Ala. Muslims Seek Writ Against Effort To Bar Their Farm

By Bruce Galphin
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ATLANTA, Dec. 10—The Black Muslims are asking a federal injunction against what they allege is a conspiracy of state prosecutions, official harassment and private acts of violence aimed at their farm in St. Clair County, Ala.

Federal marshals today served copies of the Muslim's suit on defendants ranging from Alabama Gov. Albert P. Brewer and Attorney General MacDonald Gallion to white private citizens who are bitterly fighting the Muslim's purchase of nearly 1,000 acres of farmland about 35 miles northeast of Birmingham.

The suit seeks to halt pending prosecutions of the several Muslim members and employees, to restrain violence, to invalidate several Alabama statutes, and to bar a state legislative investigation.

In their efforts to be left to farm in peace, the black separatists have won the legal support of three integrated organizations, the American Civil Liberties Union, the Southern Legal Action Movement and the Selma Interreligious Project.

The Muslims obtained the land last month through a corporation called Progressive Land Developers. Two local white men, Ray Wyatt and Dr. Robert McClung, handled purchase of the tracts from the previous owners and resale to the Muslims.

Local whites are up in arms, and they have resorted both to violence and to Alabama law to oust the Muslims.

A 1961 Alabama law—apparently never previously enforced—makes it illegal for a Muslim to stay in the state more than five days without registering and disclosing such matters as finances and membership rolls.

Jimmy Holmes, a Negro hired by the Muslims to operate and maintain their farm machinery, was arrested for failing to register under that statute. He says he is a Missionary Baptist.

Holmes also was arrested for trespass. His version is that he drove a tractor onto land purchased by the Muslims, but left after a white farmer said the land was under lease to him till next year.

The Muslims' attorney, Orzell Billingsley Jr., has been arrested on charges of filing a deed for an out-of-state corporation (Progressive Land Developers) not registered in Alabama. Billingsley, who is not a Muslim, has been active in civil rights cases in Alabama for several years.

The all-white Pine Forest Missionary Baptist Church has sued the Muslims for $250,000, alleging trespass and alleging the Muslims have denied them access to a church cemetery surrounded by Muslim land.

Business Burned

District Attorney L. P. Waid has filed four suits for a total of $4,000 in fines, alleging that Muslims illegally failed to register as an out-of-state corporation before buying land and a truck.

Local whites have founded Restore Integrity to Development (RID) with avowed purpose of ousting the Muslims.

Several cows on the Muslim land have been shot, and Wyatt's automobile agency was destroyed in a fire that is being investigated by the state.

The suit seeks to block pending prosecutions, to invalidate the Muslim registration law, to end harassment and violence, and to block an investigation of the Muslims by the Alabama Legislative Commission to Preserve the Peace.

Brewer and Gallion were included as defendants, the suit alleges, because of their threats to "initiate further judicial proceedings" and their "cooperation and encouragement" to RID.

The actions against the Muslims, it alleges, amount to a conspiracy to deny Muslims their rights of speech, religion, association, privacy, and to buy and control property.

Seller of land to Muslims harassed. Page F1.