...Urged Not Duck Issue

(Continued from Page 1)

...mson did not laugh. Lines of anger furred his face. The judge smiled and stated, "I will read these decisions, myself."

Plays to Full House

Backed by testimony of the best legal minds in the country and playing to a full house, Marshall reminded the judge that although this case was not fought with segregation as a main issue.

"But if segregation stands in the way of Mrs. Fisher's getting a decent legal education," he insisted, "You should strike it out."

The largest crowd on record since the trial began attended Thursday afternoon's session. The jim-crow laws of the State were completely disregarded in all sections of the court room and courthouse.

William's Alibi

Williamson told the court that it was his duty to uphold the segregation laws of the State of Oklahoma.

He told the court that "it is my sworn duty" and pointing to the judge said, "it is yours to uphold the laws of segregation of the State."

"The U.S. Supreme Court has missed many magnificent opportunities to strike out the laws of segregation. They have all the material up there with which to do it. But they have always upheld the Statutes in every decision," he told the court.

His Defense Witnesses

The accused Dr. Erwin N. Griswold, dean of the Harvard Law School, who testified that the makeshift school "was unequal, with having "ramification of the mind" because he refused to answer a question as to whether it was the State's responsibility to furnish the jim-crow law school a "student body."

After listening to the question twice, Dr. Griswald snapped, "I do not consider that a question."

Williamson struck back at Henry H. Foster, University of Oklahoma law professor who earlier in the trial charged state officials with "cheap political chicanery," stating that "Professor Foster's usefulness is impaired at the State.

Thurgood Marshall asked the judge to take into consideration the kind of questions that Attorney Williamson asked Mr. Foster.

Called Spade a Spade

But Mr. Foster told the AFRO that "I realize that my testimony did not help the record any, but it did dramatize the situation. There comes a time when a man should call a spade a spade."

He then stated that Williamson is making a personal crusade for white supremacy in the State of Oklahoma.

"He is the man who prevented Mrs. Fisher from entering the law school back in January," Mr. Foster stated, "the Board of Regents voted to permit her to enter when Williamson entered and began his fight to stop it.

"The Langston School is not run by the DA. It is run by the attorney general's office," he stated. "I have attended school with colored persons and I have not realized any disadvantages.

Can Judge Man by Character

I have reached the point now where I can judge a man by his character, not his color."

Amos Hall, Tulsa, resident NAACP attorney, asked "is the Langston School of Law equal." Then pointing at the State attorneys, he shouted, "Would they send their children to that makeshift law school in the Capitol?"

Fred Hansen, assistant attorney general, told the court that Langston Law School was not set up merely to prevent Mrs. Sipuel from attending the other schools. "We are upholding the State laws of segregation whether they are good or bad," he explained.

Dr. Walter Gellhorn, law professor at Columbia University, followed other legal experts in denouncing Langston as unequal to his school.

"Minority and majority groups should have the opportunity of contacts with each other. Colored students should be given opportunity to make contacts that will aid them in later life."

Praises Classmate, Pupils

Dr. Malcome Sharpe, Chicago University of Law, told the judge that the miracle law school was "totally unequal."

He stated that Charles Houston of Washington was a classmate of his and that Truman Gibson and William R. Ming were students under him.

He praised these lawyers highly for their attainments and stated that these men are proof that race does not matter in the study of law. He highly approved students of all races and social backgrounds mixing in an interplay of ideas "there is extreme danger in having students subjected to too much to the influence of professors."

Four nationally known law experts took the witness stand on Wednesday and denounced the "so called" Langston Law School as unequal to the white University of Oklahoma Law School.

They were Dr. Griswold, Dr. Radin, school of law, University of Southern California; Dr. Earl G. Harrison, dean of law, University of Pennsylvania; and Dr. Charles Bunn, University of Wisconsin.

Not Enough for Comparison

"I find it difficult to think of Langston as a law school," Dean Griswald told the court, "Not only is it unequal to the University of Oklahoma, but I do not find enough at Langston Law School to even make a comparison."

He stated that its faculty was not up to par and that there was no student body. The dean advocated a large student body where the students "could rub shoulders with each other, as we say at Harvard, 'Eat drink and sleep law.'"

Persons were standing in the overcrowded courtroom which will seat not more than two hundred. Mrs. Fisher brought into courtroom today a three-year-old child that she recently adopted.

A white Oklahoma University student picked her up and shouted "I wish I had a pretty brown baby like this." The child's name is Charline.

Exchange of Ideas Important

Dr. Radin, a law instructor for 30 years, told the courtroom that Langston University was inferior to the white State institution for the following reasons.

Teachers are only part-time and students would have no contact with other students.

"The fact that only one race with similar background would attend this school makes it undesirable," he stated, "because there could be little exchange of different background experiences."

"Where would this school get its student activity from? There would be no pace-makers. No. I cannot say that the schools are equal," he concluded.

5-Day Development Impossible

Dr. Harrison put feelings into his testimony. "With the best people in the world," he stated, "it would be impossible to set up a law school in five days."

He then gave reasons for his denunciation of Langston as "inferior."

"It is too far away from the rest of the campus and its students cannot have the contacts of normal university life. Students learn a great deal from one another.

Not a Modern Setup at All

In stating that Langston was inferior, Dr. Bunn, offered the following support:

"Judgments come from an interplay of ideas. You can't get that at the one-student school. The modern system of teaching law requires several students.

"Langston's faculty is not up to par, nor is its location in the Capitol Building desirable."

Several white spectators came over and told me why they were so interested in the trial.

One stated "We are watching Attorney General Williamson. He is wasting our money on that funny school down in Oklahoma City. If that is the kind of representative he is, we are going to see that he never gets elected to Senate.

Applied to Univ. of Okla.

T. M. McClain, only colored applicant for the "make believe" law school, was a spectator in court today. He stated that he had not been called as a witness and that he had no intention of attending the school.

"I applied to the University of Oklahoma," he stated, "and they sent my application down to the school in the Capitol.

Mr. Marshall objected on Tuesday morning to the court's ruling on Monday that testimony concerning segregation be ruled out, but the judge sustained his original statement outlawing the use of the word segregation during the testimony.

Robert Ming, law professor at the University of Chicago, an attorney for Mrs. Fisher, and first witness called on Monday, told the court: "We take exception to this ruling and we want such entered into the records."

Dr. Redfield's Testimony

The first witness called Tuesday was Dr. Robert Redfield of Chicago, who testified that he has studied racial differences for 20 years and found that white and colored students have the same innate abilities to learn.

He emphasized that racial differences do not exist and that under the same conditions, colored students learn as easily as whites.

Joseph A. McClam of St. Louis, a railroad lawyer was the first witness called by the State. He testified that the Langston Law School was substantially equal to the Oklahoma University Law School.

Nabrit Forces Admissions

James Nabrit of Howard University Law School asked him how could he determine whether or not schools were equal when one was operating with a faculty and 500 students, while the other had three part-time faculty members, no classes, no students and no administration projectors?

Mr. McClain admitted that there was really no way of determining whether the schools were equal, but that his statement that the schools were substantially equal was based on information in the catalogues.

He admitted further that a catalogue does not make a school.

He Says It's "Equal"

The Tuesday afternoon session was taken up with the testimony of Jerome Hemby, dean of the makeshift university, who attempted to convince the court that the bright the three-room school was "substantially equal to the Law School at the State University.

The dean's description of the law school that was set up in five days produced titters of laughter from spectators, most of whom were Oklahoma University students who formed a cheering squad for the Marshall side.

The dean admitted that the colored law school does not comply with the standards set up by the law school accrediting organization and stated further that he did not know two days before the school opened who was going to teach what.

It was revealed that provision has been made at the white university for the students to publish any worthwhile articles that they write in the school publication. Has any provision for Langston students to qualify for editor of that magazine?" Marshall asked.

"I have not heard of any," Hemby stated.

R. T. Stewart, chairman of the Board of Regents, which set up the Langston Law School, told the court that "We worked night and day for a week to get the school started."

Under cross examination, he stated that "It is the desire of the board to give colored residents of Oklahoma opportunities equal to those of any other students."

Marshall then requested that Stewart revel to the court how much he had spent on Langston University and all other schools that he serves.

He agreed to give figures on Langston but stated that he had not compiled the ones on the white schools.

He gave them but the judge order the information stricken from the record on the grounds that it had no bearing on the case.

Disparities Shown

Dean Charles Thompson of the Howard University Graduate School, who has made a study of Oklahoma's educational system, was not allowed to testify in hearings Monday, but Marshall read his lengthy statement into the court record.

It stated that as of June, 1946, Oklahoma spent $33,299,541.01 on its 18 white State-owned institutions of higher learning, and only $1,178,993 or 3.7% on higher education for colored.

Two other witnesses, white, testified that there was great advantage in a "bull session" between Ralph Russel and S. G. Sheffler.

Inter-session

COMMENCEMENT CALENDAR

MAY 27

LANE COLLEGE — Speaker: Jesse O. Thomas, public relations assistant, American Red Cross.

MAY 28

TEXAS STATE UNIVERSITY — Speaker: Belford V. Lawson, attorney and national president, Alpha Phi Alpha Fraternity.

MAY 31

FISK UNIVERSITY — Speaker: Dr. Reuben G. Gustavson, chancellor, University of Nebraska.

HAMPTON INSTITUTE — Speaker: Dr. Luther H. Evans, Librarian of Congress.

VIRGINIA STATE COLLEGE — Speaker: Dr. John W. David, President, West Virginia State College.

NORTH CAROLINA COLLEGE — Speaker: Dr. Alonzo F. Myers, head of the department of education, New York University.

MAY 31

JOHNSON C. SMITH UNIVERSITY — Speaker: the Rev. Frederick C. Fowler, pastor, Knoxville Presbyterian Church, Pittsburgh.

TENNESSEE A. AND I. STATE COLLEGE — Speaker: Dr. W. H. Gray, president of Florida A. and M. College.

A. AND T. COLLEGE AT GREENSBORO, N.C. — Speaker: Dr. Howard H. Long, associate supervisor of public schools, District of Columbia.

JUNE 1

CLARK COLLEGE — Speaker: the Rev. Ralph M. Houston, superintendent of the N.Y. District of the New York Methodist Conference.

JUNE 2

XAVIER UNIVERSITY — Speaker: Guichard Parris, director of promotion and publicity, National Urban League.

CLAFLIN UNIVERSITY — Speaker: Dr. George A. Redd, head of the department of education, Fisk University.

DILLARD UNIVERSITY — Speaker: Dr. Percy L. Julian, director of research, Glidden Company, and 1947 Spingarn Medal winner.

JUNE 3

MARYLAND STATE COLLEGE (Formerly Princess Anne Academy) — Speaker: Dr. Bond, president of Lincoln (Pa.) University.

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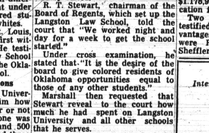

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Md. General Clarifies Policy

(Continued from Page 1)

of some 286 doctors, including regular staff members and those who work with patients, 34 nurses and 114 student nurses—all white.

10 Nurses' Aides

There are 10 colored nurses' aides. All of the orderlies are colored. There are five colored persons serving in any capacity in any of the offices or other departments of the hospital, due to there any colored physicians or interns on the staff.

Regarding the student nurses and interns, Stewart B. Crawford, hospital superintendent, told the AFRO: "I don't know what would be done if one applied; we have never been confronted with such a case."

Mr. Crawford, during the same interview, said the hospital has tentative plans to replace its ward for colored patients and some of the other wards with modern structures. The hospital is 65 years old.

Expansion Plans Halted

The institution, according to Mr. Crawford, has a sum of money raised during 1946 to spend in enlarging its facilities, but a 100-foot strip of land is holding up the building program.

"No definite plans can be made until the land dispute is settled," he said.

The land dispute is this:

The hospital wants to build on its property on the Mt. Royal side, but the city's tentative plans to widen the street in that block make this impossible.

Mr. Crawford said he had invited Mayor D'Alesandro to visit the hospital this week, and hopes something can be worked out then.

Single, Crowded Ward

The ward set aside for colored patients is located on the second floor. It can be reached either by the stairs or an elevator.

The ward is approximately 20 feet wide, 40 feet long and the ceilings 20 feet high. Four beds are on one side and five on the other. There is about 30 inches of space between each bed.

The walls, which are cream-colored, are clean, showing evidence of recent washing. Also, they appear to have been painted recently. But paint on the ceilings is old and peeling off.

Mr. Crawford explained that routine repairs were discontinued a few months ago when it appeared there would be a new building soon. But these repairs have now been resumed.

A portion of the accident room was being painted when the AFRO visited the institution on Wednesday.

Many Accident Cases

Last year, the superintendent stated, a total of 4,400 persons were treated in the accident room, three out of four of them being colored.

Maryland General receives $7.93 per day for each patient from City and State funds. It receives no Federal financial aid. The superintendent said it costs the hospital an average of $8.11 per day for each patient, regardless of race or whether the patient occupies a ward or private room.

As soon as the hospital solves its current land problem, definite plans for constructing can be drawn up.

A construction, however, would still be more than a year away, the superintendent explained, as it would take at least nine months to draw up the building plans.

Holds Hospital "Generous"

Questioned about facilities and conditions at the hospital, officers and board members had this to say.

ROBERT H. HICKS, second vice president, who also is vice president of Thomas Hicks and Sons:

"Facilities are inadequate, but we plan additions. We're up against a tough financial situation and are waiting for the city to make up its mind about widening the street."

THE REV. J. PHELPS HAND of 4429 Clifton Ave.: "I don't know anything about it; and I am in a position to comment. I haven't been in touch with them for sometime."

SIDNEY GREENFIELD, proprietor of the Eelectric Supply Co., 17 E. Lombard:

"I don't think the ward for colored patients is any more overcrowded than the one for whites. In the new building there will be some provisions made for the colored population. I believe Maryland General is generous to colored persons."

R. G. MOWBRAY, proprietor of a hardware company, 102 light St.: "I don't think anything there is ideal at the present time. I have no suggestions to be made. Everything is left to the executive board, which meets June 1."

Racist First Vice President

The first vice president of the hospital is F. Murray Benson, former city solicitor. Mr. Benson is known for leading the fight against opening the city's golf courses and parks to all citizens.

In August, 1945, when city solicitor, he made a tour of the Northwest area, where one-fifth of the colored population resides.

Displayed Bigoted Views

Benson then took a public stand against the construction of houses for colored war workers at Herring Run, stating he would file suit against such in the name of the City of Baltimore.

He gave two reasons for his position: (1) There were plenty of able-bodied colored men and women swarming the street (unemployed) indulging in "social pleasantry;" (2) There was no need for housing for colored.

Other Officers Named

Officers of the hospital are:

President, Harry R. West, general manager, F. A. Davis & Sons; second vice president, Robert H. Hicks, Thomas Hicks and Sons; treasurer, Charles Ulrich; secretary, Walter C. Coe; secretary, Irwin J. Wilcoxon; vice president, Conklin & Co.

Members executive board—Wilmer C. Carter, Mason & Carter Insurance Agency, Towson; Charles C. Duke, chairman board, Provident Savings Bank; and R. G. Mowbray, president, James Walker & Co.

Few of Maryland General Hospital's Beds Allotted to Colored

This is the impressive entrance of Maryland General Hospital at Madison Ave. and Linden St. The hospital was founded in 1883 and housed the first dental school in Maryland. Only nine of its 268 beds are for colored patients. The hospital is owned and operated by the Methodist Hospital Association and managed by a 90-member board.

COLORED MALE WARD—The second-floor ward shown above is the only accommodation offered colored in-patients in the Maryland General Hospital. Physical layout of the 65-year-old building makes it impractical to expand, so hospital authorities plan to demolish the building and build a new structure. Note old style lights hanging from ceiling in contrast to fluorescent light in center of room. Nine beds in this ward are constantly occupied. One bed is not shown. Five of the confined were ambulatory patients when picture was made.

NERVE CENTER—Two student nurses are shown preparing bandages in the busy accident room of the hospital. Some 4400 patients were treated in this room last year, three out of every four being colored. A resident physician is on duty here 24 hours a day. Tentative rebuilding plans call for enlargement of the accident room.

Mate Tried to Be True, Wife Admits

(Continued from Page 1)

a number of disagreements, quarrels and upsets led to Mr. Nicholas packing up his belongings and moving them to a guest room in August of that year.

She said that he finally left their residence, 2109 McCulloh St., on Oct. 11, 1947.

A divorce was awarded to Nathan E. Lee of 906 N. Durham St., who says that his wife, Mrs. Lula Lee, is driving him from the home which he owns.

Mr. Lee, a deacon at Faith Baptist Church, says that Mrs. Lee has rejected him from their bedroom, but has declared that she is going to stay in the house, so he plans to move.

His son, Golden, testifying in his behalf, says that Mrs. Lee has refused to administer to his father in any manner, but "just sits and argues."

Bond Free Five

Roy S Bond obtained divorces for four other clients, Wednesday. They were:

Albert Brown of 1221 Madison Ave., who testified that Mrs. June Brown left him eight months after their marriage on Jan. 22, 1946; James Brown of 646 W. Barre St., who was divorced from Mrs. Mary Brown after his testimony that they voluntarily separated in 1626;

Howard Young of 1703 Barclay St., divorced from Mrs. Edith Young; and Calvert J. Jones of Baltimore County, freed from Mrs. Alverta Jones of 410 N. Carey St., both on grounds of voluntary separation.

Petitions for divorces were filed by the following 12 complainants:

John D. vs. Mrs. Alma Burns; Mrs. Bernice Welling vs. James, U. Theodore Hayes, attorney; Marcus vs. Mrs. Odessa Neely, Roy S. Bond, attorney; Mrs. Annie Bailey vs. Rufus, Roy S. Bond, attorney; Joseph R. vs. Mrs. Kathleen Peck Ross, Ernest L. Perkins, attorney; Mrs. Dorothy Peters vs. Roy, Gregory Hawkins, attorney;

Mrs. Bertha Coleman vs. Wilbert, Roy S. Bond, attorney; Mrs. Ruth Fulton vs. Damon, U. Theodore Hayes, Attorney; Frank vs. Mrs. Willie Hayes; George vs. Mrs. Lucy Jones, William vs. Mrs. Laura Ferguson and Melvin vs. Mrs. Lucy Jones, Roy S. Bond, attorney.

Segregated Army Blasted

(Continued from Page 1)

Army, the editors in their report pointed out that "all the deficiences noted on the survey are traceable to the Army's belief that a segregated Army can be an efficient Army.

"As long as this framework of separation exist, there will be discrimination and abridgement of opportunity based upon color," the report continued.

"We have seen at first hand the inconsistency of the democracy we preach and the hypocrisy we practice. We find ourselves at the point where temporizing evasions and glib explanations are no longer acceptable.

"The Army has the opportunity to show by example to people everywhere that democracy is a dynamic and challenging force. More than that, it has the obligation to do so."

Waiting for Secretary Royall to follow the President's recommendations calling for abolition of segregation in the Army at once, the report pointed out that the two policies laid down by the Gillem Board are already outmoded.

The report, in a forceful language demanded that Mr. Royall immediately put into force "new policies

Escapees Captured

(Continued from Page 1)

all of the escaped boys had been returned to the institution.

Officials of the Freedmen's, Gallinger and Catsualty hospitals in Washington said that Hall is not among their patients.

consistent with democratic principles.

Such a step, they pointed out, "would justify world acceptance of democracy as the blueprint for future global peace."

The report praised the training being given men abroad, applauded the objectives of the German Youth Activities program and recommended the work of U.S. Military Government officials in Germany.

In addition to calling for the immediate abolition of segregation in the Army, the newsmen recommended:

1. An increase in the number of colored officers assigned to the European Command, pointing out the proved effectiveness of their work.

2. A more careful selection of officers detailed to command colored soldiers.

3. The opening of the constabulary and postoffice departments to qualified colored personnel.

4. The abandonment at the earliest possible time of the Army's Officer Candidate Basic Training Center, urging that all such training be conducted on an integrated basis.

5. The use of more colored civilian War Department employes in overhead European installations.

6. Enforcement of prevailing Civil Service Commission rules, bidding segregation at special service clubs. Evidence was found at Nuremberg and Munich that this directive was not being followed.

7. Appointment of Negroes in the Public Information Division at headquarters of the European Command.

8. An increase in the number of colored Regular Army officers in Europe. At present there are only two.

The trip, made by air, was at the invitation of Secretary Royall, who was thanked in the report for giving newsmen an opportunity to observe the situation at close range.

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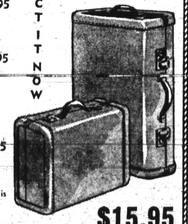

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