

Supreme Court to Face Two Free Speech Cases

They Involve Minister,
Anti-War Protesters

WASHINGTON (AP) — Two appeals testing the limits of free speech in America's fast-paced society confront the Supreme Court when it returns Tuesday from a two-week recess.

Together, the cases question whether rights granted by the Constitution in a more casual time should be trimmed by authorities to spare citizens from nuisances.

Except for this common theme, the appeals are diverse.

One centers on the Rev. Vernon C. Lyons, a Baptist minister in Chicago. The other concerns two New York groups protesting the war in Vietnam.

Mr. Lyons decided on a spring day in 1966 to head for the city's Monroe St. parking lot—which can accommodate 3,000 cars—and to place under the windshield wipers of parked cars small paper pamphlets containing the biblical book "The Acts of the Apostles."

He took his wife, four of their children and two other parishioners of the Ashburn Baptist Church with him. They worked their way through the lot.

After a while they were stopped and told there would be no objection if they stood at the lot's entrance and exit to distribute the tracts to motorists—but that they could not remain on the lot itself.

The minister refused to obey, was arrested, convicted of violating a littering regulation and fined \$25.

The Vietnam protest groups, Veterans and Reservists to End the War in Vietnam and the Fifth Avenue Vietnam Peace Parade Committee, decided in the fall of 1966 to take their arguments into the Port Authority bus terminal on Manhattan's West Side.

Through this world's busiest bus terminal pass more than 200,000 people a day, many of them servicemen.

The peace advocates tried to set up tables and hand out anti-war leaflets. The terminal police threatened arrest if they did not leave.

Port Authority officials said the war protesters were free to press their views on travelers at terminal entrances and exits and on surrounding sidewalks.

The officials said the terminal interior must be kept free of demonstrators who interfere with travelers.

Mr. Lyons asserted the First Amendment's guarantees of freedom of speech and freedom of religion but lost in Illinois state courts.

Justice Robert C. Underwood, speaking for the State Supreme Court last March, said the minister had to give way in the interest of keeping the parking lot clean and not bothering the motorists.

Not only were pamphlets swept up by the wind and left all over the lot, Underwood said, but they were "a source of annoyance to numerous car owners."

The antiwar groups also relied on freedom of speech—and succeeded where the minister had failed.

Ruling last March, the U.S. Circuit Court in New York City said the terminal building is an appropriate place to express views on provocative and controversial subjects precisely because it is heavily used by the public.

In the first case, the clergyman is appealing to the Supreme Court for a hearing. In the second, it is the New York Port Authority which is asking review.