

Institute Director Albert Coates Discusses Traffic Laws, Problems

By Albert Coates
(Ed. Note — This is the first of a series of articles by Mr. Coates, director of the Institute of Government on traffic laws, traffic law enforcement, and traffic law observance.)
Horse and buggy days in rural North Carolina generated few if any traffic problems. Little travel, on slowly moving vehicles, over country roads, carried little danger of collision, less damage to property, no loss of life, and a killing only of time. Into this small town and open country setting at the turn of the century came the automobile, moved by the internal combustion engine, forerunning the traffic problems of today.

Growing Traffic Problems
These traffic problems grew with the growing population: from two million in 1900, to four million in 1950. They grew with the State's expanding highways: from 5500 miles in 1921 to 60,000 in 1951. They grew with multiplying automobiles: from a few hundred in the early 1900's to 1,000,000 or more in 1950; with a speeding power increasing from fifty miles an hour to seventy-five, to a hundred, and beyond; driven by a million six hundred thousand licensed drivers, exhibiting degrees of care and carelessness, speed and recklessness, sobriety and intoxication. They grew with the mushrooming volume of travel: from a few thousand miles a YEAR in the early 1900's to twenty-four million miles on an average DAY in 1949. They grew with multiplying accidents: killing seven hundred a year by 1930, and a thousand and sixty-nine by 1951; injuring forty-four hundred a year by 1930, and fifteen thousand by 1951; with property losses running from the tens of thousands of dollars, to the hundreds of thousands, to the millions.

The Motor Vehicles Department tells us that people in North Carolina traveled an average of a million and a half miles in motor vehicles on the streets and highways of North Carolina every hour of every day and night in 1951 — with a resulting death every eight and a half hours, a personal injury every thirty-five minutes, and an accident every fourteen minutes.

In the last fifty years the people of North Carolina have killed twenty-two thousand, five hundred of their friends, neighbors, and fellow citizens with automobiles, and injured nearly forty million more. In the fifty-two years since the first recorded killing of a person by an automobile in 1899, the people of the United States have killed over one million of their friends, neighbors, and fellow citizens with automobiles, and injured nearly forty million more.

Multiplying Traffic Laws
Horse and buggy days called for a few simple traffic laws. The coming of the automobile to the streets and highways of North Carolina marked the beginning of city-wide traffic laws in 1900, county-wide traffic laws in 1905, state-wide traffic laws in 1909, and nation-wide recognition of the traffic problem in 1925, followed by national standards of uniformity in state and city traffic codes.

From these beginnings the story of traffic laws in North Carolina has been the story of belated and sometimes frantic efforts to keep abreast of growing traffic problems. Speed limits have steadily increased in business, residential, and rural areas. Rules of the road have expanded until they regulate: (1) the place on the highway where one may drive and the distance he must stay behind the car in front; (2) the speed at which one may drive in approaching railway crossings and street intersections, going around curves, over hills, along winding roads, and under other traffic hazards; (3) stopping, parking, backing, and passing on the highways; (4) the driver's conduct in the face of pedestrians, frightened animals, school buses, railways, street cars, safety zones, and nearly every move a driver makes.

Traffic laws grow out of traffic problems and outline ways to safety on the streets and highways. Suppose one driver could not count on another to drive on the right, or turn to the right on meeting, or not to pass on hills and curves. Suppose one driver could not count on another to stop on red lights at street intersections; or at a stop sign where a side road connects with a main highway; or to give the proper signals before turning right, or left, or slowing down; or to keep the proper distance behind the car in front; or to give the right of way when it is due another. Suppose one driver could not count on another to keep his brakes in order or his headlights and taillights working, or his load from extending beyond the fenders of his car. Suppose one driver could not count on another to have the mental capacity to see the right thing to do at the right time; or the physical capacity to do it; or the will power to keep his eyes on the road, his hands on the wheel, his mind on his driving.

The law-making responsibility is vested by the Constitution in the General Assembly. Within the framework of state-wide traffic laws the General Assembly has delegated rule and ordinance-making powers within specific limits: (1) to the State Highway and Public Works Commission, (2) the State Department of Motor Vehicles, and (3) the governing bodies of cities and towns.

Bath Therapy at U.N. Polio Center



Fourteen young women from ten nations are receiving specialized training in the treatment of poliomyelitis at the International Children's Center, which is supported by the United Nations International Children's Emergency Fund (UNICEF). The center is in the Raymond Poincaré Hospital, in Garches, France. The trainees, including nurses, social workers and physical therapists, attend lectures and take part in the clinics, gymnastic rooms and therapeutic baths. Above, nurses are participating in a demonstration in hydrotherapeutic treatment. The French Government has offered the educational facilities of the hospital to UNICEF without charge.

ment of Motor Vehicles, and (3) the governing bodies of cities and towns.

The Institute of Government is cooperating with these agencies in continued studies of traffic problems, leading to continued improvement in traffic laws tailored to the traffic needs of the cities, the counties, and the state of North Carolina, which will go as far as laws can go to make the streets and highways safe for the people.

Traffic Law Enforcement
Laws on the books will never cut down accidents on the streets and highways until they move out of printed pages into the heads of law enforcing officers and automobile drivers and go into action on the streets and highways. "Execution is the life of the law," and execution of the motor vehicle laws depends on: (1) the officer who catches the violator of the law, (2) the solicitor who prosecutes him, (3) the jury which tries him, (4) the judge who sentences him, (5) the hearing officer with the power to restore a license suspended or revoked, and (6) the agencies of probation, pardon, and parole.

Investigating Officers
Five hundred State Highway patrolmen are continuously patrolling twenty-three thousand miles of hard-surfaced highways, and giving a lick and a promise to thirty-seven thousand miles of dirt roads; supplemented by sheriffs and rural police giving such time to traffic law enforcement in rural areas as their general law enforcing duties and limited equipment permit; supplemented by two thousand policemen, patrolling eight thousand miles of streets, in three hundred town and city islands dotting this statewide traffic sea.

Solicitors, Jurors, and Judges
Every year three thousand law enforcing officers bring two hundred thousand people into: (1) justice of the peace courts, in hundreds of scattered townships, (2) city courts in around three hundred cities and towns, (3) county courts in most of the one hundred counties, and superior courts in the twenty-one judicial districts of the state; charged with traffic violations ranging from illegal parking to drunken driving, manslaughter, and murder.

These violators of the traffic laws are prosecuted by solicitors with differing policies in throwing out cases, changing warrants, and accepting pleas of guilty to lesser offenses. They are tried by juries exercising ancient prerogatives to dispense with the law in order to administer justice — according to jury if not according to law.

are sentenced by judges with differing interpretations of "negligent" driving, "reckless" driving, "drunken" driving, with differing policies of punishment even when they agree upon the same interpretation of the law; with the net result that differences in punishment are as likely to be based on differences in courts as on differences in criminals.

To illustrate: one officer may give a caution where another gives a ticket and another makes arrest. One solicitor may "nolle prosequere" a case where another changes the warrant and another pushes prosecution to the limit of the law. One judge or one jury may convict of driving under the influence of intoxicating liquor on proof of alcoholic odor on the breath, another may require added proof of slurring speech and staggering walk and

inability to stand alone, and another on the same evidence may change the warrant to speeding or reckless driving in order to avoid the revocation of driver's license. And if the first case on the docket brings a jury conviction in a reckless or drunken driving case, followed by a five hundred dollar fine and twelve months on the road, it is easy to see how similar cases fade off the docket in the hope of lenient juries and lighter judges in later terms of court.

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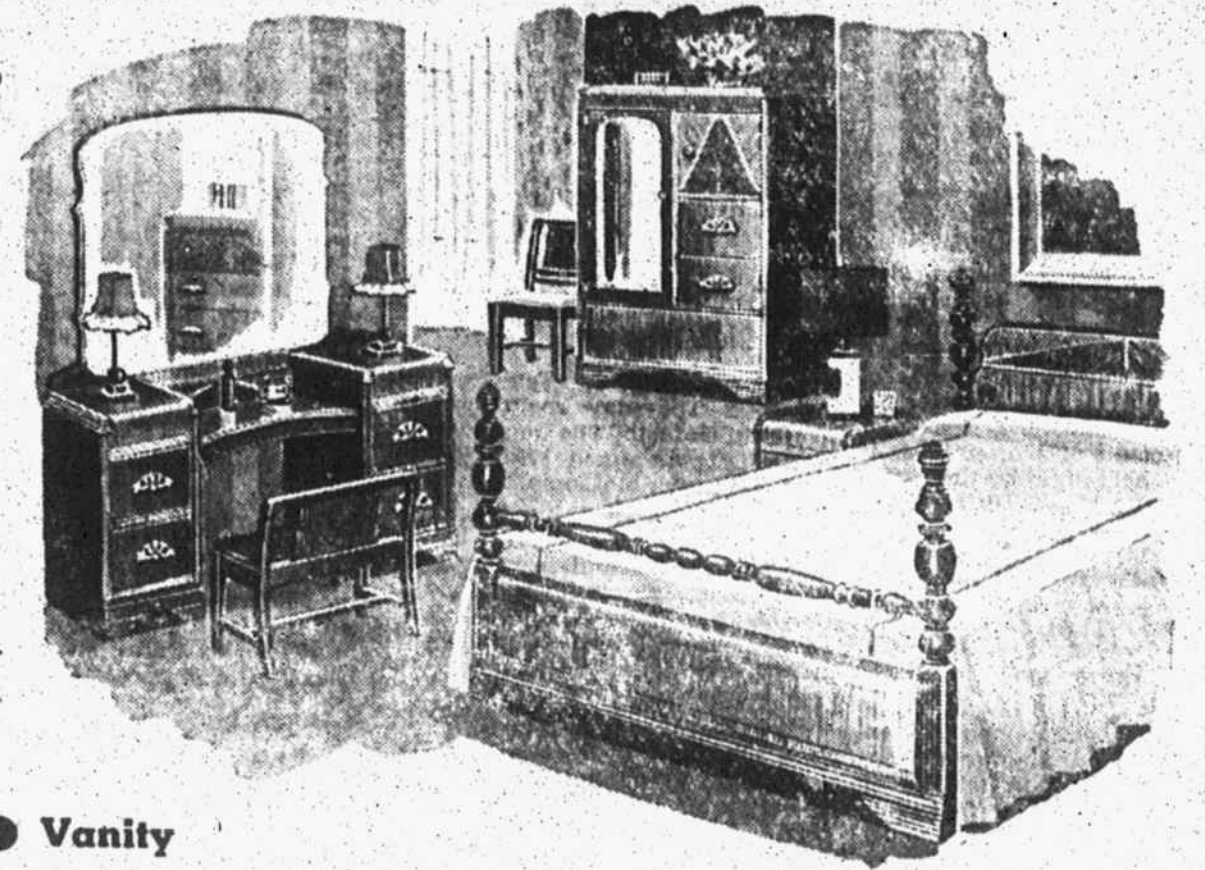
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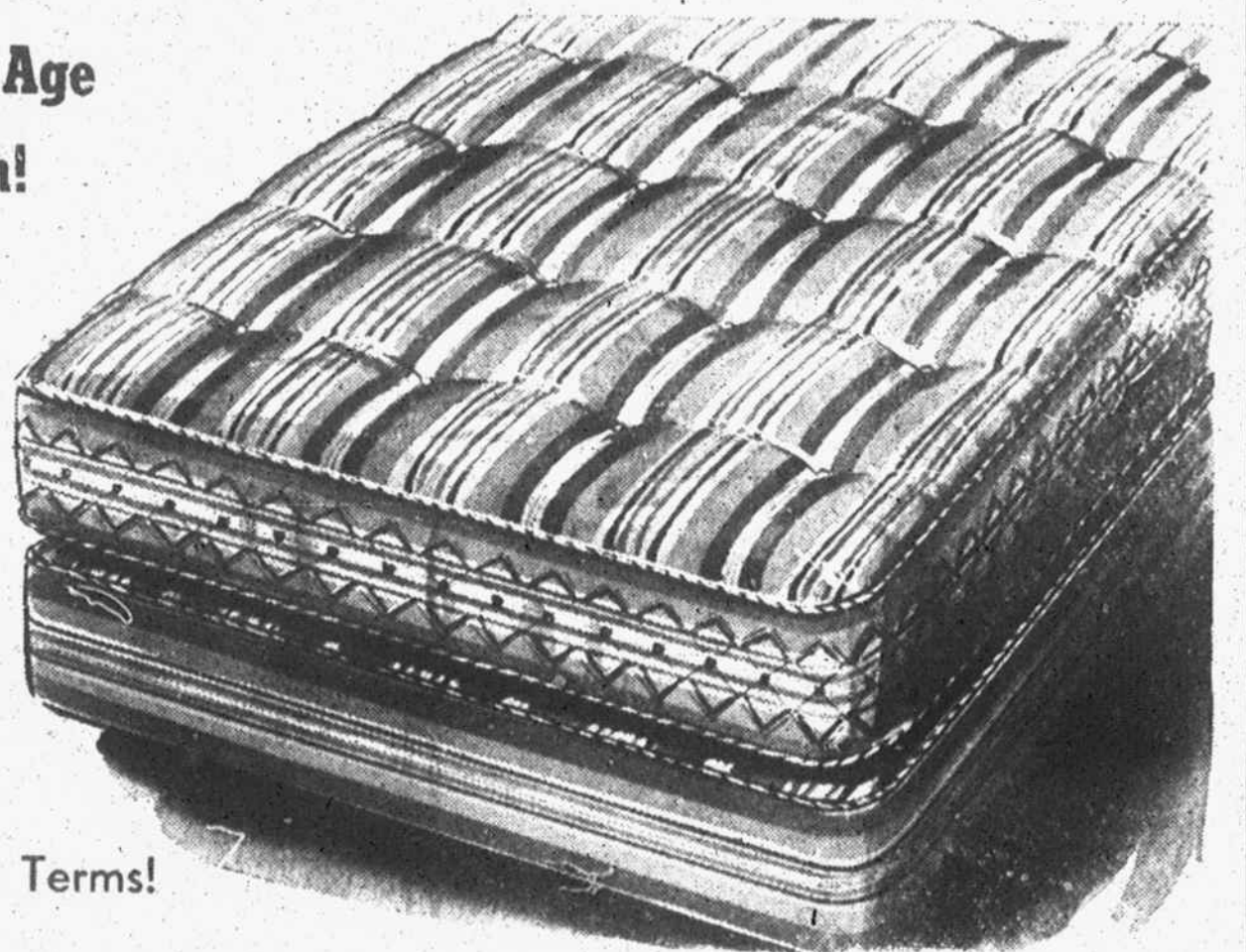
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