

Senate Okays Bill to Up Judges' Pay

The Atlanta Journal; January 16, 1961; pg. 9,1

Curtis Driskell

Our Ill Paid Judges

The Atlanta Journal; January 17, 1961; pg. 20,1

Judges' Pay Raise

The Atlanta Journal; January 20, 1961; pg. 13,4

Doesn't Want Judgeship, Smith Asserts

The Atlanta Journal; March 1, 1961; pg. 38,5

Hall, Eberhardt Appointed to New Appeal Court Posts

The Atlanta Journal; March 16, 1961; pg. 2, 2

A Pair of Aces

The Atlanta Journal; March 17, 1961; pg. 26,1

Attorney Asks Citation Against Judge Alverson

The Atlanta Journal; July 26, 1961; pg. 11,2

Start Fresh on White Appeal State Court Tells Judge

The Atlanta Journal; July 28, 1961; pg. 2,6

Appeals Judge B.C. Gardner Retiring at 78

The Atlanta Journal; September 16, 1960; pg. 1,4

Custer Rated Top Choice for Judge Townsend's Spot

The Atlanta Journal; October 8, 1961; pg. 20,1

Judge Townsend's Burial Set at Dade Birthplace

The Atlanta Journal; October 8, 1961; pg. 20, 4

it any
ever
you,
Stan-

ng



NDER

Love."
e it's
riddle.
I way
general

noticed
a love
a
than
"little
in the
of the
along
our
trou-
grow

o the
y that
iness,
ventur-
d has
pound

arious
and it
lligent
to the
and
othing

se the
into:
rn for
i

R

... snow banks were rather high so he put on his skis and reached the meter.

ASKED BY newsmen after the private conversations were concluded if he plans to push for re-

Senate Okays Bill To ~~Up~~ Judges' Pay

Salary for Supreme, Appeals Courts Would Go to \$25,000 a Year

By CURTIS DRISKELL

The Georgia Senate Monday passed a bill to raise the salaries of Supreme Court and Court of Appeals judges from \$18,000 to \$25,000 a year.

The vote, on a roll call, was 36 for and 17 against.

Nobody spoke any outright opposition to the bill, though Sen. Mark W. Fitzpatrick of Jeffersonville said he thought the \$7,000 was a "pretty big jump at one time."

Sen. Fitzpatrick said he knew the state needs good men in its high courts, but he also said the teacher situation in Georgia is very serious, and that the state is losing its teachers at a fast clip, some of them because of the comparatively lower pay to the teaching profession in Georgia.

Sen Earl Staples of Carrollton,

however, said some recent figures show the national average for state high court judges is \$26,500, and he said there are some Superior Court judges in Georgia who make several thousand more annually than the State Supreme Court and Court of Appeals judges.

Sen. President Pro Tem Carl Sanders said the bill was an effort to prevent "what has happened in Washington." He said the state must keep getting "good, qualified men" to sit on the two courts and that the only way to do it is to pay them enough.

THE SENATE also passed unanimously a bill to allow judges on county courts or any other courts from which an appeal can go directly to the State Court of Appeals to come under the qualifications for Superior Court judges emeritus. The vote was 40-0.

Sen. Spence Grayson of Savannah said the bill would affect only about 20 judges in Georgia and that it was a fair bill.

The bill was transmitted immediately to the House.

Chiangists Win

TAIPEI, Formosa, Jan. 16 (AP)—Chiang Kai-shek's Kuomintang Party has won 216 of the 300

All legislators snob he said, that Gov. V: "made certain cor and now is faced w court orders which he ternative but to obey.

"LET US, the mem House, take the ini take the governor off he said.

Rep. Lovett criticize he said were still in Georgia could defy government. He said blame the federal jud possibly for the haste they made some of th

He went on: "I thin enough sincere men ir who will want to pas that will put us in b in dealing with the f ernment, by showing t not trying to defy ther

LATER, REPEATI peal for repeal of laws, Mr. Lovett s: quicker we do it—eith tomorrow—the better be."

Alluding to the situa ens, he said he reg had happened there the newspapers would and give some of the (instead of) magnifyir currences."

He said he had tl respect" for univers: but added: "I do thin students should be tre: as the Negroes were "Apparently they

(Advertiser) WANT TO SN NEW KIND O 30 DAYS FRI

Chicago (Special)— ciple that contradicts you've ever had : smoking. E. A. Car ness man, who dis guarantees it to smo

Ex-Atlantans Die in Fire; Children Hurt

An Indianapolis flash fire, which authorities think was set, has taken the lives of two former Atlantans, and three children are in serious condition as result of injuries sustained in the fire, it was reported Monday.

The Associated Press reported Monday Mrs. Sarah A. McCleskey died of injuries Sunday. Her hus-

N

1

Cuba Libre Spirit

NOBODY KNOWS how reliable are the reports of a serious rebel challenge to Fidel Castro's domination in Cuba. A growing band of insurgents under the command of Maj. Evelio Duque are said to be threatening to cut the narrow island in two. Premier Castro is reported to be leading an army of 30,000 against them.

News from the rebel forces in the Escambray Mountains is fragmentary. We know little of the political aspects of the widening revolt. But we can be sure that it is the same spirit of "Cuba Libre" that is aroused whenever the tyranny of dictator becomes too cruel and repressive for a freedom-loving people to bear.

Our Ill-Paid Judges

THE STATE Senate has approved a measure to give judges of the Supreme Court and Court of Appeals an increase in salary.

There are many arguments in its favor and no reasonable argument against it. The work loads of the courts are increasing and a career on the bench must be made financially tolerable if the bench is to continue to attract capable men.

These posts are relatively ill-rewarded today in relation to similar judgeships in other states and indeed in relation to the county supplemented incomes of Fulton Superior Court judges.

Trying to hold the line here would be false economy. But passage of this bill would be elemental justice.

The Lame Duck Budget

THE FORMULATION of the federal budget is a painstaking and time-consuming process. So for the sake of continuity and order in government we must put up with something as awkward as the lame duck budget.

The record peacetime budget proposed by the President Monday reflects the Eisenhower approach to fiscal policy and the role of government in general. It also responds in some measure to the mounting criticism which the administration has absorbed in the past year.

There is, for instance, a recommended \$1.4-billion hike in defense expenditures. There is a proposed boost of \$250 million for foreign aid spending, with special new emphasis laid on Africa and Latin America. The new budget contemplates an increase of \$195 million for space projects for a total of nearly a billion dollars to be spent astronomically.

In each of these fields, there is much more at stake than expenditures

if the teachers help bring they can share in the prize of local revenue.

The educators have become trinated with the idea of going Legislature for relief, that they consider what might be accomplished where.

This is an ideal year for the down on increasing local participation in the school program.

Voter Bills and 'Cou

ONCE AGAIN FULTON County temping to get bills which boost voter registration through general Assembly. Once again it that misunderstanding, or lack of standing, will not interfere.

The two bills in question a local matters. One would separate offices of county tax commissioner and county registrar. The other would require persons to register to vote in of towns surrounding Atlanta.

The sole purpose of the bills is to increase voter registration.

Yet, two years ago the governor vetoed the bills and last year he vetoed them because they were tied up in committees.

Legislative courtesy permits voters in most counties to handle local bills routinely, without interference from forces outside the county. The basis for this policy is that legislators are best informed of the internal workings of their home counties.

Fulton County would appreciate legislative and executive courtesy in handling local bills this year.

The Buckhead Plan

LIKE MOST of Atlanta, Buckhead is by chance. It quickly developed a pleasant rural crossroads and center into a suburban nightmare.

Now plans are underway to turn this nightmare into a sweet dream. The plan is that by untangling traffic, providing plenty of parking and making the area generally attractive, people will flock back to Buckhead to spend their money instead of going to other shopping centers where the living is easier.

The plan has been presented to the Board of Aldermen and later will be discussed at a Buckhead citizens meeting.

Whether anything will be done depends primarily upon the property owners and businessmen of the area.

In the meanwhile it looks like the plan, and if Buckhead wants to put it out in whole or in part, Buckhead

Also in the meanwhile, what

ple" series at 7:30 p.m. ning College, NE.

enforcement officers of this state. The power of pay is the power of control."

THE RESOLUTION added: "Without inferring that the existing office holders who would constitute the board would do so, it is conceivable that future office seekers or holders may use this power of budget control as a political lever on the politically potent sheriffs of this state."

The association said that a board of appeals would know "nothing of the conditions or circumstances in the various and numerous counties of this state."

People who run the county—in other words, the county commissioners themselves—"are those who have to run for election... and who through reviewing taxes have to raise the revenues with which to pay salaries," the resolution said.

THE COUNTY commissioners were not the only ones who were making it plain that they didn't like the salary bill.

The State Chamber of Commerce said Thursday that it has withdrawn support from the bill and is now backing another that would give the state patrol great power over arrests of traffic violations.

Larry Lord, director of the state chamber's travel bureau, said that the salary bill, which is currently pending in the Senate, has been "too watered down to merit our consideration."

He said the state chamber "wanted a statewide mandatory bill to abolish the fee system" and thereby doing away with speed traps.

THE STATE chamber is supporting instead, he said, a House measure which would place traffic enforcement on all federal-aid highways in Georgia under the state patrol. Under it, sheriffs and deputies would be agents of the patrol while enforcing speed laws and could lose their right to make traffic arrests.

The bill was introduced earlier

investigative ways the state might finance additional services to its people.

As its chief proposal, the committee urged that local governments undertake tax reappraisal programs in order to derive more local revenue.

ONE OF THE chief measures approved Thursday permits the State Revenue Department to lend money to the local governments who want to undertake tax reappraisals.

Other bills will authorize all cities in the state to undertake reappraisals. will have tax officials keep tab on real estate property and encourage able people to serve on tax assessor boards.

Approved also by the Special Judiciary Committee was a resolution setting up a committee which will study Georgia's election laws.

This committee is proposed by Rep. Harold Willingham of Cobb County and would supplant a similar committee already in existence.

Judges' Pay Raise

A legislative act that will put Georgia's Supreme Court and Court of Appeals judges in the \$25,000-a-year salary bracket cleared another hurdle Thursday.

The Senate measure, now in the House, was approved by the House Judiciary Committee. That puts it up for a vote by the full membership of the House, where it is expected to encounter its first stiff opposition.

The forecast of this opposition came earlier Thursday at a meeting of the House Education Committee. Rep. Earl Story said during that hearing that he is not in favor of raising the salaries of judges until something is done to raise the pay of teachers. He got general assent from his colleagues.

Sen. Erwin Mitchell of Dalton is author of the bill. The judges affected now make \$18,000 a year.

Mental Health

The House got measures to create a State Department of Mental Health, to allow the use of

ing the number of members each county may send to the Georgia House in the 1962 election. It involves no new formula for representation.

The bill simply strikes out the section which governed apportionment of House members through the 1960 election—and inserts the new apportionment.

Baldwin County Rep. Culver Kidd introduced his promised bill to create a Department of Mental Health.

MR. KIDD has talked up this idea somewhat, but it is generally opposed by Gov. Vandiver, whose mental health program is often criticized by Mr. Kidd.

Mr. Kidd's bill would establish a mental health commission to supervise the Mental Health Department and, among other things, elect the director of the department.

What apparently is a new "unmarked car" bill was introduced by Sen. Samuel Braly of Dallas. His bill proposes to change the uniform traffic act by striking out the section which says motor vehicles operated on official business by any person authorized to make traffic arrests must "be distinctly marked" with the name of the agency.

Attempts to get through an unmarked car bill for the State Patrol failed in the legislature last session.

A CHATTOOGA County legislator has introduced legislation proposing that Georgia governors be allowed to succeed themselves, but not to serve more than eight years straight.

The resolution came from Rep. James Floyd. It would call for a referendum on a proposed amendment to the Georgia Constitution.

It could not become effective before 1963 if passed by this session of the General Assembly and then approved by the voters of Georgia.

Rep. Floyd said he believes a governor needs four years to get his program well begun, and by that time he is ready to leave office.

Her other atue of Gen. the Capitol aned and réserve its pa

rs. Kibler is ary of State in charge of

gubernatorial erman Tal- Griffin, and ministration, gably cham- placed the ar- in the h- includes its of famous eption of the she worked and patriotic the accom- Final busts all at which English-born v York, was rs, and an Atlanta Art

bler success- to send the ite veterans, ederate Sol- sing home in officials said ould be bet- ers and that red for other nents. Mrs. he idea, re- er and other lie had con- I facili- v. na and scheme was

ue. Fu ab / rak kn He Ea sin I Ea her res Poi wo: A sor tion in- of me: Ha: A hek wht use Wo: rod lets T me: pre mu ties C Cap the D guis Fir cen Bur at 2 A T den in T cell adn Tea gra The ner T ach tud the me

Our pace of life invites acid indigestion, gas, and heartburn. But today Tums brings you fast, long-lasting, safe relief any time, anywhere. Keep pleasant-tasting Tums always on hand: the 3-roll pack... only 30¢



Margaret Mitchell's story of the Old South had its world premiere at Loew's Grand Dec. 15, 1939, the front of the theater was transformed into a representation of Twelve Oaks, the Wilkes family plantation home.

For this premiere a combination of Twelve Oaks and Tara, the plantation home of Gerald O'Hara, Scarlett's father, and named for the ancestral home of Irish kings, will be reproduced.

GOV. ERNEST VANDIVER has officially designated next week "Gone With the Wind Week" in Georgia by proclamation and

tume ball at the Atlanta Biltmore Hotel the following night and the anniversary premiere of "GWTW" the evening of March 10.

Doesn't Want Judgeship, Smith Asserts

The Georgia House moved Wednesday to create two more judgeships on the State Court of Appeals, after it was pointed out in some pretty strong language by House leaders that none of the representatives were in line for the positions.

Before the bill was put to a vote, House Speaker George L. Smith said he wanted to stop rumors going around that he and Floor Leader Frank Twitty wanted the measure to pass because they were looking to be appointed.

He completely squelched the rumors by saying there was nothing to them, and pointed out, anyway that no member of the House could be appointed to a position if created. "As to being a Court of Appeals judge," Rep. Smith said, "I had my chance and I stood by the House."

Floor Leader Twitty declared that "no trades" for the position had been made by any member of the House. He said the rumors were completely unfounded and were being circulated by "irresponsible people."

The bill, sponsored by Rep. Pierre Howard of DeKalb County, calls for increasing the number of appeals judges from seven to nine. It finally passed 110-49.

REP. HOWARD, speaking for the bill, said the two extra judges, who would be paid \$17,500 each annually, were needed because of the growing caseload in the appellate court. He said the two additional judges would create a third division of the court to speed up disposition of cases.

Rep. Earl Storey of Gwinnett County spoke against the bill, declaring that when clerks and secretaries for the new judges were included, the total cost to the taxpayers would be something like \$60,000 a year.

Sees Tourist Boom

MOSCOW (UPI) — The Soviet Tass news agency predicted today that 800,000 foreign tourists would visit the Soviet Union this year.

STOPS Leaky Toilets

ART-LAKEWOOD REF JARY SALE

K" COLLECTION

CHERRY CHEST OF DRAWERS
32" x 18" x 32"

GLASS MIRROR
32" x 24" x 17 1/2"

DRISLER BASE
42" x 18" x 34"

designed, hair-
s have a hand-
finish protected
Johnson's wax.
Chests have
hardware, are
out and have
vers. All bot-
ined with Ten-
sh-cased backs.

our choice

59.95 each

RAWERS
PAK LINED



Powerful Palm-Size Transistor



Shel-It All-Steel Shelving
• 4 - Shelf unit; 60" high, 30" wide, 12" deep
Reg. 8.88
\$7.77

Super-Power 1/2" Shopp Drill
• For heavy duty work
Reg. 34.95



Black & Decker Utility Finishing Sander
• Trigger switch — high orbital speed — gives surfacing jobs professional look.
Reg. 29.95
\$19.99



Mound City Latex Point
• For more beautiful interiors
• Long-lasting, protective
\$2.95 Gal.



Roller and Tray Set
Reg. \$1.25
99c



Famous G-E Steam Iron
• Fabric heat control
• Lightweight
Reg. \$18.95
\$13.88

SALE!
Pop-Up Toilets
Sale!
with adjust controls
Reg. \$26



1st Quality Molded 1 1/4" Toilet Set
• Non-rusting fittings
Reg. \$3.95
\$2.99

BIG Barbec
With Rot 6-RMP H rific Pre price!

would not have gotten its billion-dollar federal contract if Gov. Vandiver and the General Assembly had not passed "open-school" legislation at the recent session.

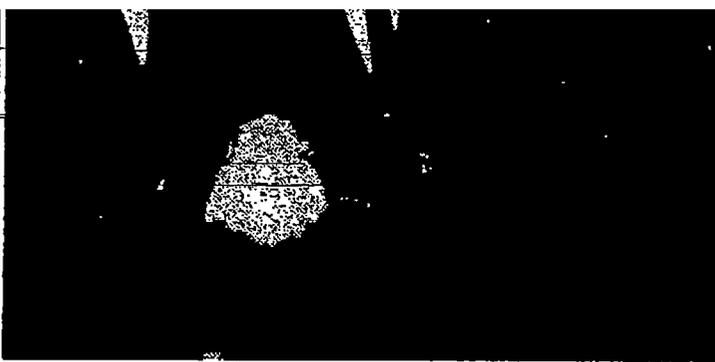
James V. Carmichael, president of [redacted] to, Inc., and onetime candidate for governor, made the comment at a meeting of key participants of the Governor's Conference on Trade and Commerce at the capitol.

"If it had not been for the courageous action of the governor and the legislature in clarifying the school situation," he said, Lockheed, in my opinion, would not have received the contract."

PRESIDENT KENNEDY announced Monday that the Maritime plant is to get a \$1 billion contract for construction of a military transport plane.

It had been widely reported before the 1961 legislative session that Lockheed and other Georgia manufacturing concerns and industries were having troubles in recruiting engineers and skilled personnel because of Georgia's unsettled public school situation.

The recent legislature moved to repeal all of Georgia's school segregation laws. Also enacted was legislation aimed at permitting communities to handle delinquency problems.



Staff Photo—Charles Jackson

GOV. VANDIVER (R) CONGRATULATES MEN
Robert H. Hall (L) and Homer Eberhardt

Hall, Eberhardt Appointed To New Appeal Court Posts

Vandiver Administers Oath In Ceremony in His Office

By **CHARLES POU**
Atlanta Journal Political Editor

Homer Eberhardt of Valdosta, president of the Georgia Bar Association, and Asst. Atty. Gen. Robert H. Hall, head of the criminal division of the State Law Department, have been named to newly created posts on the Georgia Court of Appeals.

Gov. Vandiver announced the appointments Thursday and ad-

ministered the oath of office to the two men in ceremonies in his office.

THERE HAD been speculation that Mr. Hall, who also is a law professor at Emory University, was in line for one of the new judgeships, but the appointment of Mr. Eberhardt, a one-time assistant English professor at Mercer, had been a closely kept secret.

As head of the criminal law division, Mr. Hall has frequently been in the news, principally as an investigator of wrongdoings during the Marvin Griffin administration. Several former key figures of that administration have been indicted on a variety of counts.

SOME OF these pleaded nolo contendere—no contest—in actions in Fulton Superior Court and received fines and probated jail sentences.

A Fulton County grand jury in December declined to indict former Gov. Griffin on proposed changes that he shared in kickbacks in big sales of steel buildings to the state. Mr. Hall had sought an indictment against Mr. Griffin on that count.

The criminal law division was created by Gov. Vandiver to un-

campaign overseas. It will be patterned, apparently, after a drive conducted for North Carolina during recent years under the leadership of former Gov. Luther Hodges.

THE NEW EMPHISIS on selling in foreign markets was brought out in a news conference. It was attended also by chairmen of committees who are directing plans for a Governor's Conference on Trade and Commerce to be held in Atlanta May 21-23.

More than 50 business and in-

chairman
Gov. I
to go to
to confer
now is
mercer.
he will
ers on
Carolina
ROBE
man of
thority,
with for
has a w
the nati
onment
and fore
Plans
group of
take a t
vey ma
Vandiver
Mr. P
needs
kets for

When shore in to opera Jack Georgia merce, "most n the South added: "Twen at Savan wick, to barge te us the n and inla state in

SHE KNOWS OF WHAT SHE SPEAKS

BURLINGAME, Calif., March 16 (AP)—Mrs. John Hillyard was sacking potatoes in a self-service grocery store when a woman beside her remarked something about how "many people we mothers have to feed."

Then she added, somewhat apologetically:

"I'm expecting my 12th child. I suppose you are going to ask, 'How do you do it?'"

"Well, I-I, no," said Mrs. Hillyard. "I know just how you feel about THAT question."

"I already have 13."

MR. HALL has served on the faculty of the Emory law school since 1948.

He is married to the former Miss Alice Marie Coberly of Petersburg, Va. Mr. and Mrs. Hall have three children, Caroline, Patricia and Robert Howell Hall Junior.

A native of Soperton, Mr. Hall is the son of Mrs. I. Howell Hall Jr. and the late Mr. Hall.

The appointments increase membership on the court from seven to nine under a bill passed by the recent legislature and signed into law by Gov. Vandiver.

When shore in to opera Jack Georgia merce, "most n the South added: "Twen at Savan wick, to barge te us the n and inla state in MR. M Departm make a bring to tors whc ticipate tract fo recently plant at be to g move to manufact where th mented. Lockhe per cent

McRAE CITY CLERK FIRED BY COUNCIL

Independent Audit of Municipal Funds Discloses Bank Shortage of \$7,855.90

By **DOUGLAS KIKER**

The city clerk of McRae has been discharged by the City Council after an independent audit of municipal funds disclosed a bank shortage of \$7,855.90.

The audit covered a 20-month period from May 1, 1959, to Dec. 1, 1960. During that time, Mrs. Gloria Crabb served as city clerk.

Mrs. Crabb was discharged by the council as soon as the results of the audit were disclosed, and Mrs. Jewell Davis was named acting city clerk.

No charges have been filed in connection with the fund discrepancy.

AUDIT WAS performed by McGinty, a local certified public accountant. It has been accepted by the council and forwarded to the company which bonded Mrs. Crabb as city clerk. Results of the audit were made public Wednesday, March 8. The audit stated that "all the

cash shortages, for a total of \$7,855.90, the report showed.

Other statements in the audit said:

1. "There were 17 taxpayers who paid their taxes during the calendar year 1960 and had been given receipts for their payments, but no entry was made on the cash books for these collections. These amounted to \$755.89."

2. "The records of the Police Department were in poor condition. . . . Because of inadequate records, I was unable to determine whether a shortage exists in the Police Department."

3. "During July and October of 1960 the Frozen Food Service Inc. paid the City of McRae checks in the amount of \$63.75 and \$34. . . . for inspection service."

This Race
Thieves cars in Atlanta. Officer: from 8 out of Sawtell Wednesday. Latest numerous areas at northeast

Sign

FIRED BY COUNCIL

Independent Audit of Municipal Funds Discloses Bank Shortage of \$7,855.90

By DOUGLAS KIKER

The city clerk of McRae has been discharged by the City Council after an independent audit of municipal funds disclosed a bank shortage of \$7,855.90.

The audit covered a 20-month period from May 1, 1959, to Dec. 31, 1960. During that time, Mrs. Gloria Crabb served as city clerk.

Mrs. Crabb was discharged by the council as soon as the results of the audit were disclosed, and Mrs. Jewell Davis was named acting city clerk.

No charges have been filed in connection with the fund discrepancy.

THE AUDIT WAS performed by Jack E. McGinty, a local certified public accountant. It has been accepted by the council and forwarded to the company which bonded Mrs. Crabb as city clerk. Results of the audit were made public Wednesday, March 8.

The audit stated that "all the financial books of the city of McRae were in poor condition," and it added that "many of these were inadequate and those which were kept were full of errors and omissions. The internal control of money was poor."

But Mr. McGinty noted forcefully in his report that the council "has agreed to the installation of a completely new bookkeeping system, which will render the city more useful information and be more efficient."

He added: "Most of these changes have been made and are proving to be efficient."

THE LARGEST discrepancy noted in the audit, amounting to \$5,767.18, resulted because of "the difference between the water billings for the period under audit and the deposits in the bank for that period," the report said.

Water billings for the 20-month period totalled \$74,867.50, plus \$785 for water connections collected and \$167 for water deposits, making a grand total of \$75,819.50.

Deposits during the same period totalled only \$68,200.34, plus \$615.98 cash-on-hand as of Dec. 31, 1960, for a total of \$68,816.32.

This amounts to a net difference of \$6,967.18. The auditor allowed a month for 20 months as "a real allowance for bad debts," and arrived at the final discrepancy figure of \$5,767.18.

AN ADDITIONAL \$2,088.72 discrepancy was found in other areas, including tax payments and

cash shortages, for a total of \$7,855.90, the report showed.

Other statements in the audit said:

1. "There were 17 taxpayers who paid their taxes during the calendar year 1960 and had been given receipts for their payments, but no entry was made on the cash books for these collections. These amounted to \$755.89."

2. "The records of the Police Department were in poor condition. . . . Because of inadequate records, I was unable to determine whether a shortage exists in the Police Department."

3. "During July and October of 1960 the Frozen Food Service Inc. paid the City of McRae checks in the amount of \$63.75 and \$34. . . . for inspection service. These inspection fee checks were never entered on the cash receipts book."

MCRAE CITY officials consistently have declined to comment on the auditor's report. Mayor George Callihan told The Atlanta Journal. "I am not free to comment on it. The facts are all on public record for you to see." He referred further inquiries to City Atty. Jim O'Connor.

Mrs. Crabb, the discharged city clerk, held her office for 20 months. She succeeded a 30-year veteran in the job, who retired. Prior to that time Mrs. Crabb has served as secretary in the clerk's office.

Mr. McGinty was hired by the city on Dec. 7, 1960, to audit the water and sewer department books, as required by law, for the period from May 1, 1959, to April 30, 1960.

During the course of this water and sewer audit, Mr. McGinty reported, "Many irregularities were found."

WHEN HE REPORTED these to the mayor and the council, they ordered him to extend the water and sewer audit period through Dec. 31, 1960, and, in addition, to make an audit of the general fund books for the 1960 calendar year. Councilman Bill Hunt headed a special committee in charge of the audit.

The audit, when the council made it public, served to kill rumors about town that the discrepancy was as high as \$30,000.

that Mr. Hall, who also is a law professor at Emory University, was in line for one of the new judgeships, but the appointment of Mr. Eberhardt, a one-time assistant English professor at Mercer, had been a closely kept secret.

As head of the criminal law division, Mr. Hall has frequently been in the news, principally as an investigator of wrongdoings during the Marvin Griffin administration. Several former key figures of that administration have been indicted on a variety of counts.

SOME OF these pleaded nolo contendere—no contest—in actions in Fulton Superior Court and received fines and probated jail sentences.

A Fulton County grand jury in December declined to indict former Gov. Griffin on proposed changes that he shared in kickbacks in big sales of steel buildings to the state. Mr. Hall had sought an indictment against Mr. Griffin on that count.

The criminal law division was created by Gov. Vandiver to uncover "past, present and future" wrongdoings in state government. Many observers credit the unit, which is staffed by former FBI agents, with keeping present state wrongdoings to a bare minimum.

MR. EBERHARDT, 56, is a senior partner in the Valdosta law firm of Eberhardt, Franklin, Barnham and Coleman. He also is a member of the State Board of Bar Examiners and active in many civic organizations, including the Elks.

A native of Banks County, he has degrees from the University of Georgia and Mercer. He was an assistant professor of English at Mercer from 1925 through 1927.

MRS. EBERHARDT is the former Lt. Comdr. LaForest Smith, who served for eight years in the Navy during World War II and the Korean War, much of that time attached to the Joint Chiefs of Staff in Washington.

Mr. Eberhardt has two daughters. Mrs. Wilby C. Coleman of Valdosta and Mrs. L. Howard McCurdy of New Orleans.

MR. HALL, 39, graduated from the University of Georgia at the age of 19, with a bachelor of science degree in commerce. He received his law degree at the University of Virginia.

During World War II, he held the rank of captain in the infantry at the age of 21 and later commanded a battalion in the

child. I suppose you are going to ask, 'How do you do it?'

"Well-I-I, no," said Mrs. Hill-yard. "I know just how you feel about THAT question."

"I already have 13."

Asiatic theater. He has remained active in reserve training and presently holds the rank of lieutenant colonel.

MR. HALL has served on the faculty of the Emory law school since 1948.

He is married to the former Miss Alice Marie Coberly of Petersburg, Va. Mr. and Mrs. Hall have three children, Caroline, Patricia and Robert Howell Hall Junior.

A native of Soperton, Mr. Hall is the son of Mrs. I. Howell Hall Jr. and the late Mr. Hall.

The appointments increase membership on the court from seven to nine under a bill passed by the recent legislature and signed into law by Gov. Vandiver.

BUSINESS 'THE LOR

By FRED POWLEDGE

One does not often connect a used-car lot with religion. But you will if you go by the R & R Motors lot on Edgewood Avenue.

"Only Jesus Saves," says the sign over the office and the other one on the ground. "Jesus Saves," says the circular red sticker that goes on the trunk of every car for sale there.

**ONE ★
PERSON**

"Jesus does save," says Richard O. Roseberry, the 46-year-old operator of R & R Motors.

"I gave my heart to the Lord 12 years ago," said Mr. Roseberry the other day. "Since then, every business enterprise that I've entered into — He's been a partner."

"I PUT THE 'only' in the sign because I wanted to emphasize that it was only Jesus who could show us the way." With a sign as big as that, painted in red and white and standing atop the converted trailer that is Mr. Roseberry's

than a tobacco planter knows what is wrong with the allotment and marketing system under which he labors?

The critics think the plan is too vague, point out that its cost is yet to be figured and even suspect that there may be political considerations behind it.

But the idea at best has the virtues of novelty and flexibility. Perhaps from it something sensible may come on the order of Sen. Herman Talmadge's proposal to guarantee prices for domestic consumption but allow the farmer a return to free enterprise and individual initiative on the world markets.

Our present system has resulted in a classic mess. The farmers are in bad shape, and food surpluses are a constant domestic problem. Yet elsewhere in the world people are starving, and somehow we can't figure out a way to balance this problem of overabundance at home with starvation overseas.

A Pair of Aces

THE MOST recent General Assembly enlarged the Court of Appeals by two places. And Gov. Ernest Vandiver has filled the new posts in most statesmanlike fashion.

The new appeals judges are Robert H. Hall, a law professor at Emory and member of the State Law Department and Homer Eberhardt of Valdosta, president of the Georgia Bar Association, and a former assistant professor of English at Mercer.

Both these gentlemen have backgrounds of scholarly attainment in addition to active careers at the bar and should make splendid judges. Congratulations to them on their appointments, and to the state for their having been elevated to the bench.

Erin Go Bragh, You All

IT'S NO GREEN dye we'll be havin' in the Chattahoochee nor even tis there to be a parade—but there's no restrainin' the buoyancy of Irish hearts in Atlanta on the good Saint's Day.

Theirs is a proud tradition here—closely interrelated with the Southern one. They were among the first to settle on the high ridge along the Chattahoochee which was the hub of the city's railroad lines. Com-

tal site rezoned f
killed, a new local
by the joint city-c
Soon Atlanta alder
to give final appr
Poole Creek Road.

More than anyt
lay points out hov
property in Atlant
house low-income
for low income N

This problem o
space is here to st

The urban rene
help finance getti
standard, sub-hum
building up the eco
President Kennedy
tion which would
houses and apartm

But the proble
determining wher
still a local one. St

to the portion of
within Fulton Cour
a mathematician-t
figures which sho
forever.

Officials of Atl.
DeKalb must begin
lem of finding land
dle income housin
newal effort will
Egleston after a
years of delay—su
in supplying nee

Chattanooga

FOR REASONS
readily under
seeking to expand
tan area. A Cham
is gathering data
of Georgia's Dade
Chattanooga.

Another Georgi
long been consid
Chattanooga by th
"acquisition" of Da
ple would push t
population close
Moreover, it woul
tanooga's nicknam
largest city."

Of course, we
inch, but in the spi
ation, most Georg

...ion And he said it
...len, then a guber-
...d, as saying he was
... County Unit Sys-
...est means of pro-
...orgia way of life.
... a right to be
... has been an
... e County Unit Sys-
... l Mr. Brown It
... with the audience.
... went on:

...r. Allen is a fine
...k he is a political
...ur years ago, he
...t the state saying
... now he is saying

...of his chance to
...ar the end of the
... saved five of his
... rebuttal purposes.
... he is easily the
... orator in the race
... r Brown, pausing
... ebody hustled out
... heckler who kept
... it about the Coun-

... answered the heck-
... fore or less admit-
... of sentiment, he
... positive. He and
... y other may-
... e gone before
... mmittee recently
... ounty unit system,
... gro audience.
... ng to Mr. Brown's
... segregation views
... e said, "Our views
... were changed by
... ourt decision"
... llen got to Mr.
... lly

... o "Mr. Brown and
... d record of doing
... e past 15 years."
... at Mr. Brown's
... ng sped express-
... on with the re-
... n't seen anything
... overment by him to

... courage to consistently say where
... he stands on some fundamental is-
... sues."
... Mr. Allen got one of the biggest
... hands of the evening from the
... Negro audience
... Possibly the warmes' hand
... had gone earlier to Muggsy
... Smith. An old campaigner on Au-
... burn Avenue, Mr. Smith reminded
... Negroes he had taken a liberal
... stand long before some "Johny-
... come-latelies." He got a senti-
... mental response.

... Howell Smith seemingly got
... into deep water trying to ex-
... pound his idea that, while he's
... against "enforced segregation," he
... also is against "enforced integra-
... tion." There wasn't much au-
... dience response. Later Mr. How-
... ell seemingly acknowledged this.
... "I'm not mad," he said, when he
... had a second chance to speak.

no's Big at the Bat

... special by Al
... Constitution sports
... of the year
... 60 home runs
... to local ex-
... who played in that
... seball.



...ment opportuni-
... ties, said Wil-
... liam L. Batt
... Jr., administra-
... tor of the de-
... partment's area
... redevelopment
... administration.
... - The two towns
... also are eligible
... for federal aid in the construc-
... tion of community facilities help-
... ful to industrial development,
... Mr. Batt said.



Luther Hodges

... THE FEDERAL program is a
... new one, authorized by the Area
... Redevelopment Act which cleared
... Congress in April. It was pro-
... posed by President Kennedy to
... help the economics of sections
... of the country which are always
... in economic distress in good
... times and bad alike.

... was initiated earlier this year.
... Both Cedartown and Rockmart
... have long been troubled with un-
... employment problems.

... UNDER THE terms of the fed-
... eral program, local communities
... must first submit an over-all eco-
... nomic development plan, identifi-
... fying local problems, evaluating
... potentials and laying out a pro-
... posed course of action.

... This plan must then be ap-
... proved by the State Department
... of Commerce before being for-
... warded to Washington.

... Now that the Cedartown-Rock-
... mart plan has gained approval,
... the next step, according to Mr.
... Batt, is a re-examination of the
... basic plan and the submission of
... a more detailed, comprehensive
... program within the next year.

Start Fresh on White Appeal, State Court Tells Judge

... The State Court of Appeals has
... ordered Judge Luther Alverson to
... set aside his certification of the
... bill of exceptions in the Houston
... White contempt case and, in ef-
... fect, to start anew in getting the
... attorney's appeal papers in proper
... form.

... However, a majority of the
... judges did not act on, or even
... comment on, Mr. White's request
... that Judge Alverson be adjudged
... in contempt of court for allegedly
... not complying with a previous
... order of the high court.

... Two of the judges, in a dis-
... sent from the majority order, held
... that the court should have set a
... hearing for Judge Alverson to
... show cause why he should not be
... cited for contempt, as Mr. White
... asked.

... Mr White complained that Judge
... Alverson's certification of the bill
... of exceptions in the case was not
... made in accordance to law, there-
... by jeopardizing the attorney's
... right to have it heard on appeal.

... The Appellate Court had ordered
... Judge Alverson to certify the ap-
... peal papers after they had been
... presented in proper form. Judge
... Alverson issued an order certifi-
... ing the bill of exceptions even
... though he said it "still contains
... untrue statements."

... This, according to Mr. White,
... was not a legal certification, and
... not in compliance with the Court
... of Appeals' order.

... THE HIGH COURT Wednesday
... afternoon directed Judge Alverson
... to specify "the exact portion or

... portions of the bill of exceptions,
... word for word, which he holds to
... be untrue" and to send the de-
... tailed specifications to Mr. White
... in order that they might be de-
... leted or corrected.

... Also, the court, ordered Judge
... Alverson to set aside "any certifi-
... cation of the bill of exceptions
... heretofore entered in this case
... which is not in the form stated
... and required" by Georgia law.

... JUDGE ALVERSON cited Mr
... White for contempt of court in
... April 1960 for what the judge
... termed "disrespectful and con-
... temptuous" remarks made during
... the trial of a custody case.

... The Court of Appeals action was
... another development in the long-
... standing case since Mr. White
... launched his appeal.

Milledgeville Admissions High

... Admissions at State Hos-
... pital in Milledgeville are at
... an all-time high. Constitu-
... tion staff writer Jack Nel-
... son reports on requests for
... more funds and long-range
... programming.



INSIDE PAGES

14
 35, 36
 37-47
 16
 7
 37
 14
 24
 22
 22
 14
 17
 24
 22
 17-21
 15
 25
 12, 13
 25, 28, 29
 37
 10
 31-34

Appeals Judge B. C. Gardner Retiring at 78

Presiding Judge B. C. Gardner of the State Court of Appeals is retiring effective Oct. 15 at the age of 78.

The impending retirement came suddenly, catching many officials on Capitol Hill by surprise. Employees of the court didn't know of it until earlier this week.

Chief Justice W. H. Duckworth of the State Supreme Court and Appeals Judge Jule W. Felton announced the retirement and presided at a ceremony Friday in Judge Gardner's honor at his home, 1149 St. Charles Ave., NE, Northeast.

Judge Gardner's stepdown from active duty leaves a vacancy on the Court of Appeals to be filled by appointment by Gov. Vandiver.

Declining health was reported responsible for Judge Gardner's decision to retire. He did not preside at last week's session of the court.

Just a year and a half ago, Judge Gardner quashed rumors, not new, that he was then retiring, saying he intended if possible to complete his term, which then had four years to go.

HIS CAREER has included service as an attorney (in Thomasville), solicitor general of the Albany Judicial Circuit, Superior Court judge, same circuit; judge of the Court of Appeals from 1940 to 1952, and presiding judge of the court since that date.

"He has had long and honorable service in the judiciary," said Judge Felton and Duckworth. "The citizens of this state deplore his inability to serve further in a judicial capacity."

The judges said Judge Gardner relinquishes his office "with deep regret."

Judge Gardner will become judge emeritus on a salary of \$12,000 a year. The salary for active judges of the court of appeals is \$18,000.

Rumors as to whom Gov. Vandiver might appoint to replace Judge Gardner followed in the wake of the announced retirement, but nothing was being said yet by the governor's office.

In the action pending before Fulton Superior Court Judge Luther Alverson—filed against the State Democratic Executive Committee—the Atlanta originally contended his constitu-

Trends and meanings of the state's congressional and legislative election choices are analyzed by Atlanta Journal political writers. See Harold Davis' story on Page 2, and Margaret Shannon's on Page 2.

tional rights were being violated since, under the 1958 elector act, he would not be given the opportunity to vote for Democratic candidates Jack Kennedy and Lyndon Johnson.

WHILE HE has not ruled yet, Judge Alverson has expressed sympathy for some of the technical points advanced by Mr. Henderson in his argument. The law says that only the label of the parties—Democratic and Republican—and slates of electors may appear on the Georgia ballot. Names of the party candidates are not to be put on the ballot—hence the interpretation that electors are not "morally" bound to support party nominees.

If Mr. Henderson wins his suit, the 1958 law will be stricken, and a 1948 law on the subject again will cover the elector question. And it says names of the national party candidates, along with Democratic and Republican electors, shall appear on the ballot.

THUS, if the old law again becomes the order of the day, state-party-named electors, since their names would be riding beneath those of party candidates, would have pretty much of a moral obligation to vote for the national ticket in the electoral college balloting.

The Georgia Republican Party has already announced its slate of 12 electors will vote for Nixon and Lodge if the GOP ticket carries the state.

And 10 of the 12 Georgia Democratic party electors, including Gov. Ernest Vandiver, had announced before the straw vote on the issue they would vote for the Democratic nominees, if Democrats carry the state. It was indicated Friday that most of them were sticking to this stand.

IN THE VOTING itself on the issue, the total favoring "free" or unpledged electors continued to mount. With 90 per cent of 1,926 precincts reporting, the results were: 134,593 for "unpledged" electors and 101,440 for the "pledged" type.

In the soul-searching department, a private two-word analysis by some Democratic party leaders over what happened was this:

Senators G Blame for

Allen Credits Uncommi Stand for Free Elector

The fact that Senators Richard I. Herman and E. Talmadge have not yet endorsed a Democratic presidential ticket was a major factor to the big vote in favor of unpledged Georgia campaign director for Kennedy said Friday.

Ivan Allen Jr. of Atlanta, chairman of the campaign finance committee, made the assertion as Democratic Party leaders held a post-mortem on what happened in Wednesday's voting. Mainly they were laying it to confusion created by the word "free," designating "unpledged" electors, on the ballot.

Mr. Allen was also of that school of explaining, but he added that the fact "the two most popular men in Georgia did not commit themselves certainly influenced a lot of people and left it into doubt as to what course they will take."

HE SAID the two senators, for reasons of their own, have not yet endorsed the ticket.

A joint statement by Griffin Bell of Atlanta and George L. Smith of Swainsboro, codirector of the Kennedy-Johnson campaign, cogently asserted the vote means Georgians want Democratic electors to "represent their interests in the best way possible."

The two men predicted Georgians will cast a large majority for the Democratic electors in the November general election.

"IT WILL then be put up to the Democratic electors to cast their vote in the electoral college in a way that will serve and protect the best interest of their state," the statement added. "Lest there be speculation, we are certain that no Democratic elector will cast his vote for the Republicans."

GOV. ERNEST Vandiver, an elector, has made a similar statement. He also has announced his support of the Kennedy-Johnson

ticket
 Mr. Bell an
 they had no do
 Republicans v
 electors in the
 But they add
 the credit of
 leaders that th
 zens throughou
 press a gentlem
 type.
 "We think
 pledged versus
 was to some
 the use of the
 of "unpledged"
 Bell-Smith stal
 to a large deg
 pledged electo
 against the
 platform, altho
 platform is es
 on civil rights.
 Mr. Allen
 putting the que
 or "unpledged"
 ballot in the fi
 at the time it
 cratic electors
 their own they
 party nomine
 Turn to

y Chief ament eporture; ce Again

o, Sept. 16 (UPI)—
 nsolidate his military
 ver parliament and
 nunist bloc diplomats
 g him out of the picture

newly independent country,
 pt and near anarchy, still
 e for new power plays un-
 obutu could strengthen his
 quickly with popular sup-

Mobutu announced seizure
 er Wednesday night he is-
 ders that Communist em-
 be closed and their dip-
 leave the country within
 s. The embassies operated
 ly Thursday but Thursday
 Mobutu repeated his ultima-

imba owed his life to the
 rce which he had tried to
 um the country.

ian U.N. soldiers kept him
 nd-floor bedroom of
 mess at Camp Leo-
 Thursday while angry Balu-
 members of the Congo
 my howled for his head.
 ama, Kobama (kill, kill),
 died as the U.N. troops kept
 at bay.

infuriated soldiers told

Boy, V An En

BELLEVEUE,
 Dan Burke, an
 clan, ended
 tricks by mal
 disappear.
 Surgeons at
 provided the ei
 operate to reco
 Burke inadvert

Bargain BOTH CANDID 'HAVEN'T A TI

ATLANTIC CITY, N.J., Sept. 1, says Pat

BAROMETRIC PRESSURE
IN INCHES ——— 30.03

FORECAST FOR 7 A.M.
FURNISHED BY U.S. WEATHER BUREAU

Forecast by States

GEORGIA: Mostly fair and a little warmer Sunday and Monday. High Sunday 74 to 82.

NORTH CAROLINA: Sunday and Monday mostly sunny and moderately warm. High Sunday 70s mountains and around 80 elsewhere.

SOUTH CAROLINA: Sunday and Monday mostly sunny and moderately warm. High Sunday 76 to 82.

TENNESSEE: Clear to partly cloudy with little change in temperature through Sunday. Low Sunday 45-52, High 75-82.

ALABAMA: Partly cloudy and mild through Sunday with a few scattered showers near the coast. Lowest Sunday 55 to 68. Highest 80 to 84.

FLORIDA: Fair Sunday except a few brief showers along east coast. High Sunday in the low 80s extreme north and in the mid and upper 80s elsewhere.

Local Weather

Rainfall in past 24 hours
Total rainfall since first of month
Deficiency since first of month
Total rainfall since January 1 46
Excess since January 1 7
High year ago today 74; Low
Mean temperature in past 24 hrs.
(which was 8 degrees below norm)

H. L. R.		R. L.	
Atlanta	73 44	Lou'ville	74 44
Augusta	79 39	Macon	78 43
Bir'ham	79 52	Memphis	79 52
Bismarck	66 44	Miami	83 78
Boston	72 56	M. St. P.	78 56
Bro'ville	86 64	Mont'ry	81 47
Buffalo	72 54	Nashville	78 43
Charl'ton	74 58	N. Ori'ns	84 70
Charlotte	79 46	New York	84 55
Chal'n'ka	76 43	Omaha	75 54
Chicago	75 56	Ok. City	80 55
Cin'nati	77 50	Phlla'phia	77 45
Cleveland	76 47	Pittsb'gh	75 44
Denver	74 52	Phoenix	94 58
D. Moi's	75 54	Port., Or.	59 48
Detroit	74 54	Reno	56 42
El Paso	87 57	Richmond	71 43
Ft. W'ith	82 60	St. Louis	77 53
Ind'polis	73 46	San Fran.	64 55
Jackson	79 54	Savannah	75 52
Jack'ville	81 60	Seattle	77 44

Custer Rated Top Choice For Judge Townsend's Spot

Bainbridge attorney Vance Custer, a former president of the Georgia Bar Association, is the likely choice to succeed the late Judge J. M. C. Townsend on the Georgia Court of Appeals, informed sources said Saturday.

Judge Townsend died Friday night after a heart attack.

It is up to Gov. Ernest Vandiver to appoint a successor for

Judge Townsend—the sixth such appointment on the Georgia Court of Appeals since Vandiver took office in January, 1959.

MR. CUSTER was an unsuccessful candidate—but narrowly unsuccessful—for the Supreme Court seat vacated by former Justice J. H. Hawkins.

Justice Benning Grice won the

seat in the 1960 election, but Mr. Custer was a solid second.

MR. CUSTER is a former state legislator, having served one term in the House in 1927, and was for 20 years city attorney in Bainbridge.

He is a past president of the Georgia Bar Association and the Albany Circuit and Bainbridge Bar Association. He is a graduate of Oglethorpe University and was admitted to the bar in 1922.

Jefferson's

JEWELRY SALE

Our reputation as diamond specialists didn't just happen. 47 years of experience in purchasing and selling Estates, liquidations, Direct Imports

Loses \$270 To 2 Robbers

A milk deliveryman was robbed of approximately \$270 in cash an

Judge Townsend's Burial Set at Dade Birthplace

By CURTIS DRISKELL.

One of the most colorful jurists in the state and an outspoken defender of basic human rights has been lost to the Georgia bench with the death of Judge J. M. C. (Red) Townsend of the Georgia Court of Appeals.

Even as they mourned his death, friends and close associates recalled Saturday some of the countless anecdotes and stories told about him—often by the judge himself.

He enjoyed telling one on himself as much as he enjoyed hearing a story about another, one associate remembered.

Judge Townsend, 62, died Friday night at Emory University Hospital after suffering a heart attack earlier. He had entered the hospital Thursday.

Funeral services will be held Sunday at 2 p.m. at Wildwood Methodist Church in Dade County, his birthplace. Rev. Horace Henry and Rev. J. O. Stewart will officiate.

Members of the Georgia Supreme Court and the Georgia Court of Appeals will form an honorary escort.

Surviving are his widow; sons J. M. C. Townsend Jr. and Allen Franklin Townsend, all of Atlanta, and his mother, Mrs. Elizabeth Townsend of Wildwood.



Judge Townsend

handcuffs was likely to convince the jury he was guilty whether he was or not.

JUDGE TOWNSEND'S full name was Johnson Murphy Clagget Townsend. But his closer friends knew him as "Red" because of his shock of red hair.

He was possessed of a sharp sense of humor and a dry wit that on countless occasions brought life into—or relieved the tension of—courtroom situations.

One such incident occurred only last Wednesday, when Judge Townsend presided for the last time as his division heard arguments on appeals cases.

In one case involving an insurance claim, one of the attorneys got into the subject of bad faith. "I'm sure you know about bad faith," he addressed the court.

To which Judge Townsend responded: "In other words, you consider us experts in bad faith." The lawyer hastily explained his meaning.

SOME YEARS AGO, Judge Townsend testified as an expert witness on the law in a case being tried in South Carolina. One method of showing the law of a sister state (in this case, Georgia) in another state (South Carolina) is to have an expert on the law testify.

Judge Townsend was being cross-examined, and the attorney told him: "Now, judge, I want to ask you a question that has nothing to do with the law but instead having to do with common sense."

ing to do with the law but instead having to do with common sense."

Judge Townsend broke in drily: "I'm not an expert on common sense—just an expert on the law."

Matters other than jurisprudence on occasion brought Judge Townsend into prominence. One such subject was his outspoken contempt for the Ku Klux Klan. He referred to Klansmen as "hooded mobsters" and warned of their threat.

His feud with a Dade County sheriff, John W. Lynch, resulted in the sheriff's filing a \$50,000 slander suit against the judge. The suit, filed in Fulton Superior Court, eventually was thrown out for lack of jurisdiction.

Their differences stemmed from a civil rights case in which Sheriff Lynch and nine others were tried in federal court at Rome on charges of turning seven Negroes over to Ku Klux Klansmen for flogging. The case ended in a mistrial.

JUDGE TOWNSEND publicly advocated that photography be permitted in courtrooms—if it did not distract the court and if it did not interfere with a fair trial for the accused. He said the best way to create respect for the court was to let the public know what was going on in the courtroom.

Judge Townsend received some criticism in 1954 for his political activity on behalf of incumbent Appeals Judge H. E. Nichols, who was running for reelection. Several bar associa-

d's Burial thplace

to convince
by whether

ND'S full
rphy Clag-
his closer
"Red" be-
red hair.
f a sharp
a dry wit
occasions
relieved
room sit-

urred
hen Judge
r the last
card argu-
es.

an insur-
attorneys
bad faith.
about bad
he court.
vnsend re-
vords, you
had faith."
plained his

0. Judge
an expert
case being
lina. One
law of a
e, Georgia
Carolina
on the law

was being
orney
nt to
has noth-

ing to do with the law but instead
having to do with common sense."

Judge Townsend broke in drily:
"I'm not an expert on common
sense—just an expert on the law."

Matters other than jurispru-
dence on occasion brought Judge
Townsend into prominence. One
such subject was his outspoken
contempt for the Ku Klux Klan.
He referred to Klansmen as
"hooded mobsters" and warned
of their threat.

His feud with a Dade County
sheriff, John W. Lynch, resulted
in the sheriff's filing a \$50,000
slander suit against the judge.
The suit, filed in Fulton Superior
Court, eventually was thrown out
for lack of jurisdiction.

Their differences stemmed from
a civil rights case in which Sheriff
Lynch and nine others were tried
in federal court at Rome on
charges of turning seven Negroes
over to Ku Klux Klansmen for
flogging. The case ended in a
mistrial.

JUDGE TOWNSEND publicly
advocated that photography be
permitted in courtrooms—if it did
not distract the court and if it
did not interfere with a fair trial
for the accused. He said the best
way to create respect for the court
was to let the public know what
was going on in the courtroom.

Judge Townsend received
some criticism in 1954 for his
political activity on behalf of
incumbent Appeals Judge H. E.
Nichols, who was running for
reelection. Several bar associa-

tions passed resolutions decry-
ing political activities by
judges.

Judge Townsend frankly admit-
ted he campaigned for Judge

Nichols, but he hotly denied that
members of the court—so one of
Judge Nichols' opponents charged—
had joined forces to perpetuate
themselves politically.

KESSLER'S
WHITEMALL AT HUNTER

FALL SALES

**SALE! 48"x84"
FIBERGLAS
DRAPES
4.98** Pair

Heavy weight. Novelty weaves.
Pinch pleated. No Iron. Beautiful
quality. Tan, beige, green, grey,
gold, pink, white.

**SALE! 72"x90"
BLANKETS
2.00**

All-season blanket. Rayon-Nylon
blend. Satin bound. Pastel colors.

**SALE! "BATES"
WOVEN SPREADS
4.98-5.98**

A big selection. Handsome new
patterns in dark colors. Drip dry.
All cotton. Fulls and twins. Select
on layaway.

**SALE! REG. 1.98
CAFE CURTAINS
WITH VALANCE
2 Sets \$3**

A big selection. Printed sailcloth,
finished cottons, novelty prints,
solid colors. 36" lengths.

**ASSORTED
RAYONS;
COTTON PRINTS
25¢ Yd.**

A big selection, novelty rayons in
matching short lengths. Printed
cottons in bolts and lengths. Won-
derful buys.

**Suede Flannels;
Outings
29¢ Yd.**

A big selection plaids and prints
in shirt suedes. Printed and solid
outings. Lengths and bolts.

**LAMINATED
KNITS
1.98 Yd.**

64" widths. Plain and bulky knits.
Big selection of colors. Scott foam
back for insulation without weight.
Full bolts. For jackets and coats.

**Fashion WOOLENS
2.69 Yd.**

A big selection of high-styled plaids
and solid color doeskin flannels.
Beautiful colors. Full bolts.

**FAKE FUR
2.98 Yd.**

Thick rich pile. Beautiful fashion
colors. 54" widths. Ideal for hats,
bags, jackets, trims. Val. to 7.98 yd.

**DRAPERY FABRICS
45" full bolt, printed
barkcloths. Beautiful
new patterns. 49¢ Yd.**

Solid color antique
satins in bolts. As-
sorted weights, tex-
tures and colors. **2 Yds. \$1**

R. CITY	80	55
hila'phia	77	45
ittsb'gh	75	44
hoenix	94	58
ort., Or.	59	48
eno	56	42
ichmond	71	43
l. Louis	77	53
ar Fran.	64	35
av h	75	52
ea	77	44

Townsend of Wildwood.

* * *

JUDGE TOWNSEND lived at 1117 Austin Ave., NE.

He was born in 1899. He was appointed to the Court of Appeals in 1947 by former Gov. M. E. Thompson—against whom Judge Townsend declined to run for governor in 1950.

The judge's name was mentioned prominently as a candidate, but he explained in withdrawing his name that Mr. Thompson had named him to the appeals court and: "... It is true I have since been elected by the people. . . . Yet to vie with my former benefactor might subject me to the stigma of the cardinal sin of ingratitude."

As a jurist, Judge Townsend was widely known as a "champion of the Bill of Rights." It was long his contention that grade-school children should be taught more about the Bill of Rights.

He was presiding judge of the Court of Appeals' Second Division, which handles criminal cases.

Time and again, his opinions reflected his deep dedication to the "human rights" side of the law.

An example mentioned Saturday by a close acquaintance of the judge was his decision in a south Georgia moonshine case some years ago. A Negro had been convicted on charges of making "white lightning" and the case was before Judge Townsend's division for review.

A photograph of the whisky still involved had been introduced in evidence in the trial. In the photo were the arresting sheriff and the defendant, handcuffed.

Judge Townsend reversed the conviction, declaring that the picture was prejudicial—that the portrayal of the defendant in

le
pot

action, but Mr. d second.

a former state served one term 1927, and was y attorney of

resident of the ciation and the r Bainbridge l is a gra- pe University to the bar in

270
robbers

nan was robbed 270 in cash and ys to his truck a southwest At- police said

mpson, the de- robbery squad olland that the n 200 block er. He said one sed for a quart

turned to get of the robbers

FINE FROM

CLEARANCE

Due to a city ordinance prohibi- downtown area we are forced to- large New York Estates. We have to close out at below our cost. I- thentic styling.

