

### NEED MORE FUNDS FOR RESEARCH

Agricultural Advisory Board Studies The Needs Of Farmers For 1929

### AGENTS IN EACH COUNTY

RALEIGH, Jan. 9.—More funds for research with cotton, a county agent in each county with a supporting board of agriculture, better seeds, more livestock, and a definite five-year program of agricultural advancement are some of the pertinent suggestions that the executive committee will recommend to the full agricultural advisory board when it meets at the call of Governor Gardner after his inauguration.

This executive committee of the board met in the offices of the Commissioner of Agriculture on January 8, first at the call of the chairman, Dr. E. C. Brooks. Those present in addition to the Commissioner and Dr. Brooks, were D. W. Bagley of Moxock, Dr. E. C. Branson of Chapel Hill, C. F. Cates of Mebane, Thurman Chatham of Winston-Salem, and Dr. Clarence Poe of the Progressive Farmer. Dr. Carl C. Taylor also attended as an invited guest.

At the Governor's suggestion, the advisability of using the surplus warehouse fund amounting to about \$500,000 for research work with cotton was discussed and a ruling was requested from the Attorney General. Better farm seeds and the need to bring more attention to livestock so that this branch of farming would compare more favorably with crop farming were determined as two imperative needs. County organizations of farmers which would follow the definite five-year program of development was also decided upon. Dean I. O. Schaub of the school of agriculture was requested to prepare such a program for the action of the commission.

In this program, the committee wishes to have more cooperation from the State Bankers' Association, more information about farm management and farm budgeting and facts about economic production. The committee expects to make a full report along these lines to the Advisory Board when it meets at the call of the Governor. The committee also recommended that a tobacco farmer be added to the board.

### "BRIGHT METAL," DRAWS COMMENT ON THE CONDITIONS IN THE SOUTH

William T. Polk Reviews Novel For News And Observer; As A Book It Falls Short, But Does Point Out Pertinent Facts In Life of State

### GOOD AND BAD IN THE OLD AND NEW SOUTH

By WILLIAM T. POLK, In The News And Observer

T. S. Stribling's "Bright Metal" is not a novel. It is an indictment—an indictment of the South. There is no use telling the author that he can't indict a people. He's done it!

Admitting that it was too obviously written to uphold a theory that things happen too pat to be convincing, that as literature it is not—yet it is a book that the South cannot disregard.

Inferentially, at least, the present state of civilization in the South is accused of superstition, lawlessness, disregard of the rights of the individual, brutality, dishonor and corruption.

And the reason? That the poor white trash are in the saddle; that the present civilization bears the stamp not of the cavalier but of the peasant. Such is the theory.

The plot is nothing much. Agatha, born in California and sophisticated in New York, marries Calhoun Pomeroy, a Tennessee farmer, and settles down in her husband's domicile. Thereafter it is Agatha versus environment and vice versa.

Agatha, motoring southward with her husband over "a new handsome government highway that looked like an anachronism amid such unkempt surroundings," gets her first experience of Southern chivalry in the form of a bullet in the tire of her car, this being Constable Bobb's method of stopping speeders, and she is convicted by a magistrate who makes a living out of convictions in such cases.

Later we see the same constable making false arrests on the authority of blank warrants signed by Squire Clay, blackjacking citizens who resist these illegal arrests, and shooting niggers who have run away from him.

Violence abounds. Men fight over everything from a dog to a used toothpick.

The author also pays his respects to corruption, official and private. Pomeroy leaves the State to keep from being a witness in a murder trial against a friend. Officers arrest citizens not to enforce the law

but to make fees. The Congressman pays the poll taxes of the women voters and keeps the receipts to insure their voting for him. Another candidate for office gets the poll tax list, hires a notary and writes out absentee votes for everybody who ever moved out of the county, both the quick and the dead.

Instances of bigotry, superstition, disloyalty and cowardice are not lacking.

So here is the sister State of Tennessee considered and adjudged, convicted and awaiting execution.

### No More Than a Pebble

Can North Carolina cast the first stone? Hardly. No more than a pebble at most.

Every lawyer in North Carolina who knows anything knows that the rights of the individual—the individual without influence or wealth—are none too well protected in this State. Are there not police officers who boast that they can hit a nigger in the heel while he is running away—and occasionally do it?

If all the citizens of North Carolina shot and killed by police officers—not for resistance to arrest but merely for taking unceremonious leave of the official presence—were laid end to end, I dare say that, while they might not make as long a line as would be made by those pedestrians killed by reckless motorists, they would cover more territory than we should care to contemplate. One of our most settled beliefs is that anyone who knows how to pull a trigger knows when to pull it.

How about search and seizure? Suppose I am peacefully walking down the street in a North Carolina town with my gripack in my hand. Has a police officer the right to stop me and forcibly search me and ransack my so-called "private property" in a hunt for liquor which may or may not be there, without

a search warrant or any warrant at all?

He has, it seems, in North Carolina. It has been held in a recent North Carolina case that "a search warrant is not necessary to search a suitcase for intoxicating liquor when carried by the defendant after arrest, when under the circumstances the officer had reasonable grounds for belief that it contained intoxicating liquor."

Search-by-belief has taken the place of search-by-warrant. The State rightly desires to catch bootleggers, but in order to do so it is necessary or wise to place the time-honored rights of its citizens at the mercy of every petty police officer who, "believing where he cannot prove," takes a notion that he wants to do some searching?

The search of houses, vehicles and persons by officers, with impunity and without authority, is surprisingly frequent in the State which held aloof and refused to ratify the Constitution of the United States until it contained the provision that "the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation and particularly describing the place to be searched and the persons or things to be seized."

### Abuse by Judicial Officers

Turning from the abuse of law by police officers to the abuse of justice by judicial officers, let us look at the courts of the magistrates, sometimes called Justices of the Peace.

Probably the majority of the criminal cases in this State are tried before magistrates. When a magis-

trate tries a man under an indictment, the magistrate gets his pay, if any, from the person indicted. If the person indicted is found guilty, he must pay for the costs of the case. If he is found innocent, nobody pays them, and the magistrate gets nothing for his time and trouble. Nor does the sheriff. The magistrate having had a more or less disagreeable time listening to witnesses talk and lawyers wrangle, naturally wants to get paid and he wants to see the sheriff paid. This frame of mind in a judicial officer does not make for a fair trial.

Thus the administration of justice is reduced to an absurdity. Badly put, the State of North Carolina says to her magistrates: "You shall try my citizens brought before you fairly and impartially, but if you find them innocent you get nothing for your services."

### Even Lawyers Denounce It.

This is so shocking to the sense of justice that even lawyers are denouncing it. Interesting comments

are to be found in the volumes of the North Carolina Review.

Furthermore, the highest court in the land has called this sort of fee system unconstitutional. Mr. Chief Justice Taft in the opinion handed down in *Tumey vs. Ohio*, wrote:

"Every procedure which would offer a possible temptation to the average man as a judge to forget the burden of proof required to convict the defendant, which might lead him not to hold the balance nice, clear and true between the State and the accused, denies the latter due process of law."

Of course. But that is exactly what the North Carolina procedure does.

The only possible palliation for such a procedure is found in the old legal maxim, "*De minimis non curat lex*"—"the law doesn't care

about trifles." But who can define a trifle? The costs may be only a dollar, but to some magistrates have so high a respect for the coin of the realm that they would not consider even the smallest of its denominations a trifle.

North Carolina should purge itself of this unfair, unconstitutional and pernicious system of criminal procedure.

Ignorant and Corrupt Magistrates North Carolina should likewise weed out its ignorant and corrupt magistrates, in justice to its honest and intelligent ones, and in justice to justice itself, and then adopt a new system of creating magistrates. The present system is scandalous. The case against it has been too well stated by Mr. Kemp P. Battle in the April, 1928, number of the (Continued On Page 6)

## Flu Epidemic Now Sweeping Whole Country

Is Milder Than in 1918, But Emergency Demand for Vicks Breaks All Records

The influenza epidemic which broke out late in October on the Pacific coast has spread with startling rapidity until now practically every section of the country is affected.

Although the flu itself is not so serious as in 1918, authorities stress the importance of taking every possible precaution for fear of the complications which invade the weakened system after a flu attack.

They urge especially prompt treatment of every cold, as colds lower the body resistance and make it easier for germs of flu or pneumonia to get a foothold.

That the public is heeding this warning is indicated by the phenomenal demand for Vicks Vapo-Rub, the famous external treatment which leaped to fame almost overnight during the 1918 epidemic.

In spite of tripled capacity, the Vicks laboratories are once more operating night and day to meet the emergency, and more than 432,000 jars are now being produced every 24 hours.—adv.24



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### AMERICAN ROADS WIN RECOGNITION

In discussing foreign road building, Frank B. Curran, chief of highways section of Automotive Division of the Bureau of Foreign and Domestic Commerce, says that the world is turning to the United States for highway information and material.

"During the last four years," says Mr. Curran, "we have made an excellent collection of data on highways and highway transportation abroad and of new opportunities for American trade resulting from road improvements."

"Argentina, South Africa and Australia buy American road making machinery. Persia, the Soviet and Panama employ American engineers to direct the development of their national highway systems. India construction in Java increases the demand for American asphalt. Australia adopts a new federal aid system based on ours. A Swedish engineer invents a new asphalt paving process."

"We have been carrying on a world-wide campaign to arouse interest in foreign countries in road improvement, especially by the use of American methods, materials and machinery."

National Symbols  
Arkansas City Traveler: To show their appreciation of Gen. Smedley D. Butler, the Chinese presented him recently with "the umbrella of 10,000 blessings with banners." As we understand it, this corresponds to that coveted American token of affection, the fur-lined cuspidor.

Patronize the advertiser.

### PAINFUL INDIGESTION



"I SUFFERED a good while before I found something that would help me," writes Mr. E. W. Berry, of Neosho, Mo. "My trouble was indigestion, pains in my chest and a tight, bloated feeling that would make me feel smothered."

"Speaking of this to a friend of mine, he told me that Black-Draught was good for this trouble. I bought a package. It certainly did help me, so I continued to use it."

"I am in the transfer business, and sometimes when I would be hungry and ready to eat, I would have a call and would have to eat later. Then I would eat too much or too hurriedly. This would cause indigestion. After I started using Black-Draught, I found it did me a world of good."

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## FOR SALE

### Land and Timber

A tract of land known as the Spring Green Tract, containing 100 acres, more or less, bounded on the N. by Alex and Haywood Alston; on the S. by the Powell and Alex Alston lands; on the E. by the Road to Powell's mill, and on the W. by Fishing Creek. Timber is located on this land which will be sold also, either separately or together with the land.

POLK AND GIBBS, ATTORNEYS

Goodyear All-Weathers if you want the best. Goodyear Pathfinders if you want the maximum quality for minimum cost. Goodyear Regular, Heavy Tourist and Pathfinder Tubes to match them all. We're stocking them. Servicing them. And selling lots of them to Warren county motorists who check tire costs carefully.

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