

ESTABLISHED DEC. 8, 1888.

SEGREGATION CASE ARGUED IN CAPITAL

South Carolina Answers NAACP Before High Court

By PAUL M. YOST
WASHINGTON (AP)—Attorneys for Negro parents in Virginia and South Carolina today came before the Supreme Court the long legal battle to open all public schools to all children regardless of race.

They hope to win a decision that segregation of Negro and white pupils is a harmful discrimination violating the Constitution. The decision is likely for several months.

Thurgood Marshall, New York City attorney who represents the National Assn. for the Advancement of Colored People (NAACP), in opening the debate before the nine justices, is prepared to assert in essence:

"Under requires recognition that the plain purpose and effect of segregated education is to perpetuate an inferior status for Negroes which is America's sorry heritage from slavery."

DAVIS TO ANSWER
John W. Davis, Democratic presidential nominee in 1924, is prepared to reply on behalf of South Carolina.

"The right to establish separate schools for white and colored pupils—under the doctrine of separate but equal facilities—has been so repeatedly approved by the Supreme Court by various federal courts, and by the courts of last resort of many states, and has been continuously exercised by congressional and state legislation, that it should be regarded as no open to debate."

Next, the Justice Department—presenting the views of the Eisenhower administration—will argue that the "primary and pervasive purpose of the 14th Amendment was to bring about a complete equality before the law and to abolish all legal distinctions between races and colors."

The 14th Amendment was adopted after the Civil War, primarily for the benefit of newly freed slaves. It says no state may deny any person the process and equal protection of the laws, nor deprive any person of privilege or immunities.

Today marks the beginning of five days of argument called for by the high court last June. First arguments were heard there last December, but the court was unable to reach a decision.

OTHER STATES INVOLVED
In addition to Virginia and South Carolina, Kansas and Delaware and the District of Columbia are directly involved. The Virginia and South Carolina cases were consolidated for reargument. The other cases will follow them.

The general assumption has been that any final decision against segregation would mean the end of separation of the races in public schools throughout the United States. It is expected that the Virginia case of segregation is followed by one third of the nation.

South Carolina provided this list of states which like itself have laws requiring school segregation: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, Texas, Virginia and West Virginia.

South Carolina listed New Mexico, Wyoming and Kansas as states having laws which permit segregation.

The department told the Supreme Court in a preliminary brief that "some Southern leaders see SEGREGATION on page 14-A

President Eisenhower obliges photographers by helping to put more zip in pictures as the Big Three conferees pose in Baltimore. At top he gestures with his handbagged hand while talking to the silver Churchill; center he turns to speak with French Premier Joseph Laniel; at bottom Laniel looks up at something in the sky. Churchill wears his famed tiger shoes—unseen. (AP Wirephotos)

Vicksburg Tornado Toll Rises To 30

VICKSBURG, Miss. (AP)—Rescuers worked in freezing weather today in a grimy hunt for additional victims of Saturday's vicious tornado that took at least 30 lives.

The temperature dropped to 21 degrees in the heaviest city and frost covered lawns and other open ground in cooling rays.

National Guardsmen on guard duty built fires from the debris that littered the streets.

The two latest victims died in hospitals today and authorities said at least eight other persons remain under the critical list.

Dawn brought the noise of steam shovels, bulldozers and shovels after a heaviest shivering night for the 28,000 residents.

Seventy to 75 of the 230 injured were crowded into Vicksburg's four main hospitals. They were warmed by blankets and electric heaters from the city's homes.

DAMAGE HEAVY
Civil defense and military leaders estimated the damage at 25 million dollars.

An undetermined number was left homeless as the twister destroyed 215 homes and damaged about the same number. In addition, 20 apartment buildings or multiple houses were destroyed. The Red Cross gave this breakdown on other destruction:

Industries, mills, plants destroyed 76; damaged 22.
Businesses, stores destroyed 16; damaged 189.
Churches destroyed 2; damaged 7.
Chhks, civic buildings damaged 18, none destroyed.

4 N. C. Counties Disaster Areas

WASHINGTON (AP)—The Agriculture Department today designated four North Carolina counties in North Carolina—Alexander, Anson, Richmond and Montgomery—as disaster areas through 1954 under the emergency farm loan program. The department had previously designated 42 counties in that state as disaster areas through next year.

Under the program, the department's Farmers Home Administration will make loans to farmers who, because of drought or current economic conditions, need emergency credit to continue farming operations.

OUR WEATHER

Fair today, tonight and Tuesday. Cooler today and tonight. Low temperature this morning 29 degrees.

Low temperature expected tonight 22 degrees.

High temperature yesterday 66 degrees.

High temperature expected today 52 degrees.

Sunrise 7:18 a.m.; sunset 5:11 p.m.

More Weather Data on page 14-A

More Zip To Photos



President Eisenhower obliges photographers by helping to put more zip in pictures as the Big Three conferees pose in Baltimore. At top he gestures with his handbagged hand while talking to the silver Churchill; center he turns to speak with French Premier Joseph Laniel; at bottom Laniel looks up at something in the sky. Churchill wears his famed tiger shoes—unseen. (AP Wirephotos)

WBTV Upheld In Discharge Of Employees

High Court Rules Firings Justified

WASHINGTON (AP)—Nothing in the Taft Hartley Labor Law bars the firing of workers for "disloyalty" to their employers, the Supreme Court ruled today.

The 6-3 decision applied to Charlotte, N. C. television technicians who had distributed leaflets critical of their station's TV programs. Justice Burton, writing the court's majority opinion, said: "There is no more elemental cause for discharge of an employe than disloyalty to his employer."

Justice Frankfurter wrote a dissenting opinion in which Justices Black and Douglas joined. Burton was joined by Chief Justice Warren and Justices Reed, Jackson, Clark and Minton.

QUARTLY ATTACKED
The critical hand bills were passed out during a dispute at station WBTV over a collective bargaining contract. They attacked the quality of the station's programs and facilities but did not dispute any reference to the labor dispute.

Burton noted that the TV station rejected the leaflets as a "demonstration of such detrimental disloyalty as to provide cause" for dismissal.

"We agree," said Burton. He pointed to a section of the Taft-Hartley Act which says the National Labor Relations Board will not require reinstatement of any employe suspended or discharged for cause.

Burton's opinion added: "This handful diverted attention from the labor controversy. It attacked public policies of the company which had no discernible relation to that controversy. The only connection between the handling of the labor controversy was an ultimate and undisclosed purpose or motive on the part of some of the sponsors that, by the hoped-for financial pressure the attack might extract from the company, some future concession would be made."

PRECISION REVERSED
The U. S. Court of Appeals for the District of Columbia had decided the discharges were unlawful. It said all concerted activities undertaken in the course of a labor dispute were entitled to protection of Taft-Hartley, so long as the activities do not violate any federal or state statute.

But Burton declared: "The means used by the technicians in conducting the attack have deprived the attackers from the protection of that section of the law, when read in the light and context of the purpose of the act."

Frankfurter's dissenting opinion said the Labor Board and lower Federal Courts "will hardly find guidance" for future cases from today's decision. Frankfurter predicted that the decision would "needlessly stimulate litigation."

NLRA UPHeld
The Court of Appeals decisions here had overturned NLRA findings that the discharges were lawful and that the loss of a union's majority status, as a result of such today's decision. Frankfurter, in refusing to sustain, said the Justice Department appealed to the Supreme Court to uphold the Labor Board's findings.

Oil And Water... Won't Mix

Rich Widow Jilts Dempsey

By WATSON SIMS
NEW YORK (AP)—A pretty and fabulously rich widow has called off plans to marry Jack Dempsey with the statement "Oil and water simply won't mix." She says she's flying back to Florida today.

"We're just too different," says Mrs. Estelle Auguste, possessor of a fortune estimated at 45 million dollars.

The breakup came last night. Mrs. Auguste—who at 42 is three days after the Palm Beach, Fla. wedding had announced she would marry the man who used his iron fists to slug his way to fame and fortune.

Dempsey had stalked out of Mrs. Auguste's apartment in the Waldorf-Astoria Hotel a few minutes before she announced the engagement was broken.

DEMPSEY 'TIRED'
At the Mayflower Hotel, where the former world heavyweight champion is staying, a telephone operator said in answer to calling Mrs. Auguste's room number: "He has left instructions not to be disturbed until tomorrow morning at 10 o'clock."

Mrs. Auguste—who at 42 is three days younger than Dempsey—was interviewed at her hotel apartment last night, and again by telephone early today.

"I don't think there is any chance of a reconciliation—we're both so different," she said.

Asked how she reached her decision that an oil-and-water situation existed, she said: "I always knew it, but I didn't like to say so. There was a vast difference until our engagement was announced..."

"I found many of my friends would accept him. I was told that if I married Jack Dempsey you can go with the sporting crowd. Don't believe it."

Mrs. Auguste said that all her life she has associated with society people—and not case society.

She inherited her wealth from her second husband, H. Spencer Auguste, founder of the Commercial trust and executive of the May Co., a department store chain. He died about four years ago.

Brought Here From Atlanta

Eb Beatty's Surprise Witness

By EMERY WESTER
Charlotte News Staff Writer
With E. M. (Eb) Beatty a surprise witness, the government pulled up its heavier artillery today in its case against Keith Beatty, Charlotte business man.

E. M. Beatty was convicted here last December on a income tax evasion, the same charge which his brother Keith Beatty is now facing in Federal Court. E. M. Beatty, who began a 5-year prison term last March, was brought here from Federal Prison in Atlanta by U. S. marshals.

Appearing to be lighter in weight than he was at his trial last year, James M. Beatty told District Attorney George M. Haley Jr. that he owned five or six taxi cabs during 1945-46. That these cabs were operated by the Beatty Service Co. Beatty described the method drivers used in paying rental for their cabs. He said money was received from the driver, placed in an envelope close questioning by Mr. Haley that Keith Beatty did not own as many as 25 of these cabs which were in operation.

He said the only rental he received from cabs came from those which he owned. He also said he owned one share of the Beatty Service Co. but could not remember the firm or not. He said he received a salary from the Beatty Service Co. and testified that he may have received money for selling cars.

Under cross examination by Defense Attorney John W. Muskoft, Beatty said that so far as he knew there were only three shares of stock ever issued in the Beatty Service Co.

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Eight Injured When School Bus Crashes

SPARTANBURG, S. C. (AP)—Grammar School, east of Spartanburg, was "abandoned" today, fell on its side in a 10-foot ditch and broke the backs of two pupils and injured six others.

The bus, driven by Jack Arnes Hix, a student at Columbia High School, apparently went out of control, State Highway Patrolman Ray Pruitt reported.

The accident happened about 6:20 a. m. Damage to the bus was estimated at about \$460.

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Take 'Oil and Water' Control, Disarmament

Challenge To Soviet Planned By President

Flying From Bermuda To United Nations

TUCKER'S TOWN, Bermuda (AP)—President Eisenhower files direct to New York to deliver a dramatic new Western challenge to Russia to join in working out a plan of disarmament and atomic control for a world periled by the hydrogen bomb threat.

The announced subject for the British Prime Minister's speech is "Perils That Confront the World in This Atomic Age." Mrs. Auguste said there was an incident—concerning movie star Kirk Douglas—which "probably ignited the whole thing" and "started us off" last night at Lindy's restaurant.

She said she told Dempsey she See WEALTHY on page 14-A



MRS. AUGUSTE

Tornado Lays Siege To Historical City Of Vicksburg

A tornado which ripped across the South Saturday hit Vicksburg, Miss., destroying several blocks in the business and residential sections. These two scenes show damage to stores and buildings after the twister passed. At least 30 were killed in the storm at Vicksburg, a Mississippi River city which was the site of a long siege by Union forces during the War Between the States.

Trim Your Christmas Tree With Fruit Betty Boyer Offers you a unique suggestion Wednesday In The Grocery News

Dear Father, we thank Thee that time and again in sacrificing some personal goal we have found a richness of joy unknown before. Give us the faith that we may never falter in striving to reach the goals of Thy Kingdom. In the name of Him who gave His life to do Thy Will. Amen.

Evening Prayer

Dear Father, we thank Thee that time and again in sacrificing some personal goal we have found a richness of joy unknown before. Give us the faith that we may never falter in striving to reach the goals of Thy Kingdom. In the name of Him who gave His life to do Thy Will. Amen.

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