



THE CHARLOTTE NEWS

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The Supreme Court And Its Critics

ALL THE censure of the Supreme Court, as Strom Thurmond noted the other day, is not addressed in southern accents.

Some states in agreement with the desegregation decision are fretted with the court for rejecting state secession laws. The court's overriding of state rights-to-work laws roused other areas of sentiment. Still another ripple of reaction coursed from various decisions of the court on civil liberties.

Not since the '30s has the court been so beset by critics, and been so much a target of constant criticism. And not since then have congressional carpenters been so tempted toward new attempts to curb and halt the court. Seventy court-curbing bills now before Congress testify to a generality of unrest.

If there is cause in the protest, however, there also is caprice and unwisdom in the demands for congressional carpentry. If there is reason for criticism, there is oversimplification and distortion in the stating of it.

ONE misconception of the court resulting from shotgun criticism is that it is a single-minded body of men bent on destruction of U. S. liberties, that New Deal Democrats have control of it, and that it is systematically destroying the states.

Far from representing a unanimity of view, the nine justices often are rather bitterly divided. The majority position swings from liberal to conservative elements.

As to the New Deal influence two Republican appointees, Earl Warren and John Marshall Harlan, tend to be more liberal than Democratic appointees such as Stanley Reed and Sherman Minton.

And while the court has captured big headlines by overturning state secession statutes, it was at the same time upholding other state laws. Against the court's

tendency to concentrate more power in federal law, there was a trend toward defending the rights of individuals from encroachment by either federal or state law.

The Supreme Court clearly is out of step with large elements of U. S. citizens. But so it was in the '30s, and there is no better argument now for diminishing its powers and curbing its functions than there was then. The Court was out of step with the majority of citizens then and it changed directions. If it is going against the majority now it will change direction again. Only by keeping itself in consonance with the conscience of the average citizen has the court been able to achieve a somewhat miraculous prestige which enables it to run effectively against 48 states and hundreds of ethnic groups.

Certainly the justices have faults, and these have been reflected in some of their decisions. There are some patently political appointees on the court with too little knowledge of the law and acquaintance with the bench.

These are the faults of men, however, and not of the court. The remedy lies in better appointments in which Congress itself, of course, has the final word.

Over the years the court has kept remarkably well in touch with the mainstream of national life, never being for long a captive of any particular view or group.

The best evidence of that is that its critics now were its defenders in the '30s and its critics then its defenders now. Congress has means to change the effect of the court's decisions without having to change the nature of the court. It should depend on those means, keeping faith with its own precedent of the '30s.

Keep Residential Zones Fully Protected

WHenever an important zoning question comes up, City Councilmen look back on the simplicity of ordinary issues with unreserved wishfulness. In the governing body's mind, zoning has somehow acquired a deviousness that defies political explanation.

That is unfortunate because zoning is, or ought to be, a fairly straightforward business. It is an application of common sense and fairness to a city's efforts to promote and protect the convenience and general welfare of its inhabitants.

This principle can be applied to the current controversy over whether funeral homes ought to be permitted in Residence-2 districts. A business operation is involved. Certain services are sold — services that demand constant coming and going on the part of both

people and vehicles. It would necessitate a slow day and night traffic that would be burdensome on residential neighborhoods. Emergency ambulance services—at all hours — would also be less than desirable in an R-2 zone.

But after indicating earlier that a decision would be rendered on the matter yesterday, Councilmen decided to postpone action.

That was unfortunate, too, for the ground rules for good zoning are clearly drawn and the professional advice has been properly presented. Deviation would not destroy the zoning program in Charlotte. But it would weaken the fabric in a rather important spot.

We hope the Council acts without undue delay and acts in such a way as to give the protection the community needs for its best development.

The Man Who Was So Very Right

THE death of Thomas J. Watson, board chairman of International Business Machines and one of the nation's most colorful industrialists, left us genuinely saddened.

It awakened memories of the day in 1948 when Mr. Watson (still sturdy erect at 72) and his wife motored into Charlotte. We met him at his hotel and listened attentively to something rather important that he had to say.

He told us that, in his opinion, the southeastern states would lead the nation in actual and diversified progress during the ensuing 20 years. Naturally, he included the Carolinas in his glowing prophecy.

Business Editor J. A. Daly passed this information along to News readers and the editors of several leading business publications. Needless to say, it did not go unnoticed.

A year later, Mr. Watson came back through the Queen City and we saw him once more. He then told us that the publicity given his Charlotte remark about the Southeast's prospective growth

had brought him a flood of comment — and some protests — from economic sources throughout the nation. Anyway, he said he was still of the same opinion.

The Southeast did grow amazingly. It still is expanding at an impressive rate.

How much influence Mr. Watson's widely quoted Charlotte remark had is not known. But the fact remains that the IBM began expanding its operations in this area immediately. Other companies producing business machines, competitors or not, also began to show more attention to the southeastern market during the first decade of the 20-year prophecy. Industrial, commercial and financial progress, in the Carolinas particularly, has tremendously expanded the markets for business machines. And whatever it was that boosted the demand for business machines has also boosted other phases of our economic life.

Mr. Watson dared to tell us something about ourselves. But he was so very right.

From The Twin City Sentinel

IN ANY LANGUAGE, A GOOD IDEA

“YOU CAN read Interlingua if you had no more than one semester of high school French or Spanish or Latin and finked it.” These encouraging words are introduced in a page of news briefs printed in Interlingua, a manufactured, international lingo, in the latest issue of **SCIENCE NEWS LETTER**.

Here's a sample: “In phocas e leones marin le masculo ejice a certe tempores un dulce odor que pare attraher le feminas. Dr. J. E. Hamilton, qui habita le Insulas Falkland e qui ha discoperite le supra-mentionate facto, insiste in su reporto que le si tracta de un odor que essera ben acceptabile como perfume secundo nostre standards humani.”

After a putting together of heads, all allegedly containing several years of high school and college French, Spanish or Latin, it was tentatively decided that Dr. Hamilton has discovered that men attract female cats.

and that he is sure the odor can be adapted for human use as a perfume. That's a very tentative translation. Perhaps those who had a semester of high school French and flunked it could do better. At any rate, perfume makers please note.

“A survey shows that most women want larger kitchens.” — Press report. This is strange, as most kitchens are so large now that many a woman gets lost in one while looking for the can opener. — JACKSON (MISS.) STATE TIMES

All you need is a little well-earned success to make your friends think you're lucky. — FORT MYERS (FLA.) NEWS PAPER

The people who hand out the awards for outstanding acting ought to pay close attention to those wrestling bouts on television. — LAUREL (MISS.) LEADER-CALL

Adenauer Visit Exposed Decay In Western Leadership

By WALTER LIPPMANN

ALTHOUGH he was unable to remain divided, a divided Germany, as we know from what Khrushchev told the French Prime Minister a few weeks ago, is just what Kropkin wants. Khrushchev will not be sorry to have Dr. Adenauer and Mr. Dulles insisting on terms for the reunification of Germany which nobody expects Moscow to accept, terms which a very large mass of Germans themselves do not think it reasonable to ask Moscow to accept. The net result of the Adenauer-Dulles declaration is to make it as easy as possible for the Russians to refuse to negotiate with Dr. Adenauer is at the head of the German government.

By WALTER LIPPMANN

POLITICAL TROUBLES. Why then, must we ask ourselves, do these two experienced statesmen take a position which is an insuperable obstacle to the reunification which they say they wish to promote? Almost certainly because there is to be a general election in Germany next summer, and Dr. Adenauer is in political trouble at home. He is under mounting attack from the Social Democrats on the left, from his former allies the Free Democrats on the right, and from important elements in his own Christian Democratic Party.

The cause of the trouble is loss of confidence in the policy which he and Mr. Dulles have just reaffirmed in Washington. A growing mass of the West Germans do not believe that they can remain within NATO and at the same time induce the Soviets to abandon East Germany. The Adenauer

terms are tantamount to a demand for unconditional surrender on all the vital issues. To demand unconditional surrender is wise thinking and reaching for the moon.

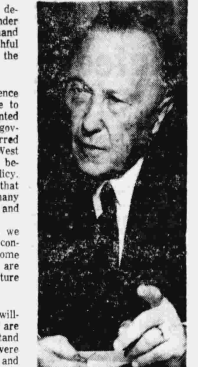
PROOF NEEDED. Faced with a loss of confidence at home, Dr. Adenauer came to Washington for help. He wanted proof that the United States government, which has conferred such enormous benefits on West Germany, is wholeheartedly behind him and his personal policy. He means it to be understood that to oppose Adenauer in Germany is to run afoul of Eisenhower and Dulles in Washington.

If we are not very careful, we shall find that the American connection with Germany has become a party issue and that we are identified with the political future of Dr. Adenauer himself.

OLD FORMULAE. Mr. Dulles was more than willing. For he and Dr. Adenauer are of one mind in wishing to stand pat on the formulae which were worked out in the Stalin era and before the hydrogen bomb. It is not that the old formulae promise good results. They are at a dead end. It is that both men shrink from what they fear might happen if they cancelled or modified the formulae.

Dr. Adenauer is too old to change, and too far committed. And Mr. Dulles is so used to Dr. Adenauer and so far committed to him that he would rather not have to deal with anyone else.

The hope that inspired the Adenauer-Dulles talk was not that they could reunify Germany. It was that the old routines that



Adenauer in a Dry Season

might still be good enough to see Dr. Adenauer through the German elections of 1957.

LEADERSHIP LAPSSES. There is no telling how much Dr. Adenauer will be helped. But we may be sure that he and Mr. Dulles have done nothing to inspire and to reinvigorate the Western alliance. They have reminded the world that their

idea of how to lead an alliance is to dig in and to refuse to move. To consider the new tactics of the Soviet Union more dangerous than the previous aggressive conduct,” said Dr. Adenauer at Yale. And how does he propose to meet the new and more dangerous tactics? By saying again and again what was saying before the new and more dangerous tactics were advanced.

Is this the way to keep the confidence of democratic nations who are looking for wise and successful leadership? Is it the abdication of leadership by old and tired men?

It is safe to predict that if the leadership of the West is to be like these Washington talks — ineffective, unrealistic and wishful — then the troubles of the Western alliance will become worse and worse. The alliance will crumble if it is led by men who think it a virtue to be unchanging in a changing situation. The changes that must be put forth by post-Stalin Russia is immense, and the Western world is in a state of confusion. It is time to show the way and to lead if one. It may well turn into a tragedy of historic proportions. That is not the kind of capital of the powers of the Western world is there a government with the vision to lead in a crisis. To act — that the leadership of the West is in the hands of preoccupied and hurried men in London, Paris, a very old man in Bonn, and of a sick man in Washington.

'All Up And Down De Whole Creation, Sadly I Roam'



People's Platform

Letters should be brief. The writer's name and address must be given, but may be withheld from publication in the discretion of the editors. The writer reserves the right to condense.

Joint Discussion Of Issues Needed

Editors, The News: I challenged my opponent to meet me in public debate on the several questions of the district on June 11. Station WBTW advises that they desire that I should not appear on the public service. Apparently that station believed, as I did, that the public would like to see the candidates for Congress and hear them speak frankly on the issues.

When I was contacted by WBTW I gladly consented to appear on that type of program and expressed my appreciation to them for their willingness to make TV time available for public discussion of issues.

We are now informed by WBTW that our opponent has declined this opportunity. His decision is regrettable and shows that he was not sincere when he so blithely shouted in Forest City on Friday, June 8, that he "would face Mr. Whitener, man to man."

His reply of a few days ago to my second challenge for public debate was ridiculous. He inferred that my desire was to use him to get a crowd to hear me. Certainly, that was in my mind. It must have been in his mind, too. He knows that the people are interested in hearing a joint discussion of the issues by us, and that they would turn out in great numbers. He doesn't want that.

Or, on the other hand, it may be that he feels that the crowd would like to see one who has been away so long in distant places, and now seeks to represent them in Congress.

Frankly, we are sure that the real reason for his declining such debate is that his statements on important issues are so pending before the committee — statements prepared by political writers on his pay roll.

Political Speeches

Remote Control Is Best

By LOUIS GRAVES

In The Chapel Hill Weekly If I happen to be interested in a primary or election and want to listen to the candidates' speeches — which is seldom the case because I prefer to read them in the newspapers — I can listen to them on the radio. Why on earth should I undergo the fatigue and irritations of struggling through traffic, the pushing and shoving in a crowded crowd, the noisiness of steaming bodies in a hot hall (as halls so often are) and then the banality of introducers before the

We do not have the personal or inherited wealth to spend \$28,000 in a campaign — as my opponent reports that he spent in the first primary. We feel that a public discussion of issues in joint debate will better serve the cause of democracy than vast expenditures of money in an election. — BASIL L. WHITENER

School Board Needs Some New Timber

Editors, The News: Those who cast their ballot in the first primary for Mr. Derrick, in my opinion and many others, must have felt the Board needed new timber. So may I ask each of you to kindly give your vote to the ticket you support in the interest of the County School Board, which needs new timber. We know, like the schools of the county are short in many ways and I am sure you cannot go wrong when you cast your vote for Dan Hood, who has done much good in the past and is still active today in making better boys of his sons and his future stands out to do still more good. When you hear this lip broadcast, you had best be careful where it comes from. When some people have about reached the end of the road, they fear someone who can and will do what they have failed to do. We do know this: That some people cannot see where they should end, for many reasons. Some seem to think their service in a public way should not come to an end. So see for yourself what has been the school house lot of as of the past, 25 to 30 years, then you can make a check and vote for Mr. Dan Hood on June 29. This will mean more action in the many ways. Be sure you vote. Be sure you are aware of the stagnant breeze that is in circulation by letter. For vote, get a card of Dan Hood. Vote and elect him the next member of the County School Board. — S. C. VAUGHN

Loopholes Galore

Down With 'Legal Technicalities'

By ROBERT C. RUARK

IT WOULD BE PALAMOS, Spain at the time has come to revise our penal code just a little bit to cope with just what is crime and just what its punishment.

Some reasons to think it over: A Chinese charged with narcotics violations got dismissed on the judge's own motion after the Chinese had pleaded guilty. Two convicts studied law while doing time and wrote themselves out of jail, again under a narcotic rap. They argued that, at the time of their arrest, there was a 13-day lapse before the law they were accused of violating was actually signed — although a special meeting of Congress speedily rectified the accidental omission in a recodification of the basic law.

A drunk runs down an ancient pedestrian, kills him dead, gets arrested on the scene for drunken driving and culpable operation of an auto, leading to death. The charges against him are dismissed. Why? No alternative.

There were no witnesses to the actual run-down of the victim.

SHOCKING CONDITION New York's Sammie Lettowicz was forced by law to do the indictment when, in the third day of trial, the prosecution was unable to produce witnesses. The law says that it is insufficient for conviction just to show that the car operator was intoxicated, after the fact, without eyewitnesses.

Said Judge Lettowicz: "It is a most shocking condition where drunken burns can drive along highways and kill human beings. An auto in the hands of drunks is just as lethal a weapon, and more so, than a gun in the hands of a child. We have to enact new laws to keep up with modern times."

To me, with my slim knowledge of law, it has never seemed likely to throw off any case on a legal technicality. A murderer is a murderer, no matter what happens in the fine print of the indictment.

Until somebody can explain it for me differently, I will never admit had what constitutes "jurisdiction," and legal misprints, and the rest of the nonsense has anything to do with whether a man committed a crime. He either did or he didn't, and it doesn't make any actual difference if he was arrested by officers in Disneyland, when he actually should have been collected by Gary Cooper, in *Fast Hat, Motel*.

Dr. Jekyll was a doctor and Republican and southern Democrats which has dominated Congress for years was broken in a dramatic session of the House Rules Committee last week.

It was broken on the issue of the school bill and civil rights, both of which involve Negro rights.

Wooring Negro Vote

What broke the coalition can be summarized in ten words: The Republican bid for Negro votes in big northern cities.

The change came when Speaker Joe Martin passed out the word that four members of the Rules Committee would vote with the Negroes to unshackle civil rights and the school bill; namely: Allen, III; Brown, Ohio; Ellsworth, Ore.; Latham, N. Y.

When this switch became known, young Dick Bolling, Democratic congressman from Kansas City, staged a surprising move in the Rules Committee. "Mr. Chairman," said Bolling, "I move that we go into closed session to consider acting on certain matters that are pending before the committee — including civil rights."

This sudden motion by a young congressman was a direct challenge to Virginia's chairman, Howard Smith, who has long ruled the Rules Committee.

"I take offense at that," Smith stammered, hardly able to believe his ears. "This is the most brazen action I have ever seen," declared Mississippi's Colmer. "Do you consider yourself the new chairman?"

"My only desire," insisted Bolling, "is to bring this issue to an action."

"We've had the school bill in here for months," noted Indiana's Madden. "We

had the testimony of four witnesses scattered over two weeks and a half. Since those hearings, the school issue has subsided, and I haven't heard anything about the same thing happens with civil rights, the Rules Committee won't finish with it until middle of the summer when leadership is proposing that Congress adjourn."

The wrangling continued for 45 minutes, with Smith pleading for an informal meeting instead of a formal session, and Bolling insisting on one day of additional hearings on the school bill, followed by a final vote, then two days on civil rights, followed a final vote. He won on both.

Drew Pearson's Merry-Go-Round

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Bid For Negro Votes Splits Coalition

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