Burch lays ground rules for election of governor

By PETER J. KOPER

Using historical research and court precedents to interpret Maryland's constitutional maze, Attorney General Francis B. Burch has determined that a joint session of the General Assembly will chose Maryland's next governor by a majority public vote of those present.

The formal opinion from the state's highest legal officer came in a 22-page legal report in answer to questions posed by State Senate president William S. James.

The opinion from Mr. Burch answered three questions concerning who elects the new governor, what kind of majority is required for election, and if the ballot for the election is to be public or secret.

Referring back to the 1867 constitution under which the state government operates, and citing Constitutional Convention debates from 1851 as well as 60-year-old court cases, Attorney General Burch stated that there must be a joint session of the General Assembly, and that a public vote of a quorum is needed. A simple majority will be required to elect the new governor to replace Spiro T. Agnew.

Mr. Agnew will be officially elected Vice President of the United States on December 16 when the Electoral College meets to make the November 5 results official.

Governor Agnew will takes over the duties of his national office on inauguration January 20. Before that a date a new governor for Maryland has to be elected by the General Assembly.

In the legal opinion given by Attorney General Burch, the question of what happens when neither of the candidates for governor receives a majority of votes is not discussed. This parliamentary point may be crucial as the race for governor may have more than two candidates.

There is a possibility that the General Assembly can make its own rules concerning the number of votes needed for election, creating a situation where the candidate with the highest number of votes from a quorum will become governor.

Mr. Burch conceded in speaking with reporters that his legal guidelines could be ignored, but he added that it would mean that any election held for the new governor would probably be contested in the Maryland Court of Appeals.

The confusing situation on how to pick a governor to fill the unexpired term of Spiro Agnew arises out of the maze of material presented by the existing 100-year-old state constitution and a long list of amendments that have been tacked on through the years. The last revision of succession laws for the governorship were enacted as amendments in 1959.

The constitution under which the states operates does not provide for a lieutenant governor. A new constitution which cleared away much of the deadwood accumulated over years of amendments and which provided for an assistant chief executive was defeated by state voters last summer.

Deputy Attorney General Robert F. Sweeney, who collaborated with Mr. Burch in the opinion, told the AFRO that if none of the candidates for governor receives a majority of votes in a joint session, then voting would continue until one of the candidates did get a majority.

Mr. Sweeney also said that he was preparing legislation for an amendment to the constitution which would provide for a lieutenant governor. He said that an election for the post could be held along with a referendum asking voters to approve the needed amendment.

Fourth District Delegate Lloyal Randolph said that he expected the governor to call a special session of the General Assembly before its scheduled January 13 meeting in order to resign and to elect a new governor.

House Speaker Marvin Mandel appears to have the most support in his candidacy for the governorship and the Attorney General's rulings will give him additional backing from the House of Delegates, where its 142 members outnumber the 43 state senators. According to Mr. Burch's opinion a quorum of 93 legislators is needed to elect a new governor.

Drawing on precedent, Article II of the 1867 constitution, and several court cases, Attorney General Burch concluded in his report that "We believe that the House and Senate are required to meet together in a single assembly to elect a governor.

"Second: — We believe that a quorum of 93 members must be present before the General Assembly can conduct the election of a governor. Once the presence of a quorum is established, it is our opinion that a governor must be elected by a majority of all of the votes cast on the question, and not by a mere plurality of the votes cast."

Deputy Attorney General Sweeney said that the finding that a plurality could not elect the governor was "the most important part of the ruling."

The third conclusion listed by Mr. Burch stated that the vote must be a public vote.

MOVIE NO MORE — Neighborhood children who have spent many enjoyable hours in what formerly was the Ambassador Theater at Liberty Heights Ave. and Gwynn Oak Ave., watch the building with understandable curiosity since it was suddenly converted into a dance hall under the sponsorship of a catering firm.

No master plan for integrating schools quickly

By ROGER NISSLY

The president of the Baltimore School Board said yesterday that he doubts there can be a quick master plan solution to the problem of integration in the city schools.

Board President Francis D. Murnaghan characterized the questions raised by City Solicitor George L. Russell's weekend opinion on school integration as not simply to be swept away with "a magic wand."

Mr. Russell's opinion, made public on Saturday, pointed out that it can be argued that 34 per cent of the black children in the city are being denied of their constitutional right to attend integrated schools.

"I wish I could just wave a magic wand and the schools would be completely integrated," the School Board president said Monday. "But I don't have a wand that big."

Action on integration will be forthcoming, Mr. Murnaghan said, though probably not on the master plan scale.

Mr. Murnaghan said the recommendations on the report would come from School Superintendent Thomas D. Sheldon and his staff. He looked forward to a program that would provide "more and more incentives" for integration.

The mechanics, he said, would be left to Dr. Sheldon. "When you have a good man, you try not to bind his hands."

Dr. Sheldon said Monday that he has not yet received City Solicitor Russell's opinion, but will go over it with his staff and build the suggestions from there.

The nine-page opinion, prepared at the behest of David Glenn, director of the Community Relations Commission, besides looking at statistics on students, also noted that "the law requires the School Board to proceed immediately with a workable faculty integration plan."

One School Board member urged immediate attention to faculty integration, particularly in relation to high school principalships.

Board member Mrs. Elizabeth Murphy Moss said that it is not of course, previous to Dr. Sheldon's taking up of his duties July 1, voted against all personnel appointments to protest the lack of integration of high school principalships.

Since Dr. Sheldon's appointment, she has voted for appointments, adopting a wait-and-see attitude.

"The time has long passed," she said Monday, "when we could ignore the integration of high school principalships and faculties."

Judge Russell pointed out that faculty integration has

(Continued on Page 18)

OIC plans to continue operations

The Rev. Sidney Daniels emerged from a 1½ hour board meeting Monday afternoon and wearily announced that the Opportunite Industrialization Center (OIC) of Baltimore will continue, without radical changes for at least a month.

When the meeting began, a group of 20 pickets marched on the sidewalk before the 1000 block Valley St. entrance to OIC. Spokesmen said the group were all trainees at OIC and were protesting the apparent end of the program, and indifference and non-participation by some OIC Board members.

The Rev. Mr. Daniels is president of the Board of Directors of OIC, and was specifically exempted from the picket's criticism.

With the board president when he made the announcement that the program would continue was Father John G. Harfmann, secretary of the board.

Since May, 1966, when OIC was incorporated — with the help of the Philadelphia OIC — over 630 trainees have been placed in jobs under the program, with a retention rate of

(Continued on Page 18)

Local 44 aims to enroll majority of city workers

The "Green Power" advocates of Local 44 of the American Federation of State, County and Municipal Employees (AFSCME) have officially won Baltimore's first representation election for city employees, it was confirmed Monday.

Local 44 has thus been approved by almost 3,500 blue-collar workers in the Department of Public Works as their exclusive bargaining agent.

After a final count of the 2,506 ballots cast in the election, held Tuesday at polling places in DPW yards throughout the city, the official score was announced.

Local 44 won 1,157 votes, more than the total number of votes won by two opposing unions.

The Classified Municipal (CMEA) ran a distant second with 615 votes, and Local 1231 of the Laborers International Union (LIU) came in third with 509. Only 26 votes favored no representation at all.

At a post-election celebration, Local 44 President Raymond Clarke predicted easy victories in the three other city employees elections in which Local 44 will be involved.

"The Public Works election was the only one where we had any real competition, and we got more votes there than all the other organizations combined," he said.

Local 44 officials have expressed confidence that their union will be the clear choice of the 1,100 City Hospital employees and 170 City Jail guards and maintenance workers, who will go to the polls in separate elections Thursday.

A clear victory is alo expected in the Dec. 10 election, when over 3,800 custodial and cafeteria worker at Baltimore public chool will vote.

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"IN THESE upcoming elections we are running against the CMEA, which most of the workers know has been in the bosses' pockets for 38 years, and has done nothing for the workers in all that time," Mr. Clarke explained.

"We feel confident of victory after talking to thousands of workers in the hospitals, schools, and jails — they want a strong fighting organization that can win victories for them.

"So we're looking beyond the elections, and beginning to lay out the program we're going to carry to the Mayor, to improve the wages, hours, and working conditions of the more than 10,000 city employees Local 44 is going to represent after the elections on Dec. 10."

• • •

IN FULL agreement with Mr. Clarke, AFSCME's international representative, Peter Moralis, gave added emphasis to the importance of Tuesday's victory.

"Many hospital and school employees have relatives and friends working for the DPW," he said, "so naturally they want to be in a union that already represents several thousand fighting union members.

"Tuesday's victory convinced the ones who were sitting on the fence."

• • •

WALTER LIVELY, also an international representative, noted that Local 44 will be the second-largest union in Baltimore after the election, when only the Steelworkers will have a bigger membership.

Speaking of the fast growth in Local 44's membership, he added: "When one union in the course of several months becomes the bargaining agent for 10,000 workers where there

(Continued on Page 18)

Ceremonies today start Broadway

Ground will be broken for the Department of Housing and Community Development's newest public housing project, The Broadway, at 11 a.m. today (Tuesday) at Broadway and Orleans St.

Commissioner Robert C. Embry Jr. will preside, and the Rev. Charles Ott, CSSR, of St. Michael's Roman Catholic Church, Wolfe St., will give the invocation.

Remarks by the Honorable Mayor Thomas J. D'Alesandro III and by Mesdames Mildred Lee and Ella Strother, members of the Resident Advisory Board, will be included in the program.

The Rev. Walter L. Parrish of the First United Missionary Baptist Church, Caroline and McElderry Sts., will give the benediction.

• • •

THE FEDERALLY aided project will be constructed on a super block which was formed by razing four blocks of deteriorating structures along Broadway, Orleans, Fayette, Ann and Mulliken Sts.

The project will include a 22-story high rise building containing 330 apartments for the elderly as well as 99 townhouses of three, four and five bedrooms for large families.

The high rise building will also include administration facilities, meeting rooms, craft rooms for tenant activities and space for a medical clinic and a day care center.

The townhouses will be clustered around tree-shaded courts and along pedestrian ways. All will face inward — toward the project's center, away from noise and traffic.

There will be no vehicular traffic within the project. Each townhouse unit will have a private rear yard for the use of the individual family. Each unit will also have direct visual contact with one of several community play yards in the project.

Woman, 32, attacked in auto

A 32-year-old West Baltimore woman told Central district police that she was grabbed by four men, dragged to a parked car and criminally attacked by each of her assailants in the back seat of the car.

The woman told officers she was taken from the corner of Madison and Wilson Sts. at about 6:40 p.m.

A male companion of the victim told police that he returned to where he had left her, then began a search which ended when he found the woman in hysterical condition at Madison and Laurens Sts. No arrests had been made at presstime.

OLD AND NEW — John Wellsey, 1505 Abbottson St., points with pride to what is his collector's item — a 1914 copy of the AFRO. A painter by profession and stamp by hobby, Mr. Wellsey said he acquired the treasured edition while serving as AFRO news carrier. He has a 60,000-stamp collection. Mr. Wellsey reports but has not had his collection evaluated. He is married to Mrs. Vera Wellsey, a housewife.

Fire victim rescued by patrolman

A 21-year-old woman is hospitalized in "serious" condition with burns following her rescue from a blazing apartment by an Eastern District patrolman.

Mrs. Betty Ashby was carried unconscious from the front roof of her 1400 block E. Preston St. apartment by Patrolman Eugene Keener, who with his partner had noticed smoke pouring from second story windows at about 1 a.m. Sunday.

A neighbor, James Johnson, 48, who accompanied the policeman into the building, praised the officer.

"If he hadn't been there, she'd have burned to death," he said.

Another resident of the building, Miss Cecelia Hersey, 19, was attempting to reach her third-floor apartment when she was blinded by smoke and tumbled down two flights of stairs. She was treated for bruises and released.

The fire of undetermined origin gutted the two upper stories of the three level structure.

Morgan gets $113,874 for Math Institute

A National Science Foundation grant of $113,874 has been awarded Morgan State College for support of the fifth Academic Year Institute in Mathematics for Secondary School Teachers, with Dr. Walter R. Talbot as director.

This new grant will allow experienced secondary school teachers to spend an entire year and related summer session in full-time study of mathematics.

Courses in the Institute must be taken for credit and the credits earned may be applied to meeting the 30-hour requirement for the degree of Master of Arts.

Stipends and allowances include a basic stipend of $3,000 payable monthly, an allowance of $450 for each dependent up to a maximum of four, a book allowance of $75 and a travel allowance not to exceed $120.

Thirty teachers have already received master's degrees under the program.

Applications must be sent to Dr. Walter Talbot, Morgan State College, before Jan. 20.

Detectives posed as physicians

In a special case, the Grand Jury handed down an indictment on Nov. 26 against a Johns Hopkins University bank messenger for larceny of $1,096.

Records show Sgt. Salvatore Corona, Sgt. Richard Nevin and Det. Joseph M. Nixon of the State's Attorney's Investigation Division disguised themselves in white coats and posed as Hopkins physicians to close in on the 28-year-old suspect. Arrested was Billy Turrage, 1000 block Colvin Ct., who was apprehended on the way to bank on Nov. 26.

• • •

ACCORDING to records

(Continued on Page 18)

Bishop Powell dies after long illness

The Rt. Rev. Novbe C. Powell, 77, who retired in 1963 as bishop of the Episcopal Diocese of Maryland, died late Thursday night at Church Home and Hospital after a long illness.

Services for Bishop Powell were held yesterady (Monday) at Emmanuel Church, Cathedral and Read Sts., where he served as rector from 1931 until 1937.

In 1943, he was consecrated bishop of the diocese in the presence of his predecessor, the Rt. Rev. Edward T. Helfenstein. He was the ninth bishop of the diocese, whose first bishop was consecrated in 1792.

Bishop Powell was born in Lowndesboro, Ala. in 1891, the son of Benjamin Shelley Powell and Mrs. Mary Irving Whitman Powell.

After attending Alabama public schools, Bishop Powell entered Alabama Polytechnic Institute where he remained for four years, specializing in entomology.

During the boll-weevil plague, he was appointed an investigator for the Bureau of Entomology, United States Department of Agriculture.

He graduated from the Virginia Theological Seminary in Alexandria in 1920, and ten years later he was awarded a doctorate of divinity. there.

He was ordained a priest in 1921.

Dr. Powell accepted the call from Emmanuel Church in January of 1931 and for more than six years made himself felt in the parish, which at the time of his arrival, was suffering from the drift of its congregation toward the suburbs.

He became president of the board of trustees of the Church Home and Hospital and of the Maryland Home for Colored Children during these years.

In 1937, ten years after he had been nominated for election as bishop coadjutor of Virginia, Dr. Powell ac-

(Continued on Page 18)

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How Dangerous Is The 'War' Between Police And Militants?

STORY ON PAGE 5

Ex-Lincoln President Slain Near Campus House

STORY ON PAGE 18

1 Killed, 5 Hurt In Weekend Violence

(STORY ON BACK PAGE)

Baltimore Afro-American

Coach Feels Toe Of Shoe

(SEE A To Z)

77th Year, No. 43 BALTIMORE, MD., DECEMBER 10, 1968 30 PAGES FIVE ☆ EDITION 15 CENTS

Vandals, Arsonists Wreck Schools

HEAVY TOLL — Vandals literally wrecked the Calverton Junior High School No. 75 Sunday night. At left chief custodian Leonard Thompson shows how an undetermined number of hoodlums smashed doors to enter classrooms throughout the building in the 1100 block Whitmore Ave. Center panel shows how desk drawers were ransacked and papers strewn over the floor in Unit C office. At right the art classroom was heavily damaged by paint on desks and the floor.

Rev. Daniels wins support in OIC war

By GEORGE W. COLLINS

Support came late Monday from two quarters for the Rev. Sidney Daniels, president of the Board of Directors of the Opportunities Industrialization Center, Inc.

The Rev. Mr. Daniels, a target of sharp criticism and a demand to resign, judged publicly by 18 members of the professional staff of OIC, was given a "vote of confidence" by a majority of his fellow board members.

One of the crucial charges leveled by disenchanted staffers was also refuted by spokesmen for agencies and organizations which control funds which have been contributed to or about to be contributed to the organization.

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Text of the statement of vote of confidence follows:

"We, the members of the

(Continued on Page 2)

Nixon names first black assistant

NEW YORK (UPI) — President-elect Richard M. Nixon, Monday chose a 33-year-old North Carolina man as a special assistant to seek ways of developing black capitalism.

Robert J. Brown, a member of the board of the Southern Christian Leadership Conference, was

(Continued on Page 3)

Coppin students pushing boycott

By PETER J. KOPER

Coppin State College students went into the third day of their class boycott today (Tuesday) after presenting a three-page list of "demands" to college President Dr. Parlett L. Moore at a student meeting Monday.

The boycott of classes at the West Baltimore campus stopped normal activity according to student leaders and administration officials.

Dr. Moore said last night that there would be a statement from the administration on the continuing boycott this afternoon.

"The school is open," Dr. Moore emphasized. However, he admitted to reporters that "the numbers attending are very small."

"The boycott is expected to continue until next Monday." Student Government Vice President Sandra Stokes told the AFRO.

Students have set a Monday deadline for President Moore's response to their demands.

Student Government Association President Michael

(Continued on Page 3)

Indict youth on housing law charges

NEW YORK (UPI) — An 18-year-old youth now serving in the Marine Corps has become the first person indicted under the new federal fair housing law, it was announced Friday.

"Atty. Gen. Ramsey Clark said in Washington the indictment was returned late Thursday by a federal grand jury in Brooklyn against Dennis Peise.

It charged him with setting fire to his next - door neighbor's home in West Babylon, N.Y., because the owner planned to sell the house to a colored family.

Brooklyn Federal Judge George Rosling set Dec. 19 for arraignment of Peise, who was reported by his parents to be in South Carolina.

(Continued on Page 2)

Calverton struck; Fire guts Booker T.

Calverton

What officials believe to have been "a large group" of vandals struck at Calverton Junior High School over the weekend leaving the school with a massive Monday morning cleaning job.

At least 20 classrooms were struck, according to the assistant principal, William F. Jeffres.

Monday school officials were still taking an inventory of the damage and had no estimate of the cost of the destruction.

Mr. Jeffres detailed some of the vandalism as desks turned over, file cases disrupted and fire extinguishers turned loose.

A number of typewriters also were twisted so as to be unusable, he said, adding that the damage had to be the work of a rather large group.

The school was broken into at several places.

Mr. Jeffres said that classes were held as usual Monday, with just the extension of homeroom period and some shifting of classrooms, while the damaged ones were being cleaned up.

Some youngsters did leave the school, he said, after they came in saw the damage and left the school for the day.

Booker T.

Captain John Richter of the Fire Department's Investigation Bureau estimated that the Saturday night fire at Booker T. Washington School No. 130 caused "about $75 to $100 thousand in damages."

Under Captain's Richter's supervision the Bureau has also established that the fire was started by arsonists.

"There were three separate and distinct fires in that building," Captain Richter told the AFRO.

Further investigation revealed that the fires may have been a cover up for burglary.

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"We found a cpy machine which had been removed from its storage place out in the first floor hall," Captain Richter said.

As yet authorities have been unable to determine if any of the school's equipment is missing.

The fire was first discovered on the first floor center of the old building by police officers.

"And before they could finish with that one," one of the school's engineers said, "they discovered another one in the new building," which is a block away from the location of the first fire.

• • •

Storage closets which contained Science Department equipment, projectors, film, slide machines were completely destroyed.

"All the shelves are gone," the engineer said but no one has determined whether the shelves were torn out by firemen or someone else.

The engineer who guided AFRO reporters through the gutted building indicated that the first fire was confined to the "first floor

(Continued on Page 3)

Ministers hold posts in contest

The five top leaders in the AFRO's Favorite Minister Contest held in tightly to their positions in heavy balloting in the latest phase of the contest.

The Rev. Lewis Conway, of First Mt. Pleasant Baptist, is the first to exceed the 300,000-vote mark. He has topped that barrier by 8,000 votes to remain in first place.

Other leaders are:

The Rev. W. P. Mitchell, Payne Memorial A.M.E.,

(Continued on Page 2)

Mrs. Santa drops party to buy more food baskets

"It was a difficult decision because the children have so much fun.

"In view of unprecedented requests for food, I am convinced that it is proper that we drop the show and use the funds to buy as much food as possible for needy families."

The AFRO's Mrs. Santa issued that unprecedented shift in plans for her annual Christmas charity project for needed families at presstime Monday.

Since the Mrs. Santa charity project was inaugurated more than 10 years ago nearly 2,000 underprivileged children have been treated to a Christmas theatre party each year.

It included a live show by popular local entertainers a series of children movies and gifts.

• • •

Mrs. Santa is cancelling the show this year so that funds normally required to stage the show can be diverted to buying food baskets.

As it has consistently

(Continued on page 23)

Mrs. Santa's hose arrive

When the AFRO's Mrs. Santa held her fashion show and luncheon at Friendship Airport Hotel last month, all guests were to receive Hanes stockings

The mailman was late and the hose did not arrive in time. Guests may claim their prize Hanes hose by calling at the AFRO office with the ticket stubs they were asked to save.

The hose, provided you have the stub, may be picked up any day from 9 to 5 at the AFRO office, 628 N. Eutaw St. and on Saturday from 9 to 12 noon. Just ask for Mrs. Santa.

Freak accident claims singer

By BETTYE MOSS

"He was such a wonderful boy, as sweet as he could be . . . he would have been 17 in April . . . he had his future all planned . . . he was going to Morgan and stay in town so he could continue to sing with the Castells . . ."

Mrs. Maenovia Best, 1707 N. Bentalou St., was speaking of her son, Cecley Lamontt Best, who was killed in a freak accident last Sunday.

Called "Marty" by his friends, young Best was fa-

(Continued on Page 3)

Motown special proves strong TV award threat

By REGGIE GOODWINK
(Special to AFRO)

HOLLYWOOD — Motown Production Inc.'s first television special, "TCB", last Monday night on the NBC Network as an eloquent in interpretation of soul, lyrically expressed by two superbly talented acts, Diana Ross and the Supremes and The Temptations.

There can be little doubt that, getting in under the wire for the 1968 season, the program initialled for

(Continued on Page 2)

TAKING CARE — Diana Ross and Eddie Kendricks are shown at the height of one of the several hot numbers performed by the Supremes and the Temptations on the "Taking Care of Business (TCB)" special shown Monday night on NBC-TV. It was the first TV venture of Motown Productions, Inc., new Hollywood subsidiary of the Motown Record Corporation of Detroit.

'Pool parlor' bill passed

The familiar 13-5 split with the liberal faction of the city council on the losing end made another appearance last night as an attempt to send a "pool parlor" bill back to committee failed.

The bill, which would open pool halls with more

(Continued on Page 2)

chuckle

A bandit walked up to the cashier's window at a movie theater, pointed a gun at the frightened girl inside, and growled, "That picture you're showing in there is lousy — give me everybody's money back!"

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