

Blacks and Whites By The Thousands Visit Marshall's Casket

By Richard Carelli
Associated Press Writer
WASHINGTON (AP) — Thousands of Americans, black and white together, visited Thurgood Marshall's casket as he lay in state Wednesday. The line of mourners wrapped around the Supreme Court building where he won his greatest civil rights victory and later served 24 years as the first black justice.

During the 12 hours of viewing, 18,338 people paid their respects, court spokesman Ed Turner said. Many said they felt compelled to say goodbye to a man they never met.

"He was a man of courage, a man of dignity and a man of strength," said Erol Jean Francois, an immigrant from Haiti who attends a Miami high school. "He did the best he could for this country ... for blacks and whites." Marshall's wife, Cecelia, and two sons, Thurgood Jr. and John William, led a procession into the imposing building on Capitol Hill.

"The battle done, the victory won ... the songs of triumph have begun. Hallelujah," said the Rev. Kawsai Thornell, canon of the Washington Cathedral, during a brief ceremony.

Marshall became only the second Supreme Court justice to be honored by having his casket lie in state at the court building. The other was Chief Justice Earl Warren in 1974.

In 23 years as chief counsel for the National Association for the Advancement of Colored People, Marshall established himself as the nation's greatest civil rights lawyer.

The landmark 1954 decision outlawing racial segregation in public education was the ruling that broke the back of American apartheid.

As Marshall's casket was carried across a sunlit marble plaza, current and retired justices waited as honorary pallbearers atop the imposing steps.

They accompanied the casket through the building's main entrance, walking under the words carved into marble 58 years ago: "Equal Justice Under Law." Retired

Justice William J. Brennan, 86, remained inside, seated in a wheelchair.

Brennan, Marshall's closest friend on the high court, needed help from Justice David H. Souter to join the others when they stood in silence as the casket was placed on the black-draped bier that once supported the coffins of Abraham Lincoln and John F. Kennedy.

By the time the building was opened to the public, hundreds were waiting in the chilly morning air to pay their respects.

First in line was Donald Adams of Camp Springs, Md., a retired government worker who attended segregated schools for blacks while growing up in the nation's capital.

"I'm here because I owe him quite a bit. My family owes him quite a bit, this country owes him quite a bit," Adams said.

Sharon Glover smiled while recalling the day she first attended a racially integrated school as a sixth-grader in Tarboro, N.C.

"I'm here to say thanks to Mr. Marshall," she said. "He meant so much to my life." Ida Beasley led a dozen wide-eyed first-graders through the line and later explained, "We wanted the kids to be part of this historic tribute to a great hero." Arthur Williams said he wanted to say goodbye to the man who "was Mr. Integration to us."

Two Marines, one white and one black, traveled together to file past Marshall's casket and be among the first to see his official portrait, painted in 1990 by Washington artist Simmie Knox.

Without Marshall's accomplishments, "he and I wouldn't be standing next to each other today," said Capt. Eric Young as he gestured to his companion, Pfc. Robert C. Achoe Jr.

The court building remained open more than 10 hours as court officials tried to accommodate all those who followed.

Congress honored Marshall by passing a bill Wednesday to name the capital city's new federal judicial building after him.



THURGOOD MARSHALL speaks to reporters during the school desegregation case in Clarendon County, South Carolina, which was the forerunner to the 1954 Brown versus Topeka Board of Education

suit. Standing back of Marshall is Dr. William Gibson of South Carolina who later became NAACP national chairman of the board. (Photo from the Archives of A.M. Rivera, Jr.)

Marshall: Easygoing, Fun-Loving Except Inside the Courtroom

By Mary Pemberton
Associated Press Writer
BALTIMORE (AP) — Thurgood Marshall was remembered Sunday as an easygoing man who loved to joke, except when he stepped inside a courtroom.

His demeanor changed when he was fighting for civil rights, said retired Maryland District Court Judge William H. Murphy Sr.

"He would chew you up," Murphy said. "He was aggressive. He was not inclined to compromise." Marshall was born in Baltimore on July 2, 1908, and lived in a comfortable, middle class neighborhood. His father was a headwater and his mother a schoolteacher.

He was the great-grandson of a slave but went on to become the first black Supreme Court justice. He sat on the court for 24 years.

Murphy, 75, said when he was a boy he remembers Marshall dropping by his home fairly often to see his father, who was treasurer for the local branch of the National As-

sociation for the Advancement of Colored People.

"I knew him well because he was in and out of my house all the time when I was a youngster," said Murphy. The two families were neighbors.

Later, when Marshall attended Lincoln University in Lincoln, Pa., Murphy's brother, James, was Marshall's roommate and served as best man when Marshall got married.

"Thurgood could raise hell, stay up all night, and still make straight A's," Murphy said.

Marshall left Lincoln University to study at Howard University Law School in Washington, where he graduated at the top of his class in 1933.

After a career as a civil rights lawyer, appeals court judge, and U.S. solicitor general, Marshall was appointed to the Supreme Court on June 13, 1967.

Marshall was a different person

outside the courtroom, Murphy said.

"He was a wonderful person — open, warm, garrulous and uninhibited," he said. "He was a joke-telling guy." Enolia McMillan, former national president of NAACP, said she knew Marshall in the 1930s when they worked together.

"He did a remarkable job at winning his cases in court," said Ms. McMillan. "He sparked confidence in the final righteous outcome of the civil rights movement." Marshall worked for 23 years as legal director of the NAACP, headquartered in Baltimore.

Ms. McMillan, 88, said Marshall not only knew the law but was not afraid to seize the moment in order to win cases.

"He was courageous," said Ms. McMillan. "He was a person who wasn't afraid to take the initiative." Retired Maryland Circuit Court Judge Robert D. Watts, 70, said he

knew Marshall because the Mar-

shall home was directly behind his home.

"Our back gates touched each other," he said. During the 1950s, Watts and Marshall worked on civil rights cases for the NAACP, but Watts said it wasn't all work. Every so often, Marshall liked to get together with the other lawyers, tip a glass and relax.

"He liked to socialize," said Watts. "He liked to get up and tell a joke. He was great fun." Watts said in the early 1980s he went to Washington to ask Marshall to attend a ceremony dedicating a statue of Marshall in front of the federal court house in Baltimore.

Knowing that Marshall did not return to Baltimore often, Watts said he had to come up with something special.

"I got down on my knees. I really did. But Thurgood, he liked that. He thought that was pretty funny." The strategy worked, Marshall attended the ceremony, he said.

Marshall's Role In Kentucky Is Recalled

By Charles Wolfe
Associated Press Writer
FRANKFORT, KY. (AP) — As a civil-rights lawyer, Thurgood Marshall won court rulings with a specific strategy. He proved blacks were denied the benefit of institutions they paid taxes to support.

That strategy — inequality of services — was brought to bear in two Kentucky cases in 1949. One forced the integration of Louisville's public parks; the other opened the University of Kentucky.

They were among a series of cases Marshall masterminded for the National Association for the Advancement of Colored People in the decades before his elevation to the U.S. Supreme Court.

Marshall dominated legal strategy sessions at NAACP headquarters in New York, former Jefferson Circuit Judge Benjamin Shobe said Monday.

"Marshall was an imposing figure," said Shobe, who was attorney for the organization's Louisville chapter at the time.

"When he stepped into the room and started talking, his personality seemed to dominate everything.

"He would cut through all the technicalities we had raised and jump right straight to the issue of inequality. ... He would bring us right back to the Constitution." The NAACP was filing a lot of civil rights cases at that time, Shobe said. All were based on inequality of services because no court had yet declared segregation unconstitutional.

In the case of Lyman Johnson, a Louisville educator who sued for admission to graduate school at the University of Kentucky, "we asserted that segregation in itself was an inequality," Shobe said.

But U.S. District Judge H. Church Ford didn't go that far, and Johnson's case was "won on lesser grounds," Shobe said.

No blacks were admitted to graduate programs in Kentucky on those days. Instead, the state paid for blacks to attend universities out of state, or for aspiring law students to be tutored in private law offices.

The NAACP alleged that tutoring was inherently unequal. There was no law library, for example, not to mention "the tradition of the law school, associating with people who were going to be practicing in your field after graduation," Shobe said. "Those strategies were planned by Marshall."

Marshall Remembered By South Carolinians

(AP) — Retired Supreme Court justice Thurgood Marshall holds a special place in the memories of South Carolina civil rights leaders.

"I am convinced that he did as much as anybody for making the Constitution of the United States a living document," said Ernest A. Finney Jr. of Sumter, associate justice of the state Supreme Court.

Just as Marshall was the first black to serve on the nation's highest court, Finney was the first black on South Carolina's highest tribunal.

He first met Marshall in 1954 at a state convention of the National Association for the Advancement of Colored People in Spartanburg.

Marshall, as a young NAACP attorney, argued a Clarendon County case before the U.S. Supreme Court that helped lead to the court's landmark school desegregation ruling.

The 1950 Briggs vs. Elliott case was one of five consolidated into Brown vs. Board of Education that Marshall argued before the U.S. Supreme Court. The court found the standard of "separate but equal" schools for blacks and whites was unjust.

"It was only after the Supreme Court decision became a reality that there was democracy in education and full opportunity became available for all people in the state," said attorney John Roy Harper II, who is the legal counsel for the NAACP's Columbia branch.

Finney said Marshall's basic legal arguments helped not only blacks, but also women and the handicapped.

Marshall's decision to argue the Briggs case went against the advice of some colleagues, said Dr. William F. Gibson of Greenville, chairman of the board of directors of the NAACP.

"Briggs vs. Elliott presented not only a legal danger, but a physical danger," Gibson said. "You could be killed for it."

"But Thurgood did not fear anything. Thurgood was a very courageous lawyer," Finney said Marshall "was the inspiration for those of us who believed the law was the way to go in addressing society's wrongs." U.S. District Judge Matthew J. Perry, the first black federal judge appointed in South Carolina, agreed that Marshall was a role model for himself and other young lawyers on the NAACP legal team that Marshall headed in the 1950s and early 1960s.

"He was the premier constitutional lawyer and an inspiration to several generations of lawyers," Perry said. "I will remember his dedication to the principle of equal justice under the law." Marshall, Finney said, was "a robust, warm, hard-working individual who gave totally of himself and who served as an inspiration to me as an individual and to a large number of people."

Marshall Was No Stranger To Louisiana

Thurgood Marshall made a Louisiana reputation well before becoming the first black justice on the U.S. Supreme Court.

Lawrence Conley remembers those early days well. Conley and his wife, Ersie, provided a night's lodging when Marshall came to Lake Charles to argue a school desegregation lawsuit.

"He was the national attorney for the civil rights movement," Conley recalled. "So he and (New Orleans attorney) A.P. Tureaud came down here to be attorneys for us during desegregation."

"He was such a dynamic man, that when he faced the local attorneys, they just threw up their hands and surrendered." Marshall's two-day trip to Lake Charles in 1952 wasn't his first to Louisiana.

In the late 1930s and the 1940s, he joined Tureaud in a NAACP fight to make black teachers' pay in New Orleans equal to that of white teachers.

Tureaud handled most of the day-to-day work in the case, which resulted in a 1941 lawsuit. Marshall made trips to the city to assist.

When Tureaud wrote Marshall in 1942, informing him that the School Board was offering to raise black teachers' pay over five years, Marshall was incredulous.

"I think the plan submitted by the School Board stinks," Marshall told

Tureaud, according to historian Joe Logsdon's book, "Crescent City Schools." "In the first place, five years is too long. In the second place, there are too many catches. And in the third place, I'm sure our teachers are opposed to it."

On Sept. 1, 1942, a compromise was signed in which pay was to be equalized by the next year.

"The pay equalization case was one of the several steps that led to the Brown vs. Board of Education case," in which Marshall won the Supreme Court ruling that segregation of schools was unconstitutional, said Tom Dent, a New Orleans resident working on a book about the civil rights struggle.

Dent, who worked for Marshall in the early 1960s as a press attache for the NAACP Legal Defense Fund in New York, remembers seeing Marshall for the first time in New Orleans as Marshall argued a case in the 1940s.

"I was a child and we had never seen a black lawyer in a courtroom," said Dent, a former executive director of the Jazz and Heritage Foundation.

Revius Ortique, the first black justice elected to the Louisiana Supreme Court, knew Marshall and worked with him on desegregation cases in New Orleans.

Ortique was present at a 1967 meeting of the National Bar Asso-

Moral

(Continued From Page 10)

the National Association for the Advancement of Colored People in the 1954 Brown vs. the Board of Education Supreme Court case that called for the desegregation of schools.

Jackson said legal history can be defined as before and after Marshall's contributions to the court.

"Thurgood Marshall is one of the great legal, moral minds America has ever produced by his commitment and arguments for equal protection under the law. He led a legal movement to establish the character of America to prove its highest purpose.

"He led the drive to pull down the walls that separate American from American by law. The '54 Supreme Court decision paved the way for Martin Luther King Jr., it paved the way for a unified integrated military, it paved the way for America's reputation as leader of the free world." And finally, Jackson said, "it paved the way for two Southerners—Clinton and Gore — to run and to win." Jackson spoke before boarding a flight to New York, where he would meet with black business and Haitian refugee leaders on Monday.