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Court Reform: Progress & Perspective

NORTH CAROLINA'S 1955 General Assembly won a bright gold star by its name when it finally discarded ancient inhibitions and authorized judicial re-structuring.

Action was long overdue. The old arrangement simply did not serve the needs of a growing state. But, for years, certain political considerations had prevented adequate adjustments.

Late last year, legislators got a stern plea from North Carolina's Judicial Council:

The Council feels that the deplorable condition of our docket will be and must be corrected by reducing the size of the present districts and by scheduling an adequate number of courts for counties with congested dockets.

After a round of routine protestations, the General Assembly gave in.

The new law increases the number of judicial districts from 21 to 30, increases the number of resident Superior Court judges from 21 to 32.

Biggest sighs of relief came from Mecklenburg. Under the new arrangement, the county will have a judicial district all to itself (rather than be bracketed with Gaston) and will have an extra resident judge.

Appropriately, the additional judicial manpower has been placed where it is most needed. It was in Mecklenburg that the problem of congestion was so serious. An extra judge and a one-county district will ease the situation considerably.

Under a 1951 act, the clerk of Forsyth County's Superior Court was directed to maintain a small claims docket for docketed claims on money judgments not exceeding \$1,000 (exclusive of interest and costs). Advance court costs are half the usual amount. If the defendant demands affirmative relief for other than a money judgment or demands a jury trial, the action is transferred to the regular civil issue docket; in either event, the defendant must pay the remaining one-half of advance court costs and file a prosecution bond. Otherwise, no jury trial is held. This results in a much swifter trial in each case with the overall effect of reducing congestion in the civil issue docket.

The small claims court in Forsyth has met with marked success. This system or a suitable variation of it should be adopted on a state-wide basis.

IN A similar vein, Judge Francis O. Clark has suggested that an inferior court be established in Mecklenburg with specific jurisdiction over tort and contract actions involving up to \$2,500. This could be accomplished by merely adding civil jurisdiction to the present County Recorder's Court. At present, the County Recorder's Court is limited to criminal cases, as is the City Recorder's Court. But under the Clark plan, the County Recorder's Court would have countywide jurisdiction in civil matters and a full-time judge.

These plans, of course, are designed to take some of the pressure from overburdened Superior Courts and serve the public by speeding up legal processes.

But there are numerous other reforms worth of consideration. Thirty were suggested by the Judicial Council in 1953. Only a handful have so far occupied the serious attention of legislators.

Judicial re-districting was a beginning. Why can't the job be completed?

Destructive Mischief In Raleigh

BY DEFEATING a bill to reallocate House membership in line with 1950 census figures, the State Senate stubbornly ignored the system of representative government devised by the framers of North Carolina's constitution.

Whether an offense against the letter of the state constitution has been committed is a matter for legal minds to decide. But certainly, beyond a shadow of a doubt, the spirit of the constitution has been abused.

Yesterday's vote gives every indication that legislators will also make short work of any proposal for senatorial re-districting.

Actually, few changes were contained in the ill-fated bill on House membership.

Senate re-districting would be far-reaching — and populous Mecklenburg would get the additional senator it deserves.

This is a matter of law and of honor. Democratic government, as we know it, rests only under a system composed of these vital elements.

There is nothing more dangerous or discouraging than the spectacle of public officials — elected or appointed — openly displaying their contempt for law and honor.

The Thumper Is Going Fishing

FISHING has always been considered a pleasant, plebeian pastime for which a fellow could lay out 50 cents for a cane pole or \$50 for a surf casting rig and be happy as a zillionaire. As long as worms were under the backyard soil, fishing never seemed to be in danger of joining polo or fox hunting as a sport of the Coupe De Ville set.

But a photo on the nation's sports pages raises doubts. It is a simple picture of a handsome man holding a freshly-caught fish. The blue stars of the Florida Keys are behind him; the man is wearing a tee shirt and a look of contentment; the photo is one of outdoor innocence and delight. But this is not a common snapshot to tuck into a fisherman's wallet with a faded notation ("12 1/2 snapper caught 2-28-55"). The handsome man's name is Theodore Samuel Williams, alias The Thumper, alias the highest paid baseball player in the world.

Nai since the Sheppard trial finale has the citizens, especially those of the Boston Red Sox persuasion, so eagerly awaited a verdict. Has Ted Williams quit baseball, as Ted Williams said so firmly last summer? Or will Ted Williams join the Red Sox again this year, as the baseball writers insist?

Meanwhile, the man in the tee shirt cranks up an outboard motor each morning and putt-putts across the blue Florida waters in pursuit of bonefish. Doubtless there has never been an angler so stubbornly dedicated as Ted Williams, who is giving up \$100,000 a year in baseball salary to enjoy his casting. For purity of purpose, does not such fanaticism rival that of Edward VIII, who also abdicated a throne for love?

Why, even if Williams hangs in 1,000 fish per annum, our accounting experts figure they are costing him \$100 a catch. This gives our dangling of creek minnows in the faces of Catwaba River bass the associative tang of strolling down Wall Street.

Thus, Williams can become a folk hero in a new way. Let the hated Yankees win the pennant. Let Fenway Park crumble to dust. Let Tom Yawkey's millions lie unspent. The Thumper is going fishing.

From The Daily Lawson

GO ON, JUST TRY

THERE'S a new word on the American scene which is supposed to send shivers down the spine of the working man and fill the industrialist with happy anticipation.

The word is "automation."

Every reader of the comic strips is familiar with automation. The crazy inventor pushes a button that rings a bell that releases a lever that starts a wheel that strikes a match that sets a fire that wakes up his tardy assistant.

Automation is control of flow in the manufacturing process.

Only this automation is not fantasy. Automatic production has invaded the automobile, petroleum, chemical, television and railroad industries. It has moved into offices, too.

Basically, an automated factory is one in which the machinery is controlled by machines instead of men. The results are amazing.

An automatic machine controlled by another machine makes engine blocks in 15 minutes. It takes Ford workers nine hours to complete the same operation.

An electronic brain installed by the Metropolitan Life Insurance Co. does what 135 operators using 100 punch-card machines perform.

To the manufacturer and businessman, these feats mean lower labor costs and less workers.

To the laborer, automation means possible displacement, temporary loss of wages and interrupted purchasing power. When these occur, the ripple of the worker's loss spreads throughout the economy.

An exchange of wit between CIO president Walter Reuther and the manager of the automated Ford plant at Cleveland sums up the problem.

The manager is said to have remarked as he pointed out a new machine, "I'd like to see you collect dues from that."

To which Reuther replied, "I'd like to see you sell it a Ford."

Prosperity is something that was created by hard-working people for politicians to boast about. — LAWRENCE (KAN.) JOURNAL WORLD.

Democrats In Baffled State

By STEWART ALSON

WASHINGTON

THE basic one-tax issue nearly illustrates the hideous dilemma confronting the Democrats. The dilemma is so seemingly insoluble that it has the Democratic leaders of the House and Senate, who are about the shrewdest politicians in the United States, baffled, irritated, and divided.

The dilemma can be defined in a couple of questions: How are the Democrats to win back the White House when it is seemingly political poison even to criticize the well-liked Eisenhower? And what issues are Democratic congressional candidates to run on, when the administration keeps snatching all the best issues out from under their noses?

TWO SOLUTIONS

There are two theoretical solutions to these conundrums. One is to use every means to present the Eisenhower administration as the friend of the rich, casting the Democratic Party in the role of the defender of the "little guy."

Solution No. 2 is to avoid direct conflict with the President, concentrating instead on building up the Democratic Party as unified and responsible and the Republican Party as irresponsible and divided. As for defeating Eisenhower (everybody assumes he will run again) that is a nasty little problem for the Democratic candidate, whoever he may be.

Perhaps events may solve the Democrats' problem. An ugly twist in the war in Asia, for example, might change the political climate.

Or a worsening economic situation might lead the voters to the Democrats. But House Minority Leader Joe Martin often remarks to friends: "Give us peace and prosperity in 1956, with like leading the ticket, and nothing can beat us." And many Democrats privately agree — at least as regards the White House.

Integration Problem



THE WASHINGTON POST

Ike Ties Up Program GOP Will Offer Voters In '56

By CONGRESSIONAL QUARTERLY

WASHINGTON

AFTER one year of groundwork and another of heavy construction, President Eisenhower has begun his third year with 175 legislative recommendations designed to consolidate the record Republicans will place before the voters in 1956.

Moreover, according to Congressional Quarterly's analysis, the President's emphasis apparently has shifted from domestic matters to foreign affairs and military issues.

The timetable has evolved along these lines:

1953 — The terrain was surveyed by the framework on which the President later hung his program was reoriented. Problems like farm price supports were turned over to study commissions. Federal agencies were reorganized. Legislation on foreign policy was submitted.

1954 — Mr. Eisenhower worked Congress a 232-point task load crammed with such major recommendations as the omnibus tax revision and farm price support programs. Congress granted 150 of its legislative requests.

1955 — Most of his first-term legislative goals attained, the President is concentrating on smoothing rough edges, sharpening tools already provided, and moving ahead with expansion of pilot programs. With world tension high, emphasis has shifted to security against Communist aggression.

Evolution of the GOP farm program illustrates the three-phase cycle. In 1953, the President retained the inherited program with little change. In 1954, he won enactment of flexible price supports and most other points of the farm program developed by his advisers. His 1955 program consists of fringe adjustments, like a shift in the drought aid formula.

Key points in the 1956 program include treaties for defense of Formosa and Southeast Asia (already ratified by the Senate), and tapping West Germany's military resources in Europe.

So on the list of measures called upon to strengthen allies are the reciprocal trade program (passed by the House) and proposals to reformulate foreign aid. Mr. Eisenhower has asked Congress to back up foreign policy by extending the draft (which the House has done) and reorganizing the military reserves.

While the President may be content to decorate the structure of his domestic program with finishing touches, Democrats may attempt extensive remodeling. They already have challenged his tax and power programs. The outlook for 1956, a presidential election year, is uncertain. Republicans may confine themselves to explosive programs enacted in 1955, or launch surveys of a fresh set of problems.

Several points of Mr. Eisenhower's domestic program lapsed a year behind schedule in progressing through the three-year cycle. Study of school and highway needs extended beyond 1953 through 1954, so that requests for basic legislation were delayed until 1955. Proposals for school and highway aid are among the major items not yet submitted to Congress this year.

Most other major points of the President's 1955 domestic program are recommendations not approved by Congress in 1954. These include requests for health insurance, Hawaiian statehood, postal rate boosts, and surpluse for citizens below the age of 21. In all, Mr. Eisenhower has bounced back 31 legislative requests not granted in 1954. Most

were relatively minor points of omnibus programs.

An unexcused 1953 request for amendment of the immigration law was dropped from the 1954 program but appears on the 1955 agenda.

Faring and consolidating his program, the President has dropped 49 recommendations rejected in 1954, mostly in the domestic field. He may ask for action later in the session, but as of today he had not renewed recommendations for revision of grazing laws, validation of withheld evidence, and exemption from the Buy American law. He resubmitted requests for two years, has passed out of the phase labor law, but set-pledged 17 others.

Some highlights of President Eisenhower's 175-point 1955 legislative program, through March 3, as analyzed by Congressional Quarterly:

Treaties for defense of Formosa and Southeast Asia.



Treaties for defense of Formosa and Southeast Asia.

Authority to use U. S. armed forces to defend Formosa and the Pescadores against Communist Chinese attack.

Treaties to link West Germany to the North Atlantic Treaty Organization.

Extension of the military draft.

Reorganization of the military reserves into a new establishment of a program related to universal military training.

Extension of the reciprocal trade law for three years, with authority for further reductions of tariffs.

Establishment of a system to encourage broader coverage by private health insurance through reimbursement against extraordinary losses.

Federal aid for construction of schools, mainly through federal purchase of school bonds.

Expansion of federal aid for highway construction.

Statehood for Hawaii.

Increase in the minimum wage from 75 cents to 80 cents an hour.

Aid for low-income farmers.

Increased postage rates.

Pay raises for postal and other civil service employees, and for congressmen and federal judges.

Implementation of a "partnership" power policy, restricting Federal participation in favor of local public and private initiative.

Grant of surpluse to citizens younger than 21.

Permanent increase in the \$276 billion Federal debt ceiling.

Interior Department to acquire 500 public housing units in two years.

200 Definitions

By VISCOUNT JOHN MORLEY

In "Politics And History"

THE IDEAS and words that seem simplest turn out to be most complex. If you ask me to define liberty, I shall tell you that it is the right to do as one pleases with oneself, and the product of his labor; while with others the same word may mean for some man to do as they please with their men and the product of their labors.

New Despotism

By H. M. TOMLINSON

In "A Mingled Yarn"

WE HAVE been forced of late to develop theories explaining the use of machines, and to see emblems of its impending doom. When our machines stop, so shall we. Civilization, it appears, has passed out of the phase of imaginative exploration and experiment; he has created entities to do his work for him but his soul has lost its daring, and he is now a subdued captive, chained to the wheels, a helpless slave in the mechanical establishment he created.

Maybe the urgency of this mechanistic age will slow down. The theory of the rise and fall of civilizations may be able to stand all known tests as easily as a bright and perfect machine accurate as revolving.

The machine stops. The subversive man to the despoliation of the polished steel rods and the ordained revolutions of the wheels may weary. The boy may tire of his engine.

Man And The Machine

By H. M. TOMLINSON

In "A Mingled Yarn"

It may be embarrassing to release the names of those who worked on the Dixon-Yates plan, but it certainly isn't a military secret, the lady was further pressed. "Under the President's direct supervision, the plan is supposed to be open to the public."

"Jim Hagery (White House press aide) says we don't have to give out conversations between government officials," she shot back.

"Did we ask for any conversation?"

"The people who worked on the Dixon-Yates plan had to talk to each other," she replied.

"We didn't ask for what they said to each other. Miss de Pury was reminding me only to know their identities."

"Why don't you ask President Eisenhower?" she suggested angrily, then withdrew the suggestion.

In the end, the column appeared directly to budget boss Rowland Hughes for the names. His reply, phoned back by Miss de Pury, was: "No comment."

Now that Democratic-controlled Congress has the postwar budget subpena, Budget Director Rowland Hughes has just admitted to Senator

Drew Pearson's Merry-Go-Round

WASHINGTON

NOW that the Democrats have investigative power in both houses of Congress some hitherto concealed facts are beginning to leak out.

One of them, as to how the Dixon-Yates contract sailed through the Budget Bureau, and here is the object of considerable newspaper search last summer. At that time, however, officials were completely tongue-tied.

Blank Wall

Last year President Eisenhower announced in a press conference that he had given a directive to all government agencies to make information available to the public except when it involved the security of the nation.

However, questions asked at the Budget Bureau as to which officials or persons were in contact with the contract met with a blank wall of silence.

Negative Reply

It had been reported that a special consultant who is interested in the Dixon-Yates contract came into the Budget Bureau from private industry, then left the government after the contract had been approved to go back and work for the Dixon-Yates people.

Democrats Dig Up Dixon-Yates acts

WASHINGTON

A query from Sen. Lister Hill of Alabama to the Budget Bureau brought a negative reply. A query from Sen. Dixon-Yates plan, but it certainly isn't a military secret, the lady was further pressed. "Under the President's direct supervision, the plan is supposed to be open to the public."

Charming But Admant

"We don't have a list of the people who worked on the Dixon-Yates plan," stated Virginia de Pury, charming spokeswoman for the Budget Bureau.

"Could you draw up a list?" she was asked.

"No, that would be too much trouble."

"We'll be happy to do the work for you if you will simply authorize us to make the necessary inquiries," this column countered.

"This is a public building," Miss de Pury supplied. "You can get around and ask any questions you wish."

"But everyone is afraid to talk," she was told. "They send me back to you, and now you will let me say it is right for them to talk. I can get the names without troubling you further."

"Are these names a matter of national security?" she was asked further.

"I don't know."

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Hill that Adolph H. Wentzler, vice president and director of the First Boston Corporation, one of the companies financing Dixon-Yates, was an "unpaid consultant" to the Budget Bureau during the period when Dixon-Yates was under review.

The Budget Bureau was like greased lightning, with no competitive bidding and despite a better bid by the von Treckow group.

No wonder the charming press spokesman for the Budget Bureau was so evasive. No wonder also Dixon-Yates' Interior Department statement: "No comment."

Postscrip

Note 1—It is highly unusual for the Budget Bureau to initiate electric power projects in the first place. This is the job of the Interior Department or the Federal Power Commission or the Tennessee Valley Authority. Never before in the history of the United States government has the Budget Bureau initiated and negotiated an electric power project.

Note 2—Chief inspector of the Dixon-Yates project was the Honorable Herbert Hoover, who has more to say inside the Eisenhower administration than any other person in the United States Cabinet—with the possible exception of Thomas E. Dewey.