

Telephone 5-3364

In the last issue of MIA Newsletter a report was given on the most recent Federal Court decision, which was handed down by a three-judge panel on the local suit testing the constitutionality of segregation on intra-state busses. As was previously stated the decision abolished segregation on intra-state travel, but a period of two weeks was given during which time lawyers on both sides were to submit suggestions to the Court as to how the decision could be best carried out. Negroes asked for immediate integration. The defendants requested that segregation be continued until an appeal could be made to the U.S. Supreme Court and a review of the case given.

When the two weeks period expired, the three-judge panel announced that segregation was and is unconstitutional on intra-state transportation in Montgomery and Alabama, but the panel also suspended the clause ordering integration for an additional period of ten days to allow the city and state time to appeal. Each defendant appealed to the Supreme Court and at the same time asked the Federal District Court to extend the suspension ordering the end of segregation, so that segregation laws would be upheld until the Supreme Court ruled on the matter. The suspension was granted and, though segregation is now unlawful in Montgomery on transportation lines, the decision ordering integration has been suspended for further action from the highest court of the land.

At the present time the U. S. Supreme Court judges are out on summer recess. They will not re-convene until October. Since the Montgomery case is a priority case__made so by injunctions__, it will probably be one among the first cases to be reviewed. There is the possibility, however, that it will not be called before January, 1957, or later. Whether the time is October, or January, Negroes plan to continue the protest until some permanent action has been taken on the case. They feel that they are entitled to be treated with the same respect, decency and dignity that other paying passengers receive. They did not ask for more; but neither do they want less.

As the protesters enter into the ninth month of the bus protest, the car pool continues with about 200 private cars still furnishing free transportation. Twenty-two station wagons, owned and operated by churches, also assist in transporting some 30,000 to 40,000 Negro passengers daily. The private car owners have been patient, generous and most cooperative. They still are. Many of them have worn out sets of tires. Many automobile parts have had to be replaced. Mechanical bills are numerous. Fuel bills are high. Any number of car owners have assumed financial responsibilities for their cars in all these matters. There are those, though, who are not able to do so, yet are willing to share their cars to provide accommodations for the people. In their cases the MIA has given assistance. The operation is a tremendously successful one, but an expensive one as well. It takes a lot of money.

People over the nation have been most generous in helping the local people to carry the financial load. For this, every one is most grateful. Since the end of the protest is not in sight, there is the need for continued assistance from freedom-loving people, that the car pool will continue to operate effectively through the long months ahead. Without continued help and assistance the local people will experience financial strain.

Whatever funds are sent to MIA will be used with the greatest of integrity and frugality, with specific emphasis upon objectivity.

SPECULATION

A veteran bus driver in Montgomery of forty years service recently stated through the press that to abandon service in a city "a franchised bus firm must prove that there is 'no need or necessity' for the facility, sufficient to warrant continued operation." He made an appeal to "public-spirited citizens" to get behind the bus company, use its facilities and save the franchise.

The manager of the company says the company is "definitely not considering withdrawal of service" and predicts that Negroes will tire of their present mode of travel and inconvenience and come back to the bus.

A similar protest has already driven the bus company in Tallahassee, Florida out of business. Late reports, however, state that public officials and bus company management in Tallahassee have negotiated and agreed to resume service on a greatly reduced scale, beginning August first.

Whether the same fate of Tallahassee awaits the people of Montgomery is only speculation.

OPINIONS OF WHITE MONTGOMERIANS

Published reports of Friday, July 13, revealed that the Alabama Attorney General predicts abandonment of Montgomery transportation system if the U. S. Supreme Court upholds the integration order of the three-judge Federal Court Panel. It seems that if a choice is to be made, "no busses are preferred to integrated busses." Then Montgomery, a beautiful city of 126,000 people, will be without public transportation service. The retardation of growth and expansion seems to be of little or no importance if integration is involved.

REPEAT PERFORMANCE

According to Mr. Roscoe Lewis, Department of Social Sciences, Hampton Institute, who quotes from the Nashville Banner, August 17, 1900, the present protest of Negroes against the transportation system in the Cradle of the Confederacy is not a unique thing. It seems that an identical protest took place in 1900, when Negroes boycotted the transportation system__ street cars then__ because of abusive treatment and because only two seats were reserved for them.

The paper states that cold, rainy weather forced them back, a few at a time, until patronage was normal again.

According to an Alabama newspaper (Huntsville) of that year, and the corroboration of elderly settlers of Montgomery, such a protest did take place. The settlers claim, however, that when normal patronage was resumed, they had more seating space.

WHITE CITIZENS COUNCIL THREATS AIRED

The White Citizens Council (WCC) of Birmingham seems to feel that the local branch of the WCC has failed to end the bus protest and so representatives from the larger city came to Montgomery the past week soliciting memberships among the whites and promising to bring an end to the passive resistance movement.

The two WCC chapters have been at odds with each other for sometime. So it is not known whether the threat against the bus protesters was just a gesture to discredit the local chapter of white supremacists, or whether the invaders really intend to "attempt to force Negroes to ride city busses."

Of the two organizations, the Birmingham chapter is the more radical, having previously advocated suppression of "rock-n-roll" music, especially that by Negro bands, and limitation of freedoms of Negroes and Jews. According to newspapers, two of the members of the group that attacked Negro singer Nat (King) Cole when he appeared before a white audience in a concert at Birmingham, belonged to the northerly WCC group.

MONTGOMERY IMPROVEMENT ASSOCIATION SUED

The MIA, along with a Negro church and the operator of a church station wagon, has been sued by two city detectives of Montgomery. The two law enforcement officers are the same two who made a detailed investigation of the car pool conducted by Negroes, and also testified in the trial of Reverend M. L. King, Jr.

Sometime back the city detectives were involved in a collision with a church station wagon which was being used for hauling people to work. At the trial the driver of the station wagon was found guilty. A few days later the two detectives brought suit against the MIA, the Church and the driver for \$1,000 each, on the grounds that they received personal injury. The case comes up later.

NAACP UNDER ATTACK

The National Association for the Advancement of Colored People has been under heavy attack for sometime in Alabama, and during the month of June an injunction, brought against the organization by the State Attorney General, stopped all operations temporarily.

First it was the State Superintendent of Education, who "suggested that the scheduled NAACP meeting at the local Negro college be cancelled" just a few hours before U.S. Congressman Charles Diggs was to speak. The NAACP did not hold its meeting in the publicly supported college, yet WCC meetings, according to frequent public announcements, are held in high schools and other public buildings over the state.

Following this action, various whites accused the NAACP of instigating the bus protest movement in Montgomery and of defraying expense for the Negro students to enter the University of Alabama.

The State Attorney General brought an injunction against the NAACP, enjoining it from doing further business, or operation in the state. All records, including membership lists, cancelled checks, communications, and business transactions, were subpoenaed for investigation.

When the organization failed to comply with the order, the circuit judge placed a \$10,000 contempt charge against the NAACP and issued an order that if such records were not submitted within five days (by July 30), the contempt charge may be increased to \$100,000.

If such records were submitted, the attorney general would receive the shock of his life. On December 5, 1955, 50,000 Negroes walked off City Lines, Incorporated, of their own free will, without any suggestion, help or motivation whatsoever from NAACP, or "other outsiders".

Negroes feel that the records probably would have been used to harass and embarrass, or intimidate members who hold public jobs. They sincerely believe, too, that whites do not really believe the NAACP, or "outsiders" helped to start the movement, but that it is an effort to discredit the protesters and to reflect upon the movement.

Whether the accusation is believed or not, fair-minded, right-thinking white people know that the local situation was sufficient to provoke the wrath of a very patient, very humble people, and those people refused to endure more.

The fate of NAACP in Alabama is pending.

MIA PUBLICATION

Are you receiving your MIA newsletter? Does it give you the information you want and request? Do you have any comments or suggestions?

We would appreciate constructive criticisms or helpful suggestions. If you desire copies, let us know.