

DEPARTMENT OF JUSTICE

CIVIL RIGHTS DIVISION

Public Accommodations and Demonstrations

ALLANY, GEORGIA

Investigation  
Albany, Georgia

144-101-1M-9

9344

Roll 111



## City of Albany Georgia

January 31, 1962

Albany Movement

c/o W. G. Anderson and M. S. Page

In Special Meeting the full City Commission passed the following answer to your petition of January 23, 1961 as recommended by a study committee:

"To the Leaders of the Albany Movement:

Your petition brought before this body on January 23rd has been duly considered.

At the outset, let it be made clear that, as in the past, all policy statements made by the City Commission will be in writing, and will be made public. Our statement, as presented to M. S. Page and C. B. King on December 18th, 1961 was as follows:

● The Chief of Police has been instructed to follow his usual procedure with reference to the taking of appearance bonds for persons in custody for violations of city ordinances, and to use his discretion as to when the cases will be presented to the Recorder's Court for determination." This was the complete statement and the only statement. Anything construed by you to the contrary could only have been caused by misinterpretation of statements by unauthorized persons or self-appointed emissaries. Future policy statements will continue to be made publicly and in writing, to prevent misunderstanding. No individual citizen, no single elected official can speak for this body.

This Commission recognizes that the community is composed of white and negro citizens, and that peace and harmony must exist

January 3, 1962

and endure. The achievement of these goals, however, does not lie in the flagrant violation of laws and ordinances, and the profane use of the church, the ministry and religion for the furtherance of political objectives.

This country was built by men of good will working and sacrificing for the things they achieved.

Although scarcely a century ago your people were only just emerging from slavery in this country, you now enjoy more freedom, more opportunity and a better standard of living than anywhere else in the world.

It cannot be denied that right here in Albany you enjoy the opportunity of self advancement through a good education, and every effort is being made by your governmental bodies to continue to improve both the opportunities and the facilities in the educational field. It is significant to note that 38 of every 100 school children in the local schools are Negro children - yet Negro citizens pay only \$4.30 of every \$100.00 collected in Dougherty County to operate these schools.

Certainly you do not deny that you have the privilege of voting and participating in government processes. There are over 2600 registered Negro voters in Albany, and the registration procedure has never been questioned.

Through the years there have been many of your people here in our city who have had the initiative and the perseverance to work, save and accumulate considerable wealth and property. Your opportunities for economic advancement are limited only by the individual capabilities and efforts of your people.

It cannot be denied that the talents and abilities of the entire community are being used for the good of all. Last

year 16,600 of your people were admitted for medical service at the Dougherty County Health Department at a cost of \$107,375.00 in tax monies. Colored charity cases and uncollectibles at Phoebe Putney Memorial Hospital during 1961 amounted to \$60,742.99. This expense was paid in taxes and in increased rates to other patients.

During the past month the Dougherty County Department of Public Welfare expended a total of \$80,041.00 in benefits to our colored citizens. This is at the rate of nearly one million dollars per year in tax monies to illegitimate and other dependent children, aid to the blind, and other assistance.

A total of \$36,000.00 was expended last year on the city recreational program for colored citizens.

Your people represent 38% of our population in Albany, but you are paying only 5-1/2% of ad valorem taxes. You enjoy the services of the local governments to a far greater extent than could ever be justified solely on the basis of comparative population or taxes paid. Through the years millions of dollars of tax money have been spent to provide facilities and services for the benefit of the Negro citizens of Albany. The expenditure of tax money in this manner has never been questioned by the white people of this community.

Of serious concern, however, is the degree to which Negroes are involved in crime and law violations in our community. Convictions last year for major crimes such as murder, rape, robbery and aggravated assault were 74% Negro, notwithstanding the fact that Negroes represent only slightly over one-third of our population.

We believe that your people should progress -- through their own efforts. Do you not believe that the time has come for the

Albany Movement

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Negro citizen to accept the responsibilities of citizenship. The demand for privileges will scarcely be heard, wherever or whenever voiced, until the din of arrogance, lawlessness and irresponsibility subsides.

If the Negro leaders of Albany have a sincere desire to help earn acceptance for their people, they can accomplish far more by encouraging the improvement of their moral and ethical standards."

Transmitted as transcribed by

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S. A. Roos  
City Manager

January 16, 1961

Rev. Albert L. Cardwell, President  
The Albany Ministerial Association  
2222 Empowering Place Rd  
Albany, Georgia

Dear Sirs:

I must apologize for this delay in answering your communication of Dec. 14, 1961, but I am certain that you understand the circumstances responsible for this delay. One of the most rewarding and revealing experiences during this period of strife, was the indication by your group, that you have a sensitive awareness of the plight of the Albany Negro. We feel as though such awareness will lead to interests and a sympathetic understanding and eventual efforts to resolve our conflicts and make for a real peace with brotherly love.

I am deeply interested in establishing and maintaining avenues of communication between our Negro and white citizens. We all must realize that the only means of resolving many of our problems, resides in the sincere and deliberate arbitration and negotiation. I would be most happy to meet with such a group as you suggest for the purpose of gaining some understanding as to our present and future relationship for a better Albany.

If at all possible, and at your convenience, I would urge you to continue your efforts to bring together a representative body of Negro and white citizens who could meet, discuss, evaluate and institute means of improving race relations in Albany. It is my hope that all men live together as brothers with justice, freedom and dignity.

I anxiously await your reply.

Very truly yours,

W.O. Anderson, President

Copy to: Rev. Frederick Wilson  
Albany, Ga

The Albany Movement came into being as a result of repeated denials of redress for inadequacies and wrongs, and finally, for the refusal to even consider petitions which have been presented to your group from as far back as 1957.

Accordingly we staged further tests on November 22, which resulted in the initial arrests, trials, convictions and appeals. The cases were headed for higher courts and things would have proceeded in an orderly fashion to its conclusion, but for the arrests of the so-called "Freedom Riders."

The mockery of fair play and justice which followed, in turn, caused the first planned "Marching Protest." The harsh, repressive measures employed caused further protests and further arrests. In now, the whole country, and the world for that matter, were wary of the unyielding, cruelly repressive measures used to curtail our use of that First Amendment to the United States Constitution, "Freedom of Speech" through peaceful protest.

The Albany Movement asked for a report, without reservation of requesting the city of Albany to keep the faith by honoring its commitments.



ultimately the people of Albany, Negro and white, will have to solve our difficulties; realizing full well that racial hostility can be the downfall of our city; realizing that what happens in Albany, as well as what does NOT happen in Albany, affects the whole free world, call upon you tonight to hear our position.

It is our belief that discrimination based on race, color or religion is fundamentally wrong and contrary to the letter and intent of the Constitution of the United States. It is our aim in the Albany Movement, to seek means of ending discriminatory practices in public facilities, both in employment and in use. Further, it is our aim to encourage private businesses to offer equal opportunity for all persons in employment and in service.

Some of these ideals which are inherent in the Constitution of the United States of America are:

1. Equal opportunity to improve one's self by good education
2. Equal opportunity to exercise freedom and responsibility through the vote and participation in governmental processes.
3. Equal opportunity to work and advance economically.
4. Equal protection under the law.
5. The creation of a climate in which the talents and abilities of the entire community may be used for the good of all, unfettered by considerations of race or class.

Before going into plans for implementation of these goals, we wish to ask of you, gentlemen, tonight to reaffirm in writing your oral agreement of December 18, 1961, that, (1) the bus and train station will be open at all times without interference from the police; (2) the cash bonds will be refunded in exchange for security bonds, at an early date, the date to be set tonight.

We submit as the next step the creation of a biracial planning committee should be composed of 6 members, 3 of which shall be appointed by the Albany Movement and 3 by the City Commissioners. Because of the tremendous responsibilities that will be invested in this Committee, we pledge ourselves, as we also urge the commission, to choose men of the highest integrity, good will and sincerity.

It is our hope that through negotiations and arbitrations through listening and learning from each other, that we can achieve the purposes that will benefit the total community.

The problem of human rights belongs to us all, therefore, let us not falter in seizing the opportunity which almighty God has given to create a new order of freedom and human dignity. What is your plan, are gentlemen, in proceeding with the negotiations?

Respectively Submitted,  
For The Albany Movement

V. G. Anderson, President

M. S. Page, Executive Secretary

1. What authorization are you speaking from?

A. I am speaking on authorization from the Police Committee and the City Commissioners.

2. What is the City's position as relates to the ICC ruling concerning Interstate Travel at train and bus terminals?

A. We are governed by executive order issued by the president regulating ICC travel and will abide by this order.

3. What is the City's position as relates to exchanging cash bonds for security bonds?

A. The Chief of Police when presented with proper security bond will follow the usual procedure in exchanging cash bonds for security bonds. Tax receipts showing payment on real estate or personal property will be sufficient.

4. What is the City's position as relates to the operation of the City Transit Buses?

A. The City Transit system is a private business and the City will not interfere with the operation concerning the running of these buses.

5. How may the grievances of the negro citizens be presented to the City Council for consideration?

A. Any grievances of the negro citizens should be presented to the City Manager and channel through the proper committee concerned with the grievances stated and there will be given consideration.

*Questions posed by Mr. L. W. Anderson  
to Chief of Police Beckett, Albany, Georgia,  
during week of February 18th 1962.*

# The Albany Ministerial Association

Albany, Georgia

December 13, 1961

Dr. W. C. Anderson  
2294 Jackson Street  
Albany, Georgia

Dear Sir:

At a meeting of the Albany Ministerial Association on Wednesday, December 13, we adopted the following resolution which I was authorized to transmit to you:

"The Albany Ministerial Association hereby directs its President or some member appointed by him to communicate immediately with certain ones of the leaders of our community's political, professional and business life relative to a meeting to discuss ways and means for the relieving of the racial tensions which have developed in our city in the past few weeks. Those requested to attend such a meeting to include such people as: the Mayor and City Manager, the President and Manager of the Chamber of Commerce, the Chairman of the Dougherty County Board of Education, the President of the Dougherty County Medical Society, the President of the Albany Ministerial Alliance, the President of the Albany Movement, the President of Albany State College, and three professional or business leaders from the Negro community.

"In taking the initiative in calling such a meeting, this Association is simply endeavoring to fulfill its function as a servant of the community."

You will note that this same letter and request is being sent to a number of other leaders in the political, professional and business life of our city. I am enclosing a list of these for your information.

We are not so naive as to think that such a meeting as we are requesting can answer all the questions in this complex problem. But it is our conviction that it can be a start, and that men of good will and sincere intentions will thus be able to open avenues through which mutual understanding and accord can be achieved.

I am calling this meeting for 3:00 o'clock, Sunday afternoon, December 17, at the National Bank of Albany. Since the time is short and the mails are heavy at this time, would you be kind enough to call the Secretary of the Ministerial Association, James L. Mays, at RE 2-1646, and tell him whether or not you will be able to be present.

When all around us we hear the songs of Christmas proclaiming, "peace on earth to men of good will", it would seem to be incumbent upon us to give motivation to such music. What better Christmas gift can we as leaders of this community give to all its citizens - Negr and White - than the knowledge that we are willing to sit down together and discuss our problems and by God's grace find the solution for them?

Thanking you for your thoughtful consideration, I am

Very cordially yours,

Marion L. Radwell  
Chairman, Special Committee

wh

2. S. In an endeavor to maintain the peace and serenity of our community, we believe that the time and place of this meeting should be kept as confidential as possible.

The Honorable Asa G. Kelley

Mr. Steve Roos

Mr. Hoyt Edge

Mr. Walter Brown

Dr. Charles C. Laub

Mr. Louis Peaceck

Mr. Julius Glever

Mr. Walter Potent

Dr. J. P. Cheevers

Dr. W. H. Dennis, Jr.

Dr. W. G. Anderson

Rev. Benjamin Gay

*Mr. Goss*

**The File**

**Nov. 29, 1961**

**Jerome K. Heilbron, Attorney  
Civil Rights Division**

**JKH:arg**

**Telephone call to Donald Hollowell,  
Attorney, Atlanta, Georgia**

**144-1924-G  
72-1924-53**

On Tuesday, Nov. 28, 1961, I had occasion to talk to Dr. E. D. Hamilton, Albany, Georgia, relative to voting matters in Baker County, Georgia. In the course of that conversation I inquired about segregation in the Albany, Georgia, bus terminal. (This bus terminal is about a block away from Dr. Hamilton's office.)

Dr. Hamilton briefly told me that five Negro students had recently been arrested on breach of the peace charges when they entered what were formerly designated "white" facilities of the bus terminal. He said that there were no segregation signs in or about the bus terminal and that the signs forbidding segregation as required by ICC regulation were in prominent display. He told me that the trial of these students on breach of the peace charges was held on Monday, November 27, and that they were represented by Mr. Donald Hollowell, Attorney, of Atlanta, Georgia, who could fill me in on the details.

Mr. Hollowell's office is located at 550-1/2 Hunter Street, N. W., Atlanta, Georgia. His telephone number is JA 5-3372.

I had previously met Mr. Hollowell. He gave me the following information concerning the recent arrest of the above-mentioned Negro students:

Mr. Hollowell stated that three of the students went into what had formerly been the white waiting room and purchased three tickets to Tallahassee, Florida. This group of three students then went into what had formerly been the white restaurant and one of them sat down and placed an order for food. The order was accepted by the restaurant and was being prepared for this person when the three students were thereupon arrested and charged with breach of the peace.

**CC: Records  
Chron.  
Mr. Marshall  
Mr. Barrett  
Mr. Murphy  
Trial File  
Mr. Heilbron**

The two other Negro students went into what had formerly been the white waiting room in order to purchase tickets but before they could purchase then they were arrested on breach of the peace charges. The police had not been called by either the terminal manager or the restaurant owner. The chief of police was watching the proceedings from outside the terminal and a detective in plain clothes was on the inside of the terminal. According to Mr. Hollowell, there was no large crowd inside the terminal but there was a crowd outside the terminal. There was no disturbance of any kind either before or after the arrests inside the terminal.

A report of the above-described incident was made by the terminal manager to his immediate superiors so that it might be reported to the ICC as required by the new regulations.

The trial of the breach of peace charges was held on Monday, November 27, 1961.

I requested of Mr. Hollowell (and he promised to write me immediately, airmail) more details, e.g., names of persons arrested, exact time of arrest, etc.

Mr. Hollowell advised me that he was aware of the registration problems in Baker County. I told him that the current Board of Registrars had promised full compliance with the law and that applications for registration were being accepted from Negro applicants. He stated that he had talked to Negro residents of Baker County who were interested in registering and that it was his understanding that they would make their applications to register by going to the registrar in small groups of from three to five individuals. He advised that he would notify me if there was any difficulty.

On November 22, 1961, at about 12:30 P. M., EVELYN TONEY, JULIAN CARSWELL, AND EDDIE WILSON, all of Albany, Georgia, and all of whom are Negro young people, entered the waiting room which has in the past been customarily used by white passengers. They purchased tickets to Tallahassee, Florida without difficulty. They then took seats on the benches for a few minutes. Then Eddie Wilson went into the cafe which is located in the Terminal Building and can be entered directly from the waiting room. He took a seat and placed his order. While his order was being prepared, Evelyn Toney and Julian Carswell came in and also took seats on the stools at the counter. Immediately after the latter two had taken seats, the Albany Police Chief, a Mr. Prichett, and Assistant Chief Lairsey, came in and asked all three young people if they might have a word with them outside. The three accompanied the two outside without comment. On the outside, the young people were asked their names and addresses. They were then told if they went back in, they would be arrested. The young people thanked the two officers and returned to the restaurant with the officers following almost immediately behind them. Immediately after the young people sat down, the assistant chief is alleged to have said, "Hear me good, you are now under arrest." At no time were the young people asked whether or not they were passengers or whether they had tickets to any particular destination.

It is interesting to note that at the trial, Mr. Harvey Hammondtree, Manager of the Bus Station Grill, corroborated generally the statements of the youngsters as to what actually transpired in the grill. He further testified that "nothing happened when they came in." he further stated that he did not call the police.

Chief Prichett testified in substance that he had received a call earlier to the effect that he should check on the bus

144-101-19M-0



pated. He further stated that he had parked his car adjacent to the terminal in a position where he could see into the waiting room; that he did not come into the waiting room until he saw the latter two young people go into the grill. That when he came into the waiting room and before he got to the grill, he was met by Hammondtree, who asked in an anxious manner, "What can I do, what can I do?" (Mr. Hammondtree did not testify to any conversation.) The Chief further stated that there were fifty to one hundred people on the outside milling around the terminal, though there were not many people on the inside of the terminal; that at no time was there any threat of violence as such; however, that he arrested the three young people "because their presence tended to disrupt the peace and quiet of the lunchroom in the City of Albany." He further testified that at no time was the conduct of the young people in any way disorderly. He further said that he would arrest the mayor if he was in the bus terminal and in his, the Chief's opinion, the mayor's presence was tending to disrupt the peace and quiet of the terminal.

A Mr. \_\_\_\_\_, the terminal manager, testified that he sold the tickets to the three young people. That it was his policy to sell tickets to whomever might present themselves without regard to race or color. That this is and has been the policy since the first of November of this year. He also indicated that there were a substantial number of people milling around on the outside of the terminal, but did not testify that there was any rowdiness on the part of any of the persons who were allegedly milling around on the outside. On closer cross-examination, however, the terminal manager testified that after having sold the tickets to the three young people he continued to sell tickets back and forth at both the window facing the main waiting room which has heretofore been used by white, and the window \_\_\_\_\_ room customarily used by colored passengers for a period of some ten minutes. He testified that he was continuously busy at both windows as there were eight to ten people in the respective lines. It is to be noted that if this was true, there would be little

going on outside the terminal.

Miss Bertna Gober, a student at Albany State College, testified that she came into the terminal building about four o'clock on the same afternoon. She further testified that before she could get to the window in the main waiting room, she was apprehended by Assistant Police Chief LAIRSEY. That he told her that he would go to the other window. When she asked him, "Why?" he told her that he just thought it would be better. She again asked, "Why?" he then told her that if she didn't go to the other window, he would arrest her. When she refused to go, he placed her under arrest and took her to the chief's car which was outside. She was then taken to jail. Some short time later, Blanton Hall, also a student at Albany State College, entered the main waiting room and was also unable to purchase a ticket by virtue of his being apprehended prior to reaching the window. It was the assistant chief who made the apprehension. The discussion between Hall and the assistant chief was similar to that of Miss Gober and the assistant chief. Thus, upon the refusal by Hall to go to the other window, he too was arrested.

A Mister Minor, who is the dean at Albany State College and who testified for the City, said that he had come down to the terminal to see the students off as it was the last day before Thanksgiving and school was out for the holidays. He testified that there were about nine hundred students at Albany State College of which perhaps more than fifty per cent lived in the state of Georgia. That a majority of those living in Georgia, lived outside of the City of Albany. That most of them were poor students and utilized bus transportation in traveling to and from their respective homes. He stated that there were somewhere between one hundred and one hundred fifty people around the outside of the terminal as against a figure of two to four hundred recited by the chief and assistant chief. He further testified that the larger number of persons on the outside of the terminal were Negroes - predominantly students. That he had talked to Hall prior to Hall's going into the terminal.

and door and looked in. He stated that there was no incident between or among students, nor were there any incidents between Negro and white persons, nor among the white persons themselves. That there was no rowdiness on the parts of any of the people who were around the terminal.

After argument, the judge fined each of the Negro young people \$100.00 and have each of them \$100.00. Certiorari bonds have been filed for all of said defendants, and it is anticipated that petition for certiorari will be filed within the legal period of thirty days.

Perhaps, it should be mentioned that Miss Gober and Mr. Hall have been suspended by the College authorities. As a results, we have filed a petition with the president for an immediate hearing on their ex parte suspension.

Respectfully Submitted

  
D. L. HOLLOWELL

D. L. HOLLOWELL, Esq.  
850 1/2 Hunter St. N.W.  
Atlanta 14, Georgia

C. B. KING, Esq.  
221 So. Jackson St.  
Albany, Georgia

Mr. Newman

## 400 Negro Protesters <sup>C12</sup> Are Jailed

ALBANY, Ga., Dec. 12 (UPI)—Police herded about 400 young hymn-singing Negro students off to jail today when they staged a protest march in this rigidly segregated city.

The Negroes were taken into custody as they marched around the town square outside the courtroom where 11 Freedom Riders were being tried for attempting to use the white waiting room in the train terminal here Dec. 10.

A police desk sergeant said 206 adults and 61 juveniles had been charged and about 100 more would be booked. All were being charged with disorderly conduct and blocking sidewalks.

Police said juveniles were being released in the custody of their parents and about 30 persons had posted \$200 bonds.

Newsman were barred from the courtroom where the 11 Freedom Riders were tried today. The trial continued late in the evening and was recessed until Wednesday morning.

C. B. King of Albany and Donald L. Hollowell of Atlanta, representing the Riders, tried without success to get permission to have the hearings tape.

## ALBANY, GA., JAILS 267 NEGRO YOUTHS

51  
Seizes Marchers Protesting Freedom Rider Trial

ALBANY, Ga., Dec. 12 (UPI)—The police took about 400 young hymn-singing Negro students to jail today when they staged a protest march in this rigidly segregated southern Georgia city.

The Negroes were taken into custody as they marched around the town square outside the courtroom where eleven Freedom Riders were being tried for attempting to use the "white" waiting room in the railroad station on Sunday.

A police desk sergeant said 206 adults and sixty-one juveniles had been charged and about 100 more would be booked. All were being charged with disorderly conduct and blocking sidewalks.

The police said juveniles were being released in the custody of their parents and that about thirty persons had posted \$200 bonds.

Newsman counted slightly more than 400 Negroes as police marched them to an alley outside the town's jail. As they began trooping in for booking, some stragglers on the end scattered.

From Atlanta, Charles McDew, chairman of the Student Nonviolent Coordinating Committee, sent a telegram to United States Attorney General Robert F. Kennedy asking that he give "urgent attention" to the incident.

Witnesses said the first of the marchers had appeared shortly before the Freedom Riders hearing opened at 10 A. M. They strolled slowly past the courthouse in pairs singing hymns as they walked.

Their number soon swelled into the hundreds.

### Ordered to Disperse

Police cars with loudspeakers soon arrived and the Negroes were ordered to disperse.

Chief Laurie Pritchett took command, and when the demonstrators ignored his orders to move, he directed his men to step in and make arrests.

The marchers were told over the loudspeakers that they were under arrest. The officers ushered them from the main thoroughfare into a back alley leading to the rear of the jail.

Most of the Negro youths taken into custody are students at Albany State College, but some are of high school age, or younger.

The alley in which the demonstrators were corralled runs the full length of City Hall, a distance of sixty of seventy feet, and is fifteen feet wide. The youths were lined up there and taken one-by-one into the jail to be booked. The process took nearly two hours and the police said the Negro students would be housed in all available facilities—the city and county jails and "other places."

Although intergrationists have made gains in other areas of Georgia, they have been unable to make any changes in the segregation customs of this city of 55,000.

The hearing for the Freedom Riders was recessed at noon. It was reported that no progress had been made in a two-hour session devoted mainly to technicalities.

New York, New York  
Date: 12/13/61

Res. Unit for  
in Albany

File 17/13/61

144-10-194-8

*Mr. Newman*

The File

Dec. 12, 1961

St. John Barrett, Second Assistant,  
Civil Rights Division

Albany, Georgia, Terminal  
Segregation (Rail).

Shortly before noon on Sunday December 10, I received a telephone call from Special Agent [redacted] of the FBI, regarding a "freedom ride" from Atlanta to Albany, Georgia, on the Central of Georgia Railroad. The Bureau had been advised by a representative of the Southern Christian Leadership Conference in Atlanta that a group of nine persons were leaving Atlanta by way of Central of Georgia at 10:00 a.m., December 10, enroute to Albany, where they would "test" the railroad terminal facilities.

In the evening of the same day [redacted] again telephoned me to advise that the nine "riders" on the Central of Georgia had arrived in Albany at 3:50 p.m. and had used the formerly "white" waiting room facilities without incident. After doing so the "riders" joined approximately 150 persons (presumably Negroes) on the street outside the terminal and with them proceeded to sing and demonstrate. Police officers ordered the demonstrators to disperse, and when they refused to do so, arrested several.

cc: Chron.  
Rail Inv. file  
✓ Bus Inv. file  
Mr. Caldwell  
Mr. Barrett

**The File**

**December 12, 1961**

**St. John Barrett, Second Assistant,  
Civil Rights Division**

**SJB:arg**

**Police arrests at bus and  
railroad terminals, Albany,  
Georgia.**

**144-101-19M-7**

At 3:40 this afternoon I received a telephone call from [REDACTED], of the FBI. He advised that the Washington office had just received a teletype from Atlanta containing the following advice regarding the situation in Albany, Georgia.

Approximately 175 Negroes, including 35 juveniles, were arrested by the Albany police today as a result of the demonstration at the City Hall. Those arrested were charged with violating Chapter 24, Section 36 of the Albany City Code which forbids persons from congregating in such numbers as to block the sidewalk, and Chapter 14, Section 7 of the same Code, relating to disorderly conduct. The disorderly conduct described in the charge is that of creating a disturbance for the purpose of influencing the Recorders Court in its proceedings.

The Recorders Court had recessed at the time the information in the teletype was transmitted and was due to reconvene this afternoon at 1:30 p.m.

The purpose of the demonstration at the City Hall was to express disapproval over the arrest and trial of the persons arrested at the railroad terminal on Sunday.

cc: Mr. Helibron  
Mr. Newman  
Mr. Doar  
Mr. Barrett

Chron.

# IN RACIAL UNREST

## Georgia Parley Opens After Mass Arrests of Negroes

By CLAUDE SITTON

Special to The New York Times

ALBANY, Ga., Dec. 14. National Guardsmen were called out today as negotiators sought to resolve a crisis over mass arrests of Negro demonstrators here.

The 150 Guardsmen called began reporting to their armory shortly after the fifth demonstration of the week had brought the desegregation of the Trailways Bus Terminal.

Chances appeared good early tonight that a panel of white and Negro leaders would reach an agreement and thus remove the threat of further protests and possible violence.

The terms under discussion provided that white officials and leaders would do the following:

1. Release without bail more than 350 Negroes who are being held in jails here and in adjoining counties.

2. End all efforts by the police to enforce segregation at the Trailways and Central of Georgia Railroad terminals.

3. Enter into talks over proposals to lower racial barriers in other public and private facilities.

### Would End Demonstrations

The Negroes, in return, would agree to refrain from staging mass demonstrations.

The efforts of the white negotiators have the tacit support of Mayor Asa D. Kelley and the six other members of the City Commission. These panel members are the Rev. Frederick Wilson, pastor of the First Methodist Church; Horace Caldwell, a hotel operator, and Joseph F. Rosenberg, a department store executive.

A Negro coalition called the Albany Movement named the other three panel members. They are the Rev. H. C. Boyd, pastor of Shiloh Baptist Church; Bennie F. Cochran, a photographer, and Solomon Walker, an insurance agent.

Hundreds of Negroes jammed into the Shiloh Baptist Church to await the outcome of the



SIT-INS ARRESTED IN ALBANY, GA.: Two young men being taken to jail yesterday by a policeman after being arrested for sitting at lunch counter in bus station.

talks. Participants in a singing, praying mass rally there pledged themselves ready to go to jail if necessary to win the concessions listed above.

The Justice Department was watching developments here closely. Attorney General Robert F. Kennedy conferred by telephone with Gov. S. Ernest Vandiver and Mayor Asa D. Kelly. He had been assured that Federal aid was not needed to preserve law and order, the Mayor told newsmen.

### Confers With Official

W. Anderson, an anthropologist who is chairman of the Albany Movement's executive committee, said he had talked by telephone with Assistant Attorney General Burke Marshall. Mr. Marshall is chief of the department's civil rights division.

There were no apparent indications of impending trouble in the downtown section of this

Southwest Georgia city of 10,000 persons. Only a handful of Christmas shoppers made the rounds of the stores, but a chilling rain seemed to have been as much a factor as the racial controversy in keeping people at home.

Nevertheless, Chief of Police Laurie Pritchett, a former tackle on the Auburn football team, expressed concern over the situation. He asserted that

his seven-hundred police force would enforce the law and preserve order without regard to race.

The current controversy grew out of the arrest here Sunday of seven Negro and four white Freedom Riders. They were picked up outside the Central of Georgia terminal after using the previously white waiting room without interference.

About 400 Negroes marched in front of the City Hall Tuesday to protest when the trials of the eleven on various city charges began. The police arrested 171 adults and ninety-six juveniles among the demonstrators. Some 200 Negroes were seized yesterday during three further demonstrations over the Tuesday arrests.

few of the adults posted security bonds of \$100, or \$200 cash, and were freed.

City Recorder (Judge) Abner M. Israel halted the Freedom Rider trial this afternoon and bound ten of them over to the county court on a new state charge of unlawful assembly. The eleventh, Thomas Hayden, a white youth from Atlanta, had obtained the recorder's permission Tuesday to leave town and reportedly was in New York.

Four of the other Freedom Riders posted bonds ranging from \$750 to \$1,000 on the new charges and were released, while six chose to remain in jail.

Governor Vandiver ordered the National Guardsmen to duty after conferring with Mayor Kelly in adjacent Baker County. The men called up are members of two companies of the 121st Infantry, which is stationed here.

Major Paul E. Joiner, who was in temporary command tonight, said the guardsmen would go into action only if the city police and themselves unable to control an emergency. They will not have powers of arrest.

Governor Vandiver approved a State Highway Patrol order yesterday dispatching a small detachment of troopers here and alerting others in the area.

Mayor Kelley emphasized that Guardsmen were to be used at his discretion. He said he had requested them "to maintain the peace and tranquility of the city and to protect the lives and limbs of all of our citizens, white and Negro."

Mr. Kelley said that in his conversation with Mr. Kennedy he had asked the Attorney General to investigate seven "paid agitators" who he said had been responsible for the controversy here. He told newsmen that these persons, all members of the Student Nonviolent Coordinating Committee, had "criminal records."

A report that he then read dealt chiefly with arrests growing out of anti-segregation demonstrations here and in other Southern states.

The demonstration that led to the desegregation of the Trailways terminal began this morning with a rally of some fifty Negroes in the Shiloh Baptist church.

"Children, I woke up this morning with freedom on my mind," declared their leader, Mrs. Anderson. She is the wife of the Albany Movement's leader.

She and twenty other Negroes, mostly of high school age, then marched three blocks to the Trailways Terminal, where all bought tickets to Tallahassee, Fla., at a counter in the previously white waiting room.

Ten of them then entered the lunch room and were served coffee at the counter by a Negro waitress. A white waitress rushed out the door in distress, declaring:

"I'm getting out of this town."

THE NEW YORK TIMES  
New York  
12/15/61

# 205 MORE NEGROES SEIZED IN GEORGIA

Albany Jails Demonstrators  
on 2d Day of Protests

By CLAUDE SITTONS  
Special to The New York Times.

ALBANY, Ga., Dec. 13—The police arrested 205 Negroes tonight as this southwest Georgia city's racial crisis mounted.

The Negroes were seized as they marched on City Hall in the third protest of the day over the arrest of 267 other Negroes yesterday.

Chief of Police Laurie Pritchett called it "a very explosive situation," and one that could erupt into violence at any minute.

After he and his men had herded the demonstrators into an alley beside City Hall he asserted that the arrests would continue "if I have to put them in jails all over Georgia."

The Negroes were charged with unlawful assembly, a state violation, and two city violations, parading without a license and congregating on a public street. Many of them were children some 10 and 11 years old.

## Troopers Called In

State highway patrolmen stationed here moved in to support the city's seventy uniformed police and assisted in forcing the Negroes into the alley. Other troopers in the area were alerted in answer to a request from Mayor Asa Kelley.

Mr. Kelley said he had told patrol officials in Atlanta that the troopers might be needed "in view of threatened violence."

Racial tension rose sharply this afternoon, particularly in failure of an attempt to set up negotiations between white and Negro leaders. This apparently resulted from the adamant position of the city's five-man commission.

"At this point, it is the feeling of the city commission that there is no area of possible agreement," Mayor Kelley said in reply to questions from newsmen.

Officers of a Negro coalition called the "Albany Movement" had expressed hope at noon that two key issues might be resolved in the proposed talks.

The coalition has demanded that charges be dropped against the 171 adults and ninety-six juveniles arrested yesterday and that the police cease to enforce segregation in bus and rail stations. In return, the movement would have refrained from further demonstrations.

## Transferred From Jail

Negroes were alarmed and angered this morning when city officials transferred ninety-two of the demonstrators arrested yesterday to jails outside Dougherty County. They were carried by bus to Baker, Lee and Terrell Counties.

All three of the adjoining counties are strongholds of white supremacy. Fear was expressed over the safety of the prisoners, particularly the forty women being held in the Baker County Jail at Newton.

The current cause of racial unrest in this prosperous city of 55,000 dates to Nov. 1, when the Interstate Commerce Commission's order against transportation terminal segregation took effect.

Members of the Student Nonviolent Coordinating Committee, an Atlanta-based organization, began a series of tests then aimed at facilities in the Trailways bus terminal and the Central of Georgia railroad station.

Five local youths were arrested Nov. 22 while seeking service at the lunch counter in the Trailways terminal.

Some 600 Negroes demonstrated downtown on Nov. 27.

during the trials of the youths on breach of the peace charges.

Nine members of the coordinating committee and two local youths were arrested outside the railway terminal last Sunday for refusing police orders to move.

When the first of the eleven went on trial yesterday, 400 to 500 Negroes marched up and down the sidewalk outside City Hall in a driving rain, praying and singing. The police warned them to leave and then began the mass arrests.

## March From Church

After a mass meeting last night at Shiloh Baptist Church, seventy-six Negroes, mostly students, marched downtown this morning and held a prayer meeting on the sidewalk in front of City Hall.

Slater King, a local real estate and insurance salesman and executive committee member of the Albany Movement, was called before City Recorder Abner M. Israel and sentenced to five days imprisonment on a contempt of court charge.

Other demonstrators in the group were "invited" to the courtroom by the police, in the words of Mayor Kelley, and then told they were free to go. The juveniles among them were lectured by a court official.

Some 295 Negroes marched downtown this afternoon and made one circuit around the City Hall after learning that the negotiation attempt had failed.

They returned to Shiloh Baptist Church, reformed and then marched back to the City Hall. Chief Pritchett met them a few feet from the entrance.

"We can't tolerate the N. A. A. C. P. or the Student Nonviolent Committee or any other 'nigger' organization to take over the town with mass demonstrations," he said.

New York, New York  
Date: 12/14/61



IN ALBANY, GA.

## Police Hold 9 'Riders' After Terminal Mix Try

ALBANY, Ga. (AP) — Police arrested 11 persons Sunday on a street outside the Central of Georgia Railroad terminal a few minutes after an integrated group of "Freedom Riders" arrived from Atlanta to test segregation desegregation.

Police Chief Laurie Pritchett said nine Freedom Riders—five Negroes and four white persons—and two Albany Negroes were charged with disorderly conduct, obstructing the flow of traffic, failure to obey officers and disturbing the peace.

Bond was set at \$200 each pending appearance in city recorder's court Monday. But a spokesman said they would remain in jail until the hearing.

Pritchett said between 15 and 20 officers and a crowd of 150 to 200 persons were on hand when

the riders arrived by train. They went into a waiting room which had been for white persons before. Then they blocked the street and obstructed traffic outside.

"The situation was tense and there could have been general disorder at any time," the police chief said. "When people are trying to incite something you have problems. However, officers had the situation completely under control and the crowd dispersed quietly after the arrests were made. There were no accidents."

The police chief identified the white persons arrested as John Robert Zellner, 39, Atlanta; Joan Browning, 19, Atlanta; Per Laurson, 25, New York; and Tom Emmett Haydn, 22, Royal Oak, Mich.

He listed the Negroes arrested as

James Forman, 33, Bernard Lee, Norma Freeland Collins, 41, Charles Jones, and Leonora Tait, 39, all of Atlanta; and Bertha Gober, 20, and Willie Mae Jones, 21, both of Albany.

A spokesman for the Student Nonviolent Coordinating Committee, sponsor of the Freedom Ride, said in Atlanta the nine riders traveled integrated in a railroad coach from Atlanta to Albany.

He identified Forman as executive director of the organization, Lee as a member of the Conference, and Laurson as a journalist who originally came from Copenhagen.

The File

December 14, 1961

St. John Barrett  
Second Assistant  
Civil Rights Division

SJB:11h

144-101-19M-9

Albany, Georgia, Terminal  
Segregation (Trailways Bus)

Around noon today I received a telephone call from [REDACTED] of the FBI. He advised that this morning about 30 or 40 Negroes went to the Trailways Bus Terminal in Albany. Some of the group of Negroes sought to use the terminal restaurant but were "not afforded service." A police officer took nine of the Negroes to the police station, where they were questioned and then released.

[REDACTED] advised that the local court was due to reconvene at 1:00 p.m. today.

cc - Chrono

~~Rail Inv. file~~

Bus Inv. file ✓

Mr. Caldwell

Mr. Barrett

Mr. Newman

# Albany Holds 3 Negroes In Bus Depot Incident

Special to The Journal-Constitution

ALBANY—Three young Albany Negroes one a woman—were arrested in the restaurant of the Trailways Bus Terminal here Wednesday when they refused to leave when told to do so.

Police Chief Laurie Pritchett said the three were booked on charges of disorderly conduct—tending to create a disturbance.

The Negroes, Julian Carswell, 18, Eddie Wilson, 19, and Evelyn Toney, 20, were released after posting \$100 bonds.

Chief Pritchett said he and Assistant Chief J. J. Lairsey went to the bus station after receiving a call that there might be a disturbance.

He said the three Negroes were sitting in the waiting room when he and the other officer arrived.

"Then they entered the lunchroom and sat down at the counter," Pritchett said.

Pritchett declared "we then noticed that a crowd was gathering and there might be trouble. We asked them to come outside and talk with us, which they did."

The officer said, "We explained that their presence in the lunchroom tended to create a disturbance and to disrupt the peace

and quiet of our city, and we asked them, because of those circumstances, to leave."

Chief Pritchett said the Negroes "turned away without a word and re-entered the place. We then arrested them."

After the arrests a Negro organization asked the Interstate Commerce Commission to seek an injunction against police in Atlanta and Albany for allegedly upholding segregation in interstate bus travel.

James Forman, executive secretary of the Student Non-violent Coordinating Committee, said in Atlanta the action had been requested in a telegram to William Addams, regional director of the ICC.

Forman also announced that students in four Georgia Negro colleges have been asked to travel over the Thanksgiving holiday "as full citizens without submitting to segregation in interstate travel." He said the committee fears many arrests.

*see Public for  
La, Albany.*

Atlanta Journal-Constitution  
Atlanta, Georgia  
Date: 11/14/61

*file # 11/14/61  
-12*

The United States alleges as a first and second claim  
against the defendants:

FIRST CLAIM

1. This is an action for an injunction to prevent an  
unlawful and unconstitutional burden upon the interference with  
interstate commerce by common carrier in violation of Section 8,  
Article I, of the Constitution of the United States and the laws of  
Congress and the regulations of the Interstate Commerce Commission  
passed and adopted pursuant thereto.

2. This Court has jurisdiction of this action under  
Section 1345 of Title 28, U.S.C. and Sections 42 and 43 of Title  
49, U.S.C.

3. The City of Albany (hereafter referred to as the City) is a municipality incorporated under the laws of Georgia, located in Dougherty County, Georgia.

4. Asa Kelley is Mayor of the City of Albany and as such is the chief administrative officer of the City. He resides in Dougherty County, Georgia.

5. Laurie Pritchett is Chief of Police of Albany and  
as such is authorized to enforce the laws of Georgia and the  
ordinances of the City. He resides in Dougherty County, Georgia.



6. Tamiand Trail Tours, Inc., (hereafter referred to as Tamiand) is a common carrier by motor vehicle within the meaning of 49 U.S.C. 303 (a) (14) engaged in the transportation of passengers in interstate commerce to, from and through the City. Tamiand holds a certificate of public convenience and necessity issued by the Interstate Commerce Commission authorizing and requiring it to provide such transportation in interstate commerce within Georgia.

7. Tamiand has a duty under 49 U.S.C. 316 (a) to provide adequate service, equipment and facilities in connection with the transportation it provides passengers in interstate commerce to, from and through the City. In discharge of this duty Tamiand maintains in the City a bus terminal (hereafter referred to as Trailway terminal). The facilities of Trailway terminal include waiting and reception facilities, eating and drinking facilities, restrooms, and baggage handling facilities.

8. On September 22, 1961, the Interstate Commerce Commission entered its order in a proceeding titled "Discrimination in Operations of Interstate Motor Carriers of Passengers," docket number MC-C-3358, adding Section 180 a to Title 49 of the Code of Federal Regulations. The regulations set forth in Section 180 a became effective on November 1, 1961, and are binding on Tamiami.

9. Pursuant to paragraphs 4 and 10 of Section 180 a of Title 49, of the Code of Federal Regulations, Tamiami is prohibited from maintaining in Trailway terminal any separate facilities for the white and Negro races or from utilizing any terminal where such facilities are maintained. A violation of these provisions by Tamiami would constitute a criminal offense under 49 U.S.C. 322 (a).

10. Since November 1, 1961, the defendants have enforced  
a practice and policy of requiring the segregation of white and  
Negro persons in their use of the facilities at the Trailway terminal.

11. On November 22, 1961, defendants, in enforcing the practice and policy referred to in the preceding paragraph, arrested five persons of the Negro race, then travelling in interstate commerce, who sought to use the facilities of Trailway terminal without racial segregation.

12. In enforcing the practice and policy referred to in paragraph 10, the defendants are arresting and threatening to arrest any person, white or Negro, who seeks to use terminal facilities generally used by the members of another race.

13. The actions of defendants described in this complaint violate the Fourteenth Amendment to the Constitution, Section 316 (d) of Title 49, U.S.C. and Section 180 a, Title 49, Code of Federal Regulations, and constitute an undue and unreasonable burden upon interstate commerce in violation of Article I, Section 8, of the Constitution.



14. Defendants will, unless restrained by order of this court, continue to arrest persons for failing to observe racial segregation in the use of terminal facilities of Trailway terminal and will continue to enforce racial segregation of all persons in the terminal including persons travelling in interstate commerce and will thereby cause immediate and irreparable injury to the plaintiff consisting of obstruction to and interference with the free flow of interstate commerce and obstruction to and interference with Tamiami in complying with the valid regulations of the Interstate Commerce Commission and the laws of the United States respecting interstate commerce.

15. Plaintiff has no adequate remedy at law.

16. Plaintiff realleges all of the allegations set forth in paragraphs 1, 2, 3, 4, 5 and 15 of the first claim.

17. The Central of Georgia Railroad (hereafter referred to as Central of Georgia) is a common carrier by rail within the meaning of 49 U.S.C. 1 (3) engaged in the transportation of passengers in interstate commerce to, from and through the City. Central of Georgia holds a certificate of public convenience and necessity issued by the Interstate Commerce Commission authorizing and requiring it to provide such transportation in interstate commerce.

18. In connection with the transportation service it provides to, from and through the City, Central of Georgia maintains as a regular and integral part of such service a railroad terminal in the City. The terminal facilities include waiting room and reception facilities, rest rooms, drinking facilities, and ticket sales and baggage handling facilities.

19. The Central of Georgia terminal in the City contains two separate waiting rooms, each having waiting benches, men's rest room, women's rest room and drinking fountain.

20. Since November 1, 1961, the defendants have enforced a practice and policy of requiring the segregation of white and Negro persons in their use of the facilities at the Central of Georgia terminal.

21. On December 10, 1961, defendants, in enforcing the practice and policy referred to in the preceding paragraph, ordered two persons, then travelling in interstate commerce, who sought to use the facilities of the Central of Georgia terminal without racial segregation, to cease such use.



22. In enforcing the practice and policy referred to in paragraph 20, the defendants are arresting and threatening to arrest any person who seeks to use terminal facilities generally used by the members of another race.

23. The actions of defendants described in this claim violate the Fourteenth Amendment to the Constitution, and constitutes an undue and unreasonable burden upon interstate commerce in violation of Article 1, Section 8 of the Constitution.

24. Defendants will, unless restrained by this court, continue to enforce racial segregation in the use of the terminal facilities of Central of Georgia in the City, thus causing immediate and irreparable injury to plaintiff consisting of obstruction and interference with the free flow of interstate commerce and obstruction to and interference with Central of Georgia in complying with the laws of the United States respecting interstate commerce.