

Fighting for freedom on the courts

Continued from B2

nificant challenges.

"We could only play on courts that would allow interracial sports, like Catholic schools and synagogues," recalled Crockett, who for decades has been a successful Baltimore businessman.

However, the department of recreation operated the vast majority of basketball courts in Baltimore City, thus restricting the team's venues at home, although the team competed in Annapolis, Washington

ence presiding. Judge W. Calvin Chesnut was the district court judge who ruled on the teachers' pay case in 1938, as well as delivering a decision in the lengthy golf course case.

In Boyer v. Garrett, Judge Chesnut seemed to concentrate on Plessy v. Ferguson, the constitutional law of the land that had established "separate, but equal" in 1898.

Accordingly, he cited that Maryland law at the time recognized segregation as permissible.

Ironically, perhaps, Judge Chesnut cited Murray v. University of Maryland in 1935: "Equality of treatment

Before the Law Struck

As reported in the 1948 AFRO



Mitzi Freishat (Swan), Mary Coffee, Jeanette Fino and Gloria Stewart in 1948.

This picture shows four young women on a tennis court near Pimlico Dr., in Druid Hill Park on Sunday, before park police came and took them to jail on the charge of violating park regulations prohibiting interracial playing.

Photo—Courtesy Stop Magazine

and Pennsylvania.

Nevertheless, in 1948, Boyer and Crockett helped spark Boyer v. Garrett, which sought to desegregate recreational facilities in Baltimore, along with two golfers, one Black and one White (described earlier in the "Battle for the Links," segment of the Signature Series), as well as the Young Progressives.

The first stage of the case began September of that year, with the attorneys for the plaintiffs perhaps foreshadowed today's modern legal "dream teams."

They were I. Duke Avnet a leading civil rights attorney who defended Baltimore labor unions, Edgar Paul Boyko, William H. Murphy Sr. one of the first Black students to enter the University of Maryland Law School, Robert P. Watts one of the first Black Circuit Court Judges, Milton B. Allen the first Black elected state's attorney for Baltimore City and Dallas F. Nicholas, who represented the Monumental Golf Club in its 17-year battle with Baltimore City (also described in the Battle for the Links).

For Boyer v. Garrett, once again there was a familiar pres-

does not require that privileges be provided members of the two races in the same place. The state may choose the method by which equality is maintained."

In January 1950, Judge Chesnut ruled in favor of the Department of Recreation and Parks and in August of that year, the plaintiffs lost on appeal.

"If the players had sued then, the court would have rendered a different decision," said James Crockett, reflecting back over 50 years. The Easterwood Professionals disbanded the same year they lost the appeal. In 1948, the Young Progressives "sort of fell apart after the 1948 election," said Mitzi Swan.

Yet Swan, who served for many years as executive director of the Maryland Conference of Social Concern, seems to have maintained her sense of agitation over social injustice after all these decades.

"We knew we did a significant thing. I still have the same spirit as before, I just don't have the body, but I don't let that kind of stuff get me down."

MENCKEN'S LAST STAND

In what was said to be his last column, H.L. Mencken, one of the most controversial newspapermen of the 20th century, took on the tennis court controversy in November of 1948. Yet, Mencken's position (many characterized him as racist, anti-Semitic, etc.) shocked some.

"That's why I was so surprised when Mencken's article came out. He was such a cynical person," said Mitzi Swan.

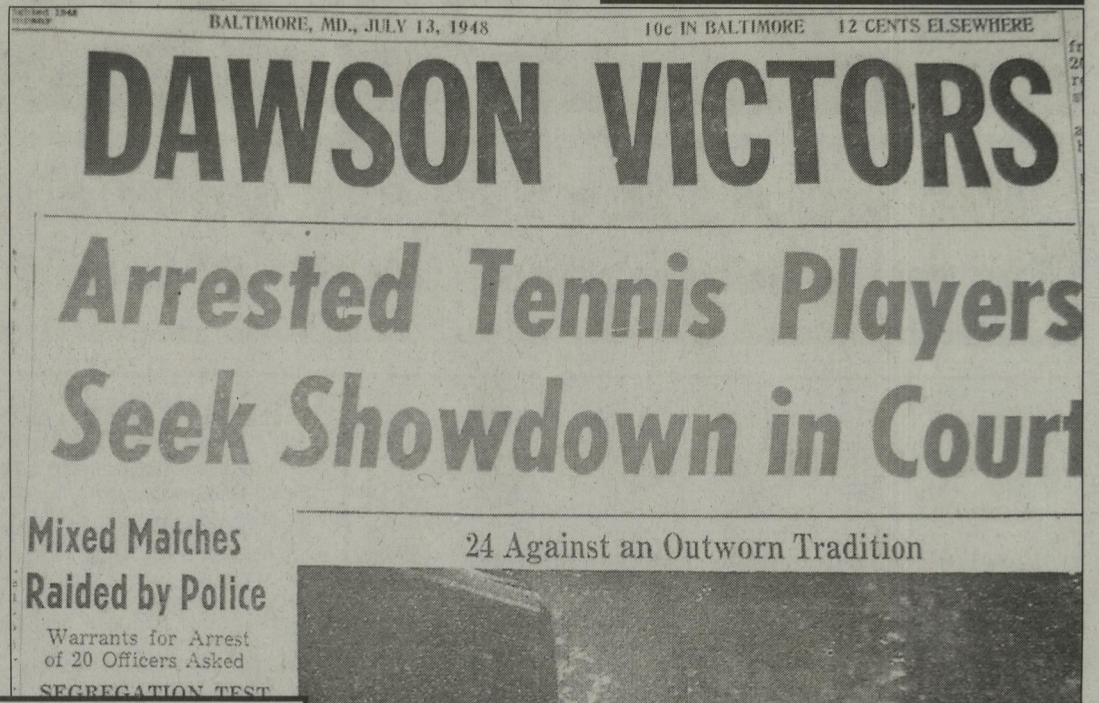
Here are excerpts from Mencken's column:

"When on July 11 last, a gang of so-called progressives, white and black, went to Druid Hill Park to stage an inter-racial tennis combat, and were collared and jugged by the cops, it became instantly impossible for anyone to discuss the matter in a newspaper, save, of course, to report impartially the proceedings in court...

Certainly it is astounding to find so much of the spirit of the Georgia Cracker surviving in the Maryland Free State, and under official auspices. The public parks are supported by the taxpayer, including the colored taxpayer, for the health and pleasure of the whole people...

It is high time that all such relics of Ku Kluxery be wiped out in Maryland. The position of the colored people, since the political revolution of 1895, has been gradually improving in the State, and it has already reached a point surpassed by few other states. But there is still plenty of room for further advances, and it is irritating indeed to see one of them blocked by silly Dogberrys. The Park Board rule is irrational and nefarious. It should be got rid of forthwith."

As reported in the 1948 AFRO



24 Against an Outworn Tradition



"KILL JIM CROW!"

"DEMAND YOUR RIGHTS!"

"Organize to smash discrimination in recreational facilities. No law has ever been passed by the City Council stating that Negro and white citizens must use separate park facilities. On Sunday, July 11th at the Druid Hill clay tennis courts near Auchentoroly Terrace and Bryant Avenue (near the hot house) promptly at 2 P.M. Negro and white citizens are going to insist on their lawful rights to use these courts!

Be present to lend your support!

"Sponsored by: The Young Progressives of Maryland

328 N. Charles Street, Plaza 2470

"HENRY WALLACE SAYS: 'JIM CROW IN AMERICA HAS GOT TO GO.'"

FIGHT THE POWER. Young Progressives flyer announcing the tennis court demonstration.



As reported in the 1948 AFRO

Shown are 4 of the 24 persons arrested Sunday on the Druid Hill Park tennis courts on Pimlico Dr. and at Northern police station after they were released on collateral. The arrests grew out of white and colored persons' playing together on the courts. The players shown above are Royal Weaver, James Roberts, Maceo Howard and Louis Pinckney.



Mitzi Swan

JIM CROW MUST GO. This monument still stands as a tribute to those who fought against Separate but Equal in July 1948

BREAKING THE BACK OF SEGREGATION SEPARATE BUT EQUAL POLICY

JULY 11, 1948

PARTICIPANTS

- | | | | |
|-------------------|-----------------|----------------|---------------|
| JAMES ROBERTSON | MACEO HOWARD | MORRIS KALISH | JAMES GROSS |
| ALBERT BLANK | JEANNETTE FINE | GLORIA STEWART | MARY COFFEE |
| MITZY FREISHAT | IRWIN WINKLER | STANLEY ASKIN | LOUIS PINKNEY |
| LEONARD COLLIDGE | ROYAL WEAVER | WARREN VESTAL | MARCUS MOORE |
| BEGINA SILVERBERG | PHILLIP ENNIS | LEROY MATTHEWS | WILLIAM CARR |
| ISSIAH ROWS | DELORES JACKSON | TWO JUVENILES | CHARLES SWAN |

CREATED THRU EFFORTS OF CHARLES L. WILLIAMS