

THE CHARLOTTE NEWS

***** FINAL

Largest Evening Newspaper In The Two Carolinas Charlotte, North Carolina, Monday, January 26, 1959

22 Pages - Price Five Cents



Established Dec. 8, 1888.

Children And The Law Our Courts A Judicial Hodgepodge

In recent weeks, the eyes of the world have been on North Carolina as a result of the famous Monroe 'kissing case'...

By BOB SLOUGH News Staff Writer

The juvenile court system in North Carolina is characterized by a lack of uniformity that creates a hodgepodge of juvenile court proceedings.

In one county a juvenile judge with years of training as a practicing attorney hears cases in a court that operates with the efficiency of a well-oiled legal machine.

The judge is provided with a study of the child's background. He knows the condition of the child's home. He knows the psychological behavior pattern of the child.

The judge has in his hands even before the hearing opens much of the information needed to arrive at a sensible decision that will be in the best interest of the child.

In another county a man with no legal training and little time to spend on such matters, hears a juvenile case.

He has no background information. He keeps no records of the proceedings.

Quite possibly, he decides his case in one of three ways—he puts the delinquent child on the head and tells him to sin no more, gives the child a severe reprimand, or sends him off to a training school.

If the judge puts the child on the head there probably will be no follow-up investigation. Most of North Carolina's 100 counties have no probation service in their juvenile courts.

What's wrong with the North Carolina juvenile court system? Basically, the philosophy of the juvenile court laws of the state are sound. The manner in which communities take advantage of the laws leaves much to be desired, however.

As one veteran juvenile court judge put it, "Unfortunately, many people feel the court is dealing with little people. Therefore we should have a little court."

That, he said, is one thing that is wrong with the system.

Six Counties Are Prepared

In six North Carolina counties—Buncombe, Cabarrus, Gaston, Guilford, Mecklenburg and Wake—domestic relations courts had and decide juvenile cases.

These courts were created because the counties took advantage of a state law permitting the operation of such courts.

Ninety-one other North Carolina counties have not taken advantage of the law. In these counties the clerks of court, by law, serve as juvenile judges.

A survey by the National Probation and Parole Assn. revealed that the majority of the clerks of Superior Court serving as juvenile judges for their counties indicated their other duties have become so heavy that they are unable to devote a sufficient amount of time or attention to their duties as juvenile judges.

Many of these men are well qualified to serve as clerks of court, yet not suited by temperament, training, or past experience, to serve as a juvenile judge.

This does not mean the clerks have not served devotedly and without conscience as juvenile judges.

Clerks Admit Lack Of Experience

In fact, many who have done the best job as juvenile judges are the first to admit that pressing duties and lack of experience prevent their doing what they would consider an adequate job.

In the majority of the counties where the clerk serves as judge the county juvenile courts have no special quarters or hearing chambers. Many hold private hearings in their own quarters.

Most of the clerks report no clerical personnel except for their regular staff and no special provision for maintaining juvenile records.

Juvenile court judges in North Carolina participating in an NPPA survey feel the most concern over the inadequacy of direct, "on-the-spot" services, in the form of courts and probation service, for children in trouble.

NPPA asked 85 judges, "What do you see as some of the major needs in connection with the present system of juvenile courts in North Carolina?"

Over half mentioned "better probation service" for both pre-hearing studies and supervision.

Need Seen For Special Court

Thirty-eight listed the need for "a separate" or "a special" court for juvenile and family cases, or "a separate juvenile court system."

The six domestic relations courts in North Carolina provide service but for 21 per cent of the State's population.

Why shouldn't the child in a poor eastern North Carolina county have the same opportunity for justice as a child in a county that has a good juvenile court system? Is the child in a poor county not entitled to the same rights as the child in a more wealthy section of the state?

VIRGINIA MAPS NEW RESISTANCE Almond To Offer Stoppag Legislation At Special Session

RICHMOND, Va. (AP)—Virginia's Legislature will meet in an extraordinary session Wednesday to seek new defenses for the state in its battle against integration in the public schools.

Gov. J. Lindsay Almond Jr. called the special session Sunday night—after the courts had dealt a knockout blow to "massive resistance" laws enacted in 1956.

Without these laws, under which nine schools have been closed, the state is powerless to prevent or delay integration where it is ordered by federal judges for no later than Feb. 2.

Almond indicated he will offer the extraordinary session a program designed to meet the most immediate problems—when he addresses the State Senate and House of Delegates in joint session Wednesday noon.

The governor said he still plans to appoint a committee of legislators to formulate a long-range anti-integration program.

NO HINT

Almond declined any hint of specific measures he would recommend. He said "it would serve no useful purpose" to disclose whether he will offer a plan aimed at staving off integration in Arlington and in the localities where federal courts may have to be reopened on a racially mixed basis.

Norfolk, Charlottesville and Front Royal.

In Arlington, plans have been laid to appeal to the U.S. Supreme Court the order of U.S. Dist. Judge Albert E. Bryan that four Negroes be enrolled at Stratford Junior High School for the semester starting Jan. 12.

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Sedition Trial Finally Starts

SAN FRANCISCO (AP)—The Powell sedition trial only could get off its feet to come out of the Korean War which Congress never begins today with selection of a federal jury.

Chief U.S. Dist. Judge Louis E. Goodman is presiding. The case has taken almost three years to reach trial stage. John W. Powell, 39, his wife Sylvia, 39, both of San Francisco, and Julian Schuman of New York were indicted April 25, 1956.

Powell published a magazine in postwar Shanghai, The China Monthly Review. He kept it going after the Chinese Communists came to power, with his wife and Schuman as associate editors. All three returned to the United States in 1953.

They are charged under the Sedition Act of 1917 with conspiring to obstruct the war effort and invite military among U.S. forces by circulating copies of the magazine in the United States. The government says the conspiracy consisted of publishing charges that the United States waged a war of warfare and obstructed treaty negotiations. This was conspiracy, says the government, because the defendants knew the reports to be false.

U. S. SCHOOLING

Powell was born in Shanghai but educated in the United States at the University of Missouri. During World War II he worked for the office of War Information in Washington and in China. His wife, the former Sylvia Campbell of Philadelphia, Ore., was a post-war UNRRA worker in Shanghai.

Schuman, Boston-born, was a radio writer in Shanghai before he joined the Review's staff. Defense efforts to obtain evidence and other maneuvers have delayed the trial.

Five States Facing Cleanup After Flood



22,000 Families Affected

By ASSOCIATED PRESS Floods still menaced some areas in five eastern and central states today but waters from swollen rivers and streams were receding in most sections. The worst of the mid-winter flooding appeared temporarily ended.

The chief problem for the thousands hit by last week's devastating floods in Ohio, Pennsylvania, New York, West Virginia and Indiana was the huge clean-up job. The Red Cross has estimated more than 22,000 families were affected by the floods, with thousands forced temporarily from their homes.

Cold air with snow or rain, spread from the central plains across the northern half of the country, adding to the inconvenience of flood victims.

In Ohio, one of the states hardest hit by overflows, the Ohio River was the last of the state's waterways threatening further flooding. At Cincinnati the big river edged up to 35 feet, 3 feet above flood stage. The Weather Bureau predicted an expected 37-foot crest will be reached near midnight tonight. However, only minor damage was expected unless fresh rains should hike it above the 6-foot mark.

WIDESPREAD DAMAGE

Floods in Ohio caused an estimated damage of 100 million dollars in 76 of Ohio's 88 counties. In western Pennsylvania, the cleanup job was in progress, many roads were reopened and public transportation was returning slowly to normal. Schools and industries also planned to resume operations as soon as possible.

At Meadville, Pa., the ice-choked French Creek returned slowly to its banks and some of the 2,000 persons evacuated moved back into their homes. Efforts continued by demolition experts to blast openings in two huge ice jams which kept about 10 per cent of the city of 25,000 under water for five days.

FLOW HALTED

At Pittston, Pa., rescue workers finally halted the flow of water from the Susquehanna River into a mine shaft where 12 men have been trapped since Thursday. They are to be squeezed into the shaft by the big job of pumping out the tons of water which poured into the mine was expected to continue for two days.

Thirty-three other miners escaped the flooded mine last Thursday. The cold air covered a vast area from the central plains eastward through the upper and middle Mississippi valley to the Ohio valley, the lower Great Lakes region and parts of the Eastland.

Snow spread with the cold air from Kansas eastward into the Ohio valley and lower Great Lakes, with some freezing drizzle or drizzle at the southern edge of the cold air.

Coldest weather—below zero—was common mainly to the upper Mississippi valley and the upper Great Lakes region. However, some zero weather was reported along the Canadian border. It was 17 below zero in Lone Rock, Wis., compared to 16 above 24 hours earlier.

Temperatures were 20 degrees lower than yesterday morning throughout most of the cold belt. In the Gulf states with temperatures 4 to 12 degrees higher than 24 hours earlier. Skies were fair with light temperature change from Texas westward to the southwest desert region.

Our Weather

Increasing cloudiness and mild today. Cloudy and mild with scattered showers tonight and Tuesday.

Low this morning 33 Low tomorrow morning 34 High today 65 High yesterday 64 High tomorrow 58

Sunrise today 7:26 a.m. sunset today 5:46 p.m.

More Weather Data on Page 3-A

Would-Be Rescuer Is Rescued

Joseph M. Lipchinsky (far right) is pulled ashore at Nonquott Pond in Riverton, R. I., after falling through the ice while attempting to rescue two boys who lost their lives in the pond.

Defiant Judge To Hear Fate For Contempt

MONTGOMERY, Ala. (AP)—An ex-state judge who doggedly would not give up his seat in the U.S. Civil Rights Commission must answer today for his defiance of federal court.

Former Circuit Judge George Wallace could get anything from a reprimand to a jail term and fine as he appears to show why he should not be punished for contempt of court.

The fate of Wallace, a private citizen now practicing law in his home town of Clayton, Ala., rests in the hands of a former law school classmate, U.S. Dist. Judge Frank Johnson Jr.

Wallace, 38, must explain his conduct in giving the voter records available to civil rights investigators, who are looking into complaints Negroes in those and other counties had denied voting privileges.

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Pope John Plans Huge Convocation

VATICAN CITY (AP)—Pope John XXIII will convocate a great assembly—the 21st Ecumenical Council in the 2,000-year history of the Roman Catholic Church—to seek unity of the Christian forces of the world.

Return to the fold of the Eastern Orthodox Church's 129 million members was seen as a prime objective of the convocate. But there are great obstacles to any formal re-unification, particularly the Roman Catholic dogma that the Pope is supreme and infallible in matters of faith and morals.

Reaffirmation of the church's stand against communism may be another major subject of the Ecumenical Council, the first since 1675. Pope John already has expressed grave concern with the plight of Catholics in Communist lands and particularly in Communist China, where the Red regime has been trying to foster a national Catholic church that denies allegiance to Rome.

The council will bring together Roman Catholic cardinals, archbishops and bishops from all over the world in what may well be the most immense gathering in Christian history. More than 2,500 are eligible to attend.

OTHER FAITH

Representatives of other Christian communities, in addition to Roman Catholics, are likely to be invited to attend.

The 77-year-old pontiff announced his intention to convene the council Sunday after a mass in honor of the conversion of St. Paul the Roman Jew and persecutor of Christians who was struck to the ground on his way to Damascus.

The Vatican announcement said "Regarding the celebration of

Draft Law's Extension Gets Vinson's Boost

WASHINGTON (AP)—The administration's plan for a four-year extension of the draft law got a potent push in Congress today.

Chairman Carl Vinson (D-Ga.) told his House Armed Services Committee "We have no choice but to extend the draft law. Without the forceful inducement he said, military ranks would be emptied far below the needed strength."

"I hope there will be no hesitancy on the part of any member of the committee to meet his responsibility in this regard," the 75-year-old chairman announced.

Vinson's remarks were prepared for the start of hearings on the administration bill to keep the Selective Service Act in effect until July 1, 1963. The measure also would extend the draft law to the existing suspension of manpower limits for the armed forces and provisions aiding servicemen with dependents.

Asst. Secretary of Defense Charles C. Fincane was slated to spearhead the Pentagon's case, but there did not seem to be any heavy opposition in the House. Many say they dislike the draft but feel it necessary under the pressure of the cold war.

The U. S. Chamber of Commerce recommended that the draft law be extended for only two years instead of four. It said that in view of today's sharp changes in military technology and manpower needs, Congress should take a new look at the law at least every two years.

Ex-Reporter Polio Mom Of Year

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—NAMED SENATE PRESIDENT— Eskimo New Alaskan Leader

JUNEAU, Alaska (AP)—An Eskimo carpenter and a lawyer were dominant figures as the new state of Alaska's first Legislature convened today. But an ex-FBI agent, who didn't seek the job, will have to guide the lawmakers.

Hugh J. Wade, 57, secretary of state and acting governor, grasped the reins of what is believed the strongest executive type state government when Gov. William A. Egan became critically ill. They are the only elected state officers.

The former FBI agent, who came to the northland 25 years ago, faced the arduous task of outlining the administrative program for the 484-state new government.

In messages to the Legislature, Wade attempted to pad the skeleton of Alaska's streamlined constitution.

Behind Wade will be two other Democrats — Eskimo William E.

Belz, 46, and Warren A. Taylor, who came to the nation's largest state 30 years ago and first served in the old territorial legislature in 1932.

Belz was chosen Sunday as a pre-legislative caucus as Senate speaker. Taylor is named speaker of the House of Representatives.

Egan still is on the critical list after emergency surgery for an abdominal ailment at a Seattle hospital. He has been ill since a few hours after his inauguration Jan. 3.

The task before the infant state's legislators is enormous. Speculation on the length of their first session has ranged from three months to as long as a year.

First on the agenda will be the reorganization of a part of more than 50 agencies, departments, pay,

Man Is Trapped In Rescue Try

KANSAS CITY, Mo. (AP)—Thomas Lee, 43, dashed into a flooded mine Sunday night to rescue his sister but got trapped in a second-floor closet.

Overcome by smoke, Lee was carried out by fireman Jack Eversham and revived.

His sister, Mrs. Clinton Eversham, 42, was in the house. She went out when the fire was discovered.