

11/2/62

Sheriff, Deputy Are Removed From Bus Suit

Injunctions Dropped Against Flournoy, Goslin by Judge

Injunction proceedings against Sheriff J. Howell Flournoy and James Goslin, his chief deputy, were dismissed today by Federal Judge Ben C. Dawkins Jr. in a Justice Department attempt to get a court order to halt enforcement of segregation laws at the Continental Trailways bus depot here.

The judge granted an oral motion to dismiss the complaints against Flournoy and Goslin after government lawyers presented their case in U.S. District Court here this morning.

Other defendants in the action are Mayor Clyde Fant, Police Chief Harvey D. Teasley and Public Safety Commissioner J. Earl Downs.

Judge Dawkins held the only connection the sheriff's office had with the bus station was on Nov. 1 of last year when deputies and policemen arrested Hugh Walmsley, the station manager, for violating a state law requiring signs to be posted designating white and colored facilities in the terminal.

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Were Upholding Law

Walmsley was acting under an Interstate Commerce Commission directive, which went into effect on that day, ordering an end to segregation in interstate transportation facilities. Judge Dawkins said the state law which conflicted with the ICC order was not declared unconstitutional until January of this year. Therefore, the judge said, Flournoy and Goslin were upholding the law when Walmsley was arrested.

Walmsley was the first witness the government called. He testified that he had seen police officers on duty at the station on several occasions direct Negroes from the white waiting room and restaurant to the Negro waiting room.

In response to a question by Judge Dawkins, Walmsley said he thought it was in the public interest to have a policeman at the terminal at all times to maintain order.

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Facilities Would Be Crowded

He also testified that if one waiting room instead of the two now in operation had to be used, facilities at the depot would be crowded.

Walmsley said the ICC had instituted no action against the terminal for any non-compliance with its order.

George F. Pratt, manager of

the terminal restaurant, said he had orders to serve everyone who came in, regardless of race. Pratt said no Negroes had been served, however, because policemen asked them to leave before their orders could be taken.

David P. Hurley, FBI agent, testified that he was ordered to investigate the segregation situation at the station. He quoted Teasley as saying it was a policy to maintain segregated facilities. Hurley also stated that policemen he questioned said they were at the terminal to maintain segregation.

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Good Race Relations

Mayor Fant declared "Shreveport's record of race relations is better than any city of its size in the U.S."

He testified that any friction was brought on by the "so-called freedom riders."

"We can work out our own problems if we don't have interference from agitators or outsiders," the mayor said.

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Injunction Filed May 31

The government filed its request for an injunction on May 31. St. John Barrett, second assistant in the civil rights section of the Justice Department, and David Marlar, a departmental attorney, are representing the government.

J. N. Marcantel, city attorney, and J. B. Johnston Jr., assistant city attorney, are defending the city officials. Sidney Cook represented the sheriff's office.

The government had summoned 17 witnesses. But the judge said depositions and statements given by some of them could serve as their testimony.