Cooper's fate in judge's lap

Court asks time to decide case

Whether or not Leroy Cooper, attorney and civil defense official, will be convicted or acquitted, now rests solely with Criminal Court Judge James L. Cullen.

Following the one-day trial, Tuesday, in which Mr. Cooper has been accused of subornation of perjury in a divorce case, Judge Cullen told the defense counsels, "Gentlemen, the matter is now in my hands and I want time to think it over before I make my decision."

Indications are that the testimony of the only state's witness in the case who has not been indicted for perjury, will be a major factor in the judge's decision.

Before adjourning for the day, Judge Cullen ordered the court reporter to give him a copy of Levi Basemore's testimony.

Could Be Disbarred

Should Mr. Cooper be found guilty of urging Winfred Harrell, Brooklyn, N.Y., to give false testimony as to his legal residence in obtaining a divorce, the young attorney could be disbarred by the Bar Association, an all-white group.

The Maryland statues provide no definite penalty in such cases and in the event of a conviction the penalty would be left to the presiding judge.

In testifying before the divorce examiner, Gerald W. Hill, last spring, Mr. Harrell gave the address of his brother, Jack, 102 N. Smallwood st., to meet the resident qualification of the state.

The law, here states that persons seeking a Maryland divorce, must have lived in the state at least one year.

Investigations, however, revealed that Mr. Harrell has been a resident of Brooklyn, N.Y. for the past six years.

The trial reached its peak early in the day when J. Robert Brown asked Mr. Harrell to identify two letters addressed to him in Baltimore, which were inclosed in envelopes addressed to him in New York.

Though the correspondence was written on Mr. Cooper's stationary, and admittedly signed by the attorney, the defense counsel, Ernest Perkins, Donald Murray and Calvin Douglass, objected on the grounds that there was no proof that the letters were mailed in the envelopes.

They based their argument on the fact that Mr. Harrell has been indicted for perjury and therefore his testimony would not carry any weight in the case.

Explains Letters

Judge Cullen overruled the objection and Mr. Harrell went on to explain the letters.

The first correspondence, Mr. Harrell said, was a bill from the attorney, showing the balance of the $216 fee to be paid. The second was a letter asking him to bring along a witness when he came to Baltimore.

Mr. Harrell explained earlier that he had had a conference with Mr Cooper while visiting in the city last April. At that time the attorney told him that he would have to use his brother's address if he wanted a Maryland divorce, Mr. Harrell charged.

"When I asked him if there would be any question about that, he said 'No,'" Mr. Harrell testified.

On his second trip, here, in May, Mr. Harrell brought along a friend, Levi Basemore.

"Mr. Cooper told me in his office that he couldn't use Levi and that he would have to use my brother Jack. He told me to say that I lived and worked in Baltimore.

"I asked him again if there would be any question about this and he said, 'No, as long as there's no money nor property involved, there will be no question.'"

'Do As I Tell You'

"Then he kept repeating and repeating that I lived and work in Baltimore. It was kinda hard to remember. And on the day when we went to the examiner's office, he told me just before we entered, 'Da just as I tell you and there will be no trouble.'"

"I knew it wasn't the truth, but I was going on the advice of my lawyer. He told me what to say."

Jack Harrell, also indicted for perjury, corroborated his brother's testimony, adding that he and his estranged wife, Ruth, and Mr. Basemore were present in Mr. Cooper's office when the alleged subornation of perjury was committed.

"At his office, Mr. Cooper suggested not to use Basemore because he did not know the Baltimore address as well as I did," Mr. Harrell said.

'Follow Instructions'

"Winfred asked if it was O.K. for me to testify and he (Cooper) said O.K. Mr. Cooper told me to follow instructions and to testify before the examiner as he explained.

"Before we went to the examiner's office, Mr. Cooper took us to another place on Lexington st. He took me in an office and took out two pieces of paper which looked like checks and told me to testify like my brother."

In cross examination, Mr. Harrell said that Mr. Cooper refused to see him anymore after Lt. Philip Germach, of the detective bureau, started the investigation of the case.

"He told me to get another lawyer," Mr. Harrell said.

'Case A Mess'

"One day, I met Mr. Cooper on Gilmor st. while I was walking with my attorney. I told him, 'This case has sure turned out to be a mess,' and he said nothing; just stood there and looked."

The Harrell brothers' testimony was corroborated by Levi Basemore who also claimed to be in the office at the time Mr. Cooper allegedly urged Winfred Harrell to use the Baltimore address.

He (Cooper) asked Winfred where he lives and Winfred said, 'You know, I live and work in New York.'

"Then Mr. Cooper asked, 'Do you visit Baltimore often?' and Winfred said, 'Yes,' and then Mr. Cooper said, 'That's all right.' Then Mr. Cooper asked for witnesses and said, 'It would be better for Jack to be the witness than Levi.'

"When Winfred asked if there would be any trouble, I believe Mr. Cooper said 'As long as no money nor something is involved there would not be any searching of it.'"

Wife Threatened

Mrs. Ruth Harrell, who testified for the defense, admitted being present during the interrogation, but denied hearing any of the conversation because her husband had previously told her to keep quiet.

"He told me blood was thicker than water," she said.

Throughout her testimony she continually said that her husband had threatened her life in connection with a domestic case pending in the state's attorney's office.

As she took the stand, her attorney, Tucker R. Dearing, objected to her testifying because of the threat, but withdrew the objection after the judge assured him all protests would be taken to insure her safety.

Denies Accusations

Taking the stand in his own defense, Mr. Cooper denied the testimony of the state's witnesses, claiming that he did not learn of Winfred Harrell's true address until after the investigation began.

"I first saw them at my house on a Sunday and Jack Harrell introduced his brother, saying, 'This is my brother who lives with me. He wants a divorce.'

"Winfred then made the statement, 'I live with Jack,' and I asked, 'On Smallwood st.?' and he said, 'Yes.'

"I asked him how long he had lived in Maryland, and he said three or four years.

"On May 27, (the day of the examiner's query) I asked Basemore in my office what he knew about the case and he said, 'Nothing.'

"Jack said he knew and asked to be a witness and I said 'All right.'"

Mr. Cooper added that when the investigation began he met Jack Harrell and his attorney on Gilmor st.

Asked For Money

"The attorney, I believe he was from New York, asked me to pay $200 or else I would be

WITH JAPANESE FRIENDS—Miss Marian Anderson, who sings in Baltimore tonight (Friday) is shown here with her accompanist, Franz Rupp, and two Japanese friends during her tour of the Far East last summer. She was one of the first American artists to sing in Korea following the armistice.

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Testimony in question

Editor's Note: The following is the testimony made before Gerald W. Hill, examiner, May 27, 1953, by Winfred Harrell:

Q—Are you a resident of Maryland?
A—That's right.
Q—How long have you lived in Maryland?
A—I have been in Maryland, now, about two and a half or three years.
Q—When did you come here?
A—In 1950, around in June or July.
Q—Where did you come here from?
A—From Brooklyn, N.Y.
Q—Why did you come to Maryland?
A—I came to Maryland to get a job and go to work.
Q—When did you make up your mind to make Maryland your home?
A—In 1950 around June, the minute I got a job.
Q—How long have you lived at your present address?
A—About one year and six months, a year and nine months.
Q—Which is it?
A—Nine months.
Q—How long have you worked for your present employer?
A—Since 1950, around June.

Testimony before the examiner by Jack Harrell:

Q—Is the plaintiff, that is, your brother, a resident of Baltimore, city?
A—Yes sir.
Q—How long has he been such?
A—Just about three years.
Q—How long has he lived at his present address?
A—102 N. Smallwood st., about a year and six months. Before that he lived at 820 J st., Sparrows Pt.

sorry. I didn't pay it."

In answer to the judge's query as to the letter mailed from his office, Mr. Cooper replied, "I don't know what happened. I've investigated the matter and have come up with no satisfaction as to how the letters were mailed.

"I can't explain how the office sent out the letters."

Character witnesses for Mr. Cooper were Elroy Wilson, undertaker; Clark Davis, manager of Cherry Hill Homes; Mrs. Lena Lee, principal of School No. 127 and Joel Hockman, attorney.

Mr. Cooper lives with his wife at 1640 N. Monroe st. He studied law at the University of Maryland and in 1950 was admitted to the bar. The 36-year-old attorney also serves as trustee for the Madison Ave. Presbyterian church.

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COMING EVENTS

JANUARY 8
Marian Anderson concert, Lyric Theatre, 124 W. Mount Royal, 8:30 p.m.

JANUARY 10
Prince Hall Masons' Emancipation Proclamation celebration, Bethel AME church, Druid Hill and Lanvale sts., 2:30 p.m.

Hoffman studio orchestra, concert, Christ Methodist church, Chase and Washington sts., 3:30 p.m.

JANUARY 12
Master Beauticians Association, meeting, 8 p.m., beautilians' center, 1522 Madison ave.

JANUARY 15
Coppin State Teachers college assembly program featuring Dr. Henry Gerald, psychologist and humorist, 10:30 a.m.

JANUARY 21
Eastside Community Committee, mass meeting, Faith Baptist church, Ashland ave. and Bond st., 8 p.m.

JANUARY 24
Educational unit, Order of Calanthe, K. of P., musical tea, 4 p.m., 2404 Harlem ave.

—Ober law

(Continued from Page 1)

cused of subversive activities by two members of his staff.

Visited Her Home

The accusation, she said, was made Monday evening during a visit to her home by Officers McNeal Brockington and Plan Couch Jr.

Mrs. Phillips, former AFRO managing editor, is executive assistant to AFRO President Carl Murphy. (For a full report of the incident, see the Phillips column, "If You Ask Me," on the editorial page.)

Of the visit to the Phillips home by Officers Brockington and Couch, Mrs. Smith said:

"After discussing this matter with Officers Brockington and Couch in whom I have the utmost confidence, I would deny on behalf of this office that Mrs. Phillips has correctly understood the question propounded to her.

"Officers Brockington and Couch, who are experienced investigators, tell me that they followed their usual procedure of informing Mrs. Phillips that her name had been suggested as a potential source of information concerning subversive activities.

Called Misunderstanding

"And that at no time was any accusation made that she personally was subversive; and that any understanding that such accusation was made or intended is a misunderstanding.

"She was being called upon for assistance in combating a conspiracy worse than murder since Communism seeks to destroy the freedoms we cherish.

She was called upon as many other loyal and law-abiding citizens have been called upon for assistance.

"I regret the evident misunderstanding."

Mr. Smith said he did not consider it unusual that the officers advised Mrs. Phillips that they could only talk with her in the privacy of her home instead of at the AFRO office as she suggested.

"I Understood Perfectly"

Commenting on the Smith statement, Mrs. Phillips told a reporter: "I understood perfectly what the officers said, and I don't like it.

"Furthermore I don't know any avowed Communists or groups with avowed Communist leanings. The English language is very plain. I can tell the difference between an accusation and a request for assistance.

"If that's the way officers authorized by the Ober Law work, they're going to have to be more careful about the manner in which they approach law-abiding citizens.

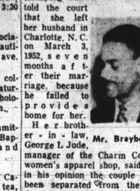
"If any mistake was made, it was by these officers coming to my home in the first place."

'Poor provider' Brayboy divorced by pretty wife

Charges by Mrs. Jack Brayboy that the Smith university football coach was a "poor provider," backed up by testimony of her brother-in-law that he was "no provider at all," won a divorce for the pretty Baltimore social worker, here, this week.

The former Cleota Minor, testifying before an examiner, told the court that she left her husband in Charlotte, N.C. on March 3, 1952, seven months after her marriage, because he failed to provide a home for her.

Her brother-in-law, George L. Jude, manager of the Charm Center, women's apparel shop, said that in his opinion the couple "had been separated from the day they were married."



Mr. Brayboy

Said Mr. Jude:

Sister Had To Help

"She visited him at school where he was a coach in football, but they never lived together in a conventional way. We questioned her as to whether he was providing a proper place of abode and support for her.

"Her sister and I had to send her money to help her come home. She was ill and in the hospital, and he did not offer to give her support or pay any of her expenses."

Also Called

Also called as a witness was B. D. Crudup, of this city, and head of the physical education department at Smith university.

Mr. Crudup, who said that Mr. Brayboy was in his department at the university, refused to testify as to the state of affairs between Mr. and Mrs. Brayboy, but admitted that the couple occupied only a room in another person's home.

Mrs. Brayboy told the court that while she was in love with her husband, he made the suggestion that they end the marriage and she did the leaving.

She said that during the whole of the marriage they had no permanent address, that they just stayed with friends, and that he wouldn't otherwise support her.

—Ike fails

(Continued from Page 1)

eral Government," he said, adding:

"This is especially true where remedy and prevention alike are beyond the individual's capacity."

President's Recommendations

Recommendations which may be included in the broader use of the term "civil rights," included local self government and the vote for president and vice-president for residents of the District of Columbia, and statehood for Hawaii.

Mr. Eisenhower called upon the states to adopt uniform laws to enable absentee voting by members of the armed forces and urged Congress to propose a constitutional amendment permitting citizens to vote at the age of 18.

Mrs. CLEOTA M. BRAYBOY

—Concert

(Continued from Page 1)

tial concert of her annual U.S. tour which will take her to 41 cities coast-to-coast.

Last summer, the contralto was one of the first American artists to be invited to perform in Japan.

Known by her reputation and by her recordings long before her arrival, her 17 concerts in 10 cities were sold-out months in advance.

Her welcome by the Japanese people was described by the singer as "one of the most heart - warming I have ever received."

Following a benefit concert for the Red Cross, Princess Takamatsu on behalf of the Emperor, presented her with the coveted Yubiho Medal for "outstanding social and cultural," attainment.

—High court

(Continued from Page 1)

the power to make rules governing the admission of evidence in Maryland courts, the brief contends. The states have the power to establish rules of practice and procedure in their courts, the state asserts.

It adds that the question of admissibility of evidence are governed by the law of the forum, which, in the Adams case was that of the state of Maryland, and nothing in the Constitution authorizes the federal government to prescribe rules of evidence which may be binding upon procedures of state courts.

Congress did not intend the statute in question to limit the introduction of evidence before Maryland courts, the brief states, adding that it is presumed that when Congress used the term "in any court" it referred to federal courts.

Conspiracy Conviction

Mr. Adams was convicted by Maryland courts of conspiring to violate the Maryland lottery laws. His conviction was based chiefly upon testimony he had given before the Senate crime investigating committee concerning his numbers operations in Baltimore.

He faces a sentence of seven years in the Maryland Penitentiary and a $2,000 fine unless the Supreme Court sets aside his conviction.

—Blame sailor

(Continued From Page 1)

coveralls.

The man for whom the bullets were intended crawled on his hands and knees to a nearby door and disappeared. After firing three shots, McNeill escaped on foot. A third shot imbedded itself in the woodwork of the bar.

On Wednesday Eastern District police began looking for McNeil after Delores Barker of the 800 block Hanover st., was found shot. She was also taken to Hopkins for treatment.

Police declared that the two had been friends for sometime. No reason were given for either the first or the second shooting.

Out of the 10 persons in the bar at the time of the shooting, the majority knew McNeil by name. None was able to explain, however, how he acquired the nickname, "Gatlin."

Eastern district police recalled that the accused man was arrested early in 1953 for carrying a concealed weapon and sentenced to 60 days in jail.

When concerned on the vacant lot Thursday, he declined to put up a battle and meekly surrendered to police after emerging from the basement of an apartment.

More than 100 people were attracted to the scene when police started converging on the area where McNeil hid himself. He was taken to the Central District station following his arrest.

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CORRECTION

The Rev. Charles Johnson, whose widow, Mrs. Beatrice Johnson was brutally hacked to death last week, was erroneously listed as the pastor for 20 years of St. Marks Methodist church in Harmon, Md.

According to the Rev. Samuel M. Carter, director of research and survey for the Washington Conference of the Methodist Church, Rev. Johnson was only a local preacher and not a member of the conference, and not pastor of the church.

The AFRO regrets the error.

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Beat teacher's mate in mystery attack

Man on critical list after unexplained attack by trio

One of the strangest cases in the recent history of the Northwestern police station was under an intensive investigation this week as police sought some clue as to the identity of three men who inflicted a savage beating on the husband of a local school teacher.

Harlee Gamble, 34, of 2141 N. Smallwood st., was beaten by the unknown assailants on the night of Jan. 1. He was taken to Provident hospital where he was placed on the "critical" list because of the seriousness of his injuries and the heavy loss of blood.

On Thursday authorities at the hospital reported that Mr. Gamble, the husband of Mrs. Viola Gamble, a teacher at School No. 142, is considered out of danger and his condition is improving.

Hunt Goes On

Meanwhile the hunt for the assailants went on unabated as police announced that a number of persons have been questioned in the case but the identity of the three men has not been established.

According to police reports of the beating, the three men rang the doorbell of the Gamble home at approximately at 11:15 p.m. and when Mrs. Gamble opened the door, they brushed by her and entered the house.

Once inside, the men asked Mrs. Gamble "where is he" and then began a systematic search of the house that carried them to the second floor where they found Mr. Gamble sleep in one of the bedrooms, it is reported.

Closked In Mystery

The exact details of what took place in the bedroom at this point are still cloaked in mystery, since Mr. Gamble reportedly told police that he could remember nothing from the time he went to bed at 9:30 p.m., until the time he woke up in the hospital, and the assailants have not been located.

However it has been established that Mr. Gamble received such a brutal beating that one veteran police officer remarked, "It is a wonder that he lived through it."

At the hospital it was reported that Mr. Gamble suffered a fractured skull plus several lacerations of the head and body.

During the time that her husband was receiving the beating, it was reported that Mrs. Gamble failed to call police until after the men left the house, entered an automobile parked outside the home, and drove off.

Mrs. Gamble was quoted as saying that she did not obtain the license number of the vehicle and that she was unable to tell the make or model of the getaway car.

After the men left the house, police were summoned to the scene and Mr. Gamble was taken to Provident hospital in an ambulance.

With only the barest of clues to work on, police on Thursday had uncovered no motive for the beating.

The robbery angle has apparently been ruled out since nothing was reported taken from the house, but police indicated that they were checking all possible motives and would not rule out any possible explanation of the beating without a searching examination.

POLIO CAMPAIGN APPEAL—Four-year-old Thomas Witherspoon, Baltimore infantile paralysis victim, being treated at Kernan's Hospital by William Neill, physical therapist. Treatment for such children is provided by the March of Dimes campaign which will run through Jan. 31.

Spanish group at Morgan observes 9th anniversary

The "Circulo Espanol" of Morgan State college recently celebrated its ninth anniversary at Tubman House with Miss Reba Miller and Spencer Key, president and vice-president respectively, in charge.

Mrs. Doris Hutsclaw, a member of the class that established the organization, represented the charter members at the meeting. Mrs. Holtsclaw is a teacher of Spanish at Douglass High school.

The music for the program was provided by Mr. Abanathy and Robert Wilson, both of Morgan College. The other officers of the club are Miss Jennye Givan, secretary and Miss Lillian Trotman, treasurer.

Registrar Speaks

The principal address was delivered by Edward N. Wilson, registrar at Morgan, who said:

"Progressive educators of today agree that the study of modern foreign languages is an essential cohesive force in human society. Anthropologists have found no human society without a language.

"With the tremendous need the world over to understand each other; to adjust to each other; the schools and colleges are turning more attention at present to the role of languages as a means of social cohesion and interaction.

One World

"In the one world of the future, a mere interpreter's or translator's facility is a barren thing without an acquaintance with the civilization, culture, literature, and history of the foreign peoples.

"Modern language instruction, therefore, is becoming more concerned with its obligation to interpret the culture and to give an understanding of the people who speak the language that is being studied.

"France and the Frenchman are as proper subjects of study as the conjugation of the French verb. Moreover, it is very important that the study of foreign languages should orient students toward an international consciousness.

World Shrinks

"There is a saying that the world is growing smaller or is contracting. What this statement means is that travel and communication are so improved, thanks to our scientific and industrial development, that international interaction made comparatively easy.

"In the next decade or so, one may travel around the world in a few hours. One may see on the transoceanic television programs that are broadcast from distant foreign countries.

"Since the languages and cultures differ, those who know the languages, the literature, and the mores of other peoples, can live in a world as brothers to the foreigners, can enjoy and appreciate the, kind of life they live, and can contribute thereby to world brotherhood and a lasting peace.

Congratulations

"Congratulations are in order for the department of modern languages at Morgan State college. One will see listed in the catalogue courses in literature, civilization, drama, etc. This places Morgan on the list of the more progressive colleges in America.

"The students in this department are fortunate to have some teachers who are so sold on this modern trend that they spend their own money to travel to Europe, Central and South America.

"These teachers know that instead of a conflict in international ideologies, there is rather a co-existence which requires understanding, knowledge, and tolerance. They and you are contributing something toward potential universal peace.

TRUSTEE'S SALE

A trustee's sale of leasehold property at 624 N. Arlington ave. will be held Jan. 21 at 3 p.m. at the property. The property is subject to an annual ground rent of $120 and has been improved by a three-story brick dwelling.

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Police nab two suspects in $900 laundry robbery

Two suspects, arrested after a Fairmount ave. diaper laundry was held up and $900 in cash taken, are being held for investigation by Southwestern district police.

One of the men was arrested at Fayette st. and Carrollton ave., Wednesday morning. After questioning him, police arrested the other suspect at a house in the 3000 block Clifton ave.

Thursday afternoon the wife of the Clifton ave. suspect turned over $500 in cash to police. She told of finding the money in the house.

When the police arrested this suspect, they recovered finding $200 in cash, which they confiscated.

The hold-up of the NuDyper Laundry occurred shortly after 10 p.m. just before the laundry closed.

Driver Fights Back

The two bandits entered the place at 1201 W. Fairmount ave., and cornered a truck driver, Eugene Maurice. When he saw the masked men, Maurice picked up a bundle of diapers and hurled it at them.

One of the thugs chased the driver and knocked him to the ground.

He then snatched a money bag cash and more than $500 in checks.

The bandits fled after snatching the money.

Beauticians back March of Dimes

Supporting the current March of Dimes campaign, members of the Master Beauticians' Association have been asked to keep their shops open for contribution to the Mothers' March on Polio or the night of Jan. 27.

Plans for this cooperative effort will be discussed at the association meeting at 8 p.m., Tuesday, at the beautilians' center, 1522 Madison ave.

Trade Show Plans

The group will also discuss plans for a dance on Feb. 5 and the annual trade show to be presented in April.

The organization, headed by Mrs. Mayme Tilghman, is seeking volunteers to perform beauty services for patients at City Hospitals on Mondays.

Schedule meeting to alter birth records

The nex regular meeting for the correctine of birth records will be held Wednesday, Jan. 13 from 5 to 7 p.m. in the bureau of Vital Records on the first floor of the Municipal Building, Holliday and Lexington sts.

This service is also available during usual office hours 8:30 a.m. to 4:30 p.m. Further information relating to the correction of birth records may be obtained by calling Plaza 2-2000, Extension 827.

HOSPITAL NURSE TELLS HOW TO GET QUICK RELIEF FROM BUNION PAIN,
Hospital Nurse of Iowa tells of her experience. How she found prompt relief overnight from a sore, painful bunion. As a staff nurse on duty, she had been sick from the shocks of her bunion. To her utter surprise, she walked in comfort the next day. The first sample treatment acted so quick on the aching, enlarged, hump at the side of the big toe. This simple home treatment, applied in a second, relieves pain and reduces swelling. Yes, you can see the swollen hump get smaller and smaller and soon you can wear smart shoes again.
If you have a bad bunion, then you can have a Free Sample of Fairyfoot to apply the same evening you get it—and the next morning you'll see what a difference. The Fairyfoot Company has offered to send a Sample FREE to all who write. A post card will do. But write Today for your Free Sample. Just send your name and address direct to: Fairyfoot, 1223 So. Wabash Ave. Dept. 181, Chicago 5, Illinois.

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Sectional plates and mugs of plastic in sparkling mixed colors.
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