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## Free Judges From Demands Of Politics

THE real remedy for getting bad or mediocre judges off the bench, a seasoned lawyer once remarked, not to put them on in the first place.

This entirely sensible premise lies at the heart of the Bell Committee's preliminary recommendation that North Carolina judges be chosen initially by a qualified authority rather than elected by the people. The plan, it seems to us, would surely improve the standards of North Carolina justice today and might well prevent corruption of those standards in the future.

Why? Because while retaining the power of the people to oust a judge on the basis of his performance in office, it would remove his selection and the length of his tenure from the push and haul of politics. A judge who had been selected on the basis of his personal integrity, judicial temperament and adequate legal training could devote his full energies to disinterested duty.

He would have no reason to contemplate any political effects of his decisions, nor to let the docket pile up while out politicking for another term.

Periodically the people would vote on whether or not to continue him in office, but on the basis of his record—not on the basis of how much money he spent and how many hands he shook in a political campaign.

BUT what is wrong with letting the people select their judges in the first place, as well as deciding how long they shall serve? Nothing in the world provided the people are familiar with the candidates and their qualifications. While this familiarity is possible in thinly populated areas of the state, it is difficult now and will become even more difficult in the growing urban areas.

There are few really conscientious voters who have not left polling places with a sense of shame over having had to vote as a robot for a candidate he didn't know and whose qualifications he could not assess. Yet coastal Tar Heels vote on the Superior Court judges who sit in Mecklenburg and Mecklenburgers vote on those who serve the coastal areas.

THE committee's recommendation criticizes neither the records of the state's present judges nor the theory of popular vote. Actually a large majority of the state's present Superior Court judges were originally appointed to fill vacancies by a governor. As for popular vote the committee asks only that popular opinion be guided to some extent by the deliberations of an offi-

cial body having knowledge of the character and qualifications of the candidates.

The value of the Bell Committee plan in practice, of course, would be keyed to the character and disinterestedness of an enlarged Judicial Council—the body that would provide the names from which the governor would choose in his appointment of Superior Court justices and Superior Court judges. Pivotal effort would be required to assure that council members themselves would possess personal integrity and judicial temperament. Since the council would need lay members to assure a representative composition, The Bell Committee recommends that two laymen be appointed. We think a larger number may be needed.

IN sum, as it relates to the Supreme Court and the Superior Court, the committee plan promises to make the bench more attractive to more capable men and to create an atmosphere in which judges would be encouraged to pay undivided attention to the exacting task of meting out justice. It would improve the generally high caliber of those courts today, and guard them against the unpredictable tides of future politics.

Earlier, the committee recommended replacement of a conglomeration of some 1,400 lower courts in North Carolina by a system of district courts, one in each county, and the incorporation into their functions of justices of the peace. The committee now suggests that these lower court judges and magistrates (Jayspees) be appointed by the chief justice of the Supreme Court on nomination of the senior resident Superior Court judge. They would be subject to removal by the chief justice for incompetence, misconduct or disability, on recommendation of the Judicial Council.

A power introduced into this hodgepodge of courts almost certainly would bring immediate and lasting improvements in the quality of North Carolina justice. It is the lower courts that are the most subject to political pressures and poor appointments and the least subject to proper standards and administrative control.

The Bell Committee's preliminary reports are charting a sound and sure course toward needed and lasting improvements in the quality of North Carolina justice. The proposals it has made thus far deserve earnest and sympathetic consideration by all North Carolinians.

## Everyone Has A Plan But The Planners

THIS being the season for free advice, the mails are full of it—all addressed in immaculate script to Washington, D. C.

Most of the advice—if we exclude the truculent travel tips for Ezra Taft Benson—has to do with the recession. Everybody but everybody, it seems, has a plan to cure it. Everybody, that is, but the President of the United States, the secretary of the Treasury, the secretary of commerce, the director of the budget and the chairman of the National Republican Policy Committee who are enormously busy waiting-and-seeing.

Surely the most provocative "plan" comes from a Mrs. H. F. Raderer of Louisville, Ky. It arrived on Capitol Hill the other day equipped with diagrams in color and the assurance that she sought no material reward, just credit.

The Raderer Plan would end the slump by a system of "prosperity certificates" issued by the government. The government would sell them to the banks, which would sell them to employers, who would pay them to employees, who would spend them at once. What would happen then? Well, prosperity, we suppose. What else?

From The St. Louis Post-Dispatch

### WORD COOK

NO fancy word to glorify an occasion has been added to the English language since "realitor" and "mortician" were inscribed in the dictionary. Any who doubt that these germs have been accepted by Mr. Webster may take a peep into his big book. But we have spotted a new one on the horizon: "culinarian."

This apparently was dreamed up by Eugene Erle, a 55-year-old native of Alsace-Lorraine, who feeds United Air Lines passengers. He does not want to be known as a cook. The word is not adequate to his art.

"The preparation of food," he says, "is a sacred ritual, a cult, a thing more sacred than the maintenance of the only body God has given us to house our souls."

That is turning savory kitchen fragrance into stern incense. Mr. Erle should be an artist at whipping up a Hollandaise sauce or a lobster Newburg, though we have tasted none of his soul-

guarding dishes. There can be no doubt, however, about his skill in cooking up a word.

See you in the kitchen, culinarian.

It is pretty difficult to square the idea of a recession in this country with the bumper-to-bumper traffic that exists on city streets and country highways. —GREENVILLE (S. C.) PIEDMONT.

A father was lecturing his 10-year-old son about the poor report card. The lad listened patiently until a break in the monologue gave him a chance to ask: "What do you think my trouble is, heredity, or environment?" —LEWISTON: HERALD-LEADER.

Words come from Accra, the capital of Ghana, that the new nation does not have enough lawyers. This looks like a fine opportunity for a deal, perhaps on a lend-lease basis, with Philadelphia—or any state legislature. —ST. LOUIS POST-DISPATCH.

# Acheson Swings Democrats Behind Dulles' Summit Plan

By MARQUIS CHILDS

WASHINGTON  
FORMER President Harry S. Truman has demonstrated once again what everyone has known about him for a long time—that he has no trouble whatsoever in making up his mind about almost any subject under the sun from facts to the pleasures and pains of being a grandfather.

On a summit meeting Truman is nearly as firm in his opposition as President Eisenhower and Secretary of State John Foster Dulles. This is in part a reflection of the strong views held by Truman's secretary of state, Dean Acheson, on whom Truman relied almost as heavily as does President Eisenhower on Dulles.

There is, in fact, an interesting parallel in the relationship. When Acheson was under the most bitter attack, resembling that which Dulles has recently been subjected, although more savage

in tone, Truman would come to his defense as the greatest secret of state in the many and many a month. Similarly, Eisenhower has championed Dulles as "the greatest" in history.

### STRONG DISSENT

With Truman and Acheson—whose close friendship has continued since they have been out of office—both publicly opposed to a summit meeting with the Russians, a kind of bipartisan policy has been arrived at, only by coincidence. But among Democratic leaders there is a strong dissent from the Truman-Acheson line.

This dissent came out at the last meeting of the Democratic Advisory Council, with its lawyer-like skill, Acheson had prepared a paper nailing down his firm views on upholding the containment policy and rejecting overtures for a summit conference.

### LESS RIGID IDEAS

But Gov. Averell Harriman of New York, Adlai Stevenson, twice the party's presidential candidate, and others interested less in cold war than in peace, were going to an unopposed meeting with the Russians. They did argue, however, the importance of continuing the rest of the world and particularly America's allies that we were willing to negotiate and that we would not be dragged to the conference table like a reluctant bride.

Acheson would accept no changes in his test. The discussion grew fairly acrimonious as he



JOHN FOSTER DULLES  
Rough On The Inside

let it be plainly known that even the change of a comma was unwelcome. The party view that came out of the meeting was the Acheson view.

### HARRIMAN UNHAPPY

Harriman told friends later that he was so unhappy about the out-

come that he had seriously considered resigning from the council's foreign policy subcommittee. The first American official to warn at the end of World War II that Soviet Russia under Stalin meant to launch a campaign of aggressive imperialism, the New York governor is now convinced that an inflexible attitude can only divide the Western allies and give Moscow one propaganda opening after another.

The close parallel between the Dulles and the Acheson outlook on American policy toward Russia is a striking phenomenon of the post-war era.

### WILSON RECALLED

Acheson is preparing for publication a paper arguing the wrongness of United States policies participating in international conferences. He cites the example of Woodrow Wilson and the tragedy of his visit to Paris for direct participation in the bargaining around the peace table that led up to the treaty of Versailles.

Dulles is known to hold the same view about the difficulty of a president, who is in effect both ceremonial head of state and prime minister, taking part in first-hand bargaining. Because the president's constitutional position is unlike that of all other negotiators at the summit, he is put in an awkward situation.

### STEVENSON'S PLANS

Quite apart from who may or may not negotiate with Moscow, Stevenson has long urged an end to the rigidities in the United

States position on disarmament. More than a year ago he argued that the question of ending nuclear tests, with control and inspection, should be separated from the production of fissionable material.

Stevenson is visiting Russia in July for the first time since he went there as a correspondent for the Hearst newspapers in 1926. He says he is going chiefly as a tourist, although he also has some business to do there. But it would be surprising if during his stay he did not talk with Premier Nikita S. Khrushchev and others in the Kremlin hierarchy.

However strong the conviction against negotiation at the summit, events are moving irresistibly in that direction, as Dulles has indicated by his latest concession to Moscow, on an immediate start on preparations. And it is much easier to take a stand-in position if you are on the outside of a circle rather than on the inside coping with the realities.

### DEAN ACHESON

Firm Views

## This Couple Rode The 'Never-Never' Plan To Poverty

By JOSEPH ALSOP

DETROIT  
IT is a little hard to believe in people like John and Jeanette, but they really exist—in a grey little street of grey little houses in East Detroit.

John is a fine-looking fellow, 11 years an auto worker, who was doing setting up exercises when I rang his doorbell "because it's easy to get out of shape," when you're laid off. Jeanette is a sturdy young woman whom John met on the assembly line at one of the Chrysler auto plants. They are not highly skilled workers, but they had over \$100 a week of take-home pay between them before Jeanette lost her job last September.

"I wouldn't believe it until it happened," said John, "because like you'd never be laid off, when you'd worked steady for seven years, like I had."

### ON THE NEVER-NEVER

At that time, John had the car paid for (it was a cash bargain from a fellow worker). But the house, the washer, the dryer, the television set and the furniture were all on the never-never. Altogether, the payments then amounted to \$83 a month (although John and Jeanette had never added up and Jeanette commented, "Gee, that's awful" when I did the sum for them.) Yet with Jeanette already unemployed, they went in luck for an other \$200 to buy Christmas presents at one of the cheap Detroit stores that will almost sell anything on paper on time. Three weeks later, John too was laid off.

If I'd known that, I'd never of went so deep at Christmas," said John ruefully. But the deed was done. Today, Jeanette's unemployment benefits have run out, and the family has nothing but John's benefits of \$43 a week. With time payments swollen to \$100 a month by the Christmas spurge, they and their boy live mainly on spaghetti. Worst of all, John's benefits will also run out in another 13 weeks. But even now they seem to have no sense of oncoming catastrophe.

### SMELL OF RUN

What makes John and Jeanette hard to believe in, of course, is the curious combination of industries, for both have always been hard, steady workers—with almost total, loss-eating

improvidence. They are not unusual either. I ran into one young auto worker who has lost his job, had got married on his unemployment benefits two months later, and had gone on the never-never for \$500 worth of furniture and appliances with no job prospect and only 17 weeks of

benefits to go. His is on welfare now. The wife is pregnant, and their whole wretched little apartment smelled of ruin. There was another brisk, bustling woman who had gone to Chrysler against her husband's will "because you don't never get ahead unless the wom-

an works." With a big combined income, they had signed a really big note to a fly-by-night contractor for insuring their attic as an extra bedroom. Now their time payments were \$100 a month, or exactly half what the still working husband earns. The woman commented: "Anyway, we still

get a little comin' in, so we're better off than a lot of people."

### RAPACITY AND FOLLY

At first one hardly knows which is more shocking, the rapacity of the never-never traders who sell their fantasies, or the shortsighted folly of the people themselves. Nothing, certainly, can excuse the dealers selling trash for "nothing down, easy terms," whose "easy terms" are such that the trash is generally paid for at least twice over.

But if you reflect on the matter, you cannot put the whole blame on these industrial workers for their fantastic uses of credit. They live, after all, in a society that it measures achievement by its standards but by material objects.

### THE VOICES

Day after day, there are the voices—sometimes very respectable voices—warning them they have achieved nothing but their plunging merely flushes but their fantasies, or if their cars merely get them from here to there but do not look like dropical juke boxes.

Then too, the really monstrous use of credit they have been making has been permitted, and even encouraged by all society leaders. The auto manufacturers were not the least powerful of those who pressed the Federal Reserve Board to relax installment buying rules, and if tens of thousands of the General Motors workers, for instance, have outrageously mortgaged their incomes because of overconfidence in their job-security, they have judged their job-security by the forecasts of General Motors's President Harlow Curtice, who so often swept aside every suggestion that the American automobile market might perhaps become saturated.

### Quote, Unquote

"Nothing ruins a neighborhood for the average husband like having an enthusiastic gardener move in." —Bill Vaughan.

"Nearly all the material things which distinguish this age from the last are things which make more noise than there was before." —A. P. Herbert.

## Drew Pearson's Merry-Go-Round

WASHINGTON

ONE of the most significant facts which Congressmen Clark might develop in his highly revealing investigation of the telephone company is the manner in which the Defense Department, no matter whether Democrats or Republicans are in power, has always gone in for big business on anti-trust cases.

This has been true under Roosevelt, under Truman, and under Eisenhower. Pearson's investigation of the Defense Department in a manner which would shock the public were all the facts known. Here is where the biggest tax savings could be made—because this is where most of the tax dollar is spent. But not many tax savings will be made until the Defense Department gives up its unbridled alliance with the 100 big business firms which get most of the military contracts.

### Greater Monopoly

In the field of anti-trust, the Defense Department not only creates greater monopoly by channeling 60 per cent of its orders into a handful of big firms, but it also goes to bat for these companies when they get into anti-trust trouble. Under Roosevelt, the War and Navy Departments requested that 44 anti-trust suits be held up by the Justice Department.

Not so subtle intervention under Ike is revealed by Congressman Celler of Brooklyn, chairman of the Anti-trust subcommittee, who has been in the company. After the ruler of the Pentagon, Charlie Wilson, wrote a letter to his Cabinet colleague, Attorney General

Brownell, urging him to get rid of the anti-trust case brought by Truman against A.T.&T. and its giant subsidiary, Western Electric, Brownell came to feel like one of Charles's well-trained hunting dogs.

### Secret Talk

Vice President T. Brooke Price of A.T.&T. told his own story in his own way after he had been asked by Brownell to visit him during a legal conference at White Sulphur Springs, W. Va., on June 27, 1952—just a few months after the Eisenhower administration came into office.

"He was occupying alone the manager's cottage on the hill above the hotel," Price wrote of Brownell in a secret memo addressed to the attorney general. "He expected the public to read, 'He came out on the porch to meet me and we sat on the porch and talked for twenty minutes. Nobody else was present or near."

### No Settlement

"I had brought with me the memorandum which had recently been sent to Judge Barnes (chief of Brownell's Anti-trust Division) presenting our arguments for dismissal of the case, and at this place the policy of the company was to insist on dismissal and not to discuss settlement." Price then revealed that he expected most of the Republicans than the Democrats. "I then," he told him, "said: 'that under the previous (Truman) administration the company was asking for postponement only, but that we were hopeful that we would see this year to have the case dropped. He hesi-

tated over this a bit and then asked me to give him the particular items sought in the prayer for relief."

Outright dismissal was a little tough for Brownell to take. He knew he would have trouble with his subordinates getting them to agree.

### Brownell Pleads

"He reflected a moment and said in substance that a way ought to be found to get rid of the case," continued Price in his secret memo. "He asked me whether, if we reviewed our practices, we would be able to find things we are doing which were once considered entirely legal but might now be in violation of the anti-trust laws or questionable in the respect."

The A.T.&T. executive was adamant. He knew he had the full force of the Defense Department behind him.

### Consent Decree

"I told him," he reported, "we had thought about the matter but I was not prepared at the moment to say that we could proceed in that fashion. He said if we tried we could certainly find things of which we could be used as a basis for a consent decree (I noted carefully that here for the first time he was specific in using the term 'consent decree')."

"He was sure to specify that I felt I had to go one way or the other and I did not feel at liberty to weaken on what I understood to be our position at that time. I said that our management had not been willing so far to admit that any injunction ought to be entered against the

company but they felt that the cause ought to be dropped.

### Sensible People

"He said, 'I don't think that a very sensible attitude for them to take.' I said, 'They are sensible people and they will give this matter further consideration and they will adopt a final unchangeable position, but that's the way you see feel.'"

Brownell remained almost in the position he assumed before the A.T.&T. executive, rather than the head of the great law-enforcement agency of the United States.

### Be All Right

"As I got up to go," reported Price, "he walked down to me and he repeated his statement that it was important to get this case disposed of. He said the President would understand this also and that if a consent decree was worked out he could get the President's approval in five minutes."

"As I was leaving, I reminded him that we had talked to Judge Barnes to have the case dismissed, and I said that I had assumed that it was all right if we did not hear from Judge Barnes in the near future to get in touch with him to find out what was to be done. He said that was right."

Thus ended the amazing huddle at White Sulphur Springs on the front porch of the manager's cottage, which was to lead to one of the most important and insipid consent decrees in recent anti-trust history.

