

CONFIDENTIAL

March 9, 1960

MEMORANDUM

TO: Robert Giles

FROM: Governor Hodges

RE: Governor Hodges' discussions with various Southern Governors
on the lunch counter problem

Governor Collins of Florida. Governor Collins called me last week before his own press conference, which I believe was Thursday, asking how we had handled the situation and what we had said. He later made a fairly strong statement to the press saying that these demonstrations should be stopped; that they were illegal and could lead to danger if not discontinued. Governor Collins pointed out that the chain of variety stores were not too logical in that they served all phases of the business to Negroes, but were not willing to serve them food at another counter. He quoted the Florida law as to trespassing and then made the statement that he had told the press any person had the legal right to patronize or not to patronize any private business.

Governor Almond of Virginia. Governor Almond said that they had had some difficulty and expected more and he agreed thoroughly with the position that we had taken; namely, that the national chain of variety stores should do one of two things:

1. Use the trespass law of the various States in which they are located so as to get people arrested if they refused to leave the premises upon being ordered.

2. Close down their luncheon counters indefinitely.

I asked Governor Almond if he would be willing for me to quote him publicly that he supported my position. He said yes, but he would not want to be a part of any statement that they should serve on an integrated basis at the present time because he is having trouble with his Legislature.

Governor Hollings of South Carolina. We raised the same question with Governor Hollings about the failure of the national chains to use any authority or to accept any responsibility and pointed out that they had closed and opened their lunch rooms and kept the thing on a nervous and tense basis.

He said he had asked local store managers to get a policy, but they had not been able to get the national chains to agree upon a policy.

Governor Hollings then said that he had used his "lawful assemblage" powers to allow into a store for any purpose whatsoever a maximum of seven

Negroes. Naturally, the managers of the stores objected and said he was hurting their business. But, he told them that if the stores wouldn't let him arrest the people and they wouldn't run them out, then he would have to do something.

He said that he had pretty well organized the state in the various towns and said he had had incidents in Columbia, Sumter, Orangeburg, Rock Hill, etc.

He said he was prepared to stop parades and referred to a New Hampshire case which has been tried by the United States Supreme Court where several hundred people had been denied the right of a parade because of the possibility of disorder.

He said that South Carolina was passing a bill clarifying the matter of trespassing pretty much as we have in North Carolina.

Governor Vandiver of Georgia. Governor Vandiver said that they, up to now, had had no incidents of a lunch room demonstration. He had made a statement to the Georgia public that day, March 7, in which he congratulated the people for handling themselves properly. He told me confidentially that the police had advised him that there was a possibility of some development on Wednesday. (This is written as of Wednesday morning, March 9, and today's radio reports an ad in the Atlanta paper saying that the Negro students would back the lunch room demonstrations and try to stop the segregation law.

Georgia is trying to work with store owners to have the store managers tell the police that they want the people out if they come in and insist on being served. They were to call the police and then police will make arrests where needed.

He also said that for gatherings he would try to disperse groups.

Governor Patterson of Alabama. Governor Patterson said that they had not had a lunch room incident in Alabama as yet but said they had plenty of problems in demonstrations. He spoke of the Sunday incident which was a very explosive one. He said he had a tough time.

He made an exception to the lunch room demonstrations and said that 35 students had gone in the County Courthouse (this is a public lunch counter) and were told they could not serve them.

He said in Alabama they have a scheme:

A. Negroes will be refused service.

B. Then they will call police.

C. They will disperse groups.

This is pretty much like the plan in Georgia.

Governor Ellington of Tennessee. Governor Ellington said the situation regarding lunch room demonstrations had quieted down; that they had a city commission or committee studying the matter. This is just for Nashville.

He said they had had the same difficulty with the stores not assuming responsibility. He agrees with our general thinking that the stores ought to be told to either accept responsibility of using the trespass law or stopping the lunch rooms all together.

LHH:lg