

# STATE SAYS HAWTHORNE BIGOT HAS NO CASE

## RIGHTS COMMISSION DEFENDED BY WALSH

RENO--Efforts by Hawthorne restaurant and casino operator Lindsay Smith to have the Nevada Equal Rights Commission declared unconstitutional are being vigorously opposed by the state attorney general's office.

Deputy Atty. Gen. Daniel Walsh has submitted a 14-pount brief in district court contending that Smith has no grounds for a \$263,000 damage suit against the commission as well as Smith's request for a declaratory judgment finding the commission unconstitutional.

Smith, who operates the El Capitan Restaurant-Casino at Hawthorne, secured a temporary restraining order preventing the commission from calling him to testify about alleged discrimination practices at the establishment. Smith claims the commission has invaded his privacy, harassed him without just cause and damaged his business.

In opposing Smith's request for a permanent injunction, together with a request for dismissal of the damage suit, Walsh claimed that the commission's charges were true. Walsh contended that Smith was subject to fair criticism by the commission acting in the line of duty "to disseminate information with the object of discouraging and eliminating and prejudices and discrimination."

Basing his request for dismissal of Smith's suit on the doctrine of sovereign immunity, Walsh denied the commission had invaded Smith's privacy because, "When the plaintiff opens his doors of public accomodation and refuses to serve a portion of the public on the basis of color, he becomes an actor in an occurence of public or general interest and the doctrine of right of privacy is not applicable."

It was recalled that in 1962 Smith testified at a hearing that he does not serve Negroes. An El Capitan Casino spokesman reiterated that policy at a 1963 hearing.



SWINGING ZENITHS--Coming soon to the Flamingo Hotel are the singing, swinging Zeniths, a "soul-searching" quartet that has been together for nine years. They have appeared in top spots throughout the country, including New York, and on several big TV shows. The gals are Diana Patton (left) and Miriam Walker. The guys are Frank Walker (left) and Johnny Barnes.

## LAW OFFICERS MEET WITH CIVIC LEADERS

A SERIES of conferences between West Las Vegas civic leaders and city law enforcement officials to discuss problems in human relations are being arranged for the near future as part of a city-wide program.

Plans for the proposed conferences were outlined at a recent meeting of the Police-Community Relations Committee of the National Conference of Christians and Jews.

Dr. Heinz Rettig, executive director of the Nevada NCCJ, has suggested that the present committee be expanded to include more educators, clergymen and representatives of civic organizations.

"WE AREN'T satisfied with the way our present police-community relations program has been working," Dr. Rettig said. "The expanded program should promote better harmony between law enforcement officials and the public."

Las Vegas Police Dept. Chief Leo Kuykendall said he "welcomed" the proposal for an enlarged committee and predicted it would help formulate policies on such important issues as civil rights, juvenile delinquency and gun laws.

Also attending the meeting and pledging support for the expanded program were the police chiefs of Henderson and Boulder City and the chief agent for the FBI in Las Vegas.



SINGING CADET--Joseph Anderson, nephew of local NAACP official James Anderson, is currently touring United States with West Point Military Academy Chorus, which recently presented concert in Los Angeles. Now in his third year at West Point, was first in his class of 518 corpsmen in mathematics last year and rated fifth in tactics.

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