JUDGES SQUASH ILLEGAL-ARREST CASES

Baltimore Notebook

By MAX JOHNSON

Mr. Johnson, a regular member of the panel of the Maryland News Conference TV programs, is seen on Sundays over WBAL-TV at 5 p.m. This week's program will not be aired due to advance commitments. Mr. Johnson's column appears in this space every Friday.

Opportunity now comes to give some long, overdue attention here to the State's Commission on Interracial Problems and Relations.

This is prompted by the resignation made public this week of Dr. Furman L. Templeton, Commission board member—and his stated reasons.

In a letter to Gov. Tawes—he wrote this long sentence:

"I take this action for a number of personal reasons, not the least of which is my growing sense of unhappiness over recent events within the Commission and a seeming failure of the agency to initiate a more aggressive program in light of the urgency which characterizes race relations in Maryland and the United States today."

* * *

NOW—THIS would appear to be a rather puzzling statement to come from a man who has been a member of this Commission since it was established in 1951.

But wait—here is the public statement of William C. Rogers Sr., Commission board chairman, on the Templeton resignation:

"Dr. Templeton is surely aware of the fact that our Commission operates under enabling acts passed by the Legislature, which placed very fixed and firm limitations upon the powers of the Commission.

"We have always endeavored to push forward within the legal limitations imposed and establish the most aggressive program possible."

So—what do we have?

* * *

DR. TEMPLETON says he is peeved about some internal Commission affairs—and is dissatisfied because the agency hasn't a stronger, more progressive program on race relations.

Yet, he has been a member of the Commission's board for ten years—and in a position to help formulate its program.

Mr. Rogers defends the Commission by saying it is limited—by the very legislation which created it.

Mr. Rogers has been board chairman of the Commission since it was established.

Yet—all this while he has set a poor example as a race relations agency chief.

Mr. Rogers has not seen fit to integrate the office staff of his own title guarantee business—a large and prosperous one.

* * *

SO—THERE is obviously something wrong with the State's Commission on Interracial Problems and Relations.

Maybe it lies in the fact that its chief doesn't practice completely the Commission's theory.

Maybe it is this—along with something else.

The law establishing this Commission, which became effective June 1, 1951, outlines these duties:

"The said Commission shall have authority and power to make such surveys and studies concerning interracial relations, conditions and problems as it may determine to promote in every way possible the welfare of the colored race, and the betterment of interracial relations.

"In making such studies and surveys, it shall be authorized to expend any funds which may be provided for in the budget or otherwise made available.

"It shall be the duty of said Commission to submit an annual report to the Governor and General Assembly on or before Jan. 1 each year, setting forth the results of its studies and recommendations, if any, for any additional legislation."

* * *

HERE, THEN, we have a State agency established ten years ago on race relations—confined almost wholly to making studies, reports to the Governor and recommendations to the Legislature.

It should be noted that in the ten years of its existence, this Commission has made no recommendations to the State's General Assembly—which brought directly resulting legislation.

It should be known also that while this agency has conducted its surveys and conferences—other more militant groups have broken down racial barriers.

So—how seriously is this Commission really considered?

Isn't it, as of now, actually an appeasement organization—just a window-dressing, racial relations thing?

The answers should be obvious.

This is no quarrel with the idea of an Interracial Commission.

I DO question, however the worth of this particular Commission—as it is empowered by the Legislature.

Maybe the Templeton resignation is a good thing.

Maybe this will call attention to the need to revamp the whole organization—or else to quit trying to fool people with its existence.

It's the eighth of silliness to set up a race relations organization with a director—who doesn't put in practice what the organization is supposed to impress on others.

It's things like this that gives the impression this is a cockeyed world.

NAACP LIFE MEMBERSHIPS are being purchased here by members of the Me-De-So Wives in upper photo and Chi Delta Mu Wives in lower panel. Both groups made initial payments of $50 each on the $500 memberships. Left to right in top panel for Me-De-So Wives are Mrs. Pauline Watts, Dr. William Watts, chairman of the NAACP's Life Membership committee here; Mrs. Bernard H. Christmas, Miss Gertrude Gorman, NAACP membership campaign Delta Mu Wives: Mrs. Serena Holmes, treasurer; director. In lower panel, left to right for the Chi Dr. Watts and Mrs. Doris Reynolds, president.

Eight freed in recent months

Baltimore policemen have been guilty of a number of illegal arrests.

By accident or design, persons so arrested have one thing in common—all are colored!

These facts are supported of the latest action of the Maryland Court of Appeals which Monday threw out the convictions of two persons it found had been arrested illegally.

There has been no indication that illegal arrests will cease, but the reverses are seen as a clear warning that the state's highest tribunal will not sanction them.

* * *

THE TWO reversals Monday mark the fourth time in the past few months that the appeals court has knocked out convictions resulting from illegal arrests.

Freed were Mrs. Rosalie L. Beale, 39, 3800 block Forest Park Ave., who was sentenced to eight years in the Reformatory for Women and Henry G. Stanley, 45, 1700 block Madison Ave.

Both were convicted of narcotic violations by Judge Joseph L. Carter of the Baltimore Supreme Bench. He imposed a five-year penitentiary term on Mr. Stanley, a city worker at the time of his arrest.

Mrs. Beale has been in prison since Ocober of 1961 and Mr. Stanley was free on bail pending action of the Court of Appeals.

IN THROWING out Mrs. Beale's conviction the high court upheld George L. Russell Jr., her attorney, who contended she was illegally arrested.

During the trial before Judge Carter, Mr. Russell argued that dope paraphernalia seized at the time of Mrs. Beale's arrest should not be admitted as evidence. It was obtained as the result of an illegal arrest, he argued.

The lower court judge ignored this argument and rendered a guilty verdict.

The Court of Appeals disagreed:

"It is apparent to us that the police were trespassers at the time . . . (of the arrest)."

When narcotics officers "invaded the privacy of the defendant's home" without a warrant by kicking down the door they were trespassers, the court found.

IN DEFENDING Mr. Stanley, Mr. Russell relied on the same argument, contending police violated his client's Constitutional rights when they jailed him after receiving a telephone call from New York accusing him of possessing dope.

The city worker was arrested at gunpoint when police spotted a car described in a broadcast on police radio. They seized $4,000 in heroin, officers testified.

Mr. Russell heatedly declared the arrest illegal because Mr. Stanley committed no crime in the presence of police, who otherwise had no authority to arrest him without a warrant.

The heroin, therefore, was not admissable as evidence, the lawyer said.

Judge Carter again disagreed.

The Court of Appeals again disagreed with Judge Carter:

"The Supreme Court has said that if the arrest was unlawful, nothing that happens thereafter can justify a search as its incident, the appeals court declared.

* * *

THE COURT used the same basis for striking out penitentiary terms imposed by Judge Carter on Harvey Robinson and James (Fat Man) Belton earlier.

An illegal arrest was also responsible for Chief Judge Michael J. Manley freeing a dope suspect in Criminal Court Tuesday.

He held that Walter L. Burman, 27, 3700 block Winterbourne Rd. was illegally jailed last April when narcotic officers used an informer to telephone Burman while they listened in on the conversation.

Mr. Russell also represented Burmna.

While hearing the Beale case Judge Carter took a slap at the Supreme Court when he said:

"Maybe we will get a Supreme Court over there someday that will give some regard for the rights of individual states and their law abiding citizens," he declared.

"The Federal Government is telling the states too much," he added.

The recent rash of acquittals raises a haunting question:

How many persons are now in prison because they were arrested illegally?

CIG pickets restaurants, penitentiary

Members of Baltimore's Civic Interest Group picketed restaurants which refused to serve Negroes in Annapolis on Saturday in Annapolis.

Joining the Baltimore CIG were others from Dorchester, Talbot and Charles counties.

The Baltimore group was in Annapolis originally to picket Gov. J. Millard Tawes in connection with the controversial Curlett report which would place Morgan State College and five state teacher colleges under a single board.

The demonstrators from the counties had come to Annapolis to picket as a means of protesting the lack of hospital facilities in their areas for members of their race.

CIG dropped plans to picket Gov. Tawes when they were invited to a meeting to be held on the Curlett Report. CIG ended Saturday demonstrations in Baltimore at the State Penitentiary as a protest to segregation there.

Mrs. Silbert heads Election Board

Mrs. Betty M. Silbert, Republican minority member of the Board of Supervisors of Elections, has been named its president, replacing Thomas D'Alesandro 3rd who resigned this week.

Mr. D'Alesandro resigned after being elected Monday to the presidency of the City Council.

To complete the three-member board, Leonard Sachs, an accountant and substitute member of the board, was named to serve until a permanent member is appointed by the Democratic State Central Committee and Gov. J. Millard Tawes.

Mrs. Silbert was named to the board the past February to complete the term of her husband, Harry Silbert, following his death.

The other member of the board is Arthur W. Sherwood, an attorney.

Chief clerk is E. Paul Mason Jr. and coordinator is Stanley Weiner.

Tawes to consider Watts in future judge appointments

Gov. J. Millard Tawes said this week he feels Municipal Court Judge Robert B. Watts lost his bid for re-election because of the position of Watts' name on the ballot and promised to consider him in making future judgeship appointments.

Both the assessment of the Nov. 6 election and promise were made in a letter to John W. White, president of the National Alliance of Postal Employees.

Judge Watts, one of the most popular of the sitting judges, led the Democratic primary in the primary ballot ing but lost his seat in the general election to Joseph Broccolino.

There has been considerable discussion throughout the community on why Judge Watts lost.

* * *

MRS. JUANITA JACKSON MITCHELL, legal redress committee secretary for the NAACP, charged that Gov. Tawes contributed to Judge Watts defeat by leaving the names of the judges from his official ballot.

NAPE added that "political chicanery" played a part in the defeat of Judge Watts.

At the time Mrs. Mitchell made her assertion, Judge Watts said he believed he would have won had not the alphabetical listing on the ballot placed him last on the line.

In disagreeing with other reasons advanced, Gov. Tawes said, "I do agree with Judge Watts' own evaluation of the results of the election which attributes his defeat on his position on the ballot."

He expressed his "greatest respect and admiration" for Judge Watts and added: "You may be assured that in determining future appointments to the bench, Judge Watts will be given serious consideration."

Snow, icy streets put Mayor Goodman to work on traffic

Tuesday night's sub-freezing temperatures and accompanying snow gave Mayor Philip H. Goodman his first official occasion to inspect the city's traffic movement, since taking office last Thursday.

Icy streets slowed traffic to a crawl on main thorough fares and downtown streets, causing many minor fender bashing accidents.

Mayor Goodman was out in it all, driving around keeping close contact by his auto telephone with the Department of Transit and Traffic and Bureau of Highways.

The Bureau of Highways had all available crews out spreading salt and cinders with the Mayor aiding in the directing of this work.

Ouch! property tax rate 4c higher

If you are a property owner in the city, your tax rate for 1963 will be four cents more per $100 assessment.

If you are a renter, it is very likely your landlord's increased property tax rate will be passed along to you.

The real estate tax rate for next year will be $3.95 per $100 assessment — an increase of four cents over the $3.91 currently in effect.

The City Council okayed the city's 1963 budget Tuesday, following cuts to bring the tax rate to the $3.95 level.

The budget reached the Council a few weeks ago, calling for expenditures which would have required a $4.02 tax rate.

In plain dollars and cents, here is what the new tax rate means:

* * *

IF YOUR property is assessed at $5,000, your tax for this year was $117.30.

Next year the four cents increase will bring this tax to $118.50, or $1.20 more per year and about ten cents more or slightly higher a month on your property payments.

If your property is assessed at $5,000, your current tax amounts to $197.50, or slightly higher per month on note payments.

This tax rate, of course, is more heavily felt, in accordance with the increased value of the property.

For example, a property assessed at $8,000 carries a current tax of $312.80, and a 1963 tax of $3.20 higher at $316.

A property assessed at $10,000 is currently taxed at $391, but with the next year's increase will be $4 per year higher a $395.

The City Council cut the Board of Estimates submitted budget by $1,877,928, to slice the suggested property tax rate from $4.02 to the $3.95 which will be in effort next year.

THESE CUTS included:

Baltimore Urban Renewal and Housing Agency —

(Continued on Page 31)

74 register Dec. 6th to 12th, total 119,218

If you have not yet registered to become eligible to vote, you may now do so.

Who should register

These persons over 21 years of age who have lived in Baltimore for one year or more and are not registered to vote.

Where to register — Supervisors of Elections, ground floor of People's Court Building, Gay and Fayette Sts.

Hours you can register — Monday through Friday, 9 a.m. to 4 p.m.; Thursday, 9 a.m. to 7 p.m.

Total registered for Nov. 1960 election, 106,306.

Total registered for May, 1962 primary, 113,761.

Total registered for Nov. 1962 election, 118,869.

*Total registered Nov. 22 - Dec. 1—195.

Total registered Dec. 6 to 12—74.

*Total to date: Dec. 12—119,218.

	D	R	I
Thursday	12	1	0
Friday	12	0	0
Monday	17	3	0
Tuesday	15	1	0
Wednesday	9	3	0

*AFRO weekly tabulations.

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150 OTHER SELECTIONS
MANNING-SHAW
NO. 9-6262 Eves. and Sun., FO. 7-9281

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Hendlers Christmas Treat
Conforming to our custom, established in 1912, we will give our annual treat of Hendlers good old-fashioned ice cream on Christmas morn, to the children in all the Baltimore orphanages and children's wards of the Baltimore hospitals.
Institutions desiring this treat for their kiddies should communicate with us in writing, on or before December 14, stating the number of children to be served.
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JAN. 6
The J. J. Burns Wesleyan Service Guild of Mt. Zion Methodist Church, Keys Ave. and Gilmor St., hears the guild Sermon at 3:30 p.m., The speaker will be the Rev. B. A. Dyson.

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THANKS, SAYS MRS. SANTA--BUT!

(STORY IN COLUMN 1)

MERRY Christmas To ALL

Baltimore Afro-American

THE WEATHER
Snow this afternoon, night and part of Saturday. Snow, possibly being mixed with sleet or rain before ending. Snow accumulation four inches or more. Rest of weekend, cloudy and moderately cold.

71st Year, No. 44 — Copyrighted 1962 by AFRO-AMERICAN CO., for all material previously printed in the current National Edition — BALTIMORE, MD., DECEMBER 22, 1962 — ★★★★★★★ — 32 PAGES 15 CENTS

'Grandma Is Dead Down In The Cellar'

Mrs. Santa Thank you but help!

Somewhere in this city on Christmas morning, a young child will awaken and discover that Santa Claus has not passed him by.

His eyes will light up with happiness and Christmas will take on a new meaning in his young heart.

Multiply his case by hundreds and you have an idea of what the AFRO'S Mrs. Santa Project has accomplished this year.

* * *

THE FAMILIES who will benefit through the project are the city of Baltimore, who have appealed to Mrs. Santa for a helping hand.

Unfortunately, because of the record number of certified requests, Mrs. Santa has not been able to reach all of the families who have written her.

However, there are so very many that have been assisted, that she can not help but feel a sense of pride in the way her readers have responded.

Through the money donated, Mrs. Santa will purchase well stocked food baskets from Penn Fruit, that will be delivered on Saturday by the 229th Truck Transportation Battalion.

Bread for the baskets has been donated by the Schmidt Baking Co.

In this, her next to last appeal for Christmas 1962, Mrs. Santa is listing an additional 75 families who have not been aided.

If any person, club or organization would like to adopt one or more of these families for Christmas, Mrs. Santa asks that you call her at Mulberry 5-0015 and give her the case number.

She in turn will provide the name and address of the family, along with any other pertinent information.

If you feel that you would

(Continued on Page 12)

MRS. SANTA examines some of the dresses she has received from persons assisting her in helping the needy at Christmas. Mrs. Santa will be on hand Monday to greet the youngsters who are attending the AFRO-REGENT Theatre's annual party at the Regent Theatre. The best show yet is on the schedule for the youngsters, featuring live acts and a new film.

Mrs. Santa sometimes finds reason to smile

Even as she moved into her busiest weekend still faced with the prospects of not having enough to help all the needy, the AFRO's overworked Mrs. Santa could manage a few smiles this week.

She was very pleased when a woman from the 500 block Orchard St. came in and said, "I want to help somebody." She had a $5 bill in her hand. Mrs. Santa asked if she were sure she wanted to give it all.

"I've never had to, but I've been close to having to ask help at times for myself," she said. She gave the $5, leaving Mrs. Santa with a little smile on her face.

Tuesday, the AFRO ran a picture of a Washington blind woman who had been put out in the street when she could not pay her rent.

* * *

THE FIRST call to offer help came from Mrs. Annie Mae Hunter, who operates a home for the blind here. Mrs. Hunter, blind herself, often has depended on helping hand from others to keep her and her group going.

"We have a room here and if we can get her here we

(Continued on Page 3)

Movie, dynamic show, gifts and goodies await kiddies at Regent

The time is 10 a.m. Monday, Christmas Eve.

The place is the Regent Theatre, 1527 Pennsylvania Ave.

The event is the AFRO-Regent Fifth Annual Christmas Party for children whose families have appealed to Mrs. Santa for help.

This is the fifth straight year Mrs. Santa has entertained the 1,200 plus youngsters with a delightful film, super live show, gifts and goodies.

This year's edition bids fair to be the best yet, thanks to Mrs. Santa and Henry Hornstein, owner of the Regent.

* * *

THE PARTY will kick off with a brand new movie, never before shown in this area and it begins at 10 a.m.

While the youngsters are watching one of the newest and most exciting pictures to come out of Hollywood, waiting in the wings will be a collection of local entertainers who will star in a fast-moving, dynamic, live show.

* * *

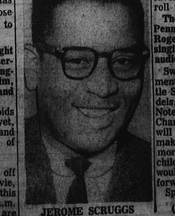
THE TROUPE will be headed by Jerome Scruggs who'll lead his House Rockers band through a variety of favorite popular and rock and roll tunes.

The lovely and talented Fanny Kleran and Phyllis Rogers, girl vocalists, will be singing pretty for their young audience.

Swinging vocal and instrumental groups, including Little Sonny Day, and the Shydeds, Little "D" and the Love Notes, the Matadors, and Charles (Fat Boy) Purvis will add their talents to help make Christmas a little more merry for a lot of children who otherwise wouldn't have much to look forward to.

Special guest star will be

(Continued on Page 3)



JEROME SCRUGGS

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- CHRISTMAS GREETINGS From your favorite merchants—Pages 17-24
- COLORFUL RECIPIES for the holiday season—Page 9
- LENNY MOORE gives reaction to Westminster complaint—Page 29

IN NATION'S CAPITAL

3 Howard students arrested

By MARY STRATFORD

WASHINGTON

A court test of the practice of police arrests for investigation was nominent this week after three Howard University students were detained Sunday on suspicion and released after nearly two hours without charges.

* * *

HERBERT REID, professor of law at Howard University, said he and associate counsel have been authorized by the students to file a suit seeking an injunction restraining the police department from continuing the practice.

The proposed legal test follows Commissioner Walter Tobriner's disclosure that the Board of Commissioners has decided to permit police to arrest for investigation though such arrests are "unconstitutional." Tobriner stated the arrests would continue until "an acceptable Constitutional substitute is found which will not hamper police work.

* * *

NOTING COMMISSIONER Tobriner's position, Reid told the Washington AFRO, "The only way we can prevent these types of arrests is to bring suit."

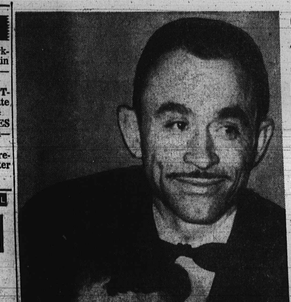
He stated that while the primary aim of the proposed litigation will be injunctive relief, punitive damages for false arrest will also be sought against the police department and individual officers involved "so that this is not solely an academic question."

* * *

THE STUDENTS involved are Bobby B. Stafford, 23; Arthur C. Gaston, 24, roommates at 1335 14th St., N.W. both second year Howard Law School students and Miss Walretta Odom, 20, 158 W St., NW, an interne in dia-

(Continued on Page 2)

The AFRO will be published next week on Monday, Dec. 24. All departments will be CLOSED on Christmas Day, Dec. 25. and New Year's Day, Jan. 1



SLAIN MATRON. Mrs. Evelyn Everett, found dead in her Harlem Ave. home on Tuesday evening, is shown here with her husband, John C. Everett, who was asleep at the time a killer invaded their home. The Everetts are active members of Union Memorial Methodist Church. This 1958 photo was made when the Mr. and Mrs. Everett entertained for their debutante daughter who had been presented at the Cotillion.

IN HAPPIER DAYS — This photo made five years ago shows Acy Chandler and his bride, the former Eleanor Everett, following their wedding. This week, Chandler was accused of the death of his mother-in-law, Mrs. Evelyn (Abby) Chandler, prominent church worker

Son-in-law held in her slaying

By GEORGE W. COLLINS

"Grandma is dead down in the cellar!"

Gay holiday preparations at the home of Mr. and Mrs. John Everett were suddenly turned into a nightmare on Tuesday evening, so this Christmas will be a time for weeping at 2526 Harlem Ave.

Mrs. Evelyn (Abby) Rogers Everett, 42, comely and doting gradmother is dead.

Only eyewitnesses to her violent death were two grandchildren, a boy, 4; and a girl, 3.

"Grandma is dead in the cellar!" they screamed over and over, as they called for help.

AND THESE words were the only ones they said repeatedly hours after the killing, according to their **mother, Mrs. Evelyn Chandler.**

The children's father, Acy Ivan Chandler, 200 block S. Hilton St., 32, onetime football star and former Indiana policeman, has been charged with the killing.

He is being held without bail pending a hearing to be set by the . . . Attorney.

* * *

HOMICIDE DETECTIVES testified before Municipal Court Judge Joseph G. Finnerty that Western District police found Mrs. Everett dead in the cellar when they responded to a call at 7:30 p.m. Tuesday, at the house in a quiet residential area of West Baltimore.

The Medical Examiner ruled that death was due to multiple ice pick stab wounds, one of which pierced the heart.

Chandler was arrested less than a block from the scene, Det. Sgt. Ernest Erhardt testified. An ice pick and knife were recovered, police stated.

* * *

AT HIS arraignment in Homicide Court Wednesday afternoon, Chandler, a 200-plus pound onetime college football player, and former policeman, attempted to plead guilty, but Judge Finnerty wouldn't allow him.

When the judge began reading the charges, which also included assault and striking his estranged wife, Mrs. Eleanor Chandler, the day before, Chandler interrupted:

"Sir, I've already pleaded guilty."

"Just a minute," Judge Finnerty cautioned, "this is a serious charge and you should have counsel before you enter a plea."

"I KNOW THAT, sir, but can I say something?" the accused asked.

"Now, just a minute, you just be quiet, you are making it difficult," Judge Finnerty

(Continued on Page 28)

Slain Grandma's rites Saturday at church where accused was wed

Funeral services for slain Mrs. Evelyn (Abby) Rogers Everett will be held Saturday 11 a.m. at Union Memorial Methodist Church, Harlem and Warwick Aves.

The pastor, the Rev. N. B. Carrington, will officiate. Mrs. Everett was active in church activities, as was her husband, John, who is an usher.

The Everetts attractive daughter, Eleanor, and her husband, Acy I. Chandler, were married at the same church little over ago. There were several bridesmaids and ushers. The ceremony was witnessed by a large number of relatives and friends.

One Christmas, joy; now 30 years later, tragedy

By B. M. PHILLIPS

On Christmas Day 1932, Mrs. Geraldine Chandler, just 21, gave birth to a baby boy in Battle Creek, Mich.

Her other child, Helen was two years old.

Mrs. Chandler moved her family to Ft. Wayne, Ind.

The boy, named Acy Ivan Chandler, was a healthy youngster who did well in school, **earned a scholarship** to college.

The girl, Helen, injured in a fall when she was seven, remained bedridden until her death four years ago.

* * *

SUBSEQUENTLY, Mrs. Chandler met and married Clint Buckner, a bartender at Ft. Wayne's Van Armond Hotel. He is 52.

Late Tuesday evening, Mr. and Mrs. Buckner received a call from Baltimore.

Mr. Buckner told the AFRO: "Yes, it was last night. Some lady called to tell us he was accused of killing his mother-in-law."

"I was here at the time, yes. He was a good kid when he was living at home."

Mr. Buckner added that he had not seen Acy in two years, but Mrs. Buckner had been to Baltimore to visit him, his wife, Eleanor, and the two children.

Acy and his bride lived at their Ft. Wayne home shortly after their marriage. At the time he was on the police force.

In fact, Mr. Buckner recalls, the oldest of the two children, a boy, was born while the Chandlers lived there.

* * *

WILL MRS. BUCKNER come to Baltimore soon to see her accused son?

She told the AFRO: "Well, not now."

Mr. Buckner explained: "My wife works for the state—the Ft. Wayne State School for Crippled Children.

"It depends on when she can get some time off, maybe before the first of the year."

"Yes, said Mr. Buckner, "It will be a sad Christmas for her. . .

"You're right," he remarked. "Acy was born on Christmas Day, and now this Christmas this. . . ."