





# Justice Dept. Challenges Authority of Civil Service

(Continued from First Page)

mission's contention is that some

Justice insists that no carrier

employers can with Civil Service

appeal to schedule a test of

ordinary, career employer, job

protection. The Commission's

position, some do

Justice also insists that sta-

ment veterans in Schedule A jobs

don't have the protection of the

Veterans Preference Act. The

Commission says: All veterans

have this protection.

Traditionally, the Commission

always has decided where the

Preference Act and other job pro-

tection rules apply.

The present Justice Department

challenge to its authority is con-

sidered almost unprecedented.

Mr. Roth will go to court. Mr.

Strom's appeal from his dismissal

currently is pending before the

Commission's chief law officer,

leaving on his case, originally

submitted on Aug. 15, has been

postponed to Sept. 8.

Officials say the outcome of the

two cases almost certainly will

become landmarks in Civil Serv-

ice law.

**NO FURTHER ACTION**

In the Roth case, the Commis-

sion recommended that he be

restored, but took no further ac-

tion when Justice refused to reply

under the law, officials say. The

Commission has recommended re-

instatement of Mr. Roth.

They say restoration could be

based only if the Commission

loses the case to President El-

senhower. This it has decided not

to do.

Officials here insist that this

decision of the Roth and Strom

cases potentially can help but not

affect the job security of every

government career worker.

The real issue, they say, is

whether the Commission can

make its job protection rules

stick under fire.

In similar situations in the

past, previous commissions at

Veprahave sought and obtained

whenever presidential support

was necessary to back up their

views.

**JOB PROGRAM FAILURES**

Civil Service Commission's pro-

gram to find jobs for laid-off gov-

ernment career employees has begun

to fail, it is felt even before it

gets under way.

Officials say the program is going

so badly that the program is going

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They say the program isn't work-

ing well, that agencies aren't co-

operating, and that employees face

delays of several months before

they can expect new jobs through

the program.

The new program was launched

last spring in the midst of heavy

government layoffs. Under it:

1. After a career worker actually

leaves the payroll at the end of

his 30-day layoff notice period, he

agency has an obligation to find

in which to determine if some non-

career employee in the agency, and

which the general competing

area, has a job for which the

laid-off individual can qualify.

2. If there is no such job, the

agency gives the employee a will-

ing statement.

3. The employee then takes this

statement to the Washington

which department of non-career

workers in other agencies to find

the competing area should job for

which the career person can qual-

ify.

4. If such a non-career employee

is found, the Commission orders

him dismissed and "reemployed"

that the career worker be hired

in his place.

To move up the program, the

Commission has a 30-day period

in which to order a layoff search

in its own files for non-career em-

ployees whose jobs might be taken

by career workers. It also is allow-

ing agencies to make sure that em-

ployees are not laid off when they

are needed for other work.

JOHN LEASE, PHOENIXIA, a

new England city refusing industrial

employees, announced last week

that it has 30-day limit pro-

vided in the Civil Service

Commission.

Although applicable only to

CSS's own employees, it probably

will be widely copied by other

agencies.

Under it, employees with 31

days or more of leave to their

credit must use all of the ex-

cess over 30 during calendar

1953.

And starting Jan. 1, 1954, those

with more than 30 must use all

days more than they earn each

year until their accumulations are

reduced to 30.

Although the new law puts a

30-day ceiling on accumulations, it

and leaves in Shirley and

other cases the right to carry over

up to 90 days of leave.

At the same time, however,

it provides that agency heads

may require these employees to

use their leave.

HEAR, PHOENIXIA, officials are

aware of the option that

agencies have to use to keep down

Shirley's plan.

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## Missing

(Continued from First Page)

SVILVA, A PRETTY girl with

considerable literary talent, was

last seen returning to Smith's

apartment last night.

Yesterday she left home at 2

o'clock, leaving a note saying that

she was taking a large and round

be back the same day.

HER MOTHER, Mrs. Aurilia

Swanwick, a Boston University pro-

fessor, initiated a search when

she failed to return.

"The girl had been under a doc-

tor's care for several months be-

cause of a nervous condition in-

fluenced by her intense application

to literary work. She has been

writing poetry for national maga-

zines."

SVILVA is a scholarship stu-

dent and topped her class ac-

ademically last year.

She was editor of the college

literary magazine, a member of

the college's poetry board, and

editor-in-chief for a newspaper.

She won two college poetry

awards and had three poems ac-

cepted by Harper's Magazine.

Her poems and prose have

appeared in the magazine Se-

venue, Mademoiselle magazine

and in a book about study

which was a good education.

The missing girl is tall, 5 feet

6 inches tall, and has dark brown

hair and brown eyes. She was

wearing a light blue suit with

white accessories when she

left home.

She is the daughter of the late

Dr. Otto Swilva, a B.U. pro-

fessor.

Shirley's plan.

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Rocco of  
e. Mary,  
cellar on

Minnesota Ave., Somerville; Joseph Di Rocco, brother of Mary and former boy friend of Miss Mildred McDonald, 25 (right), whom police are seeking to question about the murder.

gone to Falmouth, where she had spent several weekends recently.

**STILL MISSING** was the 9-shot automatic pistol, a .22 caliber weapon, with which the DiRocco girl was shot down in her home on Minnesota Avenue yesterday as she fled from an assailant.

#### MURDER

(Continued on Page Fifty-three)

## Posse Hunts Smith Girl

Woods and ponds in Wellesley were searched today for a brilliant Smith College student who disappeared from home yesterday afternoon.

**POLICE SAID** Boy Scouts were being called out to search the area around Lake Waban and Morse's pond for a trace of Miss Sylvia Plath, 20, of Elmwood St.

A state police bloodhound from the Andover barracks failed to pick up the girl's scent because of last night's rain.

#### MISSING

(Continued on Page Twenty-six)



SYLVIA PLATH  
Missing student

## ent Tests Authority

# ervice Challenged

### Don't Miss This!

**Piersall Meets  
Mayor Hynes  
See Page 49**

One involves Leo A. Roth, a \$10,800-per year attorney with clear-cut Civil Service status, who was dismissed without the statement of charges and opportunity to answer which the Lloyd-LaFollette Act of 1912 requires in the dismissal of government career workers.

**THE OTHER** involves Fred Strine, also a \$10,800-a-year status attorney and a veteran. He was fired without compliance with the provision of the Veterans' Pref-

erence Act which spells out that a veteran being dismissed from the federal service must be given 30-day notice, a full and specific statement of reasons, an opportunity to answer, and a formal statement of his appeals rights.

On the surface, at least, the Justice challenge to the Commission's authority is directed solely at the so-called Schedule A category of jobs outside the Civil Service system—a category which includes virtually all government attorneys and many other employees.

It is a three-way challenge:

1. Justice insists that no attorneys in Schedule A have Civil Service job protection. The Com-

CRAMER

(Continued on Page Twenty-six)

## OK Terminus For Toll Road

The Massachusetts Public Works Department has given tentative approval of the proposed location of the east-west toll road terminus at Nickerson Field, Weston.

**THE BOARD** of public works commissioners, headed by Commr. John A. Volpe, notified the Massachusetts Turnpike Authority of this today.

The approval action was taken at a meeting of the commissioners.

**VOLE SAID** this means the turnpike authority may now proceed with the project.

Continued on Page Thirty-seven

## Newton North Starts Title Quest

Follows Newton North's Little Leaguers at the World Series with Fred Ciampa, only Boston newspaperman with the team.

**By FRED CIAMPA**  
WILLIAMSPORT, Pa.—Rested after their first real sleep in several nights, Newton North's Little Leaguers put their 3-D comic books away and today started their quest of the World Series.

**OFFICIALLY** the representatives of Massachusetts, according to the new uniforms and jackets, the Greater Boston stars were meeting Schenectady, N. Y., this afternoon in what amounts to an Eastern elimination.

If Dave Seeley, the left-hander who won all 11 starts this season, is successful, Newton North will play in the semifinals on Thursday, aiming, of course, for

#### LITTLE LEAGUE

(Continued on Page Forty-nine)

## LATE NEWS

**NEW YORK (UP)**—The CIO Communications Workers' Union, already on strike in seven states, today threatened another telephone walkout Wednesday which could disrupt long distance service in 40 states.

**WASHINGTON (AP)**—The Tariff Commission has ruled that roaries are not being imported into this country in such volume as to require an increased tariff.

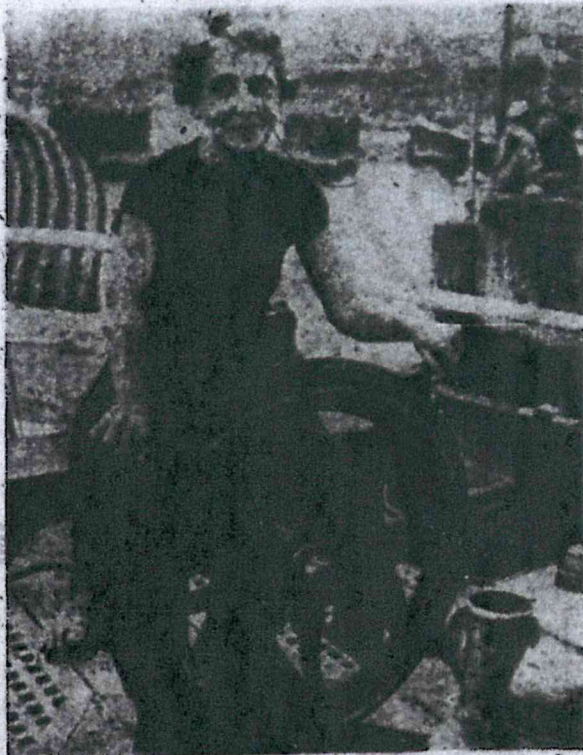
**WASHINGTON (AP)**—The Civil Service Commission today called for examinations to fill postmaster vacancies at Dover and Portsmouth, N. H.

**Francis X. Ahern** of Main St., Charlestown, today withdrew as a candidate for the Boston City Council.

(Mass. Late News, Page 25)

## ots Light Plane

# Bedford on Overseas Flight



(AP Photo)

**ON LONG HOP**—Mrs. Marion Hart of New York, who started today on a light plane hop from Boston across the Atlantic. This photo was made at the time she was on a world-circling boat trip.

## Today's Chuckle:

The problem that baffles Washington is how to dig the country out of the hole without making the hole any bigger.

**PARK BEACH HOTEL**

On the Ocean  
**FALMOUTH HEIGHTS, MASS.**  
Reservations  
**FAL. 1010**

Best for Salads

# PASTENE

PACKED IN ITALY



LE HOURS 9:15 to 9 P.M. WEDNESDAY & FRIDAY

# Justice Dept. Challenges A

(Continued from First Page)

mission's contention is that some do.

2. Justice insists that no career employee (one with Civil Service status) in Schedule A has the ordinary career employee job protection. The Commission's position: Some do.

3. Justice also insists that status veterans in Schedule A jobs don't have the protection of the Veterans Preference Act. The Commission says: All veterans have this protection.

Traditionally, the Commission always has decided where the Preference Act and other job protection rules apply.

The present Justice Department challenge to its authority is considered almost unprecedented.

Mr. Roth will go to court. Mr. Strine's appeal from his dismissal currently is pending before the Commission's chief law office. A hearing on his case, originally scheduled for Aug. 19, has been postponed to Sept. 8.

Officials say the outcome of the two cases almost certainly will become landmarks in Civil Service law.

## NO FURTHER ACTION

In the Roth case, the Commission "recommended" that he be restored, but took no further action when Justice refused to reply. Under the law, officials say, the Commission can "recommend" but can't force restoration.

They say restoration could be forced only if the Commission took the case to President Eisenhower. This it has decided not to do.

Observers here insist that ramifications of the Roth and Strine cases potentially can reach out to affect the job security of every government career worker.

The real issue, they say, is whether the Commission can make its job protection rules stick under fire.

In similar situations in the past, previous commissions always have sought and obtained whatever presidential support was necessary to back up their rulings.

**JOB PROGRAM FALTERS**—Civil Service Commission's program to find jobs for laid-off government career employees has begun to fall flat on its face even before it gets under way.

Officially, the Commission's version is that the program is going smoothly; that other federal agencies are cooperating; and that laid-off career people are being placed as fast as they are referred to the Commission.

Privately, Commission officials tell a different story.

They say the program isn't working well; that agencies aren't cooperating; and that employees face delays of several months before they can expect new jobs through the program.

The new program was launched last spring in the midst of heavy government layoffs. Under it:

1. After a career worker actually leaves the payroll at the end of his 30-day layoff notice period, his agency has an additional 30 days in which to determine if some non-career employee in the agency, and within the general commuting area, has a job for which the laid-off individual can qualify.

2. If there's no such job, the agency gives the employee a written statement.

3. The employee then takes this statement to the Commission, which determines if non-career workers in other agencies in the commuting area hold jobs for which the career person can qualify.

4. If such a non-career employee is found, the Commission orders him dismissed, and "recommends" that the career worker be hired in his place.

To speed up the program, the Commission soon will eliminate the extra 30-day period in which an agency ordering a layoff searches its own rolls for non-career employees whose jobs might be taken by career workers. It also is taking steps to make sure that employees are notified promptly when these jobs aren't available. At present, this notification frequently lags.

**NEW LEAVE FORMULA**—A new formula for reducing federal employee annual leave accumulations down to the 30-day limit provided in the 1953 leave law has been put forth by Civil Service Commission.

And although applicable only to CSC's own employees, it probably will be widely copied by other agencies.

Under it, employees with 31 through 36 days of leave to their credit must use all of the excess over 30 during calendar 1954.

And starting Jan. 1, 1954, those with more than 36 must use six days more than they earn each year until their accumulations are reduced to 30.

Although the new law puts a 30-day ceiling on accumulations, it lets those with larger savings (up to 90 days in some cases) retain them. At the same time, however, it provides that agency heads, over "a reasonable period of years," shall require these employees to reduce their accumulations down to 30.

General Accounting Office was the first to announce a formula for bringing this about. Its plan

gives GAO workers a maximum of four years to use up excess leave.

## Missing

(Continued from First Page)

**SYLVIA**, a PRETTY girl with considerable literary talent, was to have returned to Smith as a senior next month.

Yesterday she left home at 2 p.m., leaving a note saying that she was taking a hike and would be back the same day.

**HER MOTHER**, Mrs. Aurella S. Plath, a Boston University professor, instituted a search when Sylvia failed to return.

The girl had been under a doctor's care for several months because of a nervous condition induced by her intense application to literary work. She has been writing poetry for national magazines.

**SYLVIA** is a scholarship student and topped her class scholastically last year.

She was editor of the college literary magazine, a member of the college's press board and correspondent for a newspaper.

She won two college poetry awards and had three poems accepted by Harper's Magazine.

Her stories and poems have appeared in the magazine Seventeen, Mademoiselle magazine gave her a \$500 short story award and a guest editorship.

The missing girl is tall, 5 feet 9, weighs 140 and has dark brown hair and brown eyes. She was wearing a light blue skirt and white sleeveless blouse when she left home.

She is the daughter of the late Dr. Otto Plath, also a BU professor.

## Shirley Acts To Hold Boys

**SHIRLEY**—A prison type building with barred windows is to be constructed at the Shirley Industrial School as a detention pen for incorrigibles.

**THIS IS EXPECTED** to help end the wave of escapes which has been marked by car thefts and lootings in Shirley and neighboring towns.

The money for the juvenile correction institution's new building has been available for some time. Why the unit has not been built was not explained.

**IRATE POLICE**, officials are unanimous in the opinion that something will have to be done in a hurry to hold down Shirley delinquents.

Franklin Simon

CHESTNUT HILL

## satin-shined shell

A little cap to set off your first fall clothes — gleaming Glo-cord bound in satin, perked with a feather. **12.95**



Black, brown, navy, white or beige with matching veil.