SATURDAY, JANUARY 20, 1951

HANDWRITING ON THE WALL

The following editorial was selected by North Carolina Prets Association judges at the best editorial appearing in a delily neuspaper in this state last year. The announcement uses made in Durham last inghit at the annual banquet of the NOPA. The editorial was written by C. A. McKniphi, editor of The Neus, and appeared in this space on June 7.)

This space on June 7.7

THERE important Supreme Court étcisions this week chipped away at the
structure of racial segregation without
actually demolishing it. To understand why
this is true, it is necessary to know something of the history of the cases.

All three test- suits were brought by
Negroes. One plaintiff protested the separate seating facilities for whites and
Negroes on ralinoad dining cars. Another
childlenged the adequacy of a separate
Texas law school for Negroes. The third
contended that he was discriminated
against after being admitted to the University of Oklahoma graduate school. We
shall take them up in order.

LIMER W. HENDERSON is a Washing-ton Negro. In 1942 he was a member of the President's Committee on Fair Em-ployment Practices. In that capacity he made a railroad trip to Birmingham, and was unable to get a meal on a Southern Railway diner. At that time, southern trains did not seat Negroes in their dining

trains did not seat Negroes in their diming cars.
Following Henderson's protest southern railroads worked out a plan that got the approval of the Interstate Commerce Commission A separate table, cut off by a curtain or a partition, was provided for Negro dimers. White passengers were not permitted to at at the table for Negroes. Herman Marion Sweatt is a Texas Negro who sought admittance to the University of Texas claw School, a State Institution. He was denied admittance, but the State of Texas claw School, as fatted institution. He was denied admittance, but the State of Texas claw School, as State Institution. He was denied admittance, but the State of Texas claw School, as State Institution. He was denied and the somplicity that the separate law school did not give him equal educational opportunity. Eleven Southern state including North Carolina intervened in the case on the side of Texas.

G. W. McLaurin is an Oktohom Negro.

He was admited to the University of Oktohoms profits and the side of Texas and the side of Texas and the state of the University of Oktohoms guidate school after an earlier.

Supreme Court decision. But he was required to sit apart from white students in quired to sit apart from wime seasons in the classroom, cafeteris, and college library. He contended that he was still being segregated and that his educational opportunity was thus not the same as that of white students.

IN RULING with the plaintiffs in each of these actions, the Supreme Court weakened the foundation of the segregation structure, but left it witanding. That foundation upon which all of the state segregation laws are based, is found in the historic Plessy v. Ferguson decision of 1896. That decision said that the requirements of the 184h Amendment are met if "separate but equal" facilities are furnished.

nished.

The Henderson case fell in the realm of internale commerce, clearly the province of the Pederal Government. The Justice—Department intervened in the case and specifically asked the Supreme Court to reverse the 1856 precedent. In its brief the Justice Department declared the "separate but equal" doctrine "a constitutional anschroniam which no longer deserves a place in our law" and added:

"Equal facilities if separate, are rarely ever equal, even in a physical sense. In most attuations they have been used to close daring the control of the con-closed daring the control of the con-closed daring the control of the con-trol of of the con-trol

immunities of citizenship."

The Supreme Court, however, stuck to the specific point before it. A section of the Interstate Commerce act prohibits "any undue or unreasonable prejudice" to any person using the railroads. Henderson's automorps protested that the separate seating facilities violated that section of the ICO Act. The court agreed with Henderson. Mr. Justice Burton said it was not necessary to rule on the constitutional question raised by the Justice Department, but he came very close indeed to agreeing. but he came very close indeed to agreeing with Attorney General McGrath when he

The curtains, partitions and signs emphasize the artificiality of the difference in treatment which serves only to call attention to a racial classification of passengers holding identical tickets and using the same public dining facility."

Hence, the net effect of the court ruling in the Henderson case is to abolish segre-gation on dining cars in interstate com-merce, even if the "separate but equal" doctrine still stands.

THE Texas and Oklahoma cases fall into THE Texas and Okiahoma cases fall into I a different category. They arose from State-supported educational institutions and hence are not so much within the province of the Federal Government as was the Henderson interstate commerce case. Even so, the Supreme Court. weak-ened the "separate but equal" dottrine even if it did not completely reverse it.

even it it did not completely reverse it.

In the Sweatt case, the court held
unanimously that the separate law school
facilities were not equal to those provided
for whites. Significantly it ordered the
State of Texas to admit Sweatt to the
regular law school. News stories made no
reference to any intimation by the court
that improvement in the Negro law school
more than stiffered or.

the training of the state of th

WE are devoting so much space to this topic today because we think it is of paramount importance. North Carolina already faces four test suits. One demands the admittance of Negroes to the University of North Carolina law school. Three demand equal facilities in the public schools, or else the abolition of segregation.

And let us not be luited into thinking that our public school facilities for Negroes are equal to whites. The Education Commission report in 1846 gave convincing well-documented evidence of the second commission report in 1846 gave convincing well-document ext. in second the second control of the second control of

We have said it before. We say it again today. Segregation, as an abstract moral principle, can not be defended by any intellectually or spiritually honest person. Yet we are dealing with more than an abstract moral principle. We are dealing with the realities of a system which dates back many generations. That system can not be overturned by Congressional act or judicial interpretation without causing a degree of chaos that probably would be more detrimental to the national welfare and to that of the nation's clittens than a continuance of ageregation practices would be. It can, however, be worn down bit by bit

bit is all, nowton.

Hence we are torn between gratification that the Supreme Court is gradually giving us a better standard for measuring real. American democracy and apprehension that the Court or Congress might go too feet.

that the Court or Congress to the fast.

That Paving been said, we remind Tar Heels that the handwriting is on the wall, as far as our state educational system is concerned. The Supreme Court may leave the "separate but equal" doctrine on the books. But our state will have to get busy and make the facilities truly equal if it hopes to maintain its racial segregation.

OPERATION HABERDASHERY

A IR FORCE men in their natty blue uniforms are the cynosure of many eyes any of them feminine eyes). though u can bet that clothes don't make the n if he is a jet jockey roaring over the

an if he is a jet jockey roaring over the reem landscape just an engine skip away me death. We thought of that upon otting a paragraph in a UP dispatch mm Dayton, Ohio, concerning a five-day neterence now under way at Wright-Part-son Air Force base. It said: "About 50 high-ranking officers and key dilans from Air Force bases in Europe-gland, Japan, Panama. Alasks and the leds disles are here to exchange ideas i review revisions in policies and proce-res for the operation of the (Air Force) hing sales stores."

best of uniforms, but the defense effort best of uniforms, but the defense effort should deserve something better in the uses of military bureaucracy. How much it cost in time and money to convoke the 80 from the four corners of the earth we don't know, what we suspect is that in the grim world of today, with militant Communist hordes on the bare-footed march to attempted world conquest, a high-level haberdashery conference may be a frill it only for the shelf for the duration.

It costs the Interior Department \$13.39 in processing costs to buy a 50-cent mag-asine. This is just a sample of performances that probably run into the million a year. If you don't like it, write Congress.—Memphis Commercial-Appeal.

Difference In Viewpoints **Vital To Korean Problems**

By JOSEPH & STEWART ALSOP

a fearful danger to the new land with the MINAM MINAM

Job Of Secretary Of State Fraught With Frustration

MARQUIS W. CHILDS

ice." That is from "The Education of Henry Adams", the searching autholography written by Henry, Adams, a New England Puritan deceended from John Adams and John Quincy Adams. He was writing about his good friend. John Hay, Secretary of State at the turn of the century.

policy.

For a time, in the comparable crisis of Nazi Nagaresson ten years ago. we did have, in effect, two Secretaries, Gordell Ruil was the official Secretary and was in effect of the secretary and the secretary are secretary as the secretary and the secretary are secretary as the secretary and the secretary are secretary as the secretary as the secretary as the secretary age.

News From The Capital

Hoey Cool To Wherry Resolution

Briefly, You're A Warmonger And An Appeaser'

Chances are that both Senators Clyde R. Hosy and Willis Smith will go alony with the more to give the Senate a chance to express Heaft, although they arent pushing for a challenge of the President Senate Hosy binnife Company of the Senate Hosy binnife Company of the Senate Hosy binnife delarge himself against Senate Hosy binnife continued a gain and the Senate Hosy and the continued United States to fight without the consent of Congress. But he added. I may vote against the Wherry resolution Tuesday because of its water.

Senator Smith, although not quite as outspoken, believes too that Congress should have the final say.

Angry letters and telegrams—barely a trickle the week before—came in mounting amounts, mostly from parents protesting against the Administration's request to draft 18-year-olds for 27 months military service.

service.

It's a touchy question for most lawmakers who are norm between the pleading of their constituents and the words of the War Department which declare the drafting of married men the only siternative.

COME of the Administrations and disputed de-mattic growth restricted by Prackent Truman in his budget measure, appear headed for a dead end. The issues, included a Pair Employment Practices Commission, the Brannan farm plan, national health insurance and Federal sid to education. How Hocy thought the President's reference curn necessary. Congress at not going to do snything about the properties of the properties of the con-

Smith commented: "It seems to me that the issue right now is the survival of this country. Those other matters can be left for a later date to dis-

tougher sledding this session with the current domestic economy wave . Frahk Grisham's name resppeared in print this week as a possible candidate for appointment to the Civil Bervice Committee while here . Congressional mail this continues while here . Congressional mail this continues while here . Congressional mail this continues the configuration of the configu

Drew Pearson's Merry-Go-Round

Wilson Readies Wage-Price Showdown

Dissecting Taft

DEMOCRAT Senators were verbally dissecting Sen. Robert D. A. (for Alphonoso Taft in the Senate closkroom the other day.

"Bob has a good mind and always brings up interesting points," defended Illinois Sen. Paul Douglas. But what about his know-it-all attitude that even gripes to the control of the contro

Industrial Targets
In the hasts to expand war production, the Government is paying no attention to dispersal but is throwing up new

factories right where the Rausiers can bomb them casiest. In industrial sease that are since the relative to the control of the relative terms of the rela

It-may be more costly to build defense plants in remotes regions, but it would be safer from enemy air attack, hence a lot cheaper in the long run.

TWO rival newsboys, taking sides in the Pearson-Mc-Carthy feud, carried on a shouting match on a busy washington street corner the other day. The boy hawking the Washington Times-Herald shouted: "Benator McCarthy accuses Pearson of publishing secret doc-

Not to be outdone, the boy selling the Washington Post on the same corner shouted back; "Drew Pearson tells how Senator McCarthy aided Nazi war criminals! Read all about

Shifts In The House

ONT of the toughest questions facing the kind Congress is the reapportionment of the House of Representatives to conform which populations shills of the last census.

It is easy enough to transfer the fourteen seats from nine states that gained the least in population to the states this spitted the most. However, this work solve the problem. House—the chamber our founding fathers said should be "close" to the people—hasn't grown up with the country. The first Rouse—the chamber our founding fathers said should be "close" to the people—hasn't grown up with the country. The first Rouse of Representatives (178-4) had 65 members, or one to approximately eliminately the the country. The first Rouse of Representatives (178-4) had 65 members, or one to approximately eliminately the state of the country of the cou

in a pies for his full to raise House membership from 43 to 460. The start his Joine so high that the fail will was the dog and my hill doesn't do that," explained Cheft, "But we've simply got to do something to give the people the democratic representation they deserve and the framers of the Constitution wanted these to have."

Truman progised of the control of t