**EDITORIALS** 

FRIDAY, MAY 21, 1954

## No Need for Alarm

While many view the Supreme Court "no segregation" decision as disastrous to the social system of the South, the whole country is affected and involved in the changes it may bring.

The decision does not mean that by Monday white children will go to Negro schools or that the Chinese children on the west coast will be moved into the schools now attended only by white youngsters. It is the prevailing opinion that there will be a lengthy delay before there are any major changes in the system as it now exists.

The situation, nation-wide, at present is this: 17 states and the District of Columbia require segregation in the public schools; segregation is permitted in varying degrees in four middle western and western states; segregation is prohibited in 16 states and in 11 states there is no specific legislation on the matter

North Carolina is one of the 17 states in which segregation is practiced. Regardless how the Supreme Court might have ruled, our part of the country would face a major economic problem. If the court had said separate but equal facilities for education were permissible, we would have had to go a long way to bring all schools on an equal

Segregation is expensive. Where one large school gymnasium in a town the size of Beaufort would be adequate, two - equally as modern and adequate -would have to be built under a "sepsrate but equal" ruling. An illustration of how expensive this effort has been

to supply equal facilities for both races, is evidenced in that the state in 1950 ranked 43rd in per capita income in the nation, yet ranked fifth in the nation in the proportion of personal income spent for public schools.

Poor though many of the southeastern states may be in relation to other states, they have been willing to bear the financial burden in order to maintain a traditional social system.

Harry S. Ashmore, in his study, "The Negro and the Schools," comments that as long as Negroes in the South have their own Negro neighborhoods and the whites theirs, the great majority of Negro children will attend predominantly Negro schools, and the same with the whites. It has been that way in nonsegregation states in the North for years. Thus, it has been pointed out that educational segregation, even in other parts of the country, is likely to continue as long as the races continue this rigid residential pattern.

Mr. Ashmore aptly comments that "no problems are beyond solution by reasonable men." We have faith that the men and women of the South are reasonable and are capable of dealing with the situation in which they now find themselves. They are capable of dealing with it with a mature ability that is devoid of snap judgment, incendiary threats, or violence.

The South is wise enough to know that it is on the way to the best days it has ever known and no issue, social or otherwise, should sidetrack our section of the nation from its prosperous

## Does the End Justify the Means?

ciation, in starting a movement which has as its ultimate end the removal of the dog race track, is violating one of the basic philosophies of America, separation of church and state.

When our founding fathers came to this country, they sought to free themselves of the governmental yoke which dictated in what church they should worship. Out of the constitutional right guaranteed to citizens, that they shall worship their God as they wish, has grown the tenet that the affairs of the church and the affairs of government are individual and separate.

Action here at home in recent years shows that some of us are forgetting that this religious freedom is a two-way street. Not only shall the state not interfere with religious affairs, but neither does the church have license to interfere with state or governmental

Religious groups' attempting to bring about changes of a political nature are common in our history. But those groups were seldom the instigators of movements. They usually got on the band wagon as additional supporters of a cause. In one momentous period in our munity.

The Carteret County Ministers Asso- history, the passage of the prohibition amendment, certain religious groups were pillars of the movement to outlaw liquor. The collapse of the effort to abolish liquor is one of the monuments to the inadequacy of law in coping with social practices.

The moment religious groups, especially the clergy, enter the political, judicial or governmental scene they strip themselves of an immunity with which they are naturally cloaked as ministers of the gospel. They put themselves on the same plane as a political faction seeking its own ends and subject themselves to praise or criticism from the public, from the press, or from opposing factions.

We do not say that the goal which the ministers are seeking is not a worthy goal. But the means by which they are attempting to attain that goal will in no manner justify the end, whatever that end may be.

Separation of church and state is not an empty phrase. The strength of this country is witness to its depth of meaning. Attempts to erase the line of separation can only result in ill-feeling, emotional turmoil and a re-evaluation of the place of the church in the com-

# Here's How to Catch Spies

(From the Twin City Sentinel, Winston-Salem)

public disapproval of McCarthyism.

Interviewed on the occasion of the 30th anniversary of his appointment as FBI head, Mr. Hoover said, "In recent years I've noted a tendency toward loose name-calling in matters which should be left in the hands of the FBI to prove or disprove. And this takes in the Ku Klux Klan, revolutionary movements and fascism, as well as communism.

Perhaps this rather mild assessment

FBI Director J. Edgar Hoover came Hoover's conviction, expressed in the ing same interview, that spy-hunting is a job for professionals. The hysterical advertising of our hunt for subversives will be of no help to those police professionals. Spies are not caught with public speeches, press conferences and sensational hearings. They are caught only through long, painstaking work by men who know exactly what they are

Mr. Hoover and his agents know exactly what they are doing. It is to them, and not to headline-hunters, that we of current practices arises from Mr. should look for our security.

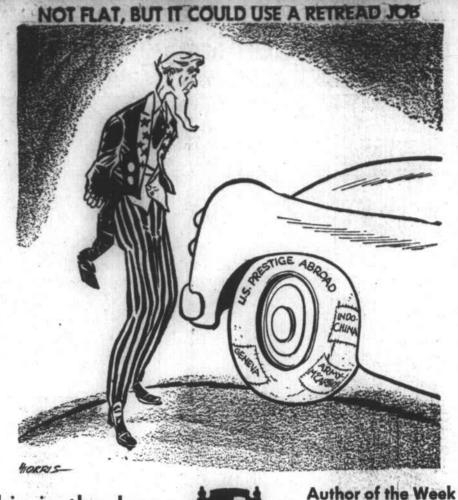
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## This is the Law

By CHARLES W. DANIEL For the N. C. Bar Association

Justices of the Peace

There are more than 2,000 Justices of the Peace in North Car-olina today. Some are elected by the people, some are named by Superior Court judges, some are appointed by the Governor, and a large number are named in an "omnibus bill" every two years by our General Assembly, some of whom never qualify for office.
Statutes provide that elected J.

P.'s and those appointed by the resident Superior Court judge of a county shall serve for two years. Those appointed by the governor have four-year terms. Governor have four-year terms. Governor Umstead has adopted a policy of naming about 250 J. P.'s each year during his term.

Limited Authority

Jaypees, by statute, have rather sharply limited authority to try both civil and criminal cases. In actions based on contract they EXCLUSIVE, original authority if the sum involved (not count ing interest) is \$200 or less. Other civil matters, within their right to try, are limited to claims of \$50 or less. They can NOT hear disputes over title to real estate.

By special law, however, they ay try disputes between landlord and tenant over the right to possession of real estate. The amount demanded by a party before a J. P., and NOT the amount ACTUALLY involved, determine the magistrate's power to hear the

Justices of the Peace may try, with EXCLUSIVE, original authority, all criminal cases the punish-ment for which does not exceed \$50 fine or 30 days in jail. They have no right to hear charges of assault with intent to kill and assault with intent to commit rape, except to find "probable cause." Upon finding of probable cause, such cases are actually tried later by the Superior Court or a Re-corder's Court. Upon appeal filed within 10 days after J. P. trial, the person appealing in most cases is entitled to a complete new trial in a higher court.

May Not Draft Will

A Justice of the Peace may NOT draft a will or draw a deed for another, unless he is a lawyer and does so in the latter capacity. A non-lawyer who purports to do these things is subject to prosecudoes so in the latter capacity. tion and restraint under the North Carolina statute defining the practice of law.

Fees payable to Jaypees for issuing summons, hearing cases and issuing subpoenas are not the same in every county. These fees, however, are set out specifically in Chapter 7, section 134 of the Gen-eral Statutes. Regular monthly reports of fees received and deposits made must be made to the clerk of court of the county served by

A statute designed to uphold the dignity of the magistrate's court gives him authority to pun-ish a person found in contempt. The law says:

"If any person shall profanely swear or curse in the hearing of a Justice of the Peace, holding court, the justice may commit him for contempt, or fine him not ex-ceeding five dollars."

At the request of either party to an action before him, the justice can compel attendance of wit-nesses. If a witness fails to ap-pear, he must forfeight eight do-lars to the person for whom he was

Can "Attach" Property
A justice can "attach" property
a proper case, just as the clerk
judge of Superior Court can do
. If an "order of attachment"
issued against the property of a
roon who can not be found for
resonal service of summons, nono of the claim must be posted

ouse door. The statutes regulating magis trate courts also provide for trial by jury upon request of either par-ty where there is a question of fact to be determined. The statute specifies a six-man jury. The parties may agree to have the case heard a less number of jurors, how ever. Each justice is required to keep a jury box of two divisions with a lock for each containing the names of qualified persons from the township in which the magistrate serves.

for 30 days at the county court-

No person is compelled to serve as a juror in a justice's court out of his own township, except as a talesman. Each party in a J. P. case is allowed, as a matter of right, to challenge two jurors and have them excused from the trial.

A party demanding a jury trial must post three dollars with the justice. It is required that each juror be paid 25 cents for his serjustice. vices, but only if the party requesting the jury trial wins the case. If the party requesting the jury loses, the jurors may be out of luck insofar as their



Hellmut Lehmann-Haupt, Berlinborn author of "Art Under a Dictatorship," came to this country in 1929 with a Ph.D. earned in study at the universities of Vienna, Ber-lin and Frankfurt. His work in the fine arts field

has been carried on with several publishing houses, at Smith Col-lege and Columbia and, at present in the New School. From 1946 to 1948 he was Civil Art Administration officer with AMG in Berlin. A Rockefeller Foundation gra helped make his book possible.

### F. C. Salisbury

# Here and There

taken from the files of the Morehead City Coaster:

FRIDAY, MAY 21, 1915

Master George Roberts Wallace suffered a painful injury on the back of his head Tuesday when he was struck by an oyster shell which was thrown by one of his play-mates, Masler Charles North Ben-

Miss Hilda Royal passed through the city Saturday returning to her home at Smyrna from Athens, Tenn., where she has been attending school. Mr. and Mrs. L. T. Kornegay and

little son Alonzo of Hertford ar-rived in the city Friday with Mr. Kornegay's parents, Mr. and Mrs. D. O. Kornegay.

Master Gay Hawkins who has

been spending some time in Avoca with relatives has returned home. Miss Eva Hardesty left Monday for Portsmouth, Va., where she will spend some time with her brother. Grover Hardesty, after which she will visit in Wendell and Raleigh for a few days before re-

turning home.
Professor S. W. Carwile left Sunday for Ridge Springs, S. C. Mrs. Mary Royal and Mrs. W. A. Hauser left Tuesday for Wilson to

G. A. Smith, U. S. Post Office inspector of Kinston, is spending a few days here this week looking

### Today's Birthday

ROBERT MONTGOMERY, born May 21, 1904 in Bescon, N. Y., son of a rubber company executive. The famed actor and TV producer



has gained fur-ther recognition as special TV consultant and advisor to Pres-ident Eisenhower er. As a movie star his performance in "Night Must Fall" won him added popular

claim. During World War II was a PT boat commander decorated for bravery in action. His "Robert

The following information is after the location of the new postoffice building.

Friends of little Miss Edith Odom will be glad to know that she is rapidly improving from a re-

Joseph Smith who lives on the Joseph Smith who lives on the Currier place on Newport River was in the city Tuesday, coming here to the hospital for medical attention to his hand.

George Willis had the misfor-me Monday of smashing his finger with a falling piece of lumber. Miss es Grace Wallace and Velna night from Greensboro where they

have been attending the College L. F. Swain who has been in Florida some time on business pass-ed through the city Wednesday en-

route to his home in Beaufort.
On May 30th the local camp of the Woodmen of the World will

leave for Harlowe at which place leave for Harlowe at which place they will unveil a monument erect-ed to the memory of Sovereign D. R. Adams, a member of Har-lowe Camp of that order. The ex-ercises will be in charge of Atlantic Camp No. 188, WOW, of this city. The boat will leave the city dock at 8:30 Sunday morning. The officers of the Camp are Gurney P. Hood, Council Commander; Neal P. Davis, Past Council Com-Neal P. Davis, Past Council Com-mander; Dr. K. P. B. Bonner, Ad-visory Licutenant; Jesse H. Bell, Banker; C. D. Dodson, Clerk. The Morehead City Hardware Co., operated by J. W. Willis Jr., has moved from its former loca-tion at the foot of 7th street near

the seawall to the Dixon building next to the Bank of Morehead City. Resolved — That Morehead City should have a baseball team, one that can beat Beaufort once a

Little Miss Ola May Nelson, the George Nelson, was painfully in-jured Monday when she fell from a fence striking her back against a stob which made an ugly wound and caused the child to suffer much pain. She was taken to the hospital where Dr. W. E. Headen gave her medical attention. Mr. and Mrs. George W. Thomp-

son of Raleigh, stopping at the Hotel Charles for several months, have purchased the Becton proper-ty at the corner of 9th and Evans streets. The house will be altered

shouldering Bob Reynolds out of there rather unceremoniously in like anyone else would be, flatter-

Raleigh Roundup

Kidd Brewer

Senate.

contacted me to determine my in-

years on Capitol Hill with, first,

Senator Bailey and then William

B. Umstead, that, theoretically, I

would be able to step in without

too much indoctrination. I agreed

Party by going to Washington to

help "hold the fort" until the Gov

ernor and the executive committee

had time to decide on the person

to be placed on the Democratic

ticket for the November election,

I would be glad to do so. How-

ever, it would be with the under-

standing that it would only be un-

til someone else could be chosen

as I have no burning desire at this

happier these last few years since

we left Washington and we are satisfied. On the other hand, there

are hundreds of good, able men

stead last week. The Governor and

the big biennial voting day in

North Carolina just around the cor-ner, folks who three weeks ago

showed little interest now open their street corner conversations with: "Do you think there is going

By "second primary," they mean a runoff between Senator Lennon

and his leading opponent, Kerr

Scott of Haw River.

To win without the pain and ex-

pense of a second primary, Senator Lennon must receive at least one

more vote than the combined votes

of the candidates who think they can do a better job of looking after

North Carolina's interests in Wash-

WHO IS HE? ... When a cam-

paign is underway, the question arises as to "who is so-and-so?"

. . . never heard of him." Well, those candidates you never heard of are the boys who become im-

or are the boys who become important in the last laborious breaths of the race. They bring on the runoffs—and become exceedingly popular with the two top men in these release.

tween the regular voting and the

final vote. Once in a while you find a pickle in the barrel, but as

a general thing they are good, sub-stantial citizens — and sometimes have more on the ball than the

hard-fought three-cornered battle

with Clyde R. Hoey and Dr. Ralph McDonald in 1936? He lost out.

It must be admitted that the whole thing smelled to high heaven. McDonald supporters, and

there were one or two of them swore Hoey was nominated on a

fluke. But, as it turned out, Clyde

R. Hoey became the most popular Governor we ever had. Hoey in

He was the also-ran.

who are better known. Re-ber Sandy Graham in that

se short, hurried days

ngton than can Alton Lennon

ready, willing and eager to go explained this to Governor

my position in the matter.

SECOND PRIMARY?

to be a second primary?'

My family and I have been much

time to live in Washington.

or to the Democratic

that if I could be helpful to the

ed that some of my friends have When our daughter, Olivia Linney was born 12 years ago last terest, if any, in being endorsed month, one of the annou of her birth went to Clyde R. Hoey. At that time, 1942, he was neither for appointment to the U.S. governor nor senator. Back from him at his home in Shelby came this little silver cup engraved to Some of them have wanted to go see the Governor in my behalf. I asked that this not be done. It was Olivia Linney Brewer from Clyde R. Hoey. pointed out that having spent three

My first role as a delegate to Democratic National Convention was on the third term thing in Chi cago in 1940. I rode up with Dr Ralph McDonald, rode back with Clyde R. Hoey. I was considering running for president of the State YDC's at that time. Upon my re-turn, I found McDonald friends calling me a conservative, while my Hoey friends were pinning on me the liberal badge. I saw fit to deny neither charge.

Ralph Gardner, nephew of Clyde . Hoey, was pledged to me for the YDC presidency. But in the last go-around we got McDonald to give his support to Gardner and he was elected. Thus it was that from 1936 to 1840 — four years — Hoey succeeded with his charm in bring ing to his side most of those who had opposed him - including the man he had beaten for governor. Fifty per cent of the U. S. Sen-

ate, greatest deliberative body on earth, broke loose from the Washington maelstrom long enough last Saturday to come to Shelby to pay homage to Clyde R. Hoey.

With it all, however, he might have returned to Shelby to stay in 1936 had it not been for one man. That man? None other than A. H. Sandy Graham. He was an alsoran in that gubernatorial race of 1936. McDonald had led Hoey pret-ty well in the first primary. But Graham knew Hoey better than he did McDonald, who was not a na-tive of this state. He cast his lot

with Clyde R. Hoey.
The folks, of course, raised the dickens, called Graham this and that, but he stuck to his course. All his supporters, save two or three, became ardent Hoey supporters for the runoff. Hoey did more than any other man in this century to popularize the office of Governor of North Carolina. He went here and there, speaking . . . speaking . . . speaking . . . off at some barbecue, hogkilling, or picnie, you would be seen the control of the control would hear music, and

just as omnipresent, was Clyde R. Hoey. What became of Sandy Graham who held enough balance of power to put in McDonald if he had so wished? He went back to his law practice in Hillsboro. When Gregg Cherry became Governor, he made Graham chairman of the State Highway Commission Kerr Scott Highway Commission. Kerr Scott kicked him out — or he got out

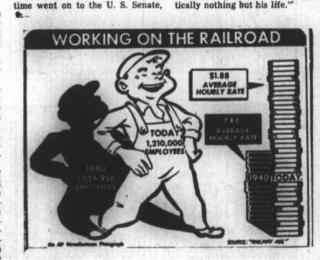
prancing down the street would be

Umstead put him back in. These also-ran's are sometimes pretty important fellows. They may be again come May 29.

before being kicked out. Governor

### Smile a While

The new reporter had covered his first murder and wrote his con-cluding paragraph as follows: "Fortunately for the deceased, he had deposited all of his money in the bank the day before. He lost prac-tically nothing but his life."



and made quite modern. Mr. Thompson was engaged in the banking and cotton mills but owing to ill health was obliged to retire. To further promote the pursuit of health Mr. Thompson is having a natty little yacht built at the plant of John F. Bell and Co. It will be amed "Katherine." Historical Sketch of The Coaster

Historical Sketch of The Coaster by W. L. Arendell: "B. F. McCul-len of Kinston launched The Coaster 16 years ago and ably edit-ed it till his death but on account of a weakness, though a great many strong men have them, left his wife and child with nothing but The Coaster and a funds to vita it The Coaster and no funds to run it.

"A Mr. Allen then took the paper and ran it until there was nothing to run. Mrs. McCullen asked the writer to edit it which he consented to do without reward or hope of reward and he did it, making many enemies and many friends. The building occupied to publish the venturesome little paper was burned but thanks to the energy of a northern man, who was editing the Beaufort paper, The Coaster was started again on the "A Mr. Allen then took the paper

strong sea of life, H. H. Hamlin by name who is now a citizen of Florida and from accounts doing well financially. He sold before leaving to a syndicate, Chas. S. Wallace, J. B. Morton and G. D. Canfield and they resold to T. G. Sawkins, a strong but erratic man.
"After the death of Mr. Sawkins
The Coaster fell into the hands of

its present editor and owner, Robert T. Wade, a young man who was born and raised up in our hustling little town. After all its trials and fight for life, may the present owner increase its circu tion and make it a paper not only but a financial success beyond his highest dreams. To help him real-ize his visions our people must sup-port the paper not only by reading its columns but by advertiging in its columns but by advertising in it, buying our printed matter from him when in need of it.

"If you see anything wrong in his work tell him; if anything good tell your neighbors and friends. Encourage him, lift up his hands and we will always be proud of not only The Conster but of its editor."