

Retrial Sought by Players in Mixed Tennis Matches

BALTIMORE

Convicted in criminal court here, last week, of unlawful assemblage during an interracial tennis match sponsored by the Young Progressives of Maryland, seven persons have filed a motion for a new trial.

Basis for the motion is the contention that the trial judge failed to grant a request for innocent verdicts on charges of violating a park policy banning interracial athletics in the park.

While Judge Herman M. Moser

permitted the State to enter a nolle proesse to the indictment charging a violation of the park rule, he declined to hold that such action constituted a not-guilty verdict, I Duke Avnet, chief attorney for the 22 persons arrested in the case, said.

22 Indicted

Some 22 persons were arrested on July 11 when colored and white tennis players engaged in matches

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at Druid Hill Park. They were originally charged with violating a park rule forbidding mixed racial matches in the park and with riot and conspiracy.

The seven defendants that were convicted were white. The other defendants were all acquitted.

In their motion for a new trial, the seven defendants said that they objected to the presence of a stenographer in the grand jury room, and raised the point that the proof in the case merely amounted to a disregard for a void park rule and not the commission of a crime.

Implores Consultations

Errors in ruling by the court and improper consultation among State's witnesses also were given as grounds for the request for a new trial.

Other attorneys for the defendants are William H. Murphy and

Edgar P. Boyko. Those convicted in the case are:

Harold Buchman, an attorney; Stanley Askin, director of the Young Progressives; Mrs. Regina Silverberg, Leonard Collidge, Charles M. Swan, Irvin Winkler and Warren L. Vestal.

Sentence Withheld

These persons were not sentenced by Judge Moser pending their appeal for a new trial.

Following the verdict, Henry B. Eitscher, assistant State director of the Progressive Party, said in part:

"Jim crow in the public parks was the only issue in this case, despite all of the efforts of the State's attorneys to obscure this issue with the charge of conspiracy."