

# Letters to the Editor



## SIMONS DEFENDS ELECTIONS OFFICIAL

To the Editor:

As is well known to all people who have recently been perusing your column entitled "Letters to the Editor," I have during November and December, 1960 censured the Orange County Board of Elections on several occasions. My present purpose is, however, to defend that group—and, especially, its Secretary, Clyde C. Carter—against the attack made in the editorial "The board protesteth too much about this!" in Section III, p. 1-2 of the Dec. 15, 1960 issue of your newspaper.

In the first place, you are error in declaring—on page 1, lines 5-6 the above-cited article—that "the Board's spokesman" had written "to the county commissioners" concerning the eligibility of U.N.C. students to vote as residents of Orange County. Prof. Carter's letter was directed to the county accountant, Sam Gattis, who later passed the missive on to the commissioners.

The frequent use, moreover, of the first singular personal pronoun—e. g., p. 2, line 35 of Carter's communication, "It is my considered judgment"; *ibid.*, p. 3, line 3; "I have given considerable thought to this matter"; *ibid.*, p. 3, line 4, "I understand the problem"; and *ibid.*, p. 3, line 31, "I fully appreciate the fact"—tends to indicate that the writer is, to a considerable extent, expressing his own personal convictions rather than those of the Board of Elections as a whole. This theory is corroborated by the fact that his letter is signed merely "Clyde C. Carter" instead of also containing the words "Secretary of the Orange County, N. C. Board of Elections."

In the second place, a misleading impression is credited by the

assertion—on page 1, lines 28-31 of your editorial—that "the (County Elections) Board . . . doesn't believe that only permanent residents . . . are entitled to register and vote." Except for the substitution of "believe" for "subscribed to the view," you have correctly quoted the words you selected from Carter's communication, but the omitted clause represented by the three dots between "residents" and "are" contains Carter's definition of "permanent residents" viz., "those who have a fixed intention of remaining in Orange County from here on out." When his statement is considered in the light of that definition, it becomes clear that Carter is NOT contradicting himself in the sentence of his from which you quoted a portion on p. 1, lines 28-31 of your article.

It is true that just as "idiot" is the opposite of "genius," "permanent" is the opposite of "temporary." Between "idiot" and "genius" there are, however, various intermediate classifications—viz., "imbecile," "moron," "dull normal," "normal," "bright," "very bright," and "gifted." There is, in much the same way, a middle ground between "temporary" and "permanent."

Consider, for instance, the case of a male married student who plans to remain at the University for seven or eight years (in order to complete both undergraduate and professional training), pays poll taxes and personal property taxes both to Orange County and to the Town of Chapel Hill, and uses N. C. state and Chapel Hill town licenses on his automobile but does not expect to remain here after the completion of his scholastic work.

Even though he is not a permanent resident of Chapel Hill, he will (if Professor Carter's views

prevail) be permitted to vote as a resident of this town—provided, of course, that: (I) he is a United States citizen; (II) he is properly registered; (III) he is (chronologically) at least twenty-one years old on the day set for the election (or will reach that age on the day immediately following the election; (IV) he is (in the opinion of the election officials) of sound mind; and (V) any rights of citizenship he may have lost—because of conviction of, or confession to, a felony—have been restored. (It is taken for granted that if he could not pass the literacy test with ease, he would not have succeeded in obtaining the right to enroll at the University.)

Carter's attitude in this matter is actually more liberal than that of Henry W. Lewis, of the Institute of Government. In his Primary and General Election Laws and Procedures (1960), p. 20, lines 8-16, Mr. Lewis specifically avers:

a. If a person leaves his home and goes into another state or precinct in this state for temporary purposes only with the intention of returning, he is not considered to have lost his residence in the precinct from which he left. ORDINARILY, A COLLEGE STUDENT FALLS INTO THIS CATEGORY. (capitalization mine).

"b. If a person comes into any precinct in this state for temporary purposes only, without the intention of making that precinct his PERMANENT (capitalization mine) "place of abode, he is not considered to have gained a residence there."

In the third place, your assertion—on p. 1, lines 40-41 and p. 2; line 1 of your editorial—that "it is not any business of the County Board of Elections who it is that votes in any election so long as that person qualifies within the law" is beside the point. No one has questioned the truth of the statement quoted in the sentence immediately preceding this one. The very thing that Professor Carter is endeavoring to ascertain is "WHO DOES 'qualify within the

law?" There are undoubtedly—as you allege on page 2, lines 2-5 of your article—"some University students . . . who can meet the legal requirement to vote in Chapel Hill but could not conceivably qualify anywhere else. Carter's communication does not, however, contain anything tending to indicate that he denies that there are such students. (Whether or not you are

also correct in your allegation that "many of the 900 in question are in this category" is a matter of opinion, and it would probably be difficult to determine objectively whether or not you are right about this.)

Very truly yours,  
Manning A. Simons  
Chapel Hill

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