In turning down the North-

ern lines merger plan, the ICC

majority acknowledged that

"The probable savings and

benefits that would result from

those derived from competition

But it said, "We are convinced

Commissioner Charles A

We conclude that the disad.

vantages of an appropriately

conditioned merger - a dras-

would result in transportation

service to the public that is

superiot to that which can be

provided without merger, or

that the benefits . . . outweigh

the adverse effects of the mer-

ger on carrier employes and

the benefits that shippers d-

rive from the competition to

The majority said the indi-

vidual lines are prospering and

have withstood competition

Approval of the merger, it

said, would end all competition

between the railroads involved

at various points that account

for 43 per cent of their gross

revenues and 34 per cent of

their total tonnage.

from other forms of transpor-

be eliminated."

between the Northern lines.'

that they are not as great

jority report, said:

Biggest In History

## ICC Approves Penn And NY Central Rail Merger

government approved the biguniting the Pennslyvania and seek a cure for New Haven's "There is no question but New York Central railroads.

rail system.

merce Commission unanimous- to put the service back on its ly agreed the Pennsylvania feet in deciding any future case will rebound in large part to and New York Central would where discontinuance is sought. the benefit of shippers, and merge into a single line, ab-Hartford Railroad.

votes - 6 to 5- it refused to Northern Pacific, and Chicago. Burlington & Quincy railroads to merge, taking over two smaller lines, into a 25,-000-mile system linking the

Midwest to the Pacific. It was the most significant ICC has voted in a decade that has seen more than two dozen consolidations approved. And the Northern lines case -virtually certain to be disputed in a federal court produced four vehement dissenting statements accusing the ICC majority of flouting the national transportation policy.

Arpproving the Penn-Central merger because of what it termed the financial benefits to railroads, shippers and public, the ICC disapproved the Northern lines merger on the ground that any financial advantages would be outweighted by "a drastic lessening of competition and adverse effect on ing. employes."

273 passenger tains.

It urged Penn - Central to work with state and local authorities to shore up what the commission regards as a vital service in the New York - New England area. Only 40 New Haven trains may be dropped, the ICC said, and the rest mus



sale. Located on two acres of land, 8 rooms, 4 baths, 3 bedrooms, over 100 yrs. old. For appointment to see, contact J. M. Durham Real Estate Agency, 713 Kivett St., Burlington, C., near Plaid Mill.

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indicated, Penn-Central will cording to ICC mathematics have had an opportunity to of \$80 million by 1974. passenger difficulties. When that the transaction will permit this period expires, the rail- more economical and efficient solidation that would have re- road will be free to seek dis- use of the applicants' transporsulted in the nation's longest continuance again. But the tation facilities," said the ICC The 11-man Interstate Com- look at Peen-Central's efforts er Kenneth H. Tuggle.

sorbing all freight and passen- the two merged railroads told ther through the improved serger service of the bankrupt a news conference they were vice made possible or lower New York, New Haven & pleased with the decision and rates. For this reason the mer-But by the narrowest of out the New Haven takeover. unanimous approval, in princiallow the Great Northern, man of the Pennsylvania's nation.' board, predicted "far better better passengerwise."

dent of New York Central, said lic interest" because the Penndustry," and declared his com- away New Haven traffic "and of the five merge vetoes the pany had stopped the loss of leave that moribund carrier in freight business, and turned an irretrievable situation." the curve upward.

discontinuance because of the as a result of the merger. line's financial condition.

with public officials. They said jobs open elsewhere. the commission appeared to appropriate aid were forthcom- riod.

In Albany, N. Y., Gov. Nel- tect the interest of three small-Simultaneously, the commission A. Rockefeller said the er Eastern railraods — the sion rejected the New Haven's decision was "a great victory" Erie - Lackawanna, Delaware bid to discontinue all of its for the state, adding that it & Hudson, and Boston & Maine cleared the track for negotiations on commuter service with a new metropolitan transpor-

tation agency. The new Penn-Central system, nearly 20,000 miles long, will list assets exceeding \$4 billion, a spokesman said, and

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BILLY ARTHUR EASTGATE

By the end of 1966, the ICC will result in savings - ac-

ICC said it will take a close report, written by commission-

"The economies realized In New York, the heads of thus to the general public, eiwere confident they could work ger has met with the almost Stuart T. Saunders, chair- ple, of shippers throughout the

But without taking in all service freightwise, and some New Haven operations, the ICC said, "The merger would Alfred E. Perlman, presi- not be consistent with the pubrailroading is "a growth in- Central system would drain

Endorsing an unprecedented In New Haven, the trustees agreement between the two of the New Haven Raidlroad railroads and their labor unsaid they had always recog- ions, the ICC imposed what it nized the need for passenger termed novel conditions to inservice, but had asked for its sure that nobody loses his job

Unneeded jobs may be elim-They noted the ICC had inated only when employes restressed the necessity of Penn- tire or quit, and workers must Central working out the New be transferred within the sys-Haven passenger service terms tem as the workload shifts and The Penn-Central may not

have recognized that it reduce its work force unless it should not have to continue be- can prove a 5 per cent busiyound the end of 1966 "unless ness drop in any 30-day pe-The system must also pro-

> by freezing present traffic patterns and practices wherever they compete with those three raods.

If the three fail in their pending bid to be included in the Norfolk & Western system, the ICC said, they will have a year in which to seek inclusion in Penn-Central.

The new system must repay the three smaller reads whenever their annual revenues fail below a standard based on their 1964 income, the ICC said, with no requirement that Penn-Central be proven the cause of the decline. This condition produced the only negative vote in the entire Penn-Central decision, commissioner Howard W. Freas objecting.

its Savannah branch. The 5-4 decision, announced in a nine-word order, was vigprously attacked by Justice William O. Douglas who said it is the kind of judgment that ultimately could destroy the NAACP and other "unpopular

merger are more tangible than The direct effect is that Haler, may collect \$85,793.05 in suit. damages from the national organizations, its Savannah branch and two branch offi-Webb, who prepared the ma-

The five Justices who compromised the majority, Hugo L. Black, Tom C. Clark, John M. Harlan, Potter Stewart and tic lessening of competition Byron R. White, did not state and adverse effect on carrier employes-outweigh the bentheir reasons. They simply joinefits that might be derived by ed in this nine-word order reapplicants and the shipping jecting the NAACP appeal: "The writ of certiorari is "Applicants have failed to dismissed as improvidently show that their posed merger

granted. Chief Justice Earl Warren and Justices William J. Brennan Jr. and Abe Fortas joined Douglas in voting to reverse the damage judgment.

## Weather Forecast

Variable cloudiness and little change in temperatures Thursday with chance of widely scattered afternoon showers and thundershowers mainly in mountains. Highs 65 to 72 in northeast portion, mostly in 70s elsewhere ranging to lower 80s south portion. Friday partly cloudy and warm with scattered afternon and evening showers and thundershowers.

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Dwight Macdonald, Esquire

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sir john gielgud irene worth

Short, "CASALS CONDUCTS" 1:58, 3:45, 5:31, 7:18 and 9:05

RIALTO, Durham

## High Court Denies NAACP Appeal

WASHINGTON (AP) - The Announcing their dissent Supreme Court threw out to- from the bench. Douglas said day an appeal from a Georgia the NAACP's views are "anaruling that the National Asso. thema" in some parts of the ciation for the Advancement of country and under "vauge" Colored People can be held li- Georgia laws it could be held able for picketing ordered by accountable for almost anything its branch does.

"Unpopular groups" like the NAACP, he said "will receive crushing verdicts from emotional juries."

Continuing on this theme in his written opinion. Douglas said "the rights of political association are fragile enough without adding the additional dred Overstreet, a white groc- threat of destruction by law-

To equate the liability of the national organization with that of the branch without proof that the national body "authorized or ratified the misconduct in question could ultimately destroy it," Douglas said, and is forbidden by the first amendment to the U.S. Constitution.

In New York, Robert L. Carter, general counsel of the NAACP said:

"We are of course very much disappointed with the court's decision . . . we will of course apply for a rehear-

"We cannot take the view that the majority of the Court by its action today intended in any way to limit the right of

peaceful protest accorded un- cause, der the first amendment.

Pickets were stationed at "In any event this is not a Overstreet's store in Savandecision on the merits and we nah in 1962 after a 14-year-old will continue to engage in Negro employe complained to peaceful picketing and other his mother that the grocer forms of peaceful protest in had accused him of stealing furtherance of the civil rights and had beaten him.

erman

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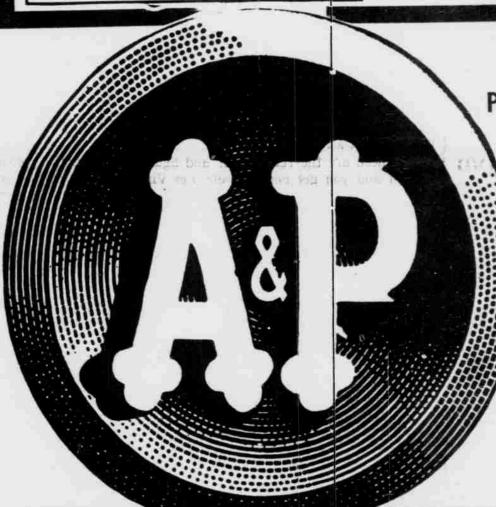
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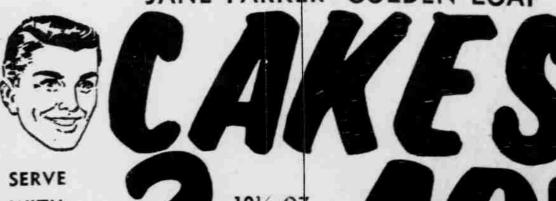
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