



THE CHARLOTTE NEWS

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Dangerous Tendencies?

Sanity, Security & Fair Play

By JOHN LORD O'BRIAN

(Editors' Note: John Lord O'Brian, distinguished constitutional lawyer, believes that an "adversative craving for security at any price" is a principal influence threatening the very existence of democracy. Holder of many honors for public service in education and government and an advocate of constitutional questions before the Supreme Court, Mr. O'Brian gave his views on the problems of security in two Golem lectures at Harvard University. Excerpted here are remarks from his second lecture.)

THAT THE effectiveness of Communist propaganda has been grossly exaggerated and there is, as of today, much less danger than is commonly supposed appears now to have been definitely confirmed by recent investigations. In the Stouffer survey of Communist, Conformity and Civil Liberties, Samuel A. Stouffer, less than one per cent of those of the general public interviewed volunteered any concern either about the internal Communist threat or the threat to civil liberties. Of the community popular use of the term "Communist" for those whose views we dislike, there are no doubt a great many loyal American citizens who must be included within that infamous category and doubtless many more will be added in the future.

But if all the American people could know and discuss all the implications of Communist ideology it seems reasonable to expect that they would revise their estimate of the present Communist threat and conclude that in 1955 there is little danger that the ideology will spread further in the United States. Taking into consideration the hostile and slandering publicity which has been directed at Communist theory and technique in recent years, surely there can be no more than a maladjusted handful who will actually surrender their souls to the Russian cause in the future. In the opinion of the American people, at least, the danger of possible espionage and sabotage certainly should not be the cause of any particular alarm. To some of us there is only a little danger of further contagion; there are also marked indications that the tide of Communism in this country is steadily sinking and that this has been true for some time.

REASONS OF STATE. It is a historical fact of special significance that the guarantees embodied in the Bill of Rights did not have their origin at one time or in some code. Most of those relating to due process of law and especially to insure fair and impartial one by one in rulings made by common law judges. It is a fact of even greater

The Knock At The Door



People's Platform

Help Teenagers Find Jobs During Summer

Editor: The News, Charlotte
MAY 22 is an excellent date for Youth Appreciation Day, when school seniors close, examinations are going on and diplomas and prizes are awarded. There is a song which goes "Will You Love Me in September As You Do In May" which suggests the question: Shall we appreciate these young people in September as we do in May? Unfortunately the answer is no, if these students who are so bubbly and full of life are to have a three months vacation of enforced idleness.

A Teenage Summer Employment Program has been set up to try to find work for our high school and junior high school youngsters. Already one thousand of them have applied for summer jobs. But very few jobs have been made available to them. Giving summer work to our young people who want work seems to me to be the most practical way in which we can show our appreciation to them. This in itself is highly unusual if not unethical. . . . So Tallant made out a check for \$1000 and Mack Stanfield, father of the crippled boy, signed it.

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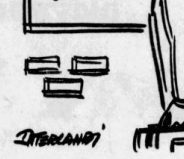
of "Wood and Tallant," suggested a fee of 10 per cent. Tallant not only was Wood's law partner, but got a salary from Uncle Sam of \$7,022 as Wood's assistant, and handled law cases from the vantage point of Wood's office. This in itself is highly unusual if not unethical. . . . So Tallant made out a check for \$1,000 and Mack Stanfield, father of the crippled boy, signed it.

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TO ALL PROFESSORS AVOID THESE CONTROVERSIAL SUBJECTS ON CAMPUS:

1. RED CHINA
2. RED RUSSIA
3. RED BOOKS
4. RED THEORY
5. RED UNDERWEAR
6. RED NOSES



'At least we can still talk about pretty red-heads . . .'

significance that these and other guarantees were created to protect the individual against just such pressures as confront us today. Some of them were created for the special purpose of protecting him against the same "Reasons of State" which are being asserted today to justify secret evidence, anonymous accusers, secret hearings.

PREFERRED POSITION
It is a fact of utmost significance that the Supreme Court has established the First Amendment in a preferred position above all other provisions of the Bill of Rights. Historically it is definitely established that the guarantees protecting the liberties of the citizen which they embodied were in essence originally the result of religious conviction. As Dean Pound and many other commentators have emphasized, there has been in the seventeenth century a natural affinity between the Puritan principles of morality and the common law. Many of these principles were distinctly of religious origin and were taken over by the government embodied in the common law.

Upon reviewing all the policies and procedures affecting the mental attitudes of citizens, it cannot be denied that our government officials have embarked on a dubious policy which in effect is aiming to guide and constrain citizens as well as alienate them from the government. The exercise of liberties guaranteed to them by the First Amendment and the other provisions of the Bill of Rights.

Another important development showing how far we have departed from fundamental constitutional principles is shown by the neglect of the presumption of innocence which for so long has been the distinctive characteristic in the administration of justice among English-speaking people. Few persons seem to realize that in security cases the accused person does not have the protection of this age-old presumption of innocence. On the contrary, he is confronted with accusations and the burden is upon him to clear himself by refuting these accusations. . . . often-times, of course, in ignorance of secret evidence furnished by anonymous informers. In fact, if there is any presumption recognized in this field, it would seem to be presumption of guilt. As I have said, the present executive order requires an affirmative finding that employment shall be clearly consistent with national security. And this qualification is generally interpreted to mean that every doubt must be resolved in favor of the government.

ONE FOR THE FUTURE
The lack of comment upon this situation is in itself evidence of the insidious way in which plausible practices develop into dangerous tendencies. If this development is not checked, the importance of the presumption of innocence in all cases of accusation and prosecution. This particular question is one for the future to answer.

Wolf, Wolf?

New Look At Soviet Power

By DORIS FLEESON

A BITTER argument in the Pentagon preceded release of the Defense Department announcement that the Soviet Union is making "formation flights with intercontinental bombers." The play-down school won and their victory is reflected in the highly technical, polysyllabic release. The release in turn seems to have thrown most of the commentators, press and radio, and the Congress. Sen. George, ordinarily very astute, even suggests that it constitutes only fresh Air Force propaganda as the Senate staff work on the new defense budget. The senator is certainly correct that the Air Force has sometimes cried "Wolf, wolf."

DELYING THE GOODS
Yet if the story means anything—and some experts think it means everything—it means that the Reds can now deliver the nuclear fission bomb on the U. S. mainland. Up to now it was thought that the Soviet Air force had only a sample heavy jet bomber of the general type used by the U. S. Strategic Air Command.

All the circumstances surrounding the story are unusual. The Soviets flew their new heavy bombers in the customary May Day parade of Red military might in Moscow. The Pentagon announcement simply referred to "formations" and suggested that a "new basis" for our estimates of Soviet power would have to be projected. Finally a Pentagon spokesman admitted that at least 10, possibly more, had been seen. This country admits to owning one, the B-36, the U. S. opposite number bomber. Also the Soviets displayed only one bomber in the May Day parade, which indicates they are moving up fast with their production schedules.

For some curious reason, press observers of the Moscow parade did not get the story of this increased production to their editors. The defense department had expected that they would and was preparing to confirm it. Presumably Red censorship stopped press releases; in any case, the Air Force felt the news should be told.

At that point, argument began over whether a news statement should be made or whether the implications of the news should be officially described. Defense Secretary Louis B. Howe, in a terse and non-committal release. What Wilson hopes to avoid is another fierce argument over Soviet Air capabilities as an already somewhat apprehensive Senate starts discussion on his budget.

Reds In Hollywood
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Flicker Of Hope For Charlotte College

OUT OF THE dying clamor of the 1955 General Assembly, fresh hope is emerging for some sort of state-supported institution of higher education in Charlotte.

It is not the kind of program the community would like. It is not even a satisfactory answer to North Carolina's urgent educational needs in an era of booming college enrollments. But it may at least pave the way for sound and sensible solutions later.

The original bill—calling for the state to take over Charlotte College and appropriate \$150,000 annually for its support—is as dead as Tut-ankh-Amen.

Charlotteans might as well face this fact.

It was reported favorably out of the House Appropriations Committee early this month. But it attracted the attention of community college leaders. The House of the state's North Carolina and Asheville-Biltmore Colleges put in requests for \$150,000 worth of state support, too.

The total bill for all interested colleges would have been too much for the state to bear in these days of tightly constricted budgets.

Sensing that his colleagues were sour-

ing on the whole idea, Mecklenburg's Rep. Jack Love has proposed a substitute. It would give both Charlotte and Carver Colleges here \$75 annually per student for state appropriations. The same modest amounts would be provided for Wilmington and Asheville-Biltmore Colleges. In each case, the local institution would remain under local control and receive state funds merely as grants-in-aid.

Love tells us that chances are good that this alternate proposal will survive. The plan has been watered down disappointingly.

But this is a case of accepting a little help or nothing. The new Love proposal is decidedly better than nothing. More than that, it would establish an important precedent on which he community could build a case for more help later.

The regional college idea—as a positive answer to the growing crisis in Tar Heel higher education—is fundamentally sound.

Populous Mecklenburg is the place to start.

It is a goal which should not—must not—be abandoned, whatever happens in Raleigh.

Mrs. Hobby: Puzzles And Guesses

THE administration has moved toward an effective polio program but speculation grows that it has not gone far enough and that, perhaps, it does not know fully where it is going.

Its request to Congress for funds to inoculate indigent children and to hire more inspectors to double-check safety of the vaccine deserves the speedy approval already predicted, provided the money is spent only for those in actual need.

But Secretary of Health, Education and Welfare Oreta Culp Hobby's fear of distribution control, even standby powers, are puzzling to say the least. Her reluctance indicates failure to profit by previous mistakes that brought inoculations to a confusing halt, and also suggests an unwillingness to assume the responsibility that is properly hers.

She requests, on the one hand, federal money to help the states vaccinate the poor. On the other hand, while conceding a terrific demand accompanies a tremendous shortage of vaccine, she is reluctant to grant power, either actual or standby, to grip firmly the reins of distribution. Several states and communi-

ties, including Charlotte and Mecklenburg, have already provided for serum for the indigent. But local government will be helpless if the elements of short supply and high demand combine into a black market in vaccine.

Mrs. Hobby doesn't expect a black market, but she didn't expect, either, that inoculations would be halted while her department revised its vaccine testing procedures. Explaining why the department didn't long ago start detailed planning to avoid the delays and dangers that have occurred, the secretary said: "I believe no one could have foreseen the public demand" for the vaccine.

To the contrary, we think almost everybody except Mrs. Hobby foresaw the demand. We support the bipartisan move in Congress to give the administration standby power to control distribution, just in case Mrs. Hobby's guesses keep going wrong.

The public's confidence in properly tested vaccine apparently remains strong and we hope it continues. That confidence should be bolstered by forthright action and leadership.

Owen Roberts, Defender Of Precedent

DURING the turbulent 30s, it was fashionable in liberal circles to think of the United States Supreme Court as one thinks of the eye of a hurricane. It is quiet in the eye, New Dealers explained, but in order to remain in the tranquil center of the storm one has to move along with it. They felt that the court was not moving fast enough to keep up with the swirling socio-economic tempest of the day.

Owen Roberts, the retired associate justice of the Supreme Court who died yesterday in Phoenixville, Pa., was one of the reasons why the court did not move rapidly enough for U. S. liberals during Franklin D. Roosevelt's first term. In fact, he voted against all but two of the 13 New Deal measures which the court considered prior to October, 1936.

But Justice Roberts was no real enemy of progress or the liberal cause. In the pre-Roosevelt days he found himself on the side of liberals as often as not. Later, he simply became the court's chief defender of precedent and legal stability. When his colleagues demonstrated a capacity to defy precedent and reverse

themselves, Justice Roberts forthrightly remarked that the court had set forth on the "uncharted sea of doubt and difficulty." Some of its decisions, he said, were like a "restricted railroad ticket, good for this day and train only."

Actually, he was neither a consistent conservative nor an inconsistent liberal. He shielded away from labels. He earned the respect of all sides by interpreting the law as he saw it. And from Justice Holmes, "The Great Dissenter," he borrowed a salty maxim: "If a law makes you want to nuke, then due process has been denied."

By the time he had wound up his last session in 1945 he had written 21 majority opinions and 53 vigorous, acid dissents.

He was solidly legalistic and his firm grasp of legal principles was missed when he stepped down—as it still is today. But his wholesome influence extended beyond the high court portals. Through his useful work in the Atlantic Union movement and other notable endeavors, he earned a reputation as something more than a distinguished judge. He was, above all, a distinguished American.

From The Greensboro Daily News

UNANSWERED QUESTION

WHAT is to be the North Carolina's educational pattern and how can we best meet the long-range responsibility of providing facilities for the sharply rising crop of college students?

The Daily News has slowly come around to the conviction that higher education should be more scattered than concentrated in North Carolina. To be sure, several great educational centers, public and private, are needed, especially for postgraduate and research work. But otherwise more can be accomplished and we are confident, at least cost, which a hard-pressed treasury is making our leaders take into account, that a plan than by piling layer upon layer on what we already have.

It is indisputable that colleges and universities exert the great influence in and draw their largest percentage of enrollment from the areas in which they are located. These are contributions which we strongly feel the so-called community college, strategically located about the state, will make. One of our gravest concerns has had to do with North Carolina's low rating among other states in the percentage of its boys and girls who do not go to college. One way to get them to go is to bring higher education to them, at less expense too, in that many local facilities may be utilized, especially

will be more upon education than upon extracurricular activity, and dormitories will be a minimum need in that many of the students will stay at home since they will live within easy driving distance. Some way must be found to advance the state educationally, with social and economic counterparts which derive from developed skills and abilities and increased earning power; and the community college may be just the answer we have been searching for.

One other suggestion we make. All of these institutions do not have to be state-operated or supported. Wherever there is a private college, a mutually beneficial tie-in may be effected. Greensboro's Evening College, which started and operated for several years on its own as a chamber of commerce project with financial underwriting by far-sighted business and industry which wished educational opportunities for their employees and has more recently been constructively integrated with Guilford College, is a convincing case at point. State funds may be needed for the program which is now envisioned, but civic leadership, far-sightedness and support can go far toward effecting a program which will accomplish just as much and ease the burden from the taxpayers' already strained back.

Drew Pearson's Merry-Go-Round

IT looks as if the boys who run things like at the White House don't do much screening or else don't care what kind of Democrats they appoint on certain commissions, where, under the law, they have to appoint Democrats.

"They have just appointed to the Subversive Control Board, a vital body which will advise on subversion, an ex-congressman from Georgia, John S. Wood, who ordinarily might have some difficulty passing a security test for a government job."

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Ike's Appointee Has Strange Record

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ton, Ga. . . . He took an examination for rural mail carrier in June, 1949, and two weeks later went to see C. D. Holcombe, secretary to Congressman Wood. . . . "I offered C. D. Holcombe \$1,500 for said route," Bennett states. Mr. Holcombe is the secretary who originally approached the elder Stanfield about the job. . . . Two other sworn affidavits signed by Ralph Clark of Flomery Branch, Ga., and Harold W. Puckett of Buford, Ga., state that in September, 1949, Congressman Wood told them he was awarding the Flomery Branch mail route to Homer Reeves because of the large fee he had received in connection with a lawsuit brought by Reeves' father in breaking the will of the late Dr. George Bryce. . . . Reeves stood sixth on the eligibility list.

Congressional Sobriety

Here are more facts that could have been ascertained by the FBI or the White House before appointing Wood to a key job in which he passed up the conduct of his fellow men. When Wood was solicitor general of the Fifth Judicial Circuit, a sworn affidavit shows that the local sheriff "arrested" the said John S. Wood while he placed him in a room in the Maxwell Hotel in Cumming, Ga., and held him there 24 hours and that the opening of the Superior Court of Georgia was held on Monday morning to Tuesday

morning while the said John S. Wood sobered up and got in condition to perform his duties as solicitor general. . . . If this had been an isolated case it would not be mentioned here. But as a congressman, Wood was under the influence of liquor during one important debate on his own substitute for the Tamm-Hartley Bill that ex-Speaker Joe Martin and Congressman Charlie and others of Indiana had to substitute for him.

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