

IN RECORDER'S COURT

Somebody Lied, And the Judge Knew Who; 3 Sent To Roads For Assault

The old saying, "There's always two sides to any story," never had a more severe workout than it did in Recorder's Court Monday afternoon.

Here's what one side of the story was:

Jack Goins, a Negro farmer of near West End, swore that he had been threatened by Willie McLaughlin, also of West End. Goins told the Court that McLaughlin had a switchblade knife, a description of which was difficult to give, and had drawn it around his (Goins') neck, threatening to kill him. This action, he said, took place at Jesse Person's place near West End. About an hour later, he said,

McLaughlin and two Negroes who had been with him, Daniel Toomer and John Henry Toomer, had come to his house and fired several shots, one of them in the window just above his mother's head.

He said John Henry had dared him to come out of the house. His brother, Lonnie, testified he had been struck in the jaw by a bullet. And his father, James, said he saw the three come to the house and that another son, Henry, had pushed one of the boys out of the door after he had tried to enter forcefully.

Now the other side: McLaughlin, 22, said he had indeed "talked" with Jack Goins

in Person's place, but had not threatened him. He produced his knife for all the world to see: a small, one and one-half inch affair that the user would probably have a hard time cutting butter with.

Furthermore, he said, he had not been at Goins' house at all that night. He did get near it at one time, he said, but had nothing particular in mind. . . just walking a girl home.

John Henry denied everything. And Daniel, dressed in Army garb, denied most everything. He did say he heard some shooting going on "up to the Goins' house," became frightened and went to Person's place to pick up his shotgun. "I left it there when the hunting season was over and decided that it was a good time to pick it up," he explained.

Daniel, one court attendant said, was comical. At one point in his testimony he told the Court that "bullets were landing all around my feet and I just was naturally scared that one of them would hit me. But I didn't even have any bullets for my gun so, you can see, I didn't do any shooting."

Judge J. Vance Rowe mopped his brow after the testimony and leaned back in thought.

H. F. Seawell, who was defending the three Negroes, told him that it would be "impossible" to make any finding "beyond the reasonable doubt" required by law. He quoted a couple of verses and said the case was complicated "beyond description."

"Someone," he said, "was lying." Maybe all of them.

Robert Bowman, constable in West End, testified he had found spent bullets in the Goins' house. He said also that he didn't know who was doing the shooting.

Judge Rowe opined as to how it was easy to see that someone was lying. "I think it was these three boys," he said.

He gave David Toomer six months for assault with a deadly weapon, John Henry four months for aiding and abetting in the assault, and Willie three months for assault with a knife.

Appeals to Superior Court were noted, with Daniel being required to post \$500 bond, John Henry \$350, and Willie \$250.

In another case that was scheduled to be tried Monday, Southern Pines police officers failed to show up, explaining over the telephone they thought it was supposed to be tried one week later, and it was re-scheduled for 10:30 next Monday.

In that case Dorothy Elizabeth Graham of Southern Pines, a school teacher in Laurinburg is charged with careless and reckless driving and driving drunk. There were about 25 people from West Southern Pines on hand for the trial, supposedly there as character witnesses.

Other cases disposed of: John Francis Blue, Carthage, driving drunk, careless and reckless driving, unlawful possession of illicit whiskey, no valid operator's license, \$100 and costs, license revoked 12 months.

Benjamin David Sineath, Carthage, unlawful possession of illicit whiskey, prayer for judgment continued on payment of costs and also the balance of fine due (\$84.75) in another case.

D. J. Mofield, Carthage, larceny of tire wheel valued at \$25, 60 days on roads, suspended on payment of \$25 and costs and no violation of larceny laws during next two years, and also that he not operate a vehicle in North Carolina during night time for next six months.

Lester Doby, Carthage, larceny of tire and wheel valued at \$25, (Continued on Page 15)

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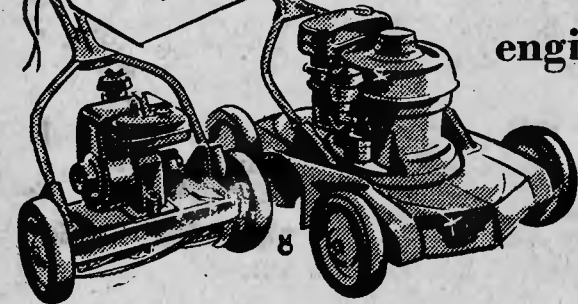
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Woman's



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