DEATH-BED WILL FAVORS GRANDCHILDREN

(STORY IN COLUMN 8)

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Burns Must Stay In

KEY FIGURE in grand jury investigation is Charles Burns, 3442 Auchentoroly Terrace, who was brought from the Penitentiary to testify in police probe. He is shown above entering the Courthouse on Wednesday at 10:45 A.M. Accompanying him are a Penitentiary guard and a deputy sheriff.

His lawyer loses plea to judge

BULLETIN

After an hour and 20 minutes this morning in Judge S. Ralph Warnken's chambers, Herbert Myerberg, attorney for Charles T. (Charlie) Burns, announced:

"Judge Warnken's view at this stage indicates he does not feel he should act in a summary manner. He feels the case should be presented to him in some form of procedure so that it can be heard in open court."

Mr. Myerberg himself had this to say:

"There are several forms of procedure which may be studied. We will take the necessary steps to present it to the court in a formal way. We hope to do it in a period of days.

"It's quite an unusual matter complicated by the fact that a plea of guilty was entered in the case. It's unfair to approximate or assume when Burns will actually be out on the street. Hope springs eternal in the human breast."

Alvin J. T. Zumbrun, managing director of the Cirminal Justice Commission, and Mr. Myerberg called Wallace Reidt, parole commissioner, for a conference on the possibility of affecting Burns' release through a special meeting of the Parole Board. They were scheduled to meetwith Mr. Reidt at 11:15 a.m.

The conference with Mr. Reidt will take place in the offices of Mr. Grady. Captain Nelligan is also expected to be present at this meeting.

At 9 o'clock Mr. Myerberg told the AFRO, "We are going to try to get him home today."

In the conference with Judge Warnken were Mr. Myerberg, J. Harold Grady, State's attorney, Mr. Zumbrun, John Weiss, assistant State's attorney, and Capt. Anthony Nelligan, of the police crime laboratory.

The conference started at 9:15 a.m. and was concluded at 10:40 a.m.

By MAX JOHNSON and STEVE DUNCAN

J. Harold Grady, State's attorney, and Herbert Myerberg, attorney for Charles T. (Charlie) Burns, conferred with Judge S. Ralph Warnken this morning (Friday) in what was believed to be an effort to seek Burns' release from the penitentiary.

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Mr. Myerberg told the AFRO Thursday night:

"Mr. Grady and I are going to meet with Judge Warnken tomorrow morning at 9:15. We're to discuss aspects of this thing, procedures and so forth. What the outcome will be I can't tell you. I know I'm going to do everything in my power to see that the man is free."

Mr. Grady said Thursday he arranged the conference with Judge Warnken at the request of Mr. Burns's attorney.

The State's attorney said there were a number of legal avenues Mr. Myerberg could pursue in seeking his client's release.

Mr. Burns, 42-year-old popular sportsman and former night club figure, was arrested during a numbers raid on his apartment, and later convicted as a second offender of Maryland's lottery laws.

Meanwhile, a codefendant was cleared of the numbers charge Thursday and said in an interview:

"This is a relief . . .like somebody has taken a big rock off my shoulders . . .I feel that Charlie Burns is a victim, the same as I was."

Phillip Taylor, 37, produce man of the 2800 block Auchentoroly Terrace, dropped heavily on a bench in the outer chamber of the grand jury rooms Thursday morning, and began commenting on the unusual series of events he has gone through since the evening of May 1.

A few minutes before, Mr. Taylor had appeared before Judge S. Ralph Warnken in Criminal Court, and had been freed of a lottery charge resulting from the May 1 raid of the Auchentoroly Terrace apartment home of Mr. Burns.

* * *

MR. TAYLOR was freed at the request of States Attorney J. Harold Grady. Mr. Grady made this brief statement to Judge Warnken, after Mr. Taylor's case had been called:

"This defendant was up for trial June 28, 1957, and a jury failed to agree. Since that time, it has been conclusively established that there is no evidence legally sufficient to sustain a conviction.

"Therefore, the State wishes to enter a request for a not guilty verdict."

Judge Warnken then found him not guilty.

Now, Mr. Taylor, whose family has long operated produce stalls in the Lafayette Market, was relaxing with an inch-sized stump of a cigar in his mouth. He nervously lighted the cigar at intervals.

Mr. Taylor was waiting to testify before the grand jury, in its investigation of charges that faked evidences of a lottery operation were planted by members of the Police Department's Rackets Division at the time of the raid on Mr. Burns' home.

General consensus of opinion among close observers of the probe on Thursday was that Mr. Taylor's freedom and subsequent appearance before the grand jury would be the deciding factors toward prompt-

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FLASH

A charge of subornation of perjury was lodged against Inspector Clarence O. Forrester and Acting Capt. Hyman Goldstein, suspended Racket Division officers, in a grand jury presentment today.

They were accused of ordering Acting Sergeants Charles Richter and Herbert Meekins to give false testimony at the trial of Phillip Taylor.

THIS IS ZERO day . . . last day of the NAACP drive.

Baltimore branch membership drive is ending . . . have you renewed your membership? If not, do so TODAY!

If a solicitor does not call on you, join the group which is fighting for your rights by mailing your check to NAACP Office, 402 Dolphin St., Baltimore 17. Do it today! Minimum membership $2.

Dr. Jackson is leaving Provident

"After 35 years of service to Provident Hospital, I desire to give up the position as chief of surgical service, to be effec-

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tive at the convenience of the board or at least by Jan. 1, 1958."

Dr. Robert L. Jackson, 2504 Overland Ave., so advised the Provident board in a letter last week.

"We accepted his decision with regret at our board meeting on Tuesday and it is effective January 1. The board does not have anyone in line to succeed him," is the word which came from J. Arnett Frisby, president of the board, on Thursday.

"Dr. Jackson was given the title of chief of surgical service emeritus with all the rights and privileges," Mr. Frisby added.

* * *

IN STEPPING down, Dr. Jackson urged the board to prepare a five to ten-year building program, develop a research program and consider other recommendations he made when he retired as chief of staff in 1952.

At that time Dr. Jackson also stated Provident needed to obtain fellowships from other institutions for the training of the young doctors on their staff; set up an animal laboratory for experimental surgery; develop a good social service department and study city and state support for the hospital such as is now enjoyed by Mercy Hospital, Philadelphia; Harlem Hospital, N.Y.C.; Homer Phillips Hospital, St. Louis; and Flint

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Death-bed will favors grandkids

Bequests under the death-bed will of 70-year-old Edward Burman, 609 W. Lanvale St., were backed by the Orphans Court this week.

Under the terms of the will, the major legacies will go to Mr. Burman's grandchildren rather than his seven surviving children.

His will, made several days before he died in University Hospital in March, 1956, was drawn up by a hospital accountant and witnessed by two nurses. He left an estate of $12,000, but at the time of the distribution this week it had dwindled to $8,000.

Mr. Burman was a retired employment agency operator at the time of his death. For 40 years, he operated his business at 708 Druid Hill Ave.

* * *

THE GRANDCHILDREN who will get the major bequests are: Jonathan Sykes, $1,000; Judonna Sykes, $1,000 and Arthur Burman Jr., $500. Their monies will be held in a trust fund until they become of age.

The Sykes youngsters are children of Mr. Burman's youngest daughter, Mrs. Dorothy Sykes and her husband, Robert, whose address was given at 1514 Presser Ct.

Arthur Jr., is the son of Mr. Burman's son, Arthur Sr., of 1029 N. Payson St.

Mrs. Sykes told the AFRO this week, that in his later years, her dad had been ailing and had grown fond of his grandchildren while making his home with her.

"He wanted to be sure they were provided for and to see that they would get an education. She said the bequests can not be touched until the children are 18 and 21 years of age.

* * *

IN ADDITION to the grandchildren, Mr. Burman made specific bequests as follows:

A son, Benjamin Burman, 1020 Druid Hill Ave., $500;

Another son, Charles Burman, 1820 Pennsylvania Ave., his auto valued at $1,584, and,

A friend, Mrs. Annie Mayo, 415 Orchard St., $500.

In the will, Mr. Burman further decreed that after the bequests mentioned above, the rest of the estate would then be divided equally among his seven children and any grandchildren not mentioned.

This would not include a grandchild born after Mr. Burman's death which the Orphans

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Crownsville nurse charged by police

A 36-year-old nurse, already suspended from her job at Crownsville State Hospital, was charged by Anne Arundel County police this week with the death of a patient in the state institution.

Miss Louise Marian Gray, 36, was arrested on a warrant Wednesday connecting her with the Sept. 22 death of 81-year-old Marshall Snowden.

Mr. Snowden was a tubercular patient at the state institution.

The Medical Examiner's certificate of death showed his death was caused by "aspiration of vomitus due to fracture of the jaw."

In describing how the injury occurred the report said Mr. Snowden was "struck in the jaw."

* * *

MISS GRAY will be given a hearing at 10 a.m. Saturday at the Edgewater Police Station before Magistrate Norman T. Hazard.

The police charge against the nurse is the second preferred against her in the past two weeks.

Last Tuesday, the State Employment Commission advised Miss Gray by registered letter that she had five days from the date to decide whether she wants a hearing on the charge preferred by Dr. Charles S. Ward, superintendent of Crownville.

His specific charge alleged that Miss Gray "struck a patient" and, he asked that she be permanently suspended.

* * *

MISS GRAY has advised the Commission she desires a hearing but a spokesman of the Commission told the AFRO on Thursday such a hearing can not be conducted until the criminal charges are disposed of.

Miss Gray is confined to the county jail in Annapolis. Police records describe her as 36 years of age, weighing 135 pounds, and five feet, three inches tall.

They give her address as West Gate Road, Annapolis. However, employment records show that she resides in the 2600 block of Huron St. Mt. Winans, Baltimore.

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School census asks race in code

Teachers in Baltimore schools this week are handling what is entitled "a child population register as of October 31, 1957," in which they are asked to give race and sex in code.

Instead of indicating whether children are colored or white, the teachers are to identify their pupils as follows: white code 2; colored male, code 3; male, code 1; white female, and colored female, code 4.

Honor hero at City Hall; victim still in hospital

Young John Powell couldn't be on hand to see a 16-year-old blond youth honored this morning (Friday) for saving his life Sept. 29, but it's a good bet Powell's heartfelt best wishes were atop all those offered heroic Donald Maier.

Maier, of 1714 N. Calvert St., climbed atop a freight car and held Powell, 10, down flat as the train rumbled through a tunnel.

Powell was badly burned and dazed when he ran into one of the electric power wires while playing on freight cars near the Pennsylvania Railroad's Union Station.

In recognition of Maier's gallantry, Mayor D'Alesandro had designated the youth a "Hero of Baltimore" and this morning, he received Maier at City Hall to see to it that the youngster's name is on the plaque which contains a permanent record of the city's heroes.

John couldn't be on hand because he is still convalescing in Lutheran Hospital where he is reported doing "pretty well."

It still is not known when he will be able to return to his home in the 200 block E. Lafayette Ave.

STUNNING in a tweed suit with ermine collar was Mrs. Juanita Jones, 3442 Auchentoroly Terrace, who testified before the grand jury on Wednesday.

She had to die so she could live again

"I want to get well and lead a normal life. I've been sick since I was five years old.

Leset Johnson, 18, the girl who died to live, sat happily in her home at 1602 E. Biddle St. talking about getting well.

Thirteen years ago she had rheumatic fever. Since that

(Other Photo Page 5)

time she has been back and forth to Johns Hopkins Hospital on an average of once a week — and sometimes twice a day.

* * *

LESET HAS never known what it means to go to school every day.

"She went to school off and on but she had attacks, sometimes once a week, and she stayed in school long enough to read and write.

"She never had a visiting teacher and when she was 16 years old, we took her out of school," explained her aunt, Miss Anna Mae Ricks.

The rheumatic fever injured her heart. On Oct. 13, Hopkins doctors packed her in ice, stopped her heart, cut it wide open, repaired it and then started it beating again.

The operation was televised for doctors attending a convention in Atlantic City.

* * *

LESET came home from the hospital Monday. She walks with a slight limp, favoring her left side. "I was cut on the right side," she explains, "but I'm getting well."

Was she scared?

"They put me asleep before they took me to the operating room . . . I knew nothing about it.

"The hardest thing was leaving my grandmother," says this miracle child.

* * *

GRANDMOTHER is Mrs. Marlinda Ricks, who has worked as custodian with the Department of Education for 15 years and is now at Fairmount Hill Vocational School No. 453.

"I went to see her twice a day," said Mrs. Ricks and "went to work every day."

"She's my only grandchild. For two years I've tried to make up my mind about letting her have this operation.

"She was 18 years old last November, so when they called up this time, she did the deciding," explained Mrs. Ricks.

* * *

"EACH TIME she went to the hospital, from the time she was five, it cost $2.50, Mrs. Ricks stated.

Did she know how much

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LESET JOHNSON
She died to live.