600 persons urged them to "do everything in your power" to resist lowering of racial bars.

WASHINGTON EVENING STAR MAY 17 1963

Kennedy and Gov. Wallace Expected to Share Platform

By PAUL HOPE
Star Staff Writer

MONTGOMERY, Ala., May 17. — Alabama's segregationist Gov. George Wallace and President Kennedy are expected to be on the same platform tomorrow when the President pays a flying visit to the State.

Both he and the President have accepted invitations from the Tennessee Valley Authority which is celebrating its 30th anniversary at Muscle Shoals. The President is scheduled to speak at the celebration.

The Governor has protested bitterly the sending of Federal troops to Alabama in connection with rioting in Birmingham last week-end. He has not said he will meet with the President, but sources close to him said he probably will.

The Governor today confirmed that he plans to be at the celebration, but his brief announcement made no mention of the President.

No Plans, White House Says

White House Press Secretary Pierre Salinger said in Washington there were no plans for any private conference between the President and Gov. Wallace. "No one has brought up the idea," he added.

At Huntsville site of the huge Redstone Arsenal to be visited by the President after leaving the TVA seminar, the city hired its first Negro policeman last night, the Associated Press reported. A Madison County commissioner ordered removal of "white" and "colored" signs over courthouse drinking fountains.

In Birmingham, meanwhile, Federal Judge H. H. Grooms yesterday paved the way for the possible admission of three Negroes to the University of Alabama.

Autherine Lucy was admitted to the university under court order in February, 1956, but was expelled within days after criticizing university officials for campus rioting. She never got back in, and no public schools or colleges in Alabama have been desegregated.

Judge Grooms ruled the university is still bound by the Lucy case decided in 1955. He ordered the dean of admissions, Hubert Mate, to show cause why he should not be held in contempt of court for refusing to admit the Negro applicants.

One of the students wants to enter summer school at the Huntsville branch of the university, which opens on June 10. The other two want to start in the fall at the Tuscaloosa branch.

Mayoralty Dispute

Gov. Wallace has pledged to resist any school integration. The State Supreme Court has promised to render an early decision on a case that could have profound effect on Birmingham's racial troubles.

The court will decide, in the case argued before it yesterday in Montgomery, whether ardent segregationist Arthur J. Hanes will remain Birmingham's Mayor for the next two years or whether the moderate Albert Boutwell will take over.

Arguments centered on whether Mr. Boutwell must wait until Mayor Hanes' term expires in 1965 before he takes office or whether the law under which a new form of government was approved and a new Mayor elected last November takes effect immediately. Mr. Hanes has refused to give up his office.

Court officials indicated the decision will be handed down next week. It is believed that if Mr. Boutwell wins he will pursue a more conciliatory course with the Negroes.

Both mayors said they would abide by the ruling of the State court and would not appeal the case further.

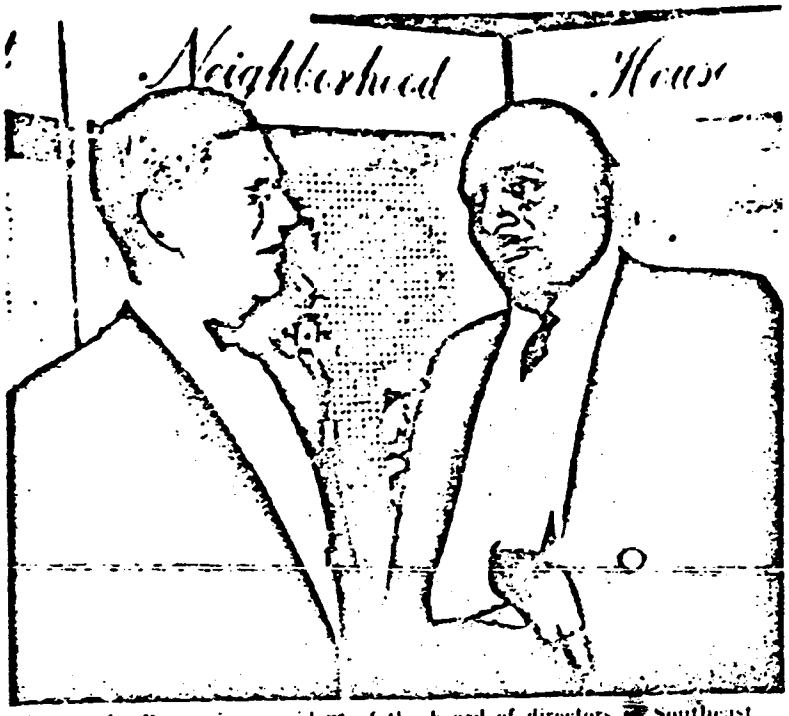
"Returning to Normal"

Birmingham Police Chief Jamie Moore said the city is rapidly returning to normal after the week-end bombings and rioting. Heavily armed police still are patrolling the Negro section but Chief Moore said there have been "no unusual incidents" lately and "we are very pleased at the present time."

Assistant Attorney General Burke Marshall, the administration's racial troubleshooter, went back to Washington to make another report to Attorney General Robert Kennedy.

The Rev. Martin Luther King, jr., leader of the Negro demonstration movement, said yesterday there is a "misunderstanding" on just what desegregation was promised to Negro leaders to end the demonstrations that plagued the city for six weeks. He declined to say what the misunderstandings were and said "we are going to solve that through conferences with white leaders."

The committee of white businessmen who negotiated the settlement said the agreement calls for desegregation of lunch rooms and other facilities in certain unidentified stores, employment of one Negro as a sales clerk in one store on a trial basis and continuation of biracial talks. Many Negroes thought they were getting more.

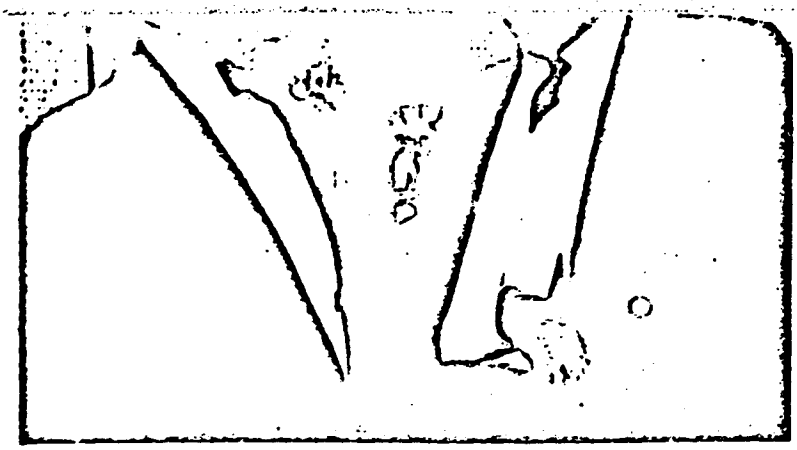


W. Crosby Roper, jr., president of the board of directors of Southeast Neighborhood House, chats with comedian Dick Gregory before last night's benefit performance in the Lisner Auditorium —Star Staff Photo

JOKES AND MALCOLM X

Gregory Puts Wit Into Fight

By MARY McGRORY



W. Crosby Roper, jr., president of the board of directors of Southeast Neighborhood House, chats with comedian Dick Gregory before last night's benefit performance in the Lisner Auditorium.—Star Staff Photo.

JOKES AND MALCOLM X

Gregory Puts Wit Into Fight

By MARY McGRORY
Star Staff Writer

Nobody around here has found much to laugh about in the Birmingham crisis. But Dick Gregory, the Negro comedian who just spent four nights in a Birmingham jail, managed to get off a few funny lines about his experience.

"I was in a cell with 800 other people," he quips. "We had wall-to-wall fun. There were so many of us there wasn't enough humidity to go around."

Mr. Gregory, who got to the top by "saying out loud what the whites and the Negroes have been whispering to each other for 100 years," came here to do a benefit show for the Southeast Neighborhood House.

Still running an arm made sore, he says, when four guards beat him, he has enlisted for the duration in the civil rights fight. He went into Greenwood, Miss., and Birmingham not as a celebrity but "as an individual first, an American second, and a Negro third."

He got arrested a week ago Monday, with 850 others, for parading without a permit. He is out on bond.

"I have three children. The Southern Negroes are fighting for them. It's my problem, too. I'm involved," he said.

He regarded Birmingham as a victory for his people.

"Whenever a Negro stands up and says 'this has to stop, not tomorrow, not next year but today,' it's a victory. We've had a sleeping bear under the couch for 100 years, and he's done woke up. Everybody knew he was there, although they pretended they didn't, and now he jumped up and he's hungry and he's vicious."

He thinks the Kennedy administration made more mistakes in Birmingham than in any other situation.

"They had no more legal right to send troops in Sunday than they did two weeks before. Everyone in America knows now we have found a formula for getting troops instead of a white man turn over a white car and burn some houses, and they'll come."

He thinks it was "great" to send the children into the demonstrations.

"You couldn't keep them keep out of the line. It's the first time in history that police called up people in the middle of the night and told them their kids were in jail, and they were proud."

Mr. Gregory stood up for Malcolm X, the Black Muslim leader, who, like the Kennedy administration, frankly fears. To their consternation, Malcolm X appeared yesterday and held a Capitol Hill press conference outside the office of Representative Edith Green, Democrat of Oregon.

Mr. Green, who had invited Malcolm X to testify before her subcommittee on juvenile delinquency, decided instead to hold a conference with him in her office. It went on for almost two hours.

Malcolm X is a tall, solemn young man.

He was provided to the microphones by his public relations consultant, Dolph Thompson, who counseled the assembled reporters to be "objective" and not to debate with Malcolm X because "it has been our experience that many news people are not equipped to deal with Malcolm X in a debate.

"They try to defend white folks and such."

Malcolm X then stepped forward and berated President Kennedy for not sending in troops "while dogs were biting black babies" and Martin Luther King "for trying to please the white folks."

The solution, he says, is for the black man to change his image of himself. "No good will come of co-operation," he noted.

Dick Gregory says Malcolm X is "a brilliant young man" and that the religious character of the Black Muslims has been ignored.

"Look at the Black Muslims this way. I have a corn and I go to the doctor and he takes it off and then I put my foot into the same tight shoe and it comes back. So what are you going to talk about first, the corn or the shoe?"

Mr. Gregory hasn't studied the situation of his people in Washington, D. C., too closely yet, but he thinks maybe the Negro here has job security but no money.

"He's got the name and the prestige and the feeling, but man, he hasn't got the back to carry through. I talk to a woman in St. Louis and she tells me her son is in the government, with the Department of Agriculture. It turns out he's a janitor."

He does not take Adam Clayton Powell's leadership seriously because he's a politician, and "when a man becomes a politician, he's a different animal altogether."

Mr. Gregory is hopeful about the future—"this thing will break overnight." Meanwhile he takes a dim view of press coverage of the strife. "Man, you read Time magazine about Birmingham and it's like picking up a Ku Klux Klan recruitment."

WASHINGTON POST-TIMES HERALD MAY 17 1963

Hill Group Told of Rights Probe of Alabama Police

Staff Director Berl I. Bernhard revealed yesterday that the Civil Rights Commission has been investigating police handling of Negro demonstrators in Birmingham, Ala.

Bernhard told the House Judiciary Committee that "at least" four staff investigators have been in the city for the last month.

He said the investigators have concentrated on what the Commission calls administration of justice — police brutality, discrimination in jails, and an unequal treatment for Negroes in the courts.

Bernhard said reports from the investigators have been made available to the Justice Department. He added that he would provide copies of the report for the Committee.

The Commission's presence in Birmingham was revealed after Rep. John V. Lindsay (R-N. Y.) asked Bernhard what he was doing about "the tense and dangerous situation" in the southern city.

Bernhard said the Commission's investigations were neither "covert nor overt." He said they just have not been publicized.

Questioned on the Black Muslim movement Bernhard said the movement "grows out of impatience and frustration among Negroes."

Chairman Emanuel Celler (D-N. Y.) told Bernhard that he understood the Black Muslims believed in segregation, "contrary to the views held by the NAACP and other respectable organizations." He also understood that the group advocated peaceful means to achieve their goals but that it would use force if necessary.

The Chairman then asked Bernhard if the Commission had "addressed itself to this problem" and if it had come to any conclusions. Bernhard said it had not. He estimated the membership of the movement was anywhere from 20,000 to 100,000.

"It strikes me that the Muslim movement grows out of impatience and frustration among Negroes," he said.

To counter this trend, Bernhard urged the passage of civil rights legislation in the fields of voting, education employment and the administration of justice.

NEW YORK TIMES

MAY 17 1963

BIRMINGHAM AWAITS TRANSITION RULING

MONTGOMERY, Ala., May 16 (AP)—The two rival city governments in Birmingham left it to the State Supreme Court today to determine when the recently elected Mayor and City Council should take office.

Opposing attorneys argued for 90 minutes, but received no immediate answer. A decision may come in a few days.

The newly elected mayor, Albert Boutwell, contended that a local act passed by the Legislature in 1955 and applying only to Birmingham gave him the office immediately after his victory of April 2 over the outgoing Police Commissioner, Eugene Connor.

But Mr. Connor and the two other members of the commission—Mayor Arthur J. Hanes and Commissioner J. T. Waggoner—maintain that under a legislative act of 1959 affecting the entire state, they are entitled to complete the four-year terms for which they were elected in October, 1961.

MAY 17 1963

WASHINGTON POST-TIMES HERALD

The President and Gov. Wallace

By Drew Pearson

President Kennedy and Gov. George Wallace of Alabama may be in an interesting, if not embarrassing, spot Saturday when the President visits northern Alabama to celebrate the 30th anniversary of the Tennessee Valley Authority.

Pearson

Under well-established protocol, the Governor of any state is supposed to greet the President when he visits his state, regardless of any invitation by the President. But no two men could have less in common than Mr Kennedy and Wallace.

One is a Northern Catholic, the other a Southern Protestant. One is a champion of civil rights for the Negro, the other a rootin'-tootin' segregationist. One is against everything the Ku Klux Klan stands for. The other has been close to the Klan and received Klan support for his election.

Finally, the Governor not only blasted President Kennedy regarding plans to send Federal troops into Alabama, but 48 hours earlier had withdrawn State highway troops from Birmingham just as it became known that the Klan was going to parade in a Birmingham suburb.

This, of all times, was the moment to have a full police force on hand in and around Birmingham. For there is nothing more likely to touch off rioting against Negroes, and Negro counterattacks, than a public cross-burning by the hated and feared Klan.

In downtown Birmingham, more than 2000 Negroes had been arrested on the charge of parading and meeting without a permit when they walked peacefully in anti-segregation protests or knelt in prayer.

Yet when the Klan was scheduled to hold a mass meeting of 2500 in Bessemer, a suburb of Birmingham, the Governor disbanded his 250-man State Highway Police force, which had been on hand earlier to help arrest 2000 Negroes.

In violation of Alabama law, some of the Klansmen attended the cross-burning with their faces covered by hoods. It is not against the law for the Klan to parade in bed sheets. But Klansmen must keep their faces uncovered. At Bessemer, few police were around and they were not interested in enforcing this provision of the law.

Grand Dragon Speaks

Haranguing the cross-burners last Saturday night was Grand Dragon Bob Shelton, who has indirectly caused President Kennedy headaches before. Shelton was a subject of Senate debate early in this Administration when JFK appointed Charles Meriwether, Alabama director of finance, to be director of the Export-Import Bank.

Meriwether was not only a friend of Shelton, but rewarded Shelton with a 1.6-million-dollar state tire contract, given to B. F. Goodrich, which the Grand Dragon represented at that time. U. S. Royal was the low bidder, but Meriwether gave the contract to the firm which his friend Shelton represented instead.

Meriwether is still in Washington with the Export-Import Bank, while Shelton is still in Alabama threatening to flog anyone who practices the de-segregationist ideas Mr Kennedy stands for. Some years ago, the Klan flogged the Rev. J. D. Fackler of Tuscaloosa, a white minister who attended a biracial meeting. Shelton announced triumphantly that others would be flogged who followed his example.

"Beer Amendment"

Sen Gordon Allott (R-Colo) introduced an interesting amendment to the feed grain bill the other day which farm Senators immediately nicknamed the "C[illegible] Beer Amendment."

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WASHINGTON POST-TIMES HERALD

1963

Black Muslim Raps Hearing Postponement

Associated Press

A Black Muslim leader spent two hours yesterday talking with a Congresswoman about juvenile delinquency, then charged that an open hearing was denied him because of the tense racial situation in Birmingham, Ala.

Malcolm X said "some segment of the power structure" in Washington forced cancellation of an open hearing before a House Education and Labor subcommittee headed by Rep. Edith Green (D-Ore.).

He criticized handling of the Birmingham situation by President Kennedy and Attorney General Robert F. Kennedy, and hinted he thought the latter had something to do with the decision to call off the open session.

Instead, Mrs. Green and the Negro Muslim leader conferred in the Congresswoman's office.

Afterward, Malcolm X answered questions from newsmen. When the interview was over, Mrs. Green had left.

An aide said she had authorized him to say the meeting produced "a sincere and enlightening exchange." The aide, A. Wesley Barthelmes Jr., said Mrs. Green had to leave to begin a trip to Detroit and Alaska.

He confirmed the session had been planned as an open hearing but was called off "because of the situation in the South." He emphasized that the hearing had been postponed, not definitely canceled.

Malcolm X, minister of Black Muslim mosques in New York and Washington, said he told Mrs. Green that Elijah Muhammad, leader of the Negro cult, believes only a change in the Negro attitude toward himself can solve delinquency problems.

He said a feeling of inferiority that has been created in the mind of the Negro is behind problems of delinquency and racial difficulties.

Malcolm X said a frank presentation of Muslim views would point the way toward solution of racial problems.

WASHINGTON POST-TIMES HERALD

May 17 1963

Can't Halt Negroes Now, Dick Gregory Asserts

By Wallace Terry
Staff Reporter

Now that the Negro has tasted victory over the forces of segregation in Birmingham, comedian Dick Gregory said yesterday, he will not be put off or stopped any longer from his goal of equal opportunity in all things.

Gregory, jailed four days last week for leading a Negro protest march in Birmingham, also blamed the outbreak of violence there May 11 on the failure of the Kennedy Administration to order Federal troops into the State earlier.

"The Federal Government made more mistakes on this one than any other racial crisis," he said in an interview. "The President had no more legal right to send troops in Sunday than two weeks before."

The Administration should have moved then to protect demonstrators from the fire hoses and dogs used by police to disperse them, Gregory contended.

"Stab a white man in the back, turn over a white cab and set it afire," he said, referring to the actions of angry Negroes in Birmingham May 11. "That seems to be the only way to get troops in."

Gregory also spoke for a benefit performance at the Lisner Auditorium for the Southeast Neighborhood House.

He still carries his right arm in a sling. Both arms, he said, are still swollen from the beating he took while in jail because he tried to stop police from bothering some of the children who were arrested with him.

Demonstrations like those at Birmingham will mushroom around the South and eventually in the North, he predicted.

The Black Muslim goal of a separate state is no solution to the Negro problem, he said. The elimination of segregation and discrimination would mean the elimination of the anti-white movement, he asserted.

Gregory praised the nonviolent protest tactics of the Rev. Dr. Martin Luther King Jr., regarding them as the main means through which the Negro should move to change his conditions.

He said he doesn't consider himself a civil rights crusader because of his involvement in Birmingham and earlier in the voter registration drive in Greenwood, Miss.

"I am an American fighting for a belief and this is just as much a problem for me as it is for anyone else," he said.

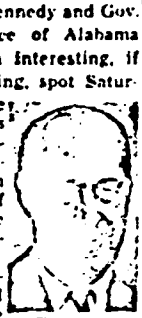
WASHINGTON POST-TIMES HERALD

MAY 17 196

The President and Gov. Wallace

By Drew Pearson

President Kennedy and Gov. George Wallace of Alabama may be in an interesting, if not embarrassing, spot Saturday when the President visits northern Alabama to celebrate the 30th anniversary of the Tennessee Valley Authority.



Pearson

Under well-established protocol, the Governor of any state is supposed to greet the President when he visits his state, regardless of any invitation by the President. But no two men could have less in common than Mr. Kennedy and Wallace.

One is a Northern Catholic, the other a Southern Protestant. One is a champion of civil rights for the Negro; the other a rootin'-tootin' segregationist. One is against everything the Ku Klux Klan stands for. The other has been close to the Klan and received Klan support for his election.

Finally, the Governor not only blasted President Kennedy regarding plans to send Federal troops into Alabama, but 48 hours earlier had withdrawn State highway troops from Birmingham just as it became known that the Klan was going to parade in a Birmingham suburb.

This, of all times, was the moment to have a full police force on hand in and around Birmingham. For there is nothing more likely to touch off rioting against Negroes, and Negro counterattacks, than a public cross-burning by the hated and feared Klan.

In downtown Birmingham, more than 2000 Negroes had been arrested on the charge of parading and meeting without a permit when they walked peacefully in anti-segregation protests or knelt in prayer.

Yet when the Klan was scheduled to hold a mass meeting of 2500 in Bessemer, a suburb of Birmingham, the Governor disbanded his 250-man State Highway Police force, which had been on hand earlier to help arrest 2000 Negroes.

In violation of Alabama law, some of the Klansmen attended the cross-burning with their faces covered by hoods. It is not against the law for the Klan to parade in bed sheets. But Klansmen must keep their faces uncovered. At Bessemer, few police were around and they were not interested in enforcing this provision of the law.

Grand Dragon Speaks

Haranguing the cross-burners last Saturday night was Grand Dragon Bob Shelton, who has indirectly caused President Kennedy headaches before. Shelton was a subject of Senate debate early in this Administration when JFK appointed Charles Meriwether, Alabama director of finance, to be director of the Export-Import Bank.

Meriwether was not only a friend of Shelton, but rewarded Shelton with a 1.6-million-dollar state tire contract, given to B. F. Goodrich, which the Grand Dragon represented at that time. U. S. Royal was the low bidder, but Meriwether gave the contract to the firm which his friend Shelton represented instead.

Meriwether is still in Washington with the Export-Import Bank, while Shelton is still in Alabama threatening to flog anyone who practices the desegregationist ideas Mr. Kennedy stands for. Some years ago, the Klan flogged the Rev. J. D. Fackler of Tuscaloosa, a white minister who attended a biracial meeting. Shelton announced triumphantly that others would be flogged who followed his example.

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WASHINGTON ~~EVENING STAR~~

BUT CONFRONTATION IS SURE TO BE STRAINED

Wallace to Greet JFK at TVA Ceremonies as a 'Courtesy'

By JACK STEELE
Evening Star Staff Writer

MONTGOMERY, Ala., May 17.—Alabama's segregationist Gov. George C. Wallace has decided to go to Muscle Shoals tomorrow to "greet" President Kennedy at ceremonies celebrating the 30th anniversary of the Tennessee Valley Authority.

But the Kennedy-Wallace confrontation is sure to be strained. The fiery governor, in an hour-long interview, said he had decided to act as a "courtesy" during the President's visit to the state.

"I think it may do the President some good to come to Alabama," he added.

But Gov. Wallace served notice that he won't budge an inch from his pledge to "stand in the schoolhouse door" to bar integration "anywhere in Alabama."

He said this applied to two Negro space scientists who filed suit last week to gain admission to a branch of the University of Alabama at Huntsville, site of Redstone Arsenal and a United States space flight center.

VIEW ON TROOPS

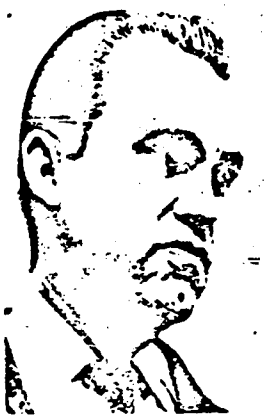
Gov. Wallace also repeated his denunciation of the President's action in sending "standby" troops into Alabama to prevent a new flare-up of racial violence in Birmingham. He said unless his Federal court suit to force the President to withdraw the troops is upheld by the Supreme Court, "we will be on the road to ruination of the states of the United States."

The Wallace-Kennedy confrontation in a tense racial atmosphere in Alabama is certain to attract wide public interest.

Asked if he expected to confer with Mr. Kennedy on the racial problem, Birmingham and other differences on civil rights, Gov. Wallace said:

"I don't know. I wouldn't start to talk to him about that subject."

Gov. Wallace noted that if they had a chance to talk he would tell the President, as he recently did Attorney General Robert F. Kennedy, that he will not budge from



GOV. WALLACE

his stand against integration in Alabama.

KEEP COVENANT

The Governor said he fully intends to keep his "covenant" with Alabama's voters who elected him last fall after he had repeatedly pledged to bar integration.

"I was talking figuratively, but I meant it literally," he said.

"But I am not going to do it as Governor. The case involving constitutional issues involving the 10th and 14th amendments."

Asked if he expect to win only going to try by using "legal issues" rather than seeks physically to block segregation as Gov. Rockefeller did at the University, Wallace said:

[illegible]

Also [illegible] state and the people of Alabama by sending in Federal troops, the National Guard and the world [illegible]

patrolmen and other state law enforcement officers in Birmingham as long as they are needed "to protect life and property."

ASSURANCES

Gov. Wallace said he would not withdraw the state troopers until he had assurances from Birmingham city officials they no longer were needed there.

He brushed aside charges by Negroes, which are now being investigated by the Justice Department, that they have been beaten and subjected to "brutality" by state troopers on duty in Birmingham.

"I challenge you to show me one Negro who has been seriously injured in Birmingham," he said. "You know there were plenty of whites injured."

MAY 13 1963

NEW YORK TIMES

Burning Buildings, Smashed Cars and Debris-Littered Streets Left by Night Riot

DEVASTATION WIDE IN A 9-BLOCK AREA

Flames Still Uncontrolled at Dawn—Stores and Homes Wrecked in Outbreak

By HEDRICK SMITH

Special to The New York Times

BIRMINGHAM, Ala., May 12—Dawn broke in Birmingham today to the sound of crackling flames eating through buildings, the gush of high-powered fire hoses and the shouts of state troopers.

Much of a nine-block area looked as if a vicious storm had struck.

Smashed and disabled police cruisers were abandoned in the streets. Stores and homes lay charred by fire. There was a hole in the brick wall of the A. G. Gaston Motel, struck by dynamite. Plate-glass windows were shattered in store after store in the Negro area.

Hundreds of rocks and bricks littered the streets. Glass shattered crackled under the feet of officers moving along sidewalks.

In front of the 16th Street Baptist Church, site of many Negro mass meetings during the civil rights drive here, smoke drifted upward from an overturned taxi. Less than a block away the tires of a motorcycle smoldered in the early light.

Patrol in Squads

Troopers moved through the area in squads of a dozen to 20, ordering residents into their homes and outsiders away.

By 7 A.M., about 50[illegible] troopers and civilians were enforcing an uneasy space in a 20-block area. They sealed off the section around the motel to everyone but officials and residents.

Blue-helmeted troopers, with night sticks, carbines, small arms and shotguns, later blocked every street and alleyway leading to the area.

"We're only passing folks who live in there," a highway patrolman said. Officials repeatedly rejected requests by newsmen to visit the battle-scarred section.

"It's for your own protection," a spokesman for the Birmingham Police Department said.

At some check-points, officers were stopping and searching passing cars for weapons.

Seven miles away, in the suburb of Ensley, dynamite blasts punched a floor-to-ceiling hole in the home of the Rev. A. D. King, a leader in the desegregation drive. He is a younger brother of the Rev. Dr. Martin Luther King Jr., the Atlanta integrationist.

Four agents of the Federal Bureau of Investigation sifted the dirt of outside his shattered home for clues to the bombings. In a back room, not damaged by the two blasts, 10-year-old Albert King watched baseball on television.

Most of Birmingham superficially carried on activities as usual. Women wore bright dresses and men were well attired for Mother's Day. Homeowners were in their front yards, mowing the lawn or reading the newspaper.

Mayor Speaks Out

Mayor-elect Albert Boutwell, whose authority has been challenged in the courts by the present three-member City Commission, issued a statement condemning the bombings and rioting.

"I want to make it plain to the hoodlums that this city will not tolerate violence, especially the dastardly hit-and-run bombers who wreak vengeance without regard for life and property," he declared.

He said he was sure the nine members of the new City Council "join me in a determination to arrest and punish all violators, all agitators of violence, regardless of race."

It was a sweltering day. Troopers, clad in navy-blue shirts and light blue trousers, looked hot and bored. Some sat on the hoods of their gray patrol cruisers, parked in intersections to block off approaches to the scene of the rioting. Others sat on curbs or chairs and benches beside their cars.

A big green police truck made its way around the check-points, delivering sandwiches and drinks and coffee to the officers.

On guard with the troopers were men in civilian clothes wearing khaki helmets and armbands reading, "Alabama Department of Public Safety."

The sealed-off area was about three blocks northwest of the main business district. Along its borders troopers stared at passers-by and were studied in return. Negro residents kept a wary eye on the officers.

2 Negroes Searched

Shortly before 2 P.M., four officers at the 11th Street and Fifth Avenue check-point stopped two Negroes in a car. They lifted the hood, opened all the doors, checked the trunk then searched the occupants before letting them continue.

Across the street, at least a dozen Negroes watched the procedure. They peered through doors and windows in their wooden-frame homes.

Hardest hit by the three-hour riot was the area near the two-story Gaston Motel. In addition to the motel, three big house trailers were damaged by the blasts.

The windows in the motel lobby and restaurant were shattered as were store windows across the street. Block thrown by rioting Negroes smashed windows in other stores.

A block and a half away, two, small neighborhood stores were razed by a fire touched off two hours after the bombing.

All that remained of the stores at the corner of 17th Street and Sixth Avenue were metal display shelves and the brick bases.

Behind them was the blackened, wooden frame skeleton of a [illegible] home. A charred icebox set on the [illegible] mains.

Flames from the buildings had risen 100 feet as firemen battled them with a high-pressure hose just before dawn. Soon their stone chimneys tumbled. A telephone pole nearby caught fire, giving the appearance of a flaming cross.

Four other small, one-story stores in the neighborhood were razed by fire. Near the 16th Street Baptist Church, taxi was pitched on its side as the driver fled, and set afire by Negroes.

The driver, W. A. Bowman, a forty-year-old white was admitted to University Hospital with stab wounds.

Nearly a score of police cars were smashed or damaged in this section and near Mr. King's home in Ensley.

The rioters shattered the windshield of a police paddy-wagon, jerked the seats from its cab, cut the tires and routed the occupants. The other patrol cars had broken windshields and dents from rocks.

When daylight came, wrecking crews gradually cleared the disabled cars and some debris from the streets in this section. Some owners boarded store windows for safety and to prevent looting.

The two blasts that demolished the front half of Mr. King's $26,000 home broke windows in adjacent houses and were felt four blocks away.

They tore a hole eight feet high and four feet across in the brick-veneer frontispiece of the home and blew out a large picture window.

The front door was knocked 10 feet into the living room. The metal porch railing was ripped from the concrete base and left dangling in over a three-foot hole in the ground.

The explosions knocked food from the ice box and showered debris 40 feet away.

The bedrooms, in the rear of the house, were not damaged. Mr. King, his wife and their five children took refuge there after the first explosion, which apparently came on the front lawn.

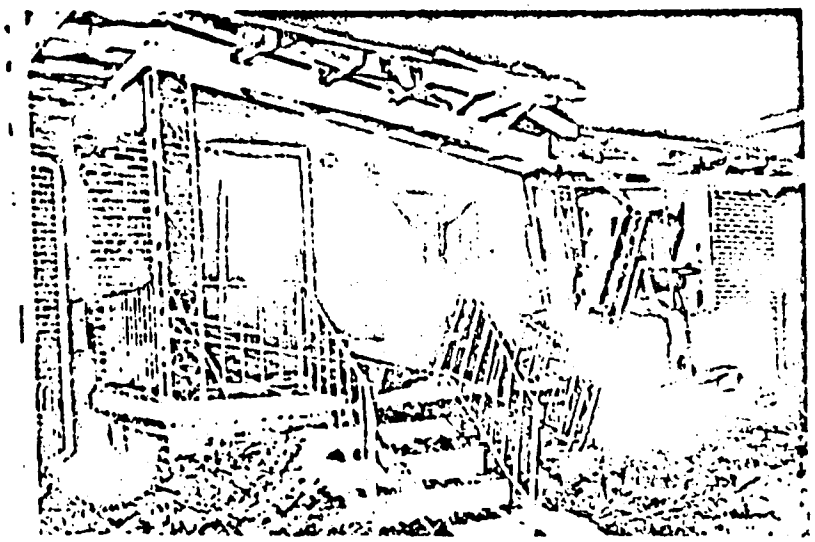
Agents of the F.B.I. sought methodically for clues. They scooped up dirt, which they deposited in paper cups, and salvaged what they could. They took two or three boards, a few pieces of metal from the house for laboratory tests.

Scores of Negroes [illegible] the surrounding community streamed to the King home to view the ruins in the morning.

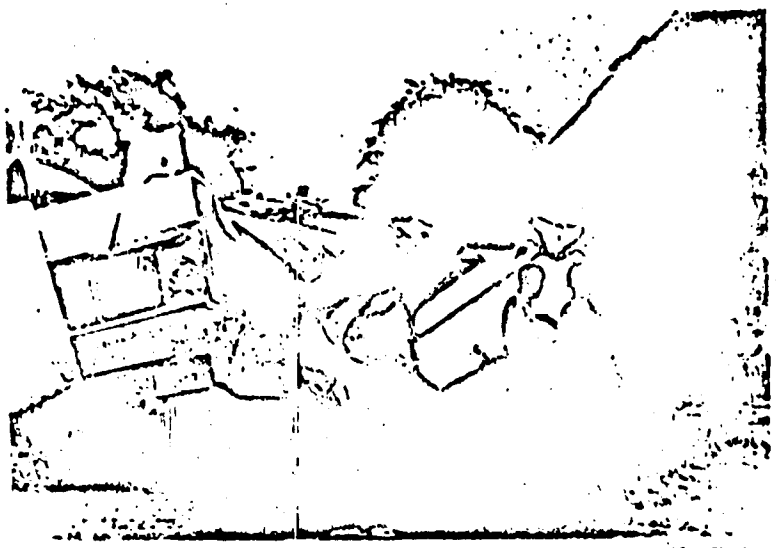
Women and children walked through the wreckage.

Mr. King said his family was staying with friends temporarily. He appeared exhausted by his ordeal—the bombings and his efforts to persuade Negro rioters to stop attacking policemen earlier.

He said there should be "some tangible protests" against the bombings, but he added that the outbreak would not upset the desegregation agreement worked out earlier this week.



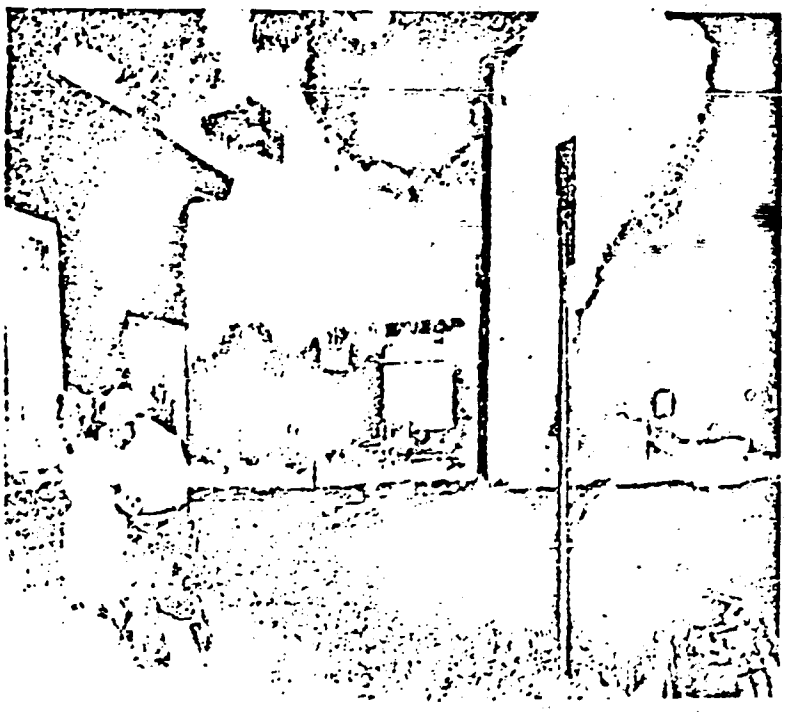
NEGRO LEADER'S HOME AFTER BOMBING: The $26,000 dwelling of the Rev. A. D. King, Negro integration leader in Birmingham and brother of the Rev. Dr. Martin Luther King Jr., following explosion Saturday night that touched off widespread rioting.



Associated Press Wirephoto

DAMAGE AT MOTEL: Police officers stroll past the A. G. Gaston Motel, which was rocked by explosion less than an hour after Mr. King's home was. Hole was blown in wall of motel, headquarters for integration leaders, and three trailers outside were destroyed.

U. S. SENDING TROOPS TO ALABAMA AFTER RIOTS WRACK BIRMINGHAM; KENNEDY ALERTS STATE'S GUARD



A Negro [illegible] worker leading a woman from the blaze early yesterday morning.

PRESIDENT ACTS

Warns Against New Disorder — Pleads for Racial Amity

By ANTHONY LEWIS

Vows to Maintain Order

Mr. Kennedy made clear that the Federal Government would take all necessary action to maintain law and order in Birmingham and to prevent violation of Constitutional rights.

"This Government will do whatever must be done," he said, "to preserve lives and to uphold the law of the land."

Mr. Kennedy made a particular appeal for the carrying out of the agrement between Negro groups and white business leaders that had apparently settled the Negro protests at the end of last week. The agreement called for gradual desegregation of Birmingham facilities and for an end to the Negro demonstrations.

"The Federal Government," the President said, "will not permit it [the agreement] to be sabotaged by a few extremists on either side."

Conferred for 3 Hours

The President came into the Fish Room in the White House at 8:18 P.M. to read his statement to the press after conferring for nearly three hours on the Birmingham situation. He had flown back from Camp David for the emergency conference.

With him at the meeting were his brother, Attorney General Robert F. Kennedy, Deputy Attorney General Nicholas de B. Katzenback and Assistant Attorney General Burke Marshall. The President disclosed that he was sending Mr. Marshall, who had helped negotiate last week's agreement, back to Birmingham tonight.

Assistant Deputy Attorney General Joseph F. Dolan is in Birmingham and spoke with the group conferring here several times. Numberous agents of the Federal Bureau of Investigation and other Justice Department lawyers are also in Birmingham.

F.B.I. in Birmingham

WASHINGTON, May 12 (AP) —A Justice Department spokesman announced today that agents of the Federal Bureau of Investigation were "on the scene and offering assistance."

Neither he nor F. B. I. head-

Continued on Page 21, Column 1

KENNEDY ALERTS THE STATE GUARD

Calls Out Specially Trained Units—Voices Hope They Will Not Have to Act

Continued From Page 1, Col. 8

quarters would say how many agents were in Birmingham or what they were doing. But the wording of the announcement suggested they would act only at the request of, and in cooperation with local officials.

The Justice Department spokesman said that Assistant Deputy Attorney General Joseph F. Dolan, "an experienced troubleshooter," was in Birmingham. Mr. Dolan was on a department committee that helped work out last week's truce, which ended massive Negro demonstrations against segregation.

Although the demonstrations produced no major violence, Mr. Kennedy was subjected to many demands that he intervene. These came from civil rights advocates inside and outside Congress, as well as from some Birmingham sources.

But the Government limited itself to a mediating role and Mr. Kennedy said he believed there was nog round for more direct Federal action.

Attorney General Kennedy was informed of the grave turn of events in Birmingham by telephone early this morning at his home in McLean, Va.

He immediately got in touch with several of his assistants, including Mr. Marshall, who who was with his family at his farm at Berkeley Springs, W. Va.

At 1 P.M., a helicopter flew Mr. Marshall back to Washington. He went to the Attorney General's home for a discussion, and then the two of them left for the office together.

They met at the Justice Department with Deputy Attorney General Katzenbach and these other officials of the department: Assistant Attorneys General John Douglas and Norbert Schlei, John Doar, Mr. Marshall's assistant, and Harold F. Reis, assistant to Mr. Schlei.

At 6 P.M., Messrs. Kennedy Katzenbach and Marshall all left for the White House. Mr. Marshall was still wearing a sport shirt.

50 HURT IN RIOTS AT BIRMINGHAM

Continued From Page 1, Col. 8

five weeks Mr. King and his wife and five children escaped injury.

F.B.I. Investigating

The second bombing rocked the A. G. Gaston Motel, which has served as headquarters for the Negroes' integration campaign. Four persons were injured by the blast, but none seriously enough to require hospitalization. Three house trailers on a lot adjoining the motel were damaged heavily.

The bombings followed a mass rally and cross-burning staged by members of the Ku Klux Klan from Alabama and Georgia in Morse Lodge, on the city's outskirts near suburban Bessemer. No evidence has been reported to show that the Klan rally and the bombings were connected.

Agents of the Federal Bureau of Investigation joined local authorities in investigating the explosions.

The violence followed an announcement Friday of a four-point plan for limited desegregation in this steel center. The accord was reached by white business and professional leaders and Negro representatives after a series of massive demonstrations, one of which was followed by Negro riots Last Tuesday.

There was no immediate indication of whether the bombings would cause Negroes to renounce the agreement, which was worked out unofficially providing from Burke Marshall, an Assistant Attorney General, Mr. Marshall, chief of the Justice Department's Civil Rights Division, spent most of last week here, under orders from Attorney General Robert F. Kennedy in an attempt to end the crisis.

The agreement calls for the following: Desegregation of lunch counters and other facilities in downtown department and variety stores within 90 days; promotion of Negro employes in the stores and in industry; appointment of a biracial committee, and efforts by whites to discourage officials from pressing charges against the 2,400 persons arrested during the demonstrations.

Alarmed by the turn of events members of both the Chamber of Commerce and the newly elected City Council met hurriedly this afternoon in an attempt to restore interracial peace.

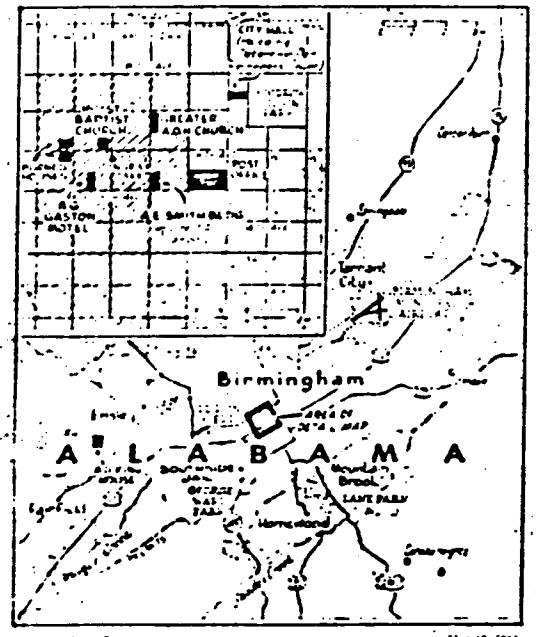
Dr. King flew here from Atlanta, where he conducted the morning service at Ebenezer Baptist Church, of which he is co-pastor. He declined to comment immediately on whether the bombings would bring renewed demonstrations.

"Naturally, I'm very shocked," Dr. King said on his arrival at the airport. "It is unfortunate that these bombings took place so soon after the settlement."

His brother had indicated earlier that further demonstrations might be held.

"I would say that there should be some tangible protest," Mr. King said. "What form it should take, I don't know. I feel that the persons we have been negotiating with have been acting in good faith. I am sure they would not condone this (bombing)."

There was widespread concern here that Governor Wallace might not leave the reserve



RIOT: Birmingham Negroes battled police after home of the Rev. A. D. King in Ensley and the A. G. Gaston Motel in the downtown area (detail map) were bombed. Diagonally shaded area has been sealed off by the police.

Mayor-Elect's Statement on

Special to The New York Times

BIRMINGHAM, Ala., May 12.—Following is the text of a statement issued early today by Mayor-elect Albert Boutwell, following the bombing of a Negro home and a Negro motel and rioting in the streets.

When I was called and told of the bombing of a private residence and a motel, I immediately called into conference (Police) Chief Jamie Moore, Sheriff Mel Bailey and representatives of the Federal Bureau of Investigation to ask that every investigative power be put immediately into action to identify and apprehend the perpetrators of these outrages.

I want to make it plain to the hoodlums that this city will not tolerate violence, especially the dastardly hit-and-run bombers who wreak vengeance without regard for life and property.

In the short time since these outrages were reported, I have not been able to talk to other officials in the new government, but I am absolutely certain that they would unanimously concur in condemning these dastardly acts. I am sure they join me in appealing to citizens of Birmingham to aid law-enforcement agencies with information of the new crisis to the city's residents. Despite the objection of Chief of Police Jamie Moore and some other Birmingham authorities, Colonel Lingo insisted on moving his troopers into the riot scene this morning armed with carbines and shotguns.

20 Blocks Sealed

The troopers and a deputized group of irregulars from Dallas County sealed off a 20-block area, four blocks northwest of the business district. Anyone no a resident was kept out.

They refused to allow anyone in or out of the section but residents and officials. The Rev. Wyatt Tee Walker, executive assistant to Dr. King, reported complained tonight that persons in the damaged motel had no food and no water.

Governor Wallace was extremely critical in his statement of the desegregation pact.

He said Negroes and whites in the committee that worked out it must share the blame for the rioting. While he offered a $500 reward for the arrest and conviction of persons responsible for the explosions, his language indicated that he thought the Negroes themselves had touched them off.

Today's riots, like those that greeted the arrival of the Freedom Riders here two years ago, came on Mother's Day. The difference was that in the previous outbreak whites were attacking Negroes.

The beginning of the [illegible] the bombing of the $20 [illegible] home of the [illegible] Mr. King, who moved here a year and a half ago to become pastor of the First Baptist Church of Ensley. He has played a leading role in the desegregation drive here.

Mr. King revealed that at about 10:45 o'clock last night the first bomb struck the front of his house at 721 12th Avenue. His wife was sitting in the living room. Their five children were asleep.

The minister rushed to the living room and was taking his wife and children out the back of the house when the second explosion, more violent, smashed the house.

"It's brick," he said later "that's the only thing that saved us."

A crowd of angry Negroes gathered quickly as the police and firemen arrived. While the authorities inspected the ruins, spectators slashed and punctured the tires on police and fire vehicles with knives and repicks.

A brick struck Detective C. B. Golden in the back.

Less than an hour later, an explosion rocked the A. G. Gaston Motel, which has served as headquarters for Dr. King and other integration leaders.

House Trailers Damaged

The explosive charge apparently missed its mark, landing between the motel and a lot filled with new house-trailers. It buckled and twisted three trailers, blew a hole in a downstairs motel room, damaged the motel office and shattered windows in the motel and J. P's Grocery nearby.

The attack on the motel was not a complete surprise. Ernest Gibson, its restaurant manager, said the switchboard operator had received an anonymous threat yesterday afternoon.

The caller told her that the Ku Klux Klan was planning for a rally just outside the city limits between Birmingham and suburban Bessemer and that the motel would be bombed, according to him.

Mr. Gibson said the switchboard operator had informed the Birmingham police, Sheriff Melvin Bailey of Jefferson County covering Birmingham and the Federal Bureau of Investigation.

"The county and city said they were aware of the Klan rally and that they was under surveillance and not to worry about it," Mr. Gibson said. "They said 'If you see anything call us.'"

Deafened by Blast

Mr. Gibson said the explosion came at 11:58 P.M.

"When the blast hit, I was deaf for a minute," he recalled. "It was like [illegible] you didn't know what to do or where to go."

Diners and waitresses began screaming. Some started to run into the street, Mr. Gibson said.

Across the entranceway in the lobby, Alexander Long, the night clerk, rushed into the court and found a gaping hole in the brick wall of the downstairs room. Two women in the room had [illegible]

"One lady walked out of the bedroom by herself," Mr. Long said. "Her mother, an elderly lady, was carried from the room."

Before the dust from the ex-

50 HURT IN RIOTS AT BIRMINGHAM

Continued From Page 1, Col. 8

two weeks Mr. King and his wife and five children escaped injury.

F.B.I. Investigating

The second bombing in had the A. G. Gaston Motel, which has served as headquarters for the Negroes' integration campaign. Four persons were injured by the blast, but none seriously enough to require hospitalization. Three house trailers in a lot adjoining the motel were damaged heavily.

The bombings followed a mass rally and cross-burning staged by members of the Ku Klux Klan from Alabama and Georgia in Moore Lodge, on the city's outskirts near suburban Bessemer. No evidence has been reported to show that the Klan rally and the bombings were connected.

Agents of the Federal Bureau of Investigation joined local authorities in investigating the explosions.

The violence followed announcement Friday of a tentative plan for limited desegregation in this steel city. The accord was reached by white business and professional leaders and Negro representatives after a series of massive demonstrations, one of which was followed by Negro rioting last Tuesday.

There was no immediate indication of whether the bombings would resume Negroes in resume the agreement, which was worked out with pulling from Burke Marshall, an Assistant Attorney General, Mr. Marshall, chief of the Justice Department's Civil Rights Division, spent most of last week here under orders from Attorney General Robert F. Kennedy, in an attempt to end the crisis.

The agreement calls for the following: Desegregation of lunch counters and other facilities in downtown department and variety stores within 90 days; promotion of Negro employes on the stores and in industry; appointment of a biracial committee, and efforts by whites to discourage officials from pressing charges against the 2,000 persons arrested during the demonstrations.

Alarmed by the turn of events members of both the Chamber of Commerce and the newly elected City Council met hurriedly this afternoon in an attempt to restore interracial peace.

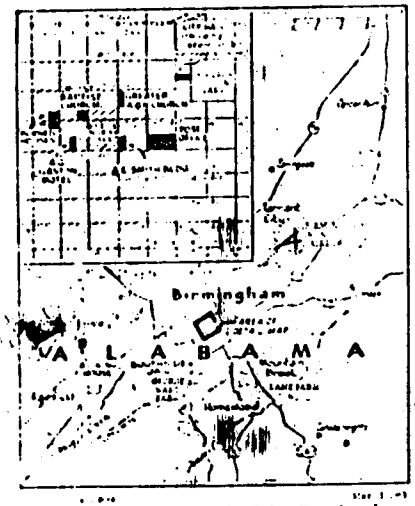
Dr. King flew here from Atlanta, where he conducted the morning service at Ebenezer Baptist Church, of which he is co-pastor. He declined to comment immediately on whether the bombings would bring renewed demonstrations.

"Naturally I'm very shocked," Dr. King said on his arrival at the airport. "It is unfortunate that these bombings took place so soon after the settlement."

His brother had indicated earlier that further demonstrations might be held.

"I would say that there should be some timetable," he said. Mr. King said: "What form it should take, I don't know. I feel that the persons we have been negotiating with have been acting in good faith. I am sure they would not condone this bombing."

There was widespread concern here that Governor Wallace might not leave the resort



ROIL: Birmingham Negroes battled police after bombs of the Rev. A. D. King in Ensley and the A. G. Gaston Motel in the downtown area (detail map) were bombed. Diagonally shaded area has been sealed off by the police.

Mayor-Elect's Statement on Outbreak

By [illegible]

BIRMINGHAM, Ala., May 12

Following is the text of a statement made early today by Mayor-elect Albert Boutwell following the bombing of a Negro home and a Negro motel and rioting in the streets.

When I was called and told of the bombing of a private residence and a motel I immediately called into conference Police Chief Jamie Moore, Sheriff Mel Bailey and representatives of the Federal Bureau of Investigation to ask that every investigative power be put immediately into action to identify and apprehend the perpetrators of these outrages.

I want to make it [illegible] the hoodlums that this city will not tolerate violence, especially these cowardly hit and run bombers who wreak vengeance [illegible] life and property.

In the short [illegible] outrages were [illegible] have not been [illegible] to other offenses [illegible] unanimously condemning these dastardly acts. I am sure they join me in appealing to refrain [illegible] law enforcement agencies [illegible] and peace officers had settled. Negroes began streaming in the streets and from taverns, night spots and small groceries.

When the police arrived, the crowds began hurling rocks, bottles and other missiles. The officers made no attempt to move in but held their ground in the middle of the street.

Kid and Kiddie [illegible] the throng, and more and more policemen piled in in white squad cars.

Patrolmen made one foray after another west along Fifth Avenue in an attempt to drive back a group of rock throwers operating in the region of a park no bigger than alleys and behind a building.

The Rev. Wyatt Tee Walker, executive assistant to Dr. King, emerge from the fray with a portable chalkboard. He was [illegible] speaker. He was [illegible] parts shortly [illegible] a while [illegible] around has left area a sea of [illegible]

"Please [illegible] ladies and gentlemen, will [illegible] requested [illegible]

A [illegible] the Atlanta [illegible] Sheriff [illegible] down the street repeating [illegible]

"They started! They started! [illegible]

[illegible] of the Birmingham police [illegible] to battle before 12 [illegible] A.M. [illegible] the fire of [illegible] putting the [illegible]

[illegible] attack of a squad [illegible] was further [illegible] for a [illegible] the [illegible]

[illegible] dogs [illegible] they attacked demonstrators [illegible] Negroes. [illegible] Mr. King [illegible] and [illegible] Before [illegible] speakers [illegible] stop the [illegible]

A patrolman in a white crash helmet staggered into the light in front of the motel. He doubled over, clutching his stomach. Other [illegible] into the [illegible] which [illegible] petal.

"Everybody [illegible] efforts [illegible] over a [illegible] get out [illegible] your people [illegible] this city."

"We had this thing almost settled," a policeman remarked in disgust. "The people that threw that bomb ought to be hung."

'I Hate to See the Bombing'

"It's terrible," a letter on Gonzo, sipping said. "I hate to see the bombing."

[illegible] Lange [illegible] the Navy blue [illegible] and blue [illegible] of the Highway Patrol's [illegible] squad show up with a [illegible] Sheriff James Clark of Dallas County. The [illegible] chief of police, a [illegible] of irregular [illegible] with a variety of weapons, was [illegible] the demonstrations last week.

Chief Jamie Moore of the Birmingham police and Chief Inspector W. F. Bailey sought to persuade [illegible] Lange and the Sheriff to withdraw.

"Will you please leave?" the chief urged. "We don't need you here. You all [illegible] get somebody hurt."

[illegible] dispersed [illegible] all [illegible] gathered [illegible] and [illegible] the [illegible] shotgun.

[illegible] meanwhile, the [illegible] from the trunk of a [illegible] and prepared to [illegible] A crowd of seven [illegible] County deputies [illegible] the point.

"Look how many the [illegible] to [illegible] and laughing on the [illegible] which [illegible] become [illegible]

Set Fire to Car

[illegible] the North [illegible] South Avenue [illegible] 1 A.M. [illegible] police reported that the [illegible] putting the [illegible] between 15th and [illegible] Avenue. A [illegible] The company [illegible] from [illegible] He attempted to offer [illegible] "Are Negroes [illegible]

"We're [illegible] Another mob [illegible] the crowd to go home [illegible] from [illegible] was [illegible]

NEW YORK TIMES MAY 13 1963

Bombings in Birmingham

The white and Negro moderates who so courageously and wisely reached an accord in Birmingham must not lose heart or lose their heads. The bombings of a Negro leader's home and the motel where the negotiations had taken place were the work of hoodlums and fanatical segregationists who will have to be caught and given exemplary punishment.

It would be tragic and ironical if criminals of this type should be allowed to succeed in their aim of destroying the agreement reached by the moderate elements. The victory would go to men like "Bull" Connor, the demagogic and ill-titled Safety Commissioner, and to others who are seeking to stop the tide of history and justice.

The stakes involved in the Birmingham conflict are too great to be lost to gangsters masquerading as defenders of the white race whom, in reality, they are disgracing. At the same time, the gravity of the issues at stake has to be faced if a national setback is to be avoided. Birmingham is not the only city having racial violence. In some way, the rigidity of the social structure in Alabama, Mississippi, and even in states where some or much progress has already been made, must be modified.

It takes courage and wisdom to recognize historical necessities and to accept them. When an accommodation is reached, as it was in Birmingham, the extremists--those who take a stand-pat position on the one hand, and those who resort to violence on the other--are defeated.

The Negroes who rose in their fury after the Birmingham bombings can be understood, but they were wrong and unwise because they played straight into the hands of the die-hard segregationists and also of the Black Muslim lunatic fringe. Dr. Martin Luther King was right to announce immediately that the accord reached in Birmingham would still stand, and Mayor-elect Boutwell deserves credit for his condemnation of the outrages. It is now up to the authorities to see to it that justice is done.

This is a serious crisis partly because the human factors are unpredictable and irrational. The Negro community is reacting against laws it considers unjust and power it considers to be tyrannical. But violence is not the answer, even to such white violence as the cruel bombings of yesterday morning. American stability has been built on grass roots, on local initiative, on states' rights. The conflict in Birmingham must be resolved in Birmingham.

"This is a sabbath of sorrow," The Birmingham News wrote in a front page editorial yesterday. "Only the city's people, white and Negro, with prayers for tolerance and patience can restore law and order."

NEW YORK TIMES

MAY 13 1963

Negro Cause Backed

Fight Said to Be for Survival of Democratic Nation

To the Editor of The New York Times:

At the end of the last war, when the curtain was raised on the bestiality of the Nazis, Americans wanted to know where the decent Germans were while their Jewish compatriots were being tortured and exterminated. They asked how it was that people who considered themselves civilized permitted this to happen in their midst without crying out in the name of humanity.

What has happened to us since that time when we were capable of moral outrage?

Today in America our Negro compatriots in the South are fighting for our survival as a democratic nation. Armed only with quiet determination and offering the white American a chance to redeem himself, they continue in their nonviolent, on their part (thus far), march toward full citizenship which, if gained, would cleanse us of our national hypocrisy and schizophrenia and restore us to mental health.

Our white sickness is not regional, although the more virulent and immediate manifestations of it are in the South. Our nation's mental health was in a precarious state before our Negro citizens in desperation began their demonstrations. White Americans unrealistically deluded themselves for far too long that it was their right to set the timing on when and where the Negro could expect acceptance as a human being. Yet they showed no responsibility in using that time to start removing the barriers between our separate worlds.

Legal gains reinforced white complacency. Whites soothed themselves and sought to soothe the Negro with the comfortable belief that "These things take time. Progress is being made. The Negro is better off." "Civil rights" are to the majority race in this country a legalistic abstraction—not a human reality and necessity.

Crises around the world have conveniently distracted our attention from our individual and collective responsibility for achieving democracy at home. It has fallen to the Negro to demonstrate the moral courage otherwise noticeably lacking in our national character today. He has seized the initiative and has set his own time schedule. The time is now. It is he and his wife and children who are risking their lives for the right of the individual—to live in dignity.

ELIZABETH S. FRENCH.

Bethesda, Md., May 7, 1963.

NEW YORK TIMES

MAY 13 1963

Birmingham Paper Calls For a Sabbath of Prayer

BIRMINGHAM, Ala., May 12 (UPI)—"Birmingham had best spend this Sabbath on its knees in prayer." The Birmingham News said in a front page editorial today.

"A prayer that all citizens white and Negro—will listen to reason. Stop violence," the headline said. The editorial continued:

"Saturday night the city reaped the whirlwind of violence that had been sown.

"The bitter longings of the Negroes must be restrained. The bitter resentments of the whites must be put under control.

"This is a Sabbath of sorrow. Only the city's people, white and Negro, with prayers for tolerance and patience can restore law and order."

NEW YORK TIMES
MAY 13 1963

PEABODY PRAISES NEGROES' STAND

5,000 March in Boston in Birmingham Protest

Special to The New York Times

BOSTON, May 12.—Gov. Endicott Peabody praised the stand of Negroes in Birmingham today in a speech to 5,000 marchers who converged on the Statehouse in a "Support Birmingham Movement."

The Negroes, he said, lost their civil rights through violence such as that used by "the Ku Klux Klan, the lynch mob and the White Citizens Council."

"In winning these rights back," he went on, the Negroes have not "used the law of 'an eye for an eye and a tooth for a tooth,' but have done it with love and charity."

"This is the right way to achieve change, and we are learning by the example of those who use it," he declared.

"Watching our fellow citizens in Birmingham suffer every human indecency while we in Boston stood by helplessly has been almost more than any of us could bear. But now victory is in sight for those who have struggled so heroically."

State Attorney General Edward W. Brooke, a Negro, told the marchers that if a state could not protect civil rights the Federal Government should.

The marchers, white and Negro, included students from local colleges, and members of unions and religious groups. They marched from all sections of the city to meet on the Common in front of the Statehouse.

The demonstration was intended to encourage state officials and private citizens to urge the Federal Government to take firm measures in support of civil rights in Birmingham, and to raise money for the drive there.

Humphrey Sees U.S. Loss

Special to The New York Times

MINNEAPOLIS, May 12.—Racial conflicts in Birmingham have set back this country's international prestige for 20 years, Senator Hubert H. Humphrey declared today.

"I don't think that for another generation we will be able to live down in many areas of the earth this blotch on the face of America," the Minnesota Democrat, assistant majority leader, said in an interview.

"It's a major defeat for America in the world conflict of ideologies. And it's a self-inflicted defeat."

Mr. Humphrey praised President Kennedy's role in the Birmingham strife.

"I think he has acted very judiciously, wisely and sincerely," he said, "and I feel, from talking to him, that he believes in using the same principle of Martin Luther King—quiet persuasion and not force."

However, he stressed, the 14th Amendment guarantees citizens protection through due process of law.

"It is my view that the activities in Birmingham violate the 14th Amendment," he declared. "It is my view, on a constitutional basis, that the Federal Government has an obligation here to protect life, to protect liberty, to protect property."

Senator Humphrey was here for the state convention of the Democratic-Farmer-Labor party, which ended today.

Methodists Press for Action

Special to The New York Times

NEWBURGH, N. Y., May 12.—The New York Conference of the Methodist Church ended its annual meeting today after calling on the denomination's leaders in Alabama to press for a resolution of the racial crisis.

"We recognize the guilt of our church in this situation," the delegates said, "and we call upon our bishops and the churches in the area of acute disturbance to bring responsible church leaders together immediately to initiate action looking toward a permanent resolution of these conflicts.

"We deplore the fact that basic constitutional rights guaranteed to all, continue to be denied to many citizens in other sections of the country, including our own."

The delegates commended Birmingham leaders "who have worked to resolve issues with a minimum of conflict."

March in Syracuse

SYRACUSE, May 12 (AP).—About 250 Negroes and whites marched through downtown Syracuse today. They held a prayer meeting on the steps of the Onondaga County Courthouse to demonstrate their support of the struggle for integration in Birmingham.

Similar demonstrations were held yesterday in Schenectady and Utica.

800 March in New Rochelle

NEW ROCHELLE, N. Y., May 12 (UPI).—About 800 Negroes marched to city hall here today in a demonstration for White House action in Birmingham.

Joseph T. Jackson, first vice president of the New Rochelle branch of the National Association for the Advancement of Colored People, was among the leaders.

Mayor Stanley Church heard their request that he send a telegram to President Kennedy and Attorney General Robert F. Kennedy.

100 Protest at U.N.

About 100 men, women and children demonstrated in front of the United Nations yesterday to protest segregation in Birmingham.

The demonstration, which lasted an hour, was called a "Mother's Day walk for human rights."

Mrs. Ellen Lurie of 180 Cabrini Boulevard said the demonstration had not been sponsored by any group, but she had helped organize it as a spontaneous gesture.

NEW YORK TIMES

MAY 13 196

Negroes Ask Talks in Jackson; Threaten Boycotts and Marches

Special to The New York Times

JACKSON, Miss., May 12—The N.A.A.C.P. warned today that Negroes here would begin an intensive campaign of boycotts and protest marches unless an end to racial discrimination in stores and public facilities was negotiated.

By a unanimous vote, the state board of directors of the National Association for the Advancement of Colored People, meeting here, declared:

"We wish to let the city, state, nation and world know that we want to meet with city officials and community leaders to make good - faith attempts to settle our grievances."

The board said it hoped that "those who have the best interests of the city at heart will accept our offer to start a speedy and orderly settlement."

It called on President Kennedy and other national leaders "who share our love of freedom to use their good offices to help get these discussions started."

In the past, Mayor Allen C. Thompson has declined to meet with any sizable delegations of Negroes to discuss removal of racial barriers.

"The NAACP is determined to put an end to all forms of racial segregation in Jackson," the resolution said.

"This means that we want to end the discriminatory practices in the major businesses downtown that now do not give fair employment opportunities to colored citizens. We also insist that segregation now practiced in rest rooms and restaurant facilities of these establishments be ended.

"We know we have the economic strength to back our requests with effective action."

A selective buying campaign has been under way in Jackson for several months.

"Unless we get results through peaceful negotiations undertaken in good faith, we have no alternative but to step up and broaden our selective buying campaign to produce the results that will make Jackson a place of fair pay for all persons without regard to race," the resolution said.

The board called for an end to segregation at playgrounds, schools, libraries and other public facilities.

NEW YORK TIMES

MAY 13 1963

Alabama News Leaders To Meet With Kennedy

WASHINGTON, May 12 (AP) — President Kennedy will be luncheon host Tuesday for about 20 newspaper executives from Alabama.

Although this is one of a series of press lunches and was arranged weeks ago, its unexpected coincidence with the outburst of violence at Birmingham today could make it one of the most significant of such sessions.

The role of the press in helping to shape public opinion, especially in such tension-filled situations as that at Birmingham, is fully recognized by the White House.

Attention may well be given, too, to longer-range problems posed by impending school integration in Alabama, which Gov. George C. Wallace has pledged to resist.

MAY 1963

NEW YORK TIMES

Chief Alabama Trooper

Albert Jennings Lingo

BIRMINGHAM, Ala., May 12 — The head of the Alabama troopers who have been helping to put down the riots here is Col. Albert Jennings Lingo, a big, burly man who carries a shotgun when things are sticky. The fact that he wears eyeglasses does not make him look any less formidable. Colonel Lingo is the State Public Safety Director and therefore chief of the Highway Patrol, the organization of troopers. In that capacity he was in evidence last night and early today as the helmeted troopers drove off crowds of Negroes who were throwing rocks, bottles and other missiles following the bombings of Negro homes.

Man in the News

Colonel Lingo, 53 years old, is a man who is sure of his role here in Birmingham.

"Now get this straight," he said to a nervous city official early today in the Jefferson County courthouse, "we are operating under the direct orders of the Governor of Alabama. I've been ordered to lay back to shoot in self-defense."

The Public Safety Director, who also wears a blue uniform and blue helmet, told a reporter today:

"I am not a Negro-hater. I've played with them, I've eaten with them and I've worked with them. But I will be one of segregation."

He paused for a moment and added:

"You can see that some of my best friends are Negroes."

Stopped Freedom Walkers

Colonel Lingo was in charge of the patrol that guided the U.S. Horse 11 near Selma on the Alabama leg of the Alabama leader May 3, when a band of Freedom Walkers was halted. The marchers were protesting the murder of William L. Moore, a white, thirty-old letter carrier from Baltimore, who was shot on the highway while making a lone protest march against segregation.

When several of the marchers lay down on the highway after having been ordered to disperse, Colonel Lingo's troopers used a three-foot electric prod pole to jab the marchers to their feet. The prods are customarily used to prod cattle into pens.

Colonel Lingo, who was born Jan. 22, 1910, in Clayton, Ala., is the son of a cotton broker, merchant and farmer. He is a charter member of the Highway Patrol, formed in 1935.

Colonel Lingo, who attended the Alabama Military Institute at Anniston, rose through the ranks in the Highway Patrol and was appointed Public Safety Director last Jan. 15. It is a political appointment that pays $10,000 a year.

Sure of his role in crisis

In Navy During War

A former civilian flight instructor, Colonel Lingo was a Navy lieutenant in World War II. After the war he engaged in various commercial ventures. He operated a flying school at Utaka where he lived. In 1947 he opened an insurance agency.

He went into the trucking line in 1952, and in 1956 started manufacturing pressing dies. His brother-[illegible] now runs the dies business, while Colonel [illegible] has his full time to his state job.

Since he has been in Birmingham, he says, he has averaged about four hours of sleep a night. When he has any leisure time, he hunts and fishes.

He lives with his wife, the former Velma Terrell, in an apartment in Montgomery, the state capital. They have a large house in Utaka. The Lingos have a 20-year-old son.

It is Colonel Lingo's opinion that even without the bombings there would have been trouble.

"It would have been quiet for a while," he says, "but then trouble would have started when the Negroes found out that the agreement reached last week on desegregation of facilities in Birmingham was no agreement. There wasn't any agreement that I know of."

NEW YORK TIMES

MAY 13 '63

KEY RULINGS DUE IN SUPREME COURT

Decision Possible Today on Lunch-Counter Sit-Ins

Special to The New York Times

WASHINGTON, May 12 — The question of lunch counter segregation, which started the Birmingham demonstrations, is one of the major undecided issues before the Supreme Court.

The Court returns from a brief recess tomorrow and is expected to hand down decisions in some of the major pending cases. Altogether 64 cases argued earlier in the term are awaiting decision.

Seven of these 64 arose from sit-in demonstrations at lunch counters and other places of public accommodation. Negro and white students are asking the Court to set aside their convictions for criminal trespass.

The sit-in cases have potentially great legal significance because of the possibility that they will produce a new definition of what is "private" and "public" for constitutional purposes.

Limited in the Past

The Court has always said in the past that the Constitution's ban on racial discrimination applies only to public, official enterprises, such as schools or airports. The private person may discriminate as he wishes.

In the sit-in cases the argument was made that variety stores and such shops are so generally open to all customers that they have taken on a "public" character.

An alternative argument was made by Solicitor General Archibald Cox. He said that the discriminatory practice of the lunch counters derived not from the store-owners' wishes but from local segregation statutes or custom. Thus, he said, the discrimination should be traced to the states.

The seven sit-in cases were argued early last November, more than six months ago. The length of time the Court has had them under consideration has led to speculation that a major constitutional decision may be forthcoming.

Any decision extending constitutional protections to privately owned businesses would have sweeping effects throughout the country.

Contempt Ruling Awaited

Another important case awaiting decision is that of Edward Yellin, convicted of contempt for refusing to testify about Communism before the House Committee on Un-American Activities.

The Yellin case is a free test of the power of Congressional committees to compel testimony. There are two new members of the Court who have not yet expressed their views on this problem, Justice Byron R. White and Arthur J. Goldberg.

The problem of prayer in the schools is before the Court again, and there are numerous antitrust and labor cases of major significance awaiting decision. The dispute between Arizona and California over the Colorado River's water is also before the Court.

The workload of the justices continues to rise. Last week the number of cases on the docket this term passed the total for the entire previous term, ended last June, which was a record.

Last term's total was 2[illegible] cases. At current rates the present term will have about [illegible] when it [illegible] in five or six weeks.

NEW YORK TIMES

MAY 13 1963

WALLACE OFFERS A $5,000 REWARD

Seeks to Solve Bombings—Vows to Halt Violence

MONTGOMERY, Ala., May 12 (AP)—Gov. George C. Wallace declared today that he would stop violence in racially troubled Birmingham "if it takes 1,000 or 10,000 law enforcement officers, or whatever it takes."

The Governor announced that he had offered a $5,000 reward for information leading to the arrest and conviction of persons responsible for bombings in Birmingham last night.

He said state authorities were investigating "these acts of violence and will cooperate fully with our other branches and agencies of government who proposed to make a conscientious, unbiased effort."

"Tragic events of the last several weeks in Birmingham, which culminated in severe violence last night, have deeply grieved the people of Alabama," he said.

"Those responsible for the bombings which triggered the violence have rendered a monumental disservice to every citizen of the state. I want to assure the citizens of Alabama and the nation that every resource of the State of Alabama will be directed to the apprehension and conviction, be they white, black, local people or professional agitators from without our state."

"Will Not Rest"

The Democratic Governor promised that state law enforcement agencies "will not rest until the guilty are brought to justice and their evil schemes and motives disclosed."

"The violence in the streets of Birmingham by Negroes, which began almost simultaneously with the bombings, was disgraceful," he said. The Governor enumerated several instances in which officers were hit with rocks and one was stabbed.

"This is what Martin Luther King calls nonviolence and passive resistance," Governor Wallace said.

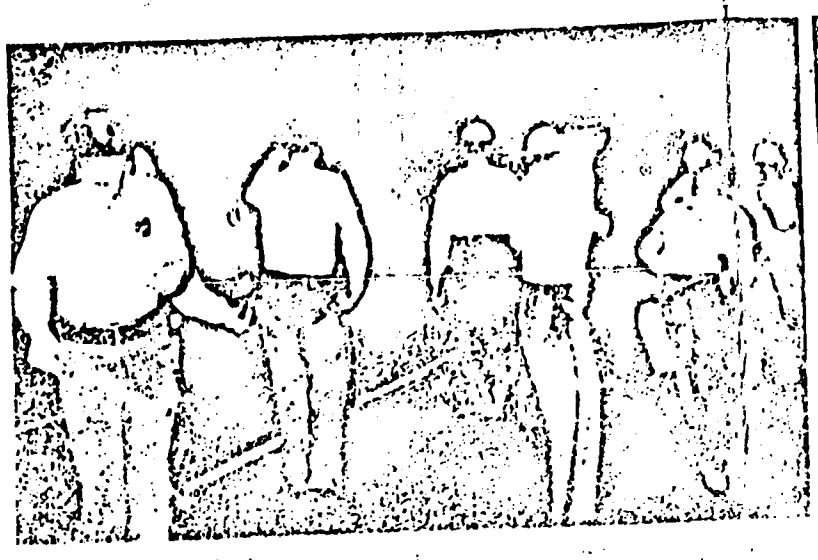
"We are going to break this up. Such violence will not be tolerated. If it takes 1,000 or 10,000 law enforcement officers, or whatever it takes, order will be maintained.

"The timing of the bombings strongly indicated there are those who are unhappy because of the lack of violence in the last few days," he continued.

"Violence and internal disorder are the stock and trade of the Communists, and in my judgment there has been sufficient activity in Alabama by outside subversives to strongly indicate their involvement in the bombing incident."

The Governor said he was requesting the Alabama Congressional delegation to ask the House Committee on Un-American Activities to investigate the happenings in Birmingham during the last few weeks.

He said he believed that the Jefferson County (Birmingham) grand jury should investigate and return indictments against those persons responsible.



THE EVENING STAR A-7
Washington, D. C. ★★★
Monday, May 13, 1963

WALLACE TELEGRAM

Governor Says U. S. Bypassed State

MONTGOMERY, Ala., May 13 (AP).—Following is the text of a telegram sent to President Kennedy last night by Gov. George Wallace concerning the possible use of troops in Birmingham:

As per your statement as reported by news media that you have alerted Federal armed forces to take action in the case of further violence in Birmingham—may I ask under what authority you would send Federal troops into this State?

The Constitution of the United States, Article 4, Section 4, states that the Federal Government may send troops to quell domestic violence upon application of the State legislature and, if it be not convened, upon application of the Governor.

The legislature of this State has made no request, nor have I.

The situation is well in hand. Law and order prevail. I further inform you that as commander in chief of the Alabama National Guard I have already alerted the guard and will call it on a moment's notice. In fact, I have taken precautions to have it available immediately.

I respectfully inquire of you as to why you have ignored the Governor of this State in this matter when we are controlling this situation—as I am for maintenance of law and order and desire to prevent violence and keep the peace as much as anyone in Washington.

You have yourself stated, Mr. President, that no Federal question is involved, and the situation has not changed since your making that statement.

Your complete bypassing of State officials is an affront to me as Governor as well as to the people of the State of Alabama. We have sufficient State and local forces to handle the situation and law and order will be maintained.

In my judgment, your statement has tended to aggravate and inflame the existing situation rather than to alleviate the same, as we have done.

I respectfully ask you to conform to the Constitution of the United States in this matter and leave it to State and local governments.

NEGRO VIOLENCE CALLED DISGRACE

MONTGOMERY, Ala., May 13 (AP).—Following is the text of Gov. George Wallace's earlier statement on the bombings in Birmingham:

The tragic events of the last several weeks in Birmingham, which culminated in severe violence last night, have deeply aggrieved the people of Alabama. Those responsible for the bombings which triggered the violence of the night have rendered a monumental disservice to every citizen of this State.

I want to assure the citizens of Alabama and of the Nation that every resource of the State of Alabama will be directed toward their apprehension and conviction, be they white, black, local people or professional agitators from without our State. The law enforcement agencies of the State will not rest until the guilty are brought to justice and their evil scheme and motives disclosed.

State law enforcement authorities are already investigating these acts of violence and will cooperate fully with all other branches and agencies of government who proposed to make a conscientious, unbiased effort in this regard. I have offered a reward of $5,000 for information leading to the arrest and conviction of those responsible for these acts.

Calls Violence Disgraceful

"The violence in the streets of Birmingham by Negroes, which began almost simultaneously with the bombings, was disgraceful. Law enforcement officers were stoned by Negro mobs, one officer was stabbed in the back, the assistant police chief hospitalized from a head injury from a thrown brick, an innocent cab driver severely beaten, stabbed and his cab turned over and set afire by this Negro mob.

Fires were deliberately started, and when firemen rushed to the scene they were attacked by the mob and their equipment destroyed. In many instances firemen had to have police protection to reach burning buildings.

While I was being given a report over the telephone of these happenings by my director of the department of public safety he was at that time being stoned by a Negro mob. This is what Martin Luther King calls non-violence and passive resistance.

We are going to break this up. Such violence will not be tolerated. If it takes 1,000 or 10,000 law enforcement officers—or whatever it takes—order will be maintained.

House Probe Asked

The timing of the bombings strongly indicates there are those who were unhappy because of the lack of violence in the last few days. Violence and internal disorder are the stock and trade of the Communists, and in my judgment there has been sufficient activity in Alabama by outside subversives to strongly indicate their involvement in the bombing incident.

I am, therefore, requesting the Alabama congressional delegation to ask the House Un-American Activities Committee to investigate the happenings in Birmingham during the last few weeks. I further invite the FBI to join with local officials in investigating the bombings. I also feel that the grand jury of Jefferson County should be called into session to investigate and return indictments against those persons acting individually or in conspiracy who are responsible for the acts of violence in Birmingham.

Complete order had prevailed in Birmingham since the State forces arrived last Tuesday . . . You can make no concessions to those who bring about violence and mob action, because surrender to mob action only begets further mob action. Granting concessions under threat of mob violence is blackmail.

The so-called bi-racial negotiating group of appeasers who have kept their identity secret have played right into the hands of Martin Luther King and his cohorts, who had failed to bring strife and turmoil to the extent they desired.

The two daily newspapers in Birmingham and this small group of appeasers who attempted to secretly negotiate with mobsters, have made the task of maintaining peace and order doubly difficult.

The high officialdom in Washington, through their actions and comments, has also made the task more difficult. They have told us repeatedly that the pending issues should be settled in the courts and not in the streets.

This, of course, was meant for white demonstrators—however, when Negro mobs demonstrate and bring about property damage and injury to constituted authorities, they are given sympathy and tacit approval by the same high officialdom in Washington. I resent this double standard which is evidently for political reasons without any thought of law and order.

WASHINGTON EVENING STAR MAY 13 1963

View From Corner Telephone Booth: Riot Is Jittery Ebb and Flow of Hate

By PHIL ORAMOUS
Associated Press Staff Writer

BIRMINGHAM, Ala., May 13 —The seething crowd surged toward an intersection near a motel which was headquarters for the integration drive in Birmingham.

Police brandished weapons. The crowd retreated.

Police relaxed. The crowd advanced again.

Rocks and sticks that had been hidden behind backs came into full view. Police again moved toward the teeming Negroes.

A loud jeer went up when reinforcements of State patrolmen arrived and took shotguns, rifles, submachine guns and tear gas launchers from their cars.

A cheer went up as a policeman was hit by a large rock.

Negro leaders dispersed a knot of onlookers on a corner. Then slowly they came back.

So one paid me a tribute to me. I was in a glass-enclosed telephone booth on the corner.

For more than two hours I watched the riot which broke out after the home of a Negro integration leader and a Negro motel were attacked by night riders.

Nearly 50 persons—some of them policemen and firemen—were hospitalized.

Thousands of dollars in damage was caused by the rampaging crowds.

So incensed were the Negroes that they hurled rocks and other objects at passing autos, venting most of their feelings on police cars.

A Negro civil defense worker said the crowd set fire to a Negro grocery store and town automobiles. A block of dilapidated houses was in flames.

Firemen, attempting to control the fire, were peppered with rocks. Finally, the fire department announced over a loudspeaker that the residents of the area would have to take care of their own property.

A policeman was stabbed twice in the back. A white taxi driver was dragged from his vehicle and stabbed. His cab was overturned and set afire.

Tension built up after I arrived on the scene. The taxi driver refused to go closer than three blocks from the motel.

Negroes cursed as I walked past several bars toward the line of policemen at the intersection. Groups with crowbars were prying off pieces of curbing and breaking them up into missiles.

Windshields were shattered as passing automobiles; rocks peppered them from every direction.

Two policemen on the corner would not let me get to the motel—a half block away.

I went back across the street to the phone booth. A crowd of Negroes, mostly teenagers—gathered around the phone booth.

In view were the motel, the Negroes, and hundreds of law officers.

A Negro youth asked to use the phone. He was told it would be busy for quite a while. He walked away.

The Negro returned with a friend. The friend kicked the door: "Hey, boy, you got one minute to get off that phone."

As the time limit neared, a police motorcycle was overturned and set afire a block away. The Negroes ran [illegible] the activity and did not return.

Other blazes lighted the night. Negroes ran through debris-littered streets toward the fires.

An ambulance roared past. A Negro was on a stretcher.

See RIOT, Page A-6

was [illegible] the exterior. The lines were flat. Its red light flashed.

With a loud shout, Negroes again converged on the corner. The semicircle of State troopers at the intersection held their weapons at the ready.

Negro Civil Defense police and two Negro ministers with portable loudspeakers jumped between the surging crowd and the guns.

"Please go home, you're hurting our cause," the ministers called out again and again. "What's done is done. There's nothing we can do about it now."

"We can see blood!" someone in the back of the crowd yelled. A civil defense worker

Mr. Oramous, an Associated Press staff member, tells how it feels to stand for more than two hours in a telephone booth on a Birmingham street with police armed with shotguns, rifles and submachine guns in front of him and a growing yell mob behind him.

PRESIDENTIAL AUTHORITY

By the Associated Press

Justice Department officials say that in ordering Federal troops to Alabama President Kennedy acted under his authority to deal with civil disturbances.

The key authority in such instances is Title 10, Section 333 of the United States Code. It was used to send Federal troops to Little Rock, Ark., in the 1957 school integration crisis and to Oxford, Miss., last year when riots followed the integration of the University of Mississippi.

Under the heading "Interference with State and Federal Law," it reads:

"The President, by using the militia or the armed forces or both, or by any other means, shall take such measures as he considers necessary to suppress, in a State, any insurrection, domestic violence, unlawful combination, or conspiracy, if it

"1. So hinders the execution of the laws of that State, and of the United States within the State, that any part or class of its people is deprived of a right, privilege, immunity or protection named in the Constitution and secured by law, and the constituted authorities of that State are unable, fail, or refuse to protect that right, privilege, or immunity, or to give that protection; or

"2. Opposes or obstructs the execution of the laws of the United States or impedes the course of justice under those laws."

"3. In any situation covered by Clause 1, a State shall be considered to have denied the equal protection of the laws, secured by the Constitution."

WASHINGTON POST-TIMES HERALD MAY 13 1963

The Washington Merry-Go-Round

Negroes Outran 'Holding Action'

By Drew Pearson

The back-stage conversations over Birmingham inside the White House have been aimed at a holding action until the Supreme Court could rule on the basic question of desegregated lunch counters in the South - probably today.

Pearson

It so happens that two test cases involving the Birmingham or dinance against whites and Negroes eating together are before the Supreme Court.

One case is that of James Gober, a Negro who made a purchase at Pizitz's department store in Birmingham on March 31, 1960, then went to the lunch counter with a friend. was ignored by the waitress, then asked to leave, and finally was arrested for trespassing.

The second case is that of the Rev. Fred Shuttlesworth, one of the Negro leaders recently arrested, who earlier was charged with inciting a crime by aiding and abetting persons to stay on private property after being told to get off. Mr. Shuttlesworth had held a meeting in his home at which he asked for volunteers for sit-in demonstrators.

Both cases are on appeal from the Alabama Supreme Court, and along with other cases from North Carolina, Louisiana and Maryland, were argued last November.

Anticipating a decision for civil rights, Burke Marshall, President Kennedy's Assistant Attorney General for Civil Rights, has been trying to maintain a truce until the Court acts. Then the Justice Department has promised to move vigorously to back up the Court's order.

JFK's Wrong Man

The trouble in Birmingham, as contrasted with the racial progress made in cities like Atlanta, Charlotte, Knoxville, Nashville and Louisville, can be traced to two factors.

1. Enlightened leadership in these other cities, such as that of former Mayor William Hartsfield of Atlanta, former Mayor Ben West of Nashville, and former Mayor George Dempster of Knoxville.

2. Strong segregationist forces in Alabama which the Kennedy Administration unwittingly supported.

One of the first things Mr. Kennedy did after taking office was to appoint Charles Meriweather of Alabama to be a director of the Export-Import Bank. This was a reward to Gov. John Patterson of Alabama who had loyally kept part of the Alabama delegation for Mr. Kennedy at the Los Angeles Convention which nominated him.

In repaying his debt to Gov. Patterson, however, Mr. Kennedy did not realize that he was appointing a man who had been on friendly terms with the Grand Kleagle of the Ku Klux Klan, had been identified with White Citizens Councils, and actually had nothing to do with keeping Gov. Patterson in line for Mr. Kennedy. It was Ed F. Reid, director of the Alabama League of Municipal Councils, and a moderate who wrestled Patterson to stick with Mr. Kennedy.

A handful of liberal Senators led by Wayne Morse and Maurine Neuberger (D-Ore.), William Proxmire (D-Wis.), Jack Javits, (R-N. Y.) fought against Meriweather. But he was confirmed, and when a segregationist was rewarded, and Reid, a moderate, ignored, it was considered the tipoff, erroneously, that Mr. Kennedy would play ball with segregationist forces in Alabama.

This discouraged Alabama moderates, both white and Negro, and encouraged race demonstrations as the only remedy.

Other Signs

Other developments pointed in the same direction. They were:

A - Mr. Kennedy's firm statement that he would not cut off Federal funds from Mississippi as requested by the Civil Rights Commission.

Southern states, though ardent preachers of states rights, collect huge slices of their budget from Washington -- two-thirds in the case of Mississippi -- and have been worried over losing this revenue.

B - Brother Bob's failure to defend the 10 marchers jailed at the Alabama border when they tried to cross that State in tribute to Baltimore mail man William Moore. The U. S. Constitution guarantees the right of petition, and these marchers were en route with a petition to the Governor of Mississippi; also the right of any citizen to cross state lines. Yet Attorney General Kennedy, supposedly the defender of the Constitution, has left these men sit in jail.

C - Birmingham election April 2, which put a moderate Mayor, Albert Boutwell, in office. He and Patterson have insisted immediately let it be known that they would sit down and talk with Negro leaders regarding racial problems.

But before any meeting could be held, Eugene (Bull) Connor, the tough Police Commissioner who had been defeated in the election, announced that his administration would continue in office until Oct. 1, 1965. Mayor Boutwell was supposed to take office April 15. One month has passed and he is still on the sidelines, with Bull Connor calling the tune.

All of these contributed to the impatience of desegregationist leaders and a series of demonstrations which have probably hurt the United States abroad even more than Little Rock or "Ole Miss."

Peace Corps Boom

It has now been 18 months since the newspapers were full of sound and fury over a postcard written by a Peace Corps girl in Nigeria about conditions there. But believe it or not, the Nigerian government has now asked the Peace Corps to double the number of its workers. When Margo Michelmore wrote her indiscreet postcard there were only 36 Peace Corps volunteers in Nigeria. Today there are 150, and the Nigerian government wants a total of 300. Congratulations to the Peace Corps and Sargent Shriver, its founding father.

WASHINGTON POST-TIMES HERALD MAY 13 1963

Thousands Riot in Retaliation For Race Bombing and Burnings

By Robert Gordon

BIRMINGHAM, May 12 (UPI)—Police tonight sealed off a 20 block area where thousands of enraged Negroes staged a pre-dawn riot in retaliation for two racial bombings.

Six buildings were burned during the violence, one patrolman was stabbed and bare-knuckle and rock-hurling brawls spread over an eight-block area.

It was impossible to determine the exact number injured, but hospitals with emergency rooms reported treating 22 persons, two of whom were detained. Undoubtedly scores of others were bruised and bloodied in the night-long battle.

President Kennedy interrupted his weekend at Camp David, Md., to return to Washington and announce that troops were being dispatched to Alabama military installations for possible duty here in the event of new riots.

Birmingham was relatively quiet today. State and local police had a tight grip on the Negro section as more than 1000 law officers — some carrying automatic rifles and sawed off shotguns — ringed not only the Negro district but gave themselves a "buffer" block on all sides as well.

Anyone not a resident of the area was turned back at the heavily guarded intersections, where gray police cruisers sat parked in the middle of the street.

There were very few Negroes on the streets today, but many who did venture out were frisked and their cars searched if authorities had any reason to be suspicious.

Gov. George Wallace pledged "10,000" law officers, if necessary, to maintain the peace.

The clash early today was almost exclusively between police and Negroes. A few white spectators gathered, but they were quickly dispersed.

The cost of the rioting was revealed when dawn broke over the city.

The Negro section was a shambles of fire-gutted buildings and the streets were littered with rocks, broken glass and other debris.

On one street lay the charred shell of a taxicab, from which the driver had been dragged and beaten and the vehicle set ablaze.

Civil leaders appealed for peace today.

"I want to make it plain to the hoodlums that this city will not tolerate violence, especially the dastardly hit-and-run bombers who wreak vengeance without regard for life and property," said Birmingham Mayor-elect Albert Boutwell.

The bombings occurred at the home of the Rev. A. D

See BIRMINGHAM, A1, Col. 1

BIRMINGHAM—From Page A1

Birmingham Rocked by Riot

King and at the Gaston motel about 2 a. m. (EDT). Mr. King is the brother of integration leader Dr. Martin Luther King Jr., and the Gaston motel was the chief meeting place for Negro leaders who just last week worked out an integration agreement with spokesmen for the business community.

Although the powerful blasts tore gaping holes in the buildings and tumbled walls, only two persons—a switchboard operator and a woman guest—were both injured at the motel. The A. D. King family escaped unhurt.

The bombing—believed carried out by four or five white men cruising in a late-model car—were apparently in retaliation for an agreement on desegregation worked out last week.

Mr. King's home was the first place hit. The Gaston Motel—about 12 miles from his home—was hit about 45 minutes later.

"It sounded as if the world was coming to an end," Mr. King later said.

The blasts were heard for blocks and within minutes more than 1000 Negroes had gathered at each of the location.

Police cars with sirens blaring and red emergency lights flashing came pouring into the Negro section by the score.

Hurl Bricks, Bottles

Many of the Negroes reacted angrily when the saw the officers and began cursing them and hurling bricks and bottles.

"Come men, get out of our section," some of the Negroes shouted. "We'll kill you."

The rocks rained against the police vehicle, shattering windows and forcing some of them to halt.

A group of eight club-wielding Negroes pounced on two of the police officers in front of the motel and began beating them. Six other officers jumped in and pulled them off.

At a nearby intersection a gang of about 15 or 20 other Negroes halted another police car, hauled out the patrolman and beat him severely before fellow officers could come to his rescue.

Still another policeman, J. F. Spivey, was stabbed twice while getting out of his car.

While police were busy with the crowds, fires began cropping up in the district. But when firemen responded to the calls, they, too, were pelted with rocks.

Police with cocked carbines finally laid virtual siege to the motel.

A trooper approached about 50 Negroes who had sought shelter near the motel office and shouted, "Get the hell in there." When one of them, Mrs. Wyatt Tee Walker, wife of one of the integration leaders, headed in another direction toward her motel room, one state trooper hit her with the butt of his carbine.

The woman fell over backward and was pulled into the lobby by two men. She was later taken to the hospital with blood streaming down her face.

A. D. King helped put an end to the violence that erupted around his home.

Using a megaphone borrowed from police, he pulled among the crowd shouting, "we have been taught that we do not return violence with violence. We have come too far in Birmingham to be sunk now."

About 4 a. m. (EDT) Mayor Art Hanes requested that Gov. George Wallace return the state troopers who were sent here during the crisis last week, but were removed when tensions eased.

The troopers came pouring into the city from all sections and the city rolled out its armored car to help with the cleanup of resistance.

Hanes announced late today that police were "picking up the Negroes by the carloads and they have all sorts of weapons—clubs, knives and even one carload of Molotov cocktails."

At the city jail officials said they had picked up 23 persons within two hours this afternoon of whom 22 are Negroes. Of the 22 Negroes five were arrested and charged with carry weapons which included brass knuckles and a gang of about 15 or 20 other knives. One Negro was charged with violating the state firearms act by carrying a weapon.

Dr. King was in Atlanta when the violence erupted but returned to this tense city this afternoon.

MAY 1 : 1963

WASHINGTON POST-TIMES HERALD

Bombs in Birmingham

The question in Birmingham is whether an immensely hopeful settlement, negotiated by the leaders of the Negro protest movement and the white business community, will hold firm amidst rising passions and the threat of still more violence. The local police have used force widely from the beginning, and some of the Negroes in the crowds have been replying with rocks and pop bottles. Now the bomb, that authentic calling-card of the most extreme racist, has been left at two addresses. And a policeman has been stabbed, suggesting that some Negroes are ready to react in kind indiscriminately.

Long and quiet preparations lay behind the remarkable progress that the settlement contains. The unofficial leadership of Birmingham, its merchants, industrialists and professional men, have been increasingly concerned for the city's future and the effects of the racial hostility for which it has been known. The first effect of their concern was the election campaign that defeated Mayor Hanes and Commissioner Connor. The second step was the agreement, achieved under the pressure of the demonstrations and yet voluntarily, to improve job opportunities in some of the stores, to desegregate some of the lunch counters, and to improve the very unreliable lines of communication between the races.

The businessmen have been far ahead of the politicians in their ability to read the future consequences of the old traditions, and to recognize the necessity for change. The same pattern of business leadership has repeatedly emerged in racial conflicts throughout the South. Where politicians have sometimes let themselves become defensively and narrowly local, businessmen must necessarily learn to live in a much wider world.

Events are running hard against men like Commissioner Connor, who has come to personify the policy of heavy-handed enforcement of rigid segregation. Now that they have been proved a minority in their own city, Mr. Connor and his friends are resorting to invective. Under the circumstances, phrases like "g[illegible]s traitors," and the calls for boycott, are tantamount to incitement.

It is infinitely preferable that the Birmingham crisis be settled by the people of Birmingham. The city has produced leaders, both white and Negro, who are able to work out their differences in peace and good faith. The Nation does not wish to interfere with this delicate process. But President Kennedy's clear and earnest warning must end any remaining misapprehension among the bomb-throwers, the rioters, and the orators who goad them, that the Nation will passively permit violence to destroy the substantial progress that citizens of Birmingham have achieved.

WASHINGTON POST-TIMES HERALD

MAY 13 1963

Matter of Fact . . . .

By Joseph Alsop

Later Than We Think

ACCORDING to Attorney General Kennedy and his Justice Department staff, who know more about the matter than anyone else, the tragic and horrifying turn of events in Birmingham has a lesson everyone ought to understand quite clearly.

Alsop

The lesson is that, in this agonizing area of race relations in the United States, it is later than most of us think.

It is later than we think because the extremists on both sides of the question are nearer to taking over than most people suppose. That is what happened in Birmingham on Saturday night and Sunday morning.

White extremists, enraged by a moderate and civilized settlement of Birmingham's segregation crisis, took to bomb-throwing. Negro extremists incensed by this criminal outrage aimed at their leaders, responded by rioting. The moderate settlement is now in danger, which is just what was wanted by the white extremists, and maybe some of the Negro extremists as well.

This outcome was all the more sad because the moderate settlement in Birmingham represented such a success for foresight and common sense. The extreme explosiveness of the Birmingham race problem had been pinpointed more than 18 months ago, in a Justice Department survey of potential trouble spots in the South ordered by Attorney General Kennedy when he first took office.

THE LEADERS of Birmingham's business community were already thinking that something had better be done about their problem. Their impulse seems to have been strengthened by warnings of coming trouble conveyed by the Justice Department to key persons in the Birmingham white community, and to other persons with leverage in the city, like the national executives of the chain department stores doing business there, and of the Scripps Howard and Newhouse organizations which own the city's papers.

The result was a move to oust the ultra-segregationist city government controlled by Police Commissioner Eugene "Bull" Connor. With the help of some Negro votes --for local leaders of the Negro community had already staged a registration drive— the moderate, Albert Boutwell, was elected to the mayoralty.

Even during the mayoralty campaign, the Rev. Martin Luther King wished to intervene. He was only dissuaded from doing so by Attorney General Kennedy, on the ground that untimely intervention would adversely affect the election result. Shortly after the election, however, he began to organize his first demonstrations; and these reached a crescendo 10 days ago.

In the resulting crisis, the key episode was a quiet meeting of more than two score Birmingham business leaders last Wednesday. By then, the chain department stores were already prepared to concede the Negro demonstrators' demands for desegregation of lunch counters and other facilities, but they did not wish to act in isolation.

Hence the meeting was called. At this meeting, more than 40 key personages in the Birmingham white community voted, with only one dissent, in favor of the settlement the Negroes asked for.

THUS EVERYONE who ordinarily matters in white Birmingham had concluded by the middle of last week, no doubt with regret in some cases but with conviction too, that Birmingham must abandon its old iron-fisted segregationist habits. "Bull" Connor and the others of his kidney were left in isolation, with the ignorant and the embittered as their remaining supporters.

By the same token, everyone who ordinarily matters in Negro Birmingham was overjoyed by the settlement that led Dr. King to announce the end of his demonstrations. It is not generally understood, but Birmingham's local Negro leaders at the outset had even opposed Dr. King's intervention. They had been satisfied by Mayor Boutwell's success at the polls, and they would have preferred to wait quietly for the reforms Boutwell had promised.

THE KING intervention was clearly, in some degree, the result of extremist pressure. The non-violent movement against segregation, which Dr. King leads, is feeling increasing competition from Negro groups more or less openly favoring violence, like the so-called Black Muslims. When the settlement was announced, those who attacked it most promptly were "Bull" Connor and the Washington Black Muslim leader, Malcolm X.

Martin Luther King was wholly satisfied, however, with the settlement agreed upon in Birmingham. Once again he spoke out as a moderate voice. The leaders of the white community and the Negro community in the city were also firmly agreed on the settlement.

Whereupon the extremists on the two sides took over in Birmingham, as they may do later in other places if the warning is not heeded.

WASHINGTON POST-TIMES HERALD

MAY 13 1963

King Reacts With Praise For President's Action

BIRMINGHAM, Ala., May 12 (AP)—Word of President Kennedy's action in dispatching troop units to Alabama was received here tonight as 2000 Negroes met at a church on the south side of the city, one mile from the scene of last night's riot.

One of the first reactions came from Rev. Dr. Martin Luther King Jr.

"I think it is a strong statement and shows the Administration is concerned about this problem and is willing to take forthright action to preserve the citizenship rights of Birmingham Negroes," Dr. King said.

"I have not requested Federal troops in Birmingham."

He said he believed the President's position clearly shows the Administration "is not going to stand idly by and see the rights of Negroes trampled."

Dr. King said he did not feel last night's violence has nullified the biracial agreement. He said he believes both sides would stick to their pact.

"I don't feel the bombings were perpetrated by or sanctioned by the vast majority of the citizens of Birmingham."

Dr. King said he was considering a direct appeal to Birmingham citizens and added that he believes more than 90 per cent of the city's 125,000 Negroes were following his nonviolence doctrine.

ing desegregation of Alabama schools;

- handling suits in behalf of Negro students seeking admission to the all-white University of Alabama.

OUR DEFENSE OF THESE AMERICANS CONSTITUTES THE MOST MASSIVE LEGAL OPERATION ever attempted in a single American community. We will persist in our defense of any Birmingham Negro who, through non-violent action, asserts his rights as an American citizen.

THIS STRUGGLE IS OURS for if the outraged Negro citizens of Birmingham fail — America fails. Our resources are inadequate for this gigantic task.

LEGAL COSTS FOR THE DEFENSE OF NEARLY 2500 INDIVIDUALS MAY COME TO $500,000.

We are appealing to the American public to help.

Help now while the world waits to see the kind of justice America provides for its Negro citizens.

The N.A.A.C.P. Legal Defense and Educational Fund has fought in the courts since 1940 to secure for Negro Americans the rights guaranteed them by the Constitution and laws of the United States but denied in practice.

N.A.A.C.P. L[illegible] have been [illegible] suits carried [illegible] Supreme Court, which have resulted in historic decisions guaranteeing basic rights in education, housing, voting, transportation, recreation and employment.

Legal Action Is Costly: A single law suit to secure the constitutional rights of American citizens may cost ten-of thousands of dollars.

It took Fund lawyers 18 months of court action at a cost of more than $11,000 to secure the admission of James Meredith to the University of Mississippi.

The N.A.A.C.P. Legal Defense and Educational Fund is responsible for 95% of all civil rights litigation in the country. Its lawyers are presently contesting 125 separate legal cases in the courts, representing more than 6500 individual victims of racial injustice.

Lawyers of the N.A.A.C.P. Legal Defense and Educational Fund in Birmingham, Alabama, are providing legal defense for every man, woman and child arrested in a peaceful effort to secure the constitutional rights denied them.

N.A.A.C.P. Legal Defense and Educational Fund
10 Columbus Circle, New York 19, New York

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Enclosed find my contribution of $ .....

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