

# DAILY STANDARD

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OFFICE IN THE MORRIS BUILDING

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CONCORD, N. C., Oct. 24.

JUDGE W. S. O'B. ROBINSON.

No one who understands the situation, we think, could understand entire silence from THE STANDARD on the above subject.

We take it, that it is a prerogative of the press to criticize any officer elected by popular vote. Through what channel may the public learn the merits and the demerits of public officials better than through the press, and really what other practical way has the public of knowing whether or not a man elected to office is faithfully serving the people in that office? Or what better stimulus to official fidelity than a conservative press?

The court in July was almost a farce with about the usual expenses of a whole term of court attached. THE STANDARD, with the hope of filling its legitimate mission of public service, noted that four days at the beginning were lost, without reflecting on Judge Robinson as being essentially to blame. A prominent lawyer told us, that had a judge of the usual style held the court the time would have been pretty well taken up in the second week, and the ends of justice better met. He said the court was more like a jolly picnic occasion than like the sessions in the temple of Justice. A county official, a consistent member of the church, told us that the judge used profane language unblushingly. We understood it to be in social intercourse. Criticisms as unconservative as the judge's demeanor floated freely in the air. THE STANDARD hoped, in its conservative and guarded tones, not to fan, but to modify the feeling engendered in the minds of the people by this court, at the same time showing its readers that it was not indifferent to their interests.

Therefore an editorial appeared in THE STANDARD under the head of "THE COURT UNSATISFACTORY." What was said in criticism of the court is here reproduced:

"There is a painful realization that the judge is wanting in the graceful wearing of the judicial ermine.

"He does not carry with him that air of dignity and judicial solemnity that inspires the people with a sense that the court house is the very temple of justice. Indeed it is unfortunate for the institution of courts that the public should hear profanity coming from the lips of a judge even in his social intercourse.

"We confess to some surprise and as much doubt of the wisdom

of passing over so lightly the carrying of concealed weapons by men whose morals prove them to be the most unfit citizens to enjoy such privileges. There are instances where great lenience should be extended to violators of this law but certainly no man who is drunk should be included. A drunken man with a pistol in his pocket has no claim for leniency for violating the law. The crime for him is the greater and is without mitigation. A man has the right to get drunk if he wants to, but he has no right to endanger other citizens with a deadly weapon which none but the level-headed and self-controlling are fit to have.

"There is an air of dissatisfaction about the results of this court that will require one or two much more successful ones to dissipate."

Before going further, we want to publicly acknowledge Judge Robinson's kindness (we take it as such in good faith) for excusing us from serving on the jury to the late term. If a personal favor should weigh more than a sense of duty to the public, silence might have been expected of us, but he easily let us out on that when he went out of his way to refer in open court to THE STANDARD as "a little penny liner," and its editor as an ignoramus who thought he (the judge) was "cussing" in court when he used the Latin court term, "Damnum absque Injuria" (which, Webster says, means a loss without injury.)

The reader will please note our language above and see how his honor might have charged such upon us in poetry or jest where truth is not an essential factor. Were we to indulge in caustic, resentful invectives, we doubt not that there would be many an amen among those to whom the judge didn't commend himself, to say nothing of the bar and the jury to whom he made himself absolutely offensive. But this is not our purpose, indeed it would not even be gratifying to us.

It is one of the fundamental principles of our judicial system that a body of twelve good, capable jurors is the highest tribunal for deciding as to facts, and they are entitled to deference for their opinions. Judges sometimes betray a contrary conviction, very courteously intimated, after the decision of the jury, but we never heard of a judge before that would ruthlessly insult a Cabarrus jury and talk of their getting off the jury if their decisions did not coincide with his opinions.

As for the judge's making wry faces to the jurors and parties sitting in the bar while attorneys are pleading, and actually speaking behind the hand to the jury in sheer contempt while a lawyer is pleading, it is chiefly an offensive against the bar which is well able to take care of itself, but it tends to lower the high estimate of court that should always be maintained in the minds of the people.

Now the half probably has not been told and we would infinitely rather speak in high deserved praise of our subject, but there is no lack of serious consequences about this matter. We should be careful whom we elect to the high office of judge of our courts. One member of the bar told the writer that Judge Robinson is a disgrace to both the bench and bar of North Carolina. Another said to us, his rulings are practically a license to

crime. Several, and among them some eminent ones, told us that Judge Robinson is a good-hearted man and an able enough lawyer but that he is entirely wanting in judicial temperament.

Some one will say what is all this to you? We say, enough and more than enough. Since the one dark day in the history of our county that rises anew before the mind like an enlarging object of terror in the sufferer with nightmare, the fair name of Cabarrus is bleeding with wounded morals. Twice since has the spirit of mobocracy manifested itself at the county jail till it is alarming. There are two distinctive elements, striving with each other now. The one would forget what courts are for and in their frenzy take human life freely without the process of law. The other is trying to heal this demoralization and restore the mental equilibrium enjoyed, and that was our pride, before that terrible event. How very unfortunate that we should have had a court now in our critical period that did no inspire confidence and reverence that would have aided the better thinkers. Judge Robinson's bearing we regard as very baneful to our anti-mob influences.

In this we do not mean to blame him for allowing Will Edwards and Tom Carr a change of venue to Rowan. More than that we emphatically commend him for that act. While mobs gather at our jail door and prisoners are saved only by the interposition of brave and heroic citizens, these defendants are not to be wondered at for swearing that they do not believe they can get justice in the county, nor is it any thing but right that the judge should grant their prayer. It is a necessity due to the demoralization even of good men which we do hope will blow over ere long. Yes let a Rowan jury try the cases. It will be better to do so. There are plenty of men in Cabarrus that would do justice to the defendants but getting such jurors is another thing. If the writer were involved and had been scared by a mob at the jail he would want a move of the trial and we suspect the reader would. Let us not blame Judge Robinson for this one act so justifiable under the circumstances, but let there be no more mobs in Cabarrus and no more desecration of courts.

Our courts are and should ever be the highest embodiment of organized liberty and discriminating justice. Let each do his part to make them ideal.

We feel that we can promise in advance that our January term will contrast in a most beautiful and salutary way with our last two and there is but one Judge Robinson.

Judge Robinson is holding court in Yadkin county this week. If it's a repetition of him in Cabarrus it would be Damnum absque Injuria if he were not.

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D. J. Bostian.

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