

### Other Editors Opinions—

#### GOVERNMENT BY USURPATION

Recent decisions of the Supreme Court of the United States make convincing evidence that the law-making powers of Congress have been usurped by nine men who hold their positions by appointment and are frozen into their jobs for life. What President Roosevelt was unable to accomplish with his court-packing scheme in the 12 years he was President, President Eisenhower has achieved in less than 5 years. We now have government by philosophy and political opinion instead of law.

The Supreme Court has preempted the legislative functions of Congress and is decreeing — not interpreting — what laws shall govern our people and our economy. The irresponsibility of some of its decisions are incredible.

People of this county now have a better understanding of what President Eisenhower meant when he gave his reason for the appointment of Justice Earl Warren — that the former California Governor had a good middle-of-the-road philosophy. A judge's personal convictions and philosophy should have no bearing on his judgment in matters of law. The Supreme Court's duty as defined by the Constitution is to apply the law to the facts as determined by the lower courts unless there has been a gross abuse of discretion with regard to the latter. Personal views and prejudices should have no part in the Court's reasoning.

Adding to the confusion is the fact that the Supreme Court can't make up its own mind.

On June 11, 1956, the United States Supreme Court by a 5 to 3 vote upheld the right of military courts to try civilian dependents accompanying the United States Armed Forces overseas. Last week, ruling on the same 2 cases, less than 1 year after its first decision the Court reversed itself completely. There are now nearly 400,000 of these overseas dependents, plus

24,000 civilian employees, who have no papa, no mama, no Uncle Sam.

Even more serious in its implications is a recent decision of the Supreme Court practically nullifying the authority of Congress to deal with Communists on the Federal payroll. Reversing its own decision, upholding the Smith Act 6 years ago, the Court has now

freed 5 California leaders of the Communist Party from sentences under the Smith Act, and ordered new trials for 9 others. The Court's reasoning is, that in order to convict under the Smith Act, which makes it a crime to conspire to teach and advocate overthrow of the Government by force and violence, it is necessary to prove that action toward violent rebellion is being advocated. A simple showing of advocacy says the Court, is

not sufficient for conviction.

This seems to be a distinction without a difference. Does it mean that a man who plants a bomb in an airplane or a theater or a home can't be convicted unless he is caught touching a match to the fuse? The intent of Congress in passing the Smith Act was perfectly obvious. It was designed to enable the law-enforcing agencies to prosecute and convict Communists on the Federal payrolls.

Now the Supreme Court is releasing them faster than they can be put behind bars.

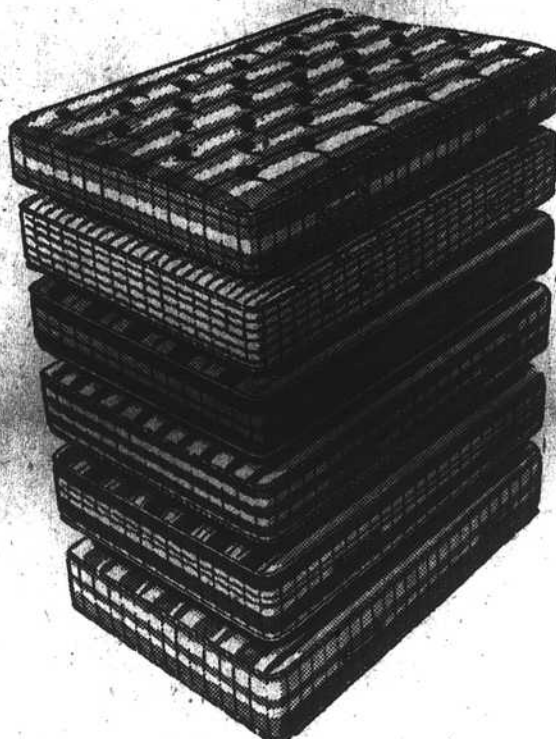
No wonder Government lawyers are bewildered. Commented Columnist David Lawrence: "It all adds up to the bewilderment of the public which is being solemnly told that it must always bow to the supreme law of the land — whatever that is today."

Well might the people inquire as  
Continued on page 12

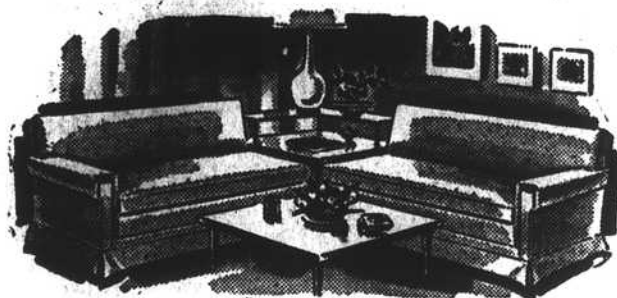
# Midsummer Furniture SALE

FASHIONS TO FIT YOUR HOME AND YOUR BUDGET

Bedding Values!



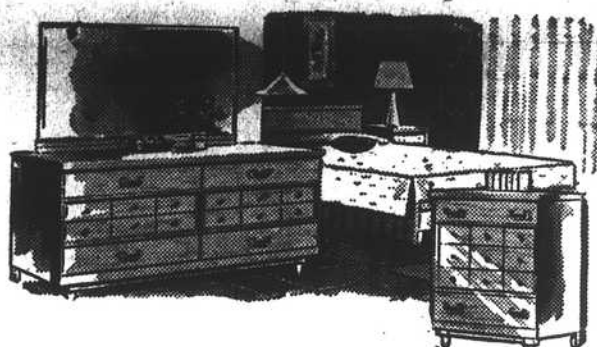
Nationally Advertised Bedding ONLY 24.95



2-Piece Living Room Suite

Comfort plus smart styling at an unusually low price! Your choice of several decorator fabrics, colors.

ONLY \$129.00



3-pc Bedroom Suite

New, expensive looking, but sale-priced for this special event! See it today!

REDUCED TO \$139.00



5-Piece Chrome Dinette

Colorful extension dinette table with four plastic-covered cushioned chairs. Choice of many colors.

\$49.95

Dramatic Savings Open an Account Here!

Low Down Payment EASY TERMS

HEILIG-LEVINE OF NEW BERN • INC.



By JOHN A. KING

The question of pay-TV or no pay-TV brought a blast from Cmdr. E. F. McDonald, Jr., headman of Zenith and one of the most active advocates of the system. He asked the FCC to reject his petition, rather than subject him to further hearings — oral or written! He insists that the only fair way is to put pay-TV into practice, and then let the FCC and the public decide whether it has any merit.

Hugh O'Brian, back at work making 39 additional Wyatt Earp episodes, is eagerly looking forward to his work and for a good reason. Several of the stories call for him to woo some of Hollywood's prettiest gals and Hugh, a bachelor, finds this a particularly pleasant type of activity.

Well, the shows have their problems, catching and holding the televiewer's eye. What concerns us are the problems the televiewer may have trying to catch the shows on a defective TV receiver. We're expert at solving those reception problems, in color or black-and-white . . . and we're equipped to solve them FAST.

John A. King's

"We sell the best and service the rest" of JOHN A. KING'S RADIO & TV SHOP, 212 N. Heritage, Kinston, Phone 5331.