

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

UNITED STATES OF AMERICA, by)
Nicholas deB. Katzenbach, Acting)
Attorney General of the United)
States,)

Plaintiff,)

v.)

~~GULF-STATE THEATERS, INC.,)
a corporation;)
T. G. SOLOMON and CAROLYN D.)
McINTYRE,)~~

Defendants.)

CIVIL ACTION NO.

C O M P L A I N T

The United States of America, by Nicholas DeB.
Katzenbach, Acting Attorney General of the United States,
alleges:

1. This is an action instituted by the Acting
Attorney General on behalf of the United States pursuant
to Section ³⁰¹~~206~~ of the Civil Rights Act of 1964 (P.L. 88-352).

2. This Court has jurisdiction of this action ~~under~~
^{301(a)}Section 207(a) of the Civil Rights Act of 1964, and under
28 U.S.C. 1345.

3. Gulf-State Theaters, Inc. (hereafter referred to as the Corporation) is a corporation doing business in the State of Mississippi. The Corporation operates a number of motion picture theaters in Mississippi and in other states, including a theater known as the Honey Theatre at 208 Front Street, Indianola, Mississippi. These theaters are operated for the presentation of motion pictures to the public for profit.

4. T. G. Solomon is president of Gulf-State Theaters, Inc. He resides in McComb, Mississippi.

5. Carolyn D. McIntyre is employed by the Corporation as manager of the Honey Theater. She receives her instructions with respect to the management of the theater from T. G. Solomon. She resides in Indianola, Mississippi.

6. The Honey Theater, as well as the other theaters operated by the Corporation, customarily presents motion picture films which move in commerce between the State of Mississippi and other states, and foreign countries. Each of these theaters, including the Honey Theater, is a place of public accommodation within the meaning of Section 201(b) of the Civil Rights Act of 1964 and its operations affect commerce within the meaning of Section 201(c) of the Act.

7. It is the policy and practice of the Corporation, of T. G. Solomon and of Carolyn McIntyre, in the operation of the Honey Theater, and it is the policy and practice of the Corporation and of T. G. Solomon in the operation

(c) Otherwise violating, in any manner or by any means, the provisions of Title II of the Civil

of their other theaters within the State of Mississippi to refuse, and they have refused, admission to Negroes on account of their race and color.

8. The acts, policies and practices described in the preceding paragraph constitute a pattern and practice of resistance to the full enjoyment by Negroes of the right, secured by Title II of the Civil Rights Act of 1964, to the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of the Honey Theater without discrimination or segregation on the ground of race or color, and such pattern and practice is of such nature as to, and is intended to, deny the full exercise of such rights.

WHEREFORE, plaintiff prays that this Court enter an order enjoining Gulf-State Theaters, Inc., T. G. Solomon and Carolyn McIntyre, together with their successors, officers, agents, employees, and all persons in active concert or participation with them, or any of them, from:

- (a) Refusing to admit Negroes to the Honey Theater, on account of their race or color;
- (b) Making any distinction whatever, on the basis of race or color, in the availability of any of the goods, services, facilities, seats, privileges, advantages, or accommodations offered, or made available to the patrons of the Honey Theater, and
- (c) Otherwise violating, in any manner or by any means, the provisions of Title II of the Civil

Rights Act of 1964 with respect to the operation of the Honey Theater, or any other theater that is owned, operated, managed or controlled in any way by the defendants, or any of them.

Plaintiff further prays for its costs of suit and for such additional relief as the interest of justice may require.

NICHOLAS DeB. KATZENBACH
Acting Attorney General

BURKE MARSHALL
Assistant Attorney General

HOSEA M. RAY
United States Attorney

ST. JOHN BARRETT, Attorney
Department of Justice