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## Freedom Sought By 3 Militants

Attorneys for three former members of the militant Negro organization The Invaders today were seeking their release from the Tennessee State Penitentiary where they are currently serving five-year terms in connection with a disturbance at Carver High School in May 1968.

A motion for release of John B. Smith, Oree A. McKenzie III and Larry L. Davis was filed in U.S. District Court asking their immediate release pending a hearing on the constitutionality of their state trial in early 1969.

Brett B. Stein, who along with Phillip E. Kuhn is representing the men, said his clients received the maximum five-year sentence on charges of violating the state's anti-riot law.

"The sentences, Stein said, have been appealed through the state Criminal Court of Appeals and the Tennessee Supreme Court," both of which affirmed the convictions.

The three defendants also received Penal Farm sentences of 11 months and 29 days, and were fined \$1,000 each on charges of inciting children under 18 to leave school to participate in a public protest or demonstration.