

More On The Mess In Minor Courts

THE justice of the peace system in North Carolina is antiquated and inadequate. So far, neither the General Assembly nor the legal profession has shown much interest in modernizing it, in abolishing the fee system, establishing checks on the magistrates, and requiring a certain degree of ability among all justices.

Now it appears that some motorists, who has the patience, time and money to contest a justice fine for speeding, can focus enough attention on the ills of the system to have it revamped. This is because the method by which justices act in traffic cases may be unlawful. Justices are prohibited by law from acting on speeding cases. They do act on them, anyhow, because of an extra-legal system which has grown up in North Carolina in the absence of traffic courts.

Traffic cases, in the North Carolina system, belong in recorder's and superior courts. But because these courts convene infrequently, and because some

counties have no recorder's court, the practice is to "farm out" speeding cases to the justices.

The magistrate accepts bonds for the defendant's later appearance in court. If, as is particularly the case with out-of-state motorists, the defendant can't stick around for a month or so to await trial, he gnashes his teeth and pleads guilty. The justice collects the fine and costs and later sends the money along to the appropriate court, which enters upon its books the guilty plea.

This week, lawyers in the state attorney general's office expressed the opinion that this "farm-out" system is illegal, that the superior and recorder's courts which use the justice courts as agents are violating the law.

Perhaps a test case will clear up the point. We hope some one does test the legality of the system. Whether or not this questionable farm-out practice continues, it is further indication of the botched-up, topsey-kevy system of minor court justice in this state.

A Check On Tar Heels' Memories?

TAR HEEL taxpayers deserve all the solace that can be afforded them during the dismal month ahead. Too, they deserve to have as fair a tax administration system as can possibly be provided. In these twin interests let's kick around an idea recently proposed by the governor of Colorado. He would have that state adopt an income tax payroll withholding plan.

Almost everyone has agreed, if grudgingly, that the federal payroll withholding tax has its points. It obtains taxes from persons who otherwise might attempt to evade them. It simplifies tax collection for the government. It eases the tax burden of citizens who would not otherwise lay away for the annual take. It simplifies the mechanics of filing for persons whose total income is on a payroll.

Here in North Carolina tax returns are audited (the state is over two years behind schedule now, auditing '51 returns) and checks are made with employers to ascertain that employees are giving their due to Raleigh. Perhaps adoption of a state payroll tax deduction system would simplify the tax procedure for both the state government and taxpayer, and put present evaders on the books. The payroll idea may be worth considering, then, not as another governmental irritant, but as a means of helping our government get its due.

But it seems to us that the first order of business should be to give the taxpayer who is not on a payroll a closer scrutiny. The state revenue department has some 30 men making spot checks. Maybe they are numerous and diligent enough to convince most taxpayers of the wisdom of filing state returns, but we doubt it. One just doesn't hear of the state income tax people checking in with individuals, or some businesses with the persistence that the feds do.

Undoubtedly, this is because the state revenue office is overworked and under-staffed, as the delay in auditing returns would indicate. This we do know, that when the U. S. Internal Revenue Service stepped up its program of door-to-door canvassing, it discovered that a remarkable number of persons had "forgotten" or otherwise failed to pay their taxes. A \$10,000 canvassing campaign in New England brought Uncle Sam \$400,000 in taxes. Forty for one is a mighty good return. Maybe North Carolina ought to spend more to check on the memories of its taxpayers.

Indirect Control Better Than None

CITY MANAGER YANCEY's plan to require buildings in the fringe area to conform to the city building code, already informally approved by the City Council, should get the support of the overwhelming majority of the builders in the community.

The impression was left by news stories this week that shoddy construction is the rule beyond the city limits. That is not the case. Rather, it is the exception. The better and more reputable builders, and there are many of them, follow sound construction practices, code or no code.

Occasionally, however, a builder will cut corners if his product is not to get rigid inspection. And it is against these

structures that Mr. Yancey's plan is aimed.

The city government has no direct authority over building in the perimeter. But if the building is to use the municipal water and sewer network, the city can require that the provisions of its building code be observed.

Through this indirect procedure, the city will be able to exercise control over building practices in the fringe area. This will protect the owner or purchaser; it will minimize problems that will be inherited in any future expansion of the city limits; and it will make it impossible for the occasional builder to lower the high standards of his business that are voluntarily adhered to by the many reputable builders.

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On To The Platoon Bassoon System

HARD on the heels of the gratifying news that an Arts Council has been formed in Charlotte there has come to light a cultural development pregnant with import. Football recruitment techniques have been extended to the field of music—at least to bassoonists and violists.

A director of an alumni association, visibly shaken, told this story, as reported by THE CHICAGO TRIBUNE.

"Prof Jones told us that he had come into Chicago last spring to scout four promising brass players. He found that every one of them had been snapped up already by Col. College or Wichita University."

Although we had not heard of it, apparently this practice has been going on for some time, with the bassoon and viola artists in top demand. And it's about time that the sought-after musicians get to the city building code, already informally approved by the City Council, should get the support of the overwhelming majority of the builders in the community.

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Where Three Children Have Drowned



People's Platform

Wants Mill Pond Removed

Editors, The News: Charlotte

I AM WRITING you to see if your paper would help us folks here in North Carolina get something done about the mill pond we have. We don't know who to see or who is to blame, but there should be a fence or a fill.

My back yard is right in the pond. The little boy that was lost in it recently, was here in my yard. I have two small kids myself. I notice you ran some pictures of the sidewalks up town and how bad they were, so I thought maybe if your paper would take some pictures of the pond and run a story on it, maybe some one would get on the ball and do something.

Well, I don't know if you will give this a thought or not, but I just hope and pray you will. Most of the folks around here are afraid to talk much about the pond, but they could lose their job. It is not work at the mill and if I did, it would be all the same, and there are some just like me.

I believe it is the cry of the people to let such a thing be right in the city limits of our fine city. I just believe some one can do something about it. Let me know if you give this a thought or not. If you came and saw it, I believe you would welcome some thought from folks with kids live in fear.

—LEWIS WARREN

Ministers' Stand Strongly Defended

Editors, The News: Charlotte

AFTER reading the various comments on the action taken by the ministerial body against the amending of the Sunday movie law, I feel that the public will welcome some thought from the other faction.

Apparently, too much thought has been given to the amendment, and not enough for leaving things as they are. All the while the ministers have been themselves manifesting a very poor conception of just what "separation of church and state" means.

Judging from the arguments given, Christians have no right to voice their objections in any matter pertaining to municipal government. If this be their deep conviction, then, according to their argument, Christians cannot go to the polls without violating their doctrine of "separation of church and state."

end, they decided that appearing in the same spotlight with Stevenson would not necessarily constitute an endorsement of his for reelection in 1956. They also agreed to make the March 6 dinner a great show of Democratic unity with Democrats of all political shade slapping backs and breaking bread together.

NOTE—Meanwhile, the Stevenson-appointed Democratic National Chairman, Steve Mitchell, has been playing up to the conservative southern wing. He has deliberately cold-shouldered the liberal elements in the South, and has even gone out of his way to boost Senator McClellan of Arkansas who backed Thurmond for some time.

One wrap-provoking incident occurred some months ago when McClellan tried to move his personal files from one office to another and drafted two members of the State Department security organization to help. The moving occurred on a Saturday afternoon and the two men were paid overtime.

They were paid, furthermore, not by McClellan but by the State Department. When this writer queried the State Department regarding this highly unusual, if not illegal transaction, the official reply was "no comment." Finally, following publication of the above facts, it was learned that McClellan called in the two State Department men, asked them to refund the original payment to the government, and he substituted his own personal check.

Following this, McClellan arranged to give the chief of police of Hanover, N. H., Andrew Ferguson, an expensive junket to Europe, also at the taxpayers' expense.

Alienating India

Though it happens to be on the other side of the globe, a forthcoming American policy move in Pakistan may be as important as the loss of China to the free world. Some observers fear that the proposed military pact with Pakistan will alienate the second most populous nation in the world—India.

Among the observers returning from India with this fear is Congressman Emanuel Celler of New York who had a significant interview with Premier Nehru. In the Indian leader vigorously warned against the U. S.-Pakistan military alliance.

"Look at the advantages you could gain if we spent the same amount of money in helping Pakistan economically instead of helping her militarily," Nehru said.

"Instead, what you are doing will cost India a lot of money. It will upset the five-year plan. For, when Pakistan builds up its army, I have to build up the Indian army to meet the threat from

The Embattled Mr. Benson

Stands Firm On Butter Cut

By JOSEPH & STEWART ALSOP

WASHINGTON

ONE of these reporters had a quiet talk with Secretary of Agriculture Ezra T. Benson just after he had announced his politically explosive decision drastically to cut back supports of agricultural products. The talk was interesting in a number of ways.

Whatever else Secretary Benson's decision was, it was certainly courageous. The demands for his resignation, which have been somewhat muted recently will certainly be heard again, more loudly than ever.

A whole slew of Benson's fellow Republicans, like Sen. Milton Young of North Dakota who was the first to demand Benson's resignation) and Sen. Joseph R. McCarthy of Wisconsin (who has been amassing 100 per cent parties and supporters will be howling for his scalp. In cutting back dairy supports to the legal minimum, in short, Secretary Benson showed himself a very lion of political courage.

A QUIET MAN

He does not look like a lion. He looks like a mild-mannered small-town minister. He talks very quietly, in a voice sometimes almost inaudible. But he also talks with the absolute conviction of rectitude of his Mormon ancestors. When Benson says of the farm program, "It just can't go on like this," you may not agree with him, but you cannot doubt his sincerity.

There are plenty of economic grounds for his conviction that the present farm system, if continued much longer, "will lead to absolute catastrophe." For example, it has been officially estimated that continued 90 per cent support for butter and other dairy products would by itself cost the government \$40 million dollars in this year alone. But one suspects that there is also a certain personal conviction in Benson's conviction. He is too mild to say so flatly, but this highly moral man clearly considers the demand for high supports an outright political fraud.

The nature of the fraud, as he sees it, is simple. The United States government now owns outright, or has a legal lien on, agricultural products worth almost \$5 billion dollars. The meaning of this vast sum can perhaps be visualized best in terms of one simple fact. The government has such mountains of stuff owned or on loan that there is hardly, in many areas in this huge country, no longer any place to put the stuff.

This is not for want of trying. Benson has arranged for the mothballing of 125 World War II tankers for storage, and he is discharging a number of disused Air Force hangars. He is even considering renting some of the empty motion picture theaters forced out of business by television competition.

But given a fair crop in the coming growing season, Benson admits, and all these frantic efforts will not be enough. For if rigid 90 per cent parity is again made mandatory by Congress, the surplus will keep piling up.

Then says Benson, "The whole program will just collapse of its own weight, the way the potato support program did."

When he talks about "absolute catastrophe," Benson has the potato famine very much on his mind. The potato program produced a ridiculous, wasteful glut of potatoes. Amidst howls of public indignation, potato supports were then killed by Congress.

As a result, potatoes are now at the bottom of the agricultural pecking order. They are selling at less than half parity and the artificially over-expanded potato farmers are rapidly going broke. With crops of all kinds piling up under the present program, and no place left to put them, precisely the same kind of total collapse, in Benson's view, could overtake the whole farm program.

The fraud of "rigid" price supports is already being demonstrated. Wheat and corn, the two chief price-supported commodities, are not selling at the "mandatory" 90 per cent on all. Chiefly for lack of storage space, they are selling at 80 per cent or even less in many areas.

Although he says that he cannot speak for the President, Benson clearly believes that he has Eisenhower's full support in the coming battle. He expects Eisenhower, if he wins, to do the worst, to use the ultimate sanction at his disposal. This is the threat to any legislation calling for rigid mandatory supports. For reasons previously explained in this space, such a veto would automatically render the flexible support system into being.

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