#### THE CAROLINA TIMES DURHAM N. C. DARE CA.SATURDAY, JUNE 24, 1961

## Compliance, Avoidance or Defiance

When the Pearsall Plan was passed by the ocial session of the North Carolina General Assembly in 1955, this newspaper predicted in an editorial that time would prove it to be one of the most vicious instruments ever concocted in the minds of civilized men to avoid compliance with a law or set of laws. Slowly but surely. Negro leaders of North Carolina are now beginning to awaken to the fact that instead of being mistaken in our prediction we were exactly right.

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When Col. William T. Joyner appeared before the General Assembly, it will be recalled that he assured its members that passage of the hill would limit the admission of Negroes into the white public schools of the state to about one-tenth of one percent of the total Negro school population. After two or three years he stated that the delays which the plan permitted would assure North Carolina of even less than the then estimated one-tenth of one percent of Negro pupils in white schools.

In other words, Col. Joyner foresaw the tremendous cost, the repeated delays and other handicaps which the bill allowed as being so burdensome to Negro parents and their children that they would eventually be come discouraged and abandon their efforts towards integration of the public schools. Thus, instead of open defiance of the U.S. Supreme Court ruling of May 17, 1954 ordering the abolishment of segregation in the public schools, North Carolina by avoidance would be able to claim compliance with the law.

#### . . . . .

It took only a few weeks following the special session of the General Assembly for the members of the boards of education of both city and county schools of the state to awaken to the fact that in the Pearsall Plan they had been given a safe refuge from real integration of the public schools of North Carolina, and one by one, they began to take advantage of it, apparently with organized understanding that the larger cities of the state would carry the ball in whatever ground was given in this state's avoidance of the law by token compliance with the law.

The Supreme Court decision of 1954 in the Brown case plainly stated:

"Separate educational facilities are inher-mily unsqual. Therefore, we hold that the blantiffs and others similarly situated for whom the actions have been brought are. reason of the segregation complained of, ed of the equal protection of the Jaws runranteed by the Fourteenth Ame

\* \* \*

In an attempt to set forth how its decision should be administered, the Court ruled in the second Brown case:

The courts will require that the defendants make a prompt and reasonable start towards full compliance . . . The cases are ded to the district courts to take such gs and enter such orders and dewith this opinion . . . To admit to public schools on a racially non-discriminais with all deliberate speed the partory be and city board of education fixed and directed to pro-H

for the assignment to a public school child residing within the adminiducation shall make assignments 

### be reassigned . . . \*

100 4 2 4

Thus, upon the backs of the parenes or guardians of Negro children the state of North Carolina has placed the full responsibility or burden of seeking reassignment. Not only has it done this but a careful reading of the language of the assignment acts will disclose that not only are they hardly understandable to a person of average education but to those of advanced college training. It, therefore is not hard to picture the problems which now face the average Negro parent desiring the very best education for his or her children. Instead of encouragement and assistance from the leaders in education of the state, every conceivable barrier possible has been placed in their pathway.

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In spite of it all, and the efforts of the Board of Education to keep secret the period to apply, 130 Negro pupils in the city of Durham have requested reassignment this year. Although the number is less than the 225 who applied in 1959 and the 205 in 1960, when the statistics of reassignment in Durham are reviewed (14 admissions to white schools out of 430 requests), the prediction of Colonel Joyner-that the Pupil Assignment Act will in time so confuse, discourage, frustrate and demoralize Negro parents that integration IN THE "FREEDOM RIDES" will in time die a natural death at the hands of the very Negro parents themselves-rings with the truth of a sacred prophet.

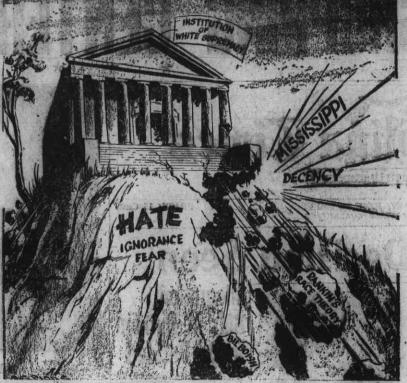
Negro leaders of Durham are beginning to view the overall picture of integration of the public schools of the state with a degree of misgiving and distrust of many of those holding high public office who, under oath, have sworn to uphold the Constitution of the United States. They are beginning to doubt their integrity and their sincerity. Along with this there is a ground-swell of impatience taking place among the younger element of the race. These young people are beginning to doubt and to question the claim of their elders that there is a measure of honesty within the ranks of North Carolina officaldom.

#### \* \* \* \*

When it comes to achievement in business, education and industry, the Durham Negro is unequalled by those of his race anywhere in the nation. In fact, the Durham Negro owns and controls the largest home-owned financial institution of this city. Here is lo-cated one of the state's major educational institutions, Here the Durham Negro owns more homes per capita than mywhere else in the state. Despite this record of achievement, the Durham Negro is still treated as an "outsider." He has no membership on the local Chamber of Commerce. His children are largely barred from obtaining the best education available in the public schools. He has been unable to claim the advantage of a technical education now being provided by the newly established industrial education center, a facility, which, incidentally, would not have been located in Durham had it not been for his political support.

We realize that the number of educational degrees, the size of a bank account or other scultural advantages have nothing to do with contural advantages have nothing to do with the havin issue of whether a man is entitled to do not arrow of the law. And though and economic metry nothing to do what the market issue of their constitutional rights, we cite these facts to emphasize the extremity of the situation emphasize the extremity of the situation

in Dufham. We ask both white and Negro leaders in Durham, where do we go from here? What would a normal people with less culture, restraint and decency do under similar circumstances? The answer is plainly seen in Ala., and Mississippi where city and state officials and citizens jail and beat freedom riders for What rights. exercising their constitu will be the answer of the Durham City and County Boards of Education in the case of the 130 Negro pupils who have this year asked for reassignment in the public schools of this unhappy city that is so void of courageous and progressive leadership. Will it be another of humor and a ready smile." case of Avoidance or "Compliance" by a continuance of token integration?



THEIR TEMPLE OF HATE IS TUMBLING DOWN

come that and the product of

# **Federal Law Comes First**

federal

law.

(From the I.U.D. Bulletin, June) in Richmond, Va., interstate bus The moral argument for equal rights has been stated time and

again That argument is reinforced a hundred fold by develin our fast moving opments world. Americali cannot meaningfully preach"freedom, liberty, and equal rights throughout the while "denying them at home.

At issue in today's civil rights fight lies the future of freedom itself. Democracy cannot be a half-way house if it is to succeed in its world mission.

Civil rights involve the dignity of many. The millions of Americans denied these rights, or accorded them in half-measure. cannot forever be expected to remain quiescent. It is after all a hundred years since slavery was abolished in this nation. The President of the United

States has called upon the people reaffirm the principles equality which have made this nation the leader of the free world. These principles require that every citizen shall have the same rights as every other. The Constitution of the United States Constitution of the United States does not proclaim that the rights of some citizens, shall be more equal than the rights of others. The Supreme Court ruled as

far back as 1945 that segregation interstate commerce by the states is in violation of the Constitution. It ruled last December that segregation in restaurants

Unfouchable?

NEW YORK- Is there any

who smashed Al Capone's boot-

traffic in , Chicago in the

In the July issue of Coronet

Ness as a two-fisted.

truth to the public image

straight-shooting Federal

Magazine, the author of

Eliot

20's?

**Lliot Ness** Wax He Really

> forcement officer had not prepared him for commercial DUTsuits. When he died in 1957 at the age of 54, before the book which was to make him' famous was published, his estate sisted of a few hundred dollars

Though he is referred to in

ers" lies that of the primacy of the Constitution and federal law station is illegal. These, and in areas where state statute is

> If the Supreme Court can be defied with impunity on the civil rights issue, so can it be defied on other issues. As ganized labor well knows, it ould soon be a victim of such deflatice Union members have a big stake in the primacy of fed eral law because if it can be de nied, so will their right to collective bargaining.

Business has a similar stake since modern industry cannot exit without the protection afforded by federal law. Freedom speech, assembly, religion, The "Freedom Riders" broke and of the press exist because of no law. In the light of this, the constitutional guarantees and Alabama district court injunction they must exist for all or they will be denied on an ever larger against them punishes the lawscale.

> The alternatives to effective federal law in constitutional areas are not pretty to contemplate. That which contributes to denial of the primacy of federal law weakens the foundations of the nation.

The Kennedy Administration has shown that it will move forcefully in the area of civil rights and that it will not tole rate lawlessless. Its job will not be easy or always politically pleasant. The great principles in volved, however, leave room for expedience or temporiz-

carrying out orders'

reveals the little-known

411

the

An in Station A TEST FOR DRIVERS What cha Know About Driving? als hard back onto the road

Here's a popular feature originated by the State Department of Motor Vehicles to test your knowledge of some safe driving practices. See how you rate. The best drivers ought to manage at least 14 correct answers. You have three choices in each ques-

safe distance at which to follow

the car ahead is: (a) three car

lenghts. (b) four car lengths, (c)

quires about ten seconds.

450 feet, (c) 660 feet.

day.

still

ments?

when they marry.

det pension?

causes. I have no income. Can

A .- Parents may receive com-

the veteran-son had a service-

pensation payments only

21.1 -1

enderfait if the and the

his: (a) braking distance will be tion. Mark the one you think is right, then check the end of the column for your score. All shorter than usual, (b) reaction time will be longer, (c) braking distance will be longer than set? 1. If you're driving along at 25 usual.

10. A flashing red light means: mph and speed up to 50, the car's braking distance is in-(a) reduce speed and prepare to stop, (b) stop, (c) congested trafcreased approximately: (a) four fic area. times, (b) three times, (c) twice. At 50 mph a reasonably

11. When approaching the crest-of a hill: (a) increase speed to make up for speed lost on the grade, (b) slow down, (c) continue at the same speed.

8. while the average driver is moving his foot from the accel-erator to the brake, a car going

50 n.ph will travel approximate

ly: (a) 35 feet, (b) 55 feet, (c)

9. Traveling a bumpy road a

ise driver should realize that

five car lengths. 3. The kind of driver you are depends mostly on: (a) the speed 12. A common characteristic of the "show off" driver is that he: with which you react, (b) the condition of your car, (c) how you (a) is ignorant of the law, (b) learned to drive. 4. You are traveling at 45 mph

lacks presence of mind in emergencies, (c) drives too fast for wish to pass another car conditions. traveling at 25 mph. This re-13. Your car is being overtaken

The and passed by another car on a number of feet that your car two lane road. Just as this car will travel before you've passed starts to cut in, another approaches around a curve. In most and are back on the right side of the road is: (a) 300 feet, (b), cases it's best to: (a) maintain speed, (b) slow down and give 5. Night time accidents occur way, (c) speed up.

relatively more frequently than 14. The pleasure and satisfactday accidents because: (a) visiion a driver gets from his car debility is reduced, (b) drivers are pends on: (a) how he drives and tired at night, (c) people drive maintains it. (b) how fast it can faster at night than during the go. (c) how much power it has When a car's speed is in-

ANSWERS

14-15 are superi

ad

15. 6. Drivers exceed the speed creased from 35 mph to 70, the limit chiefly because: (a) they potential damage it can cause know the regulations, (h) don't upon impact with anohter car is greater by: (a) twice, (b) four they lack skill, (c) they have poor attitudes. times, (c) three times. 7. If the right wheels of your

should slip off the hard 

 1. (a) 2. (c) 3. (c) 4. (c) 5. (a)

 6. (c) 7. (b) 8. (b) 9. (c) 11. (b)

 12. (c) 13. (b) 14. (a) 15. (b).

top, you should: (a) turn back onto the pavement without hesitation, (b) slow down gradually Scores of and steer back on the pavement 12-13 good, 11 fair, under 11 when convenient, (c) apply the brakes sharply and cut the poor.

### Veterans Questions and Answers connected disability. They are Here are authoritative answers

not entitled to nonservice-con by the Veterans Administration to nected pension payments. Q.-Will the Government pay my way to the VA hespital when questions from former service-

Q. — My daughter, although past 18 years of age, has still been receiving a particular I enter next month for treat been receiving a pension pay-ment since she is still in school. ment? A. - Transportation may be provided if necessary but only She recently got married but will continue in school. Can she when application for such paid transportation is made in receive her pension pay-

Prior authorization for vance. travel MUST be secured from A .- Pension payments to children of deceased veterans cease the VA Q.-...What is the burial allow Q.—My son was in World War 11. Recently he died of natural

ance provided by the VA? A .- The VA is authorized t pay \$250 toward an eligible vet eran's burial expenses. Claima must be filed within 2 yrs. after the veteran's permanent buria or cremation.

ment. Through a curious combi Jews as a demonstration of nation of circumstances, Coronel Nazi good faith, Kastner forced to bargain with a Ger reports, he was convicted of col laboration with the Nazis. man named Becher. Though Kastner never lived to

man named Becher. In addition to a large ransom, he had to promise to testify in Hecher's behaft at the way crimes thats. 1000 Jews wore saved, al-thouse, reformant, here, ordered hence reschi from Mulaniet to Vienna in which hundreds persee the decision reversed - he was assassinated, shortly the Israeli. Supreme Court ere rated line — he utimately implied over Dichmant, for left a book-length report now that Eichmann had seisemeet shed. After the war Kastner made disobey Hittler's orders so he might kill more Jews.

his way to Israel where he worked for the Commerce Depart-



abiding and denies them rights because they were the victims of

local police in Jackson

unlawful violence. In Mississippi, "Freedom Riders" have been jailed because they entered waiting rooms segregated by state law. This state law is clearly unconstitutional True, the alleged charge against

the riders is breach of the peace. But in refusing to leave the segregated waiting rooms, the riders were within their constitutional rights. But ordering them to

are in violation of federal law. Beyond the issue of civil rights in the case of the "Freedom Ridary and the knowledge that many Eichmann's Last agents were known to be "on the take," Ness and his Chicago

agents were "Ness and his Chicago aguad did, in fact, prove facor ruptible. Mared to enter the business world in order to provide a bet for living for his wife and son, but his many years as a law-ensoldier comes from a man who was kill ed by the Jews themselves." The July issue of Coronet Mag azine story behind Rudolf Kastner,

and an automobile. Hungarian - Jewish underground leader who negotiated with Nazis during World War II in

service since they have sought only to carry out the intent of When the "Freedom Riders" were met with moh violence in Alabama, it was the mob that denied the Constitution and the

#### other rulings of the Court, are now the law of the land. in contravention to them. Supreme Court decisions and the Constitution are important in themselves, but are given meaning only in life itself. In erercising their legal right to desegregated travel, the "Freedom Riders" have done the nation a

tions as in the opinion of the board are ary . . . "

"The parent or guardian of any child .... who is dissatiafied with the assignment made by a board of education may, within 10 days . . . apply in writing to the board of education for the assignment of the child to a different public school . . . If the applian for reassignment is disapproved, the and of education shall give notice to the Amout by registered mail, and the appli-t may within 5 days after receipt of a motice apply to the board for a hum-... If, at the bearing.... the board find that the reassignment of the and will not interfere with the the proper instruction of the pu ed, and will not endanger the duty of the children there en-ented shall direct they the shild

Shortly after his appointment as ambassador to the United Nations. Adlai Steventson. who was nearing his sixty-first birthday, was interviewed by a reporter for The New Yorker. The interview filled almost five colums, and most of it was printed in quotes. There was no indication that Stevenson hesitated in naming names, dates, places or events; or that the reporter gave out of pencils and notepaper.

I say not one in fifty can do it, and I doubt that Stevenson did it as readily as the interviewer pretended he did.

touchables" reveals that was actually "two men. man, what Ness had to say about "In public he was the Ness of television: talking little,"but with authority and using short; terse phrases. In private, 'he was the other "I'm just like anyone else did them." Despite his \$2,300 a year sal-

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"The

order to save hundreds of his people from extermination himself sounds like something straight from the TV screen: When Eichmann came to Budapest to supervise the extermina-tion of Hungarian Jews, it fell to braver or any more timid. There Kastnar, to, try and arrange were things which I had to do. I exchange of 10,000 trucks for 1,000,000 people. When the Allies demanded a token release of several hundred

> That Is true for us is true for the persons for whom we pray. God's will of harmon and health governs them. We all who are in need, and can expect to see a guick, manent response.

