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MONDAY, DECEMBER 21, 1953

SOLICITOR HANDED TOUGH ASSIGNMENT

THE shouting about Charlotte's police department is not yet over, but the clamor has died down enough so that the people can take a thoughtful look at what has been done.

The background has been told so fully in the news columns that we sketch it only briefly here today.

During a study of the police department, called for by the City Council in order to develop a constructive program of improvement, some rather sensational charges about corruption were made by Drew Pearson, columnist and radio commentator. It wasn't long before these charges overshadowed the work of the study committee. Councilmen and committeemen alike became obsessed with them.

Hence, after the study committee made its two-part report, the Council voted unanimously to ask the grand jury to investigate the Pearson charges. It did so. It called in some 60 persons. Toward the end of its work, the grand jury returned against Chief Frank Littlejohn. And in winding up its work, the grand jury made a strong statement charging that the Council had "passed the buck," recommending that the police department be taken out of "Council politics," and urging that the new grand jury, which convenes in January, continue the investigation.

AT THE OUTSET, it should be said that the jury worked hard and conscientiously at its tough assignment. These were laymen, not experienced investigators, and if they made procedural or substantive mistakes, they were undoubtedly honest errors.

And in preparing for what is an open hearing in court to settle one and for all the rumors and accusations that have filled the air recently, they performed a public service.

Even so, it is impossible to say at this stage whether the facts justify the charges for the simple reason that the facts upon which the presentments were based have not yet been revealed.

Solicitor Basil Whitinger is in a difficult position. The law requires that bills of indictment be written in language that specifically and exactly describes the alleged crime—time, place, names, names. Just recently, for example, the N. C. Supreme Court reversed the conviction of a man on a charge of attempting to bribe a State Highway Patrolman. The defendant had misled the Patrolman. The Supreme Court reversed the decision on the grounds that the bill of indictment

did not set forth why he had attempted to bribe the Patrolman. State law does not provide grand juries with stenographic services. A witness might say one thing behind closed doors and say an entirely different thing in open court. Without a stenographic report, it would be difficult to punish such a witness for perjury.

Beyond that, the solicitor, in this case, is put in the position of having to do much of the essential fact-finding spadework himself. He cannot listen to one side of the story only, as the grand jury did, for he is bound by the 5th canon of ethics of the N. C. State Bar which says:

"The primary duty of a lawyer engaged in public prosecution is not to convict, but to see that justice is done. It is his duty to see that the facts and the law are presented to the jury in a fair and impartial manner."

In other words, before drawing a bill of indictment, the solicitor must have all the facts, and those facts must add up to a reasonable presumption of guilt. From the record so far, he does not have those facts.

BEYOND the immediate result of the investigation, the labors of this grand jury have shown convincingly that North Carolina's statutes governing grand juries are tragically antiquated.

Federal grand juries serve for six months. Since the Federal courts are technically in session all the time, Federal grand juries can meet at any time anywhere in the country. In this State, grand juries meet only during terms of court which, in many districts, are infrequent and irregular.

Federal grand juries are provided with counsel and stenographic services. State juries are provided with neither. Under these handicaps, state grand juries are often ineffective. And their very ineffectiveness has prompted critics to propose to urge its abolition.

Yet the grand jury—a secret investigative body of laymen—is one of the bulwarks of our liberties. The value of the service was shown convincingly in this case when the bill would be of far greater value if the statutes were amended to duplicate the federal system.

A SUGGESTION FOR MECKLENBURG DOCTORS

MECKLENBURG doctors should consider seriously a recent suggestion by the American Medical Association's Council on Medical Service. The Council suggests formation of more medical grievance committees at the county level.

About half the nation's county medical societies have some machinery to handle the complaints of patients. According to a Council survey, the majority of grievance bodies have been set up since 1949. A few of them include one or more committees, but most are composed of several doctors. Some committees do not hear a single complaint during an entire year. One handled 121 complaints last year. A majority of the complaints deal with a fee, inadequate service or general misbehavior.

Most of the grievance committees surveyed by the Council have authority to arbitrate cases or refer them to a disciplinary body. Frequently the state medical society, in about half the cases covered by the survey the physician "won" the decision over the disgruntled patient.

North Carolina has a grievance committee at the state level, composed of the five most recent and available past presidents of the state medical society.

NOTHING TO BOAST ABOUT

IN 1920 North Carolina became the first southern state to abolish the requirement that confederate soldiers receive votes upon payment of the poll tax.

Louisiana, Florida, Georgia and South Carolina followed suit. This year Tennessee joined them. Last week Alabama at least relaxed the poll tax requirement. An amendment to the state constitution limits to \$3 (two years' tax) the amount of back tax pay-

ment required of voters. Heretofore as much as \$30 could be required.

Thus now, in addition to Alabama, only Arkansas, Mississippi, Texas and Virginia condition the right to vote upon payment of the tax.

Alabama, Arkansas and Mississippi, by various standards, are backward states. However, it is rather surprising that Texas and Virginia, who like to boast about their states, have not removed the unjust poll tax requirement.

PROGRESS IN POPCORN

giving up the old cranky type of going back to now on its product and looking back in real butter. This would be a novel product—popcorn that tastes like popcorn.

Statistics show that only two Americans out of every thousand have stinging voices. But sometimes it seems to get more than that as they're trying to make a living singing—GOSWELL (S. C. PRESSCOTT).



People's Platform Parent Scores School Smoking

CHARLOTTE—Parents are continuing to do everything possible to keep their children on the right track. Whether you think I am right or wrong, I shall greatly appreciate your letting me know how you feel. Even if the preponderance of replies should be in favor of the stand taken, I shall, nevertheless, be man enough to present such views to the school board.

My name is being withheld only for the reason that I do not want to cause embarrassment to my child and, as the principal put it, "to avoid having other people's fingers at his neck and him what I am trying to do."

As a result, I wrote a letter of protest to the Superintendent of Charlotte City Schools. His reply was very acceptable, and among other things, he said that the three-day suspension rule might be too arbitrary and inflexible and that he would observe and listen to the children, and other more effective means might be found to deal with this problem.

Our relationship with you has been most enjoyable, and we look forward to a continuance of the same mutual cooperation in years to come.

Now, my reason for writing this letter. First, I hope that all parents of teenage children who smoke are aware of the fact that the cigarette habit is the most subtle weapon which the devil uses today in striking at the heart of American youth. It is a habit that is spreading rapidly, and the example set by their elders, the immature youngsters are unaware of the ill-effects to their health and to the future of the nation.

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Secondly, it is time for the American people to get their heads out of the sand and realize that the youth are living and growing under conditions difficult enough for them—without being unduly punished for something which we adults are so ready to accept and enjoy.

Jefferson Standard Broadcasting Co.

My reason for this request is that I plan to submit to the Board of School Commissioners at an early date in an effort to get them to reconsider the whole question of smoking in school premises, and to get them to agree that parents should be heard, and their suggestions considered, in any case where disciplinary action of a child is recommended.

Editor Ruth Answer Wrong

WASHINGTON—President Eisenhower held two regular Cabinet meetings to whip his legislative program into shape before he set down last week with top Congress leaders.

WASHINGTON—The budget will not be balanced next year, Budgetary Secretary of the Treasury Humphrey has bowed to the inevitability of an eight to nine percent deficit for fiscal year 1955.

Ike To Lead More Strongly In '54 Session Of Congress

By MARQUIS CHILDS

WASHINGTON—NO PRESIDENT could go farther than Dwight D. Eisenhower has gone in trying to win the leaders of his party in Congress by friendly persuasion.

national delegation except Rep. Joe C. Javits of New York City. This was directly contrary to the aim of Governor Thomas E. Dewey who wanted the state developed by the New York State Power Authority. Dewey, who also stated that if the state does not take it over the Federal Government could take it over.

In many instances they accepted the White House hospitality and the Presidential offer of good will and then went back to Capitol Hill to attack the President's program. Now, if members of the White House staff are correct, their appraisal, things are going to be different. Hewing to his own support, the American people members of his party in Congress to follow him if they want to win support of the American people for re-election.

In a speech to the Rotary Club in Buffalo, Miller said, as quoted in the Buffalo Courier-Express, that he was sick and tired of hearing Congress complain about being hamstrung by pressure groups. The farmers, the American Legion, the Catholic Church, the National Chamber of Commerce will each let you know they don't like what you're doing.

Whether Jay Republicans, long considered to be a kind of automatic opposition, will follow the new look in leadership remains to be seen. It is indicated to work with a far more positive and determined President calling the tune.

Without any publicity the North-East Electric Power Consumers' Committee was formed in Albany. Present were representatives of the R.E.A. co-ops, State Farm Bureau, American Telephone & Telegraph Co. and AFL from New York and the New England states.

One factor could help to underwrite the President's authority. The middle of the road road program, sponsoring, embodying a broad extension of social security wage, and a rise in the minimum wage, is designed to appeal to the great band of middle of the road voters who include not only Republicans but independents and Democrats.

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NEW POWER PROGRAM—The power program now being reflected in farm organizations is causing the Administration to modify its power program. The emphasis on a switch to private power companies. This change of emphasis has been announced by the Missouri Basin region. In the Pacific Northwest 20-year contracts for power from the Bonneville Dam were signed with private companies on Sept. 15 before the power program was announced.

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It'll Be Poor Bunny Allen Before This Safari Is Over

By ROBERT C. RUARK

A CERTAIN Mister Bunny Allen of Nairobi, Kenya, evidently has taken leave of his senses in an especially painful manner. It has been announced that he is on a safari of 15 young ladies out to Kenya to show them some lions and tigers.

I cannot see how Bunny plans to be arbitrated for 15 women, all of whom suddenly will discover that they are not the only ones who are a sneak and Josephine's hair color is not natural and that Jenny placed the sun tan oil and Mary is hogging the bathroom. Mrs. Allen will be along with their hunters in the magnificence of the African nights—after the market has been knocked off and the firm's arm and the moon low in the sky.

Mr. Allen is a brave man, as demonstrated by the fact that he runs movie safaris, and once coped with Grace Kelly and her husband, Gardner at the same sitting. But two is less than five, and I particularly like to see the man who has a Mas Man with a pigsnout but or go bargained into the bush after a woman's leopard skin at attempt Buzny's new venture.

Another thing is that they'll all find love with Mr. Allen, since Mrs. Allen will be along with their hunters in the magnificence of the African nights—after the market has been knocked off and the firm's arm and the moon low in the sky. This will keep Buzny pretty busy dodging, because Mrs. Allen will be along with their hunters in the magnificence of the African nights—after the market has been knocked off and the firm's arm and the moon low in the sky.

One woman in the bush country is a handful. She speaks at bugs and screams at snakes and is afraid of the noises and always seems to be finding scorpions in her shoes. She has three people on her safari are a cinch to wind up fighting and hitting each other, because Mrs. Allen will be along with their hunters in the magnificence of the African nights—after the market has been knocked off and the firm's arm and the moon low in the sky.

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