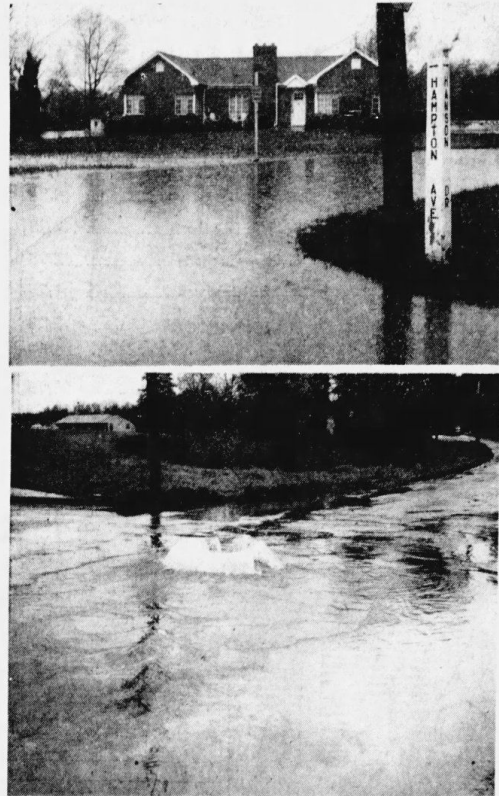




Government Asks No School Deadline



SCENES LIKE THESE were commonplace in several areas of the city this morning when Briar Creek overflowed its banks. Top photo, by Staff Photographer Jeep Hunter, shows how water skirted high ground to cover the intersection of Hanson Drive and Hampton Ave. The creek is at the rear of the house. Bottom picture by Rudy Kingler shows a fountain in the street caused by waters pouring through a manhole at the intersection of Morningside Drive and McClintock Ave.

Group Kills Presidential Primary Bill

Plan For N. C. Vote Given Thumbs Down

RALEIGH (AP)—There will be no presidential preferential primary in North Carolina next year.

The House Committee on Elections and Elections Laws today with a firm "No" gave an unfavorable report to a bill which would have allowed the voters of the state to indicate in a primary every four years their choice among party candidates for the presidency.

A proposed vote against a bill, sponsored by Rep. Thomas Turner of Guilford, came after State Democratic Chairman John D. Larkins, said he could see "no reason for its bill." Larkins emphasized he was speaking as an individual and not as party chairman.

VAIN FIGHT

Rep. Henry Wilson of Union, chairman of a subcommittee which revised the Turner bill and gave it a "with out prejudice" report, waged a vain fight to save the presidential preferential primary plan from the ax.

A proposed vote against a bill, sponsored by Rep. Thomas Turner of Guilford, came after State Democratic Chairman John D. Larkins, said he could see "no reason for its bill." Larkins emphasized he was speaking as an individual and not as party chairman.

He moved to delay action on the measure until Larkins could obtain an expression of sentiment from members of the Democratic chairman's advisory committee and all Republican party officials could be heard from. However, there was no second to his motion.

Rep. Dwight Quinn, a member of the Wilson subcommittee, made the motion for an unfavorable report saying, "There is no need, no use for this bill."

PROVIDED FOR VOTE
The bill would have provided for a presidential preference vote at the same time as the regular state-wide primaries in presidential election years.

Wilson pointed out that the preference expressed by the people would not be compelling or binding at all on delegates to national conventions of the Democratic and Republican parties.

The House Committee on Constitutional Amendments, meanwhile, turned over to a subcommittee a measure calling for an amendment to the State Constitution to provide for an annual instead of biennial sessions of the General Assembly. The proposal also would increase pay of legislators.



I. BEVERLY LAKE, assistant attorney general of North Carolina, poses with his wife and son outside the Supreme Court in Washington after arguing that the end of segregation might result in this state's abolishing its public schools. (AP Wirephoto.)

Van Every Makes Proposal

Water Referendum Is Urged

By JULIAN SCHEER
Charlotte News Staff Writer

Mayor Phil Van Every, in a letter to the House members of the Mecklenburg delegation to the General Assembly, has urged a special election amendment to be added to the proposed city water authority bills now before the legislature.

The Van Every amendment would require a special referendum before municipalities and political subdivisions could dispose, lend, lease or convey present water and sewer facilities.

The personal letter, which also went to other signers of a bill drawn in the Senate by Sen. Blythe, Sen. O. Arthur Kirkman of Guilford and others, was mailed Monday and has been received by the lawmakers.

The Mayor earlier expressed sympathy with an emergency bill which could create water authorities, but also has been outspoken in his opposition to such a measure as it could be applied to the Charlotte-Mecklenburg area.

His letter to Sen. Blythe reads: "Reference is made to the North Carolina Water and Sewer Authority Act, SB 327-B, 809."

HEALTH AFFECTED
Inasmuch as this affects the health and welfare of the citizens of the city of Charlotte and is allied with the financial structure of our city and the city tax upon our water and sewer system as well as all cities and towns in North Carolina that

have water and sewer systems, I would like to propose the following amendment to Item D, Section 13 of this act:

"Before any municipality or political subdivision may lease all or any substantial portion of any existing water or sewer facility to any authority organized under the provisions of this act or, contract for its operation with any such authority, the said municipality or political subdivision must submit the question of entering such contract or lease

to the qualified voters of such municipality or political subdivision in a special election called for that purpose, and such contract or lease shall not be entered into nor become valid unless approved by a majority vote in such an election."

PEOPLE'S RIGHT
"Knowing that you are currently interested in the democratic process of government, I feel sure that you realize that the people should have the right

to the qualified voters of such municipality or political subdivision in a special election called for that purpose, and such contract or lease shall not be entered into nor become valid unless approved by a majority vote in such an election."

See MAYOR on page 5-A

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See MAYOR on page 5-A

Little Damage Is Reported

Briar Creek Overflows Banks

By EMERY WISTER
Charlotte News Staff Writer

A torrential rain that literally poured it on creeks and streams caused water to overflow banks in several sections of the city today.

But the major effect of the flood was a wave of high-stepping citizens with little if any damage reported.

A check of the City Engineer's office revealed that Briar Creek had overflowed in several places but that Sugar Creek still had several feet to go before reaching flood stage.

IN EASTERN EDGES

City Engineer Loyd Richey said Briar Creek had overflowed in eastern edges of the city near Central Ave., Commonwealth Ave., Independence Blvd. and at Providence Rd.

"Water was across both sides of Providence Rd., and had seeped into several streets," he said.

And there were many homes with flooded back and front yards. But there was little if any damage.

In some places the waters completely covered street intersections.

LOT HIGHER

"I've seen it a lot higher," said Mr. Richey, indicating that today's conditions were not at all unusual.

The waters seeped into the Duke Power Company's electric substation on Providence Rd. but there was no damage.

A spokesman for the company said Briar Creek had been known to overflow into the substation several times a year.

OF DANGER

He said that several years ago the company had elevated its transformers so that flood waters could not harm them.

Evening Prayer

Into Thy hands, O God, we commit ourselves this day. Give to each of us a watchful, humble, and loving spirit. Help us, as we seek Thy will for our lives. Help us, our Father, to fulfill Thy will in loving service to others. To the glory of our Redeemer, Amen.

Our Weather

Mostly cloudy with scattered showers and thundershowers 14 days. Partly cloudy and warm tonight and tomorrow.

Low this morning — 59.
High tonight — 76.

High yesterday — 75.
High today — 78.

High tomorrow — 82.
Sunrise 5:53 a.m.; sunset 6:51 p.m.

More Weather Data on Page 5-A

Responsibility In Flooding Denied

By DICK YOUNG AND ANN SAWYER
Charlotte News Staff Writers

Both the City and County Governments today denied any responsibility for dredging Briar Creek to prevent overflow, such as occurred last night and this morning.

Heavy rains during the night caused overflows at several points along the creek on the eastern boundary of the city and in at least one location a city street was made impassable.

Both City Manager Henry A. Yancey and City Engineer Loyd G. Richey said the city is not legally bound to dredge or carry on the water-covered street early this morning.

"It was reported at the City Engineer's Dept. that water overflowed from the creek in several places, and parallel to Briar Creek.

"One automobile was marooned on the water-covered street early this morning.

But both the city manager and the city engineer said that the city operations to keep the water from rising out of its banks.

FOOT THE BILL

And both County Commission Chairman Sid Y. McAden and Chairman of the Mecklenburg County Drainage Commission Will D. Alexander voiced the opinion that property owners would have to foot the bill for any dredging or widening of the creek.

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But both the city manager and the city engineer said that the city operations to keep the water from rising out of its banks.

Responsibility for dredging the streams in the county rests with the County Drainage Commission. It was pointed out by city officials.

In the past this commission has dredged Sugar Creek and the effect of this dredging was evident this morning as Sugar Creek was not overflowing.

DEPTH INCREASED

As the result of dredging the channel, Sugar Creek was straightened, the banks were

Polio Shots Free In Cabarrus

By JULIAN SCHEER
Charlotte News Staff Writer

The Cabarrus County Health Department announced today that all children in the county will get free Salk polio shots. Charles A. Cannon, president of Cannon Mills, is underwriting most of providing the protection for children above the first two grades.

Children in the first two grades will get free shots made available by the National Foundation for Infantile Paralysis.

Dr. J. Roy Hoge, county health officer, said negotiations are under way for enough serum for 15,000 children.

See RESPONSIBILITY on page 5-A

Ralph Clontz Testifies:

Scales Advocated Violence

GREENSBORO (AP)—A former Communist for the FBI testified today that Julius Scales took him into the party and preached violence against the government.

Ralph C. Clontz Jr., Charlotte lawyer, added that Scales told him, "It would be nice if revolutions happened automatically, but unfortunately, they didn't. Force is the only answer. Ideas alone can never accomplish anything."

Clontz' testimony was intended to shore up the government's claim that Scales was a Communist, and to drive said negotiations are under way for enough serum for 15,000 children.

Clontz said that he sent a postcard to Scales in 1949 identifying himself as a Duke University student who was interested in communism. About two days later, Clontz continued, he received from Scales a large box of Communist party literature. In a letter still later, Scales invited him to his home at Carrboro, Clontz added.

Clontz said he visited Scales at Carrboro in September, 1948, and had dinner with Scales and his first wife, Mrs. Vera Labac Scales. Later that evening, the witness said, a University of North Carolina student from Wilmington, William A. McGill, came there.

Clontz said McGill spoke of the "feeling of exaltation" he experienced after announcing publicly that he was a Communist.

Scales AGREED
Clontz said Scales expressed the same sentiments.

Clontz said that he "had to lie down his rather respectable background" after joining the party, the witness told the Federal District Court jury. Clontz said that Scales referred to his father, a banker now dead, as a millionaire, and quoted Scales as noting that a driver would have to give his greater union, A. M. Scales, was a former governor of North Carolina.

RALPH CLONTZ JR.

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Paroled Burglar Admits Killing Six Persons

By JULIAN SCHEER
Charlotte News Staff Writer

HEWENSON, Ky. (AP)—A husky laborer has confessed killing six persons — three men and three women — in this Kentucky-Indiana area, Police Chief Kirby Stevens of Evansville, Ind., said today.

Stevens said Lester Irvin, 39, a year-old paroled burglar, admitted all the killings, each of which he allowed the same weird pattern.

A formal charge of murder was entered against Irvin for the slaying of Wesley W. Kerr, 32, of Evansville, Ind., on Oct. 22, 1954. Stevens said Irvin was bound with his own belt. Irvin was bound with his own belt.

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Committee Action

By JULIAN SCHEER
Charlotte News Staff Writer

RALEIGH (AP)—House Judiciary 2 Committee today approved Rep. Ed O'Herron's bill amending the rules of the road.

The bill spells out certain driving practices which are not in the law but which are generally followed.

Under the bill, which had been approved previously by the House Roads Committee, a night driver must dim his lights when within 200 feet of a car he is overtaking in addition to when he meets an approaching vehicle.

An amendment to the bill sent forth by Rep. Marcus Buchanan of Jackson County would make the penalty for a second conviction of reckless driving in the discretion of the court. A first offense conviction would continue to be limited to a maximum of 300 or 60 days in jail.

RECKLESS DEFINED
"Reckless driving under the bill includes anyone driving 'heedlessly in willful or wanton disregard of the rights or safety of others,' or anyone driving 'without due caution and circumspection and at a speed or in a manner so as to endanger person or property.'"

Some courts have held that his methods of improper driving must be evident before a person can be convicted of reckless driving.

The bill also spells out that a driver approaching a traffic circle shall yield the right-of-way to a vehicle already in the circle. Instead of just stopping if his vehicle is involved in an accident involving only property damage, as the law now states, a driver would have to give his chauffeur's licenses and registration number to the offended party under the bill.

SECTION DELETED
On motion of Buchanan, the committee agreed to delete a section making it mandatory for a person involved in any type collision involving more than \$100 property damage to report it to the motor vehicles department within 24 hours.

Joe Garrett, assistant motor vehicles commissioner, termed

O'Herron's Driving Rules Bill Okayed

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What's Inside

Business 10A
Classified 13-18
Columns 19C
Editorials 12A
Features 2B
Life's Your Money 16A
Obituaries 13B
Radio & TV 8C
Serials 16A
Sports 11B
Theaters 6B
Women 57B

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Court Urged To 'Encourage' Integration

Race Arguments In Final Day

WASHINGTON (AP)—The Eisenhower administration today urged the Supreme Court "to suggest motion, to encourage motion" toward ending segregation in public schools, but not to fix any irrevocable deadline.

U. S. Solicitor Gen. Simon B. Sobeloff, who presented the administration views, told the court it should "make it clear that there must be a bona fide advance toward the goal of desegregation."

But that does not mean, Sobeloff said, that "people ought to be ridden over roughshod."

LAST STAGES
The historic arguments were in their closing stages. Indications were they would wind up in the early afternoon. Attorneys for Negroes and whites made rebuttal arguments after Sobeloff.

For the court, the question is what step it should take to follow up on the famous decision of last May that segregation of whites and Negroes in the public schools is unconstitutional.

The court could act within days but may not for weeks. If it does not act before its summer recess in October, "people ought to go over until the fall term."

NEGROES ASK DATE
Attorneys for Negroes who brought the cases before the court asked a decree ending segregation by the opening of the school term next September, or at least as an outside date—in September, 1956.

Southern states have pleaded for a gradual adjustment to last May's decision. They proposed that the cases be sent back to U. S. District Courts with broad authority for the lower courts to use their discretion in seeing that segregation is ended.

Sobeloff called the administration's plan a middle course. As he outlined it, U. S. District Courts, rather than the Supreme Court, would decide when a particular school district must abolish the segregation of schools.

WOULD USE PLAN
Under the proposal, district judges would call for submission of plans to end segregation within 90 days.

But upon a "good faith showing" that more time is needed, the lower court judges could grant more time.

Sobeloff said the Supreme Court, in its decrees, should avoid two things: "A fixed, inflexible time limit, and (2) making possible intervention by states who, as Sobeloff argued, that the various

See INTEGRATION on page 5-A