THE CHARLOTTE NEWS

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The Majesty Of The Law

WHEN a week's term of Superior Court opened here yesterday eleven cases were called before noon. Five were disposed of, one with a sentence, one remanded to another court, one nol prossed, and two by failure of the grand jury to return a true bill. Defendants in the other six cases were called and failed to appear.

Those who failed to report for trial, all presumably under bond, were not charged with capital offenses. But the charges were grave enough: four for assault with a deadly weapon, one for assaulting a female, and one for conducting a lottery.

The unexplained absence of more than half the defendants called for trial strikes us as a startling commentary on the status of Superior Court in Mecklenburg. Yet the box score seemed to be regarded as routine at the Courthouse. Judge Burgwyn was not moved to comment, as other visiting jurists have been in the past. The Solicitor did not appear upset. The Sheriff and his deputies, who are directly charged with producing the missing defendants, were unperturbed. The incident ended, as it usually does, with the issuance of capiases for the missing defendants.

It would be difficult, we suspect, to fix individual blame for the strange procedure that permits defendants to stand trial or not as they see fit. Certainly the bail bond laws have glaring loop-holes in them: cash is rarely posted, and even when it is there is no set procedure for automatically declaring a bond forfeit upon failure of a defendant to appear when ordered. The State still has to take positive action to confiscate a bond, even in the most flagrant cases, and the process is lengthy.

Nevertheless, there is a great deal that can be done to improve matters. Angry judges in the past have pointed one way, ordering the Sheriff to round up missing defendants and hold them in jail until their cases are called. The haphazard manner in which the Sheriff saw fit to carry out the Judge's orders largely defeated the effort, but the method has possibilities.

And the Solicitor also has a great responsibility in the matter. Mr. Whitener, fresh from a primary campaign in which he announced his intention to correct all the questionable practices of his new office, might well start here. Obviously he isn't going to run up much of a record for clearing the docket as long as more than half the persons on it fail to appear in court.

Drastic action is needed, and soon, if the law is to retain any vestige of its traditional majesty. Court officials—Judges, the Solicitor, even the Sheriff—could be instrumental in bringing about a basic change in the abused bail bond law if they were insistent enough. And in the meantime they could certainly insist upon maximum enforcement of the present statute, which it is quite obvious they are not now doing.

Curtis Johnson's Generous Gesture

THE *Charlotte Observer* Fresh Air Camp, formally presented to the Young Men's Christian Association by that newspaper's publisher, Curtis B. Johnson, is a handsome gift, indeed. The physical plant, including a large improved tract, 24 buildings, and other assets, represents a cash value of $155,000. More than that, the Fresh Air Camp is a going concern, completely staffed and equipped, and ready to provide again this Summer, as it has every year since 1937, free vacations for hundreds of the city's underprivileged boys.

The selection of the Young Men's Christian Association as recipient of the gift strikes us as a happy choice. Mr. Johnson, desiring that the camp be perpetuated, could have selected no more durable an institution. And the "Y", as he noted, is equipped to expand the Camp's services and make use of it on a year-around basis rather than only in the Sumer months. The possibility of using the Camp for "follow-up work" for the underprivileged, and the chance to make its facilities available to other YMCA groups, were the primary considerations affecting Mr. Johnson's decision.

Edwin Jones, president of the YMCA, sees Mr. Johnson's gift as "the greatest single opportunity for community service (the YMCA) has had since its founding more than 70 years ago." And if selection of the YMCA was, as Mr. Jones says, a high compliment to that institution, the decision of the "Y" to maintain and operate the camp exactly as *The Observer* has always done is testimony to the wisdom and efficiency of Mr. Johnson and his fellow-workers.

The temptation to keep the Fresh Air Camp under the wing of his newspaper must have been strong. But Mr. Johnson, realizing that greater public service would be rendered by turning it over, without strings, to the YMCA, insisted that his generous gift be unconditional. It is a decision in keeping with his reputation as one of Charlotte's most public-spirited citizens.

Mr. Mencken Takes A Dim View

OLD Henry Mencken, the country's most accomplished cynic, has taken a look at the United Nations. He concludes:

> The United Nations has no more chance than the Ku Klux Klan would have in the Vatican.
>
> It's just three or four gangs of thieves all trying to jockey for an advantage.
>
> It will fail just as the League of Nations failed. This new thing will go to pot on an issue between England and Russia. The United States is just a sucker.

Well, Mr. Mencken is an acute observer, and the record will hardly furnish evidence with which to dispute his dim view. But it must be remembered that Mr. Mencken's reputation, like that of any cynic, rests upon his remarkable talent for ripping away sham and pretense. Hypocrisy has always driven Mr. Mencken to verbal excesses, and his explosive reaction to the pious protestations on display at Hunter College is quite in character.

At this reading—when none of the United Nations, including this one, has recognized that the price of peace is the abandonment of some degree of national sovereignty—Mr. Mencken's prediction of UN's certain failure is logical enough. But cynics make poor prophets as a rule, for they ignore the possibility of change. The average American, for instance, may still be as big a boob as he was in the 20's, when Mr. Mencken rose to eminence as his most uninhibited critic, but many of the manifestations of boobism—prohibition, the religious ban against teaching evolution, excessive provincialism—have gone by the boards. Mr. Mencken and his fellow cynics, let it be noted, had much to do with their passing.

It may be that Henry Mencken's highest function is to prove himself an inept prognosticator. His harsh estimate of UN might help awaken Americans to the danger of putting blind faith in an impotent debating society, and prod them into demanding that life be breathed into UN's hollow forms. This, of course, would make Henry Mencken a false prophet, but we suspect it would also make him a very happy old newspaperman.

Another Voice

Tar Heels And Segregation

THE South has had ample time, we think, to digest the Supreme Court's ruling which outlaws racial segregation on interstate busses.

Save for the usual outbursts from opposing camps of zealots, the first reaction has been moderate and singularly unimpassioned. For, of course, the skies have not fallen. In North Carolina *The High Point Enterprise* acknowledges what every lawyer knows—"we fail to see how the Supreme Court could have taken any other position, the Constitution being what it is." This admission sets the note of realism and discourages pussyfooting.

Yet it is true, as *The Enterprise* says, that "unless both races here in the South exercise every effort to be tolerant, one of the other, this decision may result in trouble." The appeal is for tolerance of the majority by the minority. *The Charlotte News* is "convinced that legal steps of this nature are almost irrelevant to the central problem, and, except as they afford citizens on both sides of the question an opportunity to exercise their vocal chords, of dubious value." The central problem, then, is imbedded deep in mores, in cultural patterns. No Supreme Court, even one which reverses itself, can reach the central problem without persistent cogitation.

The Durham Herald, for its part, seems surprised that "not one word was spoken (by the Court) about the necessity of Christian living in which all men have rights." There is, *The Herald* points out, a period of adjustment ahead. But "when the adjustments have been made, there is no question in the minds of thinking people that the new situation will be better than the old." To this *The Greensboro Daily News* might respond, as it declares itself editorially: "Our own notion is that members of the two races will, like birds of a feather, tend to segregate themselves in transit. We are confident they will if the same provision for comfort and convenience is offered both." Then the cultural pattern will hold?

It would be rash to make predictions. The whole character of society is in a fluid state with no definable trend. If it may be said that the renascent Ku Klux Klan represents reaction in racial relations, then it could be said that the Supreme Court represents a certain spirit of liberalism. The real importance of the decision may be in the precedent it sets for judicial intervention. The Court has never ruled, at least in recent years, on the 14th and 15th amendments as applied to social institutions. It may now have lost all its historic inhibitions.—*Asheville Citizen.*

A sad case, that of the rising young British surrealist painter cited by the London Star: seems he was bawled out by the critics for having the eye on the wrong leg.

The move to shift the world bank from Savannah to Washington is something of a novelty in the fiscal field. Going north with the funds is new, we believe.

'What—No Bread?'

People's Platform

Another Small Favor

WILMINGTON

Editors, THE NEWS:

THE latest of E. T. Ostrom's literary efforts, appearing in The People's Platform on June 7th, causes me to give thanks for Freedom of Speech, and Freedom of the Press. Were it not for these precious freedoms, how then would we know in what manner we must conduct ourselves in order that narrow mindedness must be combated?

The marked degree of incoherence apparent in E. T. Ostrom's letter could certainly not result from his being disturbed over the Communists alone. I would long hesitate before branding anyone as a reactionary, for that would merely be a counter charge, against the old Communist "red herring". But why not attempt to be constructive, rather than revert to blasphemy?

There is no disputing the fact that power of the unions must be cured for the benefit of the majority. It is unfortunate that necessary action is hampered because of a weak Administration. Certainly, let us all pull together, and in one direction, but let us also be sane and cautious. A swinging of the pendulum to the opposite extreme would be equally undesirable as the situation now existing.

But rest assured it still is a wonderful country in which we live. Were it now other than wonderful, E. T. Ostrom's letter would never have been printed, and neither would this one. Thank God for small favors, which aren't so small after all.

—LEE G. BOIKO.

Hospitals And Polio

NEW YORK, N. Y.

Editors, THE NEWS:

TEN articles, to be published in the June issue of "Hospitals", official publication of the American Hospitals Association, are devoted to infantile paralysis, with particular emphasis being placed on the need for more widespread acceptance of poliomyelitis patients in general hospitals.

Many progressive hospitals in the nation now regularly admit infantile paralysis cases, and it is a fact that there is yet to be reported a single case of cross-infection to doctor, nurse, aide or other patient. There is no substitute for the over-all facilities afforded by a general hospital in the care and treatment of poliomyelitis.

The unsolved mysteries of infantile paralysis, together with its unpredictability in striking at random throughout the country make it vital that the nation have its best medical facilities constantly available for combating the disease. The American people through contributions to the annual March of Dimes underwrite the cost of infantile paralysis treatment and they expect the best the country has to offer.

—FREDERICK W. MAGUIRE,
Director of Information,
National Foundation for Infantile Paralysis.

What To Read?

FLORENCE, S. C.

Editors, THE NEWS:

AFTER reading the paper this afternoon, and the letter of Mr. Woodrow W. Geretes inquiring what has happened to Mr. Eric Branden, I would like to say thanks for the information myself. Certainly glad he hasn't gone on a strike and hope we can have him with us at an early date.

Strange as it may seem to you, but I always read Dr. Spaugh, first, Eric second, C. A. Paul third, before I read the news. I don't think you should class him as casualty of these disjointed times.

If we can't have "Looking at Life" what are we going to read? I am fed up with Congress and the Washington news. Although I live in Florence, S. C., I am very grateful for the Charlotte News. It is from my home state (Wallace, N. C.) and my favorite paper.

—MRS. HELEN MARTIN.

For Posterity

WAYNESVILLE

Editors, THE NEWS:

YOUR fine article by Mr. Burke Davis Monday, May 20, hit the nail squarely on the head. (Note: Dealing with the Mecklenburg Declaration of Independence.—Eds., THE NEWS) I have read it with a great deal of pleasure. I expect to file it along with other historical papers I have collected through many years.

—W. C. ALLEN.

The People's Platform is available to any reader who cares to mount it. Communications should be less than 300 words, typewritten if possible, and on only one side of the paper. Libel and obscenity will be deleted—otherwise anything goes. Each letter must be signed, although, in exceptional cases and upon request, we will withhold the writer's name.—Editors, THE NEWS.

Quote, Unquote

TRUE collective bargaining that maintains the liberties of both labor and management is the most lasting solution to wage controversy.—William H. Davis, former WLB chairman.

Couples whose marriage has been delayed by the war need not feel that, necessarily, their increased age has raised a barrier to a happy union—Prof. Judson T. Landis, Michigan State College sociologist.

Every inflationist in the country is now trying to hide behind the wage increases which are being made, and to blame labor for the price increases that he has been able to wheedle or bludgeon out of OPA.—Mayor William O'Dwyer of New York.

The basic justification for the British loan is that it would enable Britain to join with us in making a living reality out of these blueprints for world recovery and reconstruction.—Federal Reserve Chairman Marriner S. Eccles.

MacArthur's directives are usually accepted by the Japanese Government with an outward show of submission, but they are carried out either weakly or not at all.—S. Plyshevsky, Soviet Army newspaper Red Star writer.

The social significance of small business goes far beyond its economic aspects. It is the means of expression and development of the individual possessed of enterprise. It is like home owning in making for civic and moral stability.—Robert R. Watson, president National Association of Manufacturers.

I ask my fellow trade unionists to look carefully to see whether there are not customs and rules established for the protection of the worker before the days of full employment which are today unnecessary and hampering to full production. I ask employers to throw aside any restrictions of output calculated to create artificial shortages. — British Prime Minister Clement Atlee.

Drew Pearson's Merry-Go-Round

Belgium Swaps Relief Grain For Wine

WASHINGTON

A MEETING of the combined Food Board was in session. This is the board on which sit the representatives of foreign countries to decide how much famine relief grain shall be sent to each country.

Belgium had just been granted an additional allocation of 160,000 tons of wheat, presumably, to feed its starving children.

However, toward the end of the meeting, the French delegate leaned over and said something to the Belgian delegate. He talked in a low voice in French. What he proposed was a swap whereby Belgium traded her 160,000 tons of wheat with France in exchange for French wine.

The Belgian delegate agreed. So now the children of Belgium will not get the 160,000 tons of wheat—unless the gentlemen involved get worried over this column and change their minds.

They will also, of course, deny this story. But the French and Belgian delegates made one mistake. They did not know that an American member of the combined Food Board seated beside them understood French.

Hot Housing

THE Budget Bureau has written a secret report on housing for veterans which is so hot, it sizzles. It shows that despite all the fine pronouncements about homes instead of fox-holes, certain Government agencies have permitted scarce building materials to go to race tracks, country clubs and non-essential commercial construction, while veterans are left in the lerch.

The report points a finger squarely at the Civilian Production Administration (John Small administrator) as the guilty agency.

Since the Budget Bureau operates directly under President Truman and is responsible to him personally, its findings are in the nature of a Presidential rebuke.

Wilson Wyatt, National Housing Administrator, also is up in arms over the allocation of buildings materials to commercial construction, rather than veterans. He has taken the matter up both with President Truman and CPAdministrator Small.

Here are some of the most glaring things he complains about:

1. New race track built near Asbury Park, N. J., using hard-to-get construction workers plus scarce lumber and steel.

2. In first five months of 1946 more non-essential, non-housing construction was OK'd by CPA than ever was contemplated for the entire year. Local CPA construction boards, composed of building trades people, are largely responsible.

3. Building materials have now been bought up by commercial builders, so that veterans housing is set back for about nine months.

4. News leaks "to the trade" permitted the trade to get ahead of Government regulations. Last March, just before the housing order was issued, private builders were tipped off in advance and hurriedly stuck pieces of steel into the ground all over the country. These were then classified as "integral parts of construction" and on the theory that a building had been started, its completion was OK'd.

Meanwhile, the boys from fox-holes who were looking forward to homes of their own, have to pound the pavements looking for apartments or else double-up with mothers-in-law.

Irate Spanish Consul

WHEN the Brooklyn, N. Y., Chamber of Commerce held its annual dinner the topic was foreign trade and the principle speaker, U. S. Senator Owen Brewster of Maine.

However, before the Maine Republican laid aside his napkin and warmed to his subject one distinguished guest nearly walked out on him.

It was the irate Spanish Consul who learned that the flag of the Franco Government was not among the many foreign banners in the banquet hall. Instead, the colors of the former Spanish republic were prominently displayed, having been supplied by Rotary International for the dinner.

The Franco representative almost blew his top when he saw the Republican flag, but after much huddled whispering, finally consented to remain at the dinner. He was a most unhappy individual the rest of the evening.

Capital Chaff

SIX-FOOT, eight-inch high Governor-elect Jim Folsom of Alabama is going to be a political force to be reckoned with. He has six months to plan his strategy before taking office, and one move he will make is to spend one month in Atlanta as a guest of Georgia's hard-hitting Governor Ellis Arnall. Folsom will study Arnall's liberal administration from A to Z in order to profit from his experience.

Folsom was a leading Henry Wallace delegate at the 1944 Democratic Convention. So was Arnall. Some politicos are wondering what Folsom means to Wallace's political future.

Marquis Childs

New Chief Justice

WASHINGTON

IT IS revealing of the man that although his full name is Frederick Moore Vinson, even the stately New York Times in announcing his appointment as Chief Justice of the United States called him Fred Vinson. That is a small bit of evidence of the new chief's human qualities.

Those qualities have helped him to succeed in a wide variety of jobs. Since 1937 when he left the U. S. Circuit Court of Appeals for the District of Columbia, Vinson has been dropped into one troubled spot after another. And he usually managed to resolve the trouble.

Once President Truman had heeded the earnest advice of those who urged him to go outside the court for a chief justice, as was disclosed in this column more than a month ago, he could hardly have found a more suitable selection, all things considered, than the Kentuckian who has long been known to his friends as Judge Vinson. Several distinguished Republican lawyers were urged on the President. One of those recommended was Thomas D. Thacher, who has held many distinguished offices and is now a judge of the New York State Court of Appeals.

LIBERALS' INFLUENCE

But the President ignored the argument for political impartiality in Supreme Court appointments, an argument that has little basis in history in any event. Moreover, he knew that if he appointed anyone who could not be labeled a "liberal," the squawk from the labor wing of the Democratic Party would be loud and long.

Judge Vinson will need all his human qualities in the new assignment. Of the trouble centers he has been named to calm, none was more tempestuous than is the court today. The diverse personalities put there by President Roosevelt, with an almost impish disregard for the stability of the institution, have carried their internecine warfare beyond the bounds of the old battles between "conservatives" and "liberals."

No one would expect the new chief to achieve the miracle of unanimity. The right of individual justices to dissent with vigor and forthrightness is one of the great traditions of the court. In the old days, "Holmes and Brandeis dissenting" was a phrase which kept alive the hopes of those who saw reaction riding down both political and economic freedoms.

But perhaps Vinson can achieve the kind of harmony which makes for judicial rather than personal dissent. That in itself will be no easy task since tempers have in the past been so severely strained.

EXTRA-CURRICULAR DUTIES

The court has also been disrupted by the practice of assigning justices to important tasks in the executive branch of the government. The most conspicuous example is Justice Robert H. Jackson who has been in Nuremberg all year as American prosecutor at the trial of the Nazi war criminals. Thirteen cases are now awaiting the return of Jackson for argument before a full bench.

This, however, is not too important. They are not cases on which the fate of the nation turns. The service Jackson has performed in Germany is far more important in the long sweep of history. Tirelessly, unflaggingly, he has insisted on documenting the crimes of the men who made Hitler's war with all its horror and savagery. That documentation will stand against the day when the Germans begin to hope the world has forgotten their guilt.

The question is whether Jackson, as a member of the court, should have been asked to perform such a service. He accepted it reluctantly because it was put up to him as a patriotic duty by the President. According to reports from Nuernberg, the long ordeal of the trial has left him on the verge of exhaustion.

If a Chief Justice had been selected from the members of the court, Jackson would have been the choice. The President has a great admiration for him. President Truman has often expressed his approval of the strict constructionist approach to the constitution which is the school that Jackson and the late Chief Justice Stone adhered to.

SCHISM TOO DEEP

The schism within the court was too deep to permit of Jackson's appointment. It would have been used as the pretext for a political storm which would not have helped the court.

To be a fly crawling on the ceiling of the conference room at the first session with the new chief would be a great historical privilege. Then will come the test of Vinson's powers of tact and diplomacy, his patience and his good-will.

Samuel Grafton

Human Reconversion

NEW YORK

THE war lasted long enough to become a settled way of life for many people, especially younger people; and the peace has in many cases broken things up. At Lockheed, for example, they told me that many women, including housewives, did not at all want to give up their jobs when war production stopped. The "termination rate" was much lower than expected, and they had to use layoffs to keep the number of men and of women employees in balance. The Unions helped by running propaganda campaigns, telling mothers that their children needed them, but it was hard for many to become house wives again, after the exciting wartime period when Lockhead was sending people around to light the fires under their dinners each afternoon, while they worked.

SOLDIERS, TOO

It is hard for a number of soldiers, too, to give up the war, or what went with the war. There is a strong feeling among plant managers that the veteran has higher tastes and higher ambitions than he had before the period of service. The Army gave supervisory responsibility to hosts of men; and for many a corporal or sergeant, peace is a downward promotion. It is hard to be a private in a factory, after having been, for the first time in one's life, a kind of foreman; and peace has hurt a number of men by interrupting that rhythm of expected promotion which is the characteristic cadence of Army life.

There are other sad little stories, too, which help to build up the woe of the present hour. At Lockheed, as at other plants, the management fought to keep certain supervisory employees from being drafted. Naturally, it fought hardest for those it needed for others; it fought hardest for those it considered the most useful, and it kept them out of the war. But now those women, instead, are coming back and claiming their jobs, as they have the right to do; and this means layoffs for some of those who stayed. It is a curious situation, for unemployment now becomes the penalty for having been more than ordinarily useful to the war effort.

PERSUADED TO STAY

In some cases the men themselves wanted to go into the Army; they were persuaded, against their own desires, to remain, on the ground that they were helping the war more by staying in the shop: now they are being displaced. If they had been less useful then, they would have jobs now; but there is no way to fit this paradox into the legalities of our reconversion.

All this, not unnaturally, creates a moral problem; and at Lockheed, one understands how much the war has cost in human terms, in terms of lives which have been given a sudden, deforming twist. One understands, too, something of the soldier's almost pathetic appetite for education, of his furious desire to break again into some channel of life where there is a possibility of being wanted, and of rising.

I felt the thing most sharply one day in Mississippi, during my recent travels with Ilya Ehrenburg, the Soviet writer. We had hit a tiny hotel, and the proprietor, found that the bellhop, startingly, knew a word or two of Russian, and a bit of Italian.

It was the war, of course; the boy had made several shuttle flights to Soviet fields. He was entranced by Mr. Ehrenburg's visit; and he promptly gave up bellhopery for the afternoon, and hung about, wanting Mr. Ehrenburg to want something. He was soon established in an over-stuffed chair, discussing strategy; and he sat through a press interview, helping out with European place names.

HOMESICK FOR ARMY?

He was happy, and he held on to the afternoon; and next morning, when we drove away, and he went back to his bags, I had my first feeling that the wildly rejoicing part of the return to civilian life was over, that the first tint of the reminiscent glow was already in the air, with present sorrow gliding past dismay.