Supreme Court of Pennsylvania

Middle District

SALLY MRVOS

PROTHONOTARY

P. O. Box 624 Harrisburg 17108

May 9, 1978

Benjamin G. Lipman, Esquire Assistant General Counsel Pennsylvania Human Relations Commission 711 State Office Building Philadelphia, Pa. 19130

Re: Loyal Order of Moose, Lodge No. 145 v. Com., Pa. Human Relations Comm.
No. 74 May Term, 1977

Dear Mr. Lipman:

Enclosed is a copy of the Opinion filed in the above-captioned appeal. Also enclosed is a copy of the Judgment Order which has been entered today.

Very truly yours,

Sally Mrvos, Prothonotary

Deputy Prothonotary

Enclosures

cc: Elmer E. Harter, Esquire

[J-25]

IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

LOYAL ORDER OF MOOSE, LODGE

: No..74 May Term, 1977

NO. 145,

Appellees

: Appeal from the Order of the

vs.

: Commonwealth Court of Pennsylvania

COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA HUMAN RELATIONS

: at No. 5 C.D. 1974 modifying the : Order of the Pennsylvania Human : Relations Commission at Docket

: No. P-860

COMMISSION, .

Appellant

OPINION OF THE COURT

PER CURIAM:

8/er - 8 YAM :CELIF

The order of the Commonwealth Court is affirmed.

Mr. Justice Manderino filed a Concurring and Dissenting Opinion.

Mr. Justice Roberts filed a Dissenting Opinion in which Mr. Justice Nix joins.

SUPREME COURT OF PENNSYLVANIA Middle District

LOYAL ORDER OF MOOSE, LODGE NO. 145

NO. 74 MAY TERM, 1977

COMMONWEALTH OF PENNSYLVANIA PENNSYLVANIA HUMAN RELATIONS COMMISSION,

Appellant

JUDGMENT

ON CONSIDERATION WHEREOF, it is now here ordered and adjudged by this Court that the order of the Commonwealth Court of Pennsylvania be, and the same is hereby affirmed.

Dated: May 9, 1978

IN THE SUPREME COURT OF PENNSYLVANIA Middle District

LOYAL ORDER OF MOOSE, LODGE NO. 145

No. 74 May Term, 1977

V.

COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA HUMAN RELATIONS COMMISSION,

Appeal from the Order of the Common-wealth Court of Pennsylvania at No. 5 C.D. 1974 modifying the Order of the Pennsylvania Human Relations Commission at Docket No. P-860.

Appellant

DISSENTING OPINION

ROBERTS, J.

FILED: MAY 8 - 1978

For the reasons set forth in the Opinion of the Court in Penn-
sylvania Human Relations Comm'n. v. Alto-Reste Park Cemetery Ass'n.,
453 Pa. 124, 306 A.2d 881 (1973), and my dissenting opinions in Penn-
sylvmia Human Relations Commission v. Zamantakis, Pa,
A.2d (J. 23, 1978, filed, 1978) and Pennsylvania
Human Relations Comm'n. v. St. Joe Minerals Corp., Pa. ,
A.2d (J. 287, 1976, filed January 26, 1978)(Roberts, J., joined by
Nix, J., dissenting), I dissent.

Mr. Justice Nix joins in this dissenting opinion.

IN THE SUPREME COURT OF PENNSYLVANIA

MIDDLE DISTRICT

LOYAL ORDER OF MOOSE,

No. 74 May Term. 1977

LODGE NO. 145.

APPELLEES

٧.

Appeal from the Order of the Commonwealth

Court of Pennsylvania at No. 5 C. D.

COMMONWEALTH OF PENNSYLVANIA : PENNSYLVANIA HUMAN RELATIONS :

1974 modifying the Order of the Pennsylvania

Human Relations Commission at Docket

COMMISSION,

No. P-860

APPELLANT

CONCURRING AND DISSENTING OPINION

JUSTICE MANDERINO

FILED: MAY 8 - 1978

The Commonwealth Court affirmed the Commission's findings that the Moose Lodge had discriminated against the complainants herein, and affirmed the Commission's order with two exceptions. One of these reversed the award of damages for embarrassment, humiliation and mental anguish. The majority has affirmed the Commonwealth Court in all respects, upholding the order, as modified, to other affirmative relief but denying the Commission's power to award such damages.

I am in concurrence with the majority in upholding the Commission's order as modified by the Commonwealth Court except as to the denial of damages.

I dissent to the holding that no damages can be awarded, in accordance with my dissent in Pennsylvania Human Relations Commission v. Straw, Pa.

A.2d (filed April _____, 1978).

In the Commonwealth Court of Pennsylvania

No. 5 C.D. 1974

LOYAL ORDER OF MOOSE, LODGE NO. 145,

Appellant

77.5

COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA HUMAN RELATIONS COMMISSION,

Appellee

RECORD

Appeal From the Final Order of the Pennsylvania Human Relations Commission at Docket No. P-860.

> ELMER E. HARTER, Attorney for Appellant

105 North Front Street Harrisburg, Pa. 17120 717—238-9555

Murrelle Printing Co., Law Printers, Box 100, Sayre, Pa. 18840

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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

LOYAL ORDER OF MOOSE, LODGE NO. 145.

Appellant

No. 5 C.D. 1974

VS.

COMMONWEALTH OF PENNSYLVANIA PENNSYLVANIA HUMAN RELATIONS COMMISSION,

Appellee

RECORD

- Complaint 1.
- 2. Answer to Complaint
- 3. Amended Complaint
- 4. Answer to Amended Complaint
- Stenographic transcript of record of hearings on July 3, 1973 (including Complainant's Exhibits 1 through 8); and transcript of July 24, 1973
- Findings of Fact, Conclusions of Law, Commission's Decision and Final Order
- Notice of Public Hearing

I hereby certify that the above constitutes the true and correct Record of the proceedings before the Pennsylvania Human Relations Commission in the above case.

Executive Director

Pennsylvania Human Relations

Commission

COMPORTENATE OF PERMETERATION

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· ·	•	V		- 11	.,	こくれいえ うしょじ	,

	RELIAVILLE COMMESSION
Donald Hamilton and Sherry Hamilton	
in behalf of their minor children, Lynn and Sharon	
(Complainant\$	
(Compressions)	
VS.	DOCKLY NO. P - 860
	To determ and planting of the property and the property of the
Loyal Order of Moose, Lodge No. 145	
(Respondent)	
•	

Сомул	1 A T Et m
чьогни всере	
/ Puployment / / Housing /x/ Public Accor	amodations // Education Because of the
/x/ Race, // Color, // Religious Creed,	// National Origin, // Ancestry, // Age,
•	
or 17 Sex, of the complainant.	
1. The Complainantsherein xxx a	re DonaldLHamilton and Sherry Hamilton
in behalf of their minor children, Lynn	and Sharon 210 - Pral Avonus
willisport, Pennsylvania	
2. The Respondent herein is Lov	al Order of Moose, Lodge No. 145,
and the second s	order of Hoose, Lodge No. 145,
33 East Third Street, Williamsport, Per	
TOTAL MATITION POLICY PE	nnsylvania.
3. The Complete parts allogoe that	
3. The Complainants alleges that	
children the use of the bowling facility	
the use of the bowling facility	ty and bowling league at Loyal Order
of Moose, Lodge No. 145 located at 33 I	East Third Street, Williamsport,
Pennsylvania because of the race of the	eir children: black
	The state of the s
B	
The state of the s	
	- Control of the State of the S

Complaint	3a
DOCKET NO.	P - 860
4. The Complain of alleges that the alleged unlawful of practice:	· ·
took place on or about November 18th, 1972	DEU 1 9 1978
is of a continuing nature which has persisted including the present time.	up to and
5. No other action based on these allegations has been by the Complainant in any Court or before any other Commission Commonwealth of Pennsylvania except as follows:	n instituted ion within
/x/ None	
6. Such action complained of is a violation of:	
/*/ Section 5 (i) (1) of the Pennsylvania Human Relation (Act of October 27, 1955, P.L. 744, as amended by February 28, 1961, P.L. 47 and as further amended of July 9, 1969, P.L. 133). // Section of the Pénnsylvania Fair Education Opportunities Act (Act of July 17, 1961, P.L. 776	the Act of d by the Act ticsal
* * * * * * * *	3
	· -
COMMONDATED OF PERMSYLVANIA:	
COUNTY OF Lycoming :	•
COUNTY OF Lycoming :	
Donald Hamilton and Sherry Hamilton . Of full age, being according to low deposes and says: that they mak the Complair that thy he versad the foregoing complaint and knows the continuat to the heat of their knowledge, information and helief thalleged therein are true.	nanc s hersin: tonk thereof:
Event to and unlacting. (Signature of Complaindre	Hamilton

before to this 746 day

of Wedinder , 1972:

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 1 Pa. Cost \$33.32 (relating to service by a participant).

The day of December

Of counsel for

ANSWER TO COMPLAINT

- 1- Admitted.
- 2- Admitted.
- 3- Denied. To the contrary, it is averred that use of the Lodge facilities of the Respondent is restricted to members and their families. It is further averred that Complainants were not on the date in question members of the Respondent-Lodge.
- 4- The date of the incident in question is admitted. It is denied that there was any unlawful discrimination.
 - 5- Admitted.
 - 6- Denied.

JUNE 22, 1973

ELMER E. HARTER ATTORNEY FOR RESPONDENT

4-1-

ATTORNEY AT LAW HARRISBURG, PA. COMMONWEALTH OF PENNSYLVANIA:

SS:

COUNTY

OF

DAUPHIN:

Personally appeared before me, a Notary Public in and for said County and State, <u>FRANK RICHIE</u>, who, being duly sworn according to law, deposes and says that he is the Secretary of <u>LODGE NO. 145</u>, <u>LOYAL ORDER OF MOOSE</u>, Respondent in the foregoing <u>ANSWER TO COMPLAINT</u>; that as such, he has authority to make this Affidavit; and that the facts set forth in the foregoing <u>ANSWER</u> are true and correct, to the best of his knowledge, information and belief.

Frank Lakie

Sworn and subscribed to before me this 22nd day of June, A. D. 1973.

Notary Public

My commission expires March 7, 1977.

ELMER E. HARTER

ATTORNEY AT LAW

HARRISBURG, PA.

Amended Complaint

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

Oonald L. Hamilton and Sherry Hamilton In behalf of their minor children, Lynn and Sharon
Comparainants
vs DOCKET NO. P-860
Loyal Order of Moose, Lodge No. 145
AMENDED COMPLAINT
Public Accommodations EducationBecause of the
Color, Religious Creed, National Origin, Ancestry, Nage,
are Complainantsherein xx Donald L. Hamilton and Sherry Hamilton, in
pehalf of their minor children, Lynn and Sharon, 219 Federal Avenue,
Villiamsport, Pennsylvania
Respondent herein is Loyal Order of Moose, Lodge No. 145, 33 East
Third Street, Williamsport, Pennsylvania
. The Complainants allegex that the respondent denied their children the
use of the bowling facility and bowling league at Loyal Order of Moose,
Lodge No. 145 located at 33 East Third Street, Williamsport, Pennsylvania,
pecause of the race of their children, black, Complainants further allege
that the aforementioned actions by the respondent caused their children,
Lynn and Sharon, to suffer extreme embarrassment, humiliation and mental
anguish, for which they demand monetary compensation.

	, oa
4. The Complainant	alleges that the alleged unlawful discrimina-
tory practice:	
X took place of	on or about November 18th, 1972
	inuing nature which has persisted up to and
	ne present time.
	based on these allegations has been institu-
	any Court or before any other Commission
	of Pennsylvania except as follows:
X None	<u> </u>
6. Such action comm	defend of the section of
	plained of is a violation of:
	of the Pennsylvania Human Relations Act (Act
	1955, P.L. 744, as amended by the Act of
	61, P.L. 47 and as further amended by the Act
of July 9, 1969	
	the Pennsylvania Fair Éducational Opportunitie
Act (Act of Jul	y 17, 1961, P.L. 776).

COMMONWEALTH OF PENNSYLVA	NIA :
COUNTY OF Lycoming	SS
Donald L. Hamilton & Sher	ry Hamilton, of full age, being duly sworn
	and says: that they are the Complainants
	ad the foregoing complaint and knows the con-
	best of their knowledge, information and be-
lief the facts alleged th	
-	
	(s) Donald L. Hamilton and Sherry Hamilton (Signature of Complainant)
	The state of the s
Sworn to and subscribed	Date: 27 June 73
before me this 27 day	:
of June, 1973	:
(s) Edward N. Edwards (Se	a1 \

My Commission Expires 1/7/74

COMMONWEALTH OF PENNSYLVANIA

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DONALD L. HAMILTON and SHERRY: HAMILTON, in behalf of their minor children, LYNN and SHARON,

Complainants

VS.

DOCKET NO. P - 860

LOYAL ORDER OF MOOSE, LODGE NO. 145,

Respondent

ANSWER TO AMENDED COMPLAINT

- 1- Admitted.
- 2- Admitted.
- 3- Denied. To the contrary, it is averred that the Respondent did not deny the children of Complainants the use of the Moose Bowling Lanes because of their race, black. It is further averred that, since use of the Moose Bowling Lanes is restricted to members and their children, any denial to Complainants' children or others would be based upon non-membership.

It is further averred that any embarrassment, humiliation and mental anguish experienced by Complainants' children was engendered and visited upon them by their parents, and not by Respondent.

4- Denied.

- 5- Admitted.
- 6- Denied.

<u>WHEREFORE</u>, Respondent moves that the <u>AMENDED COM-</u> <u>PLAINT</u> be dismissed.

> ELMER E. HARTER ATTORNEY FOR RESPONDENT

COMMONWEALTH OF PENNSYLVANIA:

COUNTY

OF

DAUPHIN:

Personally appeared before me, a Notary Public in and for said County and State, <u>FRANK RICHIE</u>, who, being duly sworn according to law, deposes and says that he is the Secretary of <u>LODGE NO. 145</u>, <u>LOYAL ORDER OF MOOSE</u>, Respondent in the foregoing <u>ANSWER TO AMENDED COMPLAINT</u>; that as such, he has authority to make this Affidavit; and that the facts set forth in the foregoing <u>ANSWER</u> are true and correct, to the best of his knowledge, information and belief.

Trank Takie

Sworn and subscribed to

before me this 3^{M} day

of, A. D. 1973.

merce / South

Notary Public

My commission expires:

Tilue (17 1977

HUMAN RELATIONS COMMISSION COMMONWEALTH OF PENNSYLVANIA

DONALD L. HAMILTON and SHERRY HAMILTON, in behalf of their minor children, LYNN and SHARON,

Complainants

Complainant

: Docket No. P-860

vs.

LOYAL ORDER OF MOOSE, LODGE NO. 145,

Respondent

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MEMBERS PRESENT:

; ;

4 3 1

EVERETT E. SMITH, PRESIDING ELIZABETH M. SCOTT ALVIN ECHOLS

1 4

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Stenographic report of hearing held in Lycoming County Courthouse, Williamsport, Pennsylvania,

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1 65

Tuesday, July 3, 1973 at 10:30 o'clock a.m.

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APPEARANCES:

ROY YAFFEE, ESQUIRE
Assistant Attorney General
Philadelphia, Pennsylvania

For - Complainants

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And the second s

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APPEARANCES: (Continued)

ELMER E. HARTER, ESQUIRE 105 North Front Street Harrisburg, Pennsylvania For - Respondent

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į.	THE CHAIRMAN: This meeting of the
2	Pennsylvania Human Relations Commission will now come to
ð	order.
Ą	This relates to Docket Number P-860, a
Ė	complaint case under public accommodations provisions of the
Ġ	Pennsylvania Human Relations Commission Act in which Donald
7	L. Hamilton and Sherry Hamilton in behalf of their minor
8	children Lynn and Sharon of Williamsport versus the Loyal
S	Order of Moose, Lodge Number 145.
ŧΰ	May I introduce myself. I am Everett Smith,
11	presiding officer at this hearing and Commissioner of the
1	Pennsylvania Human Relations Commission.
¥ 72	To my left is Elizabeth Scott, also a
1.4	Commissioner of the Pennsylvania Human Relations Commission,
15	who resides in Pittsburgh. To my right is Alvin Echols,
î xis	a Commissioner of the Commission who resides in Philadelphia.
17	
* \$10.	(Discussion off the record.)
14	
20	THE CHAIRMAN: Will the attorneys make their
31	appearance at this point? For the complainant?
2.3	MR. YAFFEE: I am Roy Yaffee, I am counsel for
23	the complainants in this matter. I am Assistant Attorney
24	General with the Commonwealth of Pennsylvania.
25	THE CHAIRMAN: For the respondent?

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MR. HARTER: Mr. Chairman and members of
   the Commission, my name is Elmer Harter of Harrisburg,
    Pennsylvania and I represent the respondent.
 Ly
                    THE CHAIRMAN:
                                   Thank you.
                    Are there any motions before we begin the
    hearing?
 7
                    MR. YAFFEE: Complainant has no motions to
 8 make preliminarily.
                    THE CHAIRMAN:
                                   Sir?
10^{-6}
                    MR. HARTER: Mr. Chairman, I do.
                    First, I move for a continuance of this
11 /
12 hearing on the grounds that the amended complaint came to
   my attention only on Friday morning last. And I have not been
   afforded the proper opportunity to investigate the matters
set forth in amended complaint and to prepare an adequate
16. answer thereto and I am relying not only on general principles,
17, but on Section 4132 of the regulations of the Commission,
(8 which provides as follows:
15
                   In any case when a complaint has been
20 amended, the respondent shall have an opportunity to amend the
answer within such period as may be fixed by the hearing
22 commissioners or the commission.
                   So I move for a continuance of this hearing
23
24 on that basis.
                   THE CHAIRMAN: Mr. Yaffee, would you like to
25
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respond to that, please?
                   MR. YAFFEE: Yes, Mr. Chairman. I will be
   happy to.
                    I would first like to bring to the attention
 14
   of the Commissioners the fact that although the complaint was
   amended just one week prior to the convening of this hearing,
    it was served at an earlier time than Friday.
 13
                    I believe it was served last Thursdayupon
    the respondent in Williamsport. It was then also delivered to
    Mr. Harter's office on Thursday afternoon by Mr. Jones.
                    THE CHAIRMAN: This is the original complaint.
ŦŢ
                    MR. YAFFEE: No. That is the amended
1
    complaint.
                    The amended complaint was served upon
1 45
    Mr. Frank Richey, Secretary of the respondent on Wednesday
    last, that is June 27, 1973.
1 /
                    MR. ECHOLS: What date was that?
17
                    MR. YAFFEE: June 27, 1973, as indicated by
1 10
    certification of review form signed by Mr. Richey.
                    Now, with regard to the substance of the
20
    amendment of the complaint, please allow me to direct your
    attention to the amended complaint so that I may indicate to
24
    you just what changes were made.
23
                    In the title of the complaint, the word
24
    amended was added to indicate that it was in fact an amended
```

matter.

- complaint. The only other change that was made in the complaint other than the date of the signing by the complainants is in paragraph number 3, which contains the substantive allegations being made by the complainants in this
- In that paragraph, the initial allegation which was contained in the original complaint and which is the first sentence in paragraph 3 has remained the same. The only item was added was a second sentence.
- Complainants further alleged that the aforementioned actions by the respondent caused their children Lynn and Sharon to suffer extreme embarrassment, humiliation and mental anguish for which they demand monetary consideration.
- Were this the first occasion that the respondents were given notice that the complainants were making demands for monetary compensation as set forth in the complaint, I would quite agree with Mr. Harter that an extension of time would be in order.
- However, as early as January 19 of 1973,
 Mr. William Jones, investigator for the Human Relations
 Commission, by letter to Mr. Harter, indicated that such a
 demand was being made, and in fact, by letter of April 17,
 1973 from Mr. Harter to Mr. Jones -- I am sorry.

By letter of February 1, 1973 from Mr. Harter

to Mr. Jones, which was in response to Mr. Jones' letter of January 19, Mr. Harter acknowledged that such a demand was 2 being made and responded to such a demand. And therefore, I would respectfully request 4 that a continuance would not be in order in this case because respondent has not been surprised by this, because discussions: have been continuing throughout the pendency of this matter concerning this subject and therefore respondent has had ample opportunity to ascertain the facts regarding this allegation and to prepare a defense. The amendment was merely a formality and 11 a desire on the part of the complainants to officially go on record as making this demand. THE CHAIRMAN: Mr. Harter? 14 MR. HARTER: Mr. Chairman, may I add one 15 further thought? It is true that the Commission through 17 Mr. Jones did make a demand upon the respondent which was brought to my attention that monetary damages be paid to the children of the respondent. That was denied by me on behalf of the respondent quite some time ago. Then when the formal complaint was filed, 22 there was no reference to any demand of that sort, whatsoever, so that the respondent was lulled into a sense of security, 24 a false sense of security into believing that the Commission 25

had abandoned that and therefore, made no investigation as to whether damages were proper or not. 3 So I think that this is a proper case for 4 surprise and a continuance. 1 MR. YAFFEE: May I add just one comment, please? The original complaint was served upon the 8 respondent by Mr. Jones on December 8 of 1972. correspondence and discussion concerning the monetary damages 10 took place subsequent to that time. 11 It wasn't until January and February of 1973 12 that these facts were reduced to writing and there was no 13 subsequent indication, in writing or otherwise, upon the part 14 of the complainants that such a demand was being withdrawn. 15 MR. ECHOLS: Mr. Harter, the substance of your objection or the substance of your motion for a 10 continuance on the grounds that the complaint was amended 17 and just recently served on you goes to no opportunity to 18 respond to the formal complaint, is that correct? 19 That is right, sir. 20 MR. HARTER: Yes. MR. ECHOLS: Could we solve that problem by 21 stating for the record that you also deny that that portion 22 of the complaint which was amended to the effect that there 23 were, that the alleged acts which you also deny in the 24 original complaint, caused embarrassment, humiliation and

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mental anguish to the individuals as named in the complaint
    who were subject to that act.
                    Why not just agree that you also deny that
. 1
    allegation?
                    MR. HARTER: I am perfectly willing to agree
    to that, but we have been denied the right to investigate the
 7 truthfulness, the existence of such an allegation.
                    MR. ECHOLS: Under normal procedure in
 8
    Civil cases, you would have a right to discovery depositions
    and so forth and so on. I don't know that that is a
1
    procedure that we have under our Act and under our regulations.
I I
                    THE CHAIRMAN: I might say, Mr. Harter,
121
    in that connection, that, to my knowledge, this is the first
    complaint that I have seen that has been amended in this
    direction.
                    We have, on the other hand, had public
10
    hearings on many complaints relating to housing and public
    accommodations and other matters which, based on our Act,
    the Commission has seen fit to come down with final orders
    where we found there was discrimination and the facts
24
    justified it, with an amount to be paid by the respondent
    to the complainants for embarrassment, humiliation and so
22:
    forth.
23
                    So just as the Act provides for other
24
    penalties that the Pennsylvania Human Relations Commission
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can apply, if they find cause, I would say that this was no different. And whether it was, even if it weren't stated, there is nothing to prevent the Commission from coming down with the final order in that respect if we so find. 4 MR. HARTER: I don't agree with your point of 1 law, there, and this is probably not the proper time to argue that point. THE CHAIRMAN: No, it isn't. 8 MR. HARTER: But I would like to be on 9 record as stating that it is my position that the Commission 10 has no power to award monetary damages. 11 THE CHAIRMAN: All right. 12 MR. HARTER: I won't belabor that. 13 MR. ECHOLS: If that is your position, then 1 ... the motion made would be not really relevant, because you 75 are in essence saying that the portion of the complaint 16 alleging damages, that the portion of the complaint that was amended to allege damages is unlawful? 38 MR. HARTER: Yes. And if you will agree that 19 that is the case, I will withdraw my motion for a continuance. 20 MR. ECHOLS: I will agree that that is your 21 objection. If that is your objection, then the motion for 22 a continuance would not be the proper motion to raise that 23 issue. 24 You can raise that issue in a preliminary

İ	motion to move the hearing commissioners to strike the
- 2	
.is	that be a motion that you think would be more proper?
4	MR. HARTER: That was going to be my next
í,	motion and I did make such a motion to the Commission on
6	Friday, this past Friday.
7	THE CHAIRMAN: Let's treat with the
8	continuance first. The motion is denied. We will continue
9	the hearing now on the thesis that you have had adequate
10	knowledge that this was coming forth, number one.
11	Number two, even if it hadn't been stated,
12	we, it should have been knowledge that the Commission has
13	acted on behalf of the complainants where we have found
1.4	cause in this area.
15	So as far as a continuance is concerned,
£ ₹,	we will proceed.
17	MR. HARTER: I would like an exception to
135	the ruling.
19	THE CHAIRMAN: Right.
20	MR. HARTER: And I would simply like to state
ĬĬ	that your ruling is flying in the face of the regulation
2%	that I just read to the Commission a little while ago.
23	And now if the Chairman and the members of
24	the Board please, I move that the amended complaint be
25	THE CHAIRMAN: With respect to the matter of

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the continuance, we should add a third point, and that is
    that the amended complaint was delivered to the respondent
    on June 27, and it would seem to us a reasonable time from
    then until now, July 3 --
                    MR. ECHOLS: Under the regulations cited.
 3
                    THE CHAIRMAN: Under the regulations.
                    MR. HARTER: For the same reasons without
    repeating them, I move that the amended complaint be
    stricken from the record.
                    THE CHAIRMAN: On what grounds?
10
                    MR. HARTER: For the same reasons that my
I. I.
    motion for a continuance, that I haven't had the opportunity
12
to reply to it and second, it calls for an illegal exercise
   of authority.
                    THE CHAIRMAN: Do you want to respond to that,
15
   Mr. Yaffee?
                                 In response to respondent's
                    MR. YAFFEE:
17
   motion to strike, please allow me to make a few brief points.
                    First of all, respondent has been given
158
   adequate notice as I mentioned before, that the complainants
   were demanding monetary compensation as set forth in the
7.1
   complaint.
7.7
                    The complaint was amended, as I stated, to
23
   formally go on record as making a demand for such compensatory
   relief. As far as the authority of the Commission to award
25
```

compensatory damages for embarrassment, humiliation and mental anguish, please allow me to refer the Commission to Section 9 of the Pennsylvania Human Relations Act, entitled procedure.

In that section, the Act specifically refers to relief that can be ordered by the Commission following a hearing. Reading just briefly from that section, if I may, "If, upon all of the evidence at the hearing, the Commission shall find that a respondent has engaged in or is engaging in any unlawful discriminatory practice as defined in this Act, the Commission shall state its findings of fact and shall issue and cause to be served on such respondent to cease and desist from any such unlawful discriminatory practice and to take such affirmative action, including but not limited to," and then setting forth various forms of relief which include hiring, in employment cases, with or without awards of back pay, et cetera.

It is the position of the complainants in this matter that the statement of the Act which authorizes the Commission to order respondents to take such affirmative action as they deem necessary, certainly encompasses the right to compensatory damages for embarrassment and humiliation.

And this is so, particularly in light of the mandate of Section 12 of the Human Relations Act, that the

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provisions of the Act shall be construed liberally for the
 Lat
    accomplishment of the purposes thereof.
                    The reason that compensatory damages were
 3
    requested was to make the complainants hold from an injury
    and a damage which we allege occurred. That certainly would
    be encompassed under the purpose of the Human Relations
    Act and therefore, we respectfully urge that respondent's
    motion to strike be denied.
                    MR. ECHOLS: Could we order the respondent
    to issue a letter of formal apology to the complainants?
                    THE CHAIRMAN: As a relief?
11
                    MR. ECHOLS: Yes.
                                       I am asking Roy.
12
                    MR. HARTER: I am not sure of that, Mr. Echols.
13
    In the recent Alta Vista Cemetery case that is the issue
   before the Supreme Court. Whether they could cause the
    publication of a letter of apology in the Altoona Mirror.
                    I think that is an uncertainty until the
17
    Supreme Court rules on it. I am sure you are familiar --
14
                    MR. YAFFEE:
                                 It is the position of the
39
   Commission as we have gone on record, that the Commission does
    have that authority and we have taken that position on
21
   appeal to the Pennsylvania Supreme Court which has been
22
   argued, but to date, no opinion has been rendered on that
   question.
                   THE CHAIRMAN:
                                  I think we will have to over-
25
```

I rule your motion. 2 MR. HARTER: May we have an exception, please? 3 THE CHAIRMAN: Yes. We will continue with the exception in the record on this point. 5 MR. HARTER: Now, if the Commission please, I have a third and final motion. 7 I move that the Chairman and the members of the Commission present here disqualify themselves from 8 proceeding further with this hearing on the grounds that they are acting as the prosecutor, the judge and the jury, and further that Mr. Yaffee, who designated himself as the 12 attorney for the complainants, is also Assistant General Counsel for the Commission, all of which indicates that the respondent is being deprived of a fair trial in the light of 15 due process guaranteed by the Fourteenth Amendment of the Constitution of the United States. And I make that motion with all due respect 17 18 to the personnel of the panel. 10 THE CHAIRMAN: It is recognized that we aren't talking personalities here. 201 Mr. Yaffee? 21 MR. YAFFEE: In response to Mr. Harter's 22 motion for disqualification of the panel, please let me 2.3 emphasize that the Pennsylvania Human Relations Commission 24 is organized by Statute, that Statute being the Pennsylvania 25

Human Relations Act.

1.3

That Act sets up an organization of the Commission that is very similar to many other state and federal administrative bodies. It provides for administrative powers of the agency as well as quasi-judicial powers of that agency.

The functioning of similar administrative agencies has been upheld on many many occasions by many courts throughout this country. It is true that this Commission is not a judge, insofar as they are not completely independent of the investigation of this case, or that this is the first instance in which the Commission, itself, has received some notice that this charge has been filed.

But acting under mandate of the Act, the Commission in this matter received a complaint from private individuals, members of the public, and the Commission was charged with the obligation of receiving such a complaint and conducting an investigation thereon in conformity with the requirements of the Act.

There certainly is no denial of due process in this matter, although I cannot speak for the Commissioners, I am certain that the Commissioners have no prior knowledge of the facts in this complaint other than those set forth in the form of allegations in the complaint and the answers that were filed to that complaint.

1 MR. ECHOLS: And I would like to state for 2 the record that the presiding commissioners, including the Chairman, has seen no document in this case other than the complaint, the amended complaint and the notice of hearing. ì MR. YAFFEE: And if I may, just to conclude. the Act further provides that the decision of this panel is not a final decision. That this panel is empowered only to 8 make a recommendation to the entire Human Relations Commission which will then render its decision. THE CHAIRMAN: 1() Mr. Harter, what he has said is correct. 11 11 MR. HARTER: I have no doubt of that. 13 THE CHAIRMAN: And this panel, I assure you, have no prior knowledge, other than what we read in the complaint. We have come to this meeting as we have in all meetings, with an open mind to hear the evidence and to make a decision. 17 . The record will show that, I am sure, if you 18 look at the record that each one of us have had, that some of them have been in favor of complainant, some of the recommendations, and some have been in favor of the respondent. 7.7 We are the law enforcement agency of the 23 Pennsylvania Human Relations Act. That is our function. 2.1 have to do this under the Act. So your motion is denied. 25

1	MR. HARTER: Now, Mr. Chairman, I ask leave
2	to file an answer to the amended complaint, which was dashed
3	off yesterday afternoon after talking to Sanford Hahn,
4	General Counsel of the Commission, who advised me that my
5	motions for continuance and to strike would be denied.
6	THE CHAIRMAN: Yes. Very good.
7	It is a matter of record that we have
8	received the answer to the amended complaint.
9	MR. HARTER: That is all I have at this
10	point.
11	THE CHAIRMAN: Thank you, Mr. Harter.
12	Will you proceed with the case, then,
13	Mr. Yaffee?
14	MR. YAFFEE: Will Mrs. Sherry Hamilton
15	please take the stand?
16	
17	SHERRY HAMILTON, called as a witness on her
18	own behalf, being first duly sworn, was examined and testified
19	as follows:
20	DIRECT EXAMINATION
ZI	THE CHAIRMAN: Be seated and give your name
22	and address.
23	THE WITNESS: Sherry Hamilton, 219 Federal
24	Avenue, Williamsport, Pennsylvania.
25	

1	BY MR. YAFFEE:	
2	; ;	Mrs. Hamilton, are you the wife of Donald
3	L. Hamilton?	
4	A.	Yes, I am.
5	Ç.	And do you have any children?
6	A.	Yes. I have three children.
7	Q,	Would you please state their names and their
8	ages, please?	
9		Donald, Jr., he is ten. Lynn is eight and
10	Sharon is six.	•
11	ରୃ	Are you presently employed?
12	A.	Yes, sir. I am.
13	; Q.	By whom, please?
14		G.T. Sylvania,
15	Q.	Mrs. Hamilton, by whom are you employed?
16	A.	G.T. Sylvania.
17	e e	What is your position?
18	А.	I am a documentation control clerk.
19	Q.	How long have you been employed there?
20	А.	Since the first part of April.
21	Q.	Of 1973?
22	A.	Yes, sir.
23	Q.	Prior to that time, by whom were you employed?
24	, A.	The Northern Central Bank.
25	Q.	In what capacity?

į	A.	I was a key punch operator.
2	Q.	By whom were you employed on November 18,
	1972?	•
4	; ; A .	The Northern Central Bank.
Ä	Q.	Now, Mrs. Hamilton, prior to moving to
6	Williamsport,	where did you reside?
č	A.	Fort Monmouth, New Jersey.
8	Q.	And were you residing in that location for
9	any particular	purpose?
10	A.	My husband was stationed at Fort Monmouth.
	Q.	Is your husband in the service?
12	A.	Yes, sir. He is.
13	Q	What branch of the service?
14	A.	Army.
15	Q	What was the purpose of your moving to
16	Williamsport?	
17	A.	My husband was being transferred to Korea.
18 :	Q	And was there any particular reason why your
15	family relocate	ed in Williamsport?
20	А.	Yes. My mother is here. I always move back
3.1	home whenever h	ne goes to a station that I am not allowed to
22	accompany him.	I come back home.
23	Q	Were you a resident of Williamsport earlier
24	in your life?	
23	Α.	Yes. I grew up here. This is my home.

Į	Q.	Did you, after arriving in Williamsport, make
2	any inquiry to a	any person concerning bowling for your
3	children?	
4	A,	Yes, I did.
ŧ	Q	What was the purpose of that inquiry? Why
6	were you inquiri	ng about bowling for your children?
7	A.	My children had been on a league at Fort
8	Monmouth and the	y bowled every Saturday morning. And we had
9	promised them th	ey would continue their bowling once we
io !	moved to William	sport.
11		And I checked with Mr. Skinner, Al Skinner,
12 ;	I called him on	November 18 to find out if they had bowling
13	for the kids at	the Y.
14	Q	Where did you obtain Mr. Skinner's name?
15	How did you know	that he might have information concerning
16	bowling?	
£7 [Α.	I have always known Al to be at the Y at the
ls :	bowling center.	
19	Q.	And did you telephone Mr. Skinner on that
10	day?	
21 :	A.	Yes.
22	Q	Would you relate your conversation to us with
23	Mr. Skinner?	
24	A.	Why, I asked him, told him about the
25	children and tha	t I wanted some place for them to bowl and so

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1 \tilde{r} he informed me that they did have boys bowling at the Y.
 2
                    MR. HARTER:
                                 That is objected to as hearsay.
    Telling what Mr. Skinner told her.
 4
                    MR. YAFFEE:
                                 If I may, I believe that the
    testimony here is entirely proper. This is not something
    that Mrs. Hamilton heard from someone else who told her that
    someone else said something.
8 |
                    She was a party to this conversation.
    knew Mr. Skinner and stated that she had telephoned him and
10 he identified himself. Further, the rules of evidence as
    set forth for administrative agencies are to be construed
12 liberally and I may add that Mr. Skinner is present and will
  be available to testify later in this proceeding and will
14 also verify the contents of this conversation.
15
                    THE CHAIRMAN: We will hear the testimony
16 of reference and give it the proper weighting in arriving
   at our decision. But leave it in. Your exception is noted.
                    MR. HARTER: Thank you, sir.
18
                    THE CHAIRMAN:
15
                                   Proceed.
20 BY MR. YAFFEE:
                    Would you relate your conversation with
23
   Mr. Skinner, please?
                    Yes.
                         Mr. Skinner informed me that my son.
23 i
   Donald would be able to bowl at the Y because they did have
   a boys group. But they did not have girls, position for girls
```

ż	to bowl and that at the time, he said that, I think in the
2	past or something that they had had girls bowling but they
3	didn't have enough girls in their age group to start up a
Ą	team.
J	And he said that he knew of bowling at the
6	Moose Club on Saturday morning. And I told him that we
~	would check into it.
8	Q When had you moved to Williamsport?
¥ _y ,	A. The first part of November. It was around
ìO	the 6th of November.
11	Q In 1972?
12	A. Yes, sir.
13	Q And you stated that you made this telephone
14	call on November 18, 1972?
15	A. Yes.
16	Q Is there any particular reason why you
17	contacted Mr. Skinner on that day?
18	A. Yes. The children. They were insistent,
19	they wanted to know when they were going to continue their
20	bowling. And so we called that morning.
31	Q Prior to moving to Williamsport, had bowling
22.	been let me ask you what part bowling played in their
23	lives?
	A. The best part, as far as their activities.
25	They bowled every Saturday morning. This was something that

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1
    they knew that they were going to do it and they love it.
    And like if anything would come up whereas I worked there
 2
    at night on Friday night, and if I was tired or something I
    knew I had to get up to get the kids dressed and go over there
 4
 5
    with them for their bowling leagues.
 б
                    Did the bowling activities of your children
    affect your move at all to Williamsport?
 7
 8
                    You want to know if my decision to move to
 9
    Williamsport?
                    In any way. Did it affect your move to
iO
11
    Williamsport?
1.2
                    Well, if I would have thought that they would
                A.
    not have been able to continue their bowling, I would have
14 tried to stay right there in New Jersey, where I knew that
15% they had the opportunity and the facilities to bowl on
😘 Saturday.
17
                    Was that your feeling or was this ever
    expressed to you by your children?
19
                Α.
                    This was expressed by them, mainly after
20 we got here and they didn't have any place to bowl.
                    Now, following Mr. Skinner's recommendation
21
   that you contact the Moose Lodge, what actions did you take?
22
                    I told my husband about the conversation and
23
   he stated that he would call down to the Moose Club.
                    I am sorry. I didn't hear the end of that.
25
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1	A. My husband called down to the Moose Club.
2	MR. YAFFEE: Now, if I may, Mr. Chairman and
3	members of the Hearing Panel, I would like to ask that
4	Mrs. Hamilton be excused at this time and subject to recall
5	later.
6	I admit that this is a bit out of the ordinar
7	but I feel because of the fact that we do have minor
8	children here, I would like to put them on to the stand prior
9	to my moving to the next area of testimony.
lo	So I would ask now that Mrs. Hamilton be
1	excused subject to recall.
12.	MR. ECHOLS: With the right of cross
13	examination.
4	MR. YAFFEE: Yes. Certainly. But I wanted
15	to state this as a preliminary matter before we get involved,
16	following Mr. Harter's cross examination.
7	So that if Mr. Harter desires, he could
3	cross examine now or at the conclusion of her testimony.
9	MR. HARTER: Having the same solicitude for
0.	the children as you do, I am willing to defer my cross
	examination to a later time so that the children may be
2	excused.
3	MR. YAFFEE: I had desired to call both
4	parents first and then the children and then recall the
5	parents, if I may.

2000 STATE STREET

Į	MR. HARTER: I have no objection,
alio	Mr. Chairman.
3	THE CHAIRMAN: All right. Fine. Proceed.
4	You may be excused temporarily.
5	MR. YAFFEE: Donald Hamilton, please.
6	
7	DONALD L. HAMILTON, called as a witness on
8	his own behalf, being first duly sworn, was examined and
9	testified as follows:
iO:	DIRECT EXAMINATION
11	THE CHAIRMAN: Will you be seated and give
Ĭ.	your name and address?
13	THE WITNESS: I am Specialist 6 Hamilton,
14	United States Army. I live at 219 Federal Avenue at the
1 5	present time, but I am presently stationed in Korea.
16	BY MR. YAFFEE:
17	Q Mr. Hamilton, I assume by the uniform that
1.0	you are wearing that you are still a member of the Armed
19	Forces?
20	A. Right.
21	Q How long have you been in the army?
22	A. August 5 it will be thirteen years.
23	Q You have stated that you are currently
24	stationed in Korea. How is it that you are in Williamsport
25	now?

1	A Actually, I was coming home on mid-tour
Σ	leave, just an ordinary leave. But due to my wife's brother
3	getting killed in Spain, I came home on emergency leave
4	prior. Being I was home, they decided to try to get the
5	hearing scheduled while I was home rather than defer it
6	later to December.
7	Q Now, so that we don't belabor the point,
8	are you the husband of Sherry Hamilton and father of Lynn
9	di
10	A. Yes, I am.
11	Q Mr. Hamilton, your wife has testified that
12	prior to your move to Williamsport, you were stationed in
13	Fort Monmouth, New Jersey.
14	Is that correct?
15	A. Yes.
16	Q When you were stationed there or at any prior
17	time, were you involved in any bowling activities with your
18	family?
19	A. Yes. I have been bowling since I have been
20	about fifteen years old. But immediately after I got married
21	in 1961, my wife and I were engaged in bowling and as soon
22	as my oldest, which is my boy, was old enough to start
23	learning how to bowl, we broke him in and eventually the
24	girls started also.
25	Q Were you a prior resident of Williamsport

1	prior to your returning here?
2	A. Right. I was born in Lock Haven, right up
3	the road and my family was from Williamsport, but I spent
4	my entire boyhood in Williamsport.
5	Q Mr. Hamilton, were your children engaged in
6	any organized bowling activities prior to their arrival in
7	Williamsport?
8	A. Yes. My son and my oldest daughter Lynn
Ŋ	originally started bowling in Augusta, Georgia, when I was
10	stationed at Fort Gordon, Georgia.
11	Then we moved to Fort Monmouth, New Jersey
12	and then they continued there and last year, the youngest
13	one, Sharon, started bowling before we moved to Williamsport.
14	Q Was there anything that you observed on the
15	part of your children, any way that you were able to determine
10	that bowling affected their lives prior to moving to
17	Williamsport?
18	A. Oh, definitely.
19	Q Could you describe it, please?
20	A. It was a ritual. As early as Thursday and
21	sometimes on Friday, that is all they talked about is that
22	they knew they was going to be bowling on Saturday morning,
23	and in fact, I had to give up my fishing Saturday morning
2.1	to take them bowling to make sure they did get there.

Was there anything else that you noticed as Q,

24

far as how bowling affected their life style or their general 1 behavior? 2 Definitely. They learned how to get along A. 3 with other kids, particularly at Fort Monmouth where you had 4 a lot of cross, American military people and German, Korean, 5 Chinese, whatever. 6 They learned how to get along with other 7 people. They learned the discipline of bowling. They 8 learned how to listen to their instructors and it was really 9 a help, where they did have adequate coaching, because each 10 team that they were on had their own particular coach 11 assigned to the team. 12 Did their bowling activities affect in any 13 way your move to Williamsport? 14 Yes. Prior to moving to Williamsport, 15 when I first found out that I was going overseas and my 16 family could not go with me, my wife wanted to stay in New 17 Jersey. Because of the kids bowling and everything else. 18 We talked it over with the kids and we 19 promised them that when we moved to Williamsport, they would 20 be bowling. And at that time, we didn't know that my wife 21 would be working at night so they would have had to bowl on 22 Saturday. 23 So when we talked it over with them and said 24

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that they would be bowling, they definitely were willing to

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move to Williamsport. They said yes, we are going home to 2 grandma. 3 Now, your wife stated that you did move, your family did move to Williamsport approximately November 6 of 1972, is that correct? 6 A. Right. Could you describe the circumstances which gave rise -- your wife testified regarding a certain telephone call that she made on November 18, 1972 to a Mr. Allen Skinner. 11 Were you present at the time that telephone 12 call was made? 3-28 1 It was early Saturday morning, the Yes. kids were up watching cartoons on TV and they immediately started asking, this was the second weekend that we were 16 home. They wanted to know when we are going to 171 start bowling because we promised that they could bowl. So immediately, my wife called down to the Y and got ahold of Mr. Skinner. And did your wifeinform you of Mr. Skinner's in 1 recommendation that you contact the Moose Lodge for bowling 22 for your children? Yes, she did. A. 24

Did you take any action in response to that

```
suggestion?
1
                          I immediately called down to the Moose
2
                A.
                    Yes.
    Club.
3
                    With whom did you speak when you called the
4
    Moose Lodge? Do you recall?
 S
                    I called the Moose and a man answered who I
Ó
    don't know. But I told him what I wanted and he referred me
    to the bowling alley and a Mrs. Reed.
                Q,
                    Now, excuse me. When you mention the Moose
9
    Club, are you referring to Moose Lodge Number 145 in
    Williamsport?
11
                           On East Third Street.
                Α.
                    Yes.
12 .
                    Now, would you continue regarding your
13
    conversation?
                     I talked to Mrs. Reed and I told her that I
15
    had been informed by Mr. Skinner that they had bowling down
    there for the American Junior Bowling Congress for
    Children.
18
                     And would it be possible to get my girl
19
   into their league and she said, ask me what ages were they
20
    and I told her and had they had any experience and I told
21
    her that they did bowl in New Jersey and that my oldest
2.2
    daughter had been on a second place team and she also bowled
23
    in the Monmouth County Tournament for the entire County of
24
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Monmouth in New Jersey and they won the first place team

1	championship for the association.
2	And she immediately said that she would be
3	glad to have them. And she asked me were they sanctioned
4	and I said yes, they were sanctioned.
j	Q Would you explain? Did you understand wha
6	that meant?
7	A. Yes.
8	Q What does that mean?
9	A. Sanction is the card which you have that
0	registers all children, I think it is from the age of six
1	to the age of twenty-two years of age.
12	Q By whom is this card issued?
13	A. American Junior Bowling Congress.
4	MR. YAFFEE: Would you mark Complainants
15	Exhibits 1 and 2?
16	
7	(Complainants Exhibit Number 1, being 1972-73 Membership in the
8	American Junior Bowling Congress for Sharon Hamilton, was produced
9	and marked for identification.)
:0	
7.1	(Complainants Exhibit Number 2, being 1972-73 Membership in the
22	American Junior Bowling Congress for Lynn Hamilton, was produced
3	and marked for identification.)
24	
25	

BY MR. YAFFEE: 2 I show you two cards that are marked Q Complainants Exhibits 1 and 2. Would you identify those for the record, please? Yes. Α. Exhibit 1 is the membership card for the American Junior Bowling Congress for my daughter Sharon and Exhibit 2 is the membership card for my daughter Lynn. And is this for what years? ζ 1972 through 1973. IJ Now, would you continue, please, describing 11 your conversation with Mrs. Reed? Mrs. Reed also asked me if I had their 13 weekly bowling record chart, which is a big card which all their scores from each week, their averages, their handicap and everything is figured out on a weekly basis. carried over each week. I told her that I did not have the cards and 18 I could possibly get ahold of them. And she said fine. Then she said, she went ahead and explained that they had 20 a Christmas tournament in Williamsport such as between the 21 Moose, the Y, the faction lanes, ABC, all the local leagues 2.2 that handle the AJBC during the Christmas holidays and then 23 she also told me they had the association tournament.

I don't know whether it was May or June, but

25

24

1	it is at the end of the bowling season. And I thanked her
2	for the information and I said thank you. I said I have
3	got one final question.
4	I said I have heard that the Moose does not
5	allow blacks into the Moose. Would this have any bearing
6	on their bowling? And she said, she said it in a
7	respectable way, she said, "That is a horse of another color."
8	I kind of, it shocked me, you know, and I
9 :	said do you mean that they cannot bowl? She said yes. She
10	said I am very sorry. This is not my rules. This is not
11	my policies. These are the rules and policies governed by
12	the Moose Lodge. I don't know whether it is the local Moose
13	or the Moose throughout the country.
14	Q Was there any further conversation between
15	yourself and Mrs. Reed?
16	A. After that I hung up.
17	Q For the record, please, would you state
18	your race?
19	A. I am Negro.
20	Q And for the record also, the race of your
21	wife and children?
22	A. They are also Negro.
23	Q Now, following that telephone conversation,
24	did you have occasion to inform your children regarding their
25	bowling at the Moose Lodge?

1	A. Yes, we did.
2	Q Under what circumstances did you have
3	occasion to do that?
4	A. Well, immediately after I hung up, and from
# :	my part, only knowing that the Moose and the Y were the only
6 :	ones that had bowling on Saturday and that it would have
7	knocked them completely out of bowling we told them that they
8	would not be able to bowl because that was the only time
9	they could have bowled was Saturday because of my wife's
Ü	work.
.1	And they wanted to know why they could not
12:	bowl. We told our son that he could bowl at the Y and
3	because they have boys, but they did not have girls. And
14	we told the girls that they could not bowl at the Moose
¥ (7).	because the Moose will not allow blacks into the Moose.
10:	Well, the girls
17	Q Thank you.
18	At this point, as with Mrs. Hamilton's
19	testimony, I would respectfully request that the remainder
20	of Mr. Hamilton's testimony be deferred.
71	THE CHAIRMAN: And the cross examination.
2.2	MR. HARTER: I have no objection under the
20	same conditions.
14	THE CHAIRMAN: Very good. Thank you.
25	MR. YAFFEE: I would like to ask Lynn
- !	

```
Hamilton to come up, please.
 1
 2
                    LYNN HAMILTON, called as a witness on her own
 3
    behalf, being first duly sworn, was examined and testified as
 4
    follows:
 5
                          DIRECT EXAMINATION
 6
                    THE CHAIRMAN: You understand right and
 7
 8
    wrong and the things you are about to say are the truth?
                    THE WITNESS: Yes.
 9
                    THE CHAIRMAN: Give your name. Speak right
10
    up. Give your name and address.
11
                    THE WITNESS: Lynn Inez Hamilton, 219 Federal
12
    Avenue, Williamsport Village.
13
                    THE CHAIRMAN: What was the name?
14
                    THE WITNESS: Lynn Inez Hamilton.
15
                    MR. HARTER: Mr. Chairman, in regard to the
16
    competency of the witness, I would like to ask several
17
    questions.
18
                    MR. YAFFEE: On what basis? Would you state
19
    the basis?
20
                    MR. HARTER: On competency. Whether she is
21
    old enough, understands the nature of an oath.
22
                    MR. ECHOLS:
                                  I thought that the chairman
23
    inquired of the child whether she knew the difference between
24
    right and wrong. Whether she knew the difference between the
25
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j	truth and what was not the truth.
2.	MR. HARTER: I didn't hear the second part.
3	THE CHAIRMAN: I said right and wrong.
4	MR. HARTER: And I wanted to go a step
5	further.
6	THE CHAIRMAN: All right. Go ahead.
7	
8	VOIR DIRE EXAMINATION
9	BY MR. HARTER:
10	Q Lynn, how old are you?
11	A. Eight.
12	Q Do you go to church?
13	A. Yes.
14	Q What church?
15	A. Memorial Baptist.
16	Q And do you know what the word right means and
17	the word wrong means?
18	A. No.
19	Q All right. Now, do you know what it means
20	to tell the truth?
21	A. Yes.
22	Q And do you know what happens to little girls
23	if they don't tell the truth?
24	A. Yes.
25	Q What happens to them?
ļ	

1	A. They have a sin.
÷ ;	Q They have what?
3	A. They have a sin.
4 : 	Q And what happens to little girls who sin?
5	A. I don't know.
6	MR. HARTER: I am not sure that this child
7	
Ŕŝ	I don't want to be unduly restrictive here, but from her
9	answers, I don't believe she is competent to testify.
	MR. YAFFEE: Mr. Chairman, I think it is
11	
12	between
13	MR. ECHOLS: Lynn, is a sin good or bad?
14	
15	MR. YAFFEE: I urge that she, in the best
16.	way possible, has explained her feelings and her knowledge
17	of the difference between truthfulness and untruthfulness.
/ 10	THE CHAIRMAN: I think we will proceed on
19	that basis. Go ahead.
20	MR. HARTER: An exception, if Your Honor
<u>.</u>	
22	prease.
23	TOTOTOM TOTAL TOTAL
24	DIRECT EXAMINATION
24 ; 25 ;	
for a di	Q Lynn, would you tell us again how old

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you are, please?
                     Eight.
                 A.
 3
                     And do you go to school?
                 A.
                     Yes.
                      (Transcript continues on following page.)
 8
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- Q What school do you go to?
- 2 A. Lincoln.
- 3 Q Is that here in Williamsport?
- And what grade are you in?
- A. Third.
- Now, Lynn, before you came to Williamsport, did you sever do any bowling?
- A. Yes.
- Q Where was that? Where did you first learn to bowl?
- A. Georgia.
- And were you on a team in Georgia?
- A Yes.
- And did you receive instruction there?
- A. Yes.

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- Q Who taught you down there? Not the name. Was it an older person?
 - A. Yes.
 - Q After bowling in Georgia, did you bowl any other place when your family moved?

- A Yes.
- Q Where was that?
- A Fort Monmouth.
 - Q And were you on a team there also?
 - A. Yes.

Q Was that in a league? 2 A. Yes. Now, I see that you are wearing a shirt with the 3 name Lynn on it. Could you describe for us what those patches are on your shirt? 0 This is for Associate Team Champion. 7 1 Q, That is the team champion? Ó A. Yes. And how about the one right below that? 6.9 Q The most improved average. And that is a membership. 10 A. And how about the last one? Q li: Twenty-five pins over average. 12 A. 13 Twenty-five pins over average. Did you earn those Q, 14 while you were bowling on a team? Yes. Α. 1 5 h Where was that? Where was that team? * 65 . Fort Monmouth. 17 Now, over on the table where I was sitting, there Q, 7.8 are a number of bowling trophies. Who won those trophies? I did. And where did you win those? Q, 2(A. Fort Monmouth. 200 Q, And could you describe just briefly what they were 23 1 for? You don't have to mention each one. Do they have anything to do with your team? 25

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I .
           A.
                No.
                You won each of these, is that correct?
 3
           A.
                Yes.
 4
                MR. YAFFEE: I would like to indicate for the
 5 record that there are four bowling trophies on counsel
 table which Lynn has identified.
    BY MR. YAFFEE:
 ۲.
                Now, Lynn, how often did you bowl while you were
           Q,
 9 .
    in Fort Monmouth? Was it every week or every month?
               Every Saturday.
               Did you look forward to bowling when you were there?
           Q,
11
12
           A,
                Yes.
13
                Do you think your bowling was getting better while
    you were in Fort Monmouth?
          Α.
                Yes.
1
          Q,
               Did your average improve?
10
          A.
               Yes.
A ...
                Now, when you found out that you would be moving
. 6
    to Williamsport, did you have any concern about your bowling?
. ,
    About whether you could bowl here?
20
               Yes.
2 4
               And did you explain that to your parents?
22
         . A.
               Yes.
23
               Now, after you moved to Williamsport, did you want
20
   to continue bowling?
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- A. Yes.
- Q And did you want to bowl on a team?
- A Yes.

- Q Did you tell anyone that you wanted to bowl on a team?
 - A. Yes.
 - Q Who was that?
- A. My mother and father.
 - And did you ask them to try to find a team for you to bowl on?
- A Yes.
- Now, you heard your parents talk about that Saturday morning on November 18 when you were watching television and asked them about bowling. Do you remember that day?
- A. Yes.
- And do you remember when your father, when you went into the bedroom as your father explained and asked him about whether you could be on the team?
- A Yes.

- Q And do you remember what your father said to you?
 - A Yes.
- Q Could you tell us what that was, please?

1 1.

- A. That we couldn't be able to bowl on a team because we were black and the Moose wouldn't allow us in.
 - Q Well, when you heard that, how did that make you feel?

4 i	A.	I started crying.
2	Q	Why were you crying?
3	As	Because in Fort Monmouth, New Jersey, we bowled with
4	all kinds	of kids.
5 1	G	And how did it make you feel?
6 !	n.	Very bad. Sad.
7	G.	Did you want to bowl in the Moose Lodge?
8	A.	Yes.
by a	e.	Do you still want to bowl in the Moose Lodge?
10 :	A.	Yes.
ğ 7)		MR. YAFFEE: I have no further questions.
12	If you wo	ould like to cross examine, please.
13		
建建		CROSS EXAMINATION
7 .:	BY MR. HA	a a a a a a a a a a a a a a a a a a a
		MIDN;
16	•	Lynn, I have a couple of questions to ask you.
	Q.	
	Q You learn	Lynn, I have a couple of questions to ask you.
17.	Q You learn	Lynn, I have a couple of questions to ask you. ed that you weren't allowed to bowl at the Moose
17.,	Q You learn from your A	Lynn, I have a couple of questions to ask you. ed that you weren't allowed to bowl at the Moose father, did you say?
	Q You learn from your A	Lynn, I have a couple of questions to ask you. ed that you weren't allowed to bowl at the Moose father, did you say? Yes.
17., 18.	Q You learn from your A	Lynn, I have a couple of questions to ask you. ed that you weren't allowed to bowl at the Moose father, did you say? Yes. And your mother?
19 a	Q You learn from your A. Q. A.	Lynn, I have a couple of questions to ask you. ed that you weren't allowed to bowl at the Moose father, did you say? Yes. And your mother? Yes.
17 a 18 a 19	Q You learn from your A. Q. A.	Lynn, I have a couple of questions to ask you. ed that you weren't allowed to bowl at the Moose father, did you say? Yes. And your mother? Yes. Did you learn from anybody else?

- A. No. Q You haven't ever been at the Moose, have you? No. You don't even know where it is, do you? Q, A. No. So that all the knowledge that you have comes from your father and mother that you can't bowl at the Moose, is that right? Yes. MR. HARTER: That is all. Thank you. THE CHAIRMAN: Do you have anything further? MR. YAFFEE: No. I have no further questions. THE CHAIRMAN: Thank you, Lynn. MR. YAFFEE: I would like to ask Sharon Hamilton to please come up and sit in the witness chair. SHARON HAMILTON. called as a witness, testified
- as follows:

THE CHAIRMAN: What is your name?

THE WITNESS: Sharon Hamilton.

THE CHAIRMAN: We will just ask you a few questions so we will probe just the same that your sister. You know the difference between right and wrong?

What is right and wrong, do you?

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THE WITNESS: Yes.

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THE CHAIRMAN: Do you tell the truth?

THE WITNESS: Yes.

THE CHAIRMAN: The kind of things you are going to say here, are they the truth?

THE WITNESS: Yes.

THE CHAIRMAN: Do you know what happens if you

don't tell the truth?

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THE WITNESS: Yes.

THE CHAIRMAN: Do you get punished?

THE WITNESS: Yes.

THE CHAIRMAN: I think this is adequate for this young lady. You just tell us the truth then to the questions that are asked. Okay?

MR. HARTER: May I impose an objection to the competency of this witness, primarily on the basis that the crucial question as to competency was a leading one on the part of the Chairman of the Commission.

THE CHAIRMAN: What is your age, Sharon?

THE WITNESS: I am six.

THE CHAIRMAN: You are six years old?

THE WITNESS: Yes.

THE CHAIRMAN: I think we can override the objection on that point.

MR. HARTER: Note an exception, please.

THE CHAIRMAN: Surely.

DIRECT EXAMINATION

2	BY MR. YAF	FEE:
3	Q.	Sharon, you have said that you are six years old?
nije :	. A.	Yes.
5	Q	Do you go to school?
6 '	A.	Yes.
7	Q.	What school do you go to?
8	A.	Lincoln.
9	Q.	And what grade are you in there?
10	A.	Second.
11	Q.	Second grade?
12	A.	Yes.
13	Q.	Now, do you know how to bowl?
14	A.	Yes.
15	, Q	And where did you learn how to bowl?
10	A.	In New Jersey.
17	Q.	And do you remember how long agothat was?
19	Or how old	you were when you started bowling?
19	A.	S1x.
20	Q	So it was just a short while ago. Did you bowl on
21	a team in 1	New Jersey?
22	A.	Yes.
23	· Q	And was that in the league?
24	A	Yes.
25	Q.	Was that the same league that Lynn's team was in?

2 A. No. 2 It is a different league? 3, A. Yes. ż Now, I see that you are wearing a shirt with your Q 5 name on it and with a patch on it. What type of shirt is 0 1 that? æ A bowling shirt. S \mathcal{Q} Is that from your team in the league in New Jersey? 9 A. No. 10 Where is that from? When did you wear that shirt? G, 11 A, Today is my first day. 12 Q, It is? 13 Α, . Yes. 14: Q Now, Sharon, do you like bowling? Yes. 15 A. · Q How much do you usually bowl? What is your average? 16 17 Д. 109. 109? 18 **ଦ୍ଦ** 19 ; Α. Yes. Q, Did you get 109? 20 t No. Α. 2 What was the highest score that you ever got? 22 . A. 22. 23 Now, Sharon, did you, when you moved from Fort 24 !

Monmouth, did you want to continue your bowling?

J	A.	Yes.
3	Q	And did you want to bowl in Williamsport?
3		Yes.
4	ę.	Did you want to bowl on a team here?
5	A.	Yes.
£.	Q	Now, did you tell that to anyone that you wanted to
7	bowl on the	e team?
8	A.	Yes.
9	Q	Who is that?
lo	A.	My father.
11	Q	And did you ask your father to see if he could find
12	a team for	you?
13	B _a	Yes.
14	G	Now, do you remember that Saturday morning that your
15	father tall	ked about on November 18 when you were watching
16	television	?
17	A.	Yes.
(8	Q.	And do you remember asking your parents about wanting
9	to bowl on	a team?
lei g	A,	Yes.
15	Q.	And do you remember your father talking to you
22	about bowli	ing on a team?
23	Α.	Yes.
24	Ĝ.	And what did your father say to you about bowling
, ,	on the team	n here? Do vou remember?

MONRHACH & MARINETS ARE 1000 VIATE STREET PARTICIPAÇÃ, PA.

Á	A.	Yes.
Ź	Q	Could you tell us?
3	A.	He said the Moose Club didn't want blacks bowling
4	with their	
5	Q.	Had you bowled before with white kids?
ť	A.	Yes.
7	Q.	And did you enjoy that?
8	A.	Yes.
Ò	G.	Were there ever any problems that you had bowling
10	with diffe	
11	A.	No.
12	. Q	When your father told you that, could you just tell
13	me how that	t made you feel?
14	A.	Sad.
15	# 	Why did it make you sad?
16	() 	Because in New Jersey they bowled with all kinds of
17	other kids.	•
8	Q	And did you want to bowl?
9	A.	Yes.
01	: :	MR. YAFFEE: I have no further questions.
51 H	: : :	
.2		CROSS EXAMINATION
3	BY MR. HART	ER:
A.	Q.	Sharon, what did your father tell you about bowlings
5	About the M	oose?

, Š	A. He said we couldn't bowl.
2	Q And what else did he say? Did he mention the
3	Moose? Tell me what he said to you about the Moose?
4	A He said that didn't want us bowling with their
5	white kids.
6	Q Did he say why?
7	A. Yes.
8	Q Why?
وأ	A. Because we were black.
0	Q Now, did anybody else tell you that you couldn't
1	bowl at the Moose?
12	A. Yes.
3	G Who?
4	A. My mother.
15	Q Your mother?
6	Did anybody besides your mother and father tell you
7	that you couldn't bowl at the Moose?
W	A No.
ا و ا	Q Did either your mother or father or anybody else
0	bring you down to the Moose Lodge to try to bowl?
۱۱ : <u>:</u> :	A. No.
2	·
3	A. No.
	Q You have never been there, have you?
5	A. No.

j.	Q And do you remember when it was that your father
2	told you about the Moose?
Ĵ.	A No.
4	Q Tell me again. What did he say to you about the
5	Moose?
6	A They didn't want black people bowling with their
7	whites.
8	Q And have you and your sister, Lynn, been bowling
9	anyplace in Williamsport since that time?
10	A. Yes.
11	Q Where do you bowl now?
12	A We used to bowl at the Y.
13	Q At the Y? And girls do bowl at the Y now, do they?
14	A. Yes.
15	Q So that you are able to bowl on Saturday mornings,
16	aren't you?
17	A. No. Only if somebody takes us.
18	Q When do you bowl?
19	A Only if somebody takes us.
20	Q And does somebody take you on Saturday mornings
21	to bowl at the Y?
22	A. No.
2.2	Q Didn't you tell me that you were bowling at the Y?
24	A. Only if somebody takes us.
25	Q When was the last time you bowled?

1	. A.	I don't remember.
2	:	
	Q	Was 1t last week? Last Saturday? The Saturday
3	before?	
4	Å,	No.
5	Q	Don't you remember at all?
6	A.	No.
7	Q,	But you do remember going down to the Y to bowl
8	with other	girls?
9	A.	No. We bowled with our uncle.
10	Q.	You what?
11	A.	We bowled with our uncle.
12	Q.	You bowled with your uncle?
13	A.	Yes.
14	Q,	So that you are able to bowl, aren't you, even
15	though the	Moose won't let you bowl here, as you say?
16	A.	Yes.
17		MR. HARTER: All right. Thank you.
18		THE CHAIRMAN: Thank you very much, Sharon.
19		MR. YAFFEE: I would like to recall Mrs. Hamilton,
20	if I may.	
21		
22		SHERRY HAMILTON, recalled as a witness, having been
23	previously	duly sworn, was examined and testified as follows:
24	FUF	RTHER DIRECT EXAMINATION
25	BY MR. YAFF	PEE:

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Q, Mrs. Hamilton, you have been sworn and you are under oath.

`A_ Yes, sir.

Now, I refer you to the morning of November 18 and following your husband's telephone call to the Moose Lodge, and who informed Lynn and Sharon that they would not be able to bowl at the Moose Lodge?

My husband and I both. We called them into the bedroom and we sat them down on the bed and we explained to them that they would not be able to bowl on Saturday mornings like we had promised them. And they wanted to know why.

And we had said that the Moose Club has a policy which would not permit them to bowl. And we explained to them what the policy was, and they just couldn't understand, because they says well, we bowled with all kinds of kids before and what did them being black have to do with their bowling.

Now, could you describe for us from your own personal observation, how Lynn and Sharon reacted to this news?

Well, both of them started crying. They were very upset. And Sharon mainly it is hard for her to understand. They never had it put before them that their color had anything to do with them keeping them from doing anything. Because they have always done everything and it has been black and white and all races in it. And Lynn just - - they just cried.

It took us awhile to get them calmed down and so I had promised them that their uncles and aunts would take them bowling whenever they had a chance.

- Prior to this occasion, had either Lynn or Sharon ever displayed to you any particular sensitivity to the fact that they were black?
- Never. They knew, there was never the situation. I mean they went to school, they grew up down in Georgia when we were stationed in Georgia, and they bowled at the bowling alley in Georgia and there were white children there. They never had the trouble as far as name callings or anything 11 like that.
 - Now, did you observe, were you able to observe whether there was any subsequent effect upon either Lynn or Sharon caused by this incident?
 - There was effect on both of them. A. Sharon, that Monday, when I came home from work Monday night, Sharon was still awake in her bed and I asked her what was the matter and she said I'm not going to school any more, I'm quitting school.
 - I said how can you quit school, you are just in the first grade. I said you can't quit school. She said well, Lynn and Junior and I are the only three blacks in the whole Lincoln School and if the Moose Club doesn't want us to bowl, why should we have to go to school.

She couldn't understand that, she just figured that

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everybody that was white was against her. That I had to explain to her that her teacher loved her and that her students that she went to school with, her classmates, they didn't treat her any different. And she says no, and I says see, they hadn't noticed that you was different. They treated you just like you were one of them.

And she says well, why can't we bowl with the Moose Club? Kids, they love to have us bowl with them and I explained to her it was not the children that had these rules. That it was grownups that made the rules.

And she says well, why do grownups make the rules like that and I said well, there is some people just don't have anything else to do that's better.

- Q Were you able to observe on any other occasions that what happened had any effect upon their behavior or their sensitivity?
- A Lynn is very good in school and she got to the point where if the teacher would pick somebody else for something, she had the feeling that the teacher didn't like her because she was black.

So I had talked with her teacher because she was starting to rebel. I mean she wasn't getting along with her classmates, which is very unusual and she wasn't co-operating with the teacher. And to find out that she felt that the teacher and nobody else likedher either, because she was different.

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And I, like Sharon, had to show her that her classmates, they played with her, the teacher took time with her and just like she did everybody else. She didn't show her attention all the time. I mean she had to take each individual by their own self at certain times.

Q Prior to this incident, could you describe how Lynn and Sharon got along with other children of their own age?

A Well, for instance, when we moved into Williamsport Village Apartments and they went right out and met friends and they just started playing. And then after this, they would rather sit in the house. It took me awhile to convince them that nobody, that is children would play with them, no matter what, that the kids liked them and then they were afraid maybe their parents wouldn't want them to play with them.

I said no, I don't think we have that situation in this area like that. I said you have never heard any grownup person say anything to you about not playing with their kids or anything like that. And they are still, Lynn especially, is still a little, she is rebellious - - I don't know if she is rebellious or what. She notices there is a difference in colors.

- Q After Mr. Hamilton informed you of his conversation with Mrs. Reed, did this have any effect on you?
- A. I was shocked. Because I said this can't be. I

d d	said this is Williamsport. They don't do things like that
2	in Williamsport and I says are you sure? Maybe you didn't
3	understand her right. Because I said let me call her.
4	And he said no, that is what she said and I said Donnie,
5	they just don't do things like that in Williamsport.
6	
7	prejudices as far as in the schools that I went to or anything
ć	like that.
9	
10	mi. TATTED. I have no further questions. You may
	cross examine.
11	
12	CROSS EXAMINATION
13	BY MR. HARTER:
.14	Q Mrs. Hamilton, did you make any effort beyond what
15	you have described to ascertain the fact as told to you by
£49	your husband that your children had been denied the use of
17	the bowling privileges at the Moose Lodge?
18	A. My husband did.
19	Q I asked if you did anything further about it?
20 ;	
	he talked to Mr. Hazel.
22	Q I am just asking about you, now. Did you ever
23	contact the Moose, yourself?
hi 5	A No. Because I figured that is my
7	wo because I ITENIER DUST IS MY

That's all right. You didn't contact them. That

is all I am interested in at this moment.

MR. YAFFEE: I believe with all due respect, if she has an explanation once she has answered the question, she should be allowed to make that explanation.

MR. HARTER: If you want to say anything else, all right.

THE WITNESS: I figured my husband is the man in our family and I was not going to take my two girls down there and be turned away because they were hurt as it was. And I would not allow them. He was going to take them and I says no. That I was not going to put that strain on them, because they have never been refused to do anything before and I wasn't going to let it be the first time.

So whenever they get to bowl, they are going to go and bowl like any other child in any other place.

BY MR. HARTER:

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- And to your knowledge, your husband didn't take them down to the Moose Lodge?
 - I wouldn't permit him to take them down. A.
 - And you didn't, either? Q,
 - A. No, sir.
- Now, do I understand that it is your position that up until this incident that you have described, that your 233 children had no real knowledge that they were black as opposed to white or some color other than the children with whom they

played?

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A. My children have never, Lynn is eight and Sharon is six, had anyone ever say anything out of the, that you were black or they are white or anything. They got along with everybody. The children played. There was never any incident where I would have to go to anybody's parents because a child called my child a name. Never.

- Q And they just accepted the fact that we have -
- A. They were human.
- Q That we have white children, black children, red children, yellow children?
- A. There was no color to them. They just accepted the fact that they were children just like anybody else's child.
- Q Yes. We understand each other. Then the fact that there was an evaluation or realization on their part that they were black as opposed to some other color began when you told them about the Moose denying bowling privileges to them, is that right?
 - A. Right.
- Q That fact wasn't brought to their attention by the Moose, was it?
 - A. No, it was not.
- 23 Q It was brought to their attention by their mother 24 and father?

25 A. Right.

So that any sensitivity here which hadn't

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existed heretofore but which developed from this point on was because of the fact that their mother and father emphasized the difference in color, is that right? MR. YAFFEE: I would object to the question as

being one of the ultimate facts in question and for this panel to determine based upon the amended answer filed by the Respondent Moose Lodge and that the witness who is testifying is not qualified to make that determination, but rather the panel is.

THE CHAIRMAN: This is cross examination and I 12 think you can ask the question. The panel will make up 13 its own mind as to how we treat this answer.

BY MR. HARTER:

- Q, Will you please answer the question?
- A. Would you repeat it?
- Q, Let me try it this way.

The realization of your children that they were black as opposed to other colors, began only after you had told them of your experience with the Moose with reference to the bowling situation?

- A. Right. My children.
- ପୃ Excuse me. I thought you said right. Did you?
- I am just listening to what you were saying.
- When we explained to the kids, we told them that they would not

be allowed to bowl at the Moose Club. Their first question was why can't we bowl. And we just couldn't say to them you just can't bowl because they want to know the reason. They are old enough to understand, and we said you can't bowl.

And they wanted to know what reason. They bowled in New Jersey, Lynn bowled in Georgia, they would go to the Y or any other lanes we carried when we just bowled as a family and bowled there and they wanted to know why and the reason why they couldn't bowl was because they were black.

And we explained that to them. They could not, they wanted to know what them being black had to do with them bowling with other children and we had to explain it to them. That it was the policy of the club which kept them from bowling. Not the children in the Moose Club.

Q So for the first time, their realization of this delicate situation was initiated by you and your husband?

A Right. Only because we had to explain to them why they could not bowl. Otherwise, the situation would have never came up.

Q Do you feel that you could have found some other explanation and thus avoided this hurt to their sensitivity?

- A. You mean to tell them a lie?
- Q No, indeed.

A Well, I was not going to lie to them. I told them the truth. There is no other way around putting it. If you

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can't bowl, what other way could I have told them?

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- May I suggest that you could have told them that you hadn't yet found a place for them to bowl, but you were looking for it and avoided hurting their sensitivity?
- Α. Why should I have done that when we had told them that we was finding them a place to bowl and the Moose was the only place on Saturday morning that had bowling for my 8 girls in that age group.
 - Q, It would have avoided any injury to their personalities, would it not?

in town where they could have bowled?

- No. It would not have, because I was not going to A. 1 lie to them.
 - All right. That is all I have on that point. One more question, Mrs. Hamilton. Did you make any effort to determine whether or not there were other places
 - There was other places in town they could have bowled during the week. I work at nights and the children are going to school. They got out of school at 3:00 o'clock and if I am not mistaken, the bowling started at 4:00 or 4:30 and I was at work. Saturday mornings is the only time that I was off that I could take my children, myself and watch my children bowling.

And did you ultimately take them on Saturday 24 mornings bowling? 25

1	A. I have taken them on Sundays and they have gone
2	with my brother and my sisters.
3	So they haven't been deprived of the privilege
₹ 4	and the benefits of the recreation or sport of bowling, have
5	they?
il :	A They have been deprived of the privilege of bowling
7	within the A.J.B.C. Bowling League which has kept them from
8	maybe improving their bowling as far as an instructor there
9	watching them bowl. As far as trophies, on a team, championship
10	and the junior bowling tournament that they had in December
11	and stuff.
12	They could not bowl in these things without being
13	on a league. It is, they could go and bowl every day with
14	their uncles or their aunts, but it is not the same as
1.5	being on a league with the specified number of children which
36	they normally did in New Jersey.
17	MR. HARTER: That is all. Thank you, Mrs. Hamilton.
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h f h	REDIRECT EXAMINATION
20	BY MR. YAFFEE:
7. 1	Q One further question, Mrs. Hamilton.
22 j	Sharon stated that she has been bowling at the
2.2	Y. Was this in a league situation or on a team?
	A No. That was not on a league situation. That
23	was with her uncle and my sisters. And can I say one more

thing? --- -- expressed as a recommendation of the second

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Sharon said about her shirt. This is about the second time that she has had it on because the shirts weren't in when we left New Jersey and my friend and her husband when they came down to visit us before my husband left, brought the shirts to us. We had ordered them.

- Q, What do the shirts say on the back?
- Α. It is Fort Monmouth Junior Bowling.

MR. YAFFEE: Thank you. No further questions.

THE CHAIRMAN: Do you have anything further?

MR. HARTER: No.

THE CHAIRMAN: Mrs. Scott has a question.

MRS. SCOTT: When you said when you first - - when your husband told you of the policy held by the Moose Club that you were surprised. When you were growing up here, did you have knowledge of blacks bowling or participating in 17 recreational activities at the Moose Club?

THE WITNESS: No. This is something that I had on my mind, too. When I was growing up, the school that I went to was the majority of whites. At one time I was the only black in the school. And I never had to deal with prejudice. I didn't really, prejudice didn't hit me until after I married my husband and was traveling around in the Service because when I came back home, I asked my mother why didn't you tell me that people were like this.

3	And she says she never, there was never any reason.
2	And I have friends, I have double dated with and it was like
3	everybody was white. We never had the problem just because I
4	was black I couldn't go here or I couldn't do this. I
5	went and did what I wanted.
6	MRS. SCOTT: All right.
- A	
8	RECROSS EXAMINATION
9	BY MR. HARTER:
IC	Q Mrs. Hamilton, while you were growing up here,
11	did you ever know that the Moose had little league in Bantam
12	Baseball teams?
13	A Yes. My brother played for the Moose Little
14	League.
15	Q So there are blacks that play on Moose baseball
16	teams?
17	A. Well, naturally. That is blacks that plays on
18	Moose baseball teams. That doesn't have anything to do with
19	bowling. What is different then, if they can go out there and
231	play on the baseball teams, why can't they bowl on the bowling
21	team?
22 :	Q Well, there is an answer to that as it will develop.
23	But doesn't it prove that there is no discrimination on the
	part of the Moose as far as blacks are concerned, as far as

color?

A. They discriminated against my children.

MR. YAFFEE: I object to that again as once again being the ultimate question to be determined as to whether or not there is discrimination by the Moose Club. Any answer that this witness could give would only be conclusury.

MR. ECHOLS: I think whether there is discrimination in this case or any other, the fact to be determined by the Commission, by the hearing commissioners is what the hearing Commissioners want to hear and the facts from which they can conclude what to recommend to the full Commission.

MR. YAFFEE: Yes. But the witness was asked doesn't that show that there was no discrimination by the Moose Lodge. Which is the question of whether there was discrimination is one of law.

MR. ECHOLS: I agree with the objection you raised. I am just stating as one Commissioner as I see, the question calls for the witness, because if she were to say suppose she answered that question no. I think you are discriminating and so forth and so on.

We can't take that testimony as the fact. We have to determine that ourselves.

MR. YAFFEE: But the witness has been asked a question of law and I maintain that the witness is not qualified to analyze those facts and come up with a legal determination of whether certain actions constitute discrimination

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under the law. I just don't feelthat she is qualified to make that determination. This may be a gut reaction, but as far as a legal concept of discrimination, I don't feel she is qualified. 5 MR. ECHOLS: Then my view would change. The witness. S the complainant in this case, she thinks from the facts that 7 they say that she discriminated and she brought the charge. 3 But here now to determine as a matter of fact did those things occur, I think your question does call for her to testify 10 to the ultimate facts which we are to ascertain. 11 MR. HARTER: Well, Mr. Echols and members of the 12 Commission, all I asked for was her opinion on this point. Now, I have sat through this hearing and heard the rules of evidence thrown out the window, in effect, and I have heard Mr. Yaffee ask the witness all kinds of questions calling for 1 5 3 self serving declarations, opinions and so on and I have raised no objection to it until now. i 7 And I asked a question and I think what is good 1.3 for the goose is good for the gander here. THE CHAIRMAN: The objection is overruled. Do you 30 want to repeat your question? 24 I will ask it in a different way. MR. HARTER: 22 I don't know if I could do it exactly the same. THE CHAIRMAN: Will you please? 24

25 BY MR. HARTER:

	Mrs. Hamilton, doesn't the fact that you have
!	knowledge of blacks being on Moose sponsored baseball teams,
	one of those members was your brother, I believe you said,
	indicate to you that the Moose is not discriminating against
	blacks, but that there must be some other reason why the
	Moose took the stand it did with reference to bowling in the
!	Moose Lodge property?

- A. Are you ready for my answer?
- Yes.

I didn't say I knew of blacks. I knew of one black person in Newberry that played for the Little League Baseball. Which was my brother that died. And this has been years back and he was good and the Moose Team always had the winning team, so naturally they was going to get the best that they had.

And at the time that they, the way that they drew for their names was through the hats, the managers put all the kids' names in and he came out to be on the Moose team.

So they could not tell him well, you are not allowed to play on the Moose team. That is the only case of anybody I know playing baseball for the Moose was my brother.

MR. HARTER: That is all. Thank you.

THE CHAIRMAN: All right. You may be excused.

Thank you very much.

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MR. YAFFEE: I would like to recall Donald Hamilton, please. DONALD HAMILTON, recalled as a witness, having been 5 previously duly sworn, was examined and testified further as follows: FURTHER DIRECT EXAMINATION 8 BY MR. YAFFEE: Mr. Hamilton, may I remind you that you are still under oath. So that we don't prolong the testimony, have you heard your wife's description of the reaction of your II children when they were informed that they would be unable 13 to bowl at the Moose Lodge? A Right. Is there any particular observation of the effects of this knowledge upon your children that you could 3 18 3 add to what your wife has already said? 19

Nothing, other than on occasions that we might be, you know, just walking somewhere or even just like my little boy is in the same league that the Moose team is in at the present time. And the first thing that I heard when I came home from Korea, my little boy is the only black, that is the first thing that came up.

My little boy is the only black one that is in the Newberry League. They take notice to these things, now.

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	NOM M	here	e they	nev	er sa:	id a	nythir	ng t	efore	G			
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- Has that continued up to the present time? Q,
- It still goes on. Α,
- Now, Mr. Hamilton, following the incident on November 18, did you take any additional action with regard to your conversation with Mrs. Reed?
 - A. Yes, I did.

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- Would you describe that, please?
- Immediately I was kind of perturbed and I called Mr. Skinner and I asked him about the transaction at the Moose. Well, Mr. Skinner and I went through school together. And he said that he had known who I was but he didn't know the face.. He knew the name but he didn't know the face, and if he would have known who I was, he would not have referred me to the Moose. 17 1

Because he was aware of the situation.

MR. HARTER: That is objected to as hearsay testimony and should not be admitted. Mr. Skinner is present.

THE CHAIRMAN: I believe we will sustain that objection. We will strike that testimony. It being hearsay of what Mr. Skinner said. Mr. Skinner is here and he will be able to testify to that.

BY MR. YAFFEE:

1.0	Q Mr. Hamilton, did you take any other action following
2	your conversation with Mr. Skinner?
3	A. Yes, I did. I started checking and I wanted to
4	find out who in Williamsport was in charge of the NAACP
5	because I didn't think it was fair. So I was told Mr. Hazel
6	was the local leader of the NAACP and I contacted him and
7	he in turn asked me to come down to his house and we would
8	get together and we went down to the Moose Lodge, the two of
9	us went down there.
10	Q Approximately when was that? Do you recall?
T V	A. I am not absolutely sure, but I think that it was
12	the same day, but I am not sure.
13	THE CHAIRMAN: Excuse me. What was that date?
14	Do you recall? Have we nailed that down?
15	BY MR. YAFFEE:
16	Q When you refer to the same date, do you mean
17	approximately November 18 of 1972?
18	A. I think. I am not certain. Because a lot has
19	happened to me since November 18th.
20	Q Now, when you went to the Moose Lodge, what
21	action did you take when you arrived there?
22	A Well, we went in there and Mr. Hazel asked who
23	was in charge. I am not quite certain, but I think it was
24	this man right here. I know it was this man sitting at the
25	end of the table. I am not certain of his name. I think

1	Mr. Richey or something. At that time, he said that he
2	couldn't do anything about it because he was not in charge.
3	And Mr. Hazel immediately took over in my behalf
4	and he continued the conversation. And later, after this
5	incident, they can describe to you whatever happened.
6	But later, afterthis incident, Mr. Hazel got in contact with
7	Dr. Pagana, who is the Human Relations Representative in
8	Williamsport and Mr. Jones contacted me in my home and I
9	went to Korea and he and my wife have been handling the rest
0	of the case until I came back in June.
1	MR. YAFFEE: You may cross examine.
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13	CROSS EXAMINATION
[4]	BY MR. HARTER:
15	Q In what branch of the Army do you serve?
16	A. I am in the Signal Corps.
L7	Q By what title are you addressed?
ខេ	A I am a Specialist Sixth Class.
19	Q Mr. Yaffee has been calling you Mister. Is that
20	correct?
21	A. It is a technical term. But I am a Specialist
22 ¦	Sixth Class. That is what I am addressed as in the Military.
23.	Q What I am trying to find out is what should I call
24	you?
	A. Whatever way you want.

1	Q Is Mister satisfactory?
2	A It is satisfactory with me.
3	Q Mr. Hamilton, you were present during the testimon
4	of Mrs. Hamilton this morning, and you heard her answers to
5 !	my questions. Would you say that they were all true?
6	A. Yes.
7	Q Now, did you ever inquire from the Moose their
8	bowling league schedules in time for the Bantam's to bowl?
9	A The only knowledge of when they bowled or anything
10	else was when I, my wife talked to Mr. Skinner and he told
11	her that they bowled on Saturday mornings. And then I talked
12	to Mrs. Reed at the bowling alley and she told me that they
13	did bowl on Saturday mornings, and right now, I can't say
14	exactly what hours it was.
15	But I do know it was Saturday morning.
16	With reference to November 18, 1972, when was the
17	next bowling for Bantams scheduled at the Moose Lodge?
18	A. I imagine it was the next Saturday.
19	Q All right. On that Saturday, did you present your
20	children or any of them at the Moose Lodge for the purpose
21	of bowling?
32	A. No, I didn't.
23	Q Or did you on the following Saturday or at any
24	other time?
25	A. No, I didn't.

	Q So that your children were never denied the right
2	to bowl face to face by the Moose?
3	A. I felt that the answer I got on the telephone was
· • • • • • • • • • • • • • • • • • • •	good enough. They were never there face to face.
5	Now, were you aware on the occasion of when you
6	notified your children, that they had been denied the right
7	to bowl at the Moose, of their lack of realization that they
8	were of a color different from some of the other children?
9	A. My kids know, they know. I know there's no doubt.
0	You can look at them. They look at themselves. They know
1	that they are a different color. But they never distinguished
2	it between whether I can do this or that or whether I can
3:	do the other thing, because I am black or because I am white.
4	They never had that understanding prior to that.
15	Q You have stated it much better than I did there.
16,	Then it wasn't until you told them that they attached any
L7	significance to their difference in color from others?
18	Was it?
(9	A. It is the first time.
zo i	Q And any resultant mental anguish, embarrassment
21.	or humiliation, resulting from this, was because you and
22	Mrs. Hamilton told your children?
23	A. No.
24	MR. YAFFEE: Again, I would like to state my
25	objection for the record based on my previous explanation.

1	THE CHAIRMAN: You may answer the question.
2	The objection is noted.
3	THE WITNESS: I do not blame it on myself.
4	Any time I have always taught my kids never lie. Always.
5	If my kids are denied the privilege to do something because the
6	are black, because they are white or because they live in
7	Newberry or because I am in the Army, why should I lie to
8	them, I am going to tell them the truth.
9	You cannot bowl because they do not allow blacks
IO	in their establishment.
11	BY MR. HARTER:
12	Q But I am trying to date the beginning of this
13	sensitivity and it wasn't until this time that you told them
14	that this injury to their personality occurred, as you have
15	described it?
16	A. It wasn't until that day that I explained it to
17	them about the bowling.
18	Q So that actually, such results were visited upon
19	them by your act in telling them and not by that of the
20	Respondent.
21	MR. YAFFEE: Objection again. This is clearly
22	getting to the precise question. I believe that the earlier
23	question is certainly sufficient to give the Commission
24	adequate information concerning Mr. Hamilton's view about
25	the effect of this incident upon the children.

1	MR. HARTER: This is cross examination and I
2	don't think I have been unduly repetitive here.
3	THE CHAIRMAN: Sustain the objection on this one.
4	Can you redirect this in some other way?
5	BY MR. HARTER:
6	Q In point of time, the awareness of your children
7	that treatment of children sometimes is different because
8	of color, began as of the time that you told them about the
9	Moose incident, isn't that correct?
10	A. This is the first time.
11	Q Now, I think you said that you practically
12	grew up in this area?
13	A. I did grow up in this area.
14	Q And were you aware that this area and particularly
15	Williamsport, is noted for its support of athletic programs?
16	A Sure do. I brag about it everyplace I go around
17	the world. That Williamsport is the greatest baseball state
Si	in the world for Little League. All kids play together.
19	But we can't get together on bowling.
20	Q And were you aware that the community sponsored
21	midget and little and bantam league baseball teams from time
22	to time?
23	A Yes, I do.
24	Q And in your knowledge of them, and you sound like
25	a sportsman, in following them, were you ever aware that some

1	of the personnel on Moose Baseball Teams were black?
2	A. Yes, I am. But May I make one statement?
3	Q Certainly.
4	A. I do know that such as my wife's brother, who was
5	black, played on little league baseball. But Moose has no
6	control over that little league who gets on their team and
7	who does not get on their team. This makes the difference.
8	Q But with blacks on their teams, the Moose continued
9	their financial and other support of them, did they not?
10	A. They sure did.
11	Q And doesn't that indicate to you that if there is
12	any discriminatory practice on the part of the Moose, that
13	it didn't extend to baseball?
14	A. No.
15	Q It just happened that way?
16	A. It just happened that way.
17	Q And were you aware that at times the Moose
18	entertained their baseball sponsored teams at banquets in the
19	Moose Lodge?
20	A. Yes.
21	Q And that blacks were as welcome as whites?
22	A. No.
23	Q And that blacks did attend?
24	A. Yes.
2.5	Q Now, when you talked to Mrs. Reed by telephone,

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1	you said that she responded when you told her that you and
4	the family were black, that she used the expression,
3	"That's a horse of a different color."
4	A. Yes.
5	Q Are you sure that she said that?
6	A I have no way of proving it. But I know she said
7	it. It wasn't in an arrogant type of way. But she said,
8	"That is a horse of a different color."
9	Q Do you think she was intending a reflection upon
ic.	your color or she was indulging in the use of a cliche?
11	A. Cliche.
12	MR. HARTER: That is all and thank you.
13	MR. YAFFEE: One further question, if I may.
14	
15	REDIRECT EXAMINATION
16	BY MR. YAFFEE:
17	Q Mr. Hamilton, in response to Mr. Harter's question
is	I believe you indicated that it was your opinion that blacks
19	were not as welcome as whites in the Moose Lodge on the
20	occasion of the baseball banquets. Is that correct?
21	MR. HARTER: I don't understand that.
22	MR. ECHOLS: He said in response to your question
23	about welcome, he said no. But whether there, yes.
7.4.	THE CHAIRMAN: That is right.
_	MR. ECHOLS: I think that is what he meant.

MR. YAFFEE: Yes. Precisely.

THE WITNESS: Yes.

BY MR. YAFFEE:

Q Mr. Hamilton, what is the basis of that opinion?

A. Whether my wife knew it or not, like I say, her brother was on the Moose team. Her brother was about the closest thing that I have ever had as a brother. He would talk to me about things that he would not talk to his sister or even his mother and father about.

And he, at the time, he was younger and he was naturally in the age group of little league baseball. And he made statements to the effect that he was not treated the same as the rest of the kids totally. They were there, he had a good time with other kids. But, he could tell the difference because of some of the adult persons there.

Now, this has been over ten years ago. But I do know of the incidents. He had told me bout it. Even since we have been grown, he always made reference to the fact that he did play with the Moose and he was proud that he played with them because they were a championship team.

But when they went to the banquet at the Moose, he didn't really want to attend because he knew he was not going to be the same as the rest. He was an outcast because he was different.

MR. YAFFEE: No further questions.

1	MR. HARTER: That is all I have.
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3	(Whereupon at this time a discussion was held
4	off the record.)
5	
6	MRS. SCOTT: When you visited the Moose lodge
7	with Mr. Hazel, you did not speak to Mrs. Reed or meet
8	Mrs. Reed?
9	THE WITNESS: No.
10	MRS. SCOTT: Your only contact with her was by
11	phone?
12	THE WITNESS: Right.
13	MRS. SCOTT: When the gentleman said he was not
14	in position to handle whatever questions you were raising,
15	did he refer to someone else?
16	THE WITNESS: No.
17	MRS. SCOTT: While you were there, did you observe
18	the children bowling?
19	THE WITNESS: We were not in/bowling alley. We
20	were just in the entrance inside the front door to the Moose
21	Lodge.
22	MRS. SCOTT: To your knowledge, is the bantam
23	league just male or female?
24	THE WITNESS: Both.
25	MRS. SCOTT: In your opinion, do you think it would

have been difficult getting your son in the Moose bowling league as it is the girls? 3 THE WITNESS: We had brought the subject up, if 4 we could have gotten the girls in, we were going to try to put him in there with them because they are brother and sisters and we would like to keep them together as much as 7 we can. 8 But we did not make any attempt to put him in 9 there because the Y, they already told us that they 10 would accept him. 11 4 MRS. SCOTT: Thank you. That is all. 12 THE CHAIRMAN: Thank you very much for your 13 testimony. 14 MR. YAFFEE: Mr. Chairman, if I may, with the 15 indulgence of my colleague here, we do have one witness, Mr. Alan Skinner, who does have an appointment in approximately an hour, so I would respectfully request that we bring Mr. Skinner on for very brief testimony, if we may, so that he may be excused for the day. 20MR. HARTER: I will make that tremendous sacrifice for my distinguished brother at the bar here. . 1 THE CHAIRMAN: Mr. Skinner. 22 ALAN SKINNER, called as a witness on behalf of 23 the Complainants, having been duly sworn, was examined and 24 testified as follows: 25

DIRECT EXAMINATION 2 THE CHAIRMAN: Be seated and give your name and 7 address for the record, please. THE WITNESS: Alan Skinner, 2015 West Southern 5 Avenue, South Williamsport. BY MR. YAFFEE: Q, Mr. Skinner, by whom are you employed? The YMCA Bowling Lanes. Α. Q And, in what capacity? 10 A. Director of bowling. What are your duties in that capacity? 11 Q, To manage the bowling alleys and all that would 12 13 fall in that area of bowling. Would that include the leagues that operate at the 14 Υ? 15 Α. Yes. 16 Do you have any other affiliation with organized 17 bowling? Quite a few. 19 Α, What are they, please? Q. 20 I am vice-president of the Williamsport Junior A. 21 Bowling Association. I am director of the State Junior Bowling 22 Association. I am also in charge of this immediate area, 23 Central Pennsylvania, directly in charge of all A.J.B.C. 21 Junior Bowling. 25

1	Q Of all A.J.B.C.	Bowling?
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3		a de outrare de la baratar la como
4	, , , , , , , , , , , , , , , , , , , ,	, in any way, the bowling leagues
	_	
5		ling. It would be the Moose also.
6	6 Now, on or about	November 18 of last year,
å	7 did you receive a telephone	call from Sherry Hamilton?
8	8 A. Yes, I did.	
9	9 Q Do you recall yo	our conversation with Mrs. Hamilton?
0	A. Yes.	•
11	But first of all	, I would like to make an
12	explanation.	
.3	Q Certainly.	
[4	A. I know Mrs. Ham	lton, I know her husband. I
15	15 deal with approximately 300	people a day and sometimes a lot
16	more. I know a lot of them	by face. And when she called up
17	and explained to me who she	e was, I didn't really know who I
នេ ៉ូ	was talking to. But I figu	red I would just answer her question
(†) i	and help out the best way 1	could have.
20	If I knew the s	tuation the way it was, we are
21	well aware of the situation	at the Moose and I would have never
22	recommended what I did.	•
23	Now, in answer t	o your question
24	Q So that, let me	ask you then very directly,
: ا د	were you aware that Mrs. Ha	milton or her family was black when

she	called	you?
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A No, not at the time of the phone call. I didn't connect the name with the face.

Q To the best of your recollection, could you briefly relate to us the nature of your telephone call, particularly if there are any differences from that stated by Mrs.

Hamilton?

A. No. It is basically the same. She said she had three kids and they all fall in what we call the bantam category. This is twelve and under. And I explained to her that we had never had a successful girls' bantam program, and that we did have a very good boys' program and as far as the girls were concerned, we had nothing until after it went by the twelve year old bracket.

Q What was the purpose of - - did you then suggest that she go elsewhere?

A. Yes. There is, to explain something, there is two organizations in junior bowling. And I am only affiliated with A.J.B.C. And I wanted to keep anybody I could in A.J.B.C. and I recommended the Moose because I felt they had a very good program there.

Q Did you suggest, then, to Mrs. Hamilton, that she contact the Moose for her two daughters?

A. That she contact the Moose and I gave her Mrs. Reed's name.

1	Q And had you on any prior occasions referred individuals
2	to the Moose Lodge for participation?
3	A. Yes. Once in a while.
4	Q For participation in bowling?
5	A. It is not a common every day occurrence. It happens
6	every once in a while, you refer people to the Moose or
7	other bowling leagues.
3	Q What would be the occasion that you would refer
9	people to the Moose instead of the Y?
1.0	A. Whenever we couldn't handle them if we didn't have
11	a particular division for the bowler.
12	
13	(Complainant's Exhibit No. 3, being
14.	document entitled, Playing Rules 1972-73 Season, American Junior Bowling Congress,
15	was produced and marked for identification.)
16	BY MR. YAFFEE:
17	Q Mr. Skinner, could you identify the booklet marked
18	as Complainant's Exhibit 3?
19	A Yes. It is the American Junior Bowling Congress
20	playing rules for last season, 72-73.
21	Q Thank you.
22	Now, referring to page 16, Rule No. 104 entitled
23	Membership-Membership Dues, if I may just read briefly the
24	first sentence, "Membership in A.J.B.C. is open to all
25	boys and girls qualified under the A.J.B.C. eligibility rule.

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who have not reached their twenty-second birthday on or 2 before August 1 of the current bowling year. Once sanctioned 3 under this rule, an A.J.B.C. member is an eligible bowler 4 until July 31 of the current bowling year unless under suspension." 5 Are you familiar with that rule? 6 Very familiar. 7 To your knowledge, are there any other qualifications ડ or basic membership criteria other than that stated in Rule 9 No. 104? Oi Correct. All I have to do is carry a sanction card. 1.1 Mr. Skinner, does the A.J.B.C. have any position 12 Q, 13 requirement or condition for participation in A.J.B.C. upon leagues or facilities where bowling takes place concerning 14 racial discrimination or any type of discrimination? At the 16 present time? To your knowledge? Well, I can't answer that question at this time 17 because it is a very hard question. There is a lot depending 19 on what happens in this case. Right now, there is not - -20 in other words, I don't quite understand what they are doing in Milwaukee as far as my bosses are concerned. It is a little confusing right now. I understand 22

But to your knowledge, at the time of this incident, at any rate, there were no specific requirements or

it is a problem because of the time lapse in this case.

1	conditions placed upon the Moose Lodge in that regard, is	
2	that correct?	
3	A As long as they would carry an A.J.B.C. card,	
4	they were supposed to have been accepted.	
5	MR. YAFFEE: Thank you. I do have one or two	
6	other questions.	
7	BY MR. YAFFEE:	
8	Q Mr. Skinner, did you receive a subpoena to appear	
9	here today?	
OK	A. Yes, sir, I did.	
11	Q And are you in fact appearing here in response to	
12	that subpoena?	
13	A. Yes, I am.	
14	MR. YAFFEE: Thank you.	
15	No further questions.	
16		
17	CROSS EXAMINATION	
18	BY MR. HARTER:	
19	Q Mr. Skinner, you spoke of another bowling league	
20	here in this area, did you not? Besides the one with which	
21	you are connected?	
22	A I didn't speak to any in particular, no. There is	
23	other ones.	
24	Q There are other lanes?	
25	A. Yes.	

-		
1	Q And are you familiar with their make up and their	
2	operation and so on?	
3	A. Yes.	
4	Q Do you know how many other leagues there are?	
5	A. In Williamsport or	
6	Q In the immediate vicinity.	
7	A. I couldn't quote figures. There is quite a few.	
8	Q Can you give an estimate?	
9	A Leagues, themselves?	
10	Q Yes.	
11	THE CHAIRMAN: Do you want to limit it to the junior	
12	leagues?	
13	MR. HARTER: Oh, yes. I am speaking of junior	
14	or bantam.	
15	THE WITNESS: As far as the bantam division,	
16	what these kids are involved in here is very limited. I	
17	would say in this area maybe three.	
18	BY MR. HARTER:	
19	Q And are you sufficiently familiar with them to	
20	know whether or not they accept both male and female bowlers?	
21	A. It is quite common that they are usually mixed	
22	leagues.	
23	Q So that it was important for the Hamilton children	
24	and their daughters, particularly, if they couldn't bowl	
25	at the Moose Lodge, that they would not have been denied	

ħ	bowling privileges because of the availability of other	
Ž	leagues to the girls? Correct?	
3	A. They would not have been denied bowling privileges.	
4	However, they would have been denied, to the best of my	
5	knowledge, they would have been denied to bowl in A.J.B.C.	
6	leagues.	
7	Q And that is the league with which you are connected	
8	A. Yes, sir.	
9	Q But they could have, there are, maybe this calls	
10		
11	leagues?	
12	A. Yes.	
13	Q Of sufficient importance as to attract children as	
14	your league does?	
15	A. Yes.	
140	Q So you don't know whether or not they applied for	
17	permission to bowl in other bantam leagues, do you?	
13	A. I know from what I was told by them that they	
19	Q Just from what you were told?	
20	A. Right.	
23	MR. HARTER: That is all. And thank you, sir.	
22	MR. YAFFEE: I have, if I may, just one or two	
23	final questions.	
24	REDIRECT EXAMINATION	
25	BY MR. YAFFEE:	

1	Q Mr. Skinner, do other A.J.B.C. leagues or teams
Ž.	bowl at the Moose Lodge other than the leagues that the
3	Moose, itself has there?
4	A I don't quite understand your question.
5	Q Well, is there ever any competition or is there
6	ever a situation where another team would come from another
7	league and say bowl at the Moose Lodge?
8	A As far as A.J.B.C., that would come under the
ō ¦	Williamsport Junior Bowling Association. And the Williamspor
0	Junior Bowling Association does not take any organized
1	tournaments to the Moose.
12	Q Is there any particular reason for that?
13	A. Yes, because they will not accept it.
dig	Q When you say they will not accept it, who is they?
15	A In other words, it is, we have tournaments that
16	are put on a rotation basis and whenever it comes their turn,
17	they won't accept the tournament. I can't really give you the
8	reason because I don't know for sure. I couldn't really say
19	an honest reason.
zo j	MR. HARTER: It has no relation to race, does it?
11	THE WITNESS: Yes, I believe it does.
اً ا 22	But I am not quite sure. I am not actually sure about that.
23	I believe it was discussed that it was, they refused a
4	tournament because they can't accept all of the bowlers.
25	But I am not sure about that reason.

1	MR. YAFFEE: No further questions.
2	MR. HARTER: That is all.
3	MR. ECHOLS: Mr. Skinner, how long has the Moose
4	been operating Junior and Bantam bowling?
5	THE WITNESS: I couldn't answer this question withou
6	looking in the records.
7	MR. ECHOLS: Do you have any idea? Did they just
8	start this year?
9	THE WITNESS: No, quite awhile.
10	MR. ECHOLS: Was it last year?
11	THE WITNESS: It has been April 18 19 19 19 19 19 19 19 19 19 19 19 19 19
12	MR. ECHOLS: During the 50's? During the 60's?
13	THE WITNESS: I can't go back that far but I am
1.4	positive it was in the 60's. I would have to check on the
15	records to make sure.
16	MR. ECHOLS: To your knowledge, does the Moose
17	admit, since it has been operating, Bantam and Junior
18	Bowling, does it admit black children, Afro-Americans,
19	colored, however you want to describe them, into those leagues?
20	THE WITNESS: They have not. I can tell you that
21	definitely.
22	MR. ECHOLS: Pardon?
23	THE WITNESS: No. They have none. They have no
24	black children in their leagues.
25	MR. ECHOLS: Do you know of any who ever applied?

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Prior to the Hamilton children? 2 THE WITNESS: No, I don't. None at all. 3 MR. ECHOLS: Then how do you know that they will not admit children? Black children into the bantam and 5 junior league? Ó THE WITNESS: I didn't say that. I said they do not have any. MR. ECHOLS: Why do you state that; known the Hamiltons to have been black, that you would not î0 have referred them to the Moose for an effort to get their 11 children into the bantam and/or junior league? 12 THE WITNESS: In discussions with our problems, 13 we have with taking the tournaments around on a rotation basis, it has been brought up that they would not accept 15 colored there. 16 MR. HARTER: Objected to as hearsay, if the 17 Chairman please. I ask that it be stricken. 18 THE CHAIRMAN: Do you want to ask it a little 10 differently? Objection sustained. 20 MR. ECHOLS: Not because of the question. Because of the response. Let me try to get it another way. ----As a result of your knowledge of the practices 23 | of the Moose Lodge in regard to the operation of their bantam and junior bowling league, you are knowledgeable in this area, I take it? 25

1	THE WITNESS: Yes.
2	MR. ECHOLS: Do they admit black children?
3	THE WITNESS: No, they don't.
4	MR. ECHOLS: No further questions.
5	MRS. SCOTT: Are there any requirements placed
6	upon an organization if they engage in how do you say it,
77	A.J.B.C.league activities?
8	THE WITNESS: Any requirements?
•	MRS. SCOTT: Yes.
10	THE WITNESS: Yes, there is.
11	MRS. SCOTT: What are they?
12	THE WITNESS: Age is a main requirement, and then
13	there is a code of ethics. But nothing with race.
1.1	MRS. SCOTT: Code of ethics?
15	THE WITNESS: In other words, the way you would act
16	and so forth.
17	MRS. SCOTT: I see. All right. Also, a little
18	earlier when you were testifying, you said that we all know
19	the situation at Moose Lodge in talking about your conversation
20	one broad and broad for all mode house.
2:	were THE WITNESS: In other words, I knew they/segregated
22	there.
23	MRS. SCOTT: That is all I have.
24	THE CHAIRMAN: Any further questions?
25	BY MR. HARTER:

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I	RECROSS EXAMINATION		
2.	BY MR. HARTER:		
3	Q Mr. Skinner, how do you know that?		
4	A. It was told to me by Eleanor Reed at a junior		
5	bowling meeting.		
6	MR. HARTER: That is all I have.		
7	MR. YAFFEE: Nothing further.		
8	THE CHAIRMAN: Thank you very much, Mr. Skinner.		
9 :	I think you introduced for the record Exhibit C-1,		
10	2 and 3. Is there any objection to those introductions into		
11	the record?		
12	MR. HARTER: No objection, Mr. Chairman.		
13	MR. YAFFEE: In that case I would move for		
14	their admission at this point.		
15	THE CHAIRMAN: They will be so admitted into the		
16	record.		
17	MRS. SCOTT: Is the whole book moved into the record		
18	as an exhibit?		
19	MR. YAFFEE: Mr. Chairman, I would move for the		
20	admission of the entire book. There are other provisions in		
21	here relating to membership in standard league, under the		
22	standard league rules section. Eligibility, tournaments and		
23	awards that I believe also related to this matter, but which		
24	were not specifically discussed and therefore, I would request		
25	that the entire book be admitted.		

Ĭ MR. HARTER: I have no objection. 2 MR. YAFFEE: I would stipulate that should there be 3 an occasion to bring this matter before another tribunal and 4 a requirement that portions of the record be printed, that I 5 would be glad to meet with Mr. Harter and stipulate to the striking of certain provisions or certain parts of that rule 6 book, once I have had an opportunity to closely examine the ĺ 8 entire book. 9 MR. HARTER: That is agreeable to me. 10 THE CHAIRMAN: All right. We will recess until 2:00 o'clock. 11 12 13 (Whereupon at 12:50 p.m. the hearing recessed to reconvene at 2:00 o'clock p.m. the same day.) 15 THE CHAIRMAN: Are you ready to proceed? 16 MR. YAFFEE: Yes, I am. 17 In continuation of the case on behalf of the L C Complainants, I would like to call Mr. James Hazel to the 1 stand. 20 21 JAMES HAZEL, called as a witness on behalf of the 22 Complainants, having been duly sworn, was examined and 23 testified as follows: 24

Ĺ DIRECT EXAMINATION 2 THE CHAIRMAN: Will you be seated, please and give your name and address for the record? 3 THE WITNESS: My name is James Hazel and I live at 826 First Street, Williamsport, Pennsylvania. 5 BY MR. YAFFEE: 6 Mr. Hazel, did you receive a subpoena requiring 7 8 your presence here today? 9 Yes, I did. And are you appearing here in response to that 10 subpoena? 11 Yes, I am. A. 12 Mr. Hazel, by whom are you employed? 13 Pennsylvania Department of Transportation. 14 Outside of your employment, Mr. Hazel, are you 15 affiliated with any community organizations? 16 Yes. I am affiliated with the Lycoming County 17 Human Relations Committee, the Local Chapter of the NAACP, 18 the Lycoming County Housing Authority, the Mayor's Advisory Committee and also the Task Force for the City. 20 Mr. Hazel, with regard to your activities in the 21 NAACP, do you hold any office in that organization? 22 I am president of the local chapter. A. 23 How long have you served in that capacity? 24 Actually eight years. A. 25

1	Q Could you briefly summarize for us what your
2	duties are as president of the NAACP?
3	A. Well, conduct the meetings, most of the time,
4	to listen to or be recipient of calls of complaints of
5	discrimination in housing or otherwise.
6	Q Now, in that context, did you have occasion, on or
7	about November 18, 1972, to receive a phone call from Mr. Donald
8	Hamilton?
9	A I did. I think the phone call that I received
10	was on the 24th of November.
11	Q But this was from Mr. Hamilton?
12	A. It was.
13	Q Would you relate to us well, did you hear
14	Mr. Hamilton's testimony earlier this morning concerning his
15	contact with you on the telephone?
16	A. Yes, I did.
17	Q Would you be good enough to relate to us what
18	action you took in response to the information that Mr. Hamilton
19	provided for you?
20	A. Well, when Mr. Hamilton called me on the phone,
21	he explained his problem and I asked him to come to my house
32	and sit down and discuss the matter a little further which he
25	did, and at that time, I mentioned to him that we should go down
24	to the Moose Lodge and ask them the reason why that they had
25	indicated that his children couldn't bowl there.

I	And that was Friday evening, if I am correct.
2	But he said he would come down on Saturday and we would go
3	down. Him and I went down on Saturday. Saturday morning.
4	Q Was this to the Moose Lodge?
3	A. To the Moose Lodge.
5	In the meantime, I contacted Dr. Pagana, who is
7	the chairman of the Lycoming County Human Relations Committee
8	and explained to him the circumstances. At that time, I said
9 '	that I would, also going as a representative of the NAACP
10	Chapter, that I couldn't go as a representative of the local
11	Human Relations Committee and this I did.
12	Q Did you in fact go to the Moose Lodge?
13	A. Yes, I did.
14	Q When was that? Do you recall?
15	A. This was on a Saturday morning that Mr. Hamilton
16	and myself went to the Moose Lodge.
17	Q Would that be approximately November 25?
18	A. 25th.
19	Q Of 1972?
20	A. Yes.
21	Q Would you relate for us what transpired in your
22	presence at the Moose Lodge when you arrived?
23	A Well, we went in and asked to talk with someone
24	that had the authority or had anything to do with the bowling
25	I talked to one gentleman. I don't know his name. But he

referred me to the gentleman sitting here, I think his name is Richey, Mr. Richey, I guess. And at that time, we talked 2 with him and I asked him was he aware of - - you don't mind 3 if I look at my notes, do you? 4 MR. YAFFEE: If that will help you refresh your 5 recollection, not at all. 6 THE WITNESS: I asked him was he aware of why we were there and he stated that he was aware of the reason that 8 we had came down, so I asked him why the Hamilton children couldn't bowl there at the Moose and he said that the only 10 reason that why couldn't bowl there was because no non-members 11 children were bowling there. 12 And at that time, was he sure that all the kids 13 that were bowling there that their parents were members of the 14 Moose and he said he didn't know for sure. 15 BY MR. YAFFEE: 16 Did you pursue the conversation any further or did 17 your discussion with Mr. Richey or anyone else at the Moose 18 Lodge concerning the possibility of the Hamilton children 19 to bowl there? 20 During the time we were talking, I asked him 21 what if anything, the lodge intended to do about the situation and 22 he replied that this had to go before the Board of the Lodge. 23

Was there any indication that you would be

contacted once the Board had met on this?

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1	A. Not to my knowledge.
2	Q Where there any further discussions? At that time?
3	A No. I am not too sure. No. I am pretty sure
4	there wasn't. Not on the part of Mr. Hamilton, Mr. Richey
5	and myself, no.
6	Q Did you have conversations with anyone else at the
7	Moose Lodge on that occasion?
8	A. No.
9	The only one I saw was the one that when we went
O	into the desk and they summoned Mr. Richey.
1	Q As a result of that conversation, did you take any
12	additional action?
ا :	A Yes. I, after I got home and I called Dr. Pagana,
[4] 	and told him what had transpired there at the Moose, and I
15	also suggested to Mr. Hamilton that he get in touch with
<u></u> የ	the State Human Relations Commission.
17	Q Did you have any further involvement with this
18	matter following your conversation with Dr. Pagana?
19 i	A No. We had discussed it later on. But nothing else
20	MR. YAFFEE: You may cross examine.
21	
22	CROSS EXAMINATION
23	BY MR. HARTER:
24	Q Thank you. Mr. Hazel, on May 25, when you were
: : 25	informed by Mr. Richey that the reason why the Hamilton children

<u>j</u>	couldn't bowl in the Moose was because non-members' children
2	weren't permitted to bowl there, didn't that indicate to
3	you that the Hamilton children were turned down by reason of
4	non-membership rather than being black, as Mr. Hamilton testified?
5	A. Not to me, it didn't. I am too much concerned
6	with Civil Rights matters in the City of Williamsport and I
7	have numerous occasions to doubt whether the Moose Lodge is
8	living up to their principles in the matter of racial relations.
9	Q Well, there was nothing said to you that the
10	Hamilton children were denied bowling privileges because they
11	were black as they allege in their complaints, was there?
12	A Nothing said to me by Mr. Richey.
13	Q Yes. Or anybody you talked to at the Moose.
14	A. No.
15	Q The only reason assigned was non-membership?
16.	A. That was one of the reasons he gave, yes.
17 -	Q Yes. That is right.
ts :	That is all. Thank you, sir.
t9	MR. YAFFEE: No further questions.
20	THE CHAIRMAN: One other question. Did you make
1.	any further inquiries with respect to whether there was any
1 1 - 2 - 1 1 - 2 - 2	children that bowled whose parents were not members?
23	THE WITNESS: Do you mean myself, personally?
	THE CHAIRMAN: Yes.
, 5	THE WITNESS: No. I turned this, well, I made a

7-2	report to	the President of our local chapter here. As to
2	what had t	aken place that Saturday morning.
3		MRS. SCOTT: You made a report to which chapter?
4		THE WITNESS: Dr. Pagana who is the president of
5	the Lycomi	ng Human Relations Committee.
6		THE CHAIRMAN: Thank you very much, Mr. Hazel.
7		MR. YAFFEE: Next witnessis Dr. Pagana.
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9		CHARLES PAGANA, called as a witness on behalf of
to	the Complainant, having been duly sworn, was examined and	
11	testified a	as follows:
12		DIRECT EXAMINATION
13	 	THE CHAIRMAN: Would you sit down and give your
14	name and ac	ddress?
15	ं क म	THE WITNESS: Charles Pagana, 1401 Woodmont Avenue,
16	Williamspor	rt, Pennsylvania.
17	BY MR. YAFI	FEE:
18	Q	Dr. Pagana, did you receive a subpoena to appear
19	here this a	afternoon?
20	A.	No, I didn't.
21.	Ġ.	Are you appearing here voluntarily?
22	A.	Yes, I am.
23	. Q.	How are you employed, Dr. Pagana?
24	A.	I am a dentist.
25	Q.	In Williamsport?
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.Ī	A. Yes.
2	Q Are you affiliated with any community organizations?
3	A. I am chairman of the Lycoming County Human;
4	Relations Committee.
5	Q What duties do you perform as chairman of that
6	committee?
7	A We hold meetings once a month with the State
8	representative, Mr. Bill Mattern. We hear complaints on a
J)	local level, and make an attempt to reach a solution to these
10	complaints before they are brought to the State Human
11	Relations Commission.
12	So we do some investigations of these complaints
13	at the local level.
14	Q Is this an official agency of the City? Or does
15	it have any sanction by the City?
16	A Yes, it does. By the City and the County.
17	Q Referring you to the incident under discussion here
18	that was testified to earlier this morning and this afternoon,
19	would you relate to us what your first contact with this
20	matter was?
21	A On the 24th of November, I received a call from
22	Mr. Hazel explaining the case to me and at that time,
23	I also spoke to Mr. Hamilton, who was at Mr. Hazel's home.
24	And advised them to go to the Moose Club the following day and
11	try to get some answer to this situation

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And asked Mr. Hazel to go as both a representative of the NAACP and as our representative, Lycoming County Human Relations Committee representative.

The following day, I heard back from Mr. Hazel, and Mr. Hamilton, saying that their reception was rather vague. The answers that they received were rather vague. So I took it upon myself, at that time, to go down to the Moose Club on that following Saturday afternoon.

- Approximately what date would that be?
- A. That would be the 25th of November.
- Q Did you go alone to the Moose Lodge?
- A. Yes, I did.
- Q Could you please relate to us what your actions at the Moose Lodge involved and with whom you spoke?

A I spoke to Mr. Richey. And I identified myself as chairman of the Human Relations Committee and he was aware of why I was there. And tried to explain to Mr. Richey that my function was to try to solve the situation at a local community level before it got to the State and tried to reach some type of conciliatory action.

I mentioned to him that he may be in violation of the Human Relations Act by refusing these two young black girls bowling privileges. I also asked him if there were any outsider bowling at that time and he said he didn't want to say yes and he did not want to say no at that time.

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Apparently, he wasn't certain. I asked him the rationale for refusing privileges to these young girls, trying to explain to him that this was the only bowling sanctioned junior bowling league of this age group that they could bowl in at the time they wanted to bowl and explained that they had won awards, everything that Mr. Hamilton had said to me and tried to get, as I say, the rationale for not allowing the girls to bowl there.

He explained to me something about rules and regulations that were over possibly a hundred years old that were somewhat the bylaws of the Moose Club and I asked him if he was going to stand by this decision not to let the young girls bowl at this time and if so, I would have to turn the case over to the State Human Relations Commission.

He asked me if I would wait until he met with the Board, until he found out what their suggestion would be.

I said that I would wait, before I informed the State until the following Monday.

The following Monday I received a phone call from Mr. Richey and Mr. Reidy, who is apparently the manager of the bowling league, they were both on the line at the same time.

Q I am sorry. Who was the other individual?

A. Mr. Reidy, I think. I again tried to reach some conciliatory action in the case. At that time, I was informed

that they were certain that there were no non-members bowling there. I think at that time, I mentioned something about advertising, that we felt that they had advertised open bowling, this would be last July and I guess documenting the library it would be last July that they advertised open bowling.

Now, their advertising, of course, is to members only. But I said at that time I felt that they had non-members bowling and they said no, that they didn't and that they were going to take this stand. And I said my only recourse was to turn it over to the State and I did so at that time.

- Q Did you take any other action following this telephone call and I am assuming this call reached you you stated Monday, after your meeting. Would that be the 27th, approximately, of November?
 - A Right.

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- Q Did you take any additional action following that phone call other than contacting the State?
 - A No. I did not. I just contacted the State.
- Q Did Mr. Richey or Mr. Reidy affirmatively state to you what the policy of the Moose Lodge was concerning eligibility of children to play in their league?
- A I think that the call on Monday they stated to me that their league was closed to members' children only.
 - MR. YAFFEE: Thank you. I have no further questions.

1 CROSS EXAMINATION 2 BY MR. HARTER: 3 Dr. Pagana, I believe you said that in advertising Q, 4 some time ago, that the Moose advertised that bowling was 5 open. Are you sure of that? \bigcirc I think we can document that with the library. 7 We had a member of the committee look that up. Mrs. Robinson looked that up in the library. ν; Do you have any evidence of that with you? (1) A. No, I do not. 11 Q, So your statement is based solely upon what Mrs. Robinson told you? 1.3 Correct. 1 4 But you are sure that their advertising now that 15 bowling is closed to members' children only? 9 There is a problem here with terminology. They still advertise open bowling, but open bowling meaning that they didn't have leagues that night. It can be a misconstrued 1 20 Q It is an ambiguous statement? 7 Α. Right. They say it is open bowling for members 22 only. 23 Well, to your knowledge, do you know of anybody

who is a non-member who bowls, now?

Not to my knowledge.

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Į.	MR. HARTER: That is all. Thank you, Doctor.
2	THE CHAIRMAN: Thank you very much, Doctor.
3	MR. YAFFEE: I would next call Mrs. Eleanor Reed
4	to the stand, please.
5	
6	ELEANOR REED, called as a witness on behalf of
7	the Complainant, having been duly sworn, was examined and
8	testified as follows:
9	DIRECT EXAMINATION
10	THE CHAIRMAN: Be seated and give your name and
11	address, please.
12	THE WITNESS: Mrs. Eleanor Reed, 2007 Misner
13	Road, Williamsport, Pennsylvania.
14	BY MR. YAFFEE:
15	Q Mrs. Reed, thank you for appearing this afternoon.
16	Did you receive a subpoena to appear at these proceedings?
17	A. Yes, I did.
18 	Q And are you present here in response to that subpoena
19	A. Yes, I am.
20	Q Thank you. What is your affiliation with Moose
er j	Lodge No. 145?
22	A I am the junior bowling coach.
23	Q How long have you been junior bowling coach at the
24	Moose Lodge?
2.5	A About four years.

į Q I'm sorry?) About four years. 3 MR. HARTER: Mrs. Reed, would you speak just a little 4 louder, please? 5 ii BY MR. YAFFEE: 6 What are your duties as junior bowling coach at the ĺ lodge? 8 5 Instructing them how to bowl, how to throw a ball, Α. how to walk, how to get along with other kids, to respect the other bowler, good sportsmanship, keeping score. 11 . ପ୍ଟ Now, as the bowling coach, do your duties involve 12 registration of children for league play and league membership? 13 Yes, sir, they do. 14 Q, Have you had those duties as long as you have been 15 bowling coach at the Moose Lodge? No. Just for the past two years. 10 " 17 That would be for the years 1971-72 and 72-73, is that right? 19 Α. Yes. Are you a member of the Moose Lodge? 20: Yes, I am. Α. 21 . Q How long have you been a member? 22 } · A. Two years. 73 Are you a full time member with all of the privileges 14: that accompany that membership?

thu.	A.	Well, I only work there.
2	Q.	When you became a member, were there certain
3	conditions	or criteria that you had to meet to qualify for
4	membership	?
5	A.	Yes.
6	Q	Could you summarize what they were, if you know?
7	Α.	To accept the religion, to be a true standing
8	faithful p	erson, to abide by all the laws.
9	Q	Were there any requirements as to your age?
10	Was there	a minimum age set as far as you know?
11	. A.	No.
12	Q	Was there a requirement as to your race, do you
13	know?	-
14	A.	No.
15	Q,	You do not know or there was none?
16	A.	I don't know.
17	ର	With regard to your duties as bowling coach,
13	are you sup	pervised by any individual in the Moose Lodge?
19	A.	No. I have an alley master. He is there to run the
ze j	machinės wi	ile we are there.
	Ĝ	Are you answerable or do you report to anyone
22	concerning	what happens in the bowling leagues?
23	· A.	Yes. We have to report to Mr. Richey, which goes
24	before the	Board.
25	Q.	And so you report directly for Mr. Richey?

1	A. Yes. Or the alleymaster, Mr. Reidy.
2	Q You stated before that you are responsible for
3	registration of the children in the Moose Bantam League,
4	is that correct?
5	A. Yes.
6	Q When does this registration or when has this
7	registration taken place for each season?
8	A In September when they start to bowl.
9	And how long does the season extend?
0	From September until when?
11	A From September till about the last of April when
12	baseball starts.
13	Q Now, what are the requirements for membership in
14	the Moose bantam bowling league?
15	A Anyone from twelve years of age and under is a
16	bantam bowler. Twelve years of age to fifteen is a junior
17	bowler. From sixteen on up is a senior bowler.
18	Q Now, other than the requirement that the children
(9	fit into one of those age categories, are there any other
20	requirements that they must meet prior to their acceptance
21	into the league?
ZZ	A. I don't know what you mean.
23 ¦	Q Are there any other eligibility criterias that
24	any children applying to be in the league must meet?
y az İ	For instance must they be members of the A I B C 9

1	A They must be members, this is the reason they
2	fill out this sanction card at the beginning of the year.
3	Q Are there any additional requirements prior to
4	their acceptance?
5	A Their mothers and fathers or grandparents must be
6	members of the Moose.
7	Q You said their mothers, fathers or grandparents?
8	A. Or grandparents.
9	Q Now, these eligibility criteria that you have
0	just been describing, are they written in any form?
1	A. No.
2	Q How are you aware that these criteria exist?
3	A. It is wrote on their sanction cards whether their
.4	father is a member or their mother is a member or their
l <i>5</i>	grandparents.
[j.,]	Q This is on their sanction card?
- 	A. Yes.
.s	Q Is this filled out by each child or their parents
9	in the fall of the year when they apply for membership?
0	A Their membership card is filled out when their
21	parents bring them in. They are filled out. When we get
12	their sanction cards back, I fill them out.
: C!	0 Do 1101 6411 4500 0149
4	Could you explain what you mean by you fill them
5.	out?

L	A. Their name, their address and then, whether they
2	are whether their father is a member or their mother is
3	a member or whether their grandparents are a member. When they
4	come into the door, they show it to the doorman to come back
5	through to bowl.
6	Q How are you aware of this policy of the requirement
7	that their father and mother or grandparents be a member of
8	the Moose?
9	A. The parent always brings them to the Moose.
10	Q Who told you that this was a requirement for bowling
11	at the Moose Lodge?
12	A. This has always been.
13	Q You stated earlier that it is not written anywhere,
14	so far as you know. Did someone tell you about this requirement
15	
16	Q Who was that?
17	A I was told that by the alleymaster, and Mr. Richey
18	when I started there.
19	Q Now, approximately when would that be?
20	A Back in '68.
21	Q Are you responsible for determining at registration
22	whether the children enrolling in the league meet each of
23	those criteria?
24	A. Yes.
25	Q For the current year or bowling season which just

1	ended 1972-73, were all of the children enrolled in the
2	league or rather had they met the criteria that you stated
3	before?
4	A. No. I had eight that didn't.
5	Q Which of the criteria did they not meet?
6	A Their parents weren't members of the Moose.
7	Q And how long did they bowl in the league?
8	Did they bowl for the entire season?
9	A. No.
10	Q How long would you say that they bowled in the
11	league?
12	A Up until November 18.
13	Q What happened on November 18 that stopped them
14	from bowling?
15 j	A They were non-members, so they douldn't bowl.
15	Q Had you attempted to determine at registration
17	whether these children had parents or grandparents who were
18	members of Local 145?
19	A. No, I assumed when the mother brought them in
: ::01	that they were members of the Moose.
21	Q On what did you base that assumption?
22	A. Because the mother brought them in.
23	Q Is it stated anywhere that or is information
24	provided to the parents stating that they must be members of
25 I	the Moose to have their children play in the league?

i	
1	A. They don't have anything on the bulletin board
2	out there.
3	Q Well, how is it that you assumed that they would
4	know this? Is there any particular reason why you feel that
5	the parents would know that this is the policy?
1.0	A Well, any member of the Moose has use of the
7	bowling lane.
8	Q Okay. But apparently, some parents came and
9	registered their children, even though they were not members
0	of the Moose Lodge?
1	A. Yes.
12	Q And I would like to know if you can tell me how
.3	it is that these people felt that they could come in and
4	register their children?
15	A I don't know. They just brought them in.
16	I assumed they were members, so I signed them up.
7	Q Did you make an indication on the sanction cards
8	of all of the children that registered in September of '72
9	that their parents were or were not members of the Moose Lodge
o	145?
21	A Not in September, no.
.2	Q Why was that not done?
3	A I had no reason.
.a	Q At what point in time did you begin to indicate
5	on the sanction card that parents or grandparents were members

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i	of the Moose Lodge 145?
2	A. November 18.
3	Q How was it that you determined which of the
4	children then bowling did not have parents who were members?
5	A. I don't know. I called them all.
6	Q You called the parents of all of the children!
7	in the league?
8	A. Yes.
9	Q Were there any children registered for the bowling
10	league alone, that is without their parents?
11	A. One.
12	Q Who would that be? Do you recall?
13	A She lives up on Cottage Avenue.
14	Q You don't recall her name? Or his name?
15	A She is a senior bowler.
16	Q How old would that make her, approximately?
17	A. Sixteen.
13	Q Did you ask that person whether her parents were
19	members or not? Of the Moose Lodge?
20	A No, I didn't.
21	Q You stated earlier that you also supervised
22	registration for the 1971-72 bowling season. Did you have
23	occasion at the registration that year to inquire of the
24	children or parents registering whether the parents or
3.3	grandparents were members of the Lodge 145?

1	A No. because T only did half of the
2	only did half of it.
	Q I'm sorry. Half of the registration?
3	A Yes. I had the bantam and the alleymaster, Stanle
4	Chase had the seniors and the juniors.
5	Q Specifically with the bantams, then, which you
()	handled, did you inquire as to whether the parents or
7	grandparents were members?
8	A. Not then, no.
9	Q To your knowledge, were there any children bowling
10	in the bantam league during that year whose parents or
11	grandparents were not members?
12	A. No.
13	Q No there weren't or you do not know?
14	A. I don't know for sure.
15	Q On approximately November 18 of last year, did you
16	receive a telephone call from Donald Hamilton?
17	A Yes, I did.
18	Q Do you recall that telephone call?
19	A. Yes.
20	Q At the time that Mr. Hamilton called and as he
21	testified, did you hear his testimony earlier?
22	A. Yes, I did.
23	Q Mr. Hamilton testified that he asked you, I believe
24	whether there were any openings in the league. Do you recall
25	what your answer to him was at that time?

1	A Yes. Everything was so, but the only thing I
2	didn't say, it was a horse of a different color.
3	Q Okay. I will let you explain.
4	A. All I said was I'm sorry. I have to go by the
5	house rules and I have no objection to color. And he hung up.
6	Q Were there openings in the league at that time?
7	A. Yes.
8	Q As far as you could determine, from speaking with
9	Mr. Hamilton, did his children meet the league requirements
10	other than the fact that Mr. Hamilton or the children's
11	grandparents were not members of the Moose Lodge?
12	A. Yes.
13	Q Did you attempt to consult with anyone in the
14	Moose Lodge when this situation came up for direction as
15	to what course of action to follow?
16	A. No, I didn't.
17	Q You just gave the answer to Mr. Hamilton?
18	A. Yes.
19	Q You stated earlier that you made some telephone
20	calls or you called everyone in the league, I believe?
21	A. Right.
22	Q To determine whether the parents or grandparents
23	belonged to Lodge 145. When you determined that certain
24	children were in the league whose parents or grandparents
ا ہے ہے۔	did not belong to the lodge, what action did you take?

i	A I told him they would no longer be able to
2	bowl unless their mother or father or grandparents belonged
3	to the Moose.
4	Q Did you, were they offered membership at that time
5	or were they given a period of time within which to join or
6	could you explain exactly the condition that you presented to
7	them?
8	A They could join or do what they wanted to.
9	I mean if they didn't join, the kids couldn't continue to
10	bowl.
11	Q You say that you did that on November 18 of 1972?
12	A. It might have been on Monday or Tuesday after that
13	Q Are you aware of how many of those eight children
14	that you mentioned earlier continued bowling in the league?
15	A. Yes. Four.
16	Q And how were they able to continue bowling?
17	A. Their parents joined the Moose.
is i	Q How about the other children?
19	A. They aren't bowling.
20	Q They withdrew from the league?
21	A. Yes.
22	Q So that how many children would you say were caused
23	to leave the league because of your inquiries?
24	A. Four.
ا ج ۾	Q Can you ninnoint a data annovimetaly within this

1	past season, this bowling season, in which you can definitely				
2	say that the children bowling in the Moose leagues were all				
3	children or grandchildren of members of Moose Lodge 145?				
4	A. Yes. It was the weekend after Thanksgiving.				
5	Q And at that time, you can definitely state that				
6	all children there met all of the membership qualifications?				
7	A. Yes.				
8	Q Do you happen to have with you a sanction card?				
9	A. No, I don't.				
iO	Q Mrs. Reed, I would like you to look at Exhibits				
11	marked Complainants Exhibits 1 and 2. Are these the sanction				
12	cards to which you are referring?				
13	A. Yes.				
14	Q They are?				
15	A. Yes.				
16	Q Will you indicate, please, for the Commissioners,				
17	where on those cards you made an indication?				
18	A. Right down here (indicating). It was either father				
19	mother or grandparents and the father's name was on.				
20	Q And you just wrote that on the card. Father meaning				
21	that the father belonged or grandparents meaning that the				
22	grandparents belonged?				
23	A. Yes.				
24	Q And did this go on everyone's card?				
25	A. Yes.				

1. 15.

į					
, ,	· Q 1	That was not you	r policy prior	to that time,	
2	I understand?				
3	A. ì	10.	•		•
4	Q, I	s that the polic	cy which you ar	e currently f	ollowing?
5		This is the polic			
6	and it has t	to be on there be	efore they can	get in.	
7	Q V	Then will the ne:	xt bowling seas	on begin, app	roximately
8		he first Saturda			
9	•				1
10			`` .		
11	•		•	·	•
12	(This transc	ript continues o	on page 124.)		
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14		e.	·		ļ
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22			•		
23	,		,		
24		·			
25					

1	Q Just one further question, Mrs. Reed.
	You mentioned before an individual, a young
3	lady who registered by herself, who was approximately sixteen
4	years old. If I mention the name Roberta Deweys, does that
' _Y	refresh your recollection?
6	A. That is the one.
7	Q Is that the individual?
8	A. Yes.
9	MR. YAFFEE: Thank you. I have no further
[0]	questions.
1	
12	CROSS EXAMINATION
1.3	BY MR. HARTER:
[4 	Q Mrs. Reed, I direct your attention to
15	November 18, 1972 when Mr. Hamilton called you on the telephone
16	with reference to obtaining bowling privileges for his
17	two female children.
8	Did you, on that day, tell him that his
9 !	children could not bowl there because they were black?
20	A. No, I didn't.
11	Q Now, did you say to him when he told you
22	that he and his children were black, that that was "a horse
23	of a different color"?
24	A. No, I didn't.
25	Q Did you ever use that expression to him?

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1	A. No, I haven't.
2	Q Now, were you able to explain to
3	Mr. Hamilton on that date the real reason why his children
4	were denied bowling privileges?
5	A. No, he hung up before I had a chance.
6	Q And what is the real reason why the children
7	were denied bowling privileges?
8	A. They must be a member of the Moose before the
9	children are allowed to bowl.
10	Q And is that what you would have informed
11	Mr. Hamilton, had he not hung up on you?
12	A. Yes, I would have. Because that is the first
13	one I have ever had a phone call from.
14	Q Now, when you began your coaching duties,
15	approximately four years ago, you were a volunteer, were you
16	not?
17	A. Yes.
18	Q And you are not an employee?
19	A. Yes, I am.
20	Q Are you on the payroll of the Moose?
21	A. I sure am. Not down at the Moose, no.
22	Q That is what I mean. You are not an employee
23	of the Moose 145?
24	A. No.
25	Q At that time, when you began your duties,

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2 1 3

1	was bantam bowling already in existence?
2	A. Yes.
3	Q And was there a roster of bantam bowlers
4	delivered to you at that time?
<u>r</u>	A List of those who were bowling? We made our
6	own lists up when they signed up.
7	Q And did you make any effort to determine how
8	many children had been bowling there prior to the time you
9	entered upon your coaching duties and who came afterwards?
10	After you began them?
11	A. I have the records of all of them.
12	Q Did you make any effort to determine with
13	reference to those who had bowled prior to the time you began
14	your coaching duties, whether or not they were bowling by
15	reason of Moose membership?
16	A. No, I didn't.
17	Q You just assumed that they were, is that it?
18	A. Right.
19	Q And did you, as children enrolled for bowling
20	thereafter, ascertain from them or their parents whether or
21	not they had Moose membership affiliation?
22	A. In September, when they started, no.
23	Q And is that the situation to which you
24	replied earlier, that you just assumed that they were?
25	A. Yes.

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When, for the first time, did you find out that
 1
                 ୡ
    there were children bowling in your bantam league who were
 2
    not bowling by reason of their relationship to Moose members?
                     When this incident occurred.
                     Then did you make an investigation to
    determine --
                     Yes.
 8
                     -- whether or not all of the children so
    enrolled had Moose membership affiliation?
10 :
                     Yes, I did.
11
                    And did you do that by yourself or in
    conjunction with anybody?
13
                    By myself.
                    And as a result, did you learn that there were
14
    eight children so bowling or then bowling who did not
    possess the necessary membership requirements?
                    Yes, I did.
17
                    As a result, did you contact those eight
18 3
   children and their families?
                    Yes, I did.
20
                Q.
                    And was the result that I think you said
21
   four families became members through their parents?
                    Yes.
23
                    And four did not?
24
                    Right.
25
```

Ĺ	Q The first four were allowed to continue to
12	bowl, were they not?
3	A. Yes.
4	Q The second four were then denied bowling
5	privileges?
6	A. Right.
7	Q And since that time, is that the case with
8	all children who now enroll?
9	A. Yes.
10	Q Now, you spoke a little earlier of you being
11	a member of the Moose.
12	By that, you mean a member of the Women's
13	Auxiliary?
14	A. Right.
15	Q And what are the requirements, so far as
16	Moose relationship is concerned or Moose membership is
17	concerned, to become a member of the Women's Auxiliary or
18	the women of the Moose?
19	A. You must be truthful and steadfast
20	Q No, I mean with reference to being related
21	to someone who is a Moose. Must you not be a mother, a
22	daughter, a sister or a wife of a Moose member?
23	A. Wife. I am.
24	MR. YAFFEE: I would object to I would
25	certainly not object to a certain degree of leading, but I

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would hope that the witness would be able to testify for
 1
    herself.
                    MR. HARTER: Oh, but if the Commission please,
 3
    this is Mr. Yaffee's witness here. I am cross examining.
                    MR. ECHOLS: Did you call her as a hostile
 5
    witness?
 ď,
                    MR. YAFFEE: We subpoenaed her to appear
 7
    today.
                    THE CHAIRMAN:
                                    I think she answered it all
 9
    right. After he gave her enough leads.
10
                    MR. HARTER:
                                 This is cross examination in
11
    which I am permitted to ask leading questions. Mr. Echols
    is well aware of that, I am sure.
13
                    MR. YAFFEE:
                                My objection is not to the fact
14
    that you asked a leading question, but rather to the fact
    that he provided the entire answer to the witness.
                    MR. HARTER:
                                 That is the nature of a leading
17
    question.
                    MR. ECHOLS: For your witness.
11.
                    THE CHAIRMAN:
                                   Proceed.
20
    BY MR. HARTER:
21
                Q
                    What is the requirement today, Mrs. Reed,
22
    with reference to the use of the bowling alleys by children
23
    under your supervision?
24
                    Well, they must get along with all the
25
```

1	children.	
2	Q	Well, with reference, I don't mean to cut
3	you off. But I	am trying to direct your attention to the
4	relationship to	the Moose Lodge.
5		Must they be children or grandchildren of
6	Moose members?	
1	A.	They must be fathers, mothers or grandparents
8	must be members	of the Moose before they can have
9	Q.	Is there a requirement that the children who
lo	are black are de	nied the right to bowl there?
1	А.	No.
12	Q	Does the matter of race in any respect enter
13	into the eligibi	lity requirements of bowling in your bantam
4	league?	
15	A.	No.
16		MR. HARTER: That is all. Thank you.
17	_	
(8		REDIRECT EXAMINATION
: ! ور !	BY MR. YAFFEE:	
20	đ	Can black parents join the Moose Lodge?
21	Α.	If they meet the requirements, yes.
22	Ĝ.	What are the requirements?
23	. А.	I am not a man, I don't know.
24	Q.	Are the requirements different for women
25	than for men?	

i	A. Yes.
2	MR. HARTER: She doesn't know. She is not
3	a member of the Moose. She wouldn't know.
4	MR. YAFFEE: I heard that. But because she
Ú3	works at the Moose Lodge, I thought she might be aware of the
6	criteria for membership.
7	BY MR. YAFFEE:
8	Q You say you don't know, is that correct?
9	A. Yes.
lo	Q Are there any black members of the Moose
li i	Lodge, to your knowledge?
12	A. Not as I know of.
13	Q Are there any black children bowling in your
4	league that you know of?
15	A. Not yet.
16	Q Could a child enroll in your league if his or
: 17	her great-grandparents were members of the Moose Lodge 145?
18	A. No. They only have parents. Fathers, mothers
19	and grandparents.
20	Q So that if their great-grandparents belonged,
21	they would not be eligible to bowl, is that right?
72	A. Right.
23	Q How about a stepchild? Would a stepchild be
24	permitted? Stepchild of a member be permitted to bowl?
25	A. Yes. He would be the guardian.

	\cdot
1	Q So it can be a guardian of the child can be
2	a member, then, also?
3	A. Yes. If the parent is dead.
4	Q How about the parents are divorced and the
5	mother who has the children remarries and the man who she
6	marries is a member of the Moose Lodge?
7	A They would be allowed to bowl.
8	Q They would be allowed to bowl?
9	A. Yes.
10	Q Is there any requirement in the Lodge that
11	those children be formally adopted by the man that is a member
12	of the Lodge?
13	A. No. Not that I know of.
14	Q That would be sufficient to allow them to bowl,
15	as far as you know?
16	A. Yes.
17	Q Can a woman become a full member of the Lodge
18	145?
19	A. You mean pay their dues year after year?
20	Yes.
21	Q Could you become a full member of the Moose
22	Lodge rather than being a member of the Auxiliary?
23	A. No.
24	Q So the Auxiliary is the only type of membership
25	that you as a woman could have?

11	
1	A. For a woman, yes.
2	Q Do you have children?
3	A. Four.
4	Q Do any of your children bowl in the Moose
5	league?
6	A. I have two.
7	Q And they bowl in the Moose league?
8	A. Yes.
53 1	Q How are they able to bowl in the league? On
io i	what basis?
1	A. One is a senior, she bowls in the morning and
12	one is a bantam that bowls in the afternoon.
3	Q Is the fact that you are an Auxiliary member
44	of the Moose Lodge, does that make them eligible to bowl in
15	the league?
16	A. Yes. And my husband belongs, too.
17	Q Your husband belongs also?
\ S	A. Yes.
9	Q Is it possible for a woman to become a member
20	of the Women's Auxiliary if she does not have a husband or
11	father who is a member of the Lodge?
22	A. Yes.
23	Q Must a woman applying for membership in the
24	Women's Auxiliary have some relative who is a member of the
25	Lodge or can any woman who otherwise meets the criteria become

	N Control of the Cont
1	an Auxiliary member?
2	A. If they meet the requirements, yes.
3	Q Is one of those requirements that a relative
4	of some sort belong to the Moose Lodge?
5	A. Not necessarily, no.
Ó	Q To your knowledge, are there any women who are
7	now members of the Women's Auxiliary who do not have relatives
පි	who are members of the Lodge?
9	A. I don't have any members down there. I don't
iO	have any relatives down there.
11	Q Didn't you say your husband is a member of the
12	Lodge?
13	A. Yes.
14	Q Are there any women who are members of the
15	Women's Auxiliary who have
16	A There is widows, yes.
17	T. T. C. Member's Of the
14	
19	A. I don't know. I didn't know their husbands
20	before.
21	Do you know of any women who do belong to the
22	Women's Auxiliary now and other than the widows you mentioned
23	who have no other relatives who belong to the Lodge?
24	A. I don't know.
25	Q You stated earlier that four of the eight

1	children whose parents or grandparents were not members were
2	allowed to continue bowling because their parents or one of
3	them became members of the Lodge?
4	Do you recall who they were?
5	A. Yes. I can recall one, because her father
6	has multiple sclerosis.
7	Q Who would that be?
8	A. Connie Fuller's mother.
9	Q Connie Fuller's mother joined?
10	A. Yes.
11	Q Did she join the Women's Auxiliary?
12	A. Yes.
13	Q To your knowledge, is her husband a member of
14	the Moose Lodge?
15	A. No.
16	Q Does she have any relative, to your knowledge,
17	who is a member of the Moose Lodge?
18	A. No. Not that I know of.
19	Q When you called these individuals concerning
20	their parents or grandparents memberships, did you state that
21	it would be sufficient if the mother became an Auxiliary
22	member?
23	A. No.
24	Q What did you state to them?
25	A. Mother or father or grandparents.
Ú	

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Would it have been sufficient if the mother
1
    joined the Women's Auxiliary? Would that have enabled the
    children to continue bowling?
3
                    Yes.
4
                    To your knowledge, are there any other types
5
    of Auxiliary memberships in the Moose Lodge other than the
    Women's Auxiliary?
                A. I don't know.
8
                    For instance, is there, say, an Auxiliary
9
    membership for aunts and uncles of members or brothers or
    something like that?
11
                    I don't know.
12
                    MR. HARTER: I can supply that information.
13
                    MR. YAFFEE:
                                  I have no further questions.
14
                    MR. HARTER: I can supply that information if
15
    Mr. Yaffee deems it important.
16
                    MR. YAFFEE: By your own statement or
17
    through witnesses?
                    MR. HARTER: By my own statement and I think
10
    I can through a witness, too.
                    MR. YAFFEE: Fine. I would appreciate that.
7.3
                    THE CHAIRMAN: Okay.
22:
                    MR. ECHOLS: Mrs. Reed, could Mrs. Hamilton
23
    apply for and receive a membership into the Moose Auxiliary?
24
    Women's Auxiliary?
25
```

İ	
1	THE WITNESS: If she meets the requirements,
2	yes.
3	MR. ECHOLS: If she is a good person and she
4	agrees to abide by the rules of the organization?
5	THE WITNESS: Yes.
6	MR. ECHOLS: The eight children who were
7	children of parents who were non-Moose members appeared
8 !	physically to be whites, is that correct?
9	THE WITNESS: Yes.
io	MR. ECHOLS: Four of the eight could bowl
11	because the mother joined the Auxiliary or the father joined
12	the Moose or grandparents were affiliated, is that correct?
13	THE WITNESS: Yes.
4	MR. ECHOLS: Suppose Mrs. Reed, that one of
15	the four of the eight appeared to be white and the father
16	appeared to be white, that child, unless presumably if the
17	father joined the Moose Lodge, he could bowl, is that correct?
8]	THE WITNESS: Yes.
9	MR. ECHOLS: What would happen if it
20	appeared later that the father who looked white was in fact
	of the Afro-American race?
22	THE WITNESS: He is a member, they dare bowl.
23	MR. ECHOLS: Your opinion is, then, that
24	do I understand you to say that if Mr. Hamilton were to go
25	down to Moose Lodge Number 145 and he would be admitted, if

1	he were a good man and willing to abide by the Moose rules
2	and his daughters could bowl? Is that your testimony?
3	You are under oath, now.
4	THE WITNESS: Yes.
5	MR. ECHOLS: It is your testimony that
б	Mr. Donald
7	THE WITNESS: If he is a member.
8	MR. ECHOLS: You are under oath. Is it your
9	testimony that if Mr. Donald Hamilton, a father of Lynn and
ιο	Sharon Hamilton, were to go down to the Moose Lodge this
11	afternoon, present himself, apply for membership and were a
12	good man, agreed to abide by the rules of the Moose, that he
13	would be admitted?
4	MR. HARTER: Just a moment. I am going to
15	interpose an objection here.
16	MR. ECHOLS: Okay.
17	MR. HARTER: I object on the basis that this
18	witness, by her own testimony, is not a member of the Moose
9	and hence it is a violent presumption that she would know the
20	requirements of the Moose and the ritual involved.
27	So I don't think this witness is competent to
12. 12. 13.	answer that question.
33	MR. ECHOLS: My answer to that question is
14	obvious. Mrs. Reed has testified that she registers people,
25	children, she has testified further that she even checked all

of the children's parents who were bowling to see whether they were in fact members of the Moose. 3 Now, and she said there is no racial requirement but there is a membership requirement and those requirements are basically that you be a good and religious person and you agree to abide by the rules of the organization. 7 Now, I think the question is a fair one. 8 MR. HARTER: The question is fair, Mr. Echols, to the proper witness and I will put a witness on to whom you 10 can address that question. 11 But I say to you this witness is not competent to answer it because she does not belong to the Moose. 13 MR. ECHOLS: My next answer to that is that counsel, himself, put a similar question to Mrs. Reed in terms of why the Hamiltons were turned down. And indicated that she couldn't tell Mr. Hamilton exactly why because he hung up on her. But then indicated what she would have told him had he 17 been still on the phone. Remained on the phone. Įς MR. HARTER: To me, Mr. Echols, there is an obvious difference between the two situations. She may, by 20 being able to check with the Moose office, determine whether 21 a person is a member or not. But as to her knowledge of the 22

requirements of the eligibility in Moose membership, she is

not competent to answer.

THE CHAIRMAN: I think we ought to deal with

25

23

1 1 2

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the proper witness on that clarification. If you will hold
    your question up to Mr. Richey, I think you can get the
3
                      So the objection stands.
    answer to that.
4
                    MR. ECHOLS: Then, Mr. Chairman, I think that
 5
    in her answer as to why Mr. Hamilton was, why the children
 6
    were not admitted, is not a proper answer, because then only
 7
    one who has knowledge about membership requirements can
8
    answer that.
9
                    MR. HARTER: That doesn't follow, Mr.
Đ
    Chairman.
               There is a violent presumption.
                    MR. ECHOLS: I will withdraw comment and go
11
    into it later.
12
13
                    THE CHAIRMAN: I think we can handle that
14
    later.
                    Any further questions? Mrs. Scott?
15
                    MRS. SCOTT: Mrs. Reed, you said you are
10
    paid but not by the Moose Lodge. By whom are you paid?
                    THE WITNESS: Sylvania Electric Products.
18
                    MRS. SCOTT: You are employed by Sylvania
19
    Electric Products?
20
                    THE WITNESS:
                                  Yes.
21
                    MRS. SCOTT: You are still a volunteer
22
    instructing the children at the bowling league?
23
                    THE WITNESS: Right.
24
                    MRS. SCOTT: You also said that, did Mr.
25
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Hamilton indicate to you on the phone that his children were
    black or Negro?
                   THE WITNESS: You mean did he say they were?
3
                    MRS. SCOTT:
                                 Yes.
                    THE WITNESS:
                                 Yes.
5
                    MRS. SCOTT: And you said to him I must go
6
    by the house rules?
                    THE WITNESS:
                                  Yes.
8
                    MRS. SCOTT: Did you tell him what the house
•)
    rules were?
10
                    THE WITNESS:
                                       He hung up before I --
                                  No.
11
                    MRS. SCOTT:
                                 Who instructed you to make the
12
    phone calls on November 18?
                    THE WITNESS:
                                  Nobody. I did it on my own.
14
                    MRS. SCOTT:
                                 After this particular incident?
15
                    THE WITNESS:
                                  Yes.
16
                    MRS. SCOTT: All right.
                                             Thank you.
17
                    THE CHAIRMAN: I have some questions.
18
                    You indicated on the eligibility requirement
19
    for registration they must be members of the American Bowling
20
    Congress.
               What is the term?
                    THE WITNESS: This is to sanction them when
22
   they do in leagues like when they bowl high games, when they
23
   have championships, when they have trophies and patches
24
   coming.
25
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	P
٤	THE CHAIRMAN: They have to be members of the-
2	THE WITNESS: They have to be members of the
3	AJBC in order to receive them.
4	THE CHAIRMAN: How do you check to see whether
5	they are members?
6	THE WITNESS: They have a sanction card to
7	fill out when they come in.
8	THE CHAIRMAN: They have a card?
Ģ	THE WITNESS: Yes. And then I send
10	THE CHAIRMAN: Don't they have to pay
11	something?
12	THE WITNESS: They have seventy-five cents
13	fee to pay.
14	THE CHAIRMAN: So then, at the time they fill
15	out this card, this sanction card, they pay the seventy-five
16.	cents to you?
17	THE WITNESS: Yes.
18:	THE CHAIRMAN: So that is a guarantee, there-
19	fore, that they have met that eligibility requirement?
20	THE WITNESS: Yes. Then I have to send it to
21	the city treasurer, the secretary and treasurer and she sends
22	it into National. They send back the sanction cards and this
23	is where I put their names and their things on their sanction
24	cards.
25	THE CHAIRMAN: Now, so therefore, that
t.	

1	eligibility requirement is instantaneous upon registration,
2	in effect?
3	THE WITNESS: Yes.
4	THE CHAIRMAN: Subject, of course, to the
5	routines of getting the card cleared and all?
6	THE WITNESS: Yes.
7	THE CHAIRMAN: The other eligibility
8	requirement you mentioned was that they must be, that their
9	mothers, fathers, grandparents must be members of the Moose.
10	How do you account for the fact that in one
11	instance, namely the members of AJBC, you check it at once,
12	whereas in the other requirements for eligibility, you
13	testified that even this year, although the season starts in
14	September, that it wasn't until after Thanksgiving of 1972
15	that you checked to find that all children bowling had
16	membership, parents and so forth.
17	Why is it that you
18	THE WITNESS: I assumed the ones that were
19	there were already members of the Moose.
20	THE CHAIRMAN: Why is it that you are not
21	as diligent in checking that item as you are in checking the
22	AJBC requirements? If these are the two requirements for
23	eligibility, why do you wait until after Thanksgiving to
24	check?
25	THE WITNESS: You mean by the AJBC?

i	THE CHAIRMAN: No, I am talking about
2	the parents, grandparents. You didn't check that until after
.3	Thanksgiving.
4	In other words, the kids were bowling all the
5	month of September, I take it, after Labor Day, and almost al
6	the whole month of November before you came to the conclusion
7	that they were eligible under that requirement. Why do you
8	wait so long?
9	THE WITNESS: I had to. I had no reason to
10	check them before.
11	THE CHAIRMAN: I don't understand if this
12	is just as much a requirement as the AJBC requirement, that
13	you didn't check at that point.
14	In other words, what you are saying is that
15	you let kids bowl without checking that requirement of Moose
16	membership?
17	THE WITNESS: What would you do if a woman
186	walked in with you and had three kids and said I have got
15	three kids here to bowl, I want to sign them up. What would
20	you think?
21	She is in there, isn't she? Wouldn't
22	you think she is a member?
23	THE CHAIRMAN: No.
24	THE WITNESS: How did she get in there?
25	THE CHAIRMAN: Not necessarily. If this is

Ī	a requirement for eligibility, one would think that you would
2	have some kind of a membership list furnished by Moose Lodge
3	145 which you would check against within a few days, at least
4	check with before the bowling season starts. And you don't
5	do that, right?
6	THE WITNESS: I don't have no list. The only
7	way I have of checking is calling.
8	THE CHAIRMAN: Even today you don't check
9	against any membership list?
10	THE WITNESS: I do before they get in now.
11	THE CHAIRMAN: Against a membership list?
12	THE WITNESS: Yes.
13	THE CHAIRMAN: Or do you still just call them
14	on the phone?
15	THE WITNESS: I check them when they bring
16	them in.
17	THE CHAIRMAN: Against a membership list?
18	THE WITNESS: Right.
19	THE CHAIRMAN: Who supplies that membership
20	list to you?
21	THE WITNESS: I don't have a membership list.
22 ¦	When they bring them in, I ask them if they belong to the
23	Moose and if they don't, they can't bowl.
24	THE CHAIRMAN: But you take their word for it?
25	THE WITNESS: Yes.
11	

1	THE CHAIRMAN: You don't check at any time
2 !!	against a membership list?
3	THE WITNESS: No. Not unless someone tells
4	me different.
5	THE CHAIRMAN: So it is all, you take their
6	word for it, is that right? Is that what you are saying?
7	THE WITNESS: Yes.
8	THE CHAIRMAN: So at no time, if I understand
0	you right, at no time have you ever checked against an
0	official membership list furnished by Moose Lodge 145?
ı.	THE WITNESS: No.
2	THE CHAIRMAN: Thank you.
L3 :	MR. ECHOLS: You state that if a mother
4	brings a child in to bowl and says that a grandparent or the
15	father is a member of the Moose, you take their word for it
16	and you register them, is that correct?
17	THEWITNESS: Yes.
l8 j	MR. ECHOLS: Mrs. Hamilton, if Mrs. Hamilton
.9	were to go to you with a child and say I want to register my
20	child to bowl in the bantam league and the grandparent is a
23	member of the Moose, would you enroll that child?
22	THE WITNESS: I would have to take her word
23	for it. I don't have anything else to go by.
2.4	THE CHAIRMAN: One other avenue I would like
25	to explore. Is there, I am not familiar with the Moose Lodge

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1 | facilities here in Williamsport.
 2
                    Are there any other in-house kind of
   recreation for which -- which are provided to members'
   children, for example? Other than bowling?
 5
                    THE WITNESS: You mean like Christmas parties,
  Easter parties and things like that?
 7
                    THE CHAIRMAN: I don't know what you have.
    thought you might have a swimming pool open.
 9
                    THE WITNESS:
                                  No.
10
                    THE CHAIRMAN: You have no swimming pool?
                    THE WITNESS: No.
11
12
                    THE CHAIRMAN: Do you have ping-pong or things:
   of that kind that children can play at?
                    THE WITNESS: Bowling alleys is the only
14
   thing,
                    THE CHAIRMAN: Bowling alleys is the only
16
  thing? You mentioned Christmas parties and other parties of
   that kind. Are these all, to your knowledge, for members
19 only?
                    THE WITNESS:
20
                                  This is, we have a Christmas
   party every year for the bowlers, for the bowlers only in the
   bowling alley.
                   THE CHAIRMAN:
                                  I see.
23
                                           I have no further
   questions.
                   MR. YAFFEE: I have just one or two.
25
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1	REDIRECT EXAMINATION
2	BY MR. YAFFEE:
3	Q Mrs. Reed, is there ever an occasion when
4	anyone bowls at the Moose Lodge lanes, the bowling lanes,
5	who is not a member of the Moose Lodge and who is not
6	related as far as parents or grandparents, to a member of the
7	Moose Lodge?
8	Are there ever occasions when that happens?
9	A. Not that I know of.
10	Q This would include outside of the bowling
11	leagues? Is there ever a time when the bowling lanes are ope
12	to the public to come in and use them?
13	A. For the Moose members only is all.
14	Q Has this always been the policy?
15	A. Since '71, yes.
16	Q What was the policy prior to that time?
17	A. They had visitors.
18	Q And so that people who were not members or
19	related to members were permitted to bowl there, is that
20	correct?
21	A. Yes.

Q What happened in 1971? Why did that policy

A. I don't know.

MR. HARTER: Mr. Chairman, I suggest again

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22

23

change?

24

25

1	that this is, this witness is improper.
2	MR. YAFFEE: I have no further questions on
3	the subject.
4	BY MR. YAFFEE:
5	Q One final question, Mrs. Reed, because I am
6	just not sure in my own mind that I understand what happened.
7	When Mr. Hamilton said to you on the
8	telephone that he had heard that the Moose does not take
9	colored people or black people, what was your response to
o	him?
1	A I am sorry, I have to go by the house rules.
12	I have no objections to colored. And he hung up.
13	Q Did that mean that the house rules were that
4	A. You must be a member of the Moose to bowl.
15	Q But you didn't say anything about membership.
16	He asked you, he stated to you that he had heard that the
17	Moose Lodge did not take colored people and you stated to
ls i	him those are the house rules, you were sorry.
9	Does that mean that the house rules were that
20	the Moose Lodge would not take colored people?
21	A. No.
22	Q. Well, then, why did you state to him when he
23	asked you if the rules were that colored people weren't allowed,
24	that those were the rules?
25	A. If you aren't a member, they can't bowl. That

1	is the rules.
2	Q Can a colored person be a member?
3	A. If he meets the requirements, yes.
4	Q Well, I am sorry. I can't understand why
5	you told him that it is the house rules that colored people
6	can't
7	A No, I didn't say that was the house rules of
8	the colored people. I said I have no objections to colored.
9	Q I am not talking about you personally. I am
10	talking about the rules of Lodge 145.
11	A All right. The rules are they must be a
12	member to bowl.
13	Q Well, Mr. Hamilton didn't say anything about
1.1	membership. He said he heard colored people were not allowed
15	or the Moose does not take colored people and you apologized,
16	you said I am sorry, but those are the house rules, is that
17	correct?
18	A. Yes.
19	MR. YAFFEE: Okay. I have no further questions.
20	MRS.SCOTT: Just one question.
21	Why did you only join the Moose two years ago?
22	Why not when you first started there?
23	THE WITNESS: Because I was interested in
24	junior bowling.
25	MRS. SCOTT: But you didn't join when you first

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started working there or instructing the children?
 2
                     THE WITNESS: I was only working there to
    help out before.
                     MRS. SCOTT: And now?
 4
                                            You are doing
    something different?
 6
                     THE WITNESS:
                                   I am instructing, period.
                    MRS. SCOTT: And do you have to be a member
    to do that?
 9
                    THE WITNESS:
                                   I wouldn't say that you would
    have to be, no.
                    MRS. SCOTT:
11
                                 All right.
12
13
                     RECROSS EXAMINATION
    BY MR. HARTER:
                    Mrs. Reed, this may seem like a foolish
                Q.
15
    question, but the bowling alleys that we have been talking
    about are located within the Lodge building, are they not?
18
                    Yes.
                    So that when a mother presents her children
                Q,
19
   for the right to bowl, she comes to you within the Moose
   building, doesn't she?
               A.
                   Right.
22
                   And would that normally be at the site of the
23
   bowling alley, at the location of the bowling alley?
                   Through the front door, yes.
25
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1	Q Now, in order to get in the front door,
2	what must she do to get in? Must she show evidence of
3	membership?
4	A. Yes.
5	Q And isn't there a big sign over there so
6	indicating?
7	A. All members must show cards, yes.
8	Q Now, so you rely on the fact that she is
9	present, that she conformed to the admission or entrance
10	requirements, didn't you?
11	A. Yes.
12	Q Now, when Mr. Skinner was on the stand, he
13	testified that the Moose had refused to accept bowling
4	tournaments to be held in the Moose Lodge.
15	Do you recall that?
le :	A. Yes.
17	Q. Was there any race connotation there or what
18	was the reason for the refusal?
9	A. The Moose only has six bowling alleys and they
20	should have at least eight to hold a tournament.
21	Q And the Moose isn't big enough to hold it,
:2	is that the real reason?
23	A. Right.
4	MR. HARTER: That is all.
, _	

1 FURTHER REDIRECT EXAMINATION BY MR. YAFFEE: 2 3 Q. Who made the decision not to hold the tournaments? 5 They figured it was too small. When you take Α. 115 teams --7 Who in the Moose Lodge made the decision? 8 Nobody, as I know of. Α, 9 Who informed Mr. Skinner, then, that the Q tournaments could not take place there? 10 Well, this is what he had up at the city 11 association meeting, that it was too small, so we wouldn't bother with the Moose. So they by-passed it. 13 Who made the determination that it was too 14 small? A. Mr. Skinner, himself. 16 And it came from no one within the Moose 17 Lodge? 18 A. No. 19 Q, Did the Moose Lodge or anyone within the 20 Moose Lodge have any part in that decision, do you know? No. I was there at the meeting. 22 And so Mr. Skinner just arbitrarily determined 23 that that was the reason? Did he state that? 24 A. That is what they decided. It was too small. 25

1	Q Did he state that?
2	A. He didn't state it here, no.
3	Q You stated that there is a sign at the
4	entrance, all members must show cards. Is there someone
5	present at the entrance to check cards?
6	A. There should be at the desk.
7	Q Is there someone always there?
8	A. Once in awhile there isn't.
9	Q If I walk into the Moose Lodge this afternoon,
į	will someone and don't show a card to anyone, will someone
0	stop me?
1	A. Yes.
12	Q How do you explain that eight non-members
L3	walked into the Moose Lodge for registration last September
4	
15	without being questioned or stopped? And got down to the bowling alley?
15	
17	A. Well, now, I don't know. Bowling alley is
B	a long ways from out front where I work.
9	Q So you have seen evidence that certain numbers
20	of people can walk in without showing membership cards?
21	A. Yes.
12	Q And so there is no way to really assume that
23	everyone that comes to the bowling alley to register their
24	children are members, is that correct?
25	A. Right.

1	MR. YAFFEE: Thank you. No further questions.
2	MRS. SCOTT: Mrs. Reed, did that sign outside
3	exist at the time the Hamiltons made application for or
4	appealed to you over their children bowling?
5	THE WITNESS: Yes. There was one out in the
6	bowling alley, too.
7	MRS. SCOTT: There was one there, then?
8	THE WITNESS: Yes.
9 !	MRS.SCOTT: Thank you.
10	THE CHAIRMAN: You may be excused, Mrs. Reed.
11	I think we will have a short recess at this
12	point.
13	
1.1	(Whereupon a brief recess was taken.)
15	
16	THE CHAIRMAN: Back on the record, now.
17	Following the recess.
18	Mr. Yaffee, do you have another witness?
19	MR. YAFFEE: Yes. Mr. William Jones.
20	
21	WILLIAM JONES, called as a witness on behalf
22	of the Complainants, being first duly sworn, was examined and
23	testified as follows:
24	DIRECT EXAMINATION
25	THE CHAIRMAN: Will you be seated and give
1	MG - 1991-1 & MARSHAL, INC 2000 STATE STREET - HARMISBURG, PA.

1	your name and a	address for the record?
2	1.	THE WITNESS: My name is Mr. William Jones
3	and I live at 5	8 North Eighteenth Street in Harrisburg,
4	Pennsylvania.	but on bight control but det in marrisburg,
5	,	
6		(Complete onto Emblish M.)
7	7 ()	(Complainants Exhibit Number 4, being a document entitled List
8		of all Bowlers Enrolled in the Moose Junior Bowling League
9		During Year 1971, was produced and marked for identification.)
10		(Completenante Errhibit Number 5
11		(Complainants Exhibit Number 5, being a document entitled
12		The Moose Seniors-Juniors Bantams, dated February 1,
13		1973, was produced and marked for identification.)
14		
15		(Complainants Exhibits Number 6,
16		being a document entitled
į		List of all Bowlers Enrolled in the Moose Junior Bowling
17		League during Year 1972, was produced and marked for
18		identification.)
19		
20	BY MR. YAFFEE:	
21	Q	Mr. Jones, by whom are you employed?
22	A.	I am employed by the Pennsylvania State
23	Human Relations	Commission.
24	. Q	In what capacity?
25	Α.	I am a Human Relations Representative II.

ļ	
1	Q How long have you been employed by the
2	Commission?
3	A Since September of 1971.
4	Q Were you employed in that capacity on or
5	about November 18 of 1972?
6	A. Yes, sîr.
7	Q Mr. Jones, what are your duties as Human
8	Relations Representative of the Commission?
9	A. My duties and responsibilities are under the
10	Pennsylvania Human Relations Act, any time that anyone
11	alleges because of their race, color, age, sex, national
12	origin or religious creed that they feel that they believe
13	they have been discriminated against, any time a complaint is
14	formally filed, I am charged with the responsibility of
15	investigating that complaint in an independent capacity, to
16	establish whether the allegation is true or untrue.
17	Q Mr. Jones, did you receive any training
18	for your duties as a Human Relations Representative?
19	A. Yes, sir.
20	Q Would you briefly outline that training for
21	us?
22	A. Okay. I received extensive on-the-job
2 3	training from my supervisor, Mr. Eugene Reed, who is a
24	Compliance Specialist with the Pennsylvania Human Relations
25	Commission.

ì	
1	Also I have received formal training at
<u></u>	headquarters at 100 North Cameron Street on the techniques
3	of investigation. Also I have attended a seminar in Pittsburg
4	for one week on compliance training on how to investigate
5	complaints of alleged discrimination.
6	Q Has your training continued up to the present?
7	A. Yes, sir.
8	Q Mr. Jones, could you approximate for us or
9	do you know how many cases of alleged discrimination in places
10	of public accommodations you have investigated?
11	A. I have investigated seven complaints in the
12	area of public accommodations. All based upon race.
13	Q Were you assigned to investigate the case
14	which has been docketed at P-860 and which we are hearing
15	today?
16	A. Yes, sir.
17	Q. In relation to that assignment, did you
18	assist in the preparation of a complaint which we are
19	considering today?
20	A. I came up and I took the initial details of
21	allegation and Mr. Hamilton stated that he wanted to file a
22	complaint based upon his race that he was denied the use of
2 3	the bowling facilities at the Loyal Order of Moose, Lodge
24	Number 145.
25	Q If I show you the complaint that was filed,

And Mr. Richey stated to me that he had told Mr. Hamilton that he could not bowl in the Moose league, that his children could not bowl in the Moose league because

25

they were not members.

Mr. Richey further stated that the charter of the Moose Lodge stated that only Caucasians are allowed to be members of the Moose Lodge. At this time, Mr. Richey further stated that at this time, he did not know whether any non-members children were bowling in this Moose league or not.

And also he stated to me that when Mr., at the time he had talked to Mr. Hamilton, he had no knowledge whether non-members children were bowling at the Moose Lodge. And he also stated to me that I would have to obtain more information, to obtain more information I would have to talk to Mr. Reidy who is the bowling lane manager of the Moose Lodge.

Q To your knowledge, is Mr. Frank Richey present today?

- A Yes, sir. He is.
- Q Would you indicate him to us?
- A. In the blue suit over here.

MR. HARTER: No, he is here (indicating).

THE WITNESS: Excuse me. I was looking for

Mr. Reed. That is Mr. Richey.

BY MR. YAFFEE:

Q The gentleman sitting at the end of the counsel table?

	territoria de la companya de la companya de la companya de la companya de la companya de la companya de la com
1	A. Yes.
2	Q Do you recognize Mr. Reidy?
3	A. He is the gentleman in the blue suit over
4	there. I want to positively identify him as Mr. Reidy.
5	Q I believe you.
6	Did you then proceed to speak with Mr. Reidy?
7	A. Yes, I did. I asked Mr. Reidy how long he
8	has been bowling lane manager of the Moose Lodge Number 145,
9	Williamsport, Pennsylvania.
10	Mr. Reidy stated to me that he has been the
11	manager for the last thirteen years. He also stated to me
12	that he has been a member of the Moose Lodge Number 145 for
13	the last twenty-three years.
14	I then asked Mr. Reidy if he is familiar
15	with the rules and the regulations of the Moose Lodge, and
16	Mr. Reidy stated to me that he was familiar with the rules
17	and the regulations of the Moose Lodge.
18	Mr. Reidy further stated to me that to be
19	a member of the Moose Lodge, that you had to be white, of the
20	white race and that you also had to be twenty-one years of
21	age.
22	Q Did he state to you whether there was a
23	requirement as to sex?
24	A. No, he did not.
25	Q Thank you. Would you continue, please?

ì	A. Mr. Reidy stated to me that your parents or
2	grandparents have to be a member of the Moose Lodge for
3	children to bowl in the American Junior Bowling League.
4	He further stated to me that Mrs., that he
5	did not know whether non-members children were bowling, but
6	he assumed that this could be a possibility since such a
7	fuss was being made by me being there.
8	And he said that I would have to talk to
9	Mrs. Eleanor Reed who was in charge of the American Junior
10	Bowling League at the Moose.
11	Q Did you then proceed to speak with Mrs. Reed?
12	A. Yes, I did. On I believe it was on or about
13	December 19, 1972.
14	Q And would you relate to us the nature of your
15	discussion with Mrs. Reed?
16	A. Okay. I asked Mrs. Reed about her conversation
17	with Mr. Hamilton on the telephone and she stated to me that
18	Mr. Hamilton did call her and ask if there were bantam bowlers
19	at the Moose and Mrs. Reed told me that she did tell him that
20	yes, there was a bantam league at the Moose. Mrs. Reed
21	Q Mr. Jones, excuse me, if I may.
22	Mrs. Reed testified quite extensively and I
23	wonder if you would be good enough to reveal to us any
24	information that she provided to you that would supplement

what she stated here today.

1	A. Okay. I will state for the record, then,
2	that the testimony was exactly or very similar to what
3 !	Mr. Hamilton had testified and what Mrs. Reed had testified
4	for the record, and that she did tell me at the time that
5	Mr. Hamilton had called her that there were four positions
6	open for bowlers in the American Junior Bowling League. That
7	there were four vacancies at that particular time that he had
8	called her on the telephone.
9	Also, I had, she had stated to me that
10	Mr. Hamilton did mention that is it true that the Moose does
11	not accept people who are colored. And that Mrs. Reed told
12	me that she had told Mr. Hamilton that that is not my rules,
13	but that is their rules, and I am sorry.
14	Q I believe that that was what she testified
15	to a bit earlier, was it not?
16	A. Yes. And she also told me that, too.
17	Q Could you provide any additional information
18	for us to supplement what she had stated earlier?
19	A. Just basically the procedure that if someone
20	filled out an application that meant that there was an
21	opening and automatically a child would be allowed to bowl
22	in the league.
23	Q Mr. Jones, did you speak with anyone else
24	at the Moose Lodge concerning the complaint at P-860?
25	A. Yes, I did. I spoke to a Mr. Chaya.

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1	Q Is he present here today?
2	A. I don't see him.
3	Q Would you relate the conversation with him,
4	please?
5	A. He had told me that Mrs. Reed did all the
6	registration for all of the children at the American Junior
7	Bowling Congress League at the Moose.
8	That he did not assist her in that process.
9	That although he was present during the time that this
10	registration was occurring, he did not in any way participate
11	in the registration of children.
12	Q Did Mrs. Reed provide to you information
13	concerning the individuals who she stated did not have parents
14	or grandparents who were members of the Moose Lodge?
15	A. Yes, she did. During this interview
16	Q Mr. Jones, please wait a second.
17	Mr. Jones, I show you a packet of
18	photostatic materials which has been identified as C-4,
19	Complainants Exhibit 4.
20	Could you identify that for us, please?
21	A. Yes. This is a list of all bowlers who were
22	enrolled in the Moose Junior Bowling League during the year
23	1971 and I obtained all of these cards from Mrs. Eleanor
24	Reed.
25	Q These are cards?

1	you?
2	A. No, I don't.
3	MR. HARTER: Give it to him, if it is there.
4	BY MR. YAFFEE:
5	Q Is this the list to which you are referring
6	(indicating)?
7	A. Correct.
8	Q Is that list in your handwriting?
9	A. Yes, it is.
10	Q Could you now provide us with the names of
11	those individuals whose parents or grandparents were not
12	members of Lodge 145 in 1971?
13	A. Yes. Lou Ann Finnerty, Mark Gustafson.
14	Lynne Major, Connie Fuller, Scott Starrand Richard Starr.
15	They all bowled during 1971 and their parents or grandparents
16	were not a member of the Moose Lodge Number 145.
17	Q. How did you become aware of the fact that
18	their parents or grandparents were not members of the Lodge?
19	A. From testimony of Mrs. Eleanor Reed and also
20	through my own telephone contacts to parents.
21	Q Now, would you, when you refer to testimony,
22	would you define what you mean? Is this before a judicial
23	body?
24	A. Her statement to me on December 19, 1972.
25	Q Okay. Could you indicate to us how you
1	M .

1	A. Th	ese are xeroxed copies of the cards of
2	the membership car	ds of the applications.
3	Q An	d you obtained these from Mrs. Reed?
4	A. Ye	s. On December 19, 1971 and I mailed them
5	back to her, after	I xeroxed them.
6	Q Di	d you obtain information concerning whether
7	the children who b	owled in the league during 1971-72 were
8	all children of pa	rents or grandparents who were members of
9	Lodge Number 145?	
10	A. Ye	s, I did.
11	Q. We	re there any such children in that year?
12	A. Ir	172?
13	Q 19	71-72?
14	A. Th	ere was Angelo Utter and Pamela Utter were
15	two children who w	ere enrolled in 1971 and '72 whose parents
16	were not members of	f the Moose Lodge Number 145.
17	Q Tr	at is for the year 1971-72?
18	A. Ye	es.
19	Q. Is	that your testimony?
20	A. Th	ere were a few more. I just can't think
21	of the names right	now.
22	a, If	'I show you the list, is it possible for
23	you to identify th	ose people?
24	A. I	had them written down on a piece of paper.
25	Q Do	you have that piece of paper here with

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1	confirmed that?
2	A. Okay. Of the eight names that were given to
3	me by Mrs. Eleanor Reed of children whose parents or grand-
4	parents were not members during the year 1972
5	Q I am speaking about the year 1971, now.
6	A. This is why it is germane that Richard Starr,
7	Scott Starr, Lynne Major's parents and grandparents were not
8	members during 1972 of the Moose Lodge.
9	MR. ECHOLS: I didn't hear that.
10	THE WITNESS: In my interview, Mrs. Eleanor
11	Reed provided the list
12	MR. ECHOLS: Are you talking about a '72
13	list? '72-73?
14	THE WITNESS: I am speaking of the '72 list.
15	BY MR. YAFFEE:
16	Q What does that refer to '72-73 or '71-72?
17	A. It refers to those whose parents or grandparents
18	were not members during the year 1972.
39	Q Does that relate to the league which ran from
20	September of '71 to April of '72 or September of '72 to
21	April of '72?
22	A. Seventy-one and '72. This relates to '72 and
23	'73. But the fact that they had been enrolled during the
24	year 1971 and at that point in time, in 1972, their parents or
25	grandparents were still not members to me substantiates that

1	they were not members in 1971.
2	Q Okay. Perhaps we can facilitate this.
3	Mr. Jones, I show you a photostatic copy of
4	a list identified as C-5. Would you identify that for us,
5	please, as well as another packet of photostatic materials
6	identified as C-6?
7	A. Okay. Exhibit C-5 is the Moose Senior and
8	Junior Bantam Leagues at the 33 East Third Street,
9	Williamsport, Pennsylvania, which is the address of the
0	Loyal Order of the Moose Number 145, and it is a list of
1	sixty children who were enrolled in the American Junior
12	Bowling League at the Moose.
13	MR. ECHOLS: For what period?
4	BY MR. YAFFEE:
15	Q For what season is that?
16	A This would be from September, 1972 until
17	'73 year.
8	Q Is that list dated for us?
وا	A. Yes. The date is October 9, 1972.
o	The league schedule began September 9, 1972. The league
21	ends April 28, 1973.
22	Q Now, could you identify C-6 for us, please?
23	A. Exhibit C-6 is a list of all of the bowlers
4	enrolled in the Moose Junior Bowling League during the year
25	1972.

1	THE CHAIRMAN: To '73?
2	THE WITNESS: To '73, correct. That would
3	be to April 28.
4 <u>\$</u>	THE CHAIRMAN: I thought C-5 enrolled '72 to
5	'73?
6	MR. YAFFEE: Yes, it is, but I think if you
7	will examine C-5 and 6, you will see that C-5, for your use,
8	is a compilation of C-6. C-5 is a listing of all of the
9	members. C-6 are the membership cards of each individual.
10	THE CHAIRMAN: These are the actual cards,
11	I see.
12	BY MR. YAFFEE:
13	Q From whom did you obtain C-5 and C-6?
14	A. Mrs. Eleanor Reed, the bowling coach at the
15	Moose Lodge Number 145.
16	Q Did you make photostatic copies of what she
17	provided to you?
18	A. Yes, I did. And I mailed them back to her.
19	Q Now, Mr. Jones, did you at any time verify
20	whether there were children bowling in the Moose bantam
21	league during the years '71-72 and '72-73?
22	I am sorry.
23	THE CHAIRMAN: He has already reported on
24	71-72.
25	

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1	BY MR. YAFFEE:
2	Q Would you indicate for us whether there were
3	any children who were bowling in the '72-73 bantam league at
4	Moose Lodge 145 whose parents or grandparents were not member
5	of that Lodge?
Ó	A. Yes, I will. I will give you a list right
7	now. Do you want their names?
8	Q Yes, please. And could you also state how yo
9	are able to verify that information?
0	A. Okay.
1	Bill Eck is one child whose parents or grand-
2	parents were not a member of the Loyal Order of the Moose
.3	Lodge 145. I obtained that information in an interview with
4	Mrs. Eleanor Reed on December 19, 1972.
L 5	Lynne Major is another child whose parents
6	or grandparents are not a member of the Moose and I obtained
7	that information during an interview with Mrs. Reed on
.8	December 19, 1972.
.9	Kevin
20	THE CHAIRMAN: Just in the interest of
21	expediting this, just give the name, the date of the
.2	interview.
23	THE WITNESS: Okay. Fine.

Kevin Dunlap, December 19, 1972. Connie

Fuller, December 19, 1972. Her parents had joined the Moose

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1	over the Thanksgiving holiday. Richard Starr
2	BY MR. YAFFEE:
3	Q When was that? Thanksgiving of what year?
4	A. Of 172.
5	Q Thank you.
6.	A. Richard Starr and Scott Starr in the intervie
7	of December 19, 1972. Her mother had joined the Moose over
8	the Thanksgiving holiday. Angela Utter and Pamela Utter in
9	an interview with Mrs. Reed on December 19, 1972. Also I
10	had interviewed both of their parents.
11	Q And did you verify that fact?
12	A. Yes, I did.
13	Q Would you continue, please?
14	A. Also Roberta DeWees in an interview of
15	December 19, 1972. I also had contacted Mrs. DeWees and her
16	daughter, Roberta DeWees and Roberta told me that she had
17	registered herself at the Moose Lodge and that she was a
18	senior in high school and that her parents were not with her
19	and that she was sixteen years of age.
20	Q Would you continue, please?
21	A. Okay.
22	Mark Gustafson in an interview with Mrs.
23	Eleanor Reed on December 19, 1972. Also, I had made a
24	telephone call to his mother, Mrs. Henry Dunlap on the same
!	data Documbon 10 1072 and she had stated to me that

1	neither her nor her husband were a member of the Loyal Order
2	of the Moose 145.
3	Also Lou Ann Finnerty, I had called her mother
4	on December 12, 1972, and she had told me that neither her nor
5	her husband were members of the Moose Lodge.
6	Q Did they indicate to you whether Lou Ann
7	Finnerty had grandparents who were members of the Lodge?
8	A. No, they, I also asked that question.
9	There were no grandparents who were members of the Moose
10	Lodge.
11	Q Okay. Would you continue, please?
14	A. Also a Ronnie Olderhold, and that was a
13	telephone contact on December 12, 1972. Also a Debbie
14	Lowmiller, and that was a telephone contact on December 19,
15	1972 to Miss Pauline Guyer, who is an aunt of Debbie Lowmiller,
16	and a Yvonne Confer in a telephone contact on December 15,
17	1972 to Mrs. Beatrice Confer, that neither herself nor her
18	husband or parents or grandparents were members of the
19	Loyal Order of the Moose Lodge Number 145.
20	MR. ECHOLS: This in total numbers is what,
21	I have thirteen.
22	BY MR. YAFFEE:
23	Q Mr. Jones, how many children does that total?
24	A. Fourteen children whose parents or grandparents
25	were not members of the Loyal Order of the Moose Lodge Number

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1	145, Williamsport, Pennsylvania.			
2	Q Out of how many children in the league, did			
3	you say?			
4	A. I made a			
5	Q Out of how many children in the league?			
6	A. That is out of sixty.			
7	Q Thank you.			
8	Mr. Jones, did you make any attempt to			
9	verify whether any of the additional children in the league			
10	did in fact have parents or grandparents who were members of			
11	Lodge Number 145?			
12	A Out of thirty-four parents that I contacted,			
13	I obtained fourteen. I took a what I considered a sizable			
14	sample. Fourteen out to thirty-four.			
15	Q Do you mean that the balance of these			
16	people did have			
17	A I did not contact. I have no knowledge of			
18	that.			
19	Q Please let me ask the question. Do you			
20	mean that the balance of these people that you contacted did			
21	have a parent or grandparent who was a member of the Moose			
22	Lodge?			
23	. A. Yes.			
24				
25				

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(Complainants Exhibit Number 7, 1 being a page number 25 of the 2 Williamsport Sun Gazette, Thursday, July 6, 1972, was produced and marked for 3 identification.) 4 5 BY MR. YAFFEE: Ó Q. Mr. Jones, I show you a series of pages from 7 a newspaper which have been marked for identification as C-7. 8 Would you identify those, please? Just O generally without specifically identifying each one. 10 Α. These are newspaper articles which I Yes. 11 obtained from the office of the Williamsport Sun Gazette 12 where advertisements of the Moose, Williamsport Moose are 13 listed on each of these pages. 14 A great many of them have no reference to 15 that there is any membership requirement to bowl at the 16 Moose, but in fact, a list that there is open bowling. 17 Mr. Jones, would you be good enough to recite 18 what dates of the newspaper pages you have before you? 19 Okay. I have, these are all from the 20 Williamsport Sun Gazette. This one is Thursday, July 6, 21 1972. 22 The date will be sufficient. 23 Thursday, July 13, 1972. July 27, 1972. 24 August 24, 1972. May 3, 1973. May 10, 1973. May 17, 1973.

25

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May 24, 1973.
                    Mr. Jones, in the ads to which you refer
 2
    for the Williamsport Moose, would you read to us that
 3
    portion of the ad dealing with bowling?
                             States Williamsport Moose, Friday,
                     Yes.
 5
    social night --
 6
                    Mr. Jones, would you read to us that portion
 7
    of the ad relating to bowling at the Moose Lodge?
 8
                A.
                    Okay.
 \Omega
                    Thank you.
10
                    Open bowling Wednesday, Thursday and Friday
                Α.
11
   from six to ten p.m. Three games for a dollar.
12
                    What date did that appear?
13
                    July 6, 1972.
                A.
14
                    Now, I am not going to ask you to read each
15
   of those, but in all of those advertisements, is there any
16
   mention within that advertisement that there is a membership
17
    requirement for bowling at the Moose Lodge?
                    I am just going to review them all right now.
10
                    Mr. Yaffee?
20
                    Yes, Mr. Jones.
2I
                    No, there is not.
               A.
22
                   There is no mention of any membership
23
   requirement at any place in that advertisement?
24
                   No, there is not.
25
```

1	Q Thank you.
2	
3	(Complainants Exhibit Number 8,
4	being a series of pages from the Williamsport Sun Gazette
5	starting with June 1, 1972, was produced and marked for
6	identification.)
7	
8	BY MR. YAFFEE:
9	Q Mr. Jones, I show you a series of pages from
10	the newspaper marked as C-8.
11	Would you identify those for us, please?
12	A. Yes. These are newspaper articles that I
13.	obtained in the office of the Williamsport Sun Gazette in
14	Williamsport, Pennsylvania.
15	Q What dates are those pages? Would you just
16	recite the dates?
17	A. You don't want the day, then? Just the date?
18	Q Yes. Just the date.
19	A. One is for June 1, 1972. Another is for
20	August 31, 1972. Another is for September 7, 1972. Another
21	is for October 5, 1972. Another is for November 9, 1972.
22	Another is for December 14, 1972. And another is for
23	December 28, 1972.
24	Q Mr. Jones, of the pages contained in C-8,
25	do they have, do they make mention of the or contain an

1	advertisement from the Moose Lodge?			
2	A. I will review them first and give you an			
3	answer.			
4				
5	(After a pause.)			
6				
7	Yes. On each one of these newspaper articles			
8	it states members, the Moose members and their ladies.			
.9	Q That wasn't my question.			
10	A. Excuse me.			
11	Q Do each one of the pages of C-8 contain an			
12	advertisement by the Moose Lodge?			
13	A. Yes, they do.			
14	Q Is there a mention in any or all of these			
15	of bowling at the Moose Lodge?			
16	A. The one of August 31, 1972 doesn't have any			
17	reference to bowling.			
18	MR. YAFFEE: I would request then that that			
19	be deleted from the exhibit so it not be confused. This is			
20	my error.			
21	THE WITNESS: Could you restate your question			
22	again, please?			
23	BY MR. YAFFEE:			
24	Q Does each of these advertisements contain a			
25	reference to bowling at the Moose Lodge?			

A. Yes, they do.
Q Would you read one of those references to
bowling in the advertisement and state the date of the paper?
A. Yes. I am reading from the Williamsport
Sun Gazette Thursday, June 1, 1972. The caption states
Lodge meeting first and third Wednesday of the month, below
that it states open bowling, Saturday from 9:00 p.m. and
from Sunday from 8:00 p.m.
Q Mr. Jones, is there any mention in that
advertisement of a membership requirement?
A. Yes, there is.
Q Would you read that for us?
members and their ladies.
Q I will not attempt to go through each of
these again.
MR. ECHOLS: That is for the bowling
advertisement?
MR. YAFFEE: I will allow the Commissioners
to inspect it.
(The exhibit was handed to the Commission.)
THE CHAIRMAN: Just for my information, is
the only difference between C-7 and C-8 the way in which the

1	ad reads with respect to membership? Is that the only		
2	difference?		
3	MR. YAFFEE: The difference between C-7 and		
4	C-8 is that the advertisements in C-7 make no mention of		
5	membership and in C-8 they all do.		
6	THE CHAIRMAN: That is what I asked.		
7	MR. YAFFEE: Yes. I have no further		
8	questions. You may cross examine.		
9	THE CHAIRMAN: Do you want to move that these		
10	be admitted?		
11	MR. YAFFEE: I will move now that the		
12	remainder of Complainants Exhibits be admitted, if this is		
13	the appropriate time. I believe that would be C-4 through		
14	C-8. Since the other three were admitted this morning.		
15	MR. HARTER: I have no objections.		
16	THE CHAIRMAN: They may be so admitted into the		
17	record.		
18	MR. YAFFEE: Thank you.		
19			
20	CROSS EXAMINATION		
21	BY MR. HARTER:		
22	Q Mr. Jones, you stated that in your		
23	investigation of the roster of bantam bowlers at the Moose		
24	that you found fourteen children who had no relationship to		
25	Moose membership, is that correct?		
25	moose membership, is that correct?		

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1	A. That is correct.
2	Q Can you tell, from your report, how many
3	families were represented in those fourteen children? Would
4	eight be right, as Mrs. Reed testified?
5	A. I would have twelve families. That would be
6	my count. Based upon my investigation.
7	Q Then you disagree with the figure eight that
8	she found from her examination of the roster?
9	A. Yes, I do disagree.
10	Q Now, did you make any investigation to
11	determine with reference to Exhibit 7 what the terminology
12	open bowling means?
13	A. Yes, I did. I had asked Mr. Skinner about
14	that, who is the I believe president of the Pennsylvania
15	American Junior Bowling Congress and he stated to me it can
16	mean two things.
17	One it can mean for open bowling for members
18	within the Moose Lodge or it can be interpreted that open
19	bowling means that the bowling is open to the general public.
20	It could have two interpretations. And as you know, the public
21	does buy newspapers and read advertisements.
22	Q I have heard of that. Did you find out
23	in your investigation that open bowling is a term used to
24	indicate that the lanes aren't being used for league purposes
25	that night and that they are open to non-league bowlers?

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1	A. Could you repeat that question, please?
2	MR. HARTER: Will the reporter please read
3	1t?
4	
5	(The question was read by the reporter as
6	follows:
7	"Q I have heard of that. Did you find out
8	in your investigation that open bowling is a term used to
9	indicate that the lanes aren't being used for league purposes
10	that night and that they are open to non-league bowlers?")
11	
12	THE WITNESS: I can't recall that offhand.
13	BY MR. HARTER:
14	Q That is what it means in the trade, doesn't
15	it?
16	A I wouldn't know. I can't recall that being
17	mentioned during the investigation. It is possible.
18	Q Are you a bowler, yourself?
19	A. No, I am not.
20	Q And if I understood you correctly, you said,
21	in effect, that substantially, the testimony given by
22	Mrs. Reed was correct?
23	A. Yes.
24	MR. HARTER: That is all. Thank you.
25	THE CHAIRMAN: Thank you, Mr. Jones.

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ì	(Discussion off the record.)			
2				
3	THE CHAIRMAN: Back on the record.			
4	Mr. Yaffee, have you presented all of your			
5	witnesses with respect to the complaint?			
6	MR. YAFFEE: Yes. The complainants case is			
7	completed and at this time the complainant rests.			
8	THE CHAIRMAN: Well, it is 4:30 and it is the			
9	decision of the panel that we will recess and continue this			
10	hearing at another date at which time, then the respondent			
11	will put on his witnesses and any cross examination at that			
12	point.			
13	Off the record.			
14.				
15	(Discussion off the record.)			
16				
17	THE CHAIRMAN: Back on the record.			
រន	This meeting is recessed until another date			
19	to be subsequently determined.			
20	Thank you very much, ladies and gentlemen,			
21	for being here. I am sorry we couldn't finish this up today.			
22				
2 3	(Whereupon at 4:30 o'clock p.m., the hearing			
24	was adjourned.)			
25				

Í I hereby certify that the proceedings and evidence are contained fully and accurately in the notes 3 taken by me during the hearing on the within cause, before the Pennsylvania Human Relations Commission, and that this 5 copy is a correct transcript of the same. MOHRBACH & MARSHAL, INC. 9 10 11 12. 13 14 15 16 17 18 19 20 Reported by: 21 Eugene W. Holbert 22 Mohrbach & Marshal, Inc. 2000 State Street 23 Harrisburg, Pennsylvania 24

1972-1973 MEMBERSHIP

NAME

LAMILTON SEARON

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LEAGUE

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MONMOUTH COUNTY JR. BOWLING ASSN.



AMERICAN JUNIOR BOWLING CONGRESS

S1973

AJBC MEMBERSHIP NO.

This card identifies you as a member of the

AMERICAN JUNIOR BOWLING CONGRESS

AJBC ELIGIBILITY RULE (#110)

Any member of the American Junior Bowling Congress who bowls, substitutes, or paces in any type of bowling competition where money or merchandise prizes are offered on the bosis of bowling score, bowling skill or position standing, shall be ineligible for AJBC membership as of the date of such participation. (See AJBC rule book for entire rule)

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(Member's Signature)

LITHO U.S.A.

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1972-1973 MEMBERSHIP

NAME BALLINGON LYNT.

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IS A MEMBER OF

MONMOUTH COUNTY JR. BOWLING ASSN.

AMERICAN JUNIOR BOWLING CONGRESS

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LITHO U.S.A.

Controller Jacobs en



PLAYING RULES 1972-73 SEASON

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Comp. Ex #3

8. 1



1972-73 SEASON League and Tournament Rules and Regulations

American Junior Bowling Congress HEADQUARTERS 1572 EAST CAPITOL DRIVE • MILWAUKEE, WISCONSIN 53211 Telephone: 962-3520, Area Code 414

AJBC 8/1/72

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AMERICAN JUNIOR BOWLING CONGRESS

Sponsored and administered by the Woman's International Bowling Congress and the American Bowling Congress

CHAPTER I

AJBC GENERAL PLAYING RULES AND REGULATIONS

NOTE: Bracketed material [] denotes new rule or rule amended.

Rule 1. Scoring the Game

A game of American Tenpins shall consist of ten frames. Each player shall bowl two balls in each of the first nine frames except when he shall make a strike. A player who scores a strike or a spare in the tenth frame shall deliver three balls.

1,	1 2	3	4	, 5 , 2	6	7	8	9	10
M	X	X	73	0/	F 9	X	70	9-	XXI
30	57	76	0-	95	104	124	143	152	180

A ball is legally delivered when it leaves the bowler's possession and crosses the foul line into playing territory.

Rule 2. Strike

A strike is recorded when the player completes a legal delivery, and bowls down the full setup of ten pins on the first ball. It is designated by an (x) in the small square in the upper right-hand corner of the frame in which the complete set of ten pins is bowled down with the first ball. The count in each frame where a strike is bowled shall be left open until the player has completed two more deliveries. The maximum count on one strike when followed by a spare is 20.

Rule 3. Double

When a player bowls two strikes in succession legally delivered, he shall have scored a double. The count in the frame where the first strike was bowled shall be left open until the player has completed his next delivery. When all pins are downed twice in succession the count for the first strike is 20 plus the number of pins knocked down with the first ball of the third frame following. The maximum count on a double figuring a nine pin count on the first ball following the second strike is 29.

Rule 4. Triple or Turkey

In scoring three successive strikes, the player shall be credited

with 30 pins in a frame in which the first strike was bowled. Thus, in a game of ten full frames, a player must bowl 12 strikes in succession in order to bowl a game of 300.

Rule 5. Spare

Any player who bowls down the remaining pins with a legally delivered second ball in any frame has scored a spare. A spare is designated by a (/) in the small square in the upper right-hand corner of the frame in which it is made. The number of pins knocked down after the first delivery before the player bowls for the spare should be marked by a small figure to the left of the small square in the upper right corner of the frame. The count in such a frame proper is left open until the player shall have bowled his first ball in the next frame following when the number of pins knocked down by the first ball shall be added to the ten pins represented by his spare, and the total be credited therein. When a spare is scored, in the tenth frame, a third ball shall be bowled in that frame.

Rule 6. Error

A player shall have made an error when he fails to bowl down all ten pins after having completed two deliveries in a given frame provided the pins left standing after the first ball is bowled do not constitute a split. An error is designated by a (-) in the small square in the upper right-hand corner of the frame providing no pins are knocked down with the second ball. The number of pins knocked down after the first delivery, before the player bowls at the remaining pins, should be marked to the left of the small square in the upper right corner of the frame. The count in every frame where an error is committed shall be recorded immediately following the player's second delivery, in the upper right-hand square.

Rule 7. Split

A split shall be a setup of pins remaining standing after the first ball has been legally delivered provided the headpin is down, and

- (a) At least one pin is down between two or more pins which remain standing, as for example: 7-9, or 3-10.
- (b) At least one pin is down immediately ahead of two or more pins which remain standing, as for example: 5-6.

A split is designated by the pinfall circled to the left of the small square in the upper right-hand corner of the frame in which the split occurs.

Rule 8. Pinfall — Legal

Every ball delivered by the player shall count, unless declared a dead ball. Pins must then be respotted after the cause for declaring such dead ball has been removed.

- (a) Pins which are knocked down by another pin or pins rebounding in play from the side partition, rear cushion or sweep bar when it is at rest on the pin deck prior to sweeping dead wood are counted as pins down.
- (b) If when rolling at a full setup it is discovered immediately after the ball has been delivered that one or more pins are improperly set, although not missing, the ball and resulting pinfall shall be counted. He shall insist that any pins incorrectly set be respotted before delivering his ball, otherwise he implies that the setup is satisfactory.
- (c) Pins which are knocked down by a fair ball, and remain lying on the lane, or in the gutters, or which lean so as to touch kickbacks or side partitions, are termed dead wood and counted as pins down, and must be removed before next ball is bowled.

Rule 9. Pinfall -- Illegal

When any of the following incidents occur the ball counts as a ball rolled, but pins knocked down shall not count:

- (a) When pins are knocked down or displaced by a ball which leaves the lane before reaching the pins.
- (b) When a ball rebounds from the rear cushion.
- (c) A standing pin which falls upon removing dead wood or which is knocked down by a pin setter, or mechanical pin setting equipment, shall not count and must be replaced on the pin spot inscribed on the pin deck where it originally stood before delivery of the ball.
- (d) Pins which are bowled off the lane, rebound and remain standing on the lane must be counted as pins standing.

(e) If in delivery of the ball a foul is committed, any pins knocked down by such delivery shall not be counted.

Rule 10. Dead Ball

A ball shall be declared dead if any of the following occur, in which case such ball shall not count. The pins must be respotted after the cause for declaring such dead ball has been removed and player shall be required to rebowl.

(a) If, after the player delivers his ball and attention is immediately called to the fact that one or more pins were missing from the setup.

(b) When a player bowls on the wrong lane or out of turn.

- (c) When a player is interfered with by a pin setter, another bowler, spectator, or moving object as the ball is being delivered and before delivery is completed, player must then and there accept the resulting pinfall or demand that pins be respotted.
- (d) When any pins at which he is bowling are moved or knocked down in any manner, as the player is delivering the ball and before the ball reaches the pins.
- (e) When a player's ball comes in contact with any foreign obstacle.

Rule 11. No Pins May be Conceded

No pins may be conceded, and only those actually knocked down or moved entirely off the playing surface of the lane as a result of the legal delivery of the ball by the player may be counted. Every frame must be completed at the time the player is bowling in his regular order.

Rule 12. Bowling on Wrong Lane

When only one player or the lead-off man on each team bowls on the wrong lane and the error is discovered before another player has bowled, a dead ball shall be declared and the player(s) required to rebowl on the correct lane(s). When more than one player on the same team has bowled on the wrong lane, the game shall be completed without adjustment, and the next game shall be started on the correctly scheduled lane.

Rule 13. Balls -- Private Ownership

Bowling balls used in the game and marked by their owners are

considered private and other participants in the game are prohibited from using the same, unless the owner consents to such use.

Rule 14. Foul - Definition of

A foul is committed with no pinfall being credited to the player although the ball counts as a ball rolled, when a part of the bowler's person encroaches upon or goes beyond the foul line and touches any part of the lane, equipment, or building during or after executing a legal delivery. A ball is in play and a foul may be called after legal delivery has been made and until the same, or another player, is on the approach in position to make a succeeding delivery.

If the player commits a foul which is apparent to both captains or one, or more, members of each of the opposing teams competing in a league, or tournament, on the same pair of lanes where the foul is committed, or to the official scorer, or a tournament official and the automatic foul detecting device fails to record it, a foul shall nevertheless be declared and so recorded.

Rule 15. Deliberate Foul

If a player deliberately fouls to benefit by the calling of a foul, he shall be immediately disqualified from further participation in the series then in play and his place may be taken by another player. The deliberate foul shall not be allowed. A player who willfully throws his ball into the gutter shall be immediately removed from the game and series and his place may be taken by another player.

If no substitute is available to take the place of the removed player, his team shall be credited only with the pins knocked down up to the time the player was disqualified plus one-tenth of his blind score for each of the remaining frames in the game.

Rule 16. Foul Counts as Ball Bowled

A foul ball shall be recorded as a ball bowled by the player, but any pins bowled down when a foul is committed shall not count. When the player fouls upon delivering the first ball of the frame, all pins knocked down must be respotted, and only those pins knocked down by the second ball may be counted. If he bowls down all the pins with his second ball after fouling with the first, it shall be scored as a spare.

When less than ten pins are bowled down on the second ball after fouling on the first, it shall be scored as an error. A player who fouls when delivering his second ball of a frame shall be

credited with only those pins bowled down with his first ball, provided no foul was committed when the first ball was delivered.

When a bowler fouls during the delivery of his first ball in the tenth frame, and bowls down all ten pins with his second ball (making a spare) he bowls a third ball and is credited with a spare plus the pins bowled down with the third ball. When a bowler fouls while delivering his third ball, only those pins bowled down in delivering his first two balls shall be counted.

Rule 17. No Unreasonable Delay

The league coach or tournament supervisor shall allow no unreasonable delay in the progress of any game. Should any member or team participating in a league, or tournament, refuse to proceed with the game after being directed to do so by the coach or tournament supervisor, such game or series shall be declared forfeited.

Rule 18. Foul-Detection, Appeal and Protests

DETECTION – League and tournament officials may adopt and use any ABC approved automatic foul detecting device and where none is available a foul judge must be stationed so he has an unobstructed view of the foul line.

APPEAL — No appeal shall be allowed when a foul is indicated by an approved automatic foul detecting device or is called by a foul judge except when it is proved the device is not operating properly, or there is a preponderance of evidence the bowler did not foul. If the device becomes temporarily inoperative, the following procedures shall be used in calling fouls:

- (a) In tournament play, tournament management shall assign a human foul judge or arrange for the official scorers to call fouls.
- (b) In league play, the opposing team captains shall call fouls or the coach shall designate someone to act as a foul judge.

Failure to have the automatic foul detecting device in operation or provide for foul line observance when it is inoperative shall disqualify scores bowled for AJBC high score recognition.

PROTESTS - PROVISIONAL BALL

When a protest involving a foul or the legality of pinfall is entered and it cannot immediately be resolved between the two

team captains and league coach, a provisional ball or frame shall be bowled by the contestant.

If the protest occurs on the first delivery in a frame, the player shall complete his frame and then bowl another complete frame immediately, unless it involves a question of whether a bowler should receive credit for a strike or a lesser number of pins on his first delivery. In such event, the pin or pins which were protested as constituting illegal pinfall shall be respotted and the player required to bowl another ball.

If the league coach or tournament management is unable to reach a decision, the local association or the AJBC can be asked for a decision upon submission of all the facts relating to the protest.

Rule 19. Average - Definition of

A bowling average is determined by dividing the total number of pins credited to a bowler by the number of games bowled in the league in a season.

HIGHEST AVERAGE - The best average in one of several leagues in which a player competes.

When establishing an average in league play, a right-handed bowler must bowl right-handed at all times. Similarly, a lefthanded bowler must bowl left-handed at all times. Penalty, forfeiture of game.

No combination of scores bowled both right and left-handed shall be used in computing an average.

(A new average must be established if the bowler finds it necessary to change his delivery from right to left-handed or vice versa.)

In all cases, extra pins, or fractions, must be disregarded when using averages for handicapping purposes. The extra pins shall be reduced to a percentage of a pin only for the purpose of deciding individual position standings in a league.

Rule 20. Penalty for Unfair Tactics

Any member of the AJBC violating the provisions of this rule, as outlined below, shall be liable for the penalties indicated.

(a) Attempting to gain an unfair advantage. Penalty — loss of game or games where unfair advantage was secured and/or suspension of membership.

- Misrepresenting an average to gain a greater handicap.
- Deliberately bowling below his average in league play to gain greater handicap advantage.
- (b) By the use of dishonest, or disreputable tactics, in connection with the game of bowling. Penalty - suspension of membership.
- (c) Failing to pay fees due for participation in a sanctioned league or tournament. Penalty — suspension of membership.

Rule 21. Derogatory Conduct

When a bowler is suspended from membership in the American-Junior Bowling Congress for conduct derogatory to the best interest of the game, he shall be prohibited and disqualified from thereafter playing with any AJBC sanctioned league or tournament until reinstated by the American Junior Bowling Congress. Any such team which shall knowingly play such disqualified player shall forfeit all games in which such player has taken part and such team may be suspended from membership in the American Junior Bowling Congress.

Rule 22. Time Limit - Protests

Protests involving eligibility, scoring or general playing rules in leagues and tournaments shall be governed as follows:

LEAGUES: Any protest affecting eligibility or general playing rules must be confirmed in writing to a responsible league coach, the local AJBC association, or the American Junior Bowling Congress, not later than fifteen (15) days after the series in which the infraction occurred has been bowled. If no written protest is entered prior to the expiration of the fifteen day period, the series must stand as bowled. Protests resulting out of competition in the final two weeks of a league's schedule must be filed within 48 hours of the concluding day of the league schedule.

TOURNAMENTS: Any protest affecting eligibility or general playing rules must be confirmed in writing to a responsible tournament or local association official or to the American Junior Bowling Congress before the tournament awards are made.

OBVIOUS ERRORS: Errors in scoring, or errors in calculation, in league or tournament play must be corrected by a coach or

tournament supervisor immediately upon discovery of such an error.

Rule 23. AJBC Outline of Suspension Procedure

- Suspension Procedures For Infraction of Local League Rules and AJBC Rules other than the Eligibility Rule (Rule 110).
 - a. A coach may declare a member ineligible for participation in an AJBC league under his supervision up to a period of three weeks without authority from the AJBC for infractions of AJBC or local league rules.
 - Such AJBC members shall not be eligible to bowl in other AJBC leagues or tournaments during the period he is being disciplined. It shall be the duty of the coach to inform the disciplined member that he is ineligible for such competition.
 - b. A coach requesting suspension of a member of the league for a period greater than three weeks may suspend the member temporarily and must file a written report with the local AJBC association within seven (7) days of such suspension. The local association shall forward the written report together with its recommendations to AJBC. Upon receipt of the written report, the AJBC will make a decision notifying the local association, the coach and the AJBC member(s) involved of this decision.
 - c. The period of suspension will be determined by the AJBC. A bowler who has been indefinitely suspended may make written application for reinstatement to the AJBC after a period of 90 days.
- 2. Suspension Procedures For Infractions of the AJBC Eligibility Rule.
 - a. A coach must immediately report to the local association secretary any infraction of the AJBC Eligibility Rule.
 - b. The local association will assume the responsibility of following the suspension procedures, agreed upon by AJBC and the National Federation of State High School Athletic Associations, in reporting the infraction to the secretary of the state junior bowling association.
 - The state association will follow the outlined suspension procedures by giving written notice to the individual, lo-

cal association, state high school athletic association and AJBC of the decision reached in the matter.

3. A suspended bowler will be eligible for any award won on merit prior to the incident causing suspension. Should any bowler qualify for an award after the incident for which suspension is sought, and before a determination has been made, the question of eligibility of the suspended bowler to receive the award will be decided by the AJBC. A suspended bowler is ineligible to receive a team award won by a team of which he was a member at the time suspension was invoked.

Rule 24. High Score Awards

The following are the requirements which must be met for eligibility for AJBC high score awards:

- a. The high score must have been bowled by an AJBC member in a league or tournament sanctioned by the American Junior Bowling Congress.
- b. A competent foul judge or an automatic foul detecting device approved by the American Bowling Congress must have been employed during the full time the score was being bowled.
- c. All awards must be applied for on official AJBC forms within 30 days of the time such awards are earned.

Rule 25. AJBC Coach-Officer Eligibility

Any person who is under suspension from membership in WIBC or ABC shall not be eligible to coach or instruct AJBC sanctioned leagues, or hold office in any AJBC sanctioned tournament or chartered association. Any person who has been denied the right to hold office by WIBC or ABC shall not be eligible for any AJBC position involving the handling of junior bowling funds.

Rule 26. League Awards

The AJBC will supply each sanctioned winter league and summer league with a League Awards Kit. Leagues whose playing schedules commence between August 1 and March 15 must order their League Awards Kits using the order form received with the league credentials. Leagues whose playing schedules commence between March 15 and July 31 will receive the League Awards Kit automatically upon receipt of the league sanction application by AJBC.

CHAPTER II AJBC RULES COVERING ORGANIZATION OF LEAGUES

NOTE: Bracketed material [] denotes new rule or rule amended.

DEFINITION AND QUALIFICATIONS

Rule 100. Any league consisting of four or more teams with a minimum of two members, per team, and bowling according to a prearranged schedule shall be defined as a league, and may be sanctioned with the American Junior Bowling Congress.

Rule 101. Singles leagues with a minimum of four junior members may be sanctioned. Juniors bowling with adults in leagues where no cash or merchandise prizes are offered may also be sanctioned by AJBC.

Editor's Note: Awards to both adult and junior bowlers in adult-junior leagues must be confined to awards permitted in their state under the AJBC eligibility rule. The maximum value per award as outlined in the current AJBC Program must be followed for both adults and juniors.

Rule 102. Such league, if sanctioned, shall bowl its schedule regularly as provided in its Constitution.

Rule 103. AJBC leagues may consist of all boys or all girls, or boys and girls. Leagues may be organized to include bowlers of all age levels in the same league, but AJBC special awards are based on the individual's age division.

Editor's Note: AJBC age divisions based on individual's age as of August I of the current season are:

Bantams – 12 years of age and under

Juniors — 13 thru 15 years of age Seniors — 16 thru 21 years of age

MEMBERSHIP — MEMBERSHIP DUES

Rule 104. Membership in AJBC is open to all boys and girls, qualified under the AJBC eligibility rule, who have not reached their 22nd birthday on or before August 1 of the current bowling year. Once sanctioned under this rule an AJBC member is an eligible bowler until July 31 of the current bowling year, unless under suspension.

Rule 105. The AJBC current membership year runs from August 1 through July 31 of the following year. Junior membership shall expire on July 31 of the season in which issued except that membership will continue to be valid in tournaments until October 1 for those who are under 22 years of age on August 1. In addition membership issued in a league which starts its playing schedule on or after March 15 shall be valid for the following season for those who are under 22 years of age as of August 1.

Rule 106. The AJBC membership fee shall be 50 cents per member which shall be submitted to the local AJBC association along with a league sanction application (Form AJ-6) and an individual membership application (Form AJ-14) for each member. The sanction application and membership dues must be filed with the local AJBC association secretary within 30 days after the start of the league's schedule. Supplementary league members must complete an individual membership application (Form AJ-14) which shall be submitted to the local AJBC association.

The payment of one AJBC membership fee entitles the member to participate in any number of leagues. AJBC members participating in a league other than the league through which they are sanctioned must complete an individual membership application (Form AJ-14) for each league in which they participate.

Rule 107. The local AJBC association shall be permitted to charge an additional 50 cents as its portion of the membership fee to help defray the cost of local services to the AJBC members in the area. In no case shall the combined membership fee for an AJBC member exceed \$1.00.

Rule 108. Membership in AJBC can be obtained through a league only. No unattached memberships are given. In a league comprised entirely of junior bowlers, all participants must be members of AJBC. In adult-junior leagues, all junior bowlers must be members of AJBC if the league is to be issued an AJBC sanction. No league will be accepted for sanctioning directly to the AJBC office.

Editor's Note: If there is no local AJBC association serving the area the sanction application will be filed through the ABC local association.

Rule 109. A league whose schedule begins on or after August 1 and before March 15 is classified as a winter league. A league whose schedule begins on or after March 15 and ends prior to October 1 is classified as a summer league. Any league ending after October 1 will be classified as a winter league in the following bowling season. All members of such a league are required to purchase the following season's membership cards.

Where the number of junior bowlers is constant on each team in adult-junior leagues all AJBC awards shall be made available. Where the number is not constant, the junior members shall qualify for special awards. League awards in such leagues shall be made available upon special application to AJBC.

Rule 110. AJBC Eligibility Rule

Members of the American Junior Bowling Congress may:

- (a) Bowl for trophies, medals, emblems or other symbolic awards within the maximum cost for such awards as established by the state high school athletic association in their state.
- (b) Bowl in events within any maximum travel distance allowance adopted by their state high school athletic association.
- (c) In the year of their graduation from high school compete in events offering college scholarships or grants in aid if bowling scores do not constitute more than fifty percent (50%) of the considerations for determining the recipients of such awards. Such events must conform with the state high school athletic association eligibility rules.

Travel expenses must be disbursed by an adult except in instances where an AJBC member is personally paying his own expenses.

Any member of AJBC, or any individual under the age of twenty-two (22) who is not a member, who bowls, substitutes or paces in any type of bowling competition where money or merchandise prizes are offered on the basis of bowling score, bowling skill or position standing, shall be ineligible for AJBC membership as of the date of such participation.

Note: Merchandise prizes shall be construed to include any prize of commercial or intrinsic value such as, but not limited to, free bowling game(s) — bowling equipment, personalized or otherwise — vacation trips — trading stamps, etc.

The period of ineligibility for AJBC membership shall be determined in conformance with the individual state high school athletic association rules by the State Junior Association Secretary acting on behalf of AJBC. Such individuals shall be advised in writing of the period of ineligibility, which shall be a minimum of sixty (60) days but not to exceed one year.

Any bowler suspended or disqualified from or denied AJBC membership by reason of this rule may make written application for membership privileges to the local association secretary, but such application cannot be granted until the applicant has concluded the specified period of ineligibility during which time he has refrained from competing in AJBC sanctioned competition and all bowling competition where money or merchandise prizes are listed as awards. Action on such application will be considered in accordance with the provision of this rule and the respective state high school athletic association eligibility rule. Ineligibility remains effective until the individual has been notified in writing by the state junior association secretary of their reinstatement.

The AJBC Eligibility Rule Applies:

- To AJBC members and to applicants for AJBC membership who violate the rule prior to such application.
- To any type of bowling competition leagues, tournaments, open play, television events, etc., whether sanctioned or unsanctioned, sanctionable or unsanctionable.
- 3. To bowling, substituting or pacing.

4. Whether there is on behalf of the youngster, personally or otherwise, payment or nonpayment to a prize fund, acceptance of or refusal to accept a prize or portion thereof; scores being counted or not being counted.

CHAPTER III AJBC LEAGUE RULES AND REGULATIONS

NOTE: Bracketed material [] denotes new rule or rule amended.

Rule 111. League Session

Leagues may bowl one, two or three games each league session with a minimum of seven weeks or seven league sessions of bowling required to obtain all AJBC materials and awards.

Rule 112. League Championship Play-off

When a tie occurs for the championship of a league, or the league bowls a split season, the champion shall be determined by an additional series equivalent at least to the number of games bowled in a series during the regular league schedule. Similarly, a play-off of the same number of games shall be necessary when a tie occurs for first place in any segment of a split season. This series of games shall be conducted under the same conditions and rules governing league play during the regular season.

If at the end of the series a tie still exists, an additional frame shall be bowled on the lane where the final frame of the third game roll-off was bowled and shall be scored like a tenth frame. If the tie is still unbroken, teams will alternate lanes for each additional complete frame necessary to break the tie.

When more than two teams are involved in the championship play-off and the league has not adopted special rules, total pins in a three-game series shall determine the champion.

Scores bowled in such play-offs shall not count toward individual or team averages or special recognition awards offered by the league.

Rule 113. Duties of the President

The president shall preside at all meetings of the league and shall appoint, with the assistance of the coach, such committees as shall be necessary. He shall, along with the coach, enforce all rules and regulations of the league.

Rule 114. Duties of League Secretary

The secretary must keep an accurate record of all individual and team scores and must post weekly averages and team standings, or position, which must be available to all members, at least until the end of the following week's schedule.

Rule 115. Duties of League Treasurer

The treasurer will collect league fees from the team captains, and work in conjunction with the league's coach in handling of league funds.

Rule 116. Duties of the Team Captains

The captain shall collect the bowling fees each league session and remit to the league treasurer. The captain shall sign the opponents score book, verifying the accuracy of the scores.

Rule 117. Strict Compliance of all Rules

Such league, and the teams comprising its members, must conduct and play all its games in strict compliance with the rules and regulations governing such games, as adopted by the American Junior Bowling Congress.

Rule 118. Bowlers - Qualifications

In order to participate in an AJBC league a bowler must be sanctioned. A bowler may be sanctioned in one or more leagues during the league season for one sanction fee.

CHAPTER IV LEAGUE PLAY

NOTE: Bracketed material [] denotes new rule or rule amended.

Rule 119. When and How Called

The league shall determine the day of the week and time of day when all members shall bowl.

Rule 120. Legal Line-Up — Substitutes

A legal line-up in league play is defined as three or more eligible players in five-man team leagues, and two or more eligible players in either three or four man team leagues. An eligible player is defined as a team member, or any sanctioned substitute. When a lesser number is present to start any game of a series at the time scheduled by the league the game shall be forfeited.

Under no condition may a player be allowed to compete with more than one team in the same league for the regularly scheduled games each week.

An absent bowler receives his average and handicap less ten pins in computing team score, unless the league has adopted a league rule to cover computing an absentee bowler's score.

Rule 121. Forfeiture - Procedure for Bowling

When any games are declared forfeited, the team present and not at fault must bowl any and all games to be bowled as though they were actually contested. Every member bowling on such team must have completed his frame on one lane before the team shall commence its next frame on the adjoining lane. Members of the team forfeiting a game or games shall be allowed to bowl along with the team winning by forfeiture.

Scores bowled under these forfeiture provisions will be recognized for AJBC individual special awards. The scores likewise shall count for league averages and individual league awards, unless the league has adopted its own rules which will not allow the scores to be used for these league purposes.

Rule 122. Tardy Players

Any player who arrives after completion of the third frame shall begin play at that point and his score shall consist of the total pins knocked down during the frames he bowled plus one-tenth of his absentee score for each of the frames he missed.

Any player bowling a game under these conditions shall forfeit any claim for AJBC high score recognition for that game or series. Any game which is bowled under these conditions shall be used to determine wins and losses between teams, but shall not be recorded in the league record to determine the bowler's average. Each league has the option to formally adopt as part of its league rules its own tardy player's rule. If no league rule has been adopted this rule shall prevail.

Rule 123. Tardy Players and "Bowling Out" — AJBC Special Awards

When league rules permit a tardy player to bowl the entire game or a bowler to finish the final game of a series before his team mates or opponents, such scores will count in deciding the game and in the bowler's average, and will qualify for AJBC special award recognition. Such scores will count for special league awards unless otherwise provided in the league rules.

Rule 124. Substitution

When a substitution is made during a game, the score of such game shall be credited to the starting player. A player, once removed from a game cannot return to bowl in the same game.

A player once removed from a game cannot return to bowl in the same game. Scores bowled through the efforts of more than one player shall not qualify for any AJBC or league high score awards.

Rule 125. Injury, Disability or Emergency

When a player is unable to complete a game because of disability, injury or emergency, and a qualified substitute is not available to bowl, the team of which he is a member shall count his actual score for the frames bowled plus one-tenth of his average for each of the remaining frames in the game for the game total. The game shall not be used in determining the bowler's average.

When a player does not complete a game of his own volition (not due to disability, injury or emergency), and a qualified substitute is not available to bowl, the team of which he is a member shall count zero for each of the frames he missed. The frames bowled shall not be used in determining the bowler's average.

Rule 126 What Constitutes a Game

The bowling of ten (10) complete frames on the pair of lanes on which the game was started shall constitute an official game, excepting that the league coach may authorize the completion of a game and series on another pair of lanes when equipment failure on the starting lanes would delay the normal progress of the series. An interrupted game and series which cannot be completed on the same date must be resumed from the point of interruption.

Two lanes immediately adjoining each other shall be used in each game of league play. Teams scheduled to bowl against each other must be in direct competition on adjacent lanes, and shall then and there oppose each other, except when a forfeit is declared. No team or individual team member will be permitted to bowl against scores, nor will any individual be permitted to bowl league games before or after the match, unless a league adopts specific rules prior to the start of the season authorizing teams or individuals to bowl unopposed, in which case the league rules will apply. When a league rule permits teams or individuals to bowl unopposed in advance of or after a regularly scheduled match, the scores shall count in deciding league games but the team totals and none of the individual scores shall qualify for AJBC awards.

Rule 127. League Series
In league play the first game of a series shall be started on the lane on which the team is scheduled. Succeeding games shall be started on the lane on which a team has finished the preceding game.

Rule 128. Order of Bowling
The members of the contesting teams shall successively, and in
regular order, bowl one frame on one lane, and for the next
frame alternate and use the other lane so alternating each frame
until five frames are bowled on each lane, completing the game.
Each player shall bowl two balls in every frame, except where
he shall make a strike, or player strikes or spares in the tenth
frame. No pins may be conceded and only those actually
knocked down may be counted. Every frame must be completed
at the time the player is bowling in his regular order.

Rule 129. League Tie Games — How Decided When a tie game occurs, each of the two teams involved in the tie, shall be credited in the standing with having won one-half game, and with the loss of one-half game.

Rule 130. Postponements
All league games must be bowled as scheduled unless they are postponed, or prebowled, by authorization of the league's coach.

The coach must grant a postponement when a team is unable to appear due to emergency reasons beyond its control.

Postponed, or prebowled games must be bowled under the same conditions and rules governing sanctioned league play, between the teams, which shall then and there oppose each other. In bowling postponed, or prebowled games, in handicap leagues, the handicap as of the date the games are bowled shall be used.

Rule 131. Special Contests

When special contests limited to members of one AJBC sanctioned league are held, high score recognition will be extended automatically to the league members.

Rule 132. League Schedule
Each league shall determine the length of their playing schedule.
The unanimous approval of the league's coach, proprietor and
team captains is required to extend the playing schedule originally determined and indicated on the league sanction application.

Rule 133. Handicap
The handicap allowance in all AJBC leagues shall be computed
from the AJBC Handicap Table, unless the league adopts its
own handicap rule.

CHAPTER V

AJBC TOURNAMENT INSTRUCTIONS

NOTE: Bracketed material [] denotes new rule or rule amended.

Rule 200. Tournament Definition

A bowling tournament is defined as a prearranged contest between teams, individuals, or a combination of both in which members of the American Junior Bowling Congress are eligible to participate.

A tournament can be sponsored by a tournament committee, or one or more individuals. Any tournament consisting of four or more teams, or a singles tournament consisting of four or more individual participants, shall be eligible to apply for sanction with the American Junior Bowling Congress.

Rule 201. Application for Sanction

When a tournament is conducted and members of the American Junior Bowling Congress participate, a sanction may be applied for at the option of the tournament management. To obtain a sanction, a sanction application together with the rules of the tournament must be filed with the local AJBC association for endorsement.

Rule 202. Eligibility for AJBC Sanction

The tournament management can establish eligibility for AJBC sanctioned tournaments under one of the following conditions and the eligibility rules must be carried on the entry forms and/or posters:

- (a) Limit entry to AJBC league members only.
- (b) Limit entry to AJBC league members and nonmembers who pay a tournament participation fee of 25¢ prior to bowling.
- (c) Accept all junior bowlers and permit those who are not AJBC league members to qualify for AJBC high score recognition if they pay a tournament participation fee of 25¢ prior to bowling.

(d) Accept all junior bowlers with only those who are AJBC league members qualifying for AJBC high score recognition. (This would mean no tournament participation fees would be collected from nonmembers of AJBC.)

Editor's Note: To qualify for use of AJBC Tournament emblems, local and state junior associations must follow eligibility condition 1 or 2.

The Eligibility Report Form, listing the names, addresses and birth dates of those paying the tournament participation fee, must be sent to AJBC with the post-tournament reports (see Rule 229) along with a check or money order to cover the fees.

Note: The Tournament Participation Fee qualifies a non-AJBC member to receive AJBC special awards for scores bowled ONLY in the tournament in which the fee was paid.

Rule 203. Match Games

Match games involving less than four teams cannot be sanctioned nor are AJBC special awards available for scores bowled in such matches.

Rule 204. Association Championships Tournaments

All members of the local association are eligible to enter the local and state association championships events, except that state junior bowling associations may conduct state competition for juniors and seniors only.

Editor's Note: AJBC members without the number of games required by the tournament rules must be eligible to enter on a no handicap basis.

Rule 205. Sanctioning Requirements - All Tournaments

- a. The lanes must be ABC Certified.
- b. An application must be filed on the form made available by the AJBC.
- c. Applications for sanction must be filed with the local AJBC association prior to the start of the tournament. The local junior association secretary will forward the tournament application to AJBC.

- d. Entry form, poster and/or tournament rules should be submitted in the draft form along with the sanction application.
- e. The AJBC may refuse sanctioning of any tournament which does not comply with AJBC rules designed to safeguard the boys and girls bowling under its program.
- f. When a tournament consists of more than one event, or is divided into two or more age divisions, competition for each event or age division with the exception of all events must be held in the same establishment.

Except for all events, scores from performances in two or more establishments shall not be compared for a common position standings.

POINTS OF IMPORTANCE FOR AJBC SANCTIONED TOURNAMENTS

- Tournament sanction application must be endorsed by the local junior association secretary. (Rule 205)
- The entering average of ALL bowlers must be determined prior to bowling. Scores bowled in the tournament May Not Be Used for handicap in that tournament. (Rule 206)
- The effective date for entering averages should be near the beginning tournament date so that as many junior bowlers as possible will qualify for handicap.
- 4. All association championship tournaments must have rules which will allow ALL local AJBC members to enter. Those without enough games for an average must be permitted to bowl scratch in their proper age group. (Rule 204)

CHAPTER VI AJBC TOURNAMENT RULES AND REGULATIONS

NOTE: Bracketed material [] denotes new rule or rule amended.

Rule 206. Tournament Champions

A tournament shall provide in its rules for the designation of annual champions of the events in which individuals are entered, and total pins shall decide such championships and other place winners in the various events unless another system based on pinfall is otherwise provided for in the tournament rules. When two or more events are held, an all events championship may be determined based on the total pins scored in these events.

Such championships, and other place winners, shall be certified to the AJBC at the conclusion of the tournament after such winners have been determined.

When tournament winners are determined by using a handicap system, the handicap must be based on a known average prior to the start of competition.

Rule 207. Management

The tournament sponsor, or sponsors, must decide upon all disputes, complaints or protests relating to any claim, controversy or violation in the tournament involving any AJBC or tournament rule. The tournament sponsor, or sponsors, have the authority to adopt, enforce or revoke any of its own tournament rules as may be found necessary to the successful conduction of such tournament when not inconsistent with the rules of the AJBC. The decision of the sponsor, or sponsors, shall be final except where an appeal is made in writing within seventy-two (72) hours to the AJBC for its further consideration.

Rule 208. Compliance With All Rules

Such tournament, and the teams and individuals competing therein, must conduct and play all their games in strict compliance with the rules and regulations governing such games as adopted by the AJBC.

Rule 209. ABC Certified Lanes and Pins

All sanctioned tournaments must be bowled on ABC Certified lanes, and the bowling pins used must be ABC Approved pins.

Rule 210. Authority of Tournament Supervisor

The tournament supervisor shall have supreme power as to the players who are to bowl in the tournament whether originally entered or those who bowl as authorized replacements or substitutes. The tournament supervisor shall also have the power to decide upon any other matters pertaining to the operation of the tournament when not inconsistent with its own tournament rules, or any provisions of the AJBC Rules and Regulations.

Rule 211. Averages

When a bowler has more than one average, and the individual average is used to determine the handicap or classification of the bowler, or his team, the highest league average based on a minimum of 9 games shall be used unless the tournament committee adopts a specific average rule otherwise.

Rule 212. Type of Competition

Teams shall be composed of the number of players fixed by the rules of the particular tournament in which competition is restricted. No blind scores may be used.

Rule 213. Closing Date for Entries

a. Entry closing date in advance of tournament

When the closing date for entries is in advance of the opening date of the tournament, it must be sufficiently in advance of the opening date to notify entrants of their scheduled time and date. The tournament supervisor must prepare a schedule or post a complete list of entrants at the tournament site.

b. Entry closing date prior to last squad

When the closing date of entries is set prior to the time the last squad is scheduled, the tournament supervisor shall post in the establishment a notice showing:

- 1. Number of entries to date.
- Ratio of tournament awards to tournament entries.
- A complete list of all entrants to be kept current indicating scores bowled by each entrant.
- The exact time of day the last squad is scheduled to bowl.
- 5. The exact time for closing entries.

This data shall be kept current as of the tournament opening time each day. No tournament supervisor shall accept any additional entries for any event after the closing date of entries for the tournament.

Rule 214. Tournament Fees

The tournament sponsor, or sponsors, of any sanctioned tournament must in all cases, designate fees separately on the tournament sanction application, entry form and poster as follows:

Bowling Fee Awards Fee (if any) Tournament Expense Fee (if any) Total, per bowler, per event

Where an "awards fee" is charged tournament participants, all such fees collected must be returned 100% to the participants in the form of trophies or other symbolic awards.

The "tournament expense" fee shall be used to defray the operating costs of the tournament and may be used to supplement the tournament awards program.

Rule 215. Collections

No additional collections of any class or character to qualify for participation in a tournament are authorized except as defined below:

a. Participants may be charged an optional awards fee for an all events contest when two or more events are conducted. The all events awards fee shall not be greater than the highest awards fee charged for any event of the tournament.

Rule 216. No Fees Returned

After entries have been received, and the dates assigned by the tournament supervisor are not refused by the team, or individual entrant, prior to preparation of the schedule, no fees shall be refunded.

Rule 217. Tardy Players

Bowling shall begin in accordance with a previously arranged schedule. Any player, or team, arriving late shall begin play with the score counting beginning with the frame then being bowled.

If a team refuses to start because a full line-up is not present they shall forfeit all games which they decline to bowl at the discretion of the tournament supervisor. No blind scores shall be permitted and a bowler must bowl with, on the same lanes, and at the same time his team bowls.

Rule 218. Scheduled Position

No entrant shall change his/her position in any team line-up after he/she has been checked onto the lanes to bowl. If a line-up change is desired it must be made with the supervisor at least thirty minutes prior to the time said entrant is scheduled to bowl.

Rule 219. Who May Bowl

The entry form accepted by the tournament supervisor shall contain the names of the players entered. The entry form, along with the entry fees, must be in the hands of the supervisor prior to the closing date of entries for the tournament.

Rule 220. Replacements - Authority of Team Captain

The captain or his authorized representative may authorize the replacement of those whose names are on the entry form and are unable to attend or compete in the tournament at the scheduled time. After the closing dates of tournament entries, the team captain may remove a player whose name is shown on the entry form only upon the approval of the coach, or in the coach's absence, upon approval of the majority of the members of the team.

When the captain replaces a player originally entered in the team event, he shall give ample notification to the player being replaced. If the player to be removed has paid his own entry fee, it must be returned.

When a captain requests a replacement in the two-man and/or individual events, it must be understood that the individual originally entered and whose name appears in the tournament schedule must agree to being replaced in these events or should he fail to appear when scheduled, the captain or his appointee may make such replacements.

A replacement must be an eligible participant under the AJBC and tournament rules.

Rule 221. Substitution - Game Already in Progress

After a series has started, no changes shall be made in the order of the players during any games, except that the captain may replace any of his players by another qualified substitute at any time. When a substitution is made during a game, the score of such game shall be credited to the starting player. A player once removed from a game cannot return to bowl in the same game. Scores bowled through the effort of more than one individual player shall not qualify for any AJBC or tournament individual high score awards nor shall the score be included in the all events total.

In doubles events substitutes may be permitted but a player once removed cannot return to the line-up for the balance of the competition. No substitution may be made in a singles event except that in elimination tournaments where two or more series or block of games are bowled, substitutions may be permitted at the discretion of the tournament management. The player removed may not return for the balance of the competition.

Rule 222. What Constitutes A Game

Two lanes immediately adjoining each other shall be used in each game of tournament play. The bowling of ten (10) complete frames on the pair of lanes on which the game was started shall constitute an official game, excepting that the tournament officials may authorize the completion of a game and series on another pair of certified lanes when equipment failure on the starting lanes would delay the normal progress of the series. An interrupted game and series which cannot be completed on the same date must be resumed from the point of interruption.

Rule 223. Tournament Series

In tournament play, the first game of a series shall be started on the lane on which the teams or individual is scheduled. Succeeding games shall be started on the lane on which the team or individual has finished the preceding game, unless each complete game is bowled on a different pair of lanes.

Rule 224. Order of Bowling

The members of the contesting teams, two-man and individual entrants shall successively, and in regular order, bowl one frame on one lane, and for the next frame alternate and use the other lane, so alternating each frame until five frames are bowled on each lane to complete the game. Each player shall bowl two balls in every frame, except where he shall make a strike, or player strikes or spares in the tenth frame. No pins may be conceded and only those actually knocked down may be counted. Every frame must be completed at the time the player is bowling in his regular order. When a player makes a strike in the tenth frame he shall then be permitted to bowl two more

balls on the same lane on which he bowled the strike. When a player makes a spare in the tenth frame, he shall be permitted to bowl one ball on the same lane on which the spare was made.

Normally, only one doubles team is scheduled on each lane and both members of the team start on the same lane. This order of bowling may be changed, however, when a tournament schedules three doubles teams on a pair of lanes as a part of its normal scheduling pattern.

In that case, the lead-off man of each team will start on one lane and the anchor man on the alternate lane. Players will alternate lanes after each frame. Succeeding games shall be started on the lane on which a player finished the preceding game unless each complete game is bowled on a different pair of lanes.

Rule 225. Team Bowling Alone

When players entered in the team, two-man or individual event of a tournament are scheduled alone on a pair of lanes they must nevertheless bowl any and all games to be bowled as though they were actually contested. Each entrant must have completed his frame on one lane before the player bowling as lead-off shall commence his next frame on the adjoining lane.

Rule 226. Tournament Tie Scores - How Decided

- a. In case of a tie for the team, two-man, individual or all events championship in a tournament, it shall be optional with the tournament sponsor, or sponsors, to have a play-off, or declare co-champions.
- If co-champions are declared both must be given duplicate awards.
- c. Three games shall be played in deciding all ties, except in elimination tournaments where the number of games or frames shall be determined by the tournament management.
- d. Any and all ties other than for first position shall be decided by the tournament supervisor.

Rule 227. Scorers in Tournaments

The tournament supervisor of each sanctioned tournament is required to appoint scorers to officially record any, and all, games bowled in the tournament.

After a score has been passed by the official scorer and team captain or individual contestant, it cannot be changed except where there is an obvious error in scoring or calculation. However, the tournament sponsor, or sponsors may, by rule, set a time limit for appealing any scoring errors. Questionable errors shall be decided upon by the tournament sponsor, or sponsors.

Rule 228. Appeal or Protest

Any appeal or protest regarding a decision of the scorer, tournament official or tournament sponsor must be confirmed in writing to the AJBC no later than seventy-two (72) hours after the decision is made. If no written protest is entered prior to the expiration of the 72 hour period the decision will stand.

Rule 229. Award Distribution and Report

Within thirty (30) days after the completion of the tournament, the following post tournament requirements must be met:

- Distribute all awards, except when the AJBC has authorized holding up awards pending settlement of any claim or protest which affects position standings.
- b. File a copy of the award list with the AJBC showing the name of each award winner, his score and award issued to him.
- c. File a copy of the financial statement with the AJBC listing all receipts and disbursements.

Rule 230. Multiple Participation

It shall be optional whether the entrants in an AJBC sanctioned tournament may participate more than once in an event provided it is duly publicized in advance. The number of times participation will be permitted must be indicated. The first performance in each event shall count for all events.

DO NOT ADVERTISE OR PROMOTE A TOURNAMENT AS "AJBC SANCTIONED" UNTIL YOU RECEIVE THE TOURNAMENT SANCTION CERTIFICATE

CHAPTER VII AJBC STANDARD LEAGUE RULES

Note: These rules shall govern play of ALL AJBC sanctioned leagues, unless the league formally adopts its own league rules. Such rules shall not be in conflict with AJBC playing rules.

The	Bowling League shall consist of		
tear	ns with a playing strength of	bowlers	
per team. The	league will bowl on	(đay)	
forwe	eks commencing on	(date).	
(p.m.). All pa	matches will start promptly at _ rticipants in the league will be unior Bowling Congress.	(a.m.) sanctioned with	

RULE 1 - MEMBERSHIP

Membership shall be restricted to boys and girls who have not reached their 22nd birthday on or before August 1 of the current bowling year. Any individual under suspension by the adult supervisor and/or AJBC shall be ineligible to participate in this league.

RULE 2 - SUPERVISION

The league will be under the supervision of an adult coach who will set up a Board of Directors composed of team captains and league officers to administer the rules and regulations of the league.

RULE 3 — FEES

Each league member shall pay \$ _____ at each league session, of which \$ _____ will cover the cost of bowling, with the balance to be placed in the league treasury.

RULE 4 - LEAGUE FUNDS

The league coach will see that a true and accurate record is kept of all funds collected in the name of the league.

RULE 5 - OFFICERS

A President, Secretary and Treasurer shall be elected by majority vote of the league's members within three weeks after league play commences.

DUTIES OF THE PRESIDENT — The President shall preside at all meetings of the league and shall appoint, with the assistance of the coach, such committees as shall be necessary. He/she, along with the coach, shall enforce the rules and regulations of the league.

DUTIES OF LEAGUE SECRETARY — The secretary shall keep an accurate record of all individual and team scores and must post weekly averages and team standings, or position, which must be available to all members, at least until the end of the following week's schedule.

 $DUTIES\ OF\ LEAGUE\ TREASURER$ — The treasurer or coach shall collect league fees from the team captains.

RULE 6 - TEAM CAPTAINS

Each team shall elect its own captain, who will be a member of the league's Board of Directors. The captain shall collect the bowling fees each league session and remit to the league treasurer or coach. The captain shall sign the opponent's score book, verifying the accuracy of the scores.

RULE 7 - MEETINGS

Meetings shall be held at the call of the president and/or adult coach. A league member may file a written complaint or protest with the president, and/or coach, requesting a meeting of the Board of Directors for a hearing. A meeting of a majority of the Board of Directors, with the adult coach present, shall constitute a quorum.

RULE 8 - AWARDS

Prior to the start of the league schedule, or within the first five weeks of league play, the coach and league officers shall draw up an awards list stating the number of teams and individuals to which trophies or other symbolic awards will be given. The league awards list must be posted with the league schedule and standings. When applied for, the following emblems from AJBC will be given: (a) League Champion emblem to each member of the championship team; (b) League High Average; (c) League High Series; (d) League High Game; (e) Most Improved Average. To be eligible to receive:

- The League High Average and Most Improved Average awards, a bowler must complete two-thirds of the league season.
- 2. The League High Series and High Game awards (select one of the following):
 - (a) No minimum game requirements.

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- (b) Bowler must have completed % of the league season.
- (c) Bowler must have completed ½ of the league season.

Item (a) shall apply if the league does not select option.

All awards, with the exception of average awards, shall be awarded on a handicap basis in handicap leagues, unless the league adopts one of the following prior to the start of the season:

(a) All awards shall be given on a scratch basis.

(b) Team awards shall be given on a handicap basis, and individual awards on a scratch basis.

A member may not win more than one of the following awards with the following order being observed: (1) League High Average; (2) League High Series; (3) League High Game, unless the league votes prior to the start of the season that a member may win all awards for which his/her scores qualify. The Most Improved Average award shall be given to the member whose average has increased the greatest number of pins over the previous season's average. Bowlers without a previous season's average will be based on the increase between their average after twelve games and their average at the end of the league schedule. All awards in this league shall be in accordance with the regulations of the state high school athletic association. Their cost shall not exceed the allowable cost limit set by the state high school athletic association for sports recognized by their association.

RULE 9 -- ENTERING AVERAGES

Bowlers will use their highest league average from the previous season based on a minimum of twenty-one games. Members without a previous season's average will follow the provision of Rule 10.

RULE 10 - HANDICAP

The handicap allowance shall be computed from the AJBC Handicap Table (Form AJ-10) (indicate whether Senior, Junior or Bantam _______ Division.

Bowlers who do not have an established average shall be given handicap computed on the basis of the average of the game(s) bowled on their first appearance in the league.

The team handicap for each scheduled game shall be the total of the individual handicaps for the players in the line-up.

RULE 11 - SUBSTITUTES

Any sanctioned AJBC member not scheduled to bowl with his own team may substitute on any other team in the league. No one may bowl with more than one team for the regularly scheduled games each week.

RULE 12 - LEGAL LINE-UP

Players from a team's current roster, as well as substitutes, shall count toward a legal line-up as provided by AJBC Rule 120.

RULE 13 — BLIND SCORES — ABSENTEES

Blind scores shall be allowed when a team has a legal line-up but less than a full line-up at the start of any game in a series. The blind scores shall be the average, less ten pins, of the absent bowlers on the team roster. The handicap shall be figured on the average of the absentees.

RULE 14 — ROSTER VACANCIES — BLIND SCORES

When a team does not have enough players on the roster for a full line-up a vacancy blind score equivalent to the lowest average bowler on the opposing team's roster shall be used. If two vacancy scores are required, the average of the next to the lowest average bowler on the opposing team's roster shall be used for the second vacancy score. Such average(s) shall be the basis for the handicap.

RULE 15 — POSTPONEMENTS — PRE-BOWLED GAMES All league games must be bowled as scheduled unless they are postponed, or pre-bowled by authorization of the league's coach. The coach must grant a postponement when a team is unable to appear due to emergency reasons beyond its control.

Postponed or pre-bowled games must be bowled under the same conditions and rules governing sanctioned league play, between the teams, which shall then and there oppose each other.

Editor's Note: Games bowled under the provisions of this rule shall qualify for league and AJBC special awards.

In bowling postponed or pre-bowled games in handicap leagues, the handicap as of the date the games are bowled shall be used.

RULE 16 - TARDY PLAYERS

Any player who arrives after completion of the third frame shall begin play at that point and his score shall consist of the total pins knocked down during the frames he bowled plus one-tenth of his absentee score for each of the frames he missed.

Games including partial or complete blind scores cannot be credited to the player's average.

RULE 17 — POSITION STANDING

Position standings shall be determined on a percentage basis.

RULE 18 — LEAGUE CHAMPIONSHIP PLAY-OFF

When a tie occurs for the championships of the league, or the

league bowls a split season, the champion shall be determined by an additional series equivalent to the number of games bowled in a series during the regular league schedule. This series shall be conducted under the same conditions and rules governing league play during the regular season.

If at the end of the series a tie still exists, an additional frame shall be bowled. This frame shall be bowled on the lane where the final frame of the last game of the rolloff was bowled and shall be scored like a tenth frame. If the tie is still unbroken, teams will alternate lanes for each additional complete frame necessary to break the tie.

Scores bowled in such playoffs shall not count toward individual or team averages or special recognition awards offered by the league.

RULE 19 — "BOWLING OUT"

A league member may not finish the final game of a series before his teammates or opponents, except in case of an emergency or being pre-arranged based on a good cause. The league coach will make the determination. Such scores will count in deciding the game, in the bowler's average and for special league awards.

RULE 20 - SPECIAL AJBC AWARDS

Awards given by AJBC for High Game, High Series, Triplicate Club, Big-Four Club, 7-10 Club, 100 Pins Over Average (Game) and All-Spare Games must be applied for on the proper AJBC form within thirty days after the score is bowled.

RULE 21 - FOUL LINE OBSERVANCE

The foul line shall be observed during league play. No AJBC or league awards will be made if the automatic foul detecting device, or human foul judge, is not being used.

A deliberate foul to gain an advantage will bring immediate disqualification of the bowler for the balance of the series being bowled.

RULE 22 - BEHAVIOR OF MEMBERS

The coach of the league may suspend any member of the league for an infraction of an AJBC rule or league rule for a period not to exceed three weeks.

The coach, if requesting suspension of a member for a period greater than three weeks, may suspend the member temporarily and file a written report with the local AJBC association within seven days of suspension. This written report together with the local association's recommendation will be forwarded to AJBC where a final decision will be rendered.

CHAPTER VIII

LOCAL JUNIOR ASSOCIATION CONSTITUTION (Standard for all Chartered Local AJBC Associations) NOTE: Bracketed material [] denotes new amendments.

ARTICLE I - Name

This organization shall be known as the

Junior Bowling Association of the American Junior Bowling Congress.

ARTICLE II - Purposes

- To educate youth in the values of sportsmanship and good citizenship. To create in youth a desire for physical fitness, mental alertness and morally sound patterns of behavior.
- 3. To maintain the ideals of amateurism in order to preserve the youths' scholastic eligibility during their school years.
- 4. To provide a membership services program, adult leadership and guidance in the game of tenpins to the youth of this association.

 5. To stimulate the interest of educational and church leaders, adult
- bowling organizations, bowling proprietors, civic, fraternal and service groups in helping the junior program accomplish these objectives by acting as sponsors, coaches and local administrators.

ARTICLE III - Objects

Section 1. Provide a channel for AJBC services and aid in the promotion of the national, state and local programs of the American Junior Bowling Congress in the area served by the association.

Section 2. Encourage adults to serve as instructors, coaches and other

leaders in conducting the local program.

Section 3. Familiarize local instructors, coaches, sponsors and other bowling leaders with the benefits of the American Junior Bowling Congress

Section 4. To conduct an annual association tournament of the AJBC

members of this association to determine its championships.

Section 5. Comply with the rules and regulations of the American Junior Bowling Congress and adopt and enforce such other rules and regulations not in conflict thereto which may be deemed helpful and essential to the successful administration of the Junior program in

(City or area to be served)

ARTICLE IV --- Membership

Section 1. Membership in the American Junior Bowling Congress is open to all boys and girls who have not reached their 22nd birthday on or before August 1. Once sanctioned under this rule an AJBC member is

an eligible bowler until July 31, unless under suspension.

Section 2. Application for American Junior Bowling Congress sanction for junior leagues bowling in the area served by this association will be

filed through the secretary-treasurer of this association.

ARTICLE V --- Membership Dues

Section 1. The annual AJBC membership dues shall be 50 cents per member plus any local junior association dues. In no case shall the combined AJBC and local junior association dues per member exceed \$1.00. The annual combined membership dues shall be specified in the bylaws.

Section 2. Once combined AIBC and local association dues have been established, the membership fee shall not be changed for the balance of that season which shall end on July 31.

ARTICLE VI --- Management

Section 1. Management of this association shall be vested in a Board of Directors which shall consist of adult representation, 19 years of age and over as of August 1 of the current season, from the local chartered ABC association, local chartered WIBC association and proprietor representation unless any group waives its right to participate. A Junior Association Advisory Board may be established under the bylaws of this association and be entitled to adult representation on the Board of Directors. Representatives from other organizations may be included based on majority vote approval of the Board of Directors.

In addition, voting representation on the Board of Directors may be established under the bylaws of this association from AJBC members, consisting of an equal number of boys and girls at least 14 years of age or older as of August 1 of the current season. However, representation under this provision shall not exceed one-third ($\frac{1}{3}$) of the adult representation on the Board of Directors. The method of their selection must be specified in the bylaws.

Section 2. Each participating group shall determine who its representatives shall be. (The number of representatives from each shall be specified in the bylaws.) Alternate representatives may be designated by each participating group. To be eligible he/she must bowl, coach, instruct or reside in the association area to serve on the Board of Directors.

Section 3. Appointments to the Board of Directors shall be effective for one (1) year from the date of the annual meeting of the Board of Directors, unless a specific date for taking office is set forth in the bylaws.

Section 4. Removals from Office — When a member of the Board of Directors is accused of nonfeasance, misfeasance, or malfeasance, a hearing shall be conducted by the Junior Bowling Association Board of Directors within two weeks following the date such charges are filed with the association.

A report of the Board findings and its recommendations shall be filed with the Secretary of the American Junior Bowling Congress for action by this office or referral to the AJBC Executive Committee for a decision.

Section 5. Any person under suspension from membership in the Woman's International Bowling Congress or American Bowling Congress, or anyone who has been denied the right to hold office in these organizations shall not be eligible to serve on the Board of Directors of this association.

Section 6. Vacancies occurring on the Board of Directors for any reason shall be filled by the responsible group in the same manner as the original appointment.

Section 7. Each qualified regular member of the Board of Directors or designated alternate, shall be entitled to one (1) vote on any question at meetings of the Board.

Section 8. All salaries, if any, shall be determined by the Board of Directors of this association and shall be paid by this association as specified in the bylaws.

ARTICLE VII - Officers

Section 1. All officers of this association shall be adults. The officers shall consist of a minimum of president, vice president, secretary and treasurer. These latter two offices may be combined. Other officers may be provided for in the bylaws.

All officers shall be elected by and from the Board of Directors at the annual meeting of the Board, except that the bylaws may provide for the appointment of a secretary (secretary-treasurer) who is not a member of the Board of Directors, in which case such appointee shall become a voting member of the Board.

The term of office shall be for one year except where the bylaws provide for a two year term.

Other personnel may be employed or assigned to the work of the association as determined by the Board of Directors.

Section 2. Vacancies occurring in any office shall be filled in the same manner which governed the original election.

Duties of the President

Section 3. The president shall preside at all meetings of the Board of Directors. He/she shall be the chief executive officer and be responsible for the enforcement of all objectives of this association. He/she shall arrange for at least two signatures on all withdrawals from the bank account set up in the name of the association and shall verify the balance monthly.

Duties of the Vice President

Section 4. The vice president shall, in the absence of the president, perform the duties of that office.

Duties of the Secretary

Section 5. The secretary shall have charge of all correspondence and shall notify the members of the Board of Directors of the time and place of all meetings of the association.

The secretary shall supervise the service work of the association under the direction of the Board of Directors. He/she shall assist any establishment wanting to start a junior bowling program and shall help develop coaches and instructors and shall perform such other duties as may be requested from time to time by the president or Board of Directors.

The secretary shall keep a true record of all proceedings of meetings of this association. He/she shall keep a true record of all scores made in tournaments conducted by the association for one (1) year.

Duties of the Treasurer

Section 6. He/she shall receive and collect all dues and other money or property paid or donated to this association and shall deposit all money of the association in an insured banking institution in the name of the association.

The treasurer shall keep a true account of all receipts and disbursements and shall render a statement of the financial condition of the association at each annual meeting or when otherwise requested to do so by the president.

The officers shall return all records and property belonging Section 7. to the association within 10 days after their term has expired, or their

office is otherwise vacated.

ARTICLE VIII -- Bonding

The secretary-treasurer, president, tournament director and all officers handling money shall be automatically bonded up to \$5,000.00 provided by the American Junior Bowling Congress.

ARTICLE IX - Meetings

The Board of Directors shall hold its annual meeting at a time to be determined by the association. In addition, the Board of Directors shall meet at least one other time during the season starting in September and ending in May. Special meetings may be called by the president but must be called on the written request by any member organization participating in the association.

ARTICLE X --- Quorum

Where there are less than 20 adult members on the Board of Directors, 50% of the adult members will constitute a Quorum.

Where there are 20 or more adult members constituting the Board, no more than $\frac{1}{3}$ of the adult members shall be required.

ARTICLE XI --- Amendments

This Constitution may be amended only by the National Board of Directors of the American Junior Bowling Congress.

ARTICLE XII --- Bylaws

The bylaws of a local junior association may be amended as long as the change is not inconsistent with the AJBC program at any meeting of the Board of Directors by a two-thirds affirmative vote of those present, provided there is a quorum and the amendment has been submitted in writing to the secretary-treasurer at least 30 days prior to that meeting. A copy of the bylaws and any changes shall be filed with AJBC. The voting members shall be sent such suggested changes at least 10 days prior to the meeting.

ARTICLE XIII - Order of Business

1. Roll call

2. Reading of minutes of

previous meeting Report on communications

Reports of officers Reports of committees 6. Reports of Junior Association Advisory Board

7. Unfinished business

8. New business

Election of officers

10. Adjournment

Robert's Rules of Order shall govern the proceedings of all meetings of the association when not inconsistent with the provisions of this Constitution.

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AMERICAR JUNIOR BOWLING CONGRESS

HEADQUARTERS
1572 EAST CAPITOL DRIVE
MILWAUKEE, WISCONSIN 53211

In the Commonwealth Court of Pennsylvania

No. 5 C.D. 1974

LOYAL ORDER OF MOOSE, LODGE NO. 145,

Appellant

VS.

COMMONWEALTH OF PENNSYLVANIA, PENNSYLVANIA HUMAN RELATIONS COMMISSION,

Appellee

RECORD

Appeal From the Final Order of the Pennsylvania Human Relations Commission at Docket No. P-860.

> ELMER E. HARTER, Attorney for Appellant

105 North Front Street Harrisburg, Pa. 17120 717—238-9555

Muzrolle Printing Co., Lew Printers, Box 100, Sayre, Pa. 18840

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Final Order

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AMERICAN JUNIOR BOWLING CONGRESS		
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AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
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(Date)

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Membership Card will be sent to your league coach.

Boy ☐ or Girl ☐ Indicate By (X)	INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
Boy or Girl M Indicate By (X)	$\sim 1 - 1$
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AMERICAN JUNIOR BOWLING CONGRESS	S INDIVIDUAL MEMBERSHIP APPLICATION
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Boy or Girl indicate By (X) Leven Coop Fanny PRINT (Last Name) (First Name)	Date 9-18-7/ (Phone No.) Age 17
Boy or Girl indicate By (X) Leven Coop Fanny PRINT (Last Name) (First Name)	Date 9-18-7/ (Phone No.) Date of Birth 10 19 () (Month) (Day)
Boy X or Girl indicate By (X) Leuch K-Och Frank. PRINT (Last Name) (First Name) (Mailing Address)	Date 9-18-7/ (Phone No.) Date of Birth 10 19 () (Month) (Day)
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Boy X or Girl indicate By (X) PRINT (Last Name) (First Name) (Mailing Address) (Print City) (Name of League)	Date 9-12-7/ 1/01-10-3 Age 19 (Phone No.) Date of Birth
Boy or Girl indicate By (X) Leven 1000 Fann 1 PRINT (Last Name) (First Name) (Mailing Address) Coga S-1171011	Date 9-18-7/ 1/01-10-20-20-20-20-20-20-20-20-20-20-20-20-20
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AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
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(Name of League)

(Name of Establishment)

TO BE RETAINED BY THE COACH

Complainants' Exhibit No. 4	239a
AMERICAN JUNIOR BOWLING CONGRESS INDIVIDUAL MEMBERSHIP APPLICA	77-1
Boy M or Girl ☐ Indicate By (X) Date 3-19-7	0
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Williams for Penna (Day)	701
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AMERICAN JUNIOR BOWLING CONGRESS INDIVIDUAL MEMBERSHIP APPLIC	ATION .
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Complainants' Exhibit	No. 4 240a
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AMERICAN JUNIOR BOWLING CONGRES	CC INDIVIDUAL ASPROPRIORIES
	Date /0 /// '//
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77/2 // (riski Name)	(Phone No.)
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Bantan	MOOSE Click
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AMERICAN JUNIOR BOWLING CONGRES:	S INDIVIDUAL MEMBERSHIP APPLICATION
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Acoustrana 6:11	722 4570
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Era 2 11 1 -+	Date of Birth Manager
(Mailing Address)	(Month) (Day)
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7/100 10 12 To 10/	(State) (Zip Code)
(Name of League)	(Name of Establishment)
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paid my current season's membership	due Almanda III.
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(Name of League)	(Name of Establishment)
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AMERICAN JUNIOR BOWLING CONGR	RESS INDIVIDUAL MEMBERSHIP APPLICATION
Boy Ø or Girl ☐ Indicate By (X)	Date 1/30/1/2
PRINT (Last Name) (First Name	1 326-2756 Apr 7
PRINT (Last Name) (First Name) (Phone No.)
1122 Washington 61	Date of Birth July 15 1967
. (Mailing Address)	, (Month) (Day)
WilLennisport	ISMUH 19901
(Print City)	(State) (Zip Code)
Moore Bustons	L ALUS Morre Chil
(Name of League)	' (Name of Establishment)
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(Name of Establishment) (Name of League)

TO BE RETAINED BY THE COACH

AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
Boy [X] or Girl ☐ Indicate By (X)	Date]-29-72
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PRINT (Last Name) (First Name)	(Phone No.)
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(Mailing Address)	Date of Birth March (Day)
Villiamspect	
(Print City)	(State) (Zin Code)
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paid my current season's membership	dues through the following league
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TO BE RETAI	NED BY THE COACH
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DOWN INC CONCERS	INDIVIDUAL MEMBERSHIP APPLICATION
	Date 12-12-11
Boy [] or Girl ☆ Indicate By (X)	0800
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	Date of Birth (Month) (Day)
	(Month) (Day)
So Williams It	/////
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AMERICAN JUNIOR BOWLING CONGRESS	S INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
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Boy ☐ or Girl 爲 Indicate By (X)	MODITIONAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRI	ESS INDIVIDUAL MEMBERSHIP APPLICATION
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AMERICAN JUNIOR BOWLING CONGRE	SS INDIVIDUAL MEMBERSHIP APPLICATION
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(Print City)	(State) (Zip Code
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TO BE RET	FAINED BY THE COACH
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James John	- A
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	Date of Birth
(Mailing Address)	(Month) (Day)
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(Name of League)	(Name of Establishment)
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(Name of League)	(Name of Establishment)
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(Last Name)

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(Print City)

(Name of League) (Name of Establishment)

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paid my current season's membership dues through the following league

(Name of League) (Name of Establishment)

	INDIVIDUAL MEMBERSHIP APPLICATION
Boy ☐ or Girl ☑ Indicate By (X)	Date CF111/15
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PRINT (Last Name) (First Name)	(Phone No.)
46 5150 3 EGGT 3rd St.	Date of Birth Sept 27 19 60
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Williams port	Penn. 17701
(Print City)	(State) (Zip Code
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TO BE RETA	INED BY THE COACH
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AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
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Boy ☐ or Girl ➢ Indicate By (X)	Date S C V 1. 19.191
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DUPLICATE

AMERICAN JUNIOR BOWLING CONGRESS - League Sanction Application .

EAGUE COACH: Submit ORIGINAL and DUPLICATE copies of this application to start of League Schedule (see instructions Page 3).		
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(Type or Print NAME and ADDRESS Plainty)		
Be sure to furnish your ZIP CODE NUMBER in address above	Coach's Phone Nu	mbers { Business } } / ? \$ / ? \$ /
RECOMMENDATION (OF LOCAL AJBC ASSOCIATION	
The above application for a League Sanction was received	(Date)	
Recommend League credentials be issued.		
and form		LOCAL AJBC BOWLING ASSOCIATION
(Signature of Association Secretory)	(Mailing Addre	of Association Secretary)
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ASCOCIATION SECRETARY: Forward original copy of this ap	oplication and AJBC's Dues to:	
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Complainants' Exhib	it No. 6	267a
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PRINT (Last Name) (First Name)) 3265(04 Age_	11 .
50 Final Williams	(Phone No.)	
(Mailing Address)	Date of Birth Nich	190
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Mones (130 to	(State)	(Zip Code)
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(Name of League)	(Name of Establish	ant)
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AMERICAN JUNIOR BOWLING CONGI	RESS INDIVIDUAL MEMBERSHIP	APPLICATION
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(Print City)"	(State)	(Zip Code)
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I paid my current season's members		
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- Williams port	- <u>Pa</u> .	"/ファク/
(Print City)	(State)	(Zip Code)
(Name of League)		ment)
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I paid my current season's members	ship dues through the following les	igue /]
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(Name of League)	(Name of Establish	iment)
Litho in U.S.A. TO BE SENT TO	THE LOCAL AJEC ASSOCIATION	AI-LA

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	Complainants' Exhibit No. 6	· · · · · · · · · · · · · · · · · · ·
. •	EXHIBIT NO. 6	268a
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	Date 1/1	<u> </u>
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	(Mailing Address) (Month) (Day)	19
		ファハ) Zip Code)
	(Name of League)	.,
	My current season's memberation	t)
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	I paid my current season's membership dues through the following league	W
1	(Name of Langue) LOOM 145 Mora	
I.	(Name of Establishment TO BE SENT TO THE LOCAL AJBC ASSOCIATION)
,	ION	AJ-14
1	AMERICAN JUNIOR BOWLING CONGRESS INDIVIDUAL MEMBERSHIP APPLIC	ATION
.	Boy ☐ or Girl X Indicate By (X) Date 1/5/	77
	PRINT (Last Name) (First Name) (Phone No.)	7
Į P		
-	(Mailing Address) 4 Th St Date of Birth Hyoust 53 (Month) (Day)	19
_	Williamsport Pa 1	7701.
	(Print City) (State) (Zi	p Code)
-	(Name of League) (Name of Establishment)	<u> </u>
	My current season's membership dues are being paid through above league	
1	I paid my current season's membership dues through the following league	<u> </u>
j	Moore Dantany Loom 145 Mars	
1-	(Name of League) (Name of Establishment)	
1.	TO BE SENT TO THE LOCAL AJBC ASSOCIATION	AJ-14
!	AMERICAN JUNIOR BOWLING CONCRESS INDUSTRIAL	
	Boy or Girl indicate By (X)	ATION
	Tallman Michael 2 min	12
PI	RINT (Last Name) (First Name) (Phone No.)	
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1	(Mailing Address) (Month) (Day)	/ / /
4	(Print City) (State)	101
)- <u> </u>	Marsin Bankami 10000 11000	Code)
	(Name of Establishment)	
¦	My current season's membership dues are being paid through above league.	
! 	I paid my current season's membership dues through the following league	<i>C</i> -
¦	(Name of league) LOOM \$45' Morre	_ ·
₩	(Name of Establishment) TO BE SENT TO THE LOCAL AJBC ASSOCIATION	
	ASSOCIATION A	J-14

7	Complainants' Exhibit No. 6 269a
į	AMERICAN JUNIOR BOWLING CONGRESS INDIVIDUAL MEMBERSHIP APPLICATION
1	Boy \square or Girl \bowtie Indicate By (X) Date $9/9/72$
i	PRINT (Last Name) (First Name) (Phone No.) Age 18
1	2007 Misher Road Data of Pith 2 12 24
1	2007 Misher Road Date of Birth 2 12 1954 (Month) (Day)
1	William S Port Pa . 1770/ (Print City) (State) (Zip Code)
1	Monse Aunicia (State) (Zip Code)
	Moose Junior L. U.O.M. 145 Missis (Name of League) (Name of Establishment)
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1	I paid my current season's membership dues through the following league
1	(Name of League) Name of Establishment
1	TO BE SENT TO THE LOCAL AIRC ASSOCIATION
1	AJ-14
•	AMERICAN JUNIOR BOWLING CONGRESS INDIVIDUAL MEMBERSHIP APPLICATION
þ	Boy ☐ or Girl ☐ Indicate By (X) Date 9/9/1/3
	7
٠	PRINT (Last Name) (First Name) (Phone No.)
1	(Malling Address) Date of Birth March (195)
	(a) (d) (1/1)
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•	(Name of Establishment)
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3	I paid my current season's membership dues through the following league
	Mossesseniers hoom 145 mores
:	(Name of League) (Name of Establishment) TO BE SENT TO THE LOCAL AJBC ASSOCIATION
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	AMERICAN JUNIOR BOWLING CONGRESS INDIVIDUAL MEMBERSHIP APPLICATION
٠.	Boy or Girl Indicate By (X) Date Sept. 9 1878
	Reidy Kichard 327.5426 Am 10
•	PRINT (Last Name) (First Name) (Phone No.)
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,	(Print City) (State) (Zip Code)
•	(Name of League)
	(Name of Establishment)
÷	My current season's membership dues are being paid through above league
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Complainants' Exhibit	No. 6 270a
AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
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O 0 1200	Date 4 7 7 X
PRINT (Last Name) (First Name)	33(0-2140 Age 17
	(Phone No.)
29 RANDALLOPPCLE. (Mailing Address)	Date of Birth 8 9 1955
Will AMS DORY	(Month) a (Day)
(Print City)	PENNSYLVANIA 17701
MOOSE SERIOR	[State] (Zip Code)
(Name of League)	(Name of Establishment)
My current season's membership dues	
paid my current season's membership	dues through the following league
(Name of League)	LOCK 185 mouse
	(Name of Establishment)
	E LOCAL AJBC ASSOCIATION AJ-14
AMERICAN JUNIOR BOWLING CONGRES	SS INDIVIDUAL MEMBERSHIP APPLICATION
Boy ⊠ or Girl ☐ Indicate By (X)	Date 9 16 75
Edwards Mi has	Nano . II
PRINT (Last Name) (First Name)	Phone No.)
:Box 113	Date of Birth 2 19.5/
(Mailing Address)	(Month) (Day)
Jersey Japan	- <u>Pu</u>
no (Frint City)	(State) (Zip Code
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•	(Name of Establishment)
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(Name of League)	(Name of Establishment)
TO BE SENT TO T	HE LOCAL AIRC ASSOCIATION
The state of the s	AJ-14
AMERICAN JUNIOR BOWLING CONCRESS	Minimum
Boy ☐ or Girl ☒ Indicate By (X)	INDIVIDUAL MEMBERSHIP APPLICATION
indicate by (x)	Date 9/9/2.
PRINT (Last Name) (First Name)	- 333-4/89 Age /7
(First Name)	(Phone No.)
(Mailing Address)	ate of Birth May 22 19 55
(A) // 10 mg Drunt	(Month) (Day)
(Print City)	(State) (Zip Code)
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(Name of League)	(Name of Establish and
My current season's membership dues a	re being paid through above to a TO
I paid my current season's membership o	lues through the following league
1 loose Den (s y)	LOOM 145 mass
(Name of League)	(Name of Establishment)
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Boy ☑ or Girl ☐ Indicate By (X)	Date
- Adon 3 Koran	201.412.0
PRINT (Last Name) (First Name)	(Phone No.)
(Mailing Address)	Date of Birth19
. / \ 1 \ 1 \ 1 \ 1	(Month) (Day)
Williamsport	- renna: 1750! 5
(Print City)	(State) (Zip Code)
-11/Dose / Walanie	LOOM 145 Moase
(Name of League)	(Name of Establishment)
My current season's membership dues	are being paid through above league
I paid my current season's membership	
1 n/la (//)	7
- 11 Cose Jantam	LOOM 145 Moose
(Name of League)	(Name of Establishment)
TO BE SENT TO THE	HE LOCAL AJEC ASSOCIATION AJ-14
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AMERICAN LUNIOR POWLING CONORES	
	S INDIVIDUAL MEMBERSHIP APPLICATION
Boy ☐ or Girl ⊠ Indicate By (X)	Date 역/역/기2
D. C.	
PRINT (Last Name) (First Name)	(Phone No.)
	•
102 Cottage flue	Date of Birth 12 26 1955
(Mailing Address)	(Month) (Day)
williamsport	_ <u> </u>
(Print City)	(State) (Zip Code)
Moose Someon	1.0.0.m 145 Maso
(Name of League)	(Name of Establishment)
My current season's membership dues	
I paid my current season's membership	p dues through the following league
1 : W/1 × · · ·	1 11/1/200
(Name of League)	(Name of Establishment)
	HE LOCAL AJBC ASSOCIATION
	TE LOCAL ADDC ASSOCIATION AI-14
AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
Boy ☐ or Girl ☐ Indicate By (X)	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	Date (1. (T.)
- Sover Stun	
PRINT (Last Name) (First Name)	(Phone No.)
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(Mailing Address)	Date of Birth (Month) (Day)
- William sport	(Month) (Day)
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(Name of League)	1.4.6.21.143 2716-26
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(Mailing Address) (Name of League) My current season's membership dues are being paid through above league

Complainants Exhibit No.	6
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AMERICAN JUNIOR BOWLING CONGRESS INDIVI	DUAL MEMBEDSHIP ADDISON
Boy ☐ or Girl ☑ Indicate By (X)	
	Date <u>SepT 9, 197</u>
PRINT (Last Name) (First Name)	323-1286 Age /3
7604 Mine)	(Phone No.)
Mailing Address) (Mailing Address) Date of E	Birth <u>Sune 17</u> 1959
William Space	(Month) (Day)
William Sport Pa	ENNSYLVENIA 17701
Moose Turings	ENNS OGNIA 1770/ (State) (Zip Code)
Moose Juniors LOC (Name of League)	141 149 1116KAO
	(Name of Establishment)
My current season's membership dues are being	paid through above league
I paid my current season's membership dues thr	ough the following league
- 1100se nones	OM:145 may
(Hamo oz League)	(Name of Establishment)
TO BE SENT TO THE LOCAL	AJBC ASSOCIATION
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AMERICAN JUNIOR BOWLING CONGRESS INDIVID	ILIAL REPREDENCE
Boy [] or Girl [] Indicate By (X)	_
	Date 4/9/73
PRINT (Last Name) (First Name)	/ /
(Last Name) (First Name)	<i>D O 10 ±</i> ² Age _ / 5
(Mailing Address)	irth 1/10/07
(Mailing Address)	(Month) (Day)
(Print City)	\mathcal{Q}_{α}
(Print City)	(State) /7>)& (Zip Code)
(Name of League)	M.145 Morse.
· }	(Name of Establishment)
My current season's membership dues are being	paid through above league
I paid my current season's membership dues thro	ugh the following law (5)
(Name of League)	1145 marse
TO BE SENT TO THE LOCAL	(Name of Establishment)
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AMERICAN JUNIOR BOWLING CONGRESS INDIVIDU	AL SEERS PERCUPATION
Boy ☐ or Girl ☑ Indicate By (X)	11/11/11/11
Third care by (x)	Date
Summers Brenda	A = 0 = 3
PRINT (Last Name) (First Name) (Pt	none No.)
1016 Deademy St Date of Birt	n July 4
(Mailing Address)	(Month) (Day)
williams sort 100	12 128/1/19.0 252 mg
(Print City)	(State) (Zip Code)
Moose renuing loom	1115 10200
(Name of League)	(Name of Establishment)
My current season's membership dues are being pa	aid through above league
paid my current season's membership dues through	
Mose warers Loca	44
(Name of League)	(Name of Establishment)
Litho in U.S.A. TO BE SENT TO THE LOCAL A	

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(Mailing Address)

(Month) (Day)

(Print City)

(Name of League)

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I paid my current season's membership dues are being paid through above league

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(Name of League)

(Name of Establishment)

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AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
Boy ② or Girl ☐ Indicate By (X)	Date <u>7.23.72</u>
- Patt 6/11/00 M	323-5932Age 14 3
PRINT (Last Name) (First Name)	(Phone No.)
1025 Baldwin St D	ate of Birth
/ (Mailing Address)	(Month) (Day)
William sport	Penna 17701
(Print City)	(State) 1770 (Zip Code)
- 11 Joan Juniars	60M 195 Moore
(Name of League)	(Name of Establishment)
My current season's membership dues a	re being paid through above league
I paid my current season's membership of	lues through the following league
Moore General	LOOM 145 Monno
(Name of League)	(Name of Establishment)
TO BE SENT TO THE	LOCAL AJBC ASSOCIATION AJ-14
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AMERICAN HINIOR ROWLING CONCERNS	
AMERICAN JUNIOR BOWLING CONGRESS	
Boy ⊠ or Girl ☐ Indicate By (X)	Date 9/9/22
- Pepperman Dean	732-1013
PRINT (Last Name) (First Name)	
(Mailing Address)	Pate of Birth Jic// Z 19.52 (Month) (Day)
- LINDEN	5. DA 122/1/2
(Print City)	(State) (Zip Code)
MOUSE JUNIOR	- 4005 e 145
(Name of League)	(Name of Establishment)
My current season's membership dues a	re being paid through above league
I paid my current season's membership o	dues through the following league
Mosse union	LOOM 145 Masse
(Name of League)	(Name of Establishment)
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	And the second s
AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
Boy ☐ or Girl ☑ Indicate By (X)	
	Date Oil 37/71
	10 3269888 Age 10
PRINT (Last Name) (First Name)	(Phone No.)
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(Mailing Address)	Date of Birth 19.55
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(Print City)	(State) (Zip Code)
- 11 tool siniony	600M 145. MARO
(Name of League)	(Name of Establishment)
My current season's membership dues	are being paid through above league [7]
I paid my current season's membership	dues through the following league
- 1 Jose Himory	LOOM 145 20000
(Name of League)	(Name of Establishment)
bitho In U.S.A. TO BE SENT TO TH	E LOCAL AJEC ASSOCIATION AJ-14
The state of the s	11 16.

(Name of League)

Litho in U.S.A.

TO BE SENT TO THE LOCAL

complainants. Exhibit	No. 6 277a
AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
Boy A or Girl ☐ Indicate By (X)	Date 9-9-17-
PRINT (Last Name) (First Name)	(Phone No.)
26 25 G-R19 M1> 5'7.	Posts of Pieth C 257 15 72
t . / * /	(Month) (Day)
(Print City)	(State) (77°) (Zip Code)
Moose Triniers	145 Micosis CLUB
(Namé of League)	(Name of Establishment)
My current season's membership dues	are being paid through above league 📝
I paid my current season's membershi	- GE_
(Name, or League)	1110051 6 2 6 145
	(Name of Establishment) HE LOCAL AJBC ASSOCIATION AJ-14
•	SS INDIVIDUAL MEMBERSHIP APPLICATION
Boy ☐ or Girl ☑ Indicate By (X)	Date 9-9-73
PRINT (Last Name) (First Name)	(Phone No.)
	*Date of Birth 195/2
(Mailing Address)	(Month) (Day)
(Print City)	(State) (Zip Code)
Maose Juniora	1.00 M 145 Marse
(Name of League)	(Name of Establishment)
My current season's membership dues	s are being paid through above league
paid my current season's membershi	ip dues through the following league
(Name of Veague)	- LOOM 145 Moose
(/	(Name of Establishment) THE LOCAL AJBC ASSOCIATION AJ-14
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AMERICAN JUNIOR BOWLING CONGRE	SS INDIVIDUAL MEMBERSHIP APPLICATION
Boy ☆ or Girl ☐ Indicate By (X)	Date 9/
FARD KAYMON	(Phone No.)
PRINT (Last Name) (First Name) (Mailing Address)	(Phone No.)
(Mailing Address)	Date of Birth ///// 19
(Print City)	<u> </u>
1 4 4	(State) (Zip Code)
MOOSE JUNITORS (Name of League)	(Name of Establishment)
My current season's membership due	es are being paid through above league
I paid my current season's membersh	nip dues through the following league
(Name of League)	LOOM 145 Mouse
, ,	(Name of Establishment)

AMERICAN JUNIOR BOWLING CONGRESS INDIVIDUAL MEMBERSHIP APPLICATION

Boy or Girl Indicate By (X)

Date 9/16/72

INT (Last Name) (First Name) (Phone No.)

(Mailing Address)

(Month) (Day)

(Print City)

(State)

(Name of League)

(Name of Ectablish

My current season's membership dues are being paid through above league

I paid my current season's membership dues through the following league

(Name of League)

(Name of Establishment)

Litho in U.S.A.

TO BE SENT TO THE LOCAL AJBC ASSOCIATION

AJ-14

AMERICAN JUNIOR BOWLING CONGRESS IN	IDIVIDITAL MEMBERS PROLUM
Boy ☐ or Girl ☒ Indicate By (X)	Date 7/9/73
Charles Bett	
PRINT (Last Name) (First Name)	336-437 Age 14
	(Phone No.)
(Mailing Address)	of Birth 9 22 10 71
	(Month) (Day)
williamsport	Ta.
(Print City)	(State) (Zin Code)
Moose Juniers 1	AAM II/C Dear (Zip code)
(Name of League)	(Name of Establishment)
My current season's membership dues are i	being paid through above league (7)
I paid my current season's membership due	s through the following to
Mrasa Maria	
(Name of League)	CON 145 MOODO
	(Name of Establishment)
TO DE SENT TO THE LO	DCAL AJBC ASSOCIATION AJ-14
AMERICAN JUNIOR BOWLING CONGRES	S INDIVIDUAL MEMBERSHIP APPLICATION
Boy ☐ or Girl ☑ Indicate By (X)	MEWIBERSHIP APPLICATION
12 //	Date //
PRINT Brighto	312 6200
PRINT (Last Name) (First Name)	(Phone No.) Age /3
10/1/2/10/57	Day on F / 100 -0
(Mailing Address)	Date of Birth 1957
J- William - mail	(Month) (Day)
(Print City)	(State) (Zip Code)
Masse Minian	LCOM: 145 Mesico
(Name of League)	
My current season's membership	(Name of Establishment)
My current season's membership dues	are being paid through above league
paid my current season's membership	dues through the following loans:
Morra Sunda	and the londwing league
(Name of League)	200N 145 Marge
	(Name of Establishment)
, The continues of the	E LOCAL AJBC ASSOCIATION AJ-14
AMERICAN JUNIOR BOWLING CONGRESS	INDIVIDUAL MEMBERSHIP APPLICATION
Boy, ☐ or Girl ☑ Indicate By (X)	Date 9/9/72
PRINT (Last Name) (First Name)	306-0/76 Age 16 (Phone No.)
(Mailing Address)	ate of Birth O 1956
1 .	(Wonth) (Day)
S. W. // Jinspart (Print City)	
	(State) (Zip Code)
Moose Senior (Name of League)	(Name of Establishment)
(Name of League)	(Name of Establishment)
My current season's membership dues ar	re being paid through above league
I paid my current season's membership d	lues through the following league 177
$A = A \cdot A$	7 consulation to to to to to to to to to to to to to
(Name of Langue)	00 M 143 11/0000
(Name of League)	(Name of Establishment)
Lithe in U.S.A. TO BE SENT TO THE	LOCAL AJBC ASSOCIATION AJ-14

Tonight Through 1 1 Complainants' Exhibit No. 7

280a

Williamsport Sun-Gazette, Thursday, July 6, 1972

Wmspt. Moose

FRIDAY

SOCIAL NIGHT

8 P.M. Second Floor

JOHNNY COLLINS

And The Caravans

SUNDAY SAMMY RAY

and The Crescendos 9:30-12:30

Open Bowling

Wed. Thurs.-Fri.

6-10 p.m. — 3 Games \$1.00



Owned an

Williamsport Sun-Gazette, Thursday, July 13, 1972



CHICKEN

All the golden fried chicken you can ear! Served with tossed garden salad, choice of dressing, French fried potatoes, hot roll and butter.

\$ 1 59

AZA... ON THE GOLDEN STRIP

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a marvelous buffet ful fashion show tearns) all at the same time. The he time is every 30.

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Wmspt. Moose

FRIDAY
SOCIAL NIGHT

8 P.M. Second Floor
JOHNNY COLLINS

And The Caravans

SAMMY RAY

and The Crescendos 9:30-12:30

OPEN BOWLING WED. THURS.-FRI.

6-10 p.m.-3 Games \$1.00





Williamsport Sun-Gazette, Thursday, July 27, 1972

Wmspt. Moose

FRIDAY

SOCIAL NIGHT 8 P.M. Second Floor

JOHNNY COLLINS

And The Caravans

SAMMY RAY

and The Crescendos 9:30-12:30

OPEN BOWLING WED. THURS.-FRI.

6-10 p.m.-3 Games \$1.00





Now you can enjoy lunch and a beauti (fashions by L. L. S same place, at the place is here, and t Friday, noon till 2:

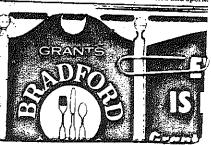
The New Three Fathon

Come to our he STEP Route 15 Sou

323-9801 for r We honor all maj



Owned and oners



Williamsport Sun-Gazette, Thursday, August 24, 1972



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Phone 322-9168

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Wmspt. Moose

SOCIAL NIGHT

8 P.M. Second Floor

SUNDAY

SAMMY RAY

and The Crescendos

OPEN BOWLING

TUES.-THURS.-FRI.

6-10 p.m. — 3 Games \$1.00



NOW THRU TUESDAY Shows 7 & 9 P.M.



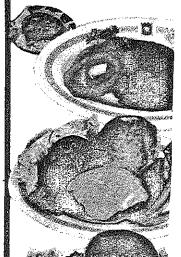
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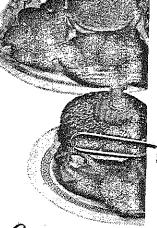
NOW THRU TUESDAY Shows at 7:00 & 9:00 P.M.

BLUE

X ADULTS ONLY

BULL





Williamsport Sun-Gazette, Thursday, May 3, 1973

WILLIAMSPORT MOOSE - 145

Friday SOCIAL NIGHT

8:00 p.m. — Second Floor

JOHNNY COLLINS AND THE CARAVANS

Saturday

QUATROS
with Mary DiMarco, Vocalist, 10-1

Sunday Night

SAMMY RAY AND THE CRESCENDOS

10 - 1

LODGE MEETING

OPEN BOWLING SATURDAY

1 to 6 and 9 p.m. 'fil ?

STILL ONLY 45c a game

LEVIUM

You have tried our steaks now we invite you to try our

SMORGASBORD

EVERY FRIDAY

FEATURING ROAST BEEF, BAKED HAM, RIBS & CHICKEN IN SWEET & SOUR SAUCE, COLD SHRIMP,

PLUS MANY OTHER GOODIES

Serving 5 p.m. to 9:30 p.m.

Fri. Nite 10:30 p.m. to 1:30 a.m.
"THE PLAGUE"

Sat. Nite 10 p.m. to 1:00 a.m.
"THE CHAIN REACTION"
Featuring Jack & Tony DiMarco

Sun. Nite 9 to 12
"THE HICKORY"

MONTGOMERY LEGION

MEMBERS & GUESTS

FIREMEN'S CARNIVAL

at at the uns were ngineers satisfied

Williamsport Sun-Gazette, Thursday, May 10, 1973

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WILLIAMSPORT MOOSE – 145

Friday
SOCIAL NIGHT
8:00 p.m. — Second Floor

JOHNNY COLLINS AND THE CARAVANS

> Saturday QUATROS

with Mary DiMarco, Vocalist, 10-1

Sunday Night

SAMMY RAY AND THE CRESCENDOS

LODGE MEETING

1st & 3rd Wednesday of the Month ,

OPEN BOWLING EVERY EVENING MONDAY THRU FRIDAY

LEVIUN

You have tried our steaks now we invite you to try our

SMORGASBORD

EVERY FRIDAY

FEATURING ROAST BEEF, BAKED HAM, RIBS & CHICKEN IN SWEET & SOUR SAUCE, COLD SHRIMP, PLUS MANY OTHER GOODIES

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"THE PLAGUE"

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Featuring Jack & Tony DiMarco

Sun. Nite 9 to 12 "THE NICKORY"

MONTGOMERY LEGION MEMBERS & GUESTS

Treat Mother to a Delicious Meal at Ferrari's Inn 15

4 miles south of Williamsport

Large N.Y. Strip Steak Large & Small Delmonico Steak Homemode LaSagna, Ravioli, Italian Spaghetti & Meat Balls Reservations will be accepted, Phone 1-547-2581



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DUBOISTOWN HOSE CO. A.

Williamsport Sun-Gazette, Thursday, May 17, 1973

WILLIAMSPORT MOOSE - 145

Friday SOCIAL NIGHT

8:00 p.m. — Second Floor

JOHNNY COLLINS AND THE CARAVANS

Saturday QUATROS

with Mary DiMarco, Vocalist, 10-1

Sunday Night

SAMMY RAY AND THE CRESCENDOS

10 - 1

LODGE MEETING

1st & 3rd Wednesday of the Month

OPEN BOWLING EVERY EVENING MONDAY THRU FRIDAY

FEATURE TIME 7:27 -- 9:27





ts a ROBERT M. WEITMAN I Production

IEATRE

MUNCY

ICKEN BAR-B-Q 19, 4 TO 8 P.M.

unship Lions Club

TURKEY Supper

Saturday, May 19 5 p.m. to 7 p.m.

Served Family Style
Adults \$2.50 Children 1.50
Tax Included

Nisbet Fire Hall

Something New At The MONTGOMERY LEGION

You have tried our steaks now we invite you to try our

SMORGASBORD

EVERY FRIDAY

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BAKED HAM, RIBS & CHICKEN
IN SWEET & SOUR SAUCE,
COLD SHRIMP,

PLUS MANY OTHER GOODIES

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Fri. Nite 10:30 p.m; to 1:30 a.m.
"THE PLAGUE"

Sat. Nite 10 p.m. to 1:00 a.m.
"THE CHAIN REACTION"
Featuring Jack & Tony DiMarco

Sun. Nite 9 to 12 "THE HICKORY"

Complainants' Exhibit No. 7

Williamsport Sun-Gazette, Thursday, May 24, 1973

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Friday, noon till 2:30. The New Three Fathoms re

Route 15 South, 323-9801 for res

We honor all major



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WILLIAMSPORT **MOOSE - 145**

FridaySOCIAL NIGHT 8:00 p.m. - Second Floor

JOHNNY COLLINS AND THE CARAVANS

> Saturday**QUATROS**

with Mary DiMarco, Vocalist, 10-1

Sunday Night SAMMY RAY AND THE

CRESCENDOS

LODGE MEETING

1st & 3rd Wednesday of the Month

OPEN BOWLING EVERY EVENING MONDAY THRU FRIDAY

Williamsport Sun-Gazette, Thursday, June 1, 1972

970

VIGHT SAT. NIGHT P.M.

ND GUESTS

Girl

ASPORT *

AFT. & NITE OPEN 3 & 7 SHOWS 4 & 8

ARK GOLF

SOCIAL NIGHT LADIES

8:00 P.M. Second Floor

SATURDAY NIGHT

THE VARITONES 10-1 AND FRIDAY

JOHNNY COLLINS

THE CARAVANS 10-1

SUNDAY NIGHT

SAMMY RAY THE CRESCENDOS

9:30-12:30

OUR SPECIALTY

No Better Dining Anywhere

The place to go for relaxing atmosphere, excellent steaks & seafood. Lunches served daily.

Kitchen Open 6 Full Days 11 a.m.-11 p.m.—Phone 322-9168

Complainants' Exhibit No. 8

289a

DRIVE-IN THEATRE

G.

Williamsport Sun-Gazette, Thursday, September 7, 1972



AND

LADIES

SOCIAL NIGHT

8:00 P.M. Second Floor

SATURDAY NIGHT MIKE ALLEGRUCCI AND HIS QUARTET

10-1

FRIDAY THEIR

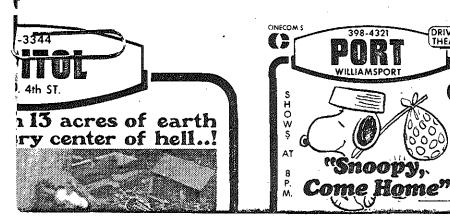
JOHNNY COLLINS AND THE CARAVANS

SUNDAY NIGHT

SAMMY RAY THE CRESCENDOS

9:30-12:30

LODGE MEETING 1st AND 3rd WEDNESDAY OF THE MONTH OPEN BOWLING SAT. 2-6 P.M. and 9-11



Complainants' Exhibit No. 8

290a

Williamsport Sun-Gazette, Thursday, October 5, 1972

THE MOOSE

FRIDAY
SOCIAL NIGHT

MEMBERS AND THEIR LADIES

FRIDAY
JOHNNY COLLINS
AND THE CARAVANS

8 P.M. Second Floor

SATURDAY NIGHT
THE VARITONES

10-1

SUNDAY NIGHT
SAMMY RAY

9:30-12:30

OPEN BOWLING MON. & SAT. AT 9 P.M.

WILLIAMSPORT FIRE FIGHTERS

LILL.

Complainants' Exhibit No. 8

291a

Williamsport Sun-Gazette, Thursday, November 9, 1972

AND THEIR

SOCIAL NIGHT

8:00 P.M. Second Floor

SATURDAY NIGHT THE VARITONES

"THE CRITICS

SUNDAY NIGHT

SAMMY RAY

open bowling sat. & mon. 9 p.m. — sat. Afternoon 2 to 6 *************

-Friday and Saturday E

Steamed Clams

• only **\$1.00** Doz.

(we promise to have plenty this time)

Jumbo Shrimp Cocktail . . . \$1.60

Clams Casino (Doz.) . \$1.50

Tasty Meaty Crab Claws . (1/2 doz.) \$1.75

Open Daily y A.M. to YP.M.

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Complainants' Exhibit No. 8

292a

Williamsport Sun-Gazette, Thursday, December 14, 1972



FRĮDAY

REMBER CAND.

RS FRIC

FRIDAY

SOCIAL NIGHT

AND THEIR LADIES

VARITONES

8:00 P.M. Second Floor

SATURDAY NIGHT

SUNDAY NIGHT

VARITONES

SAMMY RAY
THE CRESCENDOS

10-1

9:30-12:30

LODGE MEETING 1st AND 3rd WEDNESDAY OF THE MONTH
OPEN BOWLING SAT. & MON. 9 P.M. — SAT. AFTERNOON 2 to 6

The best-dressed

Complainants' Exhibit No. 8

293a

Williamsport Sun-Gazette, Thursday, December 28, 1972



MEMBERS AND THEIR LADIES

FRIDAY

SOCIAL NIGHT

8:00 P.M. Second Floor

VARITONES

SATURDAY NIGHT

VARITONES

NEW YEAR'S EVE SAMMY RAY and the **CRESCENDOS**

LODGE MEETING 1st AND 3rd WEDNESDAY OF THE MONTH OPEN BOWLING SAT. & MON. 9 P.M. — 5AT. AFTERNOON 2 to 6

HUMAN RELATIONS COMMISSION

Donald L. Hamilton and Sherry Hamilton, in behalf of their minor children, Lynn and Sharon,

Complainants

vs.

Loyal Order of Moose, Lodge No. 145,

Respondent

Docket No. P860

1

Stenographic report of hearing held at 245 West Fourth Street Williamsport, Pennsylvania

Tuesday, July 24, 1973 at 11:00 o'clock a.m.

BEFORE: COMMISSIONER EVERETT SMITH

COMMISSIONER ALVIN ECHOLS, ESQ. COMMISSIONER ELIZABETH SCOTT

APPEARANCES:

ELMER HARTER, ESQ. 105 North Front Street, P.O. Box 1143 Harrisburg, Pennsylvania 17108 For Respondent

ROY YAFFEE, ESQ. 711 State Office Building Philadelphia, Pennsylvania For Human Relations Commission COMMISSIONER SMITH: All right, let us proceed. Are the Attorneys ready to proceed? All right. This is a continuance of a Public Hearing on Docket P860 continued from the Hearing on July 3. Has the Attorney for the complainant completed his presentations or do you have other items you want to present?

MR. YAFFEE: Mr. Chairman and Commissioners, at the conclusion of the last proceeding I stated that the complainant's case was closed. However, I neglected to place into evidence certain information concerning membership requirements in the Moose Lodge as transmitted by Mr. Harter to Field Representative William G. Jones by letter. Unfortunately, Mr. Jones is not here today, although I have subpeoned his presence. Mr. Jones contacted me last evening and explained to me that he had received a subpoena to testify as a witness for the prosecution in criminal proceedings in the Court of Common Pleas in Philadelphia County. He is presently appearing in Room 480 in City Hall, Philadelphia, before Judge Richette on another matter, the Commonwealth vs. Mitsos.

Therefore, since he was not excused from that proceeding, I was unable to have him appear here this morning. However, with Mr. Harter's permission, I would either like to enter his letter into the record, if I might, or just that portion that is relevant to these proceedings, or if he desires, perhaps read the appropriate paragraph into the record.

I have no objection, Mr. Chairman. MR. HARTER:

COMMISSIONER SMITH: To which alternative?

MR. HARTER: To Mr. Yaffee reading the appropriate provision into the record.

> COMMISSIONER SMITH: Thank you.

In response to a letter from Mr. Jones MR. YAFFEE: to Mr. Harter dated March 13, 1973, Mr. Harter responded to Mr. Jones by letter of April 17, 1973. In response to Mr. Jones' question concerning the specific requirements of qualifications to become a member of Loyal Order of Moose, Lodge No. 145, Williamsport, Pennsylvania, Mr. Harter responded as follows: "Section 71.1, Title Roman VII, Chapter71 of the general laws of the Supreme Lodge relating to membership requirements in Moose Lodges is binding upon Williamsport Lodge. Its pertinent language is quoted. 'Section 71.1. Qualifications The membership of lodges shall be composed of of member. male persons of the Caucasian or white race above the age of twenty-one years and not married to someone of any other than the Caucasian or white race who are not members of the Communist party and have never been convicted of a felony, who are of good moral character, physically and mentally normal, who shall profess to believe in a Supreme Being.'"

The provision goes on but the quote ends there and is relevant to that point. I thank Mr. Harter for his consideration in allowing me to place that into the record.

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With that, Mr. Chairman, the Complainants' case is closed.

COMMISSIONER SMITH: All right. Mr. Harter, do you want to proceed with the Respondent's case?

MR. HARTER: Yes, but first I have a motion to dismiss. The Respondent moves that the complaint be dismissed for the following reasons: Moose Lodge No. 145 is not a place of public accommodation, resort or amusement. The bowling facilities of Moose Lodge No. 145 were distinctly private in nature. Moose Lodge No. 145 is a private fraternal organization, and by Section 5h of the Human Relations Act it is permitted to give preference to it's members. The incident of November 18, 1972, comes within the pronouncement of the Pennsylvania Supreme Court in the case of Human Relations Commission vs. Moose Lodge No. 107, and I quote from the decision of the Pennsylvania Supreme Court:

"Undoubtedly the Act does grant to fraternal origanizations the right to discriminate on any basis upon which they desire to discriminate but only when those actions are based on membership."

The situation of that case, with which Mr. Yaffee is well familiar, he, being the victor, is 448 Pa. 451 decided on July 31, 1972. The incident on November 18, 1972, was based solely on membership in Moose Lodge No. 145 and occurred without regard to race. There was no communication with or confrontation between Moose Lodge No. 145 and the Hamilton children. Hence, there was no denial of bowling privilages to them. The Hamilton children

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never presented themselves for bowling nor were they presented by anybody else. Any denial of bowling privilages was presumed and not actual. Any embarrassment, humiliation or mental anguish suffered by the Hamilton children was the result solely of the actions of their parents and not Moose Lodge No. 145.

Finally, the complainants have failed to make out a case and I repeat my motion to dismiss the complaint.

COMMISSIONER SMITH: Do you want to respond?

MR. YAFFEE: Please. I respectfully object to Counsel's motion to dismiss the complaint for some very compelling reasons. First of all, I urge upon the Commissioners that the Complainants have presented a Prima Facie case of a violation of the Pennsylvania Human Relations Act. Specifically, those provisions which prohibit racial discrimination in places of public accommodation. That very case which Mr. Harter would urge upon the Commission as compelling a dismissal of the complaint, in fact, supports the evidence as presented by the complainants in their case at our last Hearing. Specifically, the Court in the case dealing with Moose Lodge No. 107 held that where an otherwise private clubs opens its doors to members of the general public, it becomes thereby a place of public accommodation as to those guests who enter as members of the general public.

The case for the complainants specifically and very explicitly demonstrated to the Commissioners that Moose Lodge in fact didn't close its doors to anyone other than membership

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but, in fact, opened its doors to any member of the general public who met the other qualifications for bowling in the league. Membership clearly was never a criteria and was not even based as a prerequisite or even asked as a preliminary question by any of the individuals who were supervising the league. In fact, a random sample of those people who were bowling in the league revealed that at least fourteen of those people had no connection to Moose Lodge No. 145 other than the fact that they were bowling in the league.

Their parents or guardians weren't members of the Moose Lodge. Based on that fact, I think it's clear that Moose Lodge No. 145 comes within the ambit of a place of public accommodations as defined by the Human Relations Act and by the Pennsylvania Supreme Court in P.H.R.C. vs. Moose Lodge No. 107 and, therefore, I urge that respondent's motion to dismiss the complaint be denied and that respondent proceed with its case.

COMMISSIONER ECHOLS: Mr. Yaffee, could you address yourself to the other part of Counsel's motion to dismiss, which is sort of like in an assumpsit case, there has to be a sort of demand and refusal. In this case, the analogy being there was no presenting of the complainants' children to the Moose for admittance, which then was refused. To what extent is that a valid -- what would your answer to that be?

MR. YAFFEE: I will be glad to address myself to that point, although I felt it was particularly clear on the record.

Certainly, the law does not compel an individual to commit or to follow through on what would be a vain act. In this case, it is clear that Mr. Donald Hamilton, as he testified, called Moose Lodge No. 145 and spoke to Eleanor Reed. She all but accepted the children into the bowling league -- the Bantom She said they met all of the criteria. They were sanctioned by the American Junior Bowling Congress. She spoke to Mr. Hamilton about the requirements of the league, about the plans for the league, about the Christmas Tournament and Spring Tournament. She indicated there were vacancies for the We have verified in the record facts which show there were four vacancies at that time. When Mr. Hamilton then inquired of Mrs. Reed that he had heard that the Moose Lodge does not allow blacks to join and would this, in fact, affect the right of his children to bowl, the testimony is on the record that she clearly stated to him: "Well, that is a horse of a different color, isn't it?" Or words to that effect. any rate, regardless of what Mrs. Reed said, it's clear that she thereupon withdrew the invitation to join the league and stated that the children would not be eligible to join the league because of their race.

Now should Mr. Hamilton have been required to go down to the Moose Lodge to repeat that performance or take the children there? I state not.

COMMISSIONER ECH Ls: One other point. Counsel for

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Respondent says that any damage, psychological or otherwise, which the Complainants' children suffered was a direct result of the action of the parents rather than of what the Moose Lodge did or didn't do.

MR. YAFFEE: As the Commissioners are aware, this is a sophisticated question of law which Mr. Harter is presenting to this tribunal. That is the question of the liability of the Moose Lodge. Two questions are presented.

First of all, whether the Commission has the power and the authority to compensate individuals for psychic and emotional harm that is done them by actions of discrimination.

Second, whether there is sufficient casuation on the part of the Moose Lodge to warrant the assessment of compensatory damages against them. I had hoped at the conclusion of the proceedings to request leave of the Commissioners to submit briefs on these points but let me summarize my argument briefly if I may at this point.

First of all, it is clear that the Human Relations
Commission has authority to award damages for compensation of
victims of discrimination who have suffered psychically and
emotionally. Section 9 of the Human Relations Act gives the
Commission the power after a Public Hearing and if it has found
that a respondent has engaged in an unlawful discriminatory
practice, to take such affirmative action, including but not
limited to, hiring, reinstatement with or without back-pay, etc..

- 2000 STATE STREET - HARRISBURG, PA.

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 listing a compilation of forms of relief, but the Act says "including but not limited to."

I urge upon the Commission it is clear the Commission should have the power to compensate victims of discrimination for this emotional wrong. This has been upheld by many Courts, although not specifically in Pennsylvania, and is presently pending before the Commonwealth Court of the Sate.

COMMISSIONER ECHOLS: I think the main question -of course, you can submit briefs on this -- which Counsel for
Respondent raises is, for example, the question of direct
action or intervening action of a party, where somebody else
may have set it in motion. That question of causation is, I
think, what he is raising and to which, hopefully, your brief
will be tuned to.

MR. YAFFEE: With regard to the latter point, allow me to summarize briefly at this point in the proceedings.

The testimony, I think, is fairly explicite upon the record that Mrs. Reed made it clear to Mr. Hamilton that the children could not bowl because of their race. This was then conveyed almost simultaneously after the conclusion of the telephone call to the children, who had urged the parents to make the phone call, who were in extremely close proximity and who were awaiting a response from the parents. I think case law in Pennsylvania is extremely clear that a wrongdoer, if respondent is found to be the wrongdoer in this case, is liable

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for the natural and probable consequences of his or her action, such as might and should have been forseen as likely to result therefrom.

COMMISSIONER ECHOLS: Telling the truth being one of the natural consequences?

MR. YAFFEE: I should hope so. Unlawful discrimination is an intentional action which has inflicted harm, and it is the position of the Complainants that the action of the Respondent Moose Lodge was setting in motion a natural and continuous sequence between the cause and the effect. There was certainly a direct connection between the cause and effect here without many intervening causes. I would refer the Commissioners, as I will in my brief, to the restatement of tort second where it states: "If the effects of an actor's conduct actually and continuously operates to bring about harm to another, the fact that the activity and substantially simultaneous operations of the effects of a third person's tortuous or criminal action is also a substantial factor in bringing about the harm does not protect the actor from liability."

COMMISSIONER ECHOLS: Is discrimination a tort?

MR. YAFFEE: It certainly is. We would urge that upon the Commission and would develop that more fully in our brief.

2000 STAIS STREET

COMMISSIONER SMITH: Do you have anything further?
MR. HARTER: No, I think my position is clear to the

Commissioners. COMMISSIONER SMITH: The Panel has reviewed the request and it will be denied. However, the exception will be made for the record. MR. HARTER: Thank you. COMMISSIONER SMITH: You will proceed with your case. MR. HARTER: Mr. Chairman, I call Carl Reidy. 8 CARL REIDY, a witness called by and on behalf of 9 the Respondent, having been duly sworn, was examined and 10 testified as follows: 11 12 COMMISSIONER SMITH: Give your name and address for 13 the record. 14 THE WITNESS: Carl Reidy. 1031 Arnold Street, Williams-15 port, Pennsylvania. 18 DIRECT EXAMINATION 17 BY MR. HARTER: 18 On November 18, 1972, by whom were you employed? 19 Loyal Order of Moose No. 145. Α 20 In Williamsport, Pennsylvania? Q 9. Α Yes. 22 Q In what capacity? 7.7 I was the manager of the bowling leagues. A 3.1 For how long had you been so employed? 0 135°

Approximately twelve years at that time.

Α

,.	Q Are you so employed today?
Ž,	A No Sir.
3	Q When did you sever your relations in that regard?
4	A A week ago last Friday.
5	Q Why did you leave that position?
6	A I got a better position. Better employment
7	Q Now during the time that you were manager of the
8 9	bowling alley particularly on November 18 1072
10	the requirements so far as membership in the Macro Isl
10	concerned for the use of bowling facilities in the Moose quarter
12	at Williamsport?
13	A They were required to be members well, they were
14	required to be members. Children were to be daughters or sons
15	of members or granddaughters or grandsons of members.
16	Q If I understand you correctly, only members or their
17	children or grandchildren could bowl in the Moose premises in
18	Williamsport.
19	A Right.
20	Q Do you know whether or not that policy was adhered
21	to or enforced?
22	A First hand, no Sir. I worked Friday night until
23	sometimes as late as 1:30 or 2:00 o'clock.
24	Q As a general proposition.
25	A It was supposed to be.
	Q Did you ever have the situation where you were required

to turn down people for bowling? Α Yes. Why? Q Non-members. I, at one time, turned down a entire league of six teams because there were non-members in it. How many bowlers would that comprise? Well, counting substitutes, it would be between forty and fifty bowlers. And you say they were turned down because they were non-members. They had organized as a factory league and they contacted me and we set it up. We had the sanction papers signed and ready to go in. The whole thing was set to start when we discovered they had non-members and we had to turn them down. Do you know Mr. Hamilton, the father of the children in this case? Α No Sir. Did you ever see him prior to July 3, 1973, the occasion Q

of the first Hearing in this case?

Α Not to my knowledge, no Sir.

Did he ever present himself to you at the Moose Lodge and inquire about permission for his children to bowl there?

No Sir.

But you were the Manager of the bowling alleys.

Α Yes.

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Ĭ.	Q	Did the Hamilton children I believe you have seen
9	them pres	sent during these Hearings
3	A	Yes.
ψ.	Q	·
5		Did they ever present themselves at the Moose premises
6	<u> </u>	amsport at a regularly scheduled bowling function?
7	A	Not to my knowledge, no Sir.
8	Q	Do you know Mrs. Eleanor Reed?
9	A	Yes.
10	Q	On November 18, 1972, did she have any connection with
	the bowli	ng facilities at Moose Lodge No. 145?
12	A	She was the Junior Bowling coach.
13	Q	Was she on the payroll or an employee of that Moose
14	Lodge?	į
15	A	No Sir.
16	Q	How would you describe her relationship to the bowling
17	facility	at the Moose Lodge?
j M	A	She was required by the P.L.C.B. to be an unpaid super-
	visor. I	think that is the Way they work it.
	Q	Did she engage in coaching activities?
	A	Coaching the Junior Bowlers, yes.
e de la companya de la companya de la companya de la companya de la companya de la companya de la companya de La companya de la companya de la companya de la companya de la companya de la companya de la companya de la co	Q	As a result of your activities at the Moose, were you
region	generally	familiar with everybody who bowled there?
	A	I Would say I knew 95% of the many

say I knew 95% of the people by their first names.

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Q If, by chance, someone used the bowling facilities there

who was not eligible by reason of being a member of the Moose or a member of a member's family, what was done about it?

Well, when it was found out that they weren't members, they were required to join.

- If they didn't join, what happened? Q
- They could no longer bowl. Α
- Did that ever happen, to your knowledge? Q
- Yes, I am sure it has, yes. Α

MR. HARTER: You may cross-examine.

CROSS-EXAMINATION

BY MR. YAFFEE:

- Mr. Reidy, you said that bowlers were required to be members or the children who bowled were required to be children or grandchildren of members. When was this rule established?
- I couldn't give you a date on that. As far as I knew, it has always been that way. Some times it may have gotten a little lax, but it was always a rule that the place was for members only.
- Are there certain instances that you can recall when that requirement became lax?
- From what happened at the hearing, yes. This case Α right here.
 - Are there any other cases that you can recall?
- Yes, there were non-members bowling there through inadvertence. What I mean to say is: A little boy gets sick

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and can't bowl and calls his neighbor and says bowl for me.

The kid comes in with a bunch of kids and nobody knows him and he goes ahead and bowls. We didn't know his parents weren't members or that his grandparents weren't members. The following week the regular kid comes back and nothing more is said about it.

Q How about in the regular bowling league? Were there other instances of individuals who were enrolled in the league who had no connection with the Moose Lodge other than the fact that they were there and bowled in the league?

- A Well, yes.
- Q Could you explain that for us?
- A There was a time when you could bring a guest in to bowl.
 - Q What were those circumstances? When was that occasion?
 - A I can't give you a date there again.
 - Q Was this considered to be open bowling?
- A No Sir. Open bowling is a phrase in the business which means there is no league play going on at the time. The lanes are open for practice. The lanes are open for individuals to bowl. It's not open to the public. Open bowling is a business term which means just that, open bowling. There is no league bowling at the time.
- Q How recently would you say that members were permitted to bring guests in to bowl with them?

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A June 1, 1971, I would say mi	ght be a good date. I
am not too sure about that. Mr. Richi	
details on that than I can.	court give you more
Q Is it the practice of the Lo	dge not to permit members
to bring guests in to bowl with them a	t the lanes?
· A No Sir.	
Q How did you learn of the pol	
bowling alley at certain times apparen	
parents or grandparents were members of	f the Moose Lodge?
A I don't understand your ques	
Q How are you aware of this po	•
which would restrict bowling only to the	hose children whose name
or grandparents are members of the Lodg	co2 In it
where or was it told to you by word of known?	mouth or is it generally
A The club facilities are for t	
Q Is this written anywhere? Is	
in regulations or bylaws of the Lodge t	hat you are aware of?
A I don't know. When I joined	•
the impression it was for the membershi	
Q So then you are not aware of	
The state of	any set rules which say

ich say on certain occasions members can bring guests in or that children can only bowl if their parents or grandparents are members of the league.

I am aware there is a sign on the front door that says

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one occasion --

2	members only. I would assume this would answer your question.
3	Q Does that sign on the front door refer to the entire
4	Lodge? Does it refer specifically to the bowling alley?
5	A You can't get into the bowling alley without going
6	through the front door.
7	Q Is there someone at the front door to ascertain whether
8	someone is a member?
9	A Not at all times, no. There is not a full time door-
10	man. There is a doorman there when the business is
11	Q When the doorman is there, what does that person require
12	of individuals entering the Moose Lodge?
13	A A membership card.
14	Q All individuals who come in must produce a membership
15	card?
15	A Right.
17	Q If that is the fact, how do you account for the fact
18	there were at least fourteen children who apparently entered
19	week after week to bowl in the league without producing a
20	membership card or even came in to register with their parents
21	and weren't required to produce membership cards.
22	A I don't think you proved those children bowled week
23	after week after week.
24	Q Well, even if we have only shown the children came on

A I think I explained that. Through inadvertence.

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Q Was that inadvertence on the part of people connected with the bowling alley or the doorman, by not checking the cards? To what do you ascribe that possible inadvertence?

A Well, I would say the responsibility lies between three people there. I would say the bowling personnel, the doorman and the bowler.

- Q Now did you hear Mrs. Reed testify at the last hearing?
- A Yes.
- Q Then you heard Mrs. Reed indicate that there was no checking done for the prior year, the 1971 year I am referring to, concerning whether children who bowled in the league were children or grandchildren of members of the Moose Lodge. Do you still feel that this possible slip-up was due to inadvertence?

A Yes.

- Q Even though it carried on for a two year period.
- A It could have carried on for a five year period.

 I would still feel that way. I started the junior bowling league about twelve years ago with members children and it built up to where it was. Possibly Bobby Jones lives here and Frank Smith lives next door and Bobby says to Frank "I don't feel so hot this morning. Go in and bowl for me."
- Q So on these occasions when say Bobby Jones asks one of his neighbors to come in and take his place because he was sick, it really wasn't questioned because it wasn't noticed

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on a number of occasions, is that correct?

A Yes.

Q Do you think it would have been any different if Bobby Jones would have asked a black neighbor to come in and bowl for him?

A I don't know.

Q Are step-children of members permitted to bowl?

A There again you will have to consult Mr. Richiete on that. I don't know.

Q So you are not sure whether it would have to be natural children or natural grandchildren of members.

A No, I don't know.

Q Are you aware of whether a child whose Uncle belongs to the Moose Lodge would be permitted to bowl?

A There again, I don't know. You are speaking, I assume, when you say permitted to bowl, I assume you mean in the league.

Q Yes.

A There again, I don't know.

Q In your experience have there been any children who have had relatives who are members of the Moose Lodge other than parents or grandparents and who were permitted to bowl, such as Aunts or Uncles or other relations -- brothers?

A I don't know.

Q Is it possible?

A Let's say it's not impossible.

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	Q Did you have any connection with the registration of
3	children for the bowling league?
3,	A No Sir, I had no connection at all with the junior
4	bowling other than to manage the lanes. I seen that there was
	a man there to run the place and that was all.
	Q Was this whole process of registration of children
	left up to Mrs. Reed?
1	A Mrs. Reed and Mr. Chaya.
i	Q Were you ultimately responsible for the running of the
1	entire league and bowling operations to the Lodge?
,	A I was responsible for the operation of the entire
	bowling operation.
7	Q Now you stated that you knew approximately 95% of the
	bowlers by their first names.
	A I am speaking of adult bowlers.
1	Q That wouldn't carry through then for the children.
ii Ii	A I know some of the children. I don't know near all
THE REAL PROPERTY.	of them.
	Q On how many occasions would you say it was discovered
3	by the Lodge, by yourself or any people working for you that

bers bowling? I didn't get the first part of the question.

there were non-members or children or grandchildren of non-mem-

Other than the incident that we are speaking about now concerning the Hamilton children and the subsequent inves-

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از) برنجن tigation to determine who was or was not a member of the Moose Lodge, on how many other occasions would you say it had been discovered by yourself or other people at the Lodge that there were non-members bowling there or children of non-members? You referred, I believe, to one league of factory persons, is that correct?

A Factory league, yes. They never even got in because we had to turn them down.

Q Were there other occasions when non-members were discovered to be bowling and were asked to leave or asked to join?

- A Yes.
- Q Could you explain when those circumstances occurred?
- A I gave you a date. June 1, 1971.
- Q I wonder if you could describe any incidents or any situations where this did occur other than when it stopped, when you feel the policies changed.
 - A I don't understand the question really.
- Q Let me explain it again. Could you describe for us any occasions on which it was discovered that non-members were bowling at the Moose lanes or that children of non-members were bowling other than that factory league which you described earlier.
- A Yes, there was an occasion where a whole team was going to fold up because they had a non-member on it. They

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talked him into joining.

Q But he was bowling at that time.

A He had started to bowl. When they found out he was a non-member they talked him into joining. That is all there was to it.

Q This was part of the regular Moose league that was conducted at the Lodge?

A Yes.

Q Approximately how long had that person bowled as a non-member?

A I couldn't tell you without consulting the records. I don't know.

Q What is the policy of the Lodge now with regard to registration of applicants for the bowling league concerning the membership requirement.

A You mean as of the twenty-third of July? There is no policy because there is very little bowling in the summertime. There is no policy formulated.

Q In the fall -- well, is there a policy or is there a method by which you or any people working under you now determine whether someone is a member of the Moose Lodge?

A Yes. I ask them.

- Q Do you ask each person who comes in to bowl now?
- A When they are going to bowl in a league, yes.
- Q But I believe you stated before that you are not

responsible for the registration of the leagues. I stated I was not responsible for the junior bowling ~ league. How does the junior bowling league determine prior Q Ü to admitting people to bowl in that league that their parents S or grandparents are members? 7 There isn't any. Α 8 There is no way to determine? Q C No, there is no junior bowling league. Α 10 There will be in the fall, I.assume. Q 11 In the fall I expect there will be. A 12 Have plans been set up or have certain methods been! 0 13 established to determine what children are children and grand-14 children of --15 I think Mrs. Reed handled that. I think she has 16 plans for that. 1 Are you aware of those plans? 0 18 Well, she is going to check them, yes. Α]9 What will be required? Do you know? 0 200 They would be required to be children of members or Α 21 grandchildren of members. fat. How will they be required to prove that? Are you aware? 1 Α Certainly. Est. Q I am sorry?

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7	A If my son went down to bowl, he would say my father
2	is Carl Reidy and she would go to the office and check the
Ö	role.
Ą	Q So they would compare the list of applicants for th
5	league with the membership list of the Lodge, is that correct
6	A Yes.
7	MR. YAFFEE: No further questions.
8	REDIRECT-EXAMINATION
9	BY MR. HARTER:
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11	descriming, you referred several
12	times to a Mr. Richie. Is that Mr. Richie, Mr. Frank
13	Richie, the Secretary of Williamsport Moose Lodge?
14	A Yes.
15	MR. HARTER: That is all I have.
16	COMMISSIONER ECHOLS: Mr. Reidy, of your own know-
17	ledge, do you know whether any of the fourteen or fifteen
18	or however many kids turned up in that random survey to have
19	been non-members children of non-members do you know of
20	your own knowledge whether these were occasional bowlers?
2.	THE WITNESS: I have been informed by Mrs. Reed that
<i>%</i> 2	they were. Not of my own knowledge, no.
20	COMMISSIONER ECHOLS: I don't want to know what

COMMISSIONER ECHOLS: I don't want to know what somebody told you. I want to know: Do you know whether they were occasional bowlers?

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THE WITNESS: No Sir.

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COMMISSIONER ECHOLS: So, therefore, to your personal knowledge, they may have been occasional bowlers or they may have been permanent bowlers, is that correct? Let me state it the other way: You don't know whether they were permanent or occasional bowlers, to your personal knowledge. If so, I will get the list of fourteen and give you the name of each.

THE WITNESS: I wouldn't know the name.

COMMISSIONER ECHOLS: So you would not know -- I am not trying to trick you. I am trying to find out for my own benefit what you, of your own personal knowledge, know of those fourteen children as far as being permanent or occasional bowlers.

THE WITNESS: No Sir, not of my own personal know-ledge.

COMMISSIONER ECHOLS: O.K.

COMMISSIONER SMITH: Does Mrs. Reed work under your supervision?

THE WITNESS: I would say so, yes. She is a junior bowling coach, and I am the bowling manager. I would assume I would be her supervisor.

COMMISSIONER SMITH: She testified that the junior bowling league that was in 1972 -- started in the fall of 1972 -- that it was after Thanksgiving, 1972, that she checked and found that the children bowling either did or didn't have membership of parents and so forth, so when does the bowling league

start -- the junior bowling league?

THE WITNESS: I believe it started that year the second Saturday in September.

COMMISSIONER SMITH: So there was a period of a month and a half at least that went by of actual bowling in the junior league before any check was made on whether or not the parents were members.

THE WITNESS: I wouldn't actually say a month and a half. A month and a half, you are speaking of forty-five days. Actually it was six days. They only bowled Saturdays and nine out of ten times if you have five on the team you start with twenty bowlers and it takes that long to fill the teams up. There would be no sense in checking it until the teams are filled.

COMMISSIONER SMITH: She also testified she checked on the membership by calling the parents on the phone, or the grandparent.

THE WITNESS: This is possible.

COMMISSIONER SMITH: Is this the way that you set it up to check?

THE WITNESS: I didn't set it up to check.

COMMISSIONER SMITH: So you have not provided any way in which she is held responsible -- Mrs. Reed -- for this particular requirement.

THE WITNESS: No Sir. She has never been told she

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is responsible for this because we always assumed if a person came in to bowl, he was a child of a member. It started as members' children, and we just always figured that is what it was.

COMMISSIONER SMITH: Let's turn now to the open bowling, which is on record as advertised and is open at nights. What check is made to insure that the persons coming in for open bowling are members of the Moose Lodge?

THE WITNESS: I make no check because there is a doorman who goes to work five o'clock at night, and no one gets in unless they are members. There would be no way to get to the bowling alley without coming through the front door.

COMMISSIONER SMITH: Does he know the members or do they have to show a membership card or what?

THE WITNESS: They must show a membership card, I assume. I don't know. I couldn't tell you.

COMMISSIONER SMITH: If this is a requirement and you are in charge of the bowling, I would think you would be giving some instructions to somebody.

THE WITNESS: No Sir. I am not giving instructions to anybody. They give me instructions. I am in charge of the bowling alley, not the membership coming in the front door.

COMMISSIONER SMITH: Well, so you take no responsibility for checking to see whether or not this membership requirement is --

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THE WITNESS: On the open bowling? No Sir.

COMMISSIONER SMITH: Nor, I guess, do you take any
responsibility on the junior league with respect to membership.

THE WITNESS: No Sir. I am responsible because I am the
manager but -
COMMISSIONER SMITH: But you set up -
THE WITNESS: I set up no program because I didn't
feel it was necessary.

COMMISSIONER SMITH: No procedure.

THE WITNESS: Right.

COMMISSIONER ECHOLS: But you have a procedure now.

THE WITNESS: Mrs. Reed has informed me she has a procedure, yes.

COMMISSIONER ECHOLS: Does Mrs. Reed work under you? THE WITNESS: She did, yes.

COMMISSIONER SCOTT: I don't recall whether it was established that you yourself are a member of Moose Lodge. Are you?

THE WITNESS: Yes. I have been for twenty-one years. COMMISSIONER SMITH: No further questions?

MR. YAFFEE: I have just one more question.

RECROSS EXAMINATION

BY MR. YAFFEE:

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Q Has there ever been an occasion during your employment by the Lodge or your membership there when the bowling lanes at

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the	Moose L	odge	have	been	e:	ither	open	to	the	publi	ic	- well
let	me ask	you i	that	first.	•	Has	there	bee	n an	OCCE	asior	n when
	lanes h											

- A No Sir.
- Q That has never been in your experience.
- A Not to my knowledge, no Sir.

MR. YAFFEE: That is all.

MR. HARTER: That is all.

COMMISSIONER SMITH: Thank you.

MR. HARTER: Mr. Chairman, as it developed, Mr. Reidy is on a new job. I promised him we would get him back to it as soon as possible. I therefore ask for permission for him to be excused.

MR. YAFFEE: I have no objection.

COMMISSIONER SMITH: Thank you, Mr. Reidy.

(Whereupon, the witness was excused.)

MR. HARTER: Now I call Mr. Richie.

FRANK RICHIE, a witness called by and on behalf of the Respondent, having been duly sworn, was examined and testified as follows:

COMMISSIONER SMITH: Would you give your name and address for the record?

THE WITNESS: Frank Richie. 825 Lincoln Ave., Williams-port, Pennsylvania.

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DIRECT EXAMINATION

BY-	MR.	HARTER:
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- Q What is your occupation or profession?
- A Secretary of the Loyal Order of Moose, Williamsport Lodge No. 145.
- Q Does it have a lodge building or lodge quarters in: Williamsport?
 - A Yes.
 - Q Where are they located?
 - A 33 East Third Street.
 - Q In Williamsport?
 - A Yes.
- Q For how long have you been the Secretary of Williams-port Moose Lodge?
 - A Sixteen years.
- Q Is your position as Secretary one of any definite period? By that, I mean are you elected annually?
 - A No.
 - Q For what period do you hold office?
- A For a period of satisfactory service to the Loyal Lodge and to the Supreme Lodge
- Q Now how does one go about becoming a member of your Lodge? In other words, what are the membership requirements?
 - A Membership is by invitation.
 - Q Is there any regulation as to age?

	A Age	must be	twenty-	one	yea	rs and	only	male	persons
are	qualified	for memb	ership	in ·	the 1	Loyal	Order	of Mo	oose.

Q Are there any other requirements? What if a man had a past criminal record?

A The other requirements would be that if anybody convicted of any felony, any criminal record, they don't qualify. They must be of good character. They must be considered a good citizen in the community. They must believe in a Supreme Being.

Q Now prior to May 28, 1973, was there any other requirement for membership?

A Yes. They had to be of the Caucasian or white race.

Q Now from your knowledge, was that a restriction against non-caucasians or was it in furtherance of any other principles?

A It was not against anyone, any other race, but it was put in the bylaws of the Loyal Order of Moose many years ago as a basic principle on which we could ælect who we wanted to be members.

Q Now the Supreme Lodge of the Loyal Order of Moose recently held its eighty-fifth international convention in Chicago, Ill., did it not?

A Yes.

Q Were you present?

A I was.

Q Will you tell the Commission what action the Supreme Lodge of this Fraternity took on May 26, 1973, at this convention?

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laws	or	the	ger	eral	laws	of	the	ord	er .	any	refere	ence	to	ra	ce.

- Q And when did that deletion become effective?
- A Immediately.
- Q So now the requirements for membership in the Moose are without the Caucasian requirement which existed prior to that time, is that not correct?
 - A That is correct.
- Q What would happen under the new eligibility requirements effective May 28, 1973, if a member of the black or any other race other than Caucasian would apply for membership?
- A His application would be treated the same as any white person or of any other race, whether it be brown, yellow, or red.
- Q And generally, what are the eligibility requirements which would be applicable to anyone who applied for membership?
- A They would have to be twenty-one years of age or older. They would have to be a man or good character, believe in a Supreme Being, not be --
- Q Are they the same requirements as existed prior to that time with the exception of the deletion relating to the Caucasian race?
 - A That would be correct.
- Q May I ask if membership is by invitation now as it was heretofore?

- A Yes.
- Q And once an application is executed upon invitation, what is the next step in becoming a member?
- A It would be processed by the investigation committee. Upon their recommendation, it would be submitted to the Lodge for ballot.
 - Q Ballot by whom?
 - A Ballot by the members of the Lodge.
 - Q In a regular meeting, you mean?
 - A At a regular meeting.
- Q What type of balloting is used? Open or secret balloting?
 - A Secret ballot.
- Q So under the new eligibility requirements for membership in the Moose, it is lawful for a member of the black or other races than caucasian to become members of the Moose.
 - A Yes.
- Q Now what are the present -- what is the present policy of your Lodge with reference to guest privileges?
- A We have no male guests. Only members and members of their immediate family are eligible.
 - Q Now that is the present policy. No guest privileges.
 - A Yes.

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Q How long has that policy endured, or when did that become effective?

- A That went into effect as of February 1, 1971.
- Q In your sixteen years experience, has membership in your Lodge ever been denied to any applicant by reason of his race?

A No.

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- Q In the event that membership was ever denied to any applicant, on what was denial based.
- A It would be that they didn't qualify according to the investigating committee or to the members of the Lodge, that they didn't meet the requirements for membership.
- Q Now will you relate in as much detail as you can what elements or factors your investigating committee takes into consideration in considering an applicant for membership?
- A Well, the applicant first must be of good character.

 Not have a criminal record of any kind. Not be connected with

 any parties that would be detrimental to our government. Believe

 in a Supreme Being. And always be mindful of the needs of the

 children of our members and of our aged members.
- Q Does an interest in the betterment of his respective community have any weight with the investigating committee?
- A Yes, because of the fact that we believe that having specific programs whereby we can help those who live within our community.
- Q In furtherance of that particular factor, can you relate to the Commission any instances where your particular

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Lodge has instigated or participated in community betterment activities?

A Yes.

MR. YAFFEE: I would object at this point. I believe we are getting a bit far afield from the facts under consideration.

COMMISSIONER SMITH: The objection will be overruled. One of the requirements, as indicated, is a concern and interest in the community and I think that this is attempting to go into this direction. We will note your exception for the record.

MR. YAFFEE: Thank you.

MR. HARTER: I think the materiality will develop here in a few more questions.

BY MR. HARTER:

Q Will you answer the question, please, Mr. Richie.

A We have conducted several programs that are good for all people of the community. Namely, several years ago we conducted on a very large scale a program for the prevention of polio. We sponsor two baseball teams, one in the Newberry Willow League and one in the East End League. We have conducted hearing screening tests where everybody could get their hearing tested without charge. We have conducted Christmas parties for children and Easter Egg Hunts and Easter parties.

Q Now have blacks participated in any of those community functions which you have just related?

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 G	A Yes.
2	Q Will you state with reference to your polio program
3	the extent to which the black community participated?
Ą	A I don't have any records as to the number that came
5	there for shots but there was none turned down whatsoever.
6	Q With reference to your Christmas parties and Easter
7	Egg Hunts, did blacks participate?
8	
9	A If they came, they participated in the party. None were turned down.
10	
11	COMMISSIONER SMITH: I don't believe he answered the
12	question.
13	MR. HARTER: I don't believe he did either.
4	BY MR. HARTER:
5	Q Did blacks participate in your Easter and Christmas
6	functions for children?
7	A Yes.
8	Q Reference has been made in the testimony earlier about
9	baseball teams sponsored by your Moose Lodge. Do you know whether
n 4	or not blacks black children play on Moose sponsored baseball
Free Constitution	teams?
2 2	A Yes, they have.
68	
 ,	Q During the famous June flood of last year, did the Moose participate in any community is
1.	participate in any community benefit activity? A Yes. I got a call form
3	and a call from a lady by the name of Mrs.
ís ar	Grassberger who asked me

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Q What did the Moose do?

A We sent out paper plates, napkins, plastic forks, spoons and knives.

Q To what extent, if any, did they find there way into the black community?

A The only thing I know, that they was to be delivered to the Bethlehem Douglas Center which is in the black area on Park Ave.

Q In Williamsport.

A That is correct.

Q Have the facilities of the Moose Lodge in Williamsport ever been denied to any person because of race?

A No.

Q Have the bowling facilities in the Moose Lodge ever been denied to anybody because of race?

A No Sir.

Q In the case of the Hamilton children, what was the reason for telling Mr. Hamilton that his children could not bowl there?

A Because he didn't have membership in the Loyal Order of Moose. He had no affiliation with the Loyal Order of Moose.

Q Did you so inform Mr. Hamilton?

A Yes Sir, I did.

Q With reference to the childrens bowling league -- the Bantom League, I believe it was called -- if children were found

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] to be bowling there whose parents or grandparents weren't 2 members of the Moose, what action was taken by your Lodge? 3 The bowling alley manager was instructed not to have children bowling there that didn't have affiliations. Was anything done to allow such a child to continue 6 bowling, and if so, on what conditions? His parents were asked to join the Loyal Order of Moose. 8 And if they were accepted, that rectified the condition, 9 did it not? 10 Α That is correct. 11 If they didn't join the Moose, what happened to 0 12 their children? 13 The children weren't allowed to participate in the Α 14 bowling. 15 Mr. Richie, did you ever have any contact with Mrs. 18 Hamilton, the mother of the children in question, regarding 17 bowling privileges for her children? 18 No, I didn't. Α 19 Did you ever see the Hamilton children or Mrs. Hamilton prior to the July 3 first hearing in this case? 23 Α No Sir. $2\overline{2}$ Did the Hamilton children ever present themselves for (1) (1) (1) (2) the purpose of bowling in the Moose Lodge here? 24 Ą Not to my knowledge. 25 Did they or didn't they as far as you know?

9	
ž	A No.
ر م	Q Did anyone ever bring them to the Moose for the
3	purpose?
4	A No.
5 6	Q Did you ever have any communication with or con-
7	frontation with the Hamilton children prise to
	A No Sir.
8	Q Did anyone ever present the Hamilton
10	Moose Lodge for any regularly scheduled bowling activity?
•	A No.
11	Q Do you remember Mr. Hamilton coming to your office
12	some time after November 18, 1972, in company with Mr. Hazel?
13	A Yes.
14	
15	ally, did they make of you?
15	A They asked me whether the children would be allowed
17	to bowl.
18	Q Did you grant or refuse their request?
13	A I refused.
20	Q Was the refusal based upon the fact that the children
31	were blacks or what reason was back of your refusal?
93 93	A The refusal was not due to the children being black.
<u>3</u> 3	It was due to the fact that they had no affiliations with the
: (3) (3)	Moose.
25	Q Are you saying the request was denied by reason of
:	figure 125 defined by reason of

non-membership in the Moose?

A That is true.
Q What do you mean by non-membership?
A I mean that the parents are not members of the Loyal
Order of Moose.
Q Do you remember Dr Dagana coming a
rayana coming and visiting you
in your office at the Moose?
A Yes.
Q What request, if any, did he make of you with reference
to the Hamilton children?
A He asked me what could be done, if anything, and he
wanted to know why we could not permit them to bowl. I informed
him that they had no Moose affiliations.
Q And by that, what did you mean to convey?
A That the children had no Moose affiliations.
Q What do you mean by Moose affiliation?
A That their parents or grandparents weren't members of
the Moose.
COMMISSIONER SMITH: We will take a ten minute break.
(Whereupon, a short recess was taken.)
COMMISSIONER SMITH: All right, let's resume.
BY MR. HARTER:
Q Several times in the course of this Hearing, the wives,
and where the member isn't married, girl friends of members and

their children were mentioned. What are their rights?

Ĺ	A They have the right to come in to our club rooms
2	with the members.
3	
4	Q By that do you mean they are permitted the use of the facilities of the Lodge?
5	A That is correct.
6	
7	Joins the Moose, what is he given to
8	understand with reference to the benefits of his wife, girl friend, children.
9	
10	the understanding that his family, the
11	members of his family or his girl friend can come in with him
12	and then that such a privilege is an
13	inherent attribute of membership in the Moose? A Will you repeat that
14	repeat that question, please?
15	MR. HARTER: Will you read the question, please?
16	(Whereupon, the record was read.)
7	THE WITNESS: Yes.
16	BY MR. HARTER:
19	Q When we speak of children, is any distinction made
20	between natural children, adopted children, step-children?
21	A No.
22	Q Does your Lodge have a catering license, so called,
23 🖔	issued by the Pennsylvania Liquor Control Board?
24	A No.
2 5	Q Did it ever?
ei Ed	A Yes.

1	Q Did it have such a licence on Name to
2	Q Did it have such a license on November 18, 1972? A No.
3	
4	Q What privileges are entailed when your Lodge possesses
5	a catering license?
6	A You are allowed to serve banquets, parties, receptions,
7	and so forth, whereby one not being a member of the Moose could
8	hold a party.
9	Q Is that the manner in which community functions and
10	private parties are held in the Moose?
11	A Yes.
12	Q Now has your Lodge in the past ever made the banquet
13	and other facilities other kindred facilities available to
14	the public under a catering license?
15	A Yes.
16	Q On such occasions, has any restriction been laid down
17	by the Moose with reference to race, creed, color, national back-
18	ground or anything like that?
19	A No Sir.
20	Q On such occasions, have blacks ever participated in
21	banquets and other catered facilities at the Moose?
22	A Yes.

23

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But I understand you no longer possess such a catering license now and didn't on November 18, 1972

That is correct.

Now how does one gain admission to the Moose quarters

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Yes.

What are his duties?

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1	on Third Street?
2	A By coming into the lobby and showing the doorman
3	their paid-up Moose receipt.
4	Q How does one get into the lobby?
5	A Directly from the street through the front door.
6	Q Is there any entrance to the Lodge quarters other
7 8	than through the so-called main door on Third Street?
9	A No entrance. There is
10	Q All right. Is there any other way of obtaining
11	admission on the part of members or tradesmen or otherwise?
12	Do they have to come in the front door is what I am saying?
13	A You mean deliveries?
14	Q All entrances and admissions.
15	A The deliveries can be made at the side door.
16	Q All right now, will you answer my question with re-
17	ference to gaining admission to the Moose quarters on Third
18	Street? Do members have to go in the main entrance?
19	A The members have to go in the front door.
20	Q Now is the door open, unlocked at all times?
Zi	A No Sir.
22	Q If it is locked, how does one gain admission? A The doorman sees that they are a live of the sees that they are a live of the sees that the
23	described that they are admitted.
4	Q You mean a doorman.

	· 17
1	A His duties are to check receipts to see whether they
. 2	are eligible for admittance.
3	Q If they are, are the holders of the receipts admitted?
4	A Yes.
5	Q If they are not in order, what happens?
6	A If they are not in order, they are refused admission.
7	Q Are your members generally aquainted with this re-
8	quirement that they must show a membership card or dues receipt
9	to gain admission?
10	A Yes.
11	Q How long has that been your practice?
12	A For many years.
13	Q Was that your practice on November 18, 1972?
14	A Yes.
15 16	Q Is that your practice today?
17	A Yes.
18	Q Is the requirement that members must show a dues card
15	or a membership card in order to gain admission brought to
20	their constant attention in any way?
	A Yes.
	MR. HARTER: Will you mark this Respondent Exhibit
: 13 :	1?
4	(T77)
	(Whereupon, Respondent Exhibit R-1, being a photograph, was produced and marked for identification)
A SECTION AND ADDRESS OF	identification.)

Bankan .	BY MR. HARTER:
2	Q I show you what has been marked for identification as
3	Respondents Exhibit l and ask you what it is.
4	A It is a picture taken in our lobby at the doorman's
5	desk with the doorman sitting back of the desk.
6	Q What appears on the left side of his desk as you look
7	at the picture?
8 4	A There is a sign.
9 1	Q What does that say?
0	A "You must show your membership card to the doorman."
2	Q Was that sign there on November 18, 1972, and prior
3	thereto?
4	A Yes.
5	Q Is it there today?
6	A Yes.
7	Q Is it always there?
(2)	A Yes.
4 13 13	Q Who is sitting behind the desk?
7	A That is the doorman. I don't have his name familiar.
	I hired him for part-time about a month ago.
2	Q You don't know his name.
	A I have it on my payroll records but he goes by
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the name of Sarge. Everybody calls him Sarge.

MR. HARTER: I offer in evidence Respondent's Exhibit

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1 MR. YAFFEE: No objection. COMMISSIONER SMITH: This may be admitted. 7 (Whereupon, Respondent's Exhibit R-1, being a ĺ photograph, was received in evidence.) 5 MR. HARTER: Would you mark this photograph Exhibit 8 7 8 (Whereupon, Respondent Exhibit R-2, being a photograph, was produced and marked for 9 identification.) 10 BY MR. HARTER: 11 Mr. Richie, I show you Respondent's Exhibit 2 and ask 12 you if you know what it is. 13 That is a picture in our lobby taken of the door where 14 Α 15 you enter the clubrooms. 15 And is there any sign on that door with reference to Q admission? . 4 "Moose Members Only. Please show dues receipt." . 0 MR. HARTER: If the Commission pleases, I offer in evidence Respondent's Exhibit 2. MR. YAFFEE: No objection. 22 COMMISSIONER ECHOLS: When was this taken? When were . . these taken? 24 BY MR. HARTER: 25 When were these taken? Exhibits 1 and 2.

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A Last Saturday.

COMMISSIONER ECHOLS: O.K.

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COMMISSIONER SMITH: That will be received.

(Whereupon, Respondent's Exhibit R-2, being a photograph, was received in evidence.)

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BY MR. HARTER:

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Mr. Richie, Mr. Hamilton testified earlier in this Hearing that his brother at one time was a member of a Moose youth baseball team. In other words, a youth baseball team sponsored by your Lodge. He, together with other members of the team, attended a banquet function in the Moose quarters and that he was given very cold treatment. Do you recall that testimony?

14 15

Α Yes.

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Now do you remember occasions when your Lodge was host to that function and similar functions?

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Yes.

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Will you describe to the Commission the composition of those attending and present at such functions?

21 1

There would be the baseball players and members of Α their families. There may be two or three superiors of the Lodge there.

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What about general membership of the Lodge? Q

The general membership of the Lodge was not there. A

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Q On such occasions were representatives of the community -- ther than those you mentioned -- present?

A There could have been, yes.

Q Do you know of any instances where your Moose Lodge superiors or other members of the Moose subjected Mr. Hamilton's brother to cold treatment, as he described it?

A No Sir.

MR. YAFFEE: I would object to the last question and answer in that the witness has stated no foundation. He has not stated that he, in fact, was personally present at the proceedings, that he knew who the individual referred to was, or indicated a knowledge of any of the other people there at that date; and I would request that the question and answer be striken.

COMMISSIONER SMITH: Any comment?

MR. HARTER: I asked if he knew of any such occasion. He said no. I think it's as simple as that.

MR. YAFFEE: I don't think it's as simple as that.

We are referring to a specific banquet and a specific individual was referred to. The question was: Does this witness know whether this person at that occasion received cold treatment? It must first be established if the witness was there, if the witness knew who that person was and recalls the occasion, if the witness knew who else was present on the occasion and what basis the witness had for observing that. Unless that foundation is laid the question is not proper.

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MR. HARTER: The answer was no. If it had been yes, then Mr. Yaffee's objection would have weight but the answer is no so there is nothing contributed by it.

MR. YAFFEE: The answer, as I understood it, was no, this witness didn't understand or didn't see that the person referred to received cold treatment. Unless I misunderstood the answer.

MR. HARTER: The answer was a single no, as I recall

COMMISSIONER SMITH: It did relate to that point.

I think we must uphold the objection unless you can establish as indicated that he has some basis for answering it specifically to his knowledge.

MR. HARTER: In response to that, I might say the witness in the first instance -- not this witness but Mr. Hamilton--never identified it by time or date.

MR. YAFFEE: Mr. Chairman, there was no objection made at that time. I don't believe that if Counsel failed to make an objection that that should place any weight on my objection to this line of questioning. I think that is a completely irrelevant point which should be considered.

COMMISSIONER ECHOLS: Mr. Yaffee, if Counsel were to say did so-and-so strike so-and-so and he said no, let's assume that he was in Europe and this incident was in North Philadelphia and you know he was in Europe -- we don't -- but he answers the

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the question, can't you handle it on cross? What foundation does he have to lay in that situation? Does he have to say were you there? He says did you see so-and-so -- no, did so-and-so strike him? He says no. You know he is not even around. Isn't that a matter to bring up on cross-examination?

MR. YAFFEE: I would respectfully disagree. If Counsel wants to question this witness as to certain events or his observations as to what happened in a certain event, he must lay the foundation work by establishing that the witness was there and the witness knew the individual to whom Counsel is referring. If your position were correct, I would have to go into extensive cross-examination on every small point that Mr. Richie made and I don't want to subject him or myself or the Commissioners or the people present to that.

MR. HARTER: I think we are belaboring this point far beyond its importance. There was no certainty attached whatsoever to the testimony of Mr. Hamilton about the experience of his brother, and all I am asking this witness is does he know of any such incident. He said no. To me, I don't see the importance of it.

MR. YAFFEE: If his answer was that he knew of no such incident, then I withdraw my objection. I heard the answer to be that he was present and that there was nothing generated — no cold feeling generated toward this individual at the time. But if he has no knowledge, if that is his answer, then I withdraw

my objection.

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) (181 MR. HARTER: That is exactly what it was to my under-standing.

COMMISSIONER SMITH: If that is your understanding of it, that the answer had to do with the fact that he had no knowledge of any untoward incident at this dinner relating to Mr. Hamilton's brother, then the objection is withdrawn?

MR. YAFFEE: Yes.

COMMISSIONER SMITH: We will consider that that was the question and that was the intent of the answer.

MR. HARTER: Thank you, Mr. Chairman.

BY MR. HARTER:

Q Mr. Richie, there has been testimony that the bowling facilities at your Lodge had been denied to community tournaments, bowling tournaments, and the implication was that it was because of race. Is that true?

A No Sir.

Q Why were -- have any tournaments ever been refused the use of Moose bowling facilities?

- A Yes.
- Q Why?

A Because of the fact that we didn't have enough lanes to set up a schedule for the program.

Q Again in this Hearing -- I think that they have been identified as Complainants' Exhibits 7 and 8 -- certain newspaper

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advertisements emanating apparently from your Lodge contained a reference to bowling facilities in the Lodge, some of which indicated open bowling and some of which restricted bowling to Moose members and their ladies. Was there any implication so far as your Lodge was concerned that you were extending the bowling facilities to the general public through those advertisements?

A No Sir.

Q Mr. Reidy testified that open bowling ment in that sport that the use of the alleys was not restricted to tournaments. Did you hear that?

- A Yes Sir.
- Q Is that your understanding also?
- A Yes.
- Q As a result of the newspaper advertisements identified as Exhibits 7 and 8 -- Complainants' Exhibits 7 and 8 -- did any members of the public other than Moose members present themselves for bowling, to your knowledge?
 - A No Sir.

MR. HARTER: You may cross-examine, Mr. Yaffee.

CROSS-EXAMINATION

BY MR. YAFFEE:

Q Mr. Richie, you stated that membership in the Moose Lodge was open to individuals who otherwise met the criteria by investigation. Would you elaborate on what you meant by investigation, please?

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A A member invites someone to become a member of the Loyal Order of Moose.

Are there any restrictions on who in the Lodge being

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a member can invite an individual to become a member of the Lodge?

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A No Sir.

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Q Can members of the family of a member invite an individual to join the Lodge?

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A Yes.

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Q So that if my father belonged to Moose Lodge 145, I would then be empowered to invite someone else to join?

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A No Sir, not unless you were a member.

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Q It must only come from the member.

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A Yes.

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Q Does this only apply to full members? I mean, who meet the criteria of twenty-one years old, male, no felony convictions, good character, belief in a Supreme Being?

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A If they are a member of the Moose, yes, they have the right to invite someone to join.

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Q Would you describe for us what the relationship of the Women's Auxiliary is to the Lodge?

A The relationship is that the Women's Auxiliary, known as the Women of Moose, have affiliations through a male member of the Loyal Order of Moose -- it can be the father, husband

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or the brother.

- Q Can a granddaughter join?
- A Not to my knowledge.
- Q Is there any reason why the restriction stops at grandparents for the Women's Auxiliary but extends to that for members of the junior bowling league?

A Well, when they started the junior bowling league, their grandparents would bring them in some times and when they started, why, then, they wanted to bowl so they extended the privilege to the grandparents that their grandchildren could bowl.

- Q But a grandfather could not bring his granddaughter in and request that she become a member of the Women of Moose, is that correct?
 - A Not that I know of, they can't.
- Q Are there any other criteria for membership in Women of Moose?
 - A Not that I know of.
- Q Is a member of the Women's Auxiliary or Women of Moose entitled to invite someone to join the Moose Lodge?
 - A No Sir.
- Q Mrs. Eleanor Reed testified when she made telephone calls to all parents of children in the league that those parents who weren't members or children who didn't have grandparents as members, that the parents were then invited to join the league

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1 By what authority did she extend that invitation? 2 That, I don't know. 3 Was she authorized to invite individuals to join the Q Ý Moose Lodge? Not that I know of. S So that if she did invite people to join the Lodge, she would have been unauthorized, is that correct? Α Yes. - 9 j And so that as she testified, a number of individuals · ij who did join upon her invitation would therefore be -- or their 11 membership -- would be open to question if not invalid, is that 12 correct? 13 I would say yes. A 14 And so that those children of those people who continued 15to bowl did so in a questionable status or, in fact, weren't 16 qualified to bowl under the rules set forth by the Lodge for 17 the junior bowling league, is that not correct? May I answer your question in another way and explain (3) something?

If you could answer my question, and then provide any explanation you wish.

She would have no right to ask any male person to join the Loyal Order of Moose. She would have no right to.

Could Mrs. Reed invite a woman to become a member of the Women's Auxiliary?

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A Yes.

Q Now you testified, Mr. Richie, that the Moose Lodge, at its last convention, deleted the requirement that applicants for membership be Caucasian. You also stated that you were at the international convention.

A Yes.

Q Could you enlighten us a bit and explain why that was done, if you know?

A I don't know exactly why it was done because of the fact that it was brought up on the floor of the convention and passed, but I am not in a position to know why it was brought on the floor of the convention.

Q Was there any discussion upon this when it was placed upon the floor?

A The only thing that was brought up was the fact that times have changed and so on and to cope with the laws and rules and regulations governing our States and citizens and so forth, that we delete from our general laws any references to race.

Q Since that time have any individuals other than Cau-casians applied for membership at the Lodge?

A No.

Q Had any applied in the past?

A No.

Q So then it's correct to conclude that there are now and never have been any non-caucasian members of the Moose Lodge

No. 145.

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- A That is correct.
- Q Now you testified a bit earlier regarding the guest policy of the Lodge. I would like to clarify that for my own understanding, if I may. I believe you said that there are no male guests permitted in the Lodge, is that correct?
 - A That's right.
- Q Now when the guest comes to the Lodge, must that guest be accompanied by a member of the Lodge in person?

MR. HARTER: Do you mean when guest privileges were enforce?

MR. YAFFEE: Yes. This is, I guess, prior to February 1, 1971, is that correct?

THE WITNESS: That is correct.

BY MR. YAFFEE:

- Q Prior to that time, could guests come without the member being there? Could the member phone in and say: "I have a guest coming. Please admit that person."
 - A No Sir.
 - Q So the member had to be present with the guest.
 - A Yes.
- Q But now it's correct that there are no male guests permitted.

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- A That is correct.
- Q Members can, however, bring female guests into the

premises?

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A Yes.

Q And these female guests don't necessarily have to be related to the member in any way, do they?

A No Sir.

Q So that any member of the Moose Lodge can bring in to the club any person, any member of the general public, so long as that person is a woman, is that correct?

A Yes, with the understanding that it's supposed to be their girl friend or a member of their family.

Q But a girl friend isn't actually a member of someone's family, is she?

A No Sir.

Q Are there any other exceptions made by the club beyond the limitations on guests being members of the family other than girl friends?

A No Sir.

Q How far does this extend within the family? Can someone bring their Aunt or Uncle in?

A No Sir.

Q Would you define for us what the guest policy is with regard to admission of a member's family?

A Admission of a member's family is that the member can take in the members of his family, his sons and daughters, provided that the sons are not over twenty-one years of age.

j	Q I assume his wife also.	
2	A That's right, his wife.	
3	i de la companya del companya de la companya del companya de la co	
Ą	Q Can an individual bring in his brother or sister or parents?	
5	A He can't bring in his broth	
6	A He can't bring in his brother, especially if he is over twenty-one years of age.	
7	ii .	
8	can he the	n
9	bring his brother in?	
10	A Yes Sir.	
	Q And his sister?	
12	A Yes Sir.	
13	Q And his parents?	
14	A No. He can bring his mother in but if his father	
15	Q That is because his father is a male over twenty-one?	>
16	A Yes, and is eligible to join the Loyal Order of Moose	
9 1 1 7	Q Could he bring in his grandmother?	- '
ı č	A Yes Sir.	
) (1)	Q Is there any restriction that these members be or	
<i>H</i>	the guests, rather be natural children or natural members of	:
	the family?	
12	A No, there is no restriction on that.	
. 🤈	Q So that a member could bring in an adopted child?	
.a. ₁ .	A Ves	
otsi	Q Mr. Richie, how about the situation where a man marrie	٤ ج
	a woman with children under twenty-one but does not adopt the	•

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children? Could he bring in those children under twenty-one although they are not his adopted children?

- A Yes Sir.
- Q On what basis.

A Because he is probably the one that is supporting those children and they are members of his family. He has assumed that obligation.

Q If an individual belongs to the Moose Lodge and is supporting someone or providing more than fifty percent of their support, would that entitle them to bring them in as guests assuming they meet the other criteria, being under twenty-one or being a female? Would they then qualify as part of his family?

- A Yes.
- Q What was the guest policy prior to February 1, 1971?
- A We allowed male guests. Only allowed them to be guests a certain number of times, on certain occasions.
- $\ensuremath{\mathtt{Q}}$ So that the club -- otherwise, the policy was the same as it is now.
 - A That's right.
- Q So the only restriction made on February 1, 1971, was that you didn't permit members to bring in male guests over twenty-one.
 - A That is correct.
 - Q What was the reason for that change?

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A	The change was made due to the fact that some of
them were	taking advantage of it and wanted to come in too
often and	didn't make an effort to join, even though they were

extended an invitation.

Q Mr. Richie, you stated that, to your knowledge, there were blacks or members of the black community in Williamsport who have participated in Moose Lodge Christmas and Easter programs. Are you aware of how many?

A No Sir, I am not aware of how many.

Q How are these programs or parties made known to the general public? Is it by word of mouth or by advertisement?

A Many times the newspaper has carried the article of us having a Christmas party or an Easter Egg Hunt.

Q Does the Moose Lodge advertise, buy advertising space in the newspaper to make these parties or hunts known to the public?

A No Sir.

Q So that if a newspaper doesn't pick up the article or someone doesn't hear about it from a friend or by word of mouth, they would not otherwise know about this, would they?

A That's right.

Q Wouldn't you speculate that it would be fairly difficult for a member of the black community, since there are no blacks in the Lodge and since it's not advertised -- wouldn't you speculate they might have difficulty learning of these

programs?

- A You mean in regards to an Easter Egg Hunt?
- Q Yes.

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- A No, I don't think so. It would probably be held in Brandon Park, Bowman Field. They weren't held in the Moose building.
 - Q Are the Christmas parties or Easter parties held in the Moose building?
 - A Yes Sir.
- Q And they are open to any member of the community regardless of race, is that correct?
 - A That is correct.
 - Q Have there ever been any blacks or non-caucasians bowling in the bowling league at the Lodge?
 - A No.
 - Q But you did state that the Moose sponsored little league teams that did have black team members, is that correct?
 - A Yes.
 - Q What distinction does the Lodge draw between baseball and bowling so that it will permit blacks to play on their baseball teams but not on their bowling teams?
 - A The baseball is not held within our Moose Home.
 - Q And what is the differentiation?
 - A The baseball, we are the sponsors and we have nothing to do with who plays on the team.

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- Q So that that is one of the prerequisites of sponsoring the team, I take it, that anyone who is admitted to the team or who joins the team or is selected for the teammust be permitted to play, is that correct?
 - A That is correct.
- Q But the Lodge does not particularly favor baseball over bowling, does it? It doesn't place more importance on one sport more than the other, does it?
- A No, but we have sponsored baseball teams in this community as a civic affairs project for many years and we only furnish the money for the leagues to operate and make up a team of baseball players under the sponsorship of the Loyal Order of Moose.
- Q You stated earlier, Mr. Richie, that the Hamiltons were refused the privilege of bowling in the league at the Lodge because they weren't members of the Lodge. Now Mr. Hamilton has testified -- I believe you were present and heard his testimony, is that not correct?
 - A I was present, yes Sir.
- Q Is there any reason why Mr. Hamilton could not have joined the Lodge to enable his children to become members of the bowling league?
 - A Yes Sir.
 - Q What was that?
 - A At that time, our rules governing membership was that

they must be of the Caucasian, white race.

Now you stated that you instructed the bowling manager --I believe that is Mr. Reidy -- to remove all non-members' children from the league, is that not correct?

Α That is correct.

Was it ever necessary for you to take this action 0 before in your sixteen or so years as Secretary of the Lodge?

No Sir.

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Were you ever made aware at any prior time prior to the incident in November of 1972 that children or grandchildren of non-members were bowling at the Moose?

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Α No Sir.

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Were you aware of the fact that non-members' children were bowling for the entire prior bowling season?

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Α No Sir.

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Now Mrs. Eleanor Reed testified that she called all Q of the parents of children in the league to ascertain whether they were members of the Lodge. She also testified invitations were extended to all of the parents who had children in the league and who weren't members in the Lodge. Why was it determined that only those members of the general public would be invited to join the Lodge at that time?

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That would be done because of the fact that if they wanted their children to continue bowling in the league, it would be necessary for them to become affiliated with the Loyal Order

of Moose.

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Q So the invitations to join the Lodge was extended to them only because their children had been able and were bowling against the regulars of the Lodge, is that correct? It was only the fact that their children were there and bowling in the league that enabled them to be invited in to join.

- A That was why the contact was made, yes.
- Q Why didn't you advertise in the newspaper for the entire city to join? Wouldn't anyone else walking down the street, as long as they otherwise met the criteria, have as much or more reason to join the Lodge?
- A We don't advertise for membership in the papers. In order for anyone to qualify to become a member, they must be invited by a member to join the Loyal Order of Moose.
- Q But by inviting the parents of the children of non-members to join, weren't you, in fact, rewarding the conduct which you stated earlier was supposed to be unlawful or against the regulations of the Lodge and that is that non-members would bowl there?

MR. HARTER: That is objected to as argumentive, if the Commissioners please.

 $$\operatorname{\textsc{MR}}$.$ YAFFEE: I will withdraw the question. BY MR. YAFFEE:

Q Mr. Richie, Mrs. Reed testified that she offered membership or invited parents of children who weren't members of the

Lodge to become members of the Lodge at that time when she made	
those telephone calls. To your knowledge, were the Hamiltone	
of specifically, was Mr. Donald Hamilton ever invited to	
join the Moose Lodge?	
A No Sir.	
Q Why not?	
A Because at that time he was not qualified have	
race.	
Q How about subsequent to that time, when race was deleter	7
as a factor or criteria in becoming a member of the Lodge. After	
	A No Sir. Q Why not? A Because at that time he was not qualified because of race.

- May 28 of this year was Mr. Hamilton invited to join? Not that I know of. Α
 - You didn't do that, anyway.
 - Α No Sir.

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- To your knowledge, did anyone in the Moose Lodge take Q any action to invite Mr. Hamilton to join?
 - That, I don't know. Α
- For what period of time did the Lodge possess a catering liquor license?
 - For more than fourteen years.
 - Up until what time, do you know? Q
 - Up until August 1, 1972. A
 - What happened --

COMMISSIONER SMITH: I think for the record, I noted that the catering license was dropped November 18, 1972.

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THE WITNESS: No.

MR. HARTER: Will you answer audibly.

COMMISSIONER SMITH: When was it dropped?

THE WITNESS: The application was made on or before June 3 of 1972 for a club liquor license and it was issued to us and went in effect as of August 1, 1972.

BY MR. YAFFEE:

- What was the reason for that application and change 0 in liquor license by the Moose?
- One reason was because of the fact that we didn't have enough parties to make it worth while to have those affairs.
 - Is that type of license -- oh, I am sorry.
- Another reason was the fact that the rulings of the Α I.R.S. has come out where those affairs that are not paid for by members are taxable. Another reason was that we sometimes wanted the use of our second floor room for our own selves and it would be assigned to some function of some kind.
- So basically what were the differences between your operations under each license?
 - I don't understand the question. Α
- How did the change in your liquor license status effect Q your operations as a Lodge?
 - A Financially?
- What restrictions did it place or what added privileges did the club liquor license give you that you didn't

have under the other? The only thing it gave us was the right to serve nonmembers. The club license gave you that right? Q The club liquor license gave us the right to serve Α non-members for catering parties. Q And that was the club license. 8 That's right. That is the catering club license. Α Perhaps I am confused. What license do you have now? Q 10 Club liquor license. Α]] What privileges do you have under a club liquor license Q 12 as opposed to a catering liquor license? 13 Α We can only serve members. 14 Are you entitled to serve guests of members? Q 15 Α Yes. 16 Any guests of members. 17 If we have a guest, we are entitled to serve them. 18 I am not clear about one thing. Perhaps you can help 0 19 me to understand that. I am not quite certain I understand why 20the Lodge has permitted grandchildren of members to bowl in 21 Is there any reason other than the fact that orig-22

inally grandparents used to bring their children in?

A Well, I was not Secretary probably at the time it started but grandparents like to see their children entertained and they bring them into the clubroom; and when this program was

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Ĩ	started, why they probable
2	started, why, they probably said: "Can this boy here bowl? He is my grandson."
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4	Q Are the grandchildren of members entitled to par-
5	ticipate in any other activities of the Lodge?
6	A If they come in with their grandparents, they can
7	participate.
8	Q So that the bowling activity is not the only activity
9	open to grandchildren of members.
٠.0	A That's right.
11	Q So that grandchildren are part of the family as de-
12	fined by the Lodge permitted to come in with a member.
13	A Yes.
14	Q Now we have seen in Exhibits R-1 and R-2 some photo-
15	graphs of the entrance way of the Lodge. I am showing you firs
16	the Exhibit marked as R-1, a picture of the doorman sitting at
77	the desk. Could you describe for us approximately where that
16	location is in relation to the front door of the Lodge?
19	<u> </u>
20	Q Yes.
S. 120	A That desk is probably twelve feet in from the street
20	door.
3m !	Q Is it directly in front of you as you walk in from the
district the state of the state	street or is it to the side of you?
200	A It's like this. (indicating)

You are indicating a bit to your left at about ten

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] o'clock or eleven o'clock from where you are sitting, is that Z correct? Α That would be correct. I show you R-2 and ask you if you could similarly 5 describe for us where those doors are? 6 They are the doors that lead from the lobby into the Α 7 clubroom. 8 Is it necessary for someone to go past the desk pictured Q 9 in R-1 to get to the doors pictured in R-2? 10 Yes.]] If you draw a straight line between the front door 12 and those doors pictured in R-2, how close would you come to 13 the doorman's desk? 11 Three or four feet. 15 What hours is the doorman on duty at the Lodge? Q 16 On Monday, Tuesday, Wednesday and Thursday from five Α 17 p.m. to one a.m., which is our closing time. On Friday, from 18 five p.m. to three a.m. On Saturday, from nine am to three a.m. 10 On Sunday, from nine a.m.to one-thirty a.m. 20 What hours is the Moose Lodge open? Q 7.1 On Monday, Tuesday, Wednesday, and Thursday, we open A 11

at twelve o'clock.

Twelve noon, that is. Q

Yes.

What time do you close on those days? Q

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1	A One a.m. On Friday, we open at nine a.m. Saturday,
6°3	nine a.m. Sunday, nine a.m.
3	Q Are the times that you described which the doorman
Ą	stays until the closing times of the Lodge on those days?
5	A That's right.
6	Q Who is present at the desk in the hours other than
7	when the doorman is present to determine whether people entering
8	the front door are members?
9	A There is no one present at the desk. In case there
10	is no one present at the desk, I check their card and admit
11	them or one of the staff does.
12	Q Do you or a member of the staff then sit at the desk
13	at all hours when the doorman is not present?
14	A No Sir.
15	
16	Q Are there occasions when there is no one sitting at the desk?
)7	A Yes Sir.
19	Q Is it for those periods of time when the doorman isn't present?
20 i	A Yes Sir.
el ; ;	
22	Q How are you or another member of the staff aware when someone enters the Moose Lodge?
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	office is right there at the desk.
2 5	Q Does your desk face the doorway so you could see any- one entering the Lodge ?
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A My desk sits in this manner and, of course, as they go by, you can see they are going -- want to go into the clubrooms.

Q Is it possible for a non-member to enter the Moose Lodge?

A Yes.

Q How could that happen?

A It could happen if they would go up to the door and somebody was coming out at that time and they would squeeze through the door there. They could get in.

Q Do you know whether that is a frequent occurence or an occasional occurence?

A We have no trouble with that whatsoever. Our bartenders are instructed to check all receipts when the doorman is not on duty.

- Q Are those the dues receipts you are referring to?
- A That is correct.
- Q How is it that fourteen individuals who apparently were children of non-members happened to come into the premises without being asked for membership by any staff member and bowl in the league for a period of at least six weeks?

A Because we trusted that the bowling alley was allowing only children that had Moose affiliations to bowl.

Q But Mrs. Reed testified that she trusted that the door-man or someone at the front desk would check and only allow

1 members in. Now who is responsible for determining that? 2 The children that had no identification except their 3 A.B.C. card. But on the first day of registration, when they came 5 with their parents, or even alone, who would be responsible for checking to see whether they were children or grandchildren of members? That was left up to those checking the bowling alley Α 9 to take care of it and know what was going on. 10 Have there ever been periods of time when the Lodge 11 didn't employ a doorman? 12 No Sir. 13 There were no periods of time between when one door-Q 14 man left and another was hired on? 15 The door is covered by a doorman being on duty on the 16 hours that I gave you. 17 So that you can definitely state there always has been 18 a doorman on duty to your knowledge during those hours. 19 Α That is right. What does the doorman ask for as proof of membership Q when someone enters the door? The official Moose receipt. r en Is this required of everyone coming in the door? 1 There may be times when the man knows that the man has

a paid-up receipt from checking at previous times, but the

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majority of the time they are requested by the doorman to show their identification or Moose receipt.

Q So that if someone is known to the doorman, the doorman generally does not ask for a card or receipt, is that correct? Is known as a member.

A If he is known as a member, the doorman may let him go in without showing it that specific time. Maybe the next doorman will request the receipt.

Q Mr. Richie, you have been at the Lodge for sixteen years as it's Secretary, you stated. Can you recall during all of that time whether there was ever an occasion that the Lodge was open to the general public for parties or other social occasions and where the facilities were refused to members of the black race?

A No Sir.

Q You can affirmatively state that that has never happened, is that correct?

A That's right. It never happened.

Q Mr. Richie, you may have answered this earlier but I may have forgotten your answer. Is it possible for a woman to become a member of the Women's Auxiliary or Women of the Moose without having a male relative who is a member of the Lodge?

A To the best of my knowledge, she must have affiliations through a husband, father or brother.

Q You say that is what she must have. To your knowledge,

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are there any women who belong to the auxiliary now who don't have any other connection to the Lodge other than that they belong to the auxiliary?

A I don't know. I have nothing to do with the Women of the Moose books in any way, shape or form.

- Q Who administers that program or who is in charge of Women of the Moose?
 - A They have their own superiors.
- Q Who would they be? Who would know the answer to the question I asked you?
- A They just recently installed into office the recorder, Betty Raye.
 - Q Betty Raye?
 - A That's right.
- Q When the Lodge is open to the public or when it has been in the past open to the public, have certain areas of the Moose Lodge been restricted so that blacks who would otherwise be admitted to the premises could not go into certain areas of the Lodge?
- A No Sir. The only restriction we ever had on catering parties was the fact that they have their party on the second floor where anyone -- because there is where the kitchen facilities was and so forth.
- Q But would people who were in the premises when it was open to the public be permitted to go anywhere in the building?

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A	No	Sir,	not	unless	they	were	members
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Q So that when the Lodge was open to the public, nonmembers could only go to the second floor, is that correct?

A If they were there for a function -- in other words, they rented the second floor for that function.

Q When you had your banquets for the baseball teams and little leagues, is that where the banquets were held?

A Yes Sir.

Q So that no individuals were allowed in any other place other than that second floor area, is that correct?

A They were there for the purpose of that banquet. That is where they were supposed to stay.

Q Is there any particular reason to limiting the non-members to that area?

A Yes. Because of the fact that they are not allowed to purchase any beverages and so forth on their own. It's a prearranged party and must be registered in some individual's name who is responsible for the payment of the bills.

Q Does employment at the Lodge give an individual any rights or privileges as far as use of the facilities?

A Does employment, you say?

Q Yes. If someone is employed -- say, for instance, Mr. Reidy, who was employed as the bowling manager of the Moose Lodge. Let's say that he was not a member but was merely employed there. Would he have use of the facilities?

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1	A No Sir.
2	Q Could he use the bowling alleys?
3	A He would probably be using the bowling alleys. The
4	never came up. Mr. Reidy was a member.
5	Q I am just using that as an example.
6	A I don't know.
7	Q Are the families of employees of the Lodge permitte
8	to use the facilities?
9	A No Sir.
10	Q Do you have any individuals who are employed by the
11	Lodge but who don't belong to it?
12	A To the best of my knowledge, there is only one.
13	Q Who is that?
14	A His name is James Frank.
15	Q What capacity was he in?
16	A Part-time janitor.
17	Q Was he permitted to use any of the facilities at the
18	Lodge?
19	A No Sir.
20	Q Was his family permitted?
21	A No Sir.
22	Q To the best of your recollection, he is the only
23	individual that you recall who was employed by the Lodge who
24	was not a member.
7.5	A To the best of my knowledge

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1 MR. YAFFEE: I have no further questions. 2 MR. HARTER: I have no further questions. COMMISSIONER SMITH: The Commissioners have a few 4 questions. 5 COMMISSIONER SCOTT: By being Secretary of the Lodge, 6 is that a paid position for you? THE WITNESS: 8 COMMISSIONER SCOTT: Is there anyone within the Lodge 9 that holds a position higher in authority than yours? 10 THE WITNESS: I would say that they are equal. 11 COMMISSIONER SCOTT: What is that? 12 THE WITNESS: The superiors of the Lodge. 13 COMMISSIONER SCOTT: I don't know what they are. 14 THE WITNESS: The superiors are -- the one who holds 15 the President, we will say, is known under the title of Governor. 16 There is a Treasurer. Three Trustees. A Junior Governor. 17 a Prelate. 18 COMMISSIONER SCOTT: Given the criteria that has been 3 9 testified to as to membership, before the ruling of May 28 by 20 the Supreme Lodge, were Jewish persons permitted to be members 2 of the Moose Lodge? 22 THE WITNESS: Yes. 20 COMMISSIONER SCOTT: Were there Jewish persons members? 24THE WITNESS: Yes. 25 COMMISSIONER SCOTT: And there is now?

Yes.

THE WITNESS:

COMMISSIONER SCOTT: You say that the children were denied because their parents or relatives weren't members and not because of race. If Mr. Hamilton presented himself to the Lodge to apply for membership, he would be denied, is that correct?

THE WITNESS: At that time?

COMMISSIONER SCOTT: Now.

THE WITNESS: No.

COMMISSIONER SCOTT: Then he could present himself.

THE WITNESS: Yes.

COMMISSIONER SCOTT: He would not have to wait to be invited.

THE WITNESS: Well, he could make it known that he would want to join the Moose but naturally somebody has to be the sponsor. Therefore, the sponsor must ask the man to join the Loyal Order of Moose.

COMMISSIONER SCOTT: And his children could make use of the facilities if he was so accepted.

THE WITNESS: That's right.

COMMISSIONER SCOTT: These other people that were invited to join because their children were bowling, did they go before the screening committee?

THE WITNESS: The ones that were invited to join?

Those that were invited to join, their application was processed

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515. Baji the same as any other person.

COMMISSIONER SCOTT: Through the screening committee and voted on by the body.

THE WITNESS: That is correct.

COMMISSIONER SCOTT: Is it a requirement that employees of the Lodge be members?

THE WITNESS: No.

COMMISSIONER SCOTT: That's all.

COMMISSIONER SMITH: I have a question with respect to membership. You must run the gambit of first having someone invite you to be a member. Having done that, then you have to be processed by the investigating committee. Has it ever been a situation where the investigating committee put their stamp of approval on the person, found them to be, prior to May 28 of course, Caucasian, male over twenty-one, having no criminal record and good character, belief in Supreme Being and meeting all those other requirements, and coming before a secret ballot and being turned down? Have you ever had a case like that?

THE WITNESS: Yes.

COMMISSIONER SMITH: There have been?

THE WITNESS: Yes.

COMMISSIONER SMITH: So that one must meet that

THE WITNESS: Yes.

COMMISSIONER SMITH: Since you have dropped the catering

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license, have you had any parties at all using the Lodge facilities for weddings and things of that kind, wedding receptions? THE WITNESS: No Sir.

COMMISSIONER SMITH: None at all?

THE WITNESS: No.

COMMISSIONER SMITH: It's your policy not to have any now.

THE WITNESS: That is correct.

COMMISSIONER SMITH: Is there any -- put it this way: What is the entrance to the bowling alleys?

THE WITNESS: The entrance to the bowling alleys is that you go in the front door, past the doorman's desk, down four steps and into the clubroom and then you go through the main clubroom to the bowling alleys because they are directly in the back of the building.

COMMISSIONER SMITH: So in those Exhibits R-1 and R-2, you must go through those doors in R-2, those big doors in R-2, to get to the bowling.

THE WITNESS: That is correct.

COMMISSIONER SMITH: Is that the way it is always done or is there a side entrance for bowling?

THE WITNESS: No, no side entrance.

COMMISSIONER SMITH: You must always go through those main doors.

THE WITNESS: That's right.

1 COMMISSIONER SMITH: Must there always be a member Ċ. present for bowling? By that, I mean if he brings a guest, 3 he has to be there. Like on open nights, for example. THE WITNESS: We don't have any guests at this par-5 ticular time and haven't had any so there is no guest bowling. COMMISSIONER SMITH: I understood that in your adver-7 tising with respect to open nights, that is when you don't have 8 leagues, that non-league members can come in and bowl if there 9 are -- don't you permit guests on open nights? 10 THE WITNESS: No. 11 COMMISSIONER SMITH: Why would you advertise in the 12. paper then? 13 THE WITNESS: Open bowling is a term used in the 14 sport of bowling. 15 COMMISSIONER SMITH: I understand that. Non-league. 16 THE WITNESS: It means that the alleys are open to 17 non-league bowling for our membership. iĝ COMMISSIONER SMITH: But members only. 34 THE WITNESS: That is correct. 12 28 THE WITNESS: No, you could not.

COMMISSIONER SMITH: If I were a member of Lodge 145 on open night I couldn't bring a guest with me to bowl.

COMMISSIONER SMITH: You could bring your wife or members of the family.

> THE WITNESS: That is correct.

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COMMISSIONER SMITH: How about the junior league? Now the junior league, a member doesn't come along with the children on the junior league.

THE WITNESS: That is right.

COMMISSIONER SMITH: And I think you testified, or someone did, that the kids don't have any cards of any kind to show that they are children of parents, or grandchildren. The only tie there is whatever checks are being make by the people running the junior league, Mrs. Reed.

THE WITNESS: That is correct.

COMMISSIONER SMITH: Have you any up-to-date membership list on Moose Lodge 145? Do you keep a list up-to-date? THE WITNESS: Yes.

COMMISSIONER SMITH: Have you ever considered making that list available to Mrs. Reed to check at the time kids are enrolled for those events?

THE WITNESS: My thought in mind would be to have them sign a card to the effect that a certain person is the parent or grandparent, sign that card or give the name so we can check it because of the fact that the child might have a different name than their grandparent or even some times the parent.

COMMISSIONER SMITH: I take it you have not set up any procedure, though, for this coming fall other than what has been done in the past. Namely, Mrs. Reed calling.

THE WITNESS: Not at the present time.

COMMISSIONER SMITH: So there is no guarantee in the 2 future any more than in the past that in the junior league children of non-members will be bowling. THE WITNESS: We don't know whether we will have a 5 junior league due to the fact that our bowling manager quit 6 and took another job, and we don't have a bowling manager. COMMISSIONER SMITH: Well --8 THE WITNESS: We hope to. 9 COMMISSIONER SMITH: Assuming you do have somebody 10 running it, there is no guarantee the way you have it set up 11 that it will be better than in the past. 12 THE WITNESS: I assure you that there will be. 13 COMMISSIONER SMITH: I have no further questions. 14 COMMISSIONER ECHOLS: Is the doorman on duty when the 15 kids come in to bowl? 16 THE WITNESS: Yes. 17 COMMISSIONER ECHOLS: Presumably the doorman was on 36 duty when these junior leaguers came in, in terms of those people 19 that we later found to be children of non-members, right? 20 THE WITNESS: Yes. 2 COMMISSIONER ECHOLS: And to your personal knowledge; 22you don't know -- do you know whether these youngsters were 20 21

regular bowling youngsters or youngsters who came in on a oneshot deal. To your personal knowledge?

> THE WITNESS: I don't know.

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1 COMMISSIONER ECHOLS: But there were records of the 2 Moose membership, is that correct? THE WITNESS: Yes. COMMISSIONER ECHOLS: I presume those records are Ţ, kept in the Moose building. 6 THE WITNESS: Yes. 7 COMMISSIONER ECHOLS: Presumably your office. 8 THE WITNESS: Yes. 9 COMMISSIONER ECHOLS: Presumably your office is a 10 few steps from this desk. 11 THE WITNESS: Right back there. 12 COMMISSIONER ECHOLS: How long have those records --13 those records have been kept ever since you have been in an 14 official capacity, is that correct? 15 THE WITNESS: That's right, and many years before. 16 COMMISSIONER ECHOLS: Of all the criteria one must 17 have in order to be eligible for Moose membership -- paying dues 18 is the easiest one, right? In terms of who can be a Moose 19 member. 1 THE WITNESS: That's right. COMMISSIONER ECHOLS: If you don't pay your dues, you 22 are out. 23

THE WITNESS: That's right.

COMMISSIONER ECHOLS: Some of the other criteria is a bit harder to determine, isn't it? Some of the other requirements

for admission into the Moose are a little bit more difficult than it is to -- that is, the business of whether you stay a member or not by paying your dues. How do you determine whether or not an applicant has, in fact, not committed a felony?

THE WITNESS: That is up to the investigating committee.

COMMISSIONER ECHOLS: Certainly the police don't give you those records, do they?

THE WITNESS: No Sir.

COMMISSIONER ECHOLS: You say the Moose Lodge is open nine o'clock on Saturdays.

> THE WITNESS: Yes.

COMMISSIONER ECHOLS: For Moose membership.

THE WITNESS: For membership, that is correct.

COMMISSIONER ECHOLS: Open at nine a.m. on Sunday for Moose membership.

> THE WITNESS: That is correct.

COMMISSIONER ECHOLS: Presumably Moose membership attend whatever functions you may have at that time, is that correct?

> THE WITNESS: Yes.

COMMISSIONER ECHOLS: It seems to me another requirement is to believe in God and going to church and doing those other kind of things, it may be a little more difficult to

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exercise if you open at nine o'clock on Saturday if you are

Jewish and a Moose member at the same time or if you are of any
other Christian faith, nine o'clock is pretty tough temptation
to instill in the members — one of the requisites for Moose
membership, belief in God and faiths and supporting your church
and this sort of thing, is that correct?

THE WITNESS: Those have been the requirements for many years.

COMMISSIONER ECHOLS: Now in terms of -- another requirement is that the applicant must be -- sort of have a charitable nature about him. Sort of must commit himself to the welfare of the Moose membership as well as to the improvement of the community generally, right?

THE WITNESS: Yes.

COMMISSIONER ECHOLS: When a person comes and applies for membership, do you say do you belong to the United Fund, or maybe in this case -- what, the Red Feather? Do you have a United Fund in this community?

THE WITNESS: Yes.

COMMISSIONER ECHOLS: Do you check to see whether they are United Fund members?

THE WITNESS: No.

COMMISSIONER ECHOLS: Do you check to see whether they are a C.L.U. members, N.A.A.C.P. members as Moose members to your knowledge?

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THE WITNESS: No.

COMMISSIONER ECHOLS: Are any members of the Moose members of Urban League?

THE WITNESS: Not to my knowledge.

COMMISSIONER ECHOLS: Are any of them members of the Board of Bethlehem Douglas Center? A Center that you referred to which you said was located in the black community in Williamsport?

THE WITNESS: Not to my knowledge.

COMMISSIONER ECHOLS: One last question. I think
Mr. Yaffee was trying to get at the difference between the
Moose sponsored baseball and Moose sponsored bowling and I
think you indicated that one was where anyone could participate,
the Moose was only a sponsor of that and it was held outside of
the Moose building; whereas the bowling was held inside the
Moose building, and the membership there could be controlled.
Yet I think you indicated that the Moose sponsored or sponsors
Easter and Christmas parties, is that correct?

THE WITNESS: That is correct.

COMMISSIONER ECHOLS: There, all people come, is that correct? Children.

THE WITNESS: That is correct.

COMMISSIONER ECHOLS: Can you differentiate for me the differences between that situation where all the children can participate in Christmas Egg or Easter Egg parties, which

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is more sociable than anything else, than in bowling, which is more competitive than sociable? Yet both activities are held within the Moose facilities.

THE WITNESS: My answer to that, Sir, is that I wouldn't have the nerve enough to turn one down. A child come by with a bag of candy, if that will make him happy, I would love to make him happy.

COMMISSIONER ECHOLS: But suppose the little black child came there with his bowling ball in his hand and tears in his eyes, you could turn him down.

THE WITNESS: I have no authority to let him in.

COMMISSIONER ECHOLS: All right, no further questions.

COMMISSIONER SMITH: Any closing remarks?

MR. HARTER: Nothing further.

MR. HARTER: The defense rests.

MR. YAFFEE: I have just one further question of Mr. Richie.

RECROSS-EXAMINATION

BY MR. YAFFEE:

Q With regard to the Lodge advertisements of open bowling in the Williamsport Sun Gazette, the advertisements which were entered into evidence at our last meeting, why does the Lodge advertise that there is open bowling during certain hours of the Lodge? Why do they advertise that in the newspaper?

A To let our members know that our alleys are available

] for open bowling. 2 But you stated that the alleys are not available to 3 members of the general public, isn't that correct? That is correct. Well if this is merely intended to advise members Q 6 as to the fact that the leagues are not bowling during those 7 times, why isn't a mailing made to members? Because it's much more expensive for a mailing than 9 to send out -- then to advertise in the paper. A mailing is 10 much more expensive. 11 So you use the newspaper to communicate with your 12 members. 13 Α That's right. 14 Do you ever make mailings to the members with regards 0 15 to social calendar or events taking place at the Lodge? 16 Α Yes. 17 0 Does that include information about the bowling 13 alleys? 11 Α Yes. 30 And is it not mentioned in those mailings that there are certain times when there is open bowling? 17 Maybe there is no bowling going on at that particular 11.59 time that these -- we don't send too much mailing out to the 200 membership because of the cost. But you say you do send a mailing to advise them of

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1 (F 6,4,1 events or social calendar of the Lodge. Couldn't you at that point refer to when the alleys were available for open bowling?

A Probably I don't know that at that particular time and maybe the bowling alley manager would not know it at that particular time, that the mailing was being prepared.

Q Is your testimony to the effect that no member of the general public has ever come in to bowl at the Lodge in response to the advertisement?

A Not since we have the no guest rule on.

Q Before that time, did you have members of the general public who saw the ad and came in?

A Not as you might term the general public. We had members bringing guests in to bowl.

Q But either before that time or after that time, it was never your experience that someone has just walked in off the street with the Williamsport Sun Gazette and said? "Here it says open bowling. I would like to go bowl if I may." You have never experienced that.

A No Sir.

Q Would you be in a position to know if that happened?

A I could say it might have happened but not to my knowledge.

MR. YAFFEE: Thank you. No further questions.

MR. HARTER: That's all.

COMMISSIONER ECHOLS: I have one other. Can you give

11 me an idea of the size of the Moose membership? 2 THE WITNESS: More than twenty-four hundred. 3 COMMISSIONER ECHOLS: Active? THE WITNESS: They are all active members. We have 5 no social membership. COMMISSIONER ECHOLS: All right. COMMISSIONER SMITH: Thank you. 8 (Whereupon, the witness was excused.) 9 10 MR. HARTER: That's all. The Respondent now rests. 11 COMMISSIONER SMITH: What is your desire with respect 12 to filing briefs in this case? I think Mr. Yaffee mentioned 13 one. Off the record. 14 (Whereupon, a brief discussion was held off 15 the record.) 15 COMMISSIONER SMITH: On the record. You will have 17 a brief, Mr. Yaffee, relating to the Complainant by what date? 18 MR. YAFFEE: No later than Friday, August 24, 1973. 9 I will attempt to have it in as much before that time as is <u>. [</u> possible depending of course upon when the transcripts are 21 received. 22

COMMISSIONER SMITH: And then, based on that, the Respondent will attempt to have his brief in on or before September 7.

MR. HARTER: Yes.

] COMMISSIONER SMITH: All right. Anything further, 2 then? MR. YAFFEE: With regard to this, no. I have one rebuttal witness who will be on for a very brief time. COMMISSIONER SMITH: O.K., let's get him on. Scott is leaving now for a plane back to Pittsburgh and Mr. Harter, Attorney for the Respondent, agrees to this Hearing continuing with only two Commissioners present. 0 MR. YAFFEE: And I have no objections. ŧÛ COMMISSIONER SMITH: We will have a five minute 1 recess. 12 (Whereupon, a brief recess was held.) 13 14 COMMISSIONER SMITH: All right, let's proceed. 15 MR. YAFFEE: Complainant calls Mr. Ronald Anderson. 16 RONALD ANDERSON, a witness called by and on behalf 17 of the Complainant, having been duly sworn, was examined and 38 testified as follows: 10 COMMISSIONER SMITH: Give your name and address for 10 the record. A_{s}^{1} 12

THE WITNESS: Ronald L. Anderson. 1026 High Street, Williamsport.

DIRECT EXAMINATION

BY MR. YAFFEE:

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Q For the record, what is your race?

A	I am a Negro, or a black.	
Q		
that cor	You are currently a resident of Williamsport, is	
chac cor.	rect?	
A	Yes.	
Q	How long have you resided here?	
A	43 years.	
Q	Mr. Anderson, did you ever have occasion during your	
43 years	of residence in Williamsport to go to the Moose Lodge	
No. 145 p	premises for admission to that premises?	
A	Yes.	
Q	Could you approximate for	
· A	Could you approximate for us when that was?	
	The year I am not sure. It was in the late fifties	
or mid fi	fties, anyway.	
Q	Would you describe for us the occasion upon which you	
went ther	e and the reason for your going there?	
A	Williamsport was celebrating their Susquecentenniel	
and the M	coose invited the entire public to come down and par-	
	in their refreshments and different things they had	
	that day. Anyone with a beard. There was about five	
_	us with beards went down to participate. Five or	
six blacks.		
Q	Can you name any of these individuals?	
A	Yes. There was Paul Anderson Employer	

A Yes. There was Paul Anderson. Frederick Hunter. Albert Wilson. Now it gets fuzzy.

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Q And yourself.

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Q Would you continue?

Yes.

A We went to the door to get in. The gentleman said just a minute, I will get -- a certain fellow who I didn't know. He was Secretary down there then. I forgot his name. He said: "I will get him to see if you are allowed in." They got him. They talked and talked. Presently I seen they came out and said we weren't allowed to get in. We were young then but we weren't quite as violent as we should have been.

Q Approximately how old were you at the time?

A Well, I been out of the service I would say a year maybe. That was in '55 -- '55 to '56 it was. I would have been 26 or 27 years old.

Q Is there any reason given for the refusal to admit you?

- A Just that blacks weren't allowed in, that's all.
- Q Were you told that?
- A Yes.
- Q Were there other members of the public entering the premises to your knowledge?

A Everyone, with no doorman. As long as they had a beard they were allowed in, except blacks.

- Q So you didn't observe any blacks entering the premises.
- A No.
- Q What did you do upon being refused entrance into

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the Lodge?

A We called all the influential people in town we knew who might be associated with Moose to see if we could get in to participate with them. To no avail.

- Q Did you take any other further action?
- A No.
- Q Did you all keep your beards?
- A No. We shaved them off almost immediately after all the $he^{l}p$ was lost. We shaved them off.
 - Q Had you grown the beards for any particular purpose?
 - A Yes. Like I say it was a Susquecentenniel. Everybody grows beards. We had three months of sweat and itching. We just shaveed it off immediately after that.

MR. YAFFEE: No further questions.

CROSS-EXAMINATION

BY MR. HARTER:

- $\ensuremath{\mathtt{Q}}$ Do you know the name of the person who refused admission to you?
 - A No, right now I don't know his name.
- Q Can you pinpoint as to time when this occurred any closer than you did?
- A I don't think so. You can look in the records when the Susquecentenniel was.
 - Q Was it in the early fifties?
 - A Mid fifties or better. '54, '56, around in there.

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] 2 3 Now do you know Mr. Richie here? Q No Sir, and I am glad I don't. Α 5 Q. Α No Sir. Q 8 time and been refused? Α 10 11 12 I wouldn't swear to that. 13 14 15 Were you there by yourself? 16 17 13 19 There were others present at that bar. 20 21 would never leave me. way? 25 The bartender imformed us as soon as you go in there

I had just got out of the service in '54 and I was going to school in '55 so it had to be '54, '55 or '56. At least it wasn't Mr. Richie who turned you down, Have you ever tried to regain admission since that I have been in there, like he said before, for a bowling banquet where I was kept at one bar and the rest of the party I was with went to another bar. Non-members, I think, You just don't know the answer to that. And the bar that you were directed to, were you the only one at that bar? My bowling team would never leave me. I bowled on an all white team and they would never leave me. You weren't at this bar all by yourself, were you? I just said I bowled on an all white team and they Well, was anything said to you that you were directed to that bar because of your race or did it just happen that

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Ì	VON are not allowed in any other
2	you are not allowed in any other part of the building. He
3	informed us of that. But everybody else goes to the other
Ą	part of the building but my team and my members. My team
5	members.
6	Q What was the name of the bartender who so informed
7	you?
-	A I have no idea.
8	Q But you have never been denied admission to the
9	Moose quarters since that time.
10	A I have never tried to gain admission since that
11	time.
12	MR. HARTER: That's all, thank you.
13	COMMISSIONER SMITH: Thank you very much.
14	in a second for the second sec
15	(Whereupon, the witness was excused.)
16	MR VAREER. I have no finally
17	MR. YAFFEE: I have no further witnesses to present on rebuttal.
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19	COMMISSIONER SMITH: Do you have any summation or
r;	comments that you want to make?
n Ad	MR. YAFFEE: I would like to summarize briefly if
27	I may, so long as Mr. Harter has nothing further.
	MR. HARTER: I have nothing further. Oh, Mr. Chair-
4	man, I would like to renew my motion to dismiss without going
i.	into detail but assigning the same reasons I did earlier.
	MR. YAFFEE: And I would object for the measons set

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forth earlier.

COMMISSIONER SMITH: Motion is denied.

MR. YAFFEE: Members of the Commission Hearing Panel:
I would like to breifly summarize the evidence that was placed
before you which you will now consider along with the briefs
that will be submitted for consideration of the facts in the
case and for your decision and recommendation to the full Commission.

What has been unfolding before you, both in the last session and this morning and this afternoon, has, I feel, been a classic case of an individual or an institution which has created arbitrary requirements. In this case, the guise of a membership requirement, which was not applied or enforced, or when it was, was done so arbitrarily in an attempt to keep black individuals from the premises. The blacks who were kept out of the Moose premises -- particularly from participation in the bowling league -- were done so only because of their race and for no other meason.

There were other youngsters bowling in that league who were similarly situated to Lynn and Sharon Hamilton, with identical qualifications to bowl in that league, whose parents similar to Lynn and Sharon were not members, whose grandparents weren't members, who bowled there for the entire season from September up until November 18, 1972; and who bowled for the entire previous bowling season and yet were permitted to bowl

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there because of the fact that they were white, because of the fact that they weren't black.

Now the Moose Lodge wants us to believe that there is a membership requirement that all children must be the children or grandchildren of members to bowl in that league, where a random sample of thirty-two of the sixty children bowling in the league produced the fact that fourteen of those children had no relationship to the Lodge other than the fact that they appeared there on Saturdays to bowl.

Now the Moose chooses to enforce the membership requirement, now that blacks and black children desire to bowl in the league, and this is an unlawful discriminatory practice. The fact that the Lodge has been open to members of the general public, and in this case not even guests but strictly nonmembers, clearly brings it within the ambit of a place of public accommodations as defined by the Human Relations Act.

Therefore, they are required to comply with the provisions of that Act which are to offer their facilities on a non-discriminatory basis regardless of race. Now we hear from the Hamilton children and their parents and from the testimony of Mrs. Reed, who is the coach of the children's league and we have learned that the children were otherwise qualified to bowl and in fact were accepted for bowling by Mrs. Reed. She indicated that there were at least four vacancies existing in the league at the time Mr. Hamilton called on that Saturday morning.

stated that she would welcome the children into the league, describing the various tournaments and Christmas and Spring festivals and competitions that were held by the league. was only when Mr. Hamilton asked whether race would be a factor were they then restricted or excluded from joining when Mrs. Reed stated words to the effect -- or at least to the meaning that that was a horse of a different color, or that would be a different story. And then Mrs. Reed took the step of calling all of the parents of the children to determine who was or was not a member of the Moose Lodge and she took it on her own -the testimony as presented will reveal -- to incite those individuals who weren't members to join.

As Mr. Richie stated, she was not authorized to make that invitation so the status of those individuals who joined in response to her telephone inquiry is certainly in question. Once the racial restriction on membership was dropped, were the Hamiltons invited to join? Was Mr. Hamilton called? No, he was not.

I think the inference that can be drawn from that is extremely clear. The Hamiltons and their children weren't wanted at the Lodge or the bowling league merely because they were black, regardless of whether there was a criteria set up by the Supreme Order of the Moose or not. I think we can equally see how arbitrary the requirements are by the Moose Lodge for use of their facilities.

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We hear on the one hand that the Lodge is closed to anyone except members and their families. Yet we see through questioning of the individuals who are responsible for administering that policy that no one really quite understands how precisely those guide lines are defined. What is a member of the family? In some instances, grandparents or grandchildren can be considered members of the family. In other instances, friends can be brought in and considered to be members of the family. A girl friend, for some reason the distinction is drawn between a girl friend and boy friend of a member. A girl friend is certainly not a member of the family. What other exceptions are made by the Lodge?

I suggest to you that the Lodge very conveniently interprets its own guest policy to suit its convenience and particularly in this instance to exclude blacks. For that reason, it is a mere guise to keep out blacks and, therefore, should be struck down by this Commission.

I have mentioned in my opening remarks the factors which would involve the Lodge in the causation process between the refusal of Mrs. Reed and the transmission of that information to the Hamilton children -- the transmission of the information that they could not bowl at the league because of their race. I don't want to repeat that and the reasons for the position the Commission takes with regard to that legal question -- that the Lodge is responsible for any psychic and emotional damage

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and harm caused to the children because of their actions -will be presented at a later time in our brief. I would, in closing, however like to just briefly dwell upon the effect this had upon the children. I believe it will become clear to the Commissioners not only that the Lodge is responsible for what has happened to the children but that the damage and injury suffered by the children is an irreparable one for which they deserve monetary compensation.

Testimony by Lynn and Sharon and by Mr. and Mrs. Hamilton, their parents, has revealed that Lynn and Sharon we're fairly carefree children who had experienced through the Army lives of their parents to exposure to children of all races from all backgrounds. Hawaiians, whites, Japanese, Indians, Pakistans. They participated socially with these children at the various bases where they lived. They bowled with them in all other places. They were open and outgoing children.

When the chance came to move to Williamsport because Mr. Hamilton had to go overseas; the natural desire was to return to Williamsport for Mrs. Hamilton because this is where she grew up. And to the children, moving to Williamsport meant leaving their bowling league. It was one of the primary considerations in their move and was not until they were assured by their parents that they could join a bowling league and continue their organized bowling activities that they agreed and became anxious to move here.

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Their parents testified to the benefits and the growth that they experienced through bowling, the team work, the development of physical coordination in young children, the discipline that they developed and also the social and intergroup relations as well as the friendships that were developed through bowling. Then they came to Williamsport and after being here not two weeks they began urging upon their parents that they follow through on their promise to get them into a bowling league.

It was on Saturday morning, their usual bowling morning, that they came in fact to their parents and said why haven't you gotten us into a bowling league yet. We miss our bowling. And in response to that, the parents immediately began to attempt to get the children into a league. Mrs. Hamilton called the Y. There were no facilities for children of that age group and sex at the Y. It was recommended that they call the Moose Lodge because the Lodge had leagues that could accommodate them. When Mr. Hamilton called, he learned, as you heard, that the children could not bowl there because they were black. The children were in close proximity and demanded to know why they couldn't bowl. Should Mr. Hamilton, in that circumstance, have been required to break a basic tenet of his family life -- and that is to tell a lie to his children? state not. I believe his obligation was, at the very least, to be truthful with them and to explain to them as best he could

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 the facts of the situation with all due regard to their age and sensitivity.

This was not a situation where Mr. Hamilton heard the news, pondered what he should do, discussed it with his wife, let a couple of days pass and then called the children. The children were right there watching T.V. in the next room. They heard him hang up the phone and wanted to know whether they were in the league. And he responded.

There is a singular chain of events which occurred which tie the Lodge to the harm that was caused to the children. And what effect did this have on the children? I urge upon you to recall and review the testimony of Lynn and Sharon and their parents. The immediate effect and the lasting effect were permanent wars that were inflicted upon them and which perhaps may never heal.

COMMISSIONER ECHOLS: Counsel, on that very point, the point of permanent psychological scar in the children which may never heal, in order for us to find that to be a fact, must we have some medical testimony, some psychological testimony with regard to the damage done?

MR. YAFFEE: Mr. Echols, I feel that it is extremely difficult to gain the amount of damage that is done to a person. Certainly physical damage is done to a person. That is easily ascertainable. Someone breaks an arm or leg or cuts a foot. We can determine that. We can have a Doctor testify to that.

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ي رين It's extremely more difficult, I would urge upon you, to determine or to set some limit or measure upon the damage suffered by a child or by any individuals as a result of an act of discrimination. I believe that even if we had the foremost psychiatrist come before the Panel, that that person would be unable to define a limit or place their injury on a scale; and I think that and would urge upon you that it is up to the Commissioners in their wisdom, in their experience dealing in the area of discrimination and from their personal observations of the testimony both of the children and their parents to determine what the injury was suffered by these children.

COMMISSIONER ECHOLS: This is a tort. Let's assume this is a tort and that the damages in the tort law apply.

Right? Therefore, the medical damages in terms of specific as well as general, that law applies. What is that law in tort as regards psychological damage?

MR. YAFFEE: The law in Pennsylvania with regard to psychological damage has recently undergone a change. Prior to very recent times, physical impact was required upon the victim of a tort in order for that victim to be able to recover for any shock or emotional or psychic harm. The law is now different. No impact is required upon the individual. It is clearly possible for the individual to suffer such harm without any specific medical injury or injury which requires medical care. I urge upon you the cases that deal with defamation, libel and slander

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and invasion of privacy, where damages have been clearly awarded despite the fact that there was no impact or no recoverable medical damages.

COMMISSIONER ECHOLS: To your reputation and damages to your loss of profits -- special damages, I can understand. But the general damages -- I understand your argument. Can we, as Commissioners, award general damages for psychological harm in a situation where there is no medical or psychological superintendent witness testifying to it?

MR. YAFFEE: I urge upon you that you can, and for authority -- although I will develop this in the brief to be submitted -- I will refer you to the numerous cases of employment and housing discrimination where there was no testimony presented as to the psychic harm but where Federal District Court and State Court Judges as well as State Administrative Agents have awarded damages for emotional injury exclusive of any medical injury.

If I may I would like to quote the language of the Judge in Humphrey vs. Southwestern Portland Cement Company, which is a case in the Western District of Texas. The Judge on that very point -- this was a case of employment discrimination because of race -- stated "but as the trial progressed, it became more apparent that the psychic harm which might accompany an act of discrimination might be greater than would first appear for the loss of a job because of discrimination means

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more than the loss of just a wage. It means the loss of a sense of achievement and the loss of a chance to learn. Discrimination is a vicious act. It may destroy hope and any trace of self-respect. That and not the loss of pay is perhaps the injury which is felt the most and which is the greatest."

And Judges in all of these cases and in a great many housing discriminations have felt it incumbent upon them to make awards of damages for psychic harm, embarrassment, humiliation, which was suffered by the victim of discrimination. And even to draw an analogy to our act where there is no specific reference to psychic harm --

COMMISSIONER ECHOLS: Should you have to allege it specifically so that if a Respondent -- so that Respondent is put on notice and that Respondent then can inquire into it before the case is heard?

MR. YAFFEE: It is the Complainants position that there is no requirement that psychic harm be specifically alleged. It was done in this case by way of administered complaint although the Respondent was notified in January of this year that we were making this claim, to formalize that claim and formally put Respondent on notice. But I would urge that any psychic injury is the natural and foreseeable consequence of discrimination.

Respondents in complaints filed with the agency are never put on notice as to the extent to which the Complainant

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alleges that they are responsible for some form of relief. It is never alleged that the Respondent is required to pay backpay or to award the housing accommodation to the Complainant if the charge is sustained or that they take any other form of relief. I think it is up to the Commissioners to determine, to the best of their ability, what form of affirmative action can be taken by the Respondent to make the Complainants whole.

COMMISSIONER SMITH: I think we had enough suggestions on that point. Will you close your remarks now?

MR. YAFFEE: Certainly. I was just closing with my reactions and what I urge upon the Commissioners was the testimony as to the effect this act had upon the Hamilton children. I stated prior to this point as to their demeanor and way of life prior to this incident. We heard them that after this time Lynn and Sharon became conscious of race and color for the first time in their life. As to the fact that blacks may be treated differently by some people. A certain shyness developed and a lack of desire to socialize. Radically different, I urge upon you, than their earlier life style.

Their parents had to urge them to go out and play when, prior to this time, they were anxious to run out even in a new neighborhood and make friends. Their attitude and sensitivity towards life was deeply effected. The feeling of rejection, of isolation manifested itself even into their classrooms and they became extremely sensitive to things that happened there

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and attributed many, many things to race which should not have been and they became particularly aware of the fact of race in social situations. The fact that they were the only blacks in a certain place or that there were no blacks other than themselves.

Just to close, I would like to refer the Commission to the very apt language of Chief Justice Warren set forth almost two decades ago in the landmark supreme court decision of Brown vs. Board of Education of Topeka where Mr. Warren reflected that "to separate them, meaning negro children, from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may effect their hearts and minds in a way unlikely ever to be undone."

Therefore, I would urge upon the Commission that a finding of discrimination be made in this case and that the appropriate relief be ordered upon the Respondent; which shall include, I urge you, but not be limited to, an order requiring the Respondent to cease and desist its unlawful discriminatory practices with regard to its bowling league, ordering the Respondent Moose Lodge 145 to open its league and make its facilities available to the Hamilton children for bowling and any other children of any race who desire to bowl there, regardless of membership requirement; and I would further urge that the Commission award to the Hamilton children monetory damages to compensate

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them for the harm that they have suffered emotional and psychically, the amount to be determined by the Commission but certainly I would urge that in light of the testimony this amount be no less than ten thousand dollars for each child. Thank you.

MR. HARTER: Gentlemen of the Commission, I will be frank to say that I am at a loss just how to handle this situation, because I wasn't aware that we were going to make closing arguments, and that is exactly what my distinguished friend over here has done.

Yaffee will include that in his brief, the remarks, the gist of the remarks which were made, and I also was a little surprised, that it was that long and covered so many points. I don't think we are going to hold you to reviewing your brief at this point, Mr. Harter and you may, of course, include whatever comments you want to make in answer to those comments in a brief and you may do so, so that this closing remark of yours now I would suggest be just whatever you intended to say in the first place and not necessarily reflect all the arguments that he just made.

MR. HARTER: Well, my fear at the moment is that I will suffer by comparison here if I don't go into the detail - COMMISSIONER SMITH: I assure you you will not.

MR. HARTER: It wasn't my intention to belabor this

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thing. But I have tried particularly to set forth in my motion to dismiss the legal points that I have advanced here and I think that they are plain. I could take each one of Mr. Yaffee's points now and argue it --

COMMISSIONER SMITH: I don't think that is necessary.

MR. HARTER: All right. What I want to say in conclusion is this: If there is any discrimination here on the part of the Moose Lodge, it is what I would designate as a permissive discrimination as outlined by the Supreme Court of Pennsylvania in the Moode Lodge 107 case. That is the one I referred to earlier. As long as it's related to membership, it is a permissive discrimination. I don't intend to belabor that any further.

I would like to address myself just once to the matter of damages. I don't think that the Commission has the power to prescribe monetary damages. If it had, the legislature would have set up some guide lines for it. To award monetary damages would require this Commission to do just what a jury or a Judge if forbidden to do and that is to speculate as to the amount of damages. That is what would be required here. I want to say this in conclusion: From Timim Memorial, the Moose Fraternity—I am in a position to know something about it—has treated as a fundamental basic American right the right to choose those with whom they select socially. We consider that just as important a right as any other civil right and the fact that there was

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written into its membership requirements that membership was limited to members of the Caucasian race didn't, for a moment, designate as a target blacks or any other particular group. When this Fraternity was organized, it was organized in an area among a certain group of men who were all whites and that was the reason why --

COMMISSIONER ECHOLS: On that very point, if the Moose grew out of an all white situation, there would be no reason to make a distinction between whites and blacks -- since there were no blacks around. It would be an organization of Christians, people of high moral standing and so forth. Once -- the logic doesn't follow. Here is an organization that says membership is -- anyone with the exception of blacks or anyone of the Caucasian race. The inference is that one not of the Caucasian race can't belong.

MR. HARTER: That is an inference you are reading into it. That is no more discriminatory than it is for the Knights of Columbus, for example, to limit their membership to members of the Catholic church or for the Sons of Italy to American born Italians or for the Sunruptemist Club for example to limit their membership to women and exclude men. Those are all forms of discrimination which are recognized and taken for granted.

Now let me say this to the members of the Commission:
There are racial barriers. There is discrimination in this
Country. But it didn't develop overnight. It's a product of

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But the great mass of American citizens are opposed to it. Most of us are in favor of the purposes of the Human Relations Act. I subscribe to it one hundred percent. But we are never going to wipe out prejudice or racial barriers overnight, although we are making tremendous progress in this Coun-But I say this to you with all the sincerity at my command: What this Commission has to watch is that through possible overzealousness in the enforcement of this Act, they do not do a disservice to the cause that they are trying to advance. is the cause of breaking down prejudice and racial barriers and Because if the Commission doesn't look out, it could the like. alienate a great segment of our population who now subscribe to what you are trying to do and set the cause of what you are out to do back many years. That is the reason I urge you to use caution here in your deliberations.

am just assuming some facts that are not facts -- the Commission found in this case -- suppose the Hearing Commission recommend to the full Commission in this case there was a violation and the Hearing Commissioners in good faith thought the facts justified that. Do you mean to say that this Commission, because of that ruling in this case, would set the Civil Rights movement back hundreds of years?

MR. HARTER: I didn't say hundreds of years by any means. But I say this to you, and this is my own thinking and

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doesn't represent that of the Moose Fraternity, but we have probably a million and a half members of the Moose as heads of families which, on the basis of say five members to a family, would represent in excess of five million people. If the Fraternity is set back by a decision here, it will set back the cause that you seek to accomplish trememdously. And I say that with all the sincerity in my command as one who believes, as you do, in trying to break down the barriers. I believe that all men were born of one blood, that we are all brothers under the fatherhood of God and I urge caution on your part because in trying to accomplish this and build the spirit of brotherhood, we can do it a disservice.

That is the extent of my remarks.

COMMISSIONER SMITH: Thank you. If there is no further comments, this Hearing stands completed:

(Whereupon, the Hearing was concluded at 3:00 p.m.)

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing on the above cause before the Human Relations Commission, and this is a correct transcript of the same.

MOHRBACH & MARSHAL, INC.

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GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DONALD L. HAMILTON AND SHERRY HAMILTON IN BEHALF OF THEIR MINOR CHILDREN,

LYNN AND SHARON,

Complainants

vs.

Docket No. P-860

LOYAL ORDER OF MOOSE, LODGE NO. 145, Respondent

FINDINGS OF FACT, CONCLUSIONS OF LAW, COMMISSION'S DECISION AND FINAL ORDER

FINDINGS OF FACT

- Complainants herein are Donald L. Hamilton and Sherry Hamilton in behalf of their minor children, Lynn and Sharon, all individuals residing at 219 Federal Avenue, Williamsport, Pennsylvania.
- 2. Respondent herein is the Loyal Order of Moose, Lodge No. 145, a local fraternal organization affiliated with the Supreme Lodge of the World, Loyal Order of Moose, and located at 33 East Third Street, Williamsport, Pennsylvania.
- Respondent owns and operates a bowling facility upon its premises. That facility, as in the case of all facilities of Lodge No. 145, are open and available for the exclusive use of lodge members, their wives, children and female guests, and others as set forth, infra.

- 4. Prior to February 1, 1971, Respondent placed no such familial or sexual restrictions upon the guest privileges to which members were entitled.
- 5. On November 18, 1972, and for approximately twelve years prior thereto, Respondent has organized and otherwise made its bowling facilities available to a junior bowling league for children.
- 6. In the early part of November, 1972, Donald L. Hamilton and his wife Sherry Hamilton and their family, including their minor children Lynn and Sharon, moved to their present address in Williamsport from Fort Monmouth, New Jersey. Specialist Six Donald L. Hamilton, a thirteen year Army veteran, had been stationed by the United States Army in Fort Monmouth, New Jersey. The family returned to their home town of Williamsport because Mr. Hamilton was being transferred to an assignment in Korea.
- 7. The sport of bowling has played a large part in the lives of the entire Hamilton family, both parents and children, and Complainants Lynn and Sharon Hamilton had been involved in organized bowling competition in Fort Manmouth, New Jersey prior to their relocation to Williamsport. In addition, Lynn Hamilton had participated in bowling activities when Mr. Hamilton was stated at Fort Gordon, Georgia.
- 8. These organized bowling activities in which the children engaged had been an important part of their lives and an activity to which they had looked forward each week. It further taught them discipline and greatly assisted in their social development, enabling them to learn to get along with children of all races and nationalities since there was a diverse cross

section of children in the bowling leagues in Fort Monmouth.

- 9. Although initially somewhat reluctant to move to Williamsport, the Hamilton children became quite willing to relocate when they learned that they would be able to continue their bowling activities there.
- O. November 18, 1972, was the second weekend that the Hamilton family had been living in Williamsport, and early on that Saturday morning Lynn and Sharon Hamilton began asking their parents when they could commence their bowling activities as had been promised.
- of Bowling at the Williamsport YMCA Bowling Lanes, and asked if her son and Lynn and Sharon could bowl in the children's league at the YMCA. Her children, she explained, were all certified and eligible to bowl under the regulations of the American Junior Bowling Congress in the bantam catagory for children twelve years of age and under.
- Mr. Skinner explained that the YMCA presently conducted a bantam bowling league for boys but conducted no such league for girls in that age group.
- 13. Mr. Skinner further recommended that Mrs. Hamilton contact a Mrs. Reed at Moose Lodge No. 145 in Williamsport because he knew that the Lodge sponsored a bantam bowling league for girls.
- 14. At the time of the aforementioned conversation with Mrs. Hamilton, Mr. Skinner had no knowledge as to her race or that of

her children. Because Mr. Skinner had been informed by Mrs. Eleanor Reed, Junior Bowling Coach at Respondent Moose Lodge No. 145 that the bowling league conducted by the Respondent was segregated, he asserted that he would not have referred Mrs. Hamilton to the Respondent had he been aware that she and her family were Black.

- Mrs. Eleanor Reed, relating to her that he had been referred to her by Alan Skinner who had informed Mrs. Hamilton that the Respondent sponsored an American Junior Bowling Congress League for children. Mr. Hamilton further advised Mrs. Reed that his daughter Lynn was 8 years old and that his daughter Sharon was 6 years old, that they had previous experience in bowling leagues in New Jersey (Lynn having participated on a team which placed first in the Monmouth County tournament) and that both children were sanctioned by the American Junior Bowling Congress and possessed cards which reflected that fact.
- 16. Mrs. Reed indicated that she would be glad to have Lynn and Sharon bowl in Respondent's bantam league, that there were openings for additional bowlers in the league at that time and that Lynn and Sharon met all requirements for bowling in the league. She further described to Mr. Hamilton the operation of the league and the children's bowling tournaments in Williamsport that were held during Christmas and at the end of the bowling season in May or June of each year.
- 17. Before concluding the conversation, Mr. Hamilton asked Mrs.

Reed, "I have heard that the Moose does not allow Blacks into the Moose. Would this have any bearing on their bowling?".

- 18. Mrs. Reed's response was that Lynn and Sharon Hamilton could not bowl in the league at the Moose Lodge. She apologized to Mr. Hamilton and indicated that it was not her rule but that of the Moose Lodge which would prevent the children from bowling there.
- 19. Immediately following Mr. Hamilton's conversation with Mrs. Reed, Mr. and Mrs. Hamilton informed Lynn and Sharon that they would not be able to bowl in a bowling league on Saturday mornings as they had been promised. When the girls asked their parents why this was the case, Mr. and Mrs Hamilton explained to them that the Moose Lodge would not permit Black people to bowl there.
- 20. Lynn and Sharon began crying and were very upset. Lynn testified that the news that she would not be permitted to bowl because she was Black made her feel "Very bad. Sad." The experience made Sharon feel "Sad." It took their parents some time to calm Lynn and Sharon down.
- 21. Prior to this incident, Lynn and Sharon Hamilton had never displayed a sensitivity to the fact that they were Black, nor had they ever been denied the right to do anything because of their race. They were unable to understand what connection their race had with their bowling with other children. This was particularly difficult for them to understand because their past bowling experiences had involved team competition

with children of all races and nationalities and that fact had never created any problems or difficulties.

- As a result of this incident, both Lynn and Sharon have be-22. come extremely sensitive to the fact that they are Black, where prior to this time they never drew any racial distinction between themselves and others. They now consistantly notice the presence or absence of Black people in different situations and otherwise are deeply disturbed and affected by the refusal to permit them to bowl. As a result of this incident, Sharon became aware that she and her brother and sister were the only Blacks in the entire Lincoln School which they attended. She expressed a desire to quit school based on her feeling that everyone who was White was against Lynn, who had been very good in school, also began to feel that neither her teacher nor her classmates liked her because she was different. Her behavior changed to the point where she had difficulty getting along with her classmates and cooperating with her teacher.
- 23. Despite the fact that both Lynn and Sharon had been friendly and outgoing children and had easily sought out and gained many new friendships upon moving into the Williamsport Village Apartments, they withdrew almost entirely after this incident and chose to stay in their house rather then to go out and play with other children.
- 24. Sherry Hamilton, who grew up in Williamsport and had never experienced prejudice there, was shocked by this experience and the refusal of the Moose Lodge to allow her children to bowl their because of their race.

- 25. Mr. and Mrs. Hamilton chose to explain to Lynn and Sharon the reason for Respondent's refusal to permit them to bowl because they taught their children never to lie and felt that telling the truth regarding this incident was of paramount importance.
- 26. Respondent has no written policy with regard to the prerequisites or qualifications of children who desire to bowl in the bantam bowling league at Respondent's Williamsport Lodge.

 Neither is there a written policy with regard to general guest privileges.
- 27. Respondent's unwritten policy concerning admission to the bantam bowling league was characterized by Carl Reidy, Manager of the Respondent's bowling leagues and by Frank Richie, Secretary of the Loyal Order of Moose, Williamsport Lodge No. 145. That policy is that all children using the Respondent's bowling facilities were required to be either children or grandchildren of members of the Respondent.
- 28. Respondent's unwritten general guest policy was characterized by Frank Richie, as follows. Members are only permitted
 to bring guests to Respondent's premises who are related
 to them as wife, child or grandchild. Members are also permitted to bring female guests onto the premises who have no
 relationship to them, although such privileges are not extended to male guests of members.
- 29. Respondent's guests privileges further extend to members' brothers who are under age 21, members' sisters of any age, members' mothers and members' grandmothers. Members' fathers and gradfathers are excluded. Respondent's guests policy

further provides that children who have no relationship to Respondent's members will be admitted as guests to the Lodge facilities, including the use of and participation in the bowling facilities, so long as the member has assumed the obligation of providing financial support for that child.

- 30. During the bowling season prior to that during which Complainants applied for membership at Respondent's bantam league, to wit, 1971-1972, eight (8) children were enrolled in and participated in league competition at Respondent's facilities who were neither children nor grandchildren of members of the Respondent.
- 31. During the bowling season 1972-1973, during which the Complainants applied for membership in Respondent's bantam bowling league, fourteen (14) children enrolled in and participated in said bantam bowling league at Respondent's facilities whose parents or grandparents were not members of the Loyal Order of Moose, Lodge No. 145. The total number of children participating in said league was sixty (60).
- 32. Mrs. Eleanor Reed, Junior Bowling Coach at the Respondent at the time of the incident in question, and for approximately four (4) years prior thereto, was charged with the responsibility of conducting the registration of children for bantam league bowling and membership at the Respondent's facility. She was charged with the latter duties for the bowling seasons 1971-1972 and 1972-1973.
- 33. Mrs. Reed made no attempt to determine, during either registration period, whether the children who were registering

for the Moose bantam league were children or grandchildren of members of the Respondent.

- 34. Following Mr. Hamilton's telephone call to Mrs. Reed of November 18, 1972, she subsequently telephoned the homes of all children who were enrolled in Respondent's bantam bowling league to ascertain whether the parents or grandparents of the children were members of the Respondent.
- 35. In each instance where she discovered that such relationship did not exsist, she personally extended an invitation to the child's parents or grandparents to join the Respondent Lodge. Mrs. Reed had no authority to extend such invitations, in light of Respondent's policy that invitations to join the Respondent can only be extended by its members. Mrs. Reed was not a member of the Respondent.
- 36. Mrs. Reed did not telephone either Mr. or Mrs. Hamilton to invite them to become members of the Respondent Lodge.
- 37. On November 18, 1972, membership in the Respondent Lodge was limited to certain males of the Caucasian or White race.

 That requirement was deleted on May 28, 1973, as to race.
- Despite the deletion of the membership requirement that applicants be members of the Caucasian or White race, Donald L. Hamilton has never been invited to join the Respondent Lodge. Nor did Mrs. Reed or any other member of Respondent Lodge ever inquire as to Mr. Hamilton's membership affiliation with the Respondent either prior to or following Respondent's refusal to permit Lynn and Sharon to bowl in its league.

CONCLUSIONS OF LAW

Upon all the evidence presented at the public hearing of this matter on July 3, 1973 and July 24, 1973, and in consideration of the foregoing Findings of Fact adduced therefrom, the Pennsylvania Human Relations Commission makes the following Conclusions of Law:

- 1. At all times mentioned herein, the Pennsylvania Human Relations Commission had and still has jurisdiction over Complainants and the Respondent and the subject matter of the complaint herein under the Pennsylvania Human Relations Act, Act of October 27, 1955, P.L 744, as amended, 43 P.S. 951 et seq. and under Section 5(i)(1).
- 2. The bowling facility operated by the Respondent for the use of children under age 12 in the bantam bowling league is a place of public accommodation as defined by Section 4(1) of the Pennsylvania Human Relations Act, supra., in that children are permitted to participate in said activity in Respondent's bowling facility without regard to their membership, relationship to a member, or other affiliation with the Respondent.
- 3. By denying the use of its bowling facilities to Lynn and Sharon Hamilton, Respondent has committed an unlawful discriminatory practice in violation of Section 5(i)(l) of the Pennsylvania Human Relations Act, supra, in that such denial was based, either directly or indirectly, upon the race, Black, of said Complainants.

4. The severe embarrassment, humiliation and mental anguish suffered by Complainants Lynn and Sharon Hamilton occurred as a direct result of Respondent's refusal to permit said Complainants to use Respondent's bowling facilities, because of the race, Black, of said Complainants and said refusal was a proximate cause of said embarrassment, humiliation and mental anguish.

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DONALD L. HAMILTON AND SHERRY HAMILTON IN BEHALF OF THEIR MINOR CHILDREN. LYNN AND SHARON,

Complainants

VS.

Docket No. P-860

LOYAL ORDER OF MOOSE, LODGE NO. 145, Respondent

> RECOMMENDATION OF HEARING COMMISSIONERS

26th day of November , 1973, upon AND NOW this consideration of all the evidence presented at the hearing in the above matter, the Findings of Fact and the Conclusions of Law, the Hearing Commissioners recommend to the entire Commission that an Order should be entered against the Respondent in that it committed an unlawful discriminatory practice in violation of the Pennsylvania Human Relations Act.

Smith, Presiding Commissioner

Elizabeth M. Scott,

Hearing Commissioner

Alvin E. Echols, Jr.,

Hearing Commissioner

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DONALD L. HAMILTON AND SHERRY HAMILTON IN BEHALF OF THEIR MINOR CHILDREN, LYNN AND SHARON.

Complainants

vs.

Docket No. P-860

LOYAL ORDER OF MOOSE, LODGE NO. 145, Respondent

COMMISSION'S DECISION

AND NOW, this 26th day of November , 1973, upon the recommendation of the Hearing Commissioners, and upon all the evidence at the public hearing of this case, and in consideration of the Findings of Fact and Conclusions of Law, the Pennsylvania Human Relations Commission finds and determines that Respondent has engaged in an unlawful discriminatory practice in violation of Section 5(i)(1) of the Pennsylvania Human Relations Act, 43 P.S. 951, et seq., in that Respondent denied to Complainants Lynn and Sharon Hamilton the use of its bowling facilities, including participation in its bantam bowling league, because of their race, Black.

GOVERNOR'S OFFICE

PENNSYLVANIA HUMAN RELATIONS COMMISSION

DONALD L. HAMILTON AND SHERRY HAMILTON IN BEHALF OF THEIR MINOR CHILDREN, LYNN AND SHARON,

Complainants

vs.

Docket No. P-860

LOYAL ORDER OF MOOSE, LODGE NO. 145, Respondent

FINAL ORDER

AND NOW, this 5th day of December , 1973, upon consideration of the foregoing Findings of Fact, Conclusions of Law, Recommendation of Hearing Commissioners and Commission's Decision, and pursuant to Section 9 of the Pennsylvania Human Relations Act it is hereby

ORDERED:

- 1. That the Respondent Loyal Order of Moose, Lodge No. 145, immediately extend a written invitation to Complainants Lynn and Sharon Hamilton to enroll and otherwise participate in the bantam bowling league conducted at Respondent's bowling facilities. A copy of said invitation shall be submitted to the Harrisburg Regional Office of the Pennsylvania Human Relations Commission within 30 days of the date of this Order.
- 2. That Respondent shall cease and desist from committing any unlawful discriminatory practices as defined in Section 5(i)(1) of the Pennsylvania Human Relations Act, 43 P.S. 955 (i)(1), regarding the bantam bowling league which it sponsors and administers

at its bowling facilities.

- 3. That Respondent open the bantam bowling league at its bowling facility to any and all children, including, but not limited to Lynn and Sharon Hamilton, without regard to race, and without regard to whether parents or grandparents are members of or are otherwise affiliated with the Respondent Lodge. Said policy, as well as a statement that Respondent operates said bantam bowling league in its facilities on a non-discriminatory basis, shall be set forth in writing and shall be distributed to all persons employed by the Respondent or any other individuals who assist to participate in the operation of Respondent's bowling facilities. Said written policies and statements shall be forwarded to the Harrisburg Regional Office of the Pennsylvania Human Relations Commission within 30 days of the date of this Order, along with a certification by an officier of the Respondent that said policies and statements have been so distributed.
- 4. That Respondent submit to the Harrisburg, Regional Office of the Pennsylvania Human Relations Commission, on January 1, 1974, October 1, 1974 and October 1, 1975, a written report as to the name and race and affiliation with the Respondent of all children participating in the Respondent's bantam bowling league at its bowling facilities.
- 5. That Respondent will pay to Donald L. Hamilton and Sherry Hamilton, as parents and natural guardians for Lynn Hamilton, a minor under fourteen years of age, the sum of \$2,500, as compensation for the embarrassment, humiliation and mental anguish caused Complainant Lynn Hamilton as the result of Respondent's

Commission's Decision - Final Order 425a refusal to permit her to participate in the bantam bowling league at its bowling facilities. The execution of this provision of the Order shall be held in abeyance until the Supreme Court of

the Order shall be held in abeyance until the Supreme Court of Pennsylvania decides the cases now pending before it in which the question of the power of the Pennsylvania Human Relations Commission to Order such damages is presented.* This provision shall be executed only if the Supreme Court of Pennsylvania declares that the Commission has such power.

6. That Respondent will pay to Donald L. Hamilton and Sherry Hamilton, as parents and natural guardians for Sharon Hamilton, a minor under fourteen years of age, the sum of \$2,500, as compensation for the embarrassment, humiliation and mental anguish caused Complainant Sharon Hamilton as the result of Respondent's refusal to permit her to participate in the bantam bowling league at its bowling facilities. The execution of this provision of the Order shall be held in abeyance until the Supreme Court of Pennsylvania decides the cases now pending before it in which the question of the power of the Pennsylvania Human Relations Commission to Order such damages is presented.* This provision shall be executed only if the Supreme Court of Pennsylvania declares that the Commission has such power.

^{*}Zamantakis vs. Pennsylvania Human Relations Commission, No. 33
May Term, 1974; St. Andrews Development Co., Inc. d/b/a Governours
Place Apartments, et al. v. Pennsylvania Human Relations Commission,
No. 32 May Term, 1974; Straw v. Pennsylvania Human Relations
Commission, No. 31 May Term, 1974.

Commission's Decision - Final Order

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PENNSYLVANIA HUMAN RELATIONS COMMISSION

ATTEST:

Robert Johnson Smith Secretary