

Transcript



JAMES “JIM” FELDER ORAL HISTORY

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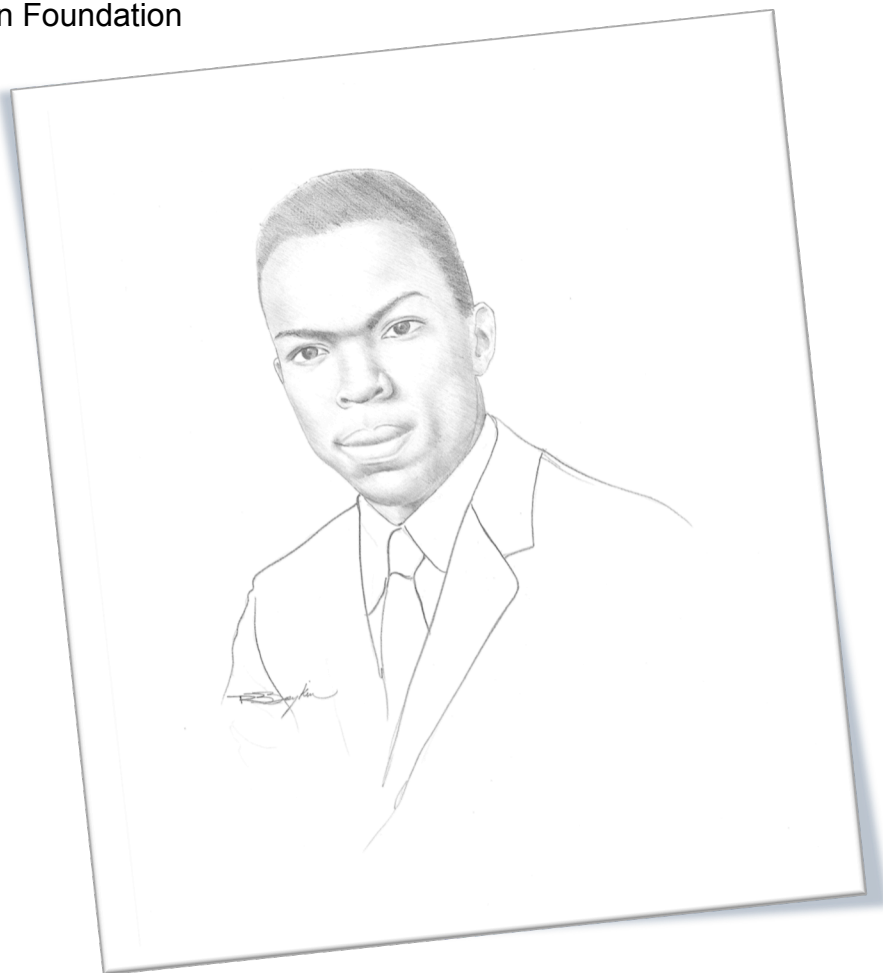
Project: Documenting South Carolina Civil Rights Oral History from 1950 – 1979

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Dedicated the memory of SC House of Representative

Joseph “Joe” H. Neal

August 31, 1950 – February 14, 2017



Civil Rights Oral History Interview with James “Jim” Felder

Interviewee:	James “Jim” Felder
Interviewer (s):	Tre Tailor Karen Alexander Ricky Taylor Tony Kenion
Location:	Columbia, SC
Interview Length:	52:39
Supplemental Material:	Includes transcript, interview release form, select photos, video, art rendering by Rodgers Boykin, music by Byron Counts

Abstract

James “Jim” Felder was born in Sumter, South Carolina on April 4, 1939. Having grown up in Sumter, SC, he has lived and worked in Atlanta, GA; New York City and Washington, D.C. Jim attended Lincoln High School in Sumter, South Carolina. Following the completion of his undergraduate studies at Clark College in Atlanta, GA, he spent two years in the United States Army serving with the Honor Guard Ceremonial Unit in the Nation's capital. After his tour of duty with the Army, he complete his Law degree at Howard University School of Law in Atlanta, Georgia

In the interview, Jim describes his childhood memories of attending school and life in South Carolina. He gives an insight into the early days of the student protest and Civil Rights Sit-ins.



James “Jim” Felder

Transcript

Speaker	Content
Tre:	Today is March 3rd, 2017. I'm Tre Tailor, here with James Felder. We're talking about his life and his involvement in the civil rights movement between the years of 1950 through 1970. What is your name, please, first?
Jim:	James L. Felder Senior, otherwise known as Jim.
Tre:	When and where were you born?
Jim:	I was born in Sumter, South Carolina, April 4, 1939.
Tre:	Where did you grow up?
Jim:	Grew up in Sumter, through high school, attended Stone Hill Elementary School, and then Lincoln High School.
Tre:	How did you get involved with the civil rights movement?
Jim:	It started when I was in the eighth grade, yeah, 1953, at Mt. Pisgah Church in Sumter we had a youth counselor, the NAACP. At that time there was a young pastor named F.C. James, Fred C James, who later became Bishop in AME Church, and his church was the sponsor of that youth counsel. I was elected Vice President, and a fellow named Jim Clyburn was elected President. We were two teenagers at the time. That was the beginning of our civil rights involvement.

Tre: Why did you feel it necessary to be involved? During that time there was a lot going on.

Jim: Absolutely, there was a lot going on. And a lot of it was happening in Sumter or by leaders from Sumter. Sumter was always a hot bed for leadership in this state. And we watched those men, Bishop Reverend Fred James. At the time Reverend James Herbert Nelson, Mr. McDonald, who founded the State NAACP. We sat at their knees. There was something going on all the time. They were having meetings and we were reading about this and hearing about that. We wanted to be like those guys. We watched them and imitated them and moved on.

Tre: When the opportunity came for you guys to be involved, even as eighth graders ...

Jim: We were ready, yes. I went on to Clark College in Atlanta. Jim Clyburn went to South Carolina State. We both participated in our respective city, me in Atlanta and him in Orangeburg in the 1960's. We sort of tracked each other all the way, so to speak.

Tre: What do you think your first big, one of the sit-ins, what was memorable about a couple of those sit-ins?

Jim: The start of the sit-in. The Friday the sit-ins began it was Friday, February 1, 1960. I was a junior in college. At that particular weekend I was in Washington DC attending a board meeting of Omega Psi Phi fraternity. I had been elected the year before as the undergraduate to sit on that board. That Friday afternoon when it occurred, our editor, magazine, The Oracle, got a

telephone call. He was the PR man for A & T State University. He came back into the meeting and he was white as snow, so to speak. We said, "What happened?" He said, "They just got a call from my President and he wants me to get back to Greensboro. I've got four students sitting in at Woolworth." That broke the meeting up, because there were other college Presidents in that meeting, so all of them were worrying about their college, what was happening on their campus.

I went back to Atlanta and I was greeted by Julian Bond and Lonnie King, Marion Wright, who later became Marion Wright Edelman she was a student at Spelman. We met, to form our sit-ins in Atlanta. It took us about six weeks to put the first one together, because there were a lot of obstacles. You had all those schools in Atlanta also. Finally we were able to meld or well all our thoughts together, and we decided our first sit-in would be March 15, 1960, in Atlanta. Someone said, "Dr. King just moved back to town. Why don't we go and ask him to march with us?"

So we went over to Dr. King, his father's church office, and we met with him, asked him would he join us in our first march. He said, "yes." We stayed so long, because Dr. King was long winded, and he told a lot of jokes and all that, til we missed dinner back on campus. He told us, he said, "Coretta, come in here and fix these chilin' something to eat. I've done kept them here, the dining hall is closed."

Well later on we did stage our first demonstration in Atlanta. Some 4,000 students from Clark, Spelman, Morehouse, Morris Brown, we all converged downtown Atlanta. I led one line that went to the Georgia State Capital. Dr. King led the other line that went downtown to Rich's Department store. When my group got to the state capital they shut it down, so we marched it around two or three times, then we headed back to campus. Well, Dr. King's group wasn't as lucky. About 300 of them got arrested, including Dr. King. That was the

beginning of our, my participation in the civil right struggle in the state.

Tre: Were you at any time fearful, Mr. Felder? I mean, like you said, you started when you were just a child, and I'm sure had seen some violence against some African Americans.

Jim: Had witnessed some violence in Sumter. Not detrimental violence, but Klan marching in Sumter, them beating up a couple of black people in Sumter. There had not been any killings as such in Sumter at that time. Then when you're 20 years old you're fearless. Nothing bothers you, so to speak, and particularly when you've got thousands of other students with you. It didn't trouble me. That went on from March until the following year, 1961, when I graduated. Well now, here is what happened with me, I'm at Clark College on an academic scholarship and an athletic scholarship, so I'm getting a free ride. I'm a major in biology with a minor in chemistry and math. I'm headed to Med school, as fast as I could go. I was going to Meharry Medical School College and then heading back to Sumter, and hang out in my shingle and practice medicine, like so many in the city were doing at that time. I spent so much time in jail and in the courtroom that I missed a lot of my labs, my chemistry labs.

One day the professor called me in, my advisor. He said, "Mr. Felder, you're doing all right on the paper stuff but I can't recommend you to Med school because you've missed too many labs. I said, "Okay, Dr. Springs. That's fine, I've changed my mind anyway. I'm going to Law school. As a result of sitting in those courtrooms and so forth, all of a sudden I wanted to be a lawyer." Now the problem I have, I'm in science up to here, biology, math, chemistry. Are they going to let me in Law School? I wrote to some of the most prestigious Law Schools around the country, Harvard, Yale, University of Virginia, Georgetown. And each one wrote me back and said, "Mr. Felder, we do not prescribe a set course for pre-law as such, since some of our best

students have been chemistry majors." That made me feel good, so I'm ready now.

Well after graduation in 1961, June, I should have gone on to Law School right away, but I started working, making some money.

Tre: That's always good.

Jim: The draft caught me. I got drafted in January of 1962 and had to go into the army and do that bit.

Tre: When you talked to Dr. King that day, when you went over to his house, in 1960 this was four years before he won the Nobel Peace Prize, so he was right smack dab in the middle of the movement. What did he tell you guys about what you had to expect?

Jim: Well he encouraged us first, to do it, because the college President did not want us to go on this march. They didn't want to shake the establishment, because many of them depended on contributions from corporations and foundations. That was a steady stream of income, and they weren't so sure about this new sit-in thing. But it was Dr. Benjamin Mays who was President of Morehouse at the time, and was Dr. King's mentor. Finally one day, at a meeting of all six college Presidents, and I was President of student body Clark at the time, and the student body Presidents, we met at the group with all the Presidents. We was determined we were going to do it. They would determine we were not going to do it.

Dr. Mays got up and he said, "It looks like these students have made up their mind they're going to do this, so I suggest you do this. You go sit down and write out your grievances, why you're out there picketing, because you'll be out there on the street and somebody is going to come and stick a microphone in your mouth and you'll go ah, rah, rah, rah, and don't know why you're out there." We did that. We put together our goals and objectives. Now, we want to get into the newspaper. The Atlanta Journal and Atlanta Constitution said, "We'll run it, but it's going to cost you \$1,200." Where are students going to get \$1,200 from? We went back to the college Presidents. They raised the \$1,200, and it was published in the Atlanta Journal and Atlanta Constitution. It was called An Appeal for Human Rights. The next day the Wall Street Journal picked it up, the New York Times, the Washington Post. All over the world [crosstalk]

Tre: It went viral even before viral.

Jim: [crosstalk] lifetime, exactly. That's what happened, and then went out on our first movement. Dr. King was so encouraging. Then after that he got locked up, and some other things happened. He started going to other cities. He said, "Y'all can handle Atlanta. I need to go to Birmingham and I need to go to Albany, Georgia, where they need me, and Selma, Alabama, and so forth." After that he was pretty much gone.

Tre: Let me ask you, in his encouragement did he tell you guys what you should look out for? Did he give you some advice as far as what he had experienced being out in the trenches, so to speak?

Jim: He did, and he preached nonviolence. He said, "If you're not ready to be nonviolent don't go out there, because they're going to spit on you, they're going to curse you, they're going to hit you with eggs and all of that. So, if you've got any idea that you can't handle this then you don't want to be a part of this. Well, he was telling individual students." He said, "Nonviolence is the way to go. You can disarm them if you go nonviolent. If you go out picking a fight then both sides loose." He was very stringent about that.

Tre: Now, you're very calm and cool now. What you're 20 years old Jim Felder, when he said that what did you think?

Jim: I had second thoughts about it, I did. Some of the other guys did too. I'm a football player. Some of my other guys who were on line were football players also, and we are custom that if you're hit you're going to hit back. That was on my mind, but he kept stressing that. He kept stressing you've got to be nonviolent. He said, "This is not for everybody." He continued that. We thought about it, and we had meetings after, and then we had training sessions. Some of them were just no, no, no, I ain't going out there, because I'm going to hit somebody. Hit me or spit on me I'm going to spit back. Dr. King was very aggressive in his nonviolent approach to it, and so we followed that.

Tre: So you said fast forward, you get drafted. Did you experience any discrimination?

Jim: The military at that time, in 1962 when I was drafted, was just beginning to fully integrate. I remember Harry S Truman in 1948 issuing an Executive Order, that could have been wiped out by the next President. He issued an executive order desegregating the military. That was 12 years earlier, and the military still was not fully integrated. When I went in military, I was drafted, spent six months here at Fort Jackson going through basic

training, advanced infantry training, and leadership school. Then summer of 1962 I completed all of that, and they shipped me up to Washington to try out for the army honor guard. I got there and there were only eight blacks in the outfit out of some 300 men, eight blacks. They had only gotten there a few weeks before I did. We were the guinea pigs in terms of integrating that elite outfit. The military has a seniority system, and whoever is the senior person in any unit detail or what have you, is automatically in charge.

So, after spending almost 18 months there at Fort, I moved up to the rank of sergeant. Kennedy was assassinated. I ended up heading the casket team, and that simply happened because of the seniority system. If Kennedy, if it had happened two weeks earlier I would have been no place in the picture. The guy ahead of me, a boy from New Jersey, got out and I simply moved up. There was never any discussion of who was going to be the NCO in charge of Kennedy's funeral, because of that seniority system. After that, other persons of color would join the honor guard. But That was the tipping point, so to speak.

Tre: Between '64, and this is after obviously Kennedy passed away, and you, as you said, had the honor of carrying his body. Between '64 and '70, that's deemed the black power movement. How did your role in the civil rights movement then evolve?

Jim: After the army, I'm out at '64, go back to work at the post office until that September. I got out in January.

Tre: You're still in DC?

Jim: Still in DC, Howard University, enrolled in Howard University Law School in 1964.

Tre: Because you still want to be a lawyer.

Jim: Still wanted to be a lawyer, I was determined, '65 had the honor of Thurgood Marshall coming over to the law school to judge my moot court presentation. That was the second time I'd met Mr. Marshall. I first met him, again from Sumter, I was 17 years old. He came to speak at the Township Auditorium in Columbia. I drove three little ladies from Sumter over to hear him that Sunday afternoon. Afterwards they took me behind a curtain and I got a chance to meet Thurgood Marshall, not knowing that ten years later he'd be judging my moot court.

So now, I'm in law school, spent three years there. Senior year, here comes Vernon Jordan recruiting. He needed somebody to run the voter education project in South Carolina. What had happened, after the passage of 1965 Voting Rights Act, a group of foundations put together a pool of money for old Rockefeller-Rockefeller brothers fund, Carnegie. A pool of money to send to the south, to assist in voter registration. Vernon Jordan was hired to run that project out of the Southern Regional Counsel's Office in Atlanta. His job was to find a director for each southern state who would do voter registration. Vernon came to DC, summoned me down to his hotel. You know Vernon, tall, lot of presence and all.

He had come to South Carolina, met, Rev. ID Quincy Newman, Modjeska Simkins, Lincoln Jenkins, Matthew Perry, my pastor Reverend Nelson, Fred James. He said, "Who can we get from South Carolina to run this voter education project?" They all pointed to Washington DC and said, "You need to bring him home anyway. Go get Jim Felder." So that's how I end up coming to South Carolina in 1967 to run the voter education project.

Tre: You come back to South Carolina to run the voter education project. What was that aimed at?

Jim: It was aimed at getting black citizens registered to vote. At that time in South Carolina there was only 50,000 black registered voters.

Tre: In the whole state?

Jim: The whole state, there was only eight black elected officials in the whole state. Four of them were in Beaufort and the other four were down Eastover. South Carolina at that time had a law that purged the books every ten years, you wiped the books clean and you'd start registering all over again. I came in during that cycle. I remember Senator Hollings, Fritz Hollings telling me you've got that big Charleston, I hope you can get the 50,000 back on the books, because nobody is on the books now. He was getting ready to run again for the US Senate, so he wished me well. Came in, we did voter registration drives all over the state, all 46 counties. We would work with local NAACP branches, we would work with local civic leagues. In some counties some persons were afraid to be a part of the NAACP, so they would form their own little separate civil rights group. We'd give them small grants, \$150 or so to help them with the registration. Often times we'd buy gas for people, sandwiches, and that sort of thing.

In an 18 month period we were able to register 200,000 black folk. Senator Strom Thurmond who always said he couldn't say negro, he would always say negra, negra. We got 100,000 blacks registered. All of a sudden Senator Thurmond learned how to say negro. We got 150,000 registered he was sending letters out, my dear black constituents, can I be of service to you? We got 200,000 registered and Strom Thurmond was the first of all the southern senators and house members to hire a black staffer. That was Tom Moss from Orangeburg. Tom stayed with Strom for 30 years. That's what voting power does for you. Strom knew how to count votes.

You wonder how he got elected all those years, even though he went that segregation stuff at times, he knew when to cut it off and what have you.

Anyway, we got 200,000 blacks registered to vote. Then we started recruiting people to run for office. I.S. Leevy Johnson and myself were drafted. We didn't seek a seat in the House of Representatives. It was ID Quincy Newman, Matthew Perry, and Lincoln Jenkins. Hemphill Pride, they said, "We're going to run you all for office." We said, "Run what?" They said, "We'll run you in the House of Representatives." We said, "Okay, if you say so." I said, "I don't have any money. I'm just starting out," but they raised money for us. We got elected. We eliminated two white incumbents, I.S. and I did, who'd been there for a long time. At that time we had to run at large. It didn't have single member districts, so we had all of Richland County to cover. We won, and that was the breakthrough for first black elected house members since reconstruction.

Herbert Fielding also won in Charleston. Jim Clyburn came close. He went to bed a winner that night, woke up the next morning when the absentee ballots were counted, he lost. That's 1970. But that didn't stop him.

Tre: Stop him, obviously.

Jim: He kept, he ran for Secretary of State a couple of times, and then finally he made it to the US Congress.

Tre: How was it integrating?

Jim: Let me tell you about our first date at the state house. We got there January its 1971. It was all white males, there was one white female in the house. They were all Democrats except maybe four or five. They just ignored us for the first couple of weeks. It was just like we were

furniture or something in the building. Then after about two weeks, when they realized that our vote counted just as much as theirs, we didn't have offices like they have now. We didn't have the block building, didn't have the brown building, or the Gressette building. Your office was your desk in the state house. Every now and then, after about two weeks one of them would ease up beside, Jim, can I get you to sign on this little bill for me? After that they welcome us as one of the boys, so to speak.

Tre: Did you push back? They ignored you guys, you and I.S., when they then started trying to be buddy buddy ...

Jim: Well, we had to return the kindness because there were bills we needed support on, so it was a wash your hand kind of thing. Now, one experience at the state house that I had never talked about a lot, Spiro Agnew was the Vice President under Nixon. And he came to speak to a joint session of the legislature. I.S. and Herbert and myself, we decided we had something else to do that day. So, we did not go in that session. The other thing that we would do, the confederate flag was in the State, in the House chamber, and the Senate chamber, and on top of the dome. They would salute the flag, for doing the pledge of allegiance everyday. I made it purposefully not to get there on time to salute the confederate flag. For the years, I was there I never was there when it started. I let them go ahead and salute the flag, and then I'd come into the chamber room.

Tre: That was your silent protest.

Jim: That's exactly right.

Tre: I wanted to go back to the voter education project for a minute. How was that funded?

Jim: Through foundation grants. What they did, they sent the money to Atlanta, and then Vernon Jordan would then send it out to the various states for youth. I was on the payroll and Head of Secretary. At office space on Washington St, right up above Harold Boulware's office, between Main and that was really the black business district at that time, between Main and Assembly St. Matthew Perry's law office was there, Lincoln Jenkins, Harold Boulware, there was the dentist there, the doctor there. That was the black district, business district of Columbia at that time. Everything is gone now. We had enough, I was salaried, Secretary was salaried, and we had office space, and some travel money as well.

Then what I would do is go out into those various communities and help them write little grants, one page grant saying, "I need x number of dollars to help us do this voter registration drive." And Atlanta would send that organization that check, \$700, \$1,000, or what have you to help with their efforts in registering people to vote there.

Tre: Now, With your law background, tell me about some major lawsuits that changed South Carolina.

Jim: There were six major lawsuits that turned South Carolina upside down. The first lawsuit was 1944. It was to equalize teacher pay. White teachers were making a third more than black teachers. Ms. Simkins discovered it. She was teaching at that time. She went into the bank one day and looked over the shoulder of this white teacher who had less education than she did and that teacher was making a third more than she did. She said, "Something wrong with this picture." She had a call meeting of the state NAACP offices and they decided that they were going to sue for equal teacher pay. It was the call-in to Thurgood Marshall. This is his first time in the South Carolina, call him in, and they went down to Charleston, because they sued the Charleston school board, to hear the case. It took them awhile because you couldn't find a plaintiff. All teachers were afraid. They didn't want to lose their job, they weren't going to

sign on the dotted line.

Finally they found a teacher in Charleston, Howard University graduate, taught chemistry at Burke High School. She decided to sign on the dotted line and she was the one that went forth, Viola Duvall. Beginning of court that day, Thurgood Marshall's first time in South Carolina, they didn't know much about the judge. This judge, J. Waties Waring, he's a savior. He had done a couple of things. First, he desegregated his courtroom. In those days blacks had to sit upstairs, white downstairs. He had also hired a black bailiff. They said, "This guy might not be too bad." They go in and the case gets started. Normally the plaintiff put their case on first before the defense does. This day the judge turned to the table where the defense lawyers representing the school board were, and he asked two questions.

He said, "When was the case in North Virginia heard on equal teacher pay?" They fumble around, trying to find it in their briefcase and books and so forth. Thurgood Marshall raised his hand. The judge, "Mr. Marshall, I didn't ask you. Sit down." Then he asked the second question, "When was the teacher case in Montgomery, Maryland heard?" Again, they are trying to find it, Marshall stood up, and the judge said, "Sit down Mr. Marshall. I didn't ask you." About now the courtroom is beginning to buzz. Black folks are saying, "Oh lord, they won't let our lawyer talk." Then Judge Waring swung his chair around to Thurgood Marshall, and he said, "Mr. Marshall, I wasn't being rude to you, but you see I knew you knew the answer, because you handled both of those cases. I wanted to know how long has the Charleston school board knew that they had to pay black teachers the same as white teachers. Mr. Marshall, how long do you want to give them?"

Thurgood stood there with his mouth wide open, didn't know what to say. He said, "All right, I'm going to give you a week. Have back on my desk a proposed order in one week." He says, "This is a simple case, we're not

going to waste the court's time," banged his gavel, court dismissed. It took 15 minutes for us to win our first civil rights case in South Carolina. That was just the beginning. From there, the next case was the Law School of South Carolina State. War World II veteran came home, wanted to go to USC Law School, wouldn't let him in, so he sued. The name was WRIGHTEN, John WRIGHTEN, old geechee boy from Charleston. So they sued. The judge who should have heard the case, George Bell Timmerman senior, who's a federal judge here in Columbia, couldn't hear the case because he was on the Board of Trustees at the University of South Carolina, so he had to recuse himself, like what's his name recused himself [crosstalk]

Tre: Right, Sessions.

Jim: He had to recuse himself, and so he gave the case to Waring. He said, "Waring, would you come up and hear this case?" He came up, J. Waties Waring, savior, my savior. J. Waties Waring. Waring came up to hear the University of South Carolina case. Waring listened to both sides. He said, "You've got three options. Either you let him in the University of South Carolina, if you don't do that build him a law school at South Carolina State. If you don't do one or two I'm going to close the law school at University of South Carolina." That was July 14, 1947. September 1, 1947 a law school was up and running at South Carolina State College. How do you put a law school together that fast? They didn't want to let him in USC so they did it. The first law school was housed in a corner of the library at South Carolina State and it stayed there for two years until they could build a building and hire full-time faculty and all of that.

Now, while Waring is up here he looks on the docket and he sees this voting case, and so he asks Judge Timmerman, can I handle that case also? Timmerman said, "Fine with me," because Timmerman didn't like to do any racial stuff. That case was the Elmo case, George Elmo, Elmo versus Rice. Mr. Elmo was a well to

do black man here in Columbia at that time. He owned the five and dime on Gervais Street, two blue ribbon taxes, two liquor stores. By all standards he was wealthy. He filed a lawsuit to vote in a Democratic party primary, which we couldn't participate in.

Tre: Even though you could vote, but you couldn't?

Jim: You could vote for Republican, but there was no Republican primary. You only could vote in the general election on the Republican ticket. Mr. Elmo took that step. As a result of that he lost everything. He won the case. They called in his mortgage, they stopped delivering liquor to his liquor stores, stopped delivering goods to his five and dime store. His wife had a mental breakdown, spent the rest of her life in institutions, and Mr. Elmo died in 1959 living in his truck. Sad. Now they've tried to make some amends. Now there's a big monument for him out at Randolph Cemetery. They've put a marker on Gervais Street next to First Nazareth's, showing where his store was. A little bit late though, a little bit late.

Tre: Yeah, and I hate they tore the store down, because they ended up tearing that store down, yeah.

Jim: They tore the store down, yes. First Nazareth bought the property, yeah. That was the third case. Now you've got teacher pay equal, you've got a law school at South Carolina State, a law school that Ernest Finney attended, Matthew Perry, Jasper Cureton. A law school that graduated legal giants.

Tre: Which I think is interesting, because they got a law school before black students could get into ...

Jim: Public schools. That is correct. What they would do prior to that, if I wanted to go to law school, the State of South Carolina would pay for me to go to Howard University, any law school out of South Carolina. Same thing with the graduate degrees. If you wanted a degree of library science, they would pay for you to go to Atlanta University to do that, or any Masters degree that South Carolina State didn't offer at that time. They had a special office set up in the secretary department of education that took care of that. But anyway, the law school closed in 1966. By that time USC had opened its doors and you had more professors than you had students, so economically it didn't make sense to continue it. 50 men and one female graduated from that little law school at South Carolina State. But they were legal giants.

Tre: Wow. Anybody noteworthy?

Jim: Matthew Perry, Federal Courthouse's name for him. Ernest Finney, former Chief Justice of the South Supreme Court, that was his school. Danny Martin from Charleston came out, Circuit Judge, Jasper Cureton, Court of Appeals. Family Court Judge, Ruben Gray over in Sumter, Willie Goldsmith up in Greenville. All of them came out of that little law school of at South Carolina State.

Tre: We've got teacher pay, law school, we're able to vote.

Jim: And now the biggie, Briggs versus Elliott, the big case. The case about integrating the schools in South Carolina. It all started down in Clarendon County, 1947. The President of the state NAACP was over at Allen University summer school. It was the ministers taking summer school courses. He said, "I need y'all to go back to your communities and find some plaintiffs who will sign on the dotted line, we want to get equalization schools. Not integrate, we just want equal facilities." They all what bus. They wanted a bus. The

superintendent said, "No bus, got no money for bus." They said, "Well buy a bus." They bought an old used bus, it broke down a lot. They went back to the superintendent, give us some gas. Nope, no money in the budget for colored school gas buses. So, they went to the NAACP and again, Ms. Simkins took the lead in this, and so called in Thurgood Marshall. Had a big meeting in the basement of Benedict College. and started this lawsuit, Briggs versus Elliott.

When you sue somebody based on a constitutional question it takes three judges. It's called a three judge federal court. On the three judge panel was Waring, my man Waring, Timmerman, the out and out racist, and John Parker, from North Carolina, federal judge of North Carolina. Parker comes into the court mad. The NAACP had been able to deny him a seat on the US Supreme Court, so he comes in mad. They rule two to one, that segregated schools were constitutional. Waring said, "No. Segregation is unequal per se." He wrote a 20 page dissent, Judge Waring did. Of course it was appealed to the United States Supreme Court. It was the first case to get to the Supreme Court on this whole thing about school desegregation. Everybody knows about Brown versus the Board. Before Brown there was Briggs out of South Carolina. Even before the Supreme Court, Marshall argued Briggs. He did not argue the Brown case. The Brown case came out of Kansas. His deputy assistant, Bob Carter, and Jack Greenberg argued the brown case.

There were five cases that got into the Supreme Court, Briggs out of South Carolina, Brown out of Kansas, Bowling out of Washington DC, Edwards out of Virginia, and the Gippard out of Delaware. They all got to the Supreme Court, and they put them all together and argued them, but each was argued separately. Marshall stayed with South Carolina all the way. Then of course May 17th, 1954 the Supreme Court handed down its unanimous decision. People say, "Briggs got there first. Why wasn't it listed first?"

Tre: Or why was there a need for Brown?

Jim: Exactly, the problem was they had narrowed it down, the issue in all five cases were the same. Chief Justice Earl Warren, former governor of California, who Eisenhower had appointed Chief of Justice a few months earlier because the old Chief of Justice died. Warren wanted a unanimous decision, and you had a lot of southerners on the Supreme Court at that time, so he felt if he put the Briggs case on top he would have gotten a lot of flack from the others, so he put Brown on top. Normally you do it alphabetically, so it would have been Briggs, Brown, Bowling, Edwards and then Gippard. He wanted to get a unanimous decision from the court, and so he put Brown on top and then Briggs underneath. That got him what he needed, so that's how it come out to be a unanimous decision, old politicking. President Eisenhower, who had appointed Warren, he said, "That one is the damnedest decision I ever made, appointing Warren to Supreme Court."

Tre: Wow, so we've got four. You said there were ...

Jim: Oh, now, come up to 1954. Sarah Mae Flemming from Eastover, 18 year old domestic worker.

Tre: Right, the bus.

Jim: The bus, and I tell this everywhere I go because people keep thinking that Rosa Parks did it first, but she didn't. It was Sarah Mae Flemming. South Carolina, they can guess operated the buses in Columbia at that time. One day, one Friday morning, I think it was Monday morning she was on her way to work, because she would live in Columbia and go home on weekends. You didn't have all the cars and transportation at that point. This particular day the bus was crowded and it was whites only. You had a line, black folks stood behind the line. I

don't care how many seats were available up front, you had to stay behind the line. That morning she decided to sit down above the line. The driver came back and told her, "Get up." She wouldn't. He told her again and she wouldn't. he pulled her up, punched her in her stomach, and told her, "Get off the bus."

She tried to get out of there at the front of the bus, she wouldn't let her, so she had to finally make her way through the back of the bus. She had to go to the hospital and get herself checked out. She had heard about Ms. Simkins. She went to see Ms. Simkins, told her what happened. She said, "All right child, I'll get you a lawyer," and she did. A young Jewish boy was the first lawyer in the case. It got so hot for him, the Klan burning crosses in front of his house, he said, "I can't handle this, so I've got to pull out of this case." Along comes Matthew Perry and Lincoln Jenkins, and they picked up the case and took it forward. It went up to appeal two, three different times. Guess who the judge was? George Bell Timmerman senior. She won the case. She didn't get any money out of it, got \$1.00. The judgment, that he gave her \$1.00, but she won the case. This is in '54.

A year and a half later in Montgomery, Alabama Rosa Parks did the same thing, but the Flemming case in Columbia got no coverage. Nobody knew about it, and she just faded away, 18 year old domestic worker, she was just so happy it was behind her. She said, "I'd never ride another bus again." But over in Montgomery, Alabama Rosa Parks, 40 years old lady, professional seamstress, secretary of the Montgomery, Alabama NAACP, the press just zoomed in on her. She got all the coverage. It happened here first.

Tre: Did it change the bus segregation that's here?

Jim: Oh yes, yeah. Supreme Court ordered that the buses had to desegregate. When Ms. Parks' case got to the Supreme Court they looked at it and said, "We dealt with this in South Carolina already, so Montgomery, Alabama, you've got to desegregate your buses."

Tre: Which interestingly enough, that's what happened with the teacher pay.

Jim: Exactly. You got it.

Tre: It sounds like a lot of that was happening during that time. There were smaller cases and cases in different cities. Why was it just the overall segregation that we had to keep winning the same case over and over and over again.

Jim: Stubbornness, stubbornness on the other side's part, because they would appeal, and that just dragged it out more and more. They fought it to the very end. South Carolina was the last state to finally desegregate its schools and law schools and all that, very last. We seem to have been last in everything good, and worst, everything first, because they just fought. They just wouldn't give it up. They figured they'd wear us down at some point. You've got to thank Thurgood Marshall and the NAACP for all that they did during those periods. I guess that's what drew me so close to the NAACP, and being at the center of it, in Sumter.

The chairman of the board was from Sumter. He was a railway mail clerk. That's how he could get away with what he was doing. He was a federal employee, he didn't rely on state jobs and private work. Same thing is true of the treasurer of the NAACP, Mr. Byrd, from up in Cheraw. He was a man with a sixth grade education, but just wisdom galore. He was a plumber by trade. Never had a car, never drove a car, would carry his tools on his bicycle. This was in Cheraw. How did he get away with that in Cheraw? He was the only plumber in

town, so white folk let him do what he wanted to do, because they needed him.

Tre: Mr. Felder, I have to ask now, so when you were 20, and I asked this, as calm and collected as you are now, at 20 you said you went forward even though Dr. King said, "It's going to be rough out there. People are going to be violent towards you." At 20, the 20 year old Jim Felder you said, "When we are young we feel like we're fearless," but now you're not 20. Matthew Perry is not 20, I.S. is not 20. Mr. Fielding is not 20, but you guys kept going. Modjeska Simkins, so what was it?

Jim: Watching them I guess. They gave us the inspiration that we needed to do what had to be done. And they kept saying, "Listen, y'all have got to take this. We ain't going to be around always. You've got to pull your weight." Black Lives Matter, they are what we were in 1960 with the sit-ins. First of all, our adults didn't want us to do it, families feared reprisals, and some of them did suffer reprisement. They found out their students were marching and so forth, but that was our time. Black Matters lifetime this time, each generation has to carry its own burden. Now, Black Lives Matter, but all I say is vote, vote, and vote some more. We've got a man in the white house now who is there because so many of us did not vote. Maybe it's a wake up call, maybe it's a wake up call for us.

I look at that way because I run into people all the time who said, "I didn't vote last time. I was so sure Hillary had it." No, you can never be so sure. You've got to vote, we fought for it, so many lives were lost for it. I just left addressing the holiness crowd out to Double Tree. I said to them, "The Lord can't come down here and vote for you, alright but he made it possible for you to vote, so use it." What did Moses do when he got to the Red Sea? It was the rod he used. The vote is what we need to use, and need to use it every day, every election.

Tre: What do you see is the difference, because you were instrumental in registering so many people with the voter registration project. And as you said, you see now years and years and years, we have the right to vote and don't take advantage of it.

Jim: We have 987,000 black registered voters in the south almost 1,000,000. It's two to one, twice as many whites, but we're there. We've gone from that eight black elected officials back in 1967 when I arrived to 928 black elected officials in South Carolina. Everything from US Senate right down to the school board. We're not taking advantage of that. We're not harnessing all of that power that we have, so we can't blame anybody but us.

Tre: What do we need to do?

Jim: We need to start calling people out, those who are supposed to be our leaders and not doing it. We need to be sure our children and grandchildren, everybody goes out and vote every election. It just takes a little push. We need to call out some people who tell you they vote and they don't vote. You can get the voter registration list. You can find out everybody who has voted. You can't tell how they voted, but you can get that list. When you sign in, when you go to the polls, that list is available to the public. If somebody says, "I went out and voted," say, "Are you sure? I'm going to check you out." That may get their attention a little bit more.

Tre: You're basically saying those of us, we need to be more active.

Jim: More active, more vigilant, yes.

- Tre: Our activism, we need to bring out our sense of activism.
- Jim: Hold our public officials' feet to the fire. We elect them and then we just don't worry about them until the next election, so they do what they want to do. You've got to have your eyes on them all the time at every level.
- Tre: I want to ask you a couple of more things. Talk about a little bit the desegregation of USC and Clemson, the big two major predominantly white colleges, Harvey Gantt both in '63.
- Jim: Both in '63. Clemson was first, that's why Clemson has always been my favorite of the two schools. January 1963, Hollings got up in the state capital and said, "All right gentlemen," he was governor. He said he was on his way out, he said, "We've run out of courts, so we should act like men and go ahead and open up the doors of Clemson," and that's what happened. Matthew Perry drove Harvey up to Clemson. It was smooth, nothing happened. It took the University of South Carolina until September of the same year to allow Jim Solomon and Henrie Monteith and Robert Anderson to be accepted that year at USC.
- Tre: Were you instrumental in mentoring those young men at the time, or talking to them, or helping them transition into those schools?
- Jim: Solomon was a little bit old...I wasn't here when they were admitted, because I was still in law school at the time. I came back in '67, so when '63 I was still in the army when that was going on at USC, in year '63. But after that I would encourage others, for example, Luther Batiste and Walker. At USC, Walker became the President of the student government association. Him and Luther Batiste were roommates over at USC. Steve Benjamin was another one of my mentees. So, I did all that I could for those who were ready to go.

Tre: Let's talk a little bit about the old black high schools.

Jim: Oh yes, Lincoln High School, Sumter, South Carolina, I'm glad you asked that question. This is what, March? October of last year, we, the alumni of Lincoln High School bought the building.

Tre: Great, congratulations.

Jim: It's still in tact, \$950,000. Part of it is going to be a civil rights museum in history. The other part, we're leasing space to nonprofit groups. There are a couple of startup churches in one part of the building, two fraternities have their offices there. It's going to be an incubator for nonprofit organizations. I'm happy to report that, Lincoln High School. I have to tease the people here in Columbia about Booker T. Washington, which they lost completely. But, Lincoln is alive and well as a historic site and a place where nonprofit groups can find office space and so forth. We do forums, we do a monthly forum in the auditorium on activities in the Sumter, and surrounding area. There are five of the old schools still standing. You've got Burke in Charleston, you've got Wilson in Florence, you've got Scott's Branch in [crosstalk]

Tre: Which in Florence that's not the original Wilson but it's still standing.

Jim: Still standing, Wilson High School yeah. Scott's Branch down in Clarendon County, Wilkinson in Orangeburg. What's the fifth one? I've forgotten what the fifth one is, but there are five of them still operating under their original names as a high school. Most of the others, either they were converted to middle schools or junior high school or just completely torn down. In some cases, communities, they were given to the communities for community centers and that sort of thing.

- Tre: Finally, let's talk a little bit about black business in Columbia. You had mentioned earlier that there was a thriving black business district between Main and Assembly street.
- Jim: I should say I went down to Washington, down to Zion Baptist Church, because the bank was down there. Victor Savings Bank was on Washington Street before it moved up to where it is now. It's now South Carolina Community Bank. But it was there also. The theaters and Leevy's, I.S. Leevy's grandfather had a department store down there. You could do all your shopping, everything you need to do, banking and everything, on Washington Street. People would come up from the countryside and spend all day Saturday out there doing their shopping and so forth. Other communities you did have some of that. No other community had a bank like Columbia did. Sumter for example, the only reason I had to go downtown was for banking purposes. We had everything on our side of town, a theater, businesses, doctors' offices, professional office, drugstore, the whole nine yards. That's gone now. It's gone.
- Tre: Ok, I think that's it for me. Karen, did you have anything else?
- Karen: The only question, before we are on film, this is Karen Alexander asking the question. You mentioned that you just got an honor. Can you tell us about that?
- Jim: Okay, yes. The College of Charleston, which is the 13th oldest college in the country, it was organized in 1770's, and it is the first oldest in the south, in terms of Yale and Harvard, it's the 13th. They are going to honor me by bestowing a doctorate of humanities letters at the commencement in May of this year.
- Tre: Now you said that that was interesting because of your relationship or non-relationship with the President.

Jim: That's correct, Glen McConnell. But, let me just run back to Judge Waring for a minute. After Judge Waring did all of these cases he had to leave South Carolina. Things got so hot for him in Charleston they had to post a US marshal outside of his house. The Klan would ride by throwing stuff at the house, harassing his wife when she was out shopping. They did that because he signed off on all of those cases. The story that broke the camel's back so to speak was when he divorced his wife of 30 some years and married a twice divorced Connecticut Yankee woman, that's when they really turned against him, kicked him out of the country club in Charleston, St. Cecilia Society. So when he finished with the Briggs case he said, "I'm not going to take this anymore." He left and went to New York as a federal judge, he appointed for life, and spent the rest of his days in New York.

While in New York, he hooked up with Reverend J.A. Delaine, who was the force in the Briggs versus Elliott case in Clarendon county. He had to leave the state also. Reverend Delaine organized an AME Church in Buffalo, New York. The name of the church, Delaine Waring AME Church. Waring died in January 1968. They brought the body back to Charleston for burial. Only 12 whites showed up for his services. 200 of us black folk went down for the service, because we felt we owed it to the old man, even his nephew, who was the editor of the Post and Courier would not go to his uncle's funeral. Now, two years ago, through Joe Riley who was mayor of Charleston, he said, "It's time to bring him back home," so they erected a statue in the courtyard at the federal building in Charleston, J. Waties Waring. You ought to check him out, great guy.

