



# THE CHARLOTTE NEWS

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FINAL

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# SO LICITOR ASKS INDICTMENT OF JUDGE BOYD, FOUR OTHERS

## White, 3 Bondsmen Also Are Charged

(Court Probe Play-by-Play on 9-A)

By ANN SAWYER  
News Staff Writer

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## Step Down, Council & Mayor Urge

By DICK YOUNG  
News Staff Writer

### Man Surrenders

WASHINGTON — (AP) — Carmine DiBiase, one of the FBI's 10 most wanted fugitives, surrendered today in New York. FBI Director J. Edgar Hoover, in announcing this, said DiBiase was wanted on a charge of murdering Michael Erzeccolo on Dec. 26, 1951.

### Tanks Sabotaged

PARIS — (AP) — Four gasoline storage tanks went up in flames at Rouen today in another raid by Algerian saboteurs. Watchmen wounded one of the Algerians who attacked the Rouen oil depot, 70 miles northwest of Paris, with explosive charges.

### Open Society

NYRBORG, Denmark — (AP) — The World Council of Churches today appealed for an open society among nations to bring about understanding and trust.

### Protest Rally

BERLIN — (AP) — A defiant protest rally by 4,000 East German Catholics and Protestants against Communist religious persecution was reported today by the Catholic newspaper Petrus Blatt.

### Joint Drills

TAIPEI, Formosa — (AP) — Nationalist and U. S. planes conducted joint air defense exercises today over the coast of Formosa as Red Chinese batteries continued to pound the Nationalist-held islands just off the coast of mainland China.

### On Vacation

MOSCOW — (AP) — U. S. Ambassador Llewellyn Thompson left Moscow by American Air Force plane for a three-week holiday in Germany and Italy. The ambassador is expected to return Sept. 20.

### Evening Prayer

Father, whenever I am afraid, whatever the fear may be, take Thou my hand and my fears will vanish. When I am alone, let me hear Thee say, "Fear thou not; for I am with thee. Be not dismayed; for I am thy God." Lead me safely home, Father, For Jesus' sake. Amen.

## Teachers 'Schooled' For School

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Judge Basil M. Boyd, who faces charges of willful neglect of duty, should immediately leave the bench in city recorder's court, Mayor Smith and members of the City Council, said today.

Besides Mayor Smith, those who felt the Judge should turn over his duties to Vice Recorder Peter Germs until the charges are settled were Councilmen Claude L. Albee, Herman A. Brown, Everett Wilkinson and Councilwoman Martha Evans.

When asked what action the council might take regarding Judge Boyd's tenure pending completion of the case, Mayor Smith said:

"I would think that Judge Boyd of his own accord would step down until these charges are cleared."

Here is the comment of other council members: Councilman Albee — "Judge Boyd should remove himself as judge of city recorder's court and if he does not the City Council should remove him immediately."

Councilman Brown — "I would think the judge would for the best interest of the court and the community step aside and let the recorder take over until this whole thing is cleared up."

Councilman Evans — "I think my position has been very clear all along in this matter but I believe the Council should be called into special session at once if Judge Boyd does not voluntarily resign."

Councilman Wilkinson — "Of course, it does not mean a man is guilty just because he has been indicted and the council can't actually remove the judge until he has been convicted of malfeasance but I believe the judge will himself want to step aside until the matter is cleared up."

**ACTED WISELY**

Councilman Steve W. Dellinger — "I have firm convictions about this whole matter but I am not ready to discuss them now. However, I think the council has acted wisely about the situation up to now and I am sure the public will be pleased with the final outcome. I am also sure the council will discuss the latest developments and will arrive at a proper decision."

Councilman Herbert H. Baxter — "In America a man is regarded as innocent until he is proved guilty in court. I shall withhold comment until the case is settled."

Ernest Ford was unsuccessful in his attempt to force the council to remove Judge Boyd from office and then only for malfeasance.

Section L of Chapter 338 Private Laws of 1956 which created the Charlotte Recorder's Court says:

"The recorder may be removed from office by the board of aldermen now the City Council by unanimous vote for malfeasance in office."



Solicitor Stott (right) As He Reports To Judge Fronberger Today

## Ex-Contestant Tells Rehearsal

NEW YORK — (AP) — A former quiet show contestant said today he had joined in teeing television viewers with rehearsed questions and answers — and even manure.

Newspapers reporting his story did not identify him nor the allegedly fixed show, except that it was not the defunct "Daisy" program that already is under investigation.

The district attorney's office now is looking into the contestant's allegations concerning the second show, which was said to be still on the air.

The contestant said he not only was handed the questions and answers prior to the show but that he was given what amounted to a course in acting.

"You'd think I was Marlon Brando," he was quoted in the New York Journal American. "I was told how to bite my lips, clench my fists, look agonized as I supposedly struggled to find the answer."

"They even told me how, at the last moment, to make my face light up as if the answer had suddenly come to me. It all made the thing very dramatic."

The contestant said his winnings mounted into the five figure mark and then "I got the 2s. They decided that my value was fading and that I had to go."

The newspaper said he became embittered after his successor went on to greater earnings and, after the "Daisy" allegations became public, decided to report his experiences on the other show to the district attorney's office.

## Extraordinary Session

# Little Rock Case Hearing Is Opened

WASHINGTON — (AP) — The Supreme Court opened an extraordinary integration session today—and found the government ranged firmly alongside the NAACP in urging "no delay" in the mingling of races at Little Rock Central High School.

The great maroon drapes behind the bench in the marble courtroom parted about noon and to the ancient cry of "over"—hear ye—the justices walked to their seats.

It was the third crucial session on school segregation within half a decade, and specifically at issue was: Should integration at Central High resume forthwith, or be postponed 2½ years. That was the narrow issue but the decision could have profound effect on the whole, far-flung desegregation struggle.

Justice Eisenhower spoke yesterday of favoring a "slow approach"—Solicitor General J. Lee Rankin urged the tribunal to brook no delay. Rankin is the executive branch's official spokesman in the Supreme Court.

"How his stand squared with that of Eisenhower was a question on which there was no immediate guidance from the White House," James C. Hagerty, Eisenhower's press secretary, said he saw no difference between the President's views and Rankin's. Asked whether Eisenhower himself sees any difference, Hagerty said he hadn't asked the President. He promised to do so later.

Technically, Rankin's no-delay brief, filed a few hours before the constitution opening, was addressed to the specific situation at Little Rock. But it contained a general do-it-now argument which could apply in any situation where public opinion would not permit opposition to desegregation is the basis for efforts to hold off immediate mingling of the races in classrooms.

**NUB OF ARGUMENT**

Here is the nub of that argument as set forth by Rankin: The Supreme Court itself in its 1955 order for integration with "all deliberate speed" specified that the constitution would not permit peaceful race mingling at this time.

Eisenhower, in speaking of the constitution, said that he believed the Justice Department brief—the one filed today.

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## New England Area Alerted

MIAMI, Fla. — (AP) — A hurricane watch was ordered today for southeastern Massachusetts and Rhode Island as a storm with winds of 125 miles per hour moved almost due north in the Atlantic.

At 11 a. m. (EST) today, Hurricane Daisy was 110 miles south of Cape Hatteras, N. C.

Gale warnings were raised at 11 a. m. from Provincetown, Mass., south to Morehead City, N. C.

Tides were about two feet higher than normal along the Outer Banks of the North Carolina Coast.

Rising tides and six-foot-high swells were reported at Wrightsville Beach, N. C., this morning.

Heavy rains which started two to four days ago along the entire North Carolina coastline continued but there were no reports of winds above normal.

Farther up the coast at Elizabeth City, heavy rains which started four days ago continued. There was a brief lull early this morning for an hour before the rain resumed.

**DANGEROUS KISSES**

LOS ANGELES — (AP) — It didn't matter the bridegroom when the wedding guests kissed the bride. But now it's got the Health Department worried. It has been discovered that Marlene Mansfield, 21, was suffering from infectious hepatitis when she was wed.

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JUDGE BOYD



S. TOTT

## Judge Boyd: No Comment

By JERRY REECE  
News Staff Writer

It was business as usual in City Recorder's Court today even though Solicitor Grady B. Stott had asked the indictment of Recorder Basil M. Boyd.

Judge Boyd heard routine traffic cases and larceny charges in his usual straight-faced, quiet-voiced manner.

The only deviation from normal was in the presence of several TV and newspaper reporters in the courtroom.

"When the judge strode from the courtroom at 11:35 a. m. the reporters were waiting. 'May we talk with you, judge?'"

"I have no comment to make to you gentlemen," Judge Boyd replied, not even slowing his pace.

The newsmen followed him down the hall. "Do you plan to continue to hold court?" one asked.

"No comment," he replied. Three others of the five were also silent.

Allen White, former police lieutenant and clerk of the recorder's court, contacted by phone at his new job said, "I have no comment to make at this time."

Bondsmen Leo Reynolds said, "I don't have anything to say."

Another bondsman, J. H. Brantley, when asked if he had any comment on the matter said, "None whatsoever."

The third bondsman, a Bill Bridges, could not be reached.

**ACCOMPLISHMENT**

WASHINGTON — (AP) — Sen. John A. Carroll (D-Colo.) said today one of the finest accomplishments of Congress was to reject legislation to undercut recent decisions of the Supreme Court.

## Passengers And Crew Flee Crashed Airliner

MINNEAPOLIS, Minn. (AP) — Fifty-six passengers and crew of a flaming Northeast Orient Airlines DC6B today after the four-engine plane struck a wire fence and plowed into three farm buildings.

None of the passengers or four crew members was killed. At least 49, including Rep. Don Magnuson (D-Wash.), were taken to hospitals. Most suffered minor cuts or bruises. Several were treated at the scene and released.

Smoke filled the plane as passengers crawled through a hole torn in the fuselage where a wing broke off during the big plane's mile-long skid through a cornfield west of Wald-Chamberlain Field, the Minneapolis-St. Paul airport. It had just taken off, at 3:40 a. m. on a flight to Oregon and Washington.

**"MIRACLE"**

"It's a miracle any of us got out alive," it seemed so basic, said Mrs. E. C. Wiegand, 48, Sandusky, Ohio, who was traveling with her

husband and three children.

Flames consumed the plane after passengers were evacuated. Rescue workers found men, women and children standing in the fields, many of them dazed.

One crewman tossed a baby through the fuselage hole into the waiting arms of its mother.

An airlines spokesman said the plane was airborne when it clipped a fence rimming a cornfield, a force beyond the runway.

**PLANE SLIDES**

It bounced three times and slid along the ground for a mile, wrecking a garage, granary and shed on the Jerry Christian farm.

The plane came to rest only 30 feet from the Christian house, about four blocks from the metropolitan baseball stadium on Minneapolis' southern outskirts.

The plane landed on its left side, making it impossible to open the doors. But the crew directed passengers through the fuselage hole.

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