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—Burns out of Pen

(Continued from Page 1)

rather with the question of preserving the integrity of the judicial process by which he was brought into court."

* * *

"WE ARE NOW confronted with a question of procedure," Mr. Myerberg told Judge Manley.

Mr. Myerberg then cited a number of cases to convince Judge Manley that habeas corpus was the proper procedure to effect his client's release. Mr. Grady had suggested that a Writ of Error-of-Corvus Nerium, which would remove the hearing to the court where Mr. Burns was sentenced, might be the proper procedure.

"If it were a question of perjury testimony alone," Judge Manley said, in commenting on the arguments of Mr. Grady and Mr. Myerberg, "I would release him (Mr. Burns) entirely.

"It would be a travesty of justice to hesitate for one moment to grant the relief that has been requested."

A few minutes later, a smiling Mr. Burns stood in the Clerk of Criminal Court office, as William B. Dixon, professional bondsman and his friend, posted bail of $2,500 to allow his immediate release.

"I am deeply grateful," Mr. Burns said then, "to my attorney, the State's Attorney's office and my many friends for their efforts and faith in me."

* * *

IT WAS A RAINY, gloomy day such as this Tuesday, that Criminal Court officials had signed an order on June 28, committing Mr. Burns to the Maryland Penitentiary to begin serving a two - year sentence on a conviction of operating a lottery at his 3400 block Auchentoroly Terrace apartment on May 1.

The weather on that June 28, a Friday, was cloudy, rainy and warm, with the temperatures ranging from a low of 76 to a high of 89.

This June 28 was a gloomy day for a lot of Baltimoreans. It was a gloomy day, indeed, for Charlie Burns.

The 144 days that followed at the Maryland Penitentiary were just as gloomy for Mr. Burns.

The weather Tuesday was cloudy, rainy and warm, with the temperatures ranging from a low of 53 to a high of 75.

This Tuesday was a gloomy day for a lot of Baltimoreans—but not for Mr. Burns.

"This is great!" Mr. Burns said, standing outside the Court House in the misty gloom of Tuesday's fast - approaching evening, as an AFRO photographer took some pictures. "I want to thank the AFRO and the press in general for being so kind to me. The papers have really handled my case kindly."

* * *

THE NEXT EVENING, Charlie Burns sat in an AFRO editorial office and recalled some of the events and circumstances surrounding his 144 days in the Maryland Penitentiary.

CHARLES BURNS
Wins his freedom from Pen

"In the beginning," he said in his forcible and characteristic manner, "I was in prison by circumstances beyond my control. And I made myself adjust my thinking to that situation.

"I was over - weight. My doctor had tried before to get me to rest. So, I just made up my mind to rest. I deliberately lost weight. (from approximately 225 pounds down to about 185 pounds) And I had no chips on my shoulder.

"I got along very well with the inmates. I was very well pleased to see so many colored State employees in positions of trust. My classification officer was colored. And while I was there, a colored man was appointed head of the athletic department.

"But, I really was surprised at the youth in prison. I was in the upper age bracket among the inmates."

How old is Mr. Burns?

"I'm 43 now," he answered. "I observed my 43rd birthday on July 29 in the penitentiary. I spent the day in meditation."

With that, Charlie Burns warmed a bit to the subject of recalling his 144 days in the penitentiary — 144 days allegedly served unjustly on trumped - up charges by some former members of the Police Department's Racket Division, as agreed generally by court officials who effected his release.

* * *

HE REVEALED:

That he received a lot of mail, much of it from casual acquaintances encouraging him to keep his spirits high;

That the prison food was very good, and he had to deny himself many tasty meals to lose weight as he desired;

That he was treated very well, and spent his recreational time watching the other inmates play volley ball or just played dominoes with somebody (cards are not allowed in the penitentiary).

That he was able to follow progress of the current police probe and references to his case through the AFRO and daily newspapers available to the inmates, except morning papers;

That he worked in the penitentiary's shoe shop, stamping finished shoes, at pay of 20 cents a day.

"I don't know how much I have coming to me," he said. "I haven't collected my pay from that job yet."

* * *

HAS THIS TOUCH with prison life given Mr. Burns a different slant on life, particularly toward the city Police Department?

"I have more respect for the law now than before,' Charlie Burns answered soberly. "I know now that the law is big enough and noble enough to admit errors. I was trained and raised to respect the law. I have reaffirmed my position in that belief."

What are Mr. Burns' plans for the future?

"I was interrupted in the midst of remodeling plans for a restaurant and bar. These circumstances have altered those plans. I am trying now to decide what I will do."

How about the Rackets Division policemen who brought this unnecessary and unfortunate chain of events into Mr. Burns' life?

"I believe that what has happened to me is so fraudulent, that anybody who would do such a thing must suffer in some way," he said.

* * *

COURT RECORDS name Rackets Division members of the May 1 raid on Mr. Burns' apartment, when lottery charges against him were placed, as

Inspector Clarence O. Forrester, former Rackets Division chief; Acting Captain Hyman Goldstein, Sgts. Edward Kirby, Charles Gross, Herbert Meekins and Charles Richer; and Officers William Warrington, Dan Douglas and Edward Stower.

Inspector Forrester and Capt. Goldstein have since been suspended by Police Commissioner James M. Hepbron, and both face subornation of perjury charges in Grand Jury indictments, as a result of charges by two members of the squad that the pair induced them to give false testimony about evidence allegedly found during the May 1 raid.

Inspector Forrester and Capt. Goldstein also face Grand Jury indictments, charging them with maintaining a disorderly house in another morals case.

Sgt. Kirby has been suspended from the department, as a result of a Baltimore St. lottery raid.

Sgt. Gross committed suicide, shortly after the current police probe began and turned the spotlight on the Rackets Division.

Sgts. Meekins and Richter, whose charges of induced testimony brought the subornation of perjury charges against Inspector Forrester and Capt. Goldstein, are also under Police Department suspension.

Officers Warrington, Douglas and Stower are still members of the Rackets Division, which was recently reorganized with Captain Clarence German, former Northern District commander, in charge.

* * *

THE MAY RAID on Mr. Burns apartment resulted in the arrests also of Henry G. Parks Jr., who was visiting Mr. Burns at the time; Philip L. Taylor, Lafayette Market produce man, who was driving past at the time; Mrs. Elli Mae Johnson, 1800 block Presstman St., in the car with Mr. Taylor; Mrs. Juanita Jones, of the 3400 block Auchentoroly Terrace, and Miss Barbara Scott, of the 1000 block N. Stricker St.

Mr. Parks, Mrs. Jones, Mrs. Johnson and Miss Scott were dismissed at a subsequent police court hearing at Northern District.

Mr. Parks said at the time that the raid was a "caricature," and had the atmosphere of a "Hollywood production."

Mr. Taylor was held for a Criminal Court trial, during which a jury failed to agree.

Mr. Taylor was subsequently brought before Judge S. Ralph Warnken in Criminal Court early this month, and the lottery charge against him was dropped at the request of the State's Attorney's office.

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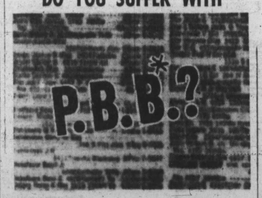

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—Peacemaker

(Continued from Page 1)

his wife something was going to happen."

* * *

FUNERAL services for Mr. Gardner were held this morning (Friday) at the George Kelson Funeral Home with the Rev. W. P. Clayton, pastor of Macedonia Baptist Church, officiating. Burial was in the Mt. Auburn Cemetery.

Besides his mother and his brother Reginald, Mr. Gardner is survived by his wife, Mary; two daughters, Mildred and Jean, and four grandchildren.

Also by three sisters, Mrs. Beatrice Jenkins, Mrs. Adrian Brogden and Miss Gladys Gardner, and four other brothers, Rufus, Cornelius, Amos and Walter, all of Baltimore.

—Vet denied house

(Continued from Page 1)

position. He built the house that's for the sale, but he also built the Synagogue. So it is up to Mr. Lerner."

* * *

MR. SCHOOLNICK also said that when he was given the house to sell "we never entertained the thought of selling to colored people." He quoted Mr. Lerner as saying he had talked to Mr. and Mrs. Jackson, but there were several other people also interested in the property.

Efforts to get Mr. Lerner to comment proved futile.

Rabbi Ephraim Shapiro of the Tiferth Israel Anshe Sefard Synagogue located at 3925 Dolfield Ave., a half block away from the White Oak Ave. home, told the AFRO he had not been approached by any residents opposed to occupancy of the house by colored people.

"He said he didn't feel it would affect the Synagogue," and added that 'so far as my personal feelings are concerned, it makes very little difference to me who the people are so long as they are decent, respectable people."

* * *

MR. JACKSON outlined this sequence of events which led up to the state in which he and his wife now find themselves:

In the summer of 1956, a friend who knew he was house-hunting, showed him the house under construction, said it would be a lovely modern home and advised him to contact the builder as it was unsold and there were no racial restrictions.

"In March of this year, I talked with the builder and he said as soon as it was painted and finished, he would talk about selling it.

"When the for-sale sign went up in April, I got in touch with a real estate agent who talked with Mr. Schoolnick, whose sign was on the house.

* * *

"THEN WE talked with the builder and owner, Benjamin Lerner — that was one day in the latter part of September. Mr. Lerner told me then, 'It makes no difference to me. I'll sell to anyone and you can see it in half an hour.

"In a half hour, he did meet us, showed us the house, gave us the deal and said we could sign the contract on October 31. We went to him on that day to sign the contract and pay a deposit and he said, he wanted to wait a week and make a survey and see if there were any other colored people within a block.

"We called him the last time on November 17. He said he would call back."

Mrs. Michele Whyte, who has been acting on behalf of the Jacksons confirmed the sequence of events. She added that during one conference she was advised that if she sold another colored family a house within the White Oak Ave. area, the sale would be consummated sooner.

* * *

THE ONLY other two houses in the block where the Jacksons desire to buy are 4508 and 4510.

At 4510, a lady who identified herself as Mrs. Anna Caloyro anticipated a reporter's question before it was put and hung up the phone after stating: "I've talked to one man. I don't want those people. . . those n . . . rs to live by me and that's all I've got to say."

Mrs. Caloyro is listed in the city directory as a widow. Also listed as residing at the same address is a Frank H., whose occupation is given as diemaker at a venetian blind firm.

The occupant at 4508 is listed as William W. Russell, bookkeeper at a downtown firm. Efforts to reach him proved futile at presstime.

—More science

(Continued from Page 1)

munerated) for services over and above the duties normally expected of teachers;

That funds be provided for the proper support of students engaged in organized and directed extracurricular activities, and that this program be initiated immediately for the science and mathematics activities, and be extended just as soon as sufficient funds are available, to cover other extracurricular activities.

Dr. Glass later explained that the "support of students" as listed is not to be interpreted as scholarships, but small funds for materials and travel.

* * *

DR. GLASS ALSO asked that the board of superintendents prepare a specific answer to what it would cost Baltimore, over and above present educational expenditures, to reduce the present teacher load from 40 in the elementary grades, 36 in the junior high school grades, and 31 in the senior high school grades, to an optimum of no greater than 20 pupils per teacher; and at the same time to increase the income level of Baltimore teachers to the $5000 - $10,000 range, which is roughly the equivalent in purchasing power of what Russian teachers now get.

* * *

"THIS PROGRAM, said Dr. Glass, will have the merit of recompensing the science teacher for work now expected of him over and above his regular duties, and may prevent the diversion and dissipation of his energies in less rewarding directions. "It will give evidence to all students not only that national safety depends on the strong development of science, but that science is genuinely respected on a par with athletic diversions and amusements.

"It will provide the necessary encouragement and support to able students to pursue and enlarge those activities already evident in the highly successful "science fairs" held in our community in recent years. On a national scale, it may go far to solve the problem of inadequate scientific man power."

* * *

THE BOARD approved the election of teachers including Miss Gloria C. Johnson to the faculty of School No. 45; Miss Flora H. Dargan and James W. Johnson to General Vocational School No. 433; Miss Elsie M. Smith to Booker T. Washington Junior High School No. 130; and Robert O. Wood to School No. 45.

Miss Margaret D. Wilson, teacher at the Elmer A. Henderson School No. 101, was granted a sabbatical leave of absence to engage in a full program of study.

The board voted to refer the suggestion made by Dr. Glass to the board of superintendents for study and report.

—Carver Hi

(Continued from Page 1)

act of distance running, when moments later, he grabbed a pitchout from Wilkes and chinged 85 yards for a touchdown.

* * *

THE THIRD Carver TD came as the result of a 27-yard pass from Wilkes to Harold Bass, the latter taking the oval on the McDonogh 10, and skipping into the end zone untouched.

It occurred in the early stages of the third period and was followed shortly thereafter by the fourth Trainer marker. After the kickoff, McDonogh was unable to move and her kick was a poor effort going only to the 36-yard line.

The advantage was quickly converted into a TD, when Wilkes elected Gil Travers to carry and the MSA sprint ace exploded over the eight side of the line and into the payoff area.

* * *

LEADING BY 26-0, Carver saw the gap close in the final minutes when the Macs tallied twice. The first was on the end of a 7-yard jaunt by Jim Haws, and the second was a pass to kill the bid.

Twice again they got within the Trainer 25-yard stripe, but were unable to break through the Carver line.

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