# Brink's Gang Death Pact Bared as Trial Opens

BOSTON, Aug. 31 (INS).—District Attorney Garrett H. Byrne charged Friday in his hour-long opening statement at the trial of eight men accused of the fabulous Brink's robbery that the "pickup gang" entered into a "death pact" agreement.

In baring for the first time the cold-blooded story of Methodical planning and execution of the $1,219,000 Brink's robbery Jan. 17, 1950, Byrne told the jury in Judge Felix Forte's superior court of the gang's "traitor oath."

"They agreed that if any one member did anything to endanger the liberty or life of another, he was to be exterminated," Byrne declared.

Meanwhile, it was learned that one of the government's most important witnesses in the trial has mysteriously disappeared and is the object of a nationwide FBI and police hunt. Authorities declined to discuss the disappearance.

He is Paul Sullivan, 47, of Boston, a close associate of Joseph F. McGinnis, the 52-year-old liquor dealer accused as "the mastermind" of the Brink's gang.

In his outline of the state's case, Byrne related the alleged two years of methodical planning before the actual holdup, five "dry runs" made before the crime was committed, the staging of the robbery and the instructions to the lookout.

Vincent J. Costa, a defendant and the alleged "lookout," Byrne said, had spent days with binoculars atop of buildings across the street from the Brink's counting house in the North End section of Boston.

On the January night of the crime he was posted in an automobile on a one-way street behind a getaway truck, told to crash any police car that came into sight and be ready to shoot it out. Byrne said Costa was told:

"This is not child's play. If it means death to any of us, kill. Shoot anybody if there is any interference of any kind."

The prosecutor told the jury that, in planning for the Brink's holdup, the robber gang broke into the offices of the ADT burglar alarm system to steal the layout of the wiring system at Brink's headquarters. The gang broke into the ADA offices a second time to put the plans back.

Byrne quoted McGinnis as telling other members of the gang that he would send Paul Sullivan to the U. S. Patent Office in Washington to see if he could not break the burglar alarm code at Brink's.

—Star-Telegram Photo by Bob Bain.

O'DANIEL AND SPECTATORS. . . . never say die.

# MAXIMUM PENALTY SOUGHT

Continued From Page 1.

lieves a case can be made without going into the box, which he termed "destroying the sanctity of the ballot."

One of the conflicts is a 1943 attorney general's ruling which says the stub box can not be opened in the grand jury room for purposes of obtaining evidence for an indictment.

There appeared to be little question, however, that the stub box could be opened in a court of inquiry, such as Daniel backers here are insisting Fender assent to.

Fender began receiving calls Friday from prominent Daniel supporters sounding him out on the proposition, as advanced Thursday by Attorney Homa Hill, a Daniel lieutenant.

**Will Conduct Court.**

"I am not simply standing opposed to public disclosure of legal facts, but rather, I simply feel that the procedure known as a court of inquiry would not accomplish anything at this time," Fender said.

"If proper formal demand is made on me I will of course conduct a court of inquiry to the best of my ability," he added.

Under the law, the district attorney and the attorney general have concurrent jurisdiction in courts of inquiry.

# 'There's No Animosity'

# W. Lee O'Daniel Talks To Crowd at Mansfield

BY JOHN MORT.
Star-Telegram Writer.

MANSFIELD, Aug. 31 — W. Lee "Pappy" O'Daniel arrived here shortly before noon Friday and told a group of spectators assembled at the high school grounds that "there's no animosity between the colored people and the whites."

Not 100 yards away an effigy of a Negro hung from the school flagpole. Another was strung up over the entrance to the school building. Signs reading "We Don't Want no Negroes" and "Negro Stay Away" also were in evidence.

Pappy's campaign bus pulled up to the school grounds less than two hours after a Tarrant County assistant district attorney had been roughed up by an ill-humored crowd out to prevent Negro students from registering at the school.

Pappy said he was in Mansfield to get signatures on a petition so he can run as an independent candidate in November.

"I'm still campaigning," he said. "I've never stopped campaigning."

**Over for Signatures.**

He said he had just come over from Dallas to get a few signatures and the furor over segregation here had nothing "particular" to do with his visit.

A voice came from the crowd of about 100 gathered around him:

"What we want to know, Pappy, is are you for the niggers or for us?"

O'Daniel replied that he had made his stand on segregation clear a long time ago.

"Well, how do you stand, Pappy, are you with us?"

O'Daniel said he always had been in favor of segregation and when he is elected governor segregation would be maintained.

Someone asked what about the Supreme Court ruling, what would he do about that.

**Discusses Supreme Court.**

"We're not going to pay any attention to it," O'Daniel said.

Then he launched into a discussion of the "nine cowardly old men in Washington" which is his description of the Supreme Court.

O'Daniel said he didn't figure to have any trouble beating Price Daniel in November.

"It would be the easiest thing in the world," Pappy said.

He said Daniel "fell from the top of the mountain to the bottom of the ocean politically" in the time between the first primary and the runoff.

Pappy said he had left his famous fire wagon at home for this visit. His fiddle hand was sadly depleted too. There were only two members along besides O'Daniel's son, Pat.

# September To Be Dry In Southwest

WASHINGTON, Aug. 31 (AP.—The Weather Bureau said Friday September probably will bring cooler than usual weather to most of the United States west of the Rocky Mountains and in the Great Lakes region.

The outlook is for warmer than normal temperatures for the entire East Coast region and the southern plains. Elsewhere temperatures will be at about near normal September levels.

Rain or snowfall is expected to excede normal in the northern one-third of the nation; to be subnormal in the Southwest and in south Atlantic states, and about normal elsewhere.

# TWISTERS

Continued From Page 1.

were flooding southwest of the city.

About .40 of an inch of rain fell at Mansfield.

Heavy rain was reported at various points throughout the Central Texas area. At Llano rain stopped court proceedings which were aimed at preventing irrigation with water from the upper Llano River.

More than three inches of rain in the area Friday filled the Llano city reservoir and sent local creeks out of their banks.

The heaviest hail storm in 30 years struck the Sloan community, 12 miles west of San Saba, and damaged the roof of the new $60,000 Presbyterian Church there.

Numerous stained glass window panes were broken out.

Farmers in the area reported damage to the pecan crop there.

Lesser amounts of hail were reported at Cherokee, San Saba, Richland Springs, Rough Creek, with up to an inch of rain falling in the area.

High temperature recorded in Fort Worth Friday was 98 at Carter Field and 99 downtown. Only a trace of rain was reported.

# Shaky Boston Post Cuts Sunday Price

BOSTON, Aug. 31 (AP.—The Boston Post, which recently resumed publication after an eight-day suspension because of financial difficulties, said Thursday its future Sunday editions will sell for 10 cents instead of 20 cents. Boston's four Sunday newspapers heretofore have sold at 20 cents.

In making the announcement, the publisher said the Sunday edition would include color comics and a magazine with television features.

The Post is currently being published by three trustees appointed by the federal court.

# U. S. Big Wine Buyer

ROME, Aug. 31 (AP..—Italy exported more than $27,000,000 worth of wine and vermouth last year. The biggest customer was the United States. American importers bought $1,500,000 worth.

# MORE ABOUT MANSFIELD BOARD TO KEEP FIGHTING

Continued From Page 1.

laid against the governor and not the local people.

"It is not my intention to permit the use of state officers or troops to shoot down or intimidate Texas citizens who are making orderly protest against a situation instigated and agitated by the National Association for the Advancement of Colored People. At the same time we will protect persons of all races who are not themselves contributing to the breach of peace. If this course is not satisfactory under the circumstances to the federal government, I respectfully suggest further that the Supreme Court, which is responsible for the order, be given the task of enforcing it."

Assistant District Attorney Grady Hight of Fort Worth was roughed and the camera of Gordon Yoder of Dallas, employe of Telenews, was broken about three hours before the governor ordered the Rangers here.

Hight had gone to the scene with two other assistant district attorneys, Gene Biddle and George Thompson. All three left Mansfield immediately after the incident.

District Attorney Fender said in Fort Worth that he had not sent the assistants to Mansfield.

Witnesses, all members of the crowd, said Hight had declared he was there looking into the case and that he might have to prosecute.

The camera was broken, witnesses said, when Yoder attempted to take pictures of one of the crowd.

Hight, Biddle and Thompson arrived at Mansfield about 9:30 a. m. and parked about 200 yards from the school—cars blocked them from closer approach.

**Shouts and Curses Heard.**

The assistant district attorney talked with officers, then about 10 a. m. Hight walked toward the school. When he was about 50 yards away, the crowd suddenly showed anger about something.

Approximately 150 men and boys boiled around him. Shouts and curses were heard. Hight endeavored to break away, but was jostled. The sheriff's officers pushed their way through the crowd, reached Hight and brought him out.

Hight, as he was led away, was white and shaken and his voice revealed high excitement.

When they returned to the district attorney's office in Fort Worth, the three assistants conferred with Fender, but the district attorney did not censure them.

Hight said he was not harmed in any way, that he had not been struck by any of the crowd. He was unmarked.

Yoder said he was ordered to "get out of there" by one of the crowd when he tried to force his way into the group around Hight.

The cameraman said one of the men told him "we don't want no reporters around."

It was not clear whether the camera was deliberately knocked from Yoder's hand or was dropped in the scuffle. He was attempting to photograph the action of a crowd member who was holding the camera of another photographer so he could not take pictures.

Yoder, declaring "I've had enough," got into his station wagon and drove away with members of the crowd shouting and jeering and telling him "don't come back."

Shortly after 8:30 a. m., the crowd, which began collecting soon after 7 a. m., had swelled to more than 500 persons, a large number of them out-of-town spectators, most of them seemingly from Fort Worth.

However, no Negro, child or grownup, had appeared on the grounds by 2 p. m.

Supt. R. L. Huffman was the first faculty member to arrive on the grounds.

He told the crowd, which immediately swarmed around him, that "now, you guys know I'm with you, but I've got this mandate hanging over my head." As he said that, he ran his finger across his throat.

Before the outbreak, the crowd displayed a mood almost like holiday-makers gathered around a country ball field, a departure from that which swarmed over the grounds Thursday morning. At that time, the crowd expressed its disapproval, some of it bordering on the violent, of a federal decree which makes Mansfield the first Tarrant County community to be ordered to open doors of its white schools to Negroes.

An indication that Negro students might not appear to register was given by a Negro school bus driver, Lawyer Stroud, who Friday morning said he was

Stroud, driving a Mansfield Independent School District bus, told newsmen he had only five students in his vehicle because some weren't going to school Friday, explaining the others were "sick or something."

Asked if he had been told anything about taking the students to Mansfield, Stroud said "I don't know anything about that—I have always taken them to Fort Worth." The five children reported at I. M. Terrell High in Fort Worth later in the morning. They were told to report back Tuesday to register.

Mrs. Mary Louise Thornton, registrar at Terrell High School, listed the pupils who appeared there as Floyd Moody, 11th grader; John Hicks, 12th grader, and Charles Moody, Hattie Lee Neal and Gracie Smith, all 10th graders.

Mrs. Thornton said the Hicks boy and Floyd Moody attended Terrell last year. They apparently just came along with the other three to register. Mrs. Thornton said she didn't know where those three attended school last year.

Huffman's secretary said that bus drivers were told by the superintendent to follow the same routes as last year.

That apparently accounts for the fact that the bus driver, taking the five to Terrell, followed the route he previously had used.

Tarrant County Sheriff Wright had two of his officers from the sheriff's patrol, Capts. Bud Alexander and Bob Morton, at Mansfield.

Unlike the Thursday appearance on the grounds when the sheriff's men were armed with sub-machineguns and tear gas, Alexander and Morton carried only their regular side arms Friday. The heavier weapons aroused considerable ire on the part of Thursday's crowd.

Two objects flapping in the fairly stiff breeze under the clear sky at first glance gave a somewhat festive air to Friday's gathering before the outburst against Hight and Yoder.

But, a closer look gave the grim reminder this wasn't a funmaking crowd, although bitter talk of Thursday had given way to considerable joking, visiting and reading of newspapers. Hanging from a flag pole was a dummy made up to resemble a Negro. This effigy was strung up to the pole Thursday.

The other object, also the effigy of a Negro, hung from a light fixture set in the school's brick wall high above the main entrance — where Mansfield white children were entering to register for the new school term.

"I am certainly not inclined to move state officers into Mansfield at the call of a lawyer affiliated with the National Association for Advancement of Colored People, whose premature and unwise efforts have created this unfortunate situation at Mansfield," the governor's statement concluded.

Mansfield School Supt. R. L. Huffman said he had received no calls from Negro parents, Negro students or lawyers representing Negroes concerning their admission to school Friday.

One of the plaintiffs in the suit to desegregate the schools, Floyd Moody, 17, said "mister, I don't want to go to school in Mansfield. I'd rather go to school among my own people in Fort Worth."

Floyd was one of the boys who reported for registration at I. M. Terrell Friday morning.

The boy, however, said "I'll go to the Mansfield School if the NAACP make me."

He added, "I figure I'd get along better in Fort Worth . . . They have better equipment at the Fort Worth school . . . I'm worried. Those road signs along the road—they got me worried."

Floyd's reference to signs concerned the ones warning Negroes to "stay out of Mansfield."

Floyd's mother declared "it would be better if Floyd could go to school in Mansfield because he would be near home."

She said "we don't want any trouble, but I want my boy to go to school."

The world's smallest republic, San Marino, was founded 16 centuries ago.

# Human Skeleton Found on Ranch West of Laredo

LAREDO, Aug. 31 (AP. — The sheriff's department began Friday checking the possibility of foul play after finding a human skeleton on a lonely ranch 47 miles west of Laredo.

D. Miguel Valls, county health officer, said the skull was that of an Anglo-Saxon woman about 40 years old. Some blond hair remained on the skull.

The sheriff's office said the skeleton was found by boys near a fence which separates La Mesa and Desiderio Trevino Ranches. Officers had to walk three miles through rough brush country to the site.

Dr. Valls said the woman hadn't been buried and had apparently been dead two years.

Chief Deputy Sheriff Porfirio L. Flores said his department will check all disappearances of two years ago. He also has asked Nuevo Laredo officers to check their records, he said.

An old denim jacket like those

# NAACP Attorney Sends Telegram to Brownell on Mansfield Situation

Telegrams were sent Friday morning by L. Clifford Davis, attorney for the National Association for the Advancement of Colored People, to U. S. Attorney General Brownell and Mansfield Supt. R. L. Huffman, in connection with the school situation in Mansfield.

The telegram to Brownell:

"A federal judge of a district court of the United States has ordered the admission of certain Negro children to public school age to the public high school at Mansfield, Tarrant County, Texas. These Negro children and others desire to attend the Mansfield High School. But in spite of their desires, an assembled mob of more than 200 angry and unruly white citizens stand ready to prevent their admission by violence and lawlessness.

"The sheriff of Tarrant County, Harlan Wright, has indicated that he does not have sufficient staff to subdue and put down this menacing threat of harm to the persons of petitioners and their adult relatives. An appeal has been made to Homer Garrison, director of public safety of Texas, and he has said that he can do nothing unless and until he has been asked to do so by the sheriff of Tarrant County. An appeal has been made to his excellency, Allan Shivers, governor of the State of Texas. He is reported out of his office and no help has been forthcoming from the lieutenant governor.

"We therefore feel compelled to call upon you, as attorney general of the United States, to use the facilities of your office to efficiently protect the persons and the rights of the Negro children concerned. There is but one public high school in Mansfield, Texas, and if petitioners are denied the right to attend that school, they shall have been denied their civil rights to receive public education in the public schools of the state.

"Your help is urgently solicited."

The telegram to Huffman:

"Formal application for admission to the Mansfield High School is hereby made on behalf of Nathaniel Jackson, a minor; Charles Moody, a minor, and Floyd S. Moody, a minor (all plaintiffs in the suit for desegregation), and all other Negro minors of public school age in the Mansfield Independent School District who are similarly situated because of race or color.

"The presence of an assembled mob of more than 200 white persons and other immediate threats of harm such as the hanging of a Negro in effigy restrain and prohibit the petitioners from appearing in person.

"Constructive tender of the persons is hereby made by this communication."

Huffman's replyed stated that: He has received Davis' wire but is going to ignore it. He expressed belief Davis is seeking to register the students by mail.

"We do not register by proxy, mail or any other way except in person," Huffman declared.

# 208 Fewer Polio Cases Than Aug. 31 Last Year

AUSTIN, Aug. 31 (AP.—The State Health Department Friday said there have been 906 reported polio cases this year compared to 1,114 for this date last year.

However, the number of cases of paralytic polio total 474 compared to only 455 in 1955. Nonparalytic cases this year total 380 while 451 cases were reported to date a year ago.

Twenty-three paralytic and 27 nonparalytic cases were reported last week.

## Checking for 'Instigator'

# Two Men Curb Reporter Near Troubled Mansfield

MANSFIELD, Aug. 31 (AP.—Two men in a 1956 model car forced the automobile driven by Associated Press Staff Writer Irwin Frank to the curb Friday because, they said, "we wanted to make sure you weren't some instigator from out of state."

Frank had spent the day reporting mob action at the Mansfield High School, where 400 or so men roughed up photographers and an assistant district attorney and kept any Negroes from registering at the high school.

The two men held Frank for about 20 minutes before releasing him.

Frank said the men were about six feet tall and heavily built.

The incident occurred around Arlington, not far from Mansfield.

Frank asked them to identify themselves, and they said, "You can ask, but we're not saying."

Later, asked if they were from Mansfield, that said no, but they were from the area.

Shortly before, in downtown Mansfield, Frank interviewed two or three Negro youths. After talking to one, three rough-appearing men in a pickup truck demanded in a menacing shout that Frank come to them. They only wanted to know what the Negro youths told him.

# Laredo Voting 'Pressure' Hearing Rests

LAREDO, Aug. 31 (AP.—A 49th District Court's special inquiry into alleged compulsory campaign contributions here was recessed indefinitely Thursday.

The recess came after J. W. Nixon, superintendent of Laredo public schools, said that "not a single teacher had made contributions voluntarily or involuntarily to the Independent Club's political fund."

The Independent Club has been in power here since before the turn of the century.

Judge R. D. Wright and District Attorney E. James Kazen will go to Carrizo Springs to hold the court session there beginning next week. The hearings here may resume in about 10 days, court officials said.

Earlier some witnesses testified city employes — I to kick back 10 per cent of their wages to the Independent Club to keep their jobs and also insure a certain number of votes. Others said contributions were voluntary.

Nixon said from the stand he had told the teachers "I would not insult their intelligence by telling them how to vote" and added he had never discussed local politics with the teachers.

However, he said each year he gets out a bulletin urging the teachers to vote. This year he said he told the teachers "We have friends" running for statewide offices and urged them to express their opinions at the polls. He said he also urged that the constitutional amendment improving teacher retirement benefits be approved.

Nixon invited Kazen to call any one or all of our 350 teachers" to the stand for questioning about contributions.

Manuel Gutirrez, treasurer of the Independent Club, was supposed to appear before the inquiry but was not located. A deputy sheriff said he understood Gutierrez was on vacation and could not be located to give the subpoena.

Wednesday Kazen said Gutierrez had been called from his vacation to attend the hearing.

Assistant District Attorney Bill King, who was here as an observer, returned to plane to Austin late Thursday.

# Open House Held at Lake Worth Armory

Lake Worth Armory's annual open house to let friends and relatives see what guardsmen do during drill periods was held Thursday night.

The event was sponsored by headquarters company of the 949th Armored Ordinance Battalion of the 49th Armored Division.

# Irving Educator Dies at Age 53 Of Heart Attack

IRVING, Aug. 31 (AP.—Charles A. Langston, 53, curriculum director for the Irving public schools, died early Friday of a heart attack.

Formerly a major figure in the administrative turmoil in the Irving schools, he had served as interim superintendent of schools during several months of 1955 when Dr. John L. Beard was temporarily ousted from the post.

He was later fired from his job as curriculum co-ordinator during the school conflict and last February won an appeal to the state commissioner of education for his unpaid salary.

The Irving School Board voted in July to give him a new contract.

Funeral services will be held at 2 p. m. Saturday in the Black Funeral Chapel in Irving. Burial will be in Hillcrest Cemetery in Dallas.

Survivors include his wife; two daughters, Mrs. Harvid Tips of Dallas, Miss Janet Langston of Irving; and three grandchildren.

# Detectives Hunt Extortion Clues

Detectives Friday reported no new leads in the week-end $20,000 extortion attempt of a Fort Worth retail store chain.

But Detective Capt. O. R. Brown returned from Wichita Falls to report the plot was almost identical with one that was tried a year ago at a large store in Wichita Falls.

The method of operation and the printing of the notes appeared to be the same, he stated.

In both cases, victims were required to follow an elaborate payoff route, but contact wasn't made with the extortionist.

# XB-58 Was to Roll Out Friday, Magazine Says

The XB-58, Convair's new medium bomber and the "first American supersonic bomber," was to roll out of the plant here Friday, "Aviation Week," a trade magazine, announced in its current issue.

The McGraw-Hill publication said the Air Force had named the plane "The Hustler" and described it as having "four podded General Electric J-79 (jet) engines."

Convair, both here and at headquarters in San Diego, would issue no comment.

"Aviation Week" said that taxi tests will be run "through most of September with the first flight scheduled for late September or early October."

The magazine described the plane as a "prototype." The X designation means it is in the experimental stage.

Win a Free Air Trip to
MEXICO
See KFJZ-TV Monday 3:35, 10:15 p.m. or
CRADY'S ONE DAY Cleaners

—Star-Telegram Photo.

WHITE PUPILS ENTER—Only white pupils showed up to enter Mansfield High School. A Negro effigy, the second on the school grounds, hangs over door.

# Much Photographed Beauty Faces Not-So-Flattering Police Cameras

NEW YORK, Aug. 31 (CTS).—Kay Douglass, who as Miss New York State probably was one of the most-photographed dolls in the land, faced cameras under less happy circumstances Friday. She was mugged—and fingerprinted—at police headquarters after having been pinched on a grand larceny charge involving the theft of a $125 pooch.

Not only did she swipe the 16-week-old French poodle Thursday night, but she took it to a Brooklyn saloon from which the dog had escaped only to be run down by a police car.

The flame-tressed, 18-year-old beauty contest winner who represented a certain segment of New York womanhood in the Miss Universe contest in California, was arrested in Brooklyn.

Kay, whose name is Mrs. Douglas Grundy, was gaffed on the complaint of Myron Jenner, a manufacturer of camera flashlight guns. He told police that the young beauty visited his apartment while he was out Thursday night and took the dog.

In felony court, Magistrate Kay to obtain counsel and released her on parole.

Mrs. Grundy is no stranger to either newspaper readers or the courts. Her beauty has gained her deserved publicity but her husband, a commercial photographer, got her into the public prints with his strong right arm. Four days after she won the state title and was all set to fly to the West Coast for the big contest, Douglas let her have a dandy in the left eye. She covered the resultant mouse with makeup but, even so, she failed to win the Miss Universe title.

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