workers, reformers, sociologists or county jail, as we've imagined.

A child - rearing expert says parents should inform children of finances. Okay: "Son, your old man is broke."

Now that everyone has caught up on his sleep the Army - McCarthy hearings are ready to resume.

# History Written in Our Time

IN OTHER columns on this page today is printed the complete text of the United States Supreme Court opinion in the public school segregation case.

The high court, reversing a previous opinion (1896) that the "separate and equal facilities" provision made by the southern states satisfied the requirements of the 14th Amendment to the Constitution, banned all Negro segregation in the public schools as unconstitutional.

The court did not insist that its ruling take effect at once since it realized that major adjustments must be made in public thinking, as well as in physical facilities, in the school systems of 17 states in the Union.

Because of the far-reaching consequences of last Monday's court ruling, the opinion already is recognized as a historic document, one that will be read in future time along with the 14th and 15th Amendments, the Dred Scott decision and the Emancipation Proclamation as state papers dealing with the grant of equal rights to Americans who were born with black or brown, rather than white skins.

We commend the text of the Supreme Court's opinion to our readers as history written in our own time.

The unanimous opinion, read by Chief Justice Earl Warren, is not merely a report of the findings according to the law and the Constitution. It is a discussion of the philosophy of public education, and of the local conditions which operate on the organization of school systems. It deals with the "separate but equal facilities" doctrine and the failure of such facilities to provide real equality of opportunity and of rights.

The other great documents in the history of American civil rights, particularly as they have been extended to the Negro, are pages in history texts. This latest document is of our own times, a newspaper headline and commentary on the radio. Every American should read it carefully. A knowledge of its social background and legal provisions will be useful hereafter.

Isn't it fortunate, in these investigative days, that the Defense Department is housed in a building that has five sides? There would have been whispers about a Sexagon.

And then there was the fellow who got soaked walking in the rain but his cigaret remained dry, thanks to a new umbrella gadget on his cigaret holder.

# On the Dyeing of Milady's Hair

THE TIME has long since passed when dyed hair was considered daring and perhaps a bit sinful.

Today even Grandma dyes her hair. In fact, says Mrs. Edyth Hall Elms, national secretary of the Hair Fashion Committee, a woman can now express her character and "innermost feelings" through the color of her hair.

Mrs. Bernice Corbett, national treasurer of the hair committee, agrees. Mrs. Elms and Mrs. Corbett explained this hair dyeing, or, as they say, coloring, business when they attended the Mississippi Valley Beauty Fashion Show this week at St. Louis.

A "trushing losing" woman chooses blue gray. Red brings out courage. Green-toned gray, a nice money-type color, is recommended for the financially secure. Purples signifies power; so that is for the lady executive. A gal with a "wandering mate" needs yellow, an indication of ac linging tendency. Orange mist, which Mrs. Elms favors, "becomes a vibrant personality."

All of which is very interesting and, no doubt, has some deep significance. It also is more fun to worry about than Indochina, the H-bomb, Congress, McCarthy and Ike.

But wait a minute. Does the financially secure lady need to dye her hair to advertise that fatc? Who has ever seen a lady with power who had to dye her hair? And what gal wants the whole town to know that she knows that her mate is wandering?

And what happens if the husband of Mrs. Financially-Secure loses his job, if the lady executive gets demoted or if the wandering mate stays at home?

Hair-dyeing may no longer be sinful, but it is still confusing.

# Issues in Jelke Trial Ruling

THE appellate division of the New York State Supreme Court granted a new trial to Minot F. Jelke, wealthy playboy convicted a year ago on charges of compulsory prostitution, because the press and the public had been excluded from the courtroom at certain stages of the trial.

That exclusion, the appellate court held, deprived Jelke of a fair and impartial trial.

The judge in the original trial court had excluded newspapermen and the public during the giving of testimony by prostitutes and procurers. The judge felt that making public such testimony would endanger public morals.

Several New York newspapers protested, through legal counsel, the exclusion order. But they did not insist. They did not care to raise the issue of freedom of the press in a court case notoricus for that have not been considered thoughtfully by McCarthy supporters or by Senator McCarthy himself.

THE present hearing is based on a controversy between a Republican senator and his appointed staff members, and a Republican secretary of the army and his staff members, appointed by a Republican President and confirmed by the Senate, in which Republican members have held a narrow majority.

The hearing is being held before the Permanent Senate Investigations Subcommittee, of which the senator being investigated is the permanent chairman. A majority of the committee are Republicans and so is the acting chairman.

The purpose of the hearing is to determine whether or not Army Secretary Stevens is lying when he says that Senator McCarthy and his staff used undue pressure on the Army to get preferential treatment for an Army private who was formerly an upaid investigator for the senator.

Or, whether or not Senator McCarthy is lying when he says that his former staff member is being held as a "hostage" by the Army until the McCarthy committee quits investigating communism in Army posts and installations.

The point here is that a Republican in the legislative branch and a Republican in the executive branch of a Republican administration are being investigated by a senatorial committee. Surely, nobody thinks either of them is a Communist.

THE hearings broke down last Monday after President Eisenhower directed Secretary of Defense Charles Wilson to instruct members about what was said in a high level meeting in the Defense Department.

DURING the week of recess, Senator McCarthy has said several times that he will not be able to go on with the hearing unless it is possible to get tertimony about the conversations in the Defense Department meetings when other executive department appointees were present. He has referred to further testimony in the absence of this as "playing with a stacked deck."

Does the senator mean by this that he wishes to extend the hearings into an examination of the way the executive branch of the government is being conducted under President Eisenhower?

It seems to me that he can't mean anything else.

Now, if Senator McCarthy does wish to make charges against the Chief Executive, the Constitution spells out a way to do it.

It says under Legislative Powers that "The House of Representatives. . .shall have the sole power of impeachment," and "The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present."

In the face of this explicit language in the Constitution of the United States, it seems to me that Senator McCarthy has to make up his mind whether or not he is attacking the President and, if his decision is that he is, he ought to have the courage to do it under the basic law.

CARNIVAL — By Dick Turner


"It's an atrocious style, the color is horrid, it doesn't fit, and it was delivered to me by mistake!"

be separate. In the Delaware case, the Supreme Court of Delaware adhered to that doctrine, but ordered that the plaintiffs be admitted to the white schools because of their superiority to the Negro schools.

The plaintiffs contend that segregated public schools are not "equal" and cannot be made "equal" and that hence they are deprived of the equal protection of the laws. Because of the obvious importance of the question presented, the Court took jurisdiction. Argumen. was heard in the 1952 term, and reargument was heard this term on certain questions propounded by the Court.

Reargument was largely devoted to the circumstances surrounding the adoption of the 14th Amendment in 1868. It covered exhaustively consideration of the amendment in Congress, ratification by the states, then existing practices in racial segregation, and the views of proponents and opponents of the amendment. This discussion and our own investigation convince us that, although these sources cast some light, it is not enough to resolve the problem with which we are faced. At best, they are inconclusive.

The most avid proponents of the postwar amendments undoubtedly intended them to remove all legal distinctions among "all persons born or naturalized in the United States." Their opponents, just as certainly, were antagonistic to both the letter and the spirit of the amendments and wished them to have the most limited effect. What others in Congress and the state legislatures had in mind cannot be determined with any degree of certainty.

An additional reason for the inconclusive nature of the amendment's history, with respect to segregated schools, is the status of public education at that time. In the South, the movement toward free common schools, supported by general taxation, had not yet taken hold. Education of white children was largely in the hands of private groups. Education of Negroes was almost nonexistant, and practically all of the race were illiterate. In fact, any education of Negroes was forbidden by law in some states.

Today, in contrast, many Negroes have achieved outstanding success in the arts and sciences as well as in the business and professional world. It is true that public education had already advanced further in the North, but the effect of the amendment on Northern states was generally ignored in the congressional debates. Even in the North, the conditions of public education did not approximate those existing today.

The curriculum was usually rudimentary; ungraded schools were common in rural areas; the school term was but three months a year in many states; and compulsory school attendance was virtually unknown. As a consequence, it is not surprising that there should be so little in the history of the 14th Amendment relating to its intended effect in public education.

In the first cases in this Court construing the 14th Amendment, decided shortly after its adoption, the Court interpreted it as proscribing all state-imposed discriminations against the Negro race. The doctrine of "separate but equal" did not make its appearance in this