

Famed Alabama rights judge dies

MONTGOMERY, Ala. (AP)—Frank M. Johnson Jr., a federal judge whose civil rights rulings made him a hero to blacks and a hated figure among Southern segregationists, has died. He was 80.

Johnson died of pneumonia at his Montgomery home Friday afternoon, said Curtis Caver, a longtime court clerk.

In one of his most dramatic orders, Johnson, who was white, cleared the way for Martin Luther King Jr. and swelling ranks of voting rights marchers to make their historic 1965 march from Selma to Montgomery despite then-Gov. George C. Wallace's attempt to block it.

"This is a tremendous loss," said U.S. Rep. John Lewis, D-Ga., who led that march. "The nation owes him so much. I can't imagine what the state of Alabama, the South and the nation would be like without him."

Johnson's rulings thrust him into the racial firestorm of the 1950s and 60s and in some ways made him a social outcast in Alabama's capital. A cross was burned on his lawn and his mother's Montgomery house was bombed.

"In some ways, he stood against greater odds than any other person," said the Rev. Randel Osburn, executive vice president and chief operating officer of the Atlanta-based Southern Christian Leadership Conference.

Johnson, a Republican appointee who served 25 years on the Montgomery U.S. District Court, made a pivotal 1956 decision that marked a victory for the Montgomery bus boycott, outlawing segregation across a wide spectrum — on public transportation and in parks, restaurants, libraries and schools.

In the 1960s, he signed the original order to integrate the University of Alabama, and he participated in the decision that ultimately became the "one man, one vote" principle established by the U.S. Supreme Court.

Despite accolades from civil rights groups, Johnson insisted throughout his career that he was simply following the law and was hardly a liberal.

"He helped shape the course of this state and this country through his staunch defense of the rule of law," Gov. Don Siegelman said. "His loss will be felt by many."

Speaking slowly with a country, gravel-voiced drawl, Johnson could strike fear in lawyers, as he looked down from the bench, peering steel-eyed over reading glasses and issuing no-nonsense instructions.

Johnson's rulings also led to sweeping overhauls in the state's mental hospitals, declaring them "human warehouses," and prisons.

He was nominated to be FBI director by President Carter in 1977 but eventually withdrew because of health problems.

In 1979, he was named to the 5th U.S. Circuit Court of Appeals, which later became the 11th Circuit, where he finished his judicial career.

Johnson attended the University of Alabama Law School, where he became friends with the man who later would become the most outspoken foe of his court — Wallace.

Wallace fueled his rise to the governor's office with verbal attacks on Johnson — once calling the Alabama-born judge an "integrating, carpetbagging, scalawagging, race-mixing, bald-faced liar."

Later, after Johnson's orders for statewide desegregation of schools and the sweeping reforms in mental hospitals and prisons, he became known to many as "the real governor of Alabama."

When President Eisenhower appointed him to the district court in Montgomery in 1955, Johnson was 37 and the youngest federal judge in the country. Barely a year later, he joined in the 2-1 ruling that outlawed segregation of public transportation, giving King and the bus boycott in Montgomery a victory that helped jump-start the civil rights movement.

"My pride as an Alabamian is a matter of roots," Johnson said at an event honoring him in 1984. "But it is a pride that has been enhanced, and continues to be enhanced, by the enormous progress in the past 25 to 30 years in Alabama ... the securing of constitutional rights of all Alabamians regardless of race, creed, color or sex."

Rosewood massacre remembered, passed on

MIAMI (AP) — As a child, Sandra Maxwell heard hushed stories about women and girls forced to hide for a week in a cold Florida swamp with only palmetto brush to keep their nightgown-clad bodies warm.

It was then she began to learn about the tragedy in Rosewood, where at least six blacks were killed and the town destroyed when a white mob set upon the predominately black enclave in 1923.

Seventy-six years later, the wounds of the attack still remain, even for those who did not live through it.

"I know what I feel now and I was not even there," said Maxwell, now 52.

Dozens of descendants, survivors and relatives, some in their 80s and 90s, still meet each year to remember the

massacre, and to honor those who helped win reparations for remaining victims.

Last weekend, the annual reunion was held in Miami. The mood of the gathering was characterized by the logo emblazoned on the red T-shirts worn by attendees: "Although justice was slow, victory is sweet."

The 1923 horror began New Year's morning 1923, when a married white woman, Fannie Taylor, emerged bruised and beaten from her home and accused a black man of beating her without giving a name, descendants said.

Witnesses Sarah Carrier and her 11-year-old granddaughter, Philomena Goins, watched silently as a white man believed to be Mrs. Taylor's lover, left the house. They told a sheriff, but he

admonished them and told them to go back home to Rosewood.

As word spread, angry whites besieged the town of about 120, burning nearly every structure in a week of destruction. The number of people killed during the massacre remains controversial. State records say six blacks and two whites were killed while descendants speak of mass graves containing as many as 37 bodies of women and children. Today, Rosewood is little more than a marker on State Road 24, southwest of Gainesville, although it once was a place where black families owned acres of land, black women taught school, and black men worked as engineers.

"They had the luxury life that a lot of blacks would like

to have today," Maxwell said. "And then for all of it to be taken away for a lie. Totally wiped out on a lie."

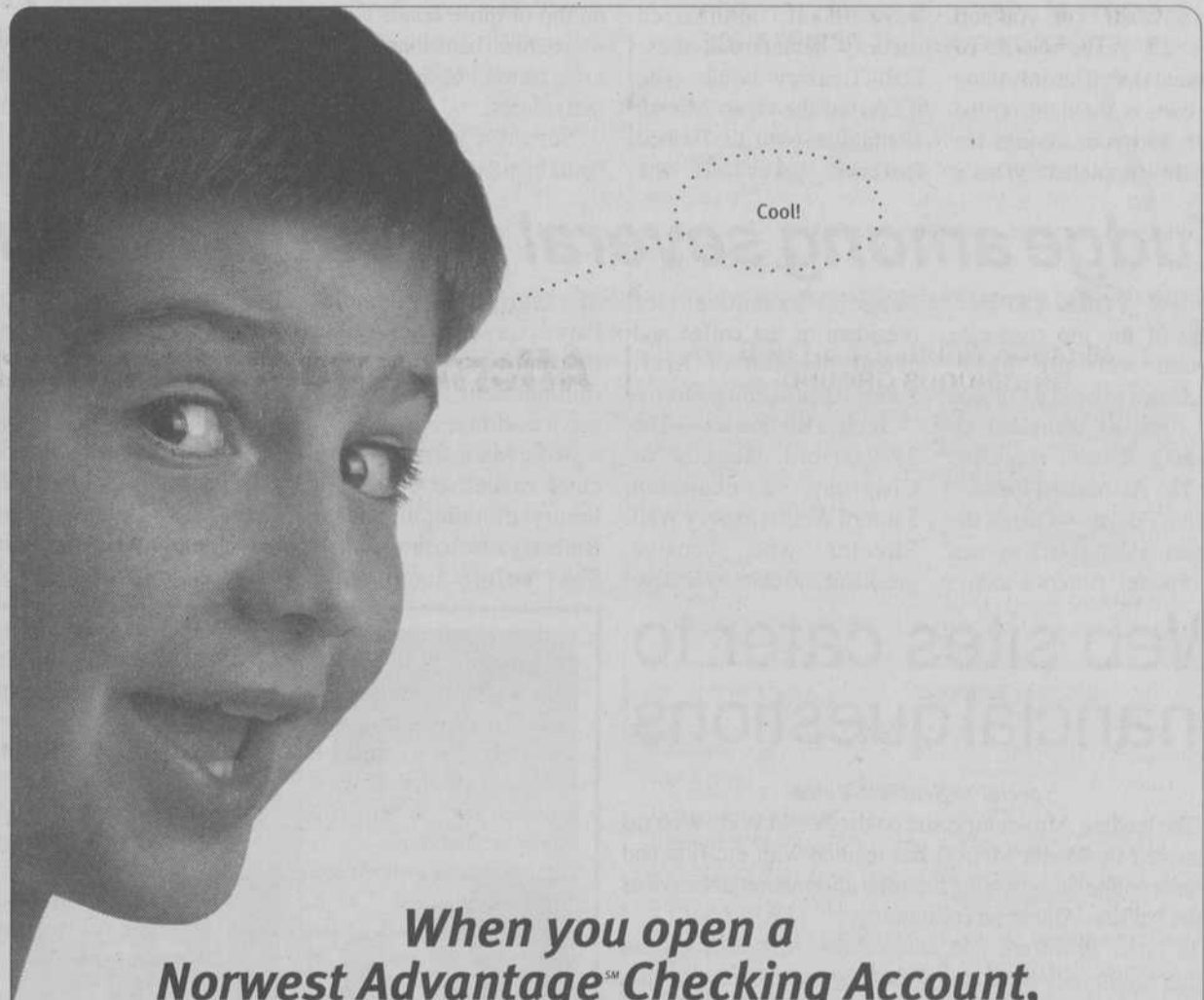
Like Maxwell, Rosetta Bradley Jackson, was born a year after the massacre, and also heard whispers when she eavesdropped on adult conversations.

But they didn't answer her questions: Why did her brother have only one eye? Why did her father have such a distrust of white people?

She would not know the answers or the extent of the killings until some 50 years later.

"I found out he had a reason," she said of her father.

Mrs. Jackson learned her brother had been shot in the eye at the Carrier home. He died never even telling his own children what had happened.



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