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This thesis deals with the reaction of Greensboro, North Carolina, to Negro demands for equal opportunity during the period May--July, 1963.

During this three month period, blacks in the city had three main objectives: achieving equal employment opportunities in the city, getting qualified blacks on city boards and commissions, and achieving desegregation at Greensboro's privately-owned public accommodations. The businessmen who ran these facilities feared a loss of white customers and believed, because North Carolina had no law enforcing desegregation, that they could discriminate. The city government took a middleman position in the dispute. Promises from the city government to mediate had ended previous direct action attempts on the part of Negroes to achieve their objectives.

On May 11, two weeks of sustained demonstrations by blacks began in an attempt to gain service at public facilities. Moving into the downtown area, the blacks attempted to desegregate two cafeterias and two theaters. In an effort to end the direct action, the mayor appointed the Special Committee to negotiate with the management. On May 25, three days after the setting up of this committee, the wave of demonstrations ended.

The failure of the Special Committee to achieve success in negotiations led to the end of the truce and

demonstrations began again on June 2. Silent marches, led by members of the city's four black civil rights groups, were staged for the next three nights. Blacks then turned to "sit-downs" in major thoroughfares of the city and the city government began to fear violence.

On June 7, the mayor made a speech urging blacks to stop demonstrations and insisting that businessmen change their policy. Meetings were held between the mayor and the businessmen on June 13 and 14. These meetings produced the desegregation of the indoor theaters, several restaurants, and a few motels. Over the next few months, more facilities also agreed to change.

Aside from gains made in this area, success was also achieved in promotions in city positions and the lowering of racial barriers within the Greensboro Housing Authority. Despite the failure of blacks to achieve the goal of equal opportunity, important gains were made through the use of non-violent direct action.

THE NEGRO AND THE STRUGGLE FOR EQUAL

OPPORTUNITY IN GREENSBORO

MAY--JULY, 1963

by

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CHAPTER 1: INTRODUCTION

A large segment of the domestic history of the United States in the decade of the 1960's was concerned with the struggle of the Negro to achieve equal opportunity within the American system. Prior to 1954, Negro organizations, such as the National Association for the Advancement of Colored People, tended to rely on court suits to remove the barriers of discrimination and segregation. In that year, the Supreme Court of the United States decided in the case, Brown v. the Board of Education, that "separate but equal" schools were not equal and ordered segregated schools to change their racial make-up "with all deliberate speed." This decision represented the zenith in legal battles for equal opportunity. Despite this success, a change in the basic Negro strategy would become apparent after 1955.

On December 1, 1955, Mrs. Rosa Parks refused to stand up for a white person on a Montgomery, Alabama, city bus, violating the bus segregation law. Word spread throughout the Negro community in the city, creating a reaction like one which had been tried previously in the North in 1942. Black leaders instituted a boycott of the city bus system. Ordered for only one day, the tactic was later extended until certain demands were met, including the end of segregated seating on the bus lines. The result was the formal beginning of non-violent direct action.

Non-violent, direct action has a long and proud history in the twentieth century. While some would claim that non-violence extends back to Jesus Christ, its modern foundations may be found in the life and teachings of the Indian leader, Mahatma Gandhi. Gandhi referred to his method as 'satyagraha' or the belief that one must not only combat evil, but refuse to cooperate with it.¹ In terms of Negro activities, the non-violent technique represents the refusal of blacks to retaliate against white harrassment. Combined with non-violence is the theory of direct action. As defined by Martin Luther King, direct action

is a method of acting to rectify a social situation that is unjust and it involves in engaging in a practical technique that nullifies the use of violence or calls for non-violence at every point.²

The combination of these two methods gave the black man an important weapon.

The new strategy depended on various tactics if it was to succeed. As the method was applied to different situations, the variety of tactics grew. These techniques served several important purposes. First, they tended to injure, socially or economically, various groups of businesses that hindered the Negro in what he felt should have been his normal, everyday activity in American society. They helped to point out to

¹ Southern Regional Council, "Direct Action in the South" in Minority Problems edited by Arnold and Caroline Rose, (New York: Harper and Row, 1965), p. 401.

² Kenneth Clark, The Negro Protest, (Boston: Beacon Press, 1965), p. 39.

individuals or groups that an injustice was being committed against the Negro. More importantly to those participating, these tactics had proven "to be well-suited for situations in which a minority lacks access to major sources of power and to the instruments of violent coercion."³ Finally, they provided the Negro with his "first taste of self-determination and political self-expression."⁴ No longer must the black man rely on the courts or a handful of leaders to achieve his desires. He should participate in the tactics of non-violent, direct action to achieve his objectives personally.

The list of tactics is worth reviewing. The first tactic to achieve success was the sit-in. The sit-in was first used by members of the Congress of Racial Equality⁵ in Chicago in 1942. Negroes entered a segregated facility and asked for service. If service was denied, the participants would then take seats in the establishment and refuse to leave. Other tactics stemmed from the basic sit-in idea. A stand-in, a similar technique, relied on standing in the business area, instead of sitting. A park-in was used at

³ James Vander Zanden, Race Relations in Transition, (New York: Random House, 1965), p. 56.

⁴ James Farmer, Freedom-When?, (New York: Random House, 1965), p. 36.

⁵ The Congress of Racial Equality was founded in Chicago in 1942. The organization was small for many years, not becoming prominent until 1960 during the sit-in movement. By 1963, it had 61,000 members. CORE was considered the fore-runner in non-violent, direct action techniques.

drive-ins. This concept involved having the "participants...⁶ return to their automobiles and wait quietly..." If the use of any of these stratagems resulted in the arrest of demonstrators, a jail-in could be used. Instead of posting bond,⁷ those arrested would remain in prison.

Other devices were used to accommodate a large number of people. A silent march helped to show many outsiders that an injustice was taking place. Picketing was another method. Those taking part would parade up and down in front of an establishment, carrying signs specifying the grievances of the black community. A final tactic for a large number of participants was an attempt to gain admission to a segregated business. If they were refused, those who sought admission could then turn to more demonstrative tactics.

Two other techniques were designed to involve the entire black community. A boycott, used in Montgomery in 1955--1956, meant, usually, that one aspect of economic life in the city would not be used by the Negroes. A selective-buying campaign meant that places of a certain type of facility or in a designated area would not be patronized by the black community while other places of this facility or in this area would be used.

A final technique, relied on by the demonstrators to create confusion, was the mass arrest. Negroes would

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Greensboro Record, July 13, 1962, p. B-1.

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Durham Sun, August 15, 1962.

deliberately violate a city or state law, forcing arrests and remain in prison once arrested. The city was compelled to provide facilities to hold those arrested, and in many cases, the normal jails would not be adequate and other facilities had to be found.

The national office of CORE demanded that its local leaders always attempt to approach the problem of change with negotiation, either with the management of segregated businesses or with the city machinery, usually a human relations committee. Once this had been done, the demonstrators then⁸ moved on to a more active tactic if negotiation failed.

The March on Washington, staged in August, 1963, was the most important event of the non-violent, direct action movement prior to the passage by Congress, in 1964, of the first substantial civil rights bill since 1875. The events that led to this march included demonstrations occurring in the streets of many large cities, north and south, in the spring and summer of 1963. The activities in those months represented the supreme attempts for change on a local level.

In the previous nine years, various elements attempted to assist the Negro in his quest for equal opportunity. The Supreme Court of the United States struck down segregation in many areas through various decisions made after 1954. The principle of outlawing unequal separate accommodations

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Lewis Killian, The Impossible Revolution? (New York: Harper and Row, 1968), p. 75.

was applied by the high court and lower courts "to the whole field of public facilities....,"⁹ which were owned by state or local governments. Congress attacked a few of the injustices in the voting system with the passage of civil rights bills in 1957 and 1960. The final element was the President of the United States. In the campaign of 1960, the Democratic candidate, John Kennedy, expressed an interest in the aspirations of black people, and his actions "convinced the great majority of Negroes that Kennedy would be a bold and effective champion of their cause."¹⁰ Despite these worthwhile beginnings, none of the three elements seemed willing, prior to 1963, to carry through their efforts to a logical conclusion. This failure created a sense of frustration in the minds of many black leaders. Their hopes raised, their patience almost gone, Negro leaders turned to non-violent direct action to achieve the goal.

While direct action through non-violence existed on a substantial scale before 1963, larger-scale demonstrations were staged in that year. On the one-hundredth anniversary of the Emancipation Proclamation, the feeling that its promises were still unfulfilled created a sense of urgency. Dr. King and his followers took to the streets in Birmingham, Alabama, to protest the discrimination and segregation that

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Benjamin Muse, The American Negro Revolution, (Indianapolis: Indiana University Press, 1968), p. 41.

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Harold Fleming, "The Federal Executive and Civil Rights" in The Negro American edited by Talcott Parsons and Kenneth Clark, (Boston: Houghton Mifflin, 1966), p. 371.

existed there, and the violent white reaction that met the demonstrators angered black leaders throughout the nation. In city after city, Negroes turned to direct action to achieve change.

In 1963, Negro civil rights advocates had five basic objectives: equal voting rights, equal opportunity in employment, the end of segregated education, equal opportunity in housing, and the end of segregation in public accommodations.¹¹ The achievement of these objectives would increase the chances of reaching eventually the long-sought equal opportunity in all facets of American life.

Public accommodations were a target of the strategy from its beginning. Public facilities may, of course take various forms. They may be owned by the state or local government or they can be privately owned. They may consist of a chain of interstate businesses or a single establishment in a certain city. Basically, public accommodations are facilities, either owned publically or privately, that are used by the general public.

The constitutional sanctions for segregation in public accommodations had been laid down by the Supreme Court decision in Plessy v. Ferguson in 1896. Eventually, this type of segregation was changed by court decisions and by laws adopted in various states and cities which prohibited

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Muse, p. 54.

the practice. By 1963, thirty states and five cities had outlawed segregation in public facilities. However, no southern state had enacted such a statute. In some cases, laws were still on the books which provided a legal basis for separation of the races. In others, 'local custom' prevailed. Under this practice no (or very few) businessmen operated their establishment on a desegregated basis.

Non-violent, direct action was easily applied to this problem. In terms of the movement itself, the work to desegregate public facilities "was the easiest and least complicated of the five...objectives..."¹² Denial of equal opportunity in this area offended a large number of Negroes. According to Muse,

to be turned away from a hotel or restaurant because of his color was not only one of the cruelest humiliations that the sensitive Negro suffered, but the practice imposed serious physical hardships.¹³

The tactics of direct action were easily adapted to fit such efforts. Finally, in this area, "segregation found [the] least rational justification."¹⁴ For these reasons demonstrations staged to end segregation in public accommodations were held in many cities. Often, this was the primary objective to which other desires could be added.

¹²

Ibid., p. 59.

¹³

Ibid.

¹⁴

Ibid.

The main participants in these demonstrations were black students. In many sections of the nation, "the student demonstrated both high militancy and a degree of creative-¹⁵ness and daring that had not been seen before." Black students had led the sit-in movement of 1960--1961 and the freedom rides in 1961. They possessed a "new attitude and new outlook" achieved through time spent in school, their observations on American life and their impatience with the¹⁶ slowness of the legal process. The black students were well-fitted for the role they played.

The purpose of this work is to present a study of the reaction of one city, Greensboro, North Carolina, to black demands for equal opportunity during a three-month period, May--July, 1963.

Greensboro is a city of approximately 130,000 in the northern Piedmont region of North Carolina. The city is the home of a number of industries, including Burlington and Cone Mills. Also located there are five colleges, providing an influence aside from that of business and industry. Tradition and moderation were evident in the city since the turn of the century.

The black demands for change in the city had begun in

¹⁵ William Brink and Louis Harris, The Negro Revolution in America, (New York: Simon and Schuster, 1964), p. 114.

¹⁶ North Carolina Council on Human Relations, The Freedom Riders, Raleigh, 1961.

the 1950's. The city's population of Negroes, which numbered approximately twenty-five per cent of the city's total, tended to rely on the work of the local chapter of the NAACP, led by a black dentist, Dr. George Simkins. Like the parent organization, the local chapter used the courts to end discrimination and segregation in public facilities controlled by the city. Any efforts on this level were slow. Simkins and his followers also sought to end the segregation in the local school district and achieve equal employment in city positions.

The city government itself provided much of the change. Voluntarily, it desegregated the bus lines and the public library. The result was the eventual desegregation of all public facilities owned by the city by 1961.

In 1960, the tempo of the civil rights movement in Greensboro was sharply accelerated. That year would see the appearance of a new strategy that would place the city government in a shaky position. The new enemy became the businessmen of the city--those merchants who refused to serve Negroes or ran their facility on a segregated basis.

The new strategy was non-violent direct action. Sit-ins conducted by Negro students from the two black colleges, North Carolina A and T College and Bennett College, led to the desegregation of the lunch counters of two downtown variety stores. In 1961 and 1962, Greensboro was chosen as a site by CORE and the Student Non-Violent Coordinating

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 Committee for further attempts to open public accommodations to blacks. The Freedom Highways program, staged by CORE in the summer of 1962 resulted in a change of policy at a handful of chain facilities that had operations in the city. Despite these efforts, all motion picture theaters, many restaurants and motels, and the city's two hotels were still either segregated or did not serve Negroes in any way.

In September, 1962, new efforts were launched by the local chapter of CORE, now led by an A and T student, William Thomas. While still in high school, Thomas had helped carry the sit-ins into the summer of 1960. He was well-trained 18 in the tactics and principles of non-violent direct action. The CORE leader was able to mobilize his small, but vigorous chapter into an important force that was in a position to demand reform.

Student demonstrations and the reaction of the city government and businessmen to them find their roots in the period, September--November, 1962. After September 30, the black demands were one of the main concerns of the city and owners and managers of segregated businesses. This concern would continue into the following year and become the dominant interest in May--July.

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The Student Non-Violent Coordinating Committee was formed in April, 1960, at Shaw University in Raleigh, North Carolina. Controlled by students and other young people, its main emphasis was on direct action.

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Greensboro Record, May 23, 1963, p. B-1.

The three groups had character traits in common. All believed their position to be right. The city government pursued a policy of mediation. The only purpose of the Mayor's Committee on Human Relations, set up in the summer of 1962, was negotiation. Never did the city believe that it could force businesses to change their policy. The merchants thought that the legal basis for their "rights" and the profit motive were enough to see them through. The Negroes believed that it was their right to receive all the advantages of "first-class" citizens, including the right to gain service at any public facility. All three were stubborn, and unlikely to budge unless an outside force prodded them into action.

The dominant theme in this story of response is prodding or the turning of the screw. None of the groups was willing to act unless pressed to do so. This is true even in the case of the Negroes. The primary pressure on the black groups was the failure of the other two groups to change their positions. The city government found itself coerced by the demonstrations. The businessmen felt the arm-twisting from both sides. In all three cases one final, overriding action brought so much pressure to bear that the only recourse was a change of position.

CHAPTER 2: THE PRELIMINARIES: SEPTEMBER--NOVEMBER, 1962

The Mayor's Committee

The policy of the city government, with regard to racial matters, embodied several principles. First, the city believed that it could persuade the owners of businesses to change their positions. The best means to achieve this objective was negotiation, a resort which was used successfully during the sit-in movement in 1960. The city never believed, however, that it could go any farther than the middleman role. An ordinance outlawing segregation could not be passed because the courts had not given city governments that power. Finally, the city gradually adopted the position of approving of desegregation but disapproving of the means used to bring it about. This position had been worked out by the end of 1962. The development of the policy occurred after a series of demonstrations that took place in the late fall of that year.

The city government began the development of its policy in July, 1962, when Mayor David Schenck appointed the Mayor's Committee on Human Relations. The committee was

assigned to study practices and customs most likely to create animosity among groups and by quiet consultation with those involved, seek solutions to problems in human relations as they arise or as they are anticipated.¹⁹

Despite this lofty statement of purpose, the group was not

¹⁹

Greensboro Daily News, September 15, 1963, p. C-1.

appointed merely because the city felt compelled to take a hand in solving racial problems, but also because establishment of the committee was prerequisite to the city's role in a federally assisted housing program.²⁰ Nevertheless, the city now possessed the machinery to carry on negotiations if it desired.

The membership of the committee reflected another basic position of the city. The majority of the members were businessmen, because the city believed that this type of individual was best suited to take some sort of action. After all, the city government, based on the city manager system, was run like a business. Also, businessmen were considered best able to deal with other businessmen, the people to be dealt with if desegregation was to be pressed by the Negro leadership in the city. The group consisted of nine members, two black and seven white. The blacks were Dr. L. C. Dowdy, acting president of A and T College, and Dr. W. L. T. Miller, a dentist. The five businessmen on the committee were Oscar Burnett, president of Bessemer Improvement Company; Jack Elam, a lawyer, employed by Cone Mills; Howard Holderness, president of the Jefferson Standard Life Insurance Company; George Roach, a realtor; and Bland Worley, Senior Vice-President of Wachovia Bank and Trust Company. The two remaining members were Rev. R. Harold Hipps, a minister of education at a local church, and Emily Preyer,

the wife of a judge who was, incidentally, an heir to the
 Richardson-Merrill (Vick Chemical) fortune.²¹

By September, there was no specific evidence that the committee was making any headway in obtaining a change of policy. Attempts at desegregation had been taking place during the late summer as part of the "Freedom Highways" program in the city. While some businesses claimed the work of those in the CORE program to be the reason for a different position, no one cited the Mayor's Committee's activities.

Direct Action: September--November, 1962

College was back in session. The local chapter of CORE did not care to waste time capitalizing on the work of "Freedom Highways." Some success had been achieved and the time seemed to be right to twist the arm of those who might be able to help the black students achieve their objective.

On September 30, William Thomas turned to one of these groups. He wrote a letter to the Greensboro Merchants Association. The CORE leader clearly stated the objective-- "open places of public accommodations . . . to the general public." Thomas asked the group to use its "influence" to achieve the objective. "Should you be unwilling to do this, then we have no alternative but to launch a selective-buying campaign against the entire downtown area." A reply by

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Documentation of Relevant Statements, Reports, Editorials, Etc., Concerning Desegregation Activity in Greensboro: December, 1962--July, 1963, p. 1. (A mimeographed booklet issued by the city government on racial problems in the possession of David Schenck.) (Hereafter referred to as Documentations.)

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October 3 was requested.

The Association had two alternatives. It could release a statement demanding, or, at least asking for, desegregation. The second possibility was quiet work through discussions with various businessmen who ran segregated establishments. If the group chose the second alternative, a definite change of policy had to be announced by someone or CORE would assume that no work was being done.

In conjunction with the letter, CORE began picketing in the downtown area. Four targets were selected--two²³ cafeterias, the S and W and the Mayfair, and two motion picture theaters, the Center and the Carolina. Neither of the cafeterias served Negroes. The Center did not either, claiming it did not possess the facilities to do so. The Carolina pursued a policy of segregated seating.

The proposed date for the selective-buying campaign²⁴ passed without the implementation of the tactic. The mood had changed by October 11, however. Picketing stopped at the two theaters and the next day it ceased at the two

²² William Thomas to Greensboro Merchants Association, September 30, 1962.

²³ The S and W chain of cafeterias was chosen by CORE national director James Farmer to be one of the primary targets in the Freedom Highways program.

²⁴ On October 2, Stanley Culbreth, executive vice-president of the Merchants Association, stated in a letter to the Daily News that his group planned no stand and no direct reply would be given to Thomas.

cafeterias as well.²⁵ Thomas stated that CORE was "getting ready to set up new tactics" to apply more pressure for desegregation.²⁶ No mention was made as to what this new approach would be.

The answers came on October 13. An estimated fifteen hundred participated in a silent march in the downtown area. Members of CORE and NAACP led the march, staged to protest segregation in the downtown section. More importantly,²⁷ the promised selective-buying campaign began.

For the next month, direct action leaders were prepared to wait. The selective-buying campaign must be given a chance to work and produce the necessary pressure. The merchants complained that black business had fallen off and white customers were being prevented from entering²⁸ the establishments.

Mayor Schenck felt compelled to make a statement. On October 24, he announced that the Mayor's Committee was looking for ways "to improve conditions between the races."

²⁵

Greensboro Daily News, October 12, 1962, p. B-1.

²⁶

Ibid.

²⁷

Ibid., October 13, 1962, p. B-1; Durham Herald, October 14, 1962.

²⁸

Greensboro Daily News, October 25, 1962, p. B-1. Picketing did occur during the period, as well as isolated attempts to enter the Mayfair, the S and W, and the Carolina, on September 19 and 23.

The mayor did not elaborate on what these ways were. ²⁹

Two days later, Thomas and CORE received some local support. A group of nineteen black ministers released an announcement committing themselves "to work for immediate desegregation of the entire downtown area." They included Rev. Richard Hicks, Episcopal Church of the Redeemer; Rev. Cecil Bishop, Trinity AME Zion Church; and Rev. Otis Hairston, Shiloh Baptist Church. ³⁰

The selective-buying campaign failed to achieve the desired result. On November 17, the pressure was increased. Forty-eight CORE members were arrested for trespassing at the two cafeterias. At each establishment, the Negroes, one at a time, entered the serving line. Each was read a statement giving the policy of the business. Forty-eight refused to leave, waiting in line or taking seats. Arrests ³¹ followed. The action substantiated Thomas' claim of stepped up demonstrations.

The CORE leader restated his position. "This thing [attempts to enter and being turned away] has been going on for four months and nothing has been done about it." He promised a continuation of the action. "It may take two weeks or two years, but we are determined." Thomas also

²⁹

Ibid.

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Greensboro Record, October 26, 1962, p. B-1.

³¹

Greensboro Daily News, November 18, 1962, pp. A-1, 14.

mentioned a second objective--equal employment opportunities
in the city.³²

James Farmer arrived in town the next day. That evening he spoke at the Providence Baptist Church. The CORE director called the selective-buying campaign a success. He also felt that blacks must be prepared to go to jail to achieve their objectives. Blacks had their bodies for demonstrations, their purchasing power to hurt the economy, and their vote to determine their representatives.³³ All must be prepared to suffer.

On November 22, sixty were arrested. Operations were expanded to include the Carolina theater as well as the two cafeterias. Nineteen were arrested at the theater, twenty-four at the Mayfair, and sixteen at the S and W. The Negroes said that they fully expected to be served. It was Thanks-
giving day.³⁴

The final demonstration occurred five days later. Twenty-four blacks attempted to enter the serving line at the S and W. No arrests were made. Again, the Negroes
expected to be served.³⁵

Two days later, more local support appeared for the

³² Ibid.

³³ Ibid., November 19, 1962, p. A-11.

³⁴ Ibid., November 23, 1962, p. B-1.

³⁵ Greensboro Record, November 27, 1962, p. B-1.

CORE effort. A letter was sent to Bland Worley, the chairman of the Mayor's Committee, signed by sixteen prominent black citizens. The signatures included those of Hicks, Hairston, and Dr. George Evans, a physician. The letter gave full support to the activities of the previous weeks.³⁶

The activities, except for the selective-buying campaign, ceased after November 27. The latter stopped on January 18. The reason given by CORE, in both cases, was the position of the city government. The city leaders believed if tensions were removed, perhaps negotiations could begin.³⁷ Direct action had failed, so this seemed to be the only answer.

Even though the blacks failed to achieve their objectives, some important results came out of the efforts. CORE gained the support of important allies. The demonstrations helped shape up the small CORE group. Tactics were used, objectives were stated. CORE was ready when the time came to move again.

Most important of all, the Mayor's Committee was pushed into a policy statement--something that it would not have done, were it not for the demonstrations. The statement was released four days before Christmas. The Committee endorsed the principle of equal treatment and urged businesses to consider serving all people, but deplored the

³⁶

Ibid, November 29, 1962, p. B-1.

³⁷

CORE statement, issued March 21, 1963. (In possession of David Schenck) (Hereafter referred to as CORE statement)

tactics that were used to achieve the objective. "The Committee disapproves of the attempt to accomplish objectives by any group through the use of unlawful activities." The group promised to use its efforts to encourage "consideration of the principle of equal treatment." But, this could be accomplished "only in the absence of illegal activity and in an atmosphere permitting reasonable negotiations."³⁸

The statement reinforced the city's position. No real pressure could be placed on the segregated businesses, because this would violate the rights of private property. Aside from the disapproval of segregation, the statement was weak. The committee had principles which could not be violated.

CORE and the rest of the black leadership in the city were not the only people the Mayor's Committee had to deal with. The owners and managers of segregated businesses were another obstacle to overcome. The policy of these men was one of determination and stubbornness. It was a position that could not be ignored.

³⁸

Documentations, p. 1.

CHAPTER 3: THE POLICIES OF ECONOMIC SEGREGATION

The Legal Arguments

It is the overwhelming preference of my customers-- that the cafeteria and restaurant policy remain as it has been. I am in business to satisfy my customers and when I fail to do that I will quickly cease to operate profitably.

A company must make business decisions primarily from an economic consideration and that is what I must do today.³⁹

This statement was made by Boyd Morris, owner of the Mayfair Cafeteria. While it was written in 1963, it still reflected an earlier policy. Morris and the others were in business to make a profit, and the only way to make a profit was to satisfy the regular customers, or they would no longer patronize the establishment. In other words, the businessmen were not segregationists; their customers were. According to Muse, "they [the businessmen] envisioned, upon the removal of the racial barriers, a rush of uncouth Negroes to inundate even the better white restaurants."⁴⁰

Legal arguments were also used to back up the policy. The United States Constitution, court decisions, and the absence of a state or local law were used as sanctions for these stands. Legally, Morris and others in Greensboro were correct. Perhaps under existing legal usage they were not bound to serve anyone they did not wish to.

³⁹

Boyd Morris to David Schenck, June 13, 1963.

⁴⁰

Muse, pp. 59-60.

The argument used by businessmen to justify segregation in public accommodations⁴¹ tended to rely on two main premises. First, common law did not make it the duty of the businesses involved to serve all. This was a primary contention in North Carolina and throughout the South. The second premise rested on the Constitution of the United States as interpreted by the Supreme Court. While publicly-owned facilities had been ordered to desegregate by the higher court, no decision had been made by 1962 on the matter of privately-owned public facilities. In the absence of a state law, therefore, discrimination was understood to be a legitimate practice.

The common law argument was partly sound and partly wrong. A distinction must be made between innkeepers or those who ran a motel or a hotel and restaurant owners. An inn is basically an establishment which houses guests on a temporary basis, and an innkeeper is a person who runs the facility. On the other hand, a restaurant is a place where food is served. If the owner of this restaurant also rents rooms "his establishment [is] a hotel..."⁴²

An innkeeper is bound by common law to serve all. He is "not permitted to discriminate in favor of or against any

⁴¹ In this chapter consideration will be given to motels, hotels, restaurants, and theaters only.

⁴² State v. Brown, 112 Kan 814, 212 P 663, 31 ALR 338.

class or pick and choose his guests..."⁴³

English common law bound innkeepers to receive and lodge all travelers and to entertain them at reasonable prices without any specific or previous contract, in the absence of reasonable grounds for refusal.⁴⁴

In 1895, in the case Robins v. Gray, the English courts again stated the place of common law in this matter.

...he [the innkeeper] is equally bound to receive and entertain all persons, and is not entitled to pick and choose between them or to accept certain persons as guests and refuse others.⁴⁵

When the United States Senate Committee on Commerce was conducting hearings on the public accommodations bill in 1963, opinions on this matter were received. Jacob Javits, a member of this committee, received two letters from law professors which also stated that, under common law, innkeepers had the obligation to serve all who could afford the price.⁴⁶ Clearly, an obligation did exist in this matter.

Under common law, if a restaurant owner wishes, he may refuse those who ask for admission.⁴⁷ Thus, the owner of

⁴³ Bowlen v. Lyon, 67 Iowa 536, 25 NW 766, 56 Am Rep 355.

⁴⁴ Jack Greenberg, Race Relations and American Law, (New York: Columbia University Press, 1959), p. 96.

⁴⁵ Ibid.

⁴⁶ U. S. Congress, Senate, Committee on Commerce, Hearings on S. 1732, 88th Congress, 1st Session, (Washington: Government Printing Office, 1963), pp. 269, 271. (cited hereafter as Hearings)

⁴⁷ Alpaugh v. Wolverton, 184 Vir 943, 36 SE 2d 906.

a restaurant was not bound as the innkeeper was.

The Constitution of the United States provided the second basis of argument for segregation. Three amendments were considered in this area. The fifth amendment provided the businessmen with their assurances. In this amendment, the section cited was " . . . nor be deprived of life, liberty, or property, without due process of law." The owners and managers believed that if there was interference in the question of service, this would constitute a deprivation of property without due process of law. The other two amendments which entered into this discussion were the Thirteenth, which outlawed slavery, and the Fourteenth, which contained the clauses forbidding the states to "make or enforce" a law which would

abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

In 1875, Congress passed a civil rights bill based on what it felt was its power as granted by the Thirteenth and Fourteenth amendments. Section One of this act read,

Be it enacted, That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances... theaters, and other places of public amusement. ⁴⁵

Section Two of the act allowed prosecution for those who

⁴⁵ Cited in Civil Rights and the American Negro, edited by Albert Blumstein and Robert Zengendo, (New York: Washington Square Press, 1968), p. 241.

violated the first section.

The Supreme Court, eight years later, in the famous Civil Rights Cases, declared the act unconstitutional. The high court felt that Congress had overstepped its bounds, because it did not possess the power under these two amendments to enact such a law.

In 1890, the Louisiana state legislature established a law which required separate but equal facilities for whites and Negroes. Homer Adolph Plessy was arrested for violation of this act when he refused to sit in the "colored" section of a train during an intrastate trip. The case reached the Supreme Court. The decision in Plessy v. Ferguson (1896) "stood as the principal legal obstacle to civil rights for the American Negro" for more than half a century. ⁴⁹ From that time on, separation of the races was officially the constitutional doctrine for the courts of the United States.

After 1954, the Supreme Court felt compelled to reverse itself with regard to Plessy v. Ferguson. In that year, in Brown v. Board of Education, the court struck down separation of the races in public school education. Subsequently, the court declared that all publicly owned accommodations had to serve all those who requested the service. In 1961, the court went even further. In Burton v. Wilmington Parking Authority, the court declared that public facilities owned

by private enterprise, but controlled by a governmental agency, also had to serve all who could afford the price. The case involved a coffee shop located on premises leased to it by municipal government. However, it was not until three years later that the court would decide that privately-owned public facilities could not discriminate.

In the absence of a national law or a national court decision, each state had to decide for itself what its policy was toward discrimination and segregation. By 1963, thirty-one states and five cities had passed laws forbidding these two practices in public accommodations. Other states did not possess such statutes. According to Greenberg, "private proprietors who serve the public and are not under duty to serve all, may discriminate on racial grounds unless forbidden by state or local law."⁵⁰ Where laws of this type did not exist, local custom prevailed.

North Carolina did not have such a law. Segregation and discrimination were neither allowed nor disallowed, according to the statutes of the state.⁵¹ While a few cities⁵² within the state had a law allowing for the twin practices, the rest of the cities were faced with local custom. If it was the custom of the majority of the businesses in a

⁵⁰ Greenberg, p. 101.

⁵¹ Hearings, p. 935.

⁵² Durham had such an ordinance which enforced segregation in those restaurants which served both races.

city to act in a particular way, then most, if not all, businesses pursued this policy. In the state, because of the refusal to accept the entire doctrine of common law, the businessmen were completely within the law.

Despite the validity of the legal argument within North Carolina and other states that did not have a law prohibiting the practices, the moral aspects of the argument were very invalid. First, the refusal of many motels, hotels, and restaurants to serve Negroes created a hardship on the highways. "Black" facilities were few and far between, and most were in poor condition. Second, to be turned away was also humiliating and unfair. This humiliation existed whether the establishment was on the highways or in the downtown area of a city. Blacks, finding equality in the armed forces, or in some other capacity in the 1950's did not want to face treatment as second-class citizens any longer.

Public Accommodations in Greensboro

Greensboro did not have an ordinance to determine the policy of privately-owned public facilities. Thus, prior to 1960, all such accommodations were either run on a segregated basis or did not serve Negroes in any terms. The situation changed through the sit-in movement in 1960 and other non-violent direct action that occurred in the city after that year. In a few cases, businessmen did change their policy without being "pushed"

into it. By March, 1963, it was estimated that ten percent of all eating places in the city were open to blacks as well as whites.⁵³ The other restaurants, motels, hotels, and theaters still adhered to the old methods.

Three men dominated the policies and actions of the businessmen after September, 1962. Armistead Sapp, Jr. was the attorney for the S and W cafeteria and the Center theater. Sapp's policy was to tell his clients what they should do and say, and then to demand that they follow his directives.⁵⁴ Neither of his clients objected. Sapp was also the attorney for the Hot Shoppes restaurant and Meyer's Department Store Tea Room, which were desegregated in 1962. Sapp was mainly concerned with desegregation on his own terms. The time was right in 1962 for the two restaurants to change their policy, but the cafeteria and the theater had to remain separate, not serving Negroes in any manner.

Boyd Morris, owner of the Mayfair cafeteria and a former mayor, (1955--1957) was also an outspoken person, never budging from his position. He had been running his establishment since 1940, employing many Negroes on his kitchen staff, but never serving any blacks.⁵⁵

53

Greensboro Daily News, March 2, 1963, p. B-1.

54

Interview with Armistead Sapp, Jr., November 26, 1969.

55

Interview with Boyd Morris, April 3, 1970.

The final important figure among the businessmen was Neil McGill, manager of the Carolina theater. He listened to the words of the home office of the Wilby-Kincey chain in Charlotte, never striking out on his own.

On July 25, 1960, the lunch counters at two downtown variety stores were desegregated as a result of the sit-in movement in the city. Over the next two years, other public facilities changed their policy, either because of various direct action programs or because they felt their old policy was wrong.

Others were not willing to change. Before September, 1962, most were willing to adhere to the legal arguments and to the claim that desegregation would offend their regular customers. The direct action of late 1962 affected the basic wording of the policy. On October 23, fifty blacks attempted to enter the S and W cafeteria. Speaking for his client, Sapp said that "the S and W will continue its policy of not knowingly admitting any demonstrators."⁵⁶ This idea of not serving "demonstrators" now became the general policy of the downtown targets.

Like the direct action movement, the businessmen relied on various practices. The first tactic was that of searching for undesirables in the black ranks. Sapp found two in October, 1962. Victor and Alice Jerome (the latter a teacher at Bennett College) were members of CORE. Sapp

⁵⁶

Greensboro Record, October 24, 1963, p. B-1.

accused them of being Communists, and there was in fact evidence that Mrs. Jerome had, at least in the past, been a member. CORE dismissed the couple, and Bennett fired Mrs. Jerome. Both organizations denied any knowledge of the background of the two. Nevertheless, Sapp continued to boast of his "discovery."⁵⁷

A second tactic was to urge members of the Mayor's Committee or those in the city who were white and wanted desegregation to "clean their own house first." White ministers in Greensboro were concerned about the matter of segregation, and a few days before Christmas, 1962, some of them urged businessmen to change their policy. Sapp told them to desegregate their churches before demanding that anyone else change.⁵⁸ In April, 1963, Sapp expanded this "house cleaning" demand to the Mayor's Committee. They should, he said, desegregate their own businesses before telling anyone to act in a certain way.⁵⁹ Morris announced that he would change his policy if large corporations in the city were willing to put⁶⁰ Negroes in a responsible position in their company.

By January, 1963, the policy of the businessmen was

⁵⁷ These incidents were related in late October, 1962 issues of the Greensboro newspapers; Sapp interview.

⁵⁸ Sapp interview.

⁵⁹ Greensboro Daily News, April 9, 1963, p. B-1.

⁶⁰ Morris interview.

basically the same as it had been earlier. In Greensboro, most businesses either refused to serve blacks at all or to serve them only on a segregated basis. The selective-buying campaign was called off to give the city government a chance to act. It would still be four months before Dr. King would arrive in Birmingham, Alabama.

CHAPTER 4: THE SPIRIT OF THE FOUR FRESHMEN RENEWED

On May 11, 1963, William Thomas and three other direct action leaders were arrested for trespassing at McDonald's hamburger drive-in. The demonstrations had begun with picketing and then expanded to various attempts to gain service at the establishment.⁶¹ That night marked the first of fourteen days of sustained efforts on the part of the direct action movement in the city. Events in the nation as a whole and in Greensboro itself caused blacks to return to the streets.

Rising Expectations of Negroes in the United States

By 1963, events had reached a point where Negro leaders were becoming frustrated with the failure of various agencies to carry beginnings in various areas to lengths that would move blacks any considerable distance down the road to equal opportunity in all facets of the American system. Despite the school desegregation decision by the Supreme Court in 1954, many schools in various states were still operating on a segregated basis. According to King,

One must understand the pendulum swing between the elation that arose when the edict was handed down and the despair that followed the failure to bring it to life.⁶²

61

Activities at McDonald's were staged as part of the Freedom Highways program in the summer of 1962.

62

Martin Luther King, Why We Can't Wait, (New York: Harper and Row, 1964), p.8.

Congress declared "war" on voting inequalities with the Civil Rights acts of 1957 and 1960, but many blacks in the Deep South were still prevented from voting. Various states and cities had passed laws outlawing discrimination in public facilities, but southern states had refused to follow suit. In many areas there was no guarantee that a Negro could live anywhere he wished. Perhaps worst of all, the overall attack declared by President Kennedy in February, 1963, was one affording only "piecemeal improvements" which many civil rights leaders found disappointing.⁶³

The rising expectations of blacks in the nation, and especially in the South, had been thwarted. This frustration occurred in the year of the one hundredth anniversary of the Emancipation Proclamation, the symbol of freedom from slavery. Celebrations were being planned throughout the country to commemorate the event. King wrote that

all the talk and publicity accompanying the centennial only served to remind the Negro that he still wasn't free; that he still lived a form of slavery disguised by certain niceties of complexity.⁶⁴

According to King, "the milestone of the centennial of emancipation gave the Negro a reason to act..."⁶⁵

In April, 1963, King and his followers began an effort

⁶³ Arthur Schlesinger, A Thousand Days, (Boston: Houghton Mifflin, 1965), p.951.

⁶⁴ King, pp.10-11.

⁶⁵ Ibid, p.13.

in Birmingham, Alabama, to end discrimination and segregation in that city. Small at first, the demonstrations grew, meeting the full force of the city's law enforcement agencies, led by the police commissioner, Eugene "Bull" Connor. On May 2, police dogs were turned loose and fire hoses turned on. The conscience of America was shocked. According to Waskow,

The events in Birmingham signaled to equalitarian whites and Negroes all over the country that there could now be no exemptions, no delay, no retreat for them from the Southerners.⁶⁶

The Resumption of Direct Action in Greensboro

By March, the patience of black leaders in Greensboro was over. No evidence of work by the Mayor's Committee was apparent to the local chapter of CORE. Despite the pleas of men like John Taylor, the policy of all the old targets and other businesses remained unchanged. On March 12, direct action leaders began picketing city hall because "no positive stand" had been taken by the Mayor's Committee. CORE stated that they were "resuming demonstrations because the Human Relations Committee and community leaders leave us no other alternative."⁶⁷

Picketing occurred once a week for three weeks. This activity "pushed" the Mayor's Committee into revealing what they were trying to accomplish. On April 4, the group

⁶⁶

Arthur Waskow, From Race Riot to Sit-In, (Garden City: Doubleday, 1966), p. 235.

⁶⁷

CORE statement.

announced that it had taken some action. Letters had been sent to "a number of restaurants and cafeterias asking them to open their doors to Negroes." The committee said that it would "appreciate an answer" and the reply would be held in confidence, never going outside the membership of the group.⁶⁸

Morris quickly released his reply to the press. That same day he said that

I am a private individual owner and historically have reserved the right to serve who I please. I have run my business this way and want to continue to do so.⁶⁹

No change was forthcoming from his quarters.

On April 8, Sapp spoke at A and T College. The exchanges were loud and angry, but the lawyer managed to put his points across. He again mentioned the legal argument, urged the Mayor's Committee members to desegregate their own businesses before asking anyone else to do so, and again told black students that his clients would not serve demonstrators.⁷⁰

Two weeks later, two Negroes attempted to desegregate the seating area at the Biff-Burger hamburger drive-in. Service was given to only those blacks who would promptly leave the premises. These two refused and were arrested

⁶⁸

Greensboro Daily News, April 5, 1963, p. B-1.

⁶⁹

Ibid.

⁷⁰

Ibid, April 9, 1963, p. B-1.

for trespassing. Three days later, the establishment⁷¹ changed its mind and desegregated.

Negro pressure on the city government was increased from sources outside the direct action movement. Dr. George Simkins, the local president of the NAACP chapter, wrote two separate letters to Mayor Schenck, questioning the equal employment practices of the city.⁷² Schenck stated⁷³ that the city does not practice discrimination in employment.

On May 2, the dogs attacked King and his supporters in Birmingham. On May 5, Bennett College announced that King would speak at its commencement in early June.⁷⁴ Six days later,

in the light of this stalemate and inactivity; with our patience wounded by the dogs in Birmingham; with our spirit charged and shocked by cattle rods and police brutality in Gadsden, Alabama in the spring of 1963⁷⁵

demonstrations were resumed in the city "to awaken the conscience of the city and to serve notice that Greensboro

⁷¹

Greensboro Record, April 23, 1963, p. B-1.

⁷²

Documentations, pp. 1,2; George Simkins to David Schenck, April 22, 1963.

⁷³

Documentations, pp. 1,2; David Schenck to George Simkins, April 25, 1963.

⁷⁴

Greensboro Daily News, May 6, 1963, p. B-1.

⁷⁵

"Wake Greensboro!" speech made by William Thomas, September 29, 1963. (In possession of David Schenck)

can no longer remain in business as usual."⁷⁶ The symbolism was unmistakable. That day four men were arrested, the same number that began the sit-in movement in the city three and one-half years earlier. On May 11, 1963, "the revolution of the four freshmen was invigorated and renewed."⁷⁷

76

Ibid.

77

Ibid.

CHAPTER 5: THE DEMONSTRATIONS: PART ONE

The demonstrations that began in Greensboro on May 11 continued, uninterrupted for a two-week period. Five phases were evident in the action. Phase one, May 11--May 14, was marked by attempts to gain service at McDonald's. Some activity did occur in the downtown area, but the drive-in was the primary target during this period. It ended with the announcement of a change of policy at the establishment. This success resulted in a stepped-up effort which marked the second phase on May 15. On that day, a large number of those participating in demonstrations in the downtown area were arrested. The city was now forced to act. The government persuaded the city's two merchant groups to issue statements.

The demonstrations entered the third phase on May 16--a "wait and see" period. The failure of the statements to have any immediate affect on the policy of the downtown targets pushed the activity into the fourth phase, May 17--May 21. This was clearly the most militant period. A large number of arrests were made each night, with only one exception. Again the city was forced to act. On the morning of May 22, Mayor Schenck announced the appointment of a Special Committee to settle the racial problems. The final phase was a reaction to this appointment. Few arrests occurred during the next three days. On May 25, CORE and

their supporters decided to give the city some time. A "truce" was announced, ending the two weeks of sustained efforts.

Phase One: May 11--May 14

In 1963, McDonald's had three locations in Greensboro. That on Summit Avenue was not far from the black colleges. The other two were located in the outlying areas. The Summit Avenue facility was also within walking distance of the downtown area, another important consideration. The policy of McDonald's was one of no service to Negroes. This was a matter of local custom in the city itself, for each city in the chain was considered separately. Greensboro, with mainly segregated eating accommodations, was determined by the North Carolina office of the chain to be a city in which the best policy to follow was the custom of the other "white" facilities. Previous direct action efforts during the summer of 1962, as part of the Freedom Highways program in the city, had failed to produce any change.

On May 11, picketing began at the Summit Avenue location. Attempts were made to obtain service, and four men who were denied accommodation refused to leave the serving area. Trespassing charges were brought against Thomas; Rev. Alfred Stanley of the United Presbyterian Church and a member of CORE; Rev. James Busch, a professor at Bennett College; and Robert Patterson, an A and T College student. After the arrests, the remainder of the participants moved into the

downtown area. Attempts were made to enter the S and W and Mayfair cafeterias. No arrests were made.⁷⁸ The revolution of the four freshmen had been renewed.

The next day, the demonstrations gained momentum. One hundred blacks picketed the establishment, creating a counter demonstration from whites. John Dorn, the manager of the drive-in, sensed the possibility for a clash. Whites carried signs reading, "Go Back to Africa" or "White yes, Black, no" or "Blacks, Go Home." Police did not disperse either group, allowing the twenty-four whites to continue the protest. Dorn closed the establishment an hour early, but the demonstrations continued until the regular closing time.⁷⁹

Thomas, out of jail and back in control, lashed out at the police and the city government. "I feel that if incidents such as this are allowed by the police there is a danger that another Birmingham will break out in Greensboro."⁸⁰ "CORE has always been willing to negotiate but cannot get any support from the city government."⁸¹ Thomas and CORE were not willing to sit on their hands and wait.

The two nights of demonstrations occurred at an unfor-

78

Greensboro Daily News, May 12, 1963, p. A-1.

79

Ibid., May 13, 1963, p. B-12.

80

Ibid.

81

Ibid.

fortunate time for the city government. On May 7, elections were held for a new city council. The body is elected at-large, the council itself electing the mayor, who is usually the candidate who receives the highest number of votes in the council elections. David Schenck ran well ahead of the rest of the other six who were elected. The five incumbents to be re-elected were William Trotter, William Folk, Roy Millikan, Robert Bell, and Roger Matthews. Forrest Campbell was the only newly elected member. One incumbent, Waldo Faulkner, a Negro, was defeated for re-election.⁸² On Monday, May 13, Schenck was re-elected mayor by the council.

Schenck responded to the two nights of activity in a statement made after the council vote. The mayor indicated that he was aware of the "churning and surging tide of human events throughout the South, and throughout much of the nation."⁸³ What the mayor meant by the phrase "still we are yet to face the greatest challenges..."⁸⁴ was uncertain. Were these "greatest challenges" in Greensboro? Schenck felt they were. The mayor felt that many gains had already been made by Negroes in the city, but "the incredibly complex field of human relations" would still produce

⁸²

Greensboro Record, May 8, 1963, p. A-18.

⁸³

Greensboro Daily News, May 15, 1963, p. A-8.

⁸⁴

Ibid.

new problems for Greensboro.⁸⁵ Schenck did not say whether the city had any new ideas for solving these problems.

That evening, demonstrations were again staged at McDonald's. Without a decision on the state level, Dorn again had to refuse service. The manager looked out his window, saw the white counter-protesters and heard the chants. "Negro, Go Home!" "One, Two, Three, there go the niggers from A and T." At 8:15 p.m. Dorn closed the drive-in and issued a statement. "We're closing because of the whites, not the Negroes. We just don't want any trouble...⁸⁶ We're closing for the good of the community."

The participants walked downtown. At the S and W, fifteen blacks attempted to gain service. The assistant manager blocked the doorway. Picket lines were set up. At the Mayfair, a small-scale sit-in was staged. Nineteen Negroes took seats after being refused service. Morris⁸⁷ asked them to leave. All complied.

On May 14, all three McDonald's were scenes of demonstrations. Later, a march, with three-hundred and fifty blacks taking part, was staged in the downtown area. As the marchers were returning to the A and T campus, rock

⁸⁵

Ibid.

⁸⁶

Ibid., May 14, 1963, p. B-1.

⁸⁷

Ibid.

throwing broke out between the Negroes and whites who were following them. No arrests were made.

The next morning, McDonald's changed its policy in Greensboro. The state manager of the chain, John Szyperski, released a statement to the press announcing that he wanted to prevent any further trouble which could be a "serious blot on the local community and the city." As of May 15, the three McDonald's in Greensboro "will commence serving all law-abiding people regardless of color..." A victory was achieved. The first phase had come to an end.

Phase Two: May 15

The "victory" at McDonald's, combined with the apparent lack of attention from the city government, moved the demonstrations into the second phase. Their hopes raised, Negroes believed the time was right to make a push.

The scope of the activities that occurred on the evening of May 15, was unprecedented. Two hundred and thirty-seven blacks and four white supporters were arrested for trespassing or blocking fire exits. The S and W was the first to feel the effect. Five blacks tried to enter the serving line but were refused service. Approximately four hundred then

88

Ibid., May 15, 1963, pp. A-1, 13.

89

Ibid.

90

Ibid.

appeared. Several moved into the line. Again, they were told to leave. They refused and were arrested. Several more moved into place. They were told the policy of the establishment and asked to leave. Again, refusals were countered with arrests. Several more moved into place. The process was continued.

After a few groups were arrested, the remainder moved on to the Center theater. The same procedure took place. This time, the charge was blocking fire exits. The remainder moved on to the Carolina theater where they were arrested on one of the same charges as their cohorts. At the three locations those arrested included 153 students from A and T, 34 from Bennett, four whites from Guilford College (an institution affiliated with the Quaker church) and 49 non-college⁹¹ people.

Thomas again had a statement to make. If negotiations⁹² were to begin, the demonstrations would end. Again, the activities were controlled by the students, primarily the ones associated with CORE.

Phase Three: May 16

The next day was a busy one for all. The activities that took place in the morning and afternoon moved the demonstrations into a third phase. This phase was a 'wait

⁹¹

Ibid, May 16, 1963, p. A-1.

⁹²

Ibid.

and see" period, lasting only one day.

In the morning, the board of directors of the Greensboro Chamber of Commerce and the board of directors of the Greensboro Merchants Association met at separate locations. The Mayor's Committee had approached the two groups on May 14, asking them to release a policy statement. The stepped-up activities of the 15th placed the statement in a new light. The path had been tried in Raleigh. There, the merchant groups urged the "removal of all policies in both government and business which deny rights and services because of race."⁹³ Perhaps a similar statement in Greensboro would end the demonstrations. The city government felt it was worth an attempt.

In the longer statement, the board of directors of the Chamber of Commerce endorsed "the principle of equal treatment." The board "urges business firms to begin immediately serving all persons of the community." The board also took a stand on the demonstrations, stating that

the Board urges that gatherings of large masses of people which endanger public safety and disrupt the orderly movement of people and traffic be discontinued, along with unlawful activities of any kind.⁹⁴

The position taken by the board of directors of the Greensboro Merchants Association was very similar. It advised "that all policies be removed in both government

⁹³

Ibid, May 15, 1963, p. A-8.

⁹⁴

Documentations, p. 3.

and business facilities within the City of Greensboro which deny rights or services to any citizens." ⁹⁵ No mention was made of the direct action activities.

That afternoon, Mayor Schenck made a statement at the regular council committee meeting to the effect that the Mayor's Committee was trying to get both sides together to settle the dispute, but had run out of things to do when no success was made. He recounted the city's meetings with the merchant groups and read the statements of both groups. Schenck called these messages an important "expression of public opinion from the community." ⁹⁶ The statement was the first indication from the city government that work was being done.

The reaction from CORE and the businessmen was swift. Thomas released a statement to the press. He accused the Mayor's Committee of not negotiating with the correct groups, either the people from CORE or the other black leaders in the city.

No promises have been made to integrate the targets we are demonstrating against. We are informed by the management or representatives of the management of the Mayfair Cafeteria, S and W Cafeteria, the Center and Carolina theaters, that there is presently no change in policy. ⁹⁷

⁹⁵

Ibid, p. 4.

⁹⁶

Ibid, pp. 3-4.

⁹⁷

Greensboro Daily News, May 17, 1963, p. B-1.

Thomas was correct about the statements of policy.

Boyd Morris affirmed his position.

When the Supreme Court rules, we will be governed by that decision. Until that time, our policy remains the same. I am an individual business operator trying to make a living and pay my honest debts and keep 134 gainfully employed. ⁹⁸

Sapp also spoke out. No change will occur as long as demonstrations continue. The lawyer told his clients to continue to "exercise their constitutional rights." "The pressure of the mob, the pressure of self-appointed leaders will be resisted so long as this is a city of law." ⁹⁹ Only a city-wide referendum or an ordinance would be reason for a change, Sapp concluded.

Despite the negative statements from the targets, the demonstration that occurred that night was a minor one compared with the activities of the previous night. Approximately one thousand Negroes participated in a silent march. No attempt was made to enter any of the targets and no arrests were made. CORE was willing to give the policy statements of the merchant groups a chance to have some effect.

Phase Four: May 17--May 21

The time allotted the businesses ran out after one day. No change was forthcoming and the tempo again increased.

⁹⁸

Ibid, p. B-9.

⁹⁹

Ibid, pp. 1, 9.

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Ibid, p. 4.

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Ibid, pp. 3-4.

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Greensboro Daily News, May 17, 1963, p. B-1.

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When the Supreme Court rules, we will be governed by that decision. Until that time, our policy remains the same. I am an individual business operator trying to make a living and pay my honest debts and keep 134 gainfully employed. ⁹⁸

Sapp also spoke out. No change will occur as long as demonstrations continue. The lawyer told his clients to continue to "exercise their constitutional rights." "The pressure of the mob, the pressure of self-appointed leaders will be resisted so long as this is a city of law." ⁹⁹ Only a city-wide referendum or an ordinance would be reason for a change, Sapp concluded.

Despite the negative statements from the targets, the demonstration that occurred that night was a minor one compared with the activities of the previous night. Approximately one thousand Negroes participated in a silent march. No attempt was made to enter any of the targets and no arrests were made. CORE was willing to give the policy statements of the merchant groups a chance to have some effect.

Phase Four: May 17--May 21

The time allotted the businesses ran out after one day. No change was forthcoming and the tempo again increased.

98

Ibid, p. B-9.

99

Ibid, pp. 1, 9.

The most militant phase, lasting five days, was under way. This period also brought to the fore the beginnings of united activities on the part of black groups in the city.

On the evening of May 17, four hundred demonstrators were arrested. Attempts were made to gain service at the S and W cafeteria and the Center and Carolina theaters. Arrests at the cafeteria and the Center were on charges of trespassing or blocking fire exits. At the Carolina, a few of the participants entered the theater and took seats. When they refused to leave, they were charged with forcible trespass.
100

Two hundred and eighty-seven were arrested the next night. Attempts were again made to enter the three targets¹⁰¹ of the previous day, as well as the Mayfair cafeteria. The mass arrests were having an affect on the city's jails.

The same night, Gov. Terry Sanford spoke at a dinner in Washington honoring Vice-President Lyndon Johnson. The speech was the first indication of the policy of the state government on demonstrations that had occurred in Durham, Raleigh, and Charlotte, as well as Greensboro. Sanford related what he called "the North Carolina story." According to the governor, many black leaders were not really working for the good of the Negroes.

100

Ibid, May 18, 1963, pp. A-1, 3.

101

Ibid, May 19, 1963, p. A-1, 16.

This is a time for good faith and good will and a determination that we will help all men and women achieve their best chance in life because it is the right thing to do. 102

The old message of patience was losing its appeal.

May 19 was a day that brought two new leaders to the forefront of the struggle in Greensboro. James Farmer arrived in town that afternoon and delivered a talk that evening at the Trinity AME Zion Church. The speech was a clear call for the adults of the community to give the students some help. He said that "the segregationists have found out that when they start putting our children in jail, then they'll have to get us, too." 103

The meeting broke up at 10:00 p.m. The adults were willing to take Farmer's advice that "Our kids need us, right there marching beside them." 104 The congregation left the church and proceeded downtown in a silent march. At the head of the procession were Farmer and Jesse Jackson. Honor student and football quarterback, Jackson was elected student body president at A and T on May 16. His role, as probably the most popular student at A and T college, was that of leader of the demonstrations. He would soon become

102 Messages, Addresses and Public Papers of Terry Sanford, ed. by Memory Mitchell, (Raleigh: State Printing Office, 1966), p. 335.

103 Greensboro Daily News, May 20, 1963, p. B-1.

104 Ibid.

the most important figure in the streets.

The Greensboro Ministers' Forum, composed of the city's black clergymen, began to play a critical part the next day. This organization had also come to the aid of the students in October, 1962. The forum prepared a boycott of white businesses in the downtown area, urging

all our friends in our respective religious, social and fraternal institutions to share and cooperate with us in the great venture for human dignity and freedom. 105

That night the demonstrations increased in intensity. Four hundred and twenty were arrested when attempts to enter the two cafeterias failed and the group refused to disperse. For the first time, a large number of high school students took part. 106

Mayor Schenck delivered a statement the next morning. Calling for an end to the demonstrations, he urged a return to fair play and mutual respect for all people. The policy of the city government must be to return the city to normal activities. In conclusion, Schenck stated that "we ask all citizens to assist actively toward this end." 107

The time had not yet come for the demonstrators to end

105

Ibid, May 21, 1963, p. A-1.

106

Ibid, p. A-12.

107

Greensboro Record, May 21, 1963, p. B-1.

their efforts. Hours after the mayor's speech, one hundred and sixty-two were arrested. Attempts to gain entrance at the four primary targets were again rebuffed.¹⁰⁸

The mayor expected the black reaction. On the afternoon of the 21st, Schenck met with white and Negro leaders to determine a possible path to follow. The result of this meeting was the appointment, the next day, of the Special Committee on Human Relations, a temporary body, with orders to find a way out of the city's dilemma.¹⁰⁹

Phase Five: May 22--May 25

Schenck announced the appointment in a hopeful mood. The composition of the committee was very unlike the Mayor's Committee. Instead of a majority of businessmen, the new group contained eight of sixteen members whose sympathy was with the demonstrators. These eight were taken from the four black organizations that were now beginning to play a part in the demand for change. From the Ministers' Forum came John Corry and Otis Hairston. R. L. Hicks and George Evans were appointed from the Greensboro Citizens' Association, an organization of black townspeople. The local chapter of the NAACP gave Simkins and J. Kenneth Lee, an attorney. From CORE came Major High, an attorney and Thomas. Many of the white members were also members of the Mayor's Committee.

¹⁰⁸

Greensboro Daily News, May 22, 1963, p. B-1.

¹⁰⁹

Ibid, May 23, 1963, p. B-1.

Bland Worley, Jack Elam, Oscar Burnett, and R. Harold Hipps would become part of the new group as well. The remaining four white members were E. R. Zane, who had helped the city settle the sit-in movement in 1960; T. Gordon Overstreet and Leonard Guyes, two merchants; and A. L. Parker, a local minister.¹¹⁰

Schenck believed that the city was now in a position to restore order. But, order and negotiation could only take place if the "mass gatherings" in the downtown area were discontinued.¹¹¹ The mayor's repeated insistence on this criterion bespoke a misunderstanding of the position of the Negroes.

Schenck had already robbed the demonstrators of a leader in Thomas. Despite the urging of Thomas that the city negotiate with black leadership, his primary attention would now be directed to work in the committee instead of being out on the streets. His mantle of leadership would now fall on Jackson. There was no guarantee that the committee would be successful. Thomas would be sitting in the meeting room night after night, while his work or organization and leadership was lost.

More importantly, if the demonstrations ceased, the chance for success could be lost. The only pressure the

¹¹⁰

Documentations, p. 8.

¹¹¹

Greensboro Daily News, May 23, 1963, p. B-1.

blacks had to offer was the tension of direct action. With this gone, the businessmen could very easily refuse to talk. The Negroes would lose their bargaining power. The momentum of the previous work would be lost. If the committee was unable to achieve results, everything would be lost.

112

The vicious circle was set up. To negotiate, the demonstrations had to end. If the demonstrations ended, the merchants might no longer feel the need even to consider a change of policy. At the beginning, the blacks refused to take any chances, as activities continued for three days. The new committee found it impossible to act. The truce was instituted the next day, but with the tension gone, the businessmen had no reason to negotiate.

May 22 also produced the first genuine policy statement from blacks. The position was presented to the press by the Coordinating Council of the Pro-Integration Groups, set up on May 16, as a parent organization to work out the problems that the four Negro organizations might develop if they worked separately. Its primary purpose was to issue statements of this type.

113

The pronouncement made ten demands. The first two dealt with the efforts of the last eleven days. All charges against the demonstrators must be dismissed. The city

112

Killian, p. 76.

113

Interview with Rev. Otis Hairston, November 26, 1969.

council should "declare it an obligation" for segregated businesses to change their policy. The third asked for the desegregation of the local school system. The fourth, fifth, sixth, and seventh asked for reforms in the city's employment policy, with relation to the school system, the police department, and the city departments. The eighth requested the appointment of at least one black to each city board as soon as vacancies occurred. The ninth asked for the appointment of one member of each black group to the Mayor's Committee. The final point asked the council to pass an ordinance within thirty days requiring all public places to be open to everyone.¹¹⁴ If the city council were to act on these "guidelines" the demonstrations would be ended.

The first meeting of the Special Committee occurred the evening of its appointment. George Evans became the chairman of the group, with Oscar Burnett, second in charge. Evans was an important man in the Negro community. He had been a physician in the city since 1935. In 1947, he was appointed to the Greensboro Housing Authority. In 1960,¹¹⁵ he became a member of the city school board. As the first meeting was taking place, two thousand blacks conducted a silent march.

¹¹⁴ Documentations, pp. 7-8.

¹¹⁵ Interview with Dr. George Evans, November 13, 1969.

The National Guard and the Highway Patrol were standing by, but the march took place despite their presence. Jackson attempted to enter the Mayfair cafeteria. A dialogue took place between Jackson and Morris. Morris refused service to the Negro leader. "Is it because of my race?" Jackson asked.

"You are a demonstrator."

"Would you let me in if I came alone?"

¹¹⁶
"You are a demonstrator."

In Washington, the administration began to understand the seriousness of black efforts. By this time, demonstrations had broken out in many major cities, primarily in the South. Many of the Negro groups were demanding desegregation of movie theaters. On May 22, the Attorney General, Robert F. Kennedy, held the first of a number of meetings with representatives of the owners of various theater chains throughout the South, as well as those who owned chains of hotels, restaurants, and retail stores. Kennedy hoped to persuade them to act on their own to end racial discrimination in their businesses.¹¹⁷

The next day, the scaled-down demonstrations continued in Greensboro. Fourteen arrests were made, as new targets, including the O. Henry and King Cotton hotels, Lee's Deli-

¹¹⁶

Greensboro Daily News, May 23, 1963, pp. A-1, 9.

¹¹⁷

Race Relations in the South, 1963, A Tuskegee Institute Report, issued March 12, 1964, p. 6.

catessen, and the Apple House, were added. At the Carolina theater, Jackson again added dramatic effect to his efforts. This time, it was a monologue. Neil McGill refused to reply. "Don't you serve American citizens?" No reply. "Don't you consider me an American?" No reply. "Don't you have any respect for human dignity?" No reply. 118

The Special Committee reported to the city council on the next day that it had reached agreement on two primary points. It urged that the future demonstrations be orderly and the participants not invite arrest. Second, it asked the mayor to call a special meeting of the city council, and in that meeting to adopt a resolution

Stating it to be the official policy of the City of Greensboro that there should be equal treatment of all persons without regard to race, color, religion, or any other mark of class distinction. 119

The response from both the mayor and the city council was sharp and to the point. Schenck discussed the resolution, saying that the city had no power to pass either a resolution or an ordinance that would have a bearing on the policy of businesses within the city. "Our duty is to maintain and uphold the laws of the city." 120 He then suggested the following objectives for the committee: a

118

Greensboro Daily News, May 24, 1963, p. B-1.

119

Greensboro Record, May 24, 1963, p. A-1; J. Kenneth Lee to David Schenck, May 24, 1963.

120

Greensboro Record, May 24, 1963, p. A-1.

ninety-day cessation of demonstrations and continuation of talks with businessmen urging a desegregated policy.

The city council reacted in a similar manner. It did not have the power to pass "such ordinances" although it was "in complete sympathy" with the main aims and objectives.¹²¹ However, the council could not support

the purpose for which these aims and objectives are intended when done in an unlawful manner as we have had happening here in the past several days.¹²²

The statement was also a call for the Special Committee to work harder.

The question of passage of a resolution is an uncertain one. The statutes of North Carolina do not properly answer the question. It does appear however, that the mayor and the city council made a hasty decision. Various court cases have decided the meaning of Part I of the general powers of municipal corporations, which reads "Every incorporated city or town is a body politic and corporate, and shall have the power prescribed by statute, and those necessarily implied by law, and no other."¹²³ The municipal corporations have those powers granted to them in their charters or in laws applicable to all local governments.

¹²¹

Ibid.

¹²²

Ibid.

¹²³

General Statutes of North Carolina, Volume 3C, (Charlottesville: The Michie Company, 1963), p. 79.

Only those expressly conferred powers, in both cases, may be considered. Greensboro's city charter and the laws pertaining to all municipalities did not expressly state that the city could adopt such a resolution as was requested by the Special Committee.

Another section of the statutes creates the confusion. Article 18, Part I of the Regulations Independent Act of 1917, revised, gives local governments the power to make "ordinances, rules, and regulations for the better government of the town...as they deem necessary..."¹²⁴ Clearly, the ordinance or resolution requested by various groups, including the Special Committee, would have made for the better government of the town of Greensboro. Under this section, it appears to be possible that the mayor, the city council and even the North Carolina Attorney General, who was consulted in this matter, may have been mistaken.

The final night of demonstrations during this two-week period took place on the evening of May 24. A silent march of approximately seven hundred and sixty was staged in the downtown area. Entrance attempts were made at the Center theater and the S and W cafeteria. No arrests¹²⁵ resulted.

On May 25, CORE announced the end of demonstrations

¹²⁴

Ibid, p. 167.

¹²⁵

Greensboro Daily News, May 25, 1963, p. B-1.

for the time being. In a telegram sent to the mayor, the group stated its position.

As an act of good faith and as per your suggestion we have voted to cease student demonstrations until such time as we deem imperative to resume them. We hope this will give you and the channels through which you are working diligently, an opportunity to meet our requests for complete desegregation of our community. We call upon you to use the full authority of your office to this end.¹²⁶

The situation on the day the demonstrations ended was one of hope and dismay. The direct action was over for the time being. There was now a chance that meaningful negotiations could begin. Still, no indication came forth from the businessmen that they were prepared to bargain. The city had only reacted negatively to the first efforts of the Special Committee. The truce that began on May 25 would only be a period that would add to the confusion.

126

CORE to David Schenck, May 25, 1963.

CHAPTER 6: THE TRUCE

The truce established by CORE on May 25 lasted eight days. The period was designed as a "cooling-off" time, to give the city government and the Special Committee a chance to work out an agreement that would be acceptable to all. The city government's lack of consideration for the viewpoint of the Special Committee hampered the work of that body. The commission was forced to rely entirely on negotiation to achieve success. The failure of this method to produce results ended the truce on June 2.

The Negotiations

Evans reported that he was dissatisfied with the statements of the mayor and the city council. The chairman admitted that he was unhappy with the comments of the city leaders, but quickly added that the city council and the Special Committee were "all striving for the same goal." Meetings would continue to be held with both sides involved in the dispute, but Evans was uncertain as to how direct action could be ended completely.

The Special Committee continued meeting as often as possible. The entire commission had been divided into four sub-committees: one for theaters, one for bowling alleys, one for hotels and motels, and one for restaurants

127

Greensboro Daily News, May 25, 1963, p. A-1;
Greensboro Record, May 25, 1963, p. B-1.

in the city. The greatest concentration was placed on the
sub-committees that worked with the theaters and restaurants. ¹²⁸

Meetings outside the city gave those within Greensboro
city government their greatest hope for success. On May
28, an announcement was made that talks on the state level
were taking place between Governor Sanford and the various
owners of segregated businesses in the state. ¹²⁹ Schenck
hoped that these talks would "bear fruit." Evans was also
¹³⁰
pleased with this bargaining.

In Washington a meeting was scheduled for May 27
between Attorney General Kennedy and nearly twenty-five
theater owners, including James Stembler, president of the
Theater Owners of America. Uncertainty existed on how these
men would respond to Kennedy's call for full desegregation.
¹³¹
Future sessions were expected.

The bargaining continued in Greensboro. A meeting
with restaurant management in the city was set up for
May 29 by Oscar Burnett, who headed the sub-committee on
restaurants. Of forty invited, only eighteen attended.
Neither Morris nor R. L. Bentz of the S and W received

¹²⁸

Evans interview.

¹²⁹

Greensboro Daily News, May 29, 1963, p. B-1.

¹³⁰

Greensboro Record, May 29, 1963, p. B-1.

¹³¹

Ibid, May 27, 1963, p. A-1.

invitations, because the purpose of the meeting was to determine the position of those businessmen who had not yet expressed an opinion.¹³² No fruitful results came out of the discussions.

On May 31, Sapp announced that the theaters were ready to desegregate on a gradual basis. The attorney blamed the pressure from Washington for the move. The statement appeared to be only a rumor.¹³³ Schenck said there was "no final agreement" on the matter, and Bland Worley discounted the story completely: "I know of no such arrangement having been concluded at this point."¹³⁴

Meetings continued in Raleigh and Washington, but it appeared that the Special Committee was having difficulty in achieving desegregation in Greensboro's facilities. On May 31, Evans gave a progress report. He said that

negotiations toward integration of facilities serving the public "are not going as rapidly as we would like to see them, but they are continuing to progress."¹³⁵

The Special Committee knew that change was not an overnight process.

Management During the Truce

The management moved in the same direction during the

¹³² Greensboro Daily News, May 30, 1963, pp. B-1, 8.

¹³³ Ibid., June 1, 1963, p. B-1.

¹³⁴ Ibid.

¹³⁵ Ibid.

truce as it had previously. The leaders of the businessmen, especially Sapp, were never afraid to express their opinions. The cohesiveness of the group also appeared to take shape during the truce.

Sapp was very critical of the meetings in Washington.

The people of Greensboro will be able to know the result of their secret meetings as quickly as I will. If they see signs of integration in theaters within the next three months, they will know that mob action and secret meetings are now the American way of life.¹³⁶

Robert Kennedy again felt the brunt of another Sapp attack made on May 27. The lawyer accused the Attorney General of requesting the FBI to determine the ownership and home office arrangement of all segregated businesses in North Carolina; a list that would be turned over to James Farmer. Sapp could not pass up the chance to invoke the memory of the Jeromes. He demanded files on Communist infiltration of CORE and NAACP.¹³⁷ The charges were denied¹³⁸ by the Attorney General's office.

The proposed desegregation of the theaters announced by Sapp, appeared, in reality, once it was denied by city leaders to be simply another excuse for attacking Kennedy. There was no end to the disgust the local attorney seemed to have for the President's brother and the policies of

¹³⁶

Ibid, May 27, 1963, p. A-1.

¹³⁷

Ibid, May 28, 1963, p. B-1; Greensboro Record, May 28, 1963, p. B-1.

¹³⁸

Greensboro Record, May 28, 1963, p. B-1.

the federal government in these matters.

The meeting of the eighteen restaurant owners and managers pointed out another characteristic of the businessmen, one that would become more evident as time passed. The failure of the meeting to produce any results showed a solidarity among the businessmen. Either we all change or no one will change. The greatest fear was the loss of white business in the event of a change of policy. Even though some appeared willing to cooperate with the Special Committee, not one was willing to take a chance at this stage.

Negro Groups During the Truce

The Negro groups in Greensboro kept their eyes on both the city government and the businessmen, waiting for some sign that victory had been achieved. The statements indicated that two phases were evident during the period. The first lasted from May 25 to May 29. It was marked by the feeling that success might be achieved by the Special Committee or other groups conducting meetings with businessmen who had operations in North Carolina. The second was in effect from May 30 to June 1. During this time, the black leaders voiced the opinion that direct action would be renewed.

A mass black meeting was held on May 27 at the Church of the Redeemer. This was a precautionary gathering with a two-fold purpose: to decide if future demonstrations would be necessary and to make arrangements permitting

many college students to remain in the city if direct action had to be renewed. Another meeting was called for the next afternoon.¹³⁹

The announcement of bargaining in Raleigh raised the hopes of the Negroes. The scheduled meeting of May 28 was cancelled.¹⁴⁰ Results were now expected from these sessions. But no one in the black leadership was prepared to wait for long.

The change in the tenor of the rhetoric on May 30 can be ascribed to various incidents. Although Schenck and Evans believed that Sanford's talks would be successful, Morris and Sapp were quick to indicate that they would not change their minds. The failure of the meeting of the restaurant sub-committee to achieve results disgusted the black leadership. Finally, the realization that the Special Committee might spend weeks at its task gave the Negro groups the feeling that the momentum of previous efforts would be lost if the two weeks of demonstrations were allowed to fade from the memory of the city government and the businessmen. Beginning on May 30, preparations were made to give the screw another turn.

On that day, Alfred Stanley enunciated the CORE position. He complained that Greensboro was not moving as quickly as

¹³⁹

Greensboro Daily News, May 28, 1963, p. B-1.

¹⁴⁰

Ibid, May 29, 1963, p. B-1.

either Charlotte or Durham, where concessions had been agreed upon. The failures of Greensboro were related to the lack of leadership, Stanley concluded.¹⁴¹

That same day, the Coordinating Council announced that demonstrations could begin again on Tuesday, June 3, if efforts on any level "have not produced positive results by that time."¹⁴²

On May 31, the Council pledged to carry on demonstrations through the summer to achieve complete desegregation. Again Stanley insisted that this failure of elected officials to "speak out" was hindering the efforts of all involved.¹⁴³

Jackson and Thomas hinted the next day that Dr. King's expected presence at commencement services at Bennett College could be a reason to hold a demonstration, indicating a possibility of future action.

June 2 arrived and Negro leaders could wait no longer. Evans' statement of no success by the Special Committee convinced the black leaders and the others that something had to be done. A silent march was staged that night. Jackson echoed the words that ended the truce. "We won't stop until we get what we want....The mayor asked for peace-

¹⁴¹ Ibid, May 31, 1963, p. B-1.

¹⁴² Ibid.

¹⁴³ Greensboro Record, May 31, 1963, p. B-1.

ful atmosphere and that's what he got. We have been as quiet and as patient as we could."¹⁴⁴

The primary reason for the resumption of direct action was the disappointment of rising expectations. Hopes were raised during the first few days of the truce only to find frustration in the failure of those bargaining for change. One last hope, the desegregation of the theaters, announced by Sapp, was found to be only a rumor. The day after the newspapers carried this story and the refutations by Schenck and Worley, the truce was over. The pressure valve was turned on again.

¹⁴⁴

Greensboro Daily News, July 3, 1963, p. B-1.

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¹⁴⁴

Greensboro Daily News, July 3, 1963, p. B-1.

CHAPTER 7: THE DEMONSTRATIONS: PART TWO

The second phase of direct action lasted for five days. On only one day--June 6--were arrests made. On other nights, the main tactic was a silent march, with scattered attempts to gain entrance at the targets. There were several differences between this phase and that of the first two weeks. The crowd in the streets was different. Instead of a large number of college students, the chief participants after June 1 were adults from the city and high school students. The leadership had also changed hands. Control now rested with the Coordinating Council, whereas it was previously in the hands of CORE. The tactics were basically different. Silent marches took the place of inviting arrest. Finally, despite the change in tactics and fewer arrests, the potential for violence was greater in the second period. The situation threatened to become very ugly.

The Resumption of Direct Action

On the night of June 2, demonstrators gathered at the Providence Baptist Church and proceeded downtown, wounding¹⁴⁵ the truce. No advance warning was given to the police. The two hundred were composed of many people from the community itself. The mood was rebellious, seemingly

¹⁴⁵ During the first period, a common practice of the demonstrators was to inform the police of the intended action. This measure allowed the police to prepare, detouring traffic and setting up barricades to avoid a racial clash.

defying everyone. According to Jackson, who was in control, "CORE can't dictate to the community." The leadership had changed hands. What do the people want? "We are concerned with action, not words," was Jackson's answer. Token attempts were made to enter the Mayfair cafeteria, as well as the Center, Carolina, and National theaters.¹⁴⁶

Evans responded quickly to the renewal of direct action. "This demonstration came without advance warning, and I don't know what effect it will have on our work."¹⁴⁷ The chairman hoped the result would not be adverse.

The regular city council meeting, held on the next day, was the occasion of three important statements, one delivered by each of the three sides. Mayor Schenck voiced the city's position at the beginning of the meeting. His comments were a restatement of his conceptions of the city's place in relation to the recent trouble. The role of the city was two-fold, according to Schenck. The city must keep law and order, "and we intend to do so;" and secondly, to attempt to get both sides together for negotiations. The mayor was quick to add again that the city could not pass a resolution forcing a change. In conclusion, Schenck summarized what could be called "The Greensboro Story," closely paralleling Governor Terry

¹⁴⁶

Greensboro Daily News, June 3, 1963, p. B-1.

¹⁴⁷

Ibid.

Sanford's "North Carolina Story." The demonstrations have caused "a serious erosion of the mutual respect and friendship that has existed between the races in Greensboro." The "progressive spirit" of the city will be "replaced by animosity and bitterness." The "American tradition of fair play" must be used to settle the problem.¹⁴⁸

On May 26 and June 2, expressions of some members of the white community in the city appeared in the form of a petition signed by 1,643 people urging businessmen to drop their barriers and serve all people. The petition was run by the Daily News on those two occasions and now became the basis for a new policy statement by the Coordinating Council, which was presented by Simkins at the city council meeting.

The statement was drawn up in the form of a proposed resolution to be adopted by the city council. Again, ten articles were mentioned. The first four would place the city government on record as supporting an end to discrimination in all public facilities. The fifth urged equal employment of qualified Negroes in city positions. The sixth asked the city manager to determine the standards and criteria for such positions. The seventh would bind all city employees to the standards and criteria. All city boards should have qualified black representation. A ninth proposed that one representative from each black

organization be appointed to a permanent bi-racial human relations commission. Finally, equal opportunity for black policemen was urged. The statement evoked support from all four black groups, being signed by Simkins, Thomas, Hicks, and Hairston.¹⁴⁹ Schenck turned it over to a committee of three councilmen for study and recommendations.

Sapp was also present at the meeting. The attorney accused Simkins of threatening the city with the Negro demands. Instead, the Negro Council should be forced to pay \$38,000 to the city for damages made by the arrested demonstrators at the various make-shift facilities set up in the two previous weeks of demonstrations to handle the overflow of those arrested. Sapp also asked the mayor to discharge the Special Committee and suspend negotiation "until law is restored in this town."¹⁵⁰ His proposals were referred to the same three councilmen for study.

Earlier that day, owners of the two locally owned theaters, the Center and the Cinema, released a statement on the meeting to be held that night with the theater sub-committee. They were convening with the Special Committee at the request of the Mayor, the Governor, and the Attorney General of the United States. There was a hint that some sort of an agreement could be worked out.

¹⁴⁹

Ibid, pp. 13-15.

¹⁵⁰

Greensboro City Council Minutes, Minute Book 38, June 3, 1963, pp. 220-221.

In part, the statement read, "...any decision arrived at will be on a voluntary experimental basis in the interest of civil harmony and in the spirit of cooperation with our governing officials." However, "no agreement can be reached under pressure."¹⁵¹ Still, the possibility for change was evident.

A thunderstorm failed to dampen the spirits of the marchers that night. Choruses of "We Shall Overcome" were still heard from the group of three hundred. Scattered attempts were made to enter the two cafeterias and the Center theater.¹⁵² A chance for more disruptive action was avoided earlier when Dr. King's airplane was grounded and he was unable to speak at Bennett College.

On June 4, the first breakthrough occurred. Evans announced that an agreement had been reached with the four theaters. The statement released at that time read

The local indoor theater management and representatives of the mayor's special committee have met and mutually agreed on a tentative plan for accomplishing desegregation of the downtown theaters in the near future.¹⁵³

The details would be worked out in the next few days. Evans¹⁵⁴ said that he was most encouraged by the agreement.

¹⁵¹ Greensboro Daily News, June 3, 1963, p. B-1.

¹⁵² Ibid., June 4, 1963, p. B-1.

¹⁵³ Ibid., June 5, 1963, p. B-1.

¹⁵⁴ Ibid.

The response of the crusading blacks and their friends was to reiterate that "we are concerned with action, not words." Five hundred and fifty demonstrators took to the streets that night, led by two ministers, Hairston and Foushee. The marchers were told that a "walkthrough" of this type would be held each night and picketing at the targets every afternoon until victory was achieved.¹⁵⁵

Greensboro Becomes Tense

The next two days were the most tense of the entire period. On June 5, Jackson led five hundred people to the Municipal Building where they promptly sat down on the street. Ordered by police to move on, they finally did. The demonstrators engaged in a verbal attack on Schenck, prior to and after the sit-down. New faces in the crowd included Floyd McKissick, a Durham lawyer and CORE field-worker, and Isaac Reynolds, a CORE field representative. Upon leaving the scene, Reynolds shouted, "We'll take the city over tomorrow."¹⁵⁶

One by one, North Carolina's leading cities had swept aside the practice of segregation. By June 5, the night of the sit-down, the night of the threat of taking over the city, Greensboro was the only city left still clinging to the old practice. The anomaly prompted Evans to say

¹⁵⁵

Ibid.

¹⁵⁶

Ibid., June 6, 1963, p. B-1.

that he was

disappointed that Greensboro so far has not seen fit to take the lead or to fall in line with other major cities of the state in lowering barriers of segregation. 157

What was needed? According to Evans, the need was for the city leadership "to wield its influence."

The next day, June 6, was the day of reckoning. The police took the initiative. Jesse Jackson was arrested on charges of inciting a riot. After the arrest, the police were told that a large demonstration would take place that night. The marchers formed at Providence Baptist Church at 7:00 p.m. Eight hundred and fifty proceeded into the downtown area. At 7:45, five minutes after they reached Jefferson Square, the heart of downtown Greensboro, the blacks sat down in the street. They were approached by Captain William Jackson, who told the demonstrators, "You are blocking traffic. If you fail to move...we are going to arrest you. Move out!" Two hundred and seventy-eight refused. 158

Those not arrested returned to the church, clearly upset over Jesse Jackson's arrest. Stanley spoke. "If something is not done by 1:00 p.m. tomorrow we are going to jail...and let you radicals take over." 159

157

Greensboro Record, June 6, 1963, p. B-1.

158

Greensboro Daily News, June 7, 1963, pp. A-1, 4.

159

Ibid.

CHAPTER 8: THE RESTORATION OF THE "PROGRESSIVE SPIRIT"

The Situation on June 7

The situation Mayor Schenck and the city government faced on June 7 was one of increasing tension and anxiety. On May 25, when the first wave of demonstrations ended, the mood was one of hope. The Special Committee had just been appointed. The tension among the Negroes who practiced direct action had relaxed. The problem was different on June 7, because the position of the two conflicting groups had hardened. Indeed, the objectives of the demonstrators had evolved into something that was different from what had been desired before.

The objectives of the blacks demanding change were well stated in the two policy pronouncements of May 22 and June 3, but the Negroes had two other objectives that were not stated on these petitions. These two ideas made the work of the city council and mayor almost impossible.

The first objective which the blacks wanted demanded that their petitions be answered with "...action, not words." An agreement had been reached by the Special Committee and the theaters on June 4. The plan would be gradual and take weeks to implement. It was words, not action. Only if the Negroes could see change, would they be willing to stop. On May 25, the promise, through words, of a possible change, was enough. By June 7, it was no

longer enough. All that the mayor or the Special Committee could work out was gradual change. No one, among the businessmen, was willing to change overnight. Despite the promises, despite the optimistic feeling of Evans, if the blacks could not see a movie or eat in the cafeteria, all the talk, promises, and agreements in the world no longer mattered.

The four groups who led the black cause had another objective in mind, one involving the mayor. Stanley stated it on May 30 and Evans said it was important. A statement from the mayor showing leadership in this matter was what was wanted. To the Negroes, the leadership of the mayor could act like a magic wand, whisking away segregation and discrimination. At least, such a statement could help the black cause and get negotiations moving toward the goal of equal opportunity.

Was this second objective possible? On May 25, no. On June 7, yes. The character of David Schenck had not changed. Although he believed that desegregation was necessary and that the only question was that of finding the best method for bringing it about, he was not prepared earlier to make such a statement. ¹⁶⁰ Schenck was not a politician, he was an insurance man. Until he was elected mayor in 1961, his political and municipal experience was

limited to one term on the city council. He was, at most, a progressive conservative: a man who believed in change, but who could not forget the sanctity of private property and gradualism. He was a fair man, trying to reconcile all the competing interests, but succeeding in pleasing no one. The Negroes were not happy with him. The businessmen were not happy with his stand, because he dared to "talk the businessmen out of their clientele," through the setting up of a committee composed of eight blacks and eight whites. Until June 7, the mayor could not bring himself to do what was necessary to remedy the situation. A statement on his part was very important because the leaders of the Negro movement insisted that that was what was needed.

The position of the businessmen had not changed. Morris and Sapp were as adamant as ever. Sapp won the first round with the theater desegregation because it was on his terms and would not take place until the city was "prepared." The rest of the owners and managers were held together with glue--never doing anything or agreeing to anything unless everyone else would.

The position of the blacks had changed. Stanley was prepared to let the radicals take over. Instead of the desire to hurt the businesses that made up the targets of the movement, the wish was now one of disrupting the city completely, through the "new" tactic of the sit-down in a major thoroughfare of Greensboro. The mood was angry.

Because the mayor was the elected leader of the city, it was his responsibility and not the city manager's task to quell the demonstrations. By the evening of June 6, the situation was so disrupted, and so chaotic that if Schenck had failed to assert himself, he would have seen the reenactment of Birmingham. On June 6, a white man pulled a knife on a black Bennett College professor. The police were becoming harsher and less tolerant than ever before. The potential for violence was so great that David Schenck had few options.

David Schenck's Speech on June 7

The mayor recognized that something would have to be done before the June 6 trouble. Earlier that day he sent telegrams to twenty-three businessmen and city leaders to meet with him on June 7 "to discuss a matter of utmost¹⁶¹ and urgent importance to the community." Those urged to attend the meeting included Worley, Zane, Burnett, Trotter, W. Y. Preyer of Richardson-Merrill, W. O. Conrad of Western Electric, William Snider of the Daily News, Holderness, Charles Myers of Burlington Industries, and Ceasar Cone of¹⁶² Cone Mills.

Two steps were taken by the mayor to settle the racial unrest. Neither of these steps represented a change of

¹⁶¹

Documentations, p. 15.

¹⁶²

Ibid, p. 16.

the city's basic position, but they did put the mayor in the leadership of the negotiations. The meeting with these twenty-three representatives produced a consensus agreement to both steps.¹⁶³

The first move was a letter sent to owners and managers of public facilities in the city, requesting them to meet with him on June 13. He included part of the text of the speech he was to deliver on television on the afternoon of June 7. The two paragraphs urged the management to consider a policy change. Schenck asked that they make their decision known at the June 13 meeting. "I cannot over-estimate to you the importance to your City of careful thought in this decision and of your attendance at the meeting on June 13."¹⁶⁴

The speech delivered by the mayor on June 7 was not, in any way, a change of principle, either on his part or on the part of the city government. Many parts of it sound like numerous other comments he had made. What was different was that the mayor was willing to make a strong statement endorsing the objectives sought by the Negroes. Schenck was now willing to put the prestige of the city government itself behind the negotiation for reform.

Schenck began by recounting the past racial policies of the city; policies that had opened all publicly-owned

¹⁶³

Schenck interview.

¹⁶⁴

Documentations, pp. 15-16.

facilities to all people, as well as several of the city's motels and restaurants. The agreement with the theaters made earlier in the week was in this tradition "of progress toward the idea of equal treatment of all without regard to race, creed, or color."¹⁶⁵ The activities of the demonstrators were not in keeping with this tradition. They had violated the good faith shown by the merchants. Demonstrations must stop. "We intend to uphold the law in this city and to preserve the peace of the community."¹⁶⁶

The mayor then turned to those businessmen who discriminated against Negroes. The "rights under law" of the property owner to conduct his business as he sees fit will not be violated. However, "how far must your city government and your fellow businessmen go to protect that right?"¹⁶⁷ Must the city be disrupted? Must extra law enforcement officials be brought in?

I say to you who own and operate places of public accommodations in the city,...that now is the time to throw aside the shackles of past custom. Selection of customers purely by race is out-dated, morally unjust, and not in keeping with either democratic or Christian philosophy.¹⁶⁸

Schenck called on all places that serve the public to

¹⁶⁵

Ibid., p. 17.

¹⁶⁶

Ibid.

¹⁶⁷

Ibid., p. 18.

¹⁶⁸

Ibid.

"immediately cease selection of customers purely on the basis of race, and to open their doors to desirable customers of any race, color or creed."¹⁶⁹ He then announced the meeting on June 13, the late date being established to give chain businesses like the S and W and the Carolina theater a chance to communicate with their home offices.

The conclusion was the strongest stand any Greensboro city official ever took on the problem of race relations.

This city cannot long endure the impasse of inaction, nor can it expect to progress half-climbing to the future, and half-shackled by the out-dated prejudices of the past. The citizens of this city, both white and Negro, are all citizens and must be accorded equal rights and opportunities.¹⁷⁰

The image of Greensboro was damaged in the eyes of the nation. "Let us now move to restore to Greensboro the progressive spirit which is rightly ours."¹⁷¹

The speech was a courageous stand, a stand that no one had dared make before. It was accomplished without a real change of principle. The mayor was now on record as opposing segregation and agreeing to work directly for change.

The Immediate Reaction

The statement was well received by the black leadership.

169

Ibid.

170

Ibid.

171

Ibid.

The proposed demonstrations for that night were called off. Jackson, who had refused to post bond after being arrested, changed his mind and was out of prison. He called the speech "a very positive step, an affirmative statement."¹⁷² He pledged to support the mayor in his efforts.

Thomas responded to Schenck's call for an end to demonstrations. "In view of the mayor's statement, CORE leaders have agreed to suspend demonstrations for the time being in order to show good faith."¹⁷³

Only time would tell how the speech would be received by the people of the city and by the businessmen who ran public accommodations.

172

Greensboro Daily News, June 8, 1963, p. A-1.

173

Ibid.

CHAPTER 9: REACTION AND VICTORY

Mayor Schenck's speech on June 7 elicited a variety of responses. The reaction from the black leadership was one of praise, with cautious reservations. The businessmen were divided over the issue. One group sided with the mayor and his objectives. A second faction did not care for his approval of desegregation, but were willing, after careful consideration, to agree to a change in policy. The third group refused to comply. During the next few weeks, several restaurants, motels, and bowling alleys would agree to the city's demand.

The Response to the Mayor's Speech

The activities of the black leadership were sharply reduced after June 7. Following the initial reaction of Jackson and Thomas, Hairston also applauded the mayor's appeal. According to the Negro minister, the mayor's speech "has led to the cessation of demonstrations until next Friday to provide the right climate for positive action by businesses..."¹⁷⁴ This cautious optimism allowed the Negroes to hold an upper hand, just in case nothing happened at the meeting scheduled for June 13. Although all the Negro leaders were ready to commend Schenck for his

¹⁷⁴ Ibid, June 11, 1963, p. B-1; Greensboro Record, June 10, 1963, p. B-1.

stand, the feeling was just as unanimous that the city leader should have spoken out sooner.

A few businessmen were prepared to speak out in public concerning the mayor's speech. Those that did were not happy with the mayor's remarks and indicated also that the meeting on June 13 would be an important one.

Eighteen owners and managers met with Sapp in the attorney's office on June 9. The identity of these men was not made public. Sapp used the meeting to express his opinion. He felt the pressure from government and from the black groups in the city, and this pressure from both sides must end. In reference to Schenck's speech, Sapp said that "In my opinion, he is just advertising Greensboro as a place where gangsters and Communists can come in."¹⁷⁵ According to the lawyer, he would not be "stampeded" into agreeing to a change in policy.

Other businessmen expressed much the same feeling. In a letter to Schenck four days after the speech, C. W. Smith, owner of a motel and restaurant, wrote the mayor, "In the light of present conditions that exist, I would prefer not to change my policy and Racial Integration at this time."¹⁷⁶

Supporting this same position was Edgar Goff, the manager of the Midtown Hotel Court. In a letter to the

¹⁷⁵

Greensboro Daily News, June 10, 1963, pp. B-1, 10.

¹⁷⁶

C. W. Smith to David Schenck, June 11, 1963.

mayor, he wrote,

This motel has been a successful operation for the past 9 years. It has been managed in accordance with the statutes of North Carolina and in keeping with the Greensboro City ordinances. In addition we have devised a set of "home rules" to prevent violation of statutes and ordinances.

We do not plan to change our policy of operation, at this time, especially under duress, coercion, or compulsion.¹⁷⁷

Morris's remarks also opposed any change of policy.¹⁷⁸

The reaction from Evans was notable for its support of the mayor's position, which he described as "forthright and courageous." Calm must be restored in the city but "justice, right, and fairness" must take the place of "injustice, wrong, and unfairness." The chairman hoped that the foot-dragging of the businessmen would end.¹⁷⁹

The Mayor Meets With the Businessmen

Thirty-five owners and managers met with the mayor on June 13. After the meeting, Schenck prepared a statement lofty in praise of what had been accomplished. The direct results of the meeting were: all theaters agreed to a plan of gradual desegregation; five motels agreed to admit blacks as guests; and thirty-eight restaurants with a seating capacity of 2,342 agreed to open their doors to all. The

¹⁷⁷

Edgar Goff to David Schenck, June 13, 1963.

¹⁷⁸

See above, p. 22.

¹⁷⁹

Greensboro Daily News, June 13, 1963, p. B-1.

mayor then read a message from the S and W cafeteria, which read:

If you will bring about an atmosphere free of threat of demonstration, then we will review our policies and seek that solution which is in the best interest of Greensboro and all concerned.¹⁸⁰

Schenck announced that another meeting with the businessmen would convene on the next day. However, the progress that has been made cannot be jeopardized. According to the mayor,

In many opinions the resumption of mass demonstrations and the irresponsible attempts to invite mass arrests will severely damage the progress already made and deal a mortal blow to the groundwork already laid for future progress.¹⁸¹

Further cooperation from all the people in the city was necessary to allow Greensboro to "move on to better things."¹⁸²

The Black Reaction to the Meeting

The "results" announced by Schenck were padded. The theaters had in fact already agreed to a plan. Of the thirty-eight restaurants announced, thirty had changed previously. This "deception" annoyed black leaders. A meeting took place on June 14 between the city government and the Coordinating Council. The gathering lasted two hours, and was held, in the mayor's words, "to discuss

¹⁸⁰

Documentations, p. 22.

¹⁸¹

Ibid.

¹⁸²

Ibid.

in detail what progress has been made to date" and to
 "clarify some of the statements I made yesterday."¹⁸³

Although the Negro leaders were upset, Schenck urged confidence.

The Meetings Continue

The meeting between the mayor and the businessmen on June 14 was encouraging. The city's two hotels said they would desegregate if a period of calm was established and the demonstrations were to end permanently. Several motels were reported to be "on the verge" while Morris refused¹⁸⁴ again to change his practice.

The businessmen had two primary concerns in the matter of desegregation. The fear of the loss of customers led many to move cautiously. In many cases, the desire to hold on to business was so strong that they wished a change of policy to remain secret, never releasing the details to the press. Few were as courageous as Fred Koury, the owner of a motel and a supper club. He said that "I feel¹⁸⁵ like it's time to integrate." Koury also felt that if this step was taken, people might no longer pay any attention to the matter. However, all members of a certain type of

183

Greensboro Daily News, June 15, 1963, p. B-1.

184

Ibid, p. A-1.

185

Ibid, p. A-2.

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183

Greensboro Daily News, June 15, 1963, p. B-1.

184

Ibid, p. A-1.

185

Ibid, p. A-2.

business had to make the change together so none would be hurt by a drop in customers. Schenck called Koury's statement "sensible" and "admired his courage" in the stand.¹⁸⁶

The position of Koury was similar to that of W. J. McClure, the owner of a restaurant. In a letter to the mayor, McClure wrote,

As a gesture of my good faith in the matter, I am perfectly willing to be the first to extend an invitation to six negroes, whose standing in the community would justify their expecting service in my restaurant to be my guest at a time of their convenience.¹⁸⁷

The second concern of the businessmen was a complete end to demonstrations. On the evening of June 14, five hundred blacks attended a rally at AME Zion Church. An agreement was reached to extend the truce. The Negroes also agreed to continue the boycott, begin a stepped-up program of voter registration, continue rallies like this one, and begin a search for qualified applicants for possible jobs in desegregated businesses. According to Jackson, "We are on the verge of victory."¹⁸⁸ These results from the rally meant that the Negroes were going to turn to other means to achieve their goal. Two days later,

¹⁸⁶ David Schenck to Fred Koury, June 17, 1963.

¹⁸⁷ W. J. McClure to David Schenck, June 14, 1963.

¹⁸⁸ Greensboro Daily News, June 15, 1963, p. A-1.

the final direct action tactic was stopped; the boycott¹⁸⁹ of the downtown businesses ended.

On June 17, the committee of three councilmen, Bell, Milliken, and Matthews, made their report on the Coordinating Council resolution and the Sapp statement. The committee took a stand similar to the one Schenck had taken on June 7.

The councilmen discussed the Simkins petition first. The request for the end of desegregation in privately-owned public accommodations was answered with the continuing feeling of the city that they were not able to pass an ordinance in this matter. Secondly, all publicly-owned facilities were already open to all people. Equal employment in municipal positions was already a prevailing practice. The fourth request for additional black representation on city boards and commissions was granted. According to the councilmen, "We recommend that consideration be given to Negro representation on all Boards and Com-¹⁹⁰missions [when vacancies occur]." The request for a permanent bi-racial human relations commission was also met with a hearty endorsement. The councilmen suggested that such a board be appointed and outlined possible membership and duties of such a group.

In conclusion, the three included a needless criticism

¹⁸⁹

Ibid, June 17, 1963, p. B-1.

¹⁹⁰

Documentations, p. 27.

of the demonstrations. They felt that "the agitation in our City has strained the good relations of all citizens to a dangerous point."¹⁹¹ Continuing further on these lines, the councilmen professed their belief that businessmen had a right to expect their establishments to be accesible to all "the patrons of their business." Law and order were of pressing concern. "We feel that it is irresponsible and against the tradition and principle of the American way of life to attempt to get arrested."¹⁹² The black leaders were requested to continue the "period of quiet."

By June 18, Sapp was ready to make one more concession. The S and W cafeteria, the biggest prize of all, was desegregated. Four blacks, including Jackson, were admitted for lunch, and six others, including Hairston and Hicks, were admitted later. The move was praised by both Schenck and Thomas.¹⁹³ The "white" reaction to the move was one of acceptance. Although "old" business fell off in the first few days, the cafeteria's business soon returned to the normal level.¹⁹⁴

Eight days later, a final agreement with the indoor

191

Ibid., p. 28.

192

Ibid.

193

Greensboro Daily News, June 17, 1963, p. B-1.

194

Minutes of the Human Relations Commission, July 25, 1963.

theaters was announced to the public. "Invitational cards" were passed out among the four civil rights groups, allowing them to purchase tickets. The plan continued for two weeks on a trial basis.¹⁹⁵ The theater managers reported no trouble and had a large number of "colored patrons."¹⁹⁶

An important achievement for the prospect of improved race relations in the city was the passage of an ordinance on July 1, establishing a permanent human relations commission, charged with six primary duties. The new group was directed to study "problems of discrimination in any or all fields of human relationships" and attempt to work them out. Efforts should be made by the commission to anticipate possible areas of conflict and solve them before they tore the city apart again. Third, regular meetings were proposed. The commission was also urged to make recommendations to the city council "for action it deems necessary to the furtherance of harmony among racial and ethnic groups in the city..."¹⁹⁷ Two other duties empowered the committee to appoint sub-committees and assume other duties that the city council might give it.

The commission was to be composed of ten members, with

¹⁹⁵ Greensboro Daily News, June 26, 1963, p. B-1.

¹⁹⁶ Commission minutes.

¹⁹⁷ Documentations, p. 31.

an understanding that it would be five whites and five blacks. Each could be reappointed for three successive annual terms. A commissioner could be removed "for cause." Six members were required for a quorum and meetings were to take place once a month. All deliberations were to be open to the public, and a summary report was to be made to the city council at least once a year.¹⁹⁸

On July 15, the city council appointed the ten member commission--five whites and five blacks. They were W. O. Conrad of Western Electric; Hairston; Lee; Simkins; Stanley; Rev. L. A. Lynch, Providence Baptist Church; Charles McLendon, Burlington Industries; Harvey Smith, Modern Metal Products; T. I. Storrs, North Carolina National Bank; and Percy Wall, an attorney.¹⁹⁹

Unlike the old Mayor's Committee, the sole purpose of this body was to deal with racial matters. It was to meet regularly, and not merely in response to emergencies. The meetings of the new commission were open to the public. The old committee had done its work in secret. The membership would remain racially balanced; the old committee had had only two black members out of nine. The city had taken an important step toward the possible solution of future racial problems.

¹⁹⁸

Ibid, pp. 30-33.

¹⁹⁹

Ibid, p. 35.

CHAPTER 10: CONCLUSIONS

On July 25, George Evans performed his last duty as chairman of the Special Committee. He reported to a meeting of the Commission on Human Relations on the progress that his group had made in negotiations. The black physician stated that the most success was made with the owners and managers of the theaters. No trouble was reported at the indoor theaters, a result which prompted drive-in theaters to follow suit. Least progress was made with the hotels and motels. The two hotels, the King Cotton and the O. Henry, proved the most troublesome. The city was meeting regularly with the lawyers for the two establishments, urging them to adopt the "Durham plan," which would have the businesses serve bona fide customers, but not "test teams or large groups."²⁰⁰ The restaurants, for the most part, had failed to follow the lead of the S and W cafeteria. As of July 25, forty-one restaurants or twenty-five per-cent of the seating capacity in the city had agreed to open their doors to all.²⁰¹ The progress was somewhat significant, but failed to accomplish across-the-board service.

An example of this continuing reluctance was given the day before. Four black college women attempted to

²⁰⁰ David Schenck to Julius Smith (attorney for the hotels), July 11, 1963.

²⁰¹ Commission minutes.

enter the Mayfair cafeteria, but were turned away by Morris.²⁰² He stated that he had no plans to change his policy. This viewpoint was reiterated in September by Morris' lawyer, J. Sam Johnson. According to Johnson,

Our position is economic, no more and no less. Our customers prefer to remain segregated, and as long as that preference remains for segregation, then as an economic matter, we have no choice but to serve our customers in the way they prefer.²⁰³

The sustained demonstrations and the efforts of the mayor and the Special Committee achieved a series of important results outside the area of public accommodations. The police department agreed to promote two black members to the rank of detective. A Negro was appointed cashier in the city tax department. The Greensboro Housing Authority²⁰⁴ lowered its racial barriers.

The Commission on Human Relations continued meeting with the businessmen. By September 15, all bowling lanes had desegregated. The O. Henry Hotel agreed to open its coffee shop to all, and both hotels agreed to try limited desegregation in their room service. One more motel and²⁰⁵ five more restaurants changed their positions.

²⁰²

Greensboro Daily News, July 25, 1963, p. B-1.

²⁰³

Ibid, September 15, 1963, p. C-12.

²⁰⁴

Ibid; W. O. Conrad to William Thomas, September 16, 1963.

²⁰⁵

Ibid.

Such results as were accomplished may be tied to three important events. The first was the sustained demonstrations. If direct action had not been employed in May--June, 1963, the chances of any significant desegregation of businesses in the city would have been substantially reduced. ²⁰⁶

Gradualism would have continued to be the method used in this situation. The city government would have continued to pursue its slow, secretive ways as well. There would be no reason for the city to make any real effort. The tension created by the demonstrations was necessary to prod the city government into action.

The mayor's statement of June 7 was the second element in the victories. If the mayor had continued to allow the Special Committee to be the sole bargaining agent with the businessmen, change may have occurred eventually. The speech tended to make the management seem un-Christian and un-American for the continuance of discrimination. They were in a sense, shamed into change.

Finally, the action of such individuals as Koury and McClure and, to some extent, even Sapp, was essential. Someone had to take the lead among the businessmen and begin the process of change. If these men had refused to act as they did, the talks would have remained stalemated for months. All other managers and owners were afraid of the

economic consequences involved in such a move.

If any dominant theme can be found in this brief history, it is the theme of action-reaction. None of the three groups moved in any matter, except as a response to a prior action. One final action prepared the way for the most important reaction in all cases.

In the case of the Negroes involved in direct action, responses were made to actions from both the city government and the businessmen. The initial reaction was the sit-in movement in 1960, a response to the years of denial of equal opportunity from all groups in the city. Reactions in the subsequent months were to actions or statements by other factions in the city. Renewed activities in March, 1963, were directed against the city government for its failure to convince public facilities to desegregate. The overwhelming action that began the demonstrations on a massive scale was the violence that met Dr. King and his followers in Birmingham. Without the excesses of Birmingham most of the cities affected by racial pressure might have escaped demonstrations. Once the sustained demonstrations did begin, Negro leaders responded to the failures on the part of the city council and businesses to change their positions. The final reaction, the permanent truce, was accomplished by the mayor's speech and beginning of productive talks between Schenck and the owners and managers.

The city government responded to the pressures created by the Negroes. After each move by the demonstrators, the city responded. An answer was made to the charges or a report was given on what progress had been made or, in the case of the mayor's statement, the response was one of taking the lead in the matter. For the city, the final stroke was the demonstration of June 6.

The businessmen, in most cases, did not respond, except negatively, until Schenck's speech and the meetings of June 13 and 14. The reaction to each step by the city government, the demonstrators or merchant groups prior to the speech was one of continued refusal. After June 7, the owners and managers were willing to listen and, in most cases, take their time about changing their mind. But there was no turning back after that. After the sit-down of June 6, the statement by the mayor, and the leadership by some businessmen, the victories that were achieved were inevitable.

Despite the numerous successes that direct action produced for the Negroes of Greensboro, the goal and main objectives of the movement were not attained. The businessmen were divided into two camps from the very beginning. On one side, the goal and objectives were never lost. On the other side, the goal changed as time passed. The city government had the same goal and objectives throughout the period and was more successful than any other group in

achieving them.

The goal of the civil rights movement was equal opportunity in all facets of life in the city. Although the Negroes were carried farther down the road to achieving this goal than ever before, the full accomplishment was never realized. Equal opportunity meant more than eating in a restaurant, seeing a movie, or providing a promotion for a black policeman. Prejudices play a large role in the matter. Many men did change their minds about their feelings toward black people.²⁰⁷ Nevertheless, a substantial number became more disgusted and prejudiced than ever before. Few believed that any Negro could live where he wished. Work in private businesses was still controlled by many who refused to believe in equality. Equal opportunity was still far in an indefinite future.

The primary objective was the desegregation of public facilities in the city. A beginning was made in this matter. Only the passage of the 1964 Civil Rights Act would finally achieve this objective.

The second objective was equal opportunity in employment. Only the city was willing to grant this desire, but promotions and hiring depended in many cases on the whims of men who did not believe in the same things as did Schenck or the city council.

The third objective was inclusion of black represen-

tatives on the boards and commissions of the city. With the exception of the city council, this desire was possible and was in fact fulfilled. Years would pass before another Negro would sit on the city council.

The goal of the city government was to return Greensboro to peaceful conditions. No more demonstrations would occur in the city after June 6. Although talk, in some cases shouting, would take its place, no one would take to the streets again to achieve anything by non-violent direct action.²¹⁰ A peaceful atmosphere was restored.

The objectives of the city government were uncertain. One objective was the ending of the demonstrations. This was achieved through the June 7 speech and the subsequent success in negotiations. Was a second objective the achievement of what Schenck called "progress" or was it to achieve better racial harmony in the city? Was the speech, no matter how noble and heart-stirring, really only a ploy to make Greensboro again appear to be the liberal city that it believed itself to be? What was the real purpose of the speech? It was a combination of all these ideas. The speech achieved the progress of lowered racial barriers, and returned the city to better relations between the races. But it was also a clever device. The ruffled of both sides were soothed by Schenck's remarks. No ordinance or resolution would be passed, but entry at various facilities was

assured. Finally, the mayor was successful in restoring the image of the city. His comments were applauded by President Kennedy at the meeting of mayors taking place at the same time. If all these ideas were the objectives of the city, the mayor and the city government were very successful.

The businessmen were divided into two groups--the economic segregationists and the headline seekers. A further division of the first sector produced the hard-core and the willing-to-try. Each group had a definite objective and goal in mind.

The hard-core economic segregationists were led by Boyd Morris. Their goal was to resist all efforts to achieve desegregation. For the time being, they were successful. The primary objective was to hold on even after the mayor's speech. They were successful in this endeavor as well.

The willing-to-try economic segregationists were composed of everyone else but Sapp and his clients, and, to some extent, Neil McGill. They had a goal which had to be abandoned after June 7. The first goal was to avoid a change in service. After the pressure became so great that resistance became practically impossible, the goal became one of time consumption and holding-off, instead of being pushed into change. The primary objective was to take their time and achieve the change on their own terms. In this desire, they were mostly successful.

The headline seekers were Sapp and his group. Their goal was to achieve desegregation on their own terms. A plan had been drawn up which would have achieved service for Negroes at the motion picture theaters by Christmas, 1963.²⁰⁹ Once the demonstrations began, Sapp and his clients were still determined to bring about the change on their own terms. Their primary objective was to gain the sympathy of the city through assertions of legal arguments. They were right and everyone else was wrong and the city was going to know about it. Desegregation at the theaters and the S and W occurred when Sapp, McGill, Bentz, and the others were ready. All their statements found their way into the press. Even the city government was willing to accept the sanctity of private property. Success was as much a part of the outcome here as it was for the city.

By September, 1963, the students had returned to the colleges. Thomas was prepared to inject new life into the debate over equal opportunity. According to Thomas,

The white community has not yet realized how determined we are. It isn't aware of the frustrations we have gone through since birth. What we are asking for is not something we don't deserve. We are demanding something that is rightfully ours.²¹⁰

Thomas was correct in all but one aspect. Had he already

²⁰⁹

Sapp interview.

²¹⁰

Greensboro Daily News, September 15, 1963, p. C-12.

forgotten the days of only three months ago, when the city did understand and know just how determined they were?

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