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A PROFILE OF SCHOOL DESEGREGATION IN HILLSBOROUGH COUNTY

By ROBERT W. SAUNDERS

On January 23, 1962, I wrote a memorandum to my supervisor in New York, Gloster B. Current, with a copy to Ruby Hurley, the NAACP Southeast Regional Director. I informed them that:

"My son was enrolled in Macfarlane Park Elementary School this morning. Police provided an escort which met no resistance. Approximately eight to ten mothers were around but without a doubt, their resentment has not had its effect upon other parents."

"The principal and teachers appear to..."
be very cooperative and kind.

"We hope that this breakthrough will give encouragement to others since many felt that leaders of NAACP should take the lead. As you know Rev. Lowry's son was admitted to the school for the physically handicapped in September.

"Police have a round the clock guard at the house this week just to be certain that our "friends" in Oldsmar, Ruskin and Mulberry do not try to harm the kid. He took it like a real soldier."

The efforts to enroll my son began in 1960. We lived in Lincoln Gardens, an all Black section of Tampa. Lincoln Gardens is nearly two miles from the then all Black Dunbar Elementary School -- the school to which my son was sent after our first attempt to enroll him in Macfarlane Park. To reach Dunbar, we had to transport him pass Macfarlane (which is about one mile and a half from Lincoln Gardens).

"Bobby" was born on August 11, 1954. Shortly after his sixth birthday in August of 1960, my wife and I carried him to Macfarlane Park Elementary school. When we walked into the school I could tell that everything had been prearranged. It was as if school officials knew that I would make this move. The Principal, Mrs. Mitchell was very polite. However, she refused to admit the boy and told us that he would have to be enrolled in Dunbar. I should mention here that we did petition the Board to have our son enrolled in the first grade at Macfarlane. However, our first notification that the petition would not be honored was in August, 1960. We protested this act of discrimination and enrolled him in Dunbar.

He attended Dunbar during the first year and several months into the 1961-62 semester.

The year 1962 was an active year for Civil Rights in Florida. NAACP Youth Councils were protesting racial discrimination from Pensacola to Key West. Organized efforts to prevent desegregation were present throughout the entire State. Jacksonville became the focal point of the most violent activity when members of the Jacksonville Youth Council, led by the Council’s Youth Advisor, Rutledge H. Pearson, were attacked with baseball bats as they passed Hemming Park in downtown Jacksonville. The NAACP was still recouping from more than seven years of "war" with the Legislative Investigative Committee.

I remained in Jacksonville for approximately ninety days. It was during this time that, under the pupil placement law, I had to notify the school board of my intention to have my son reassigned to Macfarlane Park. To do this, I sent a telegram to the Board and to Superintendent Crockett J. Farnell clearly stating that the document should serve as notice of my intent to have my son enter the Macfarlane Park School.

When I returned to Tampa, I spoke with the principal of Dunbar (not having heard from the Board) and was told that instructions were to return the telegram to me and that I had to be present in person to seek reassignment. I immediately appealed and cited the "rule of agency". In the discussion with the principal, I suggested that I knew that directions had to be followed but I believed that the telegram should be returned to the Board. "I wouldn't become a partner in this," I cautioned.

In November or December of 1961, my wife and I were requested to bring our son and to appear before the Board in answer to my
appeal. Attorney Francisco Rodriguez accompanied the three of us as the NAACP's legal representative. I advised Bobby that if he were asked questions, to merely refer to his parents wishes for him to attend a desegregated school. Rodriguez, my wife and I had prepared ourselves for interrogation. But once the hearing began, my son became the target of Board members. I became very perturbed at the fact that Board members questioned him and him only under the glare of television lights and while newspaper reporters were present.

In 1962, Judge Brian Simpson, Chief Judge of the Southern District of Florida, in his ruling on the Mannings case, made reference to the "...patience of the Saunders parents...". (I made an attempt to obtain the entire ruling in 1980. I was advised by the Clerk of the Federal Court in Tampa that there was no file. I learned from another source that the records were destroyed by fire in Miami).

Nathaniel Cannon, and other parents of students enrolled in Hillsborough County's schools were constantly criticized and pressured because of their efforts to end racial discrimination. The Florida Legislative Committee, with Mark Hawes, a white Tampa Lawyer as its counsel, was attempting to show that NAACP efforts to provide legal counsel to parents was an act of barratry. Daily newspapers carried editorials attacking desegregation. The attack was significantly different from early attacks on NAACP leaders like Harry T. Moore only because this time there was a U.S. Supreme Court decision to back up our demands for an end to racially segregated schools.

On August 2, 1955, former governor Fuller Warren, the governor who had criticized Walter White for his demands calling for an all-out state investigation of the Moore killings, made a public pronouncement that the problems of integration in Florida's school system "is one of those things that is going to have to be worked out gradually". Speaking at a conference of school teachers at the University of Florida, Warren based his statement on the "common law" practice of bringing suits on a case-by-case basis.

While Warren was making his remarks, a group of white students at the University of Florida were defending the rights of a white minister to take a stand on desegregation and integration at the University. The student executive council of the University of Florida voted unanimously to endorse a resolution which expressed confidence in Rev. Thaxton Springfield, pastor of the Wesley Foundation Methodist student center at the University. Rev. Thaxton had endorsed a petition calling for the Board of Control to open the university to Black students. His removal was sought by the Monticello Methodist (Florida) Church Board.

Late in January, 1955, the State Conference of Branches NAACP Education Committee met in Tampa to discuss methods for implementation of the 1954 and 1955 desegregation decisions. The outcome of the meeting were decisions to immediately file cases in the Federal Courts where school districts were reluctant to move and other methods were no longer possible; to press to open all of Florida's State Universities to Negro students and to call on all NAACP branches to begin petitioning school boards for action.

Seventeen Black parents petitioned the Hillsborough County School Board on July 22, 1955. Petitioners were:

W.L. "Bill" Larkins  1515 Governor Street
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rosa Lee Miller</td>
<td>1314 Chestnut Street</td>
</tr>
<tr>
<td>Mamie Allen</td>
<td>1610 Garcia Avenue</td>
</tr>
<tr>
<td>John H. Brown</td>
<td>1508 N. Boulevard</td>
</tr>
<tr>
<td>Beatrice Tindall</td>
<td>1927 Laurel Street</td>
</tr>
<tr>
<td>Annie R. Akins</td>
<td>1150 Union Street</td>
</tr>
<tr>
<td>Macon Samples</td>
<td>1603 N. Delaware Avenue</td>
</tr>
<tr>
<td>Mary Ethel Stirrup</td>
<td>2414 14th Avenue</td>
</tr>
<tr>
<td>Sanders B. Reed</td>
<td>3309 Harold Avenue</td>
</tr>
<tr>
<td>William A. Fordham</td>
<td>1117 Grace Street</td>
</tr>
<tr>
<td>Calvin Alexander</td>
<td>3408 Lindair Avenue</td>
</tr>
<tr>
<td>Edward Moragne</td>
<td>2402 32nd Avenue</td>
</tr>
<tr>
<td>Robert Willis, Jr.</td>
<td>504 Scott Street</td>
</tr>
<tr>
<td>Robert Martin</td>
<td>1510 Grace Street</td>
</tr>
<tr>
<td>Willie Maude Freeman</td>
<td>3516 22nd Street</td>
</tr>
<tr>
<td>Harold N. Reddick</td>
<td>1517 Ashley Street</td>
</tr>
</tbody>
</table>

Citing as an example of delaying tactics, Attorney Rodriguez took issue with a plan advanced by Hillsborough County School officials which established two separate committees, one white and one black, to advise the Board. Stating that the Board had not yet to his knowledge set up a separate committee to effect desegregation in public schools, "However," Rodriguez commented, "we will not feel bound by any hand picked blue-ribbon committee if they are temporizing or working against our program. We are very, very ready to take the case(s) to the courts."

J. Crockett Farnell, the Hillsborough County School Superintendent had appointed a 26 man superintendent's advisory committee in 1949. This committee, Farnell said, was the only committee that would be set up to handle the desegregation problem. The committee was made up of community leaders from the ministerial association, educators, the Chamber of Commerce, various professional and civic groups. White and Negro sub-committees would be set up to serve as advisory committees.

Included in the original committee were Mrs. John D. Weekley, Juvenile Judge O.D. Howell, Attorney Ralph C. Dell, J.C. Council, Mrs. Frank McWilliams, David E. Smiley, A.S. Moffett, Russell S. Bogue, Richard M. Clewis, Jr., Mrs. V.M. Newton, Jr., Attorney Cody Fowler, Dr. Millard Berquist, Mrs. Leon Braddock, Frank Frankland, Richard D. Jackson, V.H. Northcutt, Mrs. Frank Cochran, Mrs. Louise McEwen, Mitchell Stallings, and Dr. Kenneth Gould.

School personnel serving on the committee were Frank D. Miles, Superintendent of Negro Schools; A.L. Vergason, Director of Education; Mrs. Martha Johnson, coordinator of family life education; L.E. Swatts, general supervisor; Crawford Greene, business manager for Hillsborough County schools; Miss Gladys Anthony, the personnel director; Dr. Denton L. Cook, supervisor of Plant City schools; Eugene Word, county office librarian and the secretary to Farnell, Mrs. Sadie Lobo.

On the same date that the committee was announced, Farnell also stated that a similar committee of Negroes was also being formed to serve in an advisory capacity. The names of members to serve on this committee had not been completed. NAACP took exception to the entire idea. This
exception became the policy for all NAACP units in Florida. A special meeting to discuss what appeared to be the development of procedures to delay and stall desegregation was called by NAACP. The meeting was held in Tampa.

Participating on a panel with Rodriguez were the Rev. J.H. Adams, Jr., who was pastoring in Leesburg. Speaking on the role of the church, Rev. Adams cited that "today (1955) we are living in an unsegregated society on a racially segregated basis". Albert D. Moore, district manager for the Central Life Insurance Company spoke on the role of John Doe, Citizen. Moore, an outspoken individual, berated the myth that desegregation was for the purpose of bringing about interracial marriages. "We're not interested in marrying white women," Moore said. "We can't do anything with the women we have," he concluded.

Rodriguez, as the NAACP Legal Chairman for Florida, took the leadership. On March 25, 1960, I wrote a letter to the Editor of the Tampa Daily Times. This letter was in response to an editorial which appeared earlier in the paper criticizing a speech made by Governor LeRoy Collins. The editorial documented the kind of media generated misinformation against desegregation efforts that was so often printed in most Florida newspapers. It caused me to also sympathize with the Governor.

The full text of my letter is included here:

"Dear Editor:

"Under the caption "The Governor Misses The Point, " you attempted to justify racial segregation and to prove that young Negroes, who conducted sit-down protests against discrimination at lunch counters, were moved by "professionals" with no regard to the welfare of the protesters or to the advancement of the Negro.

"At the same time, you assumed a bigoted attitude against recent remarks made by Governor LeRoy Collins because of this stand on the issues.

"First of all, it should be made crystal clear to your readers that unless they are Negroes, they do not know, nor can they describe the experiences and heart breaking incidents in which the average Negro finds himself when faced with having to accept, against his wishes, the worse that his City, State and Nation have to offer.

"It should also be made clear that enforced racial segregation by governing authorities is as dead as any corpse buried since man first started dying. Your readers should not be led into thinking that segregation can be revived (it cannot be maintained) because the Courts of this land are constantly closing each legal loop hole through which states have tried to find escape.

"Certainly, if railroads, airplanes and busses cannot legally require persons of varying races to accept segregation, then businesses I, licensed by the State (the people), should also be made to cease their
un-American activities. It is only a matter of time before the Courts will also define the limitations by which a business can discriminate against its customers.

"History shows that each generation of American Negroes has fought with as much fervor to end discrimination and segregation as the present generation. During Slavery, they died rather than remain slaves.

"Therefore, it is needless in going into a discussion on how or why the protests are started. It is a matter of foregone conclusion that Negroes have protested against ill treatment received down through the ages since they were first brought to these shores in 1619. Therefore, your argument about "...the leadership could not agitate adult Negroes to greater activity of this sort,..." is almost baseless and without truth.

"To criticize Negro youth or any Negro for using peaceful and legal methods to achieve his just rights as a citizen is to rebuke the Hungarian youth for trying to lift the yoke of Communism from their Nation or curse Polish youth for their efforts in trying to obtain freedom from the Communist tyrant.

"Certainly, racial segregation at a lunch counter or in a school, cannot be, and is not, any better than Communism. Both systems are designed to destroy individual initiative and both are equally contemptible. One is just as dangerous to the American way of life as the other. It is therefore to the benefit of this Nation, that if it is to survive against the tyrants and bigots, it must protect itself from the clutches of each of these tyrannical systems.

"We are glad that you realize that there are professional Negroes in the South. However, your argument, that "...they feed on discord..." is a new note. Perhaps, what you mean is that the professional Negro has become aware that his profession is jeopardized when his non-professional brother cannot achieve equal opportunities because of segregation. The professional recognizes that he cannot remain on top when his brother is forced to stay on the bottom.

"No, school desegregation is not dead. The National Association for the Advancement of Colored People recognized in 1954 that the fight to end school discrimination and integration are two different things. Certainly, any American child has the right to attend a desegregated system. Each semester, more and more schools are being desegregated.

"But at least in one paragraph, we do strike in accord. We do agree that there is a need for communications between Negroes and whites. Lines of communication are being developed between Nations, why not lines of communication between American citizens of varying races so that they may better understand each other?

"But most of all, there is a need for white leaders, especially politicians, to realize that there must be progress towards the elimination of segrega-
tion. This should be done voluntarily.

Your truly
/s/ Robert W. Saunders
Field Secretary National Association for the
Advancement of Colored People"

James Johnson, secretary of the Tampa Branch, was directed by the Branch to obtain my assistance in drafting a letter to school superintendent J. Crockett Farnell. Taking into consideration the failure of the Board to act on petitions, the methods being used to intimidate Black parents seeking to end racial segregation across the entire state and attempts to satisfy pro-segregation forces such as Lt. General Sumter Lowry, it was decided that the NAACP in Tampa would speak out strongly for the immediate end of racial segregation.

A series of letters were sent to Farnell calling for immediate action. On September 29, 1958, Farnell received the following letter:

"Dear Mr. Farnell:

"Your attention is called to the fact that this office has received numerous complaints alleging discrimination because of race from parents of Negro children attending schools in Hillsborough County. These parents are dissatisfied with the present conditions and state that in the past they have brought to your attention the various conditions existing and which are not in the best interest of the welfare and education of their children.

" Several years ago, our Local Branch of NAACP submitted a petition to you requesting that you consider implementation in education. Since that time, and from time to time, letters have been sent to, you. As of this date, the Hillsborough County School Board has made no effort to comply with the decision of the court and its interpretation of the U.S. Constitution.

"It is not the policy of the NAACP to "stir up litigation," nor is it our policy to "go around looking for plaintiffs". However, we cannot stand idly by ignoring the request of citizens whose legitimate demands are not being met by the school board and who seek to be recognized as American citizens and not as members of any particular caste.

"The NAACP would rather seek peaceful methods to solve the problems and to bring about compliance with the mandate of the Supreme Court. We have constantly brought this to your attention in the past. However, where the School Board continues to evade the issue and does not come forth with a program of action which would be in accordance with the U.S. Constitution then the Association must yield to the petitions that it receives from aggrieved persons and seek other means of ending the racial discrimination that does exist in the Hillsborough County School System.

"May we expect a prompt reply from you with regards to this matter?"

Farnell responded to the September 29 letter from the NAACP and invited Johnson "as secretary of the Tampa Branch of the
National Association for the Advancement of Colored People" to "personally" talk with him concerning a program that would end racial segregation and discrimination in the public schools.

On October 3, 1958, Johnson was directed to respond to Farnell's invitation.

"I wish at this time to convey to you the fact that after meeting with the Branch's executive committee, it was agreed that since the Superintendent is in reality the "chief planner" for the school board and that since it remains the recognized duty of the Board to come forth with a policy to cover all efforts to end racial discrimination in the schools of this county, the committee does not consider it appropriate at this time to discuss the problems that exist.

"It should also be noted here that complaints have been brought to the NAACP by parents of children who presently live in or near ten areas served by schools having an enrollment of all white students. These children, many of them not yet out of elementary school, must pass schools that are in some instances just across the street or around the corner" to attend racially segregated schools that are from a mile to ten miles from their homes.

"The officers of the Tampa Branch would rather see the School Board ... assume its constitutional role as that body that is lawfully responsible for a program of compliance with the U.S. Constitution there by seeking peaceful but lawful methods of implementation of that Court's decrees."

The issue of procrastination, divisiveness and evasion was next addressed in this same letter:

"The Tampa Branch further states that whenever you in your official capacity as Superintendent and your Boards of Public Instruction and Trustees produce a tangible program seeking to comply with the Constitution of the United States and the Supreme Court's recent decision, then the Tampa Branch will recommend that its committees cooperate with you and your Boards in any way that we might be able to render constructive, democratic and Christian suggestions. Provision is reserved by the Branch however, to withhold comment or cooperation when such policy or program is deemed to be a scheme or device for evading or slowing down the ending of racial segregation in the public school system."

The letter concluded with an offer made by the NAACP to:

"…sit down as men of good will, disregarding the extremist, for the purpose of putting into execution an orderly program for the benefit of the people of the County."

Contrary to some published views, Florida's civil rights program was on schedule. While Governor Collins' approach to school desegregation was looked upon as one of delay and moderation, NAACP leaders across the state recognized that implementation efforts had to be pushed. Go slow, moderation and the organized pro-segregationist push had to be countered with demands for immediate compliance.
The death of the Moores in Mims, gave credence to the fact that there would be no progress in the state unless a drive against racial discrimination and segregation was continued on all fronts, nothing would be realized. Governments -State and local - were almost violently opposed to institutional change. We also took into consideration that since 1948, Florida had reluctantly resisted efforts to open the University of Florida.

In 1944 Rev. R. L. Cromwell, a Pensacola Baptist Minister, won a victory when the Florida Supreme Court declared that political parties could not keep Negro voters from participating in state and local primaries. This victory followed a U.S. Supreme Court decision which struck down similar laws in the States of Louisiana and Texas. The same State Court had refused to open the University of Florida’s graduate schools to Black students even though other Southern States were forced to do so by the Nation’s highest Court. The case of Virgil Hawkins v. Board of Control of Florida was still see-sawing between the Florida Supreme Court and the U.S. Supreme Court all during the time that Branches and a few other individuals were embarking on legal actions in Federal Courts to desegregate elementary schools.

Complaints and demands for better schools for Black students in Hillsborough County were "old hat". The committee named by Farnell followed in the exact pattern as one named in 1949 to respond to demands from Black leaders.

In September, 1949, a group of Black citizens calling themselves the Citizens Committee for the Improvement of Negro Schools threatened to file a law suit in Federal Court if the following demands were not met by the Board:

1. Elimination of double-sessions by which one group of students attended schools from 8:00 A.M. until noon and another group from noon until 4:00 P.M.

2. Building more classroom space.

3. Construction of a new gymnasium and establishment of a supervised program for indoor sports.

The Board turned the letter over to Farnell for a response. His answer was that school officials were aware of the problems faced by both whites and Negro students and that plans were already started to build a six room elementary school for Black students in Sulphur Springs. The plans also including the expansion of Middleton with six classrooms and a lunchroom and acquiring additional land for several additional Negro schools. He mentioned that four portable classrooms had been placed in Port Tampa.

Chairing the group was Perry Harvey, Sr. He was accompanied by William Henry Gordon, James T. Hargrett, C. Blythe Andrews and Earl E. Broughton. Alex Akerman, the lawyer handling the suit to desegregate the University of Florida was hired to handle the filing of a suit. A suit was filed with Hargrett as the lead plaintiff. However, the suit was never tried after the school system published a letter from D.E. Williams outlining the projects underway to "improve schools for Negro students."

The situation in Tampa, regardless of what might be said about Tampa’s "good race relations," followed the pattern set by the racist efforts of the State Legislature. An elected school superintendent and an elected school board seemed to play up to the "racist
views" of what they thought were the wishes of their constituents. In doing so, the sworn oath to abide by the laws of the land was swept under the outdoor mat which welcomed every one into the mainstream except citizens of African ancestry.

Few Black citizens in Hillsborough County have had the opportunity of studying the development of Hillsborough County's educational system as I experienced when I was assigned to read the School Board's Minutes. It was interesting reading. Beginning with the earliest hand written recordings of the 1800's until actions of the Board in mid-1958, it was overtly evident that it never was intended for Black students to obtain the same level and kind of education that was provided for white students and in the same school. After reading each page of every record, I knew now that the educational system was reliably responsible for the implantation of race hatred in the minds of the white population. The slave mentality was plainly observable. This task took almost three weeks. My report substantiated the fact that the current Board (1958) as did all Boards in the past, treated "Negro Education" or "colored schools" as a necessary evil. Paternalism was the main theme when decisions were made effecting the entire Black community.

It was not coincidental that the first desegregation suit filed in Florida's Federal District Courts were dismissed. This included an action filed by Attorney Holland in Palm Beach. The Mannings case was no exception. Federal District Judge George Whitehurst, relying on the recently enacted Florida Pupil Placement Act, held that remedies provided by the State had not been exhausted by the four plaintiffs in the Mannings case. His decision lay dormant for several years and was almost lost by default.

I approached Attorney Rodriguez in 1961 regarding filing an appeal to the Fifth Circuit Court of Appeals in New Orleans. Rodriguez was in favor of this action but pointed out that an appeal had not been filed due to the lack of funds. As an NAACP Attorney, he, like most Black Lawyers in the State, were called on to give their legal talent often with little or no remuneration. Several prominent Black leaders were also prone to prefer that the issue should be dropped. C. J. DaValt, a Central Life Insurance Company official, and I discussed the problem. The deadline for filing was near. It was Roy Wilkins who wisely came to our assistance. I made a long distance call to him and told him of the predicament. Roy's directive was that I should tell Rodriguez that his plane ticket would be awaiting him at the Tampa Airport. The filing fees would be waiting for him when he arrived in New Orleans. Rodriguez wasted no time in leaving for New Orleans. The rest of the Mannings story is included in judge Simpson's decision.

Between the dates when the original case was dismissed and the rehearing on August 21, 1962, the Tampa Branch encouraged parents to file under the Placement Act. Attorney Constance Baker Motley was assigned to the case by the NAACP Legal Defense Fund, Inc. Rodriguez was the Attorney of local record. Attorney Motley came to Tampa several days prior to the trial date in 1962. We talked about the case and the ground work leading up to that time. She was surprised when I told her that nearly one hundred and fifty petitions had been filed by Black parents with the School Board requesting reassignment and that the Board had taken no action. Contact with as many of the filing parents was the immediate task.

Another problem developed. Black teachers in Hillsborough County were not included in
the document filed with the Court. With the Court’s permission, the two lawyers worked far into the night to prepare the paperwork for submission to the Court on the next morning.

At the hearing, the two lawyers advised the court that a number of requests for reassignment had been filed with the Board and no action had been taken. Judge Simpson ordered the Superintendent to produce the petitions. Within the hour the requests for reassignment were brought before the court. Searching through the pile, Attorney Motley brought to the judge’s attention that there was one petition missing. The missing document was the petition that was filed on behalf of my son. School officials were ordered to present the missing petition immediately or face contempt of court.

Willie L. Mannings, mother of two boys and the lead plaintiff in the Hillsborough County case, died in October, 1989. I talked about the case with her about six months before her death. "I was sitting in the Court during the hearing,” she remarked, "when the judge corrected one of the lawyers for the Board of Education by pointing to me and saying that "Andrew Mannings, 11, through his parent was leading the plaintiff and his mother is sitting across the room." Mrs. Mannings recalled the judge telling the lawyer that he did not like technical answers to questions when the attorney referred to Macfarlane Park Elementary School as a "predominately white school." Judge Simpson admonished him that Macfarlane was all white." "Let's quit quibbling," is what she said the judge told him.

I was surprised that she remembered what happened in that Federal Court after twenty-seven years. She remembered Constance Baker Motley’s cross examina-

Brian J. Simpson was appointed to the Federal Bench by President Harry S. Truman in 1950. He served as the Chief judge for the Southern District of Florida and later assumed duties as Chief Judge for the Middle District. On the morning that he appeared in Tampa's Federal Court to hear the Mannings case, he was dressed immaculately, with white wavy hair. His was a manner of "all business." As he strolled down the court house corridors, he commanded attention and the respect of local Federal officials, the news media and just about everyone else present. According to the witnesses who sat through the hearings, he was real down to earth, courting no favors with local school officials. Judge Simpson's ruling on school desegregation cases drew much anger from segregationists when he called before him in Jacksonville, every jurisdiction in Florida in which desegregation suits were pending. He was the judge of the hour.