

# Negro Minister Convicted Of Directing Bus Boycott

By WAYNE PHILLIPS

Special to The New York Times.

MONTGOMERY, Ala., March 22—The Rev. Dr. Martin Luther King Jr. was found guilty today of leading an illegal boycott against the Montgomery city bus lines. Circuit Judge Eugene W. Carter fined the 27-year-old Negro Baptist minister \$500 and \$500 court costs.

The fine and costs were converted into a jail sentence of 386 days because Dr. King chose to appeal rather than to pay the money. However, the sentence was suspended after the defense lawyers served notice of appeal.

Dr. King was released in \$1,000 bond. The cases of eighty-nine other Negroes arrested in connection with the protest against the bus lines were continued pending appeal.

The protest began Dec. 5 over the arrest of Mrs. Rosa Parks, a 43-year-old seamstress, for refusing to give up her seat to a white person.

Nearly all of Montgomery's 50,000 Negroes have refused to ride the city buses since then. They have used a pool of 300 automobiles organized by the Montgomery Improvement Association, which is headed by Dr. King.

The protest movement went on without interruption or incident today. There was every indication it would continue to do so until some agreement was reached with the city and the bus company.

Arthur D. Shores, one of the eight lawyers who defended Dr. King in the four-day misdemeanor trial, estimated that it would take three years for the case to come up in the Alabama Court of Appeals.

There was every indication that the case would go from there through the Alabama Supreme Court to the United States Supreme Court on the ground that the conviction violated the constitutional rights

**Continued on Page 28, Column 5**

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Continued From Page 1

of Dr. King under the state and Federal constitutions.

The conviction was under a 1921 statute forbidding the hindering of a lawful business without "just cause or legal excuse."

There was no sign of emotion from the predominantly Negro audience as Judge Carter delivered his finding at 3:56 P. M. as soon as arguments were completed.

Judge Carter announced that he was finding Dr. King guilty, but would fine him only half the possible penalty, because he had continually urged his followers to observe a policy of non-violence.

## Prepared for the 'Worst'

"I was optimistic enough to hope for the best but realistic enough to prepare for the worst," Dr. King told those who gathered around him a few minutes after the verdict.

"This will not mar or diminish in any way my interest in the protest," the young minister said. "We will continue to protest in the same spirit of non-violence and passive resistance, using the weapon of love."

When Dr. King emerged with his wife at 4:39 P. M., there was a crowd of about 300 Negroes outside the courthouse.

As he appeared, the crowd applauded and shouts went up "Behold the king," and "Long live the king." The Rev. Ralph D. Abernathy, one of the other defendants, called to the crowd:

"Don't forget the mass prayer meeting tonight."

"You gonna be there?" a Negro in the crowd shouted, and the gathering chorused back, "Yes."

"You gonna ride the buses?" the same Negro cried, and the crowd roared back, "No!"

Dr. King spoke at the prayer

meeting, which was held in the Holt Street Baptist Church. This was the scene of the mass meeting at which it was decided to extend a spontaneous one-day boycott until the bus company bettered conditions.

"This conviction and all the convictions they can heap on me will not diminish my determination one iota," Dr. King said. "God is using Montgomery as his proving ground, and maybe here in the cradle of the Confederacy the idea of freedom in the southland will be born."

The 2,000 Negroes who crowded the church and overflowed on to the street outside, whooped and shouted and clapped at his declaration that "the protest is still going on."

Dr. King's lawyers presented nine witnesses this morning in a parade of thirty-four who told of verbal abuse, discourtesy, threats, shooting and other mistreatment at the hands of drivers for the bus company.

Circuit Solicitor William F. Thetford presented six bus drivers as rebuttal witnesses. All testified that they were courteous to Negro passengers.

Judge Carter, who has been on the bench for twenty-one years, teaches the men's monthly Bible class at the Dexter Avenue Methodist Church, almost across the street from Dr. King's church.

The judge is a member of the official board of the church, and as such concurred in a recent decision by the board that Negroes who came there should be asked to worship in their colored churches.

In World War I he served as a first lieutenant in the infantry. He is a Mason, a Shriner and a member of the American Legion.





Associated Press Wirephoto

**NEGRO MINISTER CONVICTED:** The Rev. Dr. Martin Luther King Jr., right, who was found guilty in the Montgomery, Ala., bus boycott case. He is shown talking yesterday with the Rev. Robert S. Graetz, a defense witness.

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