

Segregation Decision May Suffer Delay

Court Pondering
Immense Issue

WASHINGTON (AP) — The immense question whether racially segregated public schools are constitutional rests with the Supreme Court, but a decision may be a long time coming.

Three days of clashing legal arguments on the years-long controversial issue ended last week as undramatically as the buildup of the most routine case. "Any rebuttal?" Chief Justice Warren asked H. Albert Young, Delaware's attorney general.

"No rebuttal," Young replied. The white-haired chief justice smiled, and the court went on to other cases.

MONTHS AWAY

The ruling on whether separate schools for white and Negro pupils goes against the Constitution is still months away.

The court's current term does not end until the latter part of June. The justices have until then to clear their docket before summer recess.

The District of Columbia and 17 states are directly involved in the pending cases—Virginia, North Carolina, Kansas and Delaware. They contend separate schools are legal under the Constitution and in harmony with the court's "separate but equal" ruling in 1896.

But attorneys for Negro parties who brought the suits insist that segregation in itself is unconstitutional regardless of the quality of school facilities. The federal government, through the Justice Department, took this position.

STATES AFFECTED

The court's decision, should it be down segregation, also would affect 16 other states—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, Tennessee, Texas and West Virginia. Mexico and Wyoming, like these, have laws making segregation permissive, but not mandatory.

Over the three days of arguments, the most part, closely followed those of a year ago when five cases were debated for the first time. The high court called no decision then but in a statement of their contents with special emphasis on the questions propounded by the justices.

COURT'S CHOICES

What the court must decide is whether (1) to uphold behind its half-century-old ruling that racial separation is constitutional provided Negroes are given equal facilities or (2) to overturn that rule that segregation in itself offends the constitution.

Like counsel for Virginia South Carolina and Kansas before him, Delaware Atty. Gen. Young told the court:

"The problem obviously is a qualitative one and not a judicial one."

Summing up for the Negro litigants, Thurgood Marshall, New York attorney who represents the National Assn. for the Advancement of Colored People, said:

"The real question in these cases is whether the states today or do not have the power to segregate by race alone as a basis of segregation. Our theory is that the states have been deprived of that power. On that we submit these cases."

He's Wedded to Boom-TE- Boom-Boom

HOLLYWOOD (AP)—Jack Webb, director and owner of television's "Dragnet," denies reports he will marry actress Dorothy Malone, and adds, "I'm not married to anybody. I'm married to my work."

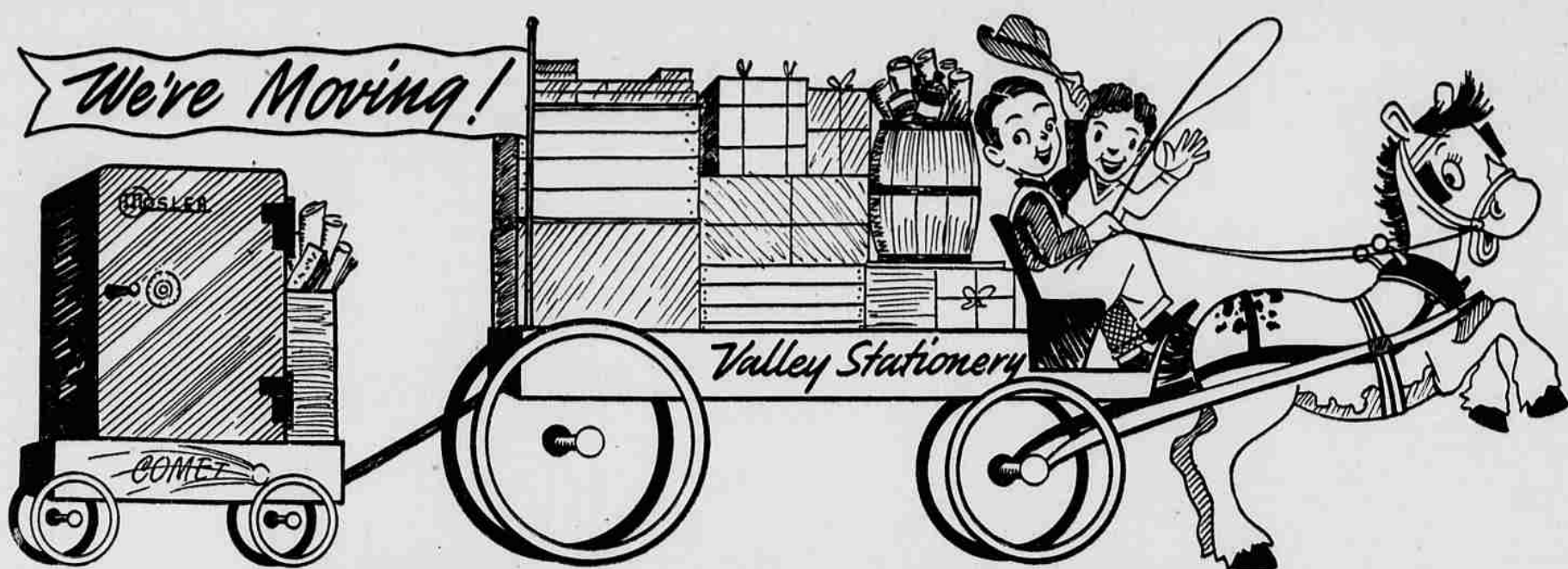
Reports emanating from New York City had Webb, 33, married the 24-year-old blonde actress Malone as his divorce from actress Julie London, 28, becomes final. They divorced Nov. 25 but decree is not final for a year under California law.

Miss London, who got a \$300,000 settlement and custody of her two daughters, testified Webb told her it would be impossible for him to continue his work if he married her.

Webb, who has dated Miss Malone several times, said he has been taking other girls out too, but met when she had a role in one of his TV shows.

At Palm Springs, Miss London commented, "I don't care what he does. I'm just not interested."

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