

CHICAGO NEGROES SUE FOR HEARINGS

Prisoners Charge Delays in
Handling of Riot Cases

By DONALD JANSON

Special to The New York Times

CHICAGO, April 12—Negroes jailed for a week after the rioting here asked the Illinois Supreme Court today to order the lower courts to hear their cases.

The 18 petitioners charged Judge John S. Boyle, chief justice of the Cook County Circuit Court, and other county officials with "suspending due process of law."

The 18 and some 3,200 other persons were arrested last weekend on charges of curfew violations, disorderly conduct, looting and arson. Hundreds of them remained in seriously overcrowded city and county jails today.

The suit is a class action charging county officials with "deliberate failure to provide sufficient courts, clerks and jail personnel during the past seven days, thereby suspending due process of law in Cook County."

When the Legal Aid Bureau of United Charities, the American Civil Liberties Union and the Cook County Bar Association made such allegations yesterday, Judge Boyle denied the charges.

Denial of Bond Charged

Today the prisoners sought an order requiring that the county courts be kept open and adequately staffed throughout the weekend and until their cases are processed.

Attorneys representing the Negroes said in a statement, "Hundreds incarcerated as a result of dragnet arrests were not permitted to post bond."

Clerks under the direct supervision of Judge Boyle, they said, "refused to accept cash payment despite Illinois law requiring them to do so."

The suit charges that no determination was made as to the validity of the charges

against the defendants' that prisoners were not allowed counsel of their choice, that they were denied the right to telephone relatives or their attorneys, and that bond was frequently set "in summary, mechanical fashion" without inquiring into the defendant's background and circumstances, as required by state law.

Philip H. Ginsberg and other attorneys submitting the petition, said in their accompanying statement that those who suffered most were "persons who were arrested in front of their own homes, on their way to work or exiting from their

burning homes, who were told to tell it to the judge."

"For the past six days the judges have not been listening," Mr. Ginsberg said. "While it is obvious that our system of government cannot tolerate civil disorders, neither can it permit the wholesale abuse of individual rights."

He cited many cases, including that of Tommie Lee Turner, 35-year-old father of six children. He was charged with burglary. Bond was set at \$5,000.

Mr. Turner's wife has been trying all week, the petition said, to obtain a reduction of bail so that he will not lose his job with the Iroquois Steel Company. The suit said that she had been unable to get a hearing and that a cash deposit for the percentage of bail usually accepted had been refused.

The petition charged that Negroes in jail a week had not yet had a preliminary hearing, were unable to post "excessive" bonds "set without proper hearings," or could post them but had been denied access to a clerk to do so.