

Newsletter

November 2012

Exhibit Highlights Career of Civil Rights Attorney Shores

There are Civil Rights stories we know—Bull Connor and the dogs, the tragic bombing of 16th Street Baptist Church, the Montgomery bus boycott, the Selma to Montgomery March. Then there are the life and career of Arthur D. Shores—a story less told, yet equally worthy of spotlight and respect.

Taken from his own personal archive, the exhibit *Attorney Shores' Scrapbook—The Life and Times of Birmingham's Civil Rights Lawyer and Civic Leader, 1939–1975* tells of key cases that changed the face of the movement—and life itself—for the nation's black citizens. Presented by the Birmingham Historical Society and the Birmingham Public Library, the exhibit runs November 4–December 28 in the Fourth Floor Exhibition Gallery of the Central Library.

“Arthur Shores was Alabama’s only black attorney from 1939 to 1949,” says Marjorie White, BHS Director. “He became the first attorney in the state to represent his people in the courts and to champion their civil rights issues.”

The exhibit draws from the 256-page scrapbook in which Shores pasted pertinent newspaper clippings, documents, and other key elements of his historic journey. Among the cases chronicled in the scrapbook and exhibit are:

- Shores’ pleading of the seniority case of **L. & N. Railroad fireman Bester Steele** before the U.S. Supreme Court. The successful resolution of the case provided a precedent to Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination on the basis of race, color, religion, sex, or national origin for all citizens of the United States.
- Shores’ role in **Autherine Lucy’s three days at the University of Alabama** in February 1956 as its first black student (and the first black to attend a major Southern university). Shores represented Lucy throughout the barrier-breaking process.
- Shores’ cases to **break the color barrier in housing** on Dynamite Hill, 1947–1950.

The extensive exhibit includes accounts from *The Birmingham News*, *Birmingham Post-Herald*, *Birmingham Times*, *Birmingham World*, *Pittsburgh Courier*, *New York World-Telegram*, *Daily Worker* (New York), *Montgomery Advertiser*, *Lighthouse and Informer* (Columbia, SC), *Chicago Sun-Times*, and *Chicago Tribune*.

Among the exhibit’s other items are telegrams, Autherine Lucy’s application to graduate school at the University of Alabama (1952), a poster for a White Citizen’s Rally (1963), Shores’ ads for his campaign for the Alabama Legislature (1942) and Birmingham City Council (1969 and 1973), and Shores’ oath of office as a member of the Birmingham City Council. Also



Right to left, Arthur Shores with Thurgood Marshall and Autherine Lucy, exiting the federal courthouse, Birmingham, AL, February 29, 1956, following Lucy’s reinstatement as the first black to be admitted to a major Southern university. Photograph courtesy *The Birmingham News*.

displayed is an Alabama Christian Movement for Human Rights (ACMHR) press release, authored by Fred Shuttlesworth, calling for calm in the black community following the bombing of the Shores residence (August 1963).

“This is a *reading* exhibit—you can spend hours fascinated with the newspaper accounts of Shores’ cases,” says White. “Many exhibits are easy to scan quickly, but this one is rich and deep with detail and deserves a thoughtful approach. You will be rewarded with an insight into both the man and a time that constitutes an important chapter in the Civil Rights world and in local and national history.

“We are honored to share Arthur Shores’ story, especially through the scrapbook pages he so diligently kept for posterity.”

OPENING EVENT

Opening Reception and Book Signing:
Sunday, November 4, 2012, 3–5 p.m.; Remarks 3:30 p.m.
Fourth Floor Exhibition Gallery, Central Library,
2100 Park Place. Open to the public at no charge.

Featured guests: Helen Shores Lee and Barbara S. Shores,
daughters of Arthur Shores.

Book: Lee and Shores will sign copies
of their volume *The Gentle Giant of Dynamite Hill:
The Untold Story of Arthur Shores and His Family’s Fight
for Civil Rights* (Zondervan, 2012).

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Arthur Shores Timeline: 1904–1996

September 1904 Born in Jefferson County, “out there on the streetcar line between Birmingham and Bessemer.” The eldest of nine children born to Pauline and Richard Shores, a building contractor. Raised by his paternal aunt and uncle, who worked for the Tennessee Coal, Iron & Railroad Co. (TCI). Educated in TCI schools.

1922 Graduates Industrial (later Parker) High School.

1927 Graduates Talladega College with a teaching degree.

1927–37 Teaches in the Jefferson County school system, including at Dunbar High School, Bessemer; also at night school at Wenonah, where he works with ore miners who are organizing the nation’s first interracial union.

1935–38 Serves as principal of Dunbar High School.

1934–35 Studies law at the University of Kansas’s summer program, completing his degree by correspondence with the La Salle Extension University of Chicago. (Education in the law is not offered to blacks in Alabama at this time.)

1937 Passes the Alabama Bar examination.

1938 Marries Theodora Warren, then a teacher at Dunbar High School. Two daughters, Helen and Barbara, are born in 1941 and 1945.

1939 Becomes corporate counsel to Smith & Gaston Funeral Home.

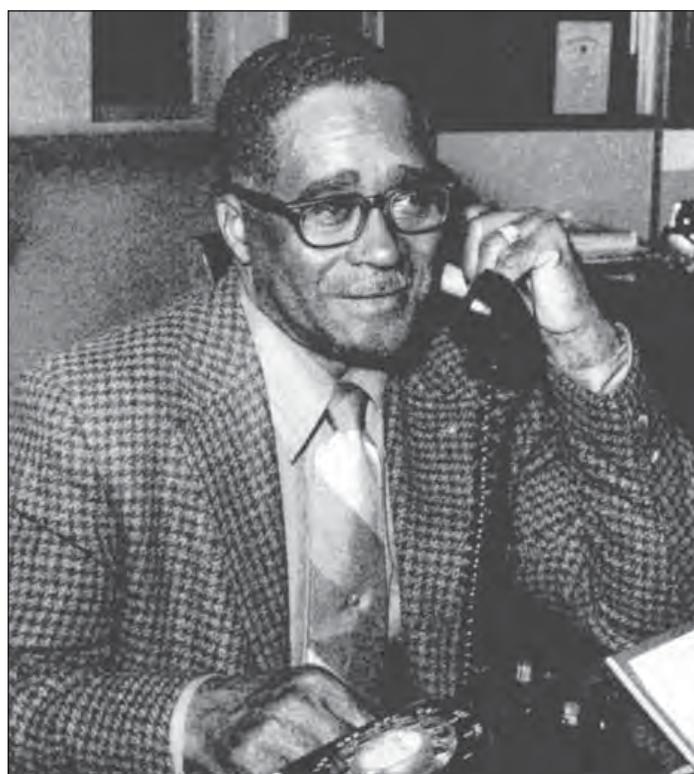
Starts a real estate and insurance firm, working with his brother-in-law Wilbur Hollins.

Works as the only practicing attorney of his race in the state of Alabama for the next 10–15 years.

Becomes the first black attorney in Alabama to represent his clients in court.

Becomes the first Alabama lawyer to champion civil rights issues.

Becomes an associate and regional representative for the National Association for the Advancement of Colored People (NAACP), receiving technical assistance and financial underwriting to bring suits to compel Boards of Registrars to register blacks to vote, to require equalization of teacher and worker salaries, and to desegregate the University of Alabama. Shores would become the NAACP’s most prolific attorney in the region.



Arthur Shores in his office. c. 1969. Courtesy the Shores Scrapbook, collection of Barbara Shores

1940 Prosecutes a Birmingham police officer for beating labor leader Will Hall. On the day of the trial, at which the officer is found guilty, a police informant “swings” at Shores. “My friends beat him up and everyone was arrested,” Shores comments in a 1974 interview. Shores is acquitted at his trial the next day; his friends are fined. According to Shores, his legal practice gets such great publicity from the incident that from there on out, he did not “want for any.”

1942 Runs for the Alabama Legislature. (Fewer than 1,000 black voters are registered to vote in the state at this time.)

1944 Argues *Steele v. L. & N. Railroad*, a case involving racial discrimination in railroad unions, in his first appearance before the U.S. Supreme Court. The Court reverses the judgment of the Alabama Supreme Court, concluding that a union could not exclude members and then deny them better jobs because they were not union members.

1947 Defends Samuel Mathews in a challenge of Birmingham’s racial zoning law, which permitted blacks to own property anywhere in the city but restricted where they could live. The court rules in favor of Mathews, ordering the City to issue a certificate of occupancy. The same night, the Mathews’ House is destroyed by a bomb—Birmingham’s first residential bombing and the beginning of the “battle of North Smithfield.” Attorneys for the City rewrite its zoning ordinance. Shores brings several more cases to finally break the color barrier in housing in 1950.

1950 Represents Mary Means Monk in a federal lawsuit challenging Birmingham’s revised racial zoning ordinance. Federal Judge Clarence Mullins declares Birmingham’s ordinance invalid; that same evening, the Ku Klux Klan bombs the Monk home.

1952 Files and wins (in federal court) the right to serve on the Jefferson County Executive Democratic Committee.

1952–53 Builds his ranch-style home on Center Street in North Smithfield, an area then known as “Dynamite Hill” due to the bombings of area residences following the breaking of the color barrier in housing. As additional homes are built in the area, neighbors take up arms and provide nightly patrols to protect their residences.

1952–56 Serves as legal counsel for Autherine Lucy in her attempt to study library science at the University of Alabama. Shores is supported by the NAACP in this endeavor.

1955 Argues *Lucy v. Adams* in U.S. Federal Court to gain admission for Autherine Lucy to the University of Alabama, thereby preventing her exclusion on the basis of race.

July 1963 Appointed to the Community Affairs Committee of the City of Birmingham (later of Operation New Birmingham), a bi-racial body formed to work out solutions to major community issues. Shores continues to serve on this committee for at least 15 years. As he describes the work of the committee: 45–60 top leaders of business, politics, schools, and the community and just rank-and-file people sit down together each Monday morning and work through the issues. Eventual successes include hiring black policemen, implementing a system to distribute food stamps, resolving problems in the school system, addressing matters of housing and recreation, and dealing with problems affecting various agencies of government, including getting blacks on the personnel board.

1963 Serves, with other attorneys, as legal counsel for persons arrested during the April–May ACMHR and Southern Christian Leadership Conference demonstrations, arguing that the arrests of peaceful demonstrators in Birmingham should be ruled unconstitutional.

August 1963 Shores did not represent ACMHR in challenges to Birmingham's segregated schools. However, at the time of the desegregation of Birmingham schools, the Klan bombs his residence.

September 1963 Suffers a second bombing of his residence two weeks later; his wife, Theodora, is injured. At this time, the Klan also bombs 16th Street Baptist Church, one of the churches in which the spring demonstrators trained.

1964 Runs for the Alabama Legislature.

December 1968 Appointed to the Birmingham City Council.

1968 Serves as Alabama's first black delegate to a Democratic National Convention, in Chicago.

1969 Elected to the Birmingham City Council; placed in charge of the Public Works Committee.

Serves three days as Acting Mayor when the Mayor and Council President are out of town.

1972 Serves as delegate to the Democratic National Convention in Milwaukee.

1973 Elected to a second term as City Councilman, during which the City establishes affirmative action for the hiring of blacks.

1980s Closes his legal practice.

1996 Dies at age 92 at his home in Birmingham.

Sources:

The Arthur Shores Scrapbook. Collection of Barbara Shores, Birmingham, Alabama.

Cochran, Lynda Dempsey. *Arthur Davis Shores: Advocate for Freedom*. Master's thesis, Georgia Southern College, 1977.

Woodham, Rebecca. "Arthur Davis Shores," *Encyclopedia of Alabama*. <http://www.encyclopediaofalabama.org/face/Article.jsp?id=h-1644>, accessed 9/4/2012.

Pace, Eric. "Arthur D. Shores, 92, Lawyer and Advocate for Civil Rights." Obituary, *The New York Times*, December 18, 1996.

Bass, Jack, *Interview with Arthur Shores*, July 17, 1974, Southern Oral History Program Collection (#4007). Interview A-0021, <http://docsouth.unc.edu/sohp/A-0021/menu.html>, accessed 9/4/2012.

Shores, Helen Lee, and Barbara S. Shores with Denise George. *The Gentle Giant of Dynamite Hill: The Untold Story of Arthur Shores and His Family's Fight for Civil Rights* (Zondervan, 2012).

Selected Cases of Attorney Shores

Alabama Christian Movement for Human Rights

Following the Lucy case in 1956, Shores continued to advance civil rights cases, albeit not for the NAACP, with whom he had worked since the late 1930s. Attempting to slow changes to the Southern social order, Alabama officials banned the NAACP on May 26, 1956. The prohibition led to Reverend Fred Shuttlesworth's formation of a new organization: the Alabama Christian Movement for Human Rights. ACMHR continued the NAACP's tactic of bringing legal challenges, but it also organized individuals to mount direct-action challenges to protest segregation laws and inequities. Shores represented ACMHR in challenges to transportation law and served as bonding attorney for many of the individuals jailed during the April–May 1963 demonstrations that led to the passage of the Civil Rights Act of 1964.

ACMHR Bus Case

In 1958, Shores represented Lillie Boman, Rev. F. L. Shuttlesworth, and others in testing a new Birmingham segregation ordinance, No. 1487-F. The case traveled to the Fifth Circuit Court of Appeals and was finally resolved in favor of the litigants on November 8, 1961. Thereafter, riders of Birmingham streetcars and buses could sit where they pleased.

William J. Bolden

Shores pled the case for equal pay for Jefferson County's black school teachers. The litigant was the principal of the county schools at the mining community of Praco and later at Leeds. The case, initiated in 1942, dragged on for years and was finally affirmatively resolved in 1945. Jefferson County schools then equalized pay for beginning teachers and those of the same grade. Ruby Jackson Gainer sued in 1947 for compliance with the equal pay decree; the U.S. District Court resolved her suit in 1955.

James Erwin

In 1940 Shores exposed Erwin's confession of an alleged murder to which the defendant confessed following his beating in a Bessemer jail. Erwin was acquitted of the murder charges.

Will Hall

Shores pleaded for justice in this case of a jailed labor leader beaten by an Ensley policeman during the summer of 1939. The judge of Birmingham's Civil Service Board ruled that police should not administer punishment; that was the job of the courts. The officer was publicly reprimanded and placed on probation.

O'Dee Henderson

In 1940 Shores represented "this Negro" who was jailed for jostling a white mill worker at the TCI sheet mill. When the 24-year old arrestee was beaten and killed in the Fairfield jail, the mayor of Fairfield held an investigation and recommended dismissal of the officers involved. The Fairfield city council did not approve the dismissal.

Martin Luther King Jr.

Shores, along with other attorneys working with the NAACP, defended King and other boycotters during the Montgomery Bus Boycott. In November 1956, the U.S. Supreme Court ruled Montgomery's segregated bus system unconstitutional. The 382-day boycott officially ended December 21, 1956.

Autherine Lucy (Foster) 1952–1956

The Lucy Case became Attorney Shores most high-profile case. In 1952, following graduation from Miles College, Lucy and her friend Pollie Myers applied to the graduate schools of the University of Alabama and were admitted, but later denied admission based on their race. The Lucy Case became the first test of the May 17, 1954, *Brown v. Board of Education* ruling concluding that "separate but equal" educational facilities were unconstitutional. Working with attorneys Thurgood Marshall and Constance Motley from the NAACP's New York office, Shores won admission for Lucy to the University in U.S. Federal Court on June 29, 1955. Following three days of riots and turbulence in February of 1956 when she attended her first classes, the University revoked Lucy's admission. Shores sued. Federal Judge Hobart Grooms ordered Lucy back to



Autherine Lucy, February 5, 1956. Courtesy Collection of Jo Tartt, Warrington, VA.

Original caption for the United Press Photo: "Tuscaloosa, Alabama: Autherine Lucy, 26, the first Negro ever to enter the University of Alabama, smiles and says she is "elated" after being accepted by the 136-year old school. She said she planned to attend classes February 6th despite two campus demonstrations on successive nights, protesting her enrollment. A student body leader said Feb. 5th that it was "apparent" that a number of leaders in the second demonstration, held by about 1,000 persons, were not students."

school; however, the University's Trustees expelled the young lady for slandering the university. Expulsion stood until 1988, when the mother of four was readmitted to the graduate school, finally completing her graduate degree in 1992.

Samuel and Essie Mathews

In 1917, the U.S. Supreme Court outlawed racial zoning. Birmingham's 1926 zoning law permitted blacks to own property but to occupy it only in approved zones. By 1947, blacks constituted approximately 40 percent of Birmingham's population yet were permitted to occupy only 15 percent of the land area. With families expanding in the post-World War II years, blacks sought to have land rezoned for home sites. Such was the case of Samuel and Essie Mae Mathews, whose uninsured new home was dynamited to dust after its construction in what Mathews thought was a rezoned, vacant area, located across from today's Wilkerson School. The dynamiting was the first of many that gave this area the name "Dynamite Hill."

Mary Means Monk

Shores represented many litigants, including Alice Allen and Mary Means Monk, as they continued the fight to invalidate Birmingham's racial zoning laws and to build and occupy homes of their own choice. Following the U.S. Federal Court ruling in the Monk case on December 19, 1950, the City of Birmingham could no longer enforce its racial zoning laws. Members of the Ku Klux Klan took up the challenge.

William Mitchell

In this 1945-46 voting rights case, the Tuskegee litigant was said to not have vouchers acceptable to the registrar. (An acceptable voucher,



William P. Mitchell, December 8, 1958. Courtesy Collection of Jo Tartt, Warrington, VA.

Original caption for the A.P. wirephoto: "Witness: Today in Montgomery, Ala.-William P. Mitchell, secretary of the Tuskegee Civic Association, was the first witness at a hearing by the Federal Civil Rights Commission into complaint of curbs on Negro registration. The commission embers on the bench in the left rear were, from left: Robert G. Storey, John S. Battle and Rev. P.M. Hesburgh."

Shores explained to Jack Bass in a 1974 interview, would be a white person who would say, this is "a good nigger.") This case against the Macon County Board of Registrars traveled to the U.S. Appellate Court, which reversed the district court ruling against the litigant.

W. L. Patterson

In 1945 Shores represented Patterson when the Birmingham Board of Registrars denied Patterson the right to register to vote because he did not satisfactorily read the U.S. Constitution.

Shores Arrested for Disorderly Conduct

Attorney Crampton Harris from Georgia, a former law partner of Hugo Black, defended Shores, who was acquitted of charges stemming from a melee in court on the previous day. A police informant had been paid to disrupt the trial of the policeman in the case of the beating of Will Hall. The informant and Shores' friends, who defended him in the ensuing fight, were fined.

Bester Steele

Shores, and other NAACP attorneys, pleaded for seniority rights for this L. & N. fireman with 31 years of service who lost his job when a less-experienced white man was promoted to it. Shores won the case in the U.S. Supreme Court in 1944.

Glen Taylor

On May 1, 1948, U.S. Senator Glen Taylor came to Birmingham as a Vice Presidential candidate on a speaking tour. Seeking to speak to a group assembled at a "colored" church, he entered the church through the clearly marked "colored" entrance and was arrested and fined for "disorderly conduct." The conviction was appealed, but Birmingham's segregation ordinance prohibiting blacks and whites from entering the same doorways remained.

Teachers

In 1939 Shores argued the case of four Birmingham teachers for the right to vote. The superintendent threatened the teachers with loss of their jobs. The Board of Registrars, however, registered the teachers rather than provide a test case to Shores and the NAACP.

Everette Washington

In 1941 Shores obtained leniency in the sentencing of this 16-year-old Pratt City youth, who had been convicted of attacking a 14-year-old girl and sentenced to death by the electric chair.

Charles White

In May 1939 Shores pleaded for commutation of the death sentence in this case against an accused rapist. While Governor Frank Dixon complimented Shores on his statement and recommended commuting the death sentence, the parole board reversed this decision.

Vivian Malone and James Hood

While Montgomery lawyer Fred Gray was the lead attorney on this cases that resulted in the de-segregation of The University of Alabama on June 11, 1963, following Gov. George Wallace's School House Door Stand, Shores provided supplemental counsel.

Fourth Floor Exhibition Gallery, Birmingham Public Library

Sunday, November 4, 2012, 3-5 p.m.
Opening Reception and Book Signing:

Arthur Shores Scrapbook

Join us for

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