



THE CHARLOTTE NEWS

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Taxation: No More Virgin Sources

"THE time will come," sighed a legislator in 1790, when the poor man will not be able to wash his shirt without paying a tax.

After 165 years, shirt-washing is about the only thing left to be taxed in North Carolina. The unhappy condition of saturation-point taxation is what makes the job of later-day legislators so difficult.

North Carolina must find new revenue somewhere. But every time members of the General Assembly put their fingers on a prospective new source they find that it has already been cruelly snatched out by one or more levels of government.

Worse than that they find that it is surrounded by powerful, politically potent lobbyists with hard fangs.

A few days ago tobacco was to bear the burden. It seemed—at the time—to be the most likely product to hit. It was a luxury. North Carolina, unlike most other states, had never put a consumer tax on it. There was every reason to believe that the tobacco industry would not be harmed by a modest tax.

But the tobacco lobby has again proved its invincibility.

The tobacco tax is apparently out.

Next, it was decided that Tar Heel motorists would have to cough up the necessary revenue. A special license of \$5 or more on motor vehicles was proposed.

Immediately, North Carolina's highway users' lobby leaped into the arena to oppose it.

Equal Justice Under Law: A Myth?

SAM J. ERVIN, questioning the qualifications of U. S. Supreme Court Justices, aimed a hammer at a soft and sensitive spot in the American political system.

He cited those "amazing" facts: 1—No member of the Supreme Court as it is now constituted ever served as a justice of a court of general jurisdiction, either state or federal.

2—No member of the present court ever served as a judge upon an appellate court in any of the 48 states.

3—Only two of the nine present members of the Supreme Court ever served as an appellate judge, and few have devoted their major efforts to the actual practice of law.

These facts do indeed illustrate what has been a great loss to the American people. Few of its members have held important judgeships. Too often, great American jurists—such as Charles E. Hughes, Oliver Wendell Holmes, Jr., and Louis Brandeis—have been overlooked while men of less experience have been advanced to the high courts bench.

Certainly, jurists of the caliber of Judge Parker should receive a great deal more consideration when Supreme Court vacancies occur.

But Sen. Ervin—a former associate justice of the North Carolina Supreme Court—went too far when he suggested that "Equal Justice Under Law" might be removed from the portals of the Supreme Court building in Washington.

This, by the way, was couched with the rather extravagant charge that the Court has "assumed the power of the Congress and the states." And he added another stinging slap when he recommended a constitutional amendment "to make it certain that in the future men will be selected for service upon the Supreme Court because of their possession of what Alexander Hamilton called 'those qualifications which fit men for the station of judges' and because of their utility and willingness to subject themselves to the restraint inherent in the judicial process."

Despite Sen. Ervin's righteous wrath, it must be admitted in all fairness that the Supreme Court does administer the law with a high degree of fairness. For the most part, its members have been deeply committed to the guardianship of cherished constitutional rights.

If stricter tests of "qualification" had been applied many of the greater Supreme Court members of the past might never have become chief justices. Nor in more recent times, Chief Justice Hughes.

The men who occupy the bench are not infallible. They have made unjust decisions—some so obviously wrong that the court itself, at subsequent sittings, has reversed them.

It should be remembered too that some Supreme Court decisions have also been reversed by Congress and the states—by constitutional amendments.

Still, the prestige of the court is surprisingly high.

Gerald W. Johnson, the distinguished journalist and historian who spoke the other day at Davidson College, once wrote:

There is nothing in an appointment to the Supreme Court that sanctifies it. It is the performance for more than 150 years has dealt out substantial justice so consistently that today throughout the continent it is regarded by the man who hears it as the voice of the gods, almost divine. It is evident that there must be some extremely powerful forces operating behind the scenes of equal justice administered without fear or favor.

To explain that this force consists in respect for a great office and for the judicial oath is to beg the question. What made the office great and the oath solemn? The answer lies in the honorable record of the court in the past.

Significantly, Mr. Johnson added: "Only in a narrow legal sense it is true that there is no appeal from the Supreme Court; one appeal does lie: it is the appeal from the court to the sense of justice of the average American. It is slow and difficult but it is possible, and the court knows it. A decision that does not square with the conscience of the average man will not stand. It may be valid in law for many years but eventually it will be overturned. The court's care to avoid subjecting itself to such reversals accounts for its record and its high honor."

Perhaps the individuals of the court have occasionally demonstrated smallness of spirit and a lack of vision. But the court as a whole has demonstrated greatness. This is because, despite its apparent remoteness, it is so subject to correction by the American people.

Chinese Puzzle: Diplomacy By Political Improvisation

By WALTER LIPPMAN

NEW YORK

In the light of what has been said and done in Beijing and Washington these past few days, it is impossible to believe that the Robertson-Radford mission to Formosa was successful in ironing out the differences between Taipei and Washington.

In his press conference on Tuesday Secretary Dulles confirmed the inference, saying that "there has been some differences of viewpoint between the Chinese Nationalists and ourselves with respect to that matter"—that is to say a cease-fire—and that while "Secretary Robertson and Admiral Radford did not go out there with the idea of exerting any coercive pressure upon the Chinese Nationalists," they did go "to sit down together as allies, as partners, to discuss the situation that is developing."

Now while they were sitting down together in Formosa there developed the fat contradiction between the position taken by the State Department on Saturday

and that taken by Secretary Dulles on Tuesday. On Saturday the Department had said that we would insist on free China participating as an equal in any discussions concerning the Formosa area. On Tuesday the secretary said that the presence of the Chinese Nationalists would not be indispensable "as far as concerns a cease-fire which involved the possible interests of the United States."

UNEASINESS GUEST

This bubble cannot have made life easy for Secretary Robertson, who was staying with the Chang Kai-shek. But as the accomplished diplomat that he is, we may perhaps suppose that he explained to Chiang that while we were willing to negotiate a cease-fire without his presence, we would keep him fully informed and would consult him before we agreed to anything. That would be the most that we could offer to Chiang under the policy stated by Mr. Dulles on Tuesday. It would also be the least that we could honorably do for him if it does not alter the fact that we have declared our willingness to make a cease-fire in the Formosa region without his consent.

Our immediate problem in Formosa is how—without his consenting to the cease-fire which has been publicly rejected—Chiang can be persuaded to cease firing. The United States is not firing in the Formosa region, and when we discuss a cease-fire, we are talking not about our forces but about Chiang's forces and the Communist forces. If the United States is to negotiate a cease-fire for the two Chinese antagonists, we must on our side of the bargain be able to say that Chiang will in fact cease firing.

Now the more public the negotiation with Peking—the more formal the agreements we seek for the more embarrassing it will be for Chiang. For while we can almost certainly induce him to give orders to his armed forces to stop firing or at a minimum not to do anything if they do fire, we are asking something

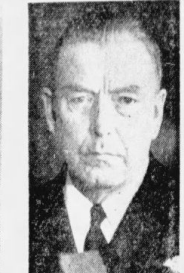
very difficult if he is supposed to give public and formal consent to a cease-fire. That consent would be a virtual renunciation of his hopes of returning to the mainland, and it would tantamount to a recognition that the Red regime is the de facto government of mainland China.

BITTER PILL

It may be said that though this pill is bitter, it has been an essential part of U. S. policy for a considerable time and it might as well be swallowed now as later. The pill will have to be swallowed but there is no reason why we should be in a hurry about it. It may be that the facts and the events work their way out through Chiang for the defense of Formosa registers the American decision not to assist him in a decision which would have been accepted and more or less taken for granted by this time had not certain events been confused by the maneuver which entangled the President in the off-shore islands. The defense of the off-shore islands might have forced the President to let himself be drawn into that general war to overthrow Red China which, it has always been our hope, would be a matter in which the Allied and associated powers all have their interests involved. A considerable difference between our saying these things and our asking Chiang to say them too. He should not be hurried if we can help it. If it can be done, we should try to put off until after the election, in fact a cessation of the firing, the formal discussion of the future of Formosa. It may be that we will not assent to con-



WALTER ROBERTSON



ADM. ARTHUR RADFORD

Some Difference of Viewpoint'

dential discussions, a tacit cease-fire and a tacit moratorium on the Formosa problem. But we might try for it, and there is so much good sense in it that the cold ear of much support. Sen. Knowland might ask himself whether this course is in the interest of the United States and of the peace of the world. I say this because if we are forced now to deal with the long term problem of Formosa, the contradictions and confusions in our political and legal relations with Chiang's government will rise to plague us. They are incongruities existing as much from the pressures of American domestic politics as from the necessities and realities of our interests in the light of the urgent problems of the world.

This, for example, we recognize Chiang's government as the government of China and yet we have not recognized it as such. So, where he is, has been largely left to his own devices. Chiang is justly sovereign where he does not rule and he is not sovereign where he does. The future of Formosa is justly a matter in which the Allied and associated powers all have their interests involved. Issues of this sort somehow or other must be dealt with in any final settlement. Yet they are not dealt with in any practical provisions of our day-to-day most meta-physical in character. There is in fact a cessation of the firing, a meta-physical in character, and this should be pushed aside until the heat has gone out of them.

Coonskin Campaigner

Kefauver Is 'Available'

By Doris Fleeson

WASHINGTON

The remarkable showing of Senator Kefauver in Tennessee in the recent primary pulls has served to remind Democrats that in any free and open convention next year they will have to take Kefauver into account.

Kefauver will not run in any Democratic primary until Stevenson for the nomination. Kefauver, if for any reason Stevenson should drop out or fall far behind in pre-nomination skirmishing, Kefauver will fight for his own right to lead the ticket.

MEANS he is holding himself available, but is doing nothing to create an organization or raise campaign funds. Only recently was he able to stop the lectures and appearances at fundraising affairs by which he paid for his 1952 primary campaign debts.

The new pulls which caught Washington by surprise showed Kefauver's strength as an anti-Communist and his popularity among voters. Stevenson did not retire and Nixon had the GOP state.

The voters pulled preferred President Eisenhower over Stevenson 59 per cent to 41 per cent. They preferred President Eisenhower over Kefauver 44 per cent to 56 per cent. They preferred Stevenson to the Vice President 61 per cent to 39 per cent. A total of 50 per cent of the voters should like to see Stevenson as President, 38 per cent to 42 per cent.

A trial had on Democrats alone but Stevenson fell in the lead but gave Kefauver a substantial following, while others who have often mentioned made only a bare showing.

All the evidence that Kefauver has made a durable impression on the voters is unmistakable both to the party liberals who focus all their aspirations on Stevenson and to the Senate which has other favorites in its own ranks.

Everyday Life

The MAIN life is indeed composed of small incidents, and petty occurrences; of wishes granted and given a verbal spanking. As the Yalta papers were leaked, however, so Dulles' story-long report about the leak has been leaked.

Dulles admitted in the transcript, this column can reveal that the decision to release the Yalta papers was made before the British approval arrived. Minnesota's razor-tongued Sen. Hubert Humphrey drew this confession from Dulles after painstakingly going over the transcript line by line.

"Do you call that the best way to build relations between Britain and the United States?" demanded Humphrey. He suggested that "we need Britain" even more than we need Formosa.

'I Weep For You, The Walrus Said: 'I Deeply Sympathize.' With Sobs And Tears He Sighed Out Those Of The Largest Size, Holding His Pocket-Handkerchief Before His Streaming Eyes



A Three-Way Tussle

Hike The U. S. Minimum Wage?

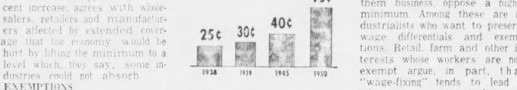
By Congressional Quarterly

WASHINGTON

A three-way debate over revision of the minimum wage law has produced organized labor's "heavily" of the year and is building into a large-scale lobby issue. As a Senate Labor and Public Welfare Subcommittee heads into the final lap of its hearings, unions are pressing for a minimum wage of \$1.25 an hour and extension of the law to several million more workers.

The administration backs a boost from the present 75 cents to 90 cents. Business interests are working to block any change. Labor calls the present minimum "substandard" and says a wage assured low-income families a "decent living" would bolster the economy. The administration, while supporting a 15-cent increase, agrees with employers that the economy would be hurt by lifting the minimum to a level which, they say, some industries could not absorb.

EXEMPTIONS. These arguments's results around the New Deal's original Fair Labor Standards Act. Under it, since 1938, the minimum has been raised from 25 cents to 75 cents, and it now covers about 24 million of the 80 million workers in state industries. Workers in chain stores, hotel systems, and certain other businesses are excluded. Some of these 56 bills before the House and Senate would cut back these exemptions.



It is all but announced that President Eisenhower would give up disputed Quemoy and Matsu in exchange for a Formosan settlement. What hasn't been said, however, is that this represents a triumph for his political or his military advisers.

Secretary of State Acheson, who is to be interviewed by the political opposition of a Far Eastern war. Party Brass. Showing up for the meeting were New York's Governor Tom Dewey, At-Large General Herb Brown, Ike's Army command "Jay" Vice President Dick Nixon, Chief White House Aid Sher-

man Adams, and Paul Hoffman. The President has been reluctant to fight for Quemoy and Matsu, however, unless our allies, the Chinese, give up their promise to end the Korean War, that it would be political suicide to present the voters with another Far Eastern war on the eve of the 1956 election. They assured him that the China lobby, despite all its noise, was in the minority, that the public did not want to fight a war over two remote islands off the Chinese coast.

Napoleon No Genius. This political beselement was intended to counteract the overwhelming military advice, pushed on Ike to draw the line at Quemoy and Matsu. Even Secretary of State Dulles joined the Joint Chiefs' Staff in urging a firm stand over the offshore islands.

Dulles Spanked. Full story hasn't been told of the lacing Secretary of State Dulles received over the Yalta disclosures. And, if he got his way, never would he be a favorite in his own ranks.

Drew Pearson's Merry-Go-Round. Politics Shaped Ike's Asian Policy. The transcript kept secret, for he was taken to the woodshed by Democratic editors and given a verbal spanking. As the Yalta papers were leaked, however, so Dulles' story-long report about the leak has been leaked.

From The Chapel Hill News Leader

TOM WOLFE & THE MOVIES

ONE of the mysteries of Hollywood is why it should have waited so long before seeing picture possibilities of Thomas Wolfe's novels. Only now is it reported that filming of one novel is started. It is to start late this summer. To a layman it would seem that Wolfe's novels would be a natural meat for the movies. They have dramatic action and powerful characters.

It is true that Wolfe's style and occasional bits of reflection and philosophy would be beyond filming, but there are plenty of episodes lending themselves to the camera.

And above all, it seems to a layman that Hollywood would long ago have taken advantage of the army of Wolfe followers who are ready for any Wolfe picture.

In fact, parties of Wolfe readers have often amused themselves by imagining how certain scenes could be arranged and dramatized. One prospective reader always wanted to begin by opening with the zarz of a lonely writer. Another insisted that no Wolfe picture ought to be made without bringing in a railroad train, exterior and interior.

Some years ago, the "Ruler of Hollywood" came here to look over the "Pulpit Hill" that figures in LOOK HOMEWARD ANGEL. He had obtained

from Charles Scribner, the publisher, the film rights of the first novel, and he made pictures of many campus scenes and classrooms. He even got an army of students to dress up in the clothes worn during Wolfe's student days here in the early 20's. One would never imagine that costumes dated only a few years back could be so funny.)

But Ripley was never able to complete his pictures. Hollywood backing failed to come through. Several years later it was reported one Hollywood magazine had bought Ripley's rights and was holding them for \$175,000. Now it is said Paul Gregory, who put out the CATS MUTTON show, and William Goldman have paid \$300,000 for three later novels, the rights to HOWEYMAN having been bought by Paramount. Such sums would have made Wolfe gasp.

The district attorney was questioning a Kentucky colonel in court. Unable to shake his testimony, he tried sarcasm. "They call you colonel," he sneered. "In what regiment are you a colonel?" This the "Colonel" in front of my name is like the Honorable-in-Front-of-Myself. It doesn't mean a thing." —FRONT MYERS (FLA.) NEWS-PRESS.

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