

ATLANTA'S MAYOR BACKS RIGHTS BILL AS HELP TO CITIES

**Calls Public Facility Clause
Key to Averting Strife—
Senator Praises Views**

*Excerpts from Mayor Allen's
testimony are on Page 7.*

By E. W. KENWORTHY
Special to The New York Times

WASHINGTON, July 26—

The Mayor of Atlanta appealed to Congress today to pass legislation to eliminate segregation, "slavery's stepchild."

"We cannot dodge the issue," Mayor Ivan Allen Jr. told the Senate Commerce Committee. "We cannot look back over our shoulders or turn the clock back to the 1860's. We must take action now to assure a greater future for our citizens and our country."

In the last several years Atlanta has desegregated city parks and golf courses, public schools, lunch counters, principal restaurants and its leading hotels for the holding of conventions.

Mr. Allen, who was elected Mayor in 1961, took pride in the progress nonetheless. He said, "It has been a long, exhausting and often discouraging process and the end is far from being in sight."

Asks Passage of Bill

What Atlanta has accomplished, Mr. Allen said, has been done partly by voluntary action and partly as a result of court orders. But the task of dealing with discrimination in public accommodations would have been easier if there had been a national law to guide local officials and businessmen, he said.

He does not believe, he said, that any American wants the Federal Government to restrict unnecessarily the rights of private business.

However, he added, "I am firmly convinced that the Supreme Court insists that the same fundamental rights must be held by every American citizen."

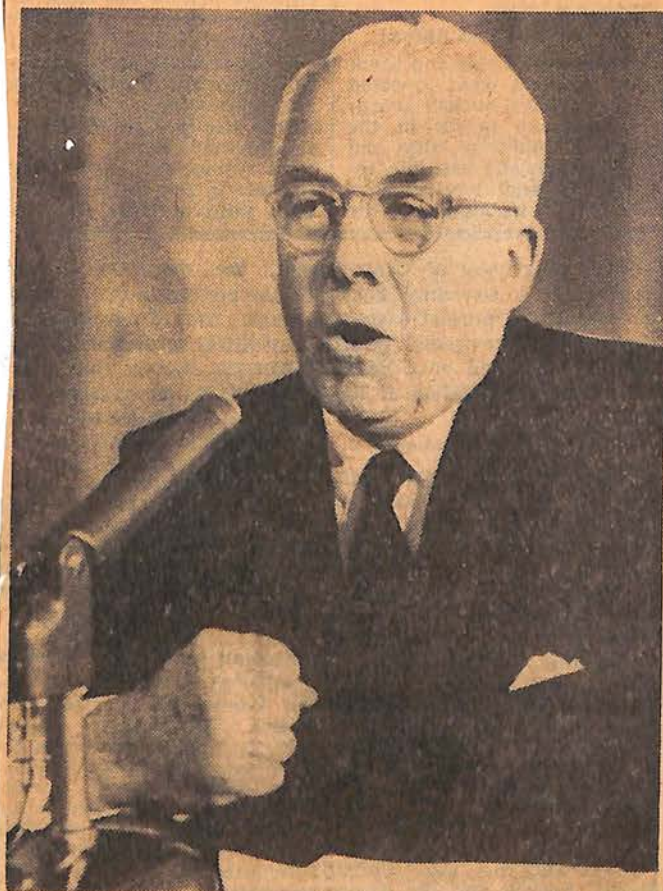
Therefore, any failure by Congress to pass the bill "would amount to an endorsement of private business setting up an entirely new status of discrimination throughout the nation," he declared.

... return to Turmoil
"Cities like Atlanta might slip backwards." He warned. "Hotels and restaurants that have already taken this issue upon themselves and opened their doors might find it convenient to go back to the old status."

The result might well be "the old turmoil of riots, strife, demonstrations and picketing," Mr. Allen asserted, continuing: "Gentlemen, if I had your problem, armed with the local experience I have had, I would pass a public accommodation bill."

He asked the Senators whether it was all right for the Negro to go down Main Street depositing his earnings at the bank and purchasing food at the supermarket just like any other customer, and then be

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United Press International Telephoto

BACKS CIVIL RIGHTS PROVISION: Mayor Ivan Allen Jr. of Atlanta urges passage of prohibition of segregation in privately owned public accommodations during his appearance before the Senate Commerce Committee.

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turned away at the restaurant on the ground that the proprietor had a legal right to change the Negro's citizenship as a matter of convenience.

"I submit that it is not right to allow an American's citizenship to be changed merely as a matter of convenience," he said.

The Mayor suggested, however, that Congress should amend the Administration bill to allow "a reasonable time" for communities to abolish discrimination before Federal intervention. He also thought that smaller cities should have a longer time than larger, since metropolitan areas found it easier to adapt themselves to social change.

Senator John P. Pastore, Democrat of Rhode Island, who was in the chair, told Mr. Allen at the conclusion of his statement that it was more difficult for him to have said the things he did than it would have been for some officials from Northern cities.

"I am humbled in your presence," Mr. Pastore said.

Thurmond Poses Queries

Thereupon, Senator Strom Thurmond, Democrat of South Carolina, began a series of questions similar to those he had addressed to Gov. Ross R. Barnett of Mississippi and Gov. George C. Wallace of Alabama.

Would it not be better, Mr. Thurmond asked, to rely on voluntary action, or at least local ordinance?

"Senator," Mr. Allen retorted "I'd like to see definition on a national level. Congress should say what it thinks should be done under the Supreme Court decision. We have been left up in the air."

Wasn't it true that this would

mean compulsion. Mr. Thurmond asked.

"It would compel the same rights be given to Negro citizens as to white citizens. Yes, that's compulsion. Any federal law exercises some compulsion," the Mayor replied. He then went on:

"We have reached a situation that has been brought into being by the Supreme Court. We look on the Supreme Court with a schoolboy's reverence. This is your court, our court."

Mr. Thurmond then asked whether the proposed law would not destroy business in Georgia.

"I don't see any business destroyed," Mr. Allen answered. "I am asking Congress, as a local official, to give me a definition."

Senator Is Challenged

At this point Mr. Pastore angrily protested Mr. Thurmond's questions, which, he said, were "unfair." He said that if the South Carolinian continued these "when-did-you-stop-beating-your-wife questions," he would rule them out of order.

Mr. Thurmond said that the chairman was trying to "gag" members. "If we can't cross examine witnesses to find out how this would work, we have reached a dangerous stage," he said.

Mr. Pastore retorted that Mr. Thurmond was asking "loaded questions to catch the headlines."

"As long as I am chairman," he shouted, "I will see that all witnesses are treated with dignity and decorum and not embarrassed beyond the limits of fairness."

The audience broke into applause. Mr. Thurmond asked the chairman why he did not stop it.

"I can't stop it after it happened," Mr. Pastore said with a grin.

Mr. Thurmond has contended that the integration movement is "Communist-controlled."

Senator Philip A. Hart, Democrat of Michigan, asked the Mayor if his city's desegregation moves were "Communist-inspired."

"There are no more Communists in Atlanta than there are on the moon," Mr. Allen said.

South Carolinian Heard

Later Gov. Donald Russell of South Carolina opposed the bill as unconstitutional. Taking the opposite line from Mr. Allen, the Governor argued that progress could be made only by voluntary local action and that a Federal law "will breed resistance and perhaps violence."

Testifying before a Senate Labor and Public Welfare subcommittee on fair employment practices legislation, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, said it was as difficult for a Negro to get into the plumbers' union as into the Chase Manhattan Bank.

He praised George Meany, president of the labor federation, for bringing pressure to bear on unions that practice discrimination. This, he said, was having "some effect, but to us the movement seems glacial."