WHEN YOU FINISH READING YOUR AFRO PASS IT ALONG TO A FRIEND

# Woman leads fight against Baltimore sit-in convictions

A fighting woman attorney, Mrs. Juanita Jackson Mitchell of Baltimore, stood before the state's highest judicial body on Thursday, morning and asked the court to dismiss trespass charges against 12 college students.

A second NAACP attorney, Tucker R. Dearing of Baltimore, joined Mrs. Mitchell in the hour-long hearing which began at 11 a.m. Lawrence F. Rodowsky, assistant attorney general, represented Maryland.

On the bench were Chief Judge Frederick W. Brune and Judges William L. Henderson, Stedman Prescott, William R. Horney and Charles C. Marbury.

To a bench reminder that the court already has upheld the validity of trespass convictions in lower courts, the NAACP attorneys argued they must protect the rights and records of the defendants until the Supreme Court decides if the Appeals Court's rulings were justified.

They also contended the courts have been reading something into the trespass law which is not in it. Mrs. Mitchell and Mr. Dearing said the trespass law calls for persons being warned against admittance before entering a place rather than being "read out" after entering.

They argued also that the trespass law is being used only against colored citizens in violation of the due process of the 14th Amendment.

The arrests of the students grew out of July, 1960 demonstrations in front of Hooper's Restaurant in downtown Baltimore.

Before Judge Joseph R. Byrnes in the Baltimore Criminal Court in December, 1960 and in March, 1961, the students drew suspended fines of $10 each and were ordered to pay court costs.

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MRS. MITCHELL contended the following questions were in controversy:

1. Whether the due process and equal protection clauses of the 14th Amendment to the United States Constitution prohibits the state of Maryland from using executive and judicial processes through the criminal trespass statute to enforce discrimination of a private owner who, for profit, has opened his property to the general public.

2. Whether the trespass statute denies the appellants freedom of expression and assembly contrary to the first and 14th Amendments.

3. Whether the evidence is sufficient to sustain convictions of the students under the state's criminal trespass statute.

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MRS. MITCHELL argued that the trespass act which makes it a criminal offense to remain on property after warning is constitutional but illegally applied in the case of the students.

She said they were conducting themselves in a peaceful manner at the Hooper's Restaurant which is a business open to the general public.

She insisted that they were denied service of food because of their race and color and were requested to leave.

Mrs. Mitchell argued that the court should order the restaurant in the same manner as a private owner.

She noted from a Supreme Court case, 326, US 501, 506: "Ownership does not always mean absolute dominion. The more an owner, for his advantage, opens up his property to the public in general, the more do his rights become circumscribed by the statutory and constitutional rights of those who use it."

SHE CONTENDED:

"The issue here is clear and compelling, whether the right of a proprietor who has opened up his property for business use by the general public to select, his patrons solely on the basis of race or color, shall prevail over the appellant's constitutional right to be free from state enforcement of a policy of racial discrimination."

Mrs. Mitchell also quoted cases which condemn enforcement of racial segregation in public places.

She contended that a state may not use the police, judiciary and legislative powers to enforce racial segregation for businesses open to the public.

The attorney argued also that the 14th Amendment protects free expression and includes picketing and sit-ins as symbols of protest.

She said: "If one is asserting his right to be upon the property of another under a claim of right due to his constitutional guarantees, he cannot be held guilty of a criminal trespass."

BALTIMORE COUNTY

# St. James marks 100th anniversary

By DORIS B. ADAMS

St. James AUMP Church of Towson celebrated its 100th anniversary recently.

The church was founded in 1861 when a small group of colored Christians organized a religious society and held meetings from house to house.

St. James, the first colored church in Towson, was deeded to the AUMP Conference on Oct. 17, 1881. The church now has 300 in membership through the years.

The county passed a resolution which read:

"Whereas the St. James African Methodist Protestant Church is the oldest church or temple of Christian worship in Baltimore County seat of Towson, Md., and whereas this church has conducted services in this county for many years, at its permanent location at 413 Jefferson Ave., being a branch of the oldest controlled colored religious denomination in the country, and whereas the St. James AUMP Church is currently celebrating its 100th anniversary of spiritual service to the many thousands of members across this nation.

Now therefore, be it resolved that the county executive of Baltimore County, recognizes and is cognizant of the valued contributions this church has made through civic and religious activities to the betterment of the entire community."

The resolution was presented to the Rev. V. A. McManus, pastor.

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LKM IOTA'S ARE still raving about the party that sororities Thelma Walls of Orange, N. J. gave for them when they attended the recent regional conference in Newark. Thelma had the girl's many of whom were Baltimore Counians, taxied to her home where an elaborate buffet awaited plus guests who had just returned from the Governor of New Jersey's Ball. Of course soldiers and women's growing roll in it was a major theme.

Determined that sorors would never forget Newar and its Delta chapter, the hosts not only greeted sorors at the cocktail route but bade them a grande adieu when the conference a chartered bus (by Delta) arrived at the Essex House where sorors were whisked off to Morristown, destination ... Neighborhood Houses.

Delta Basilleus, Carmelo Wa[illegible] is Director of the center. The theme of the gala affair was, An Evening in Latin American Dances.

Dance instructors had been hired to teach Latin American Dances.

The Northeastern Regional Conference left many exciting moments to be remembered. KM Northeastern Regional Director is Celestine Harris of Washington, D.C. lota delegates to the conference were Helen Deleaver and Doris Adams.

# Elizabeth M. Oliver to receive journalism award

AFRO reporter Elizabeth M. Oliver has been named recipient of the 1961 award given annual by Dr. and Mrs. Henry A. Wise of Lanham, Md.

The award will be presented to Miss Oliver (Mrs. Reid Abney, Sr.) on Nov. 25 at the Hotel Washington in D.C.

The event is the annual Maryland Debutante Ball sponsored by Dr. and Mrs. Wise. Each year an outstanding woman is presented to the debutantes.

House of Delegates members, Mrs. Verda Welcome and Mrs. Irma Dixon, received the 1960 award. The 1959 award went to Mrs. Marguerite Belafonte.

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AT THE 10 p.m. ball, Miss Oliver will be cited as a distinguished journalist and will receive an engraved plaque.

As a special writer for the AFRO - AMERICAN Newspapers, Miss Oliver, has done - the - scene coverage of the Montgomery, Little Rock and Tallahassee incidents, and is writer of the Baltimore AFRO column, "Off The Beaten Path".

Also appearing in the AFRO have been her biographical stories of distinguished personalities, including Dr. W. E. B. DuBois, Congressman William L. Dawson, former Gov. Floyd Collins of Florida, former Senator Cora M. Brown, and the late Dr. W. Ward Allen.

In 1958 she received the Community Service award given by the Maryland League of Women's Clubs.

Miss Oliver is a graduate of Fisk University with an A.B. degree in romance languages and an M.A. degree from Indiana State University in education, a member of the Alpha Kappa Alpha Sorority.

A former student at the John Heron Art Institute, she at one time taught Art in the Baltimore school system and was one of the first teachers at Garrison Junior High School.

Her daughter is Miss Marisha Rose Hood, admittance officer at Crownsville State Hospital.

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DURING THE debutante ball, Mrs. Julius M. Udochi, wife of the Nigerian Ambassador, will crown the queen.

The 1961 debutantes are: Miss Sandra Abney, Glen Arden, Md.; Marva Allen, Fairmount Heights, Md.; Jean Brown, Annapolis; Joyce Carroll, Glen Burnie, Theresa Connor, Lanham, Md.; Virginia Colding, Glen Arden, Md.; Caroline Crutchfield, Annapolis;

Also, Misses Patricia Grimes, Seal Pleasant; Betty Ann Gwynn Oaks, Virginia Contee, Lanham; Harriett James, Gretchen Germany, Washington; Georgia Jones, Washington; Joyce Jones, Washington; Joyce Kaiser, Annapolis;

And Misses, Ida Mae Lette, Seat Pleasant; Mary McDaniel, Annapolis; Valois Michens, Washington; Mildred Minor, Jessup; Karen Robertson, Oxen Hill, Brice Spears, Annapolis; Joyce Tangee, Annapolis; Sharon Wilkes, Clinton; Delores Gross, Prince Frederick; Elaine Toney, Leonardtown; and Thelma Woodland, St. Marys' Co.


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