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THURSDAY, MAY 3, 1956

By CONGRESSIONAL QUARTERLY

WASHINGTON LEADERS of a new North-South coalition are mustering forces for their first test of strength in Congress.

Clarence E. Manion, co-chairman of the nationalist political group For America, which represents the northern partner in the new alliance, indicates the importance of the issue: "Any congressman or senator who does not go all out for the speedy passage of this bill is in league with those who are determined to destroy states rights on every case such congressman or senator is disqualified for service in this emergency and should be removed by the voters."

LITTLE-NOTED BILL

The bill that concerns Manion is a little-noted states rights measure pending before the Judiciary Committee of the House and Senate. Hearings have been held by Rep. Howard W. Smith (D-Va.) and are promised for the companion Senate measure introduced by Sen. William E. Jenner (R-Ind.).

Manion's sentiments are fully shared by members of the Federation for Constitutional Government, the coordinating agency for white citizens councils in 11 southern states. The southern federation and For America have joined together on both political principles and a strategy for 1956, aimed at throwing the presidential election into the House of Representatives. Their program was described in the first two articles of this series.

FIRST EFFORT

The southern federation was born to fight the Supreme Court's segregation decision. Smith says his "has nothing to do with segregation." Nevertheless, it is the focus of the new coalition's first legislative effort.

Smith's bill was prompted by a 1954 Pennsylvania Supreme Court decision invalidating that state's anti-subversives law. The decision, involving a Communist leader named Steve Nelson, was affirmed April 2 by a 6-3 majority of the United States Supreme Court.

The majority opinion held that the anti-Communist laws passed by Congress in recent years imply "inescapable conclusions."

"Congress has intended to occupy the field of sedition" legislation and leave "no room... for the state's supplement." The court's minority said it "should not void state legislation without a clear mandate from Congress."

Since the early 1900s the Supreme Court has assumed the power to decide in cases like Nelson's whether Congress does or does not intend to exclude parallel state legislation. Critics of this practice call it "preemption by implication" and "judicial legislation."

Smith intends to stop this. He was the author of the 1949 Smith Act, one of the bills cited by the Supreme Court as indicating an intention by Congress to occupy the entire field of anti-secession legislation. But Smith says, "I never dreamed... the states would be precluded from enacting a law to protect themselves."

REMEDY The Nelson case, he says, "is merely a symptom of the dangerous disease that threatens to destroy completely the sovereignty of the states." His remedy therefore, is stated in general terms. It says: "Courts shall not assume that an act of Congress is intended to bar state legislation on the subject 'unless such act contains an express provision to that effect' or there is a 'direct and positive conflict' between the federal and state law 'so that the two cannot be reconciled or consistently stand together.'"

Smith's bill would protect states rights not only in the field of anti-secession laws but also in the broad areas of public welfare, commerce, public power and natural resources.

The new-found allies of the southern segregationist and northern nationalist movements welcome state support for the measure. But they have their own reasons for backing it. To stop at the Supreme Court, strike a blow for states rights, demonstrate the success of their collaboration and, most of all, encourage their backers to further political ventures inside and outside Congress.

Charlotte's Moral Responsibility To Act

THE community has a moral obligation—if not a legal responsibility—to provide suitable detention facilities for wayward juveniles.

A sin of omission cannot be explained away by self-righteous and namby-pamby legalism.

A social problem exists. It is very real. It is no less real—no less dangerous—because the "proper authorities" at the state level do not attend to it.

Furthermore, the community's own welfare is concerned. Its own people are affected. To do nothing is to encourage a form of self-punishment. Legal immunity is one thing. Immunity to our own invited misfortune is quite another and quite impossible.

Mayor Phil Van Every pricked the community's conscience painfully yesterday when he proposed that both the city and county earmark half of their surplus-ABC funds for detention facilities. The ends may indeed have been more respectable than the means. But no matter if it is not feasible for ABC funds to be used some other way must be found to accomplish the job.

By sidetracking the problem to a committee headed by County Commissioner Sam McIninch, an avowed opponent of the mayor's proposal, little was accomplished but the construction of a political roadblock.

Councilman Claude Albea was no doubt correct in defining the committee's purpose so bluntly: "To do nothing." It, however, is nothing less than a community disgrace if nothing is done toward providing adequate detention facilities.

Two children, aged 13 and 15, have already been illegally locked up in a common jail "to protect society." There will no doubt be others who will be exposed to harsh realities of a cell block, with its hardened adult inmates.

The mayor's committee on juvenile delinquency recommended just nine days ago that a detention home be established if the state failed to meet its obligations.

Naturally, demands for state action should continue. But let's not fool ourselves. North Carolina's rural-dominated legislature likes to think of juvenile delinquency as an urban problem. Its neglect of social ills that it identifies with the cities is well known.

If Charlotte is going to find a satisfactory solution to the problem it will have to help itself.

Nor will the matter wait. There is, in fact, considerable urgency. We do not believe the community will permit its elected representatives to snuggle up to their own legal innocence when moral responsibility is so insistently apparent.

Drag Racing And Box-Top Gadgets

TRAFFIC officers nowadays are only a hairbreadth behind Dick Tracy in the way of electronic aid for their work.

Not quite as ingenious as Tracy's wristwatch radio, but a neat piece of machinery nevertheless is the movie-clock now being used in Mecklenburg by a highway patrol car.

The device doubtless will be a great help in convicting speeders, as the whammy is in catching them in wholesale lots. Trouble is, the inventors can't keep up with the speeders. A movie-clock would be scant help if a patrol car was confronted by two cars traveling abreast at 100 miles an hour. Car and clock would have to take to the ditch, or be obliterated.

The "drag racers," say the highway patrol, are bringing such situations about on main thoroughfares as well as the backroads. Troopers, particularly in the Piedmont area, say groups of 12 or 15 may engage in a drag race on a public highway. They wheel up to a preselected spot in powerful cars, dispatch scout cars to decoy officers, and sometimes barricade roads adjacent to the racing site. Then two or more cars line up side by side in the road. A half-mile from the starting line they may be hitting 90 miles an hour.

Amid this organized madness, whammies and movie-clocks become like toys sent in exchange for box tops.

The highway patrol feels justifiably that the General Assembly created in ordering it to withdraw a fleet of unmarked cars from the highways where they could mingle undetected in traffic with a better chance to bring speeders to justice.

The law ought to be rescinded and the unmarked cars returned to the road. The patrol needs a free hand in combating highway slaughter, and surprise is still a better weapon than gadgets.

People's Platform

The Quest For Leadership

Charlotte, The News:

YOU FELLOWS appear to be all turn up about the possibility of Richard Nixon serving another term as vice president. I refer to your lead editorial of April 30 captioned, "Richard Nixon: The Wahoon Can Wait."

My, my I never realized that young Dick is as bad as you'd have us believe. Bad particularly, so you think, if fate should decree that he succeed to the presidency.

In your zeal to give Nixon a thorough bath in fire and brimstone you seem to have overlooked the glaring fact that the genuine scum on the bottom of the political barrel was nearly scraped off in 1944 when the dynamic Roosevelt chose Harry Truman as his running mate.



Don't misunderstand me. I hold no special brief for Mr. Nixon. As a congressman I had him in high esteem. I liked the traditional brand of patriotism and Americanism which he exemplified at that time. But four years of co-opting with the genial "me-too" and his crowd of Republican New Dealers has made me allergic to a degree that will not be easily cured.

The country needs for intelligent, steady, fearless, confident, pro-American leadership. The decline of our republic must be halted. Executive leadership capable of aiding markedly in halting this decline must be Republicans of the peerless caliber of Sons, William F. Knowland, Carl Mundt, and Everett Dirksen. Republicans hold no monopoly of course. On the Democratic side of the ledger I can think of none finer than the distinguished Virginian, Sen. Harry F. Byrd—with perhaps Georgia's Sen. Russell in the No. 2 spot.

Maybe I'm dreaming in entertaining the remotest thought that any of the above named statesmen will be nominated for either office this year by their respective parties. I find one consolation, however. The Supreme Court hasn't yet declared "dreaming" a violation of the Federal Amendment and therefore unconstitutional—and until they do get around to it I intend to dream all I cockeyed please. Goodnight!

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How Much Time And Education?

THE latest furor over long, anxious waits for emergency service at Good Samaritan Hospital is disturbing in its implications.

It is all too easy to blame the hospital, its personnel and the doctors.

But it is equally true, however, that there could be willful neglect of duty where human tragedy is involved.

Men of medicine do not tarry when death is lurking near.

The problem lies largely in the increasing difficulty of the hospital with limited facilities and personnel in meeting the requirements of a growing Negro population.

It accents the need for better facilities and additional medical personnel.

It also calls to mind the agonizing slowness with which the citizens of Charlotte are acting to improve the situation.

The need is already great. It is growing greater.

Last October, Mayor Phil Van Every said that time and education are prerequisites for building adequate hospital facilities for Negroes in Charlotte.

How much time? How much education?

Time is running out. Surely, Charlotteans are well enough educated to the problem to respond favorably to its practical and moral necessities.

Confederate Ammo: A Precise Memory

ASK A MAN "do you remember?" and if he doesn't he will try to. Memory is a green field where we all go walking.

Briars grew in the field, but they have become like flowers. There was struggle and hardship, but in the recouping it is adventure. Hard rocks which bloodied test, burn, and edges, and old tears run in shining creeks.

People will pay to remember. They buy books and songs with "remember" in the title. They drive hundreds of miles to see old friends and spend half a night on the old days, have most of the old days were good days in a green field.

The earth remembers, too, but not like people. It remembers more precisely. It will soften the edges of a sharp rock, but in the doing sharpen a smooth one, and keep a kind of soft-hard ratio that the human mind does not like.

Around Charlotte this week one could see the earth remembering.

Earth under concrete remembering trees, and shoving through a fissure in mortar alongside the Bank of Commerce a dwarf of a cottonwood tree. I cannot become a tree, but the few leaves are true, and they will last as long as those on a tree with roots in free earth.

A road grader moves about in the ashes of the Southern Railway freight depot and the earth yields up coals of an older fire—bullets, for rifles and balls for cannon of the Confederacy. They had been preserved precisely, with ugliness of shape and danger in design.

The projectiles can be changed. Polished and buffed and mounted on a study wall they could conjure up excitement, romance, adventure and the gay tunes of a great war in the memory of a man looking at them.

The earth remembered them as they were—cold, deadly and dark like the way they were meant to be used in.

From The Sanford Herald

CHARLOTTE: WET AND DRY

LOWEST rates of alcoholism in the United States were found in Charlotte, N. C., and Austin, Texas, by two researchers for Yale University. Their survey centered upon "persons who have developed recognizable physical and mental symptoms due to excessive drinking."

Charlotte is known as much for the influence of its churches as anything else. The territory it dominates was the capital of early Scotch-Irish Presbyterianism in this country.

Also, Charlotte has ABC stores. Does a blending of spiritual advice and practical control measures add up to a superior approach to the liquor prob-

lem? We can draw no other conclusions from the findings of the Yale scientists.

The best way to preserve the American way of life is to pull as far as possible from the center of the road when changing a tire—ELLAVILLE (GA.) SUN.

Sign at barberhop: "Children's Haircuts Without Sideburns 75c. All Hair Tops 15c." It, however, is nothing less than a community disgrace if nothing is done toward providing adequate detention facilities.

It's advice when you give it, nagging when you get it—CHAPEL HILL (N. C.) WEEKLY.

Epitaph For A Great, Good And Brave Soul

Charlotte, The News:

OF ALL the professions a man may follow, none seems to be greater than the ministry. Yet the requirements for this profession demand everything: he must be a good preacher, a deep student of nature, a good business man and his life must be lived as an exemplification of the man called

Epitaph For A Great, Good And Brave Soul

He and I shared a hobby together: We were both extremely interested in epitaphs, and in looking around for an epitaph to describe this great, good and brave

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Merry-Go-Round

Drew Pearson's

THE ominous story of how Russia is overtaking us in air power has been unfolding behind the closed doors of the special Senate Air Committee, headed by Missouri's golden-haired Stuart Symington, the first secretary of the Air Force.

It is an amazing and shocking story of American failure to keep abreast of Russia in a field where the United States has a lead.

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So far the details of the story have been kept secret. Meanwhile this column has obtained complete details of our lag behind Russia. Security experts in the Pentagon have been consulted as to how much can

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America's 'Shocking' Lag In Air Power

As I revealed, and the following facts can be given to the public. They are only part of the story. But even this part is a shocking revelation of our lag in air power.

Russia's Jet Advance

1—The Red Air Force has already outstripped us in building fast, modern jet planes. Russia has 12,500 jets assigned to combat. We have only 8,000 jets ready to fight.

2—Soviet engineers have developed more powerful jet engines than our own. The J-37 engines powering our B-32 long-range bomber put out only 10,000 thrust pounds each.

3—At the scheduled rates of production, the Red Air Force will completely outclass the U. S. Air Force in jet power in another two years. Our aircraft program schedules call for 2,500 new planes in the fiscal year 1956; only 2,300 in fiscal 1957. This will barely replace the 2,000 aircraft normally lost each