Final argument in firemen's case today

By BILL RHODEN

According to City Solicitor George L. Russell, attorneys for four black firemen (Kenneth L. Johnson and Jeffrey A. Mintz) have, "failed to introduce any legally sifficient evidence to sustain their complaints of racial discrimination in the hiring and promotional practices of the Fire Department of Baltimore City."

These statements were contained in a court brief submitted by the city solicitor to Federal Court Judge Joseph H. Young approximately two weeks ago.

A court brief is a summary of the facts of a case submitted by attorneys on both sides to the presiding judge prior to the presentation of their final arguments.

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In the brief, Russell also maintained that the trial, "has developed in to a long and at times hostile and angry harangue in which black people seeking justice and proper redress have again been held up to ridicule by the propagators of the myths."

The "myths" being perpetuated in the trial, according to City Solicitor Russell, are old fables about blacks regarding their so-called "animalistic traits, their inherent genetic deficit . . . their disloyalty, their laziness, their basic mental inferiority, and many others."

Russell confends these myths are now being advanced by "more subtle approaches."

"One of these subtle approaches is very evident in the unfolding of the case before us in the eyes of the shrewd observer.

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'The fact that are plaintiff's experts, who have been responsible for this area both black and white compounds and obfusates the problem."

. . . The theories advanced by them," Russell continues, "on behalf of the plaintiffs and by the NAACP legal defense fund can only adversely affect the cause of good race relations.

"This is all because they were so poorly prepared and displayed a lack of ability to apply and make understandable the knowledge which man has acquired in this area."

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Russell ended his brief by stating that both black and white fighters, "must fight the common enemy, the fire, and not each other."

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According to Kenneth L. Johnson, attorney for the black firemen, his clients' case has more far reaching implications.

In his court brief, Johnson stated, "the defendants past and present hiring and promotional policies and procedures and conditions of employment have discriminated and continued to discriminate against black employees."

Johnson pointed out that although the Baltimore City Fire Department was formed in December of 1858, it officially excluded blacks until 1953.

According to the civil rights attorney, the city's refusal to hire blacks in the department, "was made more hideous by the fact that blacks were passing the defendants test and placed on the eligibility list for acceptance into the Fire Department."

Johnson also maintains that the Department's seniority system, which plays a significant role in promotions, has had an obviously discriminatory effect on black employees who were not admitted into the department until 1973.

". . . defendants still use that seniority system and introduced no evidence at the trail to justify its use. No such evidence, we submit, could be constructed," he said.

Johnson also charges the past requirements that black employees use segregated bath, toilet, washroom, eating and sleeping facilities had an adverse affect on them.

"Many blacks," says Johnson, "as a result of the degrading practices and others more subtle, were motivated to leave the department, while others were able to ward off the constant indignities and perform more diligently."

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Johnson partially attributes the small number of blacks in the Fire Department, the small number of black officers in the position of lieutnant and captain, and the total absence of blacks in all the positions above captain, to bed segregation facilities which ended in 1970 but left a trail of, "adverse affects."

Among other complaints, Johnson claims, "The evidence of a substantial disparity between the percentages of black employees in the Fire Department and within the relevant population, and between the percentages of blacks in the various ranks of the department creates a prima facie case of racial discrimination which was neither rebutted nor explained by the defendants."

Both attorneys will publicly present their arguments today (Friday) in front of Federal Court Judge Joseph H. Young at 10:00 a.m.

30 YEARS SERVICE—David F. Hill, left, of Cedardale Rd. receives official notification from Col. de Brocke of Aberdeen Proving Ground fo his completing 30 years of federal service Hill saw action in World War II, served as an advisor in Korea, worked at Edgewood Arsenal and is currently a Care and Preservation Specialist at the Aberdeen installation.

David F. Hill gains recognition for 30 years of federal service

David F. Hill of Cedardale Road Baltimore completed 30 years of Federal Service on March 13, 1973, receiving official notification from Colonel DeBrocke of Aberdeen Proving Ground, Maryland.

As one of a team of 22 from across the nation, Hill spent 6 months in Korea between 1969 and 1970 as a Technical Advisor on the care and preservation of government equipment.

He has worked at Edgewood Arsenal as a salesman, warehouseman, and care and preservation specialist and was transferred to the Materiel Testing Directory at Aberdeen Proving Ground in June, 1972 where he now works.

Drafted directly from South Carolina State College, he saw action during World War 2 and spent three years in western Europe which marked the beginning of his 30 years service.

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Hill's wife Sarah is also a federal employee at Fort Holabird.

His oldest son Tyrone is an athletic star at Missouri Southern University in Joplin and his youngest son Tony is an accounting student at Howard University.

—Here are the 4

(FROM PAGE ONE)

Baltimore City, Captain Deshields disagreed with Captain Harper's opinion of Russell.

"I looked at it realistically," said Deshields. "As the city solicitor, it is his job to defend the city. I just look upon it as being part of his job because he is the chief legal officer of the city. "He's just trying to win!"

Deshields feels, "that if nothing else, the suit will sort of drain the abcess that has fallen between black and whites in the department, it will also relieve the tension in the department by the open discussion of past and present racism."

A Douglass High School graduate and Air Force veteran, Deshields laughingly denies any interest of becoming a fireman when he was a youngster in Baltimore.

"There weren't any blacks in the Fire Department when I was coming up and black kids weren't welcome in the Fire Department."

The captain closed by saying the attorneys for the black firemen "did an admirable job. I'm satisfied."

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Captain Alphonso Thornton Thornton, one of the youngest members of the foursome, entered the department on September 4, 1957.

Concerning the outcome of the trial, Thornton has a "very positive feeling that our side will win. The evidence we presented in the trial proved that discrimination practices in Fire Department did exist and continue to exist.

According to Thornton, a Carver graduate will, "point up the fact that there are discriminatory practices in the Baltimore City Fire Department and other city agencies."

Like Captain Deshields, Thornton did not respond negatively upon discovering that a black man would defend the city.

"At first," he says, "I felt a little dismayed, but realizing that he was the best legal mind the city had, I was elated that they chose him because he would create the best case for city and by our winning the case, it would prove we did a great job in gathering data for the plantiff's side."

Thorton says that his wife, Zerita, "is 100 per cent behind me."

She is also with a group of blacks involved with upward mobility at C. and P. telephone where she works."

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Did Thornton, one of the youngest captains in the Fire Department, aspire to be a fireman when he was growing up?

"HELL NO!! It would be hard to find kids when I was growing up who wanted to be fire fighters."

Why then, did he join the department in the first place?

"An increase of pay over my last job," he says. "More money, that was it, but I do like my job."

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Lieutenant Carl the Baltimore City Fire Department since 1965, Lt. McDonald is the youngest of the four firemen.

He feels, "from evidence we submitted. we've produced a good case, and after the judge looks at the case I'm sure he'll decide in our favor.

McDonald feels the suit will force the city to take corrective measures.

He says he was insouciant when he discovered that a black man would be defending the city.

"Initially," says McDonald, "I didn't know a black man was going to defend the city. When I did find out, I just felt the man was in a position and he had a job to do—his being black was just incidental."

Mcdonald, who was promoted in May of 1971, says that his wife, Carolyn, is 100 per cent behind the suit.

The McDonalds have three children, Andre, (8) Jason, (7), and Adrian, (12).

In closing, McDonald said, "this suit was something I felt we should do, it's something that is owed to us. If someone has his foot on your neck, you want it off!"

JOBS OPEN

The announcement for an open competitive examination for the position of Account Clerk has been made by the City Civil Service commiss on.

Deadline for filing applications is April 13.

A recognized hibh school diploma and at least one year of paid experience is required.

Salary for the opening ranges from $6,276 to $7,682 per year. Applicants should have a working knowledge of elementary accounting and standard office machines.

APRIL 11

Congressman Parren J. Mitchell (D. - 7th), speaks 7:30 p.m. at Lafayette Elementary School No. 202 PTA, 850 Braddish Ave. His subject, "Drug Abuse and Crime In Streets."

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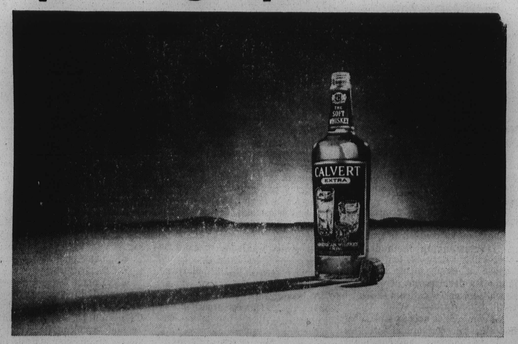

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ARIES (Mar. 21-Apr. 20)
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TAURUS (Apr. 21-May 21)
You are solid and steady, yet sensuous. You're strongly attracted to the opposite sex, yet you'd rather attract people to you. Your element is earth. Your scent, Musk, essence of fresh earthiness.

GEMINI (May 22-June 21)
You change so fast you're hard to keep up with. Rarely satisfied with what you have, always looking for something better. Your element is air. Any scent can be your scent—Earthy Musk. Fiery Civet, Ocean blown Ambergris.

CAPRICORN (Dec. 22-Jan. 20)
You can climb mountains when you set your mind to it. You're hardy, determined outside. Gentle, romantic inside. Your element is earth. Your scent, Musk, essence of fresh earthiness.

AQUARIUS (Jan. 21-Feb. 19)
You live in tomorrow, but you know what today is all about. You love people and are curious about them. Your element is air. Your scent—all three: Earthy Musk, Fiery Civet, Ocean blown Ambergris.

CANCER (June 22-July 23)
You're a moon person. Very happy when you're happy. Very down when you're down. You're a great friend. Your element is water. Your scent, Ambergris—clean, forceful, with unexplored depths.

LEO (July 24-Aug. 23)
You hate the dark and hate being bored. You love living it up almost as much as you love being in love—which is a lot. Your element is fire. Your scent, Civet—wild and free with a secret inner self.

VIRGO (Aug. 24-Sept. 23)
You're quiet, gentle and affectionate. Practical, perceptive and a perfectionist, you're very much in touch with reality. Your element is earth. Your scent, Musk—essence of fresh earthiness.

PISCES (Feb. 20-Mar. 20)
You don't care about money or fame. But they usually come to you because of your talents. Your element is water. Your scent, Ambergris—clean, forceful, with unexplored depths.

LIBRA (Sept. 24-Oct. 23)
The heart of an artist, and a cool intelligence. A hot temper, warm smile—and the rare ability to listen as well as talk. Your element is air. Lucky you! Any scent can be yours. Earthy Musk, Fiery Civet, Ambergris.

SCORPIO (Oct. 23-Nov. 22)
Your face hardly ever reveals your feelings. But still waters run deep—when you love it's likely to be for keeps. Your element is water. Your scent, Ambergris—clean, forceful, with unexpected depths.

SAGITTARIUS (Nov. 23-Dec. 20)
You're bright, honest—so much you can hurt without meaning to. Generous, idealistic, imaginative, delight in exploring sensual pleasures. Your element is fire. Your scent, Civet—wild and free, with a secret inner self.

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State Police report few handgun applicants

The Maryland handgun control law has unceremoniously marked its first anniversary and the State Police report that they are surprised by the [illegible] small number of applicants for handgun permits.

On March 27, of last year Governor Marvin Mandel signed into law the State's first comprehensive handgun law designed to deter persons from using handguns in the commission of violent crimes.

The law generally deals with the right to wear, carry or transport a handgun and allows law enforcement officers to conduct limited searches for such weapons under certain circumstances.

Maryland's law is considered by many as one of the strictest gun control laws in the nation and carries mandatory penalties upon conviction.

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As of March 1, this year the State Police handgun permit unit had received 6,715 applications for handgun permits, had issued 3,512 permits and had denied permits to another 1,000 persons. The month of March has been unusually active with about 1,500 applications being received and nearly 666 decisions being reached.

Statistics show the average applicant being 42 years old and living in Baltimore City or Baltimore County. The leading occupations of the applicants are security guards, special policemen, supervisors, executives and merchants.

Many categories of persons are exempted from needing a handgun permit. These include law enforcement personnel, armed forces personnel, prison guards, and sheriffs' deputies as long as they are authorized at the time and under the circumstances to have a handgun as part of their official equipment.

It is also lawful for a person to have a handgun within the confines of real estate owned or leased by that person which includes both homes and business establishments.

Persons are also allowed to transport handguns on their person or in a vehicle as long as they are unloaded and carried within an enclosed case or enclosed holster and are being transported for one of the following reasons:

While engaged in, or on the way to or returning from a target shoot, formal or informal target practice, sport shooting event, hunting, trapping, dog obedience training class or show or any organized military activity, a place of legal purchase or sale of the handgun, between bona fide residence and business if the business is operated and substantially owned by the individual.

Applications for handgun permits should be available at any police station in Maryland. Once the application has been received by the handgun permit unit at State Police Headquarters, it is checked to insure that the necessary information has been provided A data sheet is then developed that is sent to the computerized data center for statistical information gathering about the applicant.

The non-refundable $15 application fee is entered into a financial ledger and the applicant's fingerprint card is forwarded to the State Central Crime Records Bureau for a record check.

A copy of the application is then sent to the State Police Barrack nearest the applicant's residence and a Trooper is assigned to conduct an investigation on the individual as is required by the law. When this investigation and the other background checks are received back at the handgun permit unit, the information is reviewed and a decision is reached.

Only 31 appeals have been successful in reversing the decisions of this unit.

Directive Sergeant Rocco Gabriele, who heads the handgun unit, said of the stop and frisk section of the law, "It has been effectively used and not abused by police."

Records show that 538 stop and frisks reported as of March 1, 1973 resulted in 65 per cent of those checked being arrested for illegally carrying handguns.

Downtown tour set to resume

The annual Downtown Discovery Tour program featuring sightseeing tours of the City's central business district will be resumed this year on Monday, April 9 under tre sponsorship of Baltimore Forward Thrust.

The tours, open to women's civic, social and church groups in the Baltimore Metropolitan area, will be held every Monday and Thursday during the months of April, May, June, September and October. No tours will be held in July and August.

Formerly sponsored by the Committee for Downtown, the Discovery Tours are in their sixth consecutive year and during that time approximately 5,000 women representing more than 200 community organizations have participated in the program.

Morgan festival opens Sunday

The Morgan State College Black Arts Festival which opens Sunday features week-long events witr appearances of such famed artists as James Earl Jones, Little Stevie Wonder, Roy Spearman, and Mrs. Eloine Jolly, pianist. Teh costume ball is Friday. An African wedding closes the last day, Saturday.

Public transit supporters seek use of highway funds

Members of local, national, civic, political, and environmental organizations including Common Cause are actively fighting for enactment of the Anderson Amendment (H. R. 101).

This Amendment to the Highway Act of 1973 would give Baltimore and 27 other cities in 18 states the option to use their share of urban highway funds to purchase, construct, or help finance some form of public transit.

According to Marsha Caplan, Common Cause chairwoman and spokeswoman of the coalition, "current legislation in Congress could be a major step in reorienting the nation from its dependence on highway construction and automobile travel toward a more balanced system of moving people, especially in urban areas."

Baltimore is one of the 28 cities in the nation cited by the Environmental Protection Agency as unable to meet the Federal air quality standards by 1977, primarily because of its reliance on private automobiles for its basic transportation system

Improved transit system would help reduce air pollution as well as provide citizens with necessary transportation.

Under current law, a portion of the Highway Trust Fund is allocated to the urban areas to be spent solely for highway construction.

BTU has D.C. rally against ESEA cuts

The Baltimore Teachers Union (BTU) is calling for a massive rally in Washington, Wed., April 11, to spearhead Educational Survival Day across the country.

Godfrey Moore, BTU executive secretary, and AFT vice president stated that, "ESEA funds directly affecting 2000 paraprofessional jobs and ESEA summer school programs, and counties other benefits for deprived and victimized children and parents will be terminated June 30.

Cong. Perkins of Kentucky has introduced an extension of the five-year ESEA program; however, President Nixon, in a television speech last week, indicated that he will veto the bill and asked his constituents to write Congress to uphold his veto.

At the last AFT executive council meeting which was held in New York, Moore moved that re-establishment of the ESEA program be given top priority [illegible] national AFT committee.

As a result of this, most teachers, community groups, and victimized paraprofessionals will be converging on Washington, at 9:00 a.m. for concentrated lobbying with congressmen and senators to oppose Nixon's veto.

BTU is asking that each of the 2000 paraprofessionals and interested teachers stay out of school April 11th and join in the caravan leaving from the Mondawmin Mall at 8:30 a.m. for ESEA-Survival Day.

Town meetings have been held by BTU in various parts of the city.

At these meetings Moore indicated that teachers and paraprofessionals were so outraged at the termination of ESEA fund that they were planning to attend the rally even with the loss of a day's pay; however, Moore indicated that no individual will lose pay for his participation in the massive rally and lobbying session.

What has your car dealer done for you lately?

1. Does he guarantee his service work? yes no

Over 6,000 Ford and Lincoln-Mercury dealers now guarantee their service work, for 90 days or 4,000 miles, whichever comes first. If repair or replacement fails in normal service within that period, they'll fix your car free. Including parts and labor.

2. Does he let you charge repairs on 5 major credit cards? yes no

Most of these Ford and Lincoln-Mercury dealers now accept 5 major credit cards for repairs, rental, whatever. Master Charge, BankAmericard, American Express, Carte Blanche, Diners Club. It's a convenient way of getting service work that has to be done—done.

3. Does he ask you to grade his service? yes no

These Ford and Lincoln-Mercury dealers will give you a service report card attached to the service bill. It's your way to grade the work done on your car. And it's the dealer's way to find out what he's doing right—and what needs to be improved. So far, we've received over 450,000 cards, and 95% of the people say they're either "satisfied" or "very satisfied" with the work. Not perfect. But not bad.

4. Does the man who did the work sign it? yes no

The man who personally did the work at these Ford and Lincoln-Mercury dealers signs a card to thank you. It also asks you to tell his boss how he did. An extra incentive for him. An extra assurance for you.

5. If there's a problem, do you have someone to turn to? yes no

Most problems end right at these Ford and Lincoln-Mercury dealerships. But if you still have a problem, you or the dealer should contact the Ford Customer Service Division office nearest you. For their address, call 1-800-648-4848 (in Nevada, 1-800-992-5777; Hawaii, Enterprise—8099; Alaska, Zenith—8700). Write. Describe your problem. Then a Ford Customer Service Division representative will contact you quickly. And he'll work with you and the dealer to try and straighten things out.

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If you own a Ford, Mercury or Lincoln, it's something to think about.

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We listen better. And we'd like to prove it to you.

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...has a better idea (we listen better)