

District Judge Disqualifies In City Library Job Lawsuit

District Judge James T. Shipman Monday morning disqualified himself from presiding over a suit filed in district court by Miss Ruth W. Brown asking that she be reinstated as city librarian.

Judge Shipman's action came at a court session at which defendants were scheduled to show cause for their refusal to deliver books and records of the library to Miss Brown, who was discharged by city commissioners last July 25.

"From what I've heard about this case it is a community affair in which the community is divided quite sharply," the judge declared. "Most of the community is interested—I'm interested myself—I'm one of the community."

"A JUDGE FROM outside this district, not an interested party as I am, should come in and decide this case," the judge went on.

Judge Shipman then instructed the court clerk and counsel on both sides to select a judge to hear the case, declaring "If I feel I'm not qualified to serve I'm not qualified to appoint a judge."

By agreement of counsel on both sides, the hearing was set for 10 a.m. on Nov. 9 and Court Clerk Robert E. Lee was instructed to contact the chief justice of the state supreme court and get him to name a judge to preside over the case.

MONDAY MORNING'S court session consumed only 10 minutes.

Miss Brown and Mrs. Darlene Essary, a member of the old library board which was dissolved under a new city ordinance and who is a co-plaintiff in the suit were in the courtroom, while only a few city officials and members of the present library board named defendants in the suit were present.

DEFENDANTS IN the suit were represented at Monday's hearing by City Attorney Alton Rowland, while the two plaintiffs were represented by Thuman S. Hurst of Tulsa, a former member of the state supreme court.

Mrs. Essary, as co-plaintiff in the suit, is challenging the constitutionality of the action of city commissioners in dissolving the old library board and creating another.

Both Miss Brown and Mrs. Essary charge that the board's dissolution and Miss Brown's dismissal were in conflict with state laws.