

Will you please Study this

Owned and published by The Journal Publishing Company, 118 West 14th St., Albany, Georgia. Entered as second class matter July 21, 1942 at the Post Office in Albany, Georgia. Albany and Dougherty County mail subscription rates \$3.09 including Georgia state sales tax. Outside Dougherty County \$3.50. Member Georgia Press Association and National Editorial Association. Telephones, Hemlock 6-2121, 5-4006

PAGE 2

FRIDAY, JANUARY 19, 1961

City Of Albany Whipped Martin Luther King And CORE

Jails Were Filled With "Marchers;" 98 Thousand Dollars Put Up In Bonds

Reprinted From
The Augusta Courier

Martin Luther King, Jr., the NAACP and CORE took a licking at Albany, Georgia.

The City of Albany took ninety-eight thousand dollars away from this crowd in the way of bonds and fines.

Most of the money was put up as bonds and the only way they can get the bond money back is to show up for trial and, if they show up for trial, they will probably be fined more than the bond money.

So, Dr. King, the NAACP and CORE tucked their tails and left Albany, Georgia ninety-eight thousand dollars richer.

Negroes Disorderly

The police court recorder sometime in December was in the process of trying six "freedom riders" and convicting them as fast as he tried them. While this was going on, a group of Negroes marched on the courthouse and began to sing, pray and shout outside so as to disturb the court and make it impossible for the court to continue with the trials.

The police loaded the Negroes up and locked them in jail.

The next day, the NAACP, CORE and the other agitators organized a larger parade and marched on the court house.

Off To Jail They Went

The police stopped the parade, loaded the paraders in paddywagons and sent them off to jail.

At one time, they had close to five hundred Negroes in jail and they had all the jails in the Albany neighborhood filled to capacity.

Then, the attorney for the Negroes asked for a truce and a truce was agreed upon. The Negroes were to put up two hundred cash bonds and the trial of the cases was to be postponed to some future date.

City Keeps The Money

So, with the fines which they collected from the cases which were tried, and the bonds which have been posted,

the City of Albany now holds ninety-eight thousand dollars.

The city keeps the money until the defendants show up for trial and if they show up for the money, they will get a trial immediately.

So, as it now stands, not a single one of the nearly five hundred who put up the money has shown up and asked for a trial and none of them is expected to show up and ask for a trial.

Should any one, or any number of these five hundred, show up and ask for a trial, they will be accommodated promptly and without delay.

City Hasn't Quit

But so long as none of them shows up and asks for either his money or a trial, the truce is on.

But the City of Albany hasn't quit. They are awaiting more parades.

They have a city ordinance making it a crime for any group of people to parade on the streets of Albany without first obtaining a permit from the city manager.

No permits will be given and, consequently, all parades will be illegal.

Attorneys for the NAACP and CORE could find no defense against this charge and they stood helpless.

So, the NAACP and CORE dug deep and put up the bonds and the Negroes left Albany.

Albany is now ready for any future parade and they are now ready for any one of these defendants to appear and ask for a return of his bond money.

If they stage a future parade, they will be locked up and tried and if any of them appears and asks for a return of their money, they will be given a trial immediately and the amount of the fine could be more than the bonds posted.

But all is now quiet and serene in Albany, Georgia.

The city is standing on ready and they are waiting for another parade. They would like to add another ninety-eight thousand dollars to the city's treasury.

12-2-61
[redacted]
Albany, Georgia

copy
12/27/61
F. J. [redacted]
#9344
Dear Editor:

Heartiest commendations and congratulations are due the city officials and police department of Albany, Georgia, the Albany Herald, and the sensible people both white and colored who cooperated magnificently to throw back and to defeat the forces of anarchy and disruption which descended recently upon our law-abiding community.

The only thing which marred the entire legal procedure was the unneeded and unwarranted request for Robert Kennedy, attorney-general of the United States of America, to intervene. It is to be hoped that the thoughtless person who called upon Mr. Kennedy will recognize his error, and that never again will he be guilty of such indiscretion.

We do not need the federal government in our local affairs. All the racial trouble in the South in recent years has been caused mainly by the federal government "meddling" in local matters in an unconstitutional manner. Had Mr. Kennedy interferred, either pro or con, he would have caused trouble that would have been most difficult to handle.

Every action and decision of the federal government in recent years pertaining to the South have been to destroy local government and local self-determination. It is the federal government which has been responsible largely for mob violence and rioting in the South.

Thank God the federal government had nothing to do with our local problem in Albany!

Sincerely yours,

[redacted]
Thank you, Mr. Kennedy, for not interfering with
our local problem.

Sincerely,
[redacted]

144-101-1911-9
DEC 26 1961
[redacted]
[redacted]

Dr

#9344

20/10/61.

Richmond

110 at 101

Dear Sir,

We wish to add our
voices to the thousands, we hope
are pouring in to your Government,
about the recent happenings
in Albany, Oregon.

Your Negro population
has helped to build your country
into a great nation and
deserves to be treated as
equal human beings with
the rest of the
people.

DEC 27 1961	RECEIVED
CIV. RIGHTS DIV.	

(2)

We sincerely
hope to do everything
your power to see the
justice is served even
at man's blood with
retribution in those
which apparently have
yet felt the repelling
of change blowing
the world.

Yours Sincerely

Thoussende and

Overseas Service
AEROGamme
By Air Mail - Par Avion



*John S. Kennedy,
Deputy General
Manager, State Government
Victoria
11/5/54*

SECOND FOLD HERE

SENDER'S NAME AND ADDRESS.

[Redacted]

[Redacted]

*Richmond, Victoria
Australia*

IF ANYTHING IS ENCLOSED OR ANY TAPE OR STICKER ATTACHED TO THE FORM
MUST BEAR POSTAGE AT THE RATE FOR AIR MAIL LETTERS.

SUIT HERE

FIRST FOLD HERE

DO NOT REMOVE
POSTAGE ADHESIVE

JUN 2 1954

Robert Kennedy
Dept of Justice,
Washington, D. C.

Detroit 14, Mich.

#9344 Dec 27th, 1961

144-101-1717-9
RECEIVED
M. Y.

Please be advised of recent
arrest of 400 Negro youth last Tuesday.
The youth had been peacefully demonstrat-
ing their solidarity with eleven Freedom Riders
who were on trial in debarking for providing
around the Town Square outside the Court rooms.

The 400 young people were jammed together in
crowd order formation, and driven off in front
into a filthy back alley leading to the City
Jail where they were kept standing with out
food, water or Toilet Facilities for over
seven hours while the "bookering" procedure was
being completed for space to be found in the jails.

I demand that your Office enforce the Due Law
of the Land in Dixie - the Fourteenth, 14th, and the
15th. Amendments and the desegregation ruling
of the Supreme Court.

Take the Mc Carran Law
of the Bill of Rights and the Jim Crow Lynch rope
from around the necks of the Negro people.
Sincerely,
[Redacted]

#9344

Dege Sir,
Something should be done
for those Negro kids
who are being kicked
144-1111-9
around the South.

JAN 21 1961
CIV. RIGHTS DIV.
Gen. Lit. Sec.

S. F. 2
Reg. Voter

RECEIVED

JAN 5 1962

GEN. LIT. SECTION

K
11/5/62
an

Nicholas, deB. Katzenbach
Assistant Attorney General
Office of Legal Counsel

SSR:jka

cc - Copeland
Rosdeitcher
Files

Sidney S. Rosdeitcher

Free speech aspects of public demonstrations by
Negroes advocating integration.

JUN 18 1962

In December Negroes marching in the streets of Albany, Georgia to protest the arrest of sit-in demonstrators were themselves arrested for parading without a license. At that time we thought it useful to examine and give a brief description of the first amendment aspects (incorporated by the 14th amendment) of such situations. The discussion, for want of concrete situations, will of necessity be abstract, and will be limited to an exposition of the major principles developed in this area.

A statute or ordinance requiring that a license be obtained prior to a parade on a public street will be sustained against constitutional attack if the statute, as construed by the state courts, limits the discretion of the licensing official to considerations of time, manner, and place as they affect the efficient use of the municipal streets and the public convenience. Cox v. New Hampshire, 312 U. S. 569 (1941). The same principle applies to the licensing of public places, such as parks, for the purpose of meetings and assemblies. Poulos v. New Hampshire, 345 U. S. 394 (1953). If the standards governing the issuance of a license are so vague as to allow too great a discretion to the licensing official, the licensing scheme will be held invalid. E.g., Kunz v. New York, 340 U. S. 290 (1951); Niemotko v. Maryland, 340 U. S. 268 (1951) (absence of any standards). In general, the test to be applied to the standards is whether they confine the licensing official to considerations of efficient and convenient use of public streets and places or whether they allow him to exercise a censorship over ideas and thoughts he deems improper.

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over

Cf. Cantwell v. Connecticut, 310 U. S. 296 (1940). Where the standards laid down by the statute or ordinance fail to meet constitutional requirements, the statute may be attacked on its face, Kunz v. New York, *supra*; and there is no need to even apply for a license under such a scheme. Cf. Cantwell v. Connecticut, 310 U. S. 296 (1940).

A licensing scheme may have adequate standards but may be applied discriminatorily against certain ideas or groups; in such cases, a denial of a license is unconstitutional. Fowler v. Rhode Island, 345 U. S. 67 (1953). And it appears that the tendency of certain unpopular ideas to provoke a disturbance is not adequate justification for a license denial. Rockwell v. Morris, 12 A.D. 2d 272, *aff'd*, 10 N.Y. 2d 721, *cert. den.* 368 U. S. 913 (1961). In situations of the latter category, an applicant may be required to resort to state provided remedies of judicial review before engaging in the conduct required by statute to be licensed. Poulos v. New Hampshire, 345 U. S. 395 (1953). However, where resort to judicial review would result in so great a lapse of time that the public demonstration in which the license applicants seek to engage would lose its significance, it has been intimated that it would be unnecessary to resort to judicial relief from an improper license denial. Poulos v. New Hampshire, *supra*, at 419-20. (Concurring opinion of Frankfurter, J.).

The serious, and unanswered question, presented by situations such as occurred in Albany, Georgia, is whether it could be successfully contended that it would be an unconstitutional burden on free speech to require a license for a somewhat spontaneous public demonstration whose significance would be seriously impaired if the group were required to await the processing of a license application. In Cox the Court noted that the plans for the parade were made sufficiently in advance to permit adequate time to apply for a license. Similarly in Poulos, the indication that requiring the license applicant to resort to state judicial review before attempting to hold a public meeting would not, because of the lapse of time, impair the significance of the public meeting sought to be held was apparently an important factor in the decision.

Should a case arise in which the requirement of a license would have such a burdensome effect, the Court would be required to weigh the community's interest in efficient and convenient operation of its streets against the impairment of speech involved. While one can only hazard a guess, it seems unlikely that the balance will tip in favor of free speech. The Court is apparently especially sensitive to the strong interest in maintaining order on public streets. Compare Feiner v. New York, 340 U. S. 315 (1951) with Terminiello v. City of Chicago, 337 U. S. 1 (1949). Moreover, it is unlikely that the postponement of a public demonstration for a few days is likely to significantly impair its value. Even if it would, it seems equally likely that parties seeking to demonstrate publicly could in most cases plan for the demonstration sufficiently in advance so as to have time to first apply for a license. It seems likely that while requiring a license will prevent completely spontaneous demonstrations, in view of the alternatives the Court would view the interest in efficient administration of public places to outweigh the limited burdens on speech.

One might also consider the possibility that attempts might be made to arrest demonstrators for breach of peace. Of course, if the breach of peace statute requires some overt disturbance and there is no evidence of such a disturbance, the Supreme Court will upset convictions as violative of due process. Garner v. Louisiana, 82 S. Ct. 248 (1961); Thompson v. Louisville, 362 U. S. 199 (1960). Conviction under a breach of peace statute so broad in its terms (as construed by the highest State court) as to permit restrictions on conduct within the protection of the first amendment would also be subject to constitutional attack. Cantwell v. Connecticut, 310 U. S. 296 (1940); Garner v. Louisiana, 82 S. Ct. 248, 263, 269-72 (1961) (concurring opinion of Harlan, J.).

The question remains whether a breach of peace statute could be so constructed so as to permit conviction of Negroes because their peaceful conduct of a public demonstration advocating desegregation (1) creates a likelihood of disturbance

because of the unpopularity of the views in the community (2) in fact results in such a disturbance.

It would seem that in the absence of a showing that there was a disturbance or that activities of onlookers gave strong indication that a disturbance was imminent, conviction for breach of peace in such circumstances would be in violation of the first and fourteenth amendments. Cantwell v. Connecticut, 310 U. S. 296 (1940); cf. Rockwell v. Morris, *supra*.

The more difficult question is whether in circumstances in which the unpopularity of the advocacy of desegregation (or the unpopularity of Negroes in general) creates a disturbance or leads to conduct indicating a disturbance is imminent, local officials could prevent a demonstration or arrest the demonstrators for breach of peace. It would appear that the essential principle of Cooper v. Aaron, 358 U. S. 1 (1958) is that local mob violence is never an excuse for the suppression of the exercise of rights; to hold otherwise is to submit to mob rule. In Feiner v. New York, *supra*, the imminence of a disturbance flowing from the controversial statements of a street-corner speaker was held sufficient to justify the conviction of the speaker for refusing to obey an officer's request to cease speaking. The Court, however, relies on conduct by Feiner which was explicitly calculated to arouse the crowd. Thus where speakers or demonstrators simply utter or represent views whose unpopularity leads to a disturbance it would seem difficult to sustain a conviction for breach of the peace. Cf. Terminiello v. City of Chicago, 337 U. S. 1 (1949). Nevertheless, the Court's solicitude for the peace of public streets might conceivably lead them to uphold a conviction for breach of peace where there was an actual disturbance and the demonstrators, whose unpopular cause touches off the disturbance, refused to cease their activities after requests from the police.

T. 1/22/62

Director
Federal Bureau of Investigation

JAN 23 1962

Burke Marshall
Assistant Attorney General
Civil Rights Division

BM:JLM:11h - 0344

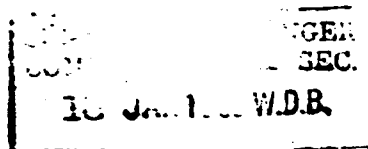
144-101-19M-C

Discrimination in Transportation;
Trailways Bus Terminal, Albany, Georgia;
January 18, 1962;
Captain Lairsey and Captain Klegg,
Officers, Albany, Georgia, Police
Department;
Charles Joseph Jones and
Charles Sherrod - Victims

This will confirm telephoned request to
Special Agent [REDACTED] for an investigation of
the above matter.

Please determine whether either the Police
Department of Albany, Georgia, or the Trailways
Bus Terminal manager has a policy of excluding
from the terminal cafe Negro intrastate passengers
or local Negro patrons.

ac-Records
Chrono
Mr. Murphy
Mr. Barrett
USA, Macon, Ga.
Mr. Newman



UNITED STATES GOVERNMENT

Memorandum

TO : The File

DATE: January 19, 1962

FROM : John L. Murphy, Chief
General Litigation Section
Civil Rights Division

JLM:11h 9344

144-101-19M-9

SUBJECT: Discrimination in Transportation;
Trailways Bus Terminal, Albany, Georgia;
January 18, 1962;
Captain Lairsey and Captain Kleggy
Officers, Albany, Georgia, Police
Department;

and
- Victims

J.J. Lairsey
(FNN) Kleggy

Special Agent [REDACTED] advised this afternoon that the Bureau had been informed by the Albany Police Department today that at 2:20 p.m. January 18 the above victims had been arrested by Captains [REDACTED] and [REDACTED] and charged with loitering. [REDACTED] was released under \$100 bond; [REDACTED] remains in jail in lieu of \$100 bond. The circumstances of the arrests are as follows:

The victims entered the Trailways Bus Terminal cafe, sat down, but did not request service. The terminal manager approached them, asked them to display tickets indicating that they were traveling interstate, and both refused. The manager called the police. The subjects arrived and asked the victims to display tickets showing they were interstate passengers. Upon again refusing, the victims were taken into custody.

File

144-101-19M-9

4	DEPARTMENT OF JUSTICE	RECORDED
	JAN 25 1962	
	F. B. I.	

Gen. Lit. Sec.

Jan 25 1962
Albany, Ga.

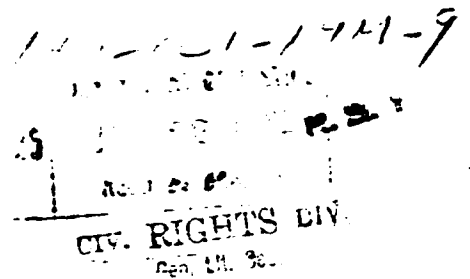
Honorable. atty. Gen. of v. Ga. #9344

Atty. Gen Robert Kennedy.

Justice Dept.

Washington, D.C.

Dear Sir:



You will please find enclosed a copy
of news paper. That will let people
have to say on the news stands and read
to me as a monster as the simple it don't
seem right. Are there anything the
Justice Dept. can do to stop this back
from hurting people.
John Doe.

See this one place

BUS CAFE INCIDENT

Negro Unit Head In Albany Jail

Constitution State News Service

ALBANY—A Negro field director of the Student Non-Violent Coordinating Committee remained in city jail Friday following his arrest Thursday with an associate in the Albany Trailways Bus restaurant on loitering charges.

Charles Sherrod, 25, of Petersburg, Va., was arrested with Charles Jones, 24, of Charlotte, N.C., both members of SNCC's Albany staff, after they went into the restaurant and took seats at a table.

Jones, who was later released on \$102 bond, said both he and Sherrod had purchased bus tickets

for Dawson and were waiting for service in the lunchroom when they were asked if they had interstate tickets by "an unidentified man."

The integration leader said they asked the man if he was the manager. "but he wouldn't say who he was."

Jones said the man then summoned the police, who asked them if they had interstate tickets. "but we chose not to show them."

The pair are scheduled for trial Monday in City Records Court.

Both Jones and Sherrod were arrested during last month's racial demonstration here, in which over 700 Negroes were jailed.

THE ATLANTA CONSTITUTION, Saturday, Jan. 20, 1962 3

GOP's Smith To Tee Off At Decatur

COLUMBUS (AP)—Georgia's first Republican candidate for governor in many years will informally launch his speaking campaign in the Atlanta metropolitan area next Friday.

On that date, A. Edward Smith, the nominee, will speak at a dinner sponsored by DeKalb County Republicans at the Decatur-DeKalb YMCA. He announced that he expected to discuss questions of importance to all Georgians interested in better government.

Smith is a prominent attorney.

Smith is abred to make the gubernatorial race in keeping with a resurgent Republican movement to loosen the Democratic grip on Georgia government and make Georgia a two-party state.

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JA. 3-3902

More Than 40 Students 'Nipped' From Albany State College Site

**MAY NOT BE ADMITTED NEXT
QUARTER SAYS PRES. DENNIS**

William H. Dennis, Jr., President of Albany State College told a committee from the Albany Movement that the students suspended at Albany State College because they were among the 723 Albany citizens arrested for peaceful demonstrations in December could not attend the college this quarter and that they might not be re-admitted next quarter.

After a member of the committee had asked Mr. Dennis would he do everything in his power to help get these students back in school explaining that it was the welfare of the children that the committee was concerned with, Mr. Dennis made his reply to the effect that it was useless to talk with him any further about the

matter. He said the students would definitely not be re-admitted this quarter but said that they could apply for admission next quarter.

Mr. Dennis said he wanted it understood that he merely said they could apply. Under questioning he stated that the students might not be re-admitted the next quarter, too. One member of the committee said this ruling was mighty harsh to which Mr. Dennis did not answer.

DENNIS' STATEMENT

The meeting with Mr. Dennis opened with the reading of a prepared statement "We, official representatives from the Albany Movement, have requested an audience with you to seek re-instatement of all suspended students who were arrested on Nov. 22, Dec. 12, Dec. 13 and Dec. 16, and charged by the college with 'conduct detrimental to the best interest of Albany State College.'"

"The Albany Movement is totally committed to support, at any and all costs, consonant with morality and justice, those who have followed the principles of our organization and have received subsequent reprisals. Since we have been apprised of the stand on the part of the Board of Regents and the ultimate responsibility of the individual institution in student disciplinary actions, it is evident that you have chosen to accept sole responsibility in lieu of committee action.

"It is our concerted belief that these charges and penalties are unjust, unfounded and lack official legal basis as set down in the College Handbook, which by law must be in agreement with the by-

laws of the Board of Regents. We do not agree with the methods, procedures and/or failure of the Administration to permit representation, family or legal, in the hearings, discussions or complaints of 'discharged' students.

CLARIFICATION SOUGHT

"Therefore, we have come to you as the official administrator of Albany State College to receive a formal statement as to your position and final disposition of these cases."

After some discussion Mr. Dennis told the group that he had kept in touch with all of the movements and efforts to get the students back in school. When questions about a letter sent to Mrs. Berry who was serving as spokesman for the suspended students he produced a copy of the letter and told the committee that he had acted under the orders invested him by the Board of Regents in its by laws.

When the committee realized that there were no areas of agreement between the Albany Movement and the college, a member of the committee said, "We are not going to accept this situation and we are going to continue to fight for the rights of these students."

1-22-62
Rec'd
1-22-62

101-1974-9
1-22-62

S. 1-30-62

Wire fr [redacted], Atlanta, Ga., requesting immediate injunction against State of Ala. Ga., fr prosecuting the cases of [redacted] and [redacted] who have been charged with trespassing by the State for entering the Albany Bus Terminal.

M. Newman
M. Marshall Mr. Barrett Mr. Murphy Mr. Reis 1-23-62

1-22-62
Rec'd
1-22-62

101-1974-9
1-22-62

S. 1-30-62

Wire fr [redacted], Atlanta, Ga., requesting immediate injunction against State of Ala. Ga., fr prosecuting the cases of [redacted] and [redacted] who have been charged with trespassing by the State for entering the Albany Bus Terminal.

M. Newman
M. Marshall Mr. Barrett Mr. Murphy Mr. Reis 1-23-62

TELEGRAM
SPECIAL

9344

ALB45 1093

ALB453 P1 ATLANTA GA 22 1020 EST
HERBERT F. JENNINGS, JR. ATTORNEY GENERAL

#9 743

DOCKETED

JAN 22 1962

1962 JAN 22 PM 2:08

DEPARTMENT OF JUSTICE
ADMIN. RECORDS BRANCH
TELEGRAM OFFICE

RE MIAMI TELETYPE TO BUREAU JAN 22 1962
REGARDING THE ABOVE RE: ALB453 P1 ATLANTA GA 22 1020 EST
WHO WENT WITH ONE OF THE TREASURERS BY THE NAME OF JENNINGS
THE ALBANY BUS TERMINAL. RE MIAMI TELETYPE TO BUREAU JAN 22 1962
ALBANY CITY POLICE FROM ALBANY, NEW YORK, ADVISE THAT
THAT TO USE THE TRAILWAY TERMINAL

CHAS. L. L. 197-1/2 1962 1/2 1962 ATLANTA GA.

1453 EST JAN 22 62

File 1/26/62
an

DEPARTMENT OF JUSTICE		RECORDED INDEXED
7	JAN 22 1962	
RECORDS BRANCH		N. M. P.
RIGHTS DIV.		

T. 2/2/62

BM:TRM,Jr:sab 9344

144-101-19K-9 A. T. M.

29-62
FEB 6 1962

ORW
4/2/62
JH
7/6
2/4
2/6

Honorable Harold D. McCoy
Office of the Secretary
Interstate Commerce Commission
Washington, D. C.

Dear Mr. McCoy:

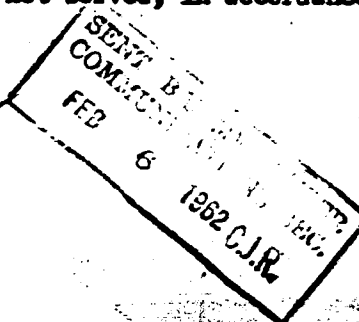
The Department of Justice has received a complaint alleging that [REDACTED] and [REDACTED] both Negroes, entered the Trailways Bus Terminal Cafe at Albany, Georgia and seated themselves. They were allegedly approached by the terminal manager and asked to display tickets showing they were interstate travellers. They refused. The manager then called the police. Captains [REDACTED] and [REDACTED] arrived and asked [REDACTED] and [REDACTED] to establish that they were interstate travellers. They refused and were arrested for loitering.

During our investigation of this matter, Mr. Roy Hammondtree, Manager, Trailways Bus Terminal Cafe, Albany, Georgia, was interviewed. He stated that the policy of the cafe in serving Negroes is as follows:

Negro patrons using bus facilities are served at the cafe, and no effort is made to determine whether or not they are interstate or intrastate passengers.

Negro patrons who are local patrons and not using the bus facilities are not served, in accordance with local ordinances.

cc: Records
Chrono
Newman



- 2 -

I am referring this matter to you as it appears to involve possible violation of paragraph 180(a) 4, Title 49, Code of Federal Regulations. I have requested the Federal Bureau of Investigation to forward you a copy of their report in this matter.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

Form No. DJ-96a
(Rev. 4-13-61)

DEPARTMENT OF JUSTICE
ROUTING SLIP

TO	
NAME	BUILDING AND ROOM
1. <i>Mr. Newman</i>	
2.	
3.	
4.	
5.	

<input type="checkbox"/> SIGNATURE	<input type="checkbox"/> COMMENT	<input type="checkbox"/> PER CONVERSATION
<input type="checkbox"/> APPROVAL	<input type="checkbox"/> NECESSARY ACTION	<input type="checkbox"/> AS REQUESTED
<input type="checkbox"/> SEE ME	<input type="checkbox"/> NOTE AND RETURN	<input type="checkbox"/> NOTE AND FILE
<input type="checkbox"/> RECOMMENDATION	<input type="checkbox"/> CALL ME	<input type="checkbox"/> YOUR INFORMATION
<input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____		
<input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____		

REMARKS

Mr. Barnett and I have discussed this. We feel the Carrier is responsible through its agent, the Cafe manager.

This should be referred to ICC and the report made available to them.

[Signature]

FROM	
NAME	BUILDING, ROOM, EXT. DATE

Interstate Commerce Commission

OFFICE OF THE SECRETARY

Washington 25, D. C.

February 1, 1962
EC-2519

Honorable Burke Marshall
Assistant Attorney General
Civil Rights Division
Department of Justice
Washington 25, D.C.

DOCKETED

FEB 8 1962

9 344-

Re: Reports of Tamiami Trail Tours, Inc., of
interference at Albany, Georgia with its
observance of regulations promulgated in
proceeding MC-C-3358.

Dear Sir:

Transmitted herewith are copies of two reports dated
January 4 and 25, 1962, filed with the Commission by
Tamiami Trail Tours, Inc., pursuant to Section 180 a(7)
of the above-entitled regulations.

This matter is brought to your attention because
of the involvement of local police.

Investigation of the several incidents is being made
by the Commission's field staff.

Sincerely yours,

Harold D. McCoy
Harold D. McCoy
Secretary

Attachments

RECEIVED

FEB 9 1962

CIV. RIGHTS DIV.

144-111-1911	
2	FEB 7 1962
CIV. RIGHTS DIV.	
Gen. Lit. Sec.	

TAMPA

MIAMI TOURS, INC.



TRAILWAYS • FREIGHT

4305 21st AVENUE

PHONE 4-5721

TAMPA, FLORIDA

January 25, 1962

Mr. Harold D. McCoy
Secretary
Interstate Commerce Commission
Washington 25, D. C.

Dear Mr. McCoy:

I am enclosing herewith a report from the manager of the Trailways bus depot in Albany, Georgia of an incident occurring in the restaurant of the bus terminal on January 18, 1962.

It will be noted that this information was given to the terminal manager by the manager of the cafe. The incident apparently occurred on the floor of the terminal and offered no opportunity for any effort to prevent its occurrence.

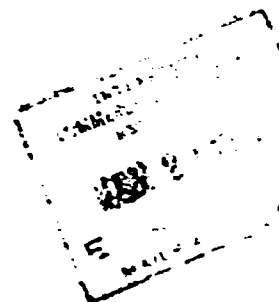
Yours very truly,

Garth W. Lynn
Garth W. Lynn
President

GWL:mc

Enclosure

cc: Mr. Jay Steadman



EAST TOWN, FLORIDA
WITH THRU AND INTERCHANGE SERVICE TO ALL THE U. S. A.

JANUARY 19, 1962.

UNION NEWS CAFE, INC.
2303 1st Ave.
Tulsa, Okla.

Dear Mr. Foster:

This is to report an incident that occurred in the Union News Cafe January 18, 1962.

Two (2) negroes marched into the Union News Cafe and sat down. The colored men would not order anything. They sat there for several minutes before an officer of the Tulsa Police Dept. went into the Cafe and asked them for bus tickets. There was only one (1) bus ticket and it was for Denver, Co.

The officer arrested the two (2) negroes and carried them to jail.

The above was noted to me by Mr. Hancock the Union News Cafe Manager.

Very truly yours,

Samuel H. Biggie
Samuel H. Biggie, Jr., Esq.
Trailways Bus Depot Albany, Ga.

January 25, 1962

Mr. Harold D. McCoy
Secretary
Interstate Commerce Commission
Washington 25, D. C.

Dear Mr. McCoy:

I am enclosing herewith a report from the manager of the
Trailway bus depot in Albany, Georgia, of an incident
occurring in the restaurant of this terminal on
January 18, 1962.

It will be noted that this information was given to the
terminal manager by the manager of the cafe. The incident
apparently occurred on the spur of the moment and afforded
no opportunity for any effort to prevent its occurrence.

Yours very truly,

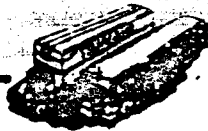
Garth W. Lynn
President

GTL:mc

Enclosure

cc: Mr. Jay Steadman

TAMIA



TRAILWAYS • FREIGHTWAYS

4305 21st AVENUE • PHONE 4-6221 • TAMPA, FLORIDA

January 4, 1962

Mr. Harold D. McCoy
Secretary
Interstate Commerce Commission
Washington 25, D. C.

Dear Mr. McCoy:

At the suggestion of Mr. J. C. Steadman, District Supervisor, Interstate Commerce Commission, Jacksonville, I am enclosing with this letter copies of the following material reporting certain incidents in connection with the Commission's new regulation requiring motor carriers to report any interference by outside parties in attempting to carry out the Commission's requirements with respect to the non-segregation of the races:

1. Transmittal letter of November 16, 1961 written by J. J. Reardon, President, Tamiami Trail Tours, Inc. to Mr. Steadman enclosing the following: Newspaper account of the incident occurring November 1, 1961, memorandum from S. H. Bigbie (Tamiami Terminal Agent) to Mr. P. W. Mills, statement of Mr. Bigbie dated November 1, 1961.
2. Letter of transmittal from Mr. J. J. Reardon, President, Tamiami Trail Tours, Inc. dated November 27, 1961 to Mr. J. C. Steadman enclosing the following: Newspaper clippings reporting the incident occurring November 21, 1961, statement of Samuel H. Bigbie, Trailways Terminal Manager.
3. Letter dated December 19, 1961 written by J. J. Reardon, President, Tamiami Trail Tours, Inc. transmitting to Mr. Steadman the following: Memorandum dated December 5, 1961 from Samuel H. Bigbie, Terminal Manager, to Mr. R. A. Foster. Report dated December 14, 1961 from Mr. Samuel H. Bigbie, Terminal Manager. Report dated December 15, 1961 addressed to Mr. R. A. Foster from Mr. Samuel H. Bigbie, Terminal Manager.

If there should be further occurrences of this nature, they will be reported to your office with copies to Mr. Steadman.

Yours very truly,

Garth W. Lynn

Garth W. Lynn
Executive Vice President

GWL:mc

Enclosures

CC: Mr. A. P. Coles
Mr. J. C. Steadman

JAN 5 - 1962

WITH THRU AND INTERCHANGE SERVICE TO ALL THE U. S. A.

November 16, 1961

Mr. Jay C. Steadman
District Supervisor
Interstate Commerce Commission
P. O. Box 4969
Jacksonville 1, Florida

Dear Mr. Steadman:

The purpose of this letter is to report an incident which occurred at our Albany, Georgia Bus Station on November 1, 1961.

The signed statement by our Albany Bus Station Manager is enclosed. It appears to be self-explanatory and describes the incident to the extent of our knowledge.

Should you desire further information, please let me know and I shall attempt to obtain it.

Yours very truly,

J. J. Beardon
President

JJB:ms

Enclosure

cc: Mr. A. P. Coles

4-2

INTER-OFFICE MEMORANDUM

Tampa-Tallahassee

MESSAGE

TO MR. F.H. HILLS

Date NOV. 1, 1961

FROM S.E. BUDNIK.

SUBJECT: COLORED PASSENGERS ENTERING WHITE WAITING ROOM.

TODAY NOVEMBER 1, 1961 THERE WERE SIX (6) COLORED PASSENGERS ENTERING THE WHITE WAITING ROOM ABOUT 4:15PM AND PURCHASED SIX (6) TICKETS FROM ME. I SOLD THEM THE TICKETS. FIVE FOR TALLAHASSEE AND ONE FOR MONTGOMERY, ALA.

IMMEDIATELY AFTER PURCHASING THE TICKETS THEY WENT TO THE SLAPS AND SAT DOWN. A FEW MINUTES LATER CHICAGO POLICE OFFICERS ENTERED THE STATION. CONFERRED WITH THE COLORED PASSENGERS. I DO NOT KNOW WHAT WAS SAID TO THE PASSENGERS. THE PASSENGERS LEFT THE WAITING ROOM IMMEDIATELY AFTER CONVERSING WITH THE PASSENGERS.

YESTERDAY YOU ASKED ME TO CALL THE CHIEF OF POLICE AND ASK HIM TO GIVE US A STATEMENT AS TO WHAT HIS PLANS WERE. THE CHIEF ADVISED ME HE WOULD NOT GIVE ME A STATEMENT UNTIL AFTER HE HAD TAKEN ACTION. I WILL CALL THE CHIEF TOMORROW AND SEE IF HE WILL GIVE ME A STATEMENT ON TODAY'S INCIDENT.

[Signature]
PLEASE REPLY PROMPTLY

TO

Date 19

(Signature)

INSTRUCTIONS

ORIGIN—Prepare in three copies. Send White and Yellow copies to Addressee. Retain Pink copy in suspense until reply is received. Destroy Pink copy and file White copy after reply has been received.

DESTINATION—Write reply on bottom of both White and Yellow Copies. Return White copy to Addressee and file Yellow copy.

TRAILWAYS BUS DEPOT OF ALBANY
ALBANY, G.

NOVEMBER 1, 1961.

MY NAME IS DANIEL G. BISHOP. I AM A PILOT AND A RETIRED
MANAGER AT THE TRAILWAYS BUS DEPOT OF ALBANY, GEORGIA.

ON NOVEMBER 1, 1961 THERE WERE SIX (6) COLORED PEOPLE
CAME INTO THE TRAILWAYS BUS DEPOT AND PURCHASED SIX (6)
TICKETS FROM ME (DANIEL G. BISHOP). THE TICKETS WERE FOR TALLAHASSEE,
FLA. AND COST \$1.00 EACH.

IMMEDIATELY AFTER PURCHASING THE TICKETS THE COLORED
PEOPLE WENT TO THE TRAILWAYS BUS DEPOT. SIX MINUTES
LATER A POLICE OFFICER ENTERED THE TRAILWAYS DEPOT. THE
POLICE OFFICER CONFERRED WITH ME AND ASKED ME IF THE
COLORED PEOPLE WERE LEFT THE TRAILWAYS BUS DEPOT.

ONE OF THE COLORED PEOPLE CALLED THE POLICE.

THE ABOVE IS THE FACT OF THE MATTER AND IS TRUE.

Daniel G. Bishop
DANIEL G. BISHOP, T.R.A.
TRAILWAYS BUS DEPOT OF ALBANY
ALBANY, GEORGIA.

ICC Ruling

Chief Orders Bus Negroes Out, Under Threat of Imprisonment

A potentially incendiary racial incident was averted Wednesday afternoon at the Trailways Bus Terminal, when a vanguard of Negro youths assembled in the white waiting room of the bus depot, ostensibly to test the Interstate Commerce Commission's ruling that all interstate transportation facilities would be integrated as of November 1.

All day Wednesday plainclothesmen of the Albany police force unobtrusively threaded their way in and out of the bus terminal.

At approximately 4 p. m., city Police Chief Laurie Pritchett, attired in his natty blue serge uniform with gold stars at the collar, appeared at the scene and spoke to the leader of the demonstrators who did not have an opportunity to demonstrate.

Chief Pritchett told the youthful Negro, described as a college student, that because of the "tragic incident that occurred last week (an oblique reference to the fatal shooting of an Albany patrolman last Thursday night at the bus depot) feeling in Albany was running high."

The Chief advised the Negro to leave quietly lest violence erupt.

"I told him to do nothing to upset the peace and well being of this city, or I would have to put him in jail," Chief Pritchett told The Journal last night.

Authorities reported that following the Chief's dictum, the Negroes, numbered at approximately ten silently left the bus terminal, and there was no further incident.

November 27, 1961

Mr. Jay C. Steadman
District Supervisor
Interstate Commerce Commission
P. O. Box 4969
Jacksonville 1, Florida

Dear Mr. Steadman:

The purpose of this letter is to report an incident which occurred at our Albany, Georgia Bus Station on November 21, 1961.

A signed statement by our Albany Bus Station Manager is enclosed. It appears to be self-explanatory and describes the incident to the extent of our knowledge.

Should you desire further information or should it be necessary that I report this incident to other than your office, please let me know.

Yours very truly,

J. J. Reardon
President

JJR:mc

Enclosure

cc: Mr. A. P. Coles
Mr. S. H. Bigbie

November 24, 1961.

To: Mr. J. Edgar Hoover:

My name is J. M. Stabile, I am employed as Terminal Manager for Terminal
Rail Couriers.

On November 2, 1961, about 10:00 AM, (3) colored men came into
the white building at 1215th St., N.W. They told each of them
a warning or threat of violence. Also, they (colored)
told us that they were going to the building and that they
would be there later. They also told us that they had taken the
order for the building and that they had police officers
waiting outside. They also told us that they had a car
and that they were going to the building.

The colored men came into the building and they told us that they
were going to the building and that they had police officers
waiting outside. They also told us that they had a car
and that they were going to the building.

I was advised by one of the police officers that they had arrested the
colored men. I was also told that they had a car.

At the time of the arrest, the colored men were in the building. They
told us that they were going to the building and that they had police officers
waiting outside. They also told us that they had a car.

Respectfully,
J. M. Stabile
Terminal Manager
Terminal Rail Couriers
Albany, Georgia.

Negroes Arrested at Albany Cafe

Arrested at Albany Cafe

ALBANY — Three young Albany Negroes and 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 Cornwell, 18, Eddie Wilson, 19, and Evelyn Toney, 20, were released after posting \$100 bonds.

Chief Pritchett said he and Assistant Chief J. J. Lairsy 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 no-

Continued on Page 20, Column 3

3 Negroes Arrested at Albany Cafe

Nov-23-61
Continued From Page 1

tioned 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.

ARREST TWO MORE AT TERMINAL

Two more Negroes were arrested on disorderly conduct—tending to create a disturbance—charges at Trailways bus terminal here yesterday afternoon, Police Chief Laurie Pritchett reported.

This brought to five the total booked yesterday in incidents at the bus station. The first three, arrested after they refused to leave the lunchroom counter, posted \$100 bonds and were released, but the other two were still in City Jail early this morning, Chief Pritchett said.

They are Blanton Hall, 23, and Bertha Gobel, 20.

Negroes Try

(Continued From Page 1)

and were posted and the Negroes freed, the chief said.

He related that the department got a call that there might be a disturbance at the bus station. Chief Pritchett and Asst. Chief J. J. Lairsy went to the station personally.

Sitting Down

The Negroes were sitting in the waiting room when they arrived, and they were not disturbed while in the waiting room, the officer said. Then the trio entered the lunchroom and took seats at the counter.

"We then noticed that a crowd was gathering and that there might be trouble," Chief Pritchett said. "We asked the Negroes to come outside and talk with us, which they did."

"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."

"They turned away without a word and re-entered the place, and we then arrested them."

Negroes Try White Dining Room Here

Three young Albany Negroes, one a woman, were arrested in the lunchroom at Trailways Bus Terminal here today when they refused to leave after being asked to do so, Chief Laurie Pritchett said.

The three were Julian Cornwell, 18, of 508 Lincoln Ave., Eddie Wilson, 19, of 607 S. Monroe St., and Evelyn Toney, 20, of 311 Carver Ave. They were booked on charges of disorderly conduct—tending to create a disturbance.

Bonds were set at \$100 each.

Turn to Page 1, Col. 3

December 19, 1961

Mr. Jay C. Steadman
District Supervisor
Interstate Commerce Commission
P. O. Box 4969
Jacksonville 1, Florida

Dear Mr. Steadman:

Relative to Interstate Commerce Commission Order No. MC-C-3358,
Discrimination in Operations of Interstate Motor Carriers of
Passengers, I am enclosing herewith reports dated December 5,
December 14 and December 15, 1961 from our terminal manager at
Albany, Georgia. These reports are self-explanatory and
describe incidents which occurred at our Albany, Georgia Bus
Terminal.

Should you desire further information on the subject matter
of these reports, please do not hesitate to contact me.

Yours very truly,

J. J. Burdick
President

Enclosure

cc: Mr. A. P. Coles

1961.

This is a report on an incident that happened in and around the bus terminal in Albany, Ga. today, Sept. 14, 1961.

Beginning at 10:05 AM, 19 colored people entered the terminal and went to the ticket office where they were promptly sold 19 one way tickets to Tallahassee, Fla. and 1 (one) ticket to Miami, Ga. The colored passengers then went to the waiting room and sat down for a few minutes then proceeded to the Cafe. At 10:15 AM they were removed from the Cafe by officers of the Albany Police Dept. No one left from the ticket office or any of my employees were call any of police.

At 10:25 AM, we had about forty or fifty colored to come into the station buying tickets to all points. None of them were interfered with by the police. After this wave they continued to come in waves from fifteen to twenty. It was like this all day today.

During the first demonstration there were between three and four hundred in and around the terminal.

I believe this should bring the day to a conclusion.

Samuel H. Fights
Samuel H. Fights, Term. Mgr.
Trillways Bus Depot of Albany.

TAMiami TRAIL TOURS, INC.

TRAILWAYS BUS DEPOT - ALBANY
 ALBANY, GEORGIA
 DECEMBER 5, 1961

S. H. Brant, Agent

TAMiami TRAIL TOURS, INC.
 TAMPA, FLA.

ATTN: Mr. R. A. FORTER

THIS IS TO REPORT AN INCIDENT THAT OCCURRED IN THE ALBANY TERMINAL
 THIS DATE, DECEMBER 5, 1961.

TWO (2) COLORED PERSONS ENTERED THE WAITING ROOM AT 2:30 P.M.
 THEY CAME TO THE TICKET WINDOW AND REQUESTED INFORMATION FOR SERVICE
 FROM ALBANY, GEORGIA TO TALLAHASSEE, FLORIDA. THEY ALSO INQUIRED IF
 THEY COULD USE TWO TICKETS READING FROM ATLANTA, GEORGIA TO ANNISTON,
 ALABAMA. THEY WANTED THE TICKETS TO BE CHANGED SO THEY COULD BE
 USED FROM ALBANY.

THE INFORMATION THEY WERE SEEKING WAS GIVEN TO THEM, ACCORDING TO MY
 EMPLOYEE, MR. ALBERT EVERETT WILLIAMS JR.

AFTER THERE TWO COLORED PERSONS RECEIVED THEIR INFORMATION, THEY
 STEPPED A FEW FEET AWAY FROM THE TICKET WINDOW AND STARTED CONVERSING WITH
 EACH OTHER.

AN OFFICER OF THE LAW ARRIVED AT THE SCENE AND ASKED THEM TO LEAVE THE
 FORMER WHITE WAITING ROOM. THE OFFICER OF THE ALBANY POLICE DEPARTMENT
 ADVISED ME OF THIS.

Samuel H. Brant
 SAMUEL H. BRANT, TERMINAL MANAGER
 TRAILWAYS BUS DEPOT OF ALBANY

Dec. 14, 1961.

Mr. R.A. Factori

This is to advise that the Union News Grill is now closed. It was closed yesterday Dec. 14, 1961. It was closed by request of the Albany Police Dept.

Please refer to my report dated Dec. 14, 1961 as to the incident that happened in and around the terminal. That was the reason that the Grill was closed.

I think that it will be best for it to stay closed until such time the racial incidents are calmed down. As I for one don't need any violence.

I will advise when the police Dept. authorizes Union News to reopen the Cafe.

Samuel H. Biggie
Samuel H. Biggie, Team. Mgr.
Trailways Bus Station

T. 2/2/62

Director
Federal Bureau of Investigation

Burke Marshall
Assistant Attorney General
Civil Rights Division

Discrimination in Interstate
Transportation,
Trailways Bus Terminal,
Albany, Georgia
Social Matter: Civil Rights

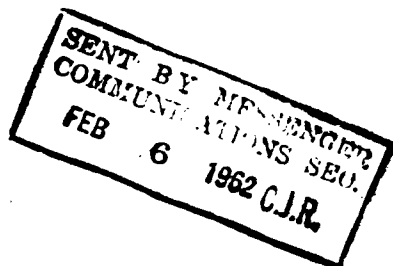
WINTER, Jr: sab -9344

144-101-174-9

FEB 6 1962

Reference is made to your memorandum dated January 29,
1962, with the report of Special Agent [REDACTED]
dated January 24, 1962, at Atlanta attached.

Please furnish a copy of this report to the Interstate
Commerce Commission.



cc: Records
Chrono
Newman
Murphy
USA, Macon, Georgia

T. 2/26/62

BM:JKH:arg 9344

144-101-19M-9

JKH
Dr. W. G. Anderson
229-1/2 S. Jackson Street
Albany, Georgia

Dear Dr. Anderson:

Enclosed are the following letters and documents which you left in our office on Friday, February 23, 1962:

(1) Letter to Dr. W. G. Anderson from the Albany Ministerial Association, dated December 13, 1961;

(2) Copy of letter to Reverend Albert L. Cardwell from W. G. Anderson, dated January 16, 1961 (should be 1962);

(3) Undated document consisting of five typewritten questions and answers;

(4) Undated mimeographed letter to The City Commission, Albany, Georgia, from The Albany Movement;

(5) Letter to the Albany Movement from City of Albany, Georgia, dated January 31, 1962.

W
2/27
We certainly hope that the present difficulties in Albany will be resolved in an amicable manner.

Will you please acknowledge receipt of the enclosures?

Sincerely,

Burke Marshall
Assistant Attorney General
Civil Rights Division

CC: Records
Chron.

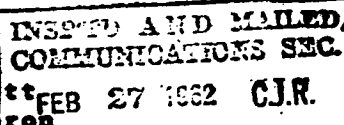
Mr. Barrett
Mr. Heilbron
Mr. Newman

Inv. File (Rm. 1140)

Encls.

By:

JEROME K. HEILBRON
Attorney



7-

144-101-194-9
9344

DR. W. G. ANDERSON
229 1/2 SO. JACKSON ST.
ALBANY, GA.
ME 6-5866

3-1-62

Mr. J.K. Heilbron
U.S. Department of Justice
Civil Rights Division
Washington, D. C.

DOCKETED

MAR 15 1962

Dear Mr. Heilbron:

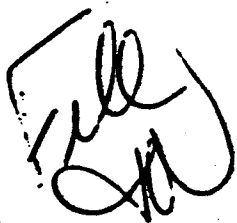
This is to acknowledge receipt of the letters and documents which I left in your office on Friday, February 23, 1962.

Again, I would like to express my appreciation for the kind consideration given me and others in the Albany Movement in our struggle for first class citizenship and freedom. Your continued interest motivates us to continue our belief in this democratic form of government, and gives us hope for a better tomorrow.

Please do not relinquish your efforts to make all men free of hatred, prejudice and discrimination, and above all help make us all respect the Constitution and the laws of this land.

Very truly yours,


W. G. Anderson, D.O.



144-101-194-9	RECORDS BRANCH
DEPARTMENT OF JUSTICE	RECORDS BRANCH
MAR 14 1962	RECORDS BRANCH

T. 3/29/62

BM:TRN, Jr: sab 9344
144-101-19M-9

O. M. B.

3-26-62

APR 2 1962

RECEIVED
F. B. I.

Mr. D. L. Hollowell
859 1/2 Hunter Street
Atlanta, Georgia

Dear Mr. Hollowell:

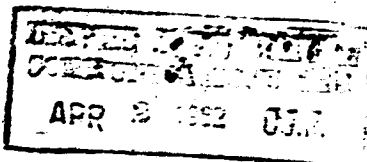
I am writing with reference to your telegram dated March 28, 1962, concerning police enforcement of racially segregated seating in the Dougherty County, Georgia, Superior Court. This matter has received my careful consideration.

The conduct of which you complain does not provide the basis for a criminal prosecution under existing criminal statutes of the United States. Although relief against the racially segregated seating could be sought in a private lawsuit brought in either state or federal court, the Department of Justice has not been authorized by statute to participate in such litigation. Accordingly, we can take no action.

Sincerely,

cc: Records
Chrono
Newman

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division



T. 3/29/62

BM:TRN,Jr:sab 9344
144-101-19M-9

CLM P.

APR 2 1962

J. C. [initials]

Mr. C. B. King
P.O. Box 1024
Albany, Georgia

Dear Mr. King:

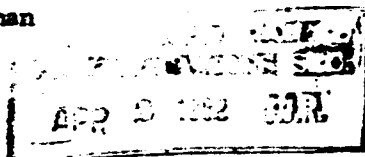
I am writing with reference to your telegram dated March 28, 1962, concerning police enforcement of racially segregated seating in the Dougherty County, Georgia, Superior Court. This matter has received my careful consideration.

The conduct of which you complain does not provide the basis for a criminal prosecution under existing criminal statutes of the United States. Although relief against the racially segregated seating could be sought in a private lawsuit brought in either state or federal court, the Department of Justice has not been authorized by statute to participate in such litigation. Accordingly, we can take no action.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division

cc: Records
Chrono
Newman



IN
3/29/62

John
3/30

7
4/1

0
**TELEGRAM
SPECIAL**

DOCKETED

MAR 28 1962

#9344
~~9800~~
RECEIVED

MAR 27 1962

GEN. LIT. SECTION

UMWUA121 A9173

A AYA203 LONG PD ALBANY GA 26 340P EST

THE HON ROBERT KENNEDY

US ATTORNEY GENERAL WASHDC

ATTENTION IS CALLED TO FLAGRANT BREACH OF TITLE 18, CHAPTER
13, SECTION 241 AND 242 USCA BY CHIEF DEPUTY SHERIFF LAMAR
STEWART, DOUGHERTY COUNTY AND OTHER OFFICERS NOT ONLY IN ENFORCING
RACIAL SEGREGATION OF DOUGHERTY COUNTY SUPERIOR COURT ROOM,
BUT LITERALLY DRAGGING, PUSHING OR BODILY CARRYING OUT OF COURT
ROOM THE FOLLOWING NAMED DEFENDANTS: WHOSE BONDS WERE RETURNABLE
TO THE CURRENT TERM OF COURT PURSUANT TO ARRESTS MADE IN DECEMBER
1961 FOR ALLEGED ILLEGAL ASSEMBLE AND CONSPIRACY TO PERMIT
A BREACH OF THE PEACE, AND OTHERS; DEFENDANTS [REDACTED]
[REDACTED], NON-DEFENDANTS [REDACTED]
AND [REDACTED]. ONE OF SAID PERSONS REPORTED HAVING HIS
LIFE THREATENED BY SAID OFFICER.

144-32-57
MAR 26 1962
CIV. RIGHTS DIV.

ALL ACTION TOOK PLACE IN VIEW OF PRESIDING JUDGE WHO
WAS THEN ON THE BENCH AND WHO GAVE NO VISIBLE DIRECTION BEFORE
OR DURING SAID CONDUCT.

UNDERSIGNED WHO WERE PRESENT IN SAID COURT ROOM DEEM
A THOROUGH INVESTIGATION IMMEDIATELY NECESSARY, RESPECTFULLY.
C B KING, AND D L HOLLOWELL OF COUNSEL FOR DEFENDANTS PO BOX
1024 ALBANY GEORGIA AND 859 1/2 HUNTER ST NORTHWEST ATLANTA
GA.

437P EST MAR 26 62

T. 3/29/62

BM:TRN,Jr:sab 9344
144-101-19M-9

E. M. G.

APR 2

Mr. Charles McDew
Chairman
Non-Violent Coordinating Committee
144-101-19M-9
Atlanta, Georgia

Dear Mr. McDew:

I am writing with reference to your telegram dated March 26, 1962, concerning police enforcement of racially segregated seating in the Dougherty County, Georgia Superior Court. This matter has received my careful consideration.

The conduct of which you complain does not provide the basis for a criminal prosecution under existing criminal statutes of the United States. Although relief against the racially segregated seating could be sought in a private lawsuit brought in either state or federal court, the Department of Justice has not been authorized by statute to participate in such litigation. Accordingly, we can take no action.

Sincerely,

BURKE MARSHALL
Assistant Attorney General
Civil Rights Division
APR 2 1962
cc: Records
Chrono
Newman

TELEGRAM
SPECIAL

1962 MAR 25 PM 2:43

RECEIVED
ALBANY
TELEPHONE

#9344

UVWUB145 AB106

A LLW136 PD ATLANTA GA 26 138P EST
BURKE MARSHALL

UNITED STATES JUSTICE DEPT WASHDC
RE VIGOROUSLY PROTEST THE MAN HANDLING OF FIVE PEOPLE IN ALBANY
GA BY COURT DEPUTIES THESE FIVE WERE TRYING TO EXERCISE THEIR
CONSTITUTIONAL RIGHTS AND SIT TOGETHER DURING THE TRIAL BUT
WERE BRUTALLY AND FORCIBLY DRAGGED FROM THE COURT ROOM AFTER
THEY REFUSED TO ACCEPT SEGREGATED SEATING

CHARLES MCDEW / CHAIRMAN STUDENT NON-VIOLENT COORDINATING COMMITTEE

219P EST MAR 26 62

144-101-170-8

DEPARTMENT OF JUSTICE		RECORD
22	MAR 26 1962	
CIV. RIGHTS DIV.		
Gen. Lit. Sec.		

T. 6-13-62

Director
Federal Bureau of Investigation

Burt Marshall
Assistant Attorney General
Civil Rights Division

Discrimination in Transportation
Trailways Bus Terminal
Albany, Georgia

RECEIVED: JUN 15 1962
9304

144-101-194-9

This Division has been advised that the below named individuals have been arrested in Albany, Georgia, because of their attempts to use the Trailways Bus Terminal restaurant without racial segregation. Please interview these persons:

- (1) [REDACTED]
(2) [REDACTED]
(3) [REDACTED]
(4) [REDACTED]
(5) [REDACTED]

If these individuals allege that they were arrested in the manner stated above, please interview the manager of the restaurant. Also interview the arresting officers and the Chief of Police to ascertain the factual and legal basis for the arrests.

FILED
JUN 16 1962

SENT BY MESSENGER
COMMUNICATIONS SEC.
JUN 16 1962 C.J.R.

cc: Records
Chrono
Boman
Murphy
WBI, Macon, Georgia

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Files

DATE: May 8, 1962

FROM : Theodore R. Newman, Jr.
Attorney

TRN,Jr:sbh 9344

Civil Rights Division
SUBJECT: Segregation in Transportation
Facilities, Trailways Bus
Terminal
Albany, Georgia

144-101-19M-9

On June 6, 1962, Mr. Marshall advised me that he had received a call from C. B. King of Albany, Georgia stating that five persons had been arrested in Albany because of their attempt to use the restaurant in the bus terminal without regard to segregation. Mr. Marshall asked me to have these persons interviewed.

144-101-19M-9	
22	DEPARTMENT OF JUSTICE
	JUN 18 1962
	RECORDS BRANCH

6-1-62
Retyped 6-1-62
Director, Federal Bureau of
Investigation

Burke Marshall
Assistant Attorney General
Civil Rights Division

BM:TRM,Jr:cb 6/1/62

144-101-19M-9

Discrimination in Interstate Transportation,
Albany, Georgia;
Mr. C. B. King, Attorney - Complainant
Racial Matters - Civil Rights

JUN 6 1962

RECORDED
J. C. S.

9W
6/5/62
Jm
6/6
7/2/62
6/6

This Division has been advised by Mr. C. B. King, Attorney, Albany, Georgia, that it is his understanding that the Albany Police are pursuing a policy of arresting persons who attempt to use the terminal facilities of interstate carriers in Albany without regard to racial segregation.

Please interview Mr. King as to any facts he has in this regard.

cc: Records
Chrono
Newman
Murphy
USA, Macon, Georgia
Investigative File (Room 1140)
Barrett

M
6-4

UNITED STATES GOVERNMENT

Memorandum

TO : The File

DATE: June 1, 1962

FROM : Theodore R. Newman, Jr.
Attorney, Constitutional
Rights Unit

TRN, Jr:rb 9344

144-101-19M-9

SUBJECT:

Discrimination in Interstate Transportation,
Albany, Georgia;
Mr. C. B. King, Attorney - Complainant
Racial Matters - Civil Rights

I talked to C. B. King on May 26, 1962, in Washington. He stated that the police of Albany are continuing to arrest persons who attempt to use the bus terminal waiting room without regard to racial segregation. I told Mr. Marshall this and he told me to have King interviewed.

*Noted
Jhm*

144-101-19M-9

DEPARTMENT OF JUSTICE		RECORDED
22	JUN 7 1962	
RECORDS BRANCH		

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