THE CHARLOTTE NEWS



S. GRIFFITH

TUESDAY, JUNE 26, 1951

SEGREGATION -A STATE RESPONSIBILITY

THE 24c1 majority opinion in the Claren-don County (S. C.) case challenging seg-regation in the public schools stands square-ly on a strict interpretation of the Fourteenth Amendment of the U. S. Constitution, which forbids any State to deny the equal protection of the laws to any person within its jurisdic-tion.

That interpretation, enunciated most force ully by the Supreme Court in the 1896 Ples Ferguson case, holds shat separate facil-may be provided by the States for white

sy v. Ferpuson case, holdsjihat separate faciltiles may be provided by the States for white
and Negro citizens if they are subtraintially
equal. To date, the Supreme Court has not
reversed itself, although it has steadily expanded the definition of "equality" to include many intangible assets. Whether it wild
do so when the Charendon County case is a
passed in byet to Sease Court will have
before it a classic example of discrimination in its grossest and most cruel form.
Clarendon County has a population of 22215.
It had, in 1969, 6,541 Negro school children. Yet
the value of white school property was \$678.
880 and that of Negro school children. Yet
the value of white school property only
\$104,575. In other words, 26.7 per cent of
the pupils enjoyed the use of 88.6 per cent
of the school propet to the property.
TVEN so, the outrageous imbalance in

Event had only 13.4 per cent of the property.

L'VEN so, the outrageous imbalance in school facilities did not move Judges John J. Parker and George Bell Timmerman to stretch their conscientious interpretation of the Constitution (as dissenting Judge J. Waties Waring did when he preclaimed that "segregation per se is an inequality" and "segregation per se is an inequality" and consistent of the segregation adopted and practiced in the State of South Carolina must go and must go now.")

Instead, the two-man majority:

1. Sternly reminded Clarendon County authorities that "educational facilities and opportunities. ... must be equal" and gave them six months to report progress in equaliting them;

2. Emphasized that "segregation of the races in the public schools, so long as equal-

ng them;

2. Emphasized that "segregation of the
es in the public schools, so long as equalraces in the public schools, so long as equality of rights is preserved, is a matter of legislative policy for the several states, with which the Federal courts are powerless to

which the Federal courts are powerless to interfere";
3. Reminded that the argument over the relative merits of mixed and segregated schools is not a question "of constitutional right but of legislative policy, which must be formulated... in realistic approach to the situations to which it is to be applied":

4. Stuck to U. S. history and tradition. United States have for more than three-quarters of a century required segregation of the races in the public schools, and when this has received the approval of the leading appellate courts of the country including the unanimous approval of the Supreme Court of the United States ... it is a late day to say that such segregation is violative of fundamental constitutional rights ... The consay that such segregation is violative of fun-damental constitutional rights. . . The con-stitutional principle is the same now that it has been throughout this period; and if con-ditions have changed so that segregation is no longer wise, this is a matter for the legis-latures and not for the courts. The members of the judiciory have no more right to read their ideas of sociology into the Constitution than their ideas of economics."

Judges Parker and Timmerman ventured onto new legal ground in an attempt to explain the different judicial yardsticks for measuring the effect of segregation in graduate and professional schools and in the field of public education.

field of public education.

Public education differs from graduate education in that "as good education can be afforded in Negro schools as in white schools, and the thought of establishing professional contacts does not enter into the pleture". This was obviously in reference to the Supreme Court opinion in Sweet o. Painter which said that the Negro law school established by the State of Texas excluded the which was the state of Texas excluded the opinion of the state and include most of the lawyers, witnesses, jurors, judges and other officials with whom the petitioner (a Negro law student) will inevitably be dealing when he becomes a member of the Texas bar."

The second difference is that attendance.

The second difference is that attendance at a graduate school is voluntary whereas public school attendance is compulsory. Said the court:

"in formulating educational policy at the common school level, therefore, the law must take account not merely of the matter of affording instruction to the student, but also of the wishes of the parent as to the upbringing of the child and his associates in the formative period of child-hood and adolescence... The equal protection of the laws does not mean that the child must be treated as the property of the state o

IT IS NOT at all certain that the Supreme Court will agree with the special Federal court. It may decide to hear the appeal, and it may arrive at a conclusion closer to that of Judge Waring.

it may arrive at a conclusion closer to that of Judge Waring.

In any event, this significant opinion agrees with every other recent Federal Court ruling that facilities must be truly equal if they are maintained separately. For North Carolina, that means a program of capital investment in Nergo as chool facilities far greater than anything that has yet been proposed. A recent survey by the Raleigh Newa. Negroes numbered 30 per cent of the state's population, but they had only 142 per cent of the school facilities. Since that year, the State Board of Education has used the \$50 million State building sid program as a lever to persuade local school officials to do more for Negro schools. So far \$37 million of this fund has been allocated. Negro schools have received \$15.6 million, or 42.2 per cent. If this ratio is maintained in the spending of the remaining \$15 millions, a big step toward closing the gap between Negro and white schools. See that we been taken of the school of the sc

school facilities will have been taken.
Yet, it will not be enough. Governor
Scott has estimated that it will require some
sitto million to bring Negro school facilities
in North Carolina up to the level of those
provided for whites. The Governor's figure
may be too high, but it's going to cost a great
deal of money in any case. So long as this
State chooses to enjoy the luxury of segregation, it must pay for it.

BETTER AIR FACILITIES NEEDED

IT IS a source of the gravest importance for the City Council to complete tomorrow the agreement with the City I Accounties Administration for a \$980,000 improvement pregram at the charities municipal airport. The program envisions the spending of \$550,000 for grading, excavating and paving runways at the site of a new administration building, and \$430,000 for the building itself. The CAA will contribute half of the total cost, provided the City accepts the grant by July 1.

Modernization of the municipal airport fa-dillities to meet the City's fast-growing air service needs has aiready been delayed too long. The present administration building, a relief of Morris Field, is too small, inef-ficiently arranged, and dilapidated. It pleases neither air passengers nor airline officials who rent space there.

The only little to a quick completion of the agreement has been the problem of negoliating with two concerns who have leased the area where the new administration building will be erected. One of them, Clearview Aircraft Corp., has a lease with no revocation clause. The other, Whitehead Machinery Co., has a cancellation clause.

They are asking a total of \$180,000 for sur-rendering their leases—a figure that will probably be reduced sharply by mut us al agreement or by court action.

It might appear to a layman that another site would serve the purpose just as well.

Then Nerwo is not qualified to pass on that, but assumes that the unanimity of profes-tive to the property of the property of the still of the selected site makes it advisable to settle with the Clearview and Whitehead companies.

companies.
Charlotte has always been handicapped in surfaced transportation facilities. With poor east-west rall service and with no water transportation, the City has had to lean on north-south rail lines and highways for its modern commercial development. Aviation ignores the barriers of mountains and seas, and offers the City as a surface and the city of the company of the city of the ignores the barriers of mountains and seas, and offers the City a great opportunity to compete with other cities more favorably endowed with surface transportation advastages. The spectacular growth of air service here is adequate proof that the new medium is being used.

We have the airport. We have the air service. We have the potential business. It would be utterly foolish to miss this opportunity to provide the needed facilities.

From The Baltimore Evening Sun

AVOIDING A MISTAKE

THE pipe manufacturers of America have recently thanked Congress for its "understanding, sympathy and courtesy." This gratitude arises out of the fact the House Ways and Means Committee has eliminated from the proposed tax bill a rider which would have subjected pipes to a 20 per cent

ccies tax.

That would have burt the pipe makers course and the pipe smokers, too. But helder the actual levy would have hurt more than the guise under which it would we been laid is most. Congress, you see, thought of classifying pipes as "jeweity," Probably there have been extravaganity are sort of pipe, carved, inside, det, that gift by a long stretch of the imagination

be regarded as fairly precious ornaments. But they are atypical. The devoted pipe smoker would reject indignantly the notion that his briar is a mere luxury and almost surely his wife with equal fevor would repudiate the notion that it is a "level."

There's no question at all that Congress got itself-off a hook this time. To have placed pipes in the category with tiars, brooches, bracelets and earrings would have given a dreadful amount of offense for the very small revenue it would have yielded.

The church bell is far more important than the fire bell, but it does not make

The Sponsor Goes After Some Audience Reaction



People's Platform

Letters should be brief, written on one side of the paper. The writer's name must be signed, but may be withheld from publication in the discretion of the Editor. The News reserves the right to condense.

Museum Not Short On Art

Editors, The News:
SAMUEL LUBELL has done a fine job with Charlotte, N. C., and I wish to thank him and The
Saturday Evening Post for their "plug" for our
city.

But in the interest of accurate reporting, I would like to take strong exception to his statement about the Mint Museum of Art. He mentions that we are attractively housed, but short on art to exhibit. Mr. Lubell did not visit and he did not got the facts. Our building is fine. It is the faithfully reconstructed First Branch of the Philadelphia Mint, designed by William Strickland, and opened in 1833.

Our permanent collections are small, but good. We present mostly collected, or traveling, exhibitors, 37 different ones last year alone, During to the control of the contr

Our program embraces all ages from elementary school through adult. The Junior Museum

We provided 10 free concerts of fine music to the public, four by the Mint Museum Ensemble, six by other sources.

We supported, and provided exhibition and meeting place, for the Guild of Charlotte Artista, a most active organization with over 50 members, ascatly 47,767 visitors opened our doors during the Museum's year, April 1, 1850 to March 33, 1851. The Museum director spoke to 43 different clubs, groups and organizations.

This and much more was rendered us a com-nity service, with a budget of less than \$1,000 month, to include all expenses, exhibitions, sal-is, etc., with the exception of building main-ance. This last significant item is paid for by

the City.

The Mint Museum of Art is not short on art. It is worfully short on financial support. This is also true of most of charlotte cultural institutions and activity. If our financial support equiled institution and activity, and continuous appropriation would equal its business familiarial reputation would equal to business familiarial properties.

—JOSEPH SHIELDS HUTCHISON, Director.

Looking For No Blackgum

From The Greensboro Daily News

REP. THURMOND CHATHAM, mildly suggested
a week or-so ago by some listless forecaster
as a possible candidate for Governor, sin't hunting
trouble as furnished by fremied forensies. So long
as the Fifth District wants him to represent it at
Washington bell be content, he says.

Happy is really the word.

"I love my work," he avers, pointing out that he is moving up on the House Military Affairs Committee.

"Salud," say we—there being no need to mention pesetas.

As for the Fifth District 8, just now is more keenly interested in replanting tobacco than in selecting a Congressional candidate. Conceded a fair crop of tobacco, the ditto of candidates will be alim; and if the crop is poor, where shall a potential opponent purry for himself the sinews of war?

Too, we deem it not amiss to remerk that Representative Chatham is not on the downgrade in political know-how. The surprise he is said to have given some of his friends by his sweet-talking of Governor Scott could be that, but when the surprise wears off it will leave no shock.

They will be realizing that Mr. Chatham, who has really never fancied himself as a thunderer, simply has no mind to take on a blackgum just for the exercise.

Quote, Unquote

A newspaper article tells us that sweater girls are going out of fashion. Now, we'll say it: "Them lying newspapers."—Pelham (Ga.) Journal.

The only husband of our acquaintance who never has been roped by his wife into the annual ordeal of Spring cleaning is one who got married only last week.—Nashville (Tenn.) Banner.

Ever figure what change a sermon would have in competition with a circus if they were both offered at the same price?—Lamar (Ma.) Democrat.

In wonderful Texas, oil has been struck with a st-hole digger, and for safety's sake the early rdener should put on goggles before pulling the dish.—Jackson (Miss.) Daily News.

Western World Disregards Warning From Yugoslavia

By JOSEPH ALSOP

By JOSEPH
BELGRADE
THE REMARKABLE group of
nen who run the country
have had a special sort of training denied to most other statemen. As pre-war Soviet agents, asbers of the Communist underground in the old Yugoslavia, astriends and almost—equals of the
Masters of the Kremin in the bafriends and almost—equals of the
Masters of the Kremin in the
Soviet Rolithuro at first hand.
In the circumstances, therefore,
their analysis of Soviet tactics and
the sould be the sould be the sould be
sort of attention. What these Yugoslav leaders have to asy—and
sort of attention what these Yugoslav leaders have to asy—and
sort of attention. What these Yugoslav leaders have to asy—and
they talk both brilliantly and freeyour traints—is a grave warning
to the whole Western world.
CHANCE OF HEART
The warning is all the more ar-

nese attack on Indo-China in the late Winter and a satellite invasion of this country in the Spring.

this country in the Spring.

There are many reasons to believe that these Vigolouth these believe that these Vigolouth the service of the ser

PRESENT STRATEGY
Hence, for the present, the
Kremin is mainly seeking to divide and thus to paralyze the Western alliance. Such is the option of every important man in the government of the present that the present the pre

time through the Summer and Fall.

Here is the reason in turn why the Yugodav leeders are so wideling quieted, in London for examination of the same saked whether they expect an attack; they reply that there is no immediate "danger, and their questioners, who I on g to hear on to another topic. In the same fashion, when the Yugodav Chief of Staff, Gen. Koca Popovic, flatly told the American Joint Chiefs that he expected war, his warning mere exaggeration for the occasion.

The reasoning behind this Yugodav analysis must wait until another report. Me after the expectation for the occasion.

With All These Guarantees, How Can A Fellow Ever Miss?

(Note: Before Bob Ruark left the country to shoot lions and elephants in Africa, he picked out what he considers his best columns of recent years. The News will publish these from time to time during Ruark's absence. Editors, The News.)

NEW YORK

Suppose I am a happy man because after all am wearform the fact that I have sufficient to the fact that I have switched to clavert's and don't smoke option any more and on meatics days I act Red Heart Dog Food, which, if are the fact that I have switched to the fact that I have switched to the fact that I have switched to the fact that I rub Nucoa on my hair because W's so sweet and fresh, and while my living room is jealous of my living room is jealous of my living room is jealous of my from its sheathed in Gold Bond Gpssum, I don't really care much because I've got my Arrow shirts to keep me always alluring. Any-lovely and engaged and smeared lovely and engaged and smeared to here with Fond's has got very little beef.

NOTHING WRONG HERE

NOTHING WRONG HERE

Lox keeps my Brook and so, saits befreier, and role and range of the sound of the because they know I am never agut po out unless I have Rinaced my skivvies, and I haven't so the sound of the s

wench ran off with another guy who just happened to be redolent of Cola-Cola, wearing Adder elevator shoes, and belonging to that shaving club, whose name I disremember. All I recall is that they black balled me at the same I me I flunked the Man of Distinction exam. They said you had to pass the ingernal test or it was no

exam. They said you had to pass the fingernal test or it was no dice.

SHE WENT THATAWAY

Didn't bother me much, because the nate laidy in married took one with the control of the contro

Drew Pearson's Closed Door Action Hurts Housewives Merry-Go-Round

THE most important Senate debate of the year as far as housewives were concerned was fought behind the closed doors of the Banking & Currency Committee last week. No housewives were present when the solons debated price controls, but this column is able to report who was for and who was against the housewife.

Those who at first voted against the bousewife on the control of the

who has been especially apposes to price countrol on committee to the social of rollback on beef actually was a rollback on all a look of the social of the

Housewives' Chief Enemy

MOST effective battler against the housewife was the able new Republican Senator from Illinois, Everett Dirk-sen. Dirksen, a Chicago Tribune spokesman and an old

friend of Morton Bodfish, a leading brain of the real estate lobby, led a move behind closed doors to wipe out price controls allogether. He was joined by Capshart, Bricker and Shoeppel in an attempt to strike out title four, which would have eliminated both wage and price controls.

The property of t

Another camouflaged maneuver was tried by Capharl after Dirksen lost the vote to strike out wage and price controls altogether. Capebart them moved to expire controls altogether. Capebart them moved to expire bec. In This was an obvious attempt to kill price controls in December at a time when Congress would not in essential and would be unable to renew them. In cony is that this is the same Capebart who kept shorting that Trumen was responsible for infation because he didn't slap on controls last June, immediately after the Korean outbreach.

Backstage Lobbying

DURING the early committee debates, Robertson of Virginia was one of the stanchest champions of the house

wife. He not only presided over the Banking Committee for one day in Maybank's absence, but held the proxy of Arkansas' Fulbright, during which time he argued that the country needed some kind of price control.

Later Robertson suddenly reversed himself and it was ported that his Virginia colleague, Harry Byrd, had en proselytizing him. If Robertson had not switched his te, the hous-wives would have won.

vote, the housewives would have won. I am not switched his for first his switch, Congressman Franklin Roosevelt Jr., at the suggestion of the White House, telephoned Senator Frear and urged him to vote with the consumers, Young Roosevelt's impassioned plea made an impression on the Delaware farmer-Senator — though not quite enough.

On the final showdown vote on rollbacks, Frear passed, Apparently he wanted to go part way to please Roosevelt. So he just didn't vote. This left the vote a tie, 6 to 6, and Frear was called upon to cast the deciding vote.

Frear was caused upon to cast the deceining vote.

At first the Delaware Democrat seemed a little unsure
what he should do. First he asked what an "aye" vote
would mean. Then he asked what a "no" vote would mean.
Then he asked how he had previously voted. When told
he had voted against price rollbacks, he cast his vote the
same way again.

This lost the battle for the housewives.

Into lost the battle for the nousewers.

NOTE—Most ironic thing about the almost solid Republican vote against rollbacks was that last Summer they applauded loudest when Bernard Baruch urged price controls. Baruch's speech came before the President was ready to ask for price controls, and knowing that the two men didn't like each other, the GOP'ers whooped and hollered for the same measures they voted against last hollered for the same measures they voted against last