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FRIDAY, MAY 24, 1957

Don't Stretch The Charter Too Far

CITY TREASURER Ledbetter's hesitancy to approve financial transactions between the Park Board and city councilmen is a commendable example of alert and conscientious public service.
Although his hesitancy may have been prompted by a feeling that the Charter Board's administrative counsel selling to the city does not extend to the Park Board, Ledbetter's feeling is one of the essentials of good government.
The ruling itself seems to stretch the Charter, if not the letter of the Charter.
The new head position on the Park Board, Ledbetter's feeling is one of the essentials of good government.

The stretching of the Charter may serve a very good purpose. Some cities have found refusal by city officials to go outside the city for certain supplies, and to pay higher prices for them. Certainly the volume of sales by three councilmen to the Park Board this year indicates nothing approaching abuse of public trust or good ethics.

But the Charter provision is there for a good reason. And while it may be stretched a little occasionally in the interests of convenience or efficiency, it must never be stretched to the point of breaking.

A little publicity-occasionally on total transactions between city agencies and public officials should assure that the matter is kept within proper bounds.

Road Safety Hangs From The Rafter

HACKING his way toward administration, the House yesterday again upon the hapless motor vehicles safety inspection bill. The inevitable happened. As the motor was being prepared, Johnson's Rep. O. Blake Thomas rose to the floor and said: "I am not working on the string end of highway safety. He declared, because it's the high speed of the new cars that is causing most of the accidents. Accepting Rep. Thomas in his role of expert, statisticians on highway slaughter, we still wonder, what's wrong with passing a bill to prevent some of the accidents."

Sponsors of the inspection bill never maintained that mechanical failures caused more than 5 to 10 per cent of the Tar Heel highway accidents. The inspection bill was only one feature of the administration's overall legislative program to reduce the terrible toll of life and limb. It was a vital feature, however, and one which would have saved lives, and prevented injuries and great expenditures. The Department of Motor Vehicles estimates that if mechanical failure has caused only 5 per cent of the accidents in North Carolina last year, more than 50 people now dead might still be alive.

In fairness to the Assembly, it must be admitted that its shortsightedness is what it conceives to be a reflection of popular opinion. Memories of "public outrage" resulting from the state's first attempt at auto inspection 10 years ago are engraved clearly on the

Assembly's political antennae. And the fact that roughly one-eighth of all vehicles registered in North Carolina were submitted voluntarily to inspection last year has not noticeably eased the Assembly's fear of adverse public reaction. Nor has it been eased by the fact that the new inspections proposal contains adequate safeguards against offending the public's patience or imposing on its time. The Assembly apparently believes that a decade is too short a time for the public to change its mind on an issue.

And so the House Rovers Committee strung up the inspections bill on the legislative rafters. There were a few mourners. Rowan's Rep. George Uzzell told committee members an inspection program "may mean the life or forever be one of us here or some of our loved ones." True enough. But the opinion prevailed that death or maiming on the highway is somehow less fatal, less hurtful, less to be feared than death by

Certainly if the proposition was put in the Assembly that it definitely could save 50 lives annually by expenditure of say \$1 million, it would put up the money with alacrity.

But the proposition that 50 lives and say \$1 million, probably would be saved by passage of a law that would cause negligible expense or irritation to anyone except owners of defective vehicles, is put off until aside.

The House committee's negative vote on the inspection bill was a significant failure of leadership and responsibility.

Daylight Saving Dies At The Branchhead

DAYLIGHT Saving Time, rolling swiftly to House approval, suddenly was killed on third and final reading. Who was it that yelled, "Stop the music?" The branchhead boys, most likely.

Farmers simply can't abide people tinkering with their clocks. They have opposed daylight saving since its invention with an intensity reflecting itself at the polls. Time can be as sensitive a political subject as taxes, having been a major issue in many state elections and the cause of long parliamentary debates in England. City residents generally favor daylight saving.

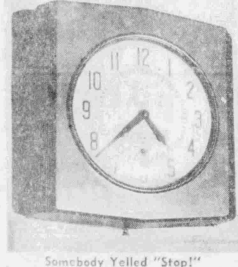
Although English farmers fought the time change when it was first proposed in 1907 because they said milkers would be forced to get up in the dark most of the year and because the fields would be wet with dew, the difference of opinion between urban and rural residents seems to go deeper than that. Probably a poet could divine the root of the difference better than a political scientist.

Whether he likes it or not, the city dweller must regard time as functional. He is a slave to it. He must forever be somewhere at a certain time. He cannot escape it nor can he afford to lose it. Eventually, it becomes a dictator controlling his every movement. Thus it is the essence of the logic for the city dweller to try to manipulate time, and make it more responsive to his desires for rest and relaxation. In short, he wants to "save" time because he does not have enough of it.

The farmer, on the other hand, has plenty of time. He is preoccupied with its progression, the changes it wreaks in the fields and woods. Time is a friendly thing, and well regarded by the farmer. He watches sunsets and sunrises, and prides his ability to "reckon" by the sun. Thus, attuned to time, perhaps he comes to think of it as one with the stability of the land.

Certainly it is that he resents anyone tinkering with it, and he will vote "agin 'em" if "they" do.

It is seldom that "they" do.



Sombody Yelled "Stop!"

From The Reporter

OUR OWN BESTIARY

ABOUT this time of the year city editors across the country dispatch reporters to local zoos to take people's minds off the bomb and the budget. Sharing their bill that there is nothing like an animal story to distract attention from stories about man, we solemnly call your attention to the following items:

Platypuses are both stupid and nervous. The pair at the Bronx Zoo are too nervous if not too stupid, to reproduce themselves.

The yak in the zoo at Central Park with one horn curved under his chin seems to want to hang himself on it. Swallows examine birdhouses on a long line before nesting. They like to read the fine print.

Shedding animals are very unhappy about themselves. They like less women just before a permanent. Captain Alan Villers of the Navy

flower II sent a signal to London which included the following: "Felix, the month-old cat, caught first flying fish to the board and now maintaining constant patrol in scrappers for more such fishes."
Feel better now?

Wife (trying on hats): "Do you like this turned down dear?"
Husband: "How much is it?"
Wife: "Twenty-five dollars."
Husband: "Yes, turn it down." -FORT MYERS (FLA.) NEWS PRESS.

New York newspaper says Americans have become fearful of expressing themselves. American women. -MARTHOON (LA.) JOURNAL-GAZETTE.

Don't worry if you start losing your memory. Just forget about it. -CARLOSAN CURRENT-ANGUS.

Racial Bars Come Tumbling Down In Tarheelia?

By IRVING CARLYLE

Editors Note: Mr. Carlyle, distinguished Winston-Salem attorney and former state legislator, is definitely one of the men who made toward elimination of compulsory segregation in North Carolina. These are excerpts from an address on "Race and Human Relations" he delivered here last night at a meeting of the Charlotte - Mecklenburg Council on Human Relations.

It is mainly the law that causes men to act with decency towards each other. Religion and education and democracy help some, but the compulsion of law does the most. When a city is wrecked by floods or tornadoes or by fire and routine law enforcement is disrupted, emergency precautions have to be taken immediately to protect life and property. It is, therefore, of the greatest importance that respect for law be preserved. Otherwise, society becomes a shambles and only the strong survive. In all places where the law must be held in high esteem is in the local community, large or small. It is there that the law and man search other time to face day in and day out. It is there that the best relations among men must be achieved, given first of all a general respect for law.

According to a Latin proverb: "Wherever there is society there is law." In fact, society and law are inseparable. Society and neither can exist without the other.

Law Keeps Pace

The place of law in the human scheme of things is always carved large to match the place that man makes for himself. Justice Holmes so well said: "The life of law has not been logic, it has been experience." So we must expect that as human experience comes new law, which explains why there is no end to the making of laws. As human experience grows in complexity, so does the law keep pace, for the public to change its mind on an issue.

Aspect Of Culture

Law is merely one aspect of our culture - the aspect which enforces the force of organized society to regulate individual and group conduct and to prevent excess or punishment deviates from prescribed social norms. There is no law in any culture, whatever its nature may be. The more advanced the culture, the more advanced in concept will be the law. If Western civilization represents the peak in man's social progress, then undoubtedly the concomitant law of that period also represents the peak in man's legal aspirations.

It began with the customs of primitive man and progressed until it came to the courts of ancient and modern times. Law made its greatest advance toward the establishment of courts of law. In the time, the courts became the central part of the legal system and the law took hold of the arch together. For this reason did Justice Cardozo write the law as a principle of conduct established as to justify a prediction with reasonable certainty that it will be enforced by the courts if its outcome is challenged. Justice Holmes, for whose memory many Americans still mourn, once said in speaking in the same vein when he wrote: "The prophecies of what the courts will do in fact, and nothing more or less, are what I mean by the law."

Justice

At this stage in the development of law we find a new and essential fact - justice - and law now means the rules in accordance with which justice is administered by the judicial tribunals of the state. And so, law as we now know it is nothing but the body of rules made and applied by the courts in the administration of justice.

Social Progress

Several years ago I heard our own late, great Chief Justice Walter Stacey make a speech in which he said that the purpose of government and the goal of society is the doing of justice among men - the giving to every man his due. This being so, it is natural to suppose of the law is not alone the maintenance of the social order,

but also the assurance of the conditions of social progress. That man shall obtain increasing control over his physical environment, that the relations of men shall become more and more kindly that human life shall be more and more worth living by all men - these are the final objects of the law. All of this makes it clear that law is a social force, the first magnitude, against whose just desires all barriers must yield, and that it is the most powerful force we have for the improvement of human relations.

Supremacy Of Law

There is one principle to which all good citizens in this state subscribe - the supremacy of law. This principle was first established during the clash in England between the courts and the Stuart kings. Out of this was born the power of the courts to pass upon the legality of executive acts and of the acts of government itself. In America, where the courts had been required to pass upon the validity of colonial legislation with respect to colonial charters, the idea was familiar at the time our constitutions were adopted, and for that reason, passed into our constitutional law.

As a result, every public official in this country, acting in the discharge of his duties without authority of law, may be restrained when his illegal acts may result in irreparable damage to any man. The wrong committed by a public officer in exceeding his authority may be dealt with and punished by the courts of the land. This doctrine is a contribution of Anglo-American law and represents the final step in the establishment of the supremacy of law. When this step was taken, human freedom made its longest stride forward because it dealt a death blow to the centuries-old doctrine that "the King can do no wrong."

Segregation Decision

Against the background of the mastery of the law, as already described, I come now to some of the repercussions which have followed the historic decision of the Supreme Court of the United States, outlawing segregation in the public schools. All of us are familiar in general with what has transpired in this and in other southern states since May 17, 1954, in North Carolina, we have enacted laws to preserve segregation in the schools, even going so far as to permit the people in local communities to vote to convert the public schools into private schools

and operate them with public funds. The constitutionality of that legislation is still undecided. It has been referred to by the proponents as safe, stopgap, and time-buying legislation. From this a curative description, it seems to me to be obvious that the adoption of the plan, including the pupil assignment plan of 1955, has not yet settled the legal problems in the moral problems in the field of school segregation. The solution of those problems has merely been postponed to some future time.

Expediency

Because the law is our ark of the covenant to which every man, woman and child must look for refuge, more important than what the law does to us is what we do with the law. From this, it follows that when expediency rather than principle is the controlling factor in the legal process, the outcome is injustice. We do great injury to ourselves when we seek to bolster our claims to superiority by compelling others to surrender their legal rights. And the damage done is far greater when the surrender is coerced by punitive measures taken under color of law. The use of intimidation by law is a backward step unworthy of a great state that is committed to the supremacy of law and to improving the administration

Personal Position

My own position has been and still is that we cannot escape our compliance with the decision of the Supreme Court of the United States, that obedience to its terms is inevitable and that a moderate and gradual approach to the elimination of compulsory segregation in the public schools of this state must be taken and is clearly permitted by the Supreme Court of the United States in its opinion in this field.

I would now like to give you some occurrences indicating to me that in this state we shall take steps to comply in good faith with the decision of the Supreme Court of the United States of May 17, 1954. They may be pointed out as follows:

There has been no violence, for which our citizens can be deeply thankful.

Leadership

More and more private citizens in responsible positions are saving publicly and privately that we must live within the law as it applies to all phases of compulsory segregation. This is a most significant development. As a result, from such groups, will come the initiative for isolated compliance with the decision in a few communities. When such a large part of the battle to keep the law supreme will have been won. How much integration there will be in those particular communities will depend upon many local factors.

Moderation

We have not adopted the pattern of extreme segregation policies in some of the other southern states but, on the contrary, we are trying to be moderate in our own way.

As always in the past, state and local making up its own mind and will go its own way in dealing with the problem. As a result, we are all prone to our own thinking about the most difficult and demanding problem ever to confront a state.

Recent in the courts is becoming the rule. The conflicting claims and the opposing issues of the litigation are more and more being submitted to the courts and the courts are showing their independence and integrity and their adherence to the law. We can take much satisfaction from the fact that on the whole, great courage is shown by the courts of the land in segregation cases.

Legal Rights

The belief is growing in North Carolina, particularly among the young people, that our state should be denied its legal and constitutional rights because he is a Negro and further that the freedom guaranteed by the federal Constitution to all citizens knows no color line.

Conscience is making many people in this state uncomfortable about the continuation of segregation after it has been outlawed by the highest court.

More and more groups of people in this state are calmly sitting down to negotiate, as they do tonight, and are frankly facing the facts of a very difficult situation in an attempt to reach a solution of the right way, and at the right time.

It Takes Time

And finally there is developing throughout the state, in slow and gradual stages, the conviction that discrimination by government or by law against any citizen or group of citizens, no account of race, creed, or color can no longer be justified or excused.

I do not expect any easy or early solution of the problems created in this state by the decision of May 17, 1954. But I am convinced that definite progress is being made and that a reasonable time the people of this state will find the way to live together in peace under the law, prohibiting the compulsory segregation of the races.

'Mr. Stassen Will Now Explain Our Position'



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 News reserves the right to condense.

Give A Cheer For The Hornets, Fans

Charlotte
Editors, The News:
I THINK all the good people of Charlotte ought to go out and support the Charlotte Hornets when they are in town. They deserve all the help we can give them.

This is the best Hornet team Charlotte has had in years and it will undoubtedly win the South Atlantic League pennant this year. Like the Clippers, they will now down the opposition when the season gets into the crucial stage.

If we Charlotte people want to keep a good professional baseball team we will have to go out

Councilwoman Evans Has Courage, Integrity

Charlotte
Mrs. Evans comes to Charlotte from a section where the judiciary is more highly regarded than in North Carolina. We natives of Charlotte have been accustomed to a situation whereby the Bar controls the grand jury, the courts, the legislature, and all local government, where as in other states the judiciary sits in the saddle a little more firmly than our judges.

Whether she is right or wrong is not important - we elected her to the Council on the strength of her judgment and integrity. It is the duty of every member of the Council to express their honest opinions on every matter to come before the Council.

—J. E. WINGATE

and back them up when they are in town. The Hornets mean a lot to us. Let's show them that we all appreciate what they are doing for us. Back 'em up!

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Drew Pearson's Merry-Go-Round

WASHINGTON
THE Kremlin must be having a lot of fun watching the antics of the U.S. Senate these days. The Senate spent almost one whole day harassing and curtailing the U.S. Information Agency which combats Russian propaganda.

Reds Were Busy

Simultaneously, the Kremlin was doing the following:
—Sponsoring another world peace conference at Colombo, Ceylon, next month.
—Sending mobile exhibits of Hiroshima victims' pictures. Inevitably, Soviet Asia to show the horrors of U.S. atomic wars.

Youth Festival Planned

—Preparing for the sixth World Youth Festival in Moscow in July which will feature delegations of young Americans with their parents and friends.
—Filling the airwaves with charges that the U.S. is preparing for aggressive atomic war.

'Economies' Must Make Kremlin Laugh

Spending \$125 million on documentary films alone as against the total U.S. information budget voted by the Senate of \$89 million.

The cut which the Senate voted in U.S. information funds was \$15 million. A few days later here is what the Senate voted for others:

—Voted a \$30,000 subsidy to give cheap lunches to senators.
—Voted a \$100 million indirect subsidy to bankers by giving them government deposits interest-free.
—Voted a \$30 million subsidy for west, iron miners and mining companies.

Attracting Votes

Voted various public works which will help individual senators get re-elected but won't help wage the cold war against the Kremlin.

If the Kremlin isn't laughing, it just hasn't got a sense of humor.
—Laid congressional leaders private

that if they really believe in economy, they will let him veto pet projects in their home states. He wants the right to kill items in the appropriations bill that he doesn't like—instead of vetoing the whole bill. The item veto would give the power to turn down local pork barrel projects that Congress doesn't like.

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