

# Pair Found Guilty In Integration Try

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Fines, Terms  
Handed Down;

Appeal Lost

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A Negro and a white man were once again found guilty of trespassing as a result of their attempt to integrate a downtown hotel dining room and given fines and hard labor sentences today, in Circuit Court.

Elroy Embry, Montgomery Negro minister, and Ralph Edwin King Jr., a white minister from Boston, were each fined \$100 and costs and given three months hard labor after their second appeal case was heard today by Judge Eugene Carter.

The case, which was first tried before Carter in July, was retried today because the city prosecutor failed to introduce into evidence in the first trial the city ordinance under which the men were being charged.

#### APPEAL IN MOTION

Fred Gray, Negro attorney for the two men, announced that he would appeal the case further and bond was set at \$1,000 for each defendant.

Today's trial was an abbreviated version of the first trial with the city calling on only two witnesses, city clerk Silas Caten and Jefferson Davis Hotel manager Charles Dionne.

#### ORDINANCE PASSED

City prosecutor David Crosland used Carter to establish the fact that the trespassing ordinance was duly passed by the city commission, after which the ordinance itself was introduced into evidence.

Dionne explained to the Judge that King and Embry were asked to leave his hotel coffee shop three times on the afternoon of June 7 and that when they refused to do so the police were called and the two men were arrested.

Gray questioned the hotel manager as to why he asked the men to leave to which Dionne replied, "It's the law of the land."

#### POLICY OF HOTEL

Dionne continued that it was the policy of the hotel not to serve Negroes and that such service would also be against the state law, thus he asked the defendants to leave.

In ruling on the case, Judge Carter said, "The court holds that a man can run his business either for whites or for blacks or for both together, however he wants to do it."

Carter limited Gray's cross-examination of city clerk Caten earlier in the non-jury trial when Gray attempted to solicit testimony on other ordinances passed the same day as the ordinance under which the defendants were charged, saying they were "part of a series to help the city cope with racial situations."

#### IMPOSING SEGREGATION

Gray said the city is "imposing racial segregation in privately owned city facilities which we say they can't do."

Judge Carter refused to allow Gray to ask questions about any other ordinance than the one in issue, commenting "Your purpose is to inject race into this case."



NEGRO, WHITE ministers Elroy Embry (left) and R. E. King were convicted for a second time today in connection with attempted integration of the Jefferson Davis Hotel coffee shop.

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## WHITE MINISTER AND NEGRO COMPANION FINED \$200 EACH

MONTGOMERY, Ala. (UPI) — A young white minister from Boston and his Negro guest were fined \$200 each and given 10 days at labor in recorder's court today for attempting to integrate a white hotel dining room.

The Rev. Ralph Edwin King Jr., 23, a Methodist minister studying at the Theological School of Boston University, and Elroy Embry, a 33-year-old Negro recently expelled from Alabama State College for participating in segregation protests, were given the stiff punishment by Judge Eugene Loe Jr.

Loe fined them \$100 on a charge of failing to obey an officer and \$100 and 10 days on the trespassing charge. Negro attorney Charles Langford immediately filed an appeal.