Go to Church for Guidance To a Better Way of Life

AND HELP ME to grow up to be a good Sunday school and public school teacher, chants prayerful Gloria McCray, 4, daughter of Mr. and Mrs. Aaron McCray, 806 E. 22nd St. A kindergarten pupil at No. 79, Homewood and 22nd, Gloria is a singer in her Sunday School and has her heart set on becoming a teacher.

Institute planned for St David's

The Educational Institute of the Episcopal Diocese of Maryland will be held Sept. 24 and 25 at St. David's Church, 4700 Roland Ave.

Among the speakers on Wednesday will be Mrs. Arthur M. Sherman, executive director, General Division of Women's Work, National Council.

The Rt. Rev. Harry Lee Doll, D. D., bishop coadjutor-elect of Maryland will talk on "What the Church Expects of You" at 2 p.m.

The Rt. Rev. Noble C. Powell, D.D., bishop of Maryland, will address the Institute at 7:30 p.m. The bishop will be followed by the Rev. Canon Charles T. Bridgeman, S.T.D., Trinity Church, New York, speaking on "The Middle East", where he has lived and worked for many years.

Thursday's program includes The Rev. Rowland J. Cox, from the Overseas Department of the National Council, speaking on "Our Missionary Concerns on the North American Continent". Mr. Cox spent five years at St. Thomas' Mission, Point Hope, Alaska.

Peter J. Lewis

Funeral services for Peter J. Lewis, truck driver, of the 2100 block Pulaski St., were held Wednesday in the Psalmist Baptist Church.

Mr. Lewis died at his residence on Sept. 12. He was 61.

Baby Contest at Mt. Olivet

Mt. Olivet Christian Church will hold its annual Baby Contest, under the sponsorship of the C.W.F. Sunday, September 21, 1958 at 3 p.m.

Mrs. Deborah Tisdale, chairman. The Rev. Mr. C. L. Whitfield, pastor.

CHURCH HELPER — Shown posting up the Enon Church bulletin is J. C. Reaves, a member of the church. Mr. Reaves operates a radio and television shop at 1911 N. Pulaski St. He is a member of the Enon trustee board. He resides at 2611 Allendale Rd.

Teaching seminar for Lovely Lane

On Saturday, October 20, at Lovely Lane Church, Robert Vandiver, former Congregational minister, now working with the Division of Adult Education of the National Education Association, will conduct a seminar for the teaching staff of the 1958 Methodist Leadership School.

Mr. Vandriver's seminars, designed to broaden the teachers' understanding of the techniques and priciples of adult education, will be in addition to the regular orientation program for the teachers.

Saturday's meeting will start at 9:30 a.m. and run til 3 p.m.

The Methodist Leadership School provides additional training for teachers in local Methodist churches in the Baltimore Metropolitan Area.

Nearly six hundred students attended last year's sessions, and an even larger number is anticipated this year.

Methodist conference meets in Oxon Hill

The Rev. Kelly L. Jackson, superintendent, is scheduled to deliver the sermon Sunday at the 11 a.m. service of the Washington District Conference at St. Paul Methodist Church, 6248 Barnabas Rd., Oxon Hill.

A "Model One Room Church School" will be conducted at 9 a.m. by Mrs. Lucy Brown.

Tonight (Friday) the Ministers Wives will present at eight thirty o'clock "An Evening With Song and Poetry" under the direction of Mrs. Kelly L. Jackson.

THE Saturday morning program calls for youth discussions and an address by the Rev. James Cannon on "The Church and Education."

The Rev. W. E. Bishop was keynote speaker when the conference opened Thursday. General theme is "The Church's Responsibility to the Community."

Host pastor is the Rev. R. O. Johnson. Bishop Edgar A. Love is resident bishop.

CRUCIFY HIM!! CRUCIFY HIM!! CRIED HIS ENEMIES
The Crucifixion of Christ Will Be Dramatized By
ELDER MICHAUX'S FAMOUS CROSS CHOIR
Sun. Nite, SEPT. 21
8:30
GRIFFITH STADIUM
ALL RACES WELCOME

GOD WANTS YOU

To Be Really Happy! Are you facing difficult Problems? Poor Health? Money or Job Troubles? Love or Family Troubles? Worried? Drink? Unhappiness of any kind? Would you like more Happiness, Success and "Good Fortune" in Life? If you have any of these Problems, or others like them, dear friend, here is wonderful NEWS of a remarkable NEW WAY of PRAYER that is helping thousands to glorious NEW happiness and joy. Just clip this Message and mail with your name, address and 4c stamp to LIFE STUDY FELLOWSHIP, Box 309, Noroton, Conn. We will rush this wonderful NEW MESSAGE OF PRAYER and FAITH to you by AIR MAIL absolutely FREE.

THE JERUSALEM BAPTIST CHURCH
147 W. PRESTON STREET
REV. P. D. DOUGLAS, Pastor

9:30 A.M. Sunday School
11:00 A.M. Sermon by Rev. Merrill
6:00 P.M. Evening Service
Fri., 8 P.M. Rev. Merrill Prayer & Preaching
ALL ARE WELCOME

A TRULY THOUGHTFUL SERVICE
ARLINGTON S. PHILLIPS FUNERAL HOME
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METHODIST

ORCHARD STREET METHODIST CHURCH
Orchard St. near Druid Hill Ave.

9:45 A.M.—Church School.
11:00 A.M.—Morning Service, Sermon by The Pastor.
3:30 P.M.—Annual Steward's Day, Guest Speaker, REV. O. S. FRANKLIN, MT. ZION M. CHURCH, his choir and congregation.
6:00 P.M.—Methodist Youth Fellowship
8:00 P.M.—Evening Service
A CORDIAL WELCOME TO ALL
REV. V. T. KEY, Pastor

AMES MEM. METHODIST CHURCH
CAREY AND BAKER STREETS
SUNDAY, SEPTEMBER 21, 1958
MORNING SERVICE
11:00 A.M.—Sermon by the Pastor—Theme: "Overcoming Evil With Good"
Music by The Young People's Choir.
EVENING SERVICE
6:00 P.M.—The Methodist Youth Fellowship League; Special Program
8:00 P.M.—Evangelistic Hour: Sermon by Pastor. Music by the Gospel Choir.
A Cordial Welcome To All. Will See You In Church.
REV. FRANK J. FRYE, Minister

John Wesley Methodist Church
SHARP and MONTGOMERY STS.
FUEL RALLY DAY
9:30 A.M.—Church School
11:00 A.M.—Morning Worship
Rev. Johnson Speaking
3:00 P.M.—Rev. Richard L. Clifford, choir and congregation of Centennial Methodist Church, Guests
120th ANNIVERSARY
SUNDAY, SEPT. 28 THRU FRI., OCT. 3
A CORDIAL WELCOME TO ALL
REV. CHARLES E. JOHNSON, Pastor

ST. PAUL METHODIST CHURCH
1000 W. SARATOGA ST.
SENIOR CHOIR ANNIVERSARY and CHOIR DAY
SUNDAY, SEPTEMBER 21, 1958
9:30 A.M.—CHURCH SCHOOL
11:00 A.M.—SERMON: Guest speaker, REV. J. LLOYD GARRISON, Superintendent of the South Baltimore District.
Music by the C. S. Harper Choir.
3:30 P.M.—MUSICAL PROGRAM BY GUEST CHOIRS
A CORDIAL WELCOME TO ALL
MRS. ALICE J. MOULTON, Chairman
MRS. EDNA CRITTERTON, President
REV. RICHARD L. BALL, Minister

MT. ZION METHODIST CHURCH
RIGGS AVENUE AND GILMOR STREET
ORDER OF WORSHIP
9:30 A.M.—Church School — Mrs. Margaret White, Supt.
10:00 A.M.—Testimonial Service
11:00 A.M.—Sermon by the Pastor—
Subject: "How Shall We Wait On God"
12:45 P.M.—All members are requested to remain for one hour Church Meeting. Business of Great Importance concerning the future of Mt. Zion.
2:00 P.M.—An Appreciation Tea Sponsored by The W.S.C.S.
3:30 P.M.—The Pastor, Choir and Stewards render Service at Orchard St. Methodist Church.
WE WELCOME YOU. O. ST. CLAIR FRANKLIN, Minister

SING SHOUT ENJOY
A SOUL-STIRRING GOSPEL RECITAL
Rendered by
THE GREAT GOSPEL CHORUS of PERKINS SQUARE BAPTIST CHURCH
AT MT. ZION METHODIST CHURCH
RIGGS AVE. AND GILMOR ST.
FRIDAY, SEPTEMBER 26, 1958 — 8 P.M.
Featuring The FREE WILL GOSPEL CHORUS No. 1 of Mt. OLIVE FREE WILL BAPTIST CHURCH.
SPONSORED BY THE ORIGINAL GUIDING LIGHT CLUB
ADVANCE TICKETS $1.00 AT DOOR $1.25

SHARP ST. MEM. METHODIST CHURCH
DOLPHIN AND ETTING STS.
SUNDAY, SEPTEMBER 21, 1958
9:00 A.M.—CHURCH SCHOOL
9:00 AND 11:00 A.M.—IDENTICAL SERVICES
SERMON TOPIC: "CONSECRATION BY DISCIPLINE"
6:00 P.M.—METHODIST YOUTH FELLOWSHIP AND CHURCH SCHOOL WORKERS CONFERENCE
REV. EDWARD G. CARROLL, Pastor

A.M.E.

ANNUAL MEN'S DAY
ST. JOHN'S A. M. E. CHURCH
810 N. CARROLLTON AVE.
SUNDAY, SEPT. 21, 1958
Morning Speaker 11:00 A.M.
BISHOP FRANK MADISON REID
Presiding Bishop
2nd Episcopal District
Afternoon Speaker
REV. J. A. B. DYSON
District Supt., North Baltimore District, Washington Conference

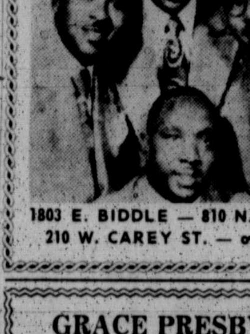
Music by the fifty-voice male chorus of St. John's A. M. E. Church
REV. L. M. GRAY, Pastor
MR. MACK B. SIMPSON JR., Chairman
MR. CHARLES E. WELLS, Secretary

Come help us celebrate the one hundred fifteenth Anniversary of
WATERS A.M.E. CHURCH
and Fifth Anniversary of the Pastor of Waters A.M.E. Church
ASQUITH ST. NEAR ORLEANS ST.
SUNDAY, SEPTEMBER 21, 1958
THRU SUNDAY, SEPTEMBER 28, 1958
Speakers and Special services each night.
BISHOP D. H. SIMS will be guest speaker Sunday, September 28 at 3:00 P.M.
MR. WILLIAM E. CARROLL, Chairman
MR. OTTO HAWKINS, Co-chairman
MISS MARGARET BOULDIN, Secretary
REV. W. B. NASH, Pastor

COMMUNITY

DOUGLAS MEMORIAL COMMUNITY CHURCH
"The People of the Way"
LAFAYETTE and MADISON AVENUES
SUNDAY, SEPTEMBER 21, 1958
IDENTICAL SERVICES
8:30 A.M. — 11:00 A.M.
"THE RICHEST MAN IN TOWN"
REV. BASCOM PREACHING
MUSIC
SANCTUARY CHOIR: "The Voice In The Wilderness"—Scott; "Roll Jordan Roll"—Dett; "Trust In Him"—Hamblem
CHANCEL CHOIR: "Jesu, The Very Name So Sweet"—Lovelace; "Lord I Want To Be A Christian"—Traditional; "The Lord Is My Light"—Allitsen
GOSPEL CHOIR: "Balm in Gilead"
REV. MARION C. BASCOM, Minister

Presenting the 21st Anniversary of The
HARMONIZING FOUR of Richmond, Va.



Featuring The Davis Sisters
PAULINE WELLS LEWIS, M.C.
WED., SEPT. 24
MT. CALVARY F.W.B. CHURCH
1607 E. Oliver St.
REV. HENRY WILSON, Pastor
Adv. Tickets—$1.25
At Door—$1.50
TICKETS ON SALE:
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210 W. CAREY ST. — or CALL EA. 7-6568, ED. 6-2096

GRACE PRESBYTERIAN CHURCH
One of Baltimore's Friendliest Churches
DOLPHIN AND ETTING STS.
SEPTEMBER 20, 1958
Saturday:
10:00 A.M.—Fall Retreat. Morgan Christian Center. Everyone Invited.
Sunday:
9:30 A.M.—Sunday Church School. Mrs. Ethel Day, Superintendent.
10:30 A.M.—Worship Service. Anthem by the Senior Choir, "Lo, A Voice To Heaven Sounding"—Bortniansky. Sermon: "Under New Ownership."
11:30 A.M.—"Coffee-Fellowship-Hour." Sponsored by the Session.
Wednesday:
8:00 P.M.—"Hour of Prayer Service."
We Welcome You Rev. Robert T. Newbold, Jr., Pastor

BAPTIST

24th ANNIVERSARY
REV. MRS. MINNIE B. STEWART ROBINSON
AT
Simmons Memorial Baptist Church
PENNSYLVANIA AVE. AND CUMBERLAND ST.
SUNDAY, SEPTEMBER 21st, THROUGH FRIDAY, SEPTEMBER 26th 1958
SUNDAY, 3:30 P.M.
Rev. C. L. Henderson, Pastor of Greater Zion Baptist Church, Harrisburg Pennsylvania, Choir and Chorus.
MONDAY, 8:00 P.M.
Rev. R. P. Gainey, Gospel Chorus and Congregaiton, Corinthian Baptist Church, Washington, D.C.
TUESDAY, 8:00 P.M.
Rev. McNair, Gospel Chorus and Congregation, St. James Church, Towson, Md.
WEDNESDAY, 8:00 P.M.
Rev. J. H. Marshall, Choir, Chorus and Congregation, Springfield Baptist Church, Washington, D.
THURSDAY 8:00 P.M.
Rev. Oliver F. Page, Choir, Chorus and Congregation, Gethsemane Baptist Church.
FRIDAY, 8:00 P.M.
Rev. Joseph Culp, Chorus and Congregation, New Friendship Baptist Church.
Also Singing Groups of Simmons Memorial. Refreshments Free!
Don't Miss This Great Feast — Benefit of Men's Day
Deacon ROBERT A. LEE, Sponsor
Deacon ROBERT A. LEE, Sponsor. Trustee NATHANIEL BROOKS, Chairman
Deacon W. FLOYD BOOKER, Chairman of Deacon Board

COME AND GO WITH THE
PARADISE BAPTIST CHURCH
WHERE? TO BEECHWOOD PARK
SUNDAY, SEPTEMBER 21st
IN A QUARTET REUNION AND BATTLE OF SONGS
Featuring The Heavenly Gates, Chariot Wheels, Humble Echoes, Southland Mission, Star of Bethlehem, Gates Special, Visionaires, and the Golden Crowns. Special Guests: St. Joe Gospel singers of New York City and many others.
Advance Tickets—$1.00
At The Gate—$1.25
REV. W. M. YOUNG, Chairman
THOMAS BENNY, Co-Chairman
Busses leave—615 Warner St., 2917 W. Lanvale St., 1002 Somerset St. Also get your tickets at 1117 Forest St. Mrs. S. Porter Williams.
Busses Leave at 10:30 A.M. Return at 6:00 P.M.

ISRAEL BAPTIST CHURCH
FALL REVIVAL
Conducted by REV. W. LYNDASE PITTS and HIS GOSPEL CHORUS and the Singing Groups of Israel Baptist Church.
SUNDAY, SEPT. 21, 1958 THRU FRIDAY NIGHT, SEPT. 26
ALL ARE WELCOME
REV. E. D. MEADE, Pastor

ENON BAPTIST CHURCH
EDMONDSON AVE. AND SCHRODER ST.
SUNDAY, SEPTEMBER 21, 1958
6:30 A.M.—EARLY PRAYER AND PRAISE SERVICE
9:30 A.M.—SUNDAY SCHOOL
11:00 A.M.—SERMON BY THE PASTOR
ALTAR SERVICE
6:00 P.M.—B.T.U.
7:30 P.M.—BOY SCOUTS OF AMERICA 21st CHARTER PRESENTATION
8:00 P.M.—SPECIAL EVANGELISTIC SERVICE
You are cordially invited to attend all of these services.
MRS. KATHERINE BOSTON, Organist
MR. ISADORE OGLESBY, Choirmaster
REV. ARTHUR J. PAYNE, Pastor

FIRST BAPTIST CHURCH
CAROLINE AND McELDERRY STS.
SUNDAY, SEPTEMBER 21, 1958
9:30 A.M.—Sunday School—Mr. Wardelle T. Richardson, Supt., Mrs. Ella Watson, Assistant.
11:00 A.M.—Morning Worship.
6:00 P.M.—Baptist Training Union—Mrs. Janie B. McCrorey, Director.
7:30 P.M.—Annual Calendar Rally sponsored by the Pastor's Aid.
A CORDIAL WELCOME TO ALL
REV. VERNION T. WILLIAMS, Pastor

FAITH BAPTIST CHURCH
"THE PRAYING CHURCH"
ASHLAND AVENUE and BOND STREET
9:15 A.M.—Sunday School.
10:45 A.M.—Morning Worship—Sermon by The Pastor.
3:00 P.M.—Holy Communion Service—Sermon by Rev. Frank Winston.
6:00 P.M.—B.T.U.
8:00 P.M.—Evening Worship; Preaching.
WE WELCOME YOU
REV. WALTER E. PAIGE, Pastor

Perkins Square Baptist Church
EDMONDSON & WARWICK AVENUES
MALE CHORUS DAY

REV. WARD D. YERBY, Pastor

9:15 A.M.—SUNDAY SCHOOL
10:30 A.M.—OPEN HEART SERVICE
11:00 A.M.—THE UNION BAPTIST CHURCH OF PASSIAC, NEW JERSEY. SERMON BY REV. T. H. ALEXANDER. MUSIC BY THE MALE CHORUS
3:00 P.M.—SERMON BY REV. T. H. ALEXANDER
6:00 P.M.—B.T.U.
7:30 P.M.—EVENING SERVICE
SUNDAY SCHOOL WEEK
MON., SEPT. 22 THRU SUN., SEPT. 28
REV. WARD D. YERBY, PASTOR

EBENEZER BAPTIST CHURCH
GUILFORD AVE. AND 23RD STREET
SUNDAY, SEPTEMBER 21, 1958
9:30 A.M.—SUNDAY SCHOOL
10:45 A.M.—MORNING WORSHIP—SERMON REV. F. WINSTON, PETERSBURG, VIRGINIA
7:45 P.M.—EVENING WORSHIP—SERMON REV. F. WINSTON
WE WELCOME YOU
BRO. JEFFERSON JOHNSON, Chairman of Deacon Board

LEAVING COURT—Children and parents in the Arlington school suit are shown leaving Alexandria Federal Court. They are (left to right) Mrs. Berline Norris, Shella Norris, Mrs. Mary Boswell and Gary Boswell. The pupils are among 26 turned down by Judge Bryan.

COURTHOUSE CHAT — Arlington pupils in the desegregation suit chat after Federal Judge Bryan took the case under advisement. Shown (left to right) are Gloria Brooks, Gloria Rowe, Deidra Hallion and Darrell Faggins. The jurist refused to order their admission.

ARLINGTON DRAMA—Plaintiffs take time out during the recent hearing in the Arlington school case before Judge Albert V. Bryan in Alexandria Federal Court. Left to right are Peggy Ann Moore, Charles Augins and Joyce Strothers. The judge denied their admission, granting permission to only four out of 30.

—Arlington

(Continued from Page 1)

have made a different decision on the evidence which was before the Virginia Pupils Placement Board and the Arlington County School Board, both of which rejected all 30 applicants for transfer.

He said he "may not agree with the conclusions of the Boards. But that is of no consequence once it is found that the administrative action is not arbitrary, capricious or illegal."

On that ground he sustained the denial of 25 of the applications. This left five other applicants, whom Judge Bryan found had not been disqualified by any of the criteria used to disqualify the 25.

• • •

THE VIRGINIA Pupil Placement Board and the Arlington County Board, supposedly acting independently, disqualified the remaining five on the ground that they lacked the ability to adapt themselves in schools which had been previously all-white.

One of these five, an 11-year-old boy, wished to transfer from the all-colored Hoffman-Boston Elementary School to Patrick Henry, also an elementary school. Patrick Henry is nearer his home than is Hoffman-Boston.

Judge Bryan found that the boy would leave a school with the lowest of all pupil-teacher ratio. Hoffman-Boston, a combined junior and senior high school, has the lowest teacher-pupil ratio because it is a jim crow school and does not have enough pupils to be a first-class school. The low teacher-pupil ratio is due to the fact that certain courses must be offered there solely because they are offered at Washington-Lee, the white senior high school.

• • •

TESTIMONY during the hearing was to the effect that a lot of the offerings at Hoffman-Boston are on paper only. One difference between the curricula at the two schools, for example, is that physics and biology are offered in alternate years at Hoffman-Boston, while at Washington-Lee both courses are available every year.

Judge Bryan said the only advantage of transferring the 11-year-old boys to Patrick Henry "is one of distance; in good weather and subject to pedestrian traffic dangers, he could walk to Patrick Henry, about a half mile away, while the school bus would take him to Hoffman-Boston, 1.2 miles off, in perhaps less than his walking time."

As to the remaining four, Judge Bryan said, "refusal of their applications for transfer is not justified in the evidence."

The four ordered transferred in January are Ronald Deskins, Michael Gerard Jones, Lance Dwight Newman and Gloria Delores Thompson.

• • •

THE CASE came before Judge Bryan after applications of the 30 pupils for transfer from colored to white schools had been rejected by both the Virginia Pupil Placement Board and the Arlington County School board.

Judge Bryan said the case "signally demonstrates the soundness and workability" of these propositions:

1. That the federal requirement against racial segregation in the public schools can be fulfilled "reasonably and with justice if the guide adopted is the circumstances of each child, individually and relatively."

2. That desegregation may be achieved through any method in which the regulatory body acts after a fair hearing and upon evidence.

3. That when a conclusion is so reached in good faith, without influence of race, though it be erroneous, the assignment is no longer a concern of the federal courts.

Weighing these considerations, Judge Bryan said he cannot say that as to 26 of the 30 applicants "their applications for transfer to 'white' schools were refused without substantial supporting evidence."

• • •

THE FOUR whose transfer he order, he noted, "are all applicants for Stratford Junior High School; they have asked to enter the seventh grade, the first year of junior high.

"Before this decision can be effectuated by a final decree, ten days or more would routinely elapse, carrying the effective date into October. In the judgment of the court it would be unwise to make the transfers as late as that in the term.

"The decree, therefore, will be made effective at the commencement of the next semester, January, 1959. This short deferment will not be harmful. Indeed, if the basic problem can be solved by time, the price is not too dear."

Judge Bryan denied the motion of A. B. Scott, attorney for the Virginia Pupil Placement Board, that the suit against the Arlington County school board be dismissed until the placement board was properly made a party to the litigation. He ruled that the placement board need not be made a party.

He noted that the evidence upon which the applications were rejected by the two boards was taken subject to several motions which should be passed upon before the evidence was considered.

• • •

MR. SCOTT, appearing in association with the attorneys for the school board, moved that the case be dismissed on the ground that the pupil placement board was an indispensable party and had never been brought into the case.

At the 1956 special session of the Virginia General Assembly the Pupil Placement Act was passed as part of the state's "massive resistance" program. It vested in the placement board all authority to determine the school to which any child shall be admitted.

Mr. Scott argued that as the suit involved the admission of the colored pupils into schools, the placement board should be a party.

In the 1957 ruling ordering the admission of five colored students to white Arlington schools, Judge Bryan held that the Pupil Placement Act did not provide an adequate administrative remedy because too much time was taken before a final administrative decision was reached.

Then, at the end, he said, the school closing and fund cut-off statutes automatically shut the school, and the state withheld money for its operation if a colored pupil was assigned to a white school.

Some state or local authority must process the applications and make the assignments, Judge Bryan said, "but the point is moot."

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HE NOTED that the applications were considered by the placement board and the Arlington County school board "The refusals to grant the transfers were in effect assignments," he said. "There is no reason to decide now whether this was placement board or school board action."

He added that there was no need for the placement board to be made a party to the suit. "The impact of any decree would be upon the persons immediately in charge of the schools." He continued:

"They it is who actually admit or reject the students. Ordinarily they would be the employees of the school board, such as the principals and teachers.

"From the fact that the school board and its employees maybe controlled in their acceptance of students by the Pupil Placement Board, it does not follow that the court cannot judge of the validity of such regulations without having the placement board before it."

• • •

NAACP ATTORNEYS also moved to strike from the evidence the findings of Dr. Mill, director of psychological services of the Virginia State Department of Mental Hygiene, in regard to the psychological problems of certain of the applicants. It was conceded that the school board or the placement board had the right to consider this report.

The objection was that in the trial it was hearsay because Dr. Mill was not called as a witness.

Judge Bryan ruled that "the motion is good" but said it did not preclude him from considering the report in measuring the evidence that was before the boards.

In rejecting all 30 applications, the two boards screened the pupils against criteria of five categories designated as: Attendance Area, Overcrowding at Washington-Lee High School, Academic Accomplishment, Psychological Problems, and Adaptability.

• • •

FIVE OF the 30 applicants Bryan ordered admitted in September, 1957, but held up his order pending appeals.

Contrary to argument, Judge Bryan said, his order did not give these pupils "a vested position for this session. Admission must be judged on current condition, the rule to be applied to all students."

On the attendance area test, 11 students — designated Nos. 2, 3, 4, 9, 14, 15, 17, 18, 23, 24 and 25 — were denied transfers.

With slight exception, Judge Bryan said, Arlington school districts have remained the same since the lines were fixed long before the Supreme Court decision of May 7, 1954, against segregated schools. The 11 applicants have been attending Hoffman-Boston School.

Hoffman-Boston has been housing elementary grades as well as both junior and senior high schools.

• • •

THE HOFFMAN - BOSTON lines, Judge Bryan said, were originally drawn to embrace an area occupied almost entirely by colored people. In fact, he added, save for a very small area known as the north Hoffman-Boston district, it was the only colored residential section in the county. The 11 pupils — three senior high school students and eight junior high school students — live in the Hoffman-Boston area.

(Actually, school zones were so drawn that all colored high school students lived in the Hoffman-Boston area, and all white high school students lived in other school zones, no matter how close white and colored families lived to each other.)

Students Nos. 2, 3, 15 and 25 applied for admission to Wakefield High School in South Arlington.

"Among other adjustments this change would mean the establishment of a new bus route and would mean a longer haul than the bus ride now afforded them to Hoffman-Boston," Judge Bryan said.

• • •

THE OTHERS sought entry into either Kenmore Junior High School, Gunston or Thomas Jefferson.

"In distance all of these schools are slightly closer to their residences than Hoffman-Boston," Judge Bryan found, adding:

"However, the school authorities had other factors to consider, such as the adoption of presently established school bus routes, walking distance and the crossing of highways, as well as that Hoffman-Boston was but a 20-minute bus ride for these pupils."

All of this group, except No. 18, were also refused transfer because of their academic standing.

Besides these, pupils designated B, C, D, E, 5, 6, 8, 10, 11, 12, 21 and 22 were also found to be ineligible on account of academic deficiency for the transfers requested.

• • •

IN MAKING the academic determinations the California Achievement Test was used. Other factors were the school records and experience.

Judge Bryan found:

"While among these 22 pupils some were listed on their student report cards as making low scholastic averages, just about as many had high averages and others were 'on grade level.'

"Their intelligence quotients are not low. The school authorities do not deny these evaluations. But they emphasize that these standings are related only to the then grade and school of the children.

"The basis for refusal of the transfers was not those standings. The basis was that the scholastic standing in the classes to which they asked entry was above the individual standings of the applicants to the extent that the transfers could not be justified under sound educational principles.

• • •

"THE MEDIAN achievement level in the schools to which entrance is sought, the evidence shows, is appreciably higher than the national norm. On the other hand, the median of the schools from which the applicants would come, is more than a year below the norm.

• • •

"Moreover, in the schools applied for, two-thirds of the pupils have achievement ratings above the national norm; while in the schools of origin, four-fifths of the students are well below the national norm. So a transfer might result in placing the pupil in an achievement group one or more years above the achievement category of his present group.

With the exception of pupil No. 8, all 22 of the pupils in this group were below the median achievement of the schools to which they sought admission. Fifteen of them, Nos. 22, 11, 14, 24, E, C, 10, 5, 8, 25, 15, D, 21, 12 and 3, were below the national norm. Two of them were three years below and five others as much as a year or more, he said, adding:

"It must be remembered, though, that some of the adschools (schools to which transfers were sought) students are also below the national norm.

"In the table of average mental maturity, grade for grade, Hoffman - Boston is shown to be more than 15 points under the other schools, the one about 90 and the other 105 plus."

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THE TWO boards rejected seven applications because of psycological problems. Of these seven, six — C, 2, 6, 8, 21 and 24—were among those rejected for academic deficiency.

For the psychological problems classification the boards relied chiefly upon the conclusions of Dr Mill. School records also were available.

In effect, the opinion of Dr. Mill was that "it would be unwise and possibly harmful to this child to subject him to the pressures which might result from attending a school" with white children.

Judge Bryan found that "instablity, lack of self-control, extreme shyness and difficulty of mingling or making friends are the circumstances generally named by him (Dr. Mill) for his conclusions, persuading him that entry into such a school would result in severe difficulty in the school as well as to the subject pupils.

"Thus the Director's determinations do involve race," Judge Bryan said.

For attendance at senior high schools Arlington County for many years has been divided into three districts.

The Washington-Lee district, taking the name from the high school located in the north center of the county, originally embraced approximately the north half of the county.

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THE SECOND DISTRICT, Wakefield, named for another white high school, is on the extreme western boundary of the county and in the southwest section.

The third district is Hoffman-Boston, which was gerrymandered to include all colored high school pupils and overlaps Wakefield.

A large area in the northwest corner of the county was taken out of the Washington-Lee District before schools opened on Sept. 8 because of overcrowding at that school.

Since the suit was begun to compel desegregation of Arlington schools, the northern district of Hoffman-Boston was abolished. But colored pupils living in that area are still assigned to Hoffman-Boston.

Pupils D, 1, 12, 19 and 21 live within the area comprising the northern district of Hoffman-Boston. They were assigned to Hoffman-Boston High School, although they live in the Washington-Lee area.

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JUDGE BRYAN FOUND: "Washington and Lee High School is much nearer to their residences than is Hoffman-Boston. Indeed, it lies between the residences and Hoffman - Boston, away from the residences about one — fourth of the total distance. Overcrowding of Washington and Lee is the basis for the assignment of these pupils to Hoffman-Boston."

Judge Bryan pointed out that Washington-Lee is congested. The present enrollment is 2,600 with a capacity of 2,000.

Hoffman-Boston has an enrollment of 575 with a capacity of 375, augmented by four temporary classrooms accommodating 100 pupils and to be increased by the addition of five classrooms now under construction, to be completed in January, to care for 125 pupils.

Wakefield was built for 2,000 but has an enrollment of 2,540 students.

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JUDGE BRYAN FOUND that "In maintaining the assignment of these students to Hoffman-Boston, rather than to Washington-Lee, the defendants referred to corresponding treatment of Caucasian pupils, they point to the students living in the territory served from Washington-Lee.

"These white pupils in the tenth grade (the first year of the senior high) must go to Wakefield High School. This is a distance as great, if not greater, than the trip to Hoffman-Boston from its former northern district.

"Those living at Fort Myer, in the southeast part of the county, are not permitted to go to the nearer Washington-Lee High School but are required to attend Wakefield, on the other side of the county.

"The Hoffman-Boston School is superior to any of the other schools in the county in its 18.5 pupil-teacher ratio."

Judge Bryan noted that 18 of the 30 applicants were found disqualified "upon at least two, and sometimes three, of the criteria, and seven for the sole reason of overcrowding, attendance area, or academic standing.

"The remaining five applicants — A, 7, 13, 16 and 20— were refused transfer for failing the test of adaptability."

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ON THIS LAST CRITERION, the principal witness was Arlington Superintendent of Schools Ray E. Reid, whose 32 years as an educator have all been spent in a segregated school system.

Mr. Reid testified that the five students in this group would be injured by transfer to Patrict Henry or Stratford Junior High. His reason was that they would lose their present position of school superiority and leadership.

Judge Bryan found:

At Hoffman-Boston 7, 13, 16 and 20 rate about two years above the school norm of achievement. They are nearly a year ahead of the national norm. However, if they enter Stratford, they will not, as they are in Hoffman-Boston, be in the top group, but just above the achievement median of that school. They will not be among the leaders.

"Analogous reasoning is applied to A at Patrick Henry. The superintendent feels that this would be discouraging and possibly emotionally disturbing to them.

"Race or color is not the basis for his opinion, though, he owns, the necessity for his decision is occasioned by the removal of racial bars."

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JUDGE BRYAN CONCLUDED:

"1. The very formulation and use of the criteria is pleaded by the plaintiffs as racial discrimination. With this the court disagrees. True, previously no such tests were known; they came into being in the latter part of August 1958 in connection with the instant school assignments. But this does not prove discrimination.

"These tests were not used previously because there was no necessity. The removal of the rule and custom of segregation was an abrupt change. It was a social epoch; beginning a new era. Accommodations to its demands meant new methods as well as facilities.

"The assignment of pupils took on an added obligation. At some time and place, assignment regulations had to be adopted. Therefore, the instant criteria are not discriminatory as born of a social change. Otherwise, after the erasure of race as a factor in pupil placement, no assignment plan could ever be validly adopted.

"a. This recital of the evidence is not written with the implication that evidence as to the tests was not questioned. In refutation the plaintiffs offered evidence of considerable weight and relevance.

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"BUT THE COURT DOES not in a case of this kind resolve such differences. It examines the conflicting evidence only to see if the rebutal evidence destroys any weight that might be given to the defendants' proof. Its inquiry is to ascertain if the defendant's evidence, independently of influence of race or color, was sufficient to sustain the action of the Placement Board and the School Board.

"3. The reasons given for disqualifying the seven students upon the test of the Psychological Problems obviously give consideration to race and color. On the other hand, the rejection was not due solely to those features.

"The court, however, does not rule on the weight to be accorded this test because the evidence before it upon the point is too scant. The psychologist was not called as a witness and the court does not have the benefit of his exposition. Therefore, this test must be disregarded for this case.

"4. Plaintiffs urge that invalidity of the assignments is conclusively established by the result, that is, that all colored pupils remain in the Hoffman-Boston School. Though plausible, the argument is not sound. Actually, the principal reason for the result is the geographical location of the residences of the plaintiffs, indeed of the entire colored population in Arlington County.

"It is confined to two sections, the Hoffman-Boston area and the previous, small northern division of the Hoffman-Boston, several miles apart. Hoffman-Boston is by far the larger colored area. This situation seemingly would be frequently found in areas, like Arlington County, urban in character.

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"IT OCCURS, TOO, from the relatively small colored population in the county. The condition now does not differ greatly from that noted in this court's opinion of September 1957. Then there were 1432 colored pupils in all of the county's schools. This compared to some 21,000 white students.

"The latter are scattered throughout the county. The concentration of colored population is confined in this case by the fact that only one white-school parent was available to testify as a resident of Hoffman-Boston district.

"Nor is discrimination provided by the stipulation that 100 colored pupils are transported to Hoffman - Boston from the new dissolved northern division of Hoffman-Boston. As many as 250 white pupils are carried from the severed portion of Washington- Lee District to Wakefield. Only eighteen of these colored pupils are complainants here. They are D, 1, 12, 19, 21, B, C, E, 5, 6, 7, 8, 10, 11, 13, 16, 20 and 22.

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"WITHOUT IGNORING the record and without presuming bad faith in the Boards, it cannot be said that they were sent to Hoffman-Boston simply to segregate the colored children. For example, D, 1, 12, 19, and 21 were sent specifically because of overcrowding at Washington and Lee.

"Either these or some other pupils, white or colored, had to be rejected at Washington-Lee. It was not illogical to turn away those who had more recently become eligible, in favor of those who were already in, or had studied for entrance into, Washington and Lee.

"Again, proof that the assignments to the Hoffman-Boston School were not arbitrary is seen in the specific finding in respect to B, C, D, E, 5, 6, 8, 10, 11, 12, 19, 20, 21 and 22—want of academic accomplishment.

"5. The court is of the opinion that Attendance Area, Overcrowding at Washington and Lee, and Academic Accomplishment clearly are valid criteria, free from taint of race or color. It concludes also that these criteria have been applied without any such bias. It cannot say that the refusal of transfers on these grounds is not supported by adequate evidence.

"The court may have made a different decision on this evidence; it may not agree with the conclusions of the Boards. But that is of no consequence once it is found that the administrative action is not arbitrary, capricious or illegal. Thus the denial of 25 of the applications must now be sustained.

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"6. THE REMAINING FIVE applications — A, 7, 13, 16 and 20 — failed on the test of adaptability. This is the most difficult criterion to evaluate. It is certainly not frivolous, especially when it is the opinion of an educator of 32 years experience. In certain circumstances, undoubtedly, the line of demarcation between it and racial discrimination can be so clearly drawn, that it can be the foundation for withholding a transfer. Pupil A exemplifies this hypothesis.

"Ten or 11 years old, with an academic achievement 'on a grade level,' this boy wishes to transfer from Hoffman-Boston Elementary School to Patrick Henry, also elementary. But he leaves a school with lowest of all pupil-teacher ratio. His only advantage is one of distance; in good weather and subject to pedestrian dangers, he could walk to Patrick Henry, about a half mile away, while the school school bus would take him to Hoffman-Boston, 1.2 miles off, in perhaps less than his walking time.

"The median of academic achievement for his grade at Hoffman-Boston is 3.9. As he is 'on grade level' this would indicate his standing. In Patrick Henry the same median is 4.8. The average mental maturity for the fifth grade in Hoffman-Boston is 87, while in Patrick Henry it is 113, a difference of 26.

"Laying aside the physical circumstances, the court cannot say that adaptability, in view of the intelligence factors, is a capricious standard when applied to A. His transition could well be discouraging, if not disparaging, one from which a student may be lawfully saved by the judgment of the more experienced.

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"THE CIRCUMSTANCES of 7, 13, 16 and 20 are different from A's. They live in the former northern district of Hoffman-Boston; their homes are near Stratford Junior High School and within its region. Each of them stands above the media achievement score of Stratford.

"They have a common age of 12 years and they all would enter the first year of junior high school. They are a group formerly attending Langston Elementary School together, presumably friends having common interests.

"In these circumstances, having in mind also their relative academic standing. Adaptability could hardly bar them. The court finds no grounds in the record to uphold the Boards' refusal of the transfers of 7, 13, 16 and 20—Ronald Deskins, Michael Gerard Jones, Lance Dwight Newman and Gloria Delores Thompson."

County teacher loses back pay, damage suit

A $155,600 suit, seeking back salaries and damages as a result of alleged discriminatory practices of the Prince Georges County Board of Education in rating her because of her race, was denied a principal of the Cedarville Elementary School in Federal Court Tuesday.

Chief Judge Roszel C. Thomsen, in dismissing the suit of Mrs. Delitha A. West, of Brandywine, said he found that there was no discrimination against colored teachers in Prince Georges County.

"Every colored teacher is now rated first - class by her principal," Judge Thomsen stated.

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HE POINTED out that a law fixing lower salary scales for colored teachers in the county was declared unconstitutional in 1949, and her complaint for readjustment prior to that year should be appealed to the State Board of Education.

Mrs. West, through her attorneys, Traffic Court Magistrate Robert B. Watts and Tucker R. Dearing, asked $15,600 in alleged accrued salaries; $50,000 for "pain and suffering, by the defendants' discriminatory practices," and $100,000 for punitive damages.

While she did receive a No. 1 rating in 1950, her attorneys contended she was due compensation for the unjust salaries prior to that period.

Mrs. West, the court was told, has been a teacher in the county for 30 years.

Sobeloff turns down Va. appeal

Virginia took another slap in the face Wednesday in the U.S. Fourth Circuit Court of Appeals when Federal Judge Simon Sobeloff turned thumbs down on a request of Charlottesville to stay a lower court integration order.

Only last week, Judge Sobeloff ruled that Warren County High School in Front Royal, Va. must admit 22 colored pupils to the school.

Gov. J. Lindsay Almond, instituting the state's "massive resistance" program laws, immediately ordered the school closed and it was speculated that the same thing would happen in Charlottesville with this latest ruling.

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TWO - AND - A - HALF years ago, Federal Judge John Paul issued an injunction in the Charlottesville case, but its operation was stayed while the case was fought through the Court of Appeals and the Supreme Court.

No action followed and Judge Paul ordered two colored children admitted to the city's Lane High School and 10 children admitted to Venable Elementary School.

Judge Sobeloff's action came on the heels of District Judge Albert V. Bryan's ruling in an Arlington school case. In that litigation, Judge Bryan ordered four colored pupils admitted to Stratford Junior High School next January. The school will continue segregation throughout the current semester.

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IN SPURNING Charlottesville's request for a stay of integration, Judge Sobeloff stated in clear language:

"Stay orders are not granted as a matter of course. After carefully weighing the arguments of counsel and reading transcripts of proceedings in The District Court, I do not find sufficient ground for interfering with the District Court's action at this stage."

"The matter comes before me not on the merits, which will be heard by the full court in regular course or earlier if the appellants desire to expedite the appeal.

"Before me is the narrower question whether to stay Judge Paul's order pending appeal, despite his refusal."

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WITH JUDGE Sobeloff's ruling, thus loomed the possibility of two more schools in Virginia being shut down, an automatic occurence under state law with the advent of integration.

Lane High is Charlottesville's only all-white secondary school. City Attorney John S. Battle Jr., who argued for segregation before Judge Sobeloff, was fretful at the thought of the school closing down.

It is expected that Governor Almond will take over the schools and attempt to reopen them on a segregated basis. Legislative powers given him recently provide for such action.

Observers here, however, predicted that the Federal Government would attack school closing in Virginia as unconstitutional. They anticipate a new channel of litigation to be opened by recent school shutdowns in Arkansas and Virginia.

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GOV. ORVAL FAUBUS shut down schools in Little Rock in the face of integration. Since then, six Little Rock segregationists have been given the right to lease the schools and open them as private, segregated institutions.

Some 1,700 white pupils attend schools in Charlottesville where desegregation has been ordered. Classes are slated to open Monday.

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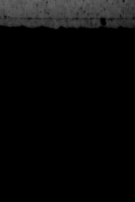
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