# THE CHARLOTTE NEWS

THURSDAY, OCTOBER 1, 1953

# AN ABLE EXECUTIVE BECOMES A JUDGE

F PRESIDENT EISENHOWER felt it necessary, for political or other reasons, to
pass over the qualified federal and state
jurists and appoint a political leader Chief
Justice of the United States, he couldn't
have found a better man than Gov. Earl
Warren of California.
Warren is a man of ability, of integrity,
and of great personal dignity He is also a
forward-looking, progressive securitive whose
policies have so successfully followed the
middle of the road that he enjoys as great

and or great personal uignity ite is also a forward-looking, progressive secutive whose policies have so successfully followed the middle of the road that he enjoys as great popularity among Democrats as among Republic to the control of the contr

esti judicial post. President Eisenhower may well have intended to give recognition to that wing, perhaps to offset somewhat the criticism that his cabinet is too full of men from the more conservatives wing of the party.

Again, it may have been because of Cali fornia's key role in national politics that Warren got the nod.

And it is possible, of course, that Mr. Eisenhower simply thought Warren would make a better judge than any other potential nominee.

However, it will appear to many Ameri-cans, as it appears to us, that the President yielded to political expediency in making this selection Presidents Roosevelt and Truman were roundly and justifiably criticized for rewarding politicians with position in the Federal judiciary, and in that criticism the Republican Party joined full voice

the Republican Party joined full voice.
We had hoped that President Eisenhower
would veer from the precedent set by Roosevell and Truman, and that he would name
all his Supreme Court appointees from the
ranks of competent, experienced judges. We
regret that he did not do so in this case.

#### ALL POWER IS 'LIABLE TO ABUSE'

IN THE current issue of The Reporter, Historian Henry Steele Commager levels one of the most devastating criticisms we have yet read at the proposed Bricker amend-

ment.

In the course of his long and detailed article, Dr. Commager takes up each section of the amendment and shows how it would "frustrate an important part of the Constitution, paralyze the President in his relations with foreign nations, threaten the triphts of Americans abroad, and return us to this areas to a worge condition than that his areas to a worge condition than that the same than the sam

A good many of his points have been made before by other eminent historians and jurists. But one is new, and highly signifi-

nave quoted time and again a remark by John Foster Dulles before he be Secretary of State that the treaty-m power is "an extraordinary new-abuse." (They he The proponents of the Bricker amendment ave quoted time and again a remark made

Secretary of State that the treaty-making power is an extraordinary power in the to abuse." (They have not, however, been able to cite any instance in 180 years in which the power has been abused.) Dr. Commanger contends that the power is not "extraordinary", but rather "ordinary", and admits that like all power, it is "liable to abuse". He argues, however, that the power is circumscribed far more carefully than, say, the powers of Congress.
"Under the Constitution as it now stands, Congress can destroy the executive power by refusing to vote approximation, by re-peaching the President because it doesn't

cause Congress is the judge of its own membership.

In fact, he adds. Congress has impeached a President, it has changed the Supreme Court membership, it has desperived the Supreme Court of jurisdiction in a pending case, it has banned duly-elected Congressmen for partian reasons. Yet to provide safeguards against these and all other hypothetical abuses would so clutter up the Constitution as to make it unworkable. In the handling of foreign affairs, just as in the making of laws and the conduct of the courts, there is a certain amount of risk. We have to take our chances on these things, truttling in experience, in common sense, in the integrity of our elected officials and the virtue of our people," writes Dr. Commager.

Commager.

Sension Ricker has vowed to take his Sension Ricker has vowed to take his sension of Congress, despite the upstantial control of the production of the Einenbower administration to the amendment as drawn. Let us hope that calmer and more confident minds will prevail, and that the amendment will fail of the two-thirds majority needed in both houses.

## TALK DOES NOT A RECESSION MAKE

THE steadfastly Democratic Raleigh News

4 Observer, which never passes up an opportunity to chide Republicant, had a gay old time the other day with a speech by Charles R. Slith Jr., president of the National Association of Manufacturers, who told a North Carolina sudience that the country might 'talk' itself into a 'needless each and said that the strength of the country might 'talk' itself into a 'needless each and said that the country might 'talk' itself into a 'needless each and said that the country might 'talk' itself into a 'needless each and said that the country might 'talk' itself into a 'needless each and said that the country might country might 'talk' itself into a 'needless each and talked and repeated that the country under the Democrats was going to the damantism bowows . . . Loudly and long, they insisted that, in escape from economic and social minguidance, the country needed the confidence that would be created it the Republicant were elected."

On the same day that the Raleigh paper was having its last laugh, the head of the American Stock Exchange. Edward T. Mecormick, especies the substance of the hard of the American Stock Exchange. Edward T. Mecormick especies this substance and the substance of the American Stock Exchange. Edward T. Mecormick especies the substance of the same day that the Raleigh paper was having its last laugh, the head of the Cormick, especies the substance of the same day that the Raleigh paper was having its last laugh the head of the Cormick especies the substance of the same day that the Raleigh paper was having its last laugh the head of the Cormick especies the substance of the same day that the Raleigh paper was having its last laugh the head of the Cormick especies the substance of the party in power, in a similar venture of the party in power in a similar venture of the party in power in a similar venture of the party in power in a similar v

From The Arkansas Gazette

# A CALM COMMENT ON COURT CASES

In the course of a nation-wide radio broadcast recently Governor Francis Cherry made this simple comment in-sponse to a question about the public school segregation cases now pending before the United States Supreme Court

law."
Under ordinary circumstances such a tatement would hardly be worthy of comsient. But the fact is that Governor Cherry
the list of the Southern governors to ap simply that his state would accept the erdict of the court whatever it may be, he others have remained silent, or in the ase of Governors Talmadge of Georgia and syraes of South Carolina, have threatened take the time that the thing that the court whatever the public education field if the court holds segregation necessitations.

for COURT CASES

tern in the South overnight. Its ruling will be confined to the five specific cases before it, and no practical results will necessarily flow from it until and unless litigation is begun in each of the thousands of Southern school districts in which authority in this field is yeasted.

Certainly the court decision, whatever it may be, will pose some new educational problems for the South. It is reasonable to assume that it will be done in such a way as to speed the process of closing the approach of the south of the problems. It is not problems, varying in intensity from community of community to community.

It is now procedent tending toward integration is handed down there will be new social problems, varying in intensity from community to community.

The problems is the might result will be many problems the might result will be many problems of the decision for the sort of extreme proposals put forward by South Carolina and Georgia. Governor Cherry's calm statement says about all that needs to be said.

# Korean Conference Is Out Unless Reds Do About-Face

By MARQUIS CHILDS

WASHINGTON
THERE will be no Korean pace.

ent conclusion of American policyent conclusion of American policyent conclusion of American policymakers directly concerned with
trying to work out the details of
the meeting due to begin less than
The shadow-boxing at the United
Nations will continue. But the exchange between the Communita
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RHEE VOICES THERAT
But while no one here expects a peace conference, neither is there any serious apprehension summed Syngman Bine. President of the Republic of South Korea, some of preclaiming this intention to resume the war if no agreement ment in his latest interview, in the New York Times, professing, too, in the New York Times, professing too, its confidence that American and other troops in Korea will join the New York Times, professing, too, its confidence that American and other troops in Korea will join the New York Times, professing too, the North, Actually the neutralization prosal has only the most shadowy parentage. It seems to have been on the North, and the North to the Western allies in the event that the Western allies in the event that the Western allies in the event that committed the Western allies in the cross a conference table from the Communist representatives. The contralization concept was in the speeches at the current assembly

session of both Selvsy, Llody-chief. British delegae, and Leater Pearson, Canada's Minister of External Affairs.
Neutralization of Korea with Communist Chinese troops leavening the South is an attractive idea. But no one with real moveledge of the situation expects in the south is an attractive idea. But no one with real knowledge of the situation expects in the south of the situation expects in the south of the situation expects. The South Korean army is strong as the training of additional divisions goes forward to a time of the south of the situation of the situation and the strong as the training of additional divisions goes forward to a through the south of the situation of the situation of the situation and the situation of the situation

# Legal 'Blackmail' Was Used In Getting Woman To Testify

By ROBERT C. RUARK

MONGT THE more unusual as-pects of the trial in which Lt. Col. William Lane was dismissed from the Army, and which for the control of the control of the Cramer as a marinet and de-stroyer of officer morale abroads, was a peculiar bit of business to the control of the control of the Else Ackermann, a key witness with whom Lane had been ac-cused of flagrantly living out of weeflock.

wedlock. This was a letter from the of-fice of the chief attorney of HLCGG. the High Commission for German Occupation. It was date 22 May, 1803. It said, in part; 22 May, 1803. It said, in part Acting Chief Attorney for the United States Court of the Allel High Commission for Germany, and as specifically delegated by letter. Jo grant immunity from prosecution, I do bereby.

prosecution, I do hereby.

"(1) On condition that you make full disclosure of complete and periment facts and evidence within your knowledge relating to the above mentioned subject (Note: "Offenses committed by LX-Col. William F. Lane, Grafenwohr Detachment, Nurnburg District, betachment, beta

1952)
"(2) On condition that you testify truthfully and fully as to the matters within your knowledge on any criminal charge or charges, or actions, that may arise against Lt. Col. Lane from any disclosures made by you,

may arise against you with re-spect to any offense or offenses which could constitute the basis of charges against you as re-vested by your disclosure."

Germany, and, and and and and mong the his comhis coms.)

MUNICH

It could be regarded as protection for Fraulein Ackermann in this respect: If German law attended to try her criminally, HICOG could take her out of German jurisdiction, and protect her under occupation powers. This could also be construed as a bribe.

bribe. To other thing, which came up in the court when the fair Else in the court when the fair Else in the could similarly be tried by the could similarly be tried on criminal charges by HICOG, and would be tried on criminal charges by HICOG, which was the didn't spill. She spilled, As a witness she was safe from prosecution of the country of the didn't she didn't she didn't she didn't she didn't she can be she will be sh

On all counts the trial was en-tirely legal, according to the JAG office in Munich, "There was no intimidation of witnesses. There was no irregularity."

General Cramer is a man with a high sense of moral duty. While a high sense of moral duty. While ordering a court on one simple assault charge, he refused to au-thorize a court on another, when an MP shot and killed an Amer-ican soldier in a bar when the soldier came at him with a chair in a drunken argument.

### **Election Set For Saturday**

# School, Hospital Needs Cited

By JOHN HARDEN
Cochairman
Public Schools & Mental Care, Inc.
Thirs voters of North Carolina will make an
important decision at the polls on Oct. 3.
On that date the people will cast their hallots
ferror or Against' two bond issues designed to
schools and mental hospitals in the State.
When the public schools of North Carolina
opened their doors for the 1903-54 term, parent, teachers, and pupils faced a new emerent, teachers, and pupils faced a new emerand in facilities for educating her children of
today.

today.

This situation, found in every section of North Carolina, has been translated into a state-wide picture with the collection of figures, by counties, in the Department of Public Instruction at Raleigh. These figures show that we now have:

have:

A 1903 fall enrollment in the state, which is about of its needs by 7.783 classrooms. 220.000 school, children crowded into inadequate control of the control of the

#### How The Problem Developed

How The, Problem Developed

How and our State's school system get into this tragic position?

During the depression, and war years there was. From necessity, a minimum of school constructing and maintenance. This came first from surstming revenues and ione from war short-approximate the state of the sta

Situation. The children are with us now, the emergency exists today. The people of North Carolina have the opportunity and the obligation to guarantee

these children their right to grow to maturity in a

#### Mental Hospital Needs

IN spite of all that has been done in recent years for the mental hospitals of the State, North Carolina is today still sadly deficient in facilities to care for its mentally ill.

North Carolina was the 12th state in the origmal Indicate in establish hospital heditics and
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normal way of life. Too much of what we have
to offer is mere custodial care. Too little of it
trains or cures.

War and depression also complicated the picture in the field of mental care and put us even
buildings there has also been a shortage of personnel.

Here is what has happened to the population

hospitals. We sport as an 12000 four total number of patients jumped up almost one-fourth even in that brief time.

In the meantime waiting lists of those urgenity needing admission to these hospitals has grown. Today there is a backing of 200 people whose and protection of a mental hospital for these loved ones. Many of these people are being housed in jails as the only means of protecting them from him to themselves or others. Throughout the meant of the protection of a mental hospital for the protection of t

#### Championship Fight



#### **Drew Pearson's** U.S. Wheat For Pakistan Goes Astray Merry-Go-Round

PRESIDENT EISENHOWER hit the ceiling the other day when Foreign Operations Administrator Stassen told him that
of the \$100,000,000 worth of wheat the
United States sent to Pakistan, not a bushel
had reached Pakistan refugees — as the
United States had officially specified,

Furthermore, 10 per cent of the wheat had been stolen, and 25 per cent had been used by Pakistan officials for speculation.

Stassen had heard this report from a presentative of CARE, following which cabled the American ambassador in trachi, who confirmed it.

### No More Budget Cutting

Hydrogen-Bomb Worry