

**WEATHER**

Partly cloudy and mild through Wednesday. A few showers in the afternoon today. High today 82, low tonight 48 to 58. More Weather, Page 3-A)

# ALABAMA JOURNAL

Central And Southeast Alabama's Largest Evening Newspaper

2-A ALABAMA JOURNAL  
MONTGOMERY, ALAB.

RED EMBASSY CITED

## Defecting Says Spying

WASHINGTON (AP)—A Czech...

1 YEAR—NO. 112

Ph. \*AM 2-1611

THE ASSOCIATED PRESS

MONTGOMERY, ALABAMA, TUESDAY, MAY 10, 1960

UNITED PRESS

## The Top News In Brief

### International, National

PHOTOS clearly showing earth's curvature are sent back by U. S. weather satellite launched yesterday. Page 1.

UN SECURITY COUNCIL resolution urges South Africa to abandon racial discrimination policy. Page 1.

KEFAUVER referee voting proposal killed from civil rights bill. Page 1.

BOTH KENNEDY and Humphrey avoid religious issue as Wisconsin primary Tuesday nears. Page 2.

EISENHOWER is counted and reduced to dots, figuratively. Page 9.

PAY TELEVISION will get a three-year trial run in Hartford, Conn. Page 9.

### Regional

ALABAMA counties are allotted \$3.3 million in school building funds. Page 1.

TWENTY whites and Negroes are fined heavily for integrated lunching in Montgomery and file appeal bonds. Page 1.

GADSDEN inter-faith meeting hears rabbi warn of resurgence of Nazism in this country. Page 1.

## TRIALS

(Continued From Page 1)

court the student group was on a college-sponsored field trip.

He explained that they came here to Montgomery to study the "non-resistance" used in the bus boycott here several years ago. "We intended to deliberately avoid any violence," Nesmith testified.

He explained that letters were written to two Protestant churches in addition to Rev. Ralph Abernathy, integration leader and president of the Montgomery Improvement Assn.

Spokesmen from the churches replied by mail. Nesmith said, that they did not have the accommodations to offer the student group.

The professor said he met Rev. S. S. Seay Sr., one of the Negro defendants, yesterday morning and following talks about "non violence" decided to adjourn the discussions to the Negro cafe.

A veteran city detective told Judge Eugene Loe he was the first police officer to arrive at the Regal after the Police Department had received several complaints about white persons being inside the cafe.

R. C. Cox explained a crowd of 10 to 15 Negroes had gathered across the street from the cafe. Before he left, the officer continued, the crowd had grown to 100 or more Negroes, "milling around and mumbling to each other."

Under cross-examination, Cox conceded that the presence of police usually attracts a crowd, but the detective added that "there was a different atmosphere" than is usually found when people congregate out of curiosity.

EKG713

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Police Chief G. J. Ruppenthal and Sgt. Henry Alford also testified about the actions of the crowd. "You could tell there was tension," Ruppenthal said.

The police chief said the Negroes and whites continued to eat when the police arrived and made no effort to leave. "I made no attempt to arrest them until the tension in the crowd was worked up," Ruppenthal testified.

Ass't. Police Commissioner Bailey said he found several violations of the city fire laws.

The county Health Department and the Electrical Inspection Bureau have also been requested to investigate the place.

The Nesmiths took their seat in the courtroom this morning to await trial. They brought the child with them. Other defendants, looking sleepy and unkempt from the night behind bars, stayed in the prisoners' room.

All were charged with disorderly conduct under a new city ordinance passed last week to deal with racial incidents.

They were not charged under the segregation ordinances because those laws were quietly repealed about 10 days ago. The city commission repealed the ordinance prohibiting integrated dining along with city laws which forbid mixed sports and recreation events.

Commissioners said they struck the laws from the books because it was believed they were most vulnerable to attack in federal courts.

Here is a complete list of those arrested:

- White: Prof. Richard Nesmith, 41, and Mrs. Nesmith 27 of Jacksonville, Ill.; Davis G. Gibson, 19, Moline, Ill.; Bill Hulsebad, 20, Detroit Lakes, Minn.; Thomas W. Ransberry, 22, South Bend, Ind.; Charles Breadburn, 20, Pittsville, Ill.; R. Edwin King, 20, Boston, Mass.; Thel Baumann, 20, Arlington, Va.; J. D. Eth Erneling, 22, Aurora, Ill.; Sharon Marion, 22, Pana, Ill.; Jacqueline Desvieux, 21, Jacksonville, Ill.; Jeanne Walker, 21, Dixon, Ill.; Jeanne Bergsten, 21, Tonkawa, Okla.
- Negroes: Elroy Embury, 33, 126 S. Hall St.; Robert Earl Dulse, 32, 951 E. ...