

Says Judge Rudisill: Witnesses Should Have Been Called

By JULIAN SCHEER AND ANN SAWYER

Charlotte News Staff Writers. With defense attorneys for Thomas Walter Taylor bringing forth two witnesses with alleged "new evidence" in the Talmadge A. Parker shooting, Judge J. C. Rudisill said today, "If they had...

Meanwhile, defense attorney Marvin L. Ritch said two speeches had been made just before the charge by Judge Rudisill to the jury when he learned of the witnesses and, "I didn't think it was fitting and proper to bring testimony in at that time."

"It was too late to get it in," he continued. "I did take the case at the 11th hour and this was my first notice of these witnesses."

The Taylor case boxscore reads:

(1) Ritch said he would ask Judge Rudisill for a new trial on "new evidence," a trial to be held in Criminal Superior Court. If a new trial is not granted, the evidence will be used, he said, in his Supreme Court appeal.

(2) Two women who say they saw some of the shooting on the night of Jan. 3—when the state claims Talmadge A. Parker was shot by Taylor—told investigating officers what they saw but were not called to testify.

(3) Officers F. E. Burgess showed his notes on the investigation to Police Chief Frank Littlejohn this morning and told him the women said they "saw absolutely nothing" the night of the shooting.

(4) Judge Rudisill said today that the first time he knew anything about the witness, Mrs. Eva Gowen, was when he read her statement in this morning's newspaper. He also said Mrs. Gowen "would have been heard" if she had had any evidence in the case.

(5) Miss Rena Johnson, the state's witness, has received threatening telephone calls and now Mrs. Gowen reports a similar call on this morning.

The sequence of events is this:

It was reported yesterday that there were four alleged witnesses who were not called. They were Mrs. Eva Gowen of 632 Seige Ave., Miss Louise Dorochev, 224 Baldwin St., Cpl. Trivets of Ft. Bragg, and Pfc. Jack Hayes of Ft. Bragg.

According to Solicitor Basil J. Whitener, the two witnesses were named in warrants and the clerk of the court could have subpoenaed both. The two women were not named on warrants.

However, one of the soldiers had been transferred, it was understood, and the other was unavailable. It appeared at the time, Mr. Whitener said, that they were "not too important."

Neither the state nor the defense called these witnesses. The two women said that the testimony was over at the time he received a call from Mrs. Gowen stating she had no evidence that could be helpful.

Mrs. Gowen said she saw a struggle between Taylor and Parker. "There was a struggle. I saw the men fighting. I was directly in front of my car. I

Israel Gets 'Conciliatory'

WASHINGTON (AP)—Israel is reported to be taking a more conciliatory approach in private talks with Westerners who are trying to heal its long-festering dispute with the Arabs.

The Israelis are understood to be as insistent as ever on two points: that they need more weapons to counter Egypt's \$60-million dollar purchase of Communist arms, and that a security guarantee backed up by the United States and Britain is essential to a permanent settlement.

However, diplomats in close touch with the Arab-Israeli situation in Israel are not girding for war in the spring, but rather is seeking Western commitments to stabilize the area. Israeli Ambassador Abba Eban is reported to have emphasized this in a brief meeting with Secretary of State Dulles yesterday.



Judge Rudisill . . . Is There New Evidence?

gave the officers my name and address. I thought I would be called to testify," Mrs. Gowen said.

The state contended there was no struggle. OFFICER Burgess told Chief Littlejohn this morning that

Stand Reiterated

Governor Attended Talks 'To Learn'

RALEIGH (AP)—Gov. Hodges reiterated today he and three advisers went primarily as observers to a meeting at Richmond Tuesday at which three other Southern governors agreed to ask their legislatures to test the Supreme Court segregation decision through the use of interposition.

Hodges said he and the state's Education Advisory Committee would take what they learned at Richmond about interposition and interposition in deciding how the state would meet the school segregation problem.

Any governor, he said in discussing the meeting, "would be foolish not to learn all he could about the problem but that doesn't necessarily mean North Carolina is going to follow any person or state in meeting the problem, and 'is not going to jump to conclusions."

While discussing the Richmond meeting, Hodges said the talk there centered on "the encroachment" of the federal government on the powers of the state, and "North Carolina certainly takes no exception to that sort of thing" because it "represents the position of the South."

"BASIC THING" He said the "basic thing to me without getting into the legal technicalities of interposition is this matter of protest." North Carolina, he said, has protested the court's decision "continually" although "possibly not as strongly as we should have."

Under the theory of interposition, a state would seek to interpose its sovereignty in the face of federal action that it considers unconstitutional. Hodges said the federal government by the constitution.

Hodges has asked if anything had happened to shake his faith in his program in which he has called on a "Negro" to continue to attend separate schools voluntarily.

"I still think it is the soundest and most basic thing that could possibly be had," he answered. DATE NOT MOVED

REDS BEGIN NEW PEACE OFFENSIVE

Russians Trying To Bring Back Spirit Of Geneva

WASHINGTON (AP)—Russian bosses Nikolai Bulganin and Nikita S. Khrushchev appear to be launching a new peace offensive designed to revive the "spirit of Geneva" and regain a measure of Western good will.

The timing of their moves suggests too that they want to offset in advance any criticism of their recent behavior which President Eisenhower and British Prime Minister Eden may make after talks here next week.

The two developments may signal a renewed Soviet emphasis on peace.

1. Premier Bulganin's letter to Eisenhower, delivered with full diplomatic ceremony yesterday. While the contents have not been officially disclosed, the letter was described by the White House as friendly in tone and containing "certain ideas" for Eisenhower to study further in the interest of promoting world peace.

2. A three-hour interview which Communist party boss Khrushchev gave in Moscow to Marshall MacDuffie, a New York attorney who is a long-time acquaintance. MacDuffie quoted Khrushchev as saying he thinks American leaders including Eisenhower basically strive for peace and do not want war.

Further relaxation Khrushchev also said Soviet leaders believe there should be further relaxation of international tensions, according to MacDuffie. He described all Khrushchev's references to Eisenhower as "very friendly."

MacDuffie, now representing the International Trade Shows of New York, was chief of the United Nations Relief and Rehabilitation Administration in the Soviet Ukraine just after World War II. He first met Khrushchev then, and saw him again on trips to Russia in 1945 and 1946.

He told newsmen in Moscow that Khrushchev bracketed Sir Anthony Eden and French Premier Guy Mollet among the Western leaders who in the opinion of Soviet officials do not want war.

EISEN ON WAY Edén is now en route to this country on the liner Queen Elizabeth. A dispatch from the Soviet Ukraine last night said that the Bulgarians in the opinion of the Bulgarians to Eisenhower.

Washington sources familiar with the letter indicated it made a broad approach to the problem of U.S.-Soviet relations and was not as officials had thought likely in advance of its delivery, devoted primarily to disarmament.

One informant described it as "going beyond disarmament." The letter and the Khrushchev interview mark a new turn in what Eisenhower and Secretary of State Dulles regard as a zig-zag Soviet course—sometimes tough, sometimes peaceful—since early last year.

The peaceful policy reached its zenith at the summit conference in Geneva in July, but the trend of Communist bloc policy since the summit talks has been increasingly belligerent.

That the Soviets have shown considerable flexibility in taking actions designed to cover their minor concessions and much propaganda other actions which directly challenged the Western world.

That apparently is the basic strategy now involved. Fair to partly cloudy today. Mostly fair tonight. Tomorrow, increasing cloudiness and a little warmer.

Low tomorrow morning—25. High yesterday—47. High today—47. High tomorrow—47. Sunrise 7:26 a.m.; sunset 6:30 p.m.

In 1948 Campaign HST Agreed Ike Shouldn't Run

By ED CREAGH WASHINGTON (AP)—Harry S. Truman writes that he told Dwight D. Eisenhower in 1948 "I thought he was using good judgment" in deciding not to run for the presidency that year.

Basic Research Advised

President Calls For Fight Against Cancer

WASHINGTON (AP)—President Eisenhower asked Congress today to vote \$126,525,000 for basic research to penetrate the "dark mystery" of cancer and to combat other leading killers.

Asks Congress To Vote \$126,525,000 Fund

The request was made in a five-point program in a special message calling for "a renewed and reinvigorated attack on our health problems."

Eisenhower told the lawmakers: "The nation in recent years has made notable advances in the unending struggle against disease and disability. Human suffering has been relieved, the span of man's years has been extended. But in the light of the human and economic toll still taken by disease, in the light of the great opportunities open before us, the nation still has not summoned the resources it properly and usefully could summon for the cause of better health."

Eisenhower did not renew his request of last year for federal reinsurance of health insurance—a proposal which ran into opposition from the American Medical Assn. on grounds it might be an opening wedge to socialized medicine, and get nowhere in Congress.

Instead, Eisenhower said the administration is considering legislative proposals to permit pooling of risks by the insured, to encourage "breadier" benefits and expanded coverage on reasonable terms in fields of special interest.

"But," he added, "if practical and useful methods cannot be developed along these lines, then I will again urge the enactment of the proposal made last year."

THE PROGRAM Eisenhower called for action in five general areas, providing for: 1. A 20 per cent increase in federal funds for basic medical research to a total of \$126,525,000.

2. A new program of grants—250 million dollars over the next five years—for construction of medical research and training facilities. This money would go to state, local and private institutions with a provision that they must supply at least equal amounts in matching funds.

3. Further steps to meet health personnel shortages. No specific amount was recommended here but Eisenhower said the number of physicians being graduated from medical school is barely keeping pace with the increase in population, and that the number of dentists and nurses is diminishing relative to population.

4. Action to strengthen certain health-related services throughout the nation. His fifth point was that of meeting costs of medical care and insurance. Under this item, the President also recommended that Congress authorize a separate program through which the federal government would match funds expended by the states and localities for medical care for the indigent aged.

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Jazz Covers Gunshots As Youth Kills Officer

CHICAGO (AP)—While a jazz band blared loudly in a cocktail lounge last night, a nervous young gunman fired six shots at two police detail detectives who questioned him, killing one and wounding the other.

Scores of persons in the lounge fled in Northwest Side hotel apartment did not hear the shot fired by the youth, who fled unsmiling. Seven squares of police rushed into the area of the Boulevard Hotel in search of the young fugitive.

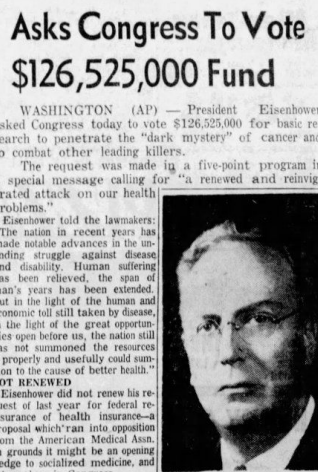
The youth was one of several persons who had been questioned by the police at the hotel. He had been shot in the chest. He was dead on arrival at a nearby hospital. Derrig was shot in the right hand and left foot and was not in serious condition.

Mercy Not Asked Killer Will Go To Gas Chamber

OAKLAND Calif. (AP)—Burton W. Abbott today faced the prospect of death in San Quentin's gas chamber because of two strands of hair, 18 bits of fiber and less than a handful of clay.

Largely on microscope and test tube analysis, a jury yesterday convicted the 27-year-old father of kidnapping and beating to death 14-year-old Stephanie Bryan. The seven men and five women had spent 51 hours and 56 minutes in reaching their decision. They deliberated six days before taking the verdict to the jury.

The jurors specified the death sentence for Abbott on both counts by specific decree for the kidnapping, and by omitting any recommendation for mercy for the first-degree murder finding. A juror said only five ballots were taken—all yesterday—and that two 11-1 ballots were the farthest they ever went. Abbott's attorneys, Stanley Whitney and Harold B. Howe, who had argued that some unknown person framed Abbott, plan a motion for a new trial Feb. 3 when he goes before Judge Charles Wade Snook for sentencing.



JUDGE PARKER

Patronage Duel Leaves Parker Holding Bench

WASHINGTON (AP)—Chief Judge John A. Parker, who had found himself alone on the bench of the Fourth Circuit Court of Appeals today, said it may be some time before the other permanent chairs are filled.

South Carolina and Virginia have begun a patronage duel for one post after Judge Armata M. Dohie of Charlottesville, Va., went into "qualified retirement" as of Feb. 1. His request was approved by President Eisenhower yesterday.

The president's third-chair nomination has run into Senate controversy too. Eisenhower chose Solicitor General Simon E. Sobeloff of Baltimore, who presented the government's case against racial segregation in public schools before the Supreme Court.

Sen. Johnston (D-S.C.) and others have indicated opposition to Sobeloff. "I will be on call for duty as needed but the action leaves the way for Eisenhower to nominate a new judge."

Sen. Thurmond (D-S.C.) has said he would like to see the Justice Department and the states and localities for medical care for the indigent aged.

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Tiny Idaho Town Of 203 Gives \$5,500 To Polio

MELBA, Idaho (AP)—Mrs. Gordon Vegeton said and resold her cake 21 times for a total of \$192.50. A 50-cent pair of tinsaps went for \$20. So did a box of nuts and bolts.

Three years ago the auction raised \$7,600 for the National Foundation for Infantile Paralysis. This gave Melba a per capita contribution of \$37, and Melba claims it's a national record. The average in Idaho as a whole is 29 cents.

Some 1,500 from Melba and nearby towns milled through the village high school yesterday, offering fancy prices for livestock, quilts and blankets, car tires and homemade cookies.

A television set brought the highest amount of any single item: \$732.25. Paul Montgomery, a farmer, dressed a doll in 100 dollar bills and raffled it off for \$300.

Evening Prayer

Our Father, we thank Thee that Thou dost not send us to our tasks alone. We find strength in knowing Thou art faithful to perform Thy will and word. In the name of Jesus who would have us pray, "Thy Father who art in heaven . . . Amen."

Our Weather Today

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More Weather Data on Page 2-A