

U. S. Judges Hear School Case Appeal

Hearing Held In Federal Court In Cincinnati Monday

Arguments were presented before the U. S. Court of Appeals for the Sixth District, seated in Cincinnati, Monday, on the Hillsboro school case.

James Hapner, attorney for the Hillsboro school board, presented rebuttal arguments on behalf of the board. No board members were called as witnesses and there were no witnesses for the plaintiffs. The plaintiffs and their mothers, however, were present for the hearings.

The appeal, filed by attorneys for the Negro children here, was an attempt to reverse a decision handed down last January by U. S. District Judge John H. Druffel. In that ruling, Judge Druffel favored the Hillsboro school board and denied the plaintiffs the injunctions they sought.

DURING AND following the hearing, the appeals court gave no indication on how soon it might render a decision on the appeal. Hapner estimated that it might be 30 days before a decision is given. Meanwhile, Hapner has been asked to file a written brief with the court, pointing out in particular the progress made to date on the new-building program of the local schools.

The present board is on record favoring the integration of all colored children from the Lincoln school when both the new elementary buildings are completed.

Appearing for the plaintiffs were Russell Carter, James H. McGee and Constance Baker Motley. The latter presented the argument for the plaintiffs.

The attorney's argument followed previous lines, asking immediate integration of the Lincoln pupils, pointing out the "psychological and spiritual damage" to the youngsters in the present situation. Some reference was made to Ohio law which outlawed segregation some 30 years ago.

During Hapner's rebuttal, he reviewed the board's plans for integration and answered questions from the bench on progress on the hearings.