FREED — Ervin Lee Johnson, who ended three and a-half years on death row Thursday in the Maryland Penitentiary, yawns nonchalantly as he listens to questions from AFRO reporter. Johnson was freed by Criminal Court Judge George L. Russel Jr., who ruled that a confession which resulted in conviction and death sentences, was illegally obtained.

—Judge Russell

(Continued from Page 1)

"differing from my esteemed colleague and friend."

Asked his reaction Monday, Judge Russell flatly refused to be drawn into the dispute.

"My verdict was rooted in existing law and I am of the opinion that it would be improper for me to discuss it any further," he said.

THE FULL text of Judge Harris' latest statement follows:

"I deeply regret the necessity of differing from my esteemed colleague and friend Judge Russell concerning the outcome of the Johnson case.

"Johnson was originally tried before me in 1963.

"At the trial, he did not even challenge the evidence, including his confession, that he had lured to his room a 7-year-old girl, the daughter of a young couple who had gratituously given him a room in their home.

"He tried to rape the little girl and when she started to cry out, he strangled her and stuffed her body in a closet.

"The evidence also showed that prior to this fiendish act, he had tied the wife of his next door neighbor to her bed and raped her, threatening to kill her if she told anyone.

"I found Johnson guilty of all three offenses and sentenced him to death in each case.

"These convictions and sentences were affirmed by the Court of Appeals and the U.S. Supreme Court refused to review them.

"Johnson was granted a new trial, however, because our Court of Appeals decided the Sobolevitz Case before his petition to the Supreme Court had been rejected by that court.

"Before the new trial could be held, the Supreme Court decided the Miranda Case, which laid down specific requirements for the taking of a confession by the police.

"Some, but not all, of these requirements had been complied with when Johnson's original confession was taken, although there was no coercion exercised.

"Unfortunately most or all of the state's case rested upon the confession.

"As of this time, it is legally uncertain whether or not the Miranda principles applied to retrials as distinguished from original trials.

"Judge Russell decided, perhaps correctly, that the confession could not be used at the retrial.

"Having done so, he found Johnson not guilty because of the lack of evidence.

"Because it is doubtful that the state can appeal this ruling and obtain a final Appelate Decision on the question, I personally believe it would have been more prudent to have admitted the confession and let our Court of Appeals make the final decision on another appeal by Johnson.

"I also took exception to certain comments proportedly made by Judge Russell after Johnson's acquital in which—at least as reported in the press—he apparently expressed some admiration for the "Constitutional Safeguards" laid down by the Supreme Court, but, which resulted in this tragic miscarriage of justice.

"That a confessed and convicted rapist-murderer goes free because of technicalities is a matter of universal regret and I would have expressed this regret publically in no uncertain terms.

"What I have said reflects in no manner upon the well-known judicial ability and integrity of Judge Russell for whom I have the highest admiration."

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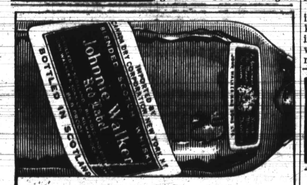

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—Money man

(Continued from Page 1)

out again on Saturday. This time he targets a "regular early morning step-sitter."

Cumberland Richardson was the Money Man's first lucky "step-sitter." Although only one was needed to win, Mr. Richardson had two Lucky Coins and an AFRO which entitled him to $6.

Mr. Richardson, 2229 Myrtle Ave., is a retired porter.

Kerney Alexander was the next winner to claim his prize. All he did was show a copy of Friday's AFRO to the Money Man and he was his.

A truckdriver, Mr. Alexander lives at 1544 Argyle Ave.

Attracted by the commotion around MM's (Money Man), Eugene Washington, 'walkest' winner, did just that "what's going on."

That walk netted him $1 for having a Lucky Coin in his possession. He lives at 1530 Argyle Ave.

"Oh my goodness, get the AFRO," was the reaction of Mrs. Dorothy Saunders, MM's next winner. After a few minutes passed by and no AFRO, she screamed, "Can't they find it?"

"They" found the AFRO and a lucky coin in "foot" which brought her winnings to a total of $6.

Mrs. Saunders, a housewife, lives at 321 Mosher St. She and her husband, James, attend Gillis Memorial Church.

• • •

MRS. HORTENSE CHAMBLISS, 523 Mosher St., was $1 winner. She has the distinction of being the oldest resident in her block having lived there for 30 years. She is a retired dressmaker.

A retired switchboard operator was MM's last winner for the day. Mrs. Narcissus Pinkey, 319 Mosher St won $1.

Before her retirement, Mrs. Pinkey had been the cheerful "hello" on the other end of the Provident Hospital telephone for 29 years.

• • •

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If you have any of these AFRO Lucky Coins, bring it to the AFRO office, 628 N. Eutaw Street, before 5:30 p.m., Thursday to collect your coin.

2 Nutmegs, Bays on Va. State list

PETERSBURG, Va. — Four New Englanders were named this week to the Virginia State College spring semester Dean's List, according to Registrar Robert M. Hendrick, Jr.

They are Cordelia Hurley, of Hartford, and Gloria Lovelace, of Waterbury, Conn., and Ernestine Williams, of Roxbury, and Dita L. Edwards, of Springfield, Mass.

GEORGE LEE — LEO B. CROWDER

—Mate took

(Continued from Page 1)

home to complain of Mr. Payton. She said, testified Mrs. Payton, that he was the father of her baby girl and that she needed support for the baby.

She told the young woman that she would send Mr. Payton to her and that they could discuss the matter.

The young woman later wrote a letter to Mrs. Payton in which she said that she was sorry that she had gone to the home, that she knew she must have hurt Mrs. Payton and that she was sorry for the hurt.

She said that at the time she was angry with Mr. Payton because of how he was treating her and their baby and had intended to get even with him.

She said, too, that her mother was pressuring her to give the baby away and that she could not bear being separated from her baby, which she loved.

The letter became an exhibit in the case.

Three days after receiving the letter she moved from the home the wife said.

A short time later she added, Mr. Payton had moved another woman into the house. The latter was an entirely different girl, the wife said. The latter testimony was corroborated by her father, Harry E. Johnson, who said that he was in the house and saw Mr. Payton and the other woman both of whom admitted the charges.

• • •

A DIVORCE went to Raymond Carter of 2730 Winchester St. from Mrs. Jacqueline Carter of 1011 W. Lanvale St., on grounds of voluntary separation.

The couple, married in 1957 and separated in 1961. They are parents of three children, whose custody was given to the mother. Mr. Carter will provide $25 per week support for the wife and children.

• • •

MRS. AILENE McDONALD of 4026 Cranston St., who was divorced by Harry McDonald, will receive $90 per month for support of their year-old sons, Kevin and Keith.

Mr. McDonald must also pay her attorney $50, and pay the rent on their home as well as gas, electric, oil and telephone bills.

The divorce was granted on grounds of voluntary separation.

• • •

VOLUNTARY SEPARATION was also the basis for the divorce that went to Mrs. Dora V. Brown of 123 N. Fremont St. from Louis F. Brown of 304 Elizabeth Ave.

Mrs. Brown said that she and Mr. Brown were "not getting along so well" and he wanted to call the marriage off. She said that she agreed, and he helped her move from their home.

The Browns, married in 1941, and separated in 1965, are parents of seven children.

• • •

THREE CHILDREN of Mrs. and Mrs. Calvin Harris, who were divorced Thursday were placed in custody of their paternal grandmother, Mrs. Walter Duvall.

Mr. Harris is charged with support of the children and Mrs. Harris (Joan) was given visitation rights.

Mr. Harris, who first charged his wife with infidelity, later filed supplementary papers for grounds of voluntary separation.

Their marriage lasted from December, 1953, to May, 1960.

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Weaver, Wilkins, Clark ask passage of open housing bill

WASHINGTON (UPI) — The administration told Congress Monday that the nation's cities and their riot-prone ghettoes cannot be rebuilt until discrimination in housing is totally eliminated.

Atty. Gen. Ramsey Clark and Secretary Robert C. Weaver of the Housing and Urban Development Department joined in pleading for passage of President Johnson's proposal to end housing discrimination over a three-year period.

But Roy Wilkins, executive secretary of the NAACP, said that this summer's riots have created a crisis which demands an immediate end of segregation in all forms of housing.

Clark and Weaver testified as the Senate Housing Subcommittee opened three days of hearings on the administration's controversial "Open Housing" Legislation which was defeated last year by a filibuster led by Senate Republican Leader Everett M. Dirksen.

EVEN THOUGH the housing subcommittee is considered a friendly forum for civil rights legislation, Senate liberals have conceded that the open housing measure has no chance of passage this session.

Under the administration's proposal, the first year would be devoted to efforts at voluntary compliance. Housing for rent or sale by a non-occupant and accommodating five or more families would be covered as of Jan. 1, 1968. All housing would come under the law Jan. 1, 1969.

Clark told the subcommittee that "segregation in our cities is inconsistent with our ideals.

"We must show a doubting world that different races can live together in a free country with equality and justice," Clark said. "Finally, we cannot realistically hope for greatness in our cities while segregation is forced."

WEAVER, seconding Clark's testimony, said "discrimination in housing is at the root of many of the evils in today's racial ghettoes."

In prepared testimony, Wilkins said "we believe developments since the bill was introduced have created a crisis situation that demands immediate action." He urged the subcommittee to rewrite the administration bill to provide for immediate coverage of all housing once the legislation is enacted.

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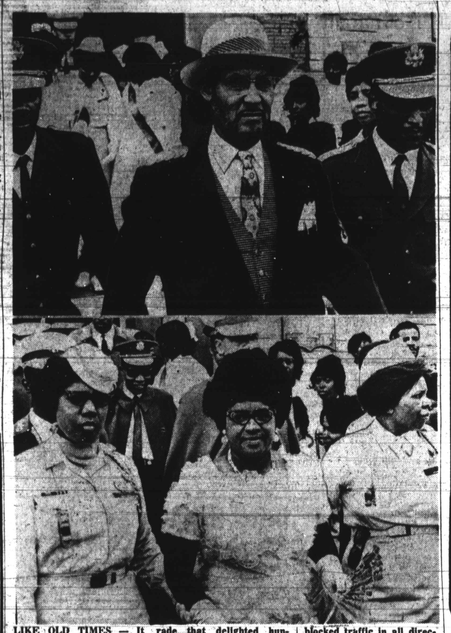

LIKE OLD TIMES — It was like old times Sunday in the 600 block W. Preston St. when Bishop McCullough, who inherited the reins of leadership of the House of Prayer For All People from the late Sweet Daddy Grace, conducted the religious sect's annual street baptizing and mammoth parade. Above he was photographed leaving the church before ascending to his throne-like float which dominated the parade. In bottom photo Mrs. McCullough is assisted to her convertible by aides, who accompanied her on the parade that delighted hundreds of followers who blocked traffic in all directions.

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'Miss Iowa' surprised at being a loner

By MAX JOHNSON

"I am surprised that there are no other colored girls in this contest. I had thought there would be winning entries either from New York, Pennsylvania or Maryland."

These were the initial comments to the AFRO Friday of pretty Miss Carolyn Delores Williams, a 20-year-old junior at Parsons College, Fairfield, Iowa, and a contestant in the Miss World USA pageant held here Friday through Saturday at the Civic Center.

Miss Williams came representing Iowa, among contestants from 50 states.

Though a native of Jefferson City, Mo., she had been crowned Miss Iowa after winning a state-wide contest there.

Crowning ceremonies were in Denver, Colo., Aug. 1, along with Miss Kansas and Miss Colorado.

• • •

FOR THOSE who like particulars in these things, Miss Williams is majoring in business administration, and hopes to open a modeling school after graduation.

She lists as special talents the painting of abstract pictures, fashion designing and posing as a photographer's model.

More specifically yet, here are her measurements: bust — 37; waist — 24; hips — 37; height — 5-4½; weight — 125; hair — black; eyes — brown; swim suit size — 12 — 12; dress size — 9; shoe size — 8½ AAA.

I saw no particular point at this time in asking whether she had Democratic or Republican leanings.

She is the daughter of Mr. and Mrs. Elvester Williams, 901 Monroe St., Jefferson City, Mo., and a younger brother is David, 12.

The opening of the Miss World USA pageant Friday evening brought out a sparse crowd of slightly over 2,000 to the Civic Center.

• • •

NAMES OF the 15 finalists in Saturday evening's presentation were withheld until that time, when the star of almost everything entertainment-wise, Bob Hope, appeared as master of the proceedings.

This was Baltimore's first host to a nation-wide beauty contest finals, and the turnout evidenced a so-what attitude on the part of area residents.

Some Civic Center attachees said, however, the affair had been badly promoted.

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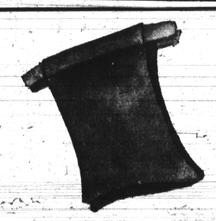

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