

Texas Gets Anti-NAACP Injunction; 104 Districts Desegregated

AUSTIN, Texas
TEMPORARY INJUNCTION was granted the state of Texas against further operation of the National Association for the Advancement of Colored People, following a hearing before District Judge Otis T. Dunagan at Tyler. The NAACP gave notice of appeal to the Texas Court of Civil Appeals at Texarkana. (See "Legal Action.")

The U. S. Supreme Court agreed with the New Orleans Circuit Court of Appeals that U. S. District Judge W. H. Atwell should proceed with the trial of the suit by Negroes seeking to enroll in Dallas public schools. Trial was postponed to Nov. 14 at request of the NAACP. (See "Legal Action.")

Negroes are attending or are eligible to attend classes with white pupils in 104 Texas public school districts, according to the latest count. (See "School Boards and Schoolmen.")

TRUSTEES "MADE GOATS"

The Texas Association of School Boards was told that local school trustees have been "made the goats" of the integration movement. (See "School Boards and Schoolmen.")

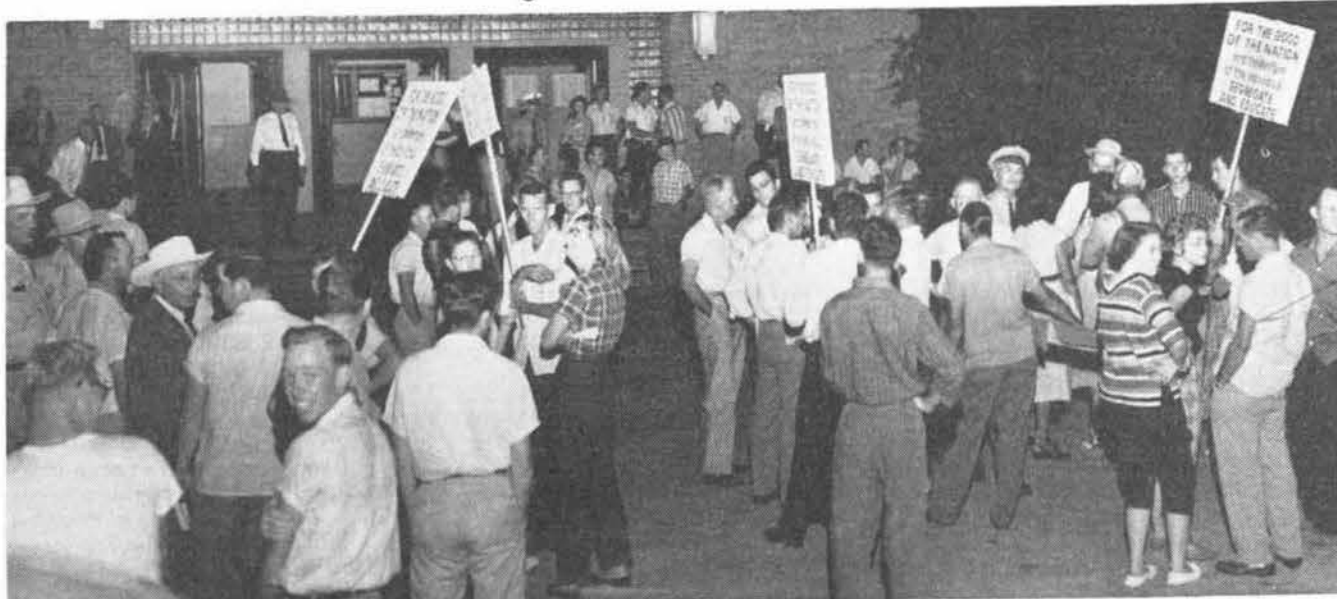
In another of its studies of problems of desegregation, the Dallas Board of Education found that "at best, integrated schools will result in many frustrated teachers, pupils and disappointed parents." (See "Under Survey.")

Small declines were noted in enrollment at Texas' two state-supported senior colleges for Negroes, although total college attendance in 1956 is up considerably from last year. (See "In the Colleges.")

STRONG BARRATRY LAW

A state legislator announced he will sponsor a strong barratry law, aimed at the NAACP. (See "Legislative Action.")

Texas' leading Negro newspaper endorsed the Republican party, after recent past support of Democrats for President. (See "What They Say.")



Pickets appeared at the entrance to Lamar State College of Technology during October as the Beaumont school admitted its first Negro students under court order. Several incidents were reported and some of the demonstrators were arrested, as was a Negro who threatened pickets with a pistol.

were declared eligible for admission to Texarkana Junior College, testified both at the court of inquiry and at the Tyler NAACP suit that they never knew U. S. Tate, regional NAACP attorney, until he showed up as their lawyer.

LAWYER INDIRECTLY CONTACTED

The father of Jessalyn Gray testified that he had given permission to John J. Jones of Texarkana "to do anything legally to get her into college." Jones contacted U. S. Tate.

Jones added that he had not given anyone permission to file a lawsuit in behalf of his daughter.

Put into the record was correspond-

ence which the state said showed close connection between NAACP national, regional and branch offices, including discussion of the progress being made on integration.

One from Tate to T. R. Register in 1951, discussing segregation in state parks, said "at least one person must be prepared to come into court" if facilities of Tyler State Park are opened to Negroes.

LINKED TO LABOR

Other state testimony linked the NAACP to some extent with labor and liberal political movements in Texas.

The attorney general accused NAACP

members of working to elect Ralph Yarborough as governor of Texas and to get rid of Gov. Allan Shivers.

Edwin G. Washington Jr., NAACP field agent with offices in Dallas, was questioned concerning a confidential report he made in 1955 describing Dallas as "the test spot for all integration suits in Texas." Washington replied that his report contained "some unfortunate words."

JUDGMENT STAY DENIED

The U. S. Supreme Court rejected the Dallas school board's request for a stay of judgment in its integration case (*Bell v. Rippey*) now set for trial on Nov. 14.

A Special Text

How Texas Court Ruled in NAACP Injunction Case

Following are the pertinent portions of the court order issued by Judge Otis T. Dunagan of the Seventh Judicial District, Smith County, Texas, in the case of the State of Texas v. National Association for the Advancement of Colored People, et al.

The plaintiff and the defendants having appeared either in person and/or by their attorneys, and the court having considered said verified petition, the affidavits submitted by the parties, the evidence and argument of counsel, and it appearing that the plaintiff is entitled to the temporary injunction as herein granted, same being within its allegation and prayer for the following reasons:

The court finds that the National Association for the Advancement of Colored People is a foreign corporation, organized under the laws of the state of New York; that the Regional Conference of the defendant, the National Association for the Advancement of Colored People, is a voluntary association of persons doing business in Texas; that the Texas State Conference of Branches of the National Association for the Advancement of Colored People is a voluntary association, also doing business in Texas; and that Branch 102 of the National Association for the Advancement of Colored People is a branch located in Tyler, Smith County, Texas, and is an integral part of the defendants next above named, including the National Association for the Advancement of Colored People....

The court finds that the plaintiff herein is suing Branch 102 of the National Association for the Advancement of Colored People as a representative of a class, and is sued in such representative capacity, and in such capacity it is sued for and on behalf of the branches of the Texas State Conference of Branches, National Association for the Advancement of Colored People....

The court finds that the defendants, National Association for the Advancement of Colored People and the NAACP Legal Defense and Educational Fund, Inc., are foreign corporations doing business in various counties in the State of Texas, and particularly in Smith County, Texas. That their right to do business in Texas is purely a privilege and that having exercised such privilege and accepted the same, they, and each of them, are amenable to the laws of the state of Texas.

The court finds that the organization, functioning and financing of the Texas

State Conference of Branches, National Association for the Advancement of Colored People, is so meshed and interrelated as to constitute such unincorporated association the alter ego of the National Association for the Advancement of Colored People and its constituent branches, and that all of the unincorporated associations named herein...including those in the class action, and their functions and activities are so intertwined with the functions and activities of the National Association for the Advancement of Colored People and the NAACP Legal Defense and Educational Fund, Inc., that they constitute and create these unincorporated associations an integral part of said defendant corporations, and that such associations and branches, including the local branches in the class action...are under the complete domination and control of the National Association for the Advancement of Colored People, and are in truth and in fact their agents operating for said National Association in the state of Texas. The court finds that said defendant corporations have been operating in the state of Texas for a long period of time without either having obtained a permit from the Secretary of State of the state of Texas for the doing of such business; that the defendant, National Association for the Advancement of Colored People, through its dominated and controlled subsidiary organizations is in truth and in fact a profit making organization, contrary to its avowed purposes and representations.

The court finds that the defendant(s) ... have indulged in political and lobbying activities contrary to the laws of the state of Texas.

That the defendants have solicited, recruited students and parents of students to take steps that otherwise they would not have taken, which action has resulted and will continue to result in racial hatred and inflame communities unless this temporary injunction be granted.

The court finds that the defendants have solicited and recruited plaintiffs in prospective lawsuits contrary to the laws of the state of Texas, and have practiced the profession of law in Texas contrary to the canons of ethics of the legal profession of this state.

The court finds that neither of the defendants, National Association for the Advancement of Colored People, nor the NAACP Legal Defense and Educational Fund, Inc., has paid any franchise taxes for which they are legally liable.

The court finds that the defendants have been guilty of acts and conduct toward evading lawful taxes, and have encouraged, conspired with and suggested

to others that they likewise pursue such a course with the intent of looking toward the evading of legal taxation.

The court finds that the defendant corporations...failed and refused to permit the attorney general of the state of Texas acting by and through his authorized representatives, and pursuant to law, to investigate and look into the complete files, books, records and accounts of the defendant corporations in their national headquarters in New York City, New York.

The plea to the jurisdiction filed herein and all suggestions of want of jurisdiction are overruled, and the court expressly finds that it does have jurisdiction. All relief not herein granted is denied.

IT IS ACCORDINGLY ORDERED, ADJUDGED AND DECREED on this the 23rd day of October, 1956 that the clerk of this court issue a Writ of Injunction, pending final hearing and determination of this cause, restraining and enjoining the defendants...from further conducting their business within the state of Texas except such business as is protected by the interstate commerce clause of the Constitution of the United States and statutes enacted pursuant thereto; from organizing or controlling other chapters or organizations of any kind in connection with their operations in the state of Texas; from soliciting money for the purpose of instigating lawsuits and hiring lawyers therefor; from soliciting and requesting individuals to file lawsuits; that the corporate defendants, National Association for the Advancement of Colored People, and NAACP Legal Defense and Educational Fund, Inc., each be restrained and enjoined and each is hereby restrained and enjoined from exercising any of their corporate functions in the state of Texas; further that said writ shall provide that the defendants, National Association for the Advancement of Colored People and NAACP Legal Defense and Educational Fund, Inc., be restrained and enjoined from soliciting and collecting fees, dues, taxes or contributions of any kind; and restraining them from filing with the Secretary of State of the state of Texas an application for charter or an application for permit to do business in Texas; said writ to be accompanied by a true and correct copy of plaintiff's petition. It appearing to the court that the state of Texas is plaintiff in this cause, it is not required under the laws of this state to give bond, none is required.

To which action of the court, the defendants except and give notice of appeal to the Court of Civil Appeals of the 6th Supreme Judicial District of Texas, sitting at Texarkana, Texas.

The only question involved is whether U. S. District Judge W. H. Hawley should proceed with the trial. At the original hearing in November, 1955, Judge Hawley said the action to enroll Negro students in white schools of Dallas was "premature."

The U. S. Department of Justice took under study the federal district court order directing the Mansfield High School to accept Negro students (*Jackson v. Rawdon*).

Atty. Gen. Herbert Brownell said the Justice Department is acting upon request of President Eisenhower who was questioned at a press conference in September concerning the Mansfield situation.

Two assistant state attorneys general questioned Mansfield Negroes at a "court of inquiry" concerning efforts to enroll in the white school. J. E. Moody, a farmer, and his 17-year-old son Floyd, for whom the application was made to enroll, both testified they did not ask L. Clifford Davis, NAACP lawyer, to file the suit. The father said he had gone to Davis' office with a group of Negroes to discuss integration at the school.



A revised list of Texas schools which have integrated shows 104, including those on Federal army posts and state eleemosynary institutions. Also included are three others which have announced willingness to accept students of both races. These are at Wellman in west Texas, whose lone Negro student moved away; Echols, a Negro district in central Texas, whose four white scholars transferred outside; and at Polito-Blanco in south Texas, which is almost entirely Latin-American and has no Negro population.

Newly revealed is the integration of junior and senior high schools in Alice south Texas, where eight Negroes are attending classes with about 1,600 whites.

At Borger, in northwest Texas, integration started without publicity or incident in the junior and senior high schools this year. Forty-three Negroes are in class with 5,600 whites.

A. N. Donner, dean of education of the University of Houston, told the Texas Association of School Boards that the "integration problem has been dumped in our laps." He described local board members as the "goats" of the situation. Other speakers said integration still must be settled on a local basis.

IN THE COLLEGES

The Texas Commission on Higher Education reported enrollment in 18 senior colleges, totally state-supported, reached 76,954 this fall, compared to 71,303 a year ago.

While most colleges showed more students, both state Negro schools declined in enrollment. Prairie View A and M dropped from 2,743 to 2,579 and Texas Southern University from 2,985 to 2,923.

While the University of Texas and some other schools have desegregated, total enrollment of Negroes would hardly account for the difference in enrollment at Prairie View and TSU.

BEAUMONT PICKETING

Several arrests were made during picketing incident to attendance of Negroes at Lamar State College of Technology in Beaumont. Mrs. A. W. Lightfoot, one-time candidate for mayor, was charged by police with inciting a riot when she led a group of pickets to the campus after police had warned against demonstrations.

A Negro taxi driver was arrested for threatening pickets with a pistol when he drove his stepson to class.

One white picket dismissed a charge that a Negro student had attacked him.

UNDER SURVEY

The Dallas school board continues its series of studies on problems of integration.

Supt. W. T. White presented the latest study. He stated that integration "will result in many frustrated teachers, pupils and disappointed parents" because of the wide range of academic achievement between most whites and most Negro children.

The second report dealt with a cross-section of Negro and white pupils in Grades 4, 8, and 12. It showed:

1) In Reading Vocabulary, 58.88 per cent of white pupils in Grade 4 were at or above normal achievement levels, while only 13.47 per cent of Negroes were at this level.

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Judge Dunagan's temporary injunction against further operation of the NAACP in Texas (*State of Texas v. National Association for Advancement of Colored People*) was issued after a 17-day hearing which included over a million words of testimony and more than 500 exhibits.

The injunction will remain in effect pending appeal. (See text of court order, this page.) This may be taken first to the intermediate state court at Texarkana, then to the Texas Supreme Court. Further appeal to the U. S. Supreme Court is possible.

Atty. Gen. John Ben Shepperd and his first assistant, Davis Grant, conducted most of the state's case, assisted by several others from Shepperd's staff. Chief attorneys for the NAACP were Thurgood Marshall, head of its national legal staff, and W. J. Durham of Dallas.

DENIES LITIGATION URGED

Marshall as a witness denied that the NAACP encouraged litigation to break down segregation laws. He said it encouraged peaceful settlements between school boards and Negro parents. The Legal Defense and Educational Fund, Inc., is a separate organization financed by contributions. Several persons serve as directors of both groups, he declared.

Roy Wilkins of New York, NAACP executive secretary, said it uses court action "only as a last resort" to achieve its goals. Wilkins said the NAACP runs on a cooperative basis and local branches cannot be compelled to follow directives from national headquarters.

Wilkins added that NAACP "political policy prohibits us from participating in a candidate's campaign prior to his election. After he takes office we feel that we are free to express our opinion."

NATIONAL-LOCAL DIFFERENCES

Mrs. C. V. Adair, executive secretary of the Houston branch, testified that one national NAACP executive tried to have her removed from office, but failed. Differences between the national organization and the Fort Bend-Wharton County branch also were related in an effort to show the independence of local branches.

NAACP attorneys attempted by questioning of state witnesses to show that the presence of armed officers at state courts of inquiry represented intimidation of Negroes. Such courts were held by the attorney general in connection with integration efforts at Texarkana Junior College and Mansfield High School.

Jessalyn Gray and Steve James Posten both said they were frightened by the presence of officers. The two, who

Texas

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In Language and Grammar, 70 per cent of the whites and 12.60 per cent of Negroes in Grade 8 were at or above norm.

In Arithmetic Reasoning, 36.60 per cent of the whites, 92.14 per cent of the Negroes in Grade 12 were below the norm.

The Dallas board announced that it will build an all-Negro junior high school to go into operation by 1958. It has 1,600 students and cost \$1,250,000. The city has two Negro high schools now, plus elementary schools. The Dallas board also announced that it may build a separate high school for specially-gifted students.

LEGISLATIVE ACTION

State Rep. Joe Pool of Dallas, noting the NAACP ouster suit at Tyler and others involving integration, said he will ask the Texas legislature in January to pass a stronger barratry law. It would permit parties to a lawsuit to require affidavits from opposing parties that nobody solicited them to file the lawsuit. Criminal penalties for falsely appearing would apply.

Two Measures Drawn to Bolster Georgia Anti-Segregation Laws

AT LEAST TWO NEW MEASURES aimed at strengthening segregation defenses may be submitted to the General Assembly of Georgia in January. The Georgia Education Commission may seek legislative approval to spend money in a pro-segregation propaganda campaign.

A Georgia legislator says he will introduce a bill to provide state funds to help Negroes who want to attend integrated schools migrate from the state. (See "Legislative Action.")

COURT FILE SUIT

Having been denied admission to Georgia State College in Atlanta, four Negroes filed a federal court suit in an effort to gain entry to the state school. (See "Legal Action.")

A county board of education refused to fire a teacher accused of personally favoring integration but agreed she probably made "unwise or indiscreet expressions."

The State Board of Education approved a new \$350,000 Negro school in an effort to ease racial tensions in Laurens County while another new school for Negroes, built at a cost of \$232,000 and 90 per cent complete, stood idle. (See "School Boards and Schoolmen.")

LEGISLATIVE ACTION

The General Assembly of Georgia may be asked to approve spending of public money for a pro-segregation propaganda campaign. The Georgia Education Commission, a body created by the legislature to seek means of circumventing the U. S. Supreme Court's desegregation decision, voted to tell "the Georgia story" in the state, the South and across the nation.

Gov. Marvin Griffin appointed Lt. Gov. Ernest Vandiver, former House speaker Roy Harris and State Democratic Party Chairman John Sammons all to help the commission staff decide what form the campaign should take.

Harris, asking that state funds be used to print literature and possibly buy full-page advertisements in national magazines and large newspapers, said: "It is just as legal to spend public money on propaganda as on hiring lawyers" to fight integration attempts within the state.

CAN SPEND MONEY

Atty. Gen. Eugene Cook said the GEC has the power to spend state money in distributing pro-segregation literature.

Gov. Griffin said the legislature should approve the literature and the spending of state funds if the program is finally adopted at a future meeting of the commission. The governor appointed Charles Bloch of Macon, Atty. Gen. Cook and Sen. Frank Twitty of Camilla to a subcommittee to study legislation which might be recommended to the General Assembly on the subject of segregation. In other action, the commission:

(1) Commended Fifth District Congressman James C. Davis for the actions of his House subcommittee in investigating the effects of school integration in Washington, D.C.

(2) Praised Gov. Griffin for his presentation of Georgia's views on segregation.

POLITICAL ACTIVITY

Texas's chief battle between Republicans and Democratic candidates for Congress was under way at Dallas, where incumbent Rep. Bruce Alger (Rep.) is running against Dist. Atty. Henry Hale (Dem.)

Wade charged that by supporting Vice President Richard Nixon, Alger was running on the coattails of NAACP. Alger replied that he stands for continued segregation in the public schools on a "separate but equal" basis.

In a campaign stop at Houston, Vice President Nixon said desegregation must come by "evolution, not revolution."

Gov. Frank Clement of Tennessee was greeted with sign-carrying pickets when he arrived at Houston's Shamrock Hotel for a political speech. About 25 pickets, reportedly from the Houston Citizens Council, were on hand.

WHAT THEY SAY

Carter Wesley, publisher of the *Houston Informer*, Texas's principal newspaper for Negroes, urged his readers to vote Republican. He contended that the Democratic party is dominated by southerners who oppose civil rights for Negroes.

Table Shows Extent of Desegregation in Texas

The following 104 Texas school districts have begun or completed the desegregation process:

Aransas County—Aransas Independent School District (ISD) and Rockport. **Baylor County**—Seymour. **Bee County**—Beeville and Pettus. **Bell County**—Killeen. **Bexar County**—Alamo Heights, East Central, Edgewood, Fort Sam Houston, Harlandale, Lackland, North East, Northside, Randolph Field, San Antonio and South Antonio. **Brewster County**—Alpine. **Brown County**—Brownwood. **Burnet County**—Burnet ISD. **Calhoun County**—Calhoun County School District. **Cameron County**—Brownsville, Harlingen and La Feria. **Castro County**—Castro County School District. **DeWitt County**—Nordheim. **Dimmit County**—Carrizo Springs. **El Paso County**—El Paso County School District, El Paso ISD and Ysleta. **Ector County**—Odessa. **Fayette County**—Flatonia. **Frio County**—Pearsall. **Galveston County**—Moody State

School ISD (school for cerebral palsy patients).

Guadalupe County—Marion, Navarro, Schertz-Cibola and Seguin. **Hale County**—Cotton Center. **Hays County**—San Marcos.

Hidalgo County—Hidalgo County School District, Edinburg, McAllen, Mercedes Mission and Weslaco.

Hockley County—Pep. **Howard County**—Big Spring. **Hutchinson County**—Borger. **Jim Wells County**—Alice and Polito-Blanco.

Karnes County—Karnes City ISD, Kenedy and Runge.

Kleberg County—Kingsville. **Lamb County**—Littlefield and Spade. **Limestone County**—Echola (an all Negro district, the school board has adopted a desegregation policy. Four white children who live in the district have been granted transfers to adjacent districts).

Llano County—Llano ISD. **Lubbock County**—Lubbock ISD. **Lynn County**—Tahoka and Wilson.

Mason County—Mason ISD. **Medina County**—Hondo.

Menard County—Menard ISD. **Midland County**—Midland ISD.

Nueces County—Agua Dulce, Bishop, Corpus Christi, Robstown, Sundeen and West Oso.

Parmer County—Bovina and Friona. **Pecos County**—Fort Stockton.

Potter County—Amarillo. **Reeves County**—Pecos. **Refugio County**—Austwell-Tivoli and Woodsboro.

San Patricio County—Aransas Pass, Ingleside, Mathis and Sinton.

San Saba County—San Saba ISD. **Swisher County**—Kress.

Taylor County—Abilene State Hospital (school for epileptic patients).

Terry County—Wellman.

Tom Green County—San Angelo.

Travis County—Austin.

Uvalde County—Uvalde ISD.

Val Verde County—Del Rio and San Felipe ISD.

Victoria County—Victoria County School District and Victoria ISD.

Ward County—Monahans-Wickett.

Webb County—Laredo.

Wichita County—Wichita Falls.

Willacy County—Raymondville. **Wilson County**—Floresville, La Vernia, Poth and Stockdale.

Winkler County—Kermit. **Yoakum County**—Plains. **Zavala County**—Crystal City.



The \$232,000 Brewton school, built originally for Negro students, has been designated a white school in the wake of protests which followed claims the building is located in a white neighborhood, but now stands idle. A new \$350,000 Negro school has been approved in settlement of the Laurens County controversy.

State Signal, college newspaper, said it was for segregation and all attempts to force integration must be resisted.

Judge Frank A. Hooper of Atlanta Federal District Court set Dec. 17 as the date the Horace Ward segregation suit would be tried on its merits. Ward, an Atlanta Negro, first sought entry to the University of Georgia School of Law through legal action in 1950. His military service delayed action for several years.

Judge Hooper said an all-purpose hearing for the disposition of all pending motions and the completion of pre-trial aspects would be held Nov. 13.

SCHOOL BOARDS AND SCHOOLMEN

A group of Gwinnett County citizens filed an appeal for a hearing before the State Board of Education because their county board refused to fire a teacher accused of personally favoring integration (*SOUTHERN SCHOOL NEWS*, October, 1956).

The county board held that Mrs. Colleen Marie Wiggins, seventh grade teacher at Bethesda School, "probably made unwise or indiscreet expressions" but that evidence "does not justify" her dismissal.

A group of dissatisfied parents contended Mrs. Wiggins "taught integration" to her pupils. The teacher said she was drawn into a discussion of the subject by her students.

Each member of the county board affirmed opposition to integration in a statement issued on the Wiggins case.

The State Board of Education had previously cut off her pay from the state (about 90 per cent of her total salary), in order to force the county board to hold a hearing. Mrs. Wiggins received her full salary for September, however, with the amount withheld by the state apparently made up with county funds.

SCHOOL APPROVED

A new \$350,000 Negro school was approved for Laurens County by the state board in an effort to ease racial tensions stirred there by the Brewton School controversy.

Brewton School, designed to take care of 600 Negro pupils by consolidating five old schools, was constructed at a cost of \$232,000. When 90 per cent completed, an error was discovered in title to the land on which it is built. A controversy then arose as to whether or not the school is located in a white community and construction was halted.

White citizens in the area protested occupancy by Negro students, saying the school might be dynamited. The state board left matters in the hands of county education officials and Laurens County School Supt. L. H. Cook said residents of the Brewton community had "two years" advance knowledge of plans to send Negro pupils there, but did not protest until the school was almost completed.

Parents of children in the Negro community of Buckeye, where 175 of the affected students live, refused to return the children to the old schools. They also rejected proposals to make extensive repairs to the old schools or to set up transportation to take the students to schools in Dublin or Milledgeville.

DONATES LAND

Herschel Lovett of Dublin, a state board member, donated land for a new school and the State Department of Education agreed to give \$350,000 for construction to Laurens County. In turn, the Laurens board will transfer the money to the State School Building Authority and will have to pay off the debt within 20 years.

Negroes picked the site for the new school and agreed to keep their children in the old buildings until the new structure is completed, Lovett said.

Meanwhile, the \$232,000 Brewton School remains empty and unused.

The Atlanta Public School Teachers Association had under advisement a proposal to withdraw from the American Federation of Teachers (AFL-CIO) because of disagreement over segregation. Roger Derthick, president, said national headquarters had advised that Atlanta Local No. 89 would be expelled and its assets seized unless Negroes are admitted prior to Dec. 31, 1957.

WHAT THEY SAY

Atty. Gen. Eugene Cook continued to be active in making pro-segregation speeches over the state. In various addresses, Cook said:

1) Georgia's race situation is "relatively comfortable," largely because Negroes have been told the public school system will be abolished if they agitate for integration, but efforts to keep schools segregated must not be relaxed.

2) By integrating the schools in Washington, President Eisenhower "created a bigger mess" in the nation's

capital than the one he promised to clean up in 1952.

3) "Moderates" on the segregation issue too often adopt a "do-nothing approach" which can lead to "guns, bayonets, tanks and violence," as it did in Tennessee and Kentucky.

4) The U. S. Court of Appeals decision in the Hoxie, Ark., segregation case "demonstrates to what extent some federal courts are willing to go in enforcing integration of the races against the will of the people."

In Atlanta, Dr. Benjamin Fine, education editor of *The New York Times*, who helped report integration of Louisville, Ky., schools, said: "You can't integrate schools alone without integrating a city on all levels. Before the school integration in Louisville, there had been integration for many years on all levels."

POLITICAL ACTIVITY

Leaders of the new Constitution party of Georgia urged general election voters to strike the names of both Republican and Democratic Presidential and Vice Presidential candidates and write in the names of Constitution party candidates on their ballots. A. L. Haden Jr. of Columbus, party executive committee chairman, said the Constitution party was giving voters a chance to vote for states' rights, continuance of southern traditions and decentralization of government.

MISCELLANEOUS

The U. S. Department of Justice criminal division began investigation of charges that Negroes were deprived of their right to vote in Pierce County, Georgia, and in other southern localities.

Pierce County Democratic party officials labeled the charges "political" and "designed to influence the Negro vote in the North."

U. S. District Judge Frank M. K. Scarlett of Brunswick said he had issued a temporary restraining order to prevent Pierce officials from interfering with the voting rights of 130 Negroes until he hands down a decision on the pending case of a Negro vote complaint.

KLAN RALLY HELD

The Ku Klux Klan held a cross-burning rally with an estimated 3,500 persons in attendance near Stone Mountain. Imperial Wizard E. L. Edwards of Atlanta, angered at the refusal of the City of Atlanta to provide a police escort for the Klan motorcade, called for moving the state capitol out of that "buzzard roost."

Another Klan official, Wesley Morgan of Atlanta, confiscated film from a camera carried by the only news photographer present. Edwards paid for the film but said the KKK did not want pictures taken because the press "would use them to distort the facts."

In Savannah, Mayor W. Lee Mingle-dorff Jr. denied the Ku Klux Klan permission to use a city park for a rally. The mayor said he did so because of fear such a meeting would disturb race relations in Savannah.