

'De Facto' Segregation of Northern Schools Being Tested in Courts

Editor's note: The fight over desegregation of public schools has not been confined to the South this year. Negroes in many northern cities, basing their arguments on the 1954 Supreme Court school desegregation decision, have charged racial gerrymandering of school districts and taken their cases to the federal courts. The following dispatch examines the background and the tactics of the northern school segregation issue.

By DAVID SMOTHERS
UPI Correspondent

"De facto" is a Latin phrase which, roughly translated, means "in fact."

In northern courts and in northern cities, the words "de facto" have become the trademark of a new phase of the nation's running dispute over racial segregation of the public schools.

Suits have been filed in the federal courts charging that northern communities are practicing racial segregation in fact, even though their state and city laws recognize

no discrimination between white and colored persons.

In towns through New York state and New Jersey and in such cities as Chicago, Philadelphia, Detroit, Kansas City, Kan., and Los Angeles, courts have been challenged on the twin issue of whether "de facto segregation" exists and what they're going to do about it.

Sometimes the suits have been filed by the National Association for the Advancement of Colored People. In other cities groups of Negroes have hired their own lawyers to press their demands, ostensibly without backing or urging from an national organization. In a few cases, the Justice Department has filed briefs as friend of the court in support of the Negro groups.

Issue the Same

In almost every major case the issue has been the same—whether Negro children are receiving equal educational opportunities or whether trickery in school districting is confining colored youngsters to inferior, "de facto"

segregated schools.

On the other side of the dispute is the belief, widely held among educators, that children should go to school in their own neighborhoods. It follows that children from Negro neighborhoods will often go to largely Negro schools and youngsters who live in primarily white neighborhoods will generally wind up in schools which are predominantly white. This, it is argued, is an accident of geography, not segregation.

The first major breakthrough in the fight over "de facto segregation" came last winter in New Rochelle, N.Y. A federal district court judge ruled that segregation does not have to be sanctioned by law to exist.

The judge ruled in favor of a group of Negro parents who wanted to take their children out of a school they said was segregated and to transfer them to other schools. His decision was based directly on the 1954 Supreme Court decision which declared segregation of the public schools to be unconstitutional.

The case went to the Supreme Court, and the Supreme Court refused to overturn the decision.

The man credited with a large share of the victory at New Rochelle was a young Negro attorney from New York named Paul B. Zuber. In the months that followed, Zuber, 34, became a specialist in the techniques of bringing the issue of "de facto" segregation before the federal court.

Zuber took a hand in some of the most far-reaching court fights—in Chicago, Englewood, N.J., and Newark, N.J. Sometimes he acted with the backing of the NAACP more recently without it. Zuber quarreled with some NAACP leaders, charging that they weren't moving fast enough. And there were hints that some top forces in the NAACP didn't think much of Zuber's dramatic tactics, which included his backing of a Negro buyers' strike in Englewood.

Zuber answered critics of the Englewood boycott this way:

"The only time we are considered is when we spend a dollar. The people aren't trying to be troublemakers or to resort to violence, but their patience has run out."

Major Suits

These were some of the recent major suits leveled at alleged "de facto segregation" in the North and West:

New Jersey: New Jersey federal courts fielded anti-segregation suits from four cities—the major center of Newark and the well-to-do Newark suburbs of Orange and Montclair, and Englewood, just a 35-minute train ride from mid-Manhattan.

Zuber was acting for the NAACP when he filed the Newark suit in federal court last October. It received little attention, although the New Jersey Federation of Teachers agreed with him in backing an "open enrollment" policy.

The New Jersey dispute grew heated four months later when Zuber, now disassociated from the NAACP, filed suit in Englewood. In addition to the buyers' strike, 100 Negro and white persons staged an all-night protest "sit in" demonstration. Eleven of them were arrested.

New York: After the New Rochelle decision, the town of Hempstead became the center of the segregation dispute in New York state. The NAACP filed a federal suit charging that three of the city's schools were "de facto segregated" and that a proposed school building program would continue the pattern. The NAACP launched a similar campaign, but had not yet filed suit, at Amityville, N.Y.

Chicago: Zuber launched his most ambitious project in Chicago, the nation's second largest Negro center. Acting on behalf of 39 Negro school children, he and Chicago attorney Raymond B. Harth brought suit against the entire Chicago school system. In effect, they said they were representing every Negro child in Chicago in charging that gerrymandered school boundaries, school site selections and the "neighborhood school" theory added up to "de facto segregation."

Philadelphia: The NAACP, acting for eight children, charged in federal court that the Philadelphia board "assign teachers on the basis of race and color and controls transfers of pupils and teachers from one district to another on the basis of race and color."

Detroit: In a suit which was almost a dead ringer of the New Rochelle case, it was charged that the Detroit Board of Education "has maintained and still maintains a racially segregated school system." At issue was the transfer of 145 pupils between two school a mile and half apart instead of to schools which attorneys said were

nearer.

Kansas City, Kan.: The NAACP went to court to de-

mand integration of North-

west Junior High school. It

was charged that new school

board orders insured that

Northwest would stay all-

white.

Los Angeles: A Pasadena

Negro father, William John-

son, charged that white chil-

dren were allowed to cross

school district lines to attend

primarily white schools, even

though they had to walk di-

rectly past a predominant

Negro school to do it.

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Visitor To Australia Reports Quiet Front

By SID HOLLINGSWORTH
Mail Tribune Correspondent

White City — All is quiet on the western front of Australia, Cliff Pringle reports.

He is a member of the domiciliary who recently returned from a visit with his family at Perth, a seaport city on the southwest coast of the continent.

"Australia is busy. Everybody is working and while there is some concern about the situation in southeast Asia, life moves along in the way of progress and development," Pringle says.

He spent the past three months there, part of the time in travel to the eastern sector where the big cities of Melbourne and Sydney are located.

Progress Made

Progress has been made in many ways in this new world of enterprise, and while Pringle, a quiet and unassuming leather craftsman here, says little, he is much impressed with the showing that has been made since his last visit there.

World War II was the turning point in the history of Australia. It is still a land of fabulous resources. The richest square mile of gold bearing land in the world is located near Perth.

The gold belt is 1,000 miles long and 200 miles wide. The gold rush of the 90's made the town, but only the surface has been scratched. Other minerals, including iron, also are there in abundance.

Changes Contingent

The need for a base in WW II changed the continent from a strictly agricultural to an industrial nation and its greatest source of wealth today is the production and processing of raw materials.

The problem there, as in the United States, is to find markets abroad for this output. The British commonwealth is the chief consumer but Australia is hoping for increased trade in the region, through raising the standard of living in this part of the world.

The United States buys hides and gold from the Aussies.

Australia, like the homeland, has gone through the throes of government ownership and while some socialistic interest is apparent, the factories operated by the government during the war, have been leased or sold to private interests. The telephone system, however, is government owned.

Transportation Developed

Air, rail and water transportation is now highly developed. During WW II a transcontinental highway was built and since then much attention has been given to modern construction in the cities.

Australia has paid the price for favors received as the price of the Pacific Island. Two out of three Australian men, between 18 and 45, served in the armed forces in WW II. Pringle says that the large

influx of immigrants who were induced to make their homes there after the war, has been absorbed in the economy.

It would seem that living in Oregon reminds Cliff of the western part of Australia where he spent most of his time.

The principal industries there, as in Oregon, are lumbering, mining, wheat and sheep raising, he points out. There was a time when the only product noted as typical of Australia was wool, from the vast sheep raising activity of the early days.

Now, experiments in the southwestern region have resulted in extensive citrus plantations.

Inspectors To Help Prevent Plane Hijacking

Washington—The Federal Aviation Agency is readying a corps of specially trained flight inspectors to help prevent any recurrence of last summer's "skyjacking" incidents, it has been learned.

The training includes courses in firearms and judo, conducted by the United States Border Patrol. Thus far, 18 volunteer "graduates" have been sworn in as U. S. marshals. The FAA would not say how many inspectors eventually will receive such training.

The 18-man nucleus of the anti-hijacking corps will be based in Chicago, Miami, Dallas and Kansas City. Presumably, they would board any flight on which a hijacking attempt might be suspected and assigned a seat near the cockpit for the chief purpose of protecting the crew.

To Continue Duties

All 18 are regular inspectors who will continue their normal duties of spot-checking pilot performances, monitoring maintenance procedures and conducting qualification and proficiency flights.

Creation of the "elite corps" was the latest of many actions taken after three hijackings of U. S. airliners last summer. Continental, Pan American and Eastern planes wound up in Cuba for brief periods.

Congress swiftly passed legislation tightening the laws against sky piracy, including a provision allowing an optional death penalty. Armed guards rode many flights.

Confessed Arsonist Under Examination

Seattle—An extensive psychiatric examination has been started on James V. Miller, Seattle, who has confessed to setting fire to his home last Friday. Three of his five children died as a result of the blaze.

The examination was ordered by King County Prosecutor Charles O. Carroll.

Miller told police he set the fire in an attempt to burn his wife and children to death. The victims were David, 3, Patty, 18 months, and Jane, 14.

AT TRAVIS

Corp. Geary L. Hewitt, son of Mrs. Stella W. Valentine, Medford, is returning to Travis Air Force base, Calif., following his completion of the Air Force special course for sentry dog handler supervisors at Lackland Air Force base, Tex. He is a Crater High school graduate, and his wife is the former Miss Michele L. Watkins, 1841 Myers lane, Medford.

Radio Operator Exams Scheduled at OTI

Klamath Falls — Radio operator examinations will be held in the electronics building of Oregon Technical Institute, Klamath Falls, Saturday, May 19, according to a federal communications commission release.

The exams will begin at 8:30 a.m. and will include radiotelegraph, radiotelephone, amateur code and an amateur written test. Application forms may be obtained by writing to room 201, United States Court house, Portland, 5, or at the time of the examination in Klamath Falls.