

# CAPITAL REPORTER

Scott Summers

Raleigh, N. C., Oct.— Associate Justice A. A. F. Seawell's death Saturday brought a long-simmering State Supreme Court situation to a boil.

At least three of the Justices, including Mr. Seawell, were eligible for retirement. All three wanted to retire, but when Governor Scott was elected did not do so. They felt that occupation of the State's highest tribunal called for men of dignity with the highest concept of their duties. They did not retire because they were afraid of the type of men Governor Scott would name to replace them.

These three Justices, according to members of the bar, felt that Supreme Court Justices should be men of conservative leanings with the utmost respect for the State laws. They were afraid that the Governor would name as their successors men with too liberal a viewpoint. They felt, too, that Scott might select their successors from a political standpoint rather than giving what they felt was due to consideration to their legal abilities.

In other words, from a State

standpoint they were afraid that their retirement would put the Governor in a position of "packing" the State Supreme Court, much in the same manner that President Roosevelt sought to handpick members of the nation's highest tribunal.

Thus the Governor's appointment to succeed Justice Seawell will be given the utmost scrutiny. If the Justices are displeased with the appointment, feel the Governor has done just what they feared, there will be no retirement until after the next campaign for a conservative governor in 1952. However, if Scott names a conservative, or even a "conservative liberal," two of the remaining justices likely will go ahead and retire if they are convinced Scott will do likewise in naming their successors.

The new appointment probably will be made by the time this reaches print. But there is no dearth of candidates for the Supreme Court seat. Among those seeking the spot are (or were) Attorney General Harry McMullan; Jeff Johnson, campaign manager for Senator Frank Graham and who has been classed as a conservative but is more liberal than some folks think; Superior Court Judge Hurt Parker; and Allan Langston, Raleigh attorney. Those are just a few of those who wanted the job.

Jeff Johnson, at this writing, apparently had the inside track. But some Scott supporters felt that appointment of McMullan to the bench would be the smartest political move that Kerr Scott could make. McMullan, a conservative who has fought Scott in

## BROADWAY AND MAIN STREET

### 'Israel Revisited' Meaningful Answer to What Nation Is Like

By BILLY ROSE

Early in 1949, my missus and I took a trip around the world, and one of the countries we got to see was Israel. At the time, many of the streets of Tel Aviv, Haifa and Jerusalem were still criss-crossed with barbed wire, and the roads leading through the hills of Judea were littered with burned-out trucks. Nevertheless, thanks to an old Chevy and a pair of even older legs, I managed to see most of this tiny country, and when I left it a few weeks later I was pretty excited about what I had seen.

When we got back to New York, my old boss, Bernard M. Baruch, asked me to put my enthusiasm in my pocket and try to estimate Israel's chances of survival in this highly competitive world. I told him that one swing around the globe wasn't enough to make an economic expert out of a Broadway jumping-jack, but that I had come away from Israel with the general impression that its people were (a) intelligent, (b) tough as nails, and (c) prepared to work like all get-out to make a go of their new lives.

"A business or a nation with those qualities usually gives a good account of itself," said Mr. Baruch.



Billy Rose

SINCE MY VISIT, I've heard nothing to change my snap appraisal of Israel's chances. On the other hand, I've read darned little on the subject which could be classed as good objective reporting. Most of the favorable stuff was too favorable—obviously the work of men who were out to make as good a case for the new nation as possible. And as for the dissenters—well, as was to be expected, most of them sounded as if they were carrying a 2,000-year-old chip on their shoulders.

Recently a copy of a new book by Ralph McGill—"Israel Revisited," published in Atlanta, Ga., last month by Tupper and Love—showed up on my desk and I began to thumb through it out of a sense of duty. But what started as duty quickly became compulsion, for McGill, editor of one of the South's

most trustworthy papers, The Atlanta Constitution, had obviously gone to Israel with an open mind and crammed it with facts and figures before making it up.

I've met Mr. McGill once or twice, and before I was halfway through his book I found myself wondering how this soft-spoken and hard-headed gentleman from Georgia had come to write such an incisive and insightful commentary on the complicated events now shaping up at the far end of the Mediterranean.

I GOT TO THINKING about it and, as I hunch it, the answer is triple pronged: First, McGill is an Irishman, which means that while he has a lively sense of justice in general he has no ax to grind about Israel in particular. Second, he is first, foremost and fastidiously a newspaperman, avocative for facts but plenty leary of special-pleading propaganda. And third, he has a long record as a fighting Southern liberal, and once he's gotten his facts straight he's not one to by-pass those touchy areas where even angels fear to tiptoe.

When I finished reading "Israel Revisited," I was, of course, tickled to find that McGill's conclusions jibed with mine, but that's neither here nor there. The important thing is that, without pulling any punches, he has written a book about this controversial little country which one can read without prejudice or without suspecting the author of same.

Here, at last, is a meticulous and meaningful answer to the often-asked question, "What's Israel really like?"

Some of the officials of the Forestry Division of the Department of Conservation and Development do not particularly care for Kerr Scott and that feeling is echoed down in District 7 of the Forestry Division.

Some time ago, I reported a district meeting near Little Washington on August 18 at which forestry men reportedly said "Whose afraid of Big Bad Kerr Scott?"

As all reporters do, I made some mistakes. That meeting was not District One, it was District Seven. And it was not near Little Washington, it was in Washington County. And no one now remembers singing of any such song.

But here's a statement made by one of those present:

"At one table was the Washington County Warden and others, some of whom were plenty high. A friend of the Warden made a statement speaking of Kerr Scott and said he (Scott) is 'just something they pulled from a mule's tail, sent to Raleigh and made governor'. To which many applauded and the wife of a Raleigh Forestry official, whose name does not matter, went so far as to reach across the table and shake his hand in gratitude. This man made many nasty statements about Governor Scott and some of those at the central office (Raleigh headquarters) seemed to en-

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Forest fires have been known to overtake running deer and men on horseback.

Forest fires have been known to overtake running deer and men on horseback.

Following publication of the original story, I was asked to check the facts. No one seemed to be worried about the reported mis-use of State property in District Seven, but some of the Raleigh brass was unhappy about the reported singing of a song derogatory to the governor.

That story was used only because I thought it was funny. Folks who fork for the State have a perfect right to like or dislike their governor, just as everyone else does.

A check showed that after the story came out in Capital Reporter, meeting of all District Seven county wardens was called on September 20 at 10 a. m. in Elizabeth City. The meeting was held at the District warehouse. Nine wardens were present—one, from Martin county, being able to come because he was appearing in court as a witness. The session was called by V. W. Herlevitch, district forester.

Herlevitch said that there had been a lot of undue publicity about the August 18 party, that he was going to get to the bottom of the matter and that it would be just to bad for the man who talked to this reporter. He said everyone would be interviewed and that they had better tell the truth.

If it will make Mr. Herlevitch any happier, the original story did not come from one of his wardens, nor did it come from Raleigh. And nobody cares whether he

## WILLIAM TANNEN and RICHARD TRAVIS



William Tannen and Richard Travis in a scene from "ALASKA PATROL" which is showing at the Marco Theatre Saturday.



A MARRIAGE CEREMONY takes place against the background of thundering artillery in this scene from Bert Granet's "The Torch," romantic drama which opens Wednesday at the Watts Theatre through Eagle Lion Films release. Pedip Armendariz and Paulette Goddard co-star.

or anyone else likes the governor. But how about checking up on the report—that has been turned in to Raleigh headquarters—that one man hauled away State property for his own use, and used a State-owned truck to do the hauling?

NOTICE  
In Re: Establishment of Martin County Drainage District Number Two.  
All persons interested in the

establishment of Martin County Drainage District No. Two will have their notice that the Board of Viewers heretofore appointed by the Court have filed their report in the office of the Clerk of the Superior Court of Martin County, North Carolina, and that said Report has been examined and found to be regular in all respects; and you will further take notice that a hearing upon said Report will be had before the undersigned Clerk of the Superior Court of Martin County at the Courthouse in Williamston, North Carolina, at the hour of ten o'clock, A. M., on the 24th day of November, 1950, at which time all interested persons may be present and file objections to, and be heard upon said report if they care to do so.

This notice is given pursuant to Section 156-64 of the General Statutes of North Carolina of 1943.  
This 7th day of November, 1950.  
L. Bruce Wynne,  
Clerk Superior Court,  
Martin County,  
R. L. Coburn, Atty.  
no 9-16

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