THE CHARLOTTE NEWS

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Why Charlotte Needs A Traffic Court

Sooner or later, Charlotte will have to establish a separate traffic court.

It will be needed to break the legal logjam in City Recorder's Court and to backstop the community's safety drive.

City Recorder Howard B. Arbuckle Jr. has already given city councilmen a judge's-eye view of the mounting need. It will be well for the Council to prepare now for action in 1960.

The pressure of motor vehicle cases on the municipal court has always been severe. Nothing demonstrates this better than a 1956 survey conducted by the University of North Carolina's Institute of Government. Of 19,980 cases handled during the year, 11,770 involved motor vehicles. That represented 58.9 per cent of the total.

During the year surveyed, there were 4,810 speeding cases, 250 drunken driving cases, 400 careless and reckless driving cases and 2,060 other types of violations.

There is every indication that 1959 figures will reflect a big increase in the number of traffic cases handled. Judge Arbuckle has already disclosed that since the arrival of Police Chief Jesse James, the work load of City Recorder's Court has increased one third. In addition, more than 30 square miles of perimeter territory will be brought under the court's jurisdiction Jan. 1. These facts, coupled with the impact of the traffic violation point system and the normal increase of traffic as the city's population grows, indicate that the court's machinery will be overloaded even more during the months immediately ahead.

* * *

A "part-time" City Recorder's Court has simply become a full-time problem. The wheels of justice have already been slowed noticeably. It will be burdensome on the judge, the solicitor, the defendants and the community at large if the logjam gets any worse.

A specialized traffic court, properly organized and manned by trained personnel, could do a far more effective job of teaching the lesson of safety to defendants. With a little ingenuity, it could become a precise instructional instrument. For instance, an erring motorist's fine or sentence might be suspended on the condition that he attend court-sponsored classes in good driving practices.

With these possibilities in view, the traffic court idea has already been established as one of the initial goals of the Charlotte-Mecklenburg Safety Association.

* * *

The need for a more comprehensive attack on the traffic safety problem in Charlotte is obvious. Of 51 cities in Charlotte's population range (100,000 to 200,000) reporting traffic data in 1956 to the National Safety Council, 42 reported fewer traffic deaths, 44 reported a lower automobile registration death rate (deaths per 10,000 vehicles), 44 reported a lower population death rate (deaths per 100,000 population). There is no genuine hope that Charlotte can improve its position in 1959 unless vigorous action is taken on a number of fronts at once.

North Carolina's lower courts have always faced a terrible temptation when the flow of traffic cases becomes so great that it cannot be handled properly. It is to adopt systems of "waiver of appearance" and "cash bond forfeitures." Consequently, in more than one fourth of all motor vehicle cases examined during the recent Bell Committee study, the defendant never appeared in court at all. Most of these methods are without judicial sanction and some of the techniques employed have been declared improper. Certainly, they defeat the cause of safety for they do not have any educating effect on the law violator.

In summary, the traffic court would serve a definite need. That need has been well documented by Judge Arbuckle and others. It will have to be met before very long by the City Council. An appropriate target date would be 1960.

Bohlen Must Not Fear The Lions' Jaws

At least two Republican senators who were in the anti-Bohlen lynch party when that professional diplomat was appointed ambassador to Russia in 1953 have recanted.

Their welcome recantations, coming at a time when Secretary of State Herter is considering Bohlen as a special adviser on Soviet affairs, glimmer hopefully with common sense.

Sen. Goldwater of Arizona says he wrote two years ago to tell Mr. Bohlen that his opposition in the Senate was a mistake. Sen. Dworshak of Idaho confesses he found Bohlen "doing a good job" in Moscow. "If Herter wants him (as a special adviser) he's entitled to have him."

The defection of these two senators from the anti-Bohlen faction leaves it dilapidated—and that's a good thing. Bohlen's troubles over the past several years illustrate the plight of the professional diplomat and civil servant who dares to stand behind the political figure. Bohlen, an adviser to Roosevelt at Yalta and later to Truman and Acheson, served in no political role at all. As a trained observer of the Russians, he offered analysis but did not make policy or sign treaties. Yet when President Eisenhower appointed him ambassador to succeed George F. Kennan in Moscow, a Republican faction opened fire on him as the nearest "Yalta" scapegoat. There are rumblings of a new attack at the moment from Sen. Bridges and Sen. Dirksen, the GOP majority leader.

So long as the game of political retaliation continues to raise havoc with the professional diplomatic conscience, American diplomacy will continue at a disadvantage. The experts (though Bohlen has never done so) will grow timid and fear to speak their minds, for fear of being made political punching bags at some time in the future.

In the nature of his job, the secretary of state must be a controversial figure, liable, as a distinguished British observer wrote recently, to "get most of the boos and . . . even be thrown to the lions." But professional advisers such as Mr. Bohlen, who provide him with sober expertise, must not fear the jaws of the lions. It is comforting that at least two of the Senate's lions have closed their jaws and turned away.

Why Give The Game To The Russians?

As prolifically as the Biblical soil that bred Isaiah and Jeremiah, Russia seems to give birth to prophets — who all tell us jauntily that our grandchildren will be Communists.

This — in the land of Jefferson, Hamilton, and Charles E. Wilson.

Sunny-faced Frol Romanovich Koslov, Russian deputy first premier who has just junketed the land, was at it again in a press conference last week. Before him came Anastas Mikoyan, the Russian trade expert who took the same tour several months ago, and Nikita Khrushchev himself.

"Your grandchildren will all be Communists," they chorus.

Their prophecy smacks of the Victorian smugness with which Sir W. S. Gilbert wrote, in England's age of Gladstone and Disraeli:

Every boy and every girl
That's born into the world alive
Will either be a little Liberal
Or else a little Conservative.

Needless to say, it didn't turn out just so; and neither, we're bound to suspect, will the confident sing-song of the Russians.

But if the game is to be played, why let Mr. Khrushchev and his rotund friends monopolize it? Several days from now, Vice President Nixon will be off on a flossy visit to Moscow, returning Mr. Koslov's.

If he visits Russian factories, he may see commissars looking more like Ford executives every day.

If he visits department stores, he will find an upsurge in consumer goods freely marketed for the Russians.

If he visits farms, he will find them long-since de-collectivized.

By that time it ought to be more than obvious what he should say to the Russians at his press conferences: Our grandchildren may be Communists — who can say? — but by that time all the Russian grandchildren will be capitalists. Only the Cold War will be the same.

Bob Fain In The Lexington Leader

BLASTED SINGLENESS

It's unfair, the Single Lady said. It's unfair because ladies who remain single are never given showers or parties. Single ladies spend life attending showers and parties. Only enough time off is allowed to earn money with which to buy presents. They give presents to their sisters who get married, and when their sisters have babies. And to the babies when they have birthdays or graduate or get married or have babies. Single Lady says this procedure goes on forever, even unto the time of the Social Security check.

To miss a shower is taboo. It breaks the chain. Single ladies who break the chain become outcasts. Unless they remember to send a present. Then they are on probation.

What do single ladies get? Invitations. Which must be burned because to dump them into the garbage would cause the garbageman to quit.

Single Lady says she does not get invitations to purely social affairs where a present need not be shown at the door. She is invited only to showers and parties and family fights. Any would be unthinkable without the table heaped with presents and installed in the center of the room. Then the cult forms a circle and looks bug-eyed and chants "ooooh, aaaaah" with the socially correct lack of inflection.

Single Lady thinks that since a rash of showers and parties occurs in June, single ladies should be given July. They could rent a skating rink and invite all their married friends to an "Another-Year-Has-Passed-Alas!" party.

Supreme Court Stands Firm On Individual Rights

By DORIS FLEESON

WASHINGTON

There is a danger that much more of a division than actually exists will be read into the increasing number of 5-4 decisions issued by the Supreme Court in the last term. In very broad areas the nine justices are in substantial agreement as to aim — but they may differ as to how to arrive at an objective.



WARREN

The chief judge of one of the major circuit courts, reviewing the work of the court during the past year, displays little concern for the divisions of the court. Its justices, he declares, "are all after the same exalted goal."

FASHIONABLE

It has become fashionable to divide the court into liberal and conservative groups. The "liberals" thus chosen are usually Chief Justice Warren, together with Justices Black, Douglas, and Brennan. The "conservatives," headed by Justice Frankfurter, include Justices Clark, Harlan, Whittaker, and Stewart. Actually, there are often shifts from one side to the other. And, in truth, the words "liberal" and "conservative" when applied to the court do not mean what they ordinarily mean in political life.

The Roosevelt court-packing plan of 1937 failed in its immediate objective. There can be no doubt, though, that it succeeded in changing the court, which had been intent from the beginning on preserving property rights and began to lay emphasis on preserving individual rights.

THE GREAT QUESTION

With the enormous growth and expansion of government in a complex society, a chief function of the Supreme Court is the protection of individual rights from encroachment by the government. It is this question that most largely divides the present court.

The needs of the government to carry out its complex functions, as represented by Justice Frankfurter, as against the absolute right of individuals to the protection of the Bill of Rights, as represented by Justice Black are the poles between which the rest of the court fluctuates.

It is true that there is another and more or less technical division on the court. This revolves around the view, again represented by Justice Frankfurter, that the court should decide cases on the most narrow grounds available and avoid sweeping decisions.

STANDING FIRM

These differences are doubtless important. But they are not fundamental. There is no question but that judicial tempers have sometimes risen because of disagreements. Sometimes judicial frustrations have resulted in extravagant language in dissenting opinions. Yet, despite great pressure, including outright vilification, the court has stood firm and unanimous on its segregation decisions.

Some observers profess to see great changes in the outlook of the court, in view of present divisions. If there is a degree. But, no matter what changes time may bring in the court's personnel, there is no indication that the court's continued business will not be concerned with protection of the rights of the individual for a long time to come.



DOUGLAS BLACK CLARK HARLAN BRENNAN WHITAKER FRANKFURTER STEWART

'Goodness, She's Practically Showing Her Limbs'



Where To Live?

Toots' Place

By ROBERT C. RUARK

PALAMOS, Spain

I don't know where I'll live when I come back to New York in August. I'll know places to eat, of course, and I always stay at the same hotel, but where will I live?

I ask this question because Mr. Bernard Shor has succumbed to money and is allowing people to tear down my home in order to make way for progress. I don't care if the fat bum is a million-and-a-half dollars richer from Mr. William Zeckendorf. He got no right to let people pay him dough to tear down my home.

ANOTHER YEAR

It's going to be another year before the new Toots Shor's is open for business. Who knows what can happen in a year? Can I wait a year to be insulted by the proprietor? Can I wait a year without allowing Ziggie and Dick and Walter and Joe and Paul and Sammy to run my New York life for me? Who will button me up proper and beat me when I'm bad?

A certain geographical dilemma, such as 4,000 miles, prevented my attending the weepy testimonial given by the creepy bums who love this creepy crum-bum, but I am certain I would have become tearfully loaded with the rest of his favorite creeps who threw him the farewell party. Toots said something when he said that they weren't tearing down his red brick building on Fifty-First, "they are tearing down me." They were also tearing down a good portion of my generation in the arts and sports and theater and writing dodges.

HULK OF SIDEMEAT

Nobody has ever successfully described this vast hulk of Philadelphia side meat who has insulted his way into the hearts of so many people, who has administered so many sneaky kindnesses and charities, and who has cut so many big shots down to size. Underneath the gross exterior cringes, shamefully, a heart that is bigger than the man, and the noise that comes out of the Great Man's mouth is only a timid attempt to camouflage that Mr. Shor is in love with all the world.

When it comes to cutting people down to size, I have seen some notable examples. One was with L. B. Mayer, the movie mogul, who expressed displeasure at having to wait overlong for a table.

"I hope the food will live up to its reputation after all this waste of my time," Mr. Mayer said.

Toots looked down from his great height.

"Don't worry, Bud," he said mildly, "I seen some of your pictures."

There was a time, too, when he and Jackie Gleason, one of his favorite drinking companions, made bets on a marathon drinking contest. Gleason eventually collapsed in midstride, a couple of bottles later, right in the center of the door that leads from the bar into the dining room. Waiters rushed to pick up the stricken comedian.

'LEAVE BUM LAY'

"Hold it," Toots said. "Leave the bum lay there as an example of what happens to boys that get mixed up with men." People stepped over the world's highest-paid comedian for a considerable time that evening.

The most hilarious time that I can remember was a summer when Toots and Bob Considine and Jim Thrasher and Bill Gargan and I took over the Mary Margaret McBride radio program, when Triple M. was vacationing. God alone knows what the listening public thought was going on, but we managed to turn the hair white of Vincent, the announcer. Never had a more unlikely program emerged from the myriad plugs for margerine and ice-cream powders.

On the way back from one program, somebody suggested lunch, and we headed automatically for Shor's.

A RECORD

"No," Toots said. "Let's go to Twenty-One. We'll give them bums a little class, and they can use it. We'll also stuff them for the check." Which we did, thereby setting some sort of record for New York's snootiest restaurant.

Mr. Thrasher, a newsman of talent, once scratched a poem on the bar at Shor's, when Toots was away at White Sulphur. It said simply:

"The joint is quieter, without the proprietor."

But the Great Man's presence lingered in his absence, and so I now warn future patrons of the Zeckendorf Hotel, which will be built on Toots' old grounds. The hotel will be haunted by 250 pounds of noisy ghost, who will be hanging around to give the creepy bums in the new joint a little class.

People's Platform

Mrs. McCarthy Replies

Washington

Editors, The News:

The message in this letter is addressed to those of your readers who may have read The News' review of Richard Rovere's vicious, lying attack upon my husband. It is also in answer to the numerous letters I have received asking why I do not bring a libel action against the author.

I would like to make it clear that I would bring a libel suit if I could. However, the author voids attacking me.. And the law prevents me as Joe's widow from suing for a libel against my husband. The law permits me to sue only for a libel to my own name. The author has very carefully avoided this possibility. He only attacks my husband who is dead and therefore cannot bring a suit to defend himself against such outrageous lies.

While it is a little known fact —and so far an unpublished fact in this case — that a widow cannot bring a libel suit for her husband, the author was well aware of this principle of law as were the publisher and the magazine which previously printed a scurrilous article by this same author. Had either this book or the magazine article been printed during my husband's lifetime, he would have brought a libel suit which he would have won unquestionably. Joe, of course, cannot bring a libel suit now.



MRS. JOE McCARTHY
She Would Sue

That such a cowardly device was used in this attempt to hurt my husband and his work is not surprising considering the source. The author himself acknowledges, in a sense, his awareness of this principle of law. On page 246 he states in a footnote that he would further develop a story but that it "cannot be gone into without involving many living persons." He therefore skips the so-called story. If there were truth to the story, he would need have no fear of being sued for libel by the "living persons."

To the thousands of Joe's friends and admirers who have written or phoned me, I would like to say that the vicious lies, the low and mean attacks made upon Joe during his lifetime were recognized by him as part and parcel of the work of fighting communism and exposing Communists. No one who has done a good job in this field has escaped it.

Today Joe is not here to defend himself in a court of law against such attacks. But his work, his life and his character stand as an adequate answer.

Joe's convictions were unswerving; his personal and political courage unmatched; his work highly effective. Had it been otherwise, this book written by the former associate editor of The New Masses — officially described by an attorney general of the United States as a "Communist periodical" — would never have been dreamed up, much less written.

MRS. JOSEPH R. McCARTHY

Mark Twain's Wit

Higher And Lower Animals

Man was made at the end of the week's work, when God was tired . .

Man has been called the laughing animal . . but the monkey laughs, and he has been called the animal that weeps — but several of the others do that. Man is merely and exclusively the Immodest Animal, for he is the only one with a soiled mind, the only one under the dominion of a false shame. . .

If you pick up a starving dog and make him prosperous, he will not bite you. This is the principal difference between a dog and a man. . .

Of all God's creatures there is only one that cannot be made the slave of the lash. That one is the cat. If man could be crossed with the cat it would improve man, but it would deteriorate the cat. — **Mark Twain (Harper & Bros.)**

Drew Pearson's Merry-Go-Round

WASHINGTON

If you dig into the files of the Pentagon you will find that one of the companies generously rewarded with defense contracts is the American Telephone & Telegraph Company. It ranks sixth on the list of corporations benefiting from the Pentagon contracts with a total of $792 million last year.

Boring From Within

If you also dig into the files of various government bureaus you will find that a total of 35 officials of the giant telephone company have served inside the Eisenhower administration in various jobs since 1953.

Telephone Monopoly Is A Sacred Cow

If you dig into the files of the Justice Department, as the House Judiciary Committee has done, you will find that the big telephone combine has a complete monopoly on supplying the links between radio and TV stations of the nation. This is one of the reasons why radio and TV network broadcasting is so expensive. The telephone company can charge TV and radio stations what it pleases and although technically the Federal Communications Commission can regulate this, it has made no effort to do so.

Dusty Docket

For some years Docket No. 8963 of the FCC has called for an investigation of the rates charged by American Tel and Tel for TV transmission. But for about five years this Docket No. 8963 has gathered dust.

FCC Chairman

During part of that time, the chairman of the FCC was George McConnaughey, who once drew one-third of his legal fees from the Ohio Bell Telephone Company, a wholly owned subsidiary of AT&T. Even since the retirement of chairman McConnaughey, however, Docket No. 8963 continues to gather dust.

Meanwhile the telephone company even charges TV stations an "expediting fee" for hooking up a transmission line. This fee can range from $3,500 to $17,000 merely for installing transmission service at a reasonably early date.

This is part of the story of the biggest untouchable in Washington—the telephone combine.

One difficulty is that government regulation is too cumbersome and the telephone monopoly too far-flung. That's why some monopoly experts in the Justice Department maintain that the only way to regulate AT&T is by competition, forcing it to lease its patents to other companies.

In the interim No. 1 "untouchable" has assets of nearly sixteen billion dollars and is 10 times as big as the next biggest utility, Pacific Gas and Electric.