

"We'd Rather Go To Jail"

Defy Court's Order In School Boycott

By SARA SLACK

Four Negro mothers were arranging their affairs and putting their homes in order Tuesday in preparation for going to jail rather than send their children to three Harlem junior high schools as they have been ordered to do by a Domestic Relations Court judge.

"We will go to jail and rot there, if necessary, but our children will not go to Jr. High Schools 136, 139 or 120." Mrs. Viola Waddy of 1980 Park Avenue, spokesman for the four mothers told the Amsterdam News.

The three other mothers backing up her statements are Mrs. Donald Ware of 2120 Madison Avenue, Mrs. Isaac Prioleau of 2140 Madison Avenue and Mrs. Mae Mallory of 212 West 129 Street.

The four mothers are part of a group of nine Harlem parents who have refused to send their children to the three Harlem Jr. High Schools since September the 8th because they maintain the children can only receive an inferior education in the predominantly Negro School.

Ex Board Member

Last Wednesday. Justice Nathaniel Kaplan, a former secretary to the Board of Education, and now a jurist on the bench of the Domestic Relations Court, convicted the parents of violating the State's Compulsory Law by refusing to send their children to school. He ordered them to appear for sentencing in his court at 10:00 A. M., Wednesday, December 17.

Judge Kaplan further ordered the parents to send their children back to school before they reappear before him for sentencing. At press time the defiant parents had ignored Judge Kaplan's orders and were preparing on Wednesday to go to jail.

Getting Ready

"We are packing our tooth brushes and bags and we will present ourselves before Judge Kaplan for jail sentencing." Mrs. Waddy said. "We'll go to jail, but

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School Moms

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our children will not attend any of those schools."

Two other parents who have refused to send their children to the three schools appeared before Justice Justine Polier, Friday, and heard their case reopened. They are Mrs. Stanley Skipwith of 2110 Madison Avenue and Mrs. Charles Rector of 2175 Fifth Avenue. Like the other parents they face conviction of violation of the compulsory education law. They are represented by Attorney Paul Zuber who is Attorney for all the parents.

Board Asks Delay

Justice Polier said Friday that she will study records in the case and notify the parents by telephone when she hands down her decision. Under the State's compulsory education law, the parents can be sentenced to a jail term of 10 days and be fined \$10 or both for the first offense. The maximum is \$50 fine and 30 days in jail, or both.

Zuber, last October 23, filed a petition in Albany on behalf of the parents, seeking a hearing before State Education Commissioner Allen during the second week in December. He was notified on Friday that lawyers for the Board of Education requested that the hearing be moved up to December 29.

"This means the Board wants

an extension until twelve days after Judge Kaplan has ordered the parents to send the children back to school," Zuber said. This is a clear manifestation of bad faith and their delaying tactics on the part of the Board of Education," Zuber said.

At one time fifteen parents were involved in boycotting the schools. The number declined to eight when seven parents returned their children to school after

tutoring classes were suspended, October 15.

The case of Mrs. Violet Livingston of 2110 Madison Avenue was dismissed by justice Kaplan because she enrolled her 11-year-old daughter, Barbara, in a private Boston school.

The case against Mrs. Dorothy Brown of 116 W. 139th Street was dismissed because her son, Leroy, is now attending Public School 622.