

REPORTS

Second Georgia Court Decision Won By Talmadge

Gets Access To Funds In Bank With New Ruling

Held Governor By Judge Almond

McDONOUGH, Ga.—(AP)—Herman Talmadge won a second court decision today, holding him not to be Georgia's legal Governor.

Superior Judge Bond Almond concurring in a decision earlier this week by a colleague, Judge Walter Hendrix, ruled Talmadge was properly elected by the Georgia Legislature Jan. 15.

The decision gave Talmadge access to approximately \$5,000,000 in public funds, left in the executive department bank account by retiring Gov. Ellis Arnall.

Hendrix had ruled last Wednesday that Talmadge was the legal claimant to the office, and dismissed a suit by Lieut.-Gov. M. E. Thompson who sought to oust Talmadge.

BANK SUIT
Today's ruling was on suit of the National Bank of Georgia, which had enjoined both claimants from drawing on the executive department bank account until it was constructed which was legal Governor.

The Hendrix decision was appealed today to the Georgia Supreme Court by Attorney General Eugene Cook, who represents Thompson.

The appeal was filed with the clerk of the Henry County Superior Court, who said it would reach the high court by Monday.

Talmadge's chief counsel, H. D. Murphy, said he hoped to argue the appeal on Tuesday, but at the moment, and indicated both sides would ask the court to advance the hearing date.

ANOTHER CASE
The Thompson appeal will join another case pending review by the Supreme Court, in which Judge Claude Porter of Forsyth County ruled directly opposite to Hendrix.

He ruled the Legislature had exceeded its Constitutional authority to the term of his late father, Governor Eugene Talmadge.

Quads Born To Gotham Woman
NEW YORK (AP)—Quadruplets—three boys and a girl—were born prematurely today to Mrs. Judith Mazzel, 24, at the Park West Hotel.

Dr. Stella S. Epstein, who delivered the babies, said they weighed 10, 10, 10 and 10 pounds, and that they were all still alive. Their father, Raymond, is a salesman for the National Biscuit Co.

The babies were placed in incubators immediately after birth. Records show that Mrs. Mazzel had expected the children in May.

Newspapers' Circulation Up
PHILADELPHIA (AP)—Circulation of the nation's newspapers increased a record \$5,751,000 last year—a gain of nearly 2,000,000 over the year 1945. The annual report of the National Newspaper Association, which was issued today, shows that the circulation of newspapers and periodicals increased 400 over last year.

The directory, which said it was the fifth consecutive year that newspaper circulation had increased, reported the number of U. S. daily newspapers had risen to 1,647, with a total circulation of 10,000,000. The number of papers was up from 1,640, and the circulation of 400 over last year.

Grounded Ship's Crew Rescued
PEARL HARBOR (AP)—The 30-crewed freighter L. S. T. American freighter L. S. T. Sapor, grounded on the beach of the island of Laysan, Hawaii, was rescued today. The ship was carrying 30 crew members and 100 tons of cargo. The ship was grounded on the beach of the island of Laysan, Hawaii, and was rescued today. The ship was carrying 30 crew members and 100 tons of cargo.

Changes In Election Law Taked

Colonel Joyner Outlines Views

By LYNN NISBET
RALEIGH—The convening time for the Senate sought the Joint Elections Committee Friday before action could be taken on proposed amendments to the state election laws, but members heard Col. W. T. Joyner, chairman of the State Board of Elections, explain in detail how the proposed changes would affect election practices.

Admittedly the most controversial item is proposal to require dividing all precincts with more than 1,500 registered voters. Joyner said he had polled the 100 County Election Board chairmen on this issue, had replies from 51, of whom 42 approved, two opposed outright, three had no comment and four agreed in principle but requested exceptions.

A tentative agreement was reached to permit precincts of more than 1,500 voters when showing was made that card index or other systems enabled local election officials to carry on the election without delay, trouble occurred, the state chairman said over delays in finding names of registrants on long lists unless some supplemental indexing system was used.

"WRITE IN" RULE
Another potentially controversial change dealt with "write-in" names. Joyner said the committee had decided to prohibit any person other than the voter himself, or his accredited representative, from writing in names of candidates in case of blindness or other physical inability to write, from writing any name on the ballot.

Clinton has been for election officials to write in names not printed on the ballot. The committee caused several instances of dispute in the last election and required formal ruling of the Attorney-General to decide who has been elected. Other changes in the law have to do with the mechanics of handling primary and general elections and chiefly concern the manner of counting.

One amendment legalizes procedure heretofore followed in nominating candidates in special elections for the General Assembly or Congress by authorizing judges to make the nominations. Another makes the election statute conform exactly to the Constitution in phraseology about double of holding of election officials.

Still another clarifies the right of election officials to depulize a precinct and to maintain order around polling places. This authority has been implied, but not actually used; the proposed change will clarify it.

Another significant amendment See BOARD HEARS on page 8-A

Husband Termed 'Absentee' Mate
LOS ANGELES (AP)—Actress Barbara Bingley, 27, described her husband, Glenn Bingley, 41, as an "absentee" husband in winning a divorce decree.

The divorce would be granted by a judge who said he was "in a hurry off to his home" and wouldn't return until 2 A. M. or later.

Bingley said she had been married for a year and a half. She said she had been married for a year and a half. She said she had been married for a year and a half.

Almost Hit By Another Boy Bruised When Train Runs Over Him
CINCINNATI (AP)—Three-year-old Donald Hall was run over yesterday by a freight train and just missed crawling into the path of another but his only injuries were bruises and a possible leg fracture.

The child wandered onto the tracks of the Louisville and Nashville Railroad and was knocked flat by a locomotive, moving at a moderate speed. Before the train was brought to a halt, the engine and four boxcars had passed over Donald. He crawled from beneath

one of the cars, only slightly injured, and was taken to a hospital. The child was taken to a hospital. The child was taken to a hospital.

Jewish Youth Abducted
JERUSALEM (AP)—Two masked men, armed with machine guns, abducted a Jewish youth at Petah Tikva last night, an official announced today. The area was the scene recently of violence between underground Jewish anti-Zionist Jewish youth organizations.

State May Take Leadership

Teacher Merit Rating Plan A Pioneer Educational Step

By BURKE DAVIS
Charlotte News Special Writer
RALEIGH—North Carolina is the boldest state of the Union when it comes to experimenting with its educational system, and now it is on the verge of taking a new plunge which will make it once more a pioneer. If the bill presented yesterday by Rep. John Umstead of Orange becomes law, The Heels will become the first people to try and judge their schoolmasters by a long series of devices aimed at weighing their value in dollars and cents. The eyes of the educational world are on the proposed experiment.

Umstead's bill (accompanied by a fat guide book) went to a General Assembly already aware that a secret study of the merit rating system for North Carolina teachers had gone into the investigation of a merit rating system for North Carolina teachers. But it was far more than a simple merit system. It was a proposal setting up a commission to do nothing more than experiment in a largely unexplored field, to gamble \$25,000 a year for the purpose of helping to spend intelligently the \$41,000,000 a year we invest in

education. It was a chain of educational tests by which teachers would be impartially and relentlessly evaluated—and which would reflect immediately in their pay checks.

The tests themselves are not in the bill. Those are to be left to the commission. But they have been carefully outlined, after a year of study and travel, and consultation with the nation's leading experts in education. The tests have been sifted from many used in other parts of the country. No other state, Mr. Umstead says, uses more than two or three checks on its teachers.

Some of the methods are quaint. In Birmingham, Ala., for example, teachers are graded on the reports of principals and superintendents—and secret vote of both parents and children. Surprisingly enough, the Umstead commission found that teachers in that city marked "B" by principals also got heavy votes from parents and teachers, but teachers below the top level got widely varying support. South Carolina uses only reports of principals and superintendents. North Carolina intends to much more thorough

See MERIT PLAN on page 8-A

Acquisition Negotiations Pending

Lease Of Butner Hospital Area To State Authorized

WASHINGTON (AP)—Senator Umstead, Democrat, North Carolina, said today the War Assets Administration had authorized the War Department to lease the hospital area of Camp Butner to the State of North Carolina pending negotiations for its permanent acquisition. The State wants the property for use as a hospital for mental cases. The War Assets Administration has authorized the War Department to lease the hospital area of Camp Butner to the State of North Carolina pending negotiations for its permanent acquisition. The State wants the property for use as a hospital for mental cases.

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They are (1) that the "interim permit" be subject to revocation on the report of the War Assets Administration. (2) that the use of the property not interfere, delay or retard disposition of the installation under the War Assets Administration. (3) that the State assume full custody and responsibility for the property, including the cost of operating and maintaining equipment.

WASHINGTON (AP)—The National Association of Manufacturers said today that Congress can help assure an era of unprecedented industrial peace if it:

1. Prohibits industry-wide bargaining by individual plants or companies. 2. Gives collective bargaining by individual plants or companies the opportunity to prove that it can function effectively.

The program was outlined to the Senate Labor Committee by Senator M. M. Nease, chairman of the NAM's executive committee. He said:

CITES DANGER
The real danger which the country faces in its first serious effort to establish a sound and equitable national labor policy will be a reliance on the part of Congress to struggle with the vital issues involved, or in yielding to those who use further study and investigation of the whole problem, or who are in the current developments of the one nation's labor from the want of number of strikes: a reason for doing nothing at all.

Mr. Nease, executive vice-president of the Paints Bearing Co. of New Britain, Conn., said the committee that preventing strikes by industry-wide agreements, like the one now being made in the building trades "could well be more dangerous than the strikes themselves."

Another witness, Walter F. Fry, president of Fry Products Inc. of Detroit, testified that if Congress doesn't change the labor laws "it would change the labor laws 'thousands upon thousands' of small business firms will be put out of business."

Both the Senate and House committees are considering various proposals for changes in labor laws dealing with labor-management problems.

The NAM interpreted the election of a Republican-ruled Congress as "a mandate not for hasty, ill-tempered and ill-considered restriction of labor, but for a sound, constructive, even-handed legislation," Mosher said.

Placing heavy emphasis on unselfish collective bargaining, at the plant and company levels where the human relationship is so all-important, Mosher declared.

"The chief cause of external interference between labor and management is the danger of Government intervention by way of compulsory arbitration, labor courts, permanent Federal mediation boards, and politically controlled fact-finding boards."

The NAM opposes all of these things, Mosher testified.

Members Of Budgetary Committee In Meeting

Minority Report In Making

WASHINGTON (AP)—House Democratic members of the Joint Congressional Budgetary Committee opposing a \$6,000,000,000 slash in White House budget met behind closed doors today to map an all-out floor fight against the cut.

The Committee yesterday recommended a budget of \$31,500,000,000 as opposed to the \$37,500,000,000 figure submitted to Congress by President Truman.

STEMENT PROMISED
Rep. Cannon, Democrat, Missouri, raising a minority report of the House Appropriations Committee, promised reporters a statement.

This was expected to take the form of a minority report representing the views of the Democrats on the Appropriations Committee's report. Cannon said the House Appropriations Committee, promised reporters a statement.

Cannon said that all of the Democratic members opposing the reduction in the budget floor against the budget slash which he declared would "hamstring the Army and Navy."

A 50 to 22 vote in favor of the cut by the House-Senate Budgetary Committee, announced today by Truman with his first major defeat in the new Republican-controlled Congress.

Senator Brewster, Republican, Maine, predicted in a radio interview last night the Senate will never agree to the reduction recommended by the committee.

"I voted for it because it was a good reduction in all," he said. "But I am opposed to the Senate floor and I predict the figure will be \$1,500,000,000."

However, the committee action was hailed by Chairman Knutson, Republican, Minnesota. The House Ways and Means Committee is clearing the way for a 20 per cent reduction in personal income taxes this year.

CLOSED MEETING
The Budget Committee action yesterday was subject to ratification by both Houses. The vote will come next Wednesday.

Gurney said the \$6,000,000,000 reduction in the fiscal year 1948 budget would mean a 20 per cent reduction in Federal income taxes and a 10 per cent reduction in Federal income taxes.

It voted down 52 to 22, a motion by Sen. M. M. Nease, chairman of the Senate Labor Committee, to propose a 20 per cent reduction in Federal income taxes and a 10 per cent reduction in Federal income taxes.

The Committee rejected all efforts to amend the bill to specify in the figure and whether or not it would be known until the bill was voted in the session.

WEATHER
Partly cloudy tonight and Sunday. High and low temperatures at 2:30 today: 65-75. High and low last night: 65-75. Sunset today: 6:15. Sunrise tomorrow: 6:15.