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BU Student

Gets 3 Months In Racial Case

MONTGOMERY, Ala. (AP)—A white theology student and a Montgomery Negro yesterday were sentenced to three months in jail and fined \$100 each for trying to dine together in a white restaurant.

Circuit Judge Eugene Carter set the penalty after the second trial on the charge for Rev. R. Edwin King, 23-year-old student at Boston University, and Elroy Emory, 33.

Carter heard the case without a jury, just as he did July 12 in convicting them of the trespassing charge. The judge set the same penalty both times.

King and Emory were released under \$1000 bond each, pending an appeal to higher court.

The two men, who were originally convicted in city court, were granted the second trial in state court on the ground that the city failed to introduce as evidence the trespassing ordinance they were accused of violating. The ordinance was submitted as evidence yesterday.

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N.Y. Times → June 8, 1960
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STUDENT AND NEGRO JAILED IN ALABAMA

MONTGOMERY, Ala., June 7 (AP)—A white theology student and a Negro companion, fined hours before for having eaten together, were jailed again today for seeking service at an all-white downtown hotel.

The Rev. R. Edwin King, a white ministerial student at Boston University, and Elroy Emory of Montgomery, a Negro, were charged with trespassing and refusing to obey a policeman.

Shortly before, Mr. King, Mr. Emory and six Negro companions had been fined \$100 and \$43 costs each for eating lunch with twelve white visitors in a Negro cafe March 31.

Policeman J. F. Kennedy said Mr. King and Mr. Emory had walked into the Jefferson Davis Hotel coffee shop today and had asked to be served.

The policeman said the two were taken out of the hotel after they had ignored the manager's request that they leave. The policeman said they also had refused to obey his orders.

DIXIE JAILS B. U. STUDENT

MONTGOMERY, Ala. (AP)—A white theology student from BOSTON and a Montgomery Negro were convicted a second time for trying to eat lunch together in a white downtown hotel.

The Rev. R. Edwin King, 23, part-time Methodist minister and student at Boston University, and Elroy Emory, 23, were fined \$100 each on a charge of trespassing.

Circuit Judge Eugene Carter, who heard the appeal case without a jury, ordered the two sent to jail pending a decision later on the amount of hard labor he will impose. The maximum sentence for the charge is \$100 fine and six months in jail.

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B. U. Student Gets Retrial

MONTGOMERY, Ala. (AP)—A new trial has been ordered for a white theology student and a Montgomery Negro sentenced to jail terms for trying to dine together in an all-white hotel coffee shop.

Circuit Judge Eugene Carter set the trial for next Wednesday for Rev. R. Edwin King, 23-year-old part-time Methodist minister and student at Boston University, and Elroy Emory, 33.

King and Emory have been free under \$1000 appeal bonds since Carter convicted them July 12 on a trespassing charge. He fined them \$100 apiece and sentenced them to three-month jail terms.

Carter said he ordered a retrial in upholding a defense motion that city authorities failed

to introduce as evidence the trespassing ordinance King and Emory were accused of violating.



"Even a fire can't now make me leave politics. Lucky, at least, the floor's protected by 'Beacon Wax.'"

EQUAL TERMS TO BOTH Negro and White Student Sentenced in Alabama.

Montgomery, Ala., July 13. (AP)—A white theology student from Boston and a Montgomery Negro were sentenced to three months hard labor today for trying to dine together in a downtown hotel.

Judge Eugene Carter handed down the sentences on the appeal trials of the Rev. R. Edwin King, 23-year-old student at Boston university, and Elroy Emory, 33.

Attorneys for the two men, who were also fined \$100 each yesterday, filed notice of appeal. King and Emory were released under \$1,000 bond.

Hub Minister, Negro Fined for Dining Together in Alabama

MONTGOMERY, Ala. (AP)—A Montgomery negro and a white minister from Boston were fined \$100 each at their trial for trying to eat together in a white hotel coffee shop. They said they will appeal.

Boston University were convicted after Circuit Judge Eugene Carter overruled defense motions seeking to have the complaint thrown out.

Emory and King were arrested June 7, 1960 while trying to dine together. They were con-

court upheld the decision. But, Carter set aside that conviction on grounds that the city prosecutor failed to introduce in evidence the city trespassing ordinance they were accused of violating.

state court, Emory and King were fined \$100 and sentenced to three months in jail. But that conviction was reversed by the Alabama court of appeals because the city failed to identify the owner of the hotel.