### Senator Sam

WASHINGTON - Congress has opened hearings on the civil rights proposals. Last week the Senate Commerce Committee Tel. GY 6-3283 considering the most sweeping peacetime regulatory measure since Reconstruction Membership Grows days when it began hearings on S. 1732. The measure, entitled the "Interstate Public Accommodations Act of 1963", seeks to ban "discrimination in public accommodation affecting interstate commerce". For the purpose of this column, I shall discuss only this section of the seven-point civil rights pro-

measure, if enacted, would present a maze of legal tangles for businessmen, law-yers, and the courts. At the outset it presents a constitutional question. Thereafter, it proposes to grant board and in some instances hard-to-maildown powers to the Federal government and the Attorney General. As drafted it is alally, it would forbid discrimination in hotels, motels, lodging houses, motion picture house, theaters, sports arenas, stadiums, exhibition halls, retail shops, department stores, markets, drugstores, gasoline stuhions, restaurants, lunchrooms, lunch counters, soda fountains, and service establishments.

The bill uses the phraseology "substantial degree", "sub-stantial portion", and "sub-stantially affect" as the standard to govern the amount of interstate commerce necessary to bring a business under its terms. I was very much struck by the admission of the Attorney General when he appeared be-fore the House Judiciary Subcommittee the other day and stated that these concepts were not clear in his mind. If this is true of the Attorney General it leaves open the question of ow the law would be applied,

if Congress should enact it. Fundamentally, there is a more serious ob-jection to the measure. It fails to meet the Constitutional mandate of the 14th Amendment and the "interstate commerce" clause of Article 1, Section 8 as a basis for Congressional action. This is so because the "due process" and "equal protection" clauses of the 14th Amendment apply only to State actions and not to the actions of individuals. The accommodations sought to be embraced under the bill are not operated by the State but are operated individuals. Congress has no legislative power to act under "interstate commerce" clause. The "goods" involved here, which may have in times past moved in interstate commerce, have ceased to be in interstate commerce when they come to rest within the orders of the State.

Moreover, transient custthe continuity of interstate travel is broken for the convenience of the shipper or traveler, and not in connection with the transportation itself, then the power of the Federal In Raleigh government to regulate ceases because interstate commerce and asks for a place to sleep or a place to eat, he has broken the continuity of his traveling. sleeping, His eating, sleeping, and recreational activity cannot be said to be a part of interstate commerce.

It seems to me that Federal regulation of this nature is getting to the point of absurdity in its efforts to control the activities of a private business. It raises also the danger of the destruction of the power of the States by the central govern-Judge Learned Hand once spoke of this danger in a remark he attributed to Justice Brandels: "The States are the only breakwater against the ever pounding surf which threatens to submerge the individual and destroy the only society in which personality can exist."

#### **Un Dean's List**

the spring term.

# The Franklin Times

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## Local Rights Group Gets Down To Work

Franklin County's new organi- a meeting here Monday night, group.

zation for the preservation of first commended the district's Meanwhile T. H. Pearce, mark," he said, constitutional rights got right congressman and two senators Chairman of the group, said Brochures set down to business this week - from North Carolina for their that "Applications for mem- aims and ideals of the organiready conceded that the Federal firing offletters and resolutions stand in regards to the Pre- bership are rolling in. We had zation and membership applicourts would have to interpret to Congressman L. H. Foun- sident's so-called Civil Rights about 50 persons at the organi- cation blanks are in the hands many of its provisions. Basic- tain and U. S. Senators Sam Bill now pending before con- zational meeting Monday night of a printer now and will be Ervin and B, Everett Jordan, gress and included a resolution and applications for member- ready for distribution shortly.

Brochures setting forth the The new group, organized at setting forth the aims of the ship already received will push Pearce said. The group wants only those persons who agree with its Ideal and who are willing to use their names in open support of these aims for members.

The aims of the organization, known officially as the Franklin County Citizens For Preservation of Constitutional Government, as set forth in a resolution Monday night, are as follows:

1. Opposition to Federal domination, usurpation and control. 2. Opposition to the constant erosion and deterioration of the rights of Soverign States.

3. Opposition to the further loss of the rights and privileges of individual citizens.

4. Opposition to the violation of the rights of private property and opposition to the invasion of these rights by any Federal. State or local law.

5. Pledging to work constantly fice who most favor these aims.



Union Soldier's Grave

Above is the headstone that a Union soldier in the Louisburg for the support and election of marks the grave of W. J. Wag- cemetery. Times Photo. those candidates for public of- goner, Co., A, 5th Ohio Cavalry.

### Legion Aux. Receives N. C. Award

of the American Legion Auxiliary of the Jambes Post No. 105 of Louisburg, announced the receipt of a national citation presented the post for spec-ial commendation and recogni-tion for service in carrying forward the national program of the American Legion Auxiltary.

The citation was given for the enrolling of a 1963 membership exceeding its 1962 membership. The local post is the recipient of the Mrs. L. Y. omers come within the legal Probably one of the better to- Tobacco Crop." The healthy Ballentine Cup which is awarded annually to the Unit from the Ninth District of North Caroseason is that pictured above, untarily in earth beside a utility lina for the greatest percentage increase; in membership pole in front of Tonkel's Store along with a membership certificate placing Post No. 105 on the Honor Roll of the American Legion Auxiliary, Depart-

### Union Soldier's Grave Here Presents Mystery

of a mystery to present day Soldiers on Memorial Day, local folks.

States

Col. Edward F. Yarborough, left to lie alone in the Louis- marker came to be there and of Louisburg, who located the burg Cemetery?" Didhisfamily perhaps even now there is grave for us, said that this was visit the grave years ago and someone who knows the story. the explanation he heard even decide to let him rest in peace If so we hope they will share, as a small boy, He added that surrounded by scores of graves it with us.

An old grave in the Louis- that members of the local some quirk of fate was his burg Cemetery, marked by an U.D.C. Chapter used to decorate final resting place overlooked obviously old, weatherbeaten the grave at the same time they until it was too late for anyone headstone, presents something did the ones of Confederate to care?

The headstone bears the al- plain why the grave remained that Waggoner was a former most illegible words, tw. J. in Louisburg, 'cause some Yankee soldier who came to Waggoner, Co. A, 5th Offic Ca- years after the war ended in live in this section after the

Yankee soldiers in Sherman's teries or return the remains certainly shows evidence of Army, who occupied the town to their next-of-kin for burial. many years exposure to the briefly after the close of the The mystery is "why then elements.

\_On the other hand it is not Even this, though, doesn't ex- beyond the realm of possibility valry."

1865, the Federal Government war and simply has a governNow the most obvious ex- went to great effort and ex- ment marker placed over his planation, of course, is that pense to locate and rebury Un- grave after being buried. These this Waggoner was one of the ion Soldiers in National Ceme- is no date on the stone and it

Surely someone knew how the

Saturday Afternoon

### **Caution Urged In** Viewing Eclipse Here

Franklin Countians viewing the eclipse. It urges indirect it says, but they can cost severhand System, was conducted off by the moon, according to ing your eyes is dense enough. will be burned by infra-red astronomers at the University All warn against using sun- or heat rays from the sun. There of North Carolina.

north.

astronomers.

opinion of how the eclipse may directions well enough. be viewed without damaging the For safe viewing, says the of only a few seconds duration density - or shade No. 10 - projecting the image on the without proper protection could should be used.

cause permanent damage. safe way to look directly at er shades of welders' goggles,

the solar eclipse Saturday af- viewing. Other eye specialists al dollars. ternoon will find that most, but say a direct look can be safe, The great danger is that the revision of the Gregg Short- not all of the sun will be cut but only if the filter protect- retina, or screen of the eye,

> glasses or a piece of smoked is no pain, but the burn can In order to see a total eclipse, glass. Wedlers' goggles vary so scar the retina, and this may one would have to be further much they also are not en- create a black spot in central dorsed generally.

> Within 5 minutes one way or Some astronomers recom- at. the other, North Carolinians mend looking through three will see the eclipse beginning thicknesses of black and white Probably the safest and cheapat about 3:47 p.m. EST and film which has been fully ex- est method for those interestending about 5:55 p.m. with the posed to daylight and then de- ed in viewing the eclipse is by maximum eclipse point about veloped to maximum density, looking at the image of the sun 4:55 p.m., according to the The Society for the Prevention as projected on the ground or of Blindness disagrees, saying piece of white paper through a

The National Society for the from most optical and many jected image on the ground or ment's new water tanker truck prevention of Blindness takes photographic suppliers and are paper. is scheduled to be delivered the position that there is no commonly available in the dark-

vision at whatever the eye looks

There is no remedy

While there are differences of everyone may not follow these very small hole in a piece of

In using this method, the cardground or piece of paper with the "Such filters are obtainable viewer looking only at the pro-

### ceases. Thus, when a traveler stops traveling, even though he has traveled from another state, Eight To Attend 4-H Week Eight Franklin County 4-H Ridley Gupton will represent 1, Castalia and Larry Bennett Clubs members will attend State us in the State 4-H Health of Route 1, Louisburg are the

Volunteer Crop

4-H Club Week at U.N.C. at Pageant, Raleigh next week along with 1400 other delegates from all Council President, will repre- Other delegates attending are 100 counties in the state. All sent our county organization at Jean Ellis and Dan Ellis of the attended a two-day shorthan delegates are anticipating an the State 4H Council Meeting. Centerville 4-H Club. exciting week of education, recreation, and fellowship.

bacco crops in the county

known locally as "Joe Tonkel's

state demonstration contests. vespers, and various other events. Highlights of the week include the State 4-H Honor Club Tapping, the State 4-H Dress Revue, the State 4-H Health Pageant, the State 4-H Talent Parade and the election of State 4-H Council Officers.

Franklin County will have varthroughout the week. Wednesday is our big day. Jane Wolson will begin by leading the 4-H Pledge at the morning assembly. That afternoon Jane Jerry William Morris, son of and Reenle May will complete Mr. and Mrs. M. Z. Morris, for state honors in the Soil of Bunn and Allie Nathaniel and Water Team Demon-Jr., son of Mr. and stration. Earl Hock will also Mrs. Allie N. Stegall, of Rt. compete for state honors in the 1 Henderson, were recogniz- Entomology Demonstration. On ed by the dean's list released Wednesday night, Caroll Mode for academic excellence during in the State 4-H Dress Revue, ing showers today and Friday. Thursday, Judith Gupton and Low today, 70; high, near 90.

Jane Wilson, County 4-H scholarships.

two members receiving the

Each year, the County Home Two extension agents will ac-Demonstration Council gives a company the group to Raleigh.

During the week, the delegates scholarship to an outstanding They will return on Saturday, will attend assemblies, classes, boy and girl to State 4-H Club July 27, at approximately 9:30 Week, Anne Shearin of Route A. M.

#### Franklinton Youth Dies Maryland Wreck

ious representatives competing ing was, injured fatally early da. Tuesday when his car overturned on a curve near Rock- County. ville, Md.

Weather Partly cloudy, humid, widely

An 18 year-old Franklimton pronounced dead upon arrival youth, Stephen Edward Yield- at Suburban Hospital in Bethes-

Maryland State Trooper D. A. Mrs. Helen Goodwin and his Electric Contest for this dis-Smith said the accident happen- step-father Franklin Goodwin trict in competition recently. ed about 1 a.m. The youth was of Rt. 3, Wilmington; two half Frank Goodwin, Jr., both of Route 1, Castalia.
Wilmington; one sister, Brenda Faye Goodwin of Wilmington; his grandmother, with whom he lived, Mrs. Fannie at Campbell College this week will represent Franklin County scattered afternoon or even- Kearney of Rt. 1, Franklinton. Funeral arrangements will be

C. Daniels, Jr., of the He was a native of Franklin Edward Best Chapter, Future Surviving are his mother, Carolina Power and Light Co.,

The Louisburg Fire Depart-

#### ment of North Carolina. Attends E. C. Conference

Miss Adelaide Johnson, Louis burg College, and Miss Mildre Smith, Henderson High School conference at East Carolina College, Greenville, Tuesday and Wednesday.

The conference concerning a by Mr. Howard Newhouse, Professional Staff Specialist with the Gregg Publishing Division of McGraw-Hill Book Company, Inc., New York, New York.

#### Wins Contest

Farmers of America, won the Daniels is the son of Mr. and brothers, Larry Wayne and Mrs. A. C. Daniels, Sr., of eyes, there is general agree- archives of opthalmology, fil- board should be held between brothers, Larry Wayne and Mrs. A. C. Daniels, Sr., of eyes, there is general agree- archives of opthalmology, fil- board should be held between that even a careless look ters of no less than No. 4 the earth and the sun thereby