**South Carolina General Assembly**

121st Session, 2015-2016

**S. 415**

**STATUS INFORMATION**

Senate Resolution

Sponsors: Senators Johnson, Allen, Jackson, Kimpson, Malloy, Matthews, Nicholson, Pinckney, Sabb, Scott, Williams, Alexander, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Leatherman, Lourie, L. Martin, S. Martin, Massey, McElveen, O'Dell, Peeler, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin and Young

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Introduced in the Senate on February 4, 2015

Adopted by the Senate on February 4, 2015

Summary: James Frank Wells

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/4/2015 Senate Introduced and adopted ([Senate Journal‑page 33](file:///h:\SJ%20Archive\2015\02-04-15.docx))

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=415&session=121&summary=B) at the website

**VERSIONS OF THIS BILL**

[2/4/2015](file:///p:\pprever\2015-16\415_20150204.docx)

**A** **SENATE RESOLUTION**

TO RECOGNIZE JAMES FRANK WELLS FOR HIS COURAGE AND DETERMINATION AS ONE OF THE “FRIENDSHIP NINE,” TO ACKNOWLEDGE THE HARDSHIPS IMPOSED ON HIM AS A RESULT OF HIS CONVICTION FOR SITTING AT A WHITES‑ONLY LUNCH COUNTER IN 1961 DURING THE CIVIL RIGHTS ERA, AND TO HONOR HIS SACRIFICE IN CHOOSING IMPRISONMENT OVER A FINE AS THE PRICE OF PROTEST AT THAT EVENT AS HE TOOK A STAND FOR EQUAL RIGHTS FOR ALL.

Whereas, on January 31, 1961, James Frank Wells joined eight other students from Rock Hill’s Friendship Junior College and a civil rights organizer to picket McCrory’s Five and Dime department store in downtown Rock Hill in a peaceful protest against racial segregation. They walked in, took seats at the lunch counter, and ordered hamburgers, soft drinks, and coffee; and

Whereas, this form of protest against segregation laws, known as a “sit‑in,” started the year before in Greensboro, North Carolina, and spread throughout the South. These young men, as well as other Rock Hill demonstrators, already had been arrested for trespassing several times during 1960, and each time they were released after paying bail. In January 1961, however, they decided that if they were arrested, they would not accept bail but would serve their sentences thus giving birth to the “Jail, No Bail” movement. They were convicted of trespassing with attorney Ernest Finney by their side. Finney would later serve with honor as Chief Justice of the South Carolina Supreme Court; and

Whereas, the convictions of James Wells and his companions stood for more than five decades until Wednesday, January 28, 2015, when the court vacated the fifty‑four‑year‑old ruling in a Rock Hill courtroom in an attempt to right a past wrong against these Civil Rights’ heroes. In an unprecedented ruling, the judge ordered that the record not be expunged, although the convictions were vacated and dismissed with prejudice, so that the history of the courageous actions of these men would forever be preserved and their great sacrifices on behalf of Civil Rights would not be forgotten; and

Whereas, a 1959 graduate of Emmet Scott High School in Rock Hill, James Wells graduated from Friendship Junior College and then enlisted in the United States Air Force. Subsequently, he returned to school, earning a law degree from the University of Illinois. After a long and fulfilling career practicing law in Columbia, he has retired in Rock Hill; and

Whereas, the members of the South Carolina Senate are grateful for the courage and tenacity of this brave son of South Carolina and for the impact he has had on the Civil Rights Movement in our State and across the nation. Now, therefore,

Be it resolved by the Senate:

That the members of the Senate of the State of South Carolina, by this resolution, recognize James Frank Wells for his courage and determination as one of the “Friendship Nine,” acknowledge the hardships imposed on him as a result of his conviction for sitting at a whites‑only lunch counter in 1961 during the Civil Rights Era, and honor his sacrifice in choosing imprisonment over a fine as the price of protest at that event as he took a stand for equal rights for all.

Be it further resolved that a copy of this resolution be provided to James Frank Wells.

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