

CIVIL RIGHTS DEBATE

Dear Editor:

Much is being said currently about the debate in the United States Senate on the so-called "civil rights" bill. The word "filibuster," couched in its most evil connotation, will be used many times in the next several weeks.

Reasonable people want only the truth, and with this in mind, I burden you with this letter and enclosure. I beg of you to read both and share with your readers the truth of their content.

Debate concerning pending legislative proposals is essential to the proper functioning of any true legislative body. When a Senator arises upon the floor of the Senate and expresses his views concerning the merits or demerits of a pending legislative proposal for the purpose of persuading other Senators to agree with him, he is engaged in what must be described as an educational debate. Undoubtedly, educational debate serves the public interest best when a minority actually convinces a majority of the real merits or demerits of a legislative proposal under consideration, and thus change their status from that of the minority to that of the majority.

There is a fundamental distinction between an educational debate in which participating Senators seek converts to what they conceive to be the truth in respect to pending legislative proposals and a filibuster which is merely "the use of extreme dilatory tactics (as speaking merely to consume time) by an individual or group in an attempt to delay or prevent action by a majority in a legislative or deliberative assembly." If we are to reach a sound conclusion as to whether Senators are engaging in an educational debate or a filibuster, we must have some reliable standard on which to base our decision.

Manifestly, we cannot leave the determination of this question solely to the caprice of the Senators charged with filibustering or the advocates of the pending civil rights proposals.

The United States Senate, which is the only legislative body now existing on the face of the earth with rules designed to secure to minorities a reasonable opportunity to express their views, has established a standard for determining whether Senators are engaged in an educational debate or a filibuster.

This standard is embodied in Rule XXII, which provides that a Senator or a group of Senators can speak upon a pending bill until two-thirds of the Senators in attendance vote to end debate. This rule gives the Senate its distinctive character and has enabled the Senate on many occasions in times past to stand as the bulwark for the preservation of constitutional government and individual liberty. Some persons who think that the Senate should act without full and fair debate as do the counterfeit legislative bodies in totalitarian countries would abolish Rule XXII, and permit 51 Senators to condemn the other 49 to silence whenever they so desire. If a majority of the Senate is ever given the power to prevent a substantial minority to stand on the floor of the Senate and tell the truth about pending legislative proposals, the United States is in danger of being destroyed by the power of a majority and that moment will mark the death knell of liberty for all Americans.

Impatient men, and particularly those who advocate so-called civil rights bills—condemn Rule XXII. In so doing, they resort to the unhappy practice which has risen in our land in recent years to use smear words rather than reason to obtain their demands. When all is said, they do not believe in freedom of speech for those who disagree with them, and succumb easily to the temptation to apply the smear word "filibuster" to any speech by a Senator who expresses views contrary to theirs.

When the Senate established Rule XXII, it recognized the truth that a substantial minority must be protected from the tyranny of the majority if liberty is to endure—a truth which impelled the framers of the Constitution to require the vote of two-thirds of the U. S. Congress and the concurrence of three-fourths of the States to amend the Constitution, and the vote of two-thirds of the Senate to impeach the President and a two-thirds vote to override a veto.

While it requires the vote of two-thirds of the Senators in attendance to bring a debate to a close, Rule XXII contains an additional provision which permits

Turning Back The Pages of Andover History

(Taken from the Files of The Andover News)

50 YEARS AGO

May 1, 1914

J. H. Backus, Publisher

A severe tornado visited Vooress Hill Sunday afternoon demolishing a large 36 x 44 barn in which Grant Sherwood and a dozen or so cows were sheltered. The wind raised the building from its foundation and carried it away smashing nearly every board in the building. Some of the timbers were blown forty feet away. No serious harm was done Mr. Sherwood or his stock.

Leon Cook has accepted a position as head of the Agricultural Department in the Worcester Public School.

Miss Helen Richardson and Leland Robbins were married at the home of the bride's parents, Mr. and Mrs. Floyd Richardson of Hornell, April 30th.

Edgar Carpenter has been engaged to work for the Gridley, Furham & Martin Hardware.

Mr. and Mrs. C. W. Williams are the parents of a son born Thursday, April 30th.

Mrs. George Cummings was a guest Sunday and Monday at the home of her brother, Mr. and Mrs. F. A. Richardson of Hornell.

Mr. and Mrs. D. M. Green were guests of friends in Alfred from Friday until Sunday.

40 YEARS AGO

April 18, 1924

J. H. Backus & Son, Publishers

Miss Edna Bassett of Independence and David W. Smith of Whitesville were married Wednesday, April 16th.

Mr. and Mrs. Charles Howland are the parents of a daughter, born Tuesday, April 15th.

Wade Theetge and family have returned from Messaron, Ohio, where he has been working in a cutlery plant.

Miss Helen Rogers of Englewood, N. J., is passing the Easter vacation at the home of Jesse Snyder.

Miss Anita Tubbs of Alfred was a week-end guest of Miss Emily Clark.

Mr. and Mrs. J. P. Henry, Mr. and Mrs. Donald Wilcox and son, Richard of Hornell were Sunday guests of Mr. and Mrs. Henry Bennett.

30 YEARS AGO

April 13, 1934

J. H. Backus & Son, Publishers

Mr. and Mrs. S. F. Pelton are the parents of a son, born April 5th.

Mr. and Mrs. Herbert Burdick of Rochester were greeting Andover relatives and friends over the week-end.

Mr. and Mrs. Franklin Murphy and daughter, Ellen Marie of Hornell passed Sunday with her parents, Mr. and Mrs. John Quigg.

Mrs. George Vickers, Mrs. Harold Hardy, Mrs. Lyle Mulconery, Mrs. Dan Witter and Mrs. Henry Carr attended the District Rebekah Meeting at Alfred Tuesday afternoon.

Mr. and Mrs. J. P. Smith and family of Bradford, Pa., were Sunday guests at the home of her father, Henry Heran.

"Red's" Racetrack Rambles

Hello there—all you racing fans! Yep! That season is here again.

This past Sunday Officially opened the season (as far as we are concerned anyway) with the "Big One" at the Trenton, N. J. Speedway.

This was the first time that we have had the pleasure of attending the "Trenton 100" race and it certainly was a thriller.

The track, located at the Trenton Fairgrounds, known as the fastest 1/4 mile oval paved track in the East and draws many of the "Indy" cars and drivers for their classic features.

The race got off to a thrilling start with A. J. Foyt and Roger Ward jockeying for first place, with the former managing to take the lead within the first lap.

Foyt, winner of the Indianapolis "Classic" in 1961 and Ward winner in 1959 and 1962, set a blistering pace for the first part of the race which was marred by several "crack-ups." In fact, a new track record was set by Foyt for the first ten laps with an overall average of over 109 m.p.h. Shortly after this record was set, a crack-up on the number 8 turn caused the caution light to be pulled on which put the no-passing rule into effect for the next 7 or 8 laps during which time the wrecked car was cleared from the track.

At the 39-mile mark, Ward and two other cars piled up on the same number 3 turn with all 3 cars having to retire from the race. Ward's car suffered a badly damaged right front wheel which made it look like some of the moderns in this area which are set up for the local dirt tracks.

The race was halted shortly after this crack-up at about the 41-mile mark with a slow drizzle making the track too slippery for racing.

After around a two-hour delay, the race was resumed with Foyt staying in the lead all the way and Jim Hurtubise of North Tonawanda pulling up into the number 2 slot. The next eight in order were: Bob Meacham, Pottstown, Pa.; Chuck Hulse, Downey, Calif.; Lloyd Ruby, Wichita Falls, Tex.; Bob Wente, St. Louis; Norm Hall, Hollywood, Calif.; Bobby Grim, Indianapolis; Bob Mathouser, Gardena, Calif.; and Chuck Rodeo, Speedway, Ind. The former Indianapolis "500" winner averaged 104.5 miles per hour which was around 2 m.p.h. faster than his winning record last year of 102.4 m.p.h.

Ward's car which was unable to resume racing after the crack-up was the only rear engine car in the race a Kaiser-Aluminum Special.

Other bigger races are scheduled at Trenton for later on in the season.

This coming Saturday evening marks the big opening of the Olean Speedway with yours truly planning on attending to take pic-

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Miss Aileen Walsh returned to Fredonia Sunday after passing the Easter vacation with her parents, Mr. and Mrs. Edward Walsh.

Mr. and Mrs. John Burns, daughter, Mary Teresa and Mr. and Mrs. Pat Hyland were Sunday visitors of Mr. and Mrs. Leo Hunt at Belmont.

V. D. Whiting of Ovid is visiting at the home of his sister, Mr. and Mrs. Charles Urdyke.

16 of the 100 members of the Senate to obtain a vote every two days on the question whether the debate should be brought to a close.

With unremitting faith in our Constitution and our free private enterprise system, I am

Sincerely yours,

SAM J. ERVIN, Jr., U. S. Senator

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Assembly Report Special Session

by DON O. CUMMINGS

Allegany County Assemblyman

I am writing this at the conclusion of the Special Session of the Legislature. As you know by this time, the liquor reform program has been passed and will become a Law of the State by the Governor's signature.

I voted against this program both in the Regular Session and at the Special Session as I had promised so many of you I would do. In my opinion, the liquor laws are as revised by the Legislature are much more acceptable than those originally proposed by the McEland Commission and apparently this was the reason that the bill gained enough support from other members of the Assembly to insure its passage.

I am sorry that the majority opinion of the Special Session did not prevail on a "Statewide" level. It is still my opinion that the de-control of the liquor industry is not in the best interest of the people of my county.

The Special Session also gave me an opportunity to inquire into some other matters of interest to Allegany County.

Southern Tier Expressway — On April 14, 1964, petitions totaling more than 22,000 signatures obtained from all over the Southern Tier requesting construction of the Southern Tier Expressway were presented to Governor Rockefeller. Many citizens of Allegany County signed and joined in this effort.

This presentation followed up a lengthy conference held late in March during which your Assemblyman, Senator Barber Conable and other legislators from the Southern Tier Counties discussed this highway problem with the Governor and his associates. I believe that we impressed the Governor with the urgency of the construction of this highway by pointing out that until such a superhighway became a reality, the possibility of attracting new and substantial industry to Allegany County and southwestern New York was slight.

I am pleased that the Governor has considered our representations and your petitions. Because the construction of the Expressway will run into hundreds of millions of dollars, the Governor has ordered an immediate fiscal study of the situation. I am encouraged that our concern is now shared by the Republican administration and I am confident that ways and means will be found to provide the necessary funds. Instead of this project being a future dream, it now seems apparent that it may be much nearer fruition. The efforts of the area legislators, together with your considerable support should bring this project into reality.

Rushford-Caneadea Road — In 1961, I contacted the Department of Public Works at Albany relative to the department's interest in a new highway from Caneadea to Rushford. As many of you know, there was some opposition to this road and hence the project was temporarily laid aside.

The people in this area are now intensely interested and have requested a new road as soon as possible. I have been reliably informed that the engineering on this road is now 70-80% completed, and that this phase of the work will be finished by July, 1964. The monies necessary to construct the road must come out of the next State Budget.

I therefore intend to make a trip to Albany, in late August of this year, to insure that these funds are included in next year's Budget so that the contract can be promptly bid and construction started. This highway is of extreme importance to many of the people in our County who use it as a route to Buffalo. I believe there will be no further objections to its eventual construction, and I am well-aware of the very poor state of repair of the present highway. I intend to do everything in my power to see that this is built as soon as possible.

Boost Your Home Town!