

How U. S. Supreme Court Operates

The winds of controversy have blown around the Supreme Court on a good many occasions since this government was established—the Dred Scott decision, which almost literally tore the country in two, being perhaps the outstanding example. The controversy has been intense again in the last year, as all readers of the news know. The decisions in cases affecting communists and others have stirred up great debates and high passions on either side.

A revealing article on the Court has appeared in the New York Times Magazine, written by Anthony Lewis of the Times' Washington bureau. He does not deal with the merits or demerits of the controversial decisions. His purpose is to help explain the mechanics of the Court's operation—for, as he says, "... the public has very little idea how the Supreme Court makes up its mind."

THE FIRST STEP is for the justices to decide whether to accept or to refuse a case. Some 1,500 petitions are filed with the Court each term—only a small percentage are heard. A great many are frivolous and can be at once dismissed. But in other instances there is wide disagreement among the members. It takes the votes of four justices to bring a case up for review and, when that is done, the Clerk sets a later date for oral argument.

Then the litigants in the case submit briefs and records. These may total thousands of pages. As Justice Jackson once said, no justice can go through more than a fraction of this matter. It is up to each justice to decide how much and what he will read, and how he will reach an opinion. Here reporter Lewis makes an important observation: "... the way a justice of the Supreme Court reacts to a case depends, inevitably, to a large degree on the view of life and society that he has built up in a lifetime." One man, for instance, may abhor wire-tapping under any circum-

stance; another may see a need for it in certain instances.

The next step is to hear the oral arguments of the opposing attorneys. These are restricted to an hour or less for each side, but they are enormously important. Justice Harlan has said that they may "make the difference between winning and losing, no matter how good the briefs are." Then the justices discuss the cases in conference and a vote is taken. Finally, the writing of opinions is assigned to specific justices. Individual justices can, and frequently do, write additional opinions to express their own particular views.

IT IS THE SOURCES of these opinions that make the Supreme Court so different from other and lower courts—and which, no doubt, cause many a confusion in the minds of laymen. Mr. Lewis goes into this matter in detail. The decisions quote legal precedents, but they are not restricted to them. As Mr. Lewis puts it: "... a Supreme Court opinion may quote Presidents as well as judges, Senators as well as statutes. It may find in the history of Greece aids to the temporary resolution of the eternal struggle between freedom and order. It may derive lessons from the lengthy battle to establish legal guarantees in Great Britain. It may give weight to the views of economists, or the scholarly analyses in law reviews."

What it all amounts to is that the justices are individuals of widely varying backgrounds and attitudes, placed in positions of almost unlimited legal authority. Hence the differences—and hence the controversies and passions.

These facts certainly emphatically prove that when a U.S. President fills a U.S. Supreme Court vacancy, he ought to consider this as the most important single kind of appointment he may make during his administration ... and he must assuredly ought to weigh a potential appointee on the scales of something other than mere politics!

Who Will Win Weather Control?

One of the wars which is now underway, between the United States and the Soviet Union, is the war to control the weather. The actual fighting cannot be said to have broken out but it is known that weather scientists in each country are hoping to unravel the secrets about the weather first—and control it first.

Two main avenues of approach are known, and there may be many others. One of the forms of human control might come in the control of evaporation. If evaporation could be controlled, then the amount of precipitation could be controlled.

The nation which controls precipitation, or which can deny it to the other, holds a powerful trump card in any prolonged conflict.

ANOTHER APPROACH concerns the storage of heat. There are reports that Soviet scientists have made some progress

toward the storage of heat from the sun in particles particularly receptive to sunlight and heat. The theory is that these particles would be scattered in the polar regions and gradually melt the ice cap.

This would result in new seacoast lines, the inundation of some port cities, and the moving of the vegetation line northward—if carried out successfully on a large scale for a period of time.

NUCLEAR WEAPONS might also affect the weather, according to some experts.

Thus there are several approaches to the problem, and scientists of the leading countries are undoubtedly engaged in something of a race to control the weather. But, so far, this is rather remarkable. Mother Nature still keeps most of the secrets locked tightly in her breast, despite the remarkable progress and many discoveries in other fields.

You Can Help Fill It



NATURE NOW

by Lydia King Frehe
Special Writer for The Birmingham Eccentric

Diamond, Hardest Material on Earth

Nature's hardest substance is the diamond. It is also one of our most treasured gems. Diamonds were formed millions of years ago deep within the earth's crust. They are composed of pure carbon in crystal form and were laid down in dark igneous lavas under tremendous pressure and heat.

During a later period some of this material was brought to the earth's surface through the eruption of volcanoes. Tons still lie buried. Frequently as much as 35 million pounds of ore must be mined to secure a single pound of diamond crystals.

Diamonds are found in widely scattered regions. Small stores of inferior quality are mined at Murfreesboro, Ark., where the material has been extracted from the necks of old volcanoes. Borneo, Brazil and India are among other diamond producing areas.

BUT THE MOST famous and productive mines are located in the Kimberly district of South Africa. It was here in 1869 that a child playing in a bed of the Vaal river found an attractive "pebble" which he carried home to his mother. It proved to be a diamond worth \$2,500. Since that time this locality has yielded a billion dollars worth of gems.

At the premier mine in South Africa was mined the Cullinan diamond which weighed 3,106 carats (about one and one-half pounds). It was valued at \$4 million and was presented to King Edward VII who had it cut into eleven brilliant facets. Four of these are larger than any other single diamond in existence. Other large stones include the Regent (126 carats) and the Koh-i-noor (106 carats) were all mined in India.

The natural diamond is composed of eight-sided crystals. It is within, comparatively recent time that the beauty of this stone has been enhanced by cutting and polishing. The resulting forms have many reflective facets presenting a play of rich and brilliant colors.

LAST SUMMER when we were in Amsterdam we visited the famous Asscher diamond cutting works. Here we saw the raw cloudy stone emerge as a finished gem.

Diamond is so hard that it can only be cut with diamond. This is a slow process. The first cutting is done by automatic saws made of copper alloy with diamond dust in the cutting edge. In producing the finished gem the facets (as many as 102) must be so precisely placed and shaped as to reflect the rays of light and break them up into all the colors of the spectrum.

At the diamond cutting works the stone proceeds from a series of rough cuts, through the hands of the most highly skilled workers. These do the final cut. The finished gem is then polished by a high-power magnifying glass.

THE FINISHED diamonds were displayed to us resting on a blue velvet cushion. They were of many shapes and sizes. The greatest number were colorless but others shined from red, yellow and blue to green. The one we saw was "Carbondado", is black.

A few years before World War II the diamond came into wide use in industry. Imperfect stones, chips and dust are used to implement tools for cutting and drilling glass and rock, for mining and grinding and for shaping hard metals. Recently a method has been discovered for manufacturing diamonds fit for these purposes.

Many rare gems such as the Hope diamond are surrounded by an aura of romance and superstition. But in the end a diamond is born of earth, its indestructible quality and beauty a symbol of love and devotion. "A diamond is forever."

ONE THING OR ANOTHER By George Wm. Averill

Until late last year, it was a foregone conclusion there would be a new city in Oakland county come summer of 1958.

Now there is growing doubt that it will be as definite as all that. Reason is the present uncertain economic conditions, and how Southfield township residents are reacting to it.

During the past two years, Southfield residents twice nearly voted themselves into a city. But opposition from the northernmost four square miles was just strong enough to cause the two charter votes to fail by small margins.

THEN THE STATUTORY time limit expired, and the northerners voted their own village of Westwood. This meant that the remaining 26 square miles of Southfield would have to finance itself without the aid of those northern properties, which, it is estimated, comprise about one-quarter of the valuation of the township.

Losing such a rich prize, together with the jittery economic mood of the Detroit metropolitan area, is causing Southfielders to think twice now about how they should vote come April 21, their charter election date.

They are beginning to wonder if maybe they should continue as a township for some time to come. This would mean lower taxes, but also fewer services. It would mean they could continue to enjoy the township tax revenue from the new Westwood village.

UNDER MICHIGAN LAW, village governments do not separate entirely as cities

do. Villages remain part of townships. Village government only permits additional municipal services to be provided above and beyond what the township government feels it can provide generally.

If Westwood, for instance, felt it wanted an extra policeman or fireman or two, it could do so through a village tax. A similarly populated township area would have to wait until its township board agreed to same.

It's still much too risky to accurately or reasonably estimate this political maneuvering in Southfield township and Westwood village. However, if it appears to Westwood residents that they still are unduly being taken advantage of, they could get out their township tax plight by incorporating as a city and withdrawing from Southfield township completely.

THE APRIL 21 SOUTHFIELD charter vote will settle the matter if the city charter is adopted.

If it is turned down, the next move could be Westwood's.

In any event, Southfield would have to make up its mind by the middle of September 1959. The two-year time limit on its second incorporation movement runs out then.

And it is almost a certainty that at that time, there would be on file with the county clerk one or more petitions for splinter village or city governments.

This is what happened last time, and Westwood village was born.

Many people who won't be voting in that April 21 election will be very interested in the outcome.

Is Your Dog's License Tag Out of Date?

Though 1562 dog licenses were sold in Birmingham last year, the deadline for '58 licenses is only 300 dog owners have secured March 1, after which the 1958 tags for their canines so far doubles.

Police warned this week that dogs shot for rabies before they can obtain the tags from the city clerk's office. Until March 1, the fee is \$1 for male and unsexed dogs, \$2 for females.

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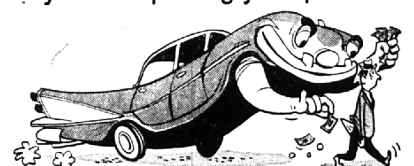
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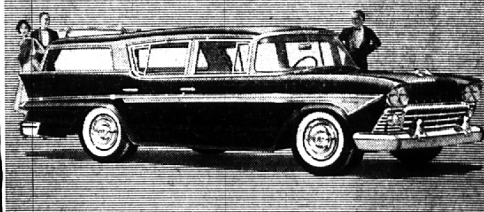
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From The Eccentric's Point of View...

Seems to us that leaders in today's industrial and financial worlds have as much responsibility for defending the American free, competitive enterprise system as they have to make and sell their products, or to handle the nation's money problems. When men like Walter P. Reuther bring forth Socialistic programs, defenders of economic and political freedom ought to rise up and, with patriotic vigor, make known their opposition. Most Americans want to support honest, workable, social, political and economic policies. But most Americans want freedom's voices to be

heard, so they may learn in order to weigh the relative opposing philosophies.

"This is the year of the wave" declares hairdressers and cosmetologists. Nothing new about that ... isn't there a song about "... the land of the sea and the home of the wave"?

Soviet Russia's efforts to increase the agricultural crop of that nation continue to fall far below desires. Russia may be able to put Sputniks into orbit ... but apparently it cannot dictate terms to Mother Nature.

Happenings of Long Ago

Bits of News Gleaned From Old Files Of The Eccentric—The Items That Make Up The Historical Background Of The Birmingham Of Today.

50 YEARS AGO February 21, 1908 "Another regular blizzard snow storm Tuesday night and all day Wednesday. Well, one consolation: we're used to 'em."

"A team belonging to a local resident created some excitement at New Hudson by running away twice in one day and each time landing in a window."

"The fox chase which was to have been pulled off last Friday was indefinitely postponed on account of the deep snow. Several of the sportsmen were disappointed as they had come miles, with all kinds of dogs, to take part in the chase."

"The prevailing and engrossing topic of the day for the past week has been 'The Old F-shioned Winter.' All the prophets who predicted an open winter, judging from the goose's honk, etc., are cholly discredited. Pe-pie shivering about, with the thermometer flirting with the temperature all the way down from 25 to 20 below, know better."

30 YEARS AGO February 23, 1928 "According to the Rev. David L. Woodward, pastor of the First Baptist church, the real value of a man is not his chemical worth which, as everybody knows, is a bargain at 98 cents, not what he earns, not what he costs, nor what he owns, but what it is the happiness he leaves behind him."

"Harry Brooks, of Birmingham, chief pilot for the Ford Motor Co., of Detroit, broke the world record for non-stop flights in a plane of less than 40 horse power when he flew from the Ford

Smile-A-Minute

She—When you married me you used to call me a little dear! He—Perhaps I did, darling, but since then you've developed into a big expense!

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