

SB

NOT TO BE PHOTOCOPIED



R
9326
R
(uncat.)

FEB 13 1975

597

no-6r.m

The Rochester Riots of 1964

- a scrapbook -

Volume 2

Rochester Public Library
Compiled by Nancy Watts



A CITY'S THANKS — Mayor Frank Lamb shakes hands with Pfc. Neil Ryan of 75 Third Ave., Greece, as Sgt. Ross

Sanelli, 103 Warner St. looks on. Both were called up for Guard standby duty here as a result of riot of a week ago.

David C Aug 3, 1964

Damage, Goods Stolen During Rioting Listed

D. & C. AUG 3 1964

A partial list released by police showed the following establishments affected by the rioting July 25 and July 26:

Atlantic Supply House, 350 Clinton Ave. N.: two windows broken; 75 pounds of food stolen.

Electric Motors, 382 Clinton Ave. N.: seven broken windows.

Basso's Super Market, 379 Clinton Ave. N.: four broken windows; two cash registers, an adding machine and scale broken; 30 cases of beer, 20 cases of pop, \$500 cash and \$7,000 in credit slips stolen.

Helendale Sheet Metal, 387 Clinton Ave. N.: two broken windows.

Pierrepont Sign, Inc., 386 Clinton Ave. N.: broken window.

Joe's Auto Parts, 412 Clinton Ave. N.: two front windows and two neon signs broken; some parts and \$50 cash stolen.

Peck's Pharmacy, 326 Plymouth Ave. S.: four broken windows; \$840 cash, \$612 in merchandise stolen, including cigarettes, jewelry, wallets, clocks, shaving equipment, beach equipment, food and candy.

Burke's Market, 324 Plymouth Ave. S.: 14 broken windows; broken screen door.

Circle Food Group, Inc., 330 Plymouth Ave. S.: 14 broken windows; stolen were six shopping carts valued at \$200; \$845 cash register, food worth \$2,063, roasting pan worth \$110, and \$100 cash.

Gridley Liquor Store, 355 Plymouth Ave. S.: three broken windows.

Tom Lenon Grill, 362 Plymouth Ave. S.: three broken windows; \$313.50 in liquor stolen.

Simpson Dry Good Store, 370 Plymouth Ave. S.: six broken windows; between \$15,000 and \$20,000 in merchandise stolen.

Michelson Dry Cleaners, 380

Plymouth Ave. S.: three broken windows.

Nina Glassboard Grocery Store, 393 Plymouth Ave. S.: broken window.

Speed King Laundromat, 411 Clinton Ave. N.: four windows and six neon signs broken, total value, \$900.

Rochester Gas Heating, 415 Clinton Ave. N.: two broken windows.

Lapanda Latina Grocery Store, 421 Clinton Ave. N.: broken window.

Custom Craft Wood Products, 427 Clinton Ave. N.: five broken windows; stolen were one adding machine, one typewriter, 15 cabinet french doors.

Custom Craft Products, 433 Clinton Ave. N.: six broken windows; stolen were six stainless steel kitchen sinks and a vanity mirror.

Larry's Floor Waxing Service, 443 Clinton Ave. N.: six broken windows; stolen were \$250 cash and \$200 in checks.

Frank and Ester's Liquor Store, 453 Clinton Ave. N.: six windows and four neon signs broken; stolen were an adding machine, a check-making machine, a diamond ring, assorted liquors, worth \$20,000, and \$3,700 in cash and checks.

Malvonavo Food Market, 440 Clinton Ave. N.: two broken windows.

Quagliata's Market, 563 Clinton Ave. N.: broken window; \$125 in merchandise taken.

Cafarelli's Restaurant, 473-477 Clinton Ave. N.: eight windows worth \$1,000 broken; \$1,000 whiskey and beer stolen.

North Side Puerto Rican Club, 483 Clinton Ave. N.: three windows valued at \$650 broken.

Dipaolo Grocery, 530 Clinton Ave. N.: four windows worth \$200 broken; \$200 in merchandise taken.

Walt & Joe's Restaurant, 402 St. Paul St.: \$350 window broken.

International Grocery Company, 52 Hand St.: five broken windows.

United Parcel Service, 23 Emmett St.: 10 windows valued at \$15 broken; taken were two tires worth \$360; \$40 damage to truck.

Dari-Del Market, 41 Central Park: \$1,500 damage to building; \$6,500 in merchandise and equipment stolen.

Morton Kroll Jewelry Store, 79-81 Central Park: \$500 damage to building; \$500 stolen.

Central Food Market, 125 Central Pk.: \$1,000 in merchandise stolen.

Alfieri's Food Store, 146 Central Pk.: amount of damage undetermined.

Plymouth Circle Service Station, 400 Plymouth Ave. S.: five broken windows; \$233 in auto merchandise stolen.

Powers Drug Store, 553 Plymouth Ave. S.: five windows broken; \$1,000 in merchandise taken.

Dirienzi Food Market, 592 Plymouth Ave. S.: six windows worth \$338 broken; \$5 worth of cigarettes taken.

Triangle Liquor Store, 600 Plymouth Ave. S.: five windows, one combination door, two neon lights, two fluorescent lights and one fan broken; \$500 in merchandise taken.

Red & White Liquor Store, 675 Plymouth Ave. S.: four broken windows.

Fico's Grocery Store, 366 Plymouth Ave. S.: front doors and windows broken; taken were

\$875 in cash, \$450 worth of meat, watches and radios worth \$500, \$675 in cigars and cigarettes, \$25 in stamps and \$600 in assorted groceries.

J. C. Super Market, 312 Plymouth Ave. S.: nine windows valued at \$60 broken; \$150 front door broken; stolen were \$1,000 in groceries, \$300 in meat, \$315 in clothing, \$400 in beer; \$735 in cigarettes; \$500 damage to equipment.

Ammann's Grill, 628-632 Clarissa St.: six broken windows; television set, six-packs of beer taken.

Webber Bowling Hall, 501 Plymouth Ave. S.: several small windows valued at \$85 broken.

King Fish Co., 348 Plymouth Ave. S.: four broken windows; taken were two fans worth \$45; \$700 in fresh fish; scale valued at \$75, knives and scissors worth \$20, \$20 radio \$700 in damage.

Ward Little Service Station, 400 Plymouth Ave. S.: five broken windows; merchandise worth \$233 taken.

University Clothing Center, 352 Plymouth Ave. S.: three broken windows.

Ace Food Market, 486 Plymouth Ave. S.: 16 broken windows; meats and beverages worth \$5,000 to \$6,000 stolen.

Cadet Cleaners, Plymouth Ave. S.: four broken windows.

Steve and Marge Grocery Store, 375 Plymouth Ave. S.: 52 broken windows; \$675 property damage inside; merchandise worth \$1,302 stolen.

Troopers, Guard Units Withdrawn

TIMES UNION AUG 3 1964

State Police were ordered withdrawn from Rochester today but their field commander here announced that a permanent "hot line" to his office in Albany has been established in case of further trouble.

Col. John A. Roche said troopers would be "on stand-by" for a summons by local authorities via the direct telephone link.

"A sizable force would respond within a few hours" to a local request for help, he said.

Col. Roche, deputy superintendent of the State Police, has been in charge of the city's battle against rioting and looting since Gov. Rockefeller ordered the troopers into the city early July 25.

Gov. Rockefeller's action today, in ordering the prompt withdrawal of the last 300 of the 450 troopers brought in, came on the heels of his order yesterday to withdraw the 1,200 National Guard troops mobilized for duty here July 26.

Two battalions of soldiers left before dawn today. The rest, members of local units, were to be released sometime today.

COL. ROCHE said a "small liaison group" of about a half dozen State Police officers would remain here "until the situation has completely clarified."

After a strategy meeting

Del Ray's column will be resumed on his return from vacation.

with Col. Roche and city and county officials, Police Chief Lombard announced that about 150 police and detectives would be on duty nights and weekends for the rest of the summer, and that a special detail of about 20 detectives will work an 8 p.m.-4 a.m. shift in "trouble areas."

Thirty sheriff's deputies in 15 cars will continue to help city police on patrol duty.

There were two minor incidents on Herman Street during the night, in the heart of one of the main riot areas, but police said these were nothing out of the ordinary.

THE GOVERNOR'S office said the action in withdrawing the last 300 troopers from the city was taken with full concurrence of all local and county authorities, after a review of steps being taken by city and county law en-

(Please turn to Page 3B)

Guard, Troopers End Riot Alert

TIMES UNION AUG 3 1964

(Continued from Page 1B)

forcement officials to prevent further violence.

Another out-of-town battalion, about the same size, left Cobbs Hill Park about 3 a.m. Both movements were reported routine and without incident.

MEANWHILE, the holdover June county grand jury began hearing testimony today from 18 police officers—including Chief William A. Lombard and Inspector Harry Griswold—in seven specific rioting cases.

The jury last week heard testimony on the causes and sequences of the rioting, before beginning on individual cases today.

Scheduled to testify were: Detective Sgt. Anthony Cuiule and Detectives Daniel Funk, Salvatore Arnone, John Gerbino, Anthony Sparks, Lee Parrini, Robert Lambiase, John Culella, George McDonald, Sgt. Delmar Leech, and Patrolmen Roger Bacon, Anthony Cerrello, William Doran, Leo Lortz, Joseph Scalone and Joseph Cook.

CITY POLICE were back on 8-hour shifts with normal days off, although all leaves and vacations remained cancelled. Patrols in riot areas have been reduced.

In one Herman Street incident last night, a crowd of about 400 gathered near Hanover Houses shortly before midnight when police arrested Vincent Alexander, 22, of 420 Chatham Gardens, on charges of assaulting his wife and resisting arrest.

The third-degree assault case was referred to Family Court at his arraignment today and a City Court jury trial was ordered for Sept. 21 on the resisting-arrest charge.

In the other incident, bottles were hurled from the roof of a four-story building at Joseph Avenue and Herman Street about 3:50 a.m. when firemen answered what turned out to be a false alarm.

No one was hit but police were unable to find the bottle-throwers.

THE GOVERNOR'S office said the decision to withdraw the guard "was made after seven consecutive days of law and order in Rochester, and with the concurrence of local and county authorities."

Col. Cecil E. Scott, who has been deputy commander of the National Guard task force here, said today that the two out-of-town battalions moved out by truck "precisely on schedule."



PACKING UP prior to release from duty today is Guardsman Dean Henty, 70 Savannah St.



OFFICIALS CONFER in front of the East Main Street Armory before tour of troops thanking them for their service. From left are City Manager Porter Homer, Col. Cecil Scott, Sheriff Albert Skinner, Police

Chief William Lombard, Public Safety Commissioner Donald Corbett, Mayor Frank Lamb and Col. William F. Sheehan.

Times Union Aug 3, 1964

County Riot Role Explained by Howe

By JOHN MULLINS

The county provided the city with 55 regular deputy sheriffs and 60 civil defense workers who were deputized into the sheriff's service during the recent riots here.

Reporting to the Board of Supervisors today, County Manager Gordon Howe said the deputies "worked around the clock" and would be paid for their overtime rather than given compensatory time off. The pay will be at "straight time."

Howe said he "volunteered every available resource" of the county to City Manager Porter Homer as soon as he was told the developing crisis was a major one.

The report from Howe says the city and county will share the cost of maintaining the National Guard here and he said "the overall operation was a vivid illustration of cooperative action by a large number of community agencies."

SERVICES provided by other county offices according to the report:

Medical Examiner: identifying three of the four persons killed. One was traced through an Xray and information on an injury from a city in Michigan. Another case involved matching a den-

tal Xray with one from a city in Virginia.

Penitentiary: "With little or no warning, busloads of prisoners from the rioting zones suddenly were thrust upon the penitentiary authorities."

"At the peak of the crisis, 465 additional prisoners were being held at the penitentiary, swelling the total penitentiary population to approximately 800 prisoners, nearly 500 above normal."

Public Safety Laboratory: analyzed "the content and danger" of the "Molotov Cocktails" (gasoline bombs), bottles containing lye and acids, and sugar put in gasoline tanks of automobiles.

Parks Department: Increased its patrol of parks and beaches and enforced the curfew at them.

Civil Defense: provided the additional deputy sheriffs, arranged for 650 cots for police and National Guard units and for helmets and night sticks, stood guard, handled problems at hospital emergency rooms and parking areas, provided "walkie-talkie" communications, and took over the preparation of reports to free regular police for active duty.

Times Union Aug 3, 1964

City Manager Moves Toward Lifting Emergency Status

City Manager Porter W. Homer moved today toward lifting the state of emergency he declared July 25.

Homer, other city aides and police officials met in the Public Safety Building for the conference they have held daily since the emergency.

"We've been testing the situation every day," the city manager said, "and now we're moving toward winding it up."

Homer has not yet prepared a reply to the demands that civil rights groups have made since the rioting.

"We're still occupied with the more immediate situation," he said.

Homer and his family were to have left Saturday for Glacier National Park in Montana, where they had planned to spend about 2½ weeks. The vacation has been canceled.

OVER THE WEEKEND, Police Chief William M. Lombard announced a plan designed to cope with riots and other emergencies.

Lombard said the Emer-

gency Mobilization Plan "will provide for the maximum number of personnel to be assembled in the least amount of time."

It can be put into effect by the public safety commissioner, police chief, deputy chiefs, designated acting chiefs or an on-duty police inspector.

Under the plan, police officers, besides their regular weapons, would be issued tear gas, riot guns and ammunitions. They would also get helmets, nightsticks, handcuffs and flashlights.

Guardsman Got His Call --In Ireland

Ralph Morrow, a Times-Union sports writer, is a member of one of the Rochester National Guard units mobilized a week ago.

TIMES UNION AUG 3 1964
By SPEC. 4 RALPH MORROW

"We were sitting around talking, just before going to Mass last Sunday," said M/Sgt. Michael J. Hogan, recalling when he first heard of the trouble in Rochester.

He was visiting with relatives but unlike most of the National Guardsmen, he wasn't in the immediate area. He was in Dublin, Ireland, winding up a two-week vacation.

"I was really stunned," said Hogan. "We had airplane reservations to return on Tuesday, so there seemed little point or chance of moving them up."

HE RETURNED to Rochester and reported Thursday as sergeant major for our unit, Headquarters 209th Artillery Group. He is one of the real National Guard veterans and, in fact, was one of the founders of the unit that eventually was to become the 209th.

He probably knows more about how the Guard functions than does anyone in Rochester. Twice he has been named outstanding guardsman in this area.

THE WEEKEND was a rather quiet one for our unit, stationed at Culver Road Armory.

Friday night, we probably had the best meal we'll have on our tour. It consisted of charcoal-broiled steak cooked over an outdoor grill, parsley potatoes, green beans, tossed salad and ice cream.

Saturday we finished the July payroll and started work on August. Yesterday, we continued on August pay and made a start on our summer camp payroll. My unit will be at Camp Drum, near Watertown, from Aug. 15 through Aug. 29. Other units encamped in Rochester will be going either at the same time or the two weeks following our tour.

Before the evening meal, city and county officials met with us at a formation and thanked us for our service.

How to Restore a Good Image?

Thoughtful Rochesterians will see in a lament from St. Augustine, Fla., a problem also faced by this community.

"This was a tranquil, modestly prosperous, small city which had virtually no crime nor racial violence," read a letter we received recently from St. Augustine.

"Then we were singled out as a target for mass racial demonstrations. The demonstrators were mostly from out of town with only a few local people, mostly youngsters, participating.

"The St. Augustine affair was the topic of the day in every corner of the land. To people in other places, St. Augustine has become a lawless city, with danger lurking at every corner, although nothing could be further from reality.

"Now the interest in St. Augustine has ebbed. The reporters have moved on and left in their wake a serious recession. The narrow, picturesque streets and the long white beaches are almost totally without tourists.

"Next year will mark the 400th anniversary of the founding of St. Augustine. There are many plans for this event, but we feel very gloomy about them."

The letter rings true. We feel confident that St. Augustine is indeed a tranquil city again.

Rochester also has been hurt by racial trouble.

One weekend of rioting may have wiped out in many minds the positive image created by years of national publicity about Midtown Plaza, the Community Chest's amazing fund-raising record, Rochester superb educational institutions and such.

Too many articles and broadcasts about the Rochester riots gave the impression that this city had almost asked for its trouble by doing nothing to help its Negro community, by practically making prejudice and police brutality public policies.

This is rot, and every responsible Rochesterian knows it. The riots were the result of unreasoning hoodlumism. They occurred in spite of the fact that Rochester has as progressive a record in advancing civil rights, urban renewal, and minority opportunity programs as almost any community in the country.

Nonetheless, the nation now needs some convincing otherwise. That can be done by continuing the same improvement programs in progress before the riots, by cracking down on violence committed by any person of any race, by emphasizing the truth about Rochester in every communication and statement to out-of-towners about the riots.

It will take the combined efforts of all who created Rochester's positive image to wipe out the stain left by violence on the community's good name.

TIMES UNION AUG 3 1964

Partial List of Stores Looted

TIMES UNION AUG 3 1964

and Damaged by Rioters

City officials estimate about 200 stores were damaged July 25-July 27 by looters and rioters. A partial list of damaged stores released by police today included:

Ace Food Market, 486 S. Plymouth Ave.: 14 plate glass windows broken, two door windows broken; meats and beverages valued at \$5,000-\$6,000 stolen or spoiled.

Cadet Cleaners on S. Plymouth Avenue: Four windows broken, nothing stolen.

Walt & Joe's Restaurant, 402 St. Paul St.: Window valued at \$350 broken.

International Grocery Store, 52 Hand St.: One window broken, four plate glass windows broken, nothing reported stolen.

United Parcel Service, 23 Emmett St.: Two tires valued at \$180 stolen; damage to truck estimated at \$40; ten windows valued at \$400 broken.

Jo's Variety Shop, 405 N. Clinton Ave.: Plate glass window broken, nothing reported stolen.

Mr. Paint Shop, Inc., 458 N. Clinton Ave.: Twelve windows broken; typewriter, cash register, paint supplies, fire extinguisher, body tools valued at more than \$1,000 stolen; \$31 taken from register.

Cruppes Dry Cleaners, 459 N. Clinton Ave.: Eight windows broken, six neon signs broken; cash register, television, electric razor, typewriter stolen; 700 pieces of dry cleaning, 600 shirts stolen; \$100 taken from register.

State Outlet Store, 471 N. Clinton Ave.: Seven windows broken; clothing, adding machine stolen; \$42 taken from register.

Northside Puerto Rican Club, 483 N. Clinton Ave.: Three windows broken.

Mart Furniture and Appliance Co., 495 N. Clinton Ave.: Ten windows broken; furniture, television sets, chairs, lamps, tables, refrigerators stolen, valued at \$8,000; damage to store estimated at \$1,500.

Harris Grocery Store, 551 N. Clinton Ave.: Six windows broken; beverages, groceries,

cigarettes stolen, valued at \$1,500.

United Amusement Co., 555 N. Clinton Ave.: Plate glass window broken, nothing reported stolen.

Schulman Baby Furniture Co., 570 N. Clinton Ave.: Four plate glass windows broken; merchandise valued at \$1,000 damaged or destroyed; nothing reported stolen.

Bonsignore Grocery Store, 849 Jefferson Ave.: Plate glass windows valued at \$270 broken; Venetian blinds valued at \$30 stolen; groceries valued at \$80 stolen.

Adams, 751 Jefferson Ave.: Four windows broken, showcase smashed; cigars, cigarettes, one case of beer, clock radio stolen.

Bar Tar Grill, 742 Jefferson Ave.: Plate glass window broken; cigarette machine, juke box, bowling machines destroyed, contents taken; \$1,500 in beverages stolen.

Peak Supermarket, 663 Jefferson Ave.: Five windows broken, glass doors on refrigerator smashed; scale, register, mirror broken; groceries, beverages, cigarettes valued at \$6,000 stolen.

Bright Star Cleaners and Dryers, 669 Jefferson Ave.: Windows valued at \$234 broken; dry cleaning valued at \$1,000 stolen.

Nahmias Grocery, 600 Jefferson Ave.: Two plate glass windows broken; \$70 taken from register; meats and groceries valued at \$1,500 stolen.

Markedis Hots, 267 North St.: Plate glass window broken, nothing reported stolen.

Blackstone's Beauty Shoppe, 399 Clarissa St.: Plate glass window broken, nothing reported stolen.

Roy's Bait Shop, 483 Exchange St.: Plate glass window broken; television set and cigarettes stolen.

Nero's Restaurant, 166 Central Park: Two windows valued at \$175 broken, nothing reported stolen.

Union Plumbing and Heating Supplies Co., 546 N. Clinton Ave.: Windows valued at \$737 broken; damage to building estimated at \$25.

Wiedemann Bros., 497 N. Clinton Ave.: Two neon signs valued at \$250 broken; plate

glass window valued at \$250 broken; merchandise valued at \$50 stolen.

Monty's Liquor Store, 304 N. Union St.: Two windows broken, glass door smashed; merchandise valued at \$2,800 stolen or spoiled, estimated damage, \$2,200.

Fanara Awning Co., Central Park at Philander St.: Ten windows and a glass door broken, valued at \$200.

Central Bargain Center, 79-81 Central Park: Eight windows, one glass door broken; clothing valued at \$12,000 taken, fixtures valued at \$2,000 taken.

Licata's Toys and Shore Store, 88 Central Park: One window broken; fixtures damaged; shoes valued at \$200 stolen.

Brite - O - Wash Laundramat and Brite Cleaners, 96-98 Central Park: One window broken, nothing reported stolen.

Adams Shoe and TV Store, 109 Central Park: Two windows broken, television sets damaged by black shoe dye; estimated damage, \$100.

DeFranco Grocery, 593 Scio St.: Four windows broken, door smashed; three refrigerator cases taken; beverages and groceries valued at \$1,200 taken; household goods and clothing valued at \$5,000 taken.

Sibby's Doughnuts, 578 Scio St.: One window, one glass door, two showcases valued at \$2,500 broken.

Marotta's Grocery, 641 Scio St.: Three windows broken, glass refrigerator doors smashed; \$800 in beverages and groceries taken; house at rear

of store entered, and family jewelry and \$600 in cash stolen.

Mike and Joe's Equipment Co., 132 Central Park: Three windows broken, nothing reported stolen.

Allen Food Store, 307 Joseph Ave.: Seven windows broken; three meat cases, one frozen food cooler, upstairs window broken, total value \$2,500; \$15,000 - \$20,000 in meats, groceries taken.

Modern Fish Markets, 366 Joseph Ave.: Four plate glass windows broken, showcases and scales destroyed, total value, \$800; frozen and fresh fish valued at \$4,500 stolen.

Yiddish Meat Market, 373 Joseph Ave.: Three windows valued at \$350 broken; canned

goods and meats valued at \$1,000 stolen.

Oratz Fish Market, 349 Joseph Ave.: Three windows broken, safe damaged, valued at \$400; no merchandise reported stolen.

L. Itkin Co., 365 Joseph Ave.: Nine windows broken, six showcase windows smashed; undetermined amount of wearing apparel stolen.

Newman Meat Market and Grocery, 345 Joseph Ave.: One plate glass window valued at \$150 broken; meats valued at \$150 stolen.

Goldman's Meat Market, 372 Joseph Ave.: Two plate glass windows and two neon signs broken, valued at \$600; meats and canned goods valued at \$200 taken; \$115 in cash stolen.

L. G. Tailors, 370 Joseph Ave.: Two windows valued at \$400 smashed; clothing valued at \$380 taken.

Avenue Coffee Shop, 383 Joseph Ave.: Six windows broken, two neon signs valued at \$600 smashed; \$40 in cash, cigarettes and cigars stolen.

New York Bakery, 399 Joseph Ave.: Two plate glass windows broken; \$700 damage to front of store and baked goods.

Loby's Tavern, 103 Bartlett St.: One window valued at \$100 broken; \$160 in merchandise stolen.

Pat Foley's Liquor Store, 313 Genesee St.: One window valued at \$90 broken, nothing reported stolen.

State Troopers End Riot Duty; Beefed-up Police Keep Watch

D. & C. AUG 4 1964



State police cars head out of town on Expressway after ending riot duty here.

Three hundred state policemen sent here July 25 to help cope with rioting left the city yesterday.

Before leaving, spokesmen for the State Police made it clear that, should violence recur, the troopers could be back in force—on short notice.

Their pullout followed the withdrawal earlier in the day of 1,500 National Guardsmen who put on a show of force to help put down the violence.

The State Police withdrawal left to city police and sheriff's deputies the task of patrolling the riot-plagued sections.

At a press conference yesterday, Police Chief William M. Lombard said augmented details of uniformed and plainclothes city police, plus deputies, would remain on duty at least through the week although there had been no reported new outbreaks. The state of emergency is still in force.

City and State Police officials have exchanged private telephone numbers as a further means of establishing communications.

Meantime, Mayor Frank T. Lamb continued behind-the-scenes talks with community leaders of both races to learn more about the causes of mob violence and looting that gripped Negro sections of the city for two days and three nights.

Lamb reported receiving a large amount of mail from many sections of the country, and "the overwhelming number support the police and the city handling the situation."

The mayor, who in common with other city officials, has been on an exhausting schedule, is considering a television "report to the people" to discuss what he has learned in conversations with leaders of both races.

Continued on
page 157



THANKS AND GOODBY — Mayor Frank T. Lamb, seated at the left, and Col. John A. Roche, State Police commander here, center; announce withdrawal of 150 state policemen sent here by Gov. Rockefeller to help put down rioting. At the right, seated,

is Sheriff Albert W. Skinner. Left to right in the rear are Police Chief William M. Lombard, City Manager Porter W. Homer, Public Safety Commissioner Donald Corbett, Capt. John Nohlen, Troop A commander. His forces remain on alert.

Continued from page 1B
He said he has received from the leaders "countless expressions of support and confidence."

Lamb, City Manager Porter W. Homer, Sheriff Albert W. Skinner and Public Safety Commissioner Donald J. Corbett, who had requested the troopers, joined in the formal application to Gov. Rockefeller for their withdrawal. At one time there had been 450 in the city.

At the press conference Lamb said the State Police tour of duty here had been "outstanding." With their help, "law and order will be the rule again in Rochester."

In Albany, state officials began to work out the cost of sending the National Guardsmen and State Police to Rochester. It was estimated that it cost \$24 per

Continued on Page 3B

State Police Leave City

Continued from Page 1B

day to keep one trooper in the city.

The cost for the National Guardsmen for the nine days they were in Rochester was figured roughly at \$24,000 a day.

The governor's office said the state definitely will pay the State Police bill. The question of payment of the Guard costs, however, was described as "a moot point" at this time.

Under the law, a community requesting the use of the national Guard to quell a civil disturbance is responsible for the payment. But since the guard has not been used for that purpose since early in this century, the Rochester case will have to be worked out, a spokesman indicated. Anyhow, the state will pay the guardsmen now.

In another development the

president of Rochester chapter of the Congress of Racial Equality said yesterday it would be up to local CORE chapters whether to observe the moratorium on demonstrations called by other Negro organizations. The possibility of demonstrations here, according to Miss Hannah Storrs, "depends on what happens here."

The Rochester branch of the National Association for the Advancement of Colored People has announced it is abiding by the suspension of demonstrations until after

the national elections in November.

CORE and the Student Non-Violent Coordinating Committee did not join the agreement signed by civil rights leaders.

Three NAACP officials who had been here during the emergency left yesterday for their home base in New York City. They were Thomas Allen, national field secretary; Maurice White, public relations assistant, and La-plois Asford, national youth director.

TIMES UNION AUG 4 1964

Partial List of Damaged Stores

Here is a partial list, released by police, of damage to stores July 25-July 27 by looters and rioters:

Terry Shoe Store, 239 Joseph Ave.: Plate glass windows valued at \$2,000; \$5,000 in merchandise stolen.

Rabin's Clothing Store, 282 Joseph Ave.: Plate glass windows valued at \$1,200; estimate of damage withheld pending completion of inventory.

Progressive Barber Shop, 332 Joseph Ave.: Plate glass windows and mirrors valued at \$965; barber's tools worth \$1,000 stolen.

Nowell Grill, 328-330 North St.: One window valued at \$200.

Arrow Food Store, 312 North St.: Four windows and two doors valued at \$1,000; groceries and other merchandise valued at \$2,500 to \$3,000 stolen.

House of Styles, 296 North St.: Two windows valued at \$275.

Posner Liquor Store, 286 North St.: Three windows valued at \$418; liquor worth \$800 stolen.

Begy Used Furniture, 7 Hudson Ave.: One window valued at \$150; merchandise valued at \$300 stolen.

Berds Grocery Store, 28 Herman St.: \$350 damage to cooler and showcase; foodstuffs worth \$200 stolen.

Central Flooring and Ceiling Co., 113 Central Park: Five windows.

Geber's Food and Meat Co., 93 Portland Ave.: Three win-

dows; electric guitar and amplifier worth \$115 stolen.

Hadlock Paint Co., 466 Central Ave.: Five windows valued at \$900; tape recorder worth \$100 stolen.

Tommaselli's Grocery Store, 566 North St.: Four windows; damage and stolen items valued at \$2,000.

Ray's Grocery Store, 50 Herman St.: \$14,000 in fixtures smashed; \$8,000 in stock stolen.

Bill's Hardware Store, 326 Joseph Ave.: Tools valued at \$5,000 stolen.

Nusbaum Wearing Apparel Store, 221 Joseph Ave.: Plate glass windows valued at \$2,000; merchandise worth \$35,000-\$40,000 stolen.

McCall's Automatic Transmission Shop, 161 Joseph Ave.: Plate glass windows valued at \$350.

Plaza Liquor, 199 Joseph Ave.: Plate glass windows valued at \$500; valuation of stolen property not completed.

Rothman Furniture Store, 285 Joseph Ave.: Estimate of damage uncertain.

Suskind Paints and Wallpaper, 289 Joseph Ave.: Plate glass windows valued at \$1,000; cash register smashed; merchandise valued at \$500 stolen.

Star Brite Cleaner, 321 Joseph Ave.: Plate glass windows valued at \$1,000; other damage not estimated.

Miller's Liquor Store, 325 Jo-

seph Ave.: Plate glass windows valued at \$800; inventory in-
valued at \$1,000; inventory of
stolen merchandise incomplete.

Lederman's Fruit Market, 334 Joseph Ave.: Plate glass windows valued at \$400 broken; inventory incomplete.

Rubin's Pharmacy, 390 Joseph Ave.: Plate glass windows; property valued at \$1,000 damaged; inventory incomplete.

Rosen Tailors, 396 Joseph Ave.: Plate glass windows; property damage set at \$400; furs and other merchandise valued at \$20,000 stolen.

Shecter Gift Shop, 466 Joseph Ave.: Plate glass windows; inventory incomplete.

Jeanette Rapkin Dry Cleaners, 339 Joseph Ave.: Plate glass windows; property damage set at \$350; merchandise valued at \$50 stolen.

Freeling Men's Apparel, 245 Joseph Ave.: Plate glass windows valued at \$2,000; merchandise valued in excess of \$20,000 stolen.

Zack's Barber Shop, 173 Joseph Ave.: Plate glass window; property damage set at \$100.

Fedoryshyn Dry Store, 171 Joseph Ave.: Property damage set at \$500; merchandise valued at \$300 stolen.

Arthur's Pharmacy, 300 Joseph Ave.: Damage to plate glass windows and front of building set at \$800; inventory incomplete.

Veteran Service Station and Garage, 135 Joseph Ave.: Plate glass windows valued at \$500.

Dave's Cleaners, 310 Joseph Ave.: Six plate glass windows

Hanover Food Store, 346 Joseph Ave.: Plate glass windows valued at \$1,000; stolen merchandise worth \$3,000.

Stein's Shoe Store, 380 Joseph Ave.: Plate glass windows valued at \$1,000; inventory incomplete.

Hendrix Market, 320 Joseph Ave.: Plate glass windows valued at \$250; merchandise valued at \$300 stolen.

Center Fish Market, 301 Joseph Ave.: Plate glass windows valued at \$200.

George's Clothing Store, 338 Joseph Ave.: Unable to determine property damage; inventory incomplete.

Cohen's Restaurant, 315 Joseph Ave.: Plate glass windows valued at \$1,000; inventory incomplete.

Sam's Grocery, 330 Joseph Ave.: Property damage set at \$700; merchandise valued at \$400 stolen.

Essie's Used Clothing, 377 Joseph Ave.: Property damage estimated at \$150.

Chatham Garden Drugs, 233 Joseph Ave.: Property damage set at \$2,500; merchandise valued at \$5,000 stolen.

Fountain Lunch, 231 Bronson Ave.: Five windows.

Dobmeier Jewelry, 847 Main St. W.: two windows valued at \$200.

Central Bargain Store, 287 North St.: 12 windows valued at \$1,500; merchandise valued at \$15,000 stolen or damaged.

Standard Cleaners, 35 Portland Ave.: Property damage set at \$600.

Guard Can Mobilize In 3 Hours

National Guard troops could be in action here within three hours after being alerted if needed again, Col. Cecil E. Scott reports.

Only three hours elapsed July 26 between the first broadcast alerting guardsmen and the "show of force" convoy movement through tense riot areas of the city.

"We could be effective even a little sooner," Col. Scott said, "because we've had a week of practice."

Col. Scott, who commands the 209th Artillery Group headquartered here, was deputy commander of the National Guard task force of 1,200 troops which was on standby duty here until yesterday.

TROOPS COULD be called up immediately by order of Gov. Rockefeller, after a request by Sheriff Albert Skinner or Mayor Frank Lamb.

The fact that about 400 of the 600 local guardsmen will go to Camp Drum Aug. 15 for two weeks, and the rest two weeks later, would not hamper quick response to an emergency, according to Maj. Gen. A. C. O'Hara, chief of staff to the governor and National Guard commander.

Gen. O'Hara said other Guard units in this area, not on federal training duty at Camp Drum, could be alerted quickly. Any Rochester units at Camp Drum could be trucked back to Rochester, if the situation required it.

Convoys from here to Camp Drum take about five hours, but troops already on duty there could be moved out with little delay.

CITY MANAGER Porter W. Homer said the state of emergency continued today to maintain the city's "general posture of still being alert and concerned."

The last of 1,200 National Guardsmen and all but a few State Police left the city yesterday, and the regular morning command meetings have been discontinued, but Homer said he would confer on the general situation late today with Mayor Frank Lamb, Public Safety Commissioner Donald Corbett and Police Chief William M. Lombard.

Ten more specific cases were being presented today to the June grand jury, which was recalled to investigate riot matters. Eight were presented yesterday.

Today's cases included the theft of a fur coat from Rosen Furs, 396 Joseph Ave., and theft of a television set from Emerson of Western New York, television distributor, 185 Joseph Ave.

A Whirlwind Must Be Stopped

A 12-year-old Rochester girl, Margo Umhofer of 1336 Clifford Ave., asked us this week:

"How many innocent people must die, or get hurt, how many businesses must be destroyed, how much property will be demolished before all this fighting comes to an end?"

She voiced the fear of millions of Americans. The plain and terrible truth is that no one knows the answer to her question.

Mobs of rioters, mostly Negro, have convulsed Harlem, Brooklyn, Rochester and now Jersey City and Kansas City. Citizens in every American city wonder if the violent lightning will strike them . . . next.

LOOKING BACK, it seems clear that the riots stem from early civil rights lawlessness which many deplored, some applauded and no one did anything effective to halt.

Rev. Martin Luther King wrote from a Birmingham jail that it is morally right to disobey laws which uphold segregation. Many more clergymen took up that cause and cry.

And so the pattern of defying the law, rather than changing it, took shape. Leaders of Negro organizations competed with each other to see who could be the most militant in pressing Negro demands.

Whites who fought back with rifles and bombs in the night compounded the lawlessness. Caught in the middle were the police whose mission was to enforce laws they did not write, who found themselves symbols of prejudice they did not create.

Now a revolution seems to feed on itself, crushing moderates, gaining intensity with each new outburst. A tornado of hate threatens to sweep across the land, leapfrogging from city to city without pattern or reason.

Such a whirlwind has nothing to do with civil rights now. It is stirred by hoodlums and thrill-seekers, who camouflage crime with a pretended cause.

Ironically, the violence flames in a year that has marked the greatest progress for the Negro since the Emancipation Proclamation.

Yet the violent demands mushroom nonetheless.

If lawlessness continues, questions of justice and rights will be ignored as society seeks to protect its safety.

TIMES UNION AUG 4, 1964

THE TASK of Negro and white civil rights leaders, new and old, is simply this: They must help put out the fire before it consumes all that has been achieved. Some have tried, but not enough, and not as the occasion demands. As the New York Herald Tribune put it this week:

"Those who have deliberately courted disrespect for all civil authority (must) help undo some of the damage done by their own demagoguery, and by that of the frankly revolutionary agitators they have attracted to their cause."

If the Negro revolution continues unchecked, a white counter-revolution will mount in fury. Who wants that? Who will profit by it? Only the hoodlums, the hate-mongers, the anarchists, the political extremists of both races will gain from such lawlessness, like vultures, at a battlefield.

The root causes of Negro frustration and despair must be dealt with; but they cannot even be analyzed, much less removed, in an atmosphere of fear and violence.

There must be a nationwide moratorium on demonstrations and violence, not just until after election but for years to come.

Listen to little Margo Umhofer, who wrote in her questioning letter:

"Children today are expected to go to school, learn brotherhood, maybe lead the country. Now all we have to look forward to is more fighting, discrimination, maybe a war between the colored people and the whites."

The first order of business in such a bleak future is to contain the revolution, in all cities in America. At this point, everything else is secondary.

As Readers See It

TIMES UNION AUG 4 1964

Supervisors Told of County Role in Riots

County Manager Gordon A. Howe yesterday detailed for the Board of Supervisors the role the administration played during the riots here the weekend of July 24-26.

He said the county provided 55 sheriff's deputies and 60 Civil Defense workers who were deputized into the sheriff's service.

He told of the efforts of the Medical Examiner's office, the penitentiary staff, the Public Safety Laboratory, the Parks Department and the Civil Defense office.

The deputies, he said, will be paid for the extra hours they worked, at "straight time." He said they worked "around the clock."

The county will share the cost of the National Guard sent here to help prevent new outbreaks. The cost has not yet been determined, but it could run \$25,000 a day for eight days.

Minority Leader Robert J. Quigley of Wheatland praised both Howe and Sheriff Albert W. Skinner for their initiative and cooperation with all government agencies during the trouble.

The board unanimously adopted a resolution praising the sheriff, his deputies, city police, town and village police, CD forces, the State Police, the National Guard and all others "who unselfishly contributed to the successful handling of the crisis and restoration of law and order."

The resolution said the board "reaffirms its confidence in the work of the dedicated men and sincere individuals and agencies, both public and private, who have labored to improve racial relationships and social conditions in this community" and urged "their efforts continue undiminished by the incredible acts of violence that have scarred the face of the community..."

Who Were the Rioters?

By O. DiBernardo

According to some news accounts, teen-agers were responsible for the recent riots. A list of 447 names, addresses and ages (Times-Union, July 30) of some of those arrested showed 54 under 19 and 393 from 20 to over 60 years of age.

1517 Norton St.

Cites White Role In City Rioting

By Irwin J. Schiffres

Between Friday night and Monday morning some 750 people, 75 per cent of them Negro, were arrested in connection with the Rochester riots. In other words 25 per cent of those arrested were white!

217 Hemingway Drive

'What Profit Accrued' To Rioters?'

By Benjamin A. Baur

With more than 800 people arrested because of recent rioting, what profit accrued to Negroes in so protesting the arrest of one—only one—drunk who was disturbing their own good time last Friday evening at a street dance?

34 Lawn St.

'Heart Goes Out'

To Responsible Negro

By Madeline Ingutti

The responsible element of any nationality or race cringes when crime or trouble arises from some of their race. My heart goes out to all the wonderful Negroes who have been trying to establish a good image.

255 Bay View Road

'Can Kill Respect'

For Law and Police

By George Hole

The slightest provocation can lure a mind poisoned by prejudice into seeing brutality in almost any policeman's act.

This readiness to see brutality or to be an accomplice to a rumor about it is a symptom of a sickness that can infect and kill respect for law and for the men charged with upholding it.

196 Bastian Road

Many letters have been received by The Times-Union on the Rochester riots. To accommodate as many as possible in limited space, it has been necessary to cut almost all. Provocative statements and false generalizations also have been eliminated.

Protests Use Of Police Dogs

By Margaret C. Johnson

I have heard comments by Negroes on the use of police dogs during the riots and the instant sense of anger and outrage that this engendered.

I am not a Negro. I have not faced a police dog. But, my heart and mind are filled with shame and anger whenever I read of their use. When we have reached the point where men cannot deal with men, but must resort to animals, we have reached the lowest level of human relations.

64 Gregory Hill Road

Emphasizes Need Of Respect for Law

By Lawrence Conway

The first step to correct the trouble here is to re-establish respect for the law. The lesson of the past few days is enough. If any individual lacks the intelligence or self control to observe the law, then the first step is forthright police action.

164 Andrews St.

Ties Freedom To Responsibility

By Patricia W. Willis

Much has been said of the shock and horror felt by the people of Rochester and surrounding areas over the rioting.

I feel all of this, including disgust with an element of society that felt that "might makes right."

Let the Negroes who so strongly feel their injustices know that every destructive act they commit in the name of protest reflects on all their people.

Direct your energies, desires to a bettering of conditions for your people. Put down roots. Get all the education you can. There is no substitute for hard, honest work!

1238 Mendon-Pittsford Road,

Urges Craft Center At Central Station

By James Dorofy

I would suggest setting up a craft training center for young Negro men and women in the New York Central Station. It should be aimed at letting these people learn what they could do for themselves.

Some may reply that the cost would be prohibitive, but so was the damage in the recent rioting. The center would give the Negro community a genuine opportunity to show the city that it can make such a project succeed.

Chatham Gardens

'Have Observed Day of Shame'

By Margaret R. Sighs

I disagree with a Times-Union letter writer that Rochester and Monroe County observe a day of shame. We have just observed several such days and need no more.

Let's look ahead with firm determination that this will never happen here again.

154 Belcoda Drive

Dance Sponsor Group President Replies

By Helen Myricks

President, Northeast Mothers Improvement Group

We would like to correct an inaccuracy in an article (Times-Union, July 28) which included an interview with Mrs. Delpatra Hucks.

In an article on the supervision of our July 24 street dance at which the street rioting started, she was mentioned as leader of our group. She is not. In fact, she is not a member, only a neighbor of ours.

Also, her allegation that "the man who was supposed to be the supervisor started fighting" is simply not true.

9 Nassau St.

D & C AUG 4 1964

Anti-riot Forces Still on Tap

TIMES UNION AUG 4 1964

As state police and National Guard units withdraw from riot duty in Rochester, they take with them the community's deep gratitude.

Their departure does not mean that Rochester will have as inadequate protection as it had when violence flared.

City police have made plans to move quickly and effectively against any repetition of hoodlumism. And there are arrangements to get maximum outside force back into Rochester in a hurry if the situation requires. The knowledge that this protection is readily available helps assure that it will not be needed.

Now Rochester can concentrate on repairing its shattered race re-

lations. That task should be easier in an atmosphere of peace.

The first duty of all those interested in keeping this peace (and that should include every citizen) is to do nothing and to say nothing which even seems to excuse past violence, thus possibly inciting new outbursts. Rochester has had all the rioting it can stand.

Meanwhile, racial disorder is spreading in the North. Jersey City and Kansas City are having their troubles. These incidents seem to be sporadic waves stirred by the earlier tide of rioting, but we hope that the FBI and other agencies concerned are looking carefully for any conspiracy of violence, even though none is apparent at the moment.

Probers Scan Eight Cases

Grand jurors analyzing the Rochester riot yesterday considered the first cases for indictment.

Charges against eight accused persons were weighed by jurors, who probably will hold their findings until the middle of the month. By then, scores of persons will have been indicted or cleared. Most common charges among felony arrests are riot, assault, burglary and larceny.

Fourteen persons, mainly law enforcers, testified yesterday. Among the group were two state police lieutenants and an inspector from city police. A furrier also reported on riot damage to his establishment.

Commends Ban on Alcohol Sales

TIMES UNION AUG 4 1964

By Harry E. Titus
Executive Secretary,
Allied Forces Inc.

Our organization commends the County ABC board for its prompt closing of liquor and beer sales in the recent rioting and calls attention to a problem that has been growing.

We refer to the accessibility of liquor for those who seek to abuse its use. This was so evident in the recent riots that much was made of it.

But it long has been a problem to those who have had to stand guard on their properties when some private social events are conducted.

All who are working with alcohol problems admit the difficulty of curbing accessibility. The attitude is that any

control is an effort to bring back prohibition.

60 Northerst Drive

Timing of Demands 'Irresponsible'

By Paul D. Peterson

One unfortunate occurrence last week was the action by

several Negroes in presenting, while the disorders still were going on, a five-point demand.

I believe the timing was irresponsible. None reasonably could expect city authorities to grant concessions at such a time. It would be giving merit to terrorism.

24 Sanford St.

Sees Prejudice

As Cause of Hate

By Gale L. Player

Racial violence will never end as long as people refuse to accept the fact that all are equal, regardless of color or creed. Where prejudice exists, there will always be hate and violence in one form or another.

1798 Parma-Hilton Road
Spencerport

TODAY'S BIBLE VERSE:

How precious is thy steadfast love, O God! The children of men take refuge in the shadow of thy wings, they feast on the abundance of thy house. For with Thee is the fountain of life, and in thy light do we see light.

—Psalm 32: 7-9

162

Curfew Violators Given Suspended Sentences

TIMES UNION AUG 4 1964

Here is a partial list of curfew violators released on suspended sentences, according to City Court dockets:

Ronald A. Kowalski, 19, of 181 Orange St.; Curtis N. Chat-tam, 32, of 29 Hart St.; Constat Stanley, 18, of 374 Sawyer St.; Daniel Lane, 21, of Buffalo; Bernard Akins, 19, of 389 Troup St.; Fred Baber, 27, of 80 Adams St.; Des Evans, 21, of 126 Emmett St.; William Johnson, 18, of 323 Reynolds St.

Walter Hendrix, 33, of 70 Hudson Ave.; William Strong, 43, of 5 Morris St.; Willie A. Smith, 33, of 329 Troup St.; Marvin Soper, 16, of 6 River St.; Thomas Ortiz, 37, of 425 N. Clinton Ave.; Jerry Kaczmar-sky, 17, of 25 Roycroft Drive.

Andrew Horsley Jr., 27, of 571 S. Plymouth Ave.; Curtis Wormely, 33, of 4 Catherine St.; John Wallace, 36, of 78 Ad-ams St.; Christopher Speed, 43, of 78 Adams St.; Jesse Morton, 29, of 124 Hawley St.; Denny Harris, 35, of 75 Bronson Ave.

Charles Hutchenson, 27, of 76 Eddy St.; Elizabeth Stephen-

son, 21, of 322 Reynolds St.; Sylvester Terrell, 42, of 356 Clarissa St.; Marie Lillie Mae Boyd Wood, 43, of 57 Cham-plain St.; Lula Mae Hogan, 20, of 21 Saxton St.; Thomas Wil-liams, 29, of 202 Chatham Gar-dens.

Willie Pennington, 44, of 91 Adams St.; Abraham Hendrix, 29, no address; Marshall Jones, 17, of 33 Reynolds St.; Bernard Bently, 23, of 84 Elba St.; James Brumfield, 16, of 19 Helena St.; Barney Carter, 34, of 74 Tremont St.

Thomas Christopher, 16, of 77 Jefferson Terrace; John Holmes, 23, of 171 Columbia Ave.; Alan Pittman, 16, of Gar-field; James Gibney, 18, of 75 Somerset St.; Joseph Neeley, 28, of 8 Cole St.; Gilbert Rob-ertson, 46, of 269 N. Clinton Ave.; Evans Buntley, 18, of 5 Clifton St.; Elihue Jackson, 39, of 148 Bronson.

Tom Collier, 46, of 41 Buchan Park; Alan C. Kolb, 19, of 1200 Bay Road; Anderson Straugh-ter, 33, of 357 Troup St.

Riot Duty Cuts County Arrests

TIMES UNION AUG 4 1964

Assignment of all but 25 per cent of Sheriff Albert Skinner's road patrol to 12-hour nightly duty on the city's riot squad last week cut the deputies' traffic arrests in the county to a new low.

The sheriff said today that only 35 arrests were made for moving traffic violations in the week ending Saturday at midnight.

He said that 56 of his regu-lar deputies, 12 jail guards and 12 court attendants made up the 80 deputies who worked on the riot detail.

The Times-Union
Tues., Aug. 4, 1964

5D

Riot Damage Listed

A partial list, released by city police today, of stores dam-aged in the rioting and looting of July 25-27 included:

Sam's Food Market, 50 Pros-pect St.: four windows broken; merchandise valued at \$2,000 to \$3,000 stolen.

Prospect Super Market, 82 Prospect St.: 12 windows valued at over \$1,000.

Bartlett Superette Grocery, 257 Reynolds St.: three windows valued at \$250.

Phil's Hotel, 135 Joseph Ave.: three windows valued at \$200.

Alliance Garage, 532 North St.: one window.

Tommy's Restaurant, 3 Hud-son Ave.: one window.

V & S Restaurant, 503 Cen-tral Ave.: two windows; meats and cigars valued at \$150 stolen.

Mueller Bakery, 29 Hudson Ave.: two windows.

Cammiano's Grocery Store, 36 Ward St.: plate glass win-dows valued at \$1,000; damage to interior of store estimated at \$2,000; \$500 fire damage.

Dan Sohn Machine Shop, 24 Marietta St.: damage to build-ing, windows and garage door estimated at \$2,000.

Fioravanti Florist, 308 North St.: one window.

Chicken business owned by Rochester Hebrew Dietary As-sociation, Inc., 34 and 36 Her-man St.: two windows valued at \$300; \$100 damage to interior.

J & C Easy Wash, 48 Herman St.: five windows, washing ma-chines damaged.

Ray's Grocery and Market, 50 Herman St.: five windows.

Jackson's Grocery Store, 14 Herman St.: one window; meats

and merchandise valued at \$700 spoiled.

Joe's Hardware Store, 24-26 Herman St.: three windows; merchandise valued at \$750 stolen.

Deere's Liquor Store, 30 Her-man St.: one door and a win-dow; total value of damage and merchandise, \$1,000.

Gould Battery and Oil Filter Service, 570 Jefferson Ave.: two windows valued at \$300.

Lee's Bargain Store, 580 Jef-ferson Ave.: five windows valued at \$700; dry goods val-ued at \$1,000 stolen.

Henry J. Cleaners, 577 S. Ply-mouth Ave.: one door and two windows valued at \$250.

Reynolds Hardware Store, 154 Reynolds St.: one door and five windows valued at \$400; hard-ware valued at \$2,000 stolen.

Wheeler Grocery Store, one door and five windows valued at \$400; groceries worth \$2,500 stolen; damage to interior of store set at \$200.

Ann's Grocery, 275 Reynolds St.: four windows valued at \$275; beverages valued at \$500 stolen.

Lilac Laundry & Dry Clean-ers, 14 Ward St.: damage to building set at \$26.63; damage to equipment and damage from floor fire set at \$400.

Clinton Appliance and Serv-ice, 514 N. Clinton Ave.: nine windows valued at \$1,500; dam-age to refrigerator set at \$400.

E & H Food Store, 103 Lowell St.: two windows.

Half Hour Laundromat, 540 N. Clinton Ave.: two windows and one door.

Emerson of Western New

York, 185 Joseph Ave.: property damage to windows set at \$1,-000; no estimate on value of stolen and damaged property until inventory taken.

Moshay Shoe Store, 395 Jo-seph Ave.: plate glass windows and awnings valued at \$1,300 to \$1,500.

Paul Market, 260 Troup St.: Four windows valued at \$648 broken; merchandise and equipment valued at \$4,000 stolen.

Kraleski Grocery Store, 482 Central Ave.: Three windows broken; merchandise valued at \$400 stolen.

Hair Weev Center, 271 North St.: Plate glass window broken, nothing reported stolen.

North and Hudson Furniture Store, 298 North St.: Plate glass window broken, nothing re-ported stolen.

Portland Furniture Co., North St.: Two windows and a door smashed; store was vacant.

Cimino Hardware Co., 515 North St.: Two windows broken, about \$400 in mer-chandise stolen.

Hudson Lunch, 11 Hudson Ave.: Three windows broken, nothing reported stolen.

Amalfi's Meat Market, 189 Portland Ave.: Four windows broken, nothing reported stolen.

Eve's Birdland, 26 Herman St.: Windows allegedly broken by bullets, nothing reported stolen.

A & L Delicatessen, 118 Reyn-olds St.: Two windows broken, \$1,000 - \$1,500 in merchandise stolen, damage estimated at \$2,-000.

Walt's 240 Club, 240 Adams St.: Plate glass window valued at \$400 broken.

List of Businesses Damaged or Looted in Riots Released by Police

Police yesterday released an additional list of businesses damaged or looted July 24 to 26 during riots. The places and estimated extent of damage and loss are as follows:

Jo's Variety Shop, 405 N. Clinton Ave.: Plate glass window broken, nothing reported stolen.

Mr. Paint Shop, Inc., 458 N. Clinton Ave.: Twelve windows broken; typewriter, cash register, paint supplies, fire extinguisher, body tools valued at more than \$1,000 stolen; \$31 taken from cash register.

Cruppes Dry Cleaners, 459 N.

Clinton Ave.: Eight windows broken, six neon signs broken; cash register, television, electric razor, typewriter stolen; 700 pieces of dry cleaning, 600 shirts stolen; \$100 taken from register.

State Outlet Store, 471 N. Clinton Ave.: Seven windows broken; clothing, adding machine stolen; \$42 taken from register.

Mart Furniture and Appliance Co., 495 N. Clinton Ave.: Ten windows broken; furniture, television sets, chairs, lamps, tables, refrigerators stolen, valued at \$8,000; damage to store estimated at \$1,500.

Harris Grocery Store, 551 N. Clinton Ave.: Six windows broken; beverages, groceries, cigarettes stolen, valued at \$1,500.

United Amusement Co., 555 N. Clinton Ave.: Plate glass window broken, nothing reported stolen.

Schulman Baby Furniture Co., 570 N. Clinton Ave.: Four plate glass windows broken; merchandise valued at \$1,000 damaged or destroyed; nothing reported stolen.

Bonsignore Grocery Store, 849 Jefferson Ave.: Plate glass windows valued at \$270 broken; Venetian blinds valued at \$30 stolen; groceries valued at \$80 stolen.

Adams, 751 Jefferson Ave.: Four windows broken, showcase smashed; cigars, cigarettes, one case of beer, clock radio stolen.

Bar Tar Grill, 842 Jefferson broken; cigarette machine, juke box, bowling machines destroyed, contents taken; \$1,500

in beverages stolen.

Pak Supermarket, 663 Jefferson Ave.: Five windows broken, glass doors on refrigerator smashed; scale, register, mirror broken; groceries, beverages, cigarettes valued at \$6,000 stolen.

Bright Star Cleaners and Dryers, 669 Jefferson Ave.: Windows valued at \$234 broken; dry cleaning valued at \$1,000 stolen.

Nahmias Grocery, 600 Jeff-

son Ave.: Two plate glass windows broken; \$70 taken from register; meats and groceries valued at \$1,500 stolen.

Markedis Hots, 267 North St.: Plate glass window broken, nothing reported stolen.

Blackstone's Beauty Shoppe, 399 Clarissa St.: Plate glass window broken, nothing reported stolen.

Roy's Bait Shop, 483 Exchange St.: Plate glass window broken; television set and cigarettes stolen.

Nero's Restaurant, 166 Central Park: Two windows valued at \$175 broken, nothing reported stolen.

Union Plumbing and Heating Supplies Co., 546 N. Clinton

Ave.: Windows valued at \$737 broken; damage to building estimated at \$25.

Wiedenmann Bros., 497 N. Clinton Ave.: Two neon signs valued at \$250 broken; plate glass window valued at \$250 broken; merchandise valued at \$50 stolen.

Monty's Liquor Store, 304 N. Union St.: Two windows broken, glass door smashed; merchandise valued at \$2,800 stolen or spoiled, estimated damage, \$2,200.

Fanara Awning Co., Central Park at Philander St.: Ten windows and a glass door broken, valued at \$200.

Central Bargain Center, 79-81 Central Park: Eight windows, one glass door broken; clothing valued at \$12,000 taken, fixtures valued at \$2,000 taken.

Licata's Toys and Shore Store, 88 Central Park: One window broken; fixtures damaged; shoes valued at \$200 stolen.

Brite - O - Wash Laundramat and Brite Cleaners, 96-98 Central Park: One window broken, nothing reported stolen.

Adams Shoe and TV Store, 109 Central Park: Two windows broken, television sets damaged by black shoe dye; estimated damage, \$100.

DeFranco Grocery, 593 Scio St.: Four windows broken, door smashed; three refrigerator cases taken; beverages and groceries valued at \$1,200 taken; household goods and

clothing valued at \$5,000 taken.

Sibby's Doughnuts, 578 Scio St.: One window, one glass door, two showcases valued at \$2,500 broken.

Marotta's Grocery, 641 Scio St.: Three windows broken, glass refrigerator doors smashed; \$800 in beverages and groceries taken; house at rear of store entered, and family jewelry and \$600 in cash stolen.

Mike and Joe's Equipment Co., 132 Central Park: Three windows broken, nothing reported stolen.

Allen Food Store, 307 Joseph Ave.: Seven windows broken; three meat cases, one frozen food cooler, upstairs window broken, total value \$2,500; \$15,000-\$20,000 in meats, groceries taken.

Modern Fish Markets, 366 Joseph Ave.: Four plate glass windows broken, showcases and scales destroyed, total value \$800; frozen and fresh fish valued at \$4,500 stolen.

Yiddish Meat Market, 373 Joseph Ave.: Three windows valued at \$350 broken; canned goods and meats valued at \$1,000 stolen.

Oratz Fish Market, 349 Joseph Ave.: Three windows broken, safe damaged, valued at \$400; no merchandise reported stolen.

L. Itkin Co., 365 Joseph Ave.: Nine windows broken, six showcase windows smashed; undetermined amount of wearing apparel stolen.

Newman Meat Market and Grocery, 345 Joseph Ave.: One plate glass window valued at \$150 broken; meats valued at \$150 stolen.

Goldman's Meat Market, 372 Joseph Ave.: Two plate glass windows and two neon signs

broken, valued at \$600; meats and canned goods valued at \$200 taken; \$115 in cash stolen.

L. G. Tailors, 370 Joseph Ave.: Two windows valued at \$400 smashed; clothing valued at \$380 taken.

Avenue Coffee Shop, 383 Joseph Ave.: Six windows broken, two neon signs valued at \$600 smashed; \$40 in cash, cigarettes and cigars stolen.

New York Bakery, 399 Joseph Ave.: Two plate glass windows broken; \$700 damage to front of store and baked goods.

Loby's Tavern, 103 Bartlett St.: One window valued at \$100 broken; \$160 in merchandise stolen.

Pat Foley's Liquor Store, 313 Genesee St.: One window valued at \$90 broken, nothing reported stolen.

Sam's Food Market, 50 Pros-

pect St.: four windows broken; merchandise valued at \$2,000 to \$3,000 stolen.

Prospect Super Market, 82 Prospect St.: 12 windows valued at over \$1,000.

Bartlett Superette Grocery, 257 Reynolds St.: three windows valued at \$250.

Phil's Hotel, 135 Joseph Ave., three windows valued at \$200. Alliance Garage, 532 North St.: one window.

Tommy's Restaurant, 3 Hudson Ave.: one window.

V & S Restaurant, 503 Central Ave.: two windows; meats and cigars valued at \$150 stolen. Mueller Bakery, 29 Hudson Ave.: two windows.

Cammaino's Grocery Store, 35 Ward St.: plate glass windows valued at \$1,000; damage to interior of store estimated at \$2,000; \$500 fire damage.

Dan Sohn Machine Shop, 24 Marietta St.: damage to build-

ing, windows and garage door estimated at \$2,000.

Fioravanti Florist, 308 North St.: one window.

Chicken business owned by Rochester Hebrew Dietary Association, Inc., 34 and 36 Herman St.: two windows valued at \$300; \$100 damage to interior.

J & C Easy Wash, 48 Herman St.: five windows, washing machines damaged.

Ray's Grocery and Market, 50 Herman St.: five windows.

Jackson's Grocery Store, 14 Herman St.: one window; meats and merchandise valued at \$700 spoiled.

Joe's Hardware Store, 24-26 Herman St.: three windows; merchandise valued at \$750 stolen.

Deere's Liquor Store, 30 Herman St.: one door and a window; total value of damage and merchandise, \$1,000.

Gould Battery and Oil Filter

Service, 570 Jefferson Ave.: two windows valued at \$300.

Lee's Bargain Store, 580 Jefferson Ave.: five windows valued at \$700; dry goods valued at \$1,000 stolen.

Henry J. Cleaners, 577 S. Plymouth Ave.: one door and two windows valued at \$250.

Reynolds Hardware Store, 154 Reynolds St.: one door and five windows valued at \$400; hardware valued at \$2,000 stolen.

Wheeler Grocery Store, one door and five windows valued at \$400; groceries worth \$2,500 stolen; damage to interior of store set at \$200.

Ann's Grocery, 275 Reynolds St.: four windows valued at \$275; beverages valued at \$500 stolen.

Lilac Laundry & Dry Cleaners, 14 Ward St.: Damage to building set at \$26.63; damage to equipment and damage from floor fire set at \$400.

Clinton Appliance and Service, 514 N. Clinton Ave.: Nine windows valued at \$1,500; damage to refrigerator set at \$400.

164

City Officials Face Riot Quiz On Television

A special news conference on the Rochester riots will be aired by radio and television tomorrow night.

A panel of newsmen will question Mayor Frank T. Lamb, City Manager Porter W. Homer and Public Safety Commissioner Donald J. Corbett for half an hour.

Ray Laws, news director of Channel 13 and program producer, said the three had agreed to a "no-holds-barred" format that would include both recent developments and their background.

The program, offered to all communications media, will pre-empt "ABC Reports" at 10:30 p.m. It will be pre-recorded and audio-taped at 3 p.m. for later broadcast.

The riots, in which four were killed and 350 injured, broke out Friday, July 24, and raged through the following Sunday. State Police and National Guardsmen, called in to help restore order, withdrew earlier this week.

D. & C. AUG 5 1964

Riot Duty Cuts Deputy Arrests

Assignment of all but 25 per cent of sheriff's road patrol to 12-hour nightly duty on the city's riot squad last week cut the deputies traffic arrests in the county to a new low.

Sheriff Albert W. Skinner disclosed yesterday that there were only 35 arrests for moving traffic violations during the week ending midnight Saturday. In ordinary weeks, the sheriff said, deputies make anywhere from 80 to 136 arrests.

D. & C. AUG 5 1964

Gates Police, CD & C. AUG 5 1964 Praised by Board

Gates Town Board has praised its police department and Civil Defense volunteers for "their conscientious devotion to duty" during the recent rioting in downtown Rochester.

A special commendation was adopted for Police Chief William Stauber who co-ordinated town police work while assisting law enforcement officers during the strife.

The board also expressed hope that Robert N. Abbott, county CD director injured in the crash of a helicopter a week ago Sunday, would make a speedy recovery. Abbott is a Gates resident.

Thank-You Notes D. & C. AUG 5 1964

Thank-you notes expressing gratitude to individuals and groups for services beyond the call of duty during the recent rioting are pouring into this department.

The Chili Civil Defense Police chief, Sid Melville, thanks his assistants; an attorney thanks the clerks of City Court, Criminal Branch; a National Guard master sergeant thanks the Salvation Army; a woman commends Deputy Police Chief Henry Jensen; two residents thank the Fire Bureau and another the Police.

Certainly all these deserve thanks. Mere numbers however force us to reject future letters to the editor of this nature. We hope this public recognition of the hundreds of persons and dozens of organizations will serve as at least a token of everyone's gratitude.

Police Riot Duty: 40,000 Man Hours

By TOM CONNOLLY

An extra 40-45,000 man hours were worked by Rochester police during the riot emergency in the city, it was estimated today.

The cost of paying the policemen for the overtime has not yet been figured, a city hall spokesman said.

The estimate of overtime hours came today from Chief William M. Lombard.

Lombard qualified the

Del Ray's column will be resumed on his return from vacation.

estimate by saying: "The men are now in the process of filling out overtime slips, so we do not have a complete figure yet."

During the nights of the riots, July 25 and 26, some policemen worked up to 18 hours straight duty. All police furloughs and days off were canceled. Men were on overtime work shifts up to 12 hours a shift.

The furloughs remain canceled through this month.

• • •

MOST POLICE Bureau members, excepting top brass and aides still working on

riot reports and investigation, are back to regular shifts so far as number of hours a day is concerned. Days off have been restored.

A city official said today it has not been definitely set whether policemen will get straight time or time-and-a-half for the overtime hours.

Lombard has distributed a statement from his office commending each policeman who responded in the "crisis of the riots. . ."

Lombard stated: "You men rose to the occasion, displaying courage none

of us believed we possessed, practicing restraint in the face of the most severe provocation on the part of the mob we were attempting to control, remaining calm in spite of an incident that would cause most men to panic.

"The skeptics in our community are dumbfounded since their opinion of our Police Bureau was one that would call for our personnel to be brutal, sadistic, disorganized and confused.

"All of us pray that the skeptic will do some soul-

searching, realizing our society is a government of law with police charged with the responsibilities of enforcing these laws."

• • •

LOMBARD commended state police, sheriff's deputies and town police.

"No amount of words can be spoken to show our thanks," Lombard said, adding:

"I am sure that the bond between our respective agencies is stronger than at any other time in our history of police services in this community."

TW 8/5/64

Sheriff Aids City Police

Fourteen deputies and 10 cars remain assigned to help city police patrol the streets in trouble areas on weekday nights, Sheriff Albert W. Skinner said today.

On Friday and Saturday nights, the assignment will be boosted to 20 men and 15 cars, Skinner said.

The deputies are on a 7:30 p. m. to 3:30 a. m. shift.

8&C AUG 6 1964 Rights Chapter Cites Police On Riot Work

The Genesee Valley Chapter of the American Civil Liberties Union yesterday commended the police for "restraint, efficiency and dedication" during the recent rioting.

The chapter said, however, that it felt that many of the tensions that led to the violence "still exist and, in fact, have been intensified since the rioting."

Joseph Frank, chapter chairman, said the organization had heard reports indicating that post-riot police patrols in Negro districts "may have been of a provocative nature." If, after investigation, these reports are verified, Frank said, they would be called to the attention of the appropriate authorities.

"By and large," Frank added, "we think the police are doing a good job."

The recently organized chapter, Frank said, is prepared to give advice or legal assistance to "all whose constitutional liberties have been violated."

166

ES UNION AUG 6 1964 Emergency Status Still In Effect

No Change Seen Before Weekend

Rochester may continue in its "state of emergency" through the coming weekend. City Manager Porter W. Homer, who has met daily with Public Safety Commissioner Donald J. Corbett and Police Chief William Lombard since the outbreak of rioting July 24, said the emergency status declared July 25 would "probably not" be changed until after the weekend.

He emphasized, however, that "usually we go one day at a time" and that no decision has yet been reached.

• • •

HOMER SAID that to the man in the street, the city's emergency basis means "we are in a better position to protect him."

The state of emergency gives the city manager power to impose a curfew and to ask the governor for state police or National Guard help if necessary.

★ ★ ★

ES UNION AUG 6 1964 Police To Get Training in Riot Control

Rochester Police Inspector Daniel J. Sharpe is in New York City conferring with police experts there on riot control.

Chief William M. Lombard said today Sharpe will also confer in Albany with State Police officials on police training methods for riot and crowd control.

Sharpe, in charge here at the Police Training Academy on Scottsville Road, will conduct seminars on riots and institute training sessions for all members of the Police Bureau, Lombard said.

• • •

LOMBARD said the city has ordered 200 reinforced plastic-type helmets for use when needed.

The chief also said the city is thinking of purchasing goggles or "a protective-type eyeshield" for emergency measures.

Lombard said police will be out "in maximum force over the weekend." About 175 police and sheriff's deputies will be on the streets tomorrow and Saturday nights.

Auxiliary police will take over some traffic duties for regular police during the 3 p.m. to 6 p.m. hours.

The Times-Union
Thurs., Aug. 6, 1964

5D

Police List Riot Damage

City police today completed an initial survey of stores damaged by rioters and looters July 25-July 27.

The final list of damage to about 200 stores included:

Taylor's Tavern, 516 Jefferson Ave.: Seven windows valued at \$300; juke box and cigarette machine valued at \$800 destroyed; liquors valued at \$1,500 stolen; \$100 taken from cash register; damage to interior of tavern set at \$300.

Central Food Market, 152 Central Park: three windows valued at \$350; about 250 cartons of cigarettes stolen; produce valued at \$1,000 spoiled.

Haverstick Co., 45 Ford St.: Front door window valued at \$125; three windows on second floor damaged; three air condi-

tioners damaged; electric drill valued at \$22.75 and other tools valued at \$50 stolen.

Soldis Grill, 482 Jefferson Ave.: Two windows and neon sign; at tavern on same premises, four windows; undetermined amount of liquor and beer stolen.

Gob Shop, 226 W. Main St.: One window, amount of merchandise stolen not determined.

Central Flooring, 113 Central Park: Two front windows.

Speed-O-Wash, 316 Joseph Ave.: Four plate glass windows valued at \$600.

Keen-Way Milk Bar, 306 Joseph Ave.: Four plate glass windows valued at \$400; property stolen undetermined.

Standard Electric Co., 410

Central Ave.: Seven plate glass windows, property damage set at \$800; merchandise valued at \$300 stolen.

Jack Gordon's Tobacco Shop, 349 North St.: Nine plate glass windows valued at \$1,000; merchandise valued at \$8,000-\$12,000 stolen or damaged.

Bee-Bee Liquor Store, 430 North St.: Plate glass windows valued at \$350; merchandise stolen, undetermined.

Settlement Houses 728/6/64 Weathered Storm

The settlement houses, long-established pillars of Rochester's integrated neighborhoods, have come through the post-riot crisis with their programs and their stature apparently undiminished.

In fact, "we have an expansion of interest," Sidney J. Lindenberg, director of Baden Street Settlement, reported today.

"People who weren't too interested before — teen-agers and young adults — are now more interested and are organizing themselves," Lindenberg said.

July 27, the Monday after the rioting, was the day of decision for the settlement houses. All chose to carry out their scheduled programs for young people without major changes that day.

Day camp attendance was the tip-off. Baden Street had about 50 per cent of normal, Lewis Street Center and Genesee Settlement House about one-third, Montgomery Neighborhood Center "nearly full." Next day all camps were virtually normal.

• • •

A FEW PROGRAMS were

shifted slightly. Mary Hannick, Genesee director, said day camp was held Monday at Genesee Valley Park instead of Seneca Park, and the Philander Street "sidewalk program" was held two days in the settlement house, 10 Dake St.

Alfred Nord, Montgomery director, reported some day camp counselors were called up in the National Guard so substitutes were transferred from working with teen-agers, curtailing the latter program.

"We're practically back on schedule now," Nord said today. "We're having a dance tomorrow night to see how it goes." He is seeking more parents to volunteer as chaperones at the dance, he said.



RED, WHITE AND BLUE will be the fence around the Bronson Avenue playground when these teen-agers, including members of the Matadors Club, finish. Joseph Kaminski, City Recreation Department playground leader with boys here, says they volunteered "to show people they could do something constructive." Playground leaders will give them a picnic. Program at nearby Montgomery Center was curtailed temporarily.

City Studies Costs, Seeks Cuts to Meet Expenses of Riots

D. & C. AUG 7 1964

By MITCHELL KAIDY

The city's spending program for the rest of the year is under review to determine if cutbacks can be made to offset extraordinary riot-connected expenses.

Construction and improvement programs were considered likeliest to be postponed or eliminated.

City Manager Porter W. Homer emphasized that it was not just a question of wielding a financial ax but one of determining whether "it's the wise thing to do so" with each project or service.

The city manager yesterday made the estimate that the \$1,022 pay package given police and firemen for the next two years would cost \$950,000 more than the original \$500 pay offer.

This year's expense will be financed through surplus but another revenue source is being considered to finance next year's. Homer has said there will be a tax rate increase next year but not necessarily in the property levy.

The new contracts are retroactive to July 1, the start of the fiscal year. In addition, the city owes firemen and policemen straight time pay for thousands of hours of overtime in putting down the race riots of July 24 to 26.

Other extraordinary budget expenses are the cost of up to 1,500 National Guardsmen for nine days, damage to municipal property and equipment, hospital and medical costs for injured firemen and policemen, and a sudden drain on supplies that has to be replenished.

The major, and still undetermined, question is whether the city is liable for millions of dollars in damage to private property. The Law Department is still researching and studying the law on this, Homer said.

If so, this is not an expense that may be felt this year. The property owners would have to sue the city and establish its negligence to collect, which is not likely this year.

City Council early this year laid the groundwork for a \$11,950,000 community improvements program to be financed by borrowing. It included construction and expansion of library branches, museum, streets, sewer and water lines.

If the city is forced to borrow to finance its regular

construction and maintenance program, it may have to forego the program for awhile. The city is limited by state law in the amount of borrowing it can raise for various purposes and it already is somewhat close to the legal limit.

Rochester is pushing the second largest urban renewal program in New York State and, while it pays only a small fraction of the costs, could find parts of the program burdensome in the future.

Another extensive program is one of small parks and playgrounds being financed through borrowing. Much of this goes into Negro wards. Ironically, the day before the riots exploded the city opened bids totaling \$27,275 to provide a spray pool and recreation equipment for the Baden-Ormond playground.

Riot Figure Held in Theft

D. & C. AUG 7 1964

Nathaniel Wise Jr., 30, of 65 Hanover St., released in bail from police custody during the rioting two weeks ago so he and others on a neighborhood committee could confer with city officials, was back in custody yesterday.

Wise and two other men were charged with second degree grand larceny in the theft of lead-covered copper cable owned by the Rochester Telephone Corp. The cable was valued at \$200.

Wise, Russell Gathing Jr., 24, of 34 Joseph Ave., and Andrew Jones, 21, of 29 Catherine St., were arrested by Detectives Irving Engemann and George DelVecchio and Patrolmen John Vadas and John Vassallo.

Railroad Policeman John Puccio said he saw three men loading the cable onto a pickup truck in Nash Street near North Street about 12:30 p.m. and called police.

Telephone workers had been removing the cable and installing new cable in the area. The company planned to sell the cable for scrap. Workers were away at lunch when the theft occurred.

The three suspects said they asked an unidentified man if they could have the cable and he said "yes."

Last February Wise was cleared of third degree burglary and petit larceny charges stemming from the theft of some scrap brass.

Saturday, July 25, after rioting erupted in the 7th Ward area where Wise lives, he was one of a six-person neighborhood committee that conferred with Mayor Frank Lamb.

The group presented five demands. Lamb refused to consider all but one, adding that no Negro demands of any kind would be entertained unless the riots were stopped quickly.

Wise, who made the same demands on a television program, had been arrested earlier that day on a disorderly conduct charge in connection with the rioting. He still was free in \$500 bail when taken into custody again yesterday.

Stone Barrages

D. & C. AUG 7 1964

Car Riot-Loss Reaches \$5,032

By JACK TUCKER

Fifty-two police vehicles suffered estimated damage from \$25 up to \$1,100 in the rioting of July 24 to 26, it was learned yesterday.

The latter figure involves the personal car of Chief William M. Lombard, who was injured shortly after the initial riot broke out in Joseph Avenue. Demonstrators stoned his car, turned it over and set it afire.

Total damage to police vehicles amounts to an estimated \$5,032, virtually all the results of stone barrages. The cost is covered by insurance.

The police garage in the Public Safety Building changed and repaired 224 tires, flattened by glass hurled into the streets. Ten tires were beyond repair.

In another phase, it was reported city and state trooper vehicles used 8,250 gallons of gasoline.

* * *

CHIEF LOMBARD will go before the grand jury today for the second time. He was the first witness called on the Monday following the weekend outbursts.

Also scheduled for appearance before the grand jury is Juanita High of 438 Champlain St., the Negro woman credited with saving the chief's life by getting him out of the initial impact area.

Mrs. High, a divorcee and foster mother, said yesterday she has received scores of letters, cards and "donations" sent from all over the country.

"A couple of letters were critical in that the writers misunderstood what I've said about Negroes in the main being unable to get good jobs and good housing, and the feeling that they're 'unwanted,'" Mrs. High said.

"I do not dislike whites. In fact, half my friends are whites. What I was able to do in behalf of Chief Lombard was what I felt the right thing to do—for any person in his predicament—and most of all for the city's police chief."

POLICE Inspector Daniel A. Sharpe and Sheriff's Lt. William Young were in New York City yesterday conferring with the police training staff there.

The pair will stop off in Albany en route back to Rochester for a conference with State Police authorities.

Inspector Sharpe, who directs the Police Training Academy in Scottsville Road, will set up riot control seminars for all Police Bureau personnel.

The most recent police visitor here in connection with lessons learned in quelling unexpected riots is Capt. Joseph Galloway of the Fort Worth, Tex., Police Department. "We're interested in the command post phase of Rochester operations," he said.

* * *

THERE is no immediate change in Rochester's "state of emergency" over the weekend that begins tonight.

Auxiliary police from the county's Civil Defense will be used on traffic control from 3 p.m. to 6 p.m. City police, augmented by sheriff's deputies, will operate at "maximum" strength.

D. & C. Aug 7, 1964
A Correction

In a list of persons arrested as a result of the rioting of July 24 to 26, The Democrat and Chronicle inadvertently included the name of Wallace G. Bauer of 57 Wolcott Ave., Gates, and incorrectly stated he had been charged with third degree burglary. Bauer was not involved in the rioting.

Tiny Group Blamed For Rioting

NEW YORK (AP) — Carl Rowan, director of the United States Information Agency, last night blamed much of the recent northern racial rioting on "a small minority of the Negro population."

"They represent a tiny minority of the Negro population itself," Rowan said, "Although some of their frustrations may be shared by a larger part of the Negro community."

Rowan, a Negro, appearing on a TV program, said:

"I think there's some rioting now for a variety of reasons but one of them is that this thing called freedom or liberty is something like a narcotic, the more you get of it the more you want of it."

"And of course the Negro has tasted enough of freedom and liberty in this country to want all of it, if he wants complete first-class citizenship. And I don't think he'll be satisfied until he gets it."

He said the riots in the North erupted because "there have been injustices and discriminations in the North as well as the South, a different variety, but a searing kind of discrimination nevertheless."

He called for "some kind of a crash program in terms of education social welfare, and so forth, designed to help that segment of the Negro community which falls into this particular category."

112 Lawyers Needed for Rioting Cases

It could take at least 112 lawyers to defend those arrested in the Rochester riots.

Defendants, charged with various felonies, total 155, including 21 women and 134 men. Ninety persons claim to be poor, and will be counseled free by attorneys assigned by the Monroe County Bar Association's Indigents' Defense Program.

Thomas C. Hartzell, program director, noted that in all 112 lawyers now are handling the riot cases.

GRATEFUL POLICE

TIMES UNION AUG 7 1964

DONATE \$1,000

Grateful police today donated \$1,000 cash to groups who fed them during the recent riots here.

Five hundred dollars went to the Salvation Army and \$500 to St. Michael's Church, 869 Clinton Ave. N.

The Salvation Army set up a food unit outside the Public Safety Building with workers on duty 24 hours a day for several days and nights.

About 80 members of St. Michael's parish set up a cafeteria in the parish hall, and also sent mobile units with food to police stationed at fixed posts during the riots.

The free food and drink were dispensed to all law enforcement officers on duty here, day and night, beginning July 25, when the rioting began.

(Please turn page.)

Continued on page 171

V.F. Race Problems Rochester

D-8-8-64



CONSOLIDATED—Agreeing on long-range plan for emergency mobilization are county police officers: Back row, from left: Robert Spurr, assistant chief deputy in sheriff's office; Undersheriff George Conway, Greece Chief Gerard Paul, Honeoye Falls

Chief Howard Shirley, Gates Chief William Stauber, Ogden Chief Roy Burley, Brockport Chief Donald Hare. Front: Brighton Chief Carlton Fitch, Sheriff Skinner, Webster Chief Ken Hulbert, Fairport Chief Thomas Aldrich, East Rochester Chief H. Connors.

Window Business in Orbit

Riots Break Records as Well as Glass

In the wake of the massive rioting two weeks ago, local glass dealers report record-breaking sales, as well as long lists of orders to be filled.

Hundreds of stores in the riot areas lost windows, creating a huge demand for plate glass. In addition, car-windshield dealers have been kept busier than usual replacing the broken windows of automobiles caught in riot areas.

Sales, as expected, were highest for dealers nearest the affected areas.

Bob Meyer, of Bob Meyer Glass,

768 Plymouth Ave. S., in the heart of one of the devastated areas, has been deluged with orders to replace glass in the boarded-up windows of that section. "Sales are way, way up," said Meyer — so high that he was unable to make an estimate.

A spokesman for General Glass, 604 Joseph Ave., near the other major riot area, jokingly said that sales were up "about 5,000 per cent," but later revised his estimate to 300 per cent — "with a tremendous backlog still at hand."

Ajay Glass, also near the Herman-Joseph area at 1348 Clifford

Ave., reports even greater increases, reaching as high as 400 per cent for plate glass.

Flower City Glass, 124 Monroe Ave.; Scottie's Glass Shop, 456 Mt. Hope Ave., and Mac's Glass Shop, 1453 Main St. E., all report increases of approximately 25 per cent. Mac's also reports a similar increase in the replacement of auto windows.

Another auto-glass dealer, Nelson's Glass Shop, 107 Driving Park Ave., replaced 29 windshields last week, in comparison with its usual 11 or 12, according to an official there.

Permanent Emergency Force Planned

Order Aug 8, 1964

Sheriff Albert W. Skinner acted yesterday to create a permanent, countywide police force to deal quickly with emergencies — such as the recent rioting in Rochester.

The plan provides for fast mobilization of about 150 men, sworn in as special deputies.

Skinner's regular force of deputies rendered a major assist to outnumbered city police during the race rioting and widespread looting that began late July 24.

The sheriff met yesterday in the Hall of Justice with these police chiefs from six Monroe County towns and four villages:

Brighton, Carlton Fitch; Brockport, Donald Hare; East Rochester, Hamilton Connors; Fairport, Thomas Aldrich; Gates, William Stauber; Greece, Gerard Paul; Honeoye Falls, Howard Shirley; Ogden, Roy Burley; Webster, Kenneth Hurlburt.

Irondequoit Police Chief Harold McFarlin said he was at town meeting and unable to attend. But McFarlin in a telephone call said he was

Continued on Page 3B

Missing

Chief Checks Riot Area

Order Aug 8, 1964

Quiet This Time Around

Two weeks to the night after rioting erupted in the Joseph-Clinton Avenue North sector, Police Chief William M. Lombard drove through the neighborhood in a borrowed car for a pre-weekend checkup.

Everything was quiet.

Groups of young Negroes were gathered at street intersections making small talk.

Only at Phil's Hotel, at Holland and Joseph, was much activity spotted. The hotel has a bar, and is a well-known patronage place for Negroes on weekend nights.

Except for a newsman, Lombard was alone and in civilian clothes.

Lombard also was alone in his personal car shortly after midnight Friday, July 25, when he drove into a turbulent situation in an attempt to pacify hundreds

of rock-throwing demonstrators.

The chief was hit by flying missiles, his car stoned, overturned and set afire.

But during yesterday's tour, the neighborhood tenor was like just another Friday evening. At a couple of intersections where Lombard stopped his car briefly, young Negroes were heard to say, "There's Lombard. There's the chief."

How they recognized him in the darkness, in an unmarked car and in civilian clothes was hard to figure.

This could be the last weekend for state of emergency conditions in Rochester following the riots — for the time being, at any rate.

But Lombard, after appearing before the grand jury yesterday for the second time, and sitting in on a two-hour conference later

with representative 3rd Ward Negroes including teenagers, still was in his office at 2 a.m. today.

Besides his own "maximum strength" men out on patrol, sheriff's deputies continued to furnish patrol help.

There was one report of "officer in trouble" in the 7th Ward's Herman Street section at about 9:30 p.m., but that situation resolved itself—as did scattered police dispatcher reports of the usual Friday night fights, breakins and drunken disturbances.

Lombard, incidentally, has another riots-connected date coming up Monday. It will be his third appearance before a hold-over grand jury attempting to pinpoint causes and weigh police action in rioting that exploded in a city which never expected it.

Continued From Page 170 Aug 7, 1964

The sheriff's office, it was learned last night, contributed \$200 each to St. Michael's Church and to the Salvation Army. The money came from \$224 in donations, and \$176 from the Sheriff's Benevolent Fund.

\$500 to Each

City police donated \$500 each to St. Michael's and the Salvation Army. Police Bureau personnel gave \$237 to the former, \$422 to the latter. The Police Locust Club contributed \$263 and \$78.

St. Michael's parish at 869 Clinton Ave. N. set up a cafeteria and also dispatched food to police stationed in the critical Clinton-Joseph disturbance areas. The Salvation Army set up emergency food servings in a tent outside the Police garage.

Police yesterday voiced personal appreciation to many Rochester concerns that donated quantities of food, cigarettes, soft drinks and other items to over-worked state troopers, sheriff's deputies, town and city police, and Civilian Defense workers.

"100 per cent" behind the permanent emergency force proposal.

As an initial step, Skinner said he will swear in police personnel of all towns and villages concerned as special deputies.

On request, the respective chiefs would assign as many men as could be spared for emergency duty under command of Skinner.

'Essence Is Speed'

"The essence of this program is speed," the sheriff emphasized. "Our own men and town and village police forces have been working under a cooperative setup since 1938.

"But to join with us in an emergency area outside their own patrol areas, they would have to be sworn in as special deputies. This would result in delays, which is why we are doing it now on a permanent basis.

"This county emergency police force would solidify our cooperative group, and make it possible to send reinforcements instantly and directly to the emergency scene."

Faculty Members Pledge Aid

WE, the undersigned faculty members of Rochester Institute of Technology, Colgate Rochester Divinity School and the University of Rochester, believe:

—That the weekend of July 25-27, 1964, has marked a turning point for our city. The overriding question now is: will we as citizens of Rochester choose to guide the destiny of our city, or will we allow haphazard events to lead us to a new tragedy tomorrow, next year, or ten years from now?

* * *

—THAT IT IS time to consider our assets.

1—Our nation, President, Congress, and courts, the citizens of Rochester, municipal and county government, religious community, academic community, and many other groups are all committed to ending racial strife and achieving racial equality.

2—As Americans living in a democratic society we adhere to the following principles:

- a. We condemn violence.
- b. We believe that reason must prevail.
- c. We believe that constructive change is desirable.

3—The present Negro leaders of Rochester, dedicated to achieving equality through non-violent means, are the responsible interpreters of the Negro community. Their experience and personal involvement in the struggle cannot be ignored.

—That the complexity of urban life, the mobility of our society, the varied and sometime conflicting interests of our citizens make the task of finding solutions to this crisis a difficult one.

But we are confident that solutions can be found, and we, the undersigned, pledge ourselves to do what we can to help find them.

PAUL LEVAN

* * *

EDITOR'S NOTE: The letter was also signed by Jean Cardinali, Leo Smith, Norman Coombs, Richard Lunt, Leonard Barkin, William Hayles, Lawrence Wright, Eugene H. Fram, Dane R. Gordon, Robert G. Koch, Richard D. Zakia, David M. Baldwin, Henry Cassia, Robert L. Craven, John A. White, K. Thomas Finley, William Hamilton, George Hall, Robin Brooks, W. H. Saunders Jr., and R. L. Autrey.

D. & C. AUG 8 1964

Final List of Riot-Damaged Stores Released

D & C AUG 8 1964

City police yesterday completed an initial survey of stores damaged by rioters and looters July 25-July 27.

The final list of damage to about 200 stores included:

Taylor's Tavern, 516 Jefferson Ave.: Seven windows valued at \$300; juke box and cigarette machine valued at \$800 destroyed; liquors valued at \$1,500 stolen; \$100 taken from cash register; damage to interior of tavern set at \$300.

Central Food Market, 152 Central Park: three windows valued at \$350; about 250 cartons of cigarettes stolen; produce valued at \$1,000 spoiled.

Haverstick Co., 45 Ford St.: Front door window valued at \$125; three windows on second floor damaged; three air conditioners damaged; electric drill valued at \$22.75 and other tools valued at \$50 stolen.

Soldis Grill, 482 Jefferson Ave.: Two windows and neon sign; at tavern on same premises, four windows; undetermined amount of liquor and beer stolen.

Gob Shop, 226 W. Main St.: One window, amount of merchandise stolen not determined.

Central Flooring, 113 Central Park: Two front windows.

Speed-O-Wash, 316 Joseph Ave.: Four plate glass windows valued at \$600.

Keen-Way Milk Bar, 306 Joseph Ave.: Four plate glass windows valued at \$400; property stolen undetermined.

Standard Electric Co., 410 Central Ave.: Seven plate glass windows, property damage set at \$800; merchandise valued at \$300 stolen.

Jack Gordon's Tobacco Shop, 349 North St.: Nine plate glass windows valued at \$1,000; merchandise valued at \$8,000-\$12,000 stolen or damaged.

Bee-Bee Liquor Store, 430 North St.: Plate glass windows valued at \$350; merchandise stolen, undetermined.

Terry Shoe Store, 239 Joseph Ave.: Plate glass windows valued at \$2,000; \$5,000 in merchandise stolen.

Rabin's Clothing Store, 282 Joseph Ave.: Plate glass windows valued at \$1,200; estimate of damage withheld pending completion of inventory.

Progressive Barber Shop, 332 Joseph Ave.: Plate glass windows and mirrors valued at \$965; barber's tools worth \$1,000 stolen.

Nowell Grill, 328-330 North St.: One window valued at \$200.

Arrow Food Store, 312 North St.: Four windows and two doors valued at \$1,000; groceries and other merchandise valued at \$2,500 to \$3,000 stolen.

House of Styles, 296 North St.: Two windows valued at \$275.

Posner Liquor Store, 286 North St.: Three windows valued at \$418; liquor worth \$800 stolen.

Begy Used Furniture, 7 Hudson Ave.: One window valued at \$150; merchandise valued at \$300 stolen.

Berds Grocery Store, 28 Herman St.: \$350 damage to cooler and showcase; foodstuffs worth \$200 stolen.

Central Flooring and Ceiling Co., 113 Central Park: Five windows.

Geber's Food and Meat Co., 93 Portland Ave.: Three windows; electric guitar and amplifier worth \$115 stolen.

Hadlock Paint Co., 466 Central Ave.: Five windows valued at \$900; tape recorder worth \$100 stolen.

Tommaselli's Grocery Store, 566 North St.: Four windows; damage and stolen items valued at \$2,000.

Ray's Grocery Store, 50 Herman St.: \$14,000 in fixtures smashed; \$8,000 in stock stolen.

Bill's Hardware Store, 326 Joseph Ave.: Tools valued at \$5,000 stolen.

Nusbaum Wearing Apparel Store, 221 Joseph Ave.: Plate glass windows valued at \$2,000; merchandise with \$35,000-\$40,000 stolen.

McCall's Automatic Transmission Shop, 161 Joseph Ave.: Plate glass windows valued at \$350.

Plaza Liquor, 199 Joseph Ave.: Plate glass windows valued at \$500; valuation of stolen property not completed.

Rothman Furniture Store, 285 Joseph Ave.: Estimate of damage uncertain.

Suskind Paints and Wallpaper, 289 Joseph Ave.: Plate glass windows valued at \$1,000; cash register smashed; merchandise valued at \$500 stolen.

Star Brite Cleaner, 321 Joseph Ave.: Plate glass windows valued at \$1,000; other damage not estimated.

Miller's Liquor Store, 325 Joseph Ave.: Plate glass windows valued at \$1,000; inventory of stolen merchandise incomplete.

Lederman's Fruit Market, 324 Joseph Ave.: Plate glass windows valued at \$400 broken; inventory incomplete.

Ruben's Pharmacy, 390 Joseph Ave.: Plate glass windows; property valued at \$1,000 damaged; inventory incomplete.

Rosen Tailors, 396 Joseph Ave.: Plate glass windows; property damage set at \$400; furs and other merchandise valued at \$20,000 stolen.

Shecter Gift Shop, 466 Joseph Ave.: Plate glass windows; inventory incomplete.

Jeanette Rapkin Dry Cleaners, 339 Joseph Ave.: Plate glass windows; property damage set at \$350; merchandise valued at \$50 stolen.

Freeling Men's Apparel, 245 Joseph Ave.: Plate glass windows valued at \$2,000; merchandise valued in excess of \$20,000 stolen.

Zack's Barber Shop, 173 Joseph Ave.: Plate glass window; property damage set at \$100.

Fedoryshyn Dry Store, 171 Joseph Ave.: Property damage set at \$500; merchandise valued at \$300 stolen.

Arthur's Pharmacy, 300 Joseph Ave.: Damage to plate glass windows and front of building set at \$800; inventory incomplete.

Veteran Service Station and Garage, 135 Joseph Ave.: Plate glass windows valued at \$500.

Dave's Cleaners, 310 Joseph Ave.: Six plate glass windows valued at \$800; inventory incomplete.

Hanover Food Store, 346 Joseph Ave.: Plate glass windows valued at \$1,000; stolen merchandise worth \$3,000.

Stein's Shoe Store, 380 Joseph Ave.: Plate glass windows valued at \$1,000; inventory incomplete.

Hendrix Market, 320 Joseph Ave.: Plate glass windows valued at \$250; merchandise valued at \$300 stolen.

Center Fish Market, 301 Joseph Ave.: Plate glass windows valued at \$200.

George's Clothing Store, 338 Joseph Ave.: Unable to determine property damage; inventory incomplete.

Cohen's Restaurant, 315 Joseph Ave.: Plate glass windows valued at \$1,000; inventory incomplete.

Sam's Grocery, 330 Joseph Ave.: Property damage set at \$700; merchandise valued at \$400 stolen.

Essie's Used Clothing, 377 Joseph Ave.: Property damage estimated at \$150.

Chatham Garden Drugs, 233 Joseph Ave.: Property damage set at \$2,500; merchandise valued at \$5,000 stolen.

Fountain Lunch, 231 Bronson Ave.: Five windows.

Dobmeier Jewelry, 847 Main St. W.: two windows valued at \$200.

Central Bargain Store, 287 North St.: 12 windows valued at \$1,500; merchandise valued at \$15,000 stolen or damaged.

Standard Cleaners, 35 Portland Ave.: Property damage set at \$600.

Negroes Harmed By Rioting

THE riot in Rochester has done more harm to the Negro than anything a white man could ever do or say. The destruction of property, looting, disrespect for the law, certainly does not show responsibility.

The Negroes have always in this city gone to the same churches, restaurants, theaters and schools as the whites. No one forces them to drop out of school and hang around streets with nothing to do.

The Negroes and whites who took part in the riot, who had no respect for the good of their community or themselves, should be dealt with severely. There are no second class citizens unless they make themselves second class.

MRS. ALICE SALTER
49 Ravenwood Ave.
D & C Aug 8, 1964

age set at \$2,500; merchandise valued at \$5,000 stolen.

Fountain Lunch, 231 Bronson Ave.: Five windows.

Dobmeier Jewelry, 847 Main St. W.: two windows valued at \$200.

Central Bargain Store, 287 North St.: 12 windows valued at \$1,500; merchandise valued at \$15,000 stolen or damaged.

Standard Cleaners, 35 Portland Ave.: Property damage set at \$600.

Riot Analysis D. & C. AUG 9 1964 Reveals 976 Were Jailed

By JACK TUCKER

A comprehensive analysis of all arrest cases connected with Rochester's recent outburst of rioting and looting was obtained last night.

It produced this significant breakdown:

Of 976 wholesale arrests over a five-day period, 792 persons were Negroes, 153 were whites, and the remainder—31—were Puerto Ricans or In-

—s.
The biggest percentage of those taken into custody were those with disorderly conduct (curfew violation) or unlawful assembly.

Only four prisoners said they were on the welfare rolls.

243 told police they were unemployed, the bulk of these was 15, the youngest.

The largest age-range number of arrests was 25 to 29—188—were in category.

ed 166. An teen-agers totals were 20 even hundred other or 21.

male ar- The number of Negro arrests was 85—74 Negroes.

Of the total 976 arrests made, the cases of 659 have been disposed of. Nearly 500 got off with suspended sentences on disorderly conduct convictions.

The cases of more than 100 persons are pending. They are held for grand jury action on riot or other felony charges, or wait City Court disposition on charges where no felony is involved.

A check with Monroe County Undersheriff George Conway last night showed that 133 defendants are being held for the grand jury on riot charges. Of the 50 made bail—leaving 83 behind bars at the County Penitentiary and the city jail.

Seven white persons

Window Business in Orbit

D. & C. AUG 8 1964

Riots Break Records as Well as Glass

In the wake of the massive rioting two weeks ago, local glass dealers report record-breaking sales, as well as long lists of orders to be filled.

Hundreds of stores in the riot areas lost windows, creating a huge demand for plate glass. In addition, car-windshield dealers have been kept busier than usual replacing the broken windows of automobiles caught in riot areas.

Sales, as expected, were highest for dealers nearest the affected areas.

Bob Meyer, of Bob Meyer Glass,

768 Plymouth Ave. S., in the heart of one of the devastated areas, has been deluged with orders to replace glass in the boarded-up windows of that section. "Sales are way, way up," said Meyer—so high that he was unable to make an estimate.

A spokesman for General Glass, 604 Joseph Ave., near the other major riot area, jokingly said that sales were up "about 5,000 per cent," but later revised his estimate to 300 per cent—"with a tremendous backlog still at hand."

Ajay Glass, also near the Herman-Joseph area at 1348 Clifford

Ave., reports even greater increases, reaching as high as 400 per cent for plate glass.

Flower City Glass, 124 Monroe Ave.; Scottie's Glass Shop, 456 Mt. Hope Ave., and Mac's Glass Shop, 1453 Main St. E., all report increases of approximately 25 per cent. Mac's also reports a similar increase in the replacement of auto windows.

Another auto-glass dealer, Nelson's Glass Shop, 107 Driving Park Ave., replaced 29 windshields last week, in comparison with its usual 11 or 12, according to an official there.

ROCHESTER DEMOCRAT AND CHRONICLE

Sunday, Aug. 9, 1964

5B

Police Release Figures

Riot Analysis Shows 976 Jailed

Continued from Page 1B

white defendants said they were employed by the city.

City police made 683 arrests, sheriff's deputies 44, town police seven, and state troopers, ordered into the 7th and 3rd Ward riot areas by Gov. Rockefeller, took 238 into custody.

The variety of charges pressed was wide, and not necessarily riot-connected during the five-day period from early Saturday, July 25, through the following Wednesday. In addition to riot and disorderly conduct, they included:

Public intoxication, vagrancy, burglary, larceny, assault, possession of a dangerous weapon, malicious mischief, resisting arrest, discharging firearms, possession of burglary tools, probation violation, robbery, criminally receiving stolen property, and unlawful assembly.

The charge of unlawful assembly involved being in a riot area and not leaving when ordered to. This charge in many cases was linked to curfew violation, as were the raft of disorderly conduct charges.

Under "disposition of cases" were three bail forfeitures, 16 charges withdrawn, 43 bench warrants, and 88 cases still "pending." These were in addition to 643 suspended sentences for disorderly conduct, and to defendants held for the grand jury.

Some Ironie Touches

There were ironic aspects during the biggest mass arrests in the city's history. Po-

Loot from Riots on Display

A variety of recovered merchandise in the aftermath of riot-looting here is available for "inspection" Tuesday through Friday from 2 to 4 p.m., Police Chief William M. Lombard said yesterday.

Proof of ownership can be established during that period at the property clerk's office in the Public Safety Building. Lt. Victor Ayette is in charge.

The varied list of 78 "items" includes such things as:

- Sixteen dozen cans of shoe polish.
- Nine television sets.
- Two refrigerators.
- One shotgun.
- Radios, hi-fi sets and records.
- A wide variety of clothing.

The recovered merchandise was not linked to any criminal actions directly but was "found" or otherwise retrieved through information furnished police.

Police Lt. Anthony Biondi, head of the Missing Persons Unit, had been trying for a long time to catch up with four civilian AWOLs.

"I found them the easy way," Biondi said. "In jail."

In an expanded breakdown—covering a longer period from July 25 to Aug. 2 while State Police still were here—arrests by troopers and other officers brought the over-all total to 1,212.

Most were connected to looting and receiving stolen property.

Meanwhile, as Rochester progressed through another quiet weekend, it appeared likely that the state of emer-

gency imposed by City Manager Porter W. Homer is about to be lifted.

Queried last night, Homer replied that "we have some post-weekend evaluation to do Monday before any decision is made."

The holdover grand jury has been amassing evidence daily in weighing causes behind the rioting, police action and other phases.

Half a dozen police officers have appeared daily before the jurors, some more than once.

Police Chief William M. Lombard, for instance, has his third date with the jury tomorrow.

Negro Rally To Study Riot

D. & C. AUG 9 1964

A mass meeting to "enlighten the Negro community" on "Why did we riot? ... What must we do about it now?" will be held at 8 p.m. tomorrow in the Memorial A.M.E. Zion Church, 42 Favor St.

Rev. James Bevel of Jackson, Miss., field secretary of the Southern Christian Leadership Conference will be the main speaker. Plans for voter registration also will be discussed.

The meeting will be sponsored by local Negro religious, fraternal and civil rights organizations, according to the Rev. Harry White, pastor of the A.M.E. Church, 62 Union St. N., who led a planning meeting last night in his church which was attended by about 50 persons.

'Not Ashamed Of Rochester'

MY wife and I were born, raised, educated and married in Rochester. We had no idea how much those facts meant to us until my work demanded that we live in another city. We miss our hometown, and there is something in that feeling that goes beyond the ties of family and friends. Many people are surprised that Rochester, the so-called Upstate Smugtown, can be genuinely missed. They don't know the city.

Our pain over the riots was perhaps not as sharp as if we had been there, but it was the more agonizing because we watched from afar. Were we ashamed of Rochester? No.

Our shame is for that deeper, widely shared fault in the human heart and mind—that fault of which this tragedy is a terrible symptom. At this time, more than any other, our hearts are home—in Rochester.

MR. AND MRS. BRUCE
E. CONNOLLY

2 South Clinton St.
Poughkeepsie

D. & C. AUG 9 1964

How Do We Feel 2 Weeks Later? Helpful, Grim, Sad, Angry

D. & C. AUG 9 1964

A newspaper's job is listening.

It listens to its community through the ears of trained newspapermen and women. They circulate among whites and non-whites, businessmen and barflies, hucksters and housewives.

Some of what a newspaper hears is news. This is printed as news. But some of what the newspaper hears is simply routine conversation repeated hundreds of times. This has a value as background, in establishing the mood of the community.

It seemed to us that today we should try to present that intangible thing called the mood of the community, two Sundays after the riots hit this city. We do it with no guarantee of it permanency, for moods change, and no guarantee of the numbers who project certain feelings. This is a listening-post editorial, not a poll. Rochester's mood as it came into this weekend was:

... Still one of anger among Negroes against policemen. There has been little or no success in driving home the fundamental principle that if law and order break down, the Negro will be the greatest loser, not gainer.

... One of sustained, not diminishing, resentment in the white community because investigation shows no specific fresh reasons for the rioting ... just repetition of generalities about lack of jobs, poor housing, and police brutality. People feel the city has been trying conscientiously and successfully to go forward in these areas.

... One of willingness to strive to do more in underprivileged neighborhoods, in such way as moving headquarters of social services right into those areas; but

also one of wanting to know why the complex of social services in this city has not made a greater impact. This mood is one of willingness to help, but of demanding tangible results, not reports in triplicate.

... One of conviction that professional demagogues keep the non-white population stirred up; certain demagogues who thrive on unrest, and who would be without jobs or without outlets for their personal bitternesses if it was demonstrated that an improved climate for the Negro is definitely forming.

... One of some apprehension that it could happen again, but an apprehension blended with a definitely grim resolve that if it does, there must be no powder-puff handling of rioters.

... One of massive, poignant sadness among the thousands of responsible Negroes that riots should have check-reined their progress and dampened many inter-racial friendships.

... That any "white backlash" is nonexistent if defined as a wish for reprisal. The community, on all levels, appears to have differentiated clearly between the hoodlums who launched and carried out the riots, and the Negroes who press lawfully and peacefully for their rightful position in society.

The mood is not yet healthy. There is not a shadow of doubt but that the Negro cause has been set back. Yet it is significant, and a tribute to the great majority of white and non-white Rochesterians, that there is agreement that we can and must try and keep trying to achieve harmony and build progress. Most people want this—but they want it in terms of specific items now, not glowing resolutions and thrilling sermons.

'Police Fought For Their Lives'

THE Aug 3 D&C published a letter to the editor signed by Marion E. Sullivan, in which the writer deplores "the public image of burly policemen swarming onto a porch clubbing down a woman and a screaming man."

It is apparent that Marion Sullivan knows nothing of the brutality the police were subjected to in the rioting. Their only defense was a nightstick while their clothing was torn and they were bombarded with bottles, rocks, flying pieces of jagged plate glass, ashcans, "Molotov cocktails" and squirt guns filled with lye and acid.

That writer has only to read the lists of injured policemen and firemen to see that these were not only trying to quell a senseless riot and restore law and order, but also were protecting their own lives, not knowing what other lives, not knowing what other weapons would be drawn against them.

MRS. ROCCO A. TODISCO
143 Elm Dr

Hand C Aug 10 1964

'Clerical Leadership Could Do More'

MAY I take this occasion to commend the pertinent, penetrating and timely edi-

torials of the local press during the recent civil disorders?

These many strong and direct statements served both to formulate and firm up public opinion, and served as a uniting influence much needed in a time of stress.

* * *

SUCH EDITORIALS added luster to the finest traditions of the American free press and I am certain that they will be widely noted and duly honored in the course of events.

Likewise, I would commend you on the editorial in the August 4 "Democrat and Chronicle" wherein you commend the specific utterances of a local religious leader while at the same time administering a deserved paddling to the platitudes, penitence and poor public relations of a "group of Protestant Clergymen" of which I admit to being a part.

However, I think it needs to

D. & C. AUG 10 1964

be pointed out for the record that this group was convened and their deliberations chaired by officials of the Rochester Area Council of Churches. Many of this group were members of the council.

There are many among the Protestant clergy, I feel sure, who feel it lamentable that when the community needed assurance there was no immediate statement forthcoming from those who purportedly represent us.

Moreover, one cannot but further feel that an ecumenical utterance would have been even more beneficial in the light of the emerging ecumenical spirit and movement.

* * *

ADMITTEDLY, editorials which call attention to the muddle mindedness of the clergy cannot help but be detrimental to the Christian cause. But the continued threat of such exposures may be what is needed to move us to an awareness that religion involves more than a warm heart and a pious utterance.

It may be that such editorials, rightly received, will be needed with increasing frequency to stir us into action and make our class-conscious churches and status-seeking Christians realize that religion involves beside a warm heart and a ready tongue, a sound mind, a strong spine and most of all a helping hand. Only as religion is so conceived and so applied can it be relevant to the challenge and crises of our age.

W. GEORGE THORNTON
Minister, Monroe Avenue
Methodist Church
416 Monroe Ave.

Letters to The Editor

D. & C. AUG 10 1964

YEARS ago, when I was a child of about 9, I had taken a considerable dislike to a woman living across the street. On Halloween I deliberately crept into her backyard, triumphantly found the new 100 feet of clothesline she had strung up, took my scissors and cut that clothesline into one-inch pieces. When my father found this out he simply led me to my piggy bank, marched me down to a store and made me buy the same amount of clothesline. Then he made me go alone to the woman's house, show her the new clothesline, and under her supervision, string it up.

* * *

I WISH that the overprivileged bachelors at that Long Island debutante party had been made to return to that rented home to repair and replace all their damage; I wish that the Princeton students had been made to right the overturned cars, sweep up the debris, and replace President Goheen's fence themselves in-

stead of merely paying for their damage.

And I wish that the City of Rochester had been far slower to clean up the mess of the riots. I wish it had been left where it lay for a good week for all to look at and ponder on.

Then I wish that those in jail who joyously and insanely created that mess had been taken in inconspicuous small groups to view the ghastly sight. Then I wish that these same bottle throwers and window smashers and looters were made to return to the areas and clean up the whole mess themselves.

SUSAN GLOVER WANTMAN
Pultneyville.

RELIGION
in action

D. & C. AUG 10 1964

King Aide Blames Riots
On Negro Frustration

"The riots in Rochester were an expression of poverty and need and of real frustration. But rioting is not the way to change things," a chief aide to Dr. Martin Luther King said here yesterday.

Rev. Andrew J. Young, in a sermon at Central Presbyterian Church, said: "The only way to build is through love, and so we are trying to rechannel the frustrations of our people and show that violence only disrupts a community."

Rev. Mr. Young is executive assistant to Dr. King, president of the Southern Christian Leaders Conference. He has been conferring with Negroes and others in Rochester for several days.

"Rochester," the Rev. Mr. Young said, "is not Mississippi and not even Harlem. But it has the same accumulative problems. Negro families have come from the South too fast for Rochester to deal with but there is a challenge for Rochester to meet."

To the Negro, the policeman's stick brought back all the memories of brutality as practiced in the South, he said. But the

problem in Rochester perhaps was one more of humiliation than of brutality, he added.

The Rev. Mr. Young suggested that what had happened here was not unlike the second phase of the revolutionary struggle in Africa, where the first to rebel were those in countries that had done the best job; where governments had been the most responsive to demands.

"Perhaps Rochester has done a good job. But this also means that you have increased the aspiration of the Negro so that he is demanding that you do an even better job faster," the clergyman observed.

He said that and class apparently had coincided here and that the rioting was almost a class matter rather than race. "I am told that on Jefferson Avenue whites and Negroes looted together," he added.

He said what was happening in Rochester could not be separated from events in Mississippi, where the Negro is not being prepared quickly enough for a decent way of life. Only 23,000 out of 450,000 eligible Negroes have been registered to vote in Mississippi.

The Klu Klux Klan and White Citizens Councils had been cutting off federal food supplies and other aid to try to drive people out, he charged.

He continued: "The problems in Rochester are the northern half of our conference project in Mississippi. There are the same people who escaped and came north with their hurts and frustrations. I have no doubt that if Rochester will deal with the problem Mississippi will learn. The problem will not be solved in Mississippi until it is solved here."

The Rev. Mr. Young said he believed that the "beloved community" is still possible in Rochester, provided that people are willing to dig in, see what was happening and learn from the experience.

Although Rochester seemed to be succeeding in lessening the worst of the tension, he was concerned about the welfare of arrested people still in jail here, the minister said.

It is important, he continued, that they be treated well, for otherwise the city may breed conditions for a new riot.

Aide to King Deplores Riots,
Calls Them Reaction to Need

TIMES UNION AUG 10 1964

Rev. Andrew J. Young, right-hand man to Dr. Martin Luther King, drew a parallel yesterday between the Rochester riots and the revolutionary struggle in Africa.

He said that in Africa, the first rebellions occurred in countries that had done the best job.

By doing a good job in race relations, Rochester had raised the aspiration of the Negro "so that he is demanding that you do an even better job, faster," he suggested.

THE REV. MR. YOUNG has been conferring with Negroes and others in Rochester. He spoke yesterday from the pulpit of Central Presbyterian

Church. He is executive assistant to Dr. King, president of the Southern Christian Leadership Conference.

Riots in Rochester were an expression of poverty, need and frustration, he said. But rioting was not the way to change things.

"The only way to build is through love, so we are trying to rechannel the frustrations of our people and

show that violence only disrupts a community."

He said it was his impression that Negro families had come from the South too fast for Rochester to deal with them, but this was a challenge for Rochester to meet.

He said he thought Negro resentment of police in Rochester was a reaction to humiliation rather than to brutality as it is known in the South.

Emergency Order Lifted;

TIMES UNION AUG 10 1964

Homer Asks More Police

By CHARLES HOLCOMB

City Manager Porter W. Homer today revoked the order establishing a state of emergency in the city.

At the same time, he announced that he will ask City Council tomorrow night to authorize an increase in the size of Rochester's police force. Authorized strength is now 525 men, but actual strength is about a dozen below that.

Homer issued the "state of emergency" order at 4:24 a.m. Saturday, July 25, after rioting raged out of control in the Joseph Avenue section of the city.

The emergency status gave the city manager power to impose a curfew, call for the governor to send in state police and National Guard troops and take other "extraordinary" measures he might deem necessary to protect persons and property.

Homer said the decision to lift the order came after consultation with Public Safety Commissioner Donald J. Cor-

bett and Police Chief William M. Lombard.

He declared that he would re-impose the emergency order "at the slightest instance of violence or other lawlessness."

...

IN A STATEMENT, Homer, Corbett and Lombard urged "all residents of Rochester to cooperate by remaining calm and by abiding by the basic principles of law and order."

"We call on all Rochesterians to have faith in the ability of this community to solve its problems," they said.

Homer said the city's experience in the rioting emergency led him to conclude the city needs a bigger police force. He will ask City Council tomorrow night for an appropriation for that purpose.

In addition to adding new positions, Homer said he planned to replace uniformed

policemen now in desk jobs with civilian personnel, thus adding to the force's effective strength.

He did not spell out how many new positions he would ask for, nor how many men would be transferred from desk jobs.

The city expects to have a supply of new police candidates ready for the police academy soon. One hundred eight men took the civil service examination for patrolman last week.

Grand Jury Continues Riot Probe

S UNION AUG 10 1964

Police Chief William M. Lombard today appeared before the riot grand jury for the third time since it began investigating the mob violence of July 24-26.

The hold-over June County Grand Jury spent the day on the background investigation which it resumed Friday after having heard 33 specific cases the first four days of last week. The first week was devoted to the over-all picture of rioting in the Joseph Avenue area.

Some of the witnesses, especially policemen, have been called more than once. One officer waiting to testify today said it would be his sixth appearance. The jury is expected to take up specific cases again tomorrow.

Deputies Donate \$400 to SA and St. Michael's

UNION AUG 10 1964

Sheriff's deputies have given \$400 to the Salvation Army and St. Michael's Church, 869 Clinton Ave. N., in thanks for meals provided policemen during riots here. Sheriff Albert W. Skinner reported today.

In letters accompanying the checks, \$200 Skinner said the donations represent "... a token of deep appreciation for your untiring service to law enforcement officers... Please convey our thanks to members of your staff who were an inspiration to all who witnessed their dedication."

Salvation Army workers and church members remained on duty around the clock for several days preparing and delivering food to policemen on riot duty.

Meeting Today On Race Issues

S UNION AUG 10 1964

A meeting to discuss Rochester's recent riots and preventive measures for the future will be at 8 p.m. today at the Memorial AME Zion Church, 42 Favor St.

The Rev. James Bevel, Jackson, Miss., field secretary of the Southern Leadership Conference will speak and a plan for a voter registration drive will be discussed. The meeting is public and is sponsored by local Negro religious and civil rights organizations.

73 Seized in Riots Still Being Held

TIMES UNION AUG 10 1964

Police reported today that 73 defendants were still in jail in connection with rioting and looting two weeks ago. They will be among 133 felony cases to be considered by the grand jury later this month, according to Under-sheriff George Conway. Sixty defendants have posted bail.

A report released by city police shows 976 persons were arrested from July 25 to July 30 by police and state troopers. Of these, 792 were Negroes.

Arrests over a longer period — July 25 to Aug. 2 — totaled 1,212 but not all were necessarily connected with the rioting.

Cases of 659 defendants have been disposed of. Most were released with suspended sentences on disorderly conduct convictions. Charges of disorderly conduct and unlawful assembly usually were associated with curfew violations.

Eighty-five women were arrested, of whom 74 were Negro and 14 white. The youngest person arrested was 16, the oldest 70. One hundred were 20 or 21 and 166 were in their teens.

The analysis listed 243 defendants as unemployed, but the majority of these were teen-agers. Four prisoners admitted being on welfare rolls.

MOST ARRESTS, 683, were made by city police. Sheriff's deputies made 44, town police made seven and state troopers in the 3rd and 7th Wards arrested 238.

Prisoners were held on a variety of charges, some not linked to the riots. In addition to disorderly conduct, unlawful assembly and the felony of rioting, the charges included:

Public intoxication, vagrancy, burglary, larceny, assault, possession of a dangerous weapon, malicious mischief,

Prisoners Take Extra Hours

Almost one man hour of work was needed for each prisoner arrested during the riots to appear in court for arraignment, Edward Teju, chief complaint clerk of the city Police Court, said.

His staff of 15 prepares the court dockets, and in the week following the riots each person averaged 80 hours of work—about 1,200 man hours to process about 1,200 defendants through the courts.

resisting arrest, discharging firearms, possession of burglary tools, probation violation, robbery and receiving stolen property.

Minister Attacks Inequalities

Rev. Eugene H. Tennis yesterday said "a general attitude of accepting inequalities as a norm of community life" was the root cause of the riots two weeks ago.

In his sermon, the assistant minister of Third Presbyterian Church said this "general attitude of classifying people by groups rather than individuals not only bred the riot we experienced but . . . destroyed the trust of part of our community for the rest of Rochester.

"It is my conviction that the first thing we must do is to accept the fact that Rochester just does not always mean equality.

"The second specific is that the next move is ours—those of us of the white population who are the vast majority of this city.

"Some would say that progress has been accomplished, that there is less excuse now than ever for acts of violence which caused such physical harm to persons and untold dollars worth of property damage. This is in measure true, but it in no way lessens the responsibility incumbent upon us to try to understand what made them occur.

"There must be pressure brought to bear to enforce the housing codes, money available for retraining the underskilled and training the unskilled; scholarships must be forthcoming to create incentives for those who need college and graduate school educations . . .

"I am not condoning or excusing a riot. But the riots are over. The problems are not."

TIMES UNION AUG 10 1964

D.C. Tuesday, Aug. 11, 1964

Race problems - Rochester Riots

Social Science

A Southerner's View Of Riot's Meaning



In the wake of the recent riots, Southerners to whom Rochester was merely a medium-sized name on a map have taken a lively notice of this city and its problems.

A man I know — one of the landed Southern gentry I guess you'd call him—with extensive farming interests in Arkansas, Florida and Tennessee visited Rochester a few days after The Difficulty. He's been here before.



Bill
Beene

"I hear everyone saying they are 'so surprised' it could happen here," he said. "They shouldn't be. Things like this aren't a matter of geography or community reputation. You just forgot to look at the way your population has been changing."

* * *

ANOTHER MAN—a deep-dyed Southerner named J. S. Johnston, who apparently doesn't know anyone in Rochester but wants to express an opinion anyway—also had something to say in this same vein. He peeled off a letter that attempts, with some gleeful I-told-you-so overtones, to explain a facet of today's problems faced by Northern cities.

"You Yankees haven't the slightest idea as to what is taking place, so pull up a chair and I will brief you on Dixie."

"Here's your headache—cotton. But you can pull it apart and smell it and you cannot tell from whence it came, nor how it was harvested. But if it came from Mississippi the odds are 85 to 15 a machine picked it."

"Every time a machine rolls from a flat car into our cotton fields it means 110 Negroes and dependents are forever finished in Dixie."

"To our north is Georgia and they got 497 new cotton machines in 1963, and this fall 2,012 cotton machines will go rolling down the cotton rows of Georgia. How is

your mathematics? 2,012 times 110 equals 221,320.

"This is just for cotton. Remember, we have machines harvesting corn, tobacco, cabbage, potatoes, peanuts and, yes, a machine is being constructed to pick oranges. Exit 60,000 more Negroes from the orange groves of Florida in due time."

"Another new wrinkle is being added to increase this flow of the 'River of Negroes' into your Northern cities."

"The next time you have pecan pie remember this: There are hundreds and thousands of Negroes involved in the pecan industry. But they will also join the 'River of Negroes.'"

"The pecan grove owner now makes funnels of canvas around a pecan tree or trees, and a helicopter hovers over the trees and blows the pecans into the canvas. They tumble into containers and a tractor pulls a huge cart through the groves, and two men do the job of many Negroes."

"What will they do up in Yankeeeland? That's your problem."

* * *

"WE STILL HAVE 11,800,000 Negroes in the South, but because of automation it is a matter of time until we will have just 28 per cent of the total. We are down to 51 per cent now."

"The mass exodus of Negroes from Dixie will continue."

"Remember, the Civil War did not free these people. It just took the price tag from their heads and made them the No. 1 problem socially, economically and politically wherever they are."

"This you have already learned, even in Rochester, N.Y."

True enough. But the South, while recognizing the problem, did little or nothing to solve it. That job, it would appear, falls to the North . . . to whites and Negroes alike.

And there is no alternative. It HAS to be solved.

Democrat and Chronicle
Rochester, N. Y.,
Tues., Aug. 11, 1964

3B

Riot Probers Hear Chief, Other Police

Fourteen persons, including Police Chief William M. Lombard and several other officers, testified yesterday before the grand jury hearing riot testimony.

It was Lombard's third appearance before the holdover June jury which considered background evidence throughout the day.

Some of yesterday's witnesses, particularly police, have been called more than once to testify since the grand jurors began investigating the riots of July 24, 25 and 26.

The probers will return to specific cases today. Last week they heard 33 specific cases through Thursday and returned to background investigation Friday.

'Race Relations No Game of Cards'

RACE relations is not a pinochle game in which one keeps score with WE in one column, THEY in another, and the bid noted in the margin. Yet this seems to be the attitude of a number of Rochesterians. City officials say Rochester has done a lot for its Negroes. That goes in the WE column.

There are a number of responsible Negroes in high-paying positions taking an active part in community affairs. Put that in the THEY column. Letters to the editor proclaim, "We've tried to help the Negroes. They should do something for themselves." Someone has just opened the bidding on a new hand.

Now suddenly THEY got mad, stood up from the chair, violently seized the card table and pushed it into the surprised face of WE, spilling cards all over the floor. WE, who was enjoying the game thoroughly, shouts, "Hey, why did you do a stupid thing like that?" THEY stalks coldly out of the room without answering.

Now is it possible to induce THEY back into the game? Perhaps, but I have another suggestion. Let's put the cards away and destroy the score sheet. Let's forget WE and THEY alignments as we have thought of them.

THOMAS L. BARTLOW
Hamlin

D. & C. AUG 11 1964

'Negro Aided At 'Copter Crash'

I would like to call attention to a rescue that took place after the helicopter crash. During the height of the riot, a Negro roomer risked his own life to drag out two of the passengers. He saved two lives at the risk of losing his own. There was no question of race or color—just an overpowering love for his fellow man that asked no questions but demanded immediate action.

Surely, out of all this chaos and blinding hate, this is a beacon of light for all of us to follow. It is too bad that good must be pointed out in this manner.

The action of this man is above and beyond any call of duty. Something should, and must be done to acknowledge and reward this deed of valor.

RICHARD DeBRUYN
Buffalo

Minister Tells Negroes To Lead Own Aid Effort

D. & C. AUG 12 1964

By EARL CALDWELL

Continued failure by the Negro himself to "take the initiative" was described yesterday as a chief obstacle in the civil-rights movement.

"The time has come," a noted Southern civil-rights leader said, "for the Negro to quit worrying about what Johnson, Wallace or Goldwater is going to do."

"The question now is, what is the Negro going to do?"

Rev. James Bevel of Jackson, Miss., field secretary of the Southern Christian Leadership Conference, urged Negroes who have skills and education to "quit being ashamed of being Negroes" and become involved in the movement.

"If the Negroes did this,"

he asserted, "the whole community would rally with them."

Because too many Negroes have failed to identify themselves with the movement, he said the Negro community as a whole has no one to articulate its problems, no one to do its organizing. This, he added, leads to frustration and riots.

The Rev. Mr. Bevel also jabbed at Negroes who carry blind hate for whites.

"We must not allow ourselves to fall into the same trap that Wallace (Alabama's Gov. George Wallace) is in," he said. "There are too many white people with integrity."

The Negro's job, he said, is to seek to motivate the whites into addressing themselves to the problem.

The Rev. Mr. Bevel and several of his SCLC aides are in Rochester for a series of speaking engagements and to

help organize registration drives.

He said he has found so far Rochester is not a "bad community" and that the whites here are not bad.

In the wake of the recent riots here, the Rev. Mr. Bevel called on the Negro clergy to take the lead in aiding the merchants to rebuild their businesses. Only such actions can extend good will, he said.

The Southern minister used the late President John F. Kennedy as an example of a man who was "willing to risk his whole political future for the Negro."

But too many Negroes, he said, are afraid to risk their names and cars.

"There are," he said, "too many Negroes walking around asleep."

While the movement is "making progress," the Rev. Mr. Bevel said it would be much faster if Negroes would unite and work together.

"Then we can get racism out of the way and attack the other social problems."

The recently passed civil-rights bill was described by the minister as "an affirmation that the Negro is a human being."

"But nothing more," he said, "because the laws in New York already were better and because the laws in Alabama are so bad."

The Rev. Mr. Bevel said that if the white community is truly interested in the problem, it must "come down here and get to know the people and see them and win their confidence."



Rev. James Bevel

Recovered Riot Loot To Be Shown Today

Approximately \$17,000 in stolen merchandise in last month's riots has been recovered, police said yesterday.

Merchants and others who can identify stolen property may do so from 2 to 4 p.m., starting today, at the property clerk's office in the Public Safety Building.

More than two-thirds of losses incurred by merchants—mainly in the 7th Ward's Joseph-Clinton Avenue sector and in 3rd Ward areas—

were attributed by police to looters.

Chief William M. Lombard said wholesale thefts and damage at more than 200 stores amounted to around \$700,000. Of that figure, \$431,000 in merchandise was stolen.

It has not yet been determined whether the city will be liable for damages suffered by merchants. Indications are the matter will be decided by the courts.

As Others See It

TIMES UNION AUG 12 1964

'What More Do They Want?'*(From an editorial in The Nation, a liberal weekly magazine.)*

What puzzles many persons of good will is that NORTHERN Negroes should riot.

Civil commotion in Birmingham and St. Augustine is understandable, but New York, Rochester? Especially Rochester. New York has its Harlem and Bedford-Stuyvesant ghettos, and everyone knows these are horrible. But Rochester?

Not only do its Negroes have civil rights — as do Northern Negroes generally — but the city is rather above the average in racial enlightenment. Many of the Rochester NAACP members are white.

In recent months a good many businessmen have exerted themselves to fill job vacancies with qualified Negro applicants. They are said to be combing Negro college campuses for employees.

Most retail establishments have Negro sales personnel. One of the most respected citizens heads a committee on religion and race, designed to further integration. Most of the schools are integrated.

No hotels, restaurants, stores, parks, beaches, golf

courses or theaters are closed to Negroes. What more do they want?

• • •
SOME OF THEM want nothing more, and that perhaps is a key to the trouble.

Rochester does have a ghetto — although it is not totally Negro — but the Negroes whom one would expect to be community leaders do not live there.

The president of the local NAACP lives outside the city in one of the suburbs. A successful Negro attorney who is a state commissioner of human rights lives in one of the city's finest sections, miles from the ghetto.

During the rioting, without realizing the irony of it, well-to-do Negroes issued solemn statements about the injustices in housing to which Negroes are subjected.

Their own housing was far superior to that of the average Rochesterian — white or Negro.

Their success has separated them from the main section of the Negro community. Yet these prosperous Negroes had done only what whites do in their own communities.

• • •
THERE MUST BE many Negroes, in Rochester, in

New York, in all the cities where segregation is not the enforced way of life, who disapprove of violence. This includes not only the wealthy Negro's cause, but the majority of those who are just getting along.

They may not be satisfied. But they are not the ones who riot, and the problem is insoluble until measures are taken to get down to the strata which Marx called the Lumpenproletariat, the demoralized hoodlum element which discredits the revolution by looting and running amok.

Violence will not help the Negro's cause, but the Negroes who resort to violence do not think in terms of a better time to come and the communal means of attaining it.

Their behavior is an unexpected result of a national way of life in which they see no chance of sharing in the prosperity which is hawked as the be-all and end-all of life.

The riots are a phase of the "revolution of rising expectations" which is making things hot in other parts of the world. It is disconcerting to have it explode at home but, when one reflects a little, it is not in the least surprising.

Can Emergency Be Fully Ended?

City Manager Homer's revoking of the official state of emergency confirms the calm of a riot-weary community in the past two weeks.

It does not mean, however, that Rochester can erase the memory of the tragic violence of July 24-26, or relax its efforts to prevent repetition of the riot.

The city now seems well prepared to cope with any new outburst of disorder, racial or otherwise. And Homer's call for more uniformed policemen in the front line against crime is a welcome, overdue move to beef up the city's protection against all kinds of lawlessness.

The job of maintaining law and order is of critical importance, for new violence would make the now-healing wounds to Rochester's good name and community spirit more severe than ever.

But even more important—and more difficult—is the long-run task of strengthening the fabric of human relations torn by the rioting. Only by this can the city end its reliance on the threat of force to preserve the peace.

There is a welcome tendency now among many commentators on the Rochester riots, both resident and out-of-town, to admit that there are no easy, generalized answers to so complex a problem.

It is more widely recognized, for example, that the riots occurred not because Rochester had made little or no progress in improving its race relations but in spite of — perhaps

even because of—the fact that much progress had been achieved.

A group of Rochester Protestant ministers noted recently: "Often there are times when men resort to violence, not when conditions are hopeless but when they are improving."

Similarly, the Rev. Andrew J. Young, a chief aide to Dr. Martin Luther King, observed in a sermon after coming here to investigate the riot background:

"Perhaps Rochester has done a good job. But this also means that you have increased the aspiration of the Negro so that he is demanding that you do an even better job faster."

These are explanations of the problem, not solutions. But if the lesson is driven home that progress must be matched by patience, that no millenium arrives overnight, the city's state of emergency can be ended in spirit as well as in law.

Final List

Of Looted Businesses

TIMES UNION, AUG 12 1964

An initial survey missed nine stores looted in last month's rioting. Police list them as:

World Electronics, 448 Jefferson Ave.: Four windows valued at \$400 broken; television sets being repaired, valued at \$2,500, stolen; television sets for sale, valued at \$2,700, stolen.

Superior Unpainted Furniture, 285 Joseph Ave.: Inventory loss of \$4,800.

Abbey Rents, 281 Joseph Ave.: Damage of \$3,680; theft loss of \$9,400.

G & L Market, 46 Edward St.: Damage to building estimated at \$7,090; theft and damage to merchandise estimated at \$4,500.

Ike's Market, 501 Clarissa St.: Damage to windows and coolers, \$1,000; damage to equipment and building, \$6,000; theft and damage to merchandise, \$7,000.

Star Bright Cleaner, 367 Clarissa St.: Windows valued at \$200 broken; equipment valued at \$3,022 damaged; value of customer's clothing stolen or damaged, \$15,000-\$20,000.

Liquor Store, 466 Clarissa St.: Damage to building, \$400; damage to equipment, about \$340; stock valued at \$20,000 stolen; \$90 in cash taken.

Grocery Store, 344 Clarissa St.: Stolen and damaged merchandise, \$4,500; damage to building and windows, \$968.

Hart Food Store, 393 Clarissa St.: Inventory incomplete.

Riot 'Links'

Probed

By NAACP

D. & C. AUG 13 1964

By CONRAD CHRISTIANO

Dr. Eugene Reed, president of the State Conference of the National Association for the Advancement of Colored People, disclosed here yesterday he is investigating rumors the racial riots in Rochester, Harlem, Brooklyn and Jersey City are connected.

Dr. Reed, an Amityville, L.I., dentist, said, "I have some suspicion they might have been connected. I'm attempting to get information in all the areas."

Asked whether he thinks some persons were involved in all the riots, he said he has heard rumors along that line.

"I don't accept rumors at face value," he said. "But I also feel that where there is a lot of smoke, it is wise to look for fire."

"Still Volatile"

Dr. Reed spent a day here meeting with local NAACP leaders "because I am disturbed by rumors about the situation being still volatile. And from all appearances, it still is."

A special detail of high-ranking Rochester police officers also is investigating the possibility that outside elements, involved in disorders in other places, were

involved in the Rochester riots. Their report is to be referred to the grand jury that is studying the Rochester riots, which occurred over the July 24-26 weekend.

Dr. Reed said he came to offer the local NAACP the assistance of the state organization, find out how the state group can help the local group, and how the local NAACP can be strengthened.

Dr. Reed visited the county penitentiary to investigate reports that conditions there are poor. He said his reception there was favorable, but he declined to discuss his findings.

Letter to Rocky

He said he is waiting for an answer to a letter he sent to Gov. Rockefeller last week asking the governor to meet with state NAACP leaders to discuss the racial situation in Rochester and other parts of the state. The NAACP Conference Aug. 1 directed him to seek the meeting.

Regarding the voter registration drive being conducted here jointly by several civil rights, church and fraternal organizations, he said the NAACP has such a program statewide. The NAACP has directed its member branches to avoid mass protest and picketing demonstrations between now and Election Day and to concentrate on the voter registration.

While saying the NAACP is non-partisan, he said the organization is not non-political and this year is opposing Sen. Barry Goldwater, Republican presidential nominee, on the basis of his record, his statements and the groups that support him. He said the NAACP doesn't endorse candidates but sometimes opposes them.

WES UNION AUG 13 1964
Probes Reports

Of Riot Links

The president of the state conference of the National Association for the Advancement of Colored People (NAACP) said here yesterday he was in Rochester to investigate reports that riots in New York City, Rochester and in northern New Jersey cities were connected.

Dr. Eugene Reed, an Amityville, L.I., dentist, said he met with local NAACP leaders "because I am disturbed by rumors about the situation here being still volatile. And from all appearances it is."

He said he wanted to find out how the state NAACP can help strengthen the local group. He said he also visited the county penitentiary to investigate reports that conditions there are poor. He declined to comment further.

184

Prison Health Care Called Good

D. & C. AUG 13 1964

From a health standpoint no evidence could be found to support a complaint of improper care of prisoners at the Monroe County Penitentiary, Dr. Margaret L. Rathbun, acting county health director, reported yesterday.

Dr. Rathbun said she and Milton Bidwell, the County Health Department's chief of

environmental health, inspected the penitentiary at the request of County Manager Gordon A. Howe.

She said a written report of the inspection would be made to Howe. "I will have no recommendations to make in the report," she said.

Although the penitentiary is antiquated, Dr. Rathbun said, her inspection failed to

turn up any evidence of conditions that would possibly be detrimental to health.

She said all prisoners receive proper bedding and food. Sanitation is good and "we could detect no odors," she said. She explained that an exterminator visits the facility once a month to eradicate any vermin.

Howe asked Dr. Rathbun to

make the inspection after a complaint from Loftus Carson, executive director of the Monroe County Human Relations Commission. Howe said Carson told him he visited the penitentiary Aug. 7 and found "overcrowded conditions" and lack of mattresses and blankets and heard criticisms of the food and sanitary conditions.

Many of the more than 900 persons arrested here during the July 25-27 riots in Negro sections of the city have been confined to the penitentiary awaiting disposition of their case by the grand jury.

Howe also directed Sheriff Albert W. Skinner and Thomas F. Riley, penitentiary superintendent, to investigate Carson's complaint.

Howe has pointed out that the century-old penitentiary is antiquated and that plans for a new one are being studied.

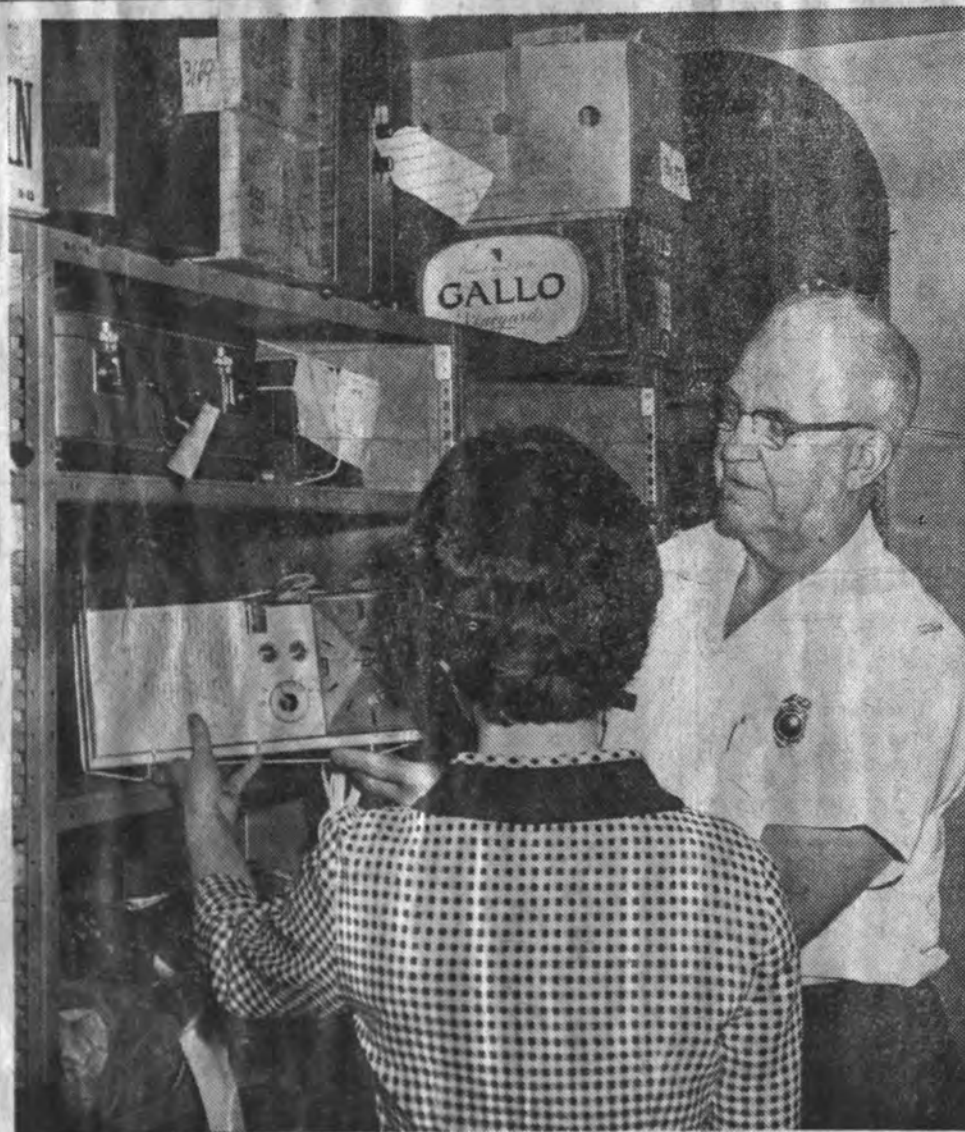
Riot-Damaged Areas Checked

County Health Department inspectors are checking the sanitation of stores, taverns and restaurants that were damaged during the race riots and have since reopened.

Willis C. Bruton, of the food section of the department's environmental health division, yesterday said 84 establishments have been inspected since the survey began last week.

According to Bruton, sanitarians are checking to see that no damaged foods or beverages are being offered for sale. In addition, he said, the inspectors are making sure that refrigeration and other food-storage systems are functioning properly.

Bruton said the inspection so far has not uncovered any flagrant violations. Most merchants he said, voluntarily disposed of damaged foods. The survey is expected to be completed by tomorrow.



"THAT'S MINE"—Lt. Victor Ayette, police property clerk, returns radio to woman who identified it as an item stolen during last month's riots. About

\$17,000 in stolen merchandise has been recovered by investigators and is available for identification at the property office from 2 to 4 p.m.

WHAT RIOT ACTION?

Holdover Grand Jury Can't Criticize

Times Union Aug. 13, 1969.

By EARL B. HOCH

The holdover June County grand jury which is investigating the July 24-26 riot may return an indictment or no-bill in each case it considers.

But, because of a technicality, it is prohibited from criticizing the conduct of a public official or employe without indictment.

A new law, effective July 1, permits any grand jury impaneled after June 30 to

of August. The jury devoted seven days to background study of the rioting. Today is the seventh day spent on specific cases.

The jury has power to inquire into all crimes committed or triable in the county, regardless of whether a charge was previously made before a magistrate. An accused person may testify in his own behalf, but cannot be compelled to do so. If he does, he must sign a waiver of immunity.

A grand jury must inquire

the Court of Appeals denied a motion to appeal.

The local case involved investigation of a city patrolman who was later convicted on a charge of criminally receiving stolen property.

Grand jury proceedings are secret. Jurors are forbidden to disclose any proceedings unless ordered by the court.

Membership must be from 16 to 23 persons. Sixteen provides a quorum and 12 must agree on an indictment or no-bill. A no-bill clears a person of a criminal charge.

submit a report to the court "concerning the non-criminal misconduct, non-feasance or neglect of a public officer or employe as a basis for removal or disciplinary action."

New grand juries may also state that they find no misconduct or neglect "provided that such public officer or employe has requested the submission of such report."

HOWEVER, the grand jury investigating the riot and cases stemming from the mob violence was impaneled June

into willful and corrupt misconduct of public officers, as well as into the management of public prisons within the county.

It may call a public official for questioning. If it does, the public official must sign a waiver of immunity or lose his right to office.

FOR MANY YEARS grand juries had made presentments criticizing public officials where misconduct did not warrant an indictment. How-

1. It was held over for July—the only month for which no grand jury was scheduled—and then recessed July 24.

When the riot broke out, Dist. Atty. John C. Little Jr. recalled the June grand jury and it reconvened Monday, July 27, a week before the next (August) grand jury was scheduled to be sworn in.

Since then the June grand jury has considered more than 60 cases related to the riots. It is unlikely that the work will be finished much before the end

ever, on Feb. 23, 1961, the State Court of Appeals in a Schenectady case held 4-3 that there was no legal authority for such practice.

The grand jury in Schenectady County had sought to make public a report on the practices of the county highway department after an investigation that produced no indictments.

In Monroe County, a test suit on the question of a presentment by a grand jury in 1957, came to an end when

Objects to Labels

In Riot Comment
Times Union Aug. 15, 1969
By Doris Robertson

In commenting on the recent riots here many have used the term "minority groups." I don't believe that anyone should be labeled "minority" or "majority" when race, color or creed are involved.

Solutions to problems are not always easy, but perhaps if we could all refrain from the pitfall of labelism, it might serve as a beginning.

149 Amerige Park

A Letter of Fuzzy Generalities And a Plea for Clear Thinking

D. & C. AUG 16 1964

A closet-full of dusty thinking and automatic responses to racial questions has been cleared out in the aftermath of Rochester's recent rioting.

Shaken to heightened perceptions and new perspectives, people who care about Rochester and about other people are hesitating less to show impatience with well-intended but fuzzy generalizations, and are relying increasingly upon specific and practical, face to face, bit by bit programs as reasonable approaches to better race relations and a better community.

For these reasons it is disturbing, after a brief period of clarity, to encounter once again evidence of a doctrinaire liberalism, an unanalytical attachment to commendable ideals which, however warm-hearted, can be not only naive but harmful to the cause it seeks to aid.

Our concern over this resurgence of fuzzy and unconstructive comment is fostered by several letters this newspaper has received. As an example and with the writer's prior knowledge, we print the following letter:

* * *

"I am deeply shocked by your plea for intolerance in the July 28 Democrat and Chronicle.

"You say, 'We need intolerance of excusing what happens today because of the past.' Yet surely the question is not so much one of excusing what happened but of understanding, and for this a knowledge of the past is imperative, as is a knowledge of the injustice which continues in the present. Far too many persons in this community continue to act on the assumption that human rights instead of being a birthright are something that the Negro citizen must earn by good behavior, and that the many fine law-abiding Negro citizens should be denied the opportunity of enjoying their rights because of the actions of a group of vandals.

"I believe, too, that we must acknowledge that while the vandalism in Rochester had no rational beginning, certainly in some of its aspects the weekend's demonstrations merged with the legitimate civil disobedience movement, and would provide a warning of deep unrest that we ignore at our peril.

"I agree that the slogan 'police brutality' has been over used and wrongly used, but if you need specifics to spell out what's behind this call, talk to some of the people in the Third and Seventh Wards about the daily incidents in which persons of dark skins are treated with disrespect by many of the policemen on the beat. I know because I have talked

with staff members at Baden Street who know from personal experience.

"If you don't think there's a Negro ghetto in Rochester you might talk with Negroes who have been apartment hunting in this city. Do you think because a handful of Negroes have been able to get out of the ghetto that this means a ghetto doesn't exist? This is like saying that Hitler wasn't anti-Jewish because he had Jewish advisors. If you believe there's no ghetto, please ask yourself why rents are higher in the slums than for comparable space elsewhere.

"Quite aside from the most unpleasant racist overtones of your remarks on birth control, the comment shows an ignorance of the fact that there is a Planned Parenthood office at the Baden Street Settlement. It also overlooks the fact, if my knowledge of persons at the foot of the educational ladder is any guide, that until the birth control pill is both perfected and provided free, the remedy is not appropriate for the very families who cause the most concern.

"I would feel better about your understanding of the situation in Rochester if you had spent less effort denouncing committees and more effort in asking why with all the committees we haven't made more progress than we have. The dispatch with which the Chamber of Commerce and the banks organized to give aid to the Joseph Avenue merchants is in sharp contrast to the lack of urgency by the same groups in finding ways to solve the underlying problems that led to the demonstrations.

"There may be some 'demagogues' who cry out about discrimination against Negroes on jobs, but there are also many thoughtful people who will continue to ask such embarrassing questions as 'Why is there not a single Negro cab driver in Rochester? Why so few Negroes in the stores? Why so few on construction jobs, etc.?'

"And I would also ask what is being done on the city and county level to



Continued on page 187

Continued From page 186

develop ways to counteract the effect of automation on job possibilities — an economic development that has hit and will hit the Negro members of our community with special force."

The letter was signed by Frances L. Van Schaick of 626 Corwin Road.

* * *

The trap in thinking of this sort is a subtle one, because its ideas are so obviously heartfelt and its sympathies so obviously on the side of equal rights and a humane attitude toward other human beings.

The only way to amplify such comments—and it is amplification, not mere refutation, that is required—is to take each in turn.

—**On intolerance:** The writer confuses the editorial's criticism of "excusing" present acts on account of the past, with understanding and knowledge of the past. The editorial said: "We need an intolerance of inspirational generalities about how the Negro can do no wrong because his is a story of a century of injuries at the hands of whites. We all know the basic truth of this great injustice. But it has been exploited and abused. . . . Injustices remain. But great good has been and is being done. . . ."

—**On vandalism:** The letter writer gives us no reason to believe that she approves of mob violence and looting and defiance of the law any more than we do, which is not at all. We cannot argue that the rioting was wholly unrelated to real or fancied frustrations. But nothing has happened since to alter our view that rioting is more harmful than helpful to the cause of equal rights and to the cause of civilization.

—**On police brutality:** Once again an important problem is one of semantics. Are we talking about brutality or about harassment or about misinterpretation of legitimate use of force in making arrests? It is becoming ever more apparent that police brutality means far different things to different people, and much trading of charges and denials is rooted in this difference. Once again our appeal is for specifics—details, so each person can judge for himself whether this is indeed brutality, or harassment, or legitimate use of force, or an unfounded publicity-seeking cry of "Wolf!"

—**On ghettos:** Again, semantics. True, there is an overcrowded low-income district largely populated by Negroes. True, Negroes often face re-

buffs if they shop for housing outside these neighborhoods. A Negro reporter for this newspaper wrote of his experiences in apartment-hunting . . . but he found equal treatment as well as rebuffs, and he found several suitable apartments. It can be done and it is being done regularly. If there is a ghetto, it is more an economic and aspirational one than a racial one. Low economic level and low aspirations are interwoven with race, to be sure. But they are not the exclusive property of the Negro race by any means, and they are not an automatic affliction of all Negroes. There is no Negro ghetto here.

—**On birth control:** The editorial stated, "We need intolerance of any further obstruction to setting up Planned Parenthood centers in underprivileged areas . . . for the tragic clock-like spawning of unwanted children locks families into permanent poverty."

We are well aware of the Planned Parenthood clinic at Baden Street Settlement. We are also aware of the delicacy of some of the negotiations that went on to get it there. There is obstruction to the Planned Parenthood movement, and it is powerful. As for use of "the pill," experts with whom we have discussed the subject have agreed that, until further knowledge is available, this method of birth control is the best.

—**On committees:** The burden of the editorial's comment on a superabundance of committees was, of course, exactly the point that the letter also makes—why, with all the committees that we have, there hasn't been more progress.

—**On employment:** Job training courses, designed especially for low-income persons, and set up in skill areas in which local industries and businesses are sorely lacking, are readily available. State Employment Service personnel are making the rounds of youth centers and hangouts, seeking out prospects for the important and trailblazing cooperative Manpower Development and Training Act program it is running with the Rochester Board of Education.

If we are really to have learned from our sad experience of July 25 and 26, we must not allow faulty comments to alienate and discourage those individuals who are willing to tackle the problem—not only with their hearts and intellects, but with rolled-up sleeves and shoe leather.

Three Weekends Later

A Walk Through Joseph Ave.

D. & C. AUG 16 1964

By JACK TUCKER

Three weekends after the rioting and wholesale looting exploded in Joseph Avenue, how's business there?

Who's going to stay — and who's leaving?

Above all, what about the future for a long-thriving business community rocked overnight by mass violence and pillaging that "couldn't happen" in conservative Rochester?

First Of Three Articles

Let's start with Dave and Virginia Erlichman, Polish refugees who survived Nazi concentration camps where all their immediate kin perished.

"I was only a girl of 13 then," said Mrs. Erlichman. "It wasn't until 1950 after Dave and I were married that we were able to come here.

"We heard so much about America — a country of opportunity for all, a chance to start fresh, a protective place of law and order. Mrs. Erlichman began crying. And her tired-eyed husband said:

"Look at this place. I hate to come inside."

This place is, or was, "Dave's Quality Dry Cleaning," at 310 Joseph Ave. It was a mess as though a hurricane had ripped through it.

Nothing of Value Left

All the newer clothing, freshly cleaned and pressed, was gone, most of the rest was strewn on the floor; equipment and furnishings vandalized, all plate glass windows smashed.

Nothing of value left. That's an expres-



sion you hear time and again in the looted small businesses — "nothing of value left."

Erlichman worked for years at Hickey-Freeman Co., putting aside money to set up the little shop. His wife ran it alone at first, then he left his job to make it a full family enterprise.

"We tried hard to build up the business," Erlichman said, "and in the last few months we were in the black and going good.

"Now in one night everything is gone. It makes me sick. How could people do this thing to us? We got along good in the neighborhood, knew all the customers by name. All friendly, no enemies.

"Insurance? Sure, we got insurance — \$3,000. Against maybe \$15,000 loss. And I haven't collected any insurance yet.

"What are our plans? You kidding, mister? You tell us what to do. We got three kids, no money, no money coming in. This is America?"

There were a few pennies on the littered floor.

"That's what they left," Mrs. Erlichman said bitterly. "From the little box we kept ready cash in — about \$50."

Every few minutes a Negro customer entered the store, inquiring hopefully for clothing he'd left to be cleaned.

"My suit still here?" asked a man hopefully.

"Hello, Charlie," Mrs. Erlichman said. "Look around, we're both cleaned."

Another Side

But there's another face to the post-riot picture along Joseph and Clinton Avenue North. It's one of merchants, at first stag-

Continued on Page 4A

QUALITY MART
OPEN
FOR BUSINESS

Continued From page 188

Continued from Page 1A

gered and reeling under impact of their losses, now reacting with determination and hope.

They are re-stocking, hiking their advertising budgets, stressing bargains, and getting cooperation from longtime suppliers who say, "Don't worry, pay us when you can." Most by now have installed new plate glass.

At Rabin's Men's Clothing, 282 Joseph, in business there more than 20 years, spokesman Ted Merin said:

"Sure, business has been bad since the looting, but the public impression that Joseph Avenue has been knocked out is not true.

"We've got plenty of new merchandise at good prices. Take a look. It's the same neighborhood, plenty of traffic, enough parking facilities.

"We're back in business to stay."

All the plate glass windows in Rabin's were smashed, and a still undetermined amount of merchandise stolen. But Merin and a fellow-employee, Al DeMayo, prevented further loss.

"We got into the area early Saturday morning (about 2 a.m. when outnumbered police could not control the yelling mobs) and into the store, and we just fast-talked more looters out of busting in. I knew them by name, and besides, they thought twice about committing a felony right before a store man's eyes."

Liquor Stores Hit

Liquor stores were hit hardest, and hit first, but none is going out of business.

At 453 Clinton North — Frank and Esther's — shelves were cleaned out, flooring ruined, refrigerator battered, all glass smashed. The owners said:

"We own the building and we're staying. Business is going along okay. We're still trying to complete a loss inventory."

Dumont Distributors, just north of the New York Central overpass, was boarded up but a sign proclaimed: "Ready for Business."

At the Joseph Plaza Liquor store, corner of Caswell Court, there was new plate glass and inside repairs completed. A Negro woman clerk said: "There doesn't seem to be many people around yet but we're back in business."

All up and down a 10-block stretch of Joseph Avenue last week, the humming comeback surge was evident. Glaziers, carpenters and merchants' own hired help pitched in.

The sign on a shattered record shop read: "Open—Full Line of Spirituals." At the J-C Fruit Basket Grocery, corner of Catharine Street, the proprietor rushed reopening work. At a Vienna Street corner, the Speed-O-Wash replaced breakage . . . and so it went, in the main.

There were some casualties—notably the long-established Nusbaum Department Store at 221 Joseph. Inside the jagged remnants of display-window glass, two

stripped mannikins still were sprawled grotesquely below the lettered announcement: "Going Out of Business."

Closed . . . Boarded

A nearby men's wear shop was closed and barricaded . . . a shoe store still boarded up at Stephany Place . . . at Herman Street a delicatessen shuttered, with the remains of littered merchandise still inside.

But nearly all the bigger merchants appeared to be weathering the storm.

At The Quality Mart, 491 Clinton Ave. N., treasurer Herbert Schwartz said:

"We had about \$15,000 damage but we're better able to ride things out than smaller establishments. The question is what'll happen over, say, the next four months?

"But it might surprise some of the public that Clinton Avenue in this area is in there pitching strong. We're spending more advertising money to attract the customer's dollars that are needed right now.

"Insurance-wise, the hope is that it covers everything. We don't know yet. The challenge is to get back business lost while we had to be closed.

"Ironically, our business was at the highest rate in two years when BOOM!"

Dim View of Offers

All merchants in the looted sectors took a dim view of publicized offers of emergency help from banks, the Chamber of Commerce and the Small Business Administration.

Merchants queried said, "We haven't yet seen any of those long-term, low-interest loans. Not yet, anyway."

Nor had there been any insurance action, as of yesterday.

One problem common to many and varied types of business places was and is cash to pay for merchandise on order. As one veteran merchant said:

"I haven't canceled a wholesale order in 20 years. It's up to our old customers to help us get rid of any . . . well, sort of negative image . . . that we're not ready for business, or that some of the hardest-hit areas will be demolished."

Over and over, as a newsman plods through the stretch of Joseph Avenue beginning at Ward and Holland streets and on through the Herman Street intersection, can be heard the puzzled, almost plaintive, riot reactions of veteran storekeepers:

"I always got along fine with the Negro people here . . . the riots had to be sudden and spontaneous . . . just a small percentage drinking too much on a hot night . . . they just blew when police tried to arrest one young colored fellow for being drunk and disorderly . . .

"Then when the bricks and other stuff began flying, and display windows were smashed, there was all that booze and beer up for grabs, and TVs and new clothes

Continued on page 190

190

4A

ROCHESTER DEMOCRAT AND CHRONICLE Sunday, Aug. 16, 1964

3 Weeks Later . . . Joseph Avenue Riot Area Revisited

Continued
From page
189

and other things of value available at the right price—for nothing . . .

"The looting was like a disease. It spread and spread . . . It was done mostly by maybe a hundred, more or less, younger people who wouldn't or couldn't stop.

"It didn't matter by then if they knew you or not. There weren't enough police to stop the looting, and the looters knew they had the cops outnumbered. That's the way it was. It made you sick."

Still on Feet

Yet teeming Joseph Avenue today is far from being knocked out. Maybe it

never will be the same, but it could be better—

Chatham Gardens, the apartment project that lost some white tenants after that weekend of violence 22 nights ago, still displays this big sign:

"Now Renting . . . A New Concept of City Living."

A little white boy skips past it, playing tag with two Negro youngsters.

And there's a sign, still intact, across the street. It reads:

"Welcome to the Church of God."

TOMORROW: A trip through the Third Ward business section.



MR. AND MRS. DAVID ERLICHMAN
". . . how could people do this?"

Three Weekends Later

D. & C. AUG 17 1964

A Walk Through 3rd Ward

'Silk Stocking' Area

Second of 3 Articles.

By JACK TUCKER

Still reeling from the shock of riotous looting that wrecked their establishments 23 days ago, some merchants in the old "Silk Stocking" sector of Rochester's 3rd Ward are thinking of calling it a day.

The majority — particularly those who own their buildings and/or have done business at the same stand for decades — say they'll stay.

But there's an if, and it's a big if indeed:

Should such violence and plundering erupt again, "we will have had it; we'll be finished," is the bitter comment heard frequently.

The sprawling, multi-nationality 3rd Ward was the hot Saturday night target of Negro rioters, following wholesale outbreaks across

town in the Seventh Ward's Joseph-Clinton Avenue North area.

* * *

CONSIDER, for instance, the reactions of four business operators with combined tenure of about 140 years in Plymouth Avenue South and Clarissa Street.

They're still nursing both economic and personal wounds—personal because "we knew this neighborhood, always got along well with the Negroes; how could they do this to us?"

At Simpson's Dry Goods Store, 370 Plymouth, in business there more than 40 years, Sol Rosenberg said:

"My wife is reluctant to stay. But we're not getting any younger, and it's hard to make a new move now.

"The looters cleaned us out. I figure the loss is at

least \$12,000. We're partly covered by insurance, but haven't seen any money yet.

"We had just got a new fall line of clothes in, and the next day, with the temperature 98, we could see our heavier merchandise walking along the street."

The Rosenbergs, co-proprietors of the variety shop, live in an upstairs apartment.

"I can't believe this was strictly a race riot," he said. "It was outright plundering. There hasn't been any conflict between whites and Negroes here. But you could almost sense that something was going to happen... there are too many idle people around."

At 326 Plymouth is the 63-year-old Peck's Pharmacy, virtually a ward landmark.

"The business will go on,

but my wife and I decided to move from the apartment upstairs," said Lester Peck, former 3rd Ward Republican supervisor.

The decision marks the first time Mr. and Mrs. Peck have been out of the ward in 47 years. They've moved to a 19th Ward address.

Looters smashed the drug store's plate glass and "grabbed everything from the display windows — watches, billfolds, cosmetics. They also got around \$40-\$50 cash."

Peck's loss was relatively low, about \$600, but even now they find it difficult to realize their store was not spared, feel that the neighborhood Negroes they know and like were not responsible. The Peck store was the last in the neighborhood to be hit.

THE INITIAL target was diagonally across the street at No. 351 — the Plymouth Liquor Store owned by the Ross Gridley Estate, and in business 20 years.

Mobs snatched all the liquor in sight, after shattering windows and later setting a small roof fire with a "Molotov cocktail." Spilled alcohol bleached and ruined the floor.

As glaziers and carpenters worked the other day on a fast repair job, Herb Gridley surveyed the damage and said:

"We don't think our regular customers started this. We've been friendly and always gave a square deal. We feel it was outsiders — the all-for-free looters.

"This is a family business. It supports seven persons including children

and we are not about to move.

"We're covered by insurance, although we haven't collected yet. I just came back from the bank, looking for one of those low-interest loans we read about, but there hasn't been any loan so far. I figure there's been at least a \$20,000 loss."

The Gridleys had planned to reopen today.

Then, sometime last Friday night, the store was targeted again — to the tune of 18 cases of liquor. That repeat blow was almost too much. But detectives made an arrest, recovered half the loot, and were looking for other cuprits.

* * *

FARTHER southwest, at 367 Clarissa St., a spokesman for Star Bright Clean-

Continued on Page 3B

Continued on
page 192

192

D.&C. AUG 17 1964

Continued from page 191

A Walk Through 3d Ward Three Weekends Later

Continued from Page 1B

ers, at that location 16 years, said:

"Business is off since the looting. They took all the newer dry-cleaned clothing and broke up the place. Total loss runs between \$20,000 and \$25,000. We're insured, and hope it'll be enough to cover.

"I think we'll weather it out—unless something else happens."

Star Bright is operated by the DeMino family, including well-known golf professional Joe DeMino. A similar store is operated in Joseph Avenue by Joe's brother, Jack. It suffered around \$6,000 theft and damage, but the family owns the building there and expects to stay.

One 3rd Ward liquor store that escaped relatively unscathed is the Triangle, at 600 Plymouth South near Clarissa. There was an estimated \$1,500 loss, but the proprietor said he was "alerted" in time to get there and stay through the night with the lights on.

Not a white-run establishment in the general area was overlooked by the riotous foragers. Only here and there was any evidence of a Negro business hurt to any extent.

One of the white newcomers to teeming Plymouth Avenue South, in the sector from Adams Street south to Clarissa, is the University Clothing Center, a small enterprise at No. 352 started only

4½ months ago by Jack DeMayo.

Looters denuded the place. A spokesman for DeMayo said that "we're insured, haven't collected yet; if anything like this happens again, goodbye." DeMayo replenished stock as fast as possible, was doing some business.

You take a look—see walk along the battered onetime "Silk Stocking" portion of inner-city Plymouth Avenue—only a couple of brassie shots from Police Headquarters in the Public Safety Building—and hear merchants remark time and again:

"We've always been good to these people; we've been friends. We donate to their churches—and there's a lot of them. We help fill out job-application forms for the many who are illiterate, or semi-literate."

* * *

THE ANSWER to the riot-plundering outbreak lies, in the opinion of most white merchants, in the polyglot character of uneducated, unskilled population inroads, mainly from the Deep South.

Jampacked, creaky housing no longer can accommodate the newcomers, the merchants say . . . the younger Negroes can't get decent jobs, if any, the end result being that they swarm the streets and environs all day and most of the night, trying to "make a buck" and drinking beer or cheap wine, getting into fights and trouble.

"On Friday and Saturday nights around Plymouth and Tremont the street looks like a carnival midway," one merchant who lives on his property said. "You'd think you were in another world. It's crazy-like. Why, one night I counted five crap games—just by looking out the window—going on simultaneously."

The last census put the

3rd Ward's population at close to 20,000, but it's higher today.

Mrs. Constance Mitchell, the overworked Ward supervisor, estimated the current Negro population at around 12,000 "and they're still coming up steadily from the South."

Tomorrow: A look at the outer 3rd Ward, and what Negro businessmen think.



Where looters staged repeat performance

On Firemen, Policemen

D. & C. AUG 17 1964

at the riot section. We live in this section and I was frightened for what would happen to us and our 10 children.

MRS. LEO DE ROLLER
59 Hoeltzer St.

quicker action due me as a citizen of this community.

BARBARA AMES
1870 Highland Ave.

'Police Response Too Slow'

DURING the past few weeks the newspapers, specifically letters to the editor, have contained numerous comments condoning and praising policies followed and actions taken by police during our fair city's upheaval. This letter is not particularly directed toward police duties carried out at the time of the emergency but more pointedly at a recent emergency of my own.

The automobile in which I was a passenger was broken into a few days ago allowing some petty thief to steal my purse and an expensive Westinghouse portable radio.

This all took place while I was eating in a restaurant located in one of the riot areas. Police were informed.

It required three phone calls before the police arrived. When they finally did answer the call it was between an hour to an hour and a half after the first call was placed.

I feel I should have received

'Firemen Deserve Thanks, Too'

ISN'T it time the firefighters of Rochester got some credit? They were also called to work on this riot business. Many of them had stones, bottles and other things thrown at them while trying to protect lives and property

D. & C. AUG 17 1964 'Must Whites Take All the Blame?'

THE riots in Rochester are, at the time of this writing, nearly three weeks past. I have read the writings of others. However I feel that these points are specific, accurate and have needed to be said for a long time.

(1) The Rochester police did not do their job. The duty of any police department anywhere is to protect the life, health and property of innocent, law-abiding citizens and to enforce the law. By refusal to use necessary force against hoodlum elements, innocent people were injured and the property of innocent people was plundered and destroyed. Four innocent persons were killed. However, before we blame the police, let us ponder the politicians behind the police. The selfish motives of political expediency have resulted in emasculated police forces.

(2) Insurance companies should not have to pay for damage and theft caused by riots. Merchants and other injured parties should be reimbursed by the City of Rochester and by the State of New York. Why should insurance companies be made the "fall guys" for the mistakes of political opportunists?

(3) The tiresome cry of "police brutality" should be once and for all dismissed as a lame excuse for segments of the population who are undertaking their own version of "fun and games." Furthermore this phony excuse should be treated as such whether the city involved be Rochester, New York City, or Birmingham.

(4) Although the Rochester papers and other news media in Rochester did a good, honest job of reporting, the wire services and other national media did not. Some came up with downright distorted versions. Citizens must realize there is a good deal of slanting and distortion in the news. I have received papers from Chicago, Massachusetts, and Connecticut regard-

ing our riots, all contain glaring inaccuracies.

(5) It is about time citizens of northern cities stopped allowing politicians to blame all the racial troubles on the white people.

The plain truth is that Negroes from the South have swarmed into our cities in such numbers over the last few years that it has been almost impossible to accommodate them. The fact that a large number are under-skilled and under-educated is not of our doing.

The extra burden of welfare, public housing, extra schooling, etc. for these people has been paid for almost exclusively by white taxpayers.

As for prejudice, I can guarantee that any Negro can walk through a white neighborhood, by day or by night, with more safety than a white person going through a Negro neighborhood.

NEIL J. ROUSE
2377 Oakview Dr.

D. & C. AUG 17 1964 'White Also Need Self-Examination'

IN the several weeks following the riots in Rochester, many words have been written and spoken regarding responsibility and remedy.

Negroes have gathered together to assess their own responsibility and to urge Negro acceptance of an active role in removal of causes.

We commend them in this effort but regret that few gatherings of white citizens met in the same spirit of self-examination.

While condemning with all citizens the failure of some to respect law and order, we cannot condone the larger failure of the white community to assess its own responsibility in the matter and to move toward a more active participation in the solution of legitimate Negro grievances.

LEWIS SCOTT
Chairman,
For the Universalist-Unitarian
Fellowship for Social Justice
596 Whittier Rd.,
Spencerport

194

Negroes Termed Hurt by Riots

D. & C. AUG 17 1964

By LOUIS HARRIS

Fully 87 per cent of the American people feel that the recent riots in New York, Rochester and Jersey City have hurt the Negro cause.

Politically, the Negro outbreaks have already cost President Johnson votes in the East, and it appears that the so-called "white backlash" could put the outcome of next November's election in doubt, although Johnson now leads Sen. Goldwater by 62 to 38 per cent.

A just-completed survey of a cross-section of the American public also indicates that the riots have dampened the optimism of both whites and Negroes for progress in civil rights.

However, support for the new civil rights act has not diminished, and very little of the uneasiness over the riots has been laid at President Johnson's doorstep.

But the riots have widened the cleavage between whites and Negroes and have led many whites to seek a way to express



their disapproval of Negro tactics. A possible way for whites to express this disapproval is at the polls.

For example, 65 per cent of the voters who have switched to Goldwater in the past three weeks think

Continued on Page 9A

the pace of civil rights progress has been too fast.

In order to measure the full impact of the race issue on the election, we have constructed an index of white dissatisfaction over civil rights.

Three criteria were used: The extent to which people feel the pace of civil rights progress is too fast, opposition to the civil rights bill and concern about growing violence on the streets.

When a person expressed concern on all three counts, he was placed in the "High" backlash category; concern on two of three in the "Intermediate" backlash group; concern on none or one of three in the "Low" backlash category.

Nationwide, 32 per cent of the voters fall in the High or Intermediate backlash groups. But 62 per cent of those who prefer Goldwater are in these two groups.

On the other hand, 79 per cent of the Johnson vote is in the Low backlash category. A breakdown of this backlash index by Goldwater and Johnson vote patterns is revealing:

BACKLASH ISSUE AND VOTING

Extent of Backlash	Total Nation Per Cent	Voting For:	
		Goldwater Per Cent	Johnson Per Cent
High	7	16	3
Intermediate	25	46	18
Low	68	38	79

The really significant number is the 21 per cent of Johnson voters who are relatively high on the backlash scale. They come to 12 per cent of the electorate.

If civil rights became the only basis on which these people voted, they might desert Johnson and turn his present 62-38 per cent lead into a 50-50 per cent.

Here are some of the results on key questions put to citizens in this latest reading on the volatile race issue:

CIVIL RIGHTS COMPARED TO LAST YEAR

Compared to last summer, do you feel that here in the United States we are making more progress or less progress solving our racial problems?

This Year:	After Riots	Before Riots
More progress	38	50
Less progress	29	23
Not much difference	19	19
Not sure	14	8

THE RIOTS AND THE NEGRO CAUSE

Now I want to ask you about the riots by Negroes in New York, Rochester and Jersey City. Do you think Negroes helped their cause or hurt it by these demonstrations, or won't it make much difference one way or the other?

	Total Nation
Hurt Negro cause	87
Helped Negro cause	2
Not much change	4
Not sure	7

JOHNSON HANDLING OF CIVIL RIGHTS

All in all, how would you rate the job President Johnson has done in handling civil rights and race problems—do you approve or disapprove?

	Total Nation	White South
Approve LBJ handling	60	43
Disapprove	40	43

CIVIL RIGHTS BILL

Looking back on it now, would you say that you approve or disapprove of the civil rights bill that was passed by Congress last month?

	After Riots	Before Riots
Favor bill	54	52
Oppose bill	28	25
Not sure	18	23

The outbreak of rioting involving Negroes in Northern cities on the heels of what seemed to be solid progress in civil rights puzzled many white people who were previously favorable to the Negro cause.

Among whites who were uneasy about race matters in the first place, the riots tended to trigger new, open hostility.

One fact now seems certain: The racial question is here to stay as a major element in the 1964 election, and Goldwater may well receive many more votes from the backlash issue.

State Police, Guard Cost For Riots Set at \$290,000

TIMES UNION AUG 18 1964

The cost of sending State Police and National Guard forces into Rochester to quell last month's riots was approximately \$290,000, according to state officials.

Overtime pay for state troopers totals \$137,000.

National Guard costs, not yet figured to the last penny, will run between \$150,000 and \$155,000.

THE STATE and its taxpayers must pick up the tab for the state policemen's overtime hours. The bill for the National Guard will be split between the City of Rochester and Monroe County.

The first 100 state troopers arrived at the scene of rioting on Joseph Avenue about 9 a.m. July 25 and by the following afternoon some 470 state troopers were in Rochester. All worked long overtime hours.

A state budget official pointed out, however, that troopers stationed elsewhere as well worked overtime to fill the gaps left by those sent to Rochester.

"Practically the only ones who didn't were those on vacation," he said. It was decided to pay the troopers in cash for all the overtime they were due—instead of compensatory time off—because that many troopers can't be spared from patrol duties.

THE STATE POLICE and the guardsmen ordered in July 26, were on duty here until Aug. 3, but many of the

troopers were withdrawn before that date.

Col. Joseph E. Middlebrooks, comptroller of the state Division of Military and Naval Affairs, estimated the cost of sending in 1,200 National Guard troops at \$150,000 to \$155,000, although a few vouchers aren't yet in.

He said approximately \$120,000 of this would go for pay, \$24,000 for food and \$6,000 for other supplies such as gasoline and laundry.

Col. Middlebrooks said the Guardsmen got state pay checks for the six days they served in July and by late this week or early next week would get checks for the three days they served in August. The state payroll is entirely separate from the federal payroll, through which guardsmen are paid for regular drills and for their two-week summer training stint.

Cops' Dilemma

Veteran Reporter Jack Tucker's follow-up articles on the riots, entitled "Three Weekends Later," disclosed a persistent blind spot among some residents of the riot areas. It is the incomprehensible notion that policemen can do their job of protecting life and property without doing any police work. It is a delusion, which takes the form of insisting that the riots would not have begun, had the policeman acted more gently when he was called to remove a troublesome drunk from a street dance. The persistence of this attitude fills with gloom the hundreds of Negroes and whites who are trying to heal the riot scars and build a better future.

For, in effect, it asks for privileged police treatment for Negroes. And privileged police treatment of any racial group is unthinkable in this form of government. A battling drunk is a battling drunk, whether he is white, black, yellow or pink.

The Tucker series with its gloomy disclosure that this anti-policing attitude persists, reminds us of a little tale that

has a poignancy to it, and a direct bearing.

A reporter was talking with Police Chief Lombard about the "brutality" stereotype, one day after the riots. The chief, a strong man who does not ask for sympathy, nevertheless shook his head with sadness and said: "Lately there has been a wonderful development in the central city, the organization of those neighborhood associations . . . and every single one of them, when they organized, placed the need for MORE police protection on the top of their list of needs. So we try to satisfy these good people in the associations . . . and other people abuse us for doing so. What an impossible squeeze to be in!"

Rochester will have to address itself to many problems in the months and years to come. But surely one of the first is to get rid of the bitterly blind attitude toward cops, some of whom have their failings, but most of whom are men doing their job as honestly and as well as they can.

196

WEDNESDAY, AUG. 19, 1964

City to Fight Liability For Riot Damage

D.&C. AUG 19 1964

By CONRAD CHRISTIANO

The City of Rochester will take the position it is not responsible for damage caused by the July 24-26 riots here, it was learned yesterday.

Undoubtedly its position will be challenged in the courts by the merchants and building owners whose places were looted and damaged by mobs.

The idea that the local government is responsible for such damage goes back to 11th Century England, and the principle has persisted through legal history until modern times.

But the city will claim it is saved from liability by a special state law passed as a result of the Korean War and still on the books. Persons filing claims against the city will argue that the special law does not apply to the July 24-26 riots here.

For city residents, the decision will mean millions of dollars in taxes to be paid or not to be paid persons filing claims. Two claims have been filed against the city already, with many more expected.

If the city is held responsible for the damage costs, it has a comprehensive liability insurance policy which was taken out in June and which, among other things, covers riots. But there is a difference of opinion between the city and the insurance company as to just how much damage the policy covers.

Legal historians say the laws making local governments responsible "have existed in England from the earliest period. It was one of the institutions of Canute, the Dane, which was recognized by the Saxon laws, that

when any person was killed, and the slayer had escaped, the vill should pay 40 marks for his death; and if it could not be raised in the vill, then the hundred should pay it.

"This irregular provision, it was thought, would engage every one in the prevention and prosecution of such secret offenses."

Canute was king of England in 1016. The vill was a division of a hundred, and a hundred was a division of a county.

In New York State, in 1855, Section 71 of the General Municipal Law was adopted, stating in part, "A city or county shall be liable to a person whose property is destroyed or injured therein by a mob or riot, for the damages sustained thereby . . ."

In 1942, Section 71 was declared inoperative because of the possibility of riots and mobs resulting from the war, such as following a bombing raid. That War Emergency Act was partially repealed in 1946 and totally repealed in 1948.

In 1951, during the Korean War, the state Defense Act, derived in part from the 1942 Act, was adopted with the same wording in the paragraph pertaining to Section 71, making it inoperative.

This 1951 Act apparently is still on the books because the Korean War has never officially been declared over.

The Court of Appeals, the state's highest tribunal, ruled in 1946 that, under the 1942 wartime act, a city was not liable for damage even though the riot was

Continued on Page 2B

Continued on page 197

Continued From page 196

City to Fight Liability For Riot Damage

D. & C. AUG 19 1964

Continued from Page 1B

not connected with the war. The case involved a businessman who sued the City of New York as a result of the 1943 Harlem riots. The businessman had argued that Section 71 was still operative because the 1942 War Emergency Act pertained only to war riots.

Some also contend the government can not be held liable for loss of business resulting from the rioting, only for damage and looting. But others say the government also is responsible for loss of business.

Jack Cohen, who owns Cohen's Kosher Restaurant at 315 Joseph Ave., through his lawyer, John H. Berman, has filed a claim for \$12,000 against the city. Of this, \$7,000 is for damage to the building, fixtures and merchandise, and \$5,000 for loss of business.

Jack DeMayo, who runs University Clothing Centre at 352 Plymouth Ave. S., through his lawyer, Leonard D. Marafioti, has filed a partial claim of \$17,103 against the city for loss of merchandise, and he expects to "correct" the amount upward when a more exact figure becomes available, to include damage to the structure and loss of business.

Some lawyers say the law is broad enough to cover loss of business in cases in which the establishment has operated long enough to indicate expected earnings. Generally, such losses are not recoverable because the figure is speculative.

If the city ever is judged liable for loss of business, the decision would open a Pandora's box because many business establishments not involved in the riot might claim losses as a result of the curfew and liquor sale restrictions.

The city's new insurance policy, with The Travelers Insurance Companies, gives the city coverage of \$50,000 for property damage and up to a total of \$300,000 for personal injury, with a maximum of \$100,000 for any one person injured. The county has a similar policy with Travelers.

Travelers intends to defend the city against the claims and to cover the city up to a total of \$50,000 for all property damage resulting from the three days of rioting.

The city contends its insurance protection is \$50,000 for each claim on the theory that each place damaged constituted a separate case of rioting and looting. The city contends that rioting on different nights, in different neighborhoods, along different blocks and at different buildings, should not be considered a single case covered up to \$50,000.

If the city eventually is held liable for the damage, it can be expected to go to court to try to get Travelers to pay up to \$50,000 on each claim, not just the total.

Experts are predicting the total claims will reach between \$2 million and \$3 million after every one whose place was hit files his claim.

For what this means to taxpayers, the city must in-

crease the tax rate \$1 per \$1,000 assessed valuation to increase its revenues about \$700,000. To pay \$3 million in damage claims, the city would have to increase the tax rate about \$4 per \$1,000 assessed valuation, or cut back other expenditures an equivalent amount.

A recent police report estimated 204 stores were pilaged in the July 24-26 rioting for a total loss of \$700,000 in damage and stolen goods. However, other experts feel their estimate is too low.

Some merchants carry insurance against riots. But after they collect on their policies, the insurance carriers can then sue the city to recover their losses.

State, Guard Costs Set

State officials yesterday said the cost of sending and maintaining State Police and New York National Guardsmen here during the racial riots July 24-26 totaled about \$290,000.

The state will pay \$137,000 for the troopers' overtime and the city and county will share the approximately \$153,000 for the guardsmen.

Nearly 500 troopers were

rushed here that weekend, resulting in overtime for them and for troopers who filled in at their other posts across the state.

About 1,200 guardsmen were sent here. The cost for them includes military pay, food, gasoline, laundry and other supplies.

Some troopers and all of the guardsmen remained here the week following the riots.

Sheriff Stocking Jail With Riot Arsenal

Sheriff Albert W. Skinner said yesterday he was stocking a riot room at Monroe County Jail with an arsenal of arms and special equipment, to be used in emergencies.

The equipment includes 100 new riot helmets with plastic face visors.

Undersheriff George W. Conway has the job of stocking the riot room, which will serve the county's recently-organized permanent emergency force.

This force includes the sheriff's 85 uniformed road patrol officers, and approximately 150 deputized personnel in six town and four village police departments.

Town and village officers would be called out on request of Sheriff Skinner, with local chiefs assigning as many men as can be spared.

Riot equipment being stored includes:

Three .45 caliber submachineguns, four .351 caliber rifles, two 12-gauge shotguns, two .20-gauge riot guns, and nearly 12,000 rounds of ammunition, which also will service .38 caliber service revolvers.

Also, tear gas guns and shells, spray-type tear gas bil-lies, tear gas grenades, gas masks, 100 pairs of acid-resistant goggles, 100 nightsticks, six portable two-way radios, and two bull horns.

198

How Red Cross Functioned During Riots

D. & C. AUG 19 1964

I WOULD like to give well-deserved credit to the interested persons who support the Red Cross through volunteer participation and contribution of funds. We have had certain inquiries from some interested persons concerning the part played by the Red cross during the recent rioting. A few days ago Kenneth Storandt, director of the Council of Social Agencies, wrote a letter to the editor commending certain persons and agencies (among them the Red Cross) for the work done during that tragic period. Further comment with respect to the Red Cross is indicated.



Thomas H. Hawks

In a time of natural disaster the Red Cross has the standing approval of governmental authorities to initiate action in meeting human needs and relieving suffering. In a situation involving civil insurrection or strife it is recognized that appropriate governmental authorities must be in complete control of directing whatever action is taken for the protection of human beings and their property. In such situations the Red-Cross is at the disposal of the appropriate governmental authorities including the Director of Civil Defense.

During the time of the rioting, Red Cross officials were in constant communication with the appropriate officials of the city administration through whom any requests for emergency service would have to be routed. At all times the entire organization of the Red Cross was at the disposal of the city and requested services were made available immediately.

When the helicopter exploded during the rioting, the Red Cross immediately assisted several families who were displaced from their

homes providing them with food, clothing, and shelter until they were able to obtain lodging elsewhere.

When the National Guard arrived in Rochester the Red Cross extended services similar to those given to the Armed Forces, such as inquiry service, communications with families, and items of personal effects. Four hundred kits containing razor, shaving cream, tooth brush and tooth paste, soap, and comb, were distributed to the National Guard.

* * *

THE RED CROSS received many calls from individuals who wished to contribute blood when Bob Abbott, Civil Defense Director, was severely burned in the helicopter crash. Arrangements, of course, were made immediately for this blood to be donated through Red Cross facilities, and as always, the entire blood inventory at the Red-Cross headquarters was available without charge to any riot victims who might have needed it.

In 1962, the Red Cross and the Salvation Army developed an understanding which would make possible more effective and efficient use of the facilities of the two organizations in times of need.

Within the framework of that understanding the Red Cross provides food, clothing, and shelter to the disaster victims, while the Salvation Army provides canteen service for the fire fighters, police, and others involved. When needed, the Red Cross would also supplement the service of the Salvation Army. While such supplementation of the Salvation Army canteen service was not needed in the City of Rochester on the occasion under discussion, there was a very important need for canteen service in Webster, one of the arteries where the police maintained road blocks to prevent people from coming into the city. The Red Cross in

Webster provided canteen service for state and local police in that area.

Disaster planning is an intricate and detailed process, co-ordinating and bringing in to play the services of many organizations and groups. Each must play its own part within this complex and the day the various organizations and groups responded and functioned during the recent rioting shows the effect of good prior disaster planning.

THOMAS H. HAWKS
Rochester-Monroe County
Chapter, The American
Red Cross.

'31 Negroes Granted Cab Driver Licenses'

The following is a copy of a letter to Miss Frances L. Van Schaik, 626 Corwin Road:

IN reading your letter as published as part of the D&C editorial of Aug. 16, 1964, I feel obligated in replying to you as it pertains to the police.

Although you acknowledge the slogan "police brutality" has been wrongfully used, you indicate there are daily incidents of police misconduct as it affects police officers and residents of the Third and Seventh Wards, pointing out that you know from conversations with staff members at the Baden Street Settlement.

To date, the only complaint received from a staff member of the Baden Street Settlement was in the summer of 1962 involving a question of the Vehicle and Traffic Law in which no summons was issued.

Our internal inspection office, initiated in December, 1962, has not received any complaints of police misconduct from the Baden Street Settlement, nor am I aware of the over 400 investigations conducted by our internal inspection office, to date, as received from other sources, being initiated by any staff

member of the Baden Street Settlement.

Our relations with the Baden Street Settlement have been the very best and personnel of the Rochester Police Bureau have been invited and do attend many of the meetings. Periodically, the internal action taken has been released to and publicized by the press since we are aware of the necessity of keeping the community properly informed.

* * *

IN ANOTHER PARAGRAPH, you note "embarrassing questions as Why is there not a single Negro cab driver in Rochester? Obviously, you are misinformed since during the past two years, the Commissioner of Public Safety, after investigations by the Police Bureau, has granted 31 taxicab driver licenses to Negro chauffeurs, and two taxiliveries presently operating in the city are managed by Negroes.

This Police Bureau stands ready to serve all persons equally and fairly, according to law, regardless of race, color or creed. This police administration will settle for nothing less from its members. Cooperation from the public will make our job much easier and community living for everyone much more comfortable.

W. M. LOMBARD
Chief of Police

Paul C. Aug 19, 1964 'Good Will Needed In Race Problem'

AS a former resident of Rochester (1939-1941) and now a 20-year resident of Mississippi, it was with interest I read your editorial, "What We Need Is Intolerance." It was reprinted in the Greenville, Miss., Delta-Democrat Times.

Your points are well taken and I agree with all of them.

As one who is near the fountainhead of the Negro

population and who is in daily contact with the Negro community, I would especially agree with the need of intolerance of obstruction to setting up Planned Parenthood centers in underprivileged areas.

The stemming of this irresponsible procreation is basic if any economic progress is to be made by the Negro as an ethnic group, an intolerance of the idea that it is a "civil right" to have children and to place the responsibility for support of them on the community at large.

We in Mississippi have become accustomed to being the

Pharisaism in race relations. Certainly we have our shortcomings and improvement is needed. Much has been made and is continually being made, in spite of headlines to the contrary.

Mississippians aren't too different from people in any other state.

What is too often overlooked in the self-righteous pointing of the finger is that the colored to white ratio far exceeds that of any other state including the southern states.

What Rochester well knows now is that this is a national problem that will require the good will and best efforts of all the people both white and colored. The suggestions in your editorial are valid and valuable guidelines for this effort.

BREVIK SCHIMMEL

Bar To File

Claim Over

ES UNION AUG 19 1964

Riot Closing

The operators of a tavern have indicated they plan to submit to the city a claim for loss of income in the emergency invoked as a result of last month's rioting.

In a letter to Corporation Counsel Arthur B. Curran Jr., Peter J. and Verne P. Colonna, operators of the Merchants Grill at 425 Merchants Road, served notice that they are "filing claim for loss of income" between July 25 and July 29 "due to the shutdown enforced by civil authority."

A curfew and ban on liquor sales were imposed after the riots began.

• • •

CURRAN NOTED that the liquor ban was ordered by the State Liquor Authority, not the city. He said the SLA legally may regulate the hours of liquor licensees.

In imposing the curfew, the city didn't order any business places to close, Curran said.

The Colonnas' handwritten note was the first formal indication that anyone whose property was not damaged in the rioting was considering filing a claim for loss of business.

The city has received claims from two businessmen whose property was damaged. Jack Cohen of Cohen's Kosher Restaurant, 315 Joseph Ave., filed a \$12,000 claim—\$7,000 for damage and \$5,000 for loss of business.

A partial claim of \$17,103 for loss of merchandise was submitted by Jack DeMayo, operator of a clothing store at 352 Plymouth Ave S.

About 200 merchants suffered property damage.

• • •

CURRAN CITED a section of state law to support the city's contention that it can't be held liable for damages caused by a mob or riot.

Section 71 of the General Municipal Law "would indicate the possibility of such liability," but another state law makes clear that this section doesn't apply to property destroyed or injured by mobs or riots, Curran said.

He referred to a section of the Civil Defense Act.

In a case stemming from Harlem riots in 1943, the Court of Appeals upheld decisions that New York City wasn't liable for damages. The action was brought under the state's War Emergency Act and the provision later was incorporated in the Civil Defense Act.

Riot Conferee

ES UNION AUG 19 1964

Denies Charge

Nathaniel Wise Jr., 30, of 65 Hanover St., one of a group who conferred with Mayor Lamb July 25 on the riot situation, pleaded innocent in County Court today to a grand larceny charge.

Wise was indicted by the Grand Jury Friday with Andrew Jones, 21, of 29 Catherine St. on a second-degree grand larceny charge. They were accused of stealing cable wire from the Rochester Telephone Corp. Aug. 6 on Nash Street.

Jones had previously pleaded innocent to the grand larceny charge.

200

What Price Violence?

T. Race Problems—Roch.
Tense Struggle Goes On To Change Negro's Views

Social Science

Local History

By DESMOND STONE

(First of a series of articles)

Just short of four weeks ago, on a hot Friday night, violence broke loose in Rochester.

A clash that resulted when police tried to arrest a drunken Negro at a street dance exploded into riots that roared out of control in the Joseph Avenue section and jumped across town the next night.

By the time the riots had been brought reasonably under control on Sunday, mobs of up to 2,000 had plundered and damaged stores to the tune of a million dollars.

Hundreds of persons were injured, about 1,000 were arrested, and Rochester shot into the headlines across the nation and around the world.

Rochester police were bolstered by town police, sheriff's deputies, state troopers and the National Guard before violence ended.

• • •

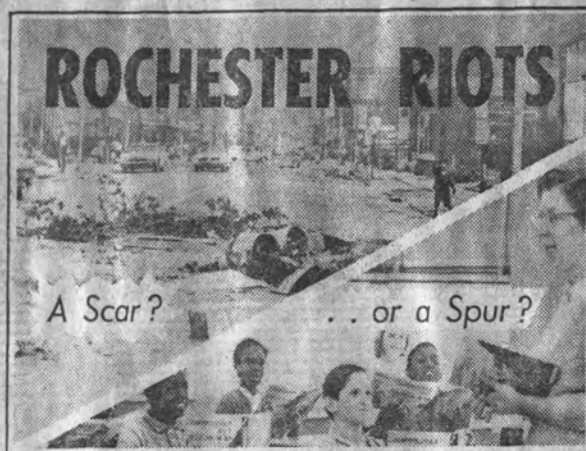
TODAY THE OUT-OF-TOWN reporters, the guardsmen and troopers have left, and Rochester is alone again with its problems.

The worst of the shock has passed off, most of the stores have been patched up, quiet prevails in the streets, and the city looks normal.

But behind the scenes, a great deal is happening. In City Hall, officials are picking up the pieces, looking at the "whys" and shaping plans for the future.

Perhaps the tensest struggle is going on in the Negro community, where responsible elements have been working night and day to bring a small minority of hard, angry, bitter young men under control.

In this crisis, local Negro leaders have had the help around the clock of a small group from Dr. Martin Luther King's Southern Christian Leadership Conference, dedicated to non-violent protest.



THEY CAME INCONSPICUOUSLY to town a few days after the riots, dressed in blue overalls and carrying toothbrushes in case they went to jail to work among the arrested men.

King's men, eight in all, were invited here by the Rochester Area Council of Churches in conjunction with the National Council of Churches, and by some of the local Negro leaders.

They came quietly, for as Rev. Andrew J. Young, King's No. 1 man, explained: "We represent an unpopular group; non-violence is not as well supported (by Negroes) in the North country."

As with King's intervention in New York City, there was some resentment of the outsiders. But the team was anxious only to back the efforts being made in Rochester by Mrs. Constance Mitchell, 3rd Ward supervisor,

Turn to back page
of this section



UNITY AFTER THE RIOTS—Those attending the meeting at AME Zion Church, described by reporter Stone

in the accompanying article, joined hands at the request of 3d Ward Supervisor Constance Mitchell.

PTU 8-19-66

Continued on page 201

Continued from page 200

A Tense Struggle Goes On To Change Views of Negro

Continued from Page 1

clergymen and others, to turn young people to constructive protest.

THE CRUX OF THE STRUGGLE was clearly revealed one night last week in an angry confrontation at a Negro church in Favor Street.

Negro religious leaders had called a meeting in AME Zion Church to discuss the causes of the riots.

Responsible People

Few in this gathering had taken part in the riots. The faces in front of Mrs. Mitchell, as she sat on the stage, were not the frenzied faces that had turned away from hers two weeks before.

These were mostly rooted, responsible people.

But their "Amens" and "That's rights" were strong and fervent as Rev. James Bevel of Jackson, Miss., field secretary of the Leadership Conference, pointed a finger at the Rochester community, and all the North, for "failing to recognize a real sickness," for sitting by and allowing the South to depress and deprive the Negro, in some instances the same man now fighting in the streets in the North.

The oratory was powerful, but the message was not destructive.

The Rev. Mr. Bevel said:

"... You can't deal with injustice by throwing a garbage can."

"... It's our responsibility as citizens to participate and learn about government, and here we are throwing bottles."

"... Instead of whining and crying, we have to involve ourselves and vote."

It was, essentially, an appeal to non-violence, to unity, to self-help, to action through the ballot.

The preacher's audience seemed to be with him to the last man.

BUT AS THE PEOPLE were filing out of the church and down the steps, a neatly dressed 21-year-old Negro who had come out earlier and was now stroking a stray cat began saying he was mad clear through.

"I went along with the preacher until he started worrying about the white man's soul, until he said he was more concerned for a white man beating a Negro than for the Negro.

"That's close to saying we should turn the other cheek. That's what we've been doing for years. And where has it got us?"

The young man was joined by several friends and they were then engaged in pitched debate by two of King's men.

In this exchange trembled the uneasy peace of a city and a nation.

Beginning with the Birmingham bus boycott, King has built and staked his leadership on peaceful mass demonstrations in the South.

THE DAY BEFORE this meeting in AME Zion

Church, the Rev. Mr. Young, had said from the pulpit of Central Presbyterian Church, "Something exploded here, and we didn't like it, for the only way to build is through love."

Yet now, on Favor Street, love and hate were bitterly opposed.

"Use the ballot, organize," said one of King's men.

"I'm tired of waiting," said the angry young Negro. "I want to be free to live in Brighton tomorrow."

"But what can you get by violence? You tell me a single thing you've gained."

"Your way is too slow. You've got to fight to get anything."

"But why start a fight you can't win? There are only 35,000 Negroes in Rochester."

"I'd sooner die than live in shame."

"Well I'm not prepared to do that. I was a hoodlum once myself, and I had a switchblade. But that's no way to fight. You've got to organize."

"You give me 5,000 Negroes on Clarissa Street in the morning and we'll march to the jail and we'll free all those men. That's the way to protest. . . ."

He meant, of course, freeing the men peacefully, by the weight of the demonstration.

KING'S MEN DIDN'T ARGUE alone. Several of the church audience joined in, saying that in violence lay disaster.

Mrs. Mildred Johnson, a member of the Rochester branch of the National Association for the Advancement of Colored People, suggested the young men turn to the Big Brothers, a Negro group organized since the riots to help younger people, especially with employment.

Inconclusive Results

But the debate was inconclusive at the church, it was inconclusive when it petered out in a private home in the early next morning, and it's inconclusive even now.

OUTSIDE THE CHURCH that night, an elderly pleasant-faced Negro woman waited to get a word with a tall, young rebel who had been moving in and out of the argument.

She apparently knew his family, which had a prominent place in the earlier history of the Negro in Rochester.

"My," she said, fumbling a little for words, "how you've grown since I saw you last. But you must be careful. . . ."

The 24-year-old Negro seemed little impressed by her admonition. He says of the riots: "I was in there and I'll be in there again if necessary. . . ."

King's men, when challenged by the young men outside AME Zion Church to explain their concern for Rochester's 35,000 Negroes, said: "We're concerned for 20 million Negroes."

It was significant that upon their arrival they straightaway sought out young club or gang leaders, for the evidence is strong that 100 or 200 young men, between the ages of 15 and 25, provided the spark and spread the flame of the riots. Many were not among those arrested.

Continued on
page 202.

202



REV. MR. BEVEL (above) urges the Negro "to stop being ashamed, to stand up straight, to take the initiative and cease hating himself and society," reporter Stone writes.

Continued from page 201

Approach to the Leaders

Times Union Aug 19, 1964

King's men approached the leaders in the playgrounds, in the streets, in the homes, in the bars and in the poolrooms. They challenged them to a game of basketball with "a bunch of preachers" (and beat them, incidentally) and then settled down to days and nights of hard talk.

This was their message:

We're not here to tell you not to fight, but how to fight.

When you throw a garbage can at the police, you obscure the issue.

When you have a problem, go downtown with it (and as one result, the youth leaders had a meeting with Police Chief William M. Lombard).

Get what you want by registering and voting, or, if you're too young, by helping others to register.

Some of the youths were saying about the riots, "We're on to something," meaning they had found a way to awaken the community.

"Man," was the response of King's people, "you ain't on nothing but the street."

How well these dangerous passions have been calmed is not yet clear. It is not only a question of

Continued on page 203



UNITY IN SONG—The audience at overflow meeting at AME Zion Church joined in spiritual singing

before being addressed by the Rev. James Bevel of the Southern Christian Leadership Conference.

TU 8-19-64

Continued From page 202

dealing with a minority of teen-agers. There are men in their early 20s preaching revolution.

Bernard Gavzer, Associated Press writer, in a report on the riots here, identified a breed of men who heed no leader and follow no banner. "Their attitude throughout this rioting is one of militant recklessness. They have the chill quality of boys who believe that life is a one-way road to death . . ."

Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, seemed to put a finger on it when he said the other day of the riots here and in Harlem:

"They were brought on by youngsters, by teen-agers, by people who had nothing better to do, and these people don't respond to any organization.

"They don't respond to any leadership, they don't respond to the ministers, they don't respond to the lodges, they don't respond to the political leaders, and they certainly don't respond to the civil rights leaders."

Peter I. Rose, associate professor of sociology and anthropology at Smith College, a native of Rochester, noted in a letter to The New York Times:

"They care little for the consequences of their acts, for they feel that, having already hit bottom, there is nothing to lose . . ."

THE DON'T-CARE attitude cuts deep.

A social worker's profile of one arrested youth here reads something like this:

"He's belligerent and he's been on probation. His father has not been in the home for some years. I tried to speak with him about a training course, but he just stomped out of the room.

"He seems to trade on his color. He doesn't show up for work and he won't help out at home. He says he'll get a job when he wants one."

No Regret or Apology

Nor is there any hint of regret or apology, among this hard core, for what happened.

The 21-year-old Negro who was so vehement in his arguments with King's men outside the church in Favor Street was not even a participant in the riots. But he says: "I must say I felt good when I saw all those stores."

He also says: "What happened here was just a splash in the bucket compared with what the white man did to Emmett Till." (Till was a Negro boy slain in the South.)

No one seems to speak for the angry young men, not their parents, not the church, not the leaders.

THE ROCHESTER RIOTS could not have assumed the proportions they did without the participation of many elements in the population—the uneducated, the out-of-work, the frustrated, the discontented, the men with records, the drunks, the thieves, and the thugs.

But neither might they have blazed at all if the fuel hadn't been fired by young men thinking dangerously, by young men saying it would be better if the Negro had

won his freedom rather than had it handed to him by Lincoln, by young men believing that no worthwhile cause has been won in the world without revolution.

Some of them might seem unlikely material for rioting. At least on the surface, 19-year-old Leslie H. is a mild-mannered youth working at a job, taking a training course, and hoping for a better job.

He's enough of a boy to be scared of snakes, to stay close to camp in the woods.

But he was out on the streets, throwing bricks and bottles, with the same wild eyes as the others.

Leslie seems overwhelmed by a feeling of hopelessness. He says he's tired of being low-rated. "You're the king, and we're the peasants, and now we want to be king of something."

There's more here than hatred of white society. There's hatred also of his own black skin.

ONE OF KING'S MEN made the same point about the youngsters who appeared at a meeting of the board of directors of Montgomery Neighborhood Center to tell their story.

They had an argument, apparently, about whether they should take off their caps before going in to the meeting. But the issue was not primarily one of showing respect or disrespect. The youngsters were ashamed of their kinky hair, characteristic of the Negro.

The speaker in AME Zion Church, the Rev. Mr. Bevel of Dr. King's group, urges the Negro to stop being ashamed, to stand up straight, to take the initiative and cease hating himself and society.

The young men seem to feel they have nothing to lose except their lives.

This is the first fire that must be put out. But what is some of the fuel it feeds on?

NEXT: The Rochester record. Has the city done too much, or not enough?



WOMEN WORKING with Negro groups include Mrs. Constance Mitchell (left), 3d Ward supervisor, and Mrs. Mildred Johnson, who helped organize the Big Brothers after the riots.

Times Union Aug 19, 1965

204

Times Union Aug. 20, 1964

The Negro Influx

Social Science

V.F. Race Problems - Rochester

Problems Remain, but Much Has Been Done

By DESMOND STONE

(Second article in a series)

No Rochester Negro leader in recent years has had more than faint praise for the steps taken in Rochester and Monroe County in the name of better race relations.

Yet many things have been done, by both local government and private agencies, that belong in the record.

Since 1960, for example, these positive actions have been taken:

A regional office has been established for the State Commission on Human Rights, with Negro Republican Lloyd L. Hurst named a commissioner.

A City-County Human Relations Commission has been set up, with Negro Loftus C. Carson appointed executive director, and two Negroes named originally to the commission itself.

A civilian Police Advisory Board has been appointed.

The worst of the Baden-Ormond slums have been rooted out and a new school and playing area provided.

On the edge of this area, the modern Chatham Garden apartments have gone up.

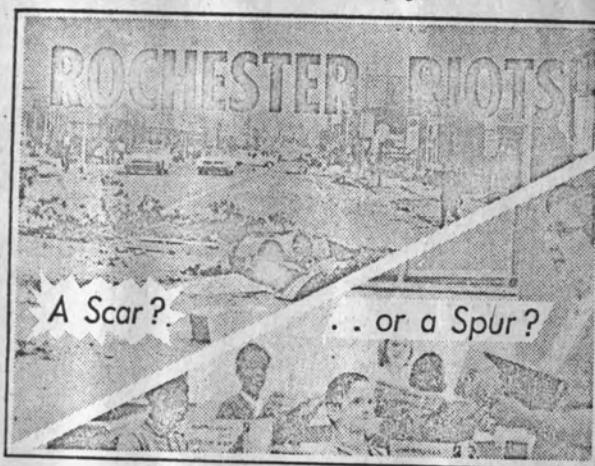
The first three Negro city school principals have been appointed.

For the first time, a Negro was appointed to the Civic Center Commission.

The Chamber of Commerce elected its first Negro director.

The Board of Education has moved to reduce racial imbalance in the schools.

The Youth Board's Accent on Understanding program, involving exchange visits between white and Negro families, has operated fruitfully.



Just this year, the Youth Board approved a Third Ward Neighborhood program directed by Supervisor Mrs. Constance Mitchell.

The City Council has unanimously approved the plans of the Rochester Housing Authority for a 100-unit apartment for the elderly, 51 units in garden-type clusters in the Inner Loop area, and 45 scattered duplexes for 90 families, for the benefit of whites and Negroes alike.

The Board of Education and the city have cooperated closely with the employment office of the State Department of Labor in setting up the \$2.5 million Federal Manpower Development Training program, also giving opportunity to both Negroes and whites.

The Commission on Race and Religion has been established.

The city has sharpened its weapons for enforcing the housing code.

SOME NEGRO SPOKESMEN say the record is not all as good as it looks on paper.

They point out:

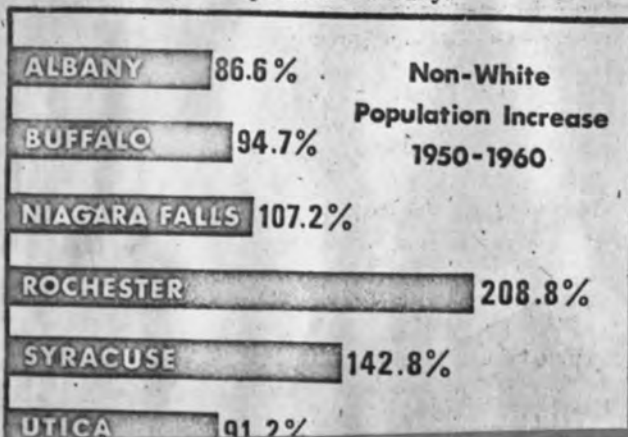
The State Commission on Human Rights, formerly the Commission Against Discrimination, was late in being established here.

The Police Advisory Board was strongly opposed.

The Human Relations Commission has not had the full trust of the Negro community.

Some of the families displaced by the Baden-Ormond clearance piled up in other areas.

The Board of Education's plans for racially bal-



Continued on page 205

Continued From page 204

Times Union Aug 20, 1964

Much Remains To Be Done

Negro Influx Creates

Continued from Page 1

anced schools have been heavily delayed by parent protests and court actions.

The city has not had the manpower to make substantial progress against housing blight and overcrowding.

And the merits of these programs have often been obscured in the past four years by the continuing controversy over alleged police brutality and use of police dogs.

NEVERTHELESS, both city and county have acted in many directions to give the Negro a better shake.

And beyond the area of local government, there have also been programs.

Business, particularly big business, has opened most of its doors.

The churches, lagging for so long, have come down into the front line of race relations.

Since 1960, up to the night of the riots, the community was genuinely trying to organize good will. The great Civil Rights Act of 1964 was as much the consensus of Rochester as that of any other Northern community.

What Went Wrong?

Then what happened? What went wrong?

Some people point to the "revolution of rising expectations."

Los Angeles Police Chief William H. Parker, speaking of the riots in the North, says the Civil Rights Act created false hopes of changes overnight.

"So when the next day dawned and the sun came up in the same portion of the eastern sky and illuminated the same squalor that existed the day before, I'm inclined to believe that this increased frustrations. And

eventually, the safety valve to frustration is physical violence."

But why Rochester rather than Buffalo, or Albany, or Syracuse? Was it because we have done more than other communities?

Rev. Andrew J. Young, first assistant to Dr. Martin Luther King, sees some parallel here with the revolution in Africa, where the first peoples to rebel were those that had won most of their demands.

"Perhaps Rochester has done a good job. But this also means you have increased the aspiration of the Negro to the point where he is demanding you do an even better job."

A NEGRO THIRD WARD barber, who hears everybody's talk, thinks that the big Kodak dollar and the lawn sprinklers of the suburbs have seemed both tantalizingly near and hopelessly far to the inner city man.

Yet, because Rochester is not Harlem by a long, long way, the city was confident that nothing like a riot could ever occur here.

Non-White Population

"And there was a good deal of justification for this attitude, except for one thing that may have been overlooked," says City Historian Blake McKelvey.

He is referring to the swamping increase in the area's non-white population between 1950 and 1960.

In 1950, Monroe County had only 7,937 non-whites, most of them in the city. But when the 1960 U.S. census returns became available in early 1961, the non-white population was suddenly revealed as 24,184, an increase of 208.8 per cent.

Even more significant, this increase was far and away above that of any other upstate area. The figures tell the story:

	Numbers Increase	Percentage Increase
Albany	5,091	86.6
Buffalo	35,688	94.7
Niagara F.	3,966	107.2
Rochester	16,383	208.8
Syracuse	7,223	142.8
Utica	1,523	91.2

THE COMMUNITY had not been prepared for or expected anything like this. There was no interim census taking between 1950 and 1960.

The State Commission for Human Rights, in 1957, estimated that Rochester's Negro population had increased 50 per cent in the previous five years, bringing it to about 11,000 by 1957. But this was an estimate only.

When the official figures came out in 1961, Rochester's non-white population (nearly all Negro) was shown to have increased two and a half times as much as that of any other upstate city.

The 1964 special census is expected to reveal a continuing rate of growth. From 24,184 in 1960, the non-white population has probably risen today to some 35,000, or more than 10 per cent of the city total.

Further Increase

The Rochester Bureau of Municipal Research has projected a non-white population of over 45,000 by 1970.

Where are they coming from?

Natural increase accounts for many.

While the non-white population accounted for 2.4 per cent of total population in 1950 and 7.6 per cent in 1960, the percentage of non-white births of total births in the city increased from 4.2 per cent in 1950 to 14.3 per cent in 1960, and to 16.4 per cent in 1962.

But in the decade from 1950 to 1960, migration to the city accounted for the greater part of the 208.8 per cent increase in the non-white population.

Of Rochester's non-white population in 1960, 54 per cent were born outside the state.



INVESTIGATING housing conditions is part of the job of Loftus C. Carson, executive director of the City-County Human Relations Commission.

Continued From page 205

Times Union, Aug 20, 1969

Problems

THE BUREAU of Municipal Research puts the average annual number of non-white persons moving into Rochester in the '50s at 1,050 a year.

No break-down is available, but by far the greatest number of these persons are assumed to have been Negro families coming up from the South—part of the general movement of the Negro out of the South (where less than 60 per cent live today) into the North and West.

Some have come indirectly to Rochester, from the migrant farms around the area.

Many from South

But more, it's felt, have made the journey directly from the South, in jitneys, battered trucks and cars. Rochester has long been a terminal point in the migration from Florida.

Many of these families have come with not much more than hope and a scribbled address.

They've moved without education and without technical skills from backward lands of the South into one of the most efficient and advanced industrial societies in the nation.

Why have they come?

Joblessness in the South seems to have provided the main push.

More and more, machines are harvesting the cotton, the tobacco, the cabbages, the potatoes, the peanuts, the pecans and, soon, the oranges.

Others have come because they have a sister, an aunt, or a grandmother here, because Rochester has long had a reputation for wealth and generosity, because standards of assistance are good.

Not Voluntary

But not all this movement has been voluntary.

The Rev. Mr. Young said when he was here that white citizens councils in the South are trying to chase out enough Negroes to cut down the population. He also said that federal food supplies and other forms of aid were being cut off.

Back in 1961, welfare officials in Monroe County were concerned about the refusal of some Southern states to accept the responsibilities of public assistance under the Aid to Dependent Children program.

For example, illegitimate children, often the product of the common-law marriages which once were all the South allowed the Negro, were being cut off welfare rolls.

There were indications that some Negro families were virtually being driven North by the denial of aid.

Welfare recipients, ADC or otherwise, do not seem to have played any major role in the Rochester riots. Of all the hundreds of Negroes arrested, only one or two per cent were welfare cases.

BUT THE ATTITUDE of the South has undoubtedly increased the population pressures here.

Whereas New York state pays 100 per cent of basic family need, Alabama in December was paying only 38 per cent.

The size of the migration to the North poses problems enough.

But the low state in the world of the new arrival poses even worse problems.

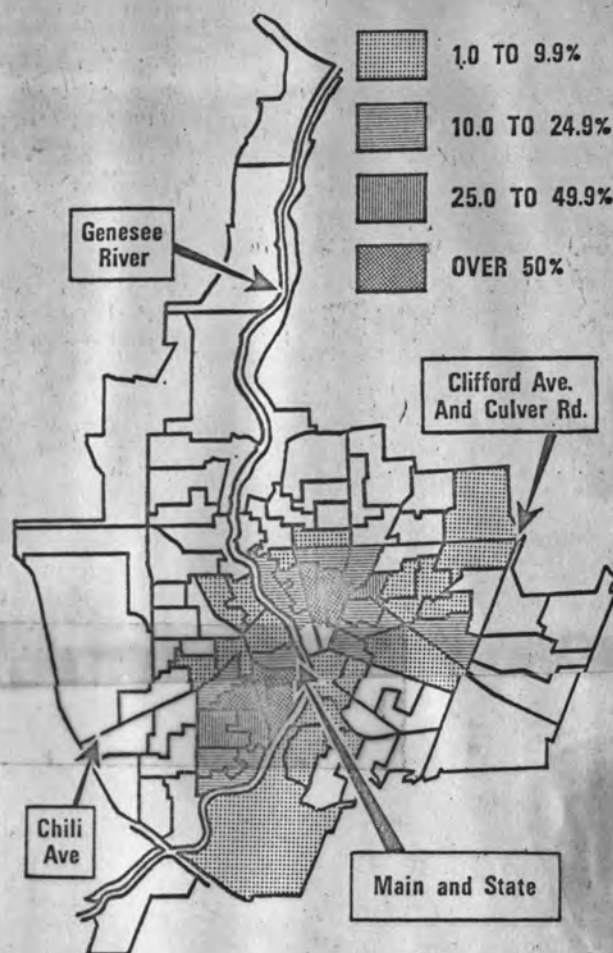
Dr. King's group, when it was here, made these points:

Only 23,000 out of 450,000 eligible Negroes in Mississippi are registered to vote. At the present rate of progress, it will take 135 years to register even half of them.

Education

If states like Mississippi had not been allowed, in some counties, to spend \$35 a year on the education of the Negro child, against \$250 for the white child, Rochester might not have had a riot.

Many Negroes arriving unlettered and unversed in



PER CENT OF NEGRO POPULATION in the city's census tracts is shown here. Tracts in white either have no Negroes or Negroes make up less than 1 per cent of the population. Streets are labeled to help orient the reader.

life outside the cotton field or the orange grove need a generation to develop a sense of community responsibility. The white man's conception of democracy is quite alien to them.

In this situation, Rochester is "damned if it does and damned if it doesn't."

Rev. James Bevel, field secretary to the Southern Christian Leadership Conference, spoke the literal truth when he said in AME Zion Church on Favor Street:

"Even if you were to train every Negro in Rochester for a job today, Governor Wallace would send you another train load tomorrow."

All the problems of the South have landed with a thud right on Rochester's doorstep.

NEXT: Some significant statistics on the economic and educational status of the Negro in Rochester today.

U.S. Race Problems Rochester

Status of the Negro

Social Science

Qualified Workers Do Well, Others Not So Well

By DESMOND STONE

(Third of a series) Times Union

5-21-64

From 1950 to 1960, Rochester's non-white population increased from two to two and one-half times as much as that of any upstate city.

The implication is clear: The community needed to do that much more than Syracuse or Albany or Buffalo, just to stay even.

It has been widely assumed that the city has, in fact, done very well by the Negro, and that the Negro has done very well by himself.

For example:

Rochester has one of the best employment records in the nation.

City educational standards have long been considered good.

The record of volunteer community social action is outstanding.

The city is not so big that people become anonymous bits of humanity.

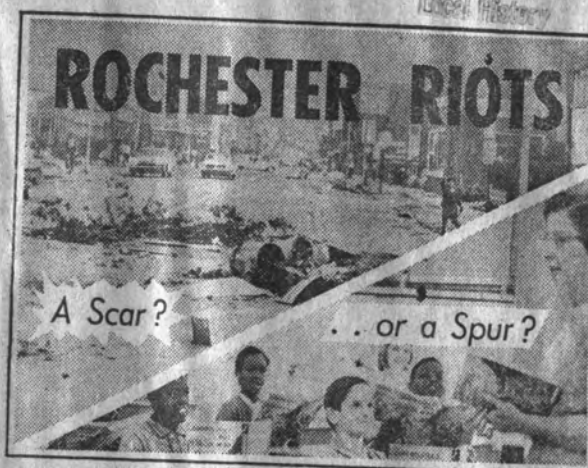
These are good reasons for thinking the Negro has made progress.

So he has, especially the older, established resident and the educated man.

But the influx of migrants has affected the achievement average.

• • •

AT THE TIMES-UNION'S REQUEST, the Rochester



Bureau of Municipal Research has made a comparative study of the 1950 and 1960 U.S. census figures.

The results are surprising.

Although the 1950-60 population increase has been known since 1961, the effects of this increase on the non-white level of income, education and employment have not been fully studied.

In the 1950s, the Negro in the nation as a whole

Turn to back page
of this section

Continued on page 208

Continued From page 207

Qualified Negro Workers Do Well, Unqualified Don't

Times Union
8-21-64
Continued from Page 1

closed some of the gap between white and non-white income.

But in some areas, including Rochester, the gap widened.

Here are the figures:

	1950 Median Income	1960 Median Income	1950-60 Increase Median Income
U.S.			
White	\$2,053	\$3,024	47.3%
Non-White	973	1,502	54.4
N.Y. State			
White	2,401	3,543	47.6
Non-White	1,689	2,613	54.7
Monroe County			
White	2,441	3,657	49.8
Non-White	1,649	2,364	43.4

Taking the comparison to all the upstate metropolitan areas, only in Rochester and Buffalo did the Negro fail to gain ground on white income.

Income Lag Expands

Leaving aside percentages, the median dollar income for non-whites in Monroe County in 1960 was \$249 less than the state figure, against only \$40 less in 1950.

By contrast, the median income for whites in Monroe County, which was \$41 above the state figure in 1950, was \$114 better in 1960.

Again taking this comparison to the upstate cities, the Rochester non-white in 1960 had the lowest median income—\$2,364 against \$2,391 in Albany, \$3,395 in Buffalo, and \$2,566 in Syracuse.

THIS LAG IN INCOME of the Rochester Negro grew directly out of a lag in his education and employment.

Again the bureau's figures are revealing.

In 1960, 39 per cent of non-whites 25 years and over in Monroe County had less than eight years of education, whereas in the state at large, the percentage was only 30.8.

Taking the comparison to the cities, Rochester had the highest percentage with less than eight years education.

The differences in unemployment percentages for the area and the state and nation were even more marked:

Whereas the percentage of white unemployment in the county in 1960 was less than for the state and nation, the percentage of non-white unemployment here was twice as great.

Whereas the percentage of non-white unemployed dropped in the state in the 1950s from 10.2 to 7.4, the Monroe County percentage increased slightly — from 13.8 in 1950 to 14.1 in 1960.

Here are the figures:

	Percentage Unemployed	
	1950	1960
U.S.		
White	4.5	4.7
Non-White	7.8	8.7
N.Y. State		
White	5.7	4.9
Non-White	10.2	7.4
Monroe County		
White	4.6	4.2
Non-White	13.8	14.1

A private report made last year to one of Rochester's big employers, using substantially the same census sources, notes that the median school year completed by all Rochester inhabitants 14 years of age and older is 11.2, second best in the state to Syracuse.

"Yet the median school age completed by non-whites 14 years and older in Rochester is 8.8, about the same as Albany, Buffalo and Syracuse."

The same report makes these further points:

"Only 19.2 per cent of Rochester's non-white population 25 years and older have completed high school, and only 3.8 have completed college."

Continued on
page 209

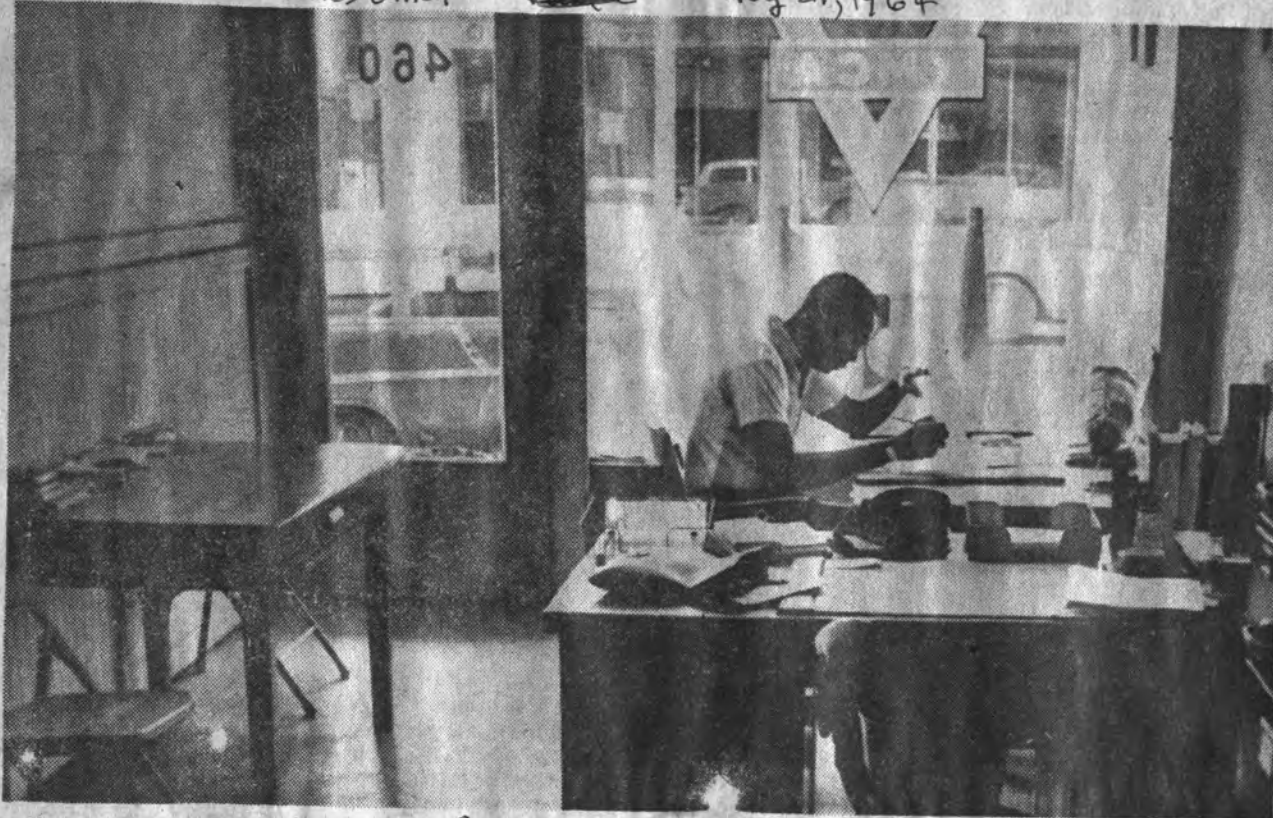
THE NON-WHITE population jump in Rochester has greatly increased the job of social workers.

Below

Here is Hardric McMillon of the YMCA's Operation Outreach at his office desk at 460 Main St. W.

Times Union

Aug 21, 1964



Continued From page 208

"In both these categories, Rochester's record is second poorest in the state. Only Syracuse has a poorer high school graduate record, and only Buffalo a poorer college one.

"One encouraging sign is that the younger Negroes seem to be staying in school longer. For example, only 14.8 of the Negro population over age 25 has completed high school, whereas 21 per cent of the Negro population between 14 and 24 have done so."

Problem of Uneducated

The report also makes this comment on dropouts:

"It is probably quite significant that 43 per cent of the dropouts living in areas with a majority of non-white population were born in either the South or in Puerto Rico.

"This spotlights once again Rochester's interesting problem with uneducated Southern Negro emigrants."

What all this means is that Rochester, a city which probably needs skills more desperately than any other upstate area, has proportionately fewer Negroes with the skills and the education to get them into the trained work force.

The untrained, uneducated Negro has come in too fast for the community to cope with him.

Rev. James Bevel of the Southern Christian Leadership Conference overstated the case, but he put a finger on the problem when he said: "Rochester is equipped to handle 5,000 Negroes, but there happen to be 35,000 here."

There are no statistics for the years since 1960, but with no sign of any leveling off in migration it seems doubtful if the trends of the '50s have been reversed.

THE ROCHESTER AREA, of course, needs its Negro domestics and orderlies and farm hands. The hospitals would probably have to close without colored help.

But the city has more unskilled workers than it can use.

At the moment, only 2.5 per cent of the Rochester total work force is unemployed, one of the best rates in the country.

The unemployed total, white and non-white, is about 7,200.

How many of these are Negro is impossible to say.

But unless past trends have changed drastically, the percentage of non-whites out of jobs is probably two to three times that of the unemployed white labor force.

Jobs Available; They Are Not

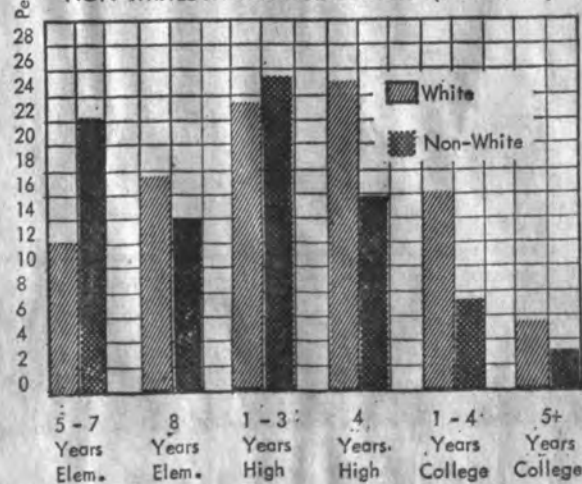
The paradox is that unskilled Negroes and whites are standing on corners while industry is looking for skilled and semi-skilled men. (More information about Negro employment, Page 3B.)

The fault does not seem to lie exclusively at anyone's door.

The city had a problem almost before it knew what was happening.

The only technical high school, Edison, is no longer adequate for vocational training needs, and the Board

YEARS OF SCHOOL COMPLETED BY WHITES AND NON-WHITES IN MONROE COUNTY (1960 Census)



AGE 25 & OVER

and c Aug 21, 1964

Continued on

page 210

210

Continued From page 209

of Education is aware that new facilities must be provided.

BUSINESS IN ROCHESTER, particularly big business, seems to have done an honest job in giving opportunity to the Negro.

More doors have been opened than windows dressed.

Negroes today can be found in the bank teller's cage, behind the shop counter, and in many places where they have not worked before.

Loftus C. Carson, executive director of the Human Relations Commission, reports that last year non-whites were hired for the first time in 339 of 408 job placements, including 68 production jobs at Eastman Kodak and Delco Appliance Division of General Motors.

There are more jobs than trained applicants.

Carson told the commission in June that in one week he had received 60 requests from employers, but could find only 16 qualified persons.

He also cites a tire company which wanted a Negro high school graduate as a manager. He would have had to know something of auto mechanics and be able to meet the public.

Basic wage was \$125 a week, with the possibility of another \$75 in commissions. Carson tried, but could find no one for the job.

Russell C. McCarthy, executive director of the Industrial Management Council, says that the skill shortage is worse than ever.

"Many more companies would hire more Negroes if more applied and were qualified," he said.

One local firm seeking apprentices had only three Negro boys apply out of 25, and only one of the three was qualified.

Another small company wanting five machine shop trainees had only one Negro applicant out of 20.

The Unpenetrated Areas

There are, of course, a number of areas of employment where Negroes seem to have made little penetration.

Some complain that there are few non-whites employed as milk and bread truck drivers, or as automobile salesmen, or in management.

Charles L. Willis, regional director for the State Commission on Human Rights, says he is not aware of any Negro electricians.

The private report compiled last year for one of the city's big employers makes this observation:

"Although Rochester rates fairly well both nationally and statewide in the percentage of non-whites who are professional and technical people, it rates quite poorly in the percentage who are managers, officials, and proprietors.

"This suggests there are opportunities in Rochester for the college educated and highly trained Negroes, but that managerial and probably business

white collar jobs, the jobs which require less rigorous academic training, are not so open for Negroes.

"Rochester is also substantially behind the average in percentage of non-white clerical workers.

"On the positive side, Rochester is comfortably above the average on foremen and skilled workers, and below the average on unskilled laborers."

Some Have Good Jobs

Pfaunder Permutit, Inc., is probably alone in the city in having a Negro patent attorney, William Green.

Richard B. Boddie, a 25-year-old Negro assistant manager at the Browncroft branch of Lincoln Rochester Trust Company, says he sent out 200 resumes and averaged five visits a day to local firms in his job hunting here from the end of July to the middle of November, 1962.

He has a B.A. in political science and English from Bucknell University and attended Syracuse Law School for a time, but he wound up selling ties and socks before he got his present position.

There are still barriers to be overcome.

But by and large, employment discrimination does not seem to be a major factor any longer.

Willis reports 26 complaints to the Rights Commission in this area in the first six months of this year, and 25 for the same period last year. But the percentage of "probable cause" was not high.

Reginald K. Ingram, the previous regional director, who left to become inter-group relations representative for the Air Force, Rochester contract management district, reports that the 50 or so Rochester firms engaged directly and indirectly in federal contracts are living up to the letter of requirements and some are going beyond it.

"There are some companies literally out beating the bushes for Negro employees," he said.

Wants More from Industry

Rabbi Phillip S. Bernstein, who condemns the riots as "senseless vandalism" but who also is aware of basic frustrations in the Negro community, says he would like to see industry do even more than it has done for youth.

"More flexibility in standards of employment and more training programs would help. The bright Negro is no problem. It's the man at the lower level who needs the most help.

"It's my own feeling that firms like Eastman Kodak, Bausch & Lomb and General Dynamics should consider training programs that might take in 1,000 people. As long as we have unemployed, anti-social, unmotivated young people in the community, we're in bad trouble..."

There is also the other side to the story of the Negro's status in Rochester. How willing is he to help himself?

NEXT: Is the Negro taking enough advantage of job opportunity?

Times Union

Aug. 21, 1964

Negro Opportunities

Training Is Available--and It Brings Results

By DESMOND STONE
(Fourth of a series)

Times Union
5-22-64

Edward S. Croft, senior office manager for the State Employment Service here, has a pleasant, sunny office in Midtown Plaza where he could spend all his time if he chose.

But he carries his drive for recruits for training wherever the young people are. Nights especially, he and his team of three or four workers can often be found combing the streets and youth hangouts.

Croft has something to sell: Dozens of training courses in six fields of work—technical and professional, clerical and public contact, service, metal machining, automotive service and industrial crafts.

• • •

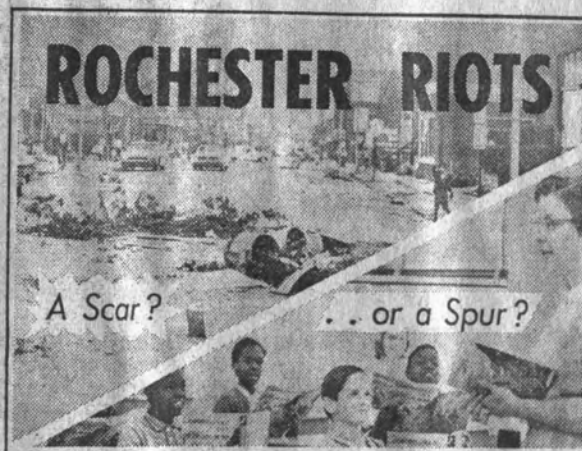
HE'S TRYING TO LICK a problem that undoubtedly contributed to the Rochester riots.

Technological change, an exploding youth population and inadequate youth skills and attitudes have combined here to produce a local youth unemployment rate of about 9 per cent.

It's this waste of manpower, and the dangerous social situation it creates that the youth training project is designed to correct.

Whites and Negroes are, of course, equally welcome, although there are proportionately more Negro young people in need of skills.

But the Manpower Development Training pro-



gram, which ought to be translated and painted as "hope" on every street corner, means nothing to many youngsters locked away in an antisocial world.

They don't know, for example, that over 200 young persons are already involved in courses and that 800 more will be enrolled in this \$2½ million federal program, being operated jointly here by the State Employment Service and the Adult Education Department of the Board of Education.

They don't know that there are opportunities here for draftsmen, auto mechanics, laboratory technicians,

(Please turn to Page 3A)

Continued on
page 212

Job Training Courses Expand Opportunities for Negroes

Continued from Page 211
(Continued from Page 1A) ~~5-22-64~~
Times Union

bank tellers, opticians, stenographers, cashiers and many more.

They don't know that any youth age 17 to 21, who has a high school diploma or equivalency or who has been a school dropout at least a year, is eligible, and that he will be paid a \$20 weekly training allowance.

They don't know, or are not prepared to believe, that a job can virtually be guaranteed to every person who satisfactorily completes a course, for the need was established before the courses were chosen.

Croft and his team are doing their best to carry the message. Some of the youngsters are reading about the training program for the first time under street lights.

Others have still to be reached.

'Their Parents Don't Care'

At one North Street meeting of the Big Brothers, a Negro group organized since the riots to help youngsters with jobs and guidance, Charles Hatcher of Hanover Houses, a 24-year-old Negro respected in the area, turned away a little sadly and said:

"The kids here tonight aren't the kids they need to reach. They'd sooner play craps. Remember, they've never had many places to turn to.

"Their parents don't care. They went to school as long as they had to, and then dropped out, and in some cases turned to gambling and thieving.

"Very few in this particular group have tried to get jobs. Some have been arrested so often that their first job was gotten for them by their parole officer. . ."

The ball can't be carried all the way by the employment people. They have only so much time and so many workers. Besides, they're mostly white and middle class and don't talk the same language.

Only the Negro who knows their shadowy world can do a selling job on the hard-to-reach. The Employment Service, in fact, has used Negro social workers to help get the message across.

BUT MORE HELP IS NEEDED, and some of it is coming from young men like Hatcher, who know the hideouts, who know the youths, who know the danger of idle time.

Once these youngsters are flushed into the open, there are others like the Big Brothers and the employment people, who can take over.

At this North Street meeting of Big Brothers, a Negro employe of Bausch & Lomb got up and said:

"I know that boys can get in if they have the ability, if they can read a blueprint, for instance. If they don't have the ability, then they have to try to learn and to improve their sense of responsibility.

'You Go Back, Keep Trying'

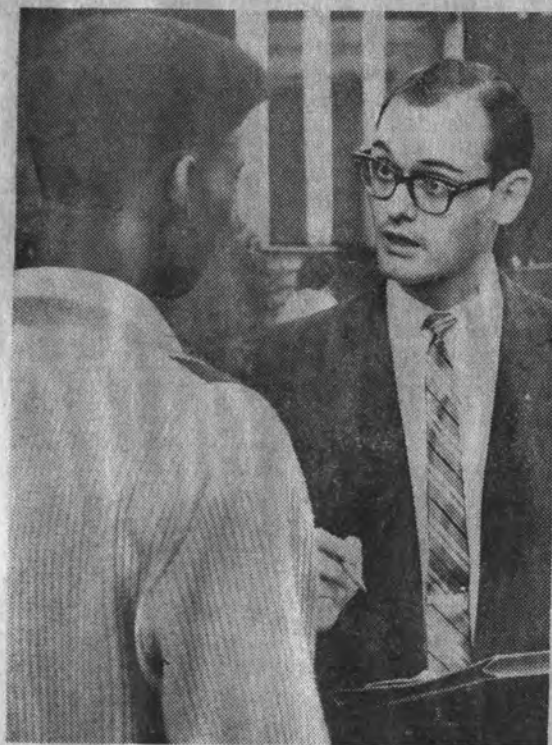
"Many say they get turned down. That once happened to me, but you have to go back and keep trying. If there are boys here who have difficulty reading blueprints, I'm very willing to help.

"Our boys have to get over their feelings of inferiority and stop condemning themselves. It's the job of the Big Brothers to make them feel confident they can do as well as anyone else."

The opportunities are there, if they're known and sought.

At the North Street meeting, a Negro woman asked about beauty shop operators. Croft was able to give her the starting date for just such a course.

AT A MEETING HELD by the directors of Montgomery Neighborhood Center to hear the problems of youth, a Negro asked about tool and die operators.



JOB OPPORTUNITY — For some time now, the State Employment Service has been carrying its drive for recruits for training programs into the streets. Here is Robert Strickland, an Employment Service interviewer, talking with a young man on Catharine Street.

He spoke of the "multitude of sins" that caused the riots here and elsewhere, among them the fact that "you have the union people who have prevented Negroes from working."

Croft was able to say he had an order at that moment for 45 trainees for a four-year tool and die course.

He said that any applicant who could pass the test and who stayed in the course 12 weeks would be guaranteed a job at \$1.65 an hour the first year, \$1.75 the second and a good deal more when he was through.

"We'll take people up to 28," said Croft. "So come down to Midtown. This employer wants more Negroes."

For Heads of Families

Someone in the audience said that it was common knowledge that requirements were far above what most Negroes in Rochester could meet.

Croft said, "Sure, there are more Negroes at lower levels, but this course is supposed to give a high school equivalency as well as machine shop training . . . It's up to you. Don't take a negative attitude."

Someone asked about youths who were heads of families.

Said Croft, "We have youths getting \$49-a-week allowances as heads of families."

"Then," said another speaker a little caustically, "Is there any employment problem in Rochester you can't handle?"

"Yes," said Croft, "there's a problem among the unskilled. Job prospects are 10 times as tough for the unskilled."

A young Negro detailed his experiences in trying to get a job as an automobile salesman, saying the job was open when he telephoned, filled when he arrived in person and open again when he telephoned later under another name.

Croft suggested he should have reported this to the Commission for Human Rights. "And if we had sent you out on the job, we would have followed up. We don't have a magic wand, but we will work with you."

Continued From page 212

Said another man: "Why can't the Negro go out and get a job for himself? Why all this paternalism?"

Replied Croft: "You don't have to come. We only help when we're asked."

This exchange is an example of how some misunderstandings can be cleared away by communication.

Doors Can Be Opened

Too many stories float around in the Negro community of closed doors which can, in fact, be opened.

Andrew A. Langston, 29, a graduate of New York University, formerly with the Chase Manhattan Bank and National Clothing Co., married with one son, has just been appointed a special agent of the Culver Road office of the Prudential Insurance Co.

"He's off to a fine start in life insurance selling," says his manager.

Langston was born and brought up in Georgia and New York City. His parents live in the city, where his father is a carpenter.

Many Negro young people have the feeling that there's nothing at the end of the road, that even if they do train they won't get a job. Some may have had bad experiences.

But the record speaks for itself.

Take the Manpower Development Training programs.

An inspection of the classes completed up to July (these were not specifically for youths) showed that about a third of the 361 who enrolled were Negro. The same percentage was maintained in the 251 who graduated. Of these 251, 80 per cent are in jobs today.

Here are some profiles of Negroes who completed a machine operators' course:

"Mr. G., married with four children, a 10th grade education, had been in the U.S. Army for two years and was a tank driver. He had been employed as a porter and window washer. He voluntarily left this job to seek a better one. He was earning \$84 for a 6-day week.

"He did well in the course. He was sent on several referrals after he completed the course. In July, he was successful in obtaining employment . . . as a milling machine operator.

"Employer follow-up indicated he is a good worker. He started the job at \$1.55 an hour, was raised to \$1.65, and will later get more. He has progressed from drills to lathes and mills. He is well liked and will be given more detailed assignments as he progresses."

After 10 Jobless Months

Here is another, of a married man with two children and an 11th-grade education:

"Applicant had been unemployed 10 months prior to training because of lack of skills. His only other employment in which he had acquired a skill was of a seasonal nature and precluded a steady income.

"His last job was as a glass spinner at . . . where he worked six months and earned \$84 a week. This job is considered a laborer's job.

"In 1961, he worked at . . . where he was a crane operator and earned \$100 weekly. This work was of such a seasonal nature that he was frequently laid off and forced to seek employment elsewhere.

"As a result of completing training, he is now employed at \$1.85 an hour at . . . He started at \$1.75 an hour and has received a raise. He gets 15 cents an hour night bonus, making his night rate \$2 an hour.

"His work week is 55 hours when he works days, giving him an hourly rate of \$2.77½ with overtime. His weekly earnings are \$115.63.

"When he works nights his work week is 50 hours and he earns \$110.



CROFT

. . . recruit hunter



LANGSTON

. . . insurance agent

HERE IS ANOTHER MARRIED MAN, this one a high-school graduate:

"Mr. C. had been employed with a company that closed its doors. He was employed in the capacity of a 'sizer' and this is considered unskilled and routine work.

"He was making \$1.35 an hour plus piece work at this job. Prior work experience was as a stock boy making \$62, before this as a general laborer with a local car dealer agency.

"Mr. C. did exceedingly well in the course. His instructors indicated he possessed native ability and was one of the top third of his class, and that they would recommend him for a formal apprenticeship. In fact, if the instructors had a business of their own they would cheerfully hire him.

"Because of his motivation and successful completion of this course, he was sent out to several places and was hired by a small quality shop of about 250 employees. At the time he was hired, he was paid the beginning rate of \$1.50 an hour. As of now, he is being paid \$1.80 and has been increasing his value to the company . . ."

Course Leads to Positions

Rochester Institute of Technology last summer provided a machine shop course for youth. Twenty entered the course originally, 10 Negroes and 10 whites. Nine whites and eight Negroes completed the course.

Of these 17, 11 were placed in machine shops, and others in work in other areas. RIT had a difficult time finding qualified Negroes, but those who did enroll did generally as well as the whites, and found employment.

Chances are available if they are taken, if the Negro is ready to help himself.

Mrs. Mary M. Grooms, long a champion of equal rights, makes the point: "It's up to us to say to the Negro: It's now up to you to study the books and get the education.

"Too many Negroes are unaware how hard whites have to work. They don't know what goes into a home in the suburbs. We haven't expected enough responsibility of the Negro."

. . . .

SOME NEGROES agree.

Says Reginald K. Ingram, the former Human Rights Commission regional director:

"We need a more positive approach. The Negro must motivate himself. He should know more about Negroes who have succeeded. We don't need civil rights oratory."

Says 19-year-old Terrance Johnson of 41 Clifton St.:

"If the Negro would stop crying on his own shoulder and be more constructive and if the whites would recognize him for himself and stop thinking of him in terms of a 'wino,' things would be a lot different."

There are, then, a lot of rallying points for Negro progress. But can they be fused together?

NEXT: Can the Negro community unify itself in the crisis?

Times Union ~~Aug 22~~ Aug 22, 1964

The Negro Leaders

V.F. Race Problems Rochester Local History
Social Science

There's a Gap Between Them and the Rank and File

By DESMOND STONE

(Fifth of a series) *TU 8-24-64*

Rochester can expect no black Messiah to lead the Negro community out of its turmoil.

Says Rev. Arthur L. Whitaker of Mt. Olivet Baptist Church:

"You don't have such a Messiah in the white or the Negro community. No one person can speak for all Negroes at their social and economic levels."

There are serious problems of leadership.

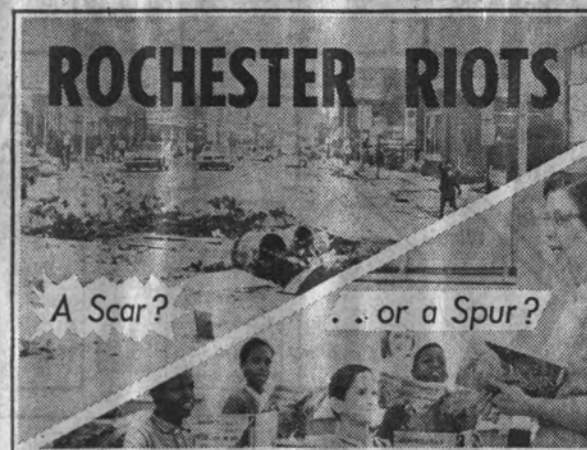
City Manager Porter Homer has been critical of members of the Negro community who refuse to rally behind responsible leaders. As soon as Negro leaders start to work with white leaders, he has said, they are accused of selling out.

• • •
THIS IS TOO OFTEN true, and there may be a reason for it—the same swamping waves of migrants who have created an educational headache.

Blake McKelvey, city historian, explains it this way:

Over the years, Rochester has traditionally attracted people able to fit into its environment of skill. We have had experience with many groups of incomers, each giving us a demonstration of slow adjustment.

As with the Negro, there was friction between the old and the new, even though they were of the same nationality. But after a time, the old arrivals usually helped the new learn American ways. The frictions were absorbed.



But unlike the Germans, the Irish and the Italians, the Negroes in the 1950s came in too quickly for gradual growth and assimilation. Nor did they have the unity of other groups.

The old-established Negro in Clarissa Street felt that the newcomer in the Baden-Ormond section was threatening his own welfare. The Baden-Ormond man had little respect for the oldtimer.

Even before their hostility was patched up, in came another wave to settle on some other street and make its own revolt.

In this situation, Negro leaders have generally

Turn to back page
of this section

Continued on page 215

Negro Leaders Separated By Gap from Rank and File

TU 8-24-64

Continued
From page 214

Continued from Page 1

failed to command any solid support in Rochester. They have stuck their heads up only to be shot down.

Very often it has been a crossfire. Rev. Quintin E. Primo Jr., about the first leader of the National Association for the Advancement of Colored People to begin making strong public demands for his people, was regarded as an "Uncle Tom"—a term applied to a Negro too servile to whites—by many Negroes at the same time that he was being attacked as a radical by the whites.

The riots have exposed and deepened the splits that were already there—economic, political, and social.

At one of the recent North Street meetings of the Big Brothers, a Joseph Avenue Negro said of the professional Negroes whose help was being sought:

"What do they know about us? They don't live down here. They don't want any contact with us. They're happy if they can go to the Eastman House and their own little clubs. We want genuines, not phonies."

THE PRESIDENT of the Big Brothers, Wade Allen, an engineer with Xerox, Inc., pointed out he'd started making his own career at 18.

"I would hate to think that I had gone through life and had nothing to give to young people," he said.

Dr. James Roberson, a Negro physician, told the Joseph Avenue man: "You shouldn't think the whole world is against you. I'm concerned.

"My daughter might marry someone like this (meaning the unskilled, uneducated, unemployed youngster). It's false to think that the professional lives in a vacuum."

The argument died down as quickly as it had flared up. But it exposed one of the underlying conflicts—the distrust between the Negro in the inner city and the man who has made it to a better life in the suburbs, or the outer city.

EVEN THE PROFESSIONALS themselves tend to split into those who involve themselves and those who don't.

Dr. Walter Cooper says that the professional coming to Rochester has to make a choice of joining a privileged group of Negroes working docilely with the whites, of not involving himself at all, or of trying to feed back leadership and running the danger of becoming an island cut off both from the whites and the other professionals.

The Young-Old Conflict

There is also the traditional conflict, sharper now, between the young and the old, between the teen-ager who's ready to "throw in the towel" on "the system" and the older person who's settled for what he's got or who sees the futility of head-on assault.

Said a Negro, a political leader, at a Montgomery Neighborhood Center meeting:

"I'm only 36, and yet the young people are ashamed of me for bowing and scraping instead of demanding. And perhaps they're right.

"You'll go home from this meeting and I'll go home, and we'll go back to the old ways. But you better listen to them."

There's also the division between young men themselves on the violent and non-violent approaches.

Richard B. Boddie, 25, of Fernwood Park puts the case for non-violence when he says:

"There are still ways we can overcome our problems in Rochester, where conditions aren't as bad as they are in the South. We do have a chance to vote.

"We can stand up in a meeting of the Board of Education and get them to do things without having to die in the streets.

"But there has to be a realization by whites that you can't run away any more."

Continued on page 214

216

Continued from page 215

But there are also many bitter young men saying that if they're pushed any more, they'll come out fighting.

More Progress Called Need

Prof. William H. Gilman, of the English department at the University of Rochester, one of the movers in the establishment of the Police Advisory Board, attributes the riots to causes ranging from humiliation of the Negro to sheer, irresponsible delight on the part of the Negro in hitting back.

But one of the more important causes, he believes, is that "the people who believe in non-violence need more progress if they are not to lose their power with the masses."

None of the traditional Negro leadership groups in Rochester had any power to prevent the riots or to restrain them once they began.

This erosion of influence has been going on some time.

The Rochester branch of the NAACP seems never to have recovered from the split in 1962, with the Rev. Mr. Primo no longer in Rochester.

The men who resigned their chairmanships at that time—Dr. Cooper, Dr. William E. Lee, Dr. Kenneth Woodward and others—put the blame for what has happened to the Negro leadership squarely on the white community.

• • •
FOR THEMSELVES and for the younger men who came after them, in the NAACP and in the Monroe County Non-Partisan League, they say that the cost of involvement in civil rights proved too heavy, in terms of City Hall reception, public attitudes and jobs.

"It's all right to be involved in the Junior Chamber of Commerce or the Rochester Association for United Nations. But once you start working on civil rights, you're in trouble.

"You're discouraged and you're resented. And then people turn around and want to know, 'Where is the Negro leadership in Rochester?'" those men say.

Departure of Leaders

They point out that Laplois Ashford, Obadiah Williamson, Glenn Claytor and Eugene Newport, all active in the Non-Partisan League, left town one by one.

"These young men were all regarded by the community as militants and radicals, and pressures were applied.

"What the community didn't realize was that they all had channels of communication with the hard core. When they left, there was no one who could reach them and speak for them."

Some whites in the community don't agree. They say these young men left town for their own personal reasons.

Whatever the explanation, neither the NAACP nor the Non-Partisan League seems to have had as strong a following since.

One 18-year-old Negro girl who's been out collecting subscriptions as one of the NAACP's youth group, says:

"When you go down on Joseph Avenue and other places, you have to work hard to convince these people

Continued on page 217



HISTORIAN Blake McKelvey says the Negroes came to Rochester too quickly for assimilation.



MINISTER—"No one can speak for all Negroes," says Rev. A. L. Whitaker.

Times Union Aug 24, 1964



AMONG THE PEOPLE—After the riots some civil rights and social groups moved offices into areas where the people they try to contact live. This

CORE office was set up in such an area, Joseph Avenue, before the riots. David Lucas, 18 Vose St., talks with neighborhood children in front of office.

Continued From page 216

that you're there to help them. They think you're seeking something for yourself. They're very suspicious.

"There's a lack of communication. Most of the NAACP leaders don't reach down to these people. They just don't know each other."

• • •

NOT ALL THE OLD LEADERSHIP links have been snapped.

Newport, who was working in New York City, came back to town after the riots.

Mrs. Constance Mitchell, 3rd Ward supervisor, has been urging Williamson to return, though she says he's already doing a good job as a minister among some of the tough elements in New York.

Ashford, now national youth director for NAACP, was in town for a period after the riots.

Something may be salvaged here. New young leadership may emerge from the crisis.

In the meantime, under the direction of its president, Robert F. Morrison, the Rochester branch of NAACP is now showing greater interest in getting closer to the people.

The branch office is to be moved from downtown to the Clarissa Street area.

Riots Expose the Gap

The riots have had the effect, at least, of exposing the gap between the Negroes at the bottom of the stack and the middle class.

The Congress of Racial Equality has an office on Joseph Avenue (it was there before the riots). The Human Relations Commission is putting outposts into the Negro areas. The Commission on Human Rights is considering the idea.

The local NAACP branch, says Morrison, "will receive much wider support by a more active program. And opening the new office is one way of getting this support."

No one knows how many Negroes in Monroe County



ENGINEER — J. Wade Allen, an engineer with Xerox Inc., has been elected president of the Big Brothers, a Negro group organized since the riots to help youngsters.



PHYSICIAN—Dr. James Roberson, a physician whose father was a laborer, has been elected treasurer of Big Brothers.

are eligible to vote, but it's estimated that at least 10,000 are not registered.

Although Negroes represent more than 10 per cent of the Rochester city population, they have much lower representation on most government agencies or in non-government employment.

City Council has nine members, but no Negroes.

Two of the 24 city supervisors on the 43-member County Board of Supervisors are Negro.

The Rochester Board of Education has no Negroes among its five members.

There are no Negroes on the nine-member Rochester City Planning Commission, but its 13-member staff includes one Negro.

• • •

A PRIVATE AGENCY, the Rochester Bureau of Municipal Research, has no Negroes among its 30 directors and none on its six-member staff.

Two of the nine members of the Police Advisory Board are Negroes.

The Monroe County Human Relations Commission has three Negro commissioners and 12 white commissioners. Its staff of six has two Negroes, including Executive Director Loftus C. Carson.

Carson, incidentally, has the highest-ranking job in the county among Negroes.

Complaint on Fire Setup

The Rochester Police Bureau has a total complement of 510 men and women, including 20 to 25 Negroes, mostly patrolmen. Among the men there are a Negro detective sergeant, three or four detectives or plainclothesmen, and, among women, a Negro lieutenant who heads the division, and an investigator.

The Rochester Fire Bureau has 600 employes, but no Negroes. Negroes have complained about this for a long time.

Two Negroes are among the 85 uniformed deputies in the Monroe County Sheriff's Department. Another is in training to become a deputy.

There are no Negro city or county judges. The city has one Negro court attendant. The highest-ranking court job held here by a Negro is that of chief clerk of State Supreme Court, John Coles. A few work in the probation departments.

Stanley J. Thomas, director of sanitation, holds the top city job among Negroes. There are about 4,000 city employes. Raymond Gupp, city personnel director, declines to say how many are Negroes.

• • •

IN THE COUNTY, which employs about 4,000 persons, too, there are a number of Negroes hired on a seasonal basis. Some are clerks. Others work at the airport. No total is available.

Most of the 100-plus Negroes working for the Rochester public school system are teachers.

Three of the 44 elementary school principals are Negro, but none of the nine high school principals is Negro. There are also some Negro guidance counselors.

NEXT—The hostility between Negro and police, and the lawlessness of youth.

Times Union Aug 29, 1964

218

A Scar . . . or a Spur?

Social Science

How the Negro Looks at Police

V.F. Race Problems Rochester Edits
8-25-64
By DESMOND STONE
(Sixth of a series)

A small man with a pencil and pad was one of the few whites at a recent North Street meeting of the Big Brothers. He had gone along as a private citizen to learn a few things first hand.

Police brutality began to be discussed with a lot of heat and emotion. The little man got on his feet and said:

"It's my impression that no police officer uses force unless the person resists arrest."

He was virtually howled and hooted down. Such is the depth of feeling on this issue.

The Negro community in Rochester is united on only one thing—its conviction that the police force metes out brutal treatment.

• • •
THERE SEEMS scarcely a single Negro in the entire community — high or low, responsible or irresponsible, city dweller or suburban dweller—who

is not bitter about the police.

Robert F. Morrison, National Association for the Advancement of Colored People branch president, says resentment of the police was the major factor in the riots.

Dr. William J. Knox, along with Drs. Walter
(Please turn to Page 9A)

A Scar . . . or a Spur?

How the Negro Looks at Police

(Continued from Page 1A)

Cooper, Kenneth W. Woodward and William E. Lee, says that harassment on street corners goes on all the time.

O. H. Laster, Negro project director for the City-County Youth Board, cites his own personal experiences of harassment.

Rev. Andrew J. Young of the Southern Christian Leadership Conference suggested when he was here that the problem might not be one of real brutality so much as one of harassment, a cussing out of groups on a corner, a picking upon the Negro.

He explained at the same time how easily young people can be maddened even by the sight of a policeman casually swinging his stick.

"All the past wells up, and they remember the bombings in Birmingham. The policeman's stick is like the black boot of the Gestapo in the presence of Jews."

But the observers point out there seems to have been little recognition in the Negro community of the heavy burden that rests on the police force, of the hazards to which its members were exposed during the riots, of the horrible fate awaiting any city which cannot keep order on the streets.

• • •
IT'S NOT ONLY racial peace which concerns the police force today.

There is a general problem of lawlessness, especially among a minority of youth, white and Negro.

This climate of violence and destruction, from which the riots cannot be separated, extends from the desecration of cemeteries in Pittsford to malicious egg throwing at townspeople in Irondequoit.

It's the kind of behavior that leads to rampages among teen-agers on beaches in Florida and on the British seashore.

• • •
THE CITY - COUNTY Youth Board warned of

The Times-Union
Tues., Aug. 25, 1964

9A

the growing congregation of youths in public places as recently as June:

"They are found on street corners, in playgrounds or near schools and in shopping plazas, as well as in commercial establishments such as soda fountains, pool rooms or dance halls.

"The behavior patterns of some of these youngsters some of the time show definite danger signals—from fighting, drinking, rowdiness to sex play, vandalism, stealing or hot rodding."

• • •
IN SUCH CASES, family authority has been surrendered to the already burdened police and courts.

James Pratt, director of the YMCA's Operation Outreach, asks a good question when he says: "Whatever has happened to the plain boy with the runny nose and the frog in his pocket?"

Delinquent youth behavior moves in and out of the racial question and makes the job of law and order so much harder.

Rochester has a big job of education and enforcement to do.

This is an immediate concern. But what lies beyond that?

NEXT: The road ahead, or the scar and the spur.

County Water Safety Classes Ton '63 Total

Nearly 30,000 persons took free swimming lessons in the county's 27th annual Water Safety Program this summer.

The total for the final week 1,701, bringing the summer's total to 29,063, compared with 23,373 for 1963.

Last week's summary: Ontario Beach, 245; Seneca Park, 1,207; Durand-Eastman, 109; Mendon Ponds Park, 55 and Webster Park, 85.

Civil Rights

We commend the Monroe County Bar Association for its offer of free help to persons whose civil rights are being violated but who lack money to hire a lawyer. This program fits the pattern of community need for specific ideas designed to cool the city's racial temperature.

The association's plan is an outgrowth of the July 24-26 rioting in Rochester.

The organization is specific to the point of having 37 members ready to give the assistance. Nor is it vague about what a citizen must do if he feels deprived of a civil right; he may telephone the bar association (LO 2-8910). This service is not to be confused with assistance already being given under the association's program of aid to indigents accused of felonies and the Legal Aid Society's work.

As well motivated as this offer is, to be of value it must be used. It should not be passed up merely because a citizen fears his grievance would not qualify him for counsel. He should make the request to be sure; if his case falls within the category of another agency, such as the Police Advisory Board, the County Human Relations Commission, the Legal Aid Society or some other group, he will be told so; and this in itself will be a useful step in understanding and doing something about his problem.

D. & C. AUG 21 1964

TIMES UNION AUG 22 1964 City, County Aides View Films of Riots

Some 20 minutes of movies taken during the riots in Rochester last month were shown yesterday afternoon in the County Office Building.

The film, purchased by the county from television station WROC, includes shots of the two nights of rioting, of the aftermath of the helicopter crash that claimed three lives and of Gov. Rockefeller's visit following the riots.

A county spokesman said the film is a compilation of the best pictures taken by the stations' cameramen. He said the county has ordered a similar film of pictures by station WHEC.

The films, he said, were bought for their historical

value and will be filed in the archives of the county historian. The only other use planned for them, he said, is to show them to supervisors before the board meeting Sept. 1. The cost was not disclosed.

City, County Sued In Store Damage

TIMES UNION AUG 22 1964

A \$20,000 claim for damages that occurred during last month's riots has been filed by Al's Market, Inc., 301 Scio St., and its proprietor, Al Lipschutz, against the city and the county.

The corporation is claiming personal property damage of \$15,000. Lipschutz is suing for \$5,000 in real property damage.

The rioting was confined to the 3rd and 7th wards. Lipschutz's grocery is in the 16th Ward.

Lipschutz' lawyer, Donald A. Salamone, said his client told him he had reported to the police an anonymous, telephoned threat that his grocery would be broken into about 10 p.m. Saturday, July 25. The store was broken into about that time, Salamone said.

RIOT DAMAGE claims for lesser amounts previously had been filed by Jack Cohen of Cohen's Kosher Restaurant, 315 Joseph Ave., and Jack DeMayo, operator of a clothing store at 352 Plymouth Ave. S.

In addition, the operators of the Merchants Grill, 425 Merchants Road, have indicated they are filing a claim for loss of income between July 25 and July 29.

Salamone said Lipschutz is suing under Section 71 of the General Municipal Law, which appears to raise the possibility that the city or county might be held liable for damages or losses suffered as a result of riots.

The city contends, however, that a section of the Civil Defense Act makes clear that Section 71 doesn't apply to property destroyed or damaged by riots or mobs.

Meanwhile, Corporation Counsel Arthur B. Curran Jr. said a substantial quantity of

property, stolen during the riots and recovered by police, is unclaimed at the property clerk's office in the Public Safety Building.

A 'Well Done' To City Police

By L. S. Rodger

Those of us, who do not even live in the city, were profoundly affected by the recent riots.

People with whom I have discussed the matter have agreed that the conduct of the police and other law enforcement agencies was beyond reproach.

The least we can do, it would seem, is to support energetically, the officers who must on occasion, risk their lives in the performance of their duty.

From us, to the whole police force, a strong well done.
1343 West Road,
Hilton

TIMES UNION AUG 21 1964

220

8C

ROCHESTER DEMOCRAT AND CHRONICLE Democrat and Chronicle

Total Now Exceeds \$70,000

Aug. 23, 1964

Five More Claims Filed for Losses in Riots

Claims from five more persons or groups have been filed against the city as a result of the July 24-26 rioting and looting.

Al Lipschutz, former constable and supervisor of the 7th Ward, filed two claims totaling \$20,000 against the city and county.

One claim, for \$5,000, is for damage to his property at 301-303 Scio St. The second, for \$15,000, was filed as president of Al's Market, Inc., same address, for damage to store fixtures and contents. Donald A. Salamone is his lawyer.

The 7th Ward was the site of the first outbreak of violence in the riots. Lipschutz was constable of the ward in 1956-57 and he was elected to two terms as supervisor, serving 1958-61. His Democratic party leader denied him nomination for a third term, saying Lipschutz moved out of the ward when he opened his Scio Street store.

Mrs. Pearl DeFranco filed a \$10,000 claim for damage and looting of her grocery store and apartment at 593 Scio St., including damage to her building. Her lawyer is Philip B. Dattilo.

Jeannette Gaudu, John Gaudu and Sanford Schatz filed a \$10,000 claim for damage to 448 Jefferson Ave., which the city directory lists as the address of a firm called World Electronics. Their lawyer also is Dattilo.

Charles Zutes, G. Jack Zutes, Dean C. Zutes and George C. Zutes, doing business as Zutes Vending Service, 757 Clinton Ave. S., filed a claim for \$878.30 because two of the firm's cigarette vending machines were looted. The machines were in Al Lipschutz' market on Scio Street. They are represented by the law firm of Liebschutz, Sutton, DeLeuw, Clark & Lewis.

Stanley Nawrocki of Palmyra, filed a claim of \$204.80 for injuries and damages caused by rioters throwing bricks at his

car as he drove in Kelly Street at 12:45 a.m. July 25, the first night of the violence. He is represented by Leon N. Armer.

Previously, a claim for \$12,000 was filed by Jack Cohen, who owns Cohen's Kosher Restaurant at 315 Joseph Ave., and a claim for \$17,103 was filed by Jack DeMayo, who runs University Clothing Centre at 352 Plymouth Ave. S. DeMayo, who also filed a \$20,000 claim against the county yesterday, expects to increase his claim against the city as a more exact figure of his loss becomes available.

They are filing under an 1855 state law which holds the "city or county" liable for damages resulting from riots. Many legal experts believe, however, that only the city is liable under the law, so long as a city exists, and that the county becomes liable only when there is no city or the riot takes place outside the city.

The city contends it is not liable be-

cause a 1951 act of the Legislature, adopted because of possible troubles from the Korean War and never taken off the books, makes the 1855 law inoperative.

The total, including two previous claims, now exceeds \$70,000. A police report has stated 204 stores were pillaged, and estimates of the damage by some experts are between \$2 million and \$3 million. It is not unusual for someone filing a claim to ask more than he expects to receive.

The city, which contends it is not liable for the damage, is referring the claims to its insurance carrier, Travelers Insurance Companies. Travelers intends to defend the city and, if the city is held liable by the courts, to pay a maximum total of \$50,000. The city then intends to go to court with an argument that the policy requires Travelers to pay up to \$50,000 on each claim, not just the total.

'Lou Harris Survey Oversimplifies'

THOUSANDS of words have been written about the recent riots in New York and Rochester.

Editorials and letters have contained constructive comments on the causes of the riots and intelligent suggestions for the future behavior of the community. I feel, however, that the Lou Harris poll in the Aug. 17 D&C is neither constructive nor intelligent.

If a survey result is to be taken seriously, evidence must be present that the survey itself is a serious endeavor. Planned and used properly, a survey can be (and often is) a useful tool in evaluating cause and effect.

However, the questions this survey asks are unscientific, containing, as they do, some questionable assumptions in their wording. For instance, one question asks, "Do you think Negroes helped their cause or hurt it by these demonstrations, etc.?" Three

assumptions are implied in this question: a. that all Negroes are responsible for the acts of some; b. that the cause of equal rights is "their cause" and not one for everyone; c. that "these demonstrations were designed with the cause in mind. The old "when did you stop beating your wife?" gag deserves no place in a discussion of equal rights.

Furthermore, the conclusions drawn by the survey tenders are also open to question. Just as the 1 per cent or 2 per cent of Negroes who rioted do not represent all Negroes, neither could an opinion sample based on this "triple-threat" question represent "fully 87 per cent of American people."

* * *

ALL WOULD PROBABLY agree that riots are lamentable and undesirable. I wonder, however, whether enough time has passed for even the most highly trained theorist to evaluate what effects might have been caused by the riots.

Certainly, the riots have intensified the quantity and perhaps the quality of the colloquies, both here and elsewhere, concerned with equal rights.

The biggest danger of a survey or poll like this one is that in its questions and its conclusions it attempts to reduce complex problems to simple wordings. This may make the problems sound simple but it doesn't, in fact, make them simple.

Several of your editorials have pleaded for an end to sweeping generalities about the riots.

I would add my plea for an end to unconstructive oversimplification like this survey.

SALLY L. JOHNSTON
232 Colonial Drive
Webster

8B

The Times-Union
Mon., Aug. 24, 1964

County Will Pay Area

Policemen for Riot Duty

Monroe County will pick up the overtime pay tab for town and village policemen who worked in Rochester during the weekend riot in July.

County Manager Gordon Howe said the county will pay for overtime for "county employes or any special deputies or town or village police that the sheriff certifies to us. He has to certify them, regardless of their affiliation."

Police from Brighton, Greece, Irondequoit, East Rochester, Webster, Fair-

port, Gates, Ogden and Brockport were among those working in Rochester during the riots, according to Sheriff Albert Skinner.

Village and town police chiefs are in the process of drawing up lists of overtime hours to submit to Skinner. Skinner said he does not yet know the total cost.

...

POLICEMEN who saw action in Rochester, but who worked only their regular hours, will be paid by the

towns. The county pays only the overtime, and that will be at a "straight" rate, rather than on a time-and-a-half basis.

Brighton Police Chief Carlton Fitch said that he had requested pay for 592 overtime hours for 22 men.

Brighton's overall request from the county is for \$2,145.95. Fitch explained that several men left their vacations to work in Rochester, thus all their time was overtime.

The Brighton list also in-

cludes pay for men who worked overtime in the town, filling in for police called into Rochester. It is not clear yet whether these men will be reimbursed by the county.

Howe, referring to the "fill-in" overtime, remarked: "I would think . . . we would pay only for the service rendered in the city. Otherwise it might lead to all sorts of complications."

Irondequoit Police Chief Harold McFarlin has pre-

pared a list of overtime hours worked by members of his force and plans to forward it to Skinner.

McFarlin declined to reveal the exact number of hours included in his report. Thirty-three officers—all but one who was on vacation—were called in on overtime during the riot period. They worked from four to 30 hours.

...

BEFORE the announcement that the county would pick up the overtime tab, Su-

pervisors Leonard A. Boniface of Brighton, Harold L. Knauf of Irondequoit and Vincent L. Tofany of Greece met to determine whether police would be compensated for the Rochester work either with days off or with pay.

No decision was reached, although all three agreed the towns should handle the compensation in the same manner.

East Rochester Police Chief Hamilton Connors said he has submitted a payment request of \$145 for six men.

D. & C. AUG 23 1964

V.F. Race Problems Rochester Riots

Social Science

CD Chief Abbott Dies Of Burns Suffered In Riot Copter Crash

Robert N. (Bob) Abbott, who survived many a battle during a lengthy military career, lost a month-long fight for life yesterday afternoon (Aug. 25, 1964).

Critically burned in a helicopter crash during the Rochester rioting, Monroe County's Civil Defense director died in Strong Memorial Hospital 29 days after his admittance.

Although approximately 40 per cent of his burns were third degree and he was nearly given up for dead at the copter crash scene, Mr. Abbott remained conscious and fought back with the same tenacity that characterized his Army service.

He had been reported improving, but time ran out before the crucial phase could be overcome.

His death is the fifth attributable to the riots. Besides the four crash victims, a white man died after he was hit on the head and struck by a car. Police haven't been able to explain his role in the rioting.

Mr. Abbott, who was 49, lived at 500 Hinchey Road, Gates. Survivors include his wife Winona and a daughter, Roberta.

Mr. Abbott survived 33 bleak months as prisoner of the Chinese Communists

during the Korean Conflict. And he earned the Purple Heart with three clusters.

In May 1954, he returned from active duty as a lieutenant-colonel to accept the CD post here.

Three Killed

It was Mr. Abbott's decision to make the ill-fated helicopter surveillance flight the afternoon of July 26 over the city's debris-littered 3rd Ward.

The aircraft, flying low, suddenly developed

engine trouble and plunged into a rooming house at Clarissa and Tremont Streets, setting it afire.



ROBERT N. ABBOTT

Two Negro men inside identified as John Riley and Willie Jones died. So did the copter pilot, James B. Dochert Cannito, escaped with injuries. He had been operating the plane's radio.

Mr. Abbott, thrown into the street by the fiery impact, was able to gasp through blackened lips: "Tell my wife to come to the hospital."

Police Chief William M. Lombard, Mayor Frank Lambert and other authorities said they had tried to dissuade him from making the inspection flight.

"Bob simply felt that, as the county's Civil Defense director, he should do it," one said.

Mr. Abbott suffered burns over more than half his body, mostly down his back.

Lamb said in a statement last night:

"Col. Robert N. Abbott's passing is indeed a great loss to Rochester. He will long be remembered for his outstanding devotion to duty as he viewed it.

"During the recent local crisis he worked shoulder to shoulder with other local authorities. Rochester will always be in his debt."

Rochester-born, Mr. Abbott had been a military man, in fact or in spirit, since his first enlistment in 1936 as a "demonstration 6th class" in the Army Corps of Engineers.

West Point Was Goal

He enlisted then in hopes of realizing a boyhood ambition to attend West Point after hearing it was possible to be appointed to the U.S. Military Academy "from the ranks" as a short-term enlistee.

The appointment never came through and Abbott left the army after a year.

His enthusiasm for the military continued, however, and, in 1940, he was one of the first to volunteer under the Selective Service Act. In November, 1940, more than a year before the Japanese attack on Pearl Harbor, Mr. Abbott was on his way to Ft. Dix, N.J., assigned to the 44th Infantry Division.

He went up through the ranks to first sergeant within a year, was accepted for Officer Candidate School at Ft. Benning, Ga., and commissioned second lieutenant in June 1942.

During service in two wars, Mr. Abbott was awarded the Silver Star with cluster, Bronze Star with three clusters, the French Croix de Guerre and Korean and Belgian decorations.

During his entire military service, his efficiency index always was marked "superior."

Decorated in Africa

Mr. Abbott's military background was evident in the way he sized up his CD job—he actual possibility of an enemy nuclear attack and the methodical steps that could be taken to minimize effects of such an attack.

In November 1942, as an

officer, Mr. Abbott had gone ashore with invasion forces

in North Africa. One of his tasks was to try to control the movement of tanks of Hitler's elite Afrika Korps by laying minefields at night in the "no man's land" between the battle lines. He was cited for mining area and supplying troops under extremely hazardous conditions.

Mr. Abbott suffered a hand wound during a machine-gun strafing in the African campaign, and on Easter Sunday 1943, was hit in the back by a shell fragment in an assault near Tunis.

After a two-month hospital stay, he landed on the beach in Sicily as a company commander and was wounded by a hand grenade.

It was as a staff officer in Gen. Omar Bradley's 12th Army Group headquarters in London that Mr. Abbott first distinguished himself in something akin to civil defense.

Saved D-Day Plans

One of his responsibilities was the "passive defense" of the 7,000-man headquarters, which at the time was working on top secret D-Day invasion plans.

One night German bombers hit the headquarters with incendiaries and high explosive bombs. Mr. Abbott was charged with directing firefighting and, at the same time, maintaining tight security.

"It was a real problem," he once recalled, "inasmuch as we had all the plans for the invasion in the headquarters."

No documents were lost and Mr. Abbott won the Bronze Star.

In the Korean conflict, he was military adviser to a South Korean division which fought its way to the Yalu River. On Thanksgiving Day, 1950, Chinese troops poured across the river. Mr. Abbott's unit was almost wiped out and he himself wounded by a hand grenade.

Eleven of the 13 American officers captured with the unit died while prisoners of the Communists. While a POW, Mr. Abbott was promoted to lieutenant colonel. He was released in September 1953, on the last day of Operation Big Switch (an exchange of prisoners).

Taught ROTC

Mr. Abbott at various times was unit instructor for organized Reserve units in this country and, for several months in 1947, taught ROTC classes at Syracuse University.

His other postwar work included directing the Monroe County Veterans Information Bureau and counseling veterans for the New York State Division of Veterans Affairs.

Before his wartime duty, Mr. Abbott was employed in chemical work at Kodak Park, did part-time YMCA work and, as a youngster, held a Times-Union newspaper route.

He was a past president of the State Civil Defense Directors Association and vice president of the U.S. Civil Defense Council.

Newcomers Only Small Part of Rioters

Contrary to impression, Rochester's recent riot-lootings can't be laid primarily to a small percentage of newcomers to the city.

This conclusion was arrived at by Police Bureau officials yesterday from a breakdown sampling of 374 persons arrested July 25-26 when the heaviest violence occurred.

About 8 per cent lived here under six months, 10 per cent from six months to a year, with the majority far from being newcomers.

The sampling showed that 35 per cent were residents more than 10 years, some as long as 20 years.

In the five-to-10-year category were 22 per cent. Eighteen per cent were Rochesterians from two to five years, 6 per cent from one to two years.

The bulk of prisoners came from portions of the riot-swept 7th and 3rd Wards.

Many Negro leaders placed a major share of the blame on young "hotheads" not long up from the South.

Of 976 persons arrested over a five-day period, 792 were Negroes, 153 whites, and the remainder — 31 — Puerto Ricans or Indians. Most arrests were for disorderly conduct (curfew violations) or unlawful assembly.

A breakdown of the ages of those arrested showed 188 were between 25 and 29; teen-agers totaled 166. An even hundred were 20 to 21. At least one prisoner was over 70.

A Monroe County Grand Jury still is considering factors involved in the outbursts and indictments against those charged with felony riot.

Riot Claim Liability Up to Court

Claims against the city for riot damage could cost the city—or the Travelers Insurance Cos.—millions of dollars, depending on a court ruling.

Despite an 1855 law which makes the "city or county" liable for damages in riots, the city maintains it is not liable because a Korean War-period statute never removed from the books makes the 1855 law inoperative.

In any event, the city's insurer, Travelers, will defend the city against seven claims filed so far, amounting to \$70,000.

Travelers plans to pay up to \$50,000 property damage but no more, under its view of the terms of a comprehensive liability policy the city took out this spring.

If judgments exceed that, the city will go to court to force Travelers to pay up to \$50,000 on each claim.

City attorneys claim the policy calls for payment for each "occurrence," and they feel that each store looted or damaged in the July 24-26 riots constitutes a separate occurrence.

If the city is ruled liable for riot damages, either the city or Travelers may have to pay claims far in excess of those filed so far. Some 200 stores were damaged.

Another uncertainty is whether recovery can be claimed by businesses for losses in revenue because of the curfew imposed during the rioting.

Report Shows Alleged Rioters City Residents

Records of the first 374 persons arrested in connection with the rioting last month showed that about 18 per cent were residents of the city for a year or less.

Police said their report tended to disprove reports that out-of-town agitators and newcomers to the city were behind the riots.

In all, nearly 1,000 persons were arrested on charges related to the rioting.

Figures on the rest of the sample group showed these percentages in terms of years of city residence:

One to two years, 6 per cent; two to five years, 18 per cent; five to ten years, 22 per cent; ten or more years, 35 per cent.

The report didn't show if any of the 374 was not a city resident at all.

As Others See It

TIMES UNION AUG 27 1964

'A Time for Negro Statesmanship'

By LOUIS LOMAX

The Civil Rights Act of 1964 is a towering monument to democratic progress.

Passage of the bill, however, is but the beginning. Much of the white South — and the North for that matter — is unhappy about the turn of events.

Enforcement of the measure could well usher in the bloodiest racial moments since the Civil War.

I am more convinced by the promise of the measure than I am frightened by the dangers that are concomitants of its enforcement.

But I am also convinced that the promise will win out over the threat only if Negro leadership evidences more statesmanship than it has.

THE CIVIL RIGHTS Act is a child of the streets. It was introduced as a direct result of the dogs and fire hoses of Birmingham.

Now we have a new day; the rights we have been jailed for seeking are ours.

The question, therefore, must be asked—is it time for a shift in tactics?

There can be no doubt, no argument, that the Negro has every right to walk into any affected motel or restaurant and demand to be accommodated.

If he is refused, every law enforcement agency at the nation's disposal must come to his aid.

But this is not the issue. If a Negro walks into a hotel in deepest Mississippi and insists on his rights, there is a good likelihood that he will be seriously hurt, perhaps killed.

This is why I say that the time for Negro statesmanship has arrived.

Freedom does not come by law alone; it takes a solid degree of general acceptance. Sometimes a people can certify forever their hard-won freedoms by temporarily refusing to invoke them for the sake of a more general and permanent public good.

Now, I am convinced, is such an hour for the American Negro. But the Negro cannot be asked to suffer alone; rather the entire nation must be with the Negro as he elects to suffer yet a while longer.

THE PRESIDENT, a child of the South and a man of compromise, should ask both sides, integrationists and segregationists, for time.

Negro leaders should withhold demonstrations. Southern political, civil, business

These are excerpts from an article in News Front magazine by a noted Negro newspaperman and author who has long been a militant advocate of more rights for Negroes.

and church leaders should be summoned to the White House and asked to prepare their various communities for the changes the lay will make in their life.

We can set off demonstrations and law-testing activities that will wreak havoc. And our cause would be just; but would our judgment be sound?

NEGRO LEADERS have been less than honest in saying that the recent attacks upon white people in New York are not racial in character.

These leaders would have the world believe that the gang assaults are nothing more than run-of-the-mill violence carried out by gangs that just happen to be all-Negro against people who just happen to be white.

The blunt truth is that Negroes do not, on the whole, love white people. We would be something less than human if we did.

For a century the Negro was so close to the edge of destruction that he had little time to engage in overt, blatant hate and distrust of white people.

We laughed, and shuffled, and lied; we scratched, and prayed, and swallowed hard.

Meanwhile our strong men were fashioning organizations, seeking legal redress, and, finally, organizing demonstrations.



Aftermath of Rochester rioting: "This mounting and spreading Negro violence imperils us all."

Only now are we beginning to say what has been in our hearts a long, long time.

Let the truth be told: Racism has combined with unemployment and lack of foresight on the part of the American educational system and produced a monster.

The black masses of this nation have been all but incurably crippled by discrimination; they simply cannot get work. And when doors are open to them they find out that they have been improperly trained—if they are trained at all—for the opportunities emerging.

Their problems are complex, but the continuing presence of discrimination gives them a simple, identifiable enemy — the white man.

OUR LEADERS are slow to come to grips with this aspect of the race issue.

They argue, that they are busy bringing an end to discrimination and that once discrimination is ended such things as the recent killings in New York will go away.

Maybe. But, even so, the current generation of Negroes are already infected. What of them?

This mounting and spreading Negro violence imperils us all. For it is not only aimed at the white man but at the Negro elite as well.

Most black Americans are hurt; they have been kicked and beaten by racism and poverty.

They are dangerous, understandably so. And any Negro leader who says they are not, who argues that there are not definite racial overtones to their behavior is not telling the truth.

Negro leadership itself will have to play a part in ending the Negro's preoccupation with race.

Now is the time, at this 11th hour in Negro history, for us to act like men of responsibility who must make sure that this republic is not torn asunder by racism, black or white.

It is a time for Negro statesmanship.

53 Persons Indicted by Jury For Part in July Rioting

By BEN TEPLITZ **D. & C. AUG 28 1964**

Rochester's July weekend of riot and pillage resulted in indictments against 53 persons yesterday.

After a four-week look into the origins of racial tumult and its destruction in Joseph Avenue, grand jurors still must consider about 120 other riot cases in places such as Bronson, Plymouth and Jefferson avenues and Clarissa Street.

The partial presentment yesterday before County Judge George D. Ogden included 38 sealed and 15 open indictments. Thirty-three persons were exonerated.

Of the total indictments, all but eight were against Negroes. In no-bills, all but three involved Negroes.

The preponderance of cases, 46, were for unlawful assembly and all but two are also accused of riot.

A breakdown of other indictments shows four for illegally carrying loaded guns; nine for unlawful entry; three for disorderly conduct; three for receiving stolen goods; four for petit larceny; three for assault; one for burglary; five for resisting arrest, and one for refusing to leave the scene of riot.

The district attorney's office was confronted with prosecuting 976 arrests made during the civil strife July 24 to 26. Conferences between police and the district attorney pared the actual prosecutions to 212, with the balance of arrests sent to City Court or dropped.

Indictments secured yesterday primarily were made by John C. Little, district attorney, and two assistants, Robert J. Hirsch and Lawrence D. Chesler. John A. Mastrella is in charge of presenting a

second group of cases.

Little said yesterday that for sheer bulk and complexity, the riot cases have no parallel here in the past 25 years of grand jury work.

His "biggest problem was liaison . . . with police. The emergency of riot conditions made the usual police procedures extremely difficult, particularly in identifying who made what arrest and for what charge," Little said.

The district attorney blamed a lack of identification for the "largest part" of the 33 cases not billed by grand jurors. He also said a lack of knowing who made arrests

caused "innumerable" other cases to be dropped.

Police partly refuted Little's statement. They said "a good many cases" were lost due to weak or suppressed evidence, although they conceded some cases had to be dropped because it wasn't known where, why and by whom the arrests were made.

A sure-catch system to help pinpoint arrests, even in the midst of riot, has been proposed by Little, who said he will discuss it Monday with a police inspector.

Little's plan is borrowed from a teen-ager's device for marking paid attendance at dances.

"Indelible ink stamped on the wrists of guests for years has been used to keep gate crashers out of youngsters' parties. A similar procedure, only using the stamp of a policeman's badge or his patrol car number, on the arm of a suspect can insure swift identification for

Jury Indicts 53 For Part in & C. AUG 28 1964 July Rioting

Continued from Page 1B

prosecution even in the scramble of riot."

Open indictments yesterday for riot, unlawful assembly, and unlawful entry were made against Eddie J. Harris, 25, of 51 Buchan Park; Ernest James, 18, of 157 Broadway; Rinta Miller, 27, of 139 Central Park; L. B. Matthews, 39, of 34 Ward St.; Andrew Green, 22, of 230 Hudson Ave.

Indicted for riot and unlawful assembly were Willie D. Sailor, 37, of 34 Concord St.; James E. Byrd, 33, of 21 Tremont St.; Andrew J. Washington, 49, of 47 Buchan Park; Jaroy Hagans, 21, of 270 Hudson Ave.; Robert Benjamin, 19, of 14 Gordon Park; Freeman Griggs, 30, of 438 Main St. W.

Alvin T. Tucker, 20, of 20 Gladstone St., was indicted for riot, unlawful assembly and second degree assault. Joseph T. Floyd, 35, of 12 Greig St. was indicted for unlawful assembly, criminally receiving stolen goods, as a felony and two counts as misdemeanors, two counts of petit larceny and for second degree grand larceny. Eugene Jenkins, 31, also known as John Jenkins, of 32 Oregon St., indicted for riot, unlawful assembly and resisting arrest.

Those 14 persons were in one indictment that listed 46 persons, the balance of whom will be identified when arraigned in court.

A second indictment listing seven persons yesterday identified only **Booster Wright**, 27, of 69 Barton St., charged with first degree grand larceny.

226

New Claims Filed

D. & C. AUG 28 1964

For Riot Damage

In 24 hours, six new notices of claims have been filed against the city and county, or the city alone, arising from the July race riots.

The claims, preliminary to the filing of damage suits, total \$73,895.41. They bring to some \$140,000 the total of claims so far entered.

Rothman Furniture Co. asked \$17,346.94 for loss of business, inventory and real estate for Abby Rents and Superior Unpainted Furniture, 285 Joseph Ave.

Other Claims

Albert L. and Daniel M. Rothman and Nathaniel C. Fisher sought \$3,494 for damage to real estate at 285 Joseph Ave.

George's Stores, Inc., 338 Joseph Ave., filed a \$28,020.73 claim. Louis Lipsitz asked for \$24,653.73 for damages to the Maple Liquor Store, 466 Clarissa St.; Edward R. Manelis, 126 Florack St., asked \$80.01 for damage done to his car, which was parked on Joseph Avenue, and Norman Wolfe, 87 Latta Road, asked \$300 for damage done to his car, parked in Edward Street.

All except Wolfe's claim were filed against the city and county. Wolfe's was against the city.

The city Law Department has disclaimed any city liability on the grounds that a 1962 emergency provision of state law released the city from responsibility. The 1962 statute was an extension of laws enacted in 1940 and 1950 during wartime emergencies.

Harlem Case Cited

City attorneys say a 1945-46 decision of the State Court of Appeals involving a Harlem riot is directly applicable in Rochester's case. The decision was that, owing to the state legislature's enactment of the War Emergency Act, the City of New York was relieved of liability.

The notices of claim are preliminary to commencing action. They must be filed within 90 days of the alleged damage. If the municipality doesn't settle the case, the claimant has one year from the date of claim to sue. He could sue the city or county or both.

The county legal adviser's office has not released the county's official position on any liability for riot damages. A spokesman in the office said yesterday the matter is under study.

33 Persons

UNION AUG 28 1964

Cleared of Riot Charges

Thirty-three persons were cleared of charges stemming from the July 24-26 riot in the Joseph Avenue areas through no-bills returned late yesterday by the June County Grand Jury.

Lack of identification was the reason for most of the no-bills, according to Dist. Atty. John C. Little Jr.

Some other cases were dropped because it wasn't known which officers made the arrests.

Those exonerated of riot charges are:

Mac Simmons, 18, of 583 Jefferson Ave.; James Cuyler, 20, of 15 Herman St.; Eddie Brown, 36, of 24 Buchan Park; Perley L. Cade Jr., 27, of 35 Catharine St.; Bobby Jones, 40, of 32 Lyndhurst St.; Namon L. Siplin, 25, of 25 Weld St.; Sam L. Parker, 30, of 12 Greig St.; Johnny Moat, 36, of 87 Adams St.; William T. Lowry, 35, of 47 Henry St.; Rebecca Griffin, 30, of 95 Hanover St.; William Bradley, 24, of 8 Henry St.; Israel Cuyler, 18, of 15 Hermon St.

Willis J. Warren, 18, of 29 Leopold St.; Horace Murray, 28, of 8 St. Clair St.; Artie Cox, 30, of 273 Jefferson Ave.; John Moore, 35, of 32 Edward St.; Dino Rodriguez, 17, of 342 Portland Ave.; Jesse Wallard, 39, of 45 Buchan Park; Walter E. Spotford, 28, of 11 Concord St.; Clyde Sanders, 31, of 553 Clinton Ave. N.; Christino Rodriguez, 40, of 132 Hand St.; Willie L. Sutton, 32, of 29 Edward St., and Willie B. White, 28, of 410 Champlain St.

Other charges that were killed by the grand jury and the exonerated defendants are:

Riot and possession of stolen property—Wilbur B. Richardson, 23, of 372 Plymouth Ave. S., and Sylvester Sampson, 42, of 624 Plymouth Ave. S.

Riot and petit larceny—Alstreta Watson, 28, of 5 Bessie Place.

Riot and disorderly conduct—Carl L. Torbit, 32, of 286 Joseph Ave.

Inciting riot—William C. Webb, 26, of 139 Front St.

Illegal possession of a loaded revolver—David Barnes, 29, of 306 Jefferson Ave.; James Williams, 30, of 294 Columbia Ave.; Leon Washington, 25, of 149 Bartlett St.; Willie Spurlock, 23, of 599 Main St. W. and Michael T. Stevens, 23, of 1653 Hudson Ave.

20 in Court On Rioting Indictments

ES UNION, AUG 28 1964

By EARL B. HOCH

Twenty of 53 persons indicted late yesterday on charges arising from the July 24-26 riot in the Joseph Avenue area were brought in County Court today.

Eleven pleaded innocent and arraignment of the other nine was postponed.

Fifteen of the 20 had been in custody. The other five, named in sealed indictments, had been on bail. More of the 53 are to be arraigned later.

The indictments and 33 no-bills which cleared others of charges were returned by the June County Grand Jury in a partial presentment to Judge George D. Ogden.

WORK of the jury, which was recalled by Dist. Atty. John C. Little Jr. July 27 for the riot investigation, is continuing.

Asst. Dist. Atty. Robert J. Hirsch, assisted by Asst. Dist. Atty. Lawrence D. Chesler, handled the Joseph Avenue area cases under Little's supervision. First Asst. Dist. Atty. John A. Mastrella is in charge of the next group of cases.

"Of 976 arrests made in connection with the rioting, 215 were scheduled for consideration by the grand jury," Little said.

In the balance of the cases, arrested persons were cleared on investigation by Asst. Dist. Attys. Robert V. Veltre, Richard L. Reitkopp and Leroy T. Ramsey after review with deputy police chief Clarence D. DePrez, Sgt. John Neary and Bernard F. Haggerty, executive assistant to the district attorney.

"This has been a monumental chore for the grand jury as well as the district attorney's office," Little said. "Vacations of assistants were canceled so that the work could be done."

FORTY-SIX persons are named in a single indictment which charges all but two with riot, a felony. All 46 are

charged on a misdemeanor count of unlawful assembly.

In addition to riot and unlawful assembly, other charges were made against 22 of those named in the indictment.

One, in addition to unlawful assembly, was charged with two other misdemeanors—disorderly conduct and remaining in the place of a riot.

In addition to the mass indictment, the jury returned six other indictments in connection with looting. One named **Booster Wright**, 27, of 69 Barton St., who is in custody, and another man on charges of first-degree grand larceny and criminally receiving a stolen television set.

The five other indictments named one individual each. Charges included criminally receiving, larceny, and unlawful entry.

In addition to unlawful assembly and riot charges set forth in the indictment which names 46, these charges were made against 22: unlawful entry, 8; illegal possession of a dangerous weapon (misdemeanor) 2; resisting arrest, 3; resisting arrest and second-degree assault, 1; second-degree assault, 2, petit larceny, 1; unlawful entry and petit larceny, 1; criminally receiving as a felony and petit larceny, 1; resisting arrest and disorderly conduct, 1; disorderly conduct, 1, and third-degree burglary, 1.

HERE ARE the charges against 14 persons who were openly named in the 46-defendant indictment:

Unlawful assembly and riot—**Willie D. Sailor**, 37, of 34 Concord St.; **James E. Byrd**, 33, of 21 Tremont St.; **Andrew J. Washington**, 49, of 47 Buchan Park; **Jaroy Hagans**, 21, of 270 Hudson Ave.; **Robert Benjamin**, 19, of 14 Gordon Park, and **Freeman Griggs**, 30, of 438 Main St. W.

Unlawful assembly, riot and unlawful entry—**Eddie J. Harris**, 25, of 51 Buchan Park; **Ernest James**, 18, of 157 Broadway; **Rinta Miller**, 27, of 139 Central Park; **L. B. Mathews**, 39, of 34 Ward St., and **Andrew Green**, 22, of 230 Hudson Ave.

Unlawful assembly, riot and resisting arrest—**Eugene Jenkins**, 31, also known as **John Jenkins**, 32 Oregon St.

Unlawful assembly, riot and second-degree assault—**Alvin T. Tucker**, 20, of 20 Gladstone St.

Unlawful assembly, criminally receiving stolen property as a felony, two counts of criminally receiving as a misdemeanor, second-degree grand larceny and two counts of petit

larceny—**Joseph T. Floyd**, 35, of 12 Greig St.

Sailor, **Byrd**, **Washington**, **Harris**, **Green** and **Tucker** pleaded innocent. Arraignment of the others was adjourned to permit time to confer with counsel.

THE FIVE whose names had been sealed all pleaded innocent to charges of riot and unlawful assembly. They are:

Willie A. Holloman, 26, of 329 Troup St.

James Hanhraham, 22, of 103 Argyle St., also charged with disorderly conduct.

Joseph Mitchum, 27, of 47 Weld St., also charged with misdemeanor counts of criminally receiving stolen property and petit larceny.

O'Neal Pressley, 29, of 120 Woodbury St., also charged with unlawful entry and petit larceny.

Joseph D. Barfield, 72 Baden St., also charged with second-degree assault.

Times Union Aug 29, 1964
'Wonderful Series'

On Rochester Riots'

Mrs. Harper Sibley

The wonderful series of Times-Union articles by Desmond Stone ("Rochester Riots: A Scar or a Spur?") have meant so much to everyone. This series should have another Pulitzer award.

400 East Ave.

228

Grand Jury Due to Get Final Riot Case Soon

The final case in the Rochester race riot is expected to be in the hands of grand jurors Friday.

It took about a month to examine the first 86 cases, resulting in 53 persons being indicted. A quickened pace is anticipated for the remaining accusations against about 130 persons, because the background of rioting July 24 to 26 is established.

The grand jury's final presentment, it is said, most likely will come the middle of the second week of September. The cases are being presented by John A. Mastrella and Eugene Bergen, assistant district attorneys.

While the preponderance of the first cases involved riot and unlawful assembly, it is believed that the second group of cases for indictment will be for looting.

4 More File Riot Claims Against County

Four more claims have been filed against the county for damage suffered during the July 24-26 riots here.

This brings the total to 12 claims so far against the county.

While most claimants are filing against the city, some also are filing against the county, just in case both governments are held responsible under an 1855 law.

Most legal experts here feel the county will not be held responsible because the riots occurred within the city. Meanwhile, the city is saying the 1855 law has been made inoperative by a 1951 law which still is on the books.

The newest claims are:

Joseph Cohen and Paul Albaranes, operators of Ike's Market, 501 Clarissa St., \$16,000;

Irving and Leah Kucker, operators of Lee's Bargain Store, 580 Jefferson Ave., \$25,500;

Ona Gridley and the estate of R. L. Gridley, for Plymouth Liquor Store, 351 Plymouth Ave. S., \$20,000;

Carelyn E. Reynolds (Rosenberg), Simpson's Variety Store, 370 Plymouth Ave. S., \$18,000.

County Gets 13 Claims In Rioting

A total of 13 claims have been filed against the county so far for damage caused by rioters and looters in last month's disorders, the county legal advisers office reported today.

The newest claim was filed Friday afternoon by Irving and Mildred Simon for damage set at \$136 to windows at apartments from 567 to 575 Plymouth Ave. South.

Claims have been filed against both the city and the county under an 1855 statute that holds community governments responsible for damage incurred during civil disorders.

City legal officials maintain that the 1855 law became inoperative when a correcting law was passed in 1951.

In many cases, merchants have settled their claims with their insurance companies, and have signed waivers allowing the companies to sue the community governments on their own.

OTHER CLAIMS filed against the county last Thursday were:

Joseph Cohen and Paul Albaranes for \$16,000 damage to Ike's Market, 510 Clarissa St.

Irving and Leah Kucker, for \$25,000 damage to Lee's Bargain Store, 580 Jefferson Ave.

Ona Gridley and the estate of R. L. Gridley, for \$20,000 damage to the Plymouth Liquor Store, 351 Plymouth Ave. South.

Carolyn E. Reynolds, for \$18,000 damage to Simpson's Variety Store, 370 Plymouth Ave. South.

6B

The Times-Union
Mon., Aug. 31, 1964

5 More Go To Court on Riot Charges

Five more defendants whose names had been marked "sealed" in the riot indictment returned Thursday by the holdover June County Grand Jury appeared before County Judge George D. Ogden today.

They are:

Eva Dyer, 63, of 73 Stillson St., and Mary L. Whitfield, 18, of 69 Joiner St., who pleaded innocent to a felony charge of riot and a misdemeanor count of unlawful assembly.

Helen J. Moffett, 31, of 15 Nellis Park, whose arraignment on charges of riot, unlawful assembly and another misdemeanor count, unlawful entry, was adjourned to tomorrow pending defense motions, and Dorisa Cook, 17, of 15 Dover St., who pleaded innocent to the same three charges.

Anthony J. Legno, 21, of 17 Fifth St., who pleaded innocent to charges of riot, unlawful assembly and additional misdemeanor counts of resisting arrest and disorderly conduct.

Five others who previously were reported as openly indicted and whose arraignments were adjourned from Friday pleaded innocent today.

All were named in a single indictment charging 46 defendants on various counts stemming from the mob violence of July 24-26 in the Joseph Avenue area.

Six other indictments named seven defendants, making a total of 53 defendants. Thirty-three others were cleared of charges through no-bills.

The grand jury is now working on cases connected with other areas. A final report is expected next week.

D. & C. SEP 1 1964

Five More Answer Riot Charges

Added to 20 accused persons who appeared in court late last week, five more indicted defendants were brought before County Judge George D. Ogden yesterday to answer charges stemming from the July 24-26 riot in the Joseph Avenue sector.

The additional defendants — 28 more are to be brought in, their identities still sealed because they are free in bail — are:

Anthony J. Legno, 21, of 17 Fifth St., who pleaded innocent to a felony charge of riot and misdemeanor counts of unlawful assembly, resisting arrest and disorderly conduct.

Eva Dyer, 63, of 73 Stillson St. and Mary L. Whitfield, 18, of 68 Joiner St., who pleaded innocent to riot and unlawful assembly.

Dorisa Cook, 17, of 15 Dover St., who pleaded innocent to riot, unlawful assembly and a misdemeanor count of unlawful entry.

Helen J. Moffett, 31, of 15 Nellis Park, whose arraignment on charges of riot, unlawful assembly and unlawful entry was adjourned to today.

In the initial report on its probe of the riot, the hold-over June grand jury last Thursday indicted 53 persons and exonerated 33. A final report is slated next week on the jury's sifting, still under way, of cases connected with the Clarissa Street-Jefferson Avenue areas.

Of the 25 defendants brought into court, 20 pleaded innocent and arraignments of the others were postponed.

Riot Defendants' Names Disclosed

TIMES UNION SEP 1 1964

By EARL B. HOCH

Indictment of Nathaniel Wise Jr., 30, of 65 Hanover St., one of a group who conferred with Mayor Lamb July 25 on the riot situation, was disclosed today in County Court.

Wise is charged with unlawful assembly, remaining in the place of a riot and disorderly conduct, all misdemeanors. He was among a score of persons in court whose identities had been sealed by the holdover June grand jury in its report on the riot investigation.

A previous indictment against Wise, to which he pleaded innocent, charges him with second-degree grand larceny in the theft of cable wire Aug. 6 in Nash Street. He pleaded innocent before Judge George D. Ogden in today's case.

Kenneth Stevens, 29, of 188 Bartlett St., teacher, pleaded innocent to a felony charge of riot and a misdemeanor count of unlawful assembly. A brother, Dwight M. Stevens, 19, of 498 Seward St., also pleaded innocent to the same charge.

Others who pleaded innocent to riot and unlawful assembly charges were James Snow Jr., 36, of 107 Lowell St.; Sallie L. Myers, 19, of 29 Philander St.; Rosa M. Martin, 20, of 298 Central Park, and Mary E. Diggs, 35, of 27 Baden St., and Sabad DeJesus, 18, of 33 Oakman St. Arraignment of Paul Kingston, 33, of 297 Avenue B., on the same charges was adjourned to Sept. 9 to retain counsel.

Also pleading innocent to separate indictments were:

Arthur Brown, 45, of 69 Barton St., charged with first-degree grand larceny and criminally receiving stolen property, involving a stolen television set.

Frederick Coley, 16, of 698 Seward St., charged with second-degree grand larceny in theft of 42 pairs of slacks from Itkin's Department Store, 365 Joseph Ave.; and Charles V. Starker, 16, of 192 Flint St., second-degree grand larceny and criminally receiving the stolen slacks.

James H. McCullough Jr., 481 Flint St., second-degree grand larceny and criminally receiving stolen property involving a television, radio and other items.

David E. Thomas, 41, of 273 Frost Ave., unlawful entry and second-degree grand larceny in theft of a fur coat from Rosen Fur, 396 Joseph Ave., and Michael A. Buller, 18, of 56 Elmwood Ave., same charges in theft of liquor

from Joseph Plaza Liquor Store, 199 Joseph Ave.

Three defendants charged with riot, unlawful assembly and illegal possession of a gun were given adjournments to retain counsel. They are: Nick F. Mastrodonato, 16, of 143 Orange St.; Elmer E. Ellsworth, 16, of 216 Wilder St., and Melvin C. Cronk, 21, of 516 Brown St.

Others whose names were disclosed today are:

Larkin Mozella Jr., 20, of 107 Joiner St., who pleaded innocent to riot, unlawful assembly and third-degree burglary.

Martha Mack, 26, of 119 Sellinger St., who pleaded innocent to riot, unlawful assembly and unlawful entry.

Robert L. Myricks, 20, of 9 Nassau St., whose arraignment was adjourned on charges of riot, unlawful assembly and resisting arrest.

Chief's 'Rescuer' Denies Riot Charge

Juanita High, 32, also known as Juanita Williams, of 438 Champlain St., who allegedly tried to rescue Police Chief William M. Lombard after his car was wrecked in the mob violence July 24 on Joseph Avenue, today in County Court pleaded innocent of riot and unlawful assembly.

Judge George D. Ogden adjourned the case to Sept. 11 to schedule trial.

Mrs. High, who has a court record, claims she pulled Chief Lombard away from the mob. He had gone forward alone to talk to the rioters.

Mrs. High said she spent hours that night driving young Negroes from the riot area to safer places.

Is There a Riot Conspiracy?

Rochesterians who are still unsure of all the reasons for Negro rioting here will hesitate to pass quick judgment on the violence in Philadelphia.

Even so, some similar circumstances are worth noting.

In each city, trouble started when Negro bystanders protested what seems to have been reasonable police action in a relatively minor incident. Full violence quickly exploded, and was directed mainly against police and white owners of stores in Negro neighborhoods.

In both cities, there were protests from these white businessmen and others that police did not act with sufficient sternness to stop the pillage. And in both cities, civilian police review boards had been established to hear complaints against "police brutality."

Both Philadelphia and Rochester were proud of relatively progressive records in promoting equal rights for Negroes. The savage violence surprised and shocked both communities.

Negro leaders in both cities were unable to stop the rioting. In Philadelphia, the most militant of all leading Negro spokesmen was jeered by the mobs as an "Uncle Tom" when he appealed for an end to the disorder.

Although investigators in Rochester, Philadelphia, New York City and other riot-torn Northern cities have reported no organized action to stir violence, suspicion of a connection inevitably grows. Why are

some cities "hit" and others not?

Roy Wilkins, executive secretary of the NAACP, condemned the Philadelphia outburst and asked the Department of Justice to investigate the riot "pattern."

"Citizens want to know, and the nation should know, what is behind these riots," he said. "Is there any kind of conspiracy, or are local individual rabble rousers responsible?"

An investigation might show that Negro leaders such as Wilkins gave little thought to the possibility that the fire of discontent set by their "nonviolent demonstrations" might become uncontrollable.

But whatever the result, such a probe as Wilkins asks is needed, and quickly. With racial violence now interstate in character, the federal government need have no legal qualms about becoming involved in the effort to suppress it. And surely its investigative resources are far superior to those of local communities acting on their own.

More needs to be known about the riots' causes to forestall baseless political exploitation of the violence and, even more important, to prevent their outbreak in more cities.

Each new burst of lawlessness increases the risk that the dead, rather than the injured as now, will some day be counted in the hundreds. Each new riot heightens the threat that all Negroes will suffer tragically for what, so far, appears to be the hoodlumism of a minority.

Woman Denies Riot Charge

Alfreda Winstead, 27, of 23 Baden St., also known as Gwendolyn A. Owens, pleaded innocent today in County Court to a felony charge of riot and misdemeanor counts of unlawful assembly and resisting arrest.

Her identity had been sealed in an indictment stemming from the rioting of July 24-26. Altogether, 53 persons were indicted by the hold-over June Grand Jury in cases related to the Joseph Avenue area and all but a few have appeared in County Court.

The Times-Union
Wed., Sept. 2, 1964

11D

Police Learn To Control Mobs, Riots

More than 300 police from the city, county and surrounding areas have received special training in "Mob and Riot oNtrol" so far this week at the Rochester Police Academy.

Classes for the 5-hour special seminar include about 125 men each day.

Under direction of Inspector Daniel J. Sharpe, head of the academy, the seminar ends Friday.

SHARPE SAID today police from as far away as Syracuse have attended.

Chief William M. Lombard said the seminar includes lectures, training films and demonstrations on use of police riot sticks.

Lombard and Public Safety Commissioner Donald J. Corbett speak at the opening of each session.

Sharpe said a 37-minute film of the Rochester riots is shown. A film of a California mob scene is also used.

The seminar stresses police intelligence, mobilization of police in response to riot calls, arrest procedures, identification of offenders, police formations for controlling crowds, police conduct and attitude at riots, etc.

A New York City police riot training film is used.

Lombard said Rochester police are being sworn in as special emergency deputy sheriffs at seminar sessions for use in the future if the need arises.

Riot Insurance

TIMES UNION SEP 2 1964

Probe Asked

Two state legislators called today for an investigation of a report that an insurance company was canceling policies on properties damaged in the July riots.

Sen. Frank E. Van Lare and Assemblyman Paul B. Hanks Jr. said Abraham S. Schtulberg, a lawyer, had told them at least one company was canceling insurance on properties of his clients that were damaged.

In a telegram to State Superintendent of Insurance Henry Root Stern Jr., the legislators, both Republicans, said:

"We have received word that at least one insurance company, Aetna, is canceling insurance on properties affected by recent civil disorders in Rochester. We request immediate investigation of the reasons for, and the legality of, such action."

Arthur C. Kenyon, manager of Aetna Fire Insurance Co. here, said the company wasn't canceling any policies because of the riots.

"We're not getting panicky," he said.

Aetna Casualty & Surety Co. also denied it was canceling any policies because of the rioting.

Hanks said the insurance policy on Jay Cee, Inc., a grocery at 312 Plymouth Ave. S. owned by Mr. and Mrs. Thomas Zambito, had been canceled.

According to Schtulberg, Aetna Fire Insurance canceled the policy last week, effective next Monday.

In calling for an investigation, Van Lare and Hanks said:

"Depending on the investigation and the facts disclosed, legislation may be needed... This we intend to introduce."

Hanks said the Zambito property was the only one affected as of now.

Aetna Casualty said it has part of the policy insuring the Jay Cee building. The company hasn't canceled its portion of the policy and doesn't intend to, a spokesman said.

Rioting Planned, Evidence Shows

By JACK TUCKER

Evidence mounted yesterday that the recent Philadelphia riots were planned, and that it was known here at least three weeks ago that "Philly will be next."

It also was established last night that the widespread rioting and looting in the 3rd Ward here six weeks ago did not erupt spontaneously following initial violence across town in the 7th Ward.

Several hours before bricks and other missiles flew in the Jefferson-Bronson-Clarissa section, and in the Plymouth South-Tremont area, advance warnings were sounded.

The word got around, from Negroes friendly to white merchants, that when the 8 p.m. curfew went into effect Saturday, July 25, "all hell is gonna break loose."

One business establishment tipped off was the Ward & Sons plumbing and hardware concern at 561 Jefferson, near Frost Avenue.

"A Negro customer told me at 4:30 p.m. I'd better get prepared," said John R. Ward, who with his brothers operates the business.

"What he actually said was that we'd better be locked up good and stay inside with shotguns. In my opinion, and in the opinion of other merchants here, a cadre of maybe 15 to 20 outside agitators had moved into the neighborhood to get the violence started. After that, it was just plain looting."

Ward locked up that Saturday at 6 o'clock and went home.

Shortly after the 8 p.m., curfew, "all hell" did break loose, with marauding bands of jeering Negroes smashing store windows and hurling bricks

and other objects at city and State Police.

Two windows were smashed at the Ward building, but there was no looting.

Woman Guards Entrance

"They never got inside," Ward said, "because an elderly Negro woman made it her business to get a chair and sit right outside the entrance. She kept shooing the looters away, and she stayed there until 2 a.m. Sunday."

Ward's mention of "15 to 20 outside agitators" tied in with information from Philadelphia that riot instigators there were outsiders, who fled the scene once the violence spread.

Philadelphia Mayor James H. J. Tate said identities of the agitators were known, but were being withheld until undercover agents could gather "admissible evidence."

It was Philadelphia Police Commissioner Howard R. Leary whom Police Chief William M. Lombard telephoned in mid-August to warn that Philadelphia might be hit with a riot. Leary said at the time he did not think anything like that would happen.

Source of Information

Lombard disclosed yesterday he was given such information here by a ministerial group headed by Rev. James Bevel of Jackson, Miss., field secretary for the Southern Christian Leadership Conference.

The Rev. Mr. Bevel and other SCLC Negro officials—who subscribe to the Martin Luther King tactics of advancing the civil rights cause through non-violent ways—were in Rochester at the time for a series of speaking engagements and to help organize registration drives.

Further advance indications that Philadelphia was targeted for racial outbreaks by Sept. 1 or sooner came in remarks made here by one Willie Bolton, a Selma, Ala., Negro.

Bolton showed up Sunday morning, Aug. 19, at Zion Memorial AME Church, 42 Favor St., and was introduced as guest speaker by the pastor, Rev. Andrew N. Gibson.

Spoke of Philadelphia

Although his basic theme was civil rights and increased voter registration, The Democrat and Chronicle learned that Bolton said among other things that—something is going to happen next in Philadelphia "and I'm gonna be there."

Meanwhile, Negro leaders here told the D&C that outside agitators, carrying "plenty of cash," moved into Rochester before the July 24-26 riots. They claimed the strangers, using cars with out-of-state plates, either provoked or took advantage of the outbreaks and expensive looting.

Whom the alleged outsiders represented, and where they got their money could not be ascertained. Police officials merely said that "there have been plenty of rumors around" but that none have been substantiated, and that an investigation is being pressed.

Unconfirmed reports are that the so-called outside agitators are called White Shirt-

ers, a troublemaking band known to New York City police. Police who infiltrated a meeting there said conspirators were heard making plans for participation in the Rochester flareups.

Another name identified with the reputed outsiders is "Blood Brothers."

Judge's Suspicion

Yesterday the Camden, N.J., Courier-Post reported that Judge Raymond P. Alexander of Philadelphia's Court of Common Pleas, said he "strongly suspects" that rioting in his city "was engineered by outside forces—such as the Black Muslims or a more violent element called the Blood Brothers."

Judge Alexander, a long-time Negro leader in Philadelphia, was quoted further:

"There are clever, intelligent people trying to stimulate a white backlash (in) such centers as Philadelphia, Baltimore, Pittsburgh, Cleveland, Detroit and Chicago."

In Rochester, there is no secret about the presence of Black Muslims and their meeting places, one of which is located in Joseph Avenue, where this city's initial riots erupted.

But the protracted probe into the Rochester rioting has neither linked any direct Muslim activity nor that of Black Nationalists.

Baltimore on Alert

In Baltimore last night, all police leaves were canceled for the next two weeks and the National Guard put a battalion on the alert in response to reports of possible Negro riots there.

Baltimore Mayor Theodore R. McKeldin and Gov. J. Millard Tawes, declined to identify a group they said was planning to start riots among Baltimore's 358,000 Negroes.

The mayor and the governor, in a joint announcement Tuesday said they had been warned that members of "a group which openly advocates violence" were laying plans for Harlem-like riots here.

Because of persistent rumors that "sporadic" Negro outbreaks are planned in Rochester over the weekend, all available police personnel in the county, plus reinforcements, have been placed on an alert status.

"We are not looking for trouble, but we are not taking any chances," Lombard said last night.

232

Catholic
Courier

Sept 3, 1964

Why Riots in Rochester?

An Analysis from England

"To think that this sort of thing should happen here." That was more than a year ago, and the "sort of thing" the elderly Rochester lady was deploring then was a tiny cloud compared with the tornado that swept the city last week. Last year's troubles began with the usual incidents, small in themselves, but symptoms of a much more serious disease. The police had been accused of brutality in arresting Negroes. There were accusations of victimisation, of defective trials. Then the Black Muslims moved in and were arrested in their turn. The rumbling of the storm continued, and all of a sudden the other night it broke.

There is indeed a special irony in it happening here, in a city that prides itself on civic virtue and a cultural life of a high order. "The Flower City" (more correctly called "The Flour City," for its early fortunes depended on a commodity much more useful than the vast beds of dahlias that attract the tourists every June) was founded by a Colonel Rochester at the turn of the nineteenth century. But its Catholics at least prefer to link it with the city of Kent, and its bishop has been a munificent benefactor of the new Catholic church in the English Rochester. Moreover, St. John Fisher is patron of the diocese and of an admirable Liberal Arts college for men.

The prosperity of the city has been identified with the name of Eastman Kodak and with the more recent development of allied optical and electronic industries. Here the ever-soaring shares of Xerox have reflected the affluence of a city in which the labour unions are weak or virtually non-existent. It is a company town, employing many workers of high technical skill: a classic example of a community in which the Negroes suffer no legal discrimination indeed, but where they are none the less almost wholly excluded from its essential life and from the prosperity that presupposes

educational opportunities that they lack.

Set on the shores of Lake Ontario, two hundred and fifty miles north of New York City, Rochester, like so many northern American cities, is rapidly becoming a garden city, with its rich suburbs and country clubs, while the old down-town district gradually sinks into the peeling decay of every Negro ghetto.

There is an excellent university, strong in its medical school and the departments of optics and engineering. And the Eastman School of Music is perhaps the best in the United States: with a permanent city symphony orchestra, it provides concerts of remarkable excel-

This article by Dominican Father Illtud Evans of England was published in the August 8th issue of the London Tablet. Father Evans was guest lecturer at St. John Fisher College, Rochester, in 1962 and 1963. His article reveals he gained insights in a year that Rochester residents of much longer a time have failed to see — that a festering racial problem has deeper roots than just one hot summer.

lence. Along the East Avenue are the grand churches, Gothic and secure, matching the merchants' mansions that remain.

As usual, the Negroes—perhaps an eighth of the population—are confined to the areas which the Whites have abandoned. Their schools are the most crowded: their academic record is far below that of the others. And of course Negroes are scarcely to be found at all in the schools and colleges which are the principal recruiting grounds for the executive and technical employees of the big city firms. There is only one Negro student in a Catholic college of seven hundred men, and perhaps two or three in a women's college of one thousand.

There is nothing specially strange, then, about the Negro's position in Rochester. It is the familiar and lamentable story

of a minority that is economically and educationally deprived, condemned to a separate and inferior status so long as it cannot compete in the cut-throat world of booming technological advance.

It is this sense of utter frustration that marks the Negro unrest in the cities of the north. Here it is not a question of sit-down strikes or demonstrations to secure the elementary rights of citizenship. On the contrary, New York State has every sort of provision—with its Human Rights Commission, its Fair Labour legislation and its statutory de-segregation of schools — to implement the demands for racial justice. The maddening dilemma for the Negroes is precisely this: on paper equality is theirs, but why is it far away as ever in practice?

The answer lies in such brutal facts as housing and schools, in the want of opportunities for a stable family life and genuine educational advance. And the Negroes of the north, who

have of course arrived of recent years in such numbers from the segregated Southern States, carry with them the legacy of their past.

As Roy Wilkins, executive secretary of the National Association for the Advancement of Coloured Peoples, has pointed out: "Most of the Negroes in the North are end products of the system in the South. For years the South has cheated

Negroes out of any kind of training for citizenship or any opportunity to advance their economic skills or their artisan skills. Now, you say, 'These people are not good citizens.' Why, they never had an opportunity."

And the terrible irony of the Negro's lot in such a city as Rochester is that externally he is free and equal, but he feels himself to be still in chains.

The white observer, of course, will say that all this is a matter of time: a revolution of such magnitude as the full integration of the Negro into American life at every level cannot take place overnight. This is true, but it carries little weight with the Negro now. His mood is no longer one of gradual advancement, and the very notion of the NAACP is anathema to many of the most articulate Negro leaders.

Token gestures, they say, are simply sop to a bad white con-



FATHER ILLTUD EVANS

science. And it is indeed of little use to quote the cases of the Negroes who have made good as doctors or as lawyers, for there have always been those, the exceptional men and women who have triumphed despite every handicap.

A more impressive achievement would be a serious attempt to end the basic wrongs that poison the daily life of a city: the homes that are crowded tenements, the schools that are old and ill-equipped, the want of effective social agencies that can deal generously with the problems that the circumstances of Negro life have inevitably created.

It is in a city like Rochester that the contrast between high-mindedness in public utterance and an apparent indifference at the level of actual living seems most cruel. This is not to blame the leaders of the community, who can scarcely do more than lead: they can only hope to create a sense of urgency that should reach down to the local level at which gestures can become a practical manifestation of brotherly love.

One might suppose, for instance, that some small part of the resources of the better high schools and colleges could be devoted to evening classes and technical training for Negroes who, for all sorts of valid reasons, have had to leave school and simply lack the opportunity of qualifying for any further education. The pitifully small number of Negroes who are college students is certainly not due to any discrimination on the part of the authorities. On the contrary, they do their best to facilitate the entry of any

Negro who has even minimal qualifications.

A huge—and immediate—effort is needed not only to provide more opportunities for Negroes to be trained for higher skills but, too, to convince them that this is the indispensable way of entering into the full life of the community.

But for the immediate future Rochester — and many other cities in the North — will have to live with a problem that can only be adequately resolved by time and genuine acceptance. That is why the work of such bodies as the NAACP and the more militant CORE (Congress for Racial Equality) is so important, for all the time the extremists can discover fresh incidents with which to exacerbate a disillusioned people.

The responsible Negro agencies work under tremendous pressures, and they deserve all the support that, for instance, the Catholic Interracial Councils give them. And no observer in this country has any right to feel in the slightest degree superior about what is happening in America now.

In fact the Rochester situation is curiously like what our own may very well become. In England, too, a liberal and humane tradition is thought to be a safeguard against the grosser forms of racial violence. But liberalism of mind, a speculative concern for general justice, is not enough.

'An Outstanding Public Service'

By Thomas H. Hawks

I was greatly impressed with the series of Times-Union articles by Desmond Stone, "Rochester Riots: A Scar or a Spur?"

They reflected a tremendous amount of research and knowledge and were written without a trace of bias. The questions raised and problems presented are thought

TIMES UNION SEP 3 1964

This is your "Town Meeting" column. Use it to express your views. The Times-Union reserves the right to edit letters for brevity, good taste and accuracy. Every contributor must sign — for publication — his correct name and address.

provoking and soul searching.

None of us in Rochester is proud of what has happened, but if through experience we can learn to be better citizens in a better community, then what we have gone through will not have been in vain.

By means of Stone's articles, the Times-Union focused attention on problems and considerations which this community must face up to and in so doing did an outstanding public service.

167 Council Rock Ave.

By Rabbi Philip S. Bernstein

Desmond Stone's series was outstanding both in content and perceptiveness. And of course the writing was ex-

cellent. In fact I think the series is worthy of consideration for the Pulitzer Prize.

2131 Elmwood Ave.

By Mark Ellingson

I have read with very great interest Desmond Stone's thoughtful and penetrating series of articles with respect to the race situation in Rochester. I congratulate The Times-Union on this brilliant series of articles.

As usual, it was an outstanding job.

3940 East Ave

By James M. Spinning

Desmond Stone said so very well the things that need to be said.

568 Wellington Ave.

EDITOR'S NOTE: Reader Hawks is president of Rochester Savings Bank. Rabbi Bernstein leads Temple B'rith Kodesh. Dr. Ellingson is president of Rochester Institute of Technology. Mr. Spinning is former superintendent of Rochester public schools.

State Plans Probe

TIMES UNION SEP 4 1964

Of Insurance Charge

The State Insurance Department is going to investigate the reported cancellation of insurance on property damaged in the July riots here.

In response to a request from two legislators, Fioravante G. Perrotta, first deputy superintendent of insurance, said he had directed the Albany office of the department's complaint bureau to start an immediate investigation.

Sen. Frank E. Van Lare and Assemblyman Paul B. Hanks Jr. complained earlier this week that "at least one insurance company, Aetna," was canceling insurance on riot-damaged properties.

Abraham S. Schulberg, attorney for Mr. and Mrs. Thomas Zambito, said Aetna Fire Insurance Co. had canceled

policies covering the Zambitos' Jay Cee grocery at 312 Plymouth Ave. S. No reason was given, according to Schulberg.

Arthur C. Kenyon, Aetna manager here, said an agent had asked the company to cancel the insurance because of "frequency of claims." He didn't elaborate.

Kenyon repeated an earlier statement that Aetna was not canceling any insurance as a result of the riots, and said he would welcome a state investigation.

Perrotta ordered the investigation in the absence of Superintendent Henry Root Stern Jr. In a letter to Hanks, he said he would keep him informed of the progress of the investigation and the results.

Joseph Ave. Merchants

TIMES UNION SEP 4 1964

Take Optimistic View

Although the situation of individual store owners varies a good deal, Joseph Avenue merchants generally are taking an optimistic view of the future, says Daniel M. Rothman, president of the Joseph Avenue Businessmen's Assn.

Rothman says it is important for the general public to realize that the streets are safe and that no store has closed its doors as a result of riot damage. He estimates that about 80 per cent of business is traditionally done with people living outside the area.

The one recognizable donation from Negroes came some weeks ago in the form of a check for some \$70 from the congregation of the Rev. Robert E. Warfield's Mt. Vernon Baptist Church on Joseph Avenue.

More organized help has not really been expected, says Rothman, because "there is no single Negro community as such."

boy in a family of four children. His sisters besides Veronica, are Barbara, 7, and Victoria, 5.

The boy's death brings to 19 the number of traffic deaths on city streets this year. There were 14 for the period last year.

New Riot Laws Shaped by City

D. & C. SEP 6 1964

By MITCHELL KADY

City attorneys are drafting a battery of new laws to deal decisively with any future riots or threatened disorders.

City Council will consider at least four new misdemeanor charges at its meeting Tuesday. Maximum penalties would be a \$500 fine, a year in jail or both. They cover:

—Manufacture or possession of gasoline or similar flammable materials for fire bombs.

—Possession of weapons,

rocks, stones, bottles with intent to use against persons or property.

—Possession of alcoholic beverages on streets, in cars, or public places during a public emergency.

—Violation of curfew during a public emergency declared by the city manager.

Although some of the proposed ordinances are similar to state penal code provisions, they differ in prohibiting possession at certain times or with certain intentions. State codes generally cover the act of throwing or using.

Corporation Counsel Arthur B. Curran Jr., who has been working with his deputies to perfect the phraseology, said the drafters' objectives was to "establish a deterrent; if that doesn't work, to arm law enforcement officials to move swiftly and decisively to snuff out the violence."

City lawyers are taking pains to sharpen the definition of crimes so anyone arrested will know the charge against him, the city's chief attorney said.

In a sense, the ordinances are elaborations of powers implied by the City Charter to enable the city manager to protect life and property. The manager is specifically authorized to deputize persons to help in this, but few of his other powers are spelled out.

In the July 24 to 26 riots, city and county lawyers were embarrassed because out-of-city police officers cited defendants for violating curfew. There is no such specific violation on the city's books, although the manager is empowered to declare a curfew.

Those arrested for violating curfew were in most cases rearrested on other charges where applicable and received suspended sentences.



CAPT. WILLIAM HAMILL
... first confirmation

Report Links Outsiders To City Riots

A Rochester police officer was quoted yesterday in a wire-service report from Baltimore as saying that:

"Investigation disclosed that the riots had been instigated in our town by outsiders."

The statement, from Capt. William Hamill, was the first police confirmation of local news stories to that effect.

Hamill reportedly said further that local police were trying to determine if the same instigators were involved in the Philadelphia rioting.

He and Public Safety Commissioner Donald J. Corbett are back in Rochester after conferring with Baltimore authorities at the latter's invitation. Baltimore had been braced for possible outbursts this weekend.

Capt. Hamill could not be reached for comment yesterday, but Commissioner Cor-

Continued on Page 5B

County Faces More Claims From Riots

Three more claims have been filed against the county as a result of the rioting here July 24 to 26.

Jack Soble and Louis Soble, who operate J&C Grocery Store at 299 Joseph Ave., filed a claim for \$12,000.

Chatham Gardens Beauty and Health Aids, Inc., a drug store at 233 Joseph Ave., filed a claim for \$14,594 against both the city and county. Leonard Winterman is president of the corporation.

Irving and Mildred Simon filed a claim for \$136 for damage to their building at 567-575 Plymouth Ave. S.

Many legal experts here say the county won't be liable for the damage because the riots took place within the city but many lawyers have been filing against both governments just to protect their clients. The city administration contends the city is not liable because a 1951 law made inoperative an 1855 law which did make the city liable. The courts will have to settle the question.

Continued
on page 235

Continued From page 234

Outsiders Linked To City Riots

D. & C. SEP 6 1964

Continued from Page 1B

bett said that Hamill must have been misquoted.

Corbett said that what Hamill actually attempted to say, or "meant," was that there were "indications" strangers have been in Rochester and helped incite the July 24 to 26 riots and lootings in the Seventh and Third Wards.

Corbett added that a continuing investigation of such information and/or rumors is being pushed. In charge of that phase is Deputy Police Chief Clarence DePrez, assisted by Capt. Hamill.

Queried last night, Police Chief William M. Lombard said:

"I believe Hamill was misquoted. As of this date, there have been no facts developed in our Police Bureau probe into identities of any outside instigators.

"Certainly we have a feeling that Negro nationalist organizations could be involved. But we do not know of a single out-of-town individual who was instrumental in influencing local persons involved in the violence.

"Rumors and other reports are checked out. They are one thing, but hard facts that will

stand up as admissible evidence are another."

The Baltimore Sun last night told The Democrat and Chronicle that the meetings attended by Corbett, Hamill, Baltimore Mayor Theodore R. McKeldin, police and other officials of that city along with Maryland State Police, essentially were of the closed-door type.

A Sun newsman said that "as of now everything looks placid here. One National Guard unit is on an alert basis, and all city police leaves are cancelled."

"But police are worried about next weekend — the Beatles will be here, there's a parade and a ball game scheduled. It could be one of those hot weekends."

Mayor McKeldin, warned three days ago of possible Negro riots this current weekend, said yesterday that prompt counter-measures lessened the danger.

"I do feel the reports we received earlier have been substantiated," McKeldin said. "But I feel the situation is under control."

Commissioner Corbett, incidentally, was given the key to the City of Baltimore — along with an autograph book, "No Mean City," signed by Mayor Theodore Roosevelt McKeldin."

4B

The Times-Union
Tues., Sept. 8, 1964

Anti-Riot Law To Go To Council

City Council will be asked tonight to consider a comprehensive anti-riot ordinance which would, among other things, label looting a crime.

It would also require that sponsors of any public meeting on a street or other public property notify the city public safety commissioner five days beforehand.

The proposed ordinance, which grew out of the July 24-26 riots, is expected to be referred to committee and enacted at the council's meeting later in September.

Looting has always been illegal, but there is no specific crime of looting at present. Looters are charged with the felonies or burglary or grand larceny, or the misdemeanor of petit larceny if a stolen article is worth less than \$100.

Corporation Counsel Arthur B. Curran Jr. said the ordinance would enable police to charge persons in a looted store with a misdemeanor, whether or not they broke into it or were caught with stolen articles.

Curran said the section requiring notice of a public gathering is not aimed at interfering with freedom of speech or assembly. No permit would be required.

But such notice would enable police to plan for possible obstruction of sidewalks or disorders. The July 24 rioting erupted at a street dance on Nassau Street.

Other sections of the ordinance would make it a misdemeanor to make, possess or use "Molotov cocktail" fire bombs, or to possess weapons, including rocks and bottles, during a public emergency with intent to use them against persons or property.

Also forbidden would be possession of alcoholic beverages on streets, in cars or in public places during a public emergency, and violation of a curfew during a public emergency declared by the city manager.

236

2 Before Court

On Riot Charges

UNION SEP 9 1964

A man and a youth who were indicated on charges stemming from the July 24-26 rioting were brought before County Judge John J. Conway Jr. today. Their identities had been sealed.

Joseph Miller Jr., 25, of Joseph Ave., pleaded innocent to charges of riot, unlawful assembly and illegal possession of a gun. Arraignment of James Cook, 18, of 15 Dover St., on charges of riot, unlawful assembly, resisting arrest and second degree assault was adjourned to Friday to confer with an attorney.

2 Appear on Riot Charges

Two more of the 53 men and women indicted Aug. 27 on charges stemming from the July 24-26 rioting were brought before County Judge John J. Conway Jr. yesterday.

Joseph Miller Jr., 25, of 135 Joseph Ave., pleaded innocent to riot and unlawful assem-

bly. Arraignment of James Cook, 18, of 15 Dover St. on charges of riot, unlawful assembly, second degree assault and resisting arrest was postponed to tomorrow to enable him to confer with a lawyer. Identities of three of the 53 accused are yet to be disclosed.

D. & C. SEP 10 1964

4 More Riot Claims Filed Against City, County

D. & C. SEP 10 1964

Four more claims were filed against the city and county yesterday as the result of the July 24-26 rioting. Two of the claims were by women who said they were injured when a helicopter crashed against a house on Clarissa Street near Tremont Street.

Lorena Bradberry of 704 Clarissa St. filed for \$80,000, and Christine Bolden of 704 Clarissa St. for \$20,000.

Their lawyer, Martin S. Handelman, said Miss Bolden on July 26 had been visiting Mrs. Bradberry, who then lived at 452 Clarissa St.

The helicopter, which crashed against the Clarissa

Street house, about 3 p.m. that Sunday, was being used by Col. Robert N. Abbott, county Civil Defense director, to survey the riot areas. The pilot and two persons in the house died at the time of the crash and Abbott died a month later from injuries.

In their suit, the women said the helicopter was being operated "by, or at the request of, the Monroe County Office of Civil Defense, its agents and employees."

Emerson of Western New York, Inc., filed a claim for \$95,425.31 for damage and looting of its property at 185 Joseph Ave. The firm, whose president is James Ryan of Buffalo, has a Buffalo office

also, and is represented by a Buffalo lawyer. The firm is a wholesale distributor of radio and television sets.

Louis Hanzman, his wife, Lillie, and their son George, all of 303 Varinna Drive, Brighton, filed a claim for \$17,200, for damage to their grocery at 46 Edward St. Lillie Hanzman owns the building and all three operate the store. They are represented by Samuel Klaffer.

Some persons who suffered damage in the rioting are filing against both the city and county, although some are filing only against the city. They are acting under an 1855 law that holds the governments responsible for such losses.

However, legal experts say the county isn't liable so long as the rioting took place within the city. And the city says a 1951 law, enacted because of the possibility of rioting resulting from the Korean War, makes the 1855 law inoperative. It is expected the courts will have to decide whether the governments are liable.

2C

The Times-Union
Fri., Sept. 11, 1964

24 Face Misdemeanor Counts in Riots

By EARL HOCH

Cases of 24 persons investigated by the holdover June county grand jury in connection with the riots of July 24-26 are back in City Court for prosecution on misdemeanor charges.

They were remitted yesterday by County Judge George D. Ogden on recommendation of the jury. The defendants were cleared of any felony charges.

Investigation of the riot by the grand jury has been completed and a final report, with more indictments, is expected next Tuesday.

Here are the charges and the defendants whose cases were sent back to City Court.

Disorderly conduct — Joshua Pitman, 38, of 46 Davis St.; Willie E. Dukes, 22, of 10 Catharine St.; Calvin Harrell, 42, of 519 Clinton Ave. N.; Lester Wilcox, 43, of 69 Thomas St.; and Willie Dysick, 55, of 20 Edwards St.

Disorderly conduct and unlawful assembly — Joe B. Nesmith, 18, of 516 Clinton Ave. N.; Albert Fletcher, 18, of 4 Henry St.; and Abe Shields Jr., 40, of 56 Herman St.

Disorderly conduct and resisting arrest — Henry Starker, 18, of 341 Joseph Ave.

Disorderly conduct, resisting arrest and public intoxication — Randy Manigault, 20, of 16 Vetter St.

Unlawful entry — Benny F. Burnett, 25, of 48 Emmett St.; Willie L. Wallace, 24, of 129 Weld St.; Bobby L. Hill, 36, of 165 Champlain St.; Thomas Wilson, 27, of 85 Prospect St.; Frances Campbell, 26, of 76 Reynolds St.; and Walter L. Wilson, 38, of 41 Prospect St.

Unlawful entry and unlawful assembly — George R. Davidson, 43, of 39 Catherine St.

Unlawful entry and resisting arrest — James Scott, 24, of 54 Arnett Blvd.

Unlawful entry and petit larceny — Ismael R. Reyes, 29, of 24 Emmett St.

Resisting arrest — John H. Burts, 33, of 484 Goodman St. N., and Clint L. Young Jr., 20, of 185 Fitzhugh St. S.

Petit larceny — Willie Herman, 46, of 44 Bay St.

Petit larceny and criminally receiving stolen property — Jerry

ard Smith, 16, of 766 Jefferson Ave.

Criminally receiving stolen property — Eddie L. Windom Jr., 22, of 119 Sellinger St.

Working under Dist. Atty. John C. Little Jr. in the grand jury investigation were First

Asst. Dist. Atty. John A. Mastrella, Second Asst. Dist. Atty. Jack B. Lazarus, Special Asst. Robert J. Hirsch and Assts. Eugene W. Bergin and Lawrence D. Chesler. Also aiding in the work was Bernard F. Haggerty, executive assistant to the first district attorney.

★ ★ ★ ★ ★

68 More Cleared of Charges

Sixty-eight more persons were cleared of charges arising from the rioting of July 24-26 through no-bills returned by the holdover June county grand jury in a report yesterday.

That makes a total of 101 exonerated of charges in the grand jury's investigation of the riots.

In its only other report, made Aug. 27, the grand jury returned no-bills clearing 33 persons in connection with the mob violence in the Joseph Avenue area only.

The additional no-bills relate to cases arising in other sections, including Platt and Mill streets; University Avenue and Scio Street, Plymouth Avenue South, Bronson Avenue, Clarissa Street and Jefferson Avenue.

Those cleared of riot charges are:

John E. Williams, 20, of 510 Scio St.; Ronald Noble, 16, of 132 Lyndhurst St.; Alex Cooper Jr., 26, of 278 Ormond St.; Rafael M. Rivera, 23, of 3 Emmett St.; Arturo Pineiro, 19, of 36 Oakman St.; Arthur Dukes, 29, of 10 Catherine St.; Robert L. Brooks, 18, of Miami, Fla.; James Patterson, 18, no home; Solomon Simmons, 17, of 377 Jefferson Ave.; John Tramel, 19, of 55 Cady St.; Jerome J. Hooks, 27, of 34 Adams St.

John Dansbury Jr., 21, of 144 Joseph Ave.; Thaddous Titus, 51, of 32 Gordon Park; Jesse L. Woody Jr., 22, of 35 Gordon

Park; Tyrone Johnson, 26, of 17 Clarendon St.; Hazel E. Getter, 26, of 586 Plymouth Ave. S.; Annette N. Cooper, 31, of 571 Plymouth Ave. S.; Herbert Cox, 32, Helena St.; Douglas Alexander, 19, of 68 Bronson Ave.; Trudell Spence, 46, of 166 Atkinson St.; Louis A. Smith, 44, of 119 Woodbury St.; Leroy Gregory, 36, of 345 Troup St.; Thomas J. Tindale, 29, of 8½ Emmett St.; Willie Nettles, 16, of 34 Ford St.; Richard Dickerson, 32, of Connecticut Street; Curtis H. Williams, 25, of 446 Clarissa St.; Larry Huntley, 17, of 53 Davis St.; Roosevelt Strong, 18, of 154 Lyndhurst St.; Dorsey Barnwell, 19, of 63 Bronson Ave.; Betty Jo Dickerson, 22, Emmett St.; Carl L. Blake, 28, of 154 Bartlett St.; Andrew Jackson, 25, of 586 Tremont St.; Leon Wright, 21, of 32 Reynolds St.

Arthur Robinson, 36, of 115 Joseph Ave.; Ruth E. Jones, 18, of 23 Philander St.; Charles McLaure, 22, of 9 Struble St.; Corelius Green, 34, of 30 Vienna St.; Lucille A. McPherson, 23, of 368 University Ave.; Annie D. Payne, 26, of 131 Woodbury St.; Mary L. Knight, of 278 Bronson Ave.; Wilbert Smith, 23, of 22 Atkinson St.; Donald J. Rice, 19, of 24 Luzerne St.; Albert B. Ranieri, 24, of 316 Johns St.; and Wilson Rivera, 18, of 24 Gorham St.

These were cleared of charges of riot and illegal possession of a gun: Johnny Lee Fulton, 19, of 109 Reynolds St.; Herbert L. Kirkland, 23, of 22 Seward St.; William Williams, 28, of 65 Cady St.; and Robert

L. Nesimeth, 20, of 28 Gordon Park.

Other charges and those who were cleared are:

Riot and resisting arrest — Henry Hawkins Jr., 16, of 478 Tremont St.

Riot and petit larceny — Lydia Crobin, 40, of 174 Champlain St.

Riot and possession of a blackjack — Beverly H. King, 33, of 56 Chestnut St.

Illegal possession of a gun — Olar Hughes, 37, of 135 Reynolds St.; Nino Giacomelli, 28, of 262 Park Ave.; Achille A. Cavatassi, 24, and Demetrio W. Cavatassi, 27, both of 132 W. Elm St., East Rochester; Alice Davis, 61, of Adams Street, and Lonzie L. Colbert, 30, of 123 Union St. N.

Illegal possession of a 2-foot sword-cane — Ellis Mayes, 34, of 90 Clifton St.

Second-degree grand larceny — Ulysses Russell, 43, of 42 Prospect St.

Second-degree grand larceny and third degree burglary — Jerry Shaw, 21, of 65 Adams St.

Third-degree burglary — Ruby J. Black, 24, of 65 Olean St.; and Andrew Shaw, 41, of 5 Plymouth Ter.

Criminally receiving stolen property — Ralph Parker Jr., 30, of 426 Jefferson Ave.; Antonio P. Mendez, 24, of 145 Hand St.; and Charles J. Dean, 23; Samuel L. Stewart, 20, and Eileen Harge, 19, all of Buffalo.

Second-degree assault — Clarence Argo, 40, of 46 Catherine St.

V.F. Race problems - Rochester

Rabbi Compares Jews, Negroes

Social Science

D + C 9-17-64

'We Must Redirect Our Thinking'

EDITOR'S NOTE: This article is an excerpt from a sermon delivered by Rabbi Abraham J. Karp, spiritual leader of Temple Beth El, during observance of the Jewish New Year. We present it here in the belief that the rabbi has offered some thoughtful perspectives on the problems of minority groups which will be of interest to the entire community as well as to his own congregation.

By RABBI ABRAHAM KARP

TO IDENTIFY the rioting, vandalism and looting with the peaceful, disciplined, orderly protest demonstrations in Birmingham or St. Augustine would be an unwarranted cruel libel upon the positive, heroic struggle for civil rights by Dr. Martin Luther King and his co-workers.

The dignity, self-respect, self-discipline displayed by the Negro communities of Montgomery, Birmingham, St. Augustine under the sorest kind of provocation has only been matched in our century by the followers of Ghandi in India and the Havlagah of the Yishuv of Palestine in 1936. I stand in reverent awe of the strength of character of these people.

Now that police and army action is only a memory what do we do to seek the peace of our city?

To examine the criminal element of a community might provide a solution for yesterday's violence. To prevent tomorrow's the leaders of the community, the favored, secure and serene must needs examine themselves, their attitudes, their acts.

The Monroe County Human Relations Commission is one of a catalogue of commissions, committees and authorities which we created in our community to deal with the problem of racial discrimination.

As someone said: "You name it, we have it." No community anywhere has tried harder.

* * *

SO WHAT went wrong?

It would be foolish and arrogant to claim that I have the answer. I do however know that we need to redirect our thinking. Somehow we shut our eyes and minds to the scope of the problem, and we are not yet ready for the radical solution which it demands.

In the 10-year period of 1950-60, while the white population of Rochester decreased by 10 per cent, the non-white population increased by over 200 per cent, from 8,000 to 25,000. The newcomers were largely from the South and brought with them lack of education and skill and a justifiable suspicion and resentment toward the white community. Roy Wilkins stated it well:

"Most of the Negroes of the North are end products of the system in the South. For years the South has cheated Negroes out of any kind of training for citizenship or any opportunity to advance their economic skills or their artisan skills. . . ."

They left the South for the same reason our parents or grandparents left Russia 50 and 60 years ago. They were fleeing a hostile, intolerable environment. They came here again for the same reason: To build lives in an atmosphere of security and opportunity. This was the promised land.

* * *

BUT WE ALSO came here with great strengths—family solidarity, a high code of personal morality, a passion for education, a vast ambition to match opportunity with accomplishment.

Now it has been charged that the immigrant Negro today lacks all of these. If this be true, and it is hard to refute it, we ought to ask why and what can be done about it.

For 200 years while in slavery the Negro was taught that marriage is not for him. And what of family

life when a husband could be sold away from his wife or a wife from her husband; father from children and children from parents? This was the situation we foisted upon the Negro community and precious little was done in the last 100 years by the powers that be to retrain and refashion.

The de jure segregated schools of the South and the de facto segregated schools of the North were always the least favored in facilities, equipment and personnel. Buildings abandoned by those who moved away; equipment, makeshift for there was none to complain; teachers—largely those who could not get to the preferred schools.

Reward is the spur of ambition. How many would struggle through college if the end result was a low-paying menial job?

And a vicious cycle it is. No reward, therefore no ambition. No ambition, therefore no reward.

To be sure the Negro needs to learn what we learned early in our struggle to emerge from the ghetto. The only true emancipation is auto-emancipation.

* * *

DOES HE THEN deserve preferential treatment? My religious teaching and American practice says "Yes!"

In Jewish law all are equal—except the stranger, the widow and the orphan. They are inherently handicapped and it is a matter of simple justice and compassion to extend to them preferential treatment.

By giving them a little more you are really only elevating them to a position of equality with those to whom fate has been more kind.

In American law, we do extend preferential treatment to labor vis a vis capital; the small businessman vis a vis the monopoly. This makes for the true compassionate justice which is the basis of a sound, secure, serene society.

The highest compassion and the greatest justice will be to remove the need for preferential treatment.

In the middle of the last century Rochester was distinguished as a great center of the Underground Railway—a welcome haven for the run-away slave.

Run-away slaves are with us again today, fleeing persecution and tyranny, seeking new life and new hope here with us, among us. Twenty-five thousand have come to our community in the last fifteen years. During this period of time we have provided 417 new, low-income, public housing units.

* * *

THE INNER city is already overcrowded. Where shall the newcomers go?

But there is plenty of empty land in Pittsford, Henrietta, Penfield, Irondequoit and even Brighton.

Their children need trees and grass and fresh air at least as much as ours do.

Crazy, harebrained scheme? It's the price I have to pay for reading the Bible and taking it seriously. The price of survival is to take the Bible seriously.

An impractical, impossible plan to settle our newcomers in new homes, in country surroundings? It ought to be child's play for a country that has reached the moon, a simplicity itself for a community which fashions our sophisticated technology. The way is there—but the will—the will . . .

The greatest progress has been made in schooling. All credit to our School Board and Superintendent for enlightened, determined, dogged progress. But will we really solve the problem of the segregated schools until we tackle it on a county basis? Else we will have segregated schools divided between city and town.

* * *

NO NEED TO TELL me that this is not legally possible. Nationally and regionally we have made greater changes in law to accommodate it to our wishes and desires. If there will be the will, the way will follow.

We know what needs to be done. It is as old as the book of Deuteronomy. The question which remains is the price we are willing to pay. Ours is the choice.

12B The Times-Union
Wed., Sept. 14, 1966

Man Wins \$4,000 in Riot Arrest

A man who spent 20 days in County Jail on charges stemming from the July rioting of 1964 has been awarded \$4,000 in his false arrest claim against the state.

Charles McLamore, 29, of 9 Struble St., was awarded the sum by Supreme Court Justice Richard D. Simons of Rome, acting as a Court of Claims judge. Martin S. Handelman represented McLamore at the trial in Rochester last June.

The claimant was charged with riot and disorderly conduct on July 25, 1964. He was in a car with five others at Joseph Avenue and Herman Street when arrested by a state trooper.

Later a county grand jury returned a no-bill clearing McLamore of the charges.

Justice Simons held that there was no evidence to indicate that McLamore or the others in the car participated in the rioting.

"At best," Justice Simons stated, "it might be argued that they failed to obey the direction of a peace officer to leave the site, but even in this respect there is no evidence that the claimant himself in any way disputed the directions of the trooper."

"On the evidence he was doing his best to see that the others in his car and the driver left the scene promptly when he was arrested."

Democrat and Chronicle
Rochester, N. Y.,
12D Thur., Sept. 15, 1966

False Arrest During Riot Brings \$4,000

In a false-arrest claim against the state, a man who spent 20 days in the Monroe County Jail on charges stemming from the July 1964 riots has been awarded \$4,000.

Charles McLamore of 9 Struble St. was awarded the sum by Supreme Court Justice Richard D. Simons of Rome, acting as a Court of Claims judge.

Justice Simons held that there was no evidence that McLamore, then 27, and five other men arrested by a state trooper at Joseph Avenue and Herman Street participated in the rioting. The six were in a car.

"It might be argued that they failed to obey the direction of a peace officer to leave the site. But there is no evidence that McLamore disputed the directions of the trooper. On the evidence, he was doing his best to see that the driver and others in the car left the scene promptly," Justice Simons ruled.

McLamore on July 25, 1964, was charged with riot and disorderly conduct. He later was cleared of the charges through a county grand jury no-bill.

1
Jury's Record:
SEP 16 1964
230 Cases

In Six Weeks

The June County Grand Jury spent six weeks investigating the rioting of July 24-26.

It was recalled July 27 and first reported Aug. 27. A second report was made last Thursday after its work was completed and the final report was made yesterday.

Here's what the jury accomplished:

Investigated cases of 230 persons.

Returned indictments against 88.

Recommended cases of 41 be returned to City Court for prosecution on misdemeanor charges.

Cleared 101 of charges through no-bills.

A 'Well Done' For Riot Jury

TIMES UNION SEP 16 1964

Seventeen defendants openly indicted by the holdover June County Grand Jury on charges arising from the riots of July 24-26 were brought before County Judge John J. Conway Jr. today for arraignment.

They were among 35 persons charged in 19 indictments handed up late yesterday in a final report to Judge George D. Ogden. Ten indictments were sealed.

On recommendation of the jury, Judge Ogden remitted the cases of 17 persons to City Court for prosecution on misdemeanor charges. The 17 were cleared of felony charges.

JUDGE OGDEN thanked the jury, of which Kenneth D. Gallinger was foreman, for a job "well done."

Dist. Atty. John C. Little praised employers for permitting jurors to take so much time from work. The June Grand Jury was recalled July 27 to investigate the riots.

"It is illustrative of Rochester," Little said, "that when there is an emergency everyone pitches in and does his job."

Judge Ogden, in discharging the jury, declared:

"The court and the people of this community thank you for your long and arduous labors. Your duties and responsibilities have been exceptional. The length of time you have served, as far as I know, is without precedent in this county."

"The events that caused your recall have been and must have been thoroughly investigated by you. Your findings were based on careful consideration of the evidence presented."

Judge Ogden added:

"It may be the reward you receive in a material sense is not commensurate. May the knowledge of a job well done help also to compensate you."

NAMED IN OPEN indictments and the charges:

Catherine Alexander, 49, of 519 Clinton Ave. N., a felony charge of riot and misdemeanor charges of unlawful assembly and unlawful entry of a grocery at 32 Ward St.

Earl Hoover Jr., 32, of 69 Bronson Ave., riot, unlawful assembly and petit larceny in theft of jewelry from C. J. O'Neil's jewelry store, 611 Jefferson Ave.

Robert L. Johnson, 38, of 237 Ormond St., and **Madison Williams**, 27, of 269 Clinton Ave. N., second-degree grand larceny and criminally receiving stolen property, felonies, involving a television set, phonograph and several transistor radios taken from Emerson of Western New York, Inc., 185 Joseph Ave., and petit larceny and criminally receiving stolen property, misdemeanors, involving six bottles of whiskey from Joseph Plaza Liquor Store, 199 Joseph Ave.

Brooks Hudson, 29, of 94 Adams St., possession of several screwdrivers as burglar tools, a felony because of a prior conviction.

Clemente Torres, 36, of 3 Emmett St., riot and unlawful

assembly at Emmett and Ward Streets.

Eugene F. Barrett, 32, of 95 Adams St., and **Betty J. Johnson**, also known as **Betty J. Davis**, 27, of 440 Clarissa St., riot, unlawful assembly and unlawful entry of Maple Liquor Store, 466 Clarissa St.

Ray C. McDonald, 17, of 289 Adams St., riot and unlawful assembly on Columbia Avenue.

Willie J. Smith, 23, and **Alberta Smith Blocker**, 36, both of 15 Ritz St., and **Sadie M. Smith**, 17, of 569 Scio St., riot, unlawful assembly and unlawful entry of Lachiusa's Food Store, 41 Central Park. An additional charge of petit larceny was placed against Sadie Smith in looting the store of groceries.

Haywood Ingram, 34, of 289 Adams St., riot and unlawful assembly at Bronson and Jefferson avenues.

Theodis Radcliff, 28, who gave a South Avenue address, second-degree assault in attacking Sheriff's Deputy George Newland with a fence post.

Riot Cases of 17 Referred to

Times Union Sept 16, 1964

Lower Court

Cases of 17 persons involved in the July riots were sent back to City Court yesterday for prosecution on misdemeanor charges.

The cases were remitted by County Judge George D. Ogden on the June Grand Jury's recommendation. Felony charges were quashed through no-bills.

Remitted cases and charges:

Bernice Siplin, 27, of 46 Greig St., petit larceny and criminally receiving stolen property involving clothing.

Willie J. Pugh, 17, of 54 Joiner St., unlawful entry and petit larceny in theft of liquor.

Johnnie B. Singleton, 32, of 77 Delevan St., unlawful assembly and remaining present after warning.

George Guyette, 20, of 793 St. Paul St.; **Ronald G. Quinn**, 21, of 23 Lowell St.; and **Miguel Gonzalez**, 40, of 671 Clinton Ave. N., possession of a zip gun and rifle with intent to use against others and conspiracy to commit assault.

Vandola Coleman, 35, of 12 Merrimac St., disorderly conduct and remaining present after warning.

Frank Wilson, 41, of 22 Emmett St., unlawful entry of a grocery.

Sam Scott Jr., 18, of 122 Broadway, petit larceny in theft of clothing.

L. C. McCoy, 36, of 89 Bronson Ave., unlawful entry and petit larceny in theft of clothing.

Dorrie Brentley, 20, of 91 Flint St., third-degree assault and resisting a public officer.

C. J. Steele, 36, of 102 Adams

St., unlawful entry and petit larceny in theft of liquor.

Louis McGowan, 37, of 80 Edinburgh St., unlawful entry of a liquor store.

Julius Walker, 20, of 67 Greig St., and **Archie Campbell**, 29, of 49½ Bronson Ave., unlawful entry of a liquor store.

Henry A. Brown, 22, of Buffalo, unlawful assembly.

Dianna Hardgers, 18, of 9 Zimmer St., unlawful entry of an appliance store.

Overtime Pay Given for Duty in Riots

A total of 482 policemen and 219 firemen today will receive with their regular paychecks overtime pay for their work in the riots. It totals \$104,250.

In letters accompanying the special payments, Mayor Frank T. Lamb said their efforts during the July and August emergency "were in the highest tradition of public service and reflected great credit on you and the government of the city."

Most of the payments, \$98,693, went to police officers who worked 29,785 overtime hours at a straight time rate. Firemen, who worked 2,333 hours overtime, received \$5,827.

A City Hall spokesman said no decision had been reached on whether to pay civilians overtime. Some Department of Public Works crews, clerks and others performed extra service.

State Police who took part in quelling the disturbance were paid by New York State and Monroe County sheriff's deputies were paid by the county. Other municipalities paid their officers who worked here.

But no final decision has been reached as to whether the city and county are responsible for the wages of 1,200 National Guardsmen. Their costs ran over \$150,000 for about a week's work.

Man, Youth Deny Charges

A man and a youth who were named in separate sealed indictments arising from the rioting of July 24-26 pleaded innocent when arraigned today before County Judge John J. Conway Jr.

William K. Strother, 48, of 435 Jefferson Ave. was charged with second degree grand larceny and criminally receiving stolen property involving a tape recorder and television set stolen from Emerson of Western, N.Y., Inc., 185 Joseph Ave., July 25.

The youth is **Frank L. Martinez**, 16, of 9 Hope Place, who was among six persons charged with riot and unlawful assembly at Emmett and Ward streets July 26. Both indictments were returned Tuesday.

Police, Firemen

Get Extra Pay

The city's uniformed policemen and firemen received a total of \$104,250 in overtime pay today for their work during the July riots and the emergency that followed.

The 482 policemen who worked 29,785 overtime hours received \$98,693. A total of \$5,827 was paid to 219 firemen who put in 2,333 overtime hours.

All uniformed policemen and firemen received overtime checks except Police Chief William Lombard, Fire Chief Joseph L. Donovan, Executive Deputy Police Chief Henry H. Jensen, Executive Deputy Fire Chief Edward C. Traugott and Deputy Police Chief Clarence G. DePrez.

Deny Counts Stemming

From Riots

Eight defendants who were named in sealed indictments stemming from the rioting of July 24-26 pleaded innocent when arraigned before County Judge John J. Conway Jr. today.

The defendants and charges are:

John Verdell, 29, of 53 Ward St., riot, unlawful assembly and unlawful entry of a grocery store at 32 Ward St. July 26.

William Rowie, 49, of 48 Atkinson St., first-degree assault and possession of a loaded revolver in attacking a policeman July 25.

Jimmy L. Elsay, 42, of 17 Eagle St., second-degree grand larceny and criminally receiving stolen property, felonies, involving a television set, phonograph and several radios and petit larceny and criminally receiving as a misdemeanor involving six bottles of whisky July 25.

William Dye, 40, of 6 Olean St., third-degree burglary of Ike's Market, 601 Clarissa St., July 26.

Leroy Jones Jr., 19, of 12 Weyrech St., third-degree burglary and first-degree grand larceny in theft of a car from Holtz Buick Inc., 30 Union St. N., July 26.

Antone M. Oliveri, 52, of 9 Messina St., first-degree assault in firing a rifle at two men in Messina Street July 26.

Thomas Dukes, 25, of 496 Plymouth Ave. S., riot, unlawful assembly and unlawful entry of Ace Food Market, 486 Plymouth Ave. S., July 26.

Charles E. Balkum, 24, of 4 Gordon Park, riot, and unlawful assembly at Emmett and Ward Streets July 26.

Mother Pleads Guilty in Rioting

Sadie M. Smith, 18, of 569 Scio St., late yesterday became the first of those indicted in connection with the rioting of July 24-26 to plead guilty in County Court.

Mother of two children and expecting a third, she admitted misdemeanor charges of unlawful assembly and petit larceny in theft of groceries from Lachiusa's Food Store, 41 Central Park, July 26. Judge John J. Conway Jr. deferred sentence to Feb. 19. A felony charge of riot and a misdemeanor count of unlawful entry will be dropped.

Joseph Ave. Brightens as Riot Memories Fade

TIMES UNION SEP 19 1964

By DOUGLAS KERR

A Brighton woman went to Joseph Avenue yesterday and bought some corned beef.

This seemingly insignificant fact actually is significant.

First, the woman was not afraid to shop on Joseph Ave-

JACK COHEN, owner of Cohen's Kosher Restaurant at 315 Joseph Ave., re-opened "because of public demand ... for a sort of experimental period."

This "experimental period" includes shorter hours. The restaurant will be open only during the day. It will close

have re-opened. Business is back to normal for most, at least in the daytime.

"This had been an evening street," said Harry H. Suskind, owner of a paint and wallpaper store. "Now the merchants seem reluctant to open in the evening."

The owner of a liquor store, who asked that his name not be used, put it this way:

"At night you could shoot a cannon down Joseph Avenue and not hit a soul. White people are still afraid to come down here at night. Many of the stores, except liquor stores, are closing at 7. Before the riots most were open at night."

...

DANIEL (BUD) ROTHMAN, president of the Joseph Avenue Businessmen's Association, said yesterday in an interview that none of the businesses on the street have gone out of business as a direct result of the riots.

"Many of the stores have been improved," he said. "The stricken areas are peaceful and safe and many of our old customers and new ones have showed

their sympathies in a very practical way by patronizing our stores."

Rothman said insurance adjusters seem to be cooperating with the claimants. However, he added, the process

is slow and some of the merchants are becoming impatient.

Rothman said the association plans to conduct a promotion campaign in October to attract more shoppers to Joseph Avenue.



Then ...

Joseph Avenue near Catherine Street looked like this July 25, as rioters (left) raced down street while firemen and police tried to quell them. Spray obscures Cohen's Restaurant sign.

nue, hit hard by the rioting of July 24-26—not only in property damages but also in reputation.

Second, the restaurant and delicatessen where she bought the corned beef was open for the first time since the riots.

at 4 during the week and at 8 on weekends.

Cohen said that the shorter hours were "so we can do a better job."

Cohen's restaurant is known for its corned beef, pastrami and Kosher foods such as stuffed kishkie. Cohen lost about \$8,000 in property damages and looting during the riots. He re-decorated, replaced two smashed front windows and restocked his supplies.

Cohen is optimistic about the future. He said his first day of business was "quite active."

Most of the Joseph Avenue merchants share Cohen's optimism. About 90 per cent of the stores in the riot-torn section



Cohen



Now ...

Traffic rolls and pedestrians, both Negro and white, stroll down bustling but placid Joseph Avenue. Cohen's Restaurant, a pillar of the business area, is at left.

242

13 More Riot Claims Filed Against City, County

D. & C. SEP 21 1964

Thirteen more claims have been filed against the city or county as a result of the July 24-26 rioting and looting here.

A claim for \$27,450 was filed against both governments by Frank Anzalone, Esther Bloom and Frieda Astrachan, as operators of Frank & Esther's Liquor Store at 453 Clinton Ave. N., and by Frank Anzalone individually. They are represented by the law firm of Salzman, Salzman & Peterson.

George Freeling, operator of Freeling's Army & Navy Store at 245 Joseph Ave., filed a claim for \$19,839 against the city and county. Freeling said he has been paid by his insurance company and the claim, being handled by the law firm of Traynor & Skehan, represents the insurance company's claim to regain its money.

Arthur Tommaselli, who owns the building and operates a grocery at 566 North St., filed a \$5,000 claim against the city and county. He is represented by Donald A. Salamone.

Al Lipschutz, former supervisor and constable of the 7th Ward, has filed his third claim against the city and county as a result of the rioting. Using his other name, Al Lipin, he filed for \$162.39 damage done to his 1962 automobile. He also is represented by Salamone. Previously, Lipschutz, individually and as president of Al's Market, Inc., filed for \$20,000 for damage to his property and food store at 301-303 Scio Street.

Mrs. Pearl DeFranco filed a \$10,000 claim against the county for damage and looting of her grocery store and apartment at 593 Scio St. Her lawyer is Philip B. Dattilo Sr. The claim is a companion to a similar claim she filed last month against the city.

Jeanette Gaudu, her husband John B. Gaudu, and Sanford H. Schatz, filed a \$10,000 claim against the county for damage to their

business establishment in rented quarters at 448 Jefferson Ave. The Gaudu family lives at 203 Edgeland St. Schatz lives at 11 Jewel St. The three operate World Electronics, a radio-television sales and service firm. The firm now rents from the Genesee Valley Regional Market Authority, 1475 East Henrietta Road. They previously filed such a claim against the city.

Other claims against the city are: \$5,000 by the Merchants Mutual Insurance Co.

for damage to the Central Bargain Store, 287 North St.; \$16,000 by Hyman and Sophie Freedland, 377 Simpson Road, for property damage at Terry's Shoes, 239-241 Joseph Ave.; \$25,000 by Neil Cammarano, 71 Vayo St., for lost business and damage to merchandise, fixtures and records at his grocery, 36 Ward St.; \$5,000 by Joseph C. Goldman,

owner of Goldman's Meat Market, 372 Joseph Ave., for damage to fixtures and merchandise, stolen cash and lost business.

\$2,200 by the Mr. Paint Shop, 460 Clinton Ave. N., for glass and merchandise damage; \$6,876 by Gertrude E. Young and John L. Castrechino, owners of John and Gert's Restaurant, 259 Jefferson Ave. for property damage, and \$852 by the Merchants Insurance Co. for window damage at Harris Gottlieb's grocery, 551 Clinton Ave. N.

Persons whose property was damaged in the rioting are filing claims under an 1855 state law that says the city and county are responsible. Many legal authorities have said only the city is liable, and the city claims a special state law, passed during the Korean war, makes the 1855 statute inoperative. The courts will have to decide the questions.

4 in Court ON RYON SEP 21 1964 On Riot Counts

Four persons indicted by the riot grand jury but whose identities had been sealed appeared before County Judge John J. Conway Jr. today.

The defendants, whose indictments stemmed from the rioting of July 24-26, and charges are:

Ronald P. Williams, 18, and Leonard C. Bratton, 16, both of 422 Hawley St., unlawful entry, a misdemeanor, second-degree grand larceny in the theft of jewelry from C. J. O'Neill jewelry store, 611 Jefferson Ave. July 25. They pleaded innocent.

David F. Nettles, 19, of 49 Greig St., riot and misdemeanor counts of unlawful assembly and unlawful entry of Ace Food Market, 486 Plymouth Ave. S. July 25. Arraignment was adjourned to tomorrow after assignment of counsel.

Newton Titus, 18, of 32 Gordon Park, riot and unlawful assembly at Emmett and Ward Streets July 26. He pleaded innocent.

\$79,000 Riot Bill Reported

TIMES UNION SEP 21 1964

By CHARLES HOLCOMB

Overtime and other direct expenses incurred in the July 24-26 riots will cost the county government at least \$79,000—and possibly more than \$150,000.

County Manager Gordon A. Howe today forwarded to the Board of Supervisors a report detailing the expenses. Along with it, he sent a recommendation that the board appropriate \$90,000 out of surplus to meet these bills and some others that may not have been submitted yet.

The report, prepared by comptroller Thomas B. Steckel, lists overtime and meals for prisoners as the biggest items.

Not included is the county's 50 per cent share of the cost of sending 1,200 National Guard troops in. State officials expect to bill the city and the county for an amount totalling about \$150,000, but say that all the bills aren't yet in.

OVERTIME PAYMENTS for sheriff's deputies amounted to \$27,299 of the \$28,073 due county employees of the courts, the sheriff's office and the penitentiary.

Town police who were sent in on riot and patrol duty account for another \$5,119.

Overtime for town Civil Defense personnel amounted to \$6,191, including \$5,711 for Greece CD personnel and \$480 for Penfield personnel.

Extra expenses incurred by the June grand jury that was held over to hear testimony on riot arrests amounted to \$5,500.

The penitentiary submitted a bill for \$18,000 to cover meals of prisoners housed there. Most of the 976 persons arrested during the riot period were taken there.

Others, however, were kept in the city jail in the Public

Safety Building. Meal costs there added up to \$1,992, on the basis of bills submitted by two catering firms.

The district attorney's office listed \$6,560 in riot-connected expenses. This included \$1,000 for photographs, medical work and fees; \$5,000 for legal stenographic help; and \$560 for copying service.

EXPENSES FILED by the county Civil Defense department filed expenses of \$1,950. Listed were \$1,350 for radio equipment destroyed in the July 26 helicopter crash that killed CD director Robert N. Abbott and three others.

2 Appear

On Charges From Rioting

TIMES UNION SEP 22 1964

Two more defendants whose identities had been sealed in indictments stemming from the rioting of July 24-26 appeared in County Court today.

Willie Hicks, 35, of 219 Union St. N., was charged with second degree grand larceny, criminally receiving stolen property as a felony and criminally receiving as a misdemeanor. He was accused of stealing whisky from Kaplow, Inc., 346 Clarissa St., and clothing from Bright Star Dry Cleaners, 467 Clarissa St., July 25.

Ronald L. Scott, 21 of 99½ Joiner St., was charged with a felony charge of riot and two misdemeanor charges, unlawful assembly and petit larceny. He was accused of rioting at Clinton Avenue North and Hand Street and stealing whisky and a lamp from a nearby store July 25.

Arraignments in both cases were adjourned by Judge George D. Ogden to Thursday to allow the defendants time to retain counsel. With the appearances of the two men, all but nine out of 88 persons indicted in the rioting have appeared in County Court.

Riots and Reason

Try as we do, we cannot share the sophisticated, academic detachment with which some of our great minds view the crises of the times.

For example, the American Psychological Association has been meeting in Los Angeles. Some members were asked for comments on the "why" of teen-age rioting in various spots in America.

All concurred on two major points: The outbursts were nothing new in character, and nothing to get particularly worried about.

Of course youthful flouting of the law is not new . . . but in a society that doubles in population, the gangs double, the damage doubles, the cost doubles, and all the attendant tragedies are twice as many or twice as big as before. So we intend to get very worried indeed, psychologists' advice to the contrary.

Another psychologist noted that comprehensive, fast, detailed dissemination of news draws attention to these incidents. He is right. He added that society must learn more about the stresses

operating within it; when more people have knowledge to deal with these stresses, then more people will be able properly to steer adolescent behavior. This too is right.

But when others among the psychologists talked of the riots as caused by only a small minority of "youth in revolt," again we get the feeling that they are too casual. The world's acknowledged experts on how to start riots—the Communists—learned years ago that a tiny minority of well-trained Reds could overthrow a whole government. We don't mean that there is a relationship between communism and the student brawls; but there is a technical kinship in the anatomy of riots, and in the proof that only a handful of people are needed to touch them off.

Sincere thanks are due psychologists and sociologists for helping us to understand motivations, inner drives, frustrations, and similar mental conditions . . . but violence is becoming endemic on every social and economic level, in every part of the land, and often with no relationship to creed or color. It's a definite, physical, personal danger. What is needed, along with an understanding of the "whys," is hard-boiled public refusal to permit this nation of law to become a nation of anarchy.

D. & C. SEP 22 1964

244

D. & C. SEP 23 1964

3 Plead Innocent, 1 Case Postponed on Riot Counts

Identities of four more of 88 persons accused by the grand jury that probed the July 24-26 rioting were disclosed when they were brought before County Judge John J. Conway Jr. on previously sealed indictments yesterday.

Arraignment of one of them, David F. Nettles, 20, of 49 Greig St., was postponed to today after assignment of counsel. He is charged with riot, unlawful assembly and unlawful entry

of Ace Food Market, 486 Plymouth Ave. S. July 25.

Three pleaded innocent. With the charges, they are:

Newton Titus, 18, of 32 Gordon Park, riot and unlawful assembly at Emmett and Ward Streets July 26.

Ronald P. Williams, 18, and **Leonard C. Bratton**, 16, both of 422 Hawley St., second degree grand larceny and unlawful entry, involving theft of jewelry from the C. J. O'Neil jewelry store, 611 Jefferson Ave., July 26.

Store Owners Dispute Riot Insurance Report

TIMES UNION SEP 23 1964

By CHARLES HOLCOMB

Riot insurance on stores in the city has not been cancelled because of the July 24-26 rioting, the State Insurance Department said today.

But local store owners tell a different story.

In response to a complaint forwarded by Assemblyman Paul B. Hanks Jr., first deputy insurance superintendent Fioravante G. Perrotta wrote:

"Our complaint bureau conducted an exhaustive investigation and consulted with numerous companies writing such insurance in the Rochester area, which discloses that there has not been a cancellation of risks as a result of such disorders."

Answers Sam J. LaChiusa, who operates a food market at 41 Central Park:

"I'm going high and low looking for insurance. One fellow told me I could have it but the rate would be five times what I paid before."

LaChiusa said he was noti-

fied in early August that two companies which insured the property for \$6,000 each were cancelling the coverage.

"We've been in this neighborhood 50 years and I've never had a claim of any kind," he went on.

Assemblyman Hanks said he was satisfied with the insurance department's answer. The specific complaint was that insurance had been canceled after the riots on the Jaycee Delicatessen at 312 Plymouth Ave. S., in Hanks' district. It is owned by Mr. and Mrs. Thomas Zambito.

PERROTTA said his investigators found that the Aetna Insurance Co. had had "10 losses on this risk in the last five years and in June of this year, because of the frequency of claims, the Aetna Insurance Co. mutually agreed with its agent to cancel the casualty liability." He added: "This procedure took some time and unfortunately it was not until Aug. 25 that the actual cancellation notices were

processed." Perrotta said he was assured by the company that the riots did not occasion the cancellation. He added that Aetna Insurance later granted coverage for a smaller amount.

State Sen. Thomas Laverne said he had had about a dozen complaints from LaChiusa and other store owners in his 52nd Senatorial District that insurance had been canceled.

Observing that the right to cancel or not to renew coverage is written into such policies, he said that most companies had denied that they had canceled coverage because of the riots.

The insurance industry is worried about getting "a black eye" by such complaints, he said.

He said he was unwilling to judge until after a public hearing on insurance rate-making practices that the Joint Legislative Committee has promised to hold here. No date for the hearing has been set.

Riot Damage Claims Climb To \$1.5 Million

By PAT ZISKA

Claims against Monroe County stemming from July's riots climbed past the \$1.5 million mark as lawyers rushed to meet yesterday's filing deadline.

In all, 110 claims totaling \$1,559,000 have been filed against the county.

At least 65 riot claims totaling about \$1,044,000 have been reported filed against the city.

Almost all of the claims have come from commercial establishments. These range from liquor and appliance stores to furniture outlets, restaurants, groceries and delicatessens.

All were in the 3rd and 7th Ward areas where the rioting occurred on July 24 to 26.

At least two of the claims against the county involved the leased helicopter which crashed into a Clarissa Street house resulting in the deaths of two occupants and injuries to a third passenger.

The widow and mother of the helicopter pilot killed in the flaming crash have filed a \$100,000 claim against the county.

The pilot, James B. Docharty, 45, of 5 Lilac Drive, Brighton, died in the mishap July 26.

Yesterday another Page Airways, Inc., pilot, Robert Cannioti, 31, of 18 Compton Cres., Pittsford, a passenger injured in the crash, filed a \$50,000 claim.

His claim was one of scores received by County Legal Advisor Leo T. Minton yesterday as lawyers scurried to meet the 90-day deadline.

Although both contend claims are baseless, city and county officials apparently disagreed on the technical deadlines.

John R. Garrity, first deputy corporation counsel, set the filing deadline at midnight, Sept. 25.

City Faces \$1,044,000 in 65 Riot Claims

TIMES UNION SEP 25 1964

Sixty-five riot damage claims, totaling about \$1,044,000, have been filed so far against the City of Rochester.

Forty-one riot claims, amounting to \$626,465 have been filed against Monroe County. All of these claims are believed to be duplicates of claims against the city.

But neither the city nor the county thinks it is liable for the riot damage.

The claims have come almost entirely from commercial establishments, ranging from liquor and appliance stores to furniture outlets, restaurants and groceries.

ALTHOUGH they both maintain the claims are baseless, city and county officials apparently disagree on the technical deadline by which they must be filed.

John R. Garrity, first deputy city corporation counsel, said the filing deadline for claims from the July 24-26 riots is midnight tonight.

But Leo T. Minton, county legal adviser, said claimants may file within 90 days of the alleged incident, meaning the

deadline is still a month away.

CITY OFFICIALS have said that while Section 71 of the General Municipal Law "would indicate the possibility" of the city's liability for riot damages, a later statute enacted about a dozen years ago says Section 71 "shall be inoperative and shall not apply with respect to property destroyed or injured by mobs or riots."

Minton said that while most of the claims have been for property damage, some have been for losses of business during the riot curfew periods and during periods the establishments were closed for repairs.

He said the county's position is that it isn't liable because the riots occurred in the city. He said that attorneys were apparently filing duplicate claims against the county merely "to protect themselves."

The Travelers Insurance Cos. holds the insurance for both city and county, although there is disagreement over the terms of the policies.

Minton said claimants had 90 days, thus the county expiration date was yesterday.

According to city officials, Section 71 of the General Municipal Law "would indicate the possibility" of the city's liability for riot damages, but a later statute enacted about 12 years ago says Section 71 "shall be inoperative and shall not apply with respect to property destroyed or injured by mobs or riots."

Minton said that while most claims have been for property damage, some have been for losses of business during the riot curfew and while establishments were closed for repairs.

His contention is that the county isn't liable because

THE TRAVELERS plans to pay up to \$50,000 property damage on provable claims, but the city maintains that the \$50,000 maximum liability coverage is for each individual occurrence, not for the total alone, and that the Travelers is liable for up to \$50,000 on each separate provable claim.

the riots occurred in the city.

In many cases, he explained, attorneys were apparently filing duplicate claims against the county merely "to protect their clients."

The Travelers Insurance Co. holds insurance for both county and city, although there is disagreement over

the terms of policies.

Travelers plans to pay up to \$50,000 damage on provable claims, but the city contends that the \$50,000 maximum liability coverage is for each individual occurrence, not for the total alone. Thus, the city maintains, Travelers is liable for up to \$50,000 on each separate provable claim.

Text of FBI Report on Northern Riots

WASHINGTON (AP) — Following is a partial text of the FBI report to President Johnson on riots in nine Northern cities:

There is submitted herewith a summary of the information gathered by this bureau concerning the riot situations which occurred within the United States this summer. Nine such riots occurred between the middle of July and Labor Day.

This summary is based upon voluminous reports gathered by the agents of the bureau from each of the nine communities involved. The facts and opinions were all derived from public officials, police officers, clergymen, leaders of the responsible organizations and individuals considered to be reliable.

Nature of City Riots

July	18-23 New York City
July	24-25 Rochester, N.Y.
August	2-4 Jersey City, N.J.
August	11-13 Elizabeth, N.J.
August	11-14 Paterson, N.J.
August	15-17 Dixmoor, Ill.
August	28-31 Philadelphia
September	4-7 Seaside, Ore.
September	6-7 Hampton Beach, N.H.

Each of the seven major city riots, with one exception, was an escalation from a minor incident, normal in character. Similar incidents, usually routine arrests for disorderly conduct, had happened hundreds of times in most communities involved and in other cities throughout the country.

Whatever the cause, in each instance there was first violent interference with the policeman on the scene, followed by the gathering of a crowd which became increasingly unruly, began stoning police officers and civilians.

Every effort by responsible public officials, police officers and others to persuade the crowd to disperse failed. Complete defiance of the law and the rights of others grew and fed upon itself.

In a majority of the areas affected store windows were broken, sometimes for many blocks, rocks were thrown, ash cans were hurled from roof tops, bottles, bricks, Molotov cocktails and fire bombs were thrown; the latter usually on the second or third day of the riots.

Looting followed. As news of the riots was spread by the newspapers, radio and television, the riots spread to other sections of some cities and usually the rioters were joined by an increasing number interested primarily in looting. In some sections the looting was carried on actively by women and even children.

In most of the communities, respected Negro and other civic leaders, clergymen and public officials made every effort to halt the riots.

In almost all cases only massive and vigorous police action or the arrival of State Police or the National Guard finally brought about a termination of the riots and the restoration of law and order.

Initial Incidents

New York was the only city where the initial event was not immediately followed by rioting. On July 18 an argument arose

between the superintendent of a building and a group of young boys and young men at an adjacent public school. The superintendent retreated into his building, pursued by a 15-year-old Negro boy armed with a knife. A lieutenant of the New York City Police Department, off duty nearby, heard the crash of glass and rushed out to find the boy with a knife in his hand. The lieutenant identified himself as a police officer and ordered the boy to drop the knife. Instead he attacked the lieutenant who finally fired one warning shot, and then two which were fatal. The grand jury cleared the lieutenant.

Inquiry in the neighborhood in which the deceased boy lived disclosed that he had begun indiscriminate fighting as early as 7 years of age. During his last school term he was absent from school 32 days and while at school he was repeatedly accused of bullying other students, picking pockets and even fighting in the guidance office. On one occasion he had been placed on probation for beating up a smaller boy and earlier this year was arrested, charged with attempted robbery.

Significantly, despite the widespread publicity given to this case, it did not result in serious public disturbance for two days.

On July 19, 20, 21, 22 and 23 the press, radio and television carried lurid accounts nationwide of the rioting in Harlem and in the Bedford-Stuyvesant section of Brooklyn which resulted in 480 arrests, many injuries and extensive damage.

Immediately thereafter riots started in Rochester. On the evening of July 24 a licensed street dance was being held under the sponsorship of the Nassau Street Mothers' Improvement Association. Late in the evening, a young Negro who had been drinking heavily caused a commotion and, upon the complaint of another participant, two police officers arrested him.

Crowd Interferes Violently

Members of the crowd first protested and then interfered violently with the arresting officers. With the arrival of additional police, four others were arrested and removed from the scene. With one possible exception these five men had prior convictions for various offenses including assault and grand larceny.

Before long the disorder grew to such proportions that when the chief of police arrived and endeavored to quiet the people he was stoned and his car overturned. The riot continued all night, resuming the following night and spreading into other areas with widespread damage and many injuries.

The following weekend, on Aug. 2, in Jersey City, the police received a complaint that two Negro women were drunk and fighting at the Lafayette Gardens housing project. When two policemen arrived and attempted to stop the fight other residents of the project interfered. Following the arrest and removal of the two women, neighbors and others gathered in the streets. Bottles and bricks were thrown at individuals and passing cars, store windows were smashed and a full-scale riot ensued that day and the next. Similar minor incidents preceded the riots a few days later in Pater-

Continued

on page 247

Continued From page 246

son and Elizabeth.

Rioting next broke out in Dixmoor, Ill., a suburban community outside of Chicago with a population of 3,400 people of whom 55 per cent are Negroes. While many of the inhabitants have low incomes and live in modest, rental buildings, Dixmoor has never been considered a trouble spot and such segregation as exists is being eliminated.

On the afternoon of Saturday, Aug. 15, a young Negro woman was caught allegedly stealing a bottle of liquor from a liquor store owned by a white ex-convict. This individual was generally believed to have close underworld connections and was much disliked by the Negro community. When accused by the store owner, she created a disturbance and smashed liquor bottles. Upon complaint of the owner she was arrested.

A crowd of Negroes gathered to picket the store in protest and considerable disturbance occurred, resulting the following two nights in full-scale riots. Both whites and Negroes participated.

In Philadelphia, on Aug. 28, a Negro police officer assigned to traffic duty in a predominantly Negro section of the city made a routine investigation of a traffic tieup. He found traffic backed up for several blocks behind an automobile occupied by a Negro couple engaged in an argument. The wife, who had her foot on the brake, refused to permit the car to be moved. Upon her continued refusal to allow the car to move, the officer placed her under arrest and attempted to remove her from the car. Two other officers arrived on the scene and together they succeeded in dragging her from the automobile while she continued to resist, screaming and cursing during the struggle. Her husband unsuccessfully urged her to cooperate with the officers and tried to help them.

Leader Harangues Crowd

Shortly thereafter a well-known Negro agitator, a leader of a small splinter black nationalist group, got on a house porch and allegedly harangued the crowd, urging them to violence against the police officers, charging that they had brutally abused the Negro woman. The ensuing two days saw rapid acceleration and spread of serious riots, the establishment of a curfew, two deaths, 339 injuries and more than 400 arrests.

The riots at Hampton Beach and seaside involved groups made up predominantly of young whites on the Labor Day weekend. Disturbances had occurred at these beaches on previous Labor Days but this year the riot at Hampton Beach was much more serious, causing many injuries and great damage. At Seaside, effective police planning kept the damage to a minimum. These two riots resulted in 256 arrests.

In each case there were reports of advance preparation for the riot and the individuals involved ranged from youths in their late teens whose vacation was coming to an end to toughs and other hoodlums in their middle 20's whose conduct indicated a purpose to make trouble and profit by it.

The evidence indicates that aside from the actions of minor organizations or irresponsible individuals there was no systematic planning or organization of any of the city riots.

Seeking to exploit Negro unrest was the Progressive Labor Movement (PLM), a Marxist-Leninist group following the more violent Chinese communist line. One of its organizers is a former secretary of the New York State communist party USA. Following the New York shooting, the PLM under the leadership of this individual distributed thousands of copies of a handbill containing a photograph of the lieutenant under the headline "wanted for murder." At the time the handbill was distributed throughout the Harlem area a mass demonstration was announced for July 25.

Another officer of the PLM, also a former member of the communist party USA, organized a number of groups in the Harlem area to be prepared to exploit incidents. Two days after the shooting above referred to this individual harangued a street meeting announcing there was going to be a demonstration, "not necessarily peaceful," that he and his followers "were going to kill cops and judges."

A Negro who formerly was organizer of the Harlem region of the Communist Party USA achieved widespread publicity early this year through leadership of rent strikes. Three days after the shooting of July 16, this individual issued a public call for "a hundred skilled black revolutionaries who are ready to die" to correct what he called "police brutality."

In another city, one agitator with a radical background was found 11 separate times haranguing crowds in a riot area, inciting further and more violent riot action. This individual is not known to have any connection with any important organization.

These exhortations were addressed in general to Negroes living in crowded areas of many cities across the country. It is essential part of the background to recognize that many of these areas are characterized by miserable living conditions, houses that are badly maintained, many of them rat infested and filthy. Drunkenness, narcotics peddling, prostitution, idleness, frustration, poverty and lack of opportunity are part of the atmosphere many people in these districts breathe.

The facts developed lead to the clear conclusion that there is no discernible pattern of organization of the riots from city to city.

Role of Police

It has been frequently charged that excesses by the police have been a contributing factor in some disturbances. The bureau conducted a diligent inquiry concerning these changes in the course of its investigation in the riot cities.

The reports indicate that in all of the cities the police were generally restrained in their conduct even in the face of con-

Rioting Can't Win, Evers Says

Charles Evers, whose brother Medgar, a civil rights worker, was killed last year in Mississippi, speaks softly and without hate and says, "I love Mississippi because it's mine."

He spoke at a voter registration rally last night in Mt. Vernon Baptist Church on Joseph Avenue.

Introduced by Dr. Walter Cooper as "one of the unsung heroes of the 20th century," Evers made a strong pitch for the Negro in Rochester to register and vote, saying that "a voteless people is a hopeless people." (Evers is field secretary in Mississippi for the National Association for the Advancement of Colored People.)

Hate, he said, is not the way. "It doesn't solve anything. Regardless of intimidation from the power structure, hate and riots won't win."

"Go to the courthouse and register. Vote the rascals out. . . Then you won't have to throw one rock or break one window."

Evers said it made him sad to learn that there were people in Rochester who hadn't cared enough to register. He contrasted the lack of barriers to registration in the North with the situation in Mississippi.

"Of the 425,000 Negroes over 21 in Mississippi, less than 30,000 are registered. In Jefferson County, where 76 per cent of the population is Negro, not a single Negro is registered."

"And this is not because people don't want to register but because it's suicide to try."

Evers suggested that as long as the Negro in Rochester was unregistered, "you are much more enslaved than you think you are. There are only two powers in this country, the dollar and the ballot, and you don't have either. So please organize yourselves. Don't throw things, but keep squeezing."

Continued on
page 248

Continued

on page 248

248

Continued from page 247

SPEAKING of Mississippi murders, Evers noted that two of the three recently slain civil rights workers were whites. "Had they all been Negroes, these would have been just three more dead Negroes. It took the lives of two young white boys to wake people up.

"We must learn to be just as proud of our achievements as the Jew and the Italian, or else we won't be free."

Evers made a strong endorsement of former Attorney General Robert Kennedy for senator.

Third Ward Supervisor Mrs. Constance Mitchell appealed to the audience "to give of yourselves, for the problems won't go away . . . We must pull together as never before."

The rally was sponsored by the Rochester Area Ministers Conference.

Continued From page 247

tinuous insults, barrages of rocks, bottles, molotov cocktails and fire bombs. Indeed, the restraint of individual police officers in the face of such provocation appears to be remarkable and was widely praised by the press and public.

The investigations also revealed that where there is an outside civilian review board the restraint of the police was so great that effective action against the rioters appeared to be impossible. This restraint was well known in the community and the rioters were thereby emboldened to resist and completely defy the efforts of the police to restore order. In short, the police were so careful to avoid accusations of improper conduct that they were virtually paralyzed.

In one city with such an outside review board, police action was so ineffective that the police were finally ordered to withdraw from the riot area completely, and limit themselves to attempting to prevent the riot from spreading to other sections of the city. In another such city the police frankly admitted that the making of arrests for violent conduct and looting was "unfeasible" and mob action continued at length without effective deterrence.

Report Summarized

—It is a truism that the first duty of all government is to maintain order, else there is no government. Keeping the peace in this country is essentially the responsibility of local government.

—A common characteristic of the riots was a senseless attack on all constituted authority without purpose or object. While in the cities racial tensions were a contributing factor, none of the nine occurrences was a "race riot" in the accepted meaning of the phrase.

—While adult troublemakers often incited the riots the mob violence was dominated by the acts of youths ranging in age up to the middle twenties.

—No evidence was found that the riots were organized on a national basis by any single person, group of persons, or organization.

—The riots resulted in severe and extensive damage to the property of small businesses and stores and wholesale looting in most cases. Motivations for looting varied widely from drunken or exuberant thefts to deliberate larceny.

—The breakdown of respect for law and order among young people may be attributed in part to an immunity to public exposure for serious offenses and often the absence of punishment of any kind.

—Assignment of Negro policemen and higher officers to Negro communities can do much to improve relations between the Negro population and the police.

—The arrival of large numbers of reporters and television cameras at the riots provided an opportunity for self-seeking individuals to publicize wild charges. These circumstances provided additional incitement to the rioters.

—Since riot situations are so rare in the United States, the highly specialized training required for their suppression has not generally been a regular part of police training or organization. As a result it took many hours and in some instances days to mobilize enough force locally or from outside to cope with the riots. More widespread training in these techniques would be most helpful in coping with possible future disturbances.

—In cases of public disorder, prompt prosecution is essential.

'Ideals' S UNION SEP 28 1964 In Riots Described

Riots are a Negro reaction to the gap between American theory and practice, William Strickland, executive director of the Northern Student Movement, said today.

The Negro Harvard graduate opened the Colgate Rochester Divinity School Institute on the Negro and Theological Education. The Northern Student Movement works in six cities to develop Negro leadership.

"There were riots in Rochester, Harlem and Philadelphia after the passage of the civil rights bill because the bill was irrelevant to the Negro masses."

Youth Charged S UNION SEP 30 1964 In Rioting

Leslie B. Campbell Jr., 16, of 60 Third St., whose identity had been sealed in an indictment charging riot, unlawful assembly and unlawful entry in the July rioting, appeared before County Judge Harry L. Rosenthal yesterday.

Arraignment was adjourned to Thursday after assignment of counsel. The youth was accused with three other persons with entering Lachiusa's Food Store, 41 Central Park, July 26.

One of the three, Sadie Mae Smith, 17, of 569 Scio St., was the first of 88 persons indicted in the rioting to plead guilty. She admitted unlawful assembly and petit larceny in theft of meat worth \$5 from the food store and is awaiting sentence Feb. 19.

James D. Parker, 28, of 531 Columbia Avenue, who was named in a sealed indictment charging attempted first-degree rape and second-degree assault of a Rochester woman Aug. 23, pleaded innocent. He was indicted Sept. 22.

Criticizes FBI Report on Riots

TIMES UNION OCT 5 1964

By Robert Samberg

I believe The Times-Union editorial (Oct. 1) covering the FBI report on the role of police review boards in the recent riots was grossly unfair.

The "FBI facts" referred to in the editorial are nonexistent. Even a casual reading of the report shows that the FBI's statements on the effect of the review boards are apinion without a shred of factual information given to support them. I suggest that not even "the nation's most respected law enforcement agency" can expect to have accusations believed when it fails to substantiate them.

There is much reason to question the motives of the FBI in this matter. The bureau's traditional opposition to any citizen scrutiny of police activity was a matter of record long before the events of last summer.

Mr. Hoover has never passed up an opportunity to attack the concept of review boards and therefore, in the absence of any evidence to support the report's allegations, I think we are more than justified in writing them off as propaganda.

If there is a bit of truth in the FBI's charges, then our concern should be for what this implies about the quality of our police officers. I suggest that any qualified police officer knows the limits placed on his authority by the rights of citizens and no

board of review would condemn police activity which did not exceed these bounds.

An officer who does not know the limits of his authority is not qualified to hold police powers. One who uses public fear of lawlessness to exceed his authority is a danger to those things he claims to be protecting.

28 Bobrich Drive

EDITOR'S NOTE — The Times-Union editorial concluded: "Perhaps the city administration can prove that effective law enforcement is not hampered by the Rochester review board, or that other considerations are more important, or even that the FBI's facts are wrong. It had better try, for it now stands accused by the nation's most respected law enforcement agency of rolling a huge roadblock into the path of those who seek to defend public safety."

Man Denies Riot Charge

Thaddious C. Titus, 24, who gave a Gordon Park address, was arraigned yesterday before County Judge Harry L. Rosenthal on charges of riot and unlawful assembly July 26 at Ward and Emmett streets. He pleaded innocent. He was one of 88 persons indicted by the county grand jury that probed the July riots. The indictment was previously sealed as to him. He and five others were charged in it.

ADVERTISEMENT

12A — Editorial Page — Friday, Oct. 9, 1964

THE TIMES-UNION

An Independent Newspaper

As We See It

How Many Agencies For Race Relations Work?

"The basic issue is not how to stop the revolution, which is impossible, but rather how do we bring about orderly change, and how do we give direction to the understandably heightened aspirations and impatience of Negro citizens."

Whitney M. Young Jr., executive director of the Urban League, made this comment in an address this year. It gives a clue to the balanced approach of the league to the race problem and is one of several good reasons why the league would be welcome in Rochester.

Although no decision has yet been made, there seems a good chance that the league will be invited here. Quiet work has gone on in the background for some time, and the exploratory talks of this week touched most of the bases.

Across the nation, the league has a reputation for solid achievement. Although vitally involved in civil rights, it has not become associated with the irresponsible acts of extreme groups. It has concentrated in a thoroughly professional way on studying the facts, interpreting them, and mobilizing community resources.

The Urban League thus seems to have a role to play in Rochester. But if it comes here, something will have to be done to avoid duplication of effort and to sort out priorities.

Rochester already has more agencies than it knows how to manage, or to get the best out of. One local volunteer, before she lost count, numbered 20 groups working in her settlement house neighborhood. Careful coordination and regulation of these programs, many good in themselves, would seem to be an essential first step.

Beyond this, some thought might be given to revising the role of the County Human Relations Commission, which has not had the vitalizing effect on the community that was originally hoped for. If the Urban League comes to stay, a case could be made for reducing some of the commission's activities.

Rochester needs, and is willing to support, maximum effort in race relations. But it must be coordinated effort in which the priorities are sorted out and overlapping eliminated. Otherwise, many of our fine resources will be wasted and progress deferred.

Judge Charging Jury In Riot Case Trial

TIMES UNION OCT 13 1964

Testimony was completed this morning in the case of the first person to go on trial in County Court on riot charges. County Judge John J. Conway Jr. began charging the jury.

Before the summations in the three-day trial, the defense recalled the defendant, **Haywood Ingram**, 34, of 289 Adams St., and two other witnesses to the stand.

Ingram, who is charged with riot, a felony, and unlawful assembly, a misdemeanor, on the evening of July 25 at Jefferson and Bronson Avenues, testified today that he was wearing "loud, blue Bermuda shorts" and a "white T shirt" at the time.

His first cousin, Mrs. **Hattie Tookes**, now of 35 Day Place, but then of 788 Jefferson Ave., testified she was with Ingram from about 4 or 5 p.m. until about 8 p.m. that night when he left her home to walk to his.

Ingram's wife, Mrs. **Jessie Ingram**, said she talked to her husband on the telephone at Mrs. Tookes' house at about 8 p.m. and when she called back about a half-hour later was told he already had left.

Police have testified that Ingram was arrested at about 8:45 with the help of some state troopers.

Defense attorney **Eugene P. LaBue** in a 20-minute summation to the all-white jury of 10 men and two women, questioned the validity of a positive identification of Ingram as a leader in the rioting.

In a somewhat briefer summation, Asst. Dist. Atty. **Eugene W. Bergin** told the jurors they had the "clear choice" of believing the two city patrolmen who identified Ingram were telling an "out-and-out lie" or the truth. He said testimony from a radio newsman corroborated the description of conditions in the area at the time as given by the policemen rather than a conflicting description given by the defendant.

Riot Figure Identified by Patrolmen

TIMES UNION OCT 9 1964

By JACK WILLIAMS

Two city patrolmen testified in County Court today that **Haywood Ingram** was the apparent leader of a group of 40-50 persons throwing rocks and bottles at police during the July riots here. But Ingram said there was no crowd nearby when he was arrested.

Ingram, 34, of 289 Adams St., is the first person to go on trial on riot charges in County Court. He was arrested July 25 at Bronson and Jefferson Avenues and indicted by the Grand Jury Sept. 15 on charges of riot, a felony, and unlawful assembly, a misdemeanor.

Patrolman Gaetano Pietrantoni told a County Court jury that he and **Patrolman Anthony Roncone** arrested Ingram with the aid of state police. The patrolman testified Ingram was in the front of a crowd on the northeast corner of the intersection, and: "If he threw, they threw; if he stopped, they stopped."

Testifying in his own defense, Ingram said he was walking home and trying to avoid trouble when he walked into the intersection and was arrested by three state troopers.

The defendant said he made two detours in his seven-block walk to avoid crowds and that when arrested he was the only person at intersection except for

about 75 state troopers and 10 or 12 city policemen.

IN HIS TESTIMONY earlier, Pietrantoni said about 200 Negroes were gathered at the intersection, jeering and throwing rocks and bottles at policemen.

Judge **John J. Conway Jr.** recessed the trial until Tuesday morning to give defense attorney **Eugene P. LaBue** time to find two witnesses.

ON CROSS-EXAMINATION by Ingram's attorney, **Eugene P. LaBue**, Pietrantoni said he and Roncone made the arrest though they waited until state troopers arrived.

Pietrantoni said he did not know the names of any state policemen who helped make the arrest.

Pietrantoni said Ingram was wearing Bermuda shorts but could not remember the color of them or his shirt.

Roncone also testified he and Pietrantoni arrested Ingram. He was the last prosecution witness called by Asst. Dist. Atty. **Eugene W. Bergin**.

An all-white jury of two women and 10 men is hearing the case, which opened yesterday before County Judge **John J. Conway Jr.**

The only witness yesterday was **Detective Salvatore A. Arnone**, who described conditions in the Bronson - Jefferson area from about 7:15 to 3 a.m. of July 25.

He testified he did not see Ingram in the area but that 100 to 150 persons were gathered there. He said the crowd threw bottles, stones, pieces of cinder blocks, bricks, tire jacks and half a car bumper and gasoline bombs. He said he was hit

10B

The Times-Union
Wed., Oct. 14, 1964

Riot Defendant Guilty; Could Get 5-Year Term

Haywood Ingram, 34, of 289 Adams St., was convicted of a felony charge of riot yesterday by a County Court jury.

It was the first riot case to go to trial in County Court.

Ingram, who will be sentenced Nov. 4 could receive the three-day trial to deny up to five years in prison, a fine of up to \$1,000, or both, that he had taken part in the rioting. Asst. Dist. Atty Eugene W. Bergin prosecuted.

Ingram was indicted on charges of riot and unlawful assembly, a misdemeanor occurring July 25 in the Bronson-Jefferson Avenues area of the Third Ward.

County Judge John J. Conway Jr. told the jury that if it found Ingram guilty of riot it must find him innocent of the lesser charge.

The all-white jury of 10 men and two women deliberated 2½ hours.

INGRAM, a truck driver whose wife is expecting their sixth child, took the stand in

2nd Convicted In Riot Case

David E. Thomas, 41, of 273 Frost Ave., the second to go to trial of the 88 persons indicted on charges stemming from the July riots, was convicted yesterday in County Court.

A jury of 10 men and two women found Thomas guilty, as charged, of second degree grand larceny and unlawful entry. Asst. Dist. Atty. Robert J. Hirsch prosecuted. Judge John J. Conway Jr. set sentence for Nov. 19.

Thomas was accused of stealing a fur coat from Oscar Rosen, furrier, 396 Joseph Ave., July 25. The defendant testified that he was walking on Joseph Avenue when someone threw the coat at him and it landed over his arm.

No Sentiment In Riot Area, Dealers Told

Joseph Avenue businessmen were warned last night that "the minute the area becomes uninsurable, we will have move-outs and with empty stores we will have a 'jungle' on our hands."

Twenty-two persons attended the meeting at the Baden Street Settlement, 152 Baden St., sponsored by the Joseph Avenue Businessmen's Association.

The warning on insurance came from Daniel M. Rothman, association president, who had said earlier that "we are realistic enough to know that people will not want to come back (to shop in our stores) just because we ask them. We hope that all merchants will offer the public exceptional values and will sponsor a give-away program."

Rothman is vice president of Rothman Furniture Inc., which owns Abbey Rents and the Rug Rack at 281 Joseph Ave. and Superior Unpainted Furniture at 285.

As the result of the July rioting, Harry H. Suskind, association vice president and president of M. Suskind & Sons, Inc., 289 Joseph Ave., said his business was down about 25 per cent this August from the same period last year.

He added that several companies have had their insurance policies cancelled and others have been forced to turn to Lloyds of London for protection at higher rates.

Rothman said the association was watching the insurance picture to make sure that a definite pattern does not arise of cancelled policies or higher rates due to riot losses.

The association moved to inform the state Department of Insurance that several members have been told by their insurance agents that their companies no longer want to insure businesses on Joseph Avenue.

Riot Defendant Case Delayed

One of 53 defendants named in riot indictments handed up Aug. 27 by a county grand jury made his first appearance in court today.

He is Charles T. Dietricha, 24, of 464 Hudson Ave., who was indicted on charges of riot, unlawful assembly and illegal possession of a gun as a misdemeanor.

County Judge Harry L. Rosenthal adjourned the case until Tuesday to permit Dietricha to get an attorney.

County Sued By Widow of Copter Pilot

A \$100,000 claim has been filed against Monroe County by the widow of the pilot of the helicopter that crashed July 26 during the city riots.

The money is sought for Jill A. Docharty, widow of James B. Docharty, 45, of 5 Lilac Drive, Brighton, and his mother, Mrs. Ethel H. Docharty. He had no children.

County Legal Adviser Leo T. Minton said the claim will be referred to the county's insurance company.

Mr. Docharty and two persons in the Clarissa Street house which the helicopter hit were killed in the crash. Civil Defense Director Robert N. Abbott, one of two passengers in the helicopter, died about a month later.

The other passenger, Robert Cannioto, 31, of 15 Compton Crescent, Henrietta, was injured. The aircraft was owned by Page Airways, Inc.

The claim states the helicopter was "being operated under orders of and in accord with directions being given" by Mr. Abbott who was acting as civil defense director and an employe and agent of the county.

It states "Robert Abbott ordered and caused said helicopter to be operated in such a careless, reckless and negligent manner that it collided with a house, crashed and burned."

Riots Figure Sent to Pen

Andrew J. Washington, 49, of 47 Buchan Park, who had pleaded guilty to a misdemeanor charge of unlawful assembly alleged in an indictment stemming from the July riots, was sentenced today by County Judge John J. Conway Jr. to 90 days in the County Penitentiary.

Judge Conway also suspended a \$500 fine. A felony count of riot is to be dropped.

Frederick W. Talbot, 18, of 12 Warehouse St., who had pleaded guilty to a felony charge of carnal abuse of a child, was sentenced to the State Reception Center at Elmira for classification and transfer to a correctional institution. A charge of second-degree sodomy involving a 7-year-old boy July 4 is to be dismissed.

252

Riot Damage Claims Climb To \$1.5 Million

D. & C. OCT 24 1964

By PAT ZISKA

Claims against Monroe County stemming from July's riots climbed past the \$1.5 million mark as lawyers rushed to meet yesterday's filing deadline.

In all, 110 claims totaling \$1,559,000 have been filed against the county.

At least 65 riot claims totaling about \$1,044,000 have been reported filed against the city.

Almost all of the claims have come from commercial establishments. These range from liquor and appliance stores to furniture outlets, restaurants, groceries and delicatessens.

All were in the 3rd and 7th Ward areas where the rioting occurred on July 24 to 26.

At least two of the claims against the county involved the leased helicopter which crashed into a Clarissa Street house resulting in the deaths of two occupants and injuries to a third passenger.

The widow and mother of the helicopter pilot killed in the flaming crash have filed a \$100,000 claim against the county.

The pilot, James B. Docharty, 45, of 5 Lilac Drive, Brighton, died in the mishap July 26.

Yesterday another Page Airways, Inc., pilot, Robert Cannioti, 31, of 18 Compton Cres., Pittsford, a passenger injured in the crash, filed a \$50,000 claim.

His claim was one of scores

the riots occurred in the city.

In many cases, he explained, attorneys were apparently filing duplicate claims against the county merely "to protect their clients."

The Travelers Insurance Co. holds insurance for both county and city, although there is disagreement over

received by County Legal Advisor Leo T. Minton yesterday as lawyers scurried to meet the 90-day deadline.

Although both contend claims are baseless, city and county officials apparently disagreed on the technical deadlines.

John R. Garrity, first deputy corporation counsel, set the filing deadline at midnight, Sept. 25.

Minton said claimants had 90 days, thus the county expiration date was yesterday.

According to city officials, Section 71 of the General Municipal Law "would indicate the possibility" of the city's liability for riot damages, but a later statute enacted about 12 years ago says Section 71 "shall be inoperative and shall not apply with respect to property destroyed or injured by mobs or riots."

Minton said that while most claims have been for property damage, some have been for losses of business during the riot curfew and while establishments were closed for repairs.

His contention is that the county isn't liable because

the terms of policies.

Travelers plans to pay up to \$50,000 damage on provable claims, but the city contends that the \$50,000 maximum liability coverage is for each individual occurrence, not for the total alone. Thus, the city maintains, Travelers is liable for up to \$50,000 on each separate provable claim.

Judge Gives Sentences

UNION OCT 26 1964

In Rioting

Two women and a man who had pleaded guilty to misdemeanor charges of unlawful assembly and unlawful entry in indictments stemming from the July rioting were sentenced to County Penitentiary terms today by County Judge Harry L. Rosenthal.

Alberta Blocker, 36, of 12 Philander St. and Willie J. Smith, 23, of 15 Ritz St. were sentenced to 91 days in the penitentiary on each count, the terms to run concurrently. Because they have been in custody for that length of time since their arrest, they were to be released.

Both were accused of entering Lachiusa's Food Store, 41 Central Ave., July 26. Judge Rosenthal pointed out that Smith had no prior record and that the woman has a "good work record in this community."

• • •

BETTY JEAN JOHNSON, 27, of 446 Clarissa St., who was accused of entering Maple Liquor store, 466 Clarissa St., July 26, was sentenced to six months in the County Penitentiary on each charge, the terms to run concurrently.

Dramatic Action

D. & C. NOV 1 1964

YMCA Whisked Youths to Camp

By EARL CALDWELL

Some "Extraordinary" action by the YMCA during the height of last July's rioting has been credited with keeping a number of inner city teen-agers out of trouble.

The Y rounded up its members in the 3rd and 7th Ward trouble areas and whisked them off to camps.

The dramatic, yet secret, operation began early Saturday morning, just a few hours after the first outbreak of rioting.

Alfred J. Sette Jr., the Y's youth director; James Pratt, director of its outreach program (a project which sends youth workers into the streets to bring unattached youths into organized activities); and Howard Rowley, a youth street worker, mapped out the plan.

"What we wanted to do," Sette explained "was to get as many kids as possible out of town as quick as we could. At that time, we didn't know what would happen next."

The first thought was of a group of nearly a dozen boys, camping overnight at Camp Arrowhead.

"We wanted to keep them there," Sette said. But an early morning phone call to the camp failed. The group was returning to Rochester. Since there were no radios at the camp, they knew nothing of the riots.

"Our first obligation," Sette said, "was to regular members. Thus, the three began seeking members who lived in the riot areas. Next, the same was done with boys involved in the outreach programs."

Quick phone calls were placed to the homes. "We just asked the parents if they would like to have their sons out of town for the balance of the summer," Sette said. "And the response was unbelievable. Some of the parents acted as though it was God on the other end of the line. They were that happy."

As afternoon came, some of the boys from the troubled areas showed up at the YMCA. Sette, or Pratt, or Rowley grabbed them, told them the plan and asked that word be spread.

Weldon Hester, director of camping, was notified of the plan and Charles Royce, executive secretary, gave permission to waive the standard procedures for this emergency action.

The next problem, Sette continued, "was how many we could take. We knew Camp Cory was nearly filled."

All day Sunday and again Monday, Sette and other aides were in the riot neighborhoods getting the kids. Doctors were rounded up to give physicals and they kept

the youths at the central branch.

Youth workers who had worked with the kids were brought in. One, Al Mills, came all the way back from Chicago. Another, Art Turner, was lifted off his job in the city to accompany the boys to camp.

A bus was chartered and by Wednesday, 32 youths were in camps—the older ones at Camp Gorham and the others at Camp Cory.

"The camp staffs deserve a lot of credit," Sette said, "because they adjusted their programs and fit the new fellows in."

Sette admitted that at first he had some doubts as to how the unexpected arrivals would be accepted in the camps.

"We were very, very well pleased," he said. "Except for some routine things," he added, "everything went beautiful."

And for the next months,

the entire group stayed on at the two camps. Aside from just learning how to live with other people, and having a good time, Sette said many of the group have since become regulars at the YMCA.

During July Rioting**Man, 20, Suing City, County**

Dorries Brantley, 20, of 91 Flint St., is seeking \$250,000 each from the city and county for injuries suffered July 27 when he was shot in the right buttock by a deputy sheriff.

Brantley also is charging false arrest, according to his attorney Bernard Garfinkel. Brantley also has filed notice of intent to bring action against the state alleging

false arrest and charging "grievous and serious personal injuries" when allegedly beaten by a state trooper on July 27.

Brantley has misdemeanor charges of resisting arrest and third degree assault pending against him in City Court. Police said he was accidentally shot when fleeing from a riot curfew check.

TIMES UNION OCT 28 1964

Automation UNION NOV 2 1964 Called Seed Of Riots

"All of us have heard the statement that the wars of Britain were won on the playing fields of Eton. Whatever basis of fact that may have, it is my considered opinion that the seeds of the Rochester riots were planted on the farming fields of Georgia, Mississippi, Alabama and the other Southern states under the banner of automation . . . I am convinced that the greatest factor in the exodus of the Negro from the South is economic."

Rochester attorney Jacob Gitelman made this comment yesterday in a panel discussion of the Rochester and New York City riots at the 10th annual New York State conference in Albany of the American Jewish Committee.

"The crisis in human relations" was the theme of the two-day meeting. He was honorary chairman of the conference.

Gitelman outlined the steps taken by Rochester to deal with the problems of the new arrivals. But, he said, "we simply could not absorb uneducated Southern Negro emigrants in our economy. Everything we did may be compared to a bucket brigade in putting out a fire. We see now that it couldn't have been done."

"We have a large number of unemployed Negroes, too many of them young ones. Not only are they unemployed, they are unmotivated. It is normal for such people to become anti-social."

"What we had in Rochester, and what we still have, is an environment that makes it easy for those who want to create trouble to get the help of frustrated people, people who feel they are not given the opportunities they should receive and who believe themselves to be picked on for things that a white person would not be questioned on."

"The fact that today many more Negroes than ever before are employed in positions previously closed to them means very little to the youngster who is unemployed."

Regardless of the reasons, lawlessness, said Gitelman, could not be permitted. The Rochester riots came to an end when sufficient force was used. "Force may be the answer to prevent future riots, but it will not be the answer to prevent frustrations and the attitudes that make them possible."

Rioter Gets 1 to 5 Years ES UNION NOV 6 1964 In Attica

By EARL B. HOCH

"You cannot comprehend the harm you caused the colored people of Rochester."

Thus County Judge John J. Conway Jr. spoke to Haywood Ingram, 34, of 289 Adams St., a Negro, in sentencing him to one to five years in Attica Prison on a jury conviction of riot.

"One guy like you can undo all the good a hundred others can accomplish," said Judge Conway.

Ingram, Judge Conway said, will never appreciate the part he played "in terrorizing this community for two or three days."

Ingram was arrested in the rioting July 25 at Bronson and Jefferson Avenues.

The arresting policemen, Patrolmen Gaetano Pietrantonio and Anthony Roncone, testified at the trial that Ingram was leader of a crowd of up to 200 persons who taunted police and hurled rocks, stones and other objects.

Ingram, a truck driver, claimed he was not in the crowd.

Ingram, who was found guilty Oct. 13 of the felony charge of riot, was the first person to go on trial for allegedly participating in the July mob violence.

Judge Conway said that Ingram could have been sentenced to 4½ to 5 years, but that he wanted to give the defendant a motive for behaving himself by making an early parole possible.

POINTING OUT that Ingram would get credit for the time spent in custody since his arrest, Judge Conway added:

"You'll be eligible for parole at an early age if you earn it."

Judge Conway said that Ingram has a Family Court record "in hitting your wife with a chair, punching her and terrorizing your children."

"Alcohol meant an awful lot to you," he said. "No one knows what part alcohol had in your actions."

Asst. Dist. Atty. Eugene W. Bergin prosecuted. The indictment was returned Sept. 15.

Panel to Discuss Impact of Riots

"The Race Riots — What Did We Learn?" will be discussed by a panel at 6 p.m. Sunday in the Student Activities Center, Rochester Institute of Technology. The public is invited. Panelists will be Vice Mayor Mario J. Pirrello; Constance Mitchell, Third Ward supervisor; Marvin Chandler of the Council of Churches, and Desmond Stone, Times-Union reporter.

D. & C. NOV 5 1964

Man Sentenced TIMES UNION NOV 5 1964 On Riot Count

Willie D. Sailor, 47, of 34 Concord St., who had pleaded guilty to a misdemeanor charge of unlawful assembly arising from the July rioting, today was sentenced by County Judge John J. Conway Jr. to one year in the County Penitentiary.

The defendant, who Judge Conway said had a record of 37 arrests, was accused of being involved in the riot in Joseph Avenue July 25. A felony count of riot will be dropped.

S UNION NOV 9 1964 Men Sentenced In Charges Linked to Riot

William Dye, 40, of 6 Olean St., who had pleaded guilty of unlawful entry in the July rioting, today was sentenced by County Judge Harry L. Rosenthal to six months in the County Penitentiary.

The defendant was accused of breaking into Ike's Market, 501 Clarissa St. July 26. He was permitted to plead to the misdemeanor charge, reduced from a felony charge of third-degree burglary.

Judge Rosenthal referred to the rioting as "an occurrence that shook this community to the last degree, regardless of race, color or creed."

"All persons were affected," Judge Rosenthal said. "And you were one of those who by your act made it more serious."

Rioting Is No Light Charge

TIMES UNION NOV 9 1964

County Judge John J. Conway Jr. had many things to take into consideration in sentencing Haywood Ingram, who was convicted by a jury on charges stemming from the Rochester riots.

The arresting policemen testified that Ingram was leader of a large crowd which taunted police and hurled rocks.

Judge Conway sentenced Ingram to 1 to 5 years in Attica Prison on the riot conviction. Recalling the part Ingram played "in terrorizing

this community for two or three days," Judge Conway added:

"You cannot comprehend the harm you caused the colored people of Rochester. One guy like you can undo all the good a hundred others can accomplish."

We cannot believe that most residents of this community, which still shudders at the memory of the violence in July, will criticize Judge Conway's sentence as too severe.

Youth Placed On Probation

Leslie Campbell, 17, of 60 Third St., one of four persons accused of entering a Central Park grocery in the July rioting, today was placed on three years' probation by County Judge Harry L. Rosenthal.

The youth also was given a suspended sentence to the State Reception Center at Elmira. He had pleaded guilty to a misdemeanor charge of unlawful assembly. A felony charge of riot and a misdemeanor count of unlawful entry of Lachiusa's Food Store, 51 Central Park, July 26, will be dropped.

Judge Rosenthal, in suspending sentence, indicated that Campbell is a part-time worker who helps his widowed mother by caring for younger children.

City To Ask Court To Void Riot Claim

TIMES UNION NOV 14 1964

The city will move in Supreme Court Tuesday to dismiss a riot claim on the ground that the law provides no basis for suit.

Casper Baltensperger, attorney for the city's insurance carrier, said the claim is a test case.

Basso Super Market at 379 Clinton Ave. N. is suing for property damage incurred during the July riots.

It claims the city is liable under Section 71 of the General Municipal Law of 1855.

Baltensperger said the city bases its case on the 1950 Civil Defense Act, which says Section 71 does not apply to property destroyed by riots and mobs.

Forty-five suits totaling \$625,000 have been filed against the city as a result of the riots.

IN A County Court development yesterday Judge Harry L. Rosenthal placed two persons on an 11 p.m. curfew as a condition of three years' probation.

He suspended sentences for the pair, Catherine Alexander, 50, of 519 Clinton Ave. N. and John Verdell, 29, of 53 Ward St. who had pleaded guilty to misdemeanor charges connected with the riots.

Pair Get Probation In Riot Charges

TIMES UNION NOV 13 1964

A man and woman who had pleaded guilty to misdemeanor charges of unlawful assembly and unlawful entry of a grocery in the July rioting were placed on three years' probation today by County Judge Harry L. Rosenthal.

The pair, John Verdell, 29, of 53 Ward St., and Catherine Alexander, 50, of 519 Clinton Ave. N., were given suspended sentences of one year in the County Penitentiary on each charge, the terms to run concurrently. They also were restricted to an 11 p.m. curfew.

THEY WERE accused of illegally entering the grocery at 32 Ward St. July 26. A felony charge of riot is to be dropped.

"The court is going to give you another chance—the kind of chance you should give other people's property," Judge Rosenthal told Verdell, father of three.

To the other defendant, Judge Rosenthal said:

"It's incomprehensible how a woman of your age should have permitted yourself to become involved in a situation such as we have here. But, by your particular acts, you were part of the entire scene."

Panel Slated On City Riots

TIMES UNION NOV 14 1964

A panel discussion on "Rochester's Riots in Retrospect" will be held Nov. 22 as part of the Upstate New York Council of B'nai B'rith's fall conference at the Town House Motor Inn.

Police Chief William Lombard; Rabbi Abraham Karp, Temple Beth El; Robert Morrison, president of the Rochester Chapter, National Association for the Advancement of Colored People, and Mrs. Sophie Divers, community relations advisor for the city, will be members of the panel. The discussion, which will be open to the public, will start at 11 a.m.

The theme of the two-day conference is civil rights. M. Edward Rutledge, executive director of the National Committee Against Discrimination in Housing, will speak Saturday night.

CAB Says Alcohol In Pilot's Blood

TIMES UNION NOV 14 1964

The man who piloted the Page Airways helicopter that crashed during the July riots here had alcohol in his blood, a Civil Aeronautics Board report reveals.

The report confirms findings of County Medical Examiner Robert N. Greendyke that James B. Docharty, 45, who was killed along with three others, had an alcohol content in his blood of .08 per cent at the time of the crash.

The findings, by the Armed Forces Institute of Pathology, confirmed the figure submitted in Greendyke's autopsy report, which could not be released until the CAB report was completed.

(For motorists, a .10 per cent alcoholic percentage is regarded by police as impairment, intoxication, for driver-arrest purposes, is .15 per cent.)

Also fatally injured in the aircraft tragedy Sunday, July 26, at Clarissa and Tremont streets were Robert N. Abbott, Monroe County Civil Defense director, and two men trapped in a rooming house set afire.

GERALD G. WILMOT, president of Page Airways, said last night, when he learned of the CAB report, "We dispute this finding. The body was burned beyond recognition, for one thing."

He said today that he thought there was a possibility that the blood analyzed was that of one of the other victims.

Wilmot said witnesses who were in constant contact with Docharty before the tragedy gave statements confuting any reports of drinking.

"We have a complete timetable of all Docharty's actions that day," he said. "We don't have an answer to it but there must be some mistake."

OTHER FINDINGS of the report:

Witnesses to the crash said they heard no sounds such as gunfire (initial rumors here were that someone fired a gun from the ground) but there were witness reports of two distinct "clacks."

Robert Cannioto, a Page Airways pilot who also was aboard the helicopter and who was assisting Abbott with air-ground radio, said Docherty appeared to be "fighting the controls" just before the crash. There was no conversation between Abbott and Docharty at that time.

Abbott had requested, according to Cannioto, that the helicopter swing over the 3rd

Ward sector after an initial inspection of the 7th Ward areas.

A \$100,000 CLAIM against Monroe County was filed last month by Docherty's widow, Jill, 5 Lilac Drive, Brighton, and his mother, Mrs. Ethel Docharty.

They claim that Docharty was under Abbott's orders and that Abbott "caused said helicopter to be operated in such a careless, reckless and negligent manner that it collided with a house and crashed and burned."

3 in Riots Get Probation

TIMES UNION NOV 17 1964

By EARL B. HOCH

A man and two youths implicated in the July rioting were given suspended sentence and placed on probation today by County Judge John J. Conway Jr.

David E. Thomas, 41, of 273 Frost Ave., who was found guilty at a jury trial of second degree grand larceny and unlawful entry, was put on five years probation. He received a suspended sentence of 2½ to 5 years in Attica Prison and was told to support his wife and three children.

Thomas was accused of stealing a fur coat from Oscar Rosen, furrier, 396 Joseph

Ave., July 25. At the trial the defendant testified that someone threw the coat at him and it landed over his arm.

"The story you told about the flying fur coat was probably one of the most preposterous defenses ever made," Judge Conway said.

The two youths, Michael A. Butler, 18, of 56 Elmwood Ave., and Frederick Coley, 17, of Seward Street, had been allowed to plead guilty to being youthful offenders, without the stamp of a criminal record. Each was given a suspended sentence to the State Reception Center, placed on three years proba-

tion and forbidden to own or drive a car.

Butler was accused of a misdemeanor charge of unlawful entry and a felony count of second degree grand larceny in the entry of the Joseph Plaza Liquor Store, 199 Joseph Ave., and theft of liquor July 25.

"You had no more use for that whisky than for paper dolls," Judge Conway told Butler.

Coley was charged with unlawful entry and second degree grand larceny in the theft of 42 pairs of slacks from Itkin's Department Store, 365 Joseph Ave., July 25.

TIMES UNION NOV 18 1964

Probation Given in Riots

Madison Williams, 27, of Clinton Avenue North, who had pleaded guilty to a felony charge of criminally receiving stolen property in the July rioting, yesterday was placed on five years probation by County Judge John J. Conway Jr.

The defendant also was given a suspended sentence of from one to five years in Attica State Prison. He admitted receiving a television

set, phonograph and several radios taken from Emerson of Western New York, Inc., 185 Joseph Ave., July 25.

Other charges against Williams are to be dropped.

Sentencing of a co-defendant was adjourned until next Tuesday.

6 Get Probation D. & C. NOV 18 1964 In Riot Looting

Two men and four youths implicated in looting during the July rioting were placed on probation by County Judge John J. Conway Jr. yesterday.

The youths, who had been accused of unlawful entry and second degree grand larceny, were allowed to plead guilty to being youthful offenders without criminal stigma and were given suspended Elmira Reception Center sentences with three years' probation. They are:

Ronald P. Williams, 18, and his half brother, Leonard C. Bratton, 16, both of 422 Hawley St., who had been accused of taking jewelry and radios from C. J. O'Neill Jewelers, 611 Jefferson Ave.; Frederick Coley, 17, of 698 Seward St., who had been charged with taking 42 pairs of slacks from Itkin's Department Store, 365 Joseph Ave., and Michael A. Butler, 18, of 56 Elmwood Ave., who had been accused of theft of whisky from Joseph Plaza Liquor Store, 199 Joseph Ave.

Madison Williams, 27, of 269 Clinton Ave. N., who pleaded guilty to a felony charge of criminally receiving a television set, a phonograph

and four boxes containing 19 transistor radios that had been stolen from Emerson of Western New York, Inc., 185 Joseph Ave., was given a suspended 1-to-5-year Attica Prison sentence with five years' probation. He is to return to his family in Youngstown, Ohio. Two other men, arrested with him in a car stopped by police at a road block, are awaiting sentencing.

David E. Thomas, 41, of 273 Frost Ave., who was found guilty by a jury of unlawful entry and second degree grand larceny in theft of a Persian lamb jacket from Rosen Tailor Furriers, 396 Joseph Ave., was given a suspended 2½-to-5-year Attica Prison sentence with five years' probation. Asst. Dist. Atty. Robert J. Hirsch prosecuted him on the charge he reached into the store's broken window and made off with the woman's fur piece. Judge Conway characterized as "preposterous" Thomas' defense that it was a case of "flying fur" tossed at him by someone in a crowd.

**Probation Given
In Riot Thefts**

Two teen-age half-brothers accused of unlawful entry and second-degree grand larceny in the July rioting, yesterday pleaded guilty to being youthful offenders and were placed on three years' probation by County Judge John J. Conway Jr.

The pair, Leonard Bratton, 16, and Ronald Williams, 18, both of 422 Hawley St., were given suspended sentences to the State Reception Center at Elmira, where youths are classified for confinement in correctional institutions. They were accused of entering the C. J. O'Neill jewelry store, 611 Jefferson Ave., and stealing jewelry and radios July 25.

TIMES UNION NOV 18 1964

D. & C. NOV 19 1964 City Papers Cited For Riot Photos

The Democrat and Chronicle and The Times - Union were among four New York State newspapers cited for "noteworthy contributions to the Associated Press News-photo report — all during racial violence."

Citations were announced in Phoenix, Ariz., at the annual convention of the Associated Press Managing Editors convention.

The two Gannett dailies gave AP Wirephoto an "exclusive edge" in photo coverage of Rochester's July disorders, according to the citations, which also singled out the New York Daily News and the New York Journal-American for photo coverage during the New York City flareups.

More than 60 AP Wirephotos were moved from Rochester during a five-day period.

Defendant Gets TIMES UNION NOV 19 1964 Year in Riot Case

Robert L. Johnson, 39, of 237 Ormond St., who had pleaded guilty to a felony charge of criminally receiving stolen property in the July rioting, today was sentenced by County Judge Harry L. Rosenthal to one year in the County Penitentiary.

The defendant was accused of receiving a television set, a phonograph and a quantity of transistor radios stolen from Emerson of Western, N.Y., Inc., 185 Joseph Ave., July 25. A codefendant was put on five years' probation Tuesday and a third defendant will be sentenced next Tuesday.

Community Criticized

D. & C. NOV 22 1964

On Riots Followup

Rochester's failure to conduct "a public hearing or investigation" into the social causes of last summer's riots was criticized last night by Edward Rutledge, executive director of the National Committee Against Discrimination in Housing.

"Such a hearing would have demonstrated the community's concern, helped establish communications with the disadvantaged, and perhaps some practical programs would have emerged," he told delegates to the fall convention of the B'nai B'rith Upstate New York Council at the Towne House.

Ironically, he said, rising concern over segregation has come at a time when the effort required to remedy it "has become very large indeed."

Between 1950 and 1960 the non-white population of Monroe County tripled from 8,247 to 25,067 persons, Rutledge pointed out.

Because of segregated housing patterns, he said, about 97 per cent of these people settled in the inner city.

"If segregation continues to grow," Rutledge predicted, Rochester and every other major city "will eventually find the effective integration of its public schools beyond the realm of possibility for a long time."

In an interview before his speech, Rutledge emphasized that Rochester's "open enrollment" program designed to promote racial balance in local schools, must be regarded — along with all similar plans — as "strictly a temporary measure."

"But the root cause of racial imbalance in our schools, simply enough, is residential discrimination," he said. "Until this is corrected, any other measure is more or less an ineffective compromise."

Rutledge attacked the National Association of Real Estate Boards. He charged that a "racist campaign" by NAREB is in progress to "roll back the years of progress made in developing legislation preventing discrimina-

tion in housing."

Industry-led campaigns to kill fair-housing legislation by referendum, Rutledge charged, have recently won approval in California, Washington, Ohio and Michigan.

Rutledge's National Committee Against Discrimination in Housing is an affiliation of 37 religious, civil rights, labor and civic organizations.

Democrat and Chronicle
Rochester, N. Y.,
Fri., Nov. 20, 1964

3B

Seek Causes Before Riots, U.S. Aide Says

A U.S. State Department official yesterday decried violence as a means to solve racial problems and said that questions should be asked beforehand, "not after the revolution."

Dr. James A. Moss, chief of the department's research programs, told Benjamin Franklin High School students that last summer's riots here could have been prevented "had we known beforehand what steps could have been taken" to prevent them.

In response to a student who pointed out that the riots had been "predicted," Dr. Moss, a Negro, admitted that was true, but said it hadn't been predicted that they would start as a result of an incident at a dance.

Dr. Moss contended, that the question of "solving the color problem is pedantic. We must transcend our preoccupation with visibility."

Before tackling local problems, one has to get to know members of other ethnic groups, he said. Knowing the heritage of one's own group is also important, he added.

He said that African students studying in this country are often shocked by American Negroes' lack of knowledge of African affairs.

Panel to Discuss Rochester Riots

A panel of Rochesterians will discuss "Rochester's Riots in Retrospect" at 11 a.m. today at the Towne House. Interested persons are invited.

Panelists will be Chief of Police William N. Lombard; Rabbi Abraham Karp of Temple Beth El; Robert Morrison, president of the local NAACP chapters, and Mrs. Sophie Divers, Rochester's Community Relations Adviser.

The discussion is part of the annual fall conference of the Upstate Council of B'nai B'rith. Dr. David Eisenberg, past president of the organization's Genesee Lodge, will serve as moderator.

D. & C. NOV 22 1964

Police Brutality Issue Pops Up Again

D. & C. NOV 23 1964

The recurring issue of police brutality popped up again yesterday at a panel discussion on last July's rioting.

Police Chief William M. Lombard and Robert Morrison, president of the Rochester chapter of the National Association for the Advancement of Colored People, differed sharply on police behavior during the riots and on police treatment of Negroes.

The discussion, on "Rochester's Riots in Retrospect," was part of a two-day conference of the Upstate Council of B'nai B'rith at the Towne House. B'nai B'rith is a Jewish organization that battles discrimination of all forms.

During yesterday's discussion, Morrison charged that, during lulls in the rioting, "the behavior of police was not nearly so timid when



CHIEF W. M. LOMBARD

they weren't in apparent danger."

Asked by Rabbi Abraham J. Karp, another member of the panel, how a

policeman should act, Morrison replied that he should be instructed to treat Negro citizens the same way he treats members of the white community. He concluded, however, that Lombard had done "everything in his power" to try to accomplish this.

Morrison described a number of instances of what he termed "police brutality" and said there was need for a "citizens' review board" with greater powers than the present Police Advisory Board.

He also mentioned last week's acquittal of Patrolman Louis A. Donofrio, who was accused of beating a Negro service station attendant, Rufus Fairwell, and thereby depriving him of his civil rights.

"I do not believe that, if a Negro policeman were



ROBERT MORRISON

involved in beating a white man under similar circumstances, he would have been

Continued on Page 2B

D. & C. NOV 23 1964

D. & C. NOV 23 1964

(Below)

Riot Brutality Issue Renewed by NAACP

D. & C. NOV 23 1964

Continued from Page 1B

cleared and allowed to remain on the force," Morrison said.

Both Lombard and Rabbi Karp of Temple Beth El found Morrison's remarks "very disturbing."

Lombard said no official report that any persons were "manhandled" during the riots had reached him.

In defending the local force, he described "what it feels like to be in an area of rioting" and said it was a "terrifying experience." Much of what went on was planned by adult members of the community "bent on criminal ways," he declared.

"It's possible for anyone to get up a dossier of accusations against anyone else," Rabbi Karp said in an effort to resolve the argument. "The fact that there is discrimination, however, does not absolve a mature person from his responsibilities."

Earlier, Lombard had reported the force is being trained in better tactical measures and is also working to overcome its "poor

image and defensive position" in such situations. Officials here are "not naive enough to think (the riots) could not happen here again," he said.

The fourth panelist, Mrs. Sophie Divers, a city community relations adviser,



said police have long been a "symbol of oppression and brutality" for the Negro.

She added that the Negro is dis-

Mrs. Sophie Divers said police have long been a "symbol of oppression and brutality" for the Negro.

Asked what B'nai B'rith could do to help, she replied that if each member "practices what he teaches," there will be a "big change."

Rabbi Karp maintained that the Negro, the "run-away slave" from the South, must be given "preferential treatment" until he is elevated "to a position of equality with those to whom fate has been more kind."

Rabbi Karp's suggestions for elevating the Negro's

status included utilization of empty land in the suburbs.

"(Negro) children need trees and grass and fresh air at least as much as ours do," he said.

He also contended that industry and university leaders could solve the problem of Negro unemployment if it was given "the priority it demands and deserves."

Panel moderator was Dr. David Eisenberg, a co-chairman of the conference. Dr. Eisenberg opened the discussion by saying that the causes of hate must be studied and, several times, attempted to direct the panelists back onto that topic.

Man Sentenced On Riot Count

Paul Kingston, 33, of 297 Avenue B, who had pleaded guilty of unlawful assembly in the July rioting, today was sentenced by County Judge George D. Ogden to one year in the County Penitentiary. He was arrested July 25 at Catharine Street and Joseph Avenue. "The crime to which you have pleaded guilty is not only unjustified, but by your acts you helped to terrorize the people of the whole city," Judge Ogden said.

Man Cleared In Riot Shootings

D. & C. NOV 25 1964

A white man who was accused of wounding a Negro with a rifle shot at 11 p.m. July 25 and of firing the weapon two hours before at a group of five white youths during race rioting here was cleared through dismissal of a two-count first degree assault indictment in County Court yesterday.

Judge Jerome B. E. Wolff of Waterloo, presiding here, dismissed the charges against Antone M. Oliveri, 52, of 9 Messina St. after the evidence was presented in a six-day jury trial. Oliveri did not take the stand.

His attorney, Salvatore J. Panzarella, obtained the dismissal on the ground the prosecution failed to prove Oliveri did the shooting.

Oliveri had been accused of firing at Michael Bentivegna, 20, of 307 Union St. N., one of the five youths who were in a parking lot three houses from the Oliveri home about 9 p.m., and of wounding David Tisdale, 34, of 605 Scio St. under the right eye and in the shoulder about 11 p.m. when Tisdale was on a porch at 2 Messina St.

Oliveri was alleged to have been on his own porch at the time, the State claimed, when he mistook Tisdale for one of the rioters. Tisdale said he was on the porch to visit a friend with whom he worked.

The white youths, three of whom testified for the prosecution, said they were walking through the parking lot to see if a car that belonged to one of them, and which was in another nearby lot, had been damaged in the rioting. Oliveri allegedly was on the sidewalk.

Bentivegna, who was in the front of the group of five, testified as a state's witness on direct examination by Asst. Dist. Atty. Eugene W. Bergin and also on cross-examination by Panzarella that Oliveri was the man who fired. When he was recalled by Panzarella as one of two defense witnesses, Bentivegna declared he couldn't positively identify Oliveri because there were two men shooting.

It was then that Judge Wolff dismissed the charge of assault on Bentivegna for lack of identification. Earlier, at the close of the peoples' case, in which 13 witnesses were called, Judge Wolff, on Panzarella's motion quashed

the count of shooting Tisdale. There were no eye witnesses to the shooting and, it was held, there was no evidence the bullet came from Oliveri's rifle.

Police said that after he was arrested in his home about 2:30 a.m. July 26, Oliveri told them he was trying to do what they couldn't do, that he was attempting to protect his home and neighborhood from rioters.

Bentivegna's testimony for the people included an assertion that after the indictment of Oliveri, in September Bentivegna's father told him he had received an anonymous call warning the youth to "stay out of it."

Oliveri's record shows he has three criminal convictions.

Panel on Riots Hears Plea for Opportunity

TIMES UNION NOV 23 1964

"We've had so many studies and so much discussion and we went right back home and slammed the door. . .

"We need no more studies. We need somebody to get up and open a door so that a man can rent or buy a home. We need to get down to action."

With these comments, Mrs. Sophie Divers, community relations adviser to the city, wound up a panel discussion yesterday on the Rochester riots at the annual fall conference of the Upstate Council of B'nai B'rith.

...

MRS. DIVERS SAID that if the city and the people of Rochester really believed in equal opportunity, this message had to be got down to the man on the lowest level.

"You and I, we have sat around conference tables without letting him know we were trying to help. . ."

Robert F. Morrison, president of the Rochester branch of the NAACP, accused the

police of "improper behavior during and after the riots."

Panelist Rabbi Abraham Karp of Temple Beth El said he had been very disturbed by Morrison's remarks and added: "The fact that there is discrimination and bigotry and provocation and all the other things we mentioned still does not absolve the individual from responsibility to act in a manner responsible to life and property."

Police Chief William M. Lombard, also a panelist, said he, too, had been disturbed by Morrison's comments and he then gave the audience an insight into what the riots had been like.

In his earlier formal presentation, Lombard said that in spite of big strides towards professionalism, "today we seem to find the police image distorted and smeared as never before. . ."

Inflammatory 'Riot' Language?

D. & C. NOV 24 1964

We believe fierce and extreme attacks such as that made by Robert F. Morrison, president of the Rochester branch of the NAACP, on the local police bureau are destructive to racial harmony and to the cause of Negro equality.

Morrison was highly critical of police behavior and police treatment of Negroes during the July riots, before a panel discussion at a meeting of the Upstate Council of B'nai B'rith.

It is not hard to understand the truculent attitude of many who are close to the front lines in the Negro struggle for equality. In a real sense they are involved in a war, a crusade to which they are totally committed and which drives out the multitude of other interests that occupy the time and attention of most of the rest of us.

But although we have some understanding of this attitude, we believe it is a mistaken one. Such an attitude tends to harden the lines on both sides, making it all the more difficult for tentacles of friendship and understanding to reach out to the other side. Such an attitude

leads to gross oversimplification, and to the obviously false conclusion that those who are not 100 per cent "with us" are 100 per cent against us.

Morrison made several very serious specific charges of irresponsible police behavior during the July rioting. His charges are of the nature that could be proved true or false in court. Court is the place for them, not the conference room of the Towne House.

Morrison also made several generalized criticisms which implied other forms of negligence by the police, and concluded that a stronger civilian advisory board is needed. That is his opinion and he is certainly entitled to it.

Our fear is that Morrison's sensational remarks will feed the flames that crystallize hard-line racial attitudes rather than quench them.

We believe Rabbi Abraham J. Karp, another of the panelists, spoke with wisdom when he said, "It's possible for anyone to get up a dossier of accusations against anyone else. The fact that there is discrimination, however, does not absolve a mature person from his responsibilities."

D. & C. NOV 30 1967

Abbott Case Appealed

Whether Page Airways, Inc., was liable for the crash of a helicopter into a Clarissa Street house July 26, 1964, causing three deaths, including that of Col. Robert N. Abbott, county Civil Defense director, who was surveying riot damage, is before the Appellate Division, Fourth Department, for decision.

Page Airways appealed State Supreme Court judgments totaling \$275,136, including \$246,360 in favor of Abbott's widow, Winona M., 500 Hinchey Road, Gates, as executrix of his estate.

The Appellate Division justices withheld decision after hearing oral arguments for two hours. As is customary, there was no indication when the court will make its ruling.

A New York City lawyer, Milton G. Sincoff, aided by Michael A. Telesca, a Rochester attorney, appeared for Mrs. Abbott in opposing the appeal. Arthur VD Chamberlain argued in behalf of Page Airways.

Last March 17, a Supreme Court jury by an 11-to-1 vote handed up to Judge Alton J. Wightman of Bath a verdict of

\$215,000 in favor of the Abbott estate, including \$175,000 for his wrongful death and \$40,000 for his pain and suffering for 31 days until his death at the age of 49. He suffered burns over half his body when the helicopter crashed into a rooming house at 446 Clarissa St.

On March 21, the same jury handed up, by direction of Judge Wightman, verdicts totaling \$27,300 in eight related cases, including \$3,500 to the estate of John L. Riley and \$1,250 to the estate of William Jones, roomers, who died of carbon monoxide poisoning in the house.

The judgments include the amounts of the verdict plus interest and costs. In addition, Page Airways is appealing from an extra allowance of \$3,000 costs to the Abbott estate. It also is appealing from dismissal by Judge Wightman of its cross claims against the city and county.

The helicopter was piloted by James B. Docharty, 45, who also was killed. The plaintiffs alleged he was careless, flew too low and at too slow a speed and overloaded the aircraft. They

also presented testimony of Dr. Robert M. Greendyke, county medical examiner, that he found .08 per cent of alcohol in Docharty's blood.

Chamberlain contended the charred body containing the alcohol was not that of Docharty. He maintained the accident was not the fault of the pilot or Page and that Abbott assumed the risk.

He also contended Judge Wightman erroneously tried the Abbott case separately from those of the other plaintiffs contrary to an order they be tried jointly. The plaintiffs insisted they were tried jointly with the Abbott case first being used to establish liability.

Page Airways did not claim the awards were excessive.

'The Real Shocker'

At Riot Discussion

By Claude E. Spingarn

To those of us at the discussion on the Rochester riots at the recent B'nai B'rith Upstate Council Conference the real shocker was that Police Chief Lombard, and Robert Morrison, president of the local branch of the NAACP had never met before.

The editorial (Times-Union, Nov. 23) questioned the wisdom of Mr. Morrison's accusation on police brutality. Perhaps the public should ask, "Why has there been no dialogue between these two men before?"

Is it conceivable that we still haven't learned our lesson? After all the thousands of written and spoken words about the riots and the Negro problem, we still aren't facing up to it.

How can we begin to solve it without an understanding of the different points of view? And how can there be such an understanding without communication between key people in the white and Negro community?

How many informal meetings have been held between white leaders of government, business and industry and leaders of the Negro community? Obviously very few or Mr. Morrison's charges wouldn't have been made.

Perhaps, if there really were a will to solve this problem the means easily could be found.

191 Northfield Road

D. & C. NOV 25 1964

Mother Sentenced To Time Served

Mrs. R. Anita Miller, 27, of 414 Joseph Ave., jailed since her arrest during the rioting July 25, was sentenced yesterday to the time she already has served by County Judge Harry L. Rosenthal. Mrs. Miller, mother of two, pleaded guilty to misdemeanor charges of unlawful assembly and unlawful entry of Terry's Shoe Store, 239 Joseph Ave. A felony charge of riot was dropped.

Man Sent to Pen

After July Riots

TIMES UNION DEC 3 1964

One man arrested in the July 25 rioting was sentenced yesterday by County Judge John J. Conway Jr. to nine months in the County Penitentiary and three others were placed on probation.

All four pleaded guilty earlier in the day to misdemeanor charges, including unlawful assembly. Felony charges of riot will be dropped.

Eugene Jenkins, 32, of 32 Oregon St. received a six-month term in the penitentiary on the assembly charge and an additional three months on a charge of resisting arrest at Joseph and Baden streets.

Andrew Green, 22, of 270 Hudson Ave. was given a suspended sentence of six months in the penitentiary on the assembly count and on a charge of unlawful entry of a Joseph Avenue store. He was placed on one year probation and directed to get a steady job here or return to Tampa, Fla.

O'Neal Pressley, 29, of 5 Oregon St. was given a suspended sentence of six months in the penitentiary on charges of unlawful assembly, unlawful entry of a Joseph Avenue store and petit larceny in theft of two radios. He was placed on three years probation.

Joseph T. Floyd, 36, of 12 Greig St. also received a suspended sentence of six months on charges of unlawful assembly at Baden Street and Clinton Avenue North, petit larceny in theft of trousers and criminally receiving

The Times-Union
Thurs., Dec. 3, 1964

7B

dition to the charge of riot felony counts of second degree grand larceny in the theft of a television set and criminally receiving the stolen set will be dropped.

clothing stolen from a Joseph Avenue store. He was put on three years probation. In ad-

Man Sues State Over

Riot Arrest

Charles McLamore, 9 Struble St., is suing the state for \$20,000 for false arrest and imprisonment during last July's riots.

He said he was arrested by a state trooper in the afternoon of July 25 when his car was stopped at Joseph Avenue and Herman Street.

He was in jail until Aug. 20 without formal arrest and no information was filed with any court, he claims.

His suit is filed with the State Court of Claims.

3 Sentenced in Riot Cases

TIMES UNION DEC 11 1964

Two of three persons implicated in the July rioting were given County Penitentiary sentences and the third was placed on probation today by County Judge George D. Ogden.

L. B. Matthews, 39, of 36 Ward St., who had pleaded guilty to misdemeanor charges of unlawful assembly and unlawful entry, was sentenced to one year in the penitentiary on each count, the terms to run concurrently. He was accused of enter-

ing a grocery at 34 Ward St. July 25. Eva Dyer, 63, of 73 Stillson St., who had pleaded guilty to unlawful assembly at Joseph Avenue and Baden Street July 25, was given four months. She is expected to be released immediately because she has already been in custody since August and because of good behaviour. Judge Ogden pointed out that she tried to cut a fire hose with a bread knife.

Anthony J. Legno, 21, of 17

Fifth St., was given a suspended penitentiary sentence of six months and placed on three years' probation on his previous plea of guilty to the misdemeanor charge of resisting arrest July 26 at Joseph Avenue and Cumberland Street. He received suspended sentences on charges of disorderly conduct and unlawful assembly, to which he also had pleaded guilty.

Felony charges of riot against all three defendants will be dropped.

2 Sentenced In Riot Case

Two men accused of creating a disturbance and shouting at police in the July rioting today were each sentenced by County Judge George D. Ogden to one year in the County Penitentiary.

The defendants, James E. Byrd, 34, of 21 Tremont St., and Jaroy Haggans, 22, of 270 Hudson Ave., had pleaded guilty to unlawful assembly at Joseph Avenue and Baden Street July 25, a misdemeanor. A felony count of riot will be dropped in each case.

Judge Ogden pointed out that police accused Byrd of inciting the mob and shouting, "Kill the police." He said that Haggans was heard to call out, "The day of reckoning will come." Haggans escaped after arrest and had to be picked up again.

2 Men Cleared Of Riot-Time Theft Charge

TIMES UNION DEC 9 1964

Two men accused of stealing and receiving a television set in the rioting of July 25 were cleared of charges today at the end of the prosecution's case in a County Court jury trial.

Judge George D. Ogden dismissed the indictment against Booster Wright, 27, and Arthur Brown, 45, both of 69 Barton St. They had been charged with first-degree grand larceny and criminally receiving stolen property.

Dismissal motions were made by James Phillipone, attorney for Wright, and Benjamin Phelosof, counsel for Brown, on the grounds that the prosecution failed to prove theft of the property. The defendants had been accused of taking the set from Emerson of Western New York, Inc., 185 Joseph Ave.

Probation Given In Riot Counts

Joseph Mitchem, 27, of 383 Scio St., who had pleaded guilty to two misdemeanor charges stemming from the rioting July 25, late yesterday was placed on three years' probation by County Judge John J. Conway Jr.

Leniency was shown by Judge Conway because Mitchem had given help to the police on previous occasions. In 1960 Mitchem held two burglars for police and last June disarmed a burglar who had a gun, according to his attorney, Nicholas C. Gagliano.

Judge Conway suspended a one-year County Penitentiary sentence and suspended a \$500 fine on each of the two misdemeanors, unlawful assembly and criminally receiving two radios taken from Emerson of Western New York, Inc., 185 Joseph Ave. A felony charge of riot and a misdemeanor count of petit larceny are to be dropped.

8B

The Times-Union
Fri., Dec. 18, 1964

City Held Not Liable For Damage in Riots

The city and the county are not liable for damage caused in last summer's riots, according to an opinion handed down yesterday by Supreme Court Justice Clarence H. Brisco.

Justice Brisco, in ruling no motions to dismiss the

city and county defenses in a damage suit, said, "In the court's opinion the legislature in its wisdom chose to preclude municipal liability for riot damage until July 1, 1965."

Involved is one of about 100 claims for a total of about 1½ million in looting and riot damage to merchants last July 25 and 26.

• • •

THE CLAIM was for \$2,200 by Mr. Paint Shops, Inc. of 460 Clinton Ave. N. Attorney J. Frank Traynor based the claim on Section 71 of the General Municipal Law.

The city and county answered with the defense that the New York Defense Emergency Act, passed in 1942, absolved municipalities of riot damage liability.

Traynor moved to have the defenses stricken as not valid. Justice Brisco denied the motions, holding in effect that the defenses are valid. He noted that the state legislature has re-enacted the emergency act until July 1, 1965.

Traynor said today that he did not think he had any grounds for an appeal.

Court Says Emergency Act Applies

Social Science

City, County Absolved Of Liability in Riots

A test case yesterday indicated Rochester and Monroe County will fend off \$1.5 million in looting and riot damage to merchants last summer.

Supreme Court Justice Clarence H. Brisco stated municipalities are protected from mob-damage claims by the New York Defense Emergency Act.

There are about 100 claims against the city and county, which assert that General Municipal Law does make them liable for riot losses. The test case, however, brought an opposite ruling.

Justice Brisco noted the Defense law was in force during last summer's civil strife, and it overrode the General Law.

He explained that the legislature "in its wisdom chose to preclude municipal liability for riot damage until July 1, 1965."

The crucial case involved Mr. Paint Shops, Inc., 460 Clinton Ave. N., which sought \$2,200 for broken windows and ruined merchandise from tumult in the streets last July 24 to 26.

Mr. Paint Shops, represented by attorney J. Frank Traynor, sought clarification of the Defense Act, maintaining it did not apply to peacetime disasters, such as mob violence.

Traynor noted his interpretation was supported by a 1951 report of a joint legislative committee, which examined military matters and the law.

But Justice Brisco stated the Defense Act "declared . . . inoperative" the specific

liability sections of General Municipal Law.

He noted, too, that suspension of liability was a "temporary, emergency measure kept alive by successive reenactment . . ."

Traynor represented the largest bloc, about 40 claimants, against the city and the county.

He said the Defense Act "unquestionably needed the court's interpretation."

"Now that we've got it, the city and the county seem to have valid defense against any actions based on Section 71 of the General Municipal Law."

Suits based on common law

Continued on Page 2B

Continued from Page 1B

were rejected by the court. Taylor said that Brisco's decision "was learned . . . well thought out and so good it can only result in my counseling clients not to go on."

He continued, "Of course, I speak only for myself. I haven't consulted my clients, nor can I talk for other lawyers and their people. But my recommendation is that we accept Brisco's decision and avoid a lot of expense and heartbreak in taking appeal."

Another attorney familiar with the test case said, "It certainly appears that legal ground is kicked out from just about every claimant."

Arthur B. Curran Jr., corporation counsel, and Leo T. Minton, county legal adviser,

said they would inject Judge Brisco's ruling into all riot claims to avoid payment. Minton added that while Brisco's decision stands, any out-of-court settlement would be improbable if not illegal.

The county, represented in court by J. Paul Brennan, cited only the Defense Act to back up its case.

The city, represented by Casper V. Baltensperger, gave seven causes for avoiding riot liability, the major one being the Defense Act.

Brisco tossed out four of the city's contentions, such as that the claim for damage was filed too late.

Brisco's decision was based on a Court of Appeals ruling in 1946, which freed New York City from liability in Harlem riots.

Probation Given In Riot Case

James H. McCullough, 18, of 481 Flint St., who was charged in connection with looting in the July 25 rioting, today in County Court pleaded guilty to being a youthful offender and was placed on three years' probation by Judge John J. Conway Jr.

He received a suspended sentence to the State Reception Center at Elmira. Judge Conway indicated that McCullough intended to join the Navy.

McCullough was indicted on charges of second-degree grand larceny and criminally receiving stolen property involving a television set, transistor radios, and other items allegedly stolen from Emerson of Western New York Inc., 185 Joseph Ave.

264

City Council Awaiting Riot Report

The City Council is still awaiting a council-ordered report on last summer's rioting from City Manager Porter W. Homer.

"I'm still working on it," Homer said.

Asked when he thought the report might be ready, he replied: "I don't know."

At a special meeting July 27, the council directed Homer "at the earliest practical time to conduct a thorough inquiry into the origins" of the riots.

Homer also was directed "to report his findings at the earliest possible time" to the council "with such recommendations as he may deem advisable for action that may be taken so that there may be no re-occurrence of this disorder."

Last Sept. 9, President Johnson ordered the Federal Bureau of Investigation to investigate riots in nine northern cities, including Rochester. The FBI made its report Sept. 26.

Lawyers To Meet On Riot Damages

Lawyers for claimants of damages resulting from the July riots will meet next Wednesday to try to find a path around what may be a legal dead-end for their clients.

The meeting, called by Merwin J. Morehouse, attorney, will be held at 12:30 p.m. in the Powers.

Morehouse represents Lucas Bassow, operator of a market at 379 Clinton Ave. N., who has a \$17,600 claim for riot damages against the city.

Morehouse estimated there are about 40 or 45 lawyers representing riot damage claimants, but he didn't know how many would attend the meeting.

"I just want to get them all together and say, 'Gentlemen, what'll we do'" he explained.

About 100 riot claims, totaling about \$1½ million, have been lodged against the city and county.

THE LAWYERS' immediate problem appears to stem from a Dec. 17 ruling by State Supreme Court Justice Clarence H. Brisco, who said the New York Defense Emergency Act, which will be in effect at least until next July 1, suspends operation of the section of the General Municipal law which establishes liability of municipalities for damages sustained by mobs and riots.

The Defense Emergency Act, the first version of

which was enacted in 1942, is a supposedly temporary measure that has been kept alive by reenactment at successive sessions of the legislature.

Its general purpose is to free civil personnel from riot suppression duties in order to make them available for defense in the event of a war attack. The latest extension of the act is until July 1.

Morehouse said Justice Brisco's ruling "would seem to be the law of the case."

However, although the Defense Emergency Act might delay immediate prosecution of the claims from last July's riots, Morehouse said he believes that the claims could still be prosecuted when and if the legislature reinstates municipal liability for riots by ending the emergency act provisions.

Morehouse said lawyers for claimants might appeal Justice Brisco's decision, but if that failed they might try to get legislators to remove the roadblock of the emergency act.

Riot Report Delayed Too Long

After the July riots, a deeply troubled City Council asked City Manager Homer "to conduct a thorough inquiry into the origins" of the violence.

He was instructed "to report his findings at the earliest possible time with such recommendations as he may deem advisable for action that may be taken so that there may be no reoccurrence of this disorder."

Asked this week about the status of the report, Homer replied: "I'm still working on it." He gave no estimate of when it would be done.

The city manager is a busy man. But this task rates high priority. Many underlying causes of the riots seem to persist. If there are measures that Homer thinks the city can take to prevent new riots, he should advance them soon.

Term Suspended For Man Accused During Rioting

Freeman Griggs, 30, of 98 Prospect St., who, police said, slashed a fire hose during the rioting at Joseph and Central avenues early July 25, has been placed on three years' probation by County Judge John J. Conway Jr.

Griggs pleaded guilty to a misdemeanor charge of unlawful assembly. A felony charge of riot was dropped.

Glenn E. Hurlburt, 19, of 285 Bay Front N., ironed out, who while awaiting sentence for an Oct. 10 car theft allegedly stole another car Christmas night, was sentenced by Judge Conway to the State Reception Center at Elmira. He will be transferred from the Center to a correctional institution for a term of up to three years. Hurlburt pleaded guilty Dec. 9 to first degree grand larceny in ironed car theft.

Peter M. DiBenedetto, 18, of 17 Worcester Road, Greece, was sentenced by Judge Harry L. Rosenthal to the State Reception Center at Elmira as a youthful offender for violating probation in committing vandalism at School 36 of 85 St. Jacob St. Police said he and a 16-year-old youth broke into the school Nov. 7 and did about \$2,000 damage. DiBenedetto on June 21, 1963, was placed on three years' probation by former Judge John P. Lomenzo on a plea of guilty to being a youthful offender involving a \$153 burglary of the Mangione Pastry Shop, 1000 Norton St. He admitted the probation violation.

Donald E. Rowley, 16, of 404 Oak St. pleaded guilty to being a youthful offender in connection with an Oct. 24 car theft and was given an Elmira Reception Center sentence by Judge Conway.

James A. Lyons, 18, of 285 Plymouth Ave. S. was given a suspended Elmira Reception Center sentence with three years' probation by Judge Conway on his plea of guilty to being a youthful offender, involving an Oct. 22 car theft. A 17-year-old girl implicated with him is awaiting sentence as a youthful offender.

Youth Convicted Of Riot Charge

Mosezell Larkin Jr., 20, of 107 Joiner St., who late yesterday was convicted of a felony charge of riot, will be sentenced in County Court Jan. 21 by Judge Carrollton A. Roberts of Geneva.

The defendant was found guilty by an all-male jury at a three-day trial, Asst. Dist. Atty. Lawrence D. Chesler prosecuted.

Larkin was accused of tossing a rock through the window of a liquor store at 453 Clinton Ave. N. July 25. The jury acquitted him of third-degree burglary in the entry of the store and also found him innocent of unlawful assembly, a misdemeanor.

Youth Convicted Of Felony Charge of Riot

Mosezell Larkin Jr., 20, of 107 Joiner St. was convicted late yesterday afternoon by a County Court jury of a felony charge of riot, committed about 2:30 a.m. July 25 when police said he tossed a rock through the window of a liquor store at 453 Clinton Ave. N.

Judge Carrollton A. Roberts of Geneva, who presided at a three-day trial, set sentence for Jan. 21 and revoked Larkin's \$1,000 bail. Assistant Dist. Atty. Lawrence D. Chesler prosecuted.

The all-male jury, which debated three hours, found Larkin innocent of two other counts, third degree burglary of Frank & Esther's Liquor Store and unlawful assembly. Judge Roberts told the jurors they could not convict of both riot and the misdemeanor of unlawful assembly.

Among five witnesses sworn by Chesler was Police Chief William M. Lombard, who described the general riot conditions and told how his own car was tipped over and set afire by rioters at 12:30 a.m. July 25 in Joseph Avenue.

Two policemen said they saw Larkin toss a rock and reach into the liquor store and grab some whisky. They said he was one of five in front of the store and they arrested him after firing two warning shots. Larkin claimed he was an innocent bystander.

12A ROCHESTER DEMOCRAT AND CHRONICLE Sunday, Jan. 10, 1965

Negro Riots:

A Look Back — and Ahead

Conditions Found Generally Unchanged in 3 Cities

Last summer's riots in the Negro areas of New York, Rochester and Philadelphia were not the end. Some changes have been made but leaders say the causes of the "summer discontent" are still there and "we can't keep going back to the people without victories."

By BERNARD GAVZER
AP Newsfeatures Writer

The Negro slums of the North are deceptive in the winter.

The cold forces men indoors and the tempo of the streets loses its tom-tom beat. The shrill of tenement life is muffled behind closed doors.

There is a surface peace. But a Harlem Negro says:

"That is the worst mistake the white man can make, to think that things are as they were, that nothing really happened in the riots, and that he can forget any promises made."

What has happened since last summer's riots, what do Negroes in riot areas say about things now? To seek the answers, it is necessary to take a close look at New York, Rochester and Philadelphia, each of which suffered disorders, and Chicago—a city which many Negroes said was ripe for a riot but didn't have one.

"The summer of discontent is not over," says James Farmer, national director of the Congress of Racial Equality. "The danger is that it will break out again next summer—perhaps sooner—unless there are constructive, tangible steps to ease tension."

During and after each of the riots there was a recitation of Negro grievance. These dealt with charges of police brutality and corruption; poor housing, joblessness, second-rate schools and teachers.

Demands were made—and in the minds of many Negroes, promises were given.

What is it like in each of the cities; what has been done about the major grievances?

—New York—

The riot blossomed from the July 16 fatal shooting of a 15-year-old Negro boy by an off-duty white police lieutenant, Thomas Gilligan. The officer was later cleared of any blame. His name was shouted the night of July 18, when a crowd moved to the 28th Precinct Police Station to sound off. The riot spread finally to Bedford-Stuyvesant in Brooklyn. When calm restored, the toll showed 1 dead, 141 injured, 519 arrested, 522 incidents of looting and vandalism.

POLICE—Demands were made that more Negro officers be assigned to Harlem. This reversed the traditional drive of civil rights leaders to remove racial distinctions as a consideration in duty assignment.

Capt. Lloyd Sealy, a Negro, was put in command of the 28th. Says the captain:

"I think there probably is a feeling that with my being here, the police would be more objective in their handling of police situations."

Among other complaints by Negroes was one charging police officials with permitting lawlessness to exist in Harlem streets. They said this resulted in a disrespect for law and order.

Central Harlem today has the highest concentration of police on duty. The fact is that dope addicts, prostitutes and policy gamblers can be found easily at almost any time of the day or night.

HOUSING — Of 323,154 renter occupied housing units, 35 per cent are deteriorating and dilapidated, according to a study by the National Urban League. Public housing projects abound but critics say they can't keep pace with the need, that it amounts to token building, and perpetuates segregation.

SCHOOLS—The dropout rate among Negro teenagers is higher than anywhere else in the nation. There are 74,000, according to the Workers Defense League. A Harlem Youth Opportunities Unlimited Associated Community Teams (Haryou-Act) report showed that from 7,00 to 10,000

youth from 16 to 21 were out of work. Children in the third grade in central Harlem are on the average one year behind the achievement levels of New York City pupils.

Various training and social action programs have been launched or are in the planning stage. Secretary of Labor W. Willard Wirtz toured the HARYOU-ACT facility recently and took the occasion to announce a program that would retrain 1,000 youths from central Harlem.

Wirtz said that unless something positive is done throughout the nation, there would be one half million unemployed teenagers next summer "and we'll have riots."

JOBS—"Every day looks like Saturday in Harlem," says one man. While the Urban League study of Negro conditions showed unemployment at 7 per cent in New York, Negroes say this is because so many women are in the work force as domestics or doing other service-type work. Men, however, are idle—perhaps as many as 25 per cent of them.

OUTLOOK — A riotous explosion could come again. Says one Negro: "It might be preceded by harassment and annoyance tactics, such as having thousands of Negroes turn on their water faucets at the same moment, or all calling the same telephone number, or having all the elevator operators, bus drivers, motormen, garbage collectors take a 10-minute break at the same time, no matter where they are. If nothing tangible then comes, there will be more than Molotov cocktails in the streets."

—Rochester—

The riot began just before midnight Friday, July 24, when police sought to arrest a young man who was annoying a woman at a street dance in the Joseph Avenue district. When the riot had run its course, business streets in two Negro areas were littered with broken glass, debris and destruction; 5 persons died of riot-connected causes; 350 were injured; 973 arrested. Rochester was about the last place anybody, Negro or white, would have predicted a riot.

POLICE—Over a period of several years there had been complaints of police brutality. Talk about several cases was commonplace and was frequently heard in any discussion about the police.

Police Chief William Lombard is actively pushing a program to assure that the police show no bias in dealing with police situations involving Negroes. Human relations programs are being promoted within the department.

"You still got a lot of young, hard cops on the force, who represent the thinking that anybody who recognizes a legitimate complaint against the police is a nigger lover," says a city administrator, who declined being identified. "I think, however, that Lombard is correcting this."

HOUSING—Negroes are concentrated in two major areas, the old 7th Ward Joseph Avenue district and the Clarissa Street section of the 3rd Ward.

One public housing development, Hanover Houses,

Continued
on page 266

266



DESIGN FOR DROPOUTS — Negro girls learn sewing and dress designing at HARVU Center in Harlem, part of center serving about 1,000 dropouts. (AP)

Continued
From
page 265

is high-rise and presents a concentration of Negro families. The nearby Chat-ham Gardens are two-story units, with some white families.

"The trouble with the planning for housing," says Sidney J. Lindenberg, white director of the Baden Street Settlement, "is that it tends to continue segregation and is limited in scope. We need metropolitan planning to take in all Monroe County. We need to disperse people rather than pack them together."

JOBS — Truck farming needs hands and the hands come from all over to do seasonal work. "But they don't leave when the season finishes," explains one man, "and they can't possibly find other jobs simply because this is a town of high-skill industries."

The city administration has proposed an ambitious anti-poverty program which would attack the problem of joblessness and all the other ailments from dozens of angles.

SCHOOLS—Beginning in September 1965, there will be open enrollment on what is called the "voluntary extended home zone plan." This means that the neighborhood concept will be kept, but it will be a bigger neighborhood. Children will be able to go to any school within the enlarged neighborhood if there are vacant seats. The attitude of many Negroes: "Let's wait and see how this works."

OUTLOOK — Trouble ahead, especially if the militants and dissidents among Negroes continue preaching doom and if nothing tangible comes of any of the

programs already working or promised.

The expression, "Uncle Tom," is heard more often here than in many other cities with large Negro populations. It is applied to such persons as barbers, carpenters, housewives who work on a citizens council to improve relations between the races, and it is applied to Reginald K. Ingram, who is chief of the Office of Equal Employment Opportunity in the Air Force Systems Command.

Says Ingram: "The derelicts and drunks and alienated just are not prepared to think equal and live equal and will fight anyone who attempts to maintain responsible communication with the white power structure."

—Philadelphia—

On the night of Aug. 28, Mrs. Odessa Bradford, 34, and her husband, Rush, got into an argument. They were in their car and Mrs. Bradford stopped it, blocking the intersection of 22nd and Columbia in North Philadelphia. A Negro and white officer team investigated and finally tried to make an arrest. Rioting fanned through the Negro neighborhood — one that has been described as "seven square miles of sin and shame"—and 341 persons were injured and subsequently 768 arrested.

POLICE—Charges of police brutality and police harassment continue but many Negroes agree that during the rioting Philadelphia's cops performed with considerable restraint. A human relations worker

from Fellowship House — a white woman — says she was working on the streets during the riots and comments,

"The police should be congratulated instead of pilloried. If they had acted differently, North Philadelphia would have had a bloodbath."

There is a police advisory board which was created about six years ago. Many Negroes say it is ineffective, or they say it is the pawn of the police department and can't work with force.

Paul D'Ortona, president of the City Council, takes the view that too much is made of charges of police brutality. Says he:

"What is the definition of police brutality? How many police are in hospitals. If you are going to tie the policeman's hands from making an arrest, what's the use of having him?"

HOUSING — Of 101,281 renter occupied units, according to the National Urban League, 39 per cent are deteriorating and dilapidated.

Philadelphia, too, has plans that would operate under the federal anti-poverty umbrella, but Negroes generally express little faith that anything measurable will happen.

SCHOOL — To break the pattern of de facto segregation, there was a call for busing. Council President D'Ortona, who says he was criticized by some ministers for opposing busing, says, "I went to the people and asked them and they said they did not want busing but wanted better schools and teachers."

JOBS — There is a non-white unemployment rate of 10 per cent and of the 359,646 persons 25 and over, 76 per cent were school dropouts, reports the Urban League.

"If unemployment contributed to the riots, and I think it did, then you can count on having more," says a Negro union organizer. "That same old roundelay goes on here about no-training, no job; no-education, no training. These people know all about the promises, but someone's going to have to cash in one of these days."

City spokesmen say: "A top district attorney is a Negro, two of the councilmen are Negroes, and there are Negroes in other important posts."

Tokenism, say the militants.

OUTLOOK—Like Harlem and Rochester, the conditions which prevailed before and during the strike still exist. The major difference, it was emphasized, "is in the promise of the Economic Opportunities Act, the program which has possibilities for correcting many things."

—Chicago—

There was a riot in the Chicago area. It erupted in suburban Dixmoor, a community which is predominantly Negro. It arose from a fight between a white liquor store owner who claimed a Negro woman stole a bottle of gin. In two days, 50 were injured and 70 arrested. Why hadn't it engulfed Chicago? Has Chicago, which suffered a series of riots over the years, found some solution, some immunity which could point the way for other cities of the north?

POLICE — The image of the Chicago cop has undergone a radical change in the last four years. Almost all the credit is given Supt. O. W. Wilson, the onetime dean of the University of California School of Criminology. It did not happen overnight.

"My first executive order was that this was an integrated police force."

Wilson made an effective human relations section within the department. It immediately gets into any police situation with any racial overtones. The general image of the policeman became that of a professional officer.

HOUSING—Some experts say Chicago has the most progressive plan in the nation. Great expanses of old slums have been crushed by bulldozers, new public housing — "It's the kind that looks so middle-class from the distance," says one Negro — has risen in great sections. Of 116 authorized projects, 58 have been com-

pleted, 40 are in the state of execution.

The substance of conditions in the various cities was summarized in comment by Whitney Young, director of the National Urban League. He says:

"Whether there are riots again depends on the white leadership, not the Negro. White leadership needs to act. As for the Negro leadership, we've exercised restraint and patience, but we can't keep going back to the people without victories."

Uncle Tom-ism

Rochester apparently has the unfortunate distinction of being the city among those struck last summer by riots where the phrase "Uncle Tom" is most commonly used against moderate Negroes by the militants and the alienated.

D. & C. JAN 11 1965

This was reported in an Associated Press roundup of present conditions in Harlem, Philadelphia and Rochester. The report also covered Chicago, which rather surprisingly had no riots although one of its suburbs, Dixmoor, did.

The outlook here is for "trouble," the article indicates, especially if "the militants and dissidents among the Negroes continue preaching doom and if nothing tangible comes of any of the programs already working or promised."

The burden of moderate Negroes who are criticized by members of their own race for trying to improve racial understanding is a great one. It would be hard not to sympathize if they chose to abandon their community responsibilities in the face of such hurtful rebuffs.

But it is to these Negroes with tolerant attitudes that we must look,

both for white contact with the Negro community and for constructive examples of successful adjustment despite the handicap of racial tradition.

For Negroes automatically to reject other Negroes purely because they achieve some social or economic success or show interest in calming racial tensions is irrational. We can only plead that the maligned moderates retain their perspective and keep working.

Riot Suit Parley Draws Few People

Four lawyers and a reporter were all who turned out yesterday for a noon meeting for attorneys handling nearly \$1.6 million in claims against the city and the county resulting from last summer's riots.

Chairman Merwin Morehouse gave up and left after sitting nearly an hour in the Powers' Terrace Room. Three other lawyers had straggled in—and out.

At least 110 claims—a majority of them against the city—have been filed, involving \$1,559,000 in direct damages or business losses because of the curfew imposed during the riots. Morehouse estimated that 40 to 50 attorneys are involved.

The meeting was set up as a "strategy" session after Supreme Court Justice Clarence H. Brisco ruled Dec. 17 that the city and the county are not liable for damages because a state law passed during World War II, absolving municipalities of riot liability, has been extended by the legislature to July 1, 1965.

Morehouse is representing Lucas Basso, owner of a delicatessen at 379 Clinton Ave. N., who is suing the city for \$17,600 for riot-caused property damage. He offered no reason for the apparent lack of interest in yesterday's meeting.

2nd Damage Suit From Rioting Denied by Court

A supermarket's riot damage suit against the city was denied yesterday in State Supreme Court.

Justice Domenick L. Gabrielli granted summary judgment against Hart's Food Stores, Inc., thus tossing out the firm's \$11,414 claim for looting and destruction losses last July.

The suit, the second to be decided, was denied again on the City's contention that it has immunity against riot suits, as written in the New York War Emergency Act.

Plaintiffs have tried to show the act was adopted for military crises. But local jurists, following a landmark decision after the 1943 Harlem riots, ruled no municipal liability exists. The War Emergency Act, they noted, is in force until July 1.

Original suits and claims against the city and Monroe County totaled nearly \$1.6 million. Legal experts said there seemed to be no possibility for any plaintiffs to be successful, since the two Rochester cases were decided by different judges coming to the same conclusion on immunity by citing the same legal authority.

The first case was decided last month by Justice Clarence H. Brisco.

D. & C. JAN 15 1965

Man Given Probation

UNION JAN 12 1965

Joseph Miller Jr., 25, of 135 Joseph Ave., who had pleaded guilty to a misdemeanor charge of unlawful assembly in the rioting of July 25, today was placed on three years' probation by County Judge John J. Conway Jr. on condition that he stay off the county welfare rolls.

The defendant was given a suspended sentence of one year in the County Penitentiary. He was arrested at Joseph Avenue and Nassau Streets. A felony charge of riot will be dropped.

City Ruled Not Riot-Liable

TIMES UNION JAN 15 1965

A second Supreme Court justice has ruled that the City of Rochester is not liable for damages caused in last July's riots.

Justice Domenick L. Gabrielli granted a motion for summary judgment in favor of the defendant city in a claim asking \$11,414.58. The claim was filed by Hart's Food Stores, Inc., for damage to its Star super markets at 640 Jefferson Ave. and 393 Clarissa St. The ruling, in effect, dismisses the claim.

Justice Gabrielli held, as did Justice Clarence H. Brisco in a different case last month, that the New York Defense Emergency Act, passed in 1942 by the legislature and subsequently extended until next July 1, absolved municipalities of riot damage liability.

The Emergency Act suspended the operation of Section 71 of the General Municipal law under which Hart's filed the claim, according to the decision.

JUSTICE GABRIELLI said, "The court must conclude that Section 71 of the General Municipal Law is inoperative and the complaint does not, therefore, state a cause of action."

He also said that the U.S. Supreme Court "has steadfastly held that a municipality incurs no liability at common law for damages sustained as the result of mobs or riots," and that state courts have held the same.

Woman 'Hero Figure' at Riots Pleads Guilty

D. & C. JAN 19 1965

Mrs. Juanita High, 32, of 438 Champlain St., the woman whom Police Chief William M. Lombard credited with saving his life shortly after 1 a.m. in the early stages of the July 25 rioting at Joseph Avenue and Nassau Street, pleaded guilty in County Court yesterday to a misdemeanor charge of unlawful assembly.

The misdemeanor stemmed from State Police claims she menaced them in the heat of the rioting nearly seven hours later in Joseph Avenue near Catharine Street.

Mrs. High was indicted Aug. 27 on the misdemeanor

charge, alleging she was abusive to state troopers when they came in as reinforcements, and on a felony riot charge alleging that at the same time she threw rocks and other missiles at state troopers and incited others in the mob. The riot charge will be dropped, Asst. Dist. Atty. Lawrence D. Chesler said.

Judge Carrollton A. Roberts of Geneva, before whom she pleaded, continued her free to await sentencing Feb. 9.

Chief Lombard shortly after 1 a.m. had arrived at

the riot area in the 7th Ward, driving alone in a police car from his home. He ordered 20 policemen, who had preceded him there and were scattered in the block-long area and in danger, to back down while he went in alone to try to talk the crowd into dispersing. His parked car was overturned by the mob and set fire and he was pelted.

Mrs. High saw him in full uniform, surrounded. She tugged at him to rescue him when, she said, she saw several youths nearby with knives. She grabbed his arm

and yanked him toward Central Avenue.

Mrs. High said on July 29 when she went to see Lombard on being paroled to her lawyer that she had been arrested as an "innocent victim" after making trip after trip in her red and white compact car to transport people from the turbulent area.

Lombard at that time admitted that "if it hadn't been for Mrs. High's actions I might not be alive today."

Mrs. High has a long police record. In 1955 she was given a 2½-to-5-year sentence to

the Westfield Farm State Prison for Women at Bedford Hills on a jury conviction of second degree assault in wounding a former boy friend with a revolver shot.

Last Nov. 4 she pleaded guilty in City Court to misdemeanor charges of driving while intoxicated and reckless driving the day before when her car hit a pillar of the Eastern Expressway at South Avenue. Judge Alphonse L. Cassetti fined her \$50 on each count and revoked her car registration and driver's license.

ES UNION JAN 19 1965 Riot 'Heroine' Pleads Guilty

Sentencing of Juanita High, 32, of 438 Champlain St., who was credited by Police Chief William M. Lombard with rescuing him when a mob wrecked his car in the July 25 rioting, is set for Feb. 8 in a charge of unlawful assembly.

Mrs. High pleaded guilty to the misdemeanor count in County Court yesterday before Judge Carrollton A. Roberts of Geneva. A felony charge of riot will be dropped.

The indictment stemmed from State Police claims that Mrs. High was abusive in the rioting nearly seven hours after the car incident on Joseph Avenue near Catharine Street. They alleged she threw rocks.

ES UNION JAN 20 1965 Woman Convicted In Rioting

Helen Jane Moffett, 32, of 20 Morris St. yesterday in County Court was convicted of unlawful entry, a misdemeanor, in the rioting of July 25.

She was found guilty by Judge Carrollton A. Roberts of Geneva at a two-day trial without a jury. Sentence was set for Feb. 18.

The defendant was arrested by police who found her in a Star Bright Dry Cleaners store at 321 Joseph Ave. with clothing over her arm about 4 a.m., according to Asst. Dist. Atty. Lawrence D. Chesler, who prosecuted.

She was adjudged innocent of a felony charge of riot and another misdemeanor count of unlawful assembly.

On the witness stand, the defendant testified she was an innocent passer-by and denied the charges. She had waived trial by jury.

ES UNION JAN 20 1965 Probation Given In Riot Case

Robert Benjamin, 19, of 221 Jefferson Ave., who had pleaded guilty to a misdemeanor charge of unlawful assembly in the July rioting, today in County Court was placed on three years' probation by Judge Carrollton A. Roberts of Geneva.

The youth also was given a suspended sentence. He was arrested on Ward Street July 26.

ES UNION JAN 21 1965 Alcohol Said Copter Crash Factor

A Civil Aeronautics Board report on the crash of a helicopter during last summer's rioting here states that a causative factor in the crash was alcohol, which was found in the dead pilot's body.

The report states that examination of evidence indicates the pilot, James B. Docharty, "had permitted the aircraft to enter a power settling condition (hovering) at an altitude insufficient to permit recovery. In view of the high demands in these respects, under the existing flight conditions and the pilot's relatively low helicopter experience, the alcohol factor was considered causative in the accident."

The board earlier had said .08 per cent alcohol had been found in the pilot's body in an autopsy. Police regard .10 per cent as impairing a motorist and .15 per cent as intoxication for arrest purposes.

THE HELICOPTER was on an inspection tour of riot areas July 26 when it hit the roof of a house at Clarissa and Tremont Streets. Mr. Docharty and two men in the house were killed.

County Civil Defense Director Robert N. Abbott, a passenger in the helicopter, died about one month later of severe burns.

The other passenger, Robert Cannioto of 15 Compton Ter., Henrietta, survived.

Douglas Justin, vice president of Page Airways, which owned the helicopter, said witnesses have said it was impossible for Mr. Docharty to

ES UNION JAN 21 1965 Sentences Suspended on Riot Counts

Two men who had pleaded guilty to misdemeanor charges arising from the July rioting were given suspended sentences and placed on three years' probation today in County Court by Judge Carrollton A. Roberts of Geneva.

Willie Hicks, 35, of 219 Union St. N., had pleaded guilty to criminally receiving stolen property. He was accused of taking whisky from the Kaplow, Inc., store at 346 Clarissa St., and clothes from Star Bright Dry Cleaners, 367 Clarissa St., July 25. Charges of second-degree grand larceny, criminally receiving stolen property as a felony and petit larceny are to be dropped.

Judge Roberts pointed out that he considered the fact that Hicks had been in custody for a time after his arrest.

James Hanrahan, 22, of 759 Winton Road N., who also was put on probation, had pleaded guilty to a charge of disorderly conduct. He was arrested in Clinton Avenue North July 25. A felony charge of riot and a misdemeanor count of unlawful assembly will be dismissed.

Rioter Gets 6 Months; 2 Put on Probation

D. & C. JAN 22 1965

A young man implicated in the July rioting was handed a six-month County Penitentiary sentence and two others were placed on probation by Judge Carrollton A. Roberts of Geneva in Monroe County Court yesterday.

Mosezell Larkin Jr., 20, of 107 Joiner St., who Jan. 7 was found guilty by a jury of a felony charge of riot, was sent to the penitentiary. Larkin, prosecuted by Assistant Dist. Atty. Lawrence D. Chesler, was alleged to have thrown a rock through the window of Frank & Esther's Liquor Store, 453 Clinton Ave. N., about 2:30 a.m. July 25.

James T. Hanrahan, 23, of 759 Winton Road N., who pleaded guilty to disorderly conduct as a misdemeanor, was given a suspended sentence with three years' probation. Police said he was in a crowd of white persons who taunted firemen manning hoses to control the mobs in Clinton Avenue North near Central Avenue about 5 a.m. July 25.

William J. Hicks, 35, of 219 Union St. N., who pleaded guilty to the misdemeanor of criminally receiving \$45 worth of whisky that had been stolen from Kaplow, Inc., 346 Clarissa St., during

the rioting the night of July 25, also was given a suspended sentence with three years' probation. Police said the trunk of Hicks's car yielded the whisky and also about \$300 worth of clothing that was looted from Star Bright Cleaners, 367 Clarissa St. Felony charges of criminally receiving and second degree grand larceny involving the clothing and of petit larceny in theft of the whisky were dropped.

In other cases:

Armsey A. Green, 22, of 269 Clinton Ave. N., who was accused of a \$47 mugging and pleaded guilty to first degree grand larceny, was sentenced to an indeterminate term in Elmira Reformatory by County Judge Harry L. Rosenthal. Green had been charged with knifing Ernest Blankenship, 32, in front of his home at 7 Washington St. N., and taking his wallet Oct. 24. Counts of first degree robbery and second degree assault were dropped.

Frank L. Paige, 17, of 3 Phelps Ave., found guilty by County Judge John J. Conway Jr. of violating probation on which he had been placed last October as a youthful offender, was committed to the State Reception Center at Elmira. He will be transferred from there to serve an indeterminate term of up to three years in a correctional institution. Paige was charged with violating probation when he renewed association with John A. Mayer Jr., 16, of 38 Peck St., an escapee from the State Agricultural and Industrial School at Industry, who yesterday was given a similar Elmira Reception Center sentence by Judge Conway on a plea of guilty to being a youthful offender.

Mayer, who lived upstairs at the Peck Street address, was accused with two others of breaking into the downstairs apartment of Raymond E. Lund and stealing a rifle and a shotgun Nov. 9. The other two pleaded guilty to being youthful offenders and were given suspended Elmira Reception Center sentences with three years' probation Jan. 14. Paige had been placed on three years' probation by Judge Conway last Oct. 28 when he pleaded guilty to being a youthful offender in connection with stealing a car and using it to burglarize a restaurant of 20 cartons of cigarettes on Aug. 1.

Elmira Term Given In Riot Assault

TIMES UNION JAN 22 1965

Alvin T. Tucker, 21, of 20 Gladstone St., who had pleaded guilty to second-degree assault in the July 25 rioting, today was sentenced in County Court by Judge Carrollton A. Roberts of Geneva to Elmira Reformatory.

Reformatory terms are indeterminate up to five years.

The defendant was accused of throwing stones and spitting at police at Dover Street and Buchan Park. He also was accused of tussling with a police detective at the Public Safety Building in trying to get away. A felony charge of riot and a misdemeanor count of unlawful assembly is to be dropped.

Suspended sentences and probation were given to these five persons who had pleaded guilty to charges stemming from the riot.

William K. Strother, 48, of 43 Clifton St., two years probation on a misdemeanor charge of criminally receiving a stolen tape recorder and a television set July 25.

Joseph D. Barfield, 49, of 50 Baden St., three years probation on a misdemeanor

charge of unlawful assembly at Herman and Henry Streets July 25 in the knifing of a woman. Judge Roberts said the incident had no direct tie-up with the rioting.

James Snow Jr., 36, of 107 Lowell St., three years' probation for unlawful assembly at Joseph Avenue and Baden Street July 25.

Ronald L. Scott, 21, of 99½ Joiner St., three years' probation for unlawful assembly at Clinton Avenue North and Hand Street, July 25. The defendant spent two weeks in jail before being released on bail.

Doris A. Cook, 17, of 15 Dover St., two years' probation for unlawful assembly at Joseph Avenue and Morris Street July 25.

Rioter Sent To County Pen

S UNION JAN 21 1965

Mosezell Larkin Jr., 20, of 107 Joiner St., who had been convicted at a jury trial of a felony charge of riot, was sentenced today in County Court by Judge Carrollton Roberts of Geneva to six months in the county penitentiary.

Larkin was accused of throwing a rock through the window of Frank & Esther's Liquor Store, 453 Clinton Ave. N., about 2:30 a.m. July 25. Assistant Dist. Atty. Lawrence D. Chesler prosecuted.

Man Sentenced On Gun Count During City Riots

D. & C. JAN 26 1965

A man who denied he pointed a loaded revolver at a city policeman during the rioting on the west side of the city the night of July 25 but admitted it was wrong for him to possess the gun was sentenced yesterday in County Court to serve six months in Monroe County Penitentiary.

The sentence was handed to William T. Rowie, 49, of 48 Atkinson St. by Judge Carrollton A. Roberts of Geneva on a plea of guilty to a felony charge of possessing the gun without a license. The District Attorney's office dropped a charge of first degree assault in allegedly pointing the gun at Patrolman John J. Donlon.

In imposing the comparatively light sentence, Judge Roberts observed Rowie has been a steady employe of the New York Central's car shops in East Rochester for 20 years and had no other arrest except one for speeding in 1962.

Patrolman Donlon asserted Rowie and two other men who had been standing at Jefferson Avenue and Main Street West fled when police arrived and that Rowie on being questioned by him on a nearby Jefferson Avenue apartment house porch threatened him with the loaded gun.

Rowie claimed he found the gun two weeks before and maintained he did not draw it on the patrolman. He said he had just returned from fishing and had no part in the rioting.

270

D. & C. JAN 29 1965

Riot 'Shooting List' Discounted by Homer

City Manager Porter W. Homer last night dismissed as 'unsubstantiated rumor' a report of a list of persons who would be "shot in the next riot."

Homer referred to a statement made Tuesday by attorney Stewart Moot before the Presbytery of the Genesee Valley. Moot later challenged a published report that the names were those of whites only and said it also contained names of Negroes.

Homer said Wednesday police had talked to Moot and were investigating. In a statement issued last night, Homer said:

"Based on the information we have, we must categorize the matter as unsubstantiated rumor. Mr. Moot has told police officials of a piece of paper shown him several months ago.

"I regard the dissemination of this kind of rumor as unfortunate and a danger to the entire community, and I feel sure, Mr. Moot agrees with me.

"It has been clear to us for some time, as I am sure it has to Mr. Moot, that there are some who would stir hate and fear in our community. These constitute a very small seg-

ment of the white and non-white population of Rochester.

"We know what these few haters are up to and we know, also, that they have few followers. As far as this office is concerned, this matter is closed."

Merchant Sues State for Riot

Damage to Store & C. JAN 30 1965

ALBANY (GNS)—In a suit for \$1,080 a Rochester drug-gist blames the state for lack of adequate police protection in last July's race riots.

The suit, in the State Court of Claims here, is the second such action so far against the state.

Two of the many riot damage suits filed against the city and county already have been dismissed in State Supreme Court on the grounds the State War Emergency Act gives the city immunity.

In his action against the state, Lester C. Pond says a mob smashed the windows and pillaged and looted the stock of his store at 328 Plymouth Ave. S.

He said the state was negligent "in failing to supply proper police protection on the evening of July 25 after the State of New York, the office of the governor and his assistant and secretary were notified that there was not enough adequate police protection in the City of Rochester."

He asks \$350 for plate glass windows and \$730.80 for drugs and merchandise. Thomas W. O'Connell is his attorney.

Incidentally, it cost the state \$176,724 to send National Guard personnel into Rochester during the riots. That was the figure Gov. Rockefeller reported yesterday to the Legislature in his deficiency budget.

TIMES UNION JAN 29 1965

Riot-Count Sentences Suspended

Nathaniel Wise Jr., 30, of 65 Hanover St., who had pleaded guilty to an unlawful assembly charge arising from rioting July 25 and to a petit larceny charge in an Aug. 6 theft, was placed on one year's probation yesterday in County Court.

Judge Carrollton A. Roberts of Geneva suspended sentences in both cases.

Wise, a city employe was released in bail after his arrest in the rioting so he and others on a neighborhood committee could confer with city officials. While free on bail he became involved with two others in the theft of cable owned by the Rochester

Telephone Corp. on Nash Street.

In connection with the riot he was accused of unlawful assembly at Herman Street and Joseph Avenue. Charges of remaining in the place of a riot and disorderly conduct are to be dropped. All three charges are misdemeanors.

"It doesn't appear that he was involved too much in the riot," Judge Roberts said. "Much of the involvement was brought about by his curiosity and willingness to assist a store owner."

The two other men will be sentenced on the petit larceny charge Feb. 11.

Two women, Lucille S.

Myers, 20, of 37 Central Park, and Rosa M. Martin, 21, of 8 Vetter St., who had pleaded guilty to an unlawful assembly charge, were given suspended sentences and placed on probation for three years. They were arrested while seated in a car containing loot from a store in Joseph Avenue July 25.

A third woman, Gwendolyn A. Winstead, 29, of 82 Bronson Ave., who also had pleaded guilty to unlawful assembly was given a suspended sentence and put on three years' probation. She was arrested at Catherine Street and Clinton Avenue North July 25.

Report of 'Riot List' Clarified by Moot

D. & C. JAN 28 1965

Attorney Stewart Moot said last night a list of persons who were to be shot "in the next riot" contained the names of both Negroes and whites.

Moot's statement challenged a Democrat and Chronicle story published yesterday which quoted him as telling a meeting of the Presbytery of the Genesee Valley that he had seen "lists of names of those in the white community" who would be shot in the event of another riot.

Asked last night about the list, City Manager Porter Homer said, "The police have talked to Stewart Moot today about his statement before the Presbytery. Their investigation is continuing."

Moot said he had been shown the list last September or October by a Negro "whom I've known for some time." He said he recalled that the list contained "about eight names," white and Negroes, with the names of Negroes in the majority. Moot said he would "rather not" say who was on the list.

Asked if he had told police about the list, Moot said he did not do so immediately because "I did not assume I was the only one who had seen the list." However, Moot said he did tell police several weeks later.

Moot, stated clerk of the Presbytery, said he cited the list to support his contention that there is now less communication between whites and Negroes and more bitter-

ness by Negroes than there was before the July riots. Moot was speaking in behalf of a motion to grant \$3,000 a year for two years to a community organization project of the Rochester Area Council of Churches, Inc., and to become involved in the project.

Riot 'Shooting List' Ridiculed by Homer

D. & C. JAN 29 1965

City Manager Porter W. Homer last night dismissed as "unsubstantiated rumor" a report of a list of persons who would be "shot in the next riot."

Homer referred to a statement made Tuesday by attorney Stewart Moot before the Presbytery of the Genesee Valley. Moot later challenged a published report that the names were those of whites only and said it also contained names of Negroes.

Homer said Wednesday police had talked to Moot and were investigating. In a statement issued last night, Homer said:

"Based on the information we have, we must categorize the matter as unsubstantiated rumor. Mr. Moot has told police officials of a piece of paper shown him several months ago.

"I regard the dissemination of this kind of rumor as unfortunate and a danger to the entire community, and I feel sure, Mr. Moot agrees with me.

"It has been clear to us for some time, as I am sure it has to Mr. Moot, that there are some who would stir hate and fear in our community. These constitute a very small seg-

ment of the white and non-white population of Rochester.

"We know what these few haters are up to and we know, also, that they have few followers. As far as this office is concerned, this matter is closed."

Riot Figure Placed on Probation

D. & C. JAN 29 1965

Nathaniel Wise Jr., 30, of 65 Hanover St., one of six Negroes who conferred with Mayor Frank T. Lamb as peacemakers the night of the July 25 rioting, was placed on probation for one year on his plea of guilty to two misdemeanors before Judge Carrollton A. Roberts of Geneva in Monroe County Court yesterday.

Judge Roberts said it did not appear that Wise was implicated in the rioting but that "much of his involvement was brought about by his curiosity and his willingness to assist store owners."

Shortly before his arrest about 8 a.m. July 25 in front of a creamery store at 384 Joseph Ave., another storekeeper asked Wise to help stop looters and that owner credited Wise's aid with saving him a possible \$100,000 merchandise loss, according to a probation department investigation.

Police said Wise was in a crowd of about 30 in front of the already looted creamery at Herman Street and Joseph Avenue when he used abusive language and refused to move when ordered to do so. He was released on \$500 bail that day so he and others on a neighborhood committee, including three clergymen, could confer with city officials. He, with two other men, was arrested again for alleged theft Aug. 6 of lead covered copper cable valued at \$200, owned by Rochester Telephone Corp.

Wise, father of six, was indicted Aug. 27 on misdemeanor charges of unlawful assembly, remaining at a place of riot after warning and disorderly conduct and on Aug. 14 on a charge of second degree grand larceny in the cable theft. He pleaded guilty two weeks ago to unlawful assembly during the rioting and to petit larceny, reduced from grand larceny, in the Aug. 6 theft. The other counts were dropped.

Yesterday Judge Roberts handed him two concurrent suspended sentences with one year's probation.

272

2C

The Times-Union
Tues., Jan. 26, 1965

2 Sentenced For Part in July Riots

A youth and a man who were accused of unlawful assembly at Joseph Avenue and Herman Street in the rioting of July 25 were sentenced and two others in the same case were placed on probation in County Court today.

All four had pleaded guilty to a misdemeanor charge of unlawful assembly. They were brought before Judge Carrollton A. Roberts of Geneva.

Nicholas F. Mastrodonato, 17, of 143 Orange St., was sentenced to the State Reception Center at Elmira for classification and transfer to a correctional institution. The youth had been placed on three years' probation April 15, 1964, as a youthful offender in a car theft case.

Charles T. Dietricha, 24, of 5 Parkside Ave., was given six months in the County Penitentiary. Judge Roberts said he had a bad record.

Elmer Ellsworth, 16, of 14 Terry St., was given a suspended sentence and put on three years' probation. Judge Roberts said the boy had no record and was entitled to another chance. He told him to attend school or get a job.

Melvin C. Cronk, 22, of 24 Rockland Park, was given a suspended sentence, put on three years' probation and directed to remain employed and support his family. Judge Roberts indicated that Cronk had been in no trouble since 1958 and that his wife was an expectant mother.

A felony charge of riot and a misdemeanor count of illegal possession of a gun against all four defendants are to be dropped. According to police, the quartet were riding in a car with a loaded shotgun protruding from the window.

2 Whites Jailed For Riot Parts

D. & C. JAN 27 1965

Two of four whites who, police said, roiled Negro mobs at the height of the race rioting early July 25 by riding up and down Herman Street with a loaded shotgun sticking out the car's rear window were given reformatory and penitentiary sentences in County Court yesterday.

The other two were placed on probation. The sentencing was by Judge Carrollton A. Roberts of Geneva on the pleas of the two youths and two men of guilty to a misdemeanor charge of unlawful assembly. A felony charge of riot and a misdemeanor count of unlawful possession of the shotgun were dropped by the district attorney's office.

The four are: Nicholas F. Mastrodonato, 17, of 143 Orange St., sentenced to the State Reception Center at Elmira for transfer to a correctional institution for up to three years. Mastrodonato last April 15 was placed on three years' probation as a youthful offender in connection with a car theft.

Charles T. Dietricha, 24, of 5 Parkside Ave., sentenced to six months in the county penitentiary. His record shows he was given a similar sentence in City Court a year ago for third degree assault and on Oct. 15 was located to answer the riot indictment when he was nabbed under another name on charges of speeding and driving without a license.

Melvin C. Cronk, 22, of 24 Rockland Park, suspended sentence with three years' probation. Cronk on Feb. 20, 1959, was placed on three years' probation as a youthful offender in connection with a burglary. Judge Roberts directed him to remain employed and to support his wife, an expectant mother.

Elmer E. Ellsworth, 16, of

14 Terry St., suspended sentence and three years' probation. He had no prior police record. Judge Roberts told him to attend school or get a job.

Police said Cronk was driving his car when arrested at 1:30 a.m. July 25 at Herman Street and Joseph Avenue. Dietricha, they said, was in the back seat, the two other passengers in the front seat. According to the police, besides the shotgun that protruded from the rear window, they found a machete on the floor near the right front door.

D. & C. JAN 28 1965 'CAB Announcement Was Unkind'

WAS it necessary for the CAB to announce in large headlines that the crash of the helicopter during last summer's riots was due to the pilot, James B. Docharty, having .08 per cent alcohol in his blood?

Didn't his family suffer enough with the death of husband and father without having

such an announcement broadcast to the world?

The medical testimony that the determining of the alcohol content in a burned body 24 hours after death is impossible, should have been sufficient.

Isn't there any kindness left in the world or was there perhaps money involved?

I'm sure there were many as thoroughly disgusted at the announcement as I was.

MILDRED B. WHITNEY
75 Fairhaven Road.

Pastor Analyzes Riot

TIMES UNION FEB 1 1965

Negro Cleric Makes 3-Step Proposal

By DESMOND STONE

In the first published riot analysis by a member of the Rochester Negro community, Rev. Albert L. Whitaker, pastor of Mt. Olivet Baptist Church, a lecturer at the University of Rochester, suggests three steps to prevent future violence in Rochester.

Writing in *Crisis*, the national journal of the National Association for the Advancement of Colored People, Whitaker recommends:

The coordination of activities of all social and civic organizations in the area of better housing, schools and job opportunities.

The strengthening of the local NAACP and other civil rights organizations by involving more people of both races in the membership and action programs.

The establishment of a domestic peace corps with an emphasis on self-help on the part of the Negro community and other interested groups.

IN HIS ARTICLE, "Anatomy of a Riot," the Rev. Mr. Whitaker backgrounds race relations in Rochester and goes on to make several clarifications:

"What happened was not a race riot. Rioting by Negro youth, and others caught up in the psychology of crowd behavior, did occur."

"The violence that erupted had a twofold aim—an expression of resentment against police authority and an overt attack upon white-owned business establishments."

"Some outsiders have mistakenly suggested that violence and lawlessness erupted because Rochester

★ ★ ★

Our Urban Challenge

had done nothing about its racial problems. The city has taken steps to improve race relations."

"Violence does not provide the answer nor can it be condoned. It stems from the social and psychological pressures which exist within the Negro community."

• • •

THE POTENTIAL for violent outbreaks will remain, says the Rev. Mr. Whitaker, as long as these situations continue to exist:

"The tendency of both Negroes and whites to look for a black messiah as leader and spokesman for all as possible."

Negroes. In a complex society such as ours, there can be no single leader for any group, black or white.

"The inclination on the part of some Negroes to think that every Negro in conference with the white power structure is an 'Uncle Tom' and to criticize him harshly.

"The attempt to substitute resolutions, platitudes and high-sounding statements for action to meet civil rights problems.

"The tendency on the part of some white persons to impose collective guilt upon the Negro race for the misconduct of a minority.

"The excessive drop-out rate among Negro high school students, particularly in a city such as Rochester, with its highly skilled technology. Our youth must take as many apprenticeship courses as possible."

NAACP Told It Needs Average Man

Times Union Feb 1, 1965

The National Association for the Advancement of Colored People must reach out beyond its present membership to the "average man."

This was the burden of comments by a number of speakers at a Western New York regional meeting Saturday at Montgomery Neighborhood Center.

The meeting was the first of six semi-monthly workshops planned by the new regional director, Mrs. Rozetta M. McDowell, 412 Cottage St.

Speaking of the needs of the Rochester branch of NAACP, Mrs. Leatrice V. Patterson of 131 Shelter St. said:

"We've had riots here and still our people aren't listening to us."

• • •

IN THE SOUTH, said Mrs. Jerry Wilson of 51 Weld St., Negroes have "one common goal in that they are oppressed. Here we have no common goal because we're different people going different ways."

"Awaken people to the fact the problem of one Negro is the problem of all," urged Willie White of Lackawanna. "If we don't all pull behind one individual, then we all fail."

Riot Analysis

A voice of reason has spoken out on the Rochester riots, and from a predictable source in this city's Negro community—Rev. Arthur L. Whitaker, pastor of Mt. Olivet Baptist Church.

The Rev. Mr. Whitaker, who has also lectured in sociology at the University of Rochester, has written a cool and collected analysis of Rochester's race relations in the January issue of "The Crisis," national publication of the NAACP.

He criticizes members of both races for persisting in several errors which preserve the potential for violence—for looking for a "black messiah" as leader and spokesman for all Negroes, for example, or for branding Negroes as "Uncle Toms" if they confer with the white "power structure."

And he gives credit where many critics have heaped blame: "Some outsiders have mistakenly suggested that violence and lawlessness erupted because Rochester had done nothing about its racial problems. The city has taken steps to improve race relations."

His three suggested preventive measures are "no panacea," as he acknowledges, but they are constructive.

1—Coordination of activities of social and civic organizations in the area of better housing, schools and job opportunities.

2—Strengthening of the local NAACP and other civil rights groups by involving more people of both races in the membership and action programs.

3—Establishment of a domestic peace corps with emphasis on self-help by the Negro community and other interested groups.

The Rev. Mr. Whitaker is a man who thinks before he speaks, and then speaks calmly but pointedly. Whites and Negroes both will do well to listen.

D. & C. FEB 4 1965

Probation Given In Rioting

David F. Nettles, 20, of 41 Greig St., who had pleaded guilty to a misdemeanor charge of unlawful assembly in the July 25 rioting, today was placed on three years probation by County Judge John J. Conway Jr.

Nettles also received a suspended one-year term in the county penitentiary and a suspended \$500 fine. He was accused of entering the Ace Food Market, 488 Plymouth Ave. S. A felony charge of riot and a misdemeanor count of unlawful entry will be dropped.

Woman Gets Probation After July Rioting

Juanita High, 32, of 438 Champlain St., who rescued Police Chief William M. Lombard in the July 25 rioting at Joseph Avenue and Nassau Street, today in County Court was placed on two year probation by Judge Carrollton A. Roberts of Geneva.

She had pleaded guilty to a misdemeanor charge of unlawful assembly, which stemmed from State Police claims that she was abusive to them in the heat of the rioting nearly seven hours

later in Joseph Avenue. A felony riot charge accusing her of throwing rocks at the State Police and inciting others in the mob will be dropped.

In suspending sentence, Judge Roberts referred to the help she gave Chief Lombard when his parked car was overturned by the rioters and set fire.

She grabbed the chief's arm and pulled him away when, she said, she saw several youths nearby with knives. Mrs. High claimed she was arrested as an innocent victim after making many trips in her car to transport people from the rioting area.

In 1955 she was sentenced to 2½ to 5 years in the Westfield State Farm Prison for Women at Bedford Hills on a second degree assault conviction.

Charles W. Ashford, 22, of 316 Seward St., and Alex C. Bryant Jr., 21, of 66½ Prospect St., who had pleaded guilty to charges of unlawful assembly, also were given suspended sentences and placed on two years probation by Judge Roberts. Their records are good and they work regularly, he said.

The two were accused of entering Sam's Delicatessen, 48 Prospect St., July 25. A felony charge of riot and misdemeanor count of unlawful entry will be dismissed in each case.

Challenges CAB Crash Report

By Russell B. Holderman

In the more than 50 years of my aviation experience, I have been acquainted with hundreds of airplane pilots. In the 10 years that I knew James Docharty, I flew with him in several types of aircraft and helicopters and came to know him intimately.

He was an excellent pilot and instructor. His judgment and his general flying ability was far above average.

My social acquaintance with him proved to me that he was a moral, religious man, with integrity respected by all pilots and by his many friends.

His loyalty to his employer was far above the average. In fulfilling his duties, he was available 24 hours a day and seven days a week, and he was always physically fit and mentally alert.

He sacrificed his life one Sunday—his day off—on an emergency call to duty without prospective compensation.

His home life was beyond

reproach. In his aviation career, he was an inspiration to all pilots and mechanics wherever he went, always smiling, calm and with a keen sense of humor, thus proving in my opinion, that he was functioning mentally at ease at all times and with 100 per cent efficiency in any situation.

THE CIVIL AERONAUTICS BOARD official report on the cause of his fatal accident, in my opinion, has done him a great injustice. He cannot

TODAY'S BIBLE VERSE:

*The Spirit of the Lord
God hath anointed me to
preach good tidings unto
the meek, to bind up the
broken-hearted, to comfort
all that mourn; to give
them beauty for ashes, the
oil of joy for mourning,
and the garment of praise
for the spirit of heaviness.*

—Isaiah 40

defend himself, and only he and God know the true cause of what happened in those last anxious moments.

In my opinion, if the C.A.B. were more efficient and more thorough, not only in their examination of the aircraft wreckage but also as to the moral background of this great pilot, their official report would be quite different.

I am sure that some day, somehow righteousness will prevail, and that because of the clean, moral life James Docharty led and the excellent pilot that he was, this great injustice will be rectified and this blot erased.

49 Brookside Drive

EDITOR'S NOTE — Reader Holderman, a veteran Rochester pilot, refers to the crash of a helicopter piloted by Mr. Docharty during last summer's rioting. A C.A.B. report last month stated that a causative factor in the crash was alcohol, which was found in the dead pilot's body.

Woman Gets Suspended Term

Juanita High, 32, of 438 Champlain St., whom Police Chief William M. Lombard credited with saving his life during last July's rioting, yesterday drew a suspended sentence on a misdemeanor charge of unlawful assembly.

County Judge Carrollton A. Roberts of Geneva also placed Mrs. High on two years probation on her guilty plea. She was accused of being abusive to State Police seven hours after she rescued Lombard. A felony riot charge accusing her of throwing rocks at State Police and

inciting others is expected to be dropped. In passing sentence, Judge Roberts referred to the aid she gave Lombard. When Lombard tried to talk to a crowd during the rioting, Mrs. High pulled him away.

Judge Roberts also gave suspended sentences to Charles W. Ashford, 22, of 316 Seward St., and Alex C. Bryant Jr., 21, of 66½ Prospect St., who had pleaded guilty to unlawful assembly charges. They also were placed on probation for two

years. Bryant and Ashford were charged with entering Sam's Delicatessen, 48 Prospect St., on July 25.

In another riot case, County Judge John J. Conway gave David F. Nettles, 20, of 49 Greig St., a suspended one-year term in the county penitentiary and a suspended \$500 fine on his guilty plea to a misdemeanor charge of unlawful assembly on July 25. Nettles also was placed on three years probation. He was charged with entering the Ace Food Market, 488 Plymouth Ave. S.

Plea Planned To State on Riot Costs

TIMES UNION FEB 19 1965

Proposal Would Shift National Guard Expense

By CHARLES HOLCOMB

The county government is preparing a bill for the state legislature that would make the cost of sending in National Guard troops to put down riots a state responsibility.

County Manager Gordon A. Howe, in disclosing plans for the bill, said he has also asked City Manager Porter W. Homer to join in a request to Gov. Nelson A. Rockefeller that the state forego the \$153,691 it is charging the city and county for National Guard costs in last summer's riots.

Howe said he met yesterday with the county's three Republican state lawmakers—Sen. Frank E. Van Lare, Sen. Thomas Laverne and Assemblyman S. William Rosenberg.

He said they agreed to back such a bill and that he ordered deputy legal adviser Raymond Schwartz to draft it.

Homer did not reply immediately to the other request.

But he indicated the city administration would be receptive to a joint approach with the county regarding the cost of the July disturbances.

"After all, we worked together at that time. I don't know why we couldn't now," he said.

The city manager said he hasn't yet received a bill for the city's 50 per cent share of the National Guard costs.

He said he expected to discuss possible legislation for changes in state policy on riot costs with the county's three Democratic legislators—Assemblymen Charles Stockmeister, Harold Garnham and James Powers, but that he wasn't yet in a position to say whether he would favor such a bill.

The Board of Supervisors and City Council may also be asked to pass resolutions supporting such a bill and supporting the request that the state forego the \$153,000 payment.

Howe said it was his understanding that the "charge-back" arrangement for Guard troops grew out of the use of such troops to curb strike violence.

"It seems to me that the state ought to assume this," Howe said.

He noted that there was no charge to the city and county for the costs of sending in some 450 state police during the riots. Twelve hundred local and out-of-town Guard troops were here from July 26 to Aug. 4.

Case Dismissed & C. FEB 12 1965 Against Man

Wounded in Riot

Misdemeanor charges have been dismissed in City Court against Doris Brantley, shot in the July riots.

Brantley, 20, of 91 Flint St., is seeking \$500,000 in civil actions against Rochester and Monroe County for false arrest.

Earlier, he was cleared by a grand jury of second degree assault and for curfew violation. In exonerating Brantley of a felony, jurors recommended that he be tried in City Court for misdemeanors of third degree assault and resisting arrest.

After prosecution on the charges Wednesday before Judge Alphonse L. Cassetti, defense attorney Bernard Garfinkel sought a motion of dismissal for lack of a case. Judge Cassetti agreed.

Brantley was accidentally shot July 27. Being driven to work, the car in which he was riding was stopped at a State Police roadblock. He allegedly panicked and ran, only to be stopped by sheriff's deputies. A deputy's gun went off, hitting Brantley in the buttocks. He was hospitalized nearly three months.

Court Suspends & C. FEB 19 1965 Terms of 5

Riot Defendants

Two women, a man and two youths were given suspended sentences by Judge Carrollton A. Roberts of Geneva in Monroe County Court yesterday on misdemeanor charges stemming from the July rioting. They are:

Helen J. Moffett, 32, of 20 Morris St., placed on three years' probation on her conviction in a trial without a jury of unlawful entry of the Star Bright Cleaners, 321 Joseph Ave., at 4 a.m. July 25. Judge Roberts found Miss Moffett innocent of a felony charge of riot and of a misdemeanor count of unlawful assembly.

Mrs. Martha Mack, 28, of 119 Sellinger St., who was arrested at the same time as Miss Moffett, three years' probation on plea of guilty to unlawful assembly. Sabad DeJesus, 18, of 33 Oakman St., suspended sentence without probation on plea of guilty to unlawful assembly July 25 at Joseph Avenue and Nassau Street.

Charles E. Balkum, 25, of 4 Gordon Park, three years' probation on plea of guilty to unlawful assembly July 26 at Emmett and Ward streets.

Frank L. Martinez, 17, of 419 Ave. D, who was arrested with Balkum, suspended sentence without probation on plea of guilty to being a youthful offender.

Also sentenced by Judge Roberts: Jesse L. Smith, 36, of 460 Clarissa St., three-time felon, 2½ to 5 years in Attica Prison on plea of guilty to second degree grand larceny in joyride theft of a car Nov. 6.

Mrs. Janice L. Prescott, 31, of 10½ King St., who pleaded guilty to attempted abortion May 25 of a 19-year-old woman, and Philip S. Palermo, 26, of 200 Orange St., who pleaded guilty to a misdemeanor charge of conspiracy to commit abortion in the same case, suspended sentences with two years' probation. The indictment was dismissed against two others, John F. DeCarlis, 31, of 49 Lida Lane, Greece, and Gerald Ponticello, 25, of 38 Quincy St., on motion of the prosecution for insufficient evidence.

John A. Ferro, 33, of 94 McNaughton St., suspended sentence with two years' probation on plea of guilty to the misdemeanor of conspiracy to commit abortion of an 18-year-old woman June 15. In that case, George A. Jentons, 41, of Henrietta, who had pleaded guilty to performing the operation, was handed a 2-to-4-year Attica Prison sentence Nov. 17 by Judge John J. Conway Jr. Ferro was ordered to pay \$754 medical expenses of the woman.

Albert B. Forner, 43, of 27 Buena Place, one year in the County Penitentiary on plea of guilty to petit larceny, reduced from second degree grand larceny, in theft Nov. 2 of a sander and an electric saw from a parked station wagon.

Sentences Suspended For 5 Arrested in Riot

TIMES UNION FEB 18 1965

Five persons arrested in the July rioting were given suspended sentences on three years' probation.

Two other defendants, Charles E. Balkum, 25, of 4 Gordon Park, and Frank L. Martinez, 17, of 419 Avenue D, were arrested at Emmett and Ward streets July 26. Balkum was placed on three years' probation on his previous plea of guilty to an unlawful assembly charge. Martinez was permitted to plead guilty to being a youthful offender and was given a suspended sentence without probation.

Sabad DeJesus, 18, of 33 Oakman St., who had pleaded guilty to an unlawful assembly charge, also was given a suspended sentence without probation. He was arrested at Joseph Avenue and Nassau Street.

Martha Mack, 28, of 119 Sellinger St., who had pleaded guilty to a charge of unlawful assembly in Joseph Avenue July 25, also was

276

4B

The Times-Union
Wed., Feb. 24, 1965

National Guard Riot Bill Lists Pay for 3,050 Men

It takes plenty of men behind the lines to keep an army in the field. That was true of the National Guard operation here during last summer's riots.

The itemized bill for \$153,691.61 sent to the county last week (to be shared evenly with the city) listed \$124,538.15 for paying Guardsmen.

There were about 1,200 Guard troops camped in the city during the July riots according to commanders at the time.

But the state's bill charges for the salaries of 3,050 men, for periods of time ranging from three to 10 days. That would indicate that for every two Guardsmen here, three

somewhere else had been mobilized in supporting roles. Many were in various state headquarters.

The bill listed 690 men on duty for three days, 22 for four days, 437 for five days, 1,558 for six days, 279 for seven days and 64 for 10 days.

As far as the state is concerned, 16,284 man-days were involved in the Guard's role in the riot emergency.

The bill also showed the Guard used 11,546 gallons of gas and four quarts of oil, \$1,461.37; ran up telephone bills of \$635.47; and ate up \$23,774.79 worth of rations and "sundry supplies," provided by caterers.

Cleaning supplies and laundry amounted to \$1,495.74. There were also such items as special transportation expense, \$78.20; medical and dental services, \$905.71; office supplies, \$25.50; water use, \$127; lights and batteries, \$541.88; rent for recreation films, \$107.80.

Who Pays?

City Manager Porter Homer is right to question the bill sent by the State to the City of Rochester for National Guard expenses incurred during last July's rioting.

Homer's reasoning is that the State Legislature already has been asked to appropriate the \$153,000, and that billing the city as well represents an effort to collect twice for the same costs. Surely some explanation of this is in order from state officials.

The next step is that to be taken by local legislators, who have agreed to support a bill prepared by the county government to make the costs of National Guard services a state responsibility in time of riot. Under an archaic law, unused in comparable circumstances since early in this century, municipalities requesting the use of the Guard are responsible for the costs.

It is both unrealistic and unfair to charge a local unit of government for Guard services in circumstances like Rochester's last summer. Although the rioting occurred here, its deepest roots lie in the unfortunate traditions of race relations in America, for which most other U.S. communities should share responsibility . . . financial as well as moral.

D. & C. FEB 23 1965

Riot 'Insurance' or Riot Threat?

TIMES UNION FEB 22 1965

Rochester's race relations can stand plenty of improving. But too many recent proposals to do so have been advanced not on their merits but as methods of avoiding violence.

For example, one civil rights organization's current newsletter begins an appeal for funds with the headline "Riot Prevention."

We condemn any attempt to "sell" proposals in this delicate field as a sort of "riot insurance," or as an ultimatum to the "white community" to come across or face more violence.

At best, this approach assumes that the July riots were a straight-out civil rights demonstration, and

that their repetition can be avoided simply by granting Negro "demands," however vague.

The riots were nothing of the sort. They were inflamed by hoodlums and thrill-seekers who ran amuck.

At worst, "riot insurance" proposals smack of community extortion through fear. And they imply that those whose pet projects are rejected will wash their hands of responsibility for law and order in Rochester.

Such talk should stop right now in Rochester. Those who follow this line should have no ear from anyone in the community—except the police.

**Whitaker Article
Was Valuable**

I want to express our appreciation for the reprint of Rev. Arthur L. Whitaker's article entitled "Anatomy of a Riot" (Feb. 28).

I hope every Monroe County citizen will read this lesson in sociology. It will help them understand the causes as well as the solutions of some of our social problems. It will also help them become involved in constructive programs for the future.

Rev. Arthur L. Whitaker

With federal funds assured for the ABC Program there will be opportunities for involvement on the part of many citizens.

The Rev. Mr. Whitaker has

been a member of the board of directors of Montgomery Neighborhood Center for the past nine years. He has called our attention to many of the problems indicated in this article.

He was a member of the former Rehabilitation Commission of Housing. Here many of the housing problems were called to the attention of authorities. This pioneer work was needed to bring about the present Urban Renewal Program.

We are grateful to the Rev. Mr. Whitaker for stating the problems and solutions so clearly.

ALFRED E. NORD
Past Executive Director,
Montgomery Neighborhood
Center, Inc.

490 Hillside Ave.

& C. MAR 2 1965

4B

The Times-Union
Wed., Mar. 3, 1965

**State Pay
For Riot
Troops Asked**

Times-Union's Own Bureau

Albany—The cost of troops sent in during disorders — such as last summer's riots in Rochester—would be borne entirely by the state under a bill filed yesterday by Sen. Frank E. Van Lare and Assemblyman S. William Rosenberg, Monroe County Republicans.

The law now says that if troops are sent in by the governor at the request of a sheriff or mayor, the county or city shall pay the cost.

The Van Lare-Rosenberg measure deletes that and shifts the total cost to the state. It also knocks out provisions that require the cost to be apportioned among a number of counties or cities if the troops serve in more than one place.

Thomas Dukes, 26, of 496 Plymouth Ave. S., who had pleaded guilty to a misdemeanor charge of unlawful assembly in the rioting of July 25, was placed on 3 years' probation. He also received a suspended \$500 fine and a suspended sentence of one year in the penitentiary.

Dukes was accused of entering the Ace Food Market, 488 Plymouth Ave. S. A felony charge of riot and a misdemeanor count of unlawful entry will be dismissed.

TIMES UNION MAR 4 1965

Bill Filed on Riot Costs

ALBANY (GNS)—The cost of troops sent in during disorders — such as last summer's race riots in Rochester — would be borne entirely by the state under a bill filed by Sen. Frank E. Van Lare and Assemblyman S. William Rosenberg, Monroe County Republicans.

The law now says that if troops are sent in by the

governor at the request of a sheriff or mayor, the county or city shall pay the cost.

The Van Lare-Rosenberg measure deletes that and shifts the total cost to the state. It also knocks out provisions that require the cost to be apportioned among a number of counties or cities if the troops serve in more than one place.

**Homer Promises
Report on
July Riots**

City Manager Porter W. Homer says he intends to make a report on last summer's riots whether he stays here or leaves for a job in Miami.

He indicated that, if he leaves he will make the report before he goes.

"I wouldn't mail it back from Miami," Homer told a reporter at last night's Democratic fund-raising dinner.

The City Council last July 27 directed Homer to investigate the causes of the riots and report his findings "at the earliest possible time."

Homer, who was interviewed in Miami last week for the job of county manager of Dade County, said he had not been offered the post.

McNamara's

**Rochester
Story Denied**

Albany (AP)—A State Police spokesman says that troopers did not use any gas in quelling riots in Rochester last summer as asserted by Defense Secretary Robert S. McNamara.

McNamara had said in Washington that the New York State Police used in Rochester the same form of nonlethal gas that the United States has supplied to South Viet Nam for use against the Viet Cong.

The police spokesman said last night:

"The New York State Police used no gas of any kind during the Rochester riots. The only type of gas available for possible use by State Police is ordinary tear gas. No other types have ever been purchased by the state agency."

Tear gas was used by Rochester city police, however, to quell rioting early July 25. Police said then that the gas cartridges just contained a tear-inducing irritant.

The use of nonlethal but nauseating and tear-causing gas in South Viet Nam, recently disclosed, has drawn criticism.

278

N. Y. State Refuses to Pay For Guard in Riot Here

D. & C. MAR 28 1965

By PAT BRASLEY

Gov. Rockefeller has told local officials the state won't pick up the tab for the use of National Guard troops to quell last July's riots here.

The \$153,691 cost of bringing the guardsmen here will have to be borne locally, the governor said.

County Manager Gordon A. Howe wrote Rockefeller Feb. 26 and argued the cost of the troops should be paid by the state.

In a "Dear Gordie" reply, dated March 16 and released yesterday by local officials, Rockefeller told Howe he was "unable to agree to your request."

At a meeting yesterday, the county's three Republican legislators agreed to meet next week with the governor's counsel. They said they hope to persuade Rockefeller to change his mind.

Plan Amendment

They also plan to amend a bill, already introduced in the legislature, which would assess to the state all future costs of using National Guard troops to quell civil disturbances. The amendment would consist of a retroactive clause which would bring the July riots in Negro sections of Rochester under the jurisdiction of the bill.

The three legislators, State Sens. Thomas Laverne, Frank E. Van Lare, and Assemblyman S. William Rosenberg of Brighton, met at party headquarters with County Chairman Vincent L. Tofany.

More than 1,000 guardsmen were ordered last July into Rochester by the governor at the request of Mayor Frank T. Lamb and Sheriff Albert W. Skinner. Local officials said the guardsmen were needed to suppress the rioting and vandalism that

erupted in the city's 3rd and 7th wards.

In his letter to the governor, Howe argued that the "problems which caused the riots are of such a nature that they are of statewide import and significance."

'State's Responsibility'

"The riot could as well have happened in any city or community within the state and the possibility of future occurrences is not altogether remote," Howe said. "Therefore, it would seem logical that the state should assume the responsibility of dispatching, immediately, appropriate National Guard units to subdue any civil uprising (and) this should be done without the requirement of the local communities to assume the cost."

In his reply, Rockefeller pointed out the state absorbed the \$146,512 expense of assigning 500 New York State Police here during the disorder.

He added that the "military law is clear and mandatory in providing that, without exception, the expense of the state militia, ordered into service at the request of a municipality, shall be reimbursed in full by the municipality making such request."

Assembly OKs Bill On Riot Lawsuits

TIMES UNION APR 2 1965

Times-Union's Own Bureau

Albany — Municipalities would continue immune from lawsuits stemming from riots—such as the one in Rochester last summer—under a bill passed by the Assembly and sent to the Senate yesterday.

Filed at the request of Rochester, the measure would apply state-wide. It was sponsored by Assemblyman

Charles Stockmeister, Monroe County Democrat.

Under the General Municipal Law, cities and counties can be held absolutely liable from damages in riots.

However, the Defense Emergency Act, passed during the Korean conflict, relieves cities of that responsibility.

After its riots, Rochester was faced with \$1.5 million in damage claims in courts and the prospect of up to \$20 million in all. The court then held that because of the Defense Emergency Act, the claimants could not sue the city.

However, the Defense Emergency Act is to expire next July 1. Stockmeister's bill today would extend it until July 1, 1966.

Gordon
Howe

Businessmen & C. APR 5 1965 Rap Bill on Riot Liability

The Joseph Avenue Businessmen's Association has appealed to Gov. Rockefeller calling for defeat of a bill that would exempt municipalities from riot liability and their "rightful responsibilities."

Daniel M. Rothman, association president, said in a telegram that the bill sponsored by Charles F. Stockmeister, Greece Democrat, is "ill advised" and constitutes "harassment of small businesses."

"Defeat of this bill is vital to survival of small business," Rothman said. He added that insurance companies have shown a "pattern of cancellations and reluctance to renew or write new insurance in riot stricken areas" and that the State Insurance Department "has been unable or unwilling to help."

"Uninsured businesses can lead only to failure. Ultimately, these areas will be vacated crime-ridden slums," Rothby merchants, leaving potential crime-ridden slums," Rothman said.

Asked to elaborate on the alleged actions of the insurance firms involved, Rothman said:

"Well, they'll give you all kinds of reasons why they won't renew or write a new policy, but everyone knows what the real reason is."

After the riots last July, Rochester was faced with \$1½ millions in damage claims and the prospect of possibly \$10 to \$20 million in all. The courts later held that because of the Defense Emergency Act the claimants could not sue the city. The law, passed during the Korean War, expires next July 1. Stockmeister's bill would extend it until July 1966.

City Trimming Riot Chances, & C. APR 11 1965 Wilkins Says

Rochester has been "very active" in taking steps to forestall any possibility of racial disturbances this coming summer, Roy Wilkins said yesterday.

Wilkins, executive director of the National Association for the Advancement of Colored People (NAACP), was so quoted in an Associated Press report from New York City.

Today marks Wilkins' 10th anniversary as head of the nation's oldest and biggest civil rights organization. The Negro leader has been one of his race's most articulate spokesmen.

In an AP interview, he spoke of the difficult past, the turbulent present, and what he sees as a hopeful future. At one stage he was asked:

"Do you know of any positive steps taken by officials in northern cities to lessen the chance of more riots in the summer of 1965?" Wilkins reply was:

"I don't know that officials in northern cities, where there is potential rioting, have taken enough steps to forestall some outbreak. I know they have taken some steps."

"I know that, for example, Rochester, N.Y., has been very active. I don't believe New York City, my own city, has done enough. I don't know that I would go along with those who say it hasn't done anything."

Asked where he feels the civil rights movement stands

Continued on Page 2B

Riot Chances Less: Wilkins

Continued from Page 1B

now, Wilkins replied, "I believe the back of segregation is broken."

Reached last night by telephone at his home in Jamaica, Queens, Wilkins told The Democrat and Chronicle that:

"From all I can gather, the people in Rochester are interested in doing something basic in resolving the problems of unrest."

Without referring directly to any statements attributed recently to spokesmen for certain civil rights organizations, Wilkins said:

"The more comments made about possibility of riots is simply irresponsible, inflammatory talk . . ."

"Both sides must recognize how serious such riot talk is, and that everything possible must be done to prevent any

Insurance Men Ask TIMES UNION, APR 12 1965 Riot Liability Law

A municipality should be liable for riot damages only if negligence is proved, the directors of the Insurance Agents Association of Monroe County, Inc., maintain.

"We would like to see a law which would make the municipality liable if it were negligent in its duties toward the public protection of life and property," the association president, John E. Leene Jr., said in a statement.

"Negligence should be the key to the whole approach in the public interest," he added.

The Joseph Avenue Businessmen's Association is seeking to kill a bill, passed by the Assembly, that would extend for one year the immunity of cities from lawsuits stemming from riot damages. Assemblyman Charles F. Stockmeister is sponsoring the bill, a city administration measure.

Extending the immunity of cities, scheduled to expire July 1, would make it more difficult for some merchants to obtain insurance, the businessmen's group contends.

THE AGENTS' Association doesn't think either the law or its suspension is the answer. Its statement said:

"If the extension is not passed, as we see it, the municipality automatically becomes liable for riot damage regardless of whether it was negligent in its handling of the riot action."

"This means that the damage bill (regardless of whether it is paid by an insurance carrier) will be passed on to the voter-taxpayer. The sweeping range of possible claims under such a situation is gigantic, and might be far removed from the occurrence."

"Is the voter-taxpayer willing to shoulder this possible burden knowing that liability

is absolute, regardless of negligence? . . .

"IF THE EXTENSION is passed, the municipality remains absolutely immune regardless of the fact that the administration may, in fact, have been very negligent in its handling of the situation."

In calling for a law making a municipality liable if it were negligent, the insurance group said:

"In this way, the voter-taxpayer would be better protected against a flood of baseless claims, and be better able to judge the actions of his municipal government. Responsibility, if any, would then be fixed by the courts. . . ."

280

Woman Gets Probation in Riots' Case

UNION APR 13 1965

An 18-year-old mother of three, who was the first to plead guilty to charges stemming from the riots of last July, today was placed on three years' probation by County Judge John J. Conway Jr.

Sadie Mae Smith, 569 Scio St., whose third child was born last October, pleaded guilty last Sept. 18 to unlawful assembly and petit larceny, both misdemeanors.

Judge Conway gave her a suspended sentence to the Western Reformatory for Women, Albion, on each count, the terms to run concurrently. He specified that the suspended terms should not exceed three years.

The girl was accused of entering Lachiusa's Food Store, 41 Central Park July 26 and stealing spare ribs and pigs feet worth about \$5. A felony charge of riot and a misdemeanor count of unlawful entry are to be dropped.

Her record shows that on Jan. 25, 1963, she was sentenced in City Court to the Albion State Training School for mentally retarded girls for malicious mischief in breaking three windows of another woman's car.

8B

The Times-Union
Sat., Apr. 17, 1965

Only 3 Trials Of July Riot Cases Remain

By EARL B. HOCH

Only three of the 88 persons indicted on charges stemming from the riots of last July are awaiting trial in County Court.

"And those three are undisposed due to adjournments at the request of defense counsel who have had other commitments," said Dist. Atty. John C. Little Jr. "None are held in jail."

Convictions have been obtained in cases involving 79 persons, one of whom is awaiting sentence June 15. Three were cleared of charges through dismissal of indictments and three others named in indictments were never found.

"The riot cases presented a tremendous burden on already overworked personnel," Little said. "I am proud of the way everyone pitched in to handle this emergency, giving up scheduled vacations."

Of 993 arrested in the rioting, 231 were investigated by the grand jury sworn in last June. The remainder were handled in City Court.

The grand jury, which spent 6 weeks on riot investigations, cleared 101 persons by no-bills, returned 42 cases to City Court for prosecution and returned indictments against 88.

WHAT ABOUT the punishment of the 78 indicted persons whose cases have been disposed of?

Penalties ranged from nothing to a 1-to-5-year Attica Prison term. The majority got off lightly.

Here is a breakdown: Suspended sentences without probation, three; probation from 1 to 5 years, 46; sentenced to time already spent in jail, three; sentenced from 90 days to 9 months in the County Penitentiary, 13; one year in the penitentiary, eight; Reception Center at Elmira for classification and confinement, three; Elmira Reformatory, one; and Attica Prison, one.

Only six were convicted of felony charges, including two on a riot count. Nine received youthful offender treatment without stigma of a criminal record. All other convictions were for misdemeanors.

A few of the cases were tried before County Court juries. In all others, guilty pleas were accepted by the court.

C. C. Wants City To Pay Riot Loss

UNION APR 16 1965

The Chamber of Commerce wants to make local government liable for damage to property during riots, the president said yesterday.

Byron Johnson, president, said the Chamber therefore opposes extending the New York Defense Emergency Act without an amendment establishing this liability.

The act, set up in World War II, will expire this July. Assemblyman Charles F. Stockmeister is sponsoring a bill for a one-year extension. This passed the Assembly April 1 and is now being studied by the New York State Senate Defense Committee.

Johnson said last year's riots brought considerable property damage for which local merchants were not compensated. He said the Chamber was not opposed to the whole measure but had urged Senators Thomas Laverne and Frank Van Lare to seek the amendment.

This amendment would be directed at that part of the act which rendered inoperative section 71 of the General Municipal Laws adopted by the state in 1892.

ROCHESTER, N. Y., THURSDAY MORNING, APRIL 29, 1965

10 CENTS

Tough Emergency Powers For Riots Urged by Homer

D. & C. APR 29 1965

Homer Urges Tougher Riot & C. APR 29 1965 Measures

Continued from Page 1A
more definitely spell out the manager's powers and enable him to take other emergency steps.

The requested measures specifically outlaw and penalize the use of Molotov cocktails, incendiary bombs, rocks, bottles, bricks and clubs.

These were the weapons rioters used to fight police during the height of the outbreak.

Could Impose Curfew

The new legislation would enable the manager to impose a curfew and ban consumption of alcoholic beverages in a public street or place or motor vehicle.

It also would enable the manager to designate restricted areas.

Enactment of any of the provisions could be made by a proclamation to news media.

In his basic findings, the manager denied that last July's outbreaks were race riots in the usual sense of direct conflict.

Racial Overtones

But he said there were racial overtones, particularly in the nature of targets of destruction and looting.

Homer warned that Rochester is on the verge of talking itself into another outbreak.

Such rumors of another riot, the manager said, are the "harbingers of holocausts."

"There are even now," Homer concluded, "enough doors open and enough positive programs under way or planned that recourse to lawlessness and disorder is the method of only those who want nothing else."

Calls for Negro Leadership

By PAT BRASLEY

City Manager Porter W. Homer, in a long-awaited report on last July's riots, yesterday called for passage of measures toughening the city's present emergency powers.

He also recommended:

—Legislation to enlarge the jurisdiction of the Rochester Housing Authority beyond the city limits or to create a new County Housing Authority.

—That private builders and private and non-private groups be encouraged to build housing under federal-aided programs.

—That the Negro community in Rochester develop its own leadership to meet the entire community in a positive way.

Homer, in one of his last official acts as manager, presented his 10-page, 5,000-word report on the rioting here last July 25 to 27.

City Council ordered Homer last July to investigate the rioting and furnish a full report.

Homer leaves tomorrow to become manager of Dade County (Miami), Fla.

The July riots resulted in five deaths, scores of injuries, hundreds of arrests and millions of dollars in property damage.

The manager said the power to declare an "emergency" under City Charter powers was most helpful last July.

He asked council for additional legislation which would

Continued on Page 13A

★ ★ ★
**Riots
Report
Text
PAGE 12A**

Violence Is Unjustified, Homer Says

TIMES UNION APR 29 1965

Report on Riots Lists Steps To End Tension

By PETER B. TAUB

Expanded low-cost housing outside the city, efforts to develop Negro leadership, and direct contacts between Negroes and City Hall have been urged by City Manager Porter W. Homer in his report on last July's riots here.

There are, Homer said, "enough doors open and enough positive programs under way or planned that recourse to lawlessness and disorder is the method of only those who want nothing else."

In a section on the need for housing and shopping facilities, Homer said the pattern of mob violence and destruction during the riots "must be recognized as an expression of resentment of and hostility toward forces regarded as oppressive."

He said it is unrealistic to expect the city to provide all the housing needed or wanted by low-income families.

Some vacant and relatively inexpensive land in the towns should be zoned for low-income apartments, Homer said.

He also recommended giving the Rochester Housing Authority jurisdiction outside the city or creating a Monroe County Housing Authority to function outside the city.

Private builders and private, non-profit groups should be encouraged to construct low-cost housing in and outside the city under federal programs, Homer said.

HIS REPORT, ordered by the City Council last July 27, was submitted last night.

Except for attending last night's public hearings on the proposed city and Board of Education budgets, submitting the riot report was Homer's last official act as city manager. Homer becomes Dade County, Fla., manager Saturday.

Arthur B. Curran Jr. succeeded him at 9 a.m. today.

Homer called attention to his proposal for a Community Service Office to establish

What Should Be Done . . .

Porter Homer recommends what the community should do now . . . and tells what has been done before and since the riots . . .

Back Page,
This Section

Praises Homer, Times Union May 3 1965 Riot Report

By Mrs. Edward J. Hahn Jr.

After reading Porter Homer's report on the riots of last July in The Times Union (April 29, 1965), it seems quite evident that Rochester has just lost a very clear-thinking and able city manager.

May both white and non-white alike read the report and heed it.

80 Clay Ave.

Ashford Analyzes Causes of '64 Riots

TIMES UNION MAY 3 1965

Last summer's riots in the North were "a grass-roots revolt against intolerable conditions," Deputy Public Safety Commissioner Laplois Ashford told an institute of settlement houses here today.

The institute, being held at Montgomery Neighborhood Center on Cady Street, is devoted to "a panoramic view of civil rights; the national and local scenes."

With the exception of New York City, Ashford said, last summer's disturbances were started by relatively minor episodes. "In the background, however, was the simmering conviction that the cards are stacked against the Negro." Unemployment, he said, was high among the underlying local causes of rioting in Northern cities. "This condition is a tinder box." Where they had no jobs to preserve, people were inclined to say: Why not stir a disturbance?

Who could lose except those with something to lose?

THE EFFECT of unemployment, said Ashford, was all the worse because it was occurring in a period of rising expectations.

The unskilled, untrained Negro was being pushed further into despair by the disappearance of jobs due to automation and to the attitude of some craft unions. The man without a job, he said, faced a bleak future of idleness, public assistance and crime.

ASHFORD LISTED these as other underlying causes:

Events in the South. ("Selma adds to the store of local resentments that build to riot heat. The discouraged and put-upon Negro in a Northern city sees in the billy clubs of the local police the billy clubs of the Alabama trooper.")

Slum housing and high rents. ("Here, in the winter of 1965, families by the score went without heat for weeks on end in the deadly cold of the season.")

The speed of modern communications and the passing of the spark of unrest from one city to another.

Lack of wholesome recreational facilities.

The presence of criminal elements.

Exploitation by unprincipled merchants.

"THE NEGRO revolt we are witnessing today," said Ashford, "did not spring full-blown on a sunny morning in May or July or August of any recent year. It is not new. It is older than this nation."

The trouble was, he said, that the revolt in earlier years had been obscured by a conspiracy of silence. The Negro had been falsely portrayed as a contented slave, as a "carefree, happy-go-lucky ducky."

Direct action is the Negro's major weapon today. The Washington march, Ashford said, was not only a show of support for the civil rights bill but an expression of the Negro revolt, "a further determination 'to let nobody turn us round.'"



Rochester police faced hour after hour of tension and taunts

"Looting followed"

By 1:30 a.m. July 25, 1964, Chief Lombard had returned to Police Bureau headquarters in the City Public Safety Building. There he was joined by the city manager, the corporation counsel and the public safety commissioner. In rapid order thereafter, off-duty policemen were called in, the sheriff was asked to supply assistance in manpower and equipment and the city manager declared a state of emergency to exist.

Shortly after 3 a.m. July 25, 1964, the first call to the Governor's Office for assistance by the State Police was made. By 3:30 a.m. the first contingent of State Police arrived.

More State Police arrived during the day. By late morning, an investigation by the Department of Public Works and Equipment, under police protection, had cleaned up the wreckage, the debris in the streets and had begun house-to-house searches for property.

That afternoon, the city manager declared a curfew. The curfew was enforced by State Police and other law enforcement officers. The curfew was 10 p.m. to 5 a.m. and was enforced by the State Police and other law enforcement officers. The curfew was 10 p.m. to 5 a.m. and was enforced by the State Police and other law enforcement officers.

How Riots Began On Second Night

During the evening and the night of July 25, 1964, looting and rioting broke out again and spread to several new areas. Molotov cocktails and gasoline bombs were used.

July 26 arrived in an atmosphere of uneasy peace.

Late that afternoon the governor's office announced that National Guard troops would be dispatched to Rochester, as requested by City and County officials.

The riots were stopped by their arrival on the morning of July 26, with one display of violence and transport of property.

At about 10:00 a.m. on July 26, a group of about 1,000 persons were arrested for riot-connected reasons. However, the arrests during the first half-hour of July 24 and of July 25 were the most pertinent to the riot.

About 1,000 persons were arrested for riot-connected reasons. However, the arrests during the first half-hour of July 24 and of July 25 were the most pertinent to the riot.

There was an appearance to be that the rioting was the result of a few persons who were not satisfied with the situation.

How Riots Began On Second Night

During the evening and the night of July 25, 1964, looting and rioting broke out again and spread to several new areas. Molotov cocktails and gasoline bombs were used.

Within these limitations, however, it is pertinent to

Most of those arrested were from the city. Only a few numbers resided outside the city or state.

Most of those arrested were from the city. Only a few numbers resided outside the city or state.

Most of those arrested were from the city. Only a few numbers resided outside the city or state.

Most of those arrested were from the city. Only a few numbers resided outside the city or state.

A total of 976 persons was arrested and charged with 997 offenses during the period of rioting and riot-related activities, compared with the 893 arrested the first two days.

Further reviews of the arrests shows:

The predominant age group of those arrested was between 20 and 40.

One out of eight arrested was white.

As noted earlier in this report, there were many motivating reasons for those who took to the streets to riot.

It seems clear, from talking to some who were involved, that a few riot participants truly believed their actions were calling attention to conditions of housing and employment.

These persons seem to have had an attitude that can best be described as one saying, "Maybe now they will listen."

The Role Played By Thugs, Liquor

It is evident, however, that more of the rioters were engaging in an irrational orgy of lawlessness and disorder.

Many toughs and thugs were participants, liquor played its part, as did the opportunity to loot.

Studies of the latest disposition of the arrests and charges resulting from the riots, discloses that of the total of 976 charges, 804 resulted in convictions and 64 are still pending.

Of the 804 convictions, 281 were handed down, a total of 28 indictments against a total of 22 defendants.

No One Warned Of Coming Riots

Despite claims by some persons that the community should have known the riots were coming, claims of "I warned you" and "I told you," etc., no city officers received any communication purporting to warn of impending disaster in the hours, days or weeks preceding July 24.

Conversations with supposed leaders and persons regarded as being aware of situations indicated an opportunity to warn.

There were expressions of considerable satisfaction with the city's public housing efforts, the city school district's program to eliminate racial imbalance in the schools and Rochester's efforts to provide broader opportunities for employment.

CITY MANAGER'S REPORT cont. (D+C April 29, 1965)

282-B

282-C

CITY MANAGER'S REPORT cont.

(D+C April 29, 1965)

It is difficult to say that there was a feeling of satisfaction that things were moving in the right direction.

How City Tried To Fight Bias

No place in the country has made greater efforts to marshal all its resources or established more agencies to deal with racial discrimination and related problems than have New York State and its localities—particularly Rochester.

None of these agencies had any knowledge or received warnings of the riots and none was transmitted to any other city government.

The state has enacted the Baker-Metcalf Law to prevent discrimination in housing and created the State Commission for Human Rights, with a Rochester office.

The City-County Human Relations Commission, the City-County Youth Board, the Rochester Police Advisory Board and a wealth of private agencies, such as settlement houses, have been actively concerned with problems of racial discrimination, housing, employment and similar areas of interest in this report.

The existence of public and private agencies, clearly was and is not enough.

Most of Rochester's Negro population does not know of or use these agencies as avenues through which redress of grievances may be obtained or information secured.

Public and private agencies must shoulder some of the blame.

Negro leadership, which failed to communicate to the Negro populace the fact that such agencies exist or how to use such agencies, must bear its share of the responsibility.

The agencies, since the riots, have moved to meet the people more than half-way. The City-County Human Relations Commission has established field offices. The City-County Youth Board has expanded its detached-worker program in the field. The local office of the State Commission for Human Rights has brought more personnel.



Angry expression pointed in many directions

Homer Proposes Riot Ordinance

This office, in the proposed 1965-66 budget, recommended establishment of a Community Service Office, working in the field as a component of the city manager's office.

That recommendation is reiterated.

The primary purpose of the office will be to establish meaningful day-to-day communication between the people and their city government. This kind of relationship, rather than an indirect one filtered through intermediary sources, cuts out direct responsibility for programs and services, if necessary.

All efforts to establish

more direct and significant relationships will be wasted and will be labeled as paternalistic—unless Negro leadership comes forward to use and encourage the use of these agencies.

The Negro community in Rochester must develop its own leadership, and it must meet the entire community in a positive way. Efforts in this direction, it has been reported, are under way by the Industrial Areas Foundation.

The private sector, as well as the governmental agencies, has moved to meet its responsibilities on a practical basis.

Probably the most important actions have been the formation of a local chapter of the National Urban League, underwritten by local businesses and individuals and, through the Com-

munity Chest, by all Greater Rochesterians, and the creation of Action for a Better Community, Inc., to administer the various provisions of the Federal Economic Opportunity Act in the City's war on poverty.

Urban League Approach Praised

The Urban League will bring to Rochester the best qualified professional approach toward helping the poor, especially the non-white poor, to move into the main current of community life through better housing, education and employment.

At the same time, Action for a Better Community, Inc., is acting independently, commencing programs in pre-school and adult education, youth and adult vocational training and

CITY MANAGERS REPORT cont.

(D+C April 29, 1965)

and neighborhood service centers covering a wide variety of services.

An oft-heard complaint before and, more intensely, after the riots, relates to housing and shopping facilities.

The "pattern" of mob violence and destruction during the riots, which left schools, churches and Negro businesses virtually unscathed, must be recognized as an expression of resentment of and hostility toward forces regarded as oppressive.

Before the riots the Rochester Housing Authority had moved to obtain 500 units of low-income, federal public housing.

These units are now out for bid or, in some cases, about to be let for bids. They will be constructed at scattered sites to help break up ghetto housing complexes for the poor, both white and non-white.

Since the riots, under the sponsorship of the City's urban renewal program, commitments for erection of a modern shopping center in the Eaden-Ormond area have been obtained, and construction should start soon.

The City's Plans For More Housing

The City Council recently approved the Rochester Housing Authority's recommendation for application to Federal low-income public housing.

The Council also approved the City's urban renewal program aimed at improving and conserving existing structures and, hopefully, eliminating ghetto conditions.

It is unrealistic, however, to expect the City of Rochester or its government, at both to provide all of the housing needed or desired by and for low-income families.

Strengthened housing code enforcement, as anticipated by the additions of housing inspectors in the recommended 1965 city budget, will improve housing conditions.

But it will also thin out the congested Inner City, creating additional demands for low-rent, low-cost housing. These needs must be met, not only by the city, but also by the private sector and by the community outside the City of Rochester.

Low-Cost Housing Urged in Suburbs

There is no good reason why some of the acres of vacant and relatively inexpensive land on the town should

not be zoned for low-income apartment use. There is no good reason why some of the needs should not be met by the private sector under federal housing programs, such as 221-D-3.

There is no good reason why all public housing should be within the City of Rochester.

I recommend, therefore:

—That legislation be sought to enlarge the jurisdiction of the Rochester Housing Authority beyond the City limits or to create a Monroe County Housing Authority to operate beyond the City limits.

—That private builders and private, non-profit groups be encouraged to build, both within and outside the City, under such Federal programs as 221-D-3.

Only by this broadened activity in the housing field can conditions that developed over the past quarter-century be remedied.

The alternative is a city of low-income families and suburbs of middle and upper-income persons.

This is an essential item on our community agenda.

How Police Stemmed Tide of Rioting

A number of criticisms of police behavior were made at the time of the riots, ranging from charges of in-

effectiveness to too much restraint to demands for promiscuous use of firearms.

Rochester policemen were immediately faced with overwhelming numbers of rioters.

In the early minutes, as few as five officers were attempting to cope with a mob of 500.

Nearly 2,000 lawless persons were on the streets before off-duty policemen could be called up, sheriff's deputies could be made available or State Police pressed into action.

It was not until the riot areas were inundated with personnel, including National Guard troops, that the riots were stopped.

Without this massive use of manpower, it seems certain the riots would have continued longer, perhaps until the rioters quit from exhaustion.

The first contingent of State Police arrived about 7:30 a.m., July 25, 1964.

Until that time, the tactical and other training given Rochester policemen, in conjunction with the International Association of Chiefs of Police, helped every officer. City policemen were assisted by sheriff's deputies and other local forces.

Cond. Editor: [illegible]



Complete Text of Report on

Rochester's Riots

Cont. (D+C April 29, 1965)

Continued from Page 12A

late and after the arrival of State Police.

Why City Police Used No Firearms

The County's firearms should have been used by police without justification. Their use probably would have led to a blood bath.

The use of firearms of rioters is not recommended by responsible police officials. State Police commanders agreed with this judgment when they arrived here and they issued the same type of order relating to use of firearms to rioters.

The charge that police were ineffective on a critical night because of the presence of the Police Advisory Board is without foundation. It is an unjust criticism of policemen who conducted themselves with distinction, with courage, with common sense and with restraint.

These are the facts: More persons were arrested in Rochester than in New York City or Philadelphia, where riots also broke out. Riots were brought under control in Rochester faster than in New York City or Philadelphia. Tear gas and fire hoses were used only in Rochester. Certainly, these are all indications of determined police activity.

They do not represent a paralysis, as suggested by the director of the State Police.

The fact that State Police commanders, not the County's, were in charge of the riot control tactics, the police.

Police Take Steps To Aid Relations

The Police Bureau has undertaken an extensive program of public relations to improve its relations with all parts of the community.

A new police-community relations program is expected to contribute to better understanding between the police and the inner city, as well as with all other segments of the population.

Highly skilled personnel have been added to the Police Bureau's Youth Squad in the office of the Public Safety Commissioner to do preventive and rehabilitative work with youth, the most explosive part of the inner city population.

New riot techniques have been taught members of the Police Bureau. New equipment has been purchased. Plans are under completion for a police tactical unit that can be brought to bear quickly in any potential riot situation.

Arrangements also have been made to insure quicker response by off-duty policemen led by the Sheriff's office and state forces, if needed.

A Rochesterian hope it will not be necessary to put into effect any of the precautionary measures. The community is entitled, nonetheless, to know that these steps have been taken.

Mayor Recommends New City Agency

The power to declare an emergency under City Charter powers was most helpful last July. It is felt that there is a need to spell out what may be done under this general power, given conditions similar to those experienced last summer. An ordinance proposed for this purpose follows.

Article 1, Volume II of the Municipal Code, as amended, is hereby amended by adding a new chapter known as Chapter 11 to follow Chapter 10 and to read as follows:

Sec. 51.1.1. Definitions. For the purposes of this Chapter the below listed terms shall have the following meanings:

"City Manager" shall mean the city manager of the City of Rochester, New York.

"Municipal Code" shall mean the Municipal Code of the City of Rochester, New York, as last amended.

"Molotov Cocktail" shall mean a gasoline-filled bottle or container with a fuse type wick inserted in the neck (commonly used in World War II).

Sec. 51.1.2. Incendiary missiles. No person shall make, carry, possess or use any type of "Molotov Cocktail," gasoline or petroleum base fire bomb or other incendiary missile.

Sec. 51.1.3. Emergency powers. During the period of a declared state of emergency the city manager shall have the power to invoke any or all of the following provisions:

—Alcoholic beverages. No person shall consume any alcoholic beverage in a public street or place which is publicly owned or in any motor vehicle driven or parked therein within a duly designated restricted area.

—Weapons. No person shall carry or possess any rock, brick or other weapon, who uses or intends to use the same unlawfully against the person or property of another.

—Restricted areas. No person shall enter any area designated by the city manager as a restricted area, unless in the performance of official duties or with written permission from the city manager or his designated representative or such person shall prove residence therein.

Sec. 51.1.4. Notice. Should the city manager deem it necessary to invoke any or all of the above provisions of Sec. 51.1.3 of Volume I of the Municipal Code, he shall be required to give notice of the same by means of a written proclamation issued to news media for immediate dissemination to the public.

Sec. 51.1.5. Curfew. During the period of a declared state of emergency, the city manager shall have the power to declare a curfew during the hours of which no person shall be allowed in the public

streets or places throughout the City of Rochester, New York, or in any designated portion of the city.

Sec. 51.1.6. Violation of this chapter shall be a misdemeanor.

Sec. 51.1.7. Effect of invalidity in part. If any word, clause, sentence, paragraph, section or other part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect the remainder thereof, but shall be confined in its operation to the word, clause, sentence, paragraph, section or other part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 2. This ordinance shall take effect after the requirements of publication have been completed.

It must be said that the people of Rochester closed ranks to protect their city in July 1964. All public officials gave the utmost cooperation. The Sheriff gave unstintingly of his time. Councilmen returned early from vacation. The County Manager offered all possible assistance. State Police and National Guard officers were most helpful.

Local Civil Defense personnel performed in the highest tradition of service to the public. Assistance was generously rendered by some of the surrounding towns, as well as by the State.

Several local civil rights leaders, clergymen and individual citizens did their best to stop the rioting and to restore order — some at considerable personal risk.

The cooperation of local citizens, businesses, industries and civic groups was outstanding — often at the loss of considerable sums of money.



Steel-helmeted state troopers moved swiftly into trouble zones.



The local newspapers and radio and television stations did outstanding work in keeping the public accurately informed. This helped the public understand the necessity of complying with such stringent measures as the curfews that were imposed.

The reaction after the riots, despite the hardening of racial attitudes by many persons, has been encouraging.

The fact that nearly all of the 250 businesses damaged during the riots have returned is a demonstration of confidence in Rochester and in the areas of the city involved. So, too, is the decision of developers to build in these areas.

The violent outbreaks in Rochester in July 1964 must not happen again. This community and its government know that violence only destroys.

Doing what is right, simply because it is right, must continue.

New outbreaks of violence will set back the "right" and positive programs, if not destroy them.

The energies of all the people in the community must be directed to the positive effort of improving rather than destroying.

There are, even now, enough doors open and enough positive programs under way or planned that recourse to lawlessness and disorder is the method of only those who want nothing else.

Homer, Howe Ask More Cooperation

TIMES UNION AUG 8, 1964

By CHARLES HOLCOMB

A call to extend to other areas of government the kind of city-county cooperation displayed in putting down riots here two weeks ago was sounded yesterday by City Manager Porter W. Homer and County Manager Gordon A. Howe.

The managers agreed to meet informally whenever there were mutual problems to discuss.

One of the immediate mutual problems is that of paying the cost of the 1,200 National Guard troops called up to deal with the rioting. The city and county will split the cost.

Another is that of overtime pay for work during the rioting. The managers agreed that police, deputies, firemen and other employees should get overtime pay at straight time rates.

• • •

THE OCCASION for the managers' call for cooperation was the presentation by Howe of two checks totalling \$700,809.61, representing payment by the county to the city for Civic Center land being used for the Civic Center Garage.

Howe noted that city problems affect all county residents.

"Certainly we demonstrated dramatically that when city and county unite and work together, great things can be accomplished," Howe said.

"We should not withhold this tremendous potential until a time of crisis. The public deserves to have every facility mobilized to solve community problems and not merely held in reserve to solve community disasters."

Homer said that "If the city is to continue as the commercial, industrial, cultural, legal, financial and governmental center of the county, its neighbors in the towns must be made aware of their stake in its present and its future."

"A realistic appraisal of the city's financial problems, of the magnitude of services it provides to the entire County of Monroe, of its importance to all county residents, must be made clear to all."

ASKED what areas of cooperation might be possible, Howe cited the War Memorial, whose expense is now borne by the city, and pointed to the county charter proposals that the county take over probation and weights and measures services now handled by the city.

There was no direct mention of the partisan politics that has hampered cooperation between the Democratic city administration and the Republican county government.

Howe said any county moves to raise its share of the sales tax—cutting the city's share—would be "discussed."

Both managers agreed there would be no talk of re-merging the city and county civil service commissions, separated this year after a court fight by the city.

Curran Seeks Spelled Out Riot Powers

D. & C. MAY 6 1965

By CONRAD CHRISTIANO

City Manager Arthur B. Curran Jr. today will recommend that City Council adopt a proposed ordinance spelling out the city manager's powers during an emergency — such as last July's riots — and also establishing a penalty for violations.

The ordinance was proposed in the report on the rioting written by the former city manager, Porter W. Homer, now manager of Dade County (Miami), Florida.

Curran, former corporation counsel, played a key role in finding the legal methods for Homer to battle the riots last July, and it was Curran who later helped Homer prepare the proposed ordinance.

The Democratic majority of the council will discuss the matters at its pre-council caucus today; it could be brought before the full council for action on Tuesday night.

In his report, issued last week, Homer wrote, "The power to declare an 'emergency' under City Charter powers was most helpful last July. It is felt that there is a need to spell out what may be done under this general power, given conditions similar to those experienced last summer."

The City Charter now is somewhat vague on the question, with the provisions open to interpretation. Curran gave the interpretation Homer needed at the time the rioting was taking place.

The new ordinance is aimed at providing a quick and effective way to deal with a riot, leaving no question as to how much power the manager has.

The proposed ordinance would amend Volume II of the Municipal Code by adding a new chapter entitled "Restricted Conduct Relating to Public Emergencies." Here are the key parts of the proposal:

Incendiary missiles. No person shall make, carry, possess or use any type of "Molotov cocktail," gasoline or petroleum-base fire bomb or other incendiary missile. (A Molotov cocktail is defined in

the ordinance as a gasoline-filled bottle or container with a fuse-type wick inserted in the neck, commonly used in World War II.)

Emergency powers. During the period of a declared state of emergency, the city manager shall have the power to invoke any or all of the following provisions:

(A) **Alcoholic beverages.** No person shall consume any alcoholic beverage in a public street or place which is publicly owned or in any motor vehicle driven or parked therein within a duly designated restricted area.

(B) **Weapons.** No person shall carry or possess any rock, bottle, club, brick or other weapon, who uses or intends to use the same unlawfully against the person or property of another.

(C) **Restricted areas.** No person shall enter any area designated by the city manager as a restricted area, unless in the performance of official duties or with writ-

ten permission from the city manager or his designated representative or such person shall prove residence therein.

Notice. Should the city manager deem it necessary to invoke any or all of the above provisions he shall be required to give notice of the same by means of a written proclamation issued to news media for immediate dissemination to the public.

Curfew. During the period of a declared state of emergency, the city manager shall have the power to declare a curfew during the hours of which no person shall be allowed in the public streets or places throughout the City of Rochester, New York, or in any designated sections of of the same.

Penalty. Any violation of a provision of this chapter shall be a misdemeanor.

Riot Preparedness

D. & C. MAY 6 1965

No sensible Rochesterian would want a repetition of last summer's riots any more than he would want to find the city unprepared in case it happens. For that reason the community welcomes announcement by Public Safety Commissioner Harper Sibley Jr. that a detailed plan for handling riots and other emergencies has been worked out.

The plan would coordinate the work of all city departments and agencies at the scene. It establishes clear lines of authority, outlines procedures and as far as humanly possible anticipates all related problems. We pray there will be no need for it but the possibility leaves no room for guesswork or confusion. Whatever the city owes, it owes most to protection of the lives and property of its citizens. An ounce of prevention is still worth a pound of cure.

Wrong Attitude on Riots

TIMES UNION MAY 6 1965

One of the most significant points in former City Manager Porter Homer's report on last summer's riot was the opening one:

"It is apparent that the Rochester community is tragically close to talking itself into another riot. Rumors periodically sweep the city, rumors that this or that date is to be the time for another outbreak of violence. Nothing could

be more divisive, destructive or dangerous. Such rumors are the harbingers of holocaust."

How right he is!

Rochesterians naturally are mindful of the possibility of riots. But they should gear their attitudes positively toward finding proper ways to prevent them rather than constantly predicting that violence lurks just around the corner.

88

The Times-Union
Fri., May 21, 1965

Bill Asks Local Pay for Riot Troops

Times-Union's Own Bureau

Albany—Localities where the state National Guard has been ordered for riot duty would have to bear the cost of the troops or have it taken out of their state aid.

So reads a bill passed yesterday, 49-5, by the State Senate and sent to the Assembly. It was sponsored by Assemblyman William Thompson, Brooklyn Democrat.

(The state has billed Rochester \$150,000 for the use of National Guardsmen during last July's riots. The bill is unpaid.)

Senator Thomas Laverne,

Rochester Republican, opposed the measure on grounds it gave the city or county no voice in paying. "I agree that the locality should pay, if it asks for the troops, but there can be times when it cannot afford to pay. Will the troops be there only as long as the city can afford them," he asked.

6-Month Limit Set on Payment For Riot Units

ALBANY (GNS)—Counties or cities would have up to six months to pay for the use of state troops in disorders such as last summer's Rochester riots under a bill that passed the Assembly 123-17 yesterday.

Assemblyman S. William Rosenberg, Monroe County Republican, opposed the measure and said the house might better have passed one of his to make such troop use a state charge.

Yesterday's bill also provides that should the city or county fail to pay up at the end of six months, the comptroller could withhold enough state aid to the municipality to pay off the debt.

No Penalty Now

The law now requires that counties pay the money "forthwith," but stipulates no penalty for non-payment.

The measure was sponsored by Assemblyman James Carmichael, Genesee County Democrat, at the request of State Comptroller Arthur Levitt. Carmichael said he agreed "wholeheartedly" with Rosenberg.

Rosenberg pointed out that Monroe County got a bill from the state for \$150,000 for the use of the troops in last July's riots.

Among those who voted against the Carmichael bill were Assemblymen Harold Garnham, Charles Stockmeister and James Powers, Monroe County Democrats, and James Emery, Livingston County Republican.

Tax Payment Eased

In action on other bills yesterday:

The Senate passed a bill to ease the payment of Monroe County taxes over a holiday or a weekend.

The bill provides that when the last day of any payment period falls on Saturday, Sunday or a legal holiday, or a combination of these, the payment may be made on the next business day without penalty. Sen. Thomas Laverne, Rochester Republican, was the sponsor.

A bill authorizing Ontario County to transfer a 23-acre tract in South Bristol to the University of Rochester, won final legislative approval.

The bill now goes to Gov. Rockefeller. A similar bill was vetoed last year by Rockefeller because it did not provide for the county to reimburse the state for certain parklands aid. The land is part of a site on which the University has constructed an observatory.

Riot Legislation

Our lawmakers took the sensible course in approving and sending to Gov. Rockefeller for signature a bill that extends municipal immunity from lawsuits because of riots.

It was only by grace of the act which this legislation extends that the City of Rochester escaped the possible outlay of millions of dollars from litigations as a result of last summer's riots here. The courts held that the Defense Emergency Act superseded a previous law under which cities and counties could be held responsible for such damages.

The havoc here was the work of hoodlums in utter contempt of law and order. There is no denying their looting and destruction were a costly economic

blow, but with the stipulation that there was reasonable police protection, the city has no obligation to pay for the misdeeds of the lawless. Statutes that make municipalities responsible in this way encourage such violence. The merchant or businessman has recourse in insurance.

The whole situation, however, makes us wonder why the lawmakers should not have considered putting financial liability where it belongs — upon the rioters themselves. In such a tough law and in courts that would enforce it vigorously, society would find a useful, protective weapon . . . and perhaps even a deterrent.

D. & C. MAY 27 1965

City Manager Gets D. & C. MAY 27 1965 Broad Riot Powers

With no comment from the public or its own members, City Council has given the city manager wide powers in time of emergency such as during last July's rioting here.

The council on Tuesday held a public hearing on the proposed law, but no one spoke. Then the council unanimously adopted it.

Former City Manager Porter W. Homer recommended the legislation just before he left last month to become manager of Dade County, Florida. The present city manager, Arthur B. Curran Jr., submitted the proposed legislation to the lawmakers.

It was Curran who, as city corporation counsel during the riots, played a key role in finding the legal methods for Homer to battle the riots. And Curran later helped Homer draft the proposed ordinance.

Homer's problem last July was that the City Charter failed to stipulate exactly what powers he had and Curran had to give wide interpretation to the law so Homer would have effective weapons against the rioters.

The new law spells out the power to declare a curfew, to stop consumption of alcoholic beverages in public, to prohibit possession of bottles, clubs, bricks and other weap-

ons, and to restrict entrance into troubled areas. Furthermore, violations will be misdemeanors — that is, crimes.

The council will hold a public hearing at 8 p.m. Tuesday, June 8, on a proposed local law to enable Curran to name his assistant, Seymour Scher, as acting manager.

The measure, introduced in the meeting Tuesday, has the support of the Democratic majority of the council and was sent by Mayor Frank T. Lamb to council's law committee for study.

Under present charter provisions, the manager may appoint any of the five city department heads to serve as "acting" or "temporary" manager in his absence from the city.

The amendment introduced would add "deputy and assistant city managers" to the group that could serve as acting manager. That would include only Denne and Scher, and Denne already is covered under existing charter provisions as a department head.

6C

ROCHESTER DEMOCRAT AND CHRONICLE
Friday, May 28, 1965

Riot Bill Backing Asked by Curran

City Manager Arthur B. Curran Jr. is asking Gov. Rockefeller to sign a bill that would continue governments' immunity from liability in case of property damage from riots.

The bill, which extends the Defense Emergency Act for another year to July 1, 1966, has been passed by the Assembly and State Senate.

Under the General Municipal Law, cities and counties can be held responsible for damages suffered by private citizens in riots such as occurred in Rochester last July. After the riots, Rochester was faced with \$1.5 million in damage claims and the county was faced with most of the same claims.

But the courts held the city could not be sued because of the Defense Emergency Act, one part of which deals with riots. The act is a wartime measure and the current version dates from the Korean conflict.

At meetings in New York today with representatives of the legal departments of the major cities in New York State, Rochester law department officials are soliciting their support.

"I believe that passage of this bill has the support of the New York State Corporation Counsels Association, the New York State Sheriffs Association and the legal ad-

viser of the County of Monroe," Curran wrote in his message to Sol Neil Corbin, the governor's counsel.

At that New York meeting, Corporation Counsel John R. Garrity is scheduled to speak on last year's riot situation, the law regarding damage claims made by private property owners, the legality of the curfew, and the law passed Tuesday by City Council giving the city manager wide powers in case of another such emergency.

286

City to Get & C. SEP 10 1965 Riot Bill

City Council next week will get the bill for use of state troops in the July 1964 riots—almost \$77,000.

The payment is due under a law passed May 10 by the Assembly, giving counties and cities six months to pay. The city's surplus funds will be used for the payment.

Monroe County has paid a similar amount as its share of the cost of National Guard troops, which were activated from July 26 to Aug. 4, 1964—when disorder struck the city's 3rd and 7th Wards.

The state body turned down a bill introduced by S. William Rosenberg, Monroe County Republican, which would have made such troop use a state cost.

SEP 14 1965 Man Arrested During Riots Admits Guilt

Robert L. Myricks, 21, of 37 Gorham St., who was arrested in the rioting of July 25, 1964, today in County Court pleaded guilty to a misdemeanor charge of unlawful assembly.

Judge Harry R. Rosenthal set sentence for Oct. 5. Myricks' case was the last of those stemming from the rioting to be processed in court.

Myricks' mother, Helen Myricks, had obtained the city permit for the dance at Joseph Avenue and Nassau Streets the night rioting began.

Myricks was accused of throwing rocks at police at Joseph Avenue near Kelly Street. A felony charge of riot and a misdemeanor count of resisting arrest will be dropped.

Myricks recently completed a one-year sentence in the county penitentiary to which he was sentenced last November 2 for violating probation in a theft case. He had pleaded guilty to petty larceny and was put on three years' probation Oct. 11, 1963.

5 UNION OCT 5 1965

Judge Delays Sentencing in Riot Case

Sentencing of a youth who has pleaded guilty to unlawful assembly during the July 1964 riots here was adjourned today for six months.

County Judge Harry L. Rosenthal told Robert L. Myricks, 21, of 37 Gorham St. that the six months delay in sentencing would give him "a chance to demonstrate what your attitudes are."

Judge Rosenthal added that he is making no commitments about what will happen at the end of the six month period.

Myricks' mother, Mrs. Helen Myricks, had obtained the city permit in behalf of the Northeast Improvement Association for the dance at Joseph Avenue and Nassau Street the evening of July 24, 1964.

When police, who said the dance sponsors reported someone causing trouble, tried to arrest the alleged troublemaker, mob violence broke out and lasted three days.

State Court
5 UNION OCT 29 1965
Dismisses

Riot Claim

Albany. — A drug store's \$1,080.80 claim against the state for damages in the 1964 Rochester race riots has been dismissed because it was not filed in time.

The action, brought by Lester Peck, operator of Peck's Pharmacy, 328 Plymouth Ave. S., was to have been heard in Rochester at the Oct. 5 session of the Court of Claims.

At that time Assistant Attorney General Douglas S. Dales Jr., on behalf of Attorney General Louis J. Lefkowitz, moved to dismiss, contending that the claim was not filed on time and did not spell out a cause of action against the state. A notice of intent to sue must be filed within 90 days.

Judge Ronald E. Coleman today granted the motion.

Peck had contended that the state was negligent in "failing to supply proper police protection on July 25, 1964" after the state, the governor's office "and his assistant and secretary" had been notified that there was not adequate police protection in Rochester.

Peck said his property was damaged July 25 by a mob which smashed windows and looted. He claimed \$350 for the windows and \$730.80 for stolen drugs and merchandise.

Thomas W. O'Connell represented Peck.

EDITOR'S WEEK

TIMES UNION DEC 11 1965

In California as in Rochester, Riot-linked Problems Require Action

By PAUL MILLER

To a Rochesterian in California this week, it sounded a bit like home as divergent interests and elements variously hailed and assailed a special commission's report on the causes underlying the rioting last August in the Watts area of Los Angeles.

But all whose views were reported out there seemed firmly agreed on one point:

The problems pointed up by the riots will not go away of themselves. As in Rochester long before the riots here, there was general understanding of the problems, all right; the contention was over how best to attack them.

In California, as in Rochester and elsewhere — for the problems here are not unlike those of nearly every major city in the North — the general reaction seemed to be that any constructive idea was worth embracing, with emphasis on educational and training projects.

A theme running through much of the comment by officials as well as private citizens was that money for special projects is only a partial answer.

More important still: Broader public participation and more first-hand personal knowledge through such participation.

"Like it or not," said one who spoke from extensive personal experience, "no responsible citizen can settle successfully for sending dollars or deputies. He must go himself, see for himself, decide what he personally can do."

That, too, applies here in Rochester.

... Aid Slum Schools

Incidentally, California has in Dr. Max Rafferty, state superintendent of public education, an educator whose views are attracting ever wider attention on a variety of school problems, "racial imbalance" included.



Dr. Rafferty

"We're recommending lots of things" to solve some of the problems, he wrote this week, but "compulsory busing" is not one of them.

He favors permissive busing, or what in Rochester is termed "voluntary open enrollment." A parent

should have a right to send his children away or to keep them in neighborhood schools.

Lately, Dr. Rafferty has been recommending what he calls "educational flight pay" — bonuses to persuade "the best and finest teachers rather than the poorest and newest to work in the racial slums."

In the long run, he feels, things like busing are "short range remedies." He sums up:

"Education's main attention should be focused upon that which it alone can solve: The inculcation in the minds and hearts of the generation now growing up of the American principles of tolerance and equality of opportunity which alone can ultimately defeat de facto segregation."

Suits Filed D. & C. MAR 3 1966 In Crash Of 'Copter

More than \$200,000 in suits stemming from a helicopter crash during the riots of 1964 have been entered in Supreme Court, according to papers filed in the County Clerk's Office.

They include two \$70,000 action by Theodore H. Solomon, a lawyer, for each of two men killed inside a rooming house at 252 Clarissa St.

William Jones and John L. Riley, both roomers, died when the helicopter carrying former County Civil Defense Director Robert N. Abbott on an inspection of a riot area crashed into the house and burned July 26, 1964. Pilot James B. Docharty also was killed and Abbott died of burns a month later.

Asks \$700,000

His widow, Winona Abbott, last June filed a \$700,000 suit against Page Airways, Inc., which owned the helicopter leased by the county. Docharty's widow, Jill A. Docharty of 5 Lilac Drive, Brighton, and mother, Mrs. Ethel H. Docharty, are seeking \$100,000 from the county in a separate suit filed in October 1964.

In the suits for Riley and Jones, Mrs. Jill Docharty is named as a defendant with the city, county and Page Airways.

Other plaintiffs are Raymond Hunter of 443 Scio St., who seeks \$60,800 as owner of the Clarissa Street house; and Mrs. Gladys Gaines and her husband, Wentford Gaines, both of 165 Atkinson St.

Mrs. Gaines claims she was injured while visiting at 252 Clarissa St. She is suing for \$25,000. Wentford Gaines asks \$5,000.

Claim Negligence

Solomon said yesterday the plaintiffs will try to prove that the helicopter was operated negligently.

The Civil Aeronautics Board ruled Jan. 20, 1965, that alcohol was the causative factor in the crash. The board reported post-mortem findings of .08 per cent alcohol in the body of James Docharty. It said this content is "considered an amount sufficient to cause diminution of attention, judgment and control."

A Page Airways spokesman maintained that the CAB's summary of the findings conflicted with the complete text of the report and with expert medical testimony which holds that determining alcohol content in a burned body 24 hours after death is impossible.

Man Gets ES UNION APR 12 1966 6 Months in Riot Case

Robert L. Myricks, 22, of 33½ Gorham St., who is awaiting trial on a gun charge, today was sentenced in County Court to six months in the County Penitentiary for unlawful assembly in the rioting of July, 1964.

Judge Harry L. Rosenthal imposed sentence which had been adjourned from last Oct. 5 to give Myricks an opportunity to show what his attitude is. Meanwhile he was on parole.

The youth had pleaded guilty to the misdemeanor charge. He was accused of throwing rocks July 25, 1964, in Joseph Avenue near Kelly Street. A felony charge of riot and another misdemeanor count of resisting arrest were to be dismissed.

Wednesday, Myricks pleaded innocent to an indictment accusing him of possessing a loaded revolver Feb. 22, a felony, and Judge Rosenthal revoked parole.

• • •

MYRICKS IS the son of Mrs. Helen Myricks, who had obtained a city permit in behalf of the Northeast Improvement Association for a dance at Joseph Avenue and Nassau Street the night of July 2, 1964. Rioting broke out when police tried to arrest an alleged troublemaker.

On Nov. 2 of that year Judge Rosenthal sentenced Myricks to a year in the penitentiary for violating probation on which he had been placed in 1963 for petit larceny.

14B

ROCHESTER DEMOCRAT AND CHRONICLE

Sunday, April 10, 1966

U.S. Research Could Ease Race Problems Here

By BRIAN DONOVAN

*92 323 v
458 m*

The U.S. Commission on Civil Rights has completed the first phase of an extensive research project that could ultimately have a profound effect upon Rochester's racial problems.

After concentrating largely on problems of the Southern Negro for the past eight years, the commission is carrying on an ambitious study of Northern racial problems.

Its recommendations to President Johnson, based on investigations and hearings in Northern cities, are expected to be highly influential in the preparation of future civil rights and anti-poverty legislation.

The commission completed the first of a planned series of hearings in Cleveland Thursday.

Its chairman, Dr. John A. Hannah, president of Michigan State University, said no decision had been reached on whether hearings would be held in Rochester.

Next City Not Yet Named

Commission sources indicated that the voluminous transcript of the five days of testimony would have to be arranged in the form of a report before a decision is made on the next northern city to be visited. This work, they said, could take as long as two months.

The commission, created in 1957 by Congress as an independent research agency, went to Cleveland in search of "problems that are representative of problems elsewhere," Dr. Hannah said.

The preliminary work actually began in November. Twenty members of the commission's 120-member Washington staff arrived in Cleveland and began interviewing prospective witnesses, from welfare clients to top city officials.

When they had pieced together a broad picture of the city's education, housing, employment, health and police problems, subpoenas were issued and the public hearings began.

Areas Under Study

Many of the witnesses expressed complaints that have been frequently voiced in Rochester. Among the areas studied were:

De facto school segregation. Civil rights leaders and city school officials both testified that most Cleveland children attend schools either predominately white or predominately Negro.

One Negro science teacher said the segregated school she left five years ago in Georgia was better equipped than some Cleveland Negro schools.

Officials conceded that performance levels in the Negro schools were generally lower, but contended that this was a result of family poverty, rather than poor facilities or teachers.

It was indicated that, unless the "neighborhood school" concept was abandoned, little could be done to correct racial school imbalance. One inner city school was built to have a 60 to 40 ratio of Negroes to whites, an official testified, but by the time it was completed, the majority of the district's white families had moved to the suburbs, leaving the school 95 per cent Negro.

Doesn't include Rochester

Enforcement of property codes. The city housing commissioner told the commission that of about 12,000 multiple family dwellings in Cleveland, between 6,000 and 7,000 did not have certificates of occupancy.

None of these, he said, had ever been closed down for building violations.

Lack of low income housing. Staff investigators reported that the availability of low-cost housing was decreasing as the city's Negro population increased.

A school official estimated that Cleveland was losing 60 white families a day to the suburbs.

Health hazards. A U.S. Public Health Service sanitary engineer testified that only two other cities in the United States, New York and Boston, have a bigger rat population than Cleveland.

The engineer recommended that garbage in slum areas be collected at least twice a week, and that a broad program of remedial housekeeping classes be organized.

Police relations. A staff investigator, who studied Cleveland police records over a period of several months, reported that it took patrol cars twice as long to answer a complaint in a Negro neighborhood as in a white one.

Helicopter Crash Suits Under Way

ON MAR 7 1967

By EARL B HOCH

Trial of 10 suits for a total of \$1,062,000, arising from a helicopter crash in the riots of July, 1964, opened today in State Supreme Court.

Counsel began picking a jury before Steuben County Judge Alton J. Wightman of Bath, who is presiding here under assignment to Supreme Court.

Largest suit, for \$750,000, is brought by the estate of Robert N. Abbott, county Civil Defense director, who was fatally burned in the crash. He was in the helicopter inspecting the riot area when it hit a rooming house at 446 Clarissa St., July 26, 1964.

The Abbott suit, brought by his widow, Winona, as executor of the estate, is against Page Airways, Inc., only. She is represented by Michael A. Telesca of Rochester and Lee Kriendler of New York. Page Airways is represented by Arthur V.D. Chamberlain and his son, Philetus M.

The other suits are against Page Airways, the city and county, with William Specht appearing for the city and county. Plaintiffs and amounts sought are:

Estates of John L. Riley and William Jones, roomer, who were killed, \$70,000 each; Raymond Hunter, owner of the house, \$60,800 for property damage; Gladys Gaines, a tenant, \$25,000 for injuries, and her husband, Wentworth Gaines, \$5,000 in a companion suit, all represented by Theodore H. Solomon with David A. Merkel as trial counsel.

Christine Bolden, tenant, and Lorena Bradberry, who was visiting her at the time of the accident, \$40,000 each for injuries, both represented by Martin S. Handelman.

Elijah Davis and Betty Mae Johnson, tenants, \$1,000 each for damage to personal items, both represented by Harold Cohen.

The helicopter pilot, James B. Docharty, also was injured fatally but his estate is not involved in the trial.

Insurance Urged For Joseph Ave.

D.&C. JAN 20 1967

A bill to aid storeowners in the Joseph-Clinton area who had glass and fire insurance cancelled in the aftermath of the 1964 rioting was introduced in Albany yesterday.

The measure was introduced by Assemblyman Raymond J. Lill, D-131st District, and State Sen. Thomas Laverne, R-51st District.

It authorizes the state super-

intendent of insurance to establish an assigned risk plan among all insurance similar to that used for automobile insurances.

Applicants "who are in good faith entitled, but unable, to procure insurance through ordinary methods" would be able to buy insurance under the shared-risk plan authorized by the bill.

TIMES UNION MAR 18 1967

Abbotts Awarded \$215,000 In Helicopter Death Suit

A Supreme Court jury last night awarded \$215,000 damages to the estate of Robert N. Abbott, County Civil Defense director who was fatally burned July 26, 1964, when a helicopter he was using to survey areas of rioting in the city crashed into a house on Clarissa Street.

Defendant in the suit was Page Airways, Inc., owner of the helicopter and employer of the pilot, who also died in the crash.

The award is retroactive to the date of Mr. Abbott's death, Aug. 25, 1964. Accumulated interest of \$35,000 brings the total to about \$250,000. Benefi-

here under assignment. The trial lasted 9 days.

THE JURY awarded \$175,000 for wrongful death and \$40,000 for Mr. Abbott's pain and suffering for 31 days before his death at Strong Memorial Hospital. He was 49.

Mr. Abbott was burned over half of his body when the helicopter crashed into a rooming house at 446 Clarissa St. on a Sunday afternoon, the second day of the 1964 rioting.

The Abbott estate originally sued Page Airways for \$750,000. Attorneys for the plaintiffs were Michael A. Telesca of Rochester and Lee S. Kriendler of New York City. Representing the defendant were Arthur V. D. Chamberlain and his son, Philetus M. Chamberlain of Rochester.

The Page attorneys indicated they would appeal the ruling.

The Abbott ruling opened the way for the same jury to consider damages requested in nine related suits against Page Airways. Justice Wightman directed the jury of 10 men and two women to return Monday for the start of trials in those suits.

Those suits include the estates of two occupants of the house who died when the helicopter crashed. The estates of John L. Riley and William Jones are asking \$70,000 each. Other suits

included the owner of the house who is asking property damages, and other occupants in the house asking for injuries and damage to personal property.

IN THE ABBOTT suit, plaintiffs charged the pilot, James B. Docharty, 45, was careless, that the helicopter was overloaded, and that Mr. Docharty flew too low and too slow.

Testimony from Dr. Robert M. Greendyke, county medical examiner, that Mr. Docharty's blood contained .08 per cent alcohol also was introduced.

The defense countered by claiming the helicopter crashed because it was either shot down or the engine unavoidably stalled. The defense also challenged identification of a charred body in which alcohol was found as that of Mr. Docharty.

In addition the defense maintained Abbott was guilty of contributory negligence by chartering the helicopter and directing the pilot. Mr. Abbott assumed the risk, the defense argued.

Wreckage of the helicopter was brought to the Civic Center garage and viewed by the judge, lawyers and court attaches—but not the jury. Though Justice Wightman ruled the wreckage had no "probative" value, a picture of it was included in the record.

\$27,300 Set

D.&C. MAR 22 1967

In Copter Suit

D.&C. MAR 22 1967
By LOUIS REGNER

A Supreme Court jury yesterday awarded a total of \$27,300 damages to plaintiffs in nine negligence suits against Page Airways, Inc., two of which were over deaths of two roomers who died of carbon monoxide poisoning when a helicopter crashed into a rooming house at 446 Clarissa St. and started a fire during the riots of July 26, 1964.

The same jury last Friday by an 11-to-1 vote awarded \$215,000 damages to the estate of Robert N. Abbott, county Civil Defense director, against Page Airways. Abbott was surveying the riot scene in the Page Airways helicopter piloted by James B. Docharty, who also was killed. Abbott, 49, died of burns 31 days later in Strong Memorial Hospital.

The amounts of the verdicts in the nine suits yesterday were directed by Steuben County

Judge Alton J. Wightman of Bath, sitting here temporarily in Supreme Court, after attorneys certified damages. Only one of the plaintiffs, Raymond Hunter, 444 Scio St., testified.

Judge Wightman dismissed cross claims of Page Airways against the city and county in the nine suits, on motion of William A. Specht, counsel to the city and county. The nine plaintiffs had withdrawn their actions as against the city and

county, originally named by them as co-defendants, but Page had reserved cross claims.

The Abbott estate, represented by Michael A. Telesca, a Rochester lawyer, and Lee S. Kreindler of New York City, sued only Page Airways. The Page firm indicated it will appeal from the verdicts.

The directed verdicts included \$3,500 to the estate of John L. Riley and \$1,250 to the estate of William Jones. Both men killed in the crash, were in their 40s.

Riley was divorced and had three children, now between 21 and 24 years old, and Jones had no family or known heirs. Abbott, on the other hand, left a widow, Winona, and a daughter, now 20.

The other awards included: \$18,000 to Hunter for damage to his rooming house, and \$750 jointly to Wentford Gaines and his wife, Gladys, tenants, for

her injuries. Theodore H. Solomon and David A. Merkel represented the Riley and Jones estates, Hunter and Mr. and Mrs. Gaines.

Christine Bolden, 183 Fitzhugh St. S., a former tenant in the rooming house and Mrs. Lorena Bradberry, 207 Fitzhugh St. S., who was visiting Miss Bolden, were allowed \$1,500 each for their injuries. Both women jumped out of a window of the house when the helicopter crashed. They were represented by Martin S. Handelman.

Elijah Davis, 325 Clarissa St., a former tenant, was given \$500 for damage to personal effects, and Betty Mae Johnson, 325 Clarissa St., also a former tenant, \$300 for similar damage. They were represented by Harold Cohen.

The plaintiffs in the Abbott and the other suits sued for a total of \$1,062,000. The Abbott estate asked \$750,000.

\$27,300 Awarded

TIMES UNION MAR 22 1967

In 'Copter Suits

TIMES UNION MAR 22 1967

Directed verdicts totaling injuries to the wife. All were \$27,300 in nine suits arising from the helicopter crash in the rioting of July 26, 1964, were returned yesterday by a Supreme Court jury.

It was the same jury—10 men and 2 women—which last Friday awarded \$215,000 damages against Page Airways, Inc., in the fatal injury of Robert N. Abbott, county civil defense director.

The verdicts in the nine other cases likewise were against Page Airways. They were directed by Judge Alton J. Wightman of Bath, who presided at the trials.

Judge Wightman, Steuben County judge assigned to Supreme Court, dismissed a cross-claim, brought by Page Airways against the city and county for the amount of all verdicts. William Specht represented the city and county.

Page Airways claimed that local government officials had authorized the helicopter flight.

Abbott was a passenger in the helicopter when it crashed into a rooming house at 446 Clarissa St. He died Aug. 25, 1964, of burns.

Raymond Hunter, 444 Scio St. owner of the house, was given a directed verdict of \$18,000 for property damages. The estates of John L. Riley and William Jones, roomers, who were killed, received awards of \$3,500 and \$1,250, respectively.

Mr. and Mrs. Wentworth Gaines, 165 Atkinson St., tenants in the Clarissa Street house at the time of the crash, received \$750 in suits over personal

represented by Theodore H. Solomon and David A. Merkel. Christine Bolden, 183 Fitzhugh St. S., who was a tenant in the Clarissa Street house, and Lorena Bradberry, 207 Fitzhugh St. S., who had been visiting her, were awarded \$1,500 each for injuries. They were represented by Martin S. Handelman.

Two other former tenants, Elijah Davis and Betty Mae Johnson, now of 325 Clarissa St., were awarded \$500 and \$300, respectively, for damage to personal items.

The directed verdicts were based on certification of damages by the parties involved. Only witness called in the nine cases was Hunter.

City Settles For \$6,500

The city has awarded \$6,500 in damages to a Negro shot by a deputy sheriff during the July 1964 riots.

The out-of-court settlement was made to Doris Brantley, 23, of 91 Flint St.

Brantley had sued the city and county for \$200,000 permanent injuries and medical expenses from a gunshot wound in the buttocks.

The case against the county was dropped before a State Supreme Court trial scheduled for last month because only the sheriff himself and not the county is legally liable for acts committed by a deputy sheriff, informed sources said.

The city was sued because it had requested the assistance of the sheriff's department during the riots.

The \$6,500 settlement is believed to dispose of the last personal injury claim from the 1964 riot.

TIMES UNION JUL 19 1967

NEW ATTITUDES, PREPAREDNESS MAKE THE DIFFERENCE

Comparison of Handling of 1964,

TIMES UNION AUG 7 1967

'67 Inner City Conflicts

By PETER BEHR
and DESMOND STONE

Two weeks ago, on Sunday and Monday nights, Rochester went to the edge of a riot, but didn't go over.

There were scattered firebombings, lootings and stoning of cars, and on Monday, the shooting of a Negro youth as he swerved his car away from a police checkpoint, ignoring shouts to stop.

The shooting, the kind of unforeseen event that in other cities, at other times, has sparked major outbreaks, did not do so here.

Why?

There seem to be three principal reasons:

First, fast and firm action by the police.

Second, the refusal of the vast majority of the Negro community to give support to the minority of youth involved.

Third, the willingness of both Negro leaders and anonymous adults to work on the streets to calm some of the passions.

• • •
WHILE THERE IS disagree-

ment on which of the factors was most important, the combination certainly worked Sunday and Monday. The continuing concern of those who were in the streets, however, is that among the angriest, most radical Negroes nothing has been settled and the frustration they feel most strongly is also present in degrees among adults all over the Negro communities.

Police this time were prepared in ways they hadn't been before.

In the days and weeks before July 24, rumors of plans for trouble on that weekend had been so persistent and widespread that the whole community was on edge.

Back in April, FIGHT had fixed the weekend of the third anniversary of the 1964 riots as the date for a national pilgrimage to Rochester.

Although these plans were cancelled when the dispute with Eastman Kodak Co. was settled, some disaffected Negro youths, so the report went, were determined that the weekend shouldn't go unmarked.

THERE WAS ALSO the contagion of riots around the nation.

And a local issue had provided the ingredients for a show-down. The week before, outnumbered police decided not to break up a crowd of hundreds lining Nassau Street in the 7th Ward, watching drag racing.

On the weekend of the July 24th anniversary, police were alert to prevent a repeat performance. When a city water truck tried to soak down Nassau Street to prevent drag racing, the test began. Soon, gangs were roaming the 7th Ward neighborhoods, breaking store windows and pelting occasional passing cars, terrifying the drivers.

Police took up the challenge, quickly sealing off the area.

At the climax of Sunday night's trouble, they marched up Joseph Avenue in a body, with shotgun-toting officers on the flanks, eyeing rooftops. They were ready for a confrontation, if it became necessary.

• • •
ON MONDAY NIGHT, police

were eager to move into crowds. "Give me five more men and I can break it up," was a typical call on the police radio that night.

New mobilization plans allowed the police to put the right numbers in the right place at the best time—a capacity they didn't have in 1964.

This strength also gave police a choice at times between using force and giving Negro leaders a chance to try persuasion.

The threat of a confrontation between some 50 police and more than 100 Negro youths on Joseph Avenue Sunday was ended by talking. Negro leaders and police commanders, standing between their two camps, reached the compromise. The youths broke up; the police withdrew.

On Monday, in the 3rd Ward, police were tougher. Again, a crowd had gathered. This time, Negro leaders say, it was because a dance had been cancelled at the last minute.

Police again were ready to move, but waited. "We'll give Florence (Minister Franklin Florence, former FIGHT presi-

dent) one more chance," Deputy Chief Harry Griswold said. "We'll play it by ear."

Many leaders were in the streets talking and after an hour, the crowd strung out.

• • •

THEN CAME THE shooting at Jefferson and Bronson and trouble began licking at dozens of places in the ward. There were scattered fire bombings and looting in the 7th Ward, too.

A youth worker in the streets said: "The police on Monday had to play a 'catch-up' role. The night before, the confrontation occurred at one main point. Monday, it was all over and police had to move and act fast."

The fast show of force had its effect on some youths.

One Negro youth was overheard to say in a bantering way: "There's lots of groceries in that store if you get by those cops."

Said his companion, looking at police silhouetted in front of the store: "Not me. Those are rifles they're carrying. That ain't no drum corps."

There are those who say a more serious showdown with the radical youth in the inner city has only been postponed. There also are those who accuse the police of unnecessary harshness.

But there is a lot more support, not just in the white community, for the view expressed by City Manager Seymour Scher that the law enforcement bodies had mixed restraint with strength in proper proportions.

"The police acted fast and fairly and, as far as I could see, with good judgment," says Laplois Ashford, director of the Urban League.

"Overall, the police showed more maturity than in 1964," said Loftus C. Carson, director of the county Human Relations Commission.

• • •

THERE ARE OTHERS, however, whose resentment of the police is close to the surface, who point out that riot fever did not spread to the Negro community. If it had, the police would have been overwhelmed as they were in 1964, these peo-

(Please turn page)

Continued on page 143

TIMES UNION AUG 7 1967

'64, '67 Disorders Compared

(Continued from Page 1B)

ple say. Then, crowds numbered over 1,000.

In addition to praising police, Public Safety Commissioner Mark H. Tuohey Jr. and Scher credited inner city residents for staying steady in the crisis and not supporting those who hoped to fan trouble.

Harry D. Bray, director of Montgomery Neighborhood Center in the 3rd Ward says:

"What I got Monday night from many adults is that they didn't see violence as the answer. They didn't want '64 again. They wanted a lot changed, but not that way."

"The adult community," says Ashford, "did a beautiful job of trying to express its disgust with violence as the way to correct things. The only result of riots is to further worsen conditions for ourselves, through the destruction of homes and property."

There was no major issue gnawing at the Negro community, says James McCuller, director of the Neighborhood Youth Corps. "Certainly there are many problems to be

solved. But the wounds are not as major and as bad as they were."

THERE HAVE BEEN breaks in the clouds for Negroes since 1964, especially in job opportunities. But, in areas of housing and education, the performance still hasn't caught up with the promises.

The naked anger of 1964 didn't seem evident Sunday and Monday, most observers agree.

"But just because people didn't choose to express themselves in violence doesn't mean that conditions have improved," said Carson.

A third factor in the Sunday and Monday disturbances was the presence of men like McCuller, groups like FIGHT, staffs like those of several of the settlement houses, who worked with the Negro youth on the streets.

THE DILEMMA of those

Negroes leaders was summed up Sunday night in the role of County Legislator Ronald A. Good.

Good, whose district includes much of the 7th Ward, moved in shirt-sleeves back and forth between the Negro youth and police, trying to counsel both, but not fully accepted by either group.

A member of FIGHT's task force said, "We weren't trying to do the policeman's job. We were telling these kids they couldn't control our destiny. It made no sense to burn down our homes and theirs."

Sometimes, more than talk was needed, say some of those who worked in the streets.

"You can't say to someone who is set to burn a building down, 'Please don't do that,'" said a Negro who worked with the youths. "You have to get twice as vicious as these radical kids are and convince them in their own terms."

Some youths reportedly resented mediating efforts no matter where they came from.

"Some of the FIGHT people were having the same difficulty I was having with the militant youth," said a settlement house man. "In a situation like that, you get told, 'If you aren't with us, you're against us.'"

PUBLIC SAFETY Commissioner Tuohey was careful not to single out any group for its role, though he commended all of them. On Tuesday, he invited Negro leaders to meet with him, to make sure they understood what the city's position was going to be.

McCuller was one of those attending. He feels the meeting was also called to enlist the continued help of Negro leaders.

McCuller said he made it clear that if the city was going to come to him only in time of crisis, he wanted no part of it.

The police have worked hard to set up new channels of communications through their community relations staff. However McCuller and others point out that the Negro still has no voice on City Council or the school board.

"We have no power over schooling, housing, over any of the things that affect our lives," McCuller said.

He says he is sure city officials understand this complaint. But the gulf between understanding and action is wider than the distance that separates the Atlantic and Pacific oceans," McCuller said.

NEGRO LEADERS can no longer be a buffer between police and militant Negro youths, the leaders say. And it is increasingly difficult to be even a mediator, they add.

Ashford said the Urban League and other organizations can play a role in preventing trouble. "But we can't start in May and June."

"This sudden summer concern for us," a Negro youth worker said, "we see through it." He criticizes the antipovertry summer crash programs that try to treat the results of inner city deterioration rather than the causes.

There is a quiet urgency that the causes be treated and that the Negro gain a voice in the decisions affecting him, McCuller says. "I'm not sure this is understood," he adds.

TU Nov. 24, 1967
**Lombard's
Counsel:
Close Gap**

'RUMORS, AGITATION'

TIMES UNION NOV 24 1967

How Riots Develop

Washington (AP) — Police Commissioner Howard R. Leary of New York City has told President Johnson's Advisory Commission on Civil Disorders the requisites of a riot include "dry - grass" conditions sparked into flame, fed by rumors and fanned by agitators.

Leary's testimony before the commission Sept. 20 was released yesterday. The commission was set up to investigate causes of last summer's riots and to make recommendations for dealing with the problem.

Leary described dry - grass conditions as "a congested urban area, inhabited largely by persons who feel left out of the prosperity that marks most of the contemporary American society."

"It is marked by a rising standard of living," Leary said, "but an even more steeply rising scale of demands on society."

"There is generally a high level of frustration, an increasing amount of anger and almost always a feeling that comes from years of broken promises, and ranges from mute disappointment to outspoken rage."

The spark usually is an incident in which the police are involved, such as an arrest or the policeman's use of a gun, he continued. This is followed by rumors which magnify the original incident, he said.

Thus, Leary testified, with the condition, the incident and the rumor, "Step No. 4 begins when the agitators appear on the scene, ready to promote their own aims and ambitions

and programs at the expense of the community they profess to serve."

Leary told the commission the agitator turns his attention to teen - agers, exciting them into committing vandalism.

Early show of in a disturbance - a turbulent psychological process - helps developing into police moved summer but to use sirens

rumors in July has and Election would be the police and

ice had faced incite a riot outside agitators played little part in 1964.

Eighty-four per cent of the 976 people arrested then were city residents, he said.

294

D. & C. NOV 20 1967

Appeal Set On Abbott Case Verdict

Page Airways' appeal of a \$215,000 State Supreme Court verdict awarded to Winona Abbott, widow of Robert N. Abbott, former county civil defense director, is set for hearing Tuesday, Nov. 28, in Appellate Division, Fourth Department.

Abbott died in a helicopter crash July 26, 1964, during the riots.

The verdict given Mrs. Abbott March 17 in an 11-1 jury vote was retroactive to the date of Abbott's death and with interest and costs it totaled, \$246,359.85.

In addition to appealing several decisions made during the trial, the appeal papers stated, Page also will appeal the order of Steuben County Judge Alton J. Wightman, then a visiting justice of State Supreme Court here, that the action should be tried separately from nine other actions arising from the helicopter crash.

TIMES UNION NOV 29 1967

Air Death Decision Reserved

The estate of Robert N. Abbott and Page Airways, Inc. agree that the cause of the helicopter crash in which he was fatally injured is unknown, but differ on the question of liability.

That difference was brought out yesterday in a hearing on the Page Airways' appeal before the Appellate Division, Fourth Department. Decision was reserved.

Page Airways appealed from a \$215,000 Supreme Court jury verdict awarded Winona Abbott, widow of the former county Civil Defense director, last March.

The helicopter, owned by Page Airways, crashed into a house at 446 Clarissa St. in the riot of July 26, 1964, and started a fire. Abbott, 49, who was a

passenger, died of burns 31 days later.

Arthur Chamberlain, who argued for Page, contended that the helicopter and pilot, James B. Focharty, 45, who was killed, were commandeered by Abbott under emergency law. The pilot, he said, then became a special employe of the city and county for whom Abbott was acting. Thus, he indicated, Page Airways was no longer responsible.

Milton S. Sincoff of New York, who opposed the appeal, claimed the aircraft was used with the permission of Page Airways and the company was responsible.

He appeared as counsel for Lee S. Kreindler of New York, who, with Michael A. Telesca of

Rochester, represented Mrs. Abbott.

Page Airways also appealed from judgments totaling \$27,300, awarded in nine other suits involving two deaths, injuries and property damages in the same crash.

Among other points, Chamberlain claimed that the court's refusal to let the jury view the helicopter wreckage was prejudicial. The parts of the wrecked helicopter had been transported to the Civic Center garage. The court did view the wreckage but without the jury.

Sincoff argued that Page Airways failed to establish that the wreckage in the garage was in the same condition as at the time of the crash.

A brief was submitted by Wil-

liam Specht, who represented the city and county.

18A

The Times-Union
Wed., Nov. 29, 1967

Lombard Describes Police Plans for Disorders

Testimony by Rochester Police Chief William M. Lombard before the National Advisory Commission on Civil Disorders has been released.

Lombard was among four police officials who testified Sept. 20 in Washington. Others were from Dade County (Miami), Fla.; New York City, and the director of the office of public safety for the Agency for International Development.

Excerpts follow from Lombard's testimony, in which he indicates Rochester police plans to prevent, or deal with, disorders.

I represent a city of 300,000 and a metropolitan area of about 675,000. Our Police Bureau of 555 active officers covers an area of 33 square miles.

Our inner city, in addition to the central business district, consists of two ghetto areas, one on each side of the Genesee River, with an estimated 38,000-plus Negro residents, and 7,000-plus Puerto Rican or Spanish-speaking.

Rochester is a cultural and highly skilled community which for many years has enjoyed the lowest unemployment rate in the state and throughout the nation. Presently it is 1.2-per cent. The Negro residents totaled 10,000 plus in 1950, 24,000 plus in 1960, and a projection by 1970, by our City Planning Office, of 45,000 plus.

Rochester is a city which has played a foremost part in the civil rights movement for many years. It is a community where prior to July 24, 1964, the expression that "it couldn't happen here" was most prevalent. Obviously whatever was accomplished prior to July '64 was not enough, since it did happen, the second largest city in the nation to suffer a riot.

Of interest is the fact that of 976 persons arrested during the emergency period — this is 1964 — although two-thirds were born out of state, 57 per cent were residents of the city five or more years, 27 per cent residents less than two years.

Since that incident, the following action has been taken:

Legislative. An ordinance of restricted conduct in time of public emergency, which provides in the declaration of emergency by the city manager powers to restrict consumption of alcohol, possession of weapons, such as rocks, sticks, bottles, in addition to firearms, and curfew regulations. The penalty is a fine not exceeding \$1,000 and/or imprisonment not exceeding 180 days.

Our civil disorder of July 23-24, 1967 did not require the declaration of an emergency by our city manager.

Mobilization: In 1964 our mobilization of off-duty personnel involved a roster alphabetically of all officers with their phone numbers.

Our experience then resulted in 115 off-duty officers responding in the

first one and a half hours.

This was extremely poor, and immediate action taken with the implementation of a permanent command post office adjacent to our communications center which in addition to other uses has four magic call phone positions with up-to-date weekly duty rosters, noting when men are on or off duty, which through actual experience provides us the means of notifying all off-duty personnel, or an average of 450 officers within an hour and twenty minutes.

A general order entitled National or Accidental Disasters has been issued to all personnel spelling out their duties and responsibilities in most mobilizations and assignments.

Supporting Resources: Over the past three years continuous conferences have been held with other law enforcement agencies and the New York State National Guard.

In the event of a disturbance which may result in setting forth our mobilization plan, an alert is immediately given to the sheriff's office, the New York State Police and the National Guard representatives, who will immediately send observers.

The sheriff will respond if requested by mobilizing all town, village and adjacent county police resources including his own with a force that could total 250 officers.

The State Police, after the request by our city manager for troopers has been approved by the governor, can dispatch 250 men within two hours, and double that amount if need be within five hours. The National Guard has a capability, after being ordered by the governor, to provide a force of 1,500 men in less than six hours.

Logistics: Our plans provide for staging areas, quarters for National Guard, New York State police officers, as well as administrative facilities. Buses for transporting officers are immediately available. Catering services are provided for all police at city expense. Emergency communications are also provided for.

Equipment: In our riot storage area, in our public safety building, we have ready for immediate issue, helmets, riot sticks, handcuffs, tear gas and masks.

Since our last incident with precious minutes lost in issuing this equipment, we have purchased sufficient helmets and sticks to be issued to each field officer who will report with such equipment. In addition, each patrol vehicle unit has two helmets, sticks and a riot shotgun, also the Chemical Mace.

Intelligence: Since 1964, much emphasis has been placed in gathering information tending to indicate community unrest.

All members of our Police Bureau play a part in gathering such data



CHIEF WILLIAM LOMBARD

with the specific office headed by a command officer to follow up and analyze the information, keeping the chief of police promptly and properly informed.

Constant communications are maintained with the FBI and State Police investigators in a similar assignment.

Police Community Relations: We have a staff of seven headed by a person with special training. The theme of our programs: "Communications result in knowledge, knowledge develops understanding." . . . Our program . . . has been performing highly satisfactorily.

Such a staff in any medium-sized city and certainly larger is a most useful tool, and provides one of the necessary measures to bridge the gap between the police and the minority group in the community. I credit this program over the past year as playing a major part in preventing large numbers of people from becoming involved in our civil disorder of July 1967.

Training: Since July 1964, continuous emphasis has been placed on training. Training in human relations, constitutional guarantees, civil riots, laws, use of firearms and gas in riots, supervision and command responsibilities, military drill, bearing, and riot control.

Tactics: Military instructional material on riot control is completely outmoded with the type of guerrilla warfare which we are subjected to.

Nonetheless, a show of force in the early stages, operating in a military fashion, acts as an important psychological deterrent to those who witness the action, with the word rapidly spreading as to the strength in organization.

A simple directive of refraining from use of sirens, red lights, and immediate removal of arrested persons from congested areas has pre-

Continued From page 295

vented major outbreaks in our community, which is a subject of constant reminders to our men.

• • •
Internal Affairs: In 1963 we instituted a program of processing citizens' complaints and internal inspections. Prior to that time there was no formal program for such problems. Our Internal Inspection Office has a staff of five headed by a police captain.

We have been very strict in our stewardship of the Police Bureau since January 1962, with 36 officers subjected to official department hearings and over 100 officers being subjected to informal hearings before the chief with disciplinary action taken noted in their personnel folders.

Prior to 1962, and the inception of this office, in a 20-year period, only five officers were subject to department charges.

Members at first resented the Internal Inspection Office, but have come to respect it and believe in it. This program has played a foremost part in improving the character, performance and attitude of our organization, and most importantly in coping with unfounded rumors.

In recent incidents with over four hundred men deployed in the field, not one complaint was received from any individual alleging he or she was physically or verbally abused.

The Internal Inspection Office has an average of 400 investigations per year since 1964, with all citizen complaints being thoroughly investigated, documented and action taken in notifying the complainant and the officer as to our conclusions.

• • •
Industrial Notification: Conferences have been held between police and the business community.

Liaison has been established with the Industrial Management Association, and Retail Merchants Association with key persons to be promptly informed of developments at any time of the day or night who are then responsible for notifying the membership.

Concern primarily involves those industries and businesses open or operating during unusual hours.

A direct line is installed between the police command post and our Rochester Gas and Electric Corp.

And I might . . . mention this — in our last incident we had rumors . . . of dynamite, an attempt to dynamite the RG&E facilities, power, and with our close liaison established, we had wonderful cooperation from them. We needed all available manpower.

They themselves hired security people to cover all their installations, and the important ones were covered by the police.

• • •
I HAVE A NOTE here — in '64, following the early hours of our riotous condition, and after about 55 persons were subject to arrest, all of them charged with rioting, acts of violence, a felony, at about 5 o'clock in the morning within short order, commu-

nity leaders — a cross-section of the community and most of those active in civil rights — proceeded to confer with our city manager and Commissioner of Public Safety, and the mayor, and demanded that these 55 people be released, so that they could parade them through the rioting area and show faith and so forth, that their reason was all right, and what-have-you.

We strongly objected to that action at that time. And I will explain why — because when I appeared on the scene, in the midst of the turmoil, at the outset, we did have five that were under arrest, and I paroled them in my care, to do just that, and it did not work. And so with that experience, we so informed our people, the city officials.

However, they compromised and released one person, who was a representative of the 55, and immediately he appeared before the mass media, and made the demands for things from the city, what should be done, what should be given, and this in effect in my opinion stimulated further the rioting condition, which continued up until the early morning hours, up until 11 a.m.

• • •
NOW, our July 1967 incident, there was complete confidence and support expressed by our superiors on decisions made and the firm position expressed before the public by the commissioner of public safety and city manager that law and order will be maintained was a morale booster for our police organization as well as alleviating the fears of noninvolved citizens and a warning to involved persons.

In June, particularly on Sundays, we became confronted with a drag racing problem by ghetto residents. There is a conservative estimate of 200 Negro drag-racing enthusiasts in our city, all with late and souped up models. The police were confronted with numerous complaints.

The week prior to July 23 rumors were rampant that the ideal street for drag racing in the inner city would be taken over.

I personally met with over 50 of these young men, telling them it was unlawful, and would not be condoned. They were informed to organize a group, and their organization secure a site in close proximity for sanctioned drag racing.

The group appeared attentive and respectful, but as a precautionary measure a reserve force of 55 officers were detailed on Friday, Saturday and Sunday night. Sunday night was July 23.

This past July we had many rumors circulating throughout the entire city. Particularly amongst small business, there was much fear and anxiety. We had no incidents on Friday or Saturday night, but on Sunday night it was relatively quiet, there was no drag racing, as we experienced on the previous Sundays.

But suddenly we started to see a buildup. We had watered down the

streets. Every half-hour, we sent a water truck around. We had four patrol units assigned to the concerned street, four lanes wide, warehouses on both sides, which was an ideal drag strip, but we just could not condone it.

Deliberately, with these precautions, after there were several of these young men at opposite ends of the street, they set up a drag race right in front of the officer. Our men were told to enforce and arrest and make use of tow cars.

As the officer pulled up alongside the drag racer, he was immediately confronted with stoning, and then simultaneously on the adjacent street, a large group started stoning cars passing through, of people.

• • •
I WAS PRESENT in our command post and orders were given to detour traffic with a reserve force being brought into the area by bus and being immediately effective. A hot line was established with our local professional civil rights group called FIGHT. Communications were maintained with other Negro community representatives.

Many of them did go out in the streets and amongst the crowds which numbered not more than 300 at any one time, where there was a potential for 3,000 to become involved. With the exception of the initial acts of violence, the control of the crowd was maintained.

We took advantage of the assistance by community representatives to mobilize off-duty personnel, and deploy men to cover other potential areas for violence, gun shops, liquor stores, and warehouses.

• • •
ON MONDAY, July 24, strong rumors circulated that teen-agers on the other side of town in the Negro community would stage a street dance, which is prohibited. And the reason for that was that what precipitated our '64 incident was a street dance.

So they were going to celebrate. Meetings were had with Negro community representatives, with their expressions of satisfaction on the previous night's experience. They were informed we welcomed all the assistance available. But acts of violence became a police matter and responsibility with no commitments made.

Our personnel were all placed on stand-by alert . . . at 10:30 some windows were broken, Molotov cocktails thrown, and police moved in with strength. Many fire alarms were sounded, but no serious fires erupted.

All acts of violence were hit and run. Two officers were injured out of 400 on the streets. One Negro was shot and died as a result of police action. Thirty-three were arrested, including three white youths, who gunned down two Negroes standing on the street, both of whom suffered noncritical injuries.

By 3 a.m. the streets were cleared, and since that time we have encountered no serious incident.

WHAT THEY SAY

City Reacts To Report

TIMES UNION MAR 2 - 1968

By PETER BEHR

What was the report by the president's riot commission?
A just call to action.
Paper promises that probably won't come true.
An unfair indictment of the white majority.
A prescription for more drastic remedies for problems yet unsolved.
Evidence that little progress has been made in race relations, despite all the activity.
Vindication of what militant Negro leaders have been saying all along.
This spectrum of views comes from leaders in Rochester's Negro community, police, clergy, housewives, liberals and conservatives.
The President's Commission on Civil Disorders called its re-

port, released yesterday, "an honest beginning."
"It is time now to end the destruction and the violence not only in the streets of the ghetto but in the lives of people," it said.
There was no argument on this among people queried by The Times-Union yesterday. The question was "How, and in what way?"
Rt. Rev. George W. Barrett, Rochester Episcopal bishop, called the report a "very sound, remarkable, courageous piece of work. If it is not heeded, America is in for a great deal of trouble."
"It's the first white-supported report to say it the way it really is," said FIGHT President DeLeon McEwen. "Now, since we've had the truth told by white Americans, the question is where will that America go from here?"
The report is "a constructive contribution to truth and honesty," said James McCuller, head of Rochester's antipoverty program.
But the commission made promises that probably won't be fulfilled quickly enough, said McCuller.
"Too often, these reports are substituted for action."
The report says that despite a great deal of activity, there has been little real progress in race relations, said Laplois Ashford, executive director of the Rochester Urban League.
"Only the education gap between white and Negro has been narrowed. In every other way, non-whites are farther behind whites now than they were 10 years ago," Ashford said.
The report demonstrates that a new commitment from white Americans is needed, Ashford said.
Leo J. Kesselring, Monroe County Conservative party lead-

Turn to back page
of this section

What They Say In City About Riot Report

TIMES UNION MAR 2 - 1968

Continued from Page 1

er, challenged the report's assumptions and conclusions.
The commission seems to offer solutions not significantly different from what have already been tried, Kesselring said.
The root of the problem is the revolution of rising expectations, he said. Politicians tend to give the impression that if we pass enough laws and adopt enough programs, the troubles will be over tomorrow, he declared.
What's happened is that the Negro community — with good reason — has stopped to ask itself: "We're still not equal despite what you said. What happened?"
"It's unrealistic to expect deprivations of an entire century to be solved in the short term. The condition has to be worked on," Kesselring said.
"They stress the fault of white racism. But this wasn't the original condition when the racial trouble started."
There was regrettable neglect and apathy and ignorance on the part of the white society. But not racism; not as a community virus, he said.
Racism has developed as the backlash of violence, he contended.
The commission reported "White racism is essentially responsible for the explosive mixture which has been accumulating in our cities since World War II."
McCuller said he was glad to see someone call a "spade a spade," but he was fearful that the commission's report might inspire stiffer barriers, not constructive remedies.
FIGHT President McEwen said the commission's statement might now force white America to realize the dangers of the separation of whites and blacks.
"We don't necessarily endorse the position Rap Brown (Black Power advocate) takes. But the most dangerous thing white America did was not to listen to him," he said.
"The commission made the same findings that he and we have been saying all along."
Noting the broad remedies proposed by the commission, McEwen said: "Rochester is fortunate to have the wealth to solve its problems."
A goal of the commission is to remove "the frustration of the powerlessness among the disadvantaged."
McEwen said that touches the meaning of Black Power.
"Blacks will have no confidence or trust in cooperation from whites, and whites will not recognize the necessity for cooperation until the time when we deal on somewhat of an equal basis," said McEwen.
"This requires a major change in the attitudes of white society," he said.
Whites will have to begin talking to Negroes on subjects other than race problems, Ashford said.
Noting the broad prescription of new programs, the Urban League director said, "we've got to pick our targets and give programs a fair chance to work. But we've scattered our poverty efforts so much there has been almost no chance for this."
There has been too much expected from programs that have had too little money behind them, he said.
Bishop Barrett said:
"If we can spend the money on the Vietnam war, we can spend it here."
Police Chief William M. Lombard, who testified before the commission Sept. 20 in Washington, said he was impressed by the makeup and seriousness of the group.
"I felt on the basis of my four-hour session with the commission, that those who made it up were keenly interested and weren't just going through the motions. They appeared really to want to do something."
However, he said he wants to read the complete report before commenting on the value of its recommendations.
He said many of the recommendations already are being implemented in Rochester, such as efforts toward better police-community relations and efforts to get Negroes on the police force.
An epilogue to these comments comes from a Negro housewife who was too busy with the daily problems of life in Rochester's inner city to study the report.
She and her husband spent 14 years paying off their mortgage, but have started looking for a new home.
Nothing has changed for the good on her street, she says. The homes on either side of her bulge with 15 or 16 children. A drug addict lives across the street.
She wants to move out of the city because she fears she is losing control of her children to the streets.
"People who have been making the effort to help themselves for years are saying, 'Why keep trying any more?' There's resentment. Many people feel these programs for the poor look good on paper, but don't lead anywhere."
"And the young people aren't going to take it. They aren't afraid of violence and blood; they won't put up with what we did."

296 B

Report on Riots

D.&C. MAR 2 1968

Lauded Here

913232
U.S. Time

Reactions to the report of the National Advisory Commission on Racial Disorders in Rochester were:

Rochester City Manager Seymour Scher: "The report is right on target... an excellent report whose observations are important and generally accurate."

"It sets a tough agenda for the nation and every community in it."

"What it mandates will not be easy to accomplish, but we will have to follow it in both attitudes and programs."

Laplois Ashford, executive director of Rochester Urban League:

"I couldn't be more elated with contents of the report, it substantiates what we know are the realities in the fight against racism and poverty. Right now we are fighting a losing battle. Although there is some pro-

gress, the gap keeps getting wider. Facts will show in Rochester that in education and in housing we are much more segregated than we were a few years ago and it's getting worse."

DeLeon McEwen, president of FIGHT: "It confirms what we have been saying right along, we have a society practicing racism. The question now is: Where will white America go from here? Black America has little confidence in a society that doesn't operate on a basis of conscience, but does operate on a basis of power. They speak of black power as recommending the overthrow of white power, but that's not it, it's getting our equal share. Black and white power should complement each other."

Loftus Carson, executive director, Monroe County Human Relations Commission: "The report has many true reflections of our nation's dilemma. Rochester is trying in some ways, but results have been very feeble in areas such as housing. We're in trouble until we stop trying to exchange one status quo for another. We're doing all right in employment, but you can't give a man a job, then tell him he can't live anywhere."

President's Riot Report

Parallels Rochester Study

D.&C. MAR 2 1968

By BILL O'BRIEN Democrat & Chronicle Political Writer

9-323-2 *Doan's index de Rochester*
 1158 m
 Rochester's riot — in July 1964 — brought forth a report that in several respects was similar to the presidential commission study released this week.

Porter W. Homer, then city manager, spoke of the efforts made by the community before the riot, but touched on the widening gap between white and black sectors:

"Hours had been spent on such matters by public officials both Negro and white; by the clergy, both Negro and white.

"Yet many of the products of such joint deliberations and joint efforts have been viewed as paternalistic, inadequate, or both. Indeed, many of the Negroes who participated in the joint efforts to formulate beneficial programs are now scorned by other Negroes."

The presidential commission report stresses an urgent need for jobs and training for unemployed Negroes.

Homer's report, issued in April 1965, said:

"Many of the things the Negro wants are beyond the power of the city government to give. A man's impatience for a good job is understandable, but in this modern, technologically advanced community a good job requires training, which takes time. While it is rational to demand job training 'now,' it is

self-defeating to demand a good job 'now.'

The commission underscores the need for communication between public and private agencies and the Negro community.

This was true before and after the 1964 Rochester riots. Homer's report states:

"The existence of public and private agencies, clearly, was

and is not enough. Most of Rochester's Negro population does not know of or use the agencies as avenues through which redress of grievances may be obtained or information secured.

"Public and private agencies must shoulder some of the blame. Negro leadership, which

Please turn page

(Missing)

D.C. JAN 14 1968

Verdict OK'd In 1964 Crash Of Helicopter

A verdict of \$215,000 to the widow of Col. Robert N. Abbott, county civil defense director who was killed in a helicopter crash during the 1964 riots, has been upheld by Appellate Division, Fourth Department.

The court also upheld directed verdicts totaling \$27,300 in eight related cases, including two other deaths. All verdicts were against Page Airways, Inc., which owned the helicopter.

Judge Alton J. Wightman of Bath presided at the trial of the case of Mrs. Winona M. Abbott and directed jury verdicts in the other cases. Page Airways appealed both the verdicts themselves and Judge Wightman's decision to separate the Abbott case from the other suits on trial.

The helicopter was operated by James B. Docharty, who also was killed when it crashed into a rooming house at 446 Clarissa St.

Raymond Hunter, owner of the house, was awarded \$18,000 in damages. The estates of John L. Riley and William Jones, roomers who died of carbon monoxide poisoning in the house, received \$3,500 and \$1,200 respectively.

Wentworth Gaines and his wife, Gladys, tenants, received \$750 for her injuries; Christine Bolden, a former tenant, and Mrs. Lorena Bradberry, who was visiting her, \$1,500 each for injuries; Elijah Davis, a former tenant, \$500 for damage to personal effects; Betta Mae Johnson, a former tenant, \$300 for similar damages.

HELP!—Where's Report?

Q. What's happened to the Riot Commission report? I heard a rumor that it's being suppressed by the Government Printing Office. I'd like to get a copy, but the only answer I get is that it isn't printed yet. Is that true, or are they holding out on us? Can you HELP?

—A.L.B., ROCHESTER

A. For \$2 you can get a copy of the long-delayed report. Write to the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. It is officially called The Final Report of the National Advisory Committee on Civil Disorders.

D.&C. APR 13 1968

298

Riot Case APR 5 1968 Appeal OKd

Page Airways, Inc., will appeal to the State Court of Appeals from the \$215,000 jury verdict in the death of Col. Robert N. Abbott and from directed verdicts of \$27,300 in eight related cases.

Permission to appeal from an Appellate Division, Fourth Department decision, was granted yesterday by the state's highest court at Albany.

Abbott, 49, county civil defense director, was fatally injured in the crash of a helicopter into a rooming house at 446 Clarissa St., in the 1964 riots. He died a month later of burns.

The verdict for the Abbott estates, returned March 17, 1967, by a Supreme Court jury, was affirmed last Jan. 11 by the Appellate Division. So also were the directed verdicts in the related cases, which were returned by the same jury four days later.

The helicopter was owned by Page Airways and operated by James B. Docharty, 45, who also was killed. Total judgments, including interest, in the nine cases was \$275,136.

Riot Handling D.&C. MAY 3 1968 Cited by Rocky D.&C. MAY 3 1968

By EMMET N. O'BRIEN

Gannett News Service

DES MOINES — Gov. Rockefeller twice yesterday referred to the 1964 Rochester riots in answer to press conference and student questions about how he would handle civil disorders.

The questions were raised at a press conference here and later by a student at the University of Iowa.

"Rochester was a perfect test case," Rockefeller said at the campus. "It is one of the most progressive cities. A Negro population of about 4,200 years ago grew without the awareness of the community to about 20,000, these people lacked education and training."

At Des Moines he painted a detailed picture: "I got a call at 4:30 in the morning from local officials saying the situation was out of hand. At 7 o'clock the State Police took over from the local officials. We had moved in about 400 men. They were riot-trained. They went in without guns. Within two or three hours we had the situation in hand. I think the police arrested about 800 who were involved in looting and other unlawful acts."

"And then there was considerable unrest in the white community because of the tensions which existed."

"This was a Friday night, so on Saturday I ordered out about 1,500 of the National Guard. They took a tour, paraded through the city, and I put them on bivouac outside the city. The situation quieted down and by Monday the situation was well in hand."

2B

ROCHESTER DEMOCRAT AND CHRONICLE
Tuesday, March 5, 1968

Hearing Sought On Riot Cures

Monroe County Liberals have asked Rochester Mayor Frank Lamb for public hearings on what progress has been made in abating the causes and conditions that allegedly led to the riots of 1964.

In a letter to Lamb, Dr. Robert Cunningham party chairman, said: "The publication of the National Advisory Commission on Racial Disorders report is an excellent time for a candid appraisal of the causes and conditions of summer disturbances, including the 'major eruption' of 1964."

Cunningham claims that in the area of low-cost housing, a study will find the "situation is significantly worse than in 1964."

A "lamentable report from the State Commission for Human rights makes it clear," Cunningham said, "that discrimination among whites in housing is rising instead of declining."

The letter asks that the hearings be held by the city to inquire "whether in the past four years the communication bridges that were so sorely lacking have now been created."

It is one thing "for City Manager (Seymour) Scher to verbalize on the 'importance' and 'accuracy' of the advisory commission's recommendations," Cunningham said, "but what is truly required is a showing of what he and the City



Dr. ROBERT CUNNINGHAM

Council have done to implement the city's and the commission's recommendations, and what they will do in the future."

Cunningham criticized Public Safety Commissioner Mark H. Tuohy Jr. "for taking a hard attitude" on issues involving the police.

"More guns are not the answer," he said. "It's just like Vietnam; if one side escalates, so does the other. You don't get at the root problems that way."

Governor's Memory

Wrong on '64 Riots

TIMES UNION MAY 3 1968

Gov. Rockefeller in speaking about Rochester's 1964 riot in Des Moines, Iowa, yesterday, gave details that are in error.

Asked how he would handle civil disorders, the governor said "Rochester was a perfect test case." In a press confer-

ence, he gave a detailed picture.

"I got a call at 4:30 in the morning from local officials saying the situation was out of hand," Rockefeller said.

(Press reports said the call went in at 3 a.m. Saturday morning, about four hours aft-

er rioting began.)

"At 7 o'clock the state police took over from the local officials," the governor continued in his Des Moines press conference.

(The first state police arrived about 7 a.m. and shortly afterward, about 100 moved out to join local police. Another 50 troopers were deployed by mid-morning Saturday.

(The issue of control was never crystal-clear. City Police in the streets were working under the direction of state police, according to one key city official. However, both City Manager Porter W. Homer and Police Chief William M. Lombard were making important decisions for the city.)

"We had moved in about 400 men. They were riot-trained. They went in without guns. Within two or three hours we had the situation in hand..." Rockefeller continued.

(The state police were armed, but did not use firearms. The violence abated by mid-day Saturday, but resumed Saturday night.)

"... So on Saturday I ordered out about 1,500 of the National Guard. They took a tour, paraded through the city, and I put them on bivouac outside the city. The situation quieted down, and by Monday the situation was well in hand."

(The guard was requested by the city manager, and was called at 5:50 p.m. Sunday. At about 9 p.m. Sunday, 200 guardsmen in trucks moved through the city in tight convoy, moving about 35 m.p.h. The last of 1,500 guardsmen arrived outside the riot area early Monday morning. By late Sunday, major trouble had ended.)

Rockefeller concluded: "My feeling is that the important factors in relation to civil disorders are two: One, that we have no right, as leaders in this nation, not to remove the root causes... This, I think, can and must be done."

"Secondly, in the event of disturbance, time is of the essence. We move immediately to preserve law and order."

The Times-Union
Mon., July 1, 1968

5B

Rocky Has Own Riot Version

TU
7-1-68

A full-page advertisement placed in The New York Times and other newspapers across the country today by Gov. Rockefeller is lustral with praise for the way the governor coped with the 1964 riots in Rochester.

But Rockefeller's version of some details conflicts with the report of the then City Manager Porter W. Homer.

Rockefeller said his office "got a call from Rochester" asking for State Police help at 4:30 a.m. on July 25, 1964. Homer's chronology of events in his report lists 3 a.m. as the time the call was made.

Rockefeller's ad claims that by 9 a.m., 264 State Police "had taken over, and the streets of Rochester were safe."

Homer's report says the first units of State Police arrived at 7:30 a.m. and that a total of 250 state, city and county police "moved down Joseph Avenue, but despite many additional arrests, the mob could not be dispersed."

City police and state troopers withdrew and assumed positions around the perimeter of a 20-block area to contain the rioting at 9:30 a.m. July 25, according to Homer.

Homer's report says it was 11 a.m. before quiet was restored to the riot area, "except for scattered incidents of looting."

However, sporadic acts of rioting and looting broke out in 3rd Ward business areas at 8 p.m. July 25 and an hour

later outbreaks in both the 3rd and 7th Ward increased in number.

Molotov cocktails were thrown at police and police vehicles in the late evening of July 26, Homer's report says. And it wasn't until July 29 that the statewide curfew was lifted.

Rockefeller credits State Police with making 900 arrests, but Homer's report gives no breakdown of how many arrests state, city or county police made.

About 1,000 riot-connected arrests were made, Homer reported, with 893 coming in the last half hour of July 24 and on July 25 and 26.

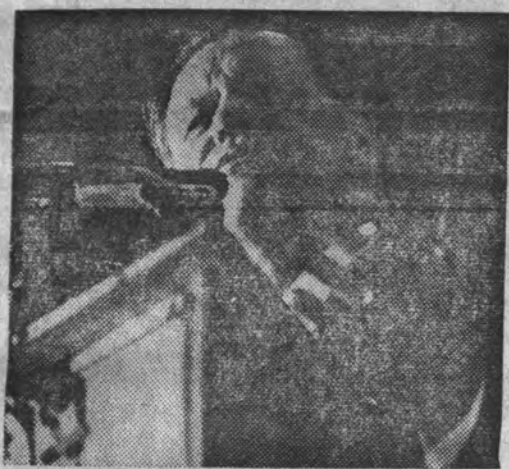
...

ROCKEFELLER also claims he called up 1,600 National Guardsmen and "stationed them outside the city." Actually, the Guardsmen were stationed in the city, in the area of Norris Drive, across from Cobbs Hill.

"It was not until the riot areas were inundated with personnel, including National Guard troops, that the riots were stopped. Without this massive use of manpower, it seems certain the riots would have continued longer, perhaps until the rioters quit from exhaustion," the Homer reports says.

It also observed that more persons were arrested in Rochester than in New York City or Philadelphia and that "riots were brought under control faster" in Rochester than in the other two cities.

Riot.



I am the only Presidential candidate who has had to cope with riot.

It was 4:30 AM, still dark, July 25, 1964.

We got a call from Rochester, New York, a city of 300,000. The call was "Local police have lost control. Will State Police take over?"

By 9:00 AM, 264 State Police had taken over, and the streets of Rochester were safe.

These men used no rifles, no shotguns, no tear gas. But they were riot-trained. They made 900 arrests. They saved lives and they saved property. They were dubbed "the cool ones."

I also called up 1600 National Guardsmen and stationed them outside the city. But we did not need to use them.

How we faced this riot points up three principles of mine. One. Keeping order may be a stern side of government, but

it is a vital side. I make no apologies to those critics who call me "Rocky the Cop." We will have order, and no mistake about it.

Two. Speed is the key. A small force, early, can restore peace where a large force, later, could not.

Three. A state which accepts *responsibilities* as well as *rights* will make sure that local police are cool, humane, well-trained. State police and National Guard must stand ready, behind them. The resort to the army—the spectacle of U.S. troops defending the U.S. from U.S. citizens—must be as rare as possible.

We must find the roots of this lawlessness. And let's not fool ourselves. The roots are not in our courts, or in the myth of softness in high places. They are in the cities. They are poverty, injustice, rot.

I believe we can cure these things. I understand, I sympathize with the hopelessness they breed.

But *lawlessness* I will not stand.

NELSON A. ROCKEFELLER

'Gag' Ordered On Rocky's Ad

D.A.C. JUL 2 1968

City Manager Seymour Scher yesterday put a gag on any city comment about a campaign advertisement placed in the nation's major newspapers by Gov. Rockefeller.

The full-page ad, in today's Democrat and Chronicle, deals with rioting—specifically the Rochester riot of 1964.

Rockefeller's account of the incident and a city report on it at the time differed in a number of areas.

"It is a campaign ad by a candidate for public office," Scher said in a prepared statement.

"The city government has no intention of getting involved in a discussion of its contents."

The governor is using a nationwide newspaper and television advertising campaign in his quest of the Republican nomination for president.

Police Chief William Lombard, the only top city official who had anything to do with the riot and is still here, was unavailable for comment.

He was reportedly on a boating trip.

The city's account of the disturbance differed with Rockefeller's ad in the number of State Police used, the hour the governor's office was first alerted, and on whether National Guard troops were stationed inside or outside the city.

"It was 4:30 a.m., still dark, July 25, 1964. We got a call from Rochester, New York . . . The call was 'Local police have lost control. Will State Police take over?' the governor's ad says.

By 9 a.m., the ad says, 264

state police had restored order in the city.

City Hall's account, written by former city manager Porter Homer, said the state police were alerted at 3 a.m. and arrived here at 7:30 a.m. July 25, but order still hadn't been restored the next day.

Homer said the police forces consisted of 250 state, city and county lawmen.

Rockefeller said he stationed 1,600 National Guardsmen outside the city.

Homer's report said they were standing by in the Norris Drive area, across from Cobbs Hill and inside the city.

Rockefeller also said he never had to use the troops.

Homer's report said they were used.

Rocky's Riot Claim Gets Lone Comment

A campaign advertisement placed in The Times-Union and other major newspapers across the country by Gov. Rockefeller yesterday, using Rochester as an example of how he coped with the 1964 riots in New York State, drew only a cryptic comment from a single city official today.

"It is a campaign ad by a candidate for public office. The city government has no intention of getting involved in a discussion of its contents," a statement from City Manager Seymour Scher said.

Police Chief William M. Lombard was on vacation and could not be reached at his office or at home.

Rockefeller's account of the riots here July 24-29 differ from the account given by then City Manager Porter W. Homer in his official report released some 10 months later.

The Rockefeller ad emphasized the effectiveness of state troopers requested by the city and dispatched here. There were discrepancies in the time they were requested, the time control over the City was restored, the number of arrests made by the troopers and the stationing of the National Guard.

Rocky Off Base On Riots--Homer

TIMES UNION JUL 3 1968

Porter W. Homer, city manager in Rochester during the 1964 riots and now manager of Dade County-Miami, Fla., said today that Gov. Rockefeller has been "victimized by some sharp ad writer who shaped the facts (about the 1964 riots) to suit his purposes."

Homer was interviewed by telephone about the full-page advertisement Rockefeller placed in The Times-Union and other leading newspapers across the country in his campaign for the Republican presidential nomination.

In the ad, Rockefeller said State Police "took over" Rochester "and the streets of Rochester were safe" only 4½ hours after the city asked for State Police assistance.

"First of all, it was a tremendously united effort among city, county and state police, which all seems to be forgotten by the ad writer," Homer said.

"The ad writer leaves the impression that 200 and some odd state policemen walked in at a certain time and immediately thereafter everything was over and the streets were safe. But it wasn't that simple.

"Things didn't stop until the National Guard was brought in. And contrary to what the ad says, they were used. (In the ad Rockefeller said, 'I also called up 1,600 National Guardsmen and stationed them outside the city. But we did not need to use them.')"

"They were used," Homer said. "The Guard troops were driven through the riot area in a show of strength in late afternoon of July 26. I consider that once that show of strength was made, what I called inundating the area with manpower, the whole thing just folded."

Homer called it "a regrettable oversight" to ignore "the great effort made at that time by many hundreds of local police officers, sheriff's deputies and volunteers in Rochester. They made a great coopera-

tive effort with State Police."

In fact, he said, the Genesee Valley Chapter of the American Civil Liberties Union commended the conduct of the local police, "and it was quite unusual to receive such a commendation."

While the Rockefeller ad claimed that State Police were "dubbed 'the cool ones'" during the Rochester riots, Homer said local police were just as "cool" under more severe provocation.

Failure Charged In Riot Prevention

By ALLAN PARACHINI, Democrat and Chronicle Staff Writer

WASHINGTON—The chief of the federal riot commission staff charged here yesterday the civil rights march in Memphis, planned as a peaceful demonstration, turned to violence because city officials there failed to heed commission warnings and suggestions on how to avoid racial strife.

The official, David Ginsburg, executive director of the National Advisory Commission on Civil Disorders, made the charge at a gathering of journalists at George Washington University.

"All the things we foresaw in the report that could go wrong," Ginsburg said, "did go wrong."

He referred to evaluations and suggestions made in the report submitted early this month. The commission was headed by Illinois Gov. Otto Kerner.

The report suggested that white racism has been the primary cause of several summers of urban rioting.

"Apparently, in Memphis," Ginsburg said, "some of the lessons we tried to teach in the report were not learned."

He said Memphis officials waited until after rioting began Thursday to pass a statute permitting a nighttime curfew to control rioters. "They should

have done that months ago," Ginsburg said.

He also said the city lacked a master plan for police action during a riot situation and that more police officers should have been assigned to help control the march led by the Rev. Dr. Martin Luther King.

The march had been organized to focus attention on a strike by Memphis garbage collectors, but looting and other violence erupted and continued into yesterday.

Ginsburg conceded, however, that his judgment of the Memphis situation was not based on the kind of long-term investigation and research that resulted in the inch-thick Commission report.

Ginsburg said all his information had come from news ac-

Please turn page

Failure Seen in Riot & C. MAR 31 1968 Prevention

From 1B

counts of the demonstration and subsequent violence. Ginsburg spoke to about 225 members of Sigma Delta Chi, national professional journalism society, which met here yesterday in a day-long regional conference.

Allen H. Neuharth, general manager of the Rochester Gannett Newspapers and a regional Sigma Delta Chi official, attended along with nine reporters and news executives from The Democrat and Chronicle and The Times-Union.

Riot Cleanup:

D.&C. NOV 16 1969

A Facelift Job

Last April, President Nixon earmarked \$300 million for a special effort to begin refurbishing riot areas in American cities.

The \$209,908 federal interim assistance granted to Rochester is being spent more for riot prevention than for direct repairs to riot-damaged areas.

It is being used for a 21-block, partially blighted neighborhood on the east edge of the 7th Ward, which was damaged by riots in 1964. The plan is to upgrade the neighborhood temporarily by repaving streets, installing "tot lots," repairing catch basins and improving garbage collections. Eventually, the area will be rebuilt in the Model Cities program.

David S. Michel, operations chief for Urban Renewal, which administers the federal grant, said: "Much of the riot damage has been cleaned up. That is why we selected a border area slightly to the east. It is substandard, with some of the worst blight in the city."

So far, progress in using the assistance has been slight: about 50 junk cars removed and several old buildings demolished. But Michel pointed out that streets can't be fixed until spring. The city didn't get the money until July and Urban Renewal has been consulting with the Model Cities Council and other agencies to decide how it will be used.

Many houses in the area are small but well kept, with hedges and clean yards. Around the Bay Street-Portland Avenue intersection there are several small businesses — asphalt paving, tire, fencing and appliance sales, restaurants, wrecking companies. Except for a few boarded buildings, there is no evidence of riot damage.

But Syracuse Street is seriously deteriorated, with sev-

eral junk cars and litter in the street, on adjacent yards and along the Penn Central railroad siding which flanks the street.

One example of neighborhood upgrading is the Bay Street town houses, a 40-unit, low-income project built by the Rochester Housing Authority with financial aid from the U.S. Housing and Urban Development Corp. Construction began about a year ago, before President Nixon ordered the federal grants for riot cleanup.

✓ "IF ROCHESTER CANNOT SOLVE its racial problems, then no city can," says a four-page article in last month's U.S. News and World Report about the city's efforts to provide housing, jobs and education for its blacks. The article, titled "An Answer to Riots, the Rochester Plan," says, "The test here is widely regarded as crucial—for the entire nation," and progress "is rated remarkable when measured against that of many other riot-scarred cities. It also quotes City Manager Seymour Scher as saying, 'we had our heads in the sand in 1964.'"

Hea
D+C Aug. 7, 1969

