

Senator Hails Allen For Attacking Bias

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WASHINGTON, D.C.—Mayor Ivan Allen Jr. Friday urged Congress to pass a "public accommodations" civil rights bill.

He said the country needs "a clear definition from Congress" on what must be done to do away with racial discrimination. Without that, he said, cities like Atlanta that have made progress voluntarily will "slip back."

The mayor said that if Congress does not act, it will be in effect an "endorsement" of segregation.

The mayor was the first Southern politician to testify in favor of the legislation. He was warmly praised for his statement by the chairman and other members of the Senate Commerce committee, which is handling the bill.

ARMED VALIANT

"I am humble in your presence," Chairman John Pastore of Rhode Island told Allen. He said Allen displayed "courage" in speaking out for civil rights because he came from an area "where sincere people disagree."

Pastore is an advocate of civil rights legislation. He and Sen. Strom Thurmond, D-S.C., who is opposed to the pending bill, got into a hot and angry, top-of-the-lungs argument while Allen was on the witness stand.

PINPOINTING ASKED

Pastore accused Thurmond of asking Allen "loaded" questions and threatened to rule him out of order. Thurmond accused Pastore of "gag" rule and accused the audience, which had applauded Pastore, of being "a bunch of left wingers."

The burden of Mayor Allen's testimony was that if Congress would specify just where discrimination is illegal, it will be easier for local governments and businessmen to comply with demands from Negroes for more rights. He said Congress ought to outlaw discrimination in private business—but give communities "24 months or more" to adjust to the new law.

"I have heard dozens of businessmen say that if there had been a court order or definition by Congress, it would have been easier to desegregate," Allen said.

Sen. Thurmond pointed out to Allen that eight of 10 examples the mayor cited of desegregation in Atlanta had been voluntary ac-



Associated Press Wirephoto
BACKS BILL
Mayor Ivan Allen Jr.

Girl, 8, Dies Of Encephalitis At Savannah

SAVANNAH (AP) — Nancy Fay Justice, 8-year-old girl who had been critically ill for two weeks with symptoms of encephalitis, died Friday at Hunter Air Force Base Hospital.

She had been admitted to the hospital July 15.

A Hunter public information office spokesman said that the "probable cause of the little girl's death was due to a type of encephalitis not connected with the recent equine variety" reported in Chatham County.

Several horses have died here in the past two weeks, their deaths being blamed on a type of sleeping sickness.

Nancy was the daughter of Capt. and Mrs. James E. Justice

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tions asking, "Don't you feel there was less tension when there was voluntary action?"

"No. If we had a clear definition from Congress it would be easier," the mayor said. "The courts have left us up in the air."

The need for congressional action "to take us out of a pit of indecision" was the theme Allen returned to time and again. When committee members tried to get him to talk about the legal and constitutional intricacies of the proposed legislation, he always begged off. "I'm not a lawyer," he said several times.

In his prepared statement he said, "I beg of you not to let this issue of discrimination drown in legalistic water."

WHAT TRIBUNAL MEANT

In another place in his statement, he said, "If the Congress should fail to clarify the issues at the present time, then by inference it would be saying that you could begin discrimination under the guise of private business. I do not believe that this is what the Supreme Court has intended with its decisions. I do not believe that this is the intent of Congress or the people of this country."

At one point, Thurmond asked Allen about the possible adverse effect an anti-discrimination law might have on some private businesses. "I think you know I'm not in favor of the destruction of . . . private property," Allen said. "What I'm asking Congress is to

give me a definition of how that business is to be preserved and at the same time how the rights of 200,000 Negro citizens in Atlanta are to be protected."

Another witness before the Commerce Committee Friday was Gov. Donald Russell of South Carolina. He opposed the bill as unconstitutional and said it "offers no sound remedy for the delicate and complex problem of racial relations."

"MORE DIFFICULT"

Russell said, "Actually, legislative coercion can aggravate and make more difficult the whole problem. New York state has as stringent a code of so-called anti-discrimination legislation as can be envisaged. Has such legislation solved race relations in New York? There are riots in the Bronx. There are demonstrations in Manhattan. There are sit-downs in the offices of both Gov. Rockefeller and Mayor Wagner. There are strident indictments of the City of New York as a city of racial ghettos. Laws have not given New York racial peace."

The third witness of the day was R. Carter Pittman of Dalton, Ga., an attorney. He opposed the measure and discussed the "interesting history" of the Constitution's Commerce Clause. That is what the administration is relying on as the basis of the constitutionality of the proposed law.

Pittman said none of the delegates to the Constitutional Convention believed that the Commerce Clause should be "perverted into" a power to regulate the use of private property at rest within a state.