

Herald and News

Editorial Page

A Cheap Price

In this day when urban renewal projects are replacing miles and miles of blighted downtown buildings and superhighways are lancing in all directions through farm and suburb, the real estate appraiser has come into his own.

But the problems connected with highway right-of-way pale in comparison to the task faced by appraisers working for the Indian Claims Commission.

For instance, one job recently completed was finding the fair market value of 8,986,653 acres of land as of August 9, 1814—almost 150 years ago.

The land was part of 25 million acres in what is now southern Georgia and most of Alabama. It was taken from the Creek nation by Gen. Andrew Jackson as punishment because some of the Creeks had sided with the British in the War of 1812.

Descendants of the Creeks filed a claim under the 1946 act which created the Indian Claims Commission. The commission held

that Jackson was not justified in expropriating the land of the loyal Creeks, and ruled that the government must pay for 8.9 million acres improperly acquired.

Appraisers reaching that far back into history must literally re-create in their minds the nation and the economy as it was then. They must consider population sizes and locations, types and extent of transportation, prevailing prices and wages, the uses to which land was put in those days, the value of products produced by the land balanced against the cost of bringing them to eastern ports and manufacturing centers. Not a simple job.

Since 1946 there have been 45 Indian claims cases in which old land values have been determined by the commission. More than 189 million acres have been found to have an aggregate value of \$138.54 million.

That's less than \$1 an acre. Little enough to pay to put right a few wrongs that have stained American history.

Friendly Warning

(Newark Evening News)

Sen. Javits of New York and Sen. Morse of Oregon, whose liberalism is beyond question, have expressed opposition to compulsory arbitration of the railroad work rules dispute. But both warn conditions may compel them, however reluctantly, to vote for it.

Sen. Javits said while compulsory arbitration jeopardizes freedom, the attitude of the unions is driving Congress, including himself, toward such a solution. Sen. Morse, who is against both nationalization of the railroads and compulsory arbitration, says they may be necessary "to protect the public interest."

Secretary of Labor Wirtz, who isn't anti-union, either, blames both sides for failing to settle the issue through collective bargaining, but he, too, warns that in the absence of a negotiated settlement one will be imposed.

Mr. Wirtz's impartiality was doubtless a diplomatic gesture, for the record shows that while the railroads accepted solutions proposed by two presidential panels, the brotherhoods refused to discuss any changes that

would reduce the number of workers whose services the railroads insist are not needed.

The railroads are ready to accept arbitration because, based on their experience with the presidential panels, they are confident another impartial survey would again sustain their position. On the other hand, besides being opposed in principle to arbitration, the brotherhoods have reason to doubt they can make a convincing case.

In defense of their determination to carry the issue to a strike, it is argued that it is not realistic to expect union leaders to bargain away the jobs of their members. But in this age of automation and rapid technological change, many other unions are confronting the same problems and are reaching agreements with employers without resort to strikes.

They have compromised for job reduction by attrition rather than dismissal; for severance pay, supplementary unemployment benefits, early retirement and retraining aid. Only in the transportation industry have unions refused to accept the inevitable.

Macmillan Survives Critics

By GREGORY JENSEN

United Press International

There is a golfer named Arnold Palmer who makes a career of trailing the pack until all hope seems gone, then staging an amazing comeback to win. There is a part-time golfer here who does the same thing.

He is the Rt. Hon. Harold Macmillan, P.C., F.R.S., M.P., Sunday duffer, leader of the Conservative party, first lord of the treasury and prime minister of Great Britain.

Less than two months ago, Macmillan trailed back from a holiday spent playing golf, an apparently beaten man.

War Minister John Profumo, his personal friend and close cabinet associate, had admitted he lied to the House of Commons about his affair with a flashy young trollop named Christine Keeler. The sex-and-security scandal which followed shook Britain like an earthquake.

Public and political opinion was virtually unanimous that Macmillan was finished. Few thought he could stand while the shock waves of scandal upon scandal jolted his foundation of power.

Yet today, Macmillan is talking and acting like a man who intends to be prime minister forever. Much of the press again depicts him as a leader in confident command.

Revolt Talk Melts

Talk of Conservative party revolts has melted like the leads of Palmer's opponents. The outcry over security aspects of the Profumo affair has stilled, partly because Lord Denning's judicial inquiry into these aspects continues, partly because of increased indication that any security risks were potential rather than real.

As July ended Macmillan came into fresh trouble over the defection to Russia of former intelligence agent H.A.R. (Kim) Philby. But his opponents were concentrating attack on his handling of this one case. Six weeks ago the attacks were on the whole

question of his capacity to govern.

Probably never before has "Unflappable Mac" showed his unflappability more than in this summer of 1963.

What happened? How did Macmillan survive?

The answers seem to lie in a series of three.

Three men, political observers are agreed, could have toppled Macmillan in the sordid wake of the Profumo scandal—Vice Premier R. A. Butler, Chancellor of the Exchequer Reginald Maudling and minister-of-all-work Viscount Hailsham.

Had any of these three mounted an open challenge to Macmillan's leadership, rallying the disaffected elements in their own Conservative party, few experts doubt that Macmillan would have fallen.

Three Reasons Cited

But there were three accepted reasons why these three men did not act—their loyalty to Macmillan and their party; the fact that an election must be held within 15 months; and their uncertainty of success in uniting the party and the nation behind any of them.

Macmillan himself held three powerful weapons in his come-from-behind struggle. According to all indications, he used all three with telling effect.

One was a threat to dissolve parliament and call a new election immediately. He is legally empowered to give the queen advice to this effect, which she is nominally bound to follow. And with the Labor party leading in every public opinion poll and a triumphing all comers in every by-election, the thought of an immediate general poll gave Tories cold shudders.

The second was the circumstances under which Macmillan, if he went, would have been forced out. His argument that no government should be toppled by so unsavory a mess was a powerful one.

The third was a Macmillan weapon in the international field—the prospect of a successful nuclear test ban treaty. Macmillan already was corresponding with Soviet Premier Nikita S. Khrushchev and President Kennedy about the possibility of negotiations. He argued that this was too valuable an asset to up-se.

But these three tactical advantages only satisfied one of Macmillan's three needs. They, and his three potential rivals' failure to act, gave him time.

Needed: Triumph

Besides time, Macmillan needed a diversion and a triumph. The diversion had to take the heat off Macmillan himself and his politically shaky position long enough for his defensive weapons to be useful.

Ironically, the diversion was provided by the very thing which threatened him in the first place—the Profumo scandal. The tremors which spread from the first shock to Dr. Stephen Ward and his playmates were so sensational Macmillan found himself virtually ignored.

The triumph came in Moscow, with the initialing of the test ban treaty. In a country where nuclear disarmament is so vocal and vital an issue as England, the treaty was a triumph indeed. Macmillan exploited it as such.

Thus Macmillan, with a "Palmer rush," again leads the field. Public opinion polls show his own, and even his party's, stock improving.

But the game is not over yet. A considerable body of opinion believes Macmillan is still on the way out. He himself has indicated he wants to lead his party through the next election. But Macmillan will be 70 in February, and many observers are convinced Britain will have a new prime minister by then.

Macmillan, as of now, has ended his political tournament in a tie. And even Arnold Palmer has been known to lose a playoff.



WASHINGTON WINDOW ... Surveyor Discovers Fraud

By LYLE C. WILSON

United Press International

Politicians will want to know more about Thomas L. Poindexter, co-chairman of the Greater Detroit (Mich.) Homeowners' Council (250,000 members strong).

This was the billing under which Poindexter appeared last week as a civil rights witness before the Senate Commerce Committee. He testified that northern white resentment was swelling against extremes of Negro agitation for civil rights. Poindexter said he doubted that any candidate of either party who was supported by Negroes could carry Michigan next year.

What politicians will want to know about Poindexter is whether he was speaking for any substan-

tial number of citizens or merely for himself. If he was speaking merely for himself, Poindexter would not be the first congressional witness to get some attention as the spokesman for an organization with a big sounding name but no office, no members and no telephone number.

Evidence Of Impatience

There is some evidence, however, of northern white impatience with Negro methods and demands. There is evidence, for example, of strong northern voter sentiment for enforced civil rights in the South but against the same in their own northern home towns.

There is white resentment against Negro demands for a quota system of hiring Negroes on construction jobs, notably those financed with federal, state or

municipal funds. On this one the Negroes may find themselves in a didn't know-it-was-loaded predicament.

For example: On a given construction job employing 400 persons, there would be at this moment mightily few Negroes because of the prevailing and unfair refusal of organized labor to give the Negroes an even break. If the Negroes were able to impose their demand that they be allotted 25 per cent of the jobs available, it is evident that nearly 100 white workers would have to be discharged to make way for the quota of Negroes. This would mean trouble, bad trouble.

Some Negro leaders advocate a system of special compensation for Negroes who have been deprived of some part of their civil rights. Whitney M. Young Jr., executive director of the National Urban League, which was in annual convention last month in Los Angeles, Young said Negroes must be compensated for past injustices; that they should receive favored treatment in comparison with whites.

Better Facilities

"The Negroes," Young said, "should have better schools, better teachers, better social workers, better health facilities."

When asked better than whose, Young replied, "better than, say, students in (white) suburban schools." The National Urban League has been among the least demonstrative of Negro organizations, similar in that respect to the National Association for the Advancement of Colored People (NAACP).

It is significant in terms of 1964 politics that the league and the NAACP are becoming belligerently aggressive, possibly in unavoidable competition with the street demonstrating Negro organizations.

What Poindexter actually was saying to the Senate committee was that Negro support would be a handicap to any northern candidate in 1964. That would be the biggest political story of the year, if true. Next year's presidential election will prove Poindexter right or wrong. Meantime, how about a poll?

BERRY'S WORLD



"Together, now—one ... two ... three ... HOT ENOUGH FOR YA?"



EDSON IN WASHINGTON ...

Immunity Sought From Sneak Attacks

By PETER EDSON
Washington Correspondent
Newspaper Enterprise Assn.
WASHINGTON (NEA) — The second step toward disarmament may be in the direction of reducing the danger from surprise attack.

Russia's Chairman Nikita Khrushchev is reported to have expressed most interest in this subject to U.S. Undersecretary of State Averell Harriman and Britain's Lord Hailsham during Moscow negotiations on the test ban treaty.

The idea of reducing the dangers of surprise attack first appeared in the Soviet bloc disarmament plan of September 1959.

As a kind of postscript, it was stated that if the western powers were not ready to discuss "general and complete disarmament," the Soviet Union would be prepared to consider certain partial measures.

These partial measures include "an agreement on the prevention of surprise attack by one state upon another."

The United Nations 10-power Disarmament Committee's five western countries—America, Britain, Canada, France and Italy—seized on this idea and developed it in their March 1960 proposals.

In the first stage of their three-stage disarmament plan, it was proposed that a joint study be made on measures to protect against surprise attack.

For the second stage, a proposal was offered to cover aerial inspection — President Eisenhower's "open skies" plan. This proposal called for ground observers, overlapping radar, prior notification of aircraft flights and appropriate communications for reporting to the United Nations.

This was further revised by the United States in June 1960 as a three-part plan to be put in complete effect during the first stage of disarmament. But the 10-nation Disarmament Committee failed to agree on anything. So that effort was lost.

In the summer of 1961 the United States and Russia held a series of bilateral talks on disarmament.

They finally recommended to the United Nations a joint statement with two separate sets of principles as a guide for future multilateral negotiations before a larger group of non-Communist, Communist and neutral nations. This was what Russia wanted. It became the 18-nation conference which has just reconvened in Geneva.

Again the United States refined its proposals under the title of "Protection Against Accident, Miscalculation and Surprise Attack."

Four recommendations were made for the first stage of a three-stage agreement on general disarmament.

States to give advance notice of major military maneuvers which might cause alarm and induce countermeasures.

Observation posts to be established at major ports, railway centers, highway intersections and air bases to report on concentrations and movements of military forces.

An international commission to recommend further measures to reduce the risk of nuclear war by accident, miscalculation or failure of communications.

Additional inspection arrangements to be established to reduce the danger of surprise attack.

These four proposals were then put in a more comprehensive "Outline of Basic Provisions For a Treaty on General and Complete Disarmament in a Peaceful World."

This was presented to the 18-nation Disarmament Conference in April 1962 and is still before it as pending business.

One of several additional proposals on inspection post locations and expansions calls for an exchange of military missions to improve understanding. A reliable and rapid communications system is also proposed between capitals and the U.N. A first step in this direction has been approved in the "hot line" between Washington and Moscow via London.

These are the proposals in which Chairman Khrushchev has expressed interest as a second step toward disarmament.



WASHINGTON REPORT ...

Powell Dodging Process Servers

By FULTON LEWIS JR.

"He can run but he can't hide." What Joe Louis once said about Billy Conn seems applicable to Adam Clayton Powell, dapper Congressman-Minister from New York's Harlem.

Process-servers are stationed at Powell's favorite Gotham haunts waiting to slap him with a subpoena ordering his appearance in New York Criminal Court Aug. 21.

If Powell manages to evade them another subpoena will be issued. And another and another until he is nabbed.

Once caught, Powell must show cause why he should not be prosecuted for fraud under Section 1170 of the New York Penal Code.

The story begins in 1960, when Powell took the House floor to charge New York cops with racism. The police, he cried, violated the Civil Rights of Negro criminals, cracking down on their illegal activities while white crooks who paid off New York's finest ran wild.

Powell implicated a handful of Negroes in the "lily white" police scandal. One of those he mentioned was Mrs. Esther Matilda James, a 66-year-old widow, whom he called a graft collector for crooked cops.

When Powell made the charge on New York television, without benefit of Congressional immunity, Mrs. James sued for libel and won a judgment of \$211,500 in New York Supreme Court.

Powell promptly disappeared and showed no interest in communicating with his constituent. Mrs. James then brought suit in State Supreme Court asking that Powell be thrown in jail until he made some effort to pay her off.

The Congressman sent an affidavit to Court insisting he could not be arrested on such a charge while Congress was in session. Supreme Court Justice Charles Marks agreed.

Mrs. James' energetic attorney, Raymond Rubin, went on television a fortnight ago asking viewers to supply him with information on Mr. Powell's financial affairs. He told my associate, Bill Schulz, of subsequent events.

An anonymous tipster revealed that Powell had an account in the Chase Manhattan Bank. A restraining order was served on the bank last week which effectively ties up Powell's account. The Congressman must leave a minimum balance of \$423,000 in his account until the dispute with

Mrs. James is settled. If he has less than that amount stashed away he can't touch a cent of it.

On July 30, Attorney Rubin got Criminal Court to issue a summons for service on Powell, directing him to show cause in court Aug. 21 why he should not be prosecuted for fraud.

Rubin discovered that Powell is receiving \$1,000 from Esquire Magazine for an upcoming article and has directed the fee be paid to his wife. This, says Rubin, is a violation of Section 1170 of the Penal Code which covers attempts to defraud a creditor, namely Mrs. James.

The title of Powell's article, incidentally, is "The Duties and Responsibilities of a Congressman to the United States."

Waiting for Powell at Manhattan's plushiest after-dark spots are Mrs. James' subpoena — servers. They have the aid of the New York police, as directed by Criminal Court, in finding their man.

If Powell does not show up by Aug. 21, another subpoena will be issued. And another. Once Congress adjourns, a civil subpoena can be issued to force him to show reason why he should not be locked up until he pays.

"Sooner or later, we're going to get him," says Attorney Rubin. "And when we do, my client will get her money."

Almanac

By United Press International
Today is Monday, Aug. 12, the 224th day of 1963 with 141 to follow.

The moon is at its last phase. The morning stars are Jupiter and Saturn.

The evening stars are Mars and Saturn.
On this day in history:
In 1867, President Andrew Johnson appointed Gen. Ulysses S. Grant secretary of war.

In 1877, Thomas Edison completed a crude model of the first talking machine.

In 1898, a peace treaty ending the Spanish-American War was signed.

In 1936, Germany's Nazi government announced it would not intervene in the Spanish Civil War.

A thought for the day — American essayist Henry Thoreau said: "Nothing is so much to be feared as fear."