

“ROAD TO FREEDOM”

Supreme Court Decision: Law Of Land

(At the North Carolina Writers' Conference three prominent North Carolinians, representing varying viewpoints, discussed the topic "Three Years After the U.S. Supreme Court Decision, What Next in North Carolina?" Excerpts from the third of these talks are printed below. Mr. Carline is an attorney of Winston-Salem.)

BY IRVING CARLINE
Three years have elapsed since the historic segregation decision of the Supreme Court of the United States was handed down. As all of us well know, deep-seated and long-standing prejudices have been removed in all the states with our new laws, including our own. We have sought by legislative enactments 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 as public funds. Notwithstanding bitter opposition to the decision by the majority of our white citizens, the people of North Carolina are still committed to the support of law and order as the only safe and sound policy to follow. They recognize that the new law is an inescapable obligation. In these difficult times they have not departed from their commitment to that principle.

Law Is Supreme
Nor will they do so because with the Constitution of the United States, the highest law in the land, and the rule of law are still supreme. And that commitment still holds despite the fact that as of now no state has been taken on the public school level to comply with the decision. We shall hold fast to law and order. I think, because substantial opinion here in the state regards good faith compliance with the decision as inevitable.
And where, you will ask, are the funds for that state in making up its own mind and will go its own way in dealing with integration. As a people we are still proud to be citizens of the United States. The most difficult and demanding problem ever to confront us.

(7) Resort to the courts is becoming the rule. The conflicting claims and the opposing issues of the situation 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 find satisfaction from the fact that on the whole great courage is shown by the courts of the land in segregation cases.
(8) The belief is growing in North Carolina that no citizen should be denied his legal and constitutional rights because he is a Negro and further, that freedom guaranteed by the federal constitution to all citizens should not be denied to any citizen by the highest court.

Lesson In Sports
(10) Will the Still Chamberlain, a Negro, and Lennie Rosenblyth, a white, play together in a Catholic, playing together taught racial and religious intolerance in a more effective way to hundreds of thousands of people in Kansas City as their contribution toward a solution of our present difficulties. All of us are proud of the fact that the Carolina basketball team for more reasons than the mere winning of all their games and the national championship. At the least, these are their demonstration that a true champion is above racial or religious prejudice and that we should take as a person whom you respect.

(11) More and more groups of people in this state are calmly sitting down to the least or doing tonight, and are frankly facing the facts of a very difficult situation in an attempt to reach a solution in the right way and at the right time.
(12) The Negro leaders in the state are standing firm for the principle of non-violence. They are showing in their efforts real courage and integrity.
(13) The most significant legal development in the past three years is the holding by the Circuit Court of Appeals that our assignment law on its face is not unconstitutional.

No Easy Solutions
I do not expect any easy or early solution of the problem created in this state by the decision of May 17, 1954. But I am convinced that definite progress is being made and in what is 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.
The reasons for our faith are quite clear. For more than 100 years the private and public schools of this state have done a superb job of educating the people. The truth that we have acquired is that we are a people of freedom, not of prejudice. Also, history, the Constitution of the United States, the religious precepts of our day and the moral sense are all on the side of the solution of these particular problems in the way provided by law. In doing it that way we shall take into account fundamental and controlling principles as well as prevailing customs and prejudices.

In North Carolina we have long believed that it is the duty of the state to give under law to every citizen the right to achieve human dignity and individual worth through his own efforts. And we have come to believe strongly that education and religion are the chief means to that end. In his recent book "The Supreme Court Speaks," Justice Brandeis says that the highest aim of government is to secure for the people the right to live in peace and freedom.

French Ambassador Calls
This partly explains why Secretary of State Dulles promptly threw cold water on the Kennedy proposal. It was, however, the reason. For when Senator Kennedy circulated his mimeographed speech to newsmen in Washington, he was met by almost all smart public relations men—a copy naturally got back to the French embassy.
Herve Alphand, chief Ambassador to the State Department to see the secretary of state, Dulles, in Washington. He is, moreover, he promised the French ambassador that the Eisenhower administration would oppose the French plan if it is even described as cockeyed.

Algeria, which would make them and Europe completely independent of Colonel Nasser, the Suez Canal, and King Saud. Naturally you can understand why they threw cold water on the Kennedy proposal.
Big Jim, the governor of Alabama, took one look around the 16th Governors' Conference at Williamsburg and noted only one thing that was different from the day when he first served in 1947. It was ex-Gov. Sherman Adams of New Hampshire who was the most prominent seat in America inside the White House. "The mortality rate among governors," mused the Alabama governor, "is very high." Several governors took ratty Cadillacs home from Williamsburg. General Motors sent a fleet of silver new Cadillacs and Oldsmobiles to the Governors' Conference for the use of the governors and their families. Some of the 25 percent off, Cadillac sold for \$4,844 and Oldsmobiles for \$3,900.

Not a Notion
Not a notion but a fact. The State of Virginia supplied about 100 state police officers to act as chauffeurs and bodyguards for the great majority of the delegates. They were not at all happy about the idea of being servants. In addition, the Virginia Highway Patrol was dispersed somewhat during the weekend.

Professor Burton's Class
BY W. C. BURTON
I've been doing a little farming over on the east 40 at Payment Downs and I thought I'd just give you a kind of mid-summer crop report. I don't usually do this and for a very good reason. Usually I have a hard time to do it.
I have planned several tomato plants, too, including some tomatoes that are also supposed to be fairly miraculous. It was a little late in the season when I got the ground ready, so I can't tell for sure how they are progressing. I don't know whether they are thriving or just barely getting started. I mean I am a kind of spotty gardener. By that I mean I plant things now and then and here and there. I have a few tomato plants on the east 40 and I did not, of course, mean 40 acres. The entire domain of Payment Downs is only a fraction of a single acre, I mean I had planted things in about 40 different places east of my western boundary.

Some of the tree tomatoes, for example, are planted in the main plan sprays discourage this untidy diner but not half as much as spraying poison discourages me.
The Moraine Locust is a fast-growing, lovely, thornless shade tree, just as the catalpa, say, and I'm sure the mimosa webworm is very happy here at the same time. They are obviously flourishing under an elm tree in the back yard. This may not be the best soil and location for growing to residence. The trouble is that it will be a nice, shady place to pick them.
I should like to write a few lines here about the Moraine Locusts which I planted in the front yard some four or five years ago. The trouble is that I can't tell you in writing about the Moraine Locusts are not printable in a family newspaper. This is a nursery-bred locust and the catalogues tell you how fast it grows and how beautiful it is, and how thornless and free of mess around the leaves and by mid-summer much of the foliage is devoured or dried brown. Certain-

Cartoons Of The Week
RISING PRICES
INFLATION
"Stole A Pig And Away He Run"
—Burck in Norfolk Virginian-Pilot.

Public Pulse
COURT OF LAW OR MEN?
Editor of The Daily News:
In your lead editorial of June 19, you accused the U. S. Supreme Court of having handed down decisions which lack properly reasoned support . . . and respect for the rule of law. Regarding the school desegregation decision, you said that the Court "set forth little if any legal substantiation for its reversal of the 80-year-old doctrine of 'separate but equal.' Instead it relied on sociological opinion and personal ethical belief."
What are the facts? The Supreme Court based its decision on the constitutional provision, in the 14th Amendment, that the states cannot deny to any U. S. citizen "the equal protection of the laws."

Intervention In Hungary
The 1931 will of Stephen Girard, continued the tenure of the presiding board and, contrary to its benefactor's solemn will, virtually decreed the opening of Girard College to applicants of every race, creed or color.
Are we to understand from the Court's brief decision that the determining factor in administering a trust fund is to be decided, by and limited to, the capacity, aptitude or legal limitations of the particular trustee even though that trustee be also an agent of the state? Or is the primary factor in administering that trust, the sine qua non, the performance or execution of the trust in compliance with the true purpose and intention of its creator for foreign missions, for churches, that a trust is imperative and is made with strict reference to its faithful execution and that the trustee is not empowered but is restricted, as to the manner in which the will of the one creating the trust? The present trustees, as retained, are by order of this Court required to broaden the trust reposed in them not an illegal one but simply because the present trustees, being city officials, are adjudged to be agents of the state.

Washington Merry-Go-Round
WASHINGTON, July 6—President Eisenhower had an easier time finishing his library at Abilene, Kan., than Mr. Truman had in conducting his. Mr. Truman's library was finished three years ago. Truman's library only yesterday—perhaps because Truman's friends are more numerous than Eisenhower's. Most people don't realize it but papers of the President belong to him, not to the government. This president went on to Washington who took his papers with him on leaving office. Washington's papers totaled only 200 volumes. Mr. Truman told me five cabinet members, Roosevelt's filled 550 four-drawer cabinets. . . . I suggested to Mr. Truman that the reason for the difference was the type of writer, contrasted with Washington's day when he scratched his letters out with a quill pen. Mr. Truman said that was not the reason. "It was the difference in the President's work and the President's papers. Another thing," he added, "is the difference in a world power."
The papers of past Presidents have been so manhandled that some of James Madison's papers were stolen by his stepson. Lincolns' papers were scattered all over the nation, some were burned, some made public only recently by his late son. Congress has passed a bill to make these papers public because it tried to economize by buying only part of them from his heirs. . . . The most interesting part of Truman's papers is the first draft of his messages and the notes upon which he worked. His final messages belong to Congress, but the preliminary work sheets belong to him. These are in his new library. Such a historic document, however, as his letter to music critic Paul Hume, in defense of daughter Margaret's singing ability is not in the library—it belongs to Hume. . . . Extremely interesting to me are the notes Mr. Truman had scribbled on the margin of a report on Alaska. The original report belongs to the government and is in the Interior Department files, but a copy of the report with Mr. Truman's handwriting on the side is in the new library and illustrates his attitude when in the White House. . . . Almost every page of this Alaska report was annotated with what are stated to be the notes that improving the lot of native peoples, as in Alaska, had proved "little dreams," Truman wrote on the margin. "I have a new idea," Point 4. The Philippines, Japan, Germany, ECA. Wake up and take a look. . . . The Alaskan report went on to say: "We have only to look at Puerto Rico to see our failures." . . . To this Mr. Truman, scribbling in the margin, replied: "I have only to look at Puerto Rico to learn a lesson in what to do to keep people happy. We gave them self-government, we are setting up industries, we are giving them education, housing, etc. This guy should study 1931!" . . . That was how Harry Truman did his homework late at night in the White House.

Midsummer Garden Dispatch
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Thinkers

(From a speech by Dr. Barbara C. Kerner, President of the American Association of University Women, at a meeting of the organization in New York City last week.)
I think that the most clear and deep thinkers are not very courageous and that most courageous people are not very clear and deep thinkers. The reason for the difference is the greater sensitivity of the intelligent man. What happens is that the thinker thinks up something of which people would rather not be reminded or shows that he accepted and well-established positions. In either case, he is lambasted.
He may then do one of two things: He may withdraw from even more activity and retire to a cave, or he may attempt to prove that he is not very intelligent after all, and therefore, it is like everybody else and that people ought to listen to him.

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