



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT  
HISTORIC PRESERVATION OFFICE

**Staff Report: Z-72-16-8**  
**November 10, 2016**

**INTRODUCTION**

Z-72-16-8 is a request to establish Historic Preservation-Landmark (HP-L) overlay zoning for the property known as George Washington Carver High School, located at the southeast corner of 4<sup>th</sup> and Grant Streets. Maps and photos of the subject property are attached.

**STAFF RECOMMENDATION**

Staff recommends that rezoning request Z-72-16-8 be approved.

**BACKGROUND**

In July 2016, the City of Phoenix HP Office received a letter from Princess Crump, representing the owner of the subject property, the Phoenix Monarchs Alumni Association of Phoenix, Arizona, Phoenix Chapter. The letter requested that the subject property, which is currently zoned DTC-Warehouse and DTC-Warehouse HP, have its HP zoning overlay expanded to cover the entire 5.1-acre site (at present the HP overlay only covers the north 2.1 acres). Realizing that the property was eligible for landmark designation, staff asked Ms. Crump if the owner would support upgrading the entire site to HP-L zoning. The owner agreed, and the City's HP Commission formally initiated HP-L overlay zoning for the 5.1-acre site on August 15, 2016.

**LANDMARK DESIGNATION**

The rationale for HP-L overlay zoning is explained in Section 808 of the City of Phoenix Zoning Ordinance:

A classification of historic preservation zoning, landmark, is created to recognize that there are some historic properties that possess historic or architectural significance, integrity, distinctive visual character and quality that is a level of exceptional significance among historic properties. Designation by this category gives public recognition of the importance of these properties.

Section 803 of the Zoning Ordinance defines a landmark as:

A structure or site which contains an outstanding or unique example of an architectural style, which contains or is associated with a major historic event or activity, which contains important, intact archaeological

resources, which is a site or structure of unique visual quality and identification, or which is a site of general historic or cultural recognition by the community. A landmark shall also meet all criteria for designation as an HP District (as set forth in Section 807.D and 807.E).

The Ordinance further states that landmark designation can occur for a property already within an HP District or in conjunction with designation as an HP District, and that the review and hearing procedures are the same as for regular HP designation. The only exception is that with landmark designation the HP Commission is required to adopt a set of findings documenting the uniqueness and significance of the subject building or site.

### **SIGNIFICANCE**

George Washington Carver High School qualifies for landmark designation under the second category listed in Section 803 of the Zoning Ordinance:

*# 2 – Associated with a major historic event or activity*

#### **Summary**

Constructed in 1926, George Washington Carver High School is exceptionally significant for its role in African American history in Arizona. It was the only high school in the state built specifically for African Americans. Although segregated high schools were not mandated-by state law, Carver High School was constructed due to local sentiment which urged racial separation among high school students. This sentiment increased dramatically after World War I. Carver High School strived to provide a strong academic environment and produced several notable graduates, ultimately becoming a source of pride for the African American community in Phoenix. This building is one of the few remaining structures that was built for blacks during the period of enforced segregation from 1912 to 1954.

#### **History**

In 1895, Arizona's Territorial Legislature passed a law stating that high schools could be formed in districts with a minimum of 2,000 residents. Many residents of Phoenix jumped at the chance to form a new a high school. In September of that year, the high school class met for the first time on the second floor of the Central elementary school building with approximately 90 students. It is unknown whether any of these students were African American. By 1897, it was evident that the Central building was inadequate to serve as both an elementary and a high school. That year voters passed a bond to purchase the Churchill mansion at 5<sup>th</sup> and Van Buren Streets and convert it to Phoenix Union High School. The building was enlarged and remodeled in 1899.

In 1910, due to an increase in population, Phoenix residents approved a \$150,000 bond to start the Phoenix Union High School complex. In 1913, Elizabeth Harris, the first

recorded African American student, graduated from Phoenix Union High School. As more African American students attended classes at Phoenix Union, a separate black high school was proposed.

When Arizona achieved statehood in 1912, only two laws addressed the question of segregation. One of these laws prevented “intermarriage between persons of Caucasian blood and their descendants with Negroes.” The other law provided for the establishment of segregated elementary schools. By 1925, Phoenix had three black elementary schools—Dunbar, Frederick Douglass, and Booker T. Washington.

Phoenix was not required to build a separate black high school and did not for several years. It was only after anti-African American sentiment increased following World War I, that it was deemed necessary to separate black and white high school students. In 1918, the “Department for Colored Students,” later known as the Phoenix Union Colored High School, was established. This school had only one teacher—Mrs. C.B. Caldwell—and was housed in a rear room of the Commercial building. As separatist sentiments in Phoenix became more pronounced and African American enrollment increased, these students were sequestered into two small cottages separated from the main campus by an irrigation ditch. In 1923, the school board appropriated \$125 a month to rent a house for the black students on the corner of 9<sup>th</sup> and Jefferson Streets. The following year, a special provision was passed by the state legislature that allowed Phoenix to pay for a separate black high school. On August 3, 1925, the school board commissioned the architectural firm of Fitzhugh & Bryon to prepare plans for the new building. On August 18, 1925, the school board passed a resolution which allowed for the purchase of a 5-acre site at 415 East Grant Street for \$10,500.

The African American community protested the selection of this site at a community meeting on August 28, 1925. The resolution they adopted stated the site was undesirable because it was “bounded on the north and east sides by a growing industrial district,” that “the high school board has admitted that the site is of such location that it will require the services of a watchman to protect children going to and from school,” and that “the district just south of the proposed site is admitted by physicians to be a hot bed and nucleus of virulent contagious diseases to which we do not want our children exposed.” Despite the protests, the site acquisition moved forward and on December 21, 1925, general contractors Pierson & Johnson, who had submitted a bid of \$110,000, were awarded the construction contract. Phoenix Union Colored High School, the only structure in Arizona's history built to be as a black high school, was dedicated on September 13, 1926 and opened for classes the next day.

On June 7, 1943, the name of the school was officially changed to Carver High School, in honor of the great African American scientist and educator, Dr. George Washington Carver. The change was recommended by the school's faculty and many civic organizations, and approved by the school board.

In succession, Mrs. C.B. Caldwell, Millard T. Woods, Roy A. Lee, and W. A. Robinson served as principals of the school. All were well-qualified administrators who helped

make Carver High School an excellent educational institution. In particular, Principal Robinson traveled throughout the United States recruiting instructors with master's degrees, well before an M.A. was required. Some of these outstanding teachers included Arlena Seneca, Gussie Wilson, Mattie Hackett Moore, Alice Marriot, Bettye Fairfax, Deloris Adkins, Thelma Shaw, and Estelle Burnette. Educators like Arlena Seneca—a science teacher—also became active in the community. Seneca founded Careers for Youth, restarted the Urban League Guild (the women's auxiliary for the Phoenix Urban League), and joined other professional and activist groups. In 1967, she became the first African American woman to receive the Phoenix Woman of the Year award.

In 1948, under Principal Robinson's leadership, Carver received much needed remodeling and enlargement. This included the construction of new shop facilities and a new 1,000-seat stadium. While Robinson's energetic leadership was vital, the renovations were also completed because Phoenix's white community acknowledged that the school needed improvements to remain open and maintain segregation.

In spite of the acknowledged deficiencies of Carver's facilities, students were able to acquire a quality education. Many graduates of the school have held professional and management positions. Carver graduates include Doug Nelson, Assistant Chief of Police for Phoenix; Travis Williams, City of Phoenix Human Resources Director; Dr. William Maxwell, President of Fresno Community College; Dr. Morrison F. Warren, Phoenix City Councilman and Professor at Arizona State University; Hadie Redd, Assistant District Attorney in San Francisco; and Calvin C. Goode, the longest-serving City Council member in Phoenix history.

Carver High School had a high profile in the African American community. The faculty's determination to provide a quality education instilled pride within the community. Carver's auditorium was Phoenix's largest public facility that housed black activities. Sporting events, plays, lectures and other social events were held there. During the Great Depression, Carver provided adult evening school to retrain out-of-work black Phoenicians. Carver also turned out quality athletic teams and concert bands. In the late 1940s and early 1950s, Carver's football, basketball, and track teams all won state championships. In 1952, Leon Jordan was nominated for Arizona Basketball Coach of the Year. In both 1952 and 1954, A.H. Shaw was nominated for Arizona Football Coach of the Year. In 1949, Carver's concert band was noted for its excellence and won the statewide trophy in the Phoenix Jaycee Rodeo.

During the post-World War II era, ending school segregation became a top priority for many African Americans in Arizona. In the late 1940s, the multi-racial Greater Phoenix Council for Civic Unity, the NAACP, the Urban League, and other organizations spoke out against school segregation. The Council for Civic Unity, started in March of 1948, led the fight. In 1951 several teams of students attempted to register at predominantly Anglo schools near their homes in Phoenix. Louise Phillips, president of the Maricopa Branch of the NAACP, escorted these children. She also led a suit in federal court challenging segregation. These actions were part of a national grassroots effort by

NAACP chapters to initiate test cases that would eventually reach the U.S. Supreme Court and end segregation across America. Black legislators Hayzel B. Daniels and Carl Sims introduced the bill, which would ultimately pass the same year, giving local school boards the option to voluntarily desegregate. However, Phoenix school districts chose not to do so.

In 1952, the interracial team of Herb Finn and Hayzel B. Daniels filed a suit (*Phillips vs. Phoenix Union High School District*) in Maricopa County Superior Court against the Phoenix Union High School District Board on behalf of three African American students who attempted to register at Phoenix Union High School. On February 9, 1953, Superior Court Judge Fred C. Struckmeyer Jr. declared segregation in Phoenix high schools was unconstitutional, noting that “democracy rejects any theory of second class citizenship” and that “a half-century of intolerance is enough.”

Finn and Daniels attacked the issue again, focusing on elementary schools. That same year, they filed suit against the Wilson Elementary School District. In 1954, three months before the U.S. Supreme Court ruling in *Brown vs. Board of Education*, Superior Court Judge Charles Bernstein desegregated local elementary schools. With these achievements, Carver High School closed its doors in 1954 and the historically African American grade schools integrated, primarily with Hispanic children.

It was with mixed emotions that African American students and community members watched as Carver High School closed its doors. While they mourned the loss of a nurturing and academically challenging environment, they were pleased that this chapter in racial inequality was over. Phoenix Union, Carl Hayden, and South Mountain High Schools took on the bulk of the African American students. In 1954, all 22 teachers from Carver were reassigned to different high schools. Principal Robinson took on a new job in administration for the Phoenix Union High School District.

Carver High School was converted to office space and storage for the Phoenix Union High School District. From 1956 to 1960, several of the old classrooms were partitioned to increase the amount of offices. The auditorium was modified to increase its storage capacity, and the main entrance was modified from a double door to a single door entrance. The grounds behind the school were converted from athletic fields and open space to storage and maintenance structures for the Phoenix Union School District.

On March 15, 1996, the Phoenix Monarchs Alumni Association purchased the facility from the Phoenix Union High School District for \$200,000. They established the George Washington Carver Museum and Cultural Center and listed the building on the Phoenix Historic Property Register and National Register of Historic Places. The property was also the recipient of a “Save America’s Treasures” grant in August 2008 administered by the National Park Service. Presently situated on the site are the main school and shop building, grandstand, and two temporary metal-framed buildings formerly used by Phoenix Union High District and now being utilized by tenants. The former athletic field has been paved over but the grandstand remains.

### **ADDITIONAL CRITERIA**

According to Section 807.D of the Zoning Ordinance, in addition to the significance requirement, the property must also be at least 50 years old, or have achieved significance within the past 50 years if it is of exceptional importance. The property must also possess sufficient integrity of location, design, setting, materials, workmanship, feeling and association to convey its significance. In this case, the building was constructed in 1926, meeting the age requirement. It also retains sufficient historic integrity to be recognized as a historic school building, despite the fact that some of its features have been altered.

Section 807.E further states that, when applying the evaluation criteria in Section 807.D, the boundaries of a historic district should be drawn as carefully as possible to ensure that:

1. The district contains documented historic, architectural, archaeological or natural resources;
2. The district boundaries coincide with documented historic boundaries such as early roadways, canals, subdivision plats or property lines;
3. Other district boundaries coincide with logical physical or manmade features and reflect recognized neighborhood or area boundaries; and
4. Other non-historic resources or vacant land is included where necessary to create appropriate boundaries to assist in meeting the criteria in Section 807.D.

The proposed HP-L zoning boundaries follow the current parcel boundaries and coincide with the historic boundaries of the high school. The total area to be rezoned is 5.1 acres. This boundary is recommended by staff and supported by the property owner.

### **CONCLUSION**

The rezoning request Z-72-16-8 to establish Historic Preservation-Landmark (HP-L) overlay zoning for the subject property should be approved for the following reasons:

1. The property meets the requirements for landmark designation set forth in Sections 803 and 808 of the Zoning Ordinance;
2. The property also meets the eligibility criteria for age and integrity set forth in Section 807.D; and
3. The proposed boundaries meet the eligibility criteria outlined in Section 807.E.

Writer

K. Weight

11/10/16

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November 10, 2016

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Team Leader

M. Dodds

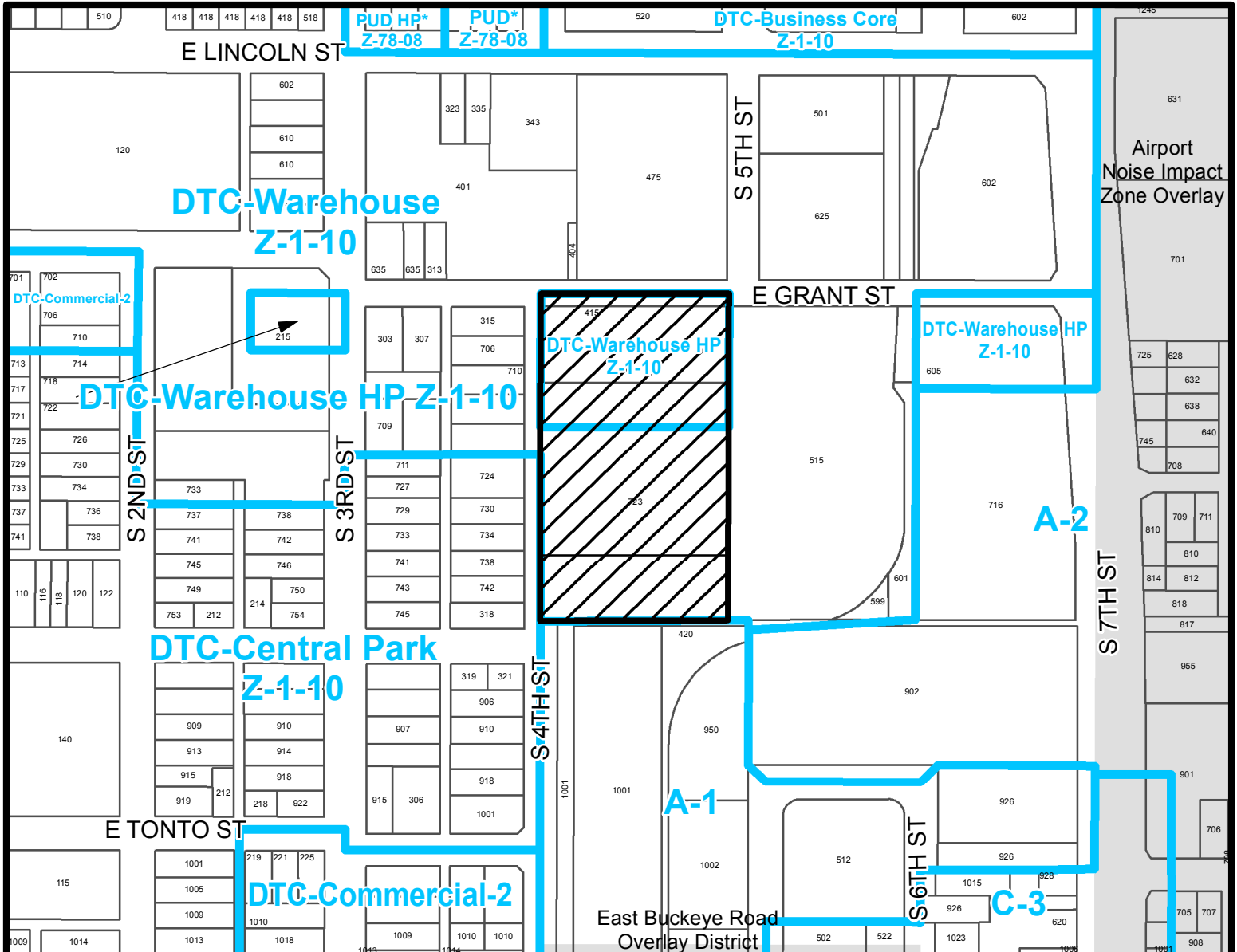
Attachments

Sketch Map (1 page)

Aerials (2 pages)

Photos (1 page)

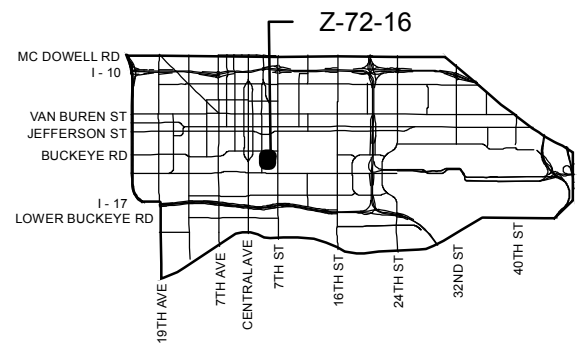
Newspaper Articles (4 pages)



**CENTRAL CITY VILLAGE**  
CITY COUNCIL DISTRICT: 8

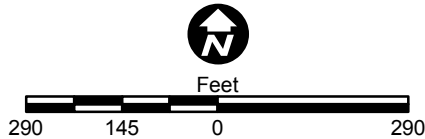
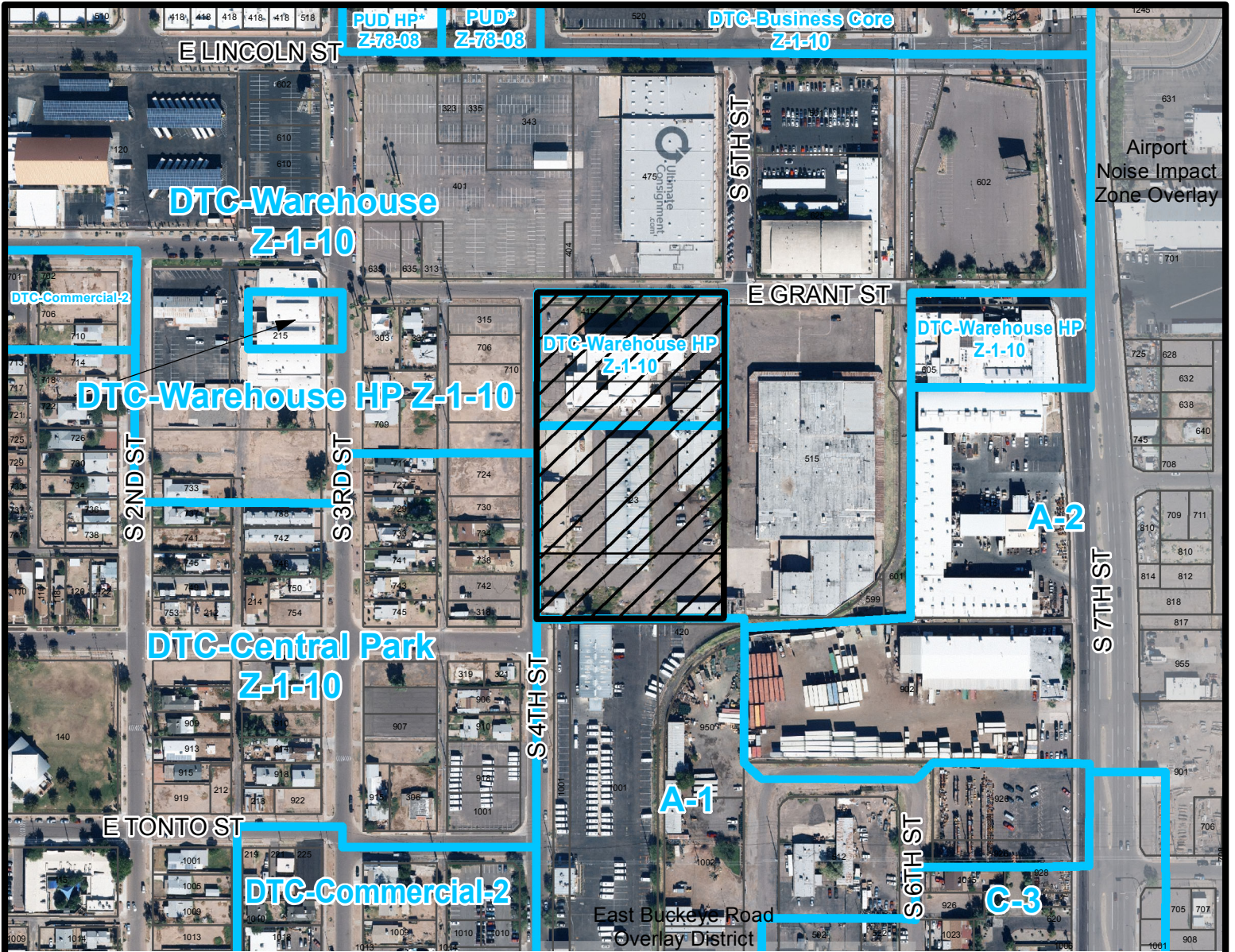


**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT



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|--|---|---|--|
| <b>APPLICANT'S NAME:</b> City of Phoenix Hist Pres Commission                                |   | <b>REQUESTED CHANGE:</b><br>FROM: DTC-Warehouse HP, (2.10 a.c.)<br>DTC-Warehouse, (3.03 a.c.) |  |
| <b>APPLICATION NO.</b> Z-72-16   | <b>DATE:</b> 10/4/16<br><small>REVISION DATES:</small>        | TO: DTC-Warehouse HP-L (5.13 a.c.)  |  |
| <small>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</small><br>5.13 Acres | <small>AERIAL PHOTO &amp; QUARTER SEC. NO.</small><br>QS 9-28 |   |  |
| <b>MULTIPLES PERMITTED</b><br>DTC-Warehouse HP, DTC-Warehouse<br>DTC-Warehouse HP-L          |   | <b>CONVENTIONAL OPTION</b><br>N/A<br>N/A  |  |
| * <b>Maximum Units Allowed with P.R.D. Bonus</b>   |   | <b>* UNITS P.R.D. OPTION</b><br>N/A<br>N/A  |  |



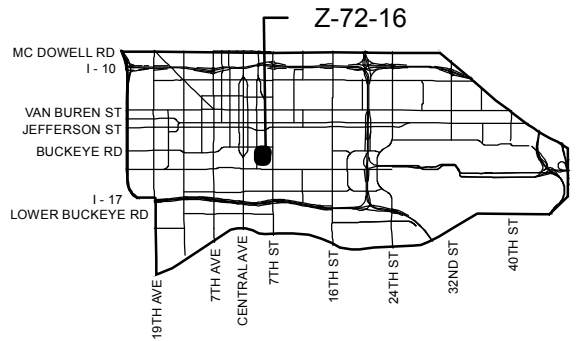


**CENTRAL CITY VILLAGE**  
CITY COUNCIL DISTRICT: 8



**City of Phoenix**

PLANNING & DEVELOPMENT DEPARTMENT



**APPLICANT'S NAME:** City of Phoenix Hist Pres Commission

**APPLICATION NO.** Z-72-16

**DATE:** 10/4/16  
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GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.

5.13 Acres

AERIAL PHOTO & QUARTER SEC. NO. QS 9-28

ZONING MAP F-8

**REQUESTED CHANGE:**

FROM: DTC-Warehouse HP, (2.10 a.c.)  
DTC-Warehouse, (3.03 a.c.)

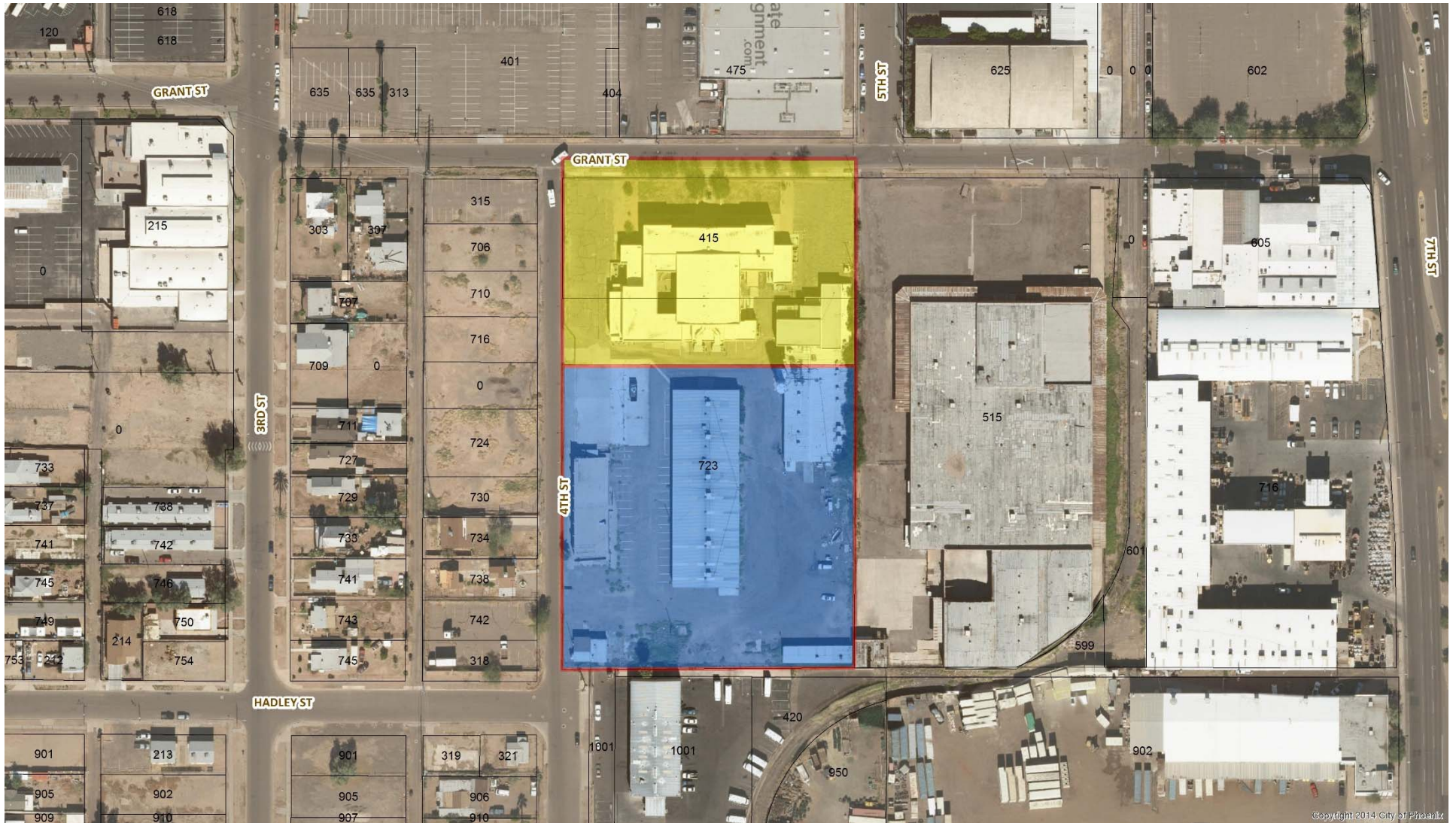
TO: DTC-Warehouse HP-L (5.13 a.c.)

| MULTIPLES PERMITTED             |
|---------------------------------|
| DTC-Warehouse HP, DTC-Warehouse |
| DTC-Warehouse HP-L              |

| CONVENTIONAL OPTION |
|---------------------|
| N/A                 |
| N/A                 |

| * UNITS P.R.D. OPTION |
|-----------------------|
| N/A                   |
| N/A                   |

\* Maximum Units Allowed with P.R.D. Bonus



**George Washington Carver High School**  
**415 East Grant Street**  
**Proposed Historic Preservation-Landmark (HP-L) Zoning Overlay**

**Area shaded in yellow currently is zoned DTC-Warehouse HP**  
**Area shaded in blue currently is zoned DTC-Warehouse (no HP overlay)**

# George Washington Carver High School

415 East Grant Street



**Photo 1.** Front entrance, looking south from Grant Street.



**Photo 2.** Front façade, looking southwest from Grant Street.



**Photo 3.** Front façade, looking southeast from the corner of 4<sup>th</sup> and Grant Streets.



**Photo 4.** Concrete stadium at rear of property, looking northwest from rear property line.

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THE ARIZONA REPUBLICAN, PHOENIX, MONDAY MORNING, SEPTEMBER 13, 1926

# New Phoenix Colored High School Building Is Dedicated At Sunday Ceremony

## CLASSES START WITH BEGINNING OF TERM TODAY

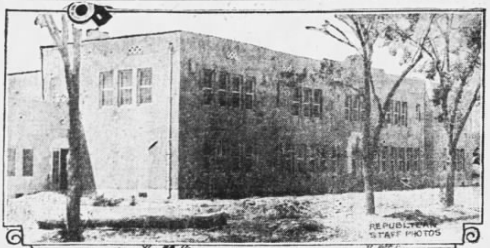
"A new day, a new school, an inspiration," was the keynote of the dedication of the new Phoenix colored high school yesterday afternoon. In the words of the Reverend H. A. Inglish, pastor of the First M. E. church.

All 2500 of the school bells were rung in the ringing of this new school. Visitors who had been invited to the new school building and the equipment in the auditorium to witness the dedication ceremony.

Approximately 350 persons were present at the dedication ceremony and other Phoenix residents interested in the progress of education in the city.

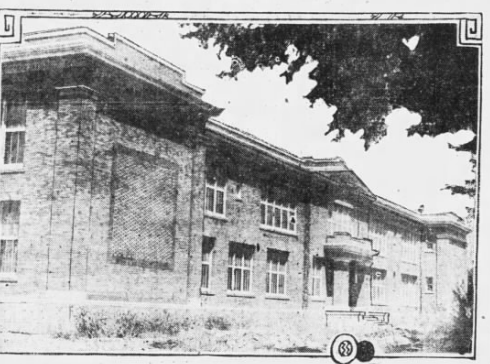
Mr. C. R. Caldwell, head of the colored school board of the Phoenix Union High school, now in full charge of the new colored high school, was the first speaker. Mr. Caldwell, in expressing his appreciation of the new school building, said that the history of colored education in the Phoenix high school system was the result of the contrast between the single cellar room school, now made available by the Phoenix school board, and the Phoenix Union High school.

## Where Colored Students Will Study



The rapid growth of educational facilities for the colored children of the community is represented by the new Phoenix colored high school, dedicated yesterday. This building, representing an investment of \$150,000, is located on the southwest and is perhaps the foremost dedicated exclusively to colored education.

## Another New Colored School



Educational facilities equal to those offered in the best of Phoenix grammar schools are available to the colored children of the west side of the city in the Dunbar school, which completed its first successful full season last spring. Students of the first four grades of grammar school will register here today.

**Montgomery Speech**

In concluding his address, Mrs. Caldwell introduced E. W. Montgomery, superintendent of the Phoenix Union High school, who took charge as master of ceremonies.

Having a general invitation to inspect the school and offering a brief description of the equipment, Mr. Montgomery pointed out the excellent heating and ventilation system which provided for an even and healthful temperature at all times. He also pointed out the excellent lighting in the main office, making it unnecessary to shift from the light in the auditorium.

The dedication address was given by Bishop I. B. Scott of the church, who said in his address, "I am I My Brother's Keeper." The building opened the place of the old building of the school.

An personal representative of Governor Hunt, who was unable to attend, said that the new school building is the best of the best in the state.

He was followed by the Reverend H. A. Inglish, who stressed the importance of the new school building and the confidence in the results to follow such an auspicious occasion. Mr. Inglish also stressed the importance of the new school building and the confidence in the results to follow such an auspicious occasion.

**Another New Colored School**

The new Dunbar school, which completed its first successful full season last spring, is now open to the first four grades of grammar school. The school is located on the west side of the city and is one of the best of the best in the state.

The school is equipped to serve the students with a generous well-regulated food but until it is distributed. The athletic fields will soon be completed at an estimated expenditure of \$10,000. These will provide a football field and baseball diamond, whereas basketball will be played in the auditorium.

The school officers soon to be organized by Mrs. Caldwell, are: principal, Mrs. Caldwell; vice principal, Mrs. Caldwell; secretary, Mrs. Caldwell; treasurer, Mrs. Caldwell; and other officers.

The school is one of the best of the best in the state. It is equipped with the latest in educational facilities and is one of the best of the best in the state.

**Science Courses**

Science courses are especially well handled in the new building, where the use of the latest in scientific apparatus make many experiments possible. Excellent exhibits and displays are contained in the laboratory for chemistry, physics, biology, and general science.

Cooking, sewing and manual training are stressed in the laboratory for domestic science. The new building is one of the best of the best in the state.

## Ronald Colman Finishes 'Barbara Worth' Picture With Horse Mesa Scenes



Ronald Colman

Valuing into a waiting automobile on his arrival at the Union station yesterday morning at 3 o'clock and leaving from Tempe at 4:15 in the evening, Ronald Colman, motion picture star, made a flying visit to the Valley and the Horse Mesa, where his fellow players, director Henry King, are filming the last of the "Winning of Barbara Worth," an epic of irrigation and desert reclamation, in which Colman and Vilma Banky play the leading parts.

The morning Mr. Colman is again in Los Angeles, writing on his next picture for Samuel Goldwyn, "The Sign of the Cross," which he will begin to film in the latter part of the month.

"The desert," he said, "has been my chief source of inspiration this summer. I have found it most beautiful and interesting. I have been to the desert several times and I have found it most beautiful and interesting. I have been to the desert several times and I have found it most beautiful and interesting."

Mr. Colman is expected to return to Phoenix in a few days. He will be in Phoenix for a few days and will be in Phoenix for a few days.

**Nine Ears Of Corn Grow On One Stalk On Blackman Ranch**

Nine ears of corn on one stalk. This unusual production is the latest of its kind in the Phoenix area. The stalk was found on the Blackman ranch, which is located on the west side of the city. The stalk was found on the Blackman ranch, which is located on the west side of the city.

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## Local Briefs

**RETURN AFTER VACATION**—E. G. Grouse of Scottsdale, Phoenix, and family, 810 North Fourth avenue, have returned from Colorado, where they spent a month's vacation at the Beach resort.

**MOVE TO PHOENIX**—Mrs. A. Taylor, accompanied by her son, of Salt Lake City, arrived here yesterday. Mrs. Taylor, who has been employed in Phoenix for some time, is planning to return to Phoenix for good.

**VISITORS LEAVE**—Mr. and Mrs. H. H. Atkins, who have been visiting in Phoenix, will leave today for California, where they will be returning to their home in Huntington, N. D.

**BOARD MEETS**—The Sunday school board of the First Methodist Episcopal church will meet tomorrow evening at 7:30 o'clock in the church. Officers, teachers and class officers will discuss plans for the coming year.

**UNDELIVERED TELEGRAMS**—Undelivered telegrams were held at the Western Union office last night for Edith Lewis, T. Allen Johnson, Helman Company, Inc., R. T. Thorne, Mrs. H. M. Forester, Dr. A. H. Littlefield, Lee Comer and R. F. Morrison.

**LEAVES FOR FUNERAL**—Louis J. G. Grouse of Scottsdale, Phoenix, and family, 810 North Fourth avenue, have returned from Colorado, where they spent a month's vacation at the Beach resort.

**CLUB MEETS**—The Montrose Country Club will meet tomorrow afternoon at 2 o'clock in the clubhouse of the Business and Professional Women's club, at 17 East Monroe street.

**Ensign S. G. Kelly Weds Kentucky Girl In Sunday Ceremony**

The marriage of Ensign S. G. Kelly and Miss May Paul of Canton, Kentucky, which took place yesterday noon at the first Baptist church, was one of the outstanding social events of the season.

William Kelly was best man to his brother, and the bride, due to the absence of her father, was given away by Judge A. G. McAllister. Miss Alice Jane Kelly acted as maid of honor, respectively.

The ceremony was held at the home of Mrs. Kelly, who had a large number of guests. The bride wore a gown of white satin with lace and orange blossoms. Her veil was of white tulle and she carried a bouquet of white roses and valley lilies.

Mrs. Stephens, as matron of honor, wore a charming costume of powder blue tulle, with a train of white tulle. The ensemble was completed by a close-fitting corset and a white tulle sash.

Miss Alice Jane Kelly was accompanied by a bouquet of pink gerberas. Mrs. Kelly, mother of the groom, wore a gown of white tulle with a small white veil.

The bride's hair was styled in a classic fashion and she wore a pearl necklace and earrings. The ceremony was held at the home of Mrs. Kelly, who had a large number of guests.

## Phoenix Arizona Club Instrumental In Bringing 24 New Residents Here During First 11 Days Of September

Twenty-four arrivals in the first 11 days of September, all the direct result of advertisements published four, five and six months ago, give a new lease on life to the Phoenix Arizona club, according to Mayor Frank A. Jefferson, secretary-treasurer of the Phoenix Arizona club.

"National advertisers" will bring Phoenix a greater number of new residents and visitors this fall and winter than ever before," Mayor Jefferson asserted. "It is in the air this year, for the West is going to enjoy the greatest season in its history."

Arrivals registered at the Phoenix Arizona club in the first 11 days of the current month all have been in communication with the local organization for the past several weeks. They came early, they explained, that their children might enter school at the opening of the term.

"The newcomers, all of whom are here to locate permanently, are: Annette Dewey of South Dakota, J. B. McFar and wife of Detroit, Mich., and Mrs. J. T. Hamer and party of six from Richmond, Va.; Mrs. E. M. G. Capper and party of six from Detroit, Mich.; A. H. and wife and party of three from St. Louis, Mo.; James E. Lorraine and party of six from Salem, Ore.

In addition, the club has received 124 coupons, requiring from the last season's national advertising campaign. This is an average of more than 11 a day for the 11-day period. The last of these advertisements made its appearance 8 May.

"These arrivals are indicative of the big thing that is in store for this community, as it continues and extended effort in the fields of national advertising," Mayor Jefferson said last night.

## Twelve Cars Are Stolen, 10 Recovered By County And City Officers Here

Car thefts and the recovery of automobiles figured prominently in the records of city and county officers Saturday night and Sunday morning. Twelve cars were reported stolen, nine of them and a car said to have been taken from Los Angeles recovered, and three men arrested by the city police and deputy sheriffs.

A Ford roadster, which was reported stolen Saturday night, was recovered Saturday night and a man was arrested by the city police and deputy sheriffs.

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## Mussolini Acclaimed By Populace After Escaping Assassin

At Anzio, Italian writer and statesman.

Chamber members who were outside of Rome at the time of the attempt on the premier's life, hurried back today, using automobiles and airplanes to return to the city of their leader.

One of them said to Mussolini: "Thank God the would-be assassin shot you in the back, or the bomb would have entered the car."

In that case," H. Duce replied dramatically, "I would have kicked it up and thrown it back at my assassin, as was done during the revolution."

Religious ceremonies are being organized throughout Italy to offer thanks to the Virgin Mary for the protection of the premier.

At Anzio, Rome press reports, in shielding his accomplice in the escape, he was shot by the premier and the Fascist regime.

The young hero, who had been indicted to the police today that he had been "killing" the premier and that he acted solely on his own initiative.

Giannino told the police he crossed the frontier near Ventimiglia on September 8, purchased two bombs and was arrested by the police in the country, and then came at once to Rome, where he was arrested in the hours before he tried to kill the premier.

## Postmaster General Now Declares War On Robbers Of U.S. Mails

(Continued from Page One)

Amount, \$157,000 was recovered and three of the bandits sentenced to 20 years, three to 12 years, one to three years and another to one year.

The Newbo trio, who were arrested and fined the \$27,500 stolen, all had been recovered within five hours and \$20,000 of the \$69,000 stolen, has been recovered.

Postal inspectors are still on the lookout for, and expect some day to land the three De Auzemont brothers, who are charged with blowing up a Southern Pacific train near Trinidad, Ore., killing a mail carrier and shooting and killing three strikers. They secured no loot.

## Kansas Town Is Submerged By Flood

(Continued from Page 1)

by water. A Negro party in a row boat led by Ray Pierce, county attorney, has been battling the 27-foot stage at Burlington, reports here say. Fifty persons were homeless tonight in that city, all of them living near the turbulent creek. The main damage in the business district is done by water which has entered the houses.

Water is waist deep over railroad tracks and it is estimated that two or three days will elapse before relief is resumed. Newspaper men reached the city by land cars and by wading through the flood, some times above their heads.

Trucks are washed out on both sides.

After most of the population had reached safety on high ground, one merchant marooned in his store.

Rivers were believed to have reached their crest tonight and will be liable to hold claims this week, according to John D. Loper, superintendent of Phoenix schools.

The building, representing an investment of about \$40,000, will be ready for use within a week, Mr. Loper affirms. In the meantime students of the Franklin district are registering and attending classes at the Grand avenue and Fillmore schools.

## Franklin School's Opening Is Delayed Until Next Monday

Due to the inclement condition of the building, the Franklin school will be unable to hold classes this week, according to John D. Loper, superintendent of Phoenix schools.

The building, representing an investment of about \$40,000, will be ready for use within a week, Mr. Loper affirms. In the meantime students of the Franklin district are registering and attending classes at the Grand avenue and Fillmore schools.

## USE GROCERY BAGS

A garbage can may be kept insect-free by inserting an open grocery bag to hold the garbage. Clean by simply lifting out bag with contents.

All the parts of the food chopper should be thoroughly scalded and dried after using, or it may become a source of infection.

## Loans Easy

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Peoples Loan & Inv't Co. Phone 6286 23 East Washington

## YOUR FALL HAT

—You can be sure it's right if it comes

Weather

Front over Valley this morning. Mostly sunny with considerable clouds. Continued cool. Yesterday's temperature: high 64, low 31; humidity high 66, low 24.

63rd Year, No. 168—30 Pages

THE ARIZONA REPUBLIC

THE STATE'S GREATEST NEWSPAPER

Phoenix, Arizona, Tuesday, February 10, 1953

Printed at Post Office as second class matter under Act of Congress, March 3, 1879; 60¢ per year

REPUBLIC CITY Today's Chuckle

On a bus a man gave his seat to a woman. She thanked. On covering she thanked him. Then he faded.

Segregation Voided in Phoenix High Schools

Ruling Due For Appeal, Board Hint

By W. R. HARROD
SEGREGATION of Negro students in Phoenix high schools was declared unconstitutional yesterday by Superior Judge Fred C. Struckmeyer Jr.

He granted a permanent injunction restraining the Phoenix Union High Schools and Junior College board of trustees from segregating Negro students at Carver High School.

Phoenix College is not involved, as it does not segregate students. The decision can be appealed. It is not expected to be effective immediately.

MEMBERS of the school board, including Judge Struckmeyer's interpretation of the law probably is correct. The case would be carried to the Arizona Supreme Court for final determination.

The anti-segregation decision was handed down in a suit brought by attorneys Herbert B. Pinn and Hayes Daniels on behalf of three Carver High School students, Robert B. Phillips, Jr., Williams, and David Clark Jr.

The suit was directed against members of the school board, Dr. E. W. Montgomery, superintendent, and James S. Carter, principal of Phoenix Union High School.

JUDGE STRUCKMEYER held specifically that a portion of the Arizona school law, adopted in 1951, is unconstitutional. That boards of trustees "may segregate groups of pupils."

"The legislature can confer upon the school board the arbitrary power to segregate pupils of African ancestry from pupils of Caucasian ancestry, then the same right must exist in the case of groups of pupils of French, German, Chinese, Spanish, or other racial or ethnic groups."

He said the court is correct in its interpretation of the law, but he believes we must get it affirmed by the supreme court.

Dr. Montgomery said he agreed with the ruling. "I'm a Negro, and I'm proud of it," he said.

AT PHOENIX, there are 481 students in Carver High School. Segregation is practiced in the Phoenix Elementary District, which has approximately 1,300 Negro pupils in Booker T. Washington, Dunbar, and Mary Beary schools. See story, page 2.

Unfaithful Wife Eaten By Husband

SALTA, Argentina (UPI)—Police searched last night for a man accused of murdering his wife because she had been unfaithful to him.

Police said the man, whose name was withheld, cut off his wife's head with a kitchen knife while she slept and ate parts of the body. Other parts were buried in widely scattered places, police said.

Where To Find Favorite Features

Table with 3 columns: Edition, Sports, Theater, Pictures, Radio-TV, Women's

Warden's Office Walla Walla Prison Blast Injures Five

WALLA WALLA (UPI)—A light security guard was clamped over the Washington State Penitentiary last night after a cell-mate bomb exploded in the warden's office, injuring five officers, two of them critically.

Anti-Nixon Charges Branded Forgeries

WASHINGTON (UPI)—The senate elections subcommittee yesterday branded as forgeries two hit-parade published campaign documents aimed at discrediting Vice President Richard M. Nixon by linking him with a purported oil industry payoff.

2 New Areas Ready For City

THE CITY of Phoenix will annex two new areas next Tuesday in time for their population to be counted in a special census to be conducted next month.

Dulles Calls Outlook Good

WASHINGTON (UPI)—Secretary of State John Foster Dulles returned from Europe yesterday and promptly gave President Eisenhower what he called a "very optimistic report on prospects for the proposed West European group."

Arizona Has Wind Of Utah Blizzard

A STORM of blizzard proportions that mushroomed over Utah over the weekend swept across Arizona yesterday, taking its measure with it, but forcing only moderate snow.

Nixon Slandered? Senator Barrett (R-Wyo) announced yesterday a senate elections subcommittee he heads has asked the FBI to determine if Vice President Richard Nixon was slandered during last election campaign.

State Calls On Sheriffs To Get Tax

ONE hundred six warrants of attachment for delinquent state income taxpayers were issued yesterday by the Arizona Tax Commission and sent to sheriffs for serving.

U.S. Had Foe Beaten In '51, General Says

SEOUL, Korea (UPI)—Gen. James A. Van Fleet reflected unshakable bitterness over the state, and Korea, War today as he told the men of the Eighth Army they had the enemy defeated in the summer of 1951 and they were the enemy defeated in the summer of 1951.

Israeli Bomb Injures Five

TEL AVIV, Israel (AP)—A bomb mysteriously hurled into the Soviet Legation here last night injured five persons, including the wife of the Russian minister.

China's Jet Trains At Williams On Edge

WILLIAMS AIR FORCE BASE—Chinese Nationalist forces are ready right now to drive the Reds out of China, a Nationalist leader said here yesterday.

Flame Throwers Added At Arizona Prison

CLAUDE R. NICKOLLS, by CLAIRBORNE NICKOLLS
ARIZONA STATE PRISON, Florence—Flame throwers, in addition to a virtually unlimited supply of tear gas and sweet oil, were used yesterday by the Arizona State Prison for the purpose of breaking up a riot.



There I Was Capt. Lee Foreman, center, flight commander who's helping in jets at Williams Air Force Base, shows Chinese officers Capt. Pang York, left, and Maj. Liu Wan-tai model of F-80 he picked up overseas. "We'll do it even better," is attitude of the Chinese, who are training to fly the Nationalist Air Force in Korea.—(Republic Photo, Forrest Stroup)

Barin' To Go Now! China's Jet Trains At Williams On Edge

WILLIAMS AIR FORCE BASE—Chinese Nationalist forces are ready right now to drive the Reds out of China, a Nationalist leader said here yesterday.

Chinese cadets, stationed here at Williams Air Force Base, take jet training exercises over the prospect of an early invasion of their homeland. From left, the Nationalist stronghold of Formosa.

The U. S. Seventh Fleet, which has protected Formosa's neutrality for several years, has been withdrawn.

More than 200,000 Chinese troops have been protected from Communist attack as well as being prevented from invading themselves.

"We're really on a tight rope," says Maj. Liu Wan-tai, Nationalist Air Force chief liaison officer in the U. S.

"And now is the time to do it," he says. "Otherwise it would be too late. The people on the mainland are waiting for us—many of our young men have been conscripted into the Communist army and will desert to our side."

Oddly against the national Nationalist force are great, said Major Liu, but he doesn't say that will stop his forces.

"RED MEN are well trained, and you don't need too many well trained men to do the job," he says.

The Nationalist leader feels the people of China are sick of Communism and are sick of having their children educated by the Reds.

Despite the fact the Nationalists have no jet planes and heavy equipment, Liu feels they are ready to go anytime.

"Our old planes," he says, "are still pretty good equipment. We have enough of it."

As for the jets, about 40 Chinese pilots are receiving jet training at Williams right now, and in a few months will be able to go back to Formosa as instructors.

AND BY THAT TIME, the Nationalists expect to have jets to go with the pilots.

Taking advanced training at Williams along with Liu are Maj. Jui Chia Chin and Capt. Pang York, and about 40 officers who received basic training on Formosa.

In a few months they'll be back there, and none of them are the least bit uncertain of the outcome when and if the invasion comes.

"You teach us all you know," said Liu, "and we'll start when we had just returned from fighting in the north. We'll go back there and show you how to lick those guys."

1,500 Fight Red Army 24 Hours

TAIPEH, Formosa (AP)—The Chinese Nationalist interior ministry reported yesterday that some 1,500 guerrillas swarmed out of their Khinghan Mountain hideouts in Manchuria last month and fought with Red army regulars for 24 hours before retreating.

The attack took place at Ilkhot (Ilkhot) according to information from underground sources in the Chinese Red capital of Peiping.

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CITY

Page 2

## Democracy Knows No Color, Says Judge

Democracy rejects any theory of second class citizenship, Superior Judge Fred C. Struckmeyer Jr. ruled yesterday in a history-making decision denying the right of the Phoenix Union High Schools and College District to segregate Negro students. Three Carver High School students, Robert B. Phillips Jr., Tolly Williams, and David Clark Jr., had appealed to the court for an injunction ending the segregation practice, the Judge taking the question under advisement on Dec. 29, 1952.

For more than five weeks Judge Struckmeyer, in every spare moment, pored over scores of law books seeking the answer. And when it came time to write his three-page decision he worked until well after midnight Saturday and most of Sunday.

After reviewing Arizona segregation laws, the first of which was adopted in 1909 by the territorial legislature, the court pointed out that in 1951 the legislature amended the law requiring mandatory segregation of pupils of African race in the elementary schools, and repealing the section permitting such segregation in high schools.

"The U.S. Supreme Court in Gong Lum vs. Rice settled the question as to whether segregation by a state, acting through its legislature, is in itself lawful," Judge Struckmeyer said. "It was decided that segregation of groups of pupils does not violate the Constitution if equal facilities are provided.

"Nonetheless, democracy rejects any theory of second class citizenship. There are no second class citizens in Arizona. And the trend from the time of the enunciation in the Declaration of Independence of the principle 'that all men are created equal' has been to constantly reconsider the status of minority groups and their problems.

"EVEN in this country there have been many instances of oppression of such minority groups on racial, religious, cultural, and economic grounds. The history of this nation indicates a strong tendency toward an increasing insistence upon the reality of those principles which form the basis of our democracy.

"Even today the U.S. Supreme Court has before it once again the question of whether any segregation at all is lawful. In the spirit of this marked social maturity our legislature abandoned mandatory segregation. A half-century of intolerance is enough."

Expressing the opinion that the legislature was attempting to ameliorate the economic impact upon school boards of the state when it said in a 1952 statute "They (boards of trustees) may segregate groups of pupils," Judge Struckmeyer continued:

**THE EFFECT** of this statute is, of course, to transfer the responsibility of the transition to local school authorities. Such delegation is clearly unconstitutional. Particularly is it true in this case where the legislature has delegated its power to an administrative board without at the same time establishing a standard, criterion, or guide as to the circumstances under which such power may be exercised.

The jurist then cited Arizona Supreme Court decisions holding that "it is fundamental to our system of government that the rights of men are to be determined by laws and not by administrative officers or bureaus, and that this principle cannot be surrendered for convenience or nullified for the sake of expediency.

"This court" he stated, "therefore holds that portion of Chapter 138, Laws of 1952, and that portion of Section 54-430 providing that boards of trustees may 'segregate groups of pupils' are unconstitutional, that the action of the Phoenix Union High Schools District in segregating members of the African race from those of the Caucasian race is unlawful, and that a permanent injunction shall issue restraining and enjoining the defendants unless an appeal is herefrom taken in the manner and within the time provided by law."

## Motel Thieves Make 4 Hauls, One For \$550

A Hollywood movie studio employe left his Phoenix motel door unlocked for a friend Sunday night and a burglar came in and took \$550, police were told yesterday.

Charles Joseph Shaw reported the loss from his Flamingo Motel cabin at 2501 E. Van Buren after police found his wallet.

They made the find while looking for wallets of Clair Curtis and Donald Gilday, Bonanza Airlines pilots, taken from their cabin in the same court. The wallets were discarded outside.

Curtis lost \$80 and Gilday \$7, police said.

Apparently the same burglar took \$20 from Mr. and Mrs. John M. Hartwell of Birmingham, Mich., while they slept in the Sea Breeze Motor Hotel at 2751 E. Van Buren, police said.

## City Has Jobs Open To Many

Typists, public information specialists, persons with drafting or engineering experience, and airport operations specialists all have one thing in common: Their skills are in demand by the City of Phoenix.

Applications now are being received at the city's personnel department for jobs with pay ranging from \$176 to \$220 a month for clerk typist to \$420 to \$525 for the job of operations officer at Sky Harbor.

Last day to make application is Feb. 16 for all except engineering aide, for which the closing date is March 2, according to Leroy J. Brenneman, personnel director.

## College To Open Play Thursday

TEMPE (Special) — Drama Workshop at Arizona State College here will present the comedy, "The Milky Way," Thursday and Friday nights in the college auditorium.

Mary Virginia Morris of the speech faculty will direct the group's second production of the year.

In the cast are Wesley Pollard, Yuma; Frank Hanna, Phoenix; Robert Ellis, Cleveland, Ohio; Paul Hartman, Yucaipa, Calif.; Richard Peterson, Highland Park, Ill.; Henry Kendrick, Bisbee; Carol Kettering, Tempe; David Hardaway, Scottsdale; and Pamela and Picarro, Great Danes owned by Dr. Robert H. Poole, of the ASC foreign language department.

Performances begin at 8:30 p.m. Tickets will be on sale at the door.

There are 136 English names for the salmon and sea-trout.

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in FOLEY'S  
HONEY  
& TAR

—THAT lessens up  
your cough from  
a cold so very  
much quicker

—relieves sore-  
ness in throat  
almost instantly

—checks coughing  
—alleviates the tickle

**THE WORLD'S BEST COUGH SYRUP**

# *Carver Doomed? Board Votes Yes*

Carver High School apparently died yesterday when the Phoenix high schools and college system board voted to abandon it and turn its facilities into storage next fall.

There are a few legal problems to be solved. Students, teachers, and coaches are to be absorbed into the system's other schools.

The new Class A conference, which goes into operation next fall, can breathe a little easier.

Carver the past three years has been a powerhouse in football and basketball in Class B. Twice the Monarchs have laid claim to at least a portion of the state mythical grid title.

And they won the basketball crown twice in three years and were runnersup last year. They also made their talents felt in track and baseball.

One problem confronting the school board is what to do with Carver's football schedule for next fall.

Games have been scheduled with Prescott, Tolleson, Flagstaff, Sunnyslope, St. Mary's, Scottsdale, Tempe, Blythe, and Winslow.

R.I.P.