

State Superintendent Orders Holiday for All Public Schools

Government Warns Davis; Governor Accepts Papers

Legislature Begins New Meet Today

BATON ROUGE, Nov. 12 (P) — Gov. Jimmie H. Davis today accepted notice of a federal order to stay out of the New Orleans school integration dispute.

Davis earlier had sent word to the U.S. marshal at New Orleans that he was ready to accept the federal papers. A U.S. marshal and a deputy served the governor as he returned to the mansion from a dove hunt.

Davis accepted the papers, shook hands with the marshal and ducked into the mansion.

The Legislature returns at 3 p.m. Sunday on a special call to be in position to take action against the integration of five Negro girls in New Orleans white schools scheduled on Monday.

Davis' acceptance of the federal papers came as U.S. Atty. Gen. William P. Rogers announced in Washington that he will use the full power of his office to prevent Louisiana officials from blocking integration.

RUMORS FLYING

There was no immediate indication what effect the governor's acceptance would have. Meanwhile, rumors were plentiful.

There were reports the Legislature would fire members of the Orleans school board and possibly some Orleans lawmakers, and that the state education superintendent would give the city's school system a surprise holiday.

Segregation leaders representing several groups met with Shelby M. Jackson, state superintendent of public education, to touch up legislation and strategy in a meeting here.

Later, Jackson announced a statewide holiday for public schools on Monday.

Members of the Joint Legisla-

(Continued on Page Six-A)



LOUISIANA'S GOVERNOR Jimmie Davis (right) looks at papers served by U. S. Marshal Edward J. Pettibon on the porch of the governor's mansion. The papers restrain the governor from any interference with school integration in the state. The governor was served just as he returned from a dove hunting trip. (AP Wirephoto)

Threatens Action in N.O. Row

WASHINGTON, Nov. 12 (P) — Atty. Gen. William P. Rogers warned today that he will use the full power of his office to prevent Louisiana officials from blocking court-ordered integration of the New Orleans public schools.

Rogers also told Gov. Jimmy Davis in a telegram "any resistance, obstruction or interference with federal court order will be a violation of federal law." Then he listed specific ways in which the law might be violated.

But Rogers said he is confident that Louisiana public officials "will uphold and support the Constitution of the United States and will exert every effort to give full cooperation to the federal courts in order that law and order may be maintained."

Louisiana officials are making a last ditch fight against a court

(SEE TEXT ON PAGE 16-A)

order that five Negro girls be permitted to enter first grade classes at two all-white schools on Monday. This would be the first integration of public schools in New Orleans.

Rogers also sent a telegram to Mayor deLesseps Morrison of New Orleans assuring him that the Justice Department is "ready to cooperate fully with the city of New Orleans and New Orleans police."

The attorney general said his department had made arrangements for temporary expansion of the present staff of the U.S. marshal's office in New Orleans. A Justice Department spokesman said this meant eight deputy marshals had been sent there.

NO PLAN FOR MORE

He added that there was no plan to send any more unless the situation demanded it.

Rogers told Morrison he hoped by effective use of local law enforcement officers with the cooperation of the Justice Department that violence and disorders may be prevented.

"Surely, as I know you agree," Rogers told Morrison, "the public interest requires all officials who have responsibility in this matter to strive earnestly and resolutely to that end."

Rogers did not say specifically what action he would take if Louisiana officials interfered with carrying out of the court's integration order. The Justice Department spokesman said the measures taken will depend specifically on what occurs.

Rogers' 600-word telegram to Davis consisted mostly of a citation of the various legal statutes involved in any interference with U.S. courts and legal officials.

CADDO, BOSSIER

Compliance With School Holiday Order Uncertain

Compliance with a public school holiday request for tomorrow declared by State Education Supt. Shelby Jackson was uncertain last night in Caddo and Bossier parishes.

Neither school superintendent could be reached for comment and school board members expressed uncertainty.

However, parochial schools and colleges in the area will be open.

Other North Louisiana parish school officials who were contacted said their schools will comply with Jackson's request for a holiday. Tomorrow is the day set by a federal court for integration of public schools in New Orleans.

Caddo school board members said no immediate decision could be announced. Bossier Parish officials were unavailable for comment. Both Caddo School Supt. Roscoe White and Bossier Supt. T. L. Rodes were unavailable for comment.

Several school officials last night gave various answers and comments on Jackson's holiday declaration, none of them definitely deciding if Caddo schools will close.

The Caddo Parish School Board's executive council, favors observing the holiday, according to Robin M. Hood, school board member. The council consists of W. C. Rasberry, president; Charles L. Mayer, vice president, and Dr. W. B. Worley.

"The least we can do is to co-

operate with Jackson and the governor and close the schools Monday," Hood said. "Rasberry's opinion and mine is that we would go ahead and close the schools Monday."

Hood said that Rasberry, after conferring with the other members of the executive council indicated the schools would close.

Rasberry said he had received no official notification of the declaration by Jackson and didn't know immediately what course of action would be taken regarding observing the holiday.

Mayer termed Jackson's action "very interesting" and declined further comment other than "I have no more idea than you do if our schools will close Monday."

Other school board members did

(Continued on Page Six-A)

6-A Sunday, Nov. 13, 1960

Governor Accepts Papers

(Continued From Page One)

Legislature on Segregation, members of the State Sovereignty Commission, district attorneys, and the committee which tried to seize New Orleans schools worked through the afternoon to prepare their legal ammunition.

Legislators already were confronted with three federal injunction suits aimed at stopping them from a school takeover.

Suits were filed by the National Association for the Advancement of Colored People, the New Orleans school board and a white citizens group.

The strategy apparently represented an attempt to keep the schools open "under the laws and Constitution of the state of Louisiana and under policies of the State Board of Education."

But closure of the New Orleans schools was among reports on the Legislature's plans that circulated here.

The Legislature was scheduled to end a 12-day special session at noon Tuesday. But Davis issued a special call for the Legislature to return Sunday.

Before Jackson announced his school holiday, he had been reported planning several moves. These reports included:

The superintendent of education would place Orleans school teachers on temporary leave of absence with pay, removing them from classrooms and forcing the children into a holiday.

He would suspend allocation of funds to Orleans public schools

TO CONTINUE FIGHT

BATON ROUGE, Nov. 12 (P) Ragan Madden, district attorney at Ruston and president of the Louisiana District Attorneys Assn., said today his group hasn't quit the fight against school integration.

Madden said a statement attributed to him a day earlier was incorrect.

The association president said, "We are not about to give up the fight."

The word "not" was inadvertently dropped in some copies of a news story. The district attorneys association is helping lawmakers in legal matters concerning the school integration dispute.

and force temporary closing of the schools. The parish gets 65 percent of its funds from the state government.

Or, the superintendent would prepare to remove white teachers under a new state law as soon as they begin teaching in an integrated class Monday.

A legislative source, asking not to be identified, said there has been talk of removing Orleans legislators, but he was unable to say if the Legislature had such authority.

Many lawmakers, he said, are fed up with opposition to their plans from some Orleans legislators.

ITS OWN JUDGE

Under state law, the Legislature is the judge of the qualifications of its own members to sit in session and vote on laws.

The method of removing a legislator from office would be by impeachment trial, with formal charges of high crimes or misdemeanor.

Earlier, the governor called the Legislature back for another 30-day special session to begin at noon Tuesday as the first special session dies.

Gov. Davis left the mansion Saturday morning with gun and hunting clothes.

"The doves are waiting," Davis said when asked for comment about New Orleans school integration.

When questioned further, he quipped, "I wish you would enlighten me."

U.S. deputy marshals sought the governor to give him the papers. It was reported they left the city as Davis prepared to leave on his hunting trip.

Here are some of the reported plans of the legislature:

Remove the Orleans Parish school board, which has gone along with federal integration orders applying to the first grades Monday. This would be by formal charges and ouster, known as addressing out of office.

Invoke interposition, under a new state law passed by the special session and signed by the governor to place the state on record as opposing and not recognizing as legal the Supreme Court decisions that knocked down the doctrine of separate but equal public school facilities for white and Negro children.

File suit in state district court under new segregation laws to ask federal officials to show cause why they should not be stopped from interfering with legislative control of schools.

Appoint another eight-man committee to operate Orleans Parish public schools to replace the present committee under injunction to keep hands off.

Close Orleans Parish public schools.

Orleans May Not Accede

NEW ORLEANS, Nov. 12 (P) — New Orleans School Board President Lloyd Rittiner said tonight in his opinion a suddenly announced statewide public school holiday Monday—the day integration is scheduled here—would be "circumvention of the law."

State Supt. Shelby H. Jackson tonight declared the state school holiday and requested all public schools to observe it. Jackson is a staunch segregationist.

Rittiner said a definite announcement of the school board's plan would be made before Monday morning.

Before making an official announcement, Rittiner said he would have to confer with the school board's attorney and other board members.

"It is my opinion that we have been ordered by the federal court to desegregate on Nov. 14 and such a holiday would be a circumvention of the law," Rittiner said.

"Therefore, to keep Mr. Jackson and the school board from being held in contempt, it may be necessary to go ahead with desegregation."

The board's attorney, Samuel I. Rosenberg, said the board is under no legal obligation to comply with Jackson's request.

"To the best of my knowledge," Rosenberg said, "the state superintendent of education has never declared a holiday in this fashion so there is no precedent for what local action should be."

Rosenberg said he thought the board would run the risk of contempt of federal court by complying with the holiday request, if U. S. Judge J. Skelly Wright considered it an open move to block segregation.

The brief announcement of the holiday came from Jackson's Baton Rouge office.

NAMED IN ORDER

Jackson has been named in a federal court order restraining him from interfering with New Orleans school integration. It was not known whether a U.S. marshal has served him with the papers yet.

Jackson's announcement came as both sides lined up for last-ditch litigation and legislation.

From Washington, U.S. Atty. Gen. William P. Rogers warned Gov. Jimmie Davis he will use the full power of his office to prevent Louisiana officials from blocking court-ordered integration.

Davis later accepted a federal order to stay out of New Orleans school integration. A U.S. marshal served the papers on Davis as he returned to the governor's mansion from a dove hunt.

Meanwhile, New Orleans Mayor deLesseps Morrison wrote to the Legislature asking lawmakers to take no action which would (1) remove public officials from office; (2) may have the effect of disturbing the peace and order of this community; and (3) that would close the public schools.

The National Assn. for the Advancement of Colored People filed a new plea in federal court here to ban anyone from interfering with the desegregation of first grades.

OFFICIALS ENJOINED

Judge Wright, before whom the suit was filed, already had enjoined state authorities from interfering with

(Continued on Page Sixteen-A)

Compliance With Order Is Uncertain

(Continued From Page One)

not know if the holiday would be taken.

"I haven't the slightest idea," remarked Marvin W. Bass. "It came up so suddenly."

Another member, L. Wesley Norton, said "I don't know. I have not been consulted about the matter."

John M. Madison said, "I haven't given the thing any consideration. I don't have any independent thoughts about it. If the board president calls a meeting, I'll come, and if he doesn't, I'm not going to do anything about it."

"I couldn't say anything about the matter," Jimmie C. Atkins concurred, "but I hope they do something about that thing in New Orleans."

The Rev. M. B. Majoli, president of Jesuit High School, said the school would "definitely remain open Monday."

The Rev. A. B. Kearns, S. J., president of St. John's Grade School, said that since the school is a private one, it would remain open Monday.

Sister Helen Marie, principal of St. Vincent's Academy, said that the "school will observe ordinary classes Monday."

Dr. R. L. Ropp, president of Louisiana Tech said that an education department official informed him that the order did not effect state colleges, but only secondary and elementary schools.

Allen Plummer, DeSoto Parish School superintendent, said he had been advised by Jackson to close all schools as a holiday observance Monday. "All DeSoto Parish Schools will comply," Plummer said.

Winn Parish Supt. W. D. Walker said "we heard it tonight and until we are officially notified that a holiday has been requested" his office would have no comment. Claiborne Parish School Supt. F. C. Haley said he will do what Jackson wants him to do and observe Monday as a day off but he hasn't polled the School Board yet, but would. He said that he received a telegram about 10:10 p.m.

Jackson Parish School Supt. J. D. Koonce said he has "not received any official request to close Jackson Parish Schools from Jackson, but will close the schools if the other parishes do so."

School Chief Orders Holiday on Monday

(Continued From Page One)

the school board's plan to integrate.

The board planned Monday to put five Negro children in first grades of presently white schools.

The New Orleans case was viewed as a test of the fate of segregated schools throughout the state.

Davis summoned legislators to Baton Rouge Tuesday in an emergency meeting—two days before the 12-day special session scheduled to end Tuesday.

Most of the segregation legislation already adopted has been declared unconstitutional by federal courts. Another special session is to begin Tuesday.

It was not clear whether Davis planned to keep the Legislature in continuous session to pass new legislation as fast as the federal courts knocked it down.

Four members of the parish school board said they believe the Legislature will try to oust them from office. The board's fifth member, staunch segregationist Emile A. Wagner Jr., said the ouster would be justified on the grounds that the board had "flaunted the authority of the state."

"Whether it will stick is another question," Rittiner said.

Another board member, Matthew R. Sutherland Jr., who was re-elected Tuesday over the opposition of three segregationist candidates, told newsmen his wife received two or three telephone calls Friday threatening her life and the lives of her children. Sutherland campaigned to keep schools open even if integrated.

City police have been maintaining a round-the-clock guard at the residence of Judge Wright.

Sutherland said any move to recall the board is "just the same old thing all over again—another attempt to take over the schools."

Meanwhile, Archbishop Joseph Francis Rummel of New Orleans announced that the city's Catholic

schools will be integrated if and when public schools are actually integrated.

A legislative committee, which took over the school system temporarily, went to New Orleans from Baton Rouge Thursday escorted by state police.

Sutherland said any move to recall the board is "just the same old thing all over again—another attempt to take over the schools."

The school board has been on-again-off-again as the parish school authority.

First, when the board moved to comply with a federal court order to desegregate schools, the governor took charge of the schools under state legislation to keep them segregated.

When federal court found the legislation unconstitutional and barred Davis from exercising power over the school board, Davis called the Legislature into special session.

The Legislature passed new segregation bills, and named a legislative committee to take over the New Orleans schools.

White parents who said they feared closure of the schools then got a federal court order against the legislators' interfering with integration.

Another restraining order was directed against Louisiana chiefs of police, sheriffs and district attorneys.

Many of these had not been served with notice of the order, but federal agents said the subpoenas were in hand to be served if needed.