



SUCCESSOR TO
WESTERN ELECTRIC HEARING AID DIVISION

L. S. RITTER, Jr.
OWNER-MANAGER

ELECTRONIC EQUIPMENT CO.
SAVOY HOTEL, 142 - 7TH AVE., N.
TELEPHONE AL 6-5394

NASHVILLE 3, TENNESSEE

513

Electronic Equipment Co.

142 SEVENTH AVENUE NORTH - NASHVILLE 3, TENN.

Arthur Weld

1	Hearing aid Amp. unit	50 00
\$	RM 400 @ .25	1 00
1	ear mold plug	4 00
1	soldering iron	1 25
	TAX	1 69
		<u>58 19</u>
	2 doors	11 00
	Pay.	<u>\$ 69 19</u>
	L. S. Ritter Jr.	

CONCEALED CODES FOR PRISON COMMUNICATION

These codes all utilize words or parts of words from the main body of an open letter. The words or parts of words are selected out according to certain keys and then arranged in sequence.

The simplest of these codes is one in which the position of the word or part is the critical factor. Any word or part that touches the line becomes part of the message. This code works best with printing. A card can be used as an aid in preventing the letters from touching the line when writing but is not necessary.

Example:

Thus the message is "MOREALGOODTOMGAITBEATENIBADNEEDSDR." A little imagination will separate and complete the message, "Morale good. Tom Gaither beaten, eye bad - needs Doctor."

In the example given and in the following codes a liberal attitude towards spelling, abbreviations, and grammar will make it easier to compose the message and fit it into the letter. Effort should be made to avoid the open body of the letter from becoming contrived which is a tip off to censors. Effort should be made to break up give-away words like "beaten" or "Gaither" in this case as they may sometimes attract suspicion. As it takes some time to compose a good coded letter time should be allotted for this well before the letter writing period in jail.

Another code using the same principal could be based on alternation between capital letters and lower case letters, with any letters written in lower case letters becoming part of the message. Letters like C, O, S, V, X, Z which have the same form both in capitals and in lower case letters should be kept large except when intended to be part of the message. Other letters should be sloppy and vary in size to make the difference between the two styles of lettering less apparent. Of course, this code can only be used with printing.

Example: at top of next page.

Another code using the same principle could be based on an alternation between printing with a soft pad, blotter, ~~xx~~ newspaper or sheet under the letter paper and printing with a hard surface such as formica, smooth concrete, steel under the letter paper. Any words or parts which from the back of the letter appear to have been pushed out becomes part of the message. This works best with a hard pencil or ball-point pen but can be used with a soft pencil.

Example: Examine back ~~mm~~ in steeply slanting light if possible.

Another code using a similar principle could be based on incomplete or open places in the letters of the open body of the letter. Any letter with one such skip in it is part of the message. Any letter with two such skips makes the whole word part of the message. This code will work with both printing and script.

Example:

Another code could be based on the hooks or pencil runs often made in moving the pencil or pen from one letter to another. Any letter with one hook would be part of the message. Any letter with two hooks would ~~make~~ make the whole word part of the message. Of course this could only be used with printing.

Example:

Another code would be based on fine perforations, which can be seen when the letter is held up to the light. These would be made with a fine needle. A perforation before or to the left of a word would make the whole word part of the message. A perforation under a letter would make the syllable part of the message and a perforation in the middle of a letter would make only the letter a part of the message. Can use with print or script.

Example: Fold away and hold up to light.

The last code of this series could be based on the alignment of typing. A well aligned typewriter should be used so as to not confuse the message. A raised letter indicates the whole word is part of the message. A lowered letter indicates the syllable is part of the message. A letter shifted to the left indicates only that letter is part of the message. This requires some practice and of course can only be used for messages going into prison.

INSTRUCTIONS TO ANNE

CODE: SYSTEM OF PERFORATIONS

1. Perforation through letter - stands for letter
 2. Perforation before word - stands for word
 3. Perforation under word - stands for syllable.
- (Onion skin papers seems to be best - show up least)

TO INDICATE DATE on which letter is being sent, perforate above letter of alphabet (on first line) which indicates date, ie., if letter is being sent on 20th of month, place perforation above 20th letter on first line.

Perforations above letters will also be used to signify dates on which other letters have been sent. Perforation above second letter of first line will signify that letter was sent on the second day of the month. If 2 letters were sent on that day, there will be 2 perforations above the letter signifying date. (Perforation on left - Anne; Perforation on right - Betty)

(Last perforation on first line (above letter) indicates date on which current letter is being sent.

RE: INVISIBLE MESSAGES

NOTE: Invisible messages are best sent on inside of envelope.

TO Indicate Where Invisible Message Can Be Found:

- Outside of envelope - front.....1
- Outside of " - back.....2
- Inside of " - front.....3 ✓
- Inside of " - back.....4 ✓
- First page - front.....5
- First page - back.....6
- Second page - front.....7
- Second page - back.....8

***Perforate after line (1 to 8) to tell where message can be found.

○ IMPORTANT: To indicate that letter contains message in invisible writing or code message, do following -

USE UNACCUSTOMED NAME IN SALUTATION -

- 1e. Dear Bi or Dear Bud (for Byron)
- Dear Annie (for Anne)
- Dear Liz (for Betty)

Will message appear on or in envelope or on pages of letter?

If address appears on letter, message is contained on backs of letter pages.

If address is missing, message will be found in envelope.

HOW TO INDICATE WHAT FORM OF INVISIBLE WRITING IS BEING USED.

1. Blot or x-out (if typewritten) at TOP, indicates that saliva is re-agent.
2. Blot or X-out at BOTTOM, indicates urine is re-agent.
- ✓ 3. Blot or X-Out in MIDDLE, indicates soap solution is re-agent.

use phenothalin solution for invisible ink.
If solution turns red when applied to damp cake of soap,
solution is proper strength.

TO SIGNIFY THAT CODE MESSAGE WAS RECEIVED...

Use phrase ..."I GOT YOUR LETTER"

If first t is not crossed, this means one message was received;
if two t's not crossed, this means two messages received; if three t's
not crossed, three messages received.

If no code messages involved, say "I enjoyed reading your letter
of (name date)...or some such thing....

NOTE: DUPLICATE secret and code messages. (Send via two letters)...
If anything important, have it appear in two letters - chances of getting
through greater.

OTHER POSSIBILITY TO CONVEY MESSAGES: Through indirection. Use
non-existent relatives or remote references. EX. As I told you, I am
working for the Corinth Publishing Company and they are teaching me a
lot....or We went to a party last night given for Aunt Cora....etc.

NOTE: On each of two pages make sure this appears:

To: BYRON BAER
From: ANNE BAER

PS - Seeme for parallel code.

Mimmie feingold
64 Sterling St.
B'klyn BU 2-8768.

The choice of code depends somewhat on individual writing styles. However I would recommend most highly codes 1,2,4, and 7.

Bob Rogers and Joel Greenberg have been thoroughly briefed on codes 1,2,5,6, and 7 and a simpler form of code 4 in which only one incomplete space in a letter is used to indicate a letter is part of the message but there is no separate way to indicate that whole words are part of a message. To indicate that there is a message for them to decode in a letter use any form of unusual salutation or nickname ~~xxxx~~ at the start of the letter.

If you have any questions on these codes or different codes you might need in the future please call me- Byron M. Baer, 135 Belmont St., Englewood N.J., Lowell-7-0397.

P.S. Do Not use code 6 with Parchman as there may be a possibility that the censor ther is on to it.

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• MORAL GOOD, DAVE TRIMBLE

CLUBBED, EYE BAD, NEED DOCTOR

HOW IS MOTHER. ~~I HAVE TOO~~ ~~THE~~ ~~I DONT~~
ARE YOU ALL IN GOOD HEALTH. ~~THE~~ FORGET
TO TRIM ~~THE~~ BALL CLUBS GRASS. ED
SAID I HAD LET IT GET VERY BAD
AND IT NEEDS DOING. CAN YOU
PAX x o o

HOW IS MOTHER? ARE YOU ALL

MOAL	GOOD	TRIMBLE	CLUBBED	I	VERY	BAD	NEED	DOC
------	------	---------	---------	---	------	-----	------	-----

To: Anne
From: Sister Betty

Telephone Nos. Arthur Bloom - MPO
TR. 3-7000

C.O.R.E. - Cyril Simon
38 Park Row
CO. 7-0035

1. Re: Phenolphalien - *Try hot iron first - if that doesn't work -*
To decipher - Use small amount of 'phenol' in small quantity of water and apply with damp cloth to surface of paper. If not successful, make solution stronger
To Send - Use strong solution of 'phenol' and water. Apply with fine speedball pen in large block lettering as lightly as possible so there is no trace of the lettering.
Note: Experiment on your own before sending to see how it works. Arthur says there are many factors involved so that it requires juggling and experimentation -
ie. quality of paper - amount of chemical etc.

2. To steam open envelope if it is to be used for messages -

Use large pot with little water and hold envelope over wire screening or two sticks to insure that fibres of paper will not loosen and result in smudged message. Arthur says it requires very little steaming. Reseal carefully with household paste.

Note: Arthur suggest that best place for message is not on inside of envelope (envelope may be mutilated by censor) or on backs of sheets but on face of letter where you are writing (this is the way it is done professionally, he says). Application of soap solution may smudge or damage your handwriting but the message will stand out large and clear (it will have been written in lettering much larger than written hand).

3. Please take in our mail while we are away and open any letter from your spouse. Watch for t's uncrossed in "I got your letter" to see if he got our messages.
4. Please see that cats are fed. Thanks a lot.
5. Call Cyril Simon at CORE to find out when Byron reaches Parchman.

REMINDERS RE WRITING TO BYRON:

If you use invisible writing - there will be ~~hot~~ blot in middle of page to indicate soap solution is reagent.

No address at top - message inside envelope.

Address at top - message on pages.

Indicate date sent and ~~code messages received~~ dates previous letters sent by perforations above letters on first line.

SO - I'm a nut!-

12872 Byron McBaer

2nd floor back
2 for R front
Foreman

Prosecution charge

(polls jurors whether will find guilty if 3 elements
I are found. Noels

Defense charge

1. polls jurors on presumption of innocence.

" " " whether police officers

2. testimony would be given greater weight.

3. " on determining from facts

4. polls jurors on willingness to hold to
conviction against opposition.

(reluctant noels - avoid gaze)

State witness

Capt J. Pay

reside Jackson employ police dept camp capt.
experiencing with 20 yrs police groups of people.
can determine if crowd dangerous. Formerly in
greyhound bus sta. located 201 block 1st
streets det. Formerly same. Engaged
in serving & sitting also. Present July 29.
Arrested defendant. 1245 PM. With 8
in his detail. 6 in other detail outside.
Pay in command of all. 14 Police officers
necessary, because received advance
notice defendant would be coming to Jackson
to cause trouble or create an incident.
All in uniform on duty on special assignment
present one. Was with as many as 3 at
other times with group of 10. 40-50
in and around terminal. 15 present
in vicinity of arrest. Prior to
arrival, detail stationed in an about
front/rear of terminal duty to keep

people from congregating & more on. All
peaceful & orderly. When emboldened
from this walked inside waiting room.
Remained to E or West waiting room. Walked
to near lunch counter & others. Pushed
out of W terminal in ugly angry mood.
Entered terminal to prevent cause. Gave
order, judge refused to obey as if
understood then would obey and sit in.
Pushed towards defendant in angry ugly
mood. intended violence. 2d go
experience, opinion was that circumstances
would have led to a breach of peace if
defendant had not move on. Others asked
did more or. Defense examination

Can determine whether man is not in angry mood
based on experience. Defendant was not in angry or
ugly mood. Did violence on anyone. No witness
in the area. Was there 3d man ahead of
defendant. Other persons noticed in or out of
waiting room. Did defendant act in any way different
than others. Yes waited & grouped before
entering. Nothing different other than that.
Saw defendant alone. Did not violate any
law. 2-3 minutes before asked to leave.
Violated no law prior to talking to him but was
the cause of the circumstances that caused the
mob of people to change. Defendant would
never use, not use or obscene language didn't
prepare to strike anyone. No indication of causing
violence on anyone else. Same with others.
Defendant made no statement. Information that
defendant & group were to cause trouble came from
ast chief Mr Pierce. Did not open out, defendant
he expected to commit. Did not, it was what was.
Similar to group in other cases caused.

The following are answers to questions asked by Freedom Riders currently being held in the Maximum Security Unit of Parchman Penitentiary.

- Q. Can one appeal his Municipal Court conviction within 40 days without posting \$500 bond and thus remain in jail?
- A. Only after filing an affidavit of paupercy, which the court is not likely to accept knowing that CORE funds are available.
- Q. Can one ^{drop the appeal/get the return of} pick up the \$500 bond and thus remain in jail?
- A. Two have done so. However the court has since ruled to no longer allow this.
- Q. Are the County Court trials on schedule?
- A. Now, yes. They will continue into May.
- Q. Do all of the County Court convictions result in a sentence of 4 months plus a \$200 fine?
- A. In the case of No 10 Contendre pleas the sentences have been 4 months suspended plus \$200 ~~fine~~. cash fine only
- Q. Is time already served on a Municipal Court sentence credited to the County Court sentence?
- A. Probably not. The sentence must be served from the beginning.
- Q. How much additional bond is required by the County court?
- A. \$1,000 in addition to the Municipal Court bond, except for the Thomas case which was \$1,500.
- Q. Is it possible to return to jail while appealing the sentence of the County court?
- A. Yes, the bond may be picked up immediately after sentencing only.
- Q. When will the Circuit Court appeal be held?
- A. Perhaps in 6 months. The County Court judge indicated that a considerable delay in printing the court record and delivering it could be expected as a result of the overload of the County Court clerk.
- Q. How long a delay can be expected between the Circuit Court hearing and the State Supreme Court hearing?
- A. Probably less than the delay between County and Circuit Court appeals as the record will already have been printed.
- Q. Is there any way to postpone the majority of the trials until precedent is established by the highest court?
- A. Possibly if CORE will agree to send no more Freedom Riders, which they are unwilling to do.
- Q. When and where will the hearing on the injunction based on the Constitutionality of the statute be held?
- A. Sept. 25, 1961 before the Federal District Court (three man).
- Q. When and where would any appeal of the Federal District Court ^{injunction} ruling be heard?
- A. The United States Supreme Court would probably hear an appeal fairly promptly as the Justice Dept. has shown its interest by filing an Amicus Curia brief. Perhaps within four months from now.
- Q. What would be the consequences of a favorable decision? ^{against}
- A. It might result in a termination of further proceedings with Freedom Riders. Section police would be restored from arresting any person participating in an anti-segregation demonstration.
- Q. What is the situation with the Habeas Corpus Writ? (Wycoff)
- A. Original case closed when appellant completed sentence. It would be impractical to apply for a writ for other persons as litigation could not be completed within the period of a six month sentence.
- Q. Is any action probable based on the Eighth Amendment (unusual punishment)?
- A. No. Some action would be possible but would be long and costly?
- Q. What influence can the ICC hearings have?
- A. A strongly favorable decision could clear the way for an effective injunction against further arrests.

[15v]

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- A. No. Some action would be possible but would be long and costly?
- Q. What influence can the LCC hearings have?
- A. A strongly favorable decision could clear the way for an effective injunction against further arrests. *prohibit operation of interstate commerce unless it complies with ICC rules*

FREDRICK MOUNTAIN - 21	OBADAH SIMMS	PAUL YOUNG
GRANT MOSE JR	LEON F. SMITH - 19	JAMES WAHLSTROM - 18
SAM NASH	FELIX SINGER	GEORGE BLEVINS
CHARLES D. MYERS	MARY SMITH - 20	JOHN DOLAN - 19
SANDRA NIXON - 23	RUBY SMITH	FRANK NELSON
HELEN O'NEAL	MARY STONEA - 21	
ROBERT OWENS - 24	PERCY SUTTON	
CLAIRE O'CONNER	JOHN TAYLOR - 22	
ERNEST PATTON - 27	WAYNE TAYLOR	
TERRY PIERLMAN	CECIL THOMAS - 26	
ALPHONSO PETWAY - 28	ZURON TEALE	
JEAN PESTANA	CLARENCE THOMAS - 27	
MATHEW PETWAY - 29	WILLIE THOMAS	
KREDELIE PETWAY	DANIEL THOMPSON - 28	
JOAN PLEUNE - 30	JEAN C. THOMPSON	
LESTRA PETERSON	SHIRLEY THOMPSON - 29	
JOE PRATT - Re 1	LEOTIS THORNTON	
KATHARINE PLEUNE	JIMMY TRAVIS - Dec 2	
ELNORA PRICE - 4	CLAIRE TOOMBS	
MICHAEL PRICHARD	LAWRENCE TRISS - 3	
RAY RANDOLPH - 5	JAN TRIGGS	
CORDEL REAGON	EUGENE UPHURD - 4	
CAROLYN REED - 6	EARLE VANCE	
MERYLE REAGON	ONCAL VANCE - 5	
LEON RICE - 7	CORDY VIVIAN	
JOHN ROBERS	WILLIAM WAGONER - 8	
MARCIA ROSENBAUM - 8	THERESA WALKER	
THOMAS VAN ROLAND	JOHN WASHINGTON - 9	
JANE ROSETT - 11	WYATT WALKER	
ROSE ROSENBERG	TOMMIE WAUS - 10	
HEATH RUSH - 12	RALPH WASHINGTON	
JOSEPH ROSS	MELVIN WHITE - 11	
LEON DE RUSS - 13	RIBERT WESBY	
HENRY SCHWARZCHILD	HELENE WILSON - 12	
KENNETH SHILMAN - 14	FRANCES WILSON	
CHARLES SELLER	DOUGLAS WILLIAMS - 15	
JORGIA SIEGEL - 15	LOWELL A WOODS	
CAROL SILVER	JERRY WRIGHT - 16	
ETTA SIMPSON - 18	CLARENCE WRIGHT	
	LESLIE WORD - 17	

F.R. had
called into

Henry Thomas	Aug 22	CHARLES OUTLER	Sept 19	JESIE HARRIS - 24
Julia Brown		CATHARINE BURKS		ELIZABETH HINSHFELD
Joseph Carter	24	ATTIA CARTER	20	ROBERT HELLER - 25
John Lewis		STORLEY CORMICHAEL		ERNA LEE HARINE
John Moody	28	PRICE CHATHAM	21	LEON HORNE - 26
Mathew Walker		LUCRETIA COLLINS		FRANK HOLLOWAY
Doris Castle	30	JOHN COPELAND	22	FRANKLIN HUNT - 27
Jerome Smith		MARVIN DAVIDOV		LARRY HUNTER
Peter Ochsbury	Sept 5	JAMES & DAVIS	Oct 2	LOUIS INGRAM - 30
Elyz Adler		PAUL PEITRICH		GWEN JENKINS
Zev Actony	6	ALFONZO DENSON	3	FRANK JOHNSON - 31
Alexander Anderson		DAVID PENNIS		ROBERT JENKINS
Harold Andrews	7	DION DIAMOND	4	RUSS JORGENSEN - Nov 1
Thomas Armstrong		ALBERT DUNN		MARY "
Frank Ashford	8	GRADY DONALD	5	BARBARA KAY - 2
Pat Backusville		JAMES FURMER		EDWARD VALE
Robert Bass	11	DAVID FRANKHAUSER	6	MARIAN KENDALL - 3
Abraham Basford		ROBERT FILNER		MARGARET KERR
Robert Baum	12	RALPH FLOYD	9	KAREN KYTLE - 6
Marshall Bennett		MIRIAM FEINGOLD		PAULINE KNIGHT
Lerra Berman	13	JOHN GAGER	10	NARK LANE - 7
Janice Beveis		GLENDA GANTHER		BERNARD LAFAYETTE
Michael Blue	14	SAMUEL GIVENS	11	JAMES LAWSON - 8
Travis Britt		FRANCES GEDDES		EUGENE LEE
Ed Bromberg	15	GWENDOLYN GREENE	12	MARGARET LEONARD - 9
Gloria Cavan		ALBERT F. GORDON		FREDRICK LEONARD
Ree Bouknight		MILLER G. GREEN	13	JOHN LOWRY - 10
Arthun Brooks	18	PAUL GREEN		CLAUDE LIGGINS
Patricia Bryant		REGINALD GREEN	16	ALLAN LEVINE - 13
		ROBERT L. GREEN		NORMA LIBSON
		STEPHEN GREEN	17	PAUL McCONNEL - 14
		DEL GREENBLATT		JOE J. McDONALD
		FRANKIE GRIFFIN	18	LESTER McKINNIE - 15
		STEPHEN GREENSTEIN		LANDY MCNAIR
		JOSEPH GUMBINER	19	EDMORA MANNING - 16
		RICHARD GRISWOLD		WM. MAHONEY
		WILLIAM HARBOUR	20	ROBERT MATTINSON - 17
		MARY HAMILTON		ROBERT MILLER
		GORDON HARRIS	23	WM MITCHELL - 20
		JESSIE HARRIS		DAVID MORTON

WOKJ
1590 N.
WJDXN

Return to Jail ~~Card~~ ~~Name~~

Eddie Austin NM
Tommy Brashear NM
Lavaghn Brown NM
Charles Cox NM
Jessie Davis NM
James Dennis NM
William Hansen WM
Carl Hamblin NM
Richard Haley WM
James Jones NM
Norma Matkin WF
Philip Perkins WM
Ruth Muscovitz ? no
Richard Powell WM
Henry Rossel WM
Rolna Rand NF ? yes
Isaac Reynolds NM
Dan Starnow ? no
Judie Scroggins ? yes
James Warren NW
Lulu White NF (yes?)
Lewis Zuckman (yes?)
Mata Zinder (yes?)
R. Alan Williams (yes?)
Margaret Thra WF
Sally Rowley (yes?)
Catharine Prentiss
Ellen Ziskind (yes?)

Pauline Simon NF
George Raymond NM
Tanya Wren WF

February 85

MARILYN EISENBERG W
JUDITH FRIEZE W
MARY FREELON W
DINNA GARDE W
JEANNE HERRICK W
CANDIDA COLL W
NORMA MATKIN W
RUTH MUSCOWITZ W
ROENA RAND N
SHARLY SMITH W
JUDIE SCROGINS N →
HELEN SINGLETON N
TANYA WREN W
LULU WHITE N
MARGARET THRA W
SALLY ROWLEY W
CATHARINE PRENTISS W
ELLEN ZISKIND W
PAULINE SIMONS

DIRECT EXAMINATION BY PROSECUTOR:

Prosecutor: State your name, please sir?

Capt. Ray: J.L.Ray

Prosecutor: By Whom are you employed?

Capt. Ray: City of Jackson, Police Department.

Prosecutor: How long have you been a member of the police department of the City of Jackson, Captain Ray?

Capt. Ray: Twenty years.

Prosecutor: Captain Ray, in your twenty years experience with the Jackson Police Department have you ever had any experience in handling crowds of people?

Capt. Ray: I have.

Prosecutor: State to the Court whether or not you were on duty on June the 21st, 1961?

Capt. Ray: I was.

Prosecutor: State to the Court whether or not you know where the Trailways bus terminal is located in Jackson, Mississippi?

Capt. Ray: I do.

Prosecutor: State to the Court whether or not that bus terminal is within the First Judicial District of Hinds County, Mississippi?

Capt. Ray: It is.

Prosecutor: State to the Court whether or not you had an occasion to be at that Trailways bus terminal on June 21, 1961?

Capt. Ray: I did.

Prosecutor: State to the Court whether or not the defendant was at that bus terminal on that day?

Capt. Ray: She was.

Prosecutor: State to the Court whether or not you had occasion to place this defendant under arrest?

Capt. Ray: I did.

Prosecutor: State to the Court whether or not there was more than one person present and congregated with this defendant at the time she was arrested?

Capt. Ray: Yes sir.

Prosecutor: Where was the defendant at the time you placed her under arrest?

Capt. Ray: Inside the Trailways bus terminal/

Prosecutor: State to the Court whether or not you had any advance notice that this defendant was coming to Jackson?

Capt. Ray: I did.

Prosecutor: State to the Court whether or not you had any advance notice of the purpose for which this defendant was coming to Jackson?

Capt. Ray: I did.

Prosecutor: State to the Court whether or not you heard citizens of Jackson and /or Hinds County express themselves as to the pending arrival of this defendant?

Capt. Ray: I did.

Prosecutor: State to the Court whether or not you had occasion to order this defendant to move on?

Capt. Ray: I did.

Prosecutor: State to the Court whether or not the defendant obeyed your order at that time?

Capt. Ray: She did Not.

Prosecutor: State to the Court whether you arrested this defendant before or after you gave her the order to move on?

Capt. Ray: She was arrested after I gave the order to move.

Prosecutor: Captain Ray, state to the Court and the jury the circumstances under which this defendant was arrested?

Capt. Ray: We had advance notice that this defendant along with others was coming to Jackson for the purpose of creating an incident. At that time, I was assigned to the Trailways bus terminal, circumstances were such that I felt it necessary to act, and act quickly; which I did. I ordered this defendant to move on, she refused to obey the order, and I placed her under arrest.

Prosecutor: Captain Ray, state to the Court whether or not there were other people-, that is people other than those you are arrested in the terminal at that time?

Capt. Ray: Yes sir.

Prosecutor: How many people were there other than this defendant?

Capt. Ray: There were about forty people or more.

Prosecutor: Did you order anyone to move other than those you arrested?

Capt. Ray: I did.

Prosecutor: Did those persons obey your order?

Capt. Ray: They did. They did obey the order. Had they not, I would have arrested them.

Prosecutor: State to the Court whether or not you had occasion to observe the mood of the crowd that was in that terminal at that time?

Capt. Ray: I did.

Prosecutor: Did you form an opinion as to the mood of that crowd?

Capt. Ray: Yes sir.

Prosecutor: And what is your opinion, Sir?

Capt. Ray: They were in an ugly or nasty mood.

Prosecutor: State to the Court whether or not the conditions under which this defendant was arrested were such that a breach of the peace might have been occasioned thereby.

Capt. Ray: Yes sir

Prosecutor:
Take the Witness.

CROSS EXAMINATION BY MR. BROWN:

Mr. Brown: Captain Ray, you are on the City of Jackson Police Force?

Capt. Ray: That's right.

Mr. Brown: And how long have you been with the Jackson Police Department?

Capt. Ray: Twenty years.

Mr. Brown: Twenty years?

Capt. Ray: (Affirmative nod.)

Mr. Brown: Now, I believe you testified, that on June 21, I believe---

Capt. Ray: (Interposing) That's correct.

Mr. Brown: --that you had information that this defendant along with others, I believe you said, was coming to Jackson, that they were coming to the Trailways bus station; is that correct?

Capt. Ray: That's correct.

Mr. Brown: How did you get that information, Captain Ray?

Capt. Ray: Well, it was passed on to me by my superior officers, through regular police channels. That's the way I got it.

Mr. Brown: Through regular police channels?

Capt. Ray: That's right.

Mr. Brown: Now, do you--, would you have recognized this defendant had you not seen her in Court this morning?

Capt. Ray: Would I have--

Mr. Brown: (Interposing) Recognized her?

Capt. Ray: I would have

Mr. Brown: You would have?

Capt. Ray: (Affirmative nod.)

Mr. Brown: Now, did you have information that there were others coming other than this defendant?

Capt. Ray: Yes.

Mr. Brown: Now, when you arrived at the police station, did you get there before the defendant-, I don't mean the police station, the bus station, did you arrive there before the defendant came or after?

Capt. Ray: Before she came.

Mr. Brown: Now, when you arrived at this Trailways bus station, I believed you testified that you went into the waiting room of the station or nearby?

Capt. Ray: I didn't testify to that, but I did go into the waiting room.

Mr. Brown: You did go into the waiting room?

Capt. Ray: That's right.

Mr. Brown: Did you go into the waiting room before the defendant arrived, or after?

Capt. Ray: I went into the waiting room before she arrived; of course, I was all around the terminal.

Mr. Brown: Were there any persons in the waiting room at the time you went in?

Capt. Ray: Yes.

Mr. Brown: What were those persons doing before the defendant came in?

Capt. Ray: It was very peaceful.

Mr. Brown: Very peaceful?

Capt. Ray: Yes.

Mr. Brown: About how many people were in there prior to the time the defendant and her group came in?

Capt. Ray: There was a pretty big crowd. I would estimate it as forty or more.

Mr. Brown: Forty or more.

Capt. Ray: Yes.

Mr. Brown: Was it apparent to you what their business was there?

Capt. Ray: Yes, I found out their business.

Mr. Brown: Before the defendant--

Capt. Ray: (Interposing) That's right.

Mr. Brown: --and her group arrived?

Capt. Ray: That's right.

Mr. Brown: Now, I believe you testified that it was peaceful and quiet at that time?

Capt. Ray: (Affirmative nod.)

Mr. Brown: When the defendant came in, how many were with her?

Capt. Ray: This defendant and eight others.

Mr. Brown: The defendant and eight others.

Capt. Ray: That's correct.

Mr. Brown: Were they all males, or males and females?

Capt. Ray: They were mixed.

Mr. Brown: They were mixed.

Capt. Ray: (Affirmative nod.)

Mr. Brown: Now, I'd like you to testify just what did the defendant

do when she came in?

Capt. Ray: This defendant and her group walked in. They walked near the concession stand, and when this defendant and her group walked in, the people in the terminal became upset, they began to move toward her, began to talk, made remarks.

Mr. Brown: Now, the other group began to walk toward the defendant and made remarks?

Capt. Ray: That's right.

Mr. Brown: I- I think you testified that it was then apparent to you that they were in an ugly mood; is that correct?

Capt. Ray: That's when I acted and acted quickly.

Mr. Brown: You acted quickly when you determined that fact?

Capt. Ray: (Affirmative) nod.)

Mr. Brown: Now, you also determined why they were in an ugly mood?

Capt. Ray: Did I determine why--

Mr. Brown: (Interposing) Yes. You also determined why these other people were in an ugly mood when this defendant came in?

Capt. Ray: Yes; because of this defendant and her group. That was the root of the trouble, because it was peaceful before she arrived.

Mr. Brown: And when you determined why this other group was in an ugly mood, that was just because she came in?

Capt. Ray: As I testified before, we had advance notice that these people were coming for the purpose of creating an incident--

Mr. Brown: (Interposing) Did she create an incident when she walked in?

Capt. Ray: Her presence there did, yes.

Mr. Brown: Did she use any indecent language or gestures?

Capt. Ray: No.



NEW YORK POST, WEDNESDAY, SEPTEMBER 20, 1961

On Going to Jail

JOSEPH BARRY

Paris.
What would you go to jail for? In what do you believe with sufficient passion to risk a prison sentence?

Along with Bertrand Russell, the 89-year-old philosopher who is Britain's greatest figure (you may prefer Churchill), a distinguished clergyman who takes his Christianity with punished sincerity, two well known English playwrights, a poet and a scholar also have been imprisoned for a sit-down protest against the danger of a nuclear war.

The spectacle of that grand old man being sentenced has saddened many; the hypocrisy of the many who have sat in judgment has sickened me. The occasion is not so much to sit in judgment of Russell, or even his judge, but to sit in judgment of ourselves. Russell may be right or wrong in what he believes, and those who say he is wrong are not necessarily moral cowards, for they may be right.

To disarm whether the Russians disarm or not is a dreadful dilemma. But what Russell has done has been absolutely right: it is in logical accord with

Murray Kempton is on vacation.

the convictions of a wholly admirable logician. How many of us would go to jail for what we believe in? It certainly need not be what Russell believes in; his case asks for nothing less than the examination of our own conscience.

* * *
Seven out of 10 Americans have told Gallup pollsters they would fight (die?) for the freedom of West Berliners. Fine. The tree of liberty, as Jefferson said, is watered by the blood of freedom fighters. How many of the seven would shed it for the civil freedom, say, of Southern Negroes?

How many would brave a Southern prison if that were the price of being a Freedom Rider? They don't believe in the Freedom Riders? Then what do they believe in enough to pay the price? What do they really mean by the freedom of Berlin or the freedom of anything for which they tell pollsters they are willing to fight?

Personally—we must be personal in this examination or it is nothing—I am prouder for having gone to jail once as a college student than for the Phi Beta Kappa key picked up along the academic way. I had led a picket line for

the pinball boys of a bowling alley who were striking for 8 cents an hour instead of 6 (or was it 18 instead of 16?). Since there was no law against picketing in Ann Arbor, at least then, I was found guilty of loitering.

For the student of that time, it was quite serious. It was one thing to spend a night in jail for painting the town blue and gold before the big game; it was another to be sentenced for an action painted Red by the police. Today I am ashamed not for what I have done in the past, but for what I have, too often failed to do.

* * *

Now what does one do? "The only obligation which I have a right to assume," wrote Thoreau in the essay on civil disobedience which so inspires Russell and his companions, "is to do at any time what I think is right."

Not being a pacifist, though, as time passes and wars become total, pacifism acquires for me a moral purity that increases in meaning. I cannot sit down with Russell, though I would defend to the death (which proves I am not a pacifist) his right to do so. It is too late to do anything about McCarthyism, but I hereby submit my name to the Birch Society for its list of subversives, for I would gladly subvert what it stands on.

I accept the risk of being an honest reporter, which is not prison but ridicule, not of being misread or misunderstood but of being mistaken, for basic in one's belief should be the possibility that one is wrong, though one must do at any time what one thinks is right. And I pledge to wage the true fight of my profession—"to fight," as Lord Acton said of the historian, "against temptations special to [one's] mode of life, temptations from country, class, church, college, party, authority of talents, solicitations of friends."

But perhaps first we should all sit down somewhere and think seriously: Where the hell are we going?

Distributed by (CORE) Congress of Racial Equality

38 Park Row, New York 38, New York





November 7, 1961

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
NEW YORK 38, NEW YORK
Cortlandt 7-0035

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general counsel

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Dear Freedom Rider:

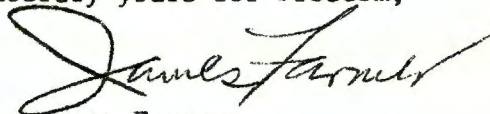
The NAACP Legal Defense Fund has generously agreed to associate itself in the defense of the Jackson Freedom Ride cases. They will pay legal fees and expenses for cases still pending. CORE and the Legal Defense Fund will share the responsibility for bond while CORE will continue to provide travel to and from Jackson.

This will reduce the expense to CORE considerably. It will allow us to concentrate on our direct action program and still provide the riders with unmatched legal counsel.

This will also make it possible for individuals to reach the decision as to whether or not to plead nolo on the basis of their personal preference and not on the basis of the availability of funds. If you wish to plead nolo let me know now. If I do not hear from you I shall assume that you will return to Jackson for your trial.

We hope that you will continue to raise funds. The offer of the Legal Defense Fund will reduce our needs: It will not eliminate them. One final word: policy decisions on future Freedom Rides will continue to be made by CORE.

Sincerely yours for Freedom,


James Farmer
National Director

JF/jb

P.S. Word has just reached us that the citadel of segregation has been breached. A team of CORE testers has been served in the bus terminal in Greenville, Mississippi. Terminals in more than 100 cities have been tested already by CORE teams.

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
Cortlandt 7-6270

ATTN: Marvin Rich

For Release, Wednesday, November 8:

CORE National Director James Farmer lauded Jack Greenberg, director of the NAACP Legal Defense and Educational Fund for assuming much of the future legal burden of defending the Freedom Riders.

"This unity of action should help make clear to Mississippi segregationists that a new day has come," said Farmer. "We in CORE can now concentrate on our direct action program and leave much of the legal defense to the NAACP which has unmatched skill in this field."

Farmer pointed out that CORE will continue to maintain a responsibility and an interest in the Jackson cases. At the request of the Episcopal Ministers, CORE will continue to defend these 15 cases directly.

Of the others arrested in Jackson, 85 have been finally adjudicated either through serving of the complete sentence, death, or payment of fine. In 32 cases appeals have been taken from the decision of the Hinds County Court. 177 cases have not yet reached this court.

CORE will continue to assume the transportation costs of bringing the Riders to and from Jackson for their trials. CORE will share responsibility for bail bond with the Legal Defense Fund. \$177,000 is still needed for this purpose.

Farmer pointed out that the Freedom Rides have already cost CORE over \$282,000 (See attached schedule). CORE will continue to be solely responsible for Freedom Ride cases in Shreveport, Louisiana, Ocala and Tallahassee, Florida and Houston, Texas. Future Freedom Ride cases in Jackson and elsewhere will also be CORE responsibilities.

####

November 2, 1961

CORE - Congress of Racial Equality
38 Park Row, New York 38, New York
Cortlandt 7-6270

TO: CORE Groups and Friends
FROM: A.D. Moore, Treasurer
SUBJECT: Freedom Ride Costs

To date CORE has spent over \$282,000 on the direct costs of the Freedom Rides. As of the next term of Hinds County Court, November 13, the NAACP Legal Defense and Education Fund will pay lawyer's fees and expenses for the Jackson cases. They estimate that these will come to some \$75,000. Responsibility for the bond will be shared between CORE and the Legal Defense Fund (\$177,000 is still needed for bond). CORE will continue to bear the responsibility for travel to stand trial in Jackson. Further Freedom Ride cases including those resulting from testing compliance with the Interstate Commerce Commission will be the sole responsibility of CORE.

	<u>Freedom Ride Costs</u>
Bail (Jackson, Tallahassee, Ocala, Shreveport)	\$164,630.00
Legal Fees	15,050.00
Legal Expenses	7,653.11
Travel to Stand Trial	28,378.00
Travel For Riders	38,210.00
Training For Riders	14,000.00
Hospital Bills	1,100.00
Phones, Telegrams	10,530.79
Printing, Mimeo	<u>2,581.29</u>
TOTAL	\$282,133.19

The listing of Freedom Ride costs does not include overhead, office expenses, or fund-raising costs. Nor does it include the expense of other activities such as the Housing Workshop and the Virginia Interracial Action Institute. Not all bills have been received for expenses that have been incurred. 325 Freedom Riders have been arrested in Jackson, 18 in Houston, 8 in Tallahassee, 6 in Shreveport and 3 in Ocala, Florida.



February 13, 1962

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
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Cortlandt 7-6270

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Dear Byron

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As you know, your appeal trial in Jackson has been set for the March - April period.

Recently we wrote you that we were prepared to appeal the convictions of all Freedom Riders. This meant that a \$1,000 cash bond would be made available for each person that had not yet had their first appeal trial in the County Court. This was predicated upon assistance from the Legal Defense Fund.

To date CORE has spent \$307,000 on the direct costs of all Freedom Rides throughout the country. This is a staggering amount for an organization that raised less than \$240,000 in all of last year.

Since the start of the appeal trials on August 22, there have been six acquittals and 94 convictions. Seventy-eight pleas of "nolo contendere" have been entered and CORE had to pay bond in nine cases where bond was forfeited. Eleven persons served their sentences. As the figures indicate, \$94,000 in cash has been posted in Mississippi and this in addition to the initial \$500 cash bond for the release from jail of each Freedom Rider.

There are still 79 Freedom Riders to appeal for trial before the first cases can appear in a higher court. In a higher court the results are predictable, both in terms of verdict and in terms of bond increases. An additional bond may be required at the Circuit Court of Appeals.

The Legal Defense Fund of the NAACP has been extremely helpful in supplying funds for a large number of Freedom Rider bonds, thereby depleting their funds to a point where they can no longer supply bond. They will pay all the legal costs incurred after November 13 in Mississippi.

Naturally, under these circumstances we must modify our plans. I am asking you to consider entering a plea of "nolo contendere."

A plea of "nolo contendere" means that you do not wish to contest the charges and carries with it a misdemeanor conviction of four months suspended sentence and a \$200.00 fine. The fine will be paid out of the bond that has been put up and the remainder will be returned to CORE or to whomever put up the bond. In addition, the plea of "nolo contendere" means that the case will not be appealed and you will not have to return to Jackson for trial. While it is not an admission of guilt this will be a matter of public record.

continued

I must add that no one at CORE is happy about this request but it seems, in light of all evidence, to be the best way of dealing with the problems at hand. This will allow CORE to get out of the courts and use its full finances for direct action, which is where our battles must be fought.

If you cannot see your way clear to enter this plea, we ask that you and your friends assist in raising the bond money that will be necessary. CORE will accept the money in terms of a contribution or a long term loan to be returned when your case is decided by the United States Supreme Court. This may take as long as three years.

Since we must work out a new court calendar for the coming month, we must have an answer as soon as possible. Would you please fill out the enclosed postcard and return it by March 2nd at the latest.

Thank you very much.

Sincerely yours,



James Farmer
National Director

JF/js

I want you to enter a plea of "Nolo Contendere" on my behalf ☐

I want to appeal my case ☐

I intend to finance my travel and bond through:

Name _____

Address _____

_____ Phone # _____



May 1, 1962

to abolish racial discrimination by direct, nonviolent methods

38 PARK ROW
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general counsel

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Gordon R. Carey
field director

Marvin Rich
community relations director

James Farmer
national director

Dear Freedom Rider:

The battle for equality takes many forms. We have acted with our bodies in taking the Freedom Ride to Jackson, Mississippi and its jails. We have gone back to our homes and continued to act.

I urge you to fill out the enclosed questionnaire booklets for they too are a way of acting for equality. It is a way of demonstrating who we are and why we do what we do. The National Action Committee of CORE has endorsed this research project.

We shall overcome.

Sincerely,

James Farmer
James Farmer
National Director

JF/jb
Enc.

IN THE COUNTY COURT OF THE FIRST JUDICIAL DISTRICT OF
HINDS COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

NO. _____

MOTION FOR NEW TRIAL

Comes now the defendant and moves this honorable court to set aside the verdict of the jury and grant the defendant a new trial on the following grounds:

1. (a) The state has failed to prove the offense charged in the affidavit.

(b) The verdict is against the weight of the credible evidence.

(c) To convict this defendant on such a record barren of evidence of guilt would deny to him rights secured by the due process clause of the Fourteenth Amendment to the United States Constitution.

2. The conviction of the defendant on this record would deprive him of liberty and/or property without due process of law, and deny to him the equal protection of the laws, and abridge his privileges and immunities as a citizen of the United States, all in violation of the Fourteenth Amendment to the United States Constitution and Section 14 of the Mississippi Constitution; violate Article I, §8 clause 3 of the United States Constitution; and deprive defendant of rights secured by statutes

Mary Ann Brown
1020 Violet St.
Jackson 3, Miss

1 week but cause all case to fail.
Don't not want or no trial needed.
Breach of peace not likely to be
sustained. Then must find guilty.

Prosecution return.

The defense is asking the jury to blow
up, blow on a stick, stick of dynamite
in fact. He wanted explosion trouble.
Must find defense guilty.

only one juror looked at me
after coming in and going out.

of the United States including 49 U.S.C. §316 (d); and deprive defendant of rights secured to him by the regulations of the Interstate Commerce Commission regarding the segregation of the races in interstate travel, because:

a. Section 2087.5 of the Mississippi Code (1942) anno, as amended, is unconstitutional on its face for the reasons that:

(1) It is too vague to enable a man of ordinary understanding to know its meaning;

(2) It delegates legislative power to the police and other law enforcement officials; and

(3) It purports to penalize wholly lawful conduct solely because such conduct, by reason of lawless conduct or opposition thereto, may occasion a breach of the peace.

(4) It allows the defendant to be convicted without any proof of guilt of any crime or overt act on the part of the defendant contrary to the holding of the United States Supreme Court in *Garner vs. Louisiana*.

b. Section 2087.5 of the Mississippi Code (1942) anno, as amended, on its face and as construed and applied to this defendant, is unconstitutional and null and void for the reasons that the statute so construed and applied;

(1) Arbitrarily and discriminatorily denies defendant the right, solely because he is a member of the _____ race to enter an interstate bus terminal and utilize public facilities of his choice or to sit with or converse or otherwise lawfully meet with a person therein on pain of criminal prosecution, fine and imprisonment.

If you want law & order in state or attendance
but to just fairly. If you want to support
police dept. & if you want law & order
then loose.

If you want Justice then then loose if
not convict. Compare facts.

1. Presence or absence of peace?

When looked in no law violation

When stood & govt. to no law violation

Nothing dangerous did which caused
or might have caused breach of
peace.

Example if a group provoked jury then cause.

It's simply case of breach of peace not
segregation.

Only 15 people in there. calm. Outside
none but only movement. Police could control
no public danger. I would control. Calm both
inside & outside. One spoke to defend the
impossible for breach of police to be occur.

3 links to chain.

1. Police officer
2. Govt
3. Jury

(2) Arbitrarily and capriciously denies defendant the right solely because he is a member of the _____ race, to enter a public waiting room in an interstate bus terminal and utilize public facilities of his choice or to sit with or converse or otherwise lawfully meet with a _____ person therein on pain or criminal prosecution, fine and imprisonment.

(3) Discriminatorily and arbitrarily denies defendant, solely because he is a member of the _____ race, the right to converse with or otherwise lawfully meet with _____ persons while traveling in interstate commerce and utilizing stations, terminals, facilities, and services incident thereto.

(4) Arbitrarily and discriminatorily denies defendant, solely because he is a member of the _____ race, the right to converse with or lawfully meet with _____ persons while traveling in interstate commerce and utilizing the stations, terminals, facilities and services incident thereto on pain of conviction, fine and imprisonment, and substantially interferes with the right of defendant to move freely from state to state.

(5) Arbitrarily and discriminatorily subjects defendant, solely because he is a member of the _____ race, to undue and unreasonable prejudice and disadvantages in interstate travel and the use of stations, terminals, facilities and services incident thereto.

(6) By reason of the arbitrary, capricious, discriminatory and brutal means used to accomplish its enforcement, inflicts cruel and unusual punishment upon the defendant, contrary to the provisions of Article 3, Section 28 of the Mississippi Constitution and the due process provisions of the Fourteenth Amendment to the United States Constitution.

D

the court instructs the jury for the defendant that if you find that the arresting police officer merely had a suspicion that other parties other than the defendant would commit an act of violence on peace by virtue of presence of the defendant at Bratton, when the arresting police officer arrest the defendant then you must acquit the defendant.

Presumed innocent:

No obligation to disprove.
The court instructs the jury that for the defendant that if you find that the arresting officer arrested defendant in order to preserve separation or segregation of the White & Negro races in the bus station then you cannot find the defendant guilty.
Prosecutor charge for today
If you agree to or other
willfully & unlawfully fail to obey

Defendant charge for today

The court instructs the jury for the defendant that a breach of the P has not been shown within the meaning of this statute merely because persons other than the defendant threaten defendant if defendant has committed an act of violence or other breach of the peace.

The Court instructs the jury for the defendant that if you find that the defendant is an interstate passenger, and a legal right to enter the waiting room of the Greyhound bus station designated as Negro you cannot find the defendant guilty.

(7) Deprives this defendant of liberty of movement and freedom of personal locomotion.

(8) Arbitrarily and discriminatorily deprives this defendant of his freedom of expression.

(9) Arbitrarily and discriminatorily deprives this defendant of his right of peaceable assembly.

Attorney for Defendant

When defendant came in didn't look fine. Did he rob
anyone & did he attempt to rob & to best of knowledge
he break or enter & attempt? & did he commit
rape & you mean what in terms & did he murder
attempt & did he attempt to burn & attempt. What
was he doing. Well common knowledge about cases
in other cities.

Violated law by insolently refusing to obey order by mag
in. Did note racial composition of group, object
Did note of defendant's object. How many waiting
rooms. Where located & part from lawn. The
James W. Defendant entered W. waiting room. 15 persons
in room at time. What doing? Were acting fairly well
mood some were concerned. Were seats were
remained seating when entered. None of these actions.
This wasn't the group what where. Some left the
I waiting room rushed out and remarks. Was the
group in an angry mood. That when order to move
out. Crowded to doorway police had to move the
back got them under control. Did they yell at that
time. Was there group asked them to move out.
I immediately before asked to move out. Then under
control both outside & inside. Did not imagine with
defendant was intolerable. To own knowledge? Had baggage.
So did others. Station seems inter and intra processes.
Did you explain why order no. did defendant make
injury etc. No. No warrant for arrest.

More testimony

Baer on stand