



THE CHARLOTTE NEWS

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An Aroused And Disappointed Public Will Keep Court Reform Issue Alive

Judicial reform is anything but a dead issue in North Carolina.

An aroused and profoundly chagrined public will keep it very much alive. In time, common sense will prevail over ignorance, sloth, pride and prejudice. It usually does, and that is democracy's saving grace.

What the defenders of the status quo have won in the 1959 General Assembly is a holding action — nothing more. Motivated by an almost ludicrous fear of change, they whittled away at the proposals of Sen. J. Spencer Bell's study group until they became virtually unrecognizable. Their parliamentary mischievousness was complete when they packaged court reform on the same ballot with a singularly vicious plan to rob the state's populous counties of fair representation.

By mid-morning yesterday there was but one kindly and merciful chore to be done. That was to withdraw the mangled measure from further consideration. The coup de grace was administered on motions by the bill's own backers.

But talk of four years' work going "down the drain" is absolute nonsense. Judicial reform is not a lost cause. All of the careful study and preparation that went into this project was both useful and necessary. Out of it came a brilliant blueprint for a fair and uniform system of courts for North Carolina. It offered a pattern for prompt and inexpensive justice for all citizens — the first in nearly 100 years. Furthermore, there is convincing evidence that the Bell proposals are extremely popular across the state. It is another case in which the people are ahead of the politicians.

It must be remembered, however, that fundamental changes in basic institutions do not come easy. In New Jersey, judicial reform was preceded by 11 long years of public education. In New York, even after 26 separate commissions have recommended court reforms, the public remains asleep and the state's judiciary slides from bad to worse. In no instance, has a complete reorganization been accomplished in one legislative sweep. As often as not, reformers have been stymied by reactionary brother harristars.

Sen. Bell and his colleagues have already made miraculous progress. Despite the grumblings of Judge Frank Armistead of Troy, one of the state's oldest

Superior Court judges, there is a great deal of enthusiasm among North Carolina lawyers for reform. Furthermore, the whole ugly picture of chaos, injustice and inefficiency in the courts of the state has been exposed to the public's gaze for the first time since 1868. A deep and lasting impression has been made on Tar Heels who, by the time the 1959 General Assembly opened, were crying for effective leaders to correct this shocking image.

This strong and completely justified public demand for reform must eventually be answered.

What will happen in the meantime? Sen. Bell wryly described the unavoidable consequences in an address last June at the bar association's 60th annual meeting in Myrtle Beach. At worst, he said, the courts of North Carolina "will continue to rock along in the same way — neither the worst nor the best of an essentially inadequate lot." The same kind of cases will continue to be manipulated by the same lawyers in the same courts, so as to delay the inevitable or wear out the litigant of limited resources or simply serve the convenience of the lazy or over-worked lawyer. The same kind of ignorant and poor and helpless will continue to be victimized by the same kind of ignorant and vengeful and powerful persons at the lowest levels of the system, while other judges and magistrates will continue to serve honestly, faithfully and efficiently. The same judges will adjourn the same courts at midweek and go fishing, while other judges will continue to hold sessions into the night to try to take care of their heavy load. Some judges will continue to be re-elected without opposition while others will be forced to conduct exhausting campaigns which take them away from their duties on the bench. The same qualified persons with influence in the community will continue to avoid jury duty, and juries will continue to be sometimes just, sometimes unjust, and always uncertain.

North Carolina, however, cannot afford to rock along in this manner forever. Furthermore, it won't.

Sen. Bell gave hope to all Tar Heels who believe in prompt, equal and exact justice. That hope cannot be extinguished by politicians of little faith and less vision. The people will see to that.

Rep. Whitener Joins The Wrong School

Rep. Basil Whitener of Gastonia this week took up a bastion which Sen. B. Everett Jordan recently abandoned.

Sen. Jordan had scarcely arrived in Washington, last year, when he was heard to lambaste foreign aid in sweeping rhetoric. As the year wore on, his observations in Washington led Sen. Jordan to do an about-face.

Rep. Whitener, who succeeded him Tuesday as North Carolina's gift to the anti-foreign aid lobby, may believe as he told the House that aid is "ill-advised" and "a give-away." But as any worthwhile institution, foreign aid merits the dignity of a fair debate, particularly in the heavy weather assailing it this week in the House. The school of critics who weep over "give-aways" and mourn loudly over "taxes" poured down "foreign ratholes" add little dignity. Flaws have marred foreign aid, certainly, but the principle that it should exist within reason is now beyond questioning. We regret to see Mr. Whitener in the school of critics who im-

ply that this country could cast that principle to the winds without imperiling its own future.

He ought to cross the capitol and ask Sen. Jordan why he abandoned the same school months ago.

Operation Candor

Last week's debate on what legislation in the U. S. House of Representatives produced the following exchange: Rep. Page Belcher (R-Okla.): "Does the gentleman from Tennessee not think that he is representing a citizenship that is honorable and honest and fair-minded enough to want to be treated just like all the other farmers are treated?"

Rep. Ross Bass (D-Tenn.): "They are just as honorable and honest, but the reason is just as greedy as your constituents and they want all they can get."

It's just like Shakespeare said, "To thine own self be true."

Arthur Goodman: The Word Is Courage

Courage is the word for Arthur H. Goodman.

Despite grievous handicaps, he persevered, serving his community well and contributing much to the welfare and happiness of others.

He will be remembered for many things — his legislative career, his kindly interest in the plight of crippled children, his early efforts to establish a Spastic Hospital here, his humane society

work, his active law practice, his leadership in Temple Israel and Temple Beth-El. He participated vigorously in all of these activities and more, but without great effort and more than a little pain.

Mecklenburg will not soon forget the man or his contributions. His civic spirit, keen social conscience and deep concern for the condition of less fortunate members of society have left their marks. They will survive the years.

From the Richmond Times-Dispatch

FFV'S AMONG THE FAUNA

Now that "the Duchess," a perky white hen, has been given the red card and sent to Jamestown, in honor of the first chickens who came to these shores three and a half centuries ago, we suppose the descendants of the First Families of horses, cows and pigs, dogs and cats, will have a right to pass resolutions of protest, if they aren't given similar accolades.

One problem here would seem to be finding any of these who are really descended from the First Families. All, or practically all, were eaten along with the chickens in the "starving time."

George Percy, who was in command of the colony during that period, wrote:

Having fed upon horses and other beasts as long as they lasted we were glad to make shift with vermin as dogs, cats, rats and mice.

Hence authentic FFV's among the early barnyard fowls and aninals, to say nothing of domestic pets, would be as hard to find as authentic descendants of the original settlers.

But to get back to "the Duchess," who was winned and dined this week at Jamestown, and allowed to sit in a gilded cage and watch 200 humans consume barbecued chicken.

There seems to be a certain amount of silence as to precisely what breed of fowl this "Duchess" belongs to. John Kinrier's well-written account described her only as "a fancy white silkie show bird."

From this description, and the photograph we published, showing her strutting along, we gather that at least one thing is certain:

She is not a Plymouth Rock!

Ike Needs To Climb Behind The Wheel In Defense

By MARQUIS CHILDS

WASHINGTON

When Gen. Eisenhower first came under wide discussion as a presidential candidate there were prophets of gloom who said that he was a military man in the White House would militarize the government and regiment the nation.

But the general himself was concerned, lest as a military man he bend over backward to prove that he was not unduly influenced by his past and by his old friends. He was fearful that in bending over backward he would fail to do what was essential for America's military security in a time of great peril.

'E' FOR EFFORT

There are critics today observing the trials and tribulations of a military man in the White House prepared to say that both prophecies have come true. Given "E" for effort in trying to strike a difficult balance between civilian authority and military necessity the general-President has found himself in increasing difficulty.

Traceable more or less directly to the White House is the line fed out to sympathetic carriers by the Joint Chiefs of Staff in failing in its duty. As the principal agent of America's strategy, the JCS is continually dividing along the lines of service rivalry and presenting split decisions to the secretary of defense and the commander-in-chief.

This has accentuated the in-

ter-service fight over missiles and missiles.

But from the military point of view it has another look. A deficiency in civilian authority has resulted in the service split. First is the fact that the Bureau of the Budget has been permitted to set spending ceilings, and the economy five years ago began to dictate the cutback of conventional forces. In the second place, civilian authority in the Pentagon has too often been vacillating and feeble.

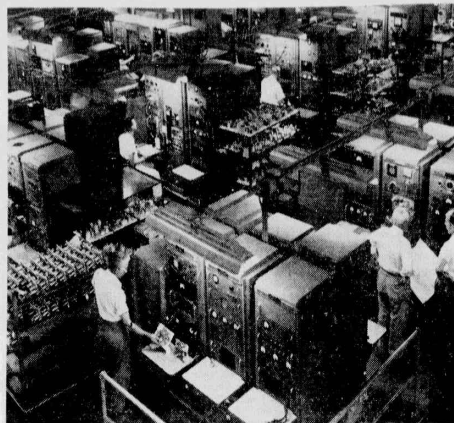
According to some of his associates, Secretary of Defense Neil McElroy is currently in the process of re-examining the whole unhappy business of the civilian-military relationship with its overtones in the politics of 1960. The drama of McElroy's near withdrawal and return encompasses much of the recent struggle.

At the worst possible moment the news of McElroy's return to the soap business in the fall was leaked out. Then came the death of Deputy Secretary Donald Quarles, who had been carrying most of the load. This included the fight to defend the incredibly costly — perhaps as high as \$3.5 billion to date — experimental development of the Bomarc Air Force missile.

SHOCK

Quarles' death left McElroy in something like a state of shock. It seemed to rule out his plan to return to his business in October. This in-and-out pattern of business executives has, incidentally, been one of the major problems of the Eisenhower administration, not only in defense but everywhere in government.

Taking a more intensive look at his vast domain, the secretary of defense has begun to



Tar Heels At Work Testing Nike Hercules Equipment In Burlington

assert a new authority. He called the Joint Chiefs of Staff to his office the other day and his blunt language was roughly as follows:

ROUGH COURSE

I don't happen to have had any connection with the trade schools that you men went to. It's possible to understand your loyalty to those trade schools. But it's time that you found another and common loyalty.

Certainly, the course is a rough one. Senators fight like tigers to keep defense contracts going where those contracts

mean jobs, even though in military terms the product is demonstrably superfluous or even useless. When a Senate subcommittee whacked off the Army's air defense missile program the governor of a southern state got the senator from that state who had voted for the cut on the phone and scolded him for knocking out 7,000 jobs and putting his own future in jeopardy.

MUNITIONS LOBBY

Without firm civilian authority over the military establishment sprawled so far across

the landscape in the cold war the services and their spokesmen are bound to get out of hand. The late John Foster Dulles spent a great deal of time and energy trying to persuade the military to agree on terms for ending nuclear tests with control and inspection.

The President talks privately about the "munitions lobby" and has been known to fulminate against the "military lobby" in the Pentagon. Only forward and effective civilian direction can checkmate that kind of lobbying.

Downward Slope West Still Slides

By JOSEPH ALSOP

WASHINGTON

This reporter still clings to the hope that something modest will be done, in the way of clearing the road to the summit, without any sacrifice of the essential Western position at Berlin. But this is the best result that can reasonably be expected. And precisely there, in turn, is the best measure of the decline in the American and Western position in the last six years.

SUMMIT PRICE

Quite suddenly, after years of frantic negotiation, Khrushchev granted a state treaty to Austria. After the long delayed liberation of Austria had been promised by the Kremlin, Dulles could no longer resist the drive to the summit. The arguments that the masters of the Kremlin really might be seeking some sort of general accommodation then became too strong, converting even President Eisenhower.

As it turned out, Dulles's fears were well justified. The main consequence of that first phony rally on the heights in the spring of 1955 was the sudden Soviet intrusion into the troubled affairs of the Middle East. The fact will be worth remembering, if we have another summit. But above all, at this moment, it is worth remembering that Khrushchev felt that it was necessary and worthwhile to pay a solid price to get to the summit in 1955. The price was Austria.

The contrast between 1955 and 1959 could hardly be more

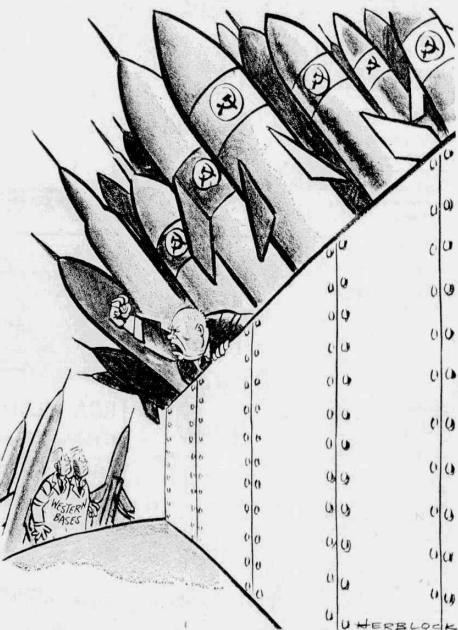
sharp. This time no price whatever has been paid to clear the summit road. Instead, Khrushchev has brandished his H-bombs and ballistic missiles. He has denounced the status quo at Berlin, guaranteed by the Soviets only ten years ago, as "intolerable" and a "danger to peace."

PLAINEST PROOF

Such were the tactics that produced the Geneva conference, if we are honest with ourselves. The President may say that he is not going to the summit "under threat of force," but he only means that he is not going to negotiate under the shadow of a naked Soviet ultimatum, with a time limit attached. If he goes to the summit in the end, he will make the journey, in the last analysis, because Khrushchev's threats of force created a new climate in which this journey was unavoidable.

There is the simplest, plainest proof that this country and the Western alliance have been on a downward slope for the last six years, and especially since 1955. The main reason for the decline of Western position is obvious enough. The President has persistently refused to make the necessary efforts to maintain the world balance of military power. So the power balance has tilted sharply in the Kremlin's favor.

But this reporter has returned from Europe with a strong conviction that there is still another, even more basic reason for the decline of the West. Western position, at Geneva, particularly, it was like listening to a much-worn old gramophone record. New ideas, new departures, new ideas were conspicuous by their absence. They are now desperately needed. They must come from this country, because no other Western ally has the power or resources to sustain a major new departure or carry out a major new idea.



People's Platform

A Kindly Thought For Father's Day

Charlotte
Editors, The News:
Father's Day summons up sweet memories of a dear dad

who was so good and kind. I thank God every day for the father who lived close to God and trained me to live the same way.

Today there are many good fathers who deserve to be honored, for they have worked

hard, educated their children and loved a Christian life. May God bless them and may every boy and girl remember that Mother and Dad are the best friends they will ever have.

—MRS. MAYME BARGER

Drew Pearson's Merry-Go-Round

WASHINGTON
Recollection of Washington headlines exactly one year ago this week makes me a little ashamed. The headlines blazed with news of Sherman Adams' vicuna coat, his oriental rug, and his hotel bills—all presented by Bernard Goldfine.

This column had something to do with digging out the first ink in the conflict of interest case, and the reason I'm ashamed is the contrasting treatment given by Republicans to Sherman Adams and to Adm. Lewis L. Strauss.

Money And Power

What is really at stake is not anti-Semitism, but money and power. Here are some of the contrasts:

A Jew was also involved in the Sherman Adams case, but a Russian Jew recently came to the USA. When he was severely criticized, no one yelled "anti-Semitism." When the House of Representatives voted to cite him for contempt, only eight Republicans voted for him.

Adm. Strauss comes from an old German Jewish family, resident in this

country for many years and which has been part of one of the biggest firms on Wall Street. When his record was scrutinized by the Senate the scrutiny was called anti-Semitic.

No Fortune

Sherman Adams is not a man of much wealth. When his scalp was demanded by leading Republicans, he had no job to fall back on, and no income outside his government salary. He still has no job, is living off income from the Adams memoirs.

Strauss, a partner in Kuhn, Loeb, filed a partial financial statement with the Senate showing that his stock in one firm, Polaroid Camera, alone was worth \$1,000,000. He has a palatial estate in Virginia and was able to pay \$30,000 for only a part interest in a Black Angus bull.

When Sherman Adams was about to testify before Congress, not one member of the administration helped him prepare his difficult statement. Jim Hagerly, an expert at public relations, did not. Tex McCrary came down from New York to help, but on that

Sunday evening before he testified, no other Republican or administration representatives were around to give advice.

In contrast, Strauss had the regular press relations officer of the Department of Commerce issuing press statements all during his hearings. He also had two Commerce Department assistants, Robert J. Dodd and Arthur Stendel, sitting at his elbow every day at the Senate hearing, with a battery of researchers and others helping him at the Commerce Department.

Nixon's Attitude

When Sherman Adams was in trouble, Vice President Nixon was one of the first to advise privately that he resign. But for Strauss, Nixon has been using his persuasive influence for confirmation. He even singled out Sen. Smith of Maine, who was reported wavering on Strauss, to be the sole senator invited to Chancellor Adenauer's dinner. Strauss was invited as the sole cabinet member.

In contrast to Republicans who demanded that Adams resign, every Republican senator except Bill Langer of

North Dakota has appeared leaning toward Strauss, even such conscientious Republicans as Sen. Cooper of Kentucky, Aiken of Vermont, and Smith of Maine.

Bernard Goldfine had used Sherman Adams' influence at the Federal Trade Commission to avoid trouble over the Wool Labeling Act. This was the conflict of interest.

Godfather And Mainspring

Adm. Strauss, when Chairman of the Atomic Energy Commission, had conferred with Adolph Wenzell of the First Boston Corp. and even planted in the Budget Bureau to put across the Dixon-Yates contract. The First Boston Company was to do the financing for Dixon-Yates.

Strauss had overriden his own AEC commissioners who voted against the Dixon-Yates contract. As chairman he had preemptorily okayed it despite a 3-2 vote against him. Prior to that, Strauss had withheld the contract from both his fellow commissioners and the Senate. He was the godfather, the mainspring, and the sparkplug of the Dixon-Yates contract.