

THE DUBLIN TIMES

THE TIMES COVERS DUPLIN LIKE A ROOF

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KENANSVILLE, N. C.

NUMBER FIVE

GREATEST
FLOOD IN
HISTORY OF U.S.

Duplin County Reports \$816.49 Collected To Date

The United States is faced with the gravest crisis since the days of the World War in human suffering. A million people are homeless more than three hundred known dead and millions of dollars in property damage done by the greatest flood in the history of our country. The great Ohio and Missouri rivers with their tributaries, all emptying into the Mississippi and many other tributaries of the Mississippi are swollen to record high floods. The cities of Cincinnati, Louisville and many smaller cities in the area are flooded, forcing the inhabitants out. Disease threatens, fires have broken out in many places, in Cincinnati one blaze did damage close to a million. At this writing the Ohio at Cincinnati is falling but a still greater flood is expected along the Mississippi. It is expected that the thousands of miles of dike stretching to New Orleans may not be able to withstand the unrush of water.

The American Red Cross has sent out an appeal for millions of dollars, the Federal Government in swift action has appropriated millions for relief in the flood stricken areas. The Red Cross appeal has gone into every corner in the United States and the people are responding almost to their limit.

Duplin County has responded splendidly to the call for money to aid the Red Cross in relief and rehabilitation in the flooded areas. Duplin's quota was first set at \$200, later increased to \$400 and later to \$1,000 and as much above as possible.

J. E. Jerritt, chairman of the Duplin County unit Red Cross talks very optimistically about prospects of passing our quota. In fact he thinks Duplin will raise nearly \$1500. Capt. Jerritt is in charge of the drive, assisted by O. P. Johnson, treasurer, Mrs. N. B. Boney, vice-president, Mrs. Harvey Boney, executive secretary, Mrs. J. W. Westbrook, publicity chairman, Dr. Carr, county health officer, Mrs. Irene Huffham county nurse and scores of others throughout the county who have volunteered their services.

Reports to date reveal that Duplin County has raised a total of \$816.49, including \$160 worth of clothing from Faison and \$10.65 express charges for shipping.

Kenansville leads cash contributors with a total of \$137.14, followed closely by Warsaw with \$130.50 and Chinquapin with \$125.00. Here we particularly call your attention to the Chinquapin (Please see back page)

COMMISSIONERS FAVOR NO COUNTY COURT JURY

(EDITORIAL)

SHALL WE ABOLISH THE JURY?

LAST week the TIMES carried an editorial entitled "WILL OUR COURT PROTECT OUR CHILDREN?". Monday morning the Duplin Board of Commissioners passed a resolution asking Representative Quinn to have drawn, introduced and secure passage of a bill to abolish the jury of our general county court.

Quite a bit of discussion has been carried on in various parts of the county this week relative to the proposed bill, some in favor and some against. It appears that a majority of our lawyers are opposed to passage of such an act. Some oppose it on the grounds that it is tantamount to abolishing the entire court. Others state that it is denying the defendants in court a constitutional right to trial by jury. Some contend that such an action is based purely on political reasons. The TIMES contends that when a condition exists, regardless of the condition, whereby a person can shoot into a school bus and be declared not guilty that there is something fundamentally wrong somewhere.

It is contended by some that such an act would be unconstitutional. It is also advanced by others that the real trouble with our court is our jury box. There is in existence a law requiring the board of county commissioners to clean out the jury box every two years.

The Duplin County jury box has not been cleaned out since 1927 when Jno. A. Gavin was county attorney and through his influence the commissioners at that time revised the list of jurors. In recent months we have been told that jurors living in the adjoining counties of Onslow and Pender have actually served on our juries and passed on cases. Another instance reveals jurors have served who have been tried, convicted, sentenced and served terms on the roads.

The law says in sum and substance that a juror shall be a person designated by the county commissioners, 21 years old, a good and true citizen.

Some of our lawyers state that the poor condition of our jury box caused the injustice wrought in the school bus case. They contend that if this clean up was made our superior court as well as our county would be elevated to a higher plane and justice will be meted out in a fairer measure. If this will do the work then we say do it.

Contention is held that abolishing the jury will be the same as abolishing the court. We contend that this is not necessarily true. Abolishing the jury to our county court does not deprive anyone of the right of trial by jury. One can always appeal to the superior court.

It has been said that the court cannot lawfully and validly operate without a jury. The court is established under section 1808, (f), Consolidated Statutes. Its criminal jurisdiction is set out in another section giving it right to try crimes below the grade where punishment is death or imprisonment in the state prison. The General County Court is denominated in law as an inferior court, that is a court below the grade of a Superior court. We are informed that the general rule is where the right of an appeal from a verdict or judgment is given, from recorder or county judge to the superior court, the defendant has no right to trial by jury in the county court. The legislature may provide other means for trial of petty misdemeanors than by jury, provided the right of appeal is preserved.

The bill of C. E. Quinn provides for an appeal from the judgment of the county court, and that makes it constitutional.

The same jury serves Superior court that serves the county court. The very same men may be called to pass on another school bus case in the superior court who served in the county court. If we are going to abolish the jury to the county court without cleaning out the jury box then we might as well go to the ridiculous extreme and attempt to abolish the superior court. Shall we clean up and straighten up and have justice or shall we let a good opportunity slip by and do nothing?

Quinn Meets Temporary Defeat For Two Bills; To Draw Act Setting Up Five Commissioners In Duplin

Representative C. E. Quinn has introduced in the N. C. General Assembly bills to allow county commissioners to designate county depositories; divide dog tax receipts equally between the general county fund and the school fund; to permit all county solicitor's fees to be credited to the general county fund; to make it a misdemeanor for anyone to be found in a drunken condition off their own premises. These bills were referred to committees.

The bill to allow county commissioners to designate county depositories has passed the house and remains to pass the senate body. The bills regarding drunks and dividing dog tax receipts were reported from the committee unfavorable. The bill to credit to general county fund all county solicitor's fees was reported favorable. A favorable report on a bill is tantamount to passage.

The TIMES is informed that Mr.

Quinn will introduce shortly a bill creating five commissioner districts for Duplin and provide for each district to nominate in the primary its own candidate to be voted on by the whole county in the general election. Mr. Quinn is following the mandate from this county convention in the summer when it voted unanimously to ask him to pass such a bill. Duplin County is probably the only county in North Carolina with as many as 35,000 people with only three commissioners.

It is generally rumored in parts of the county that Mr. Quinn will introduce a blue law bill to apply only to Duplin. The legislator states that this is a false rumor, that he has no intention of introducing a blue law bill of any nature.

A bill to abolish the jury in our general county court has been drafted and will be introduced shortly, he stated. Our board of

(Please see back page)

DELEGATES ASK FOR MORE CONVICTS AND EQUIPMENT

A delegation from Duplin marched in Raleigh Tuesday carrying with them data showing Duplin is not getting its share of convicts and road equipment from the State Highway and Public Works Division. The group, composed of Chairman Miller and Jno Croom of the board of commissioners, Supt. O. P. Johnson, Robert M. Carr, Henry L. Stevens, Jr. and Faison McGowen called on Capus M. Waynick and then proceeded to Chapel Hill to confer with Stanley M. Wright, State director of W.P.A. regarding allotment for Duplin County schools.

Duplin basis its plea for more road equipment and convicts on a comparison between Duplin, Pender and Onslow counties. The following data was submitted:

ONLOW County: 743 square miles, 15,312 persons, 20.6 inhabitants per square mile, 1930 census. Roads, 1931: county highways, class A, 67.4; class B, 48.6; class C, 297.4, total 413.4 miles, and 96.3 miles state highways. Total miles estimated today are 400. Equipment: 10 dump trucks, 4 maintenance trucks, one 75 h.p. tractor, 115 convicts.

PENDER County: 815 square miles, 15,686 persons, 19.12 inhabitants per square mile (1930 census). According to 1931 statistics Pender has 107.65 miles state highway: county roads, class A, 115.9 miles; class B, 208.1 miles; class C, 87.5 miles. Total 411.5. Total mileage estimated today 416. Equipment, 10 dump trucks, 5 maintenance trucks, one 60 h.p. tractor, one patrol truck, 95 convicts.

DUPLIN County: 790 square miles, Population, 35,110, 44.4 inhabitants per square mile (1930 census). Road mileage 1931: state

highways, 125.95 miles; county roads, class A, 172.4; class B, 125.2; class C, 341.8, total 639.2 miles county roads. Equipment: 8 dump trucks, seven maintenance trucks, one 35 h.p. tractor, one patrol truck, 95 convicts.

Summarizing these statistics we find Duplin larger in area than Onslow and slightly smaller than Pender. However Pender county has a large area on the coast that is lowlands and hardly inhabitable. Duplin has over twice the population of either Pender or Onslow counties. Duplin has a total of 639.2 miles of county roads (Please see back page)

TELEGRAM

WASHINGTON, D. C., JAN. 26, 1937

J. E. JERRITT, Acting Chairman Duplin County Chapter ARC
KENANSVILLE, N. C.

FLOOD SUFFERING HAS ALREADY REACHED UNPRECEDENTED PROPORTIONS WITH RELIEF NEEDS STEADILY MOUNTING STOP UNDER THESE CONDITIONS IMPOSSIBLE NOW NAME FINAL GOAL FOR FUNDS ONLY LIMIT RED CROSS ASSISTANCE MUST BE MAXIMUM GENEROSITY AMERICAN PEOPLE STOP EVERY POSSIBLE MEMBER NATIONAL RED CROSS STAFF NOW ASSIGNED TO FIELD FOR RELIEF DUTY STOP I CALL UPON ALL CHAPTERS TO ASSUME FULL INITIATIVE THEIR RESPECTIVE JURISDICTIONS AND MOBILIZE EVERY COMMUNITY RESOURCE OF PERSONEL AND ORGANIZATION TO RAISE PROMPTLY LARGEST POSSIBLE AMOUNT STOP REPORT DAILY AMOUNT RAISED STOP FOR YOUR INFORMATION IN VIEW PRESENT KNOWN NEEDS YOUR GOAL SHOULD BE NOT LESS THAN FIVE TIMES QUOTA ORIGINALLY ASSIGNED YOU.

CARY T. GRAYSON, Chairman