

BRENDA H. ELDER
COURT REPORTER
CULLEN, VIRGINIA

VIRGINIA:

IN THE CORPORATION COURT OF THE CITY OF DANVILLE.

-----)
THE CITY OF DANVILLE, VIRGINIA, etc.)
Plaintiff.)
-vs-) Transcript of
Evidence.
LAWRENCE GEORGE CAMPBELL, et als.,)
Defendants.)
-----)

A stenographic report of the oral testimony and other incidents of the trial of the case of The City of Danville, Virginia, etc. versus Lawrence George Campbell, et als, tried on July 29, 30 and 31 and August 1 and 2, 1963, before Honorable A. M. Aiken in the Corporation Court of the City of Danville, at Danville, Virginia.

PRESENT: Messrs. James A. H. Ferguson and John W. Carter, counsel for the plaintiff.

Mrs. Ruth Harvey Wood and Messrs. Irwin Miller, Jerry L. Williams, and Harry I. Wood, counsel for the defendants.

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I N D E X

WITNESSES:

E x a m i n a t i o n s

Direct

Cross

J. W. Martin, Jr.	2-Ferguson	19-Miller
Hugh Edward Seay	33-Ferguson	35-Mrs. Wood
Rueben N. Everett	36-Ferguson	38-Mrs. Wood
	39-Ferguson	
Leon Smith	40-Ferguson	45-Miller
	50-Ferguson	
Clyde Henry Taylor	51-Ferguson	59-Miller
	69-Ferguson	
Roy Maloy Willis	69-Carter	81-Mrs. Wood
Chief E. G. McCain	83-Ferguson	185-Miller
T. N. Morris	243-Carter	289-Williams
	327-Carter	336-Williams
	342-Carter	343-Williams
W. L. Osborne	343-Ferguson	347-Mrs. Wood
	351-Ferguson	353-Mrs. Wood
Richard Allen Walker	355-Ferguson	362-Miller
Charles W. Howerton	369-Ferguson	372-Mrs. Wood
T. L. Queen	375-Carter	377-Williams
	380-Carter	
Wade Groff	381-Carter	384-Miller
L. T. Jones	389-Carter	395-Williams
W. Carrington Thompson	400-Carter	414-Williams
Juby Towler	435-Carter	451-Miller
Bertha Bruce	483-Williams	489-Carter
James Peters, Jr.	503-Williams	
Dr. Jerry L. Luck	505-Ferguson	
James Peters, Jr., contd.	507-Williams	519-Ferguson
Lois Price Biglow	523-Williams	528-Ferguson
Randolph L. Hall	544-Williams	545-Ferguson
	547-Williams	
T. Edward Temple	548-Williams	568-Ferguson
	571-Williams	
Basil Jones	574-Mrs. Wood	578-Ferguson
	586-Mrs. Wood	587-Ferguson
Roy Johnson	588-Williams	590-Ferguson
	604-Williams	605-Ferguson
	608-Williams	

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WITNESSES:

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Direct

Cross

Leroy Johnson	609-Mrs. Wood	613-Ferguson
Dr. Herbert W. Harvey	619-Carter 628-Carter	627-Williams
Dr. R. E. L. McNeilly	629-Carter	633-Williams
Rev. L. W. Chase	639-Carter	
Rev. Doyle Thomas	654-Williams	669-Carter

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to put in all of this matter about somebody coming in and whether they are Communists and what goes on in the Department of Legislature in Richmond and what's going on in Washington, I think you have to have these things to gather these things.

THE COURT: The Court rules that question is irrelevant and the objection is sustained.

MR. WILLIAMS: We note an exception, Your Honor.

BY MR. WILLIAMS:

Q. You answered to Mr. Carter's question, Mrs. Bruce, from the meetings that you have attended, just people generally make talks or that's the way you have heard all these people they asked you about?

A. No, they were from time to time I heard these people in speeches before the group.

MR. WILLIAMS: That's all.

THE WITNESS STANDS ASIDE.

JAMES PETERS, JR., a witness for the defense, testifies as follows:

DIRECT EXAMINATION

BY MR. WILLIAMS:

Q. Would you tell the Court your name?

A. James Peters, Jr.

Q. Where do you live?

A. 309 South Main Street.

Q. What is your occupation?

A. Funeral Director.

Q. Where were you born?

A. I was born in New York City and I was brought here at a very early age.

Q. How long have you lived in Danville?

A. I have lived in Danville for 32 years.

Q. You in business here in Danville now?

A. Yes, sir, I am.

MR. CARTER: Excuse me a moment, here is Dr. Luck.

THE COURT: Bring Dr. Luck in. Will you come around and stand in front of the bench, Dr. Luck.

DR. JERRY L. LUCK, a witness called by the plaintiff, testifies as follows:

DIRECT EXAMINATION

Q. Did he say whether or not he had had these black outs before?

A. He said he had one or two occasionally before he got under the neuro surgeon.

Q. You don't think it would hurt him to come over here and answer a few questions?

A. If he is able to get out.

THE COURT: You all through with Dr. Luck?

MR. FERGUSON: We are through.

THE COURT: Do you gentlemen want to ask him anything?

MR. WILLIAMS: No, sir.

THE COURT: All right, Dr. Luck, you are excused.

THE WITNESS STANDS ASIDE.

JAMES PETERS, JR. ----

DIRECT EXAMINATION contd.

BY MR. WILLIAMS:

Q. How long have you been here in business in Danville?

A. I have been associated with my father since my passing of the Virginia State Board, which has been in the Spring of 1954, so approximately 9 years.

Q. You have been here in business since '54 with your father?

A. Yes, sir.

Q. Do you know Rev. Lawrence Campbell?

A. Yes, I do.

Q. How long have you known him?

A. He and I were classmates in elementary school at Westmoreland.

Q. And did he graduate from high school here?

A. Well, that is something I really don't know, because I didn't graduate from here at the high school.

Q. You left here for high school?

A. That's right.

Q. Do you know whether Rev. Campbell played football on Langston Football Team?

A. I think so. I am not sure. I don't know.

Q. You didn't see any games he was starting in?

A. My sophomore, junior and senior year, I wasn't here.

Q. Have you had occasion to attend any meetings of the Danville Christian Progressive Association?

A. Yes, I have.

Q. When and where did you attend such a meeting?

A. I have attended several meetings at the High Street Baptist Church and North New Hope Baptist Church, at the Bible Way Church and at the Loyal Baptist Church.

Q. What has been the tone of the meetings or what has gone on in the meetings that you have attended?

A. Well, generally there has been the singing of the various freedom songs, then there has been a sermon, usually on brotherhood and love, and then there has been some advocacy of the non-violent technique as far as the demonstrations, and usually there has always been a word of prayer at the conclusion of most of these.

Q. Now, in these meetings, who has been leading these meetings or who has been in charge of these meetings?

A. Well, it depends on the church. On various nights, different ones of the ministers. Different ministers have been in charge of the meetings, Rev. Campbell, Rev. Chase, Rev. Thomas and many others, according to where the meetings were held.

Q. And can you name some of the speakers who have been at some of these meetings that you have attended?

A. Rev. Thomas, Rev. Toomer, Dr. King, Dr. Reid, Rev. Harris -- I believe is his name, from Hopewell, Rev. Campbell --

Q. Did you hear the Episcopal minister from Java?

A. No, I didn't attend the meeting on that night.

Q. I believe you said what has been preached or what has been talked about in those meetings mostly?

A. Yes.

Q. Now, you get around about the City in your business?

A. Yes.

Q. Have you done or seen or noticed any violence that any of the Negroes perpetuated since these demonstrations have started?

A. No, I have not.

Q. Do you know, or have you seen anybody with any guns, knives, ice picks, at any of these meetings ?

A. No. I noticed even on the demonstrations, when they have gone out for demonstrations, that they have been very strict adhering to the rules, in taking anything that

could be construed as a weapon, including the fingernail files from the purses of persons that were going out to demonstrate.

Q. Have you been around there when the people have gotten ready for the demonstrations?

A. Yes, I have.

Q. Have they asked for all weapons?

A. Yes, they have.

Q. There has been some testimony here today of about ice picks being passed out to the people at High Street Church, have you ever seen any of those ice picks?

A. No, in fact, when they use ice in the basement, when they serve ice water and punch, they would buy crushed ice and wouldn't have any need for ice picks. I didn't notice at the time they picked up weapons or anything else. It wouldn't be necessary for them to have anything such as an ice pick as a weapon.

Q. Were you over at the hospital on the night of June 10th of this year?

A. Let me refresh my memory. Was June 10th the night that Rev. McGhee led the prayer pilgrimage at the jail? Yes, I had occasion to go to the hospital on that

evening.

Q. Will you tell the Court here what you did see over at the hospital that night when you went there?

A. I saw between 40 and 50 individuals who were hurt in various degrees. I mean some had gashes on the head, some were severely sore on the arms and backs. There was just blood and mass confusion.

Q. What hospital was that where you saw these?

A. Winslow.

Q. Do you know what the trouble was or what had caused these people to be brought to the hospital?

MR. CARTER: I think he has got to lay the ground work to show he was in on the demonstration or whether he observed.

MR. WILLIAMS: Where he was talking about was over at the hospital.

MR. CARTER: You asked how did this come about.

MR. WILLIAMS: That's what I asked. That was the question.

MR. FERGUSON: Not what somebody told him, either.

THE COURT: What is the question you asked:
How it came about?

MR. WILLIAMS: What was the cause of the
people that came to the hospital.

THE COURT: I think he may answer that if he
knows.

WITNESS:

A. It so happens I was called to carry one or two over
to the hospital. And the victims were saying ---

MR. FERGUSON: I object to what they told him.
He wasn't here.

THE COURT: I think that's heresay, Mr.
Williams.

BY MR. WILLIAMS:

Q. Where were you called to get these victims?

A. I picked some up on the corner of ----

Q. Patton and Court?

A. No.

Q. Loyal ---

A. Loyal and Court Streets and carried them to
Winslow.

Q. You carried them to Winslow Hospital?

A. Yes, sir.

Q. Was that where you picked them up- in the vicinity of this building or the jail?

A. I picked them up in the vicinity of the Danville Laundry. Actually it was in close proximity of the jail.

Q. How many such people did you carry to the hospital?

A. There were four in the ambulance the trip I made.

Q. How long did you remain over at the hospital? What time was this you carried them, about what time was it when you carried them to the hospital?

A. Approximately 11:00 O'Clock. It may have been a few minutes one way or the other.

Q. How long were you over at the hospital during this night after you had carried them to the hospital?

A. Well, after carrying those to the hospital, I came back to see if there were any more and I didn't see anyone else whom was hurt or injured, so I did go back by the hospital to see if it was anything else I could possibly do in rendering first aid or something.

Q. Do you know how many people were on duty over at

the hospital that night?

A. Right off hand, I don't know. I know the normal number of persons that were on duty. I think they called one or two more nurses to come up. But normally there are only three persons, plus an orderly and a maid.

Q. So it would be five persons generally there at that time? And you noticed some 40 odd people there?

A. Yes.

Q. Do you know whether any of these people before they started out on the demonstration, whether any of them were hypnotized?

A. Beg your pardon?

Q. Do you know whether any of these people were hypnotized before they started on demonstrations?

A. Not that I know of. I wouldn't think anybody was. I know I wasn't, even though I didn't demonstrate. Some of the same people that volunteered to demonstrate, they were sitting next to me or behind me or in front of me.

Q. Since you have been in Danville, since 1954, have there been any Negroes on the Police Department or Fire Department?

A. I ---

MR. FERGUSON: This question has already been objected to and excepted to once, If Your Honor pleases.

THE COURT: Objection sustained.

BY MR. WILLIAMS:

Q. Have you had occasion to talk with any of these people or secure any bonds for any of these people who were arrested in any of these demonstrations?

MR. FERGUSON: I object to that question. Talking to them, it's heresay. If any of these persons have got anything to testify to, let them come into Court. What any of these people said is heresay as to what they may have told him.

THE COURT: Let him go on and if it's improper evidence, the Court will disregard it.

WITNESS:

A. I have been instrumental in getting a lot of bond money that was available for the first 137 persons that were arrested. What else you want to know about that?

Q. Did these people seem any kind of way like they were under any spell or anything when you saw them or talked

to any of them?

A. No.

Q. After you had gotten them out on bond, did they appear to be under any spell or any such thing?

A. Most of them said they were hungry, that's all.

Q. In your estimation, how far is the wall of Green Hill Cemetary from the Bible Way Church?

A. The wall at the back of Green Hill Cemetary?

Q. Yes.

A. Bible Way Church -- It has to be 750 to 800 feet.

MR. WILLIAMS: Your witness.

MR. CARTER: If Your Honor pleases, we have information that this man Rollins, whom we summoned and didn't appear after lunch, has checked into Winslow Hospital. On the basis of what Dr. Luck had to tell the Court, we have some questions as to the genuiness of his illness, on the basis of what Dr. Luck had to say. We should like an order to have this Court permit us to send in a physician of our choice to determine whether he is actually sick.

MR. WILLIAMS: May it Please the Court, I think

we are representing Mr. Rollins. He is under the Injunction and he could not be forced to testify because it might incriminate him. I mean, what is all this difficulty about what he would testify. If the man is in the hospital and Dr. Luck said he had a blackout and he saw him and he was unconscious. Why should he be subjected to all of this, when he could be out of the hospital and come down here---

MR. CARTER: I want to hear him plead the Fifth Amendment.

THE COURT: I agree that he can't be required to testify against anything that would incriminate him.

MR. WILLIAMS: Your Honor, this man sat down here all morning and was in here all morning and he sat here till 2:00 O 'Clock and the doctor said he saw him and he was unconscious.

MR. FERGUSON: He said he appeared to be unconscious. I can fall on the floor and close my eyes and you can't tell whether I am conscious or unconscious and nobody else can.

MR. WILLIAMS: Well, Mr. Ferguson knows more

about it.

MR. FERGUSON: I certainly do, Mr. Williams.

THE COURT: Dr. Luck said it wouldn't hurt to bring the man over here.

MR. FERGUSON: If the doctor examines him and says he is unable to come, I will be satisfied.

CROSS EXAMINATION

BY MR. FERGUSON:

Q. You say you have attended various meetings at the Bible Way Church and High Street Baptist Church and other churches?

A. Yes, sir.

Q. And have you heard the Rev. Chase speak?

A. Yes, I have.

Q. Rev. Gray?

A. No, I haven't heard Rev. Gray speak.

Q. Rev. Campbell?

A. Yes.

Q. Rev. Dunlap?

A. I have heard him speak. He wasn't the major speaker of the evening.

Q. You heard him speak one of these evenings?

A. Yes.

Q. Martin Luther King, Jr.?

A. Dr. King, yes.

Q. Rev. Shuttlesworth?

A. Yes.

Q. Rev. Abernathy?

A. Yes.

Q. Now, Mr. Williams asked you a question as to whether or not you had seen any of these people with knives or ice picks or anything like that and I believe you replied that when the demonstrations would start they would take everyting off of the people?

A. I said that they would ask for and search for weapons.

Q. Where did this take place you saw this?

A. Inside the church.

Q. Inside what church?

A. High Street Church.

Q. In other words, the demonstration was planned inside the church and the people who were going to take part and weapons were taken off them?

A. I said they were searched for and in case they had a weapon. And anything that could be construed as a weapon

may be taken off.

Q. Who would do that?

A. On one occasion I have seen Rev. Campbell talk to the demonstrators.

Q. What would Rev. Campbell do?

A. I have seen him ask the demonstrators for valuables and anything that might be construed as a weapon and that could be a fingernail file.

Q. When was this?

A. The date, I couldn't tell you.

Q. About when was the date?

A. We'll say in June when the demonstrations were going on daily.

Q. And this was at the High Street Baptist Church?

A. At the High Street Baptist Church.

Q. How did it come about that they were going to have a demonstration?

A. Beg your pardon?

Q. Who decided they would have a demonstration?

A. Who decided?

Q. Yes. On that occasion, you said Rev. Campbell asked for valuables and different things that might be constru-

ed as weapons. Who decided who was going to have the demonstration?

A. We'll say the Advisory Committee of D.P.C.A.

Q. The Advisory Committee?

A. Or the Strategy Committee. I don't know which.

Q. What is the Strategy Committee?

A. I don't know. That would be the ones who call the plays, I guess.

Q. Who is the Strategy Committee?

A. It's part of the Danville Christian Progressive Association, I would say so.

Q. Are you part of it?

A. I happen not to be on the Strategy Committee.

Q. Do you know who is on the Startegy Committee?

A. I think I do. I am not sure.

Q. Who are they?

A. Rev. Chase, Rev. Campbell, those are the only ones that I know that's on the Strategy Committee.

Q. They are the ones that have been planning these demonstrations. Is that correct?

A. I would definitely think so.

MR. FERGUSON: No further questions.

THE WITNESS STANDS ASIDE.

LOIS PRICE BIGLOW, a witness for the defense, testifies
as follows:

DIRECT EXAMINATION

BY MR. WILLIAMS:

Q. Will you tell the Court your name?

A. My name is Lois Price Biglow.

Q. Are you married?

A. Yes.

Q. Where do you live, Mrs. Biglow?

A. I live at 133 Broadnax Street.

Q. Are you a native of Danville?

A. Yes, I am.

Q. Were you born here in Danville?

A. I was born in Pittsylvania County near Danville.

Q. How long have you been living in the confines of
the City of Danville?

A. Ever since I was three years old.

Q. Are you employed in the City of Danville?

A. Yes, I am.