

## Weekly Legislative Summary

This is one in a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1961. It is confined to discussions of matters of general interest and major importance.

A week that saw a minimum of legislative output was marked by two sharply contrasting events.

On Tuesday the General Assembly journeyed to Greensboro for a session honoring House Speaker Joseph Hunt. Given the red carpet treatment by their Gate City hosts, the members reciprocated by holding a regular legislative session for the edification of assembled school children and other Greensburgers.

Pleasant memories of this trip were interrupted Wednesday by the death of veteran Forsyth County legislator, Flectus L. Gobble. Rep. Gobble was serv-

ing his tenth session in the House in a tenure extending back to 1941. Out of respect to his memory, the House transacted no business Thursday and the Senate deferred its calendar.

### Courts

Court revision is the first major issue to begin to take shape in this session. The NC Bar Association-sponsored bill, introduced last week by Rep. Taylor was introduced this week in the Senate by Senators Crew, Jordan and Bell. On Thursday Sen. Hamilton introduced a bill, backed by Sen. Lindsay Warren and signed by 30 members of the Senate, which Sen. Warren stated was designed to be "a substitute for the so-called Bell court reform bill." The "Warren Bill" makes no change in the Supreme Court, Superior Courts, or justices of the peace. It requires the General Assembly to provide for the establishment of a system of courts, inferior to the Superior Court, for the various counties, cities and towns of the state, the courts to be established in each locality with the approval of the local governing authority. Specialized courts, such as juvenile, traffic and domestic relations courts could be established. Courts must be uniform as to organization, jurisdiction, procedure and powers; local or special laws relating to the courts are forbidden, and all amendments must be general and uniform in effect and application throughout the state. Until a court is established under this bill in a county, city or town, existing inferior courts will continue to operate.

Another bill which will become a part of the over-all court struggle was introduced Thursday by Senators Clark and Shelton. This bill, which is approved by the NC Magistrates Association, provides that one or more JP's shall be elected at each general election for members of the General Assembly. It further provides that the number of JP's and the manner of their election or appointment shall be determined by the General Assembly; thus some method of appointment, in addition to the prescribed election, apparently is contemplated. Perhaps the most significant change made by the bill is the provision that in all criminal mat-

ters the JP shall receive a uniform fee of \$5 in each case where process is issued and final judgment rendered, regardless of the nature of the verdict. Thus, the income of the JP would not depend upon his decision in criminal cases. The \$5 fee would be paid by the county out of costs collected by the JP's and turned over to the county, or from such other funds as the county might provide.

All of the bills relating to the courts were referred to Sen. Kesler's Committee on Courts and Judicial Districts. As the week ended, the position from which the battle over the courts will be fought and the identity of the standard bearers were more or less clearly established, but there is still considerable shuffling about to be done before it will be clear as to who will man the guns on either side.

### Legislative Representation

Redistricting of the State Senate would be accomplished by SB 66 introduced Friday by Sen. Currie. The bill would make no change (other than district numbers) in 20 of the existing 33 districts. Mecklenburg, Guilford and Forsyth would each be allotted two Senators. Cumberland would be taken from the present 10th district and would become a one-county district, as would Rowan. Cabarrus, which is now with Rowan, would be transferred to the present 2-Senator 19th district, joining Anson, Stanly and Union. Craven and Greene would be removed from the present 7th—Craven to join Beaufort, Dare, Hyde, Martin, Pamlico, Tyrrell and Washington in the present 2-Senator 2nd district, and Greene to be added to Franklin, Nash and Wilson in the present 2-Senator 6th. Pitt, now a one-county district, would join Edgecombe and Halifax in the 2-Senator 4th district. Alleghany and Ashe would move in with Stokes and Surry in the 23rd. Watauga would join Avery, Madison, Mitchell and Yancey in the present 30th. The bill was referred to Sen. Currie's Committee on Election Laws and Legislative Representation.

Meanwhile a public hearing was held on HB 1, the Kemp Bill to reapportion House seats according to the present Constitutional formula and the 1960 census returns. The NC League of Women Voters urged adoption of the bill. The House Committee on Congressional Dis-

tricts adjourned after the hearing with taking action on the bill.

### Capital Punishment

The expected bill abolishing capital punishment except as to second offenses was introduced Tuesday by Rep. Harris of Wake and Rep. Taylor. Except for one obscure capital penalty (killing a person through malicious damage to a railroad: GS 14-278), the bill punishes with life imprisonment all capital felonies—murder in the first degree, rape, arson, and burglary in the first degree—instead of giving the jury its choice between death and life imprisonment as at present. In the process of amending the burglary punishment, the bill eliminates the present punishment for burglary in the second degree, which is either life imprisonment or a term of years in the discretion of the court, and thus places this crime under the maximum 10-year provision of the general law. The bill provides that the jury may choose between death and imprisonment for life when one commits one of the listed crimes while under sentence of life imprisonment.

### Appropriations

Having experimented with morning meetings, the Joint Appropriations Committees voted overwhelmingly to return to the traditional afternoon meetings. Notwithstanding this decision, the committee met Thursday morning and heard Agriculture Commissioner L. Y. Ballentine request \$907,000 for the operation of a compulsory meat and poultry products inspection program which would supplement

the federal compulsory program for meat and poultry products shipped across state lines. The state now has a voluntary inspection program, but many meat and poultry packers do not participate in it.

Other requests heard by the committee during the week included \$82,254 for renting of field offices for the Department of Revenue; money for increased faculty salaries at the Consolidated University; \$800,000 for purchase of farm land south of Raleigh to be used by State Col-

lege; \$115,000 to match a Ford Foundation grant to State College School of Engineering, and \$430,000 to double the size of a proposed dormitory at Woman's College.

### Miscellaneous

Freshman Senators who have been receiving instruction in the procedures and folkways of the Senate received two unscheduled lessons Monday night. When Sen. Currie was quizzed as to the reasons underlying his actions in recalling SR 4, relating to senatorial redistricting, from

## Farm Facts

Today's farmer has the tools and know-how to do his job more efficiently. This makes it possible to supply himself and 23 other persons, a production ratio achieved by farmers in no other country.

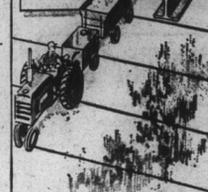
The U. S. farmer's capacity to produce thus makes it unnecessary to maintain a large labor force on the land. This makes more workers available for industry, freeing them to supply the many goods and services which contribute to our high standard of living.

To achieve this efficiency, U. S. farmers are continually increasing their investment in equipment and supplies. This demand creates payrolls and employment for suppliers to an extent not realized by many people.

Few of us realize, for example, that farmers in this country have twice as much invested in machinery as the steel industry and five times as much as the automobile industry.

The farmer is America's biggest customer and he is getting bigger all the time.

Spensible income of all farm families was more than \$40 billion in 1959. This compares with \$46 billion that the Government spent on defense in the same year. It was more than all U. S. business spent on plants and equipment.



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## Taylor Theatre

EDENTON, N. C.

Thursday and Friday, March 9-10—

Joan Collins and Richard Eagan in "ESTHER AND THE KING" (Cinemascope and Color)

Saturday, March 11—DOUBLE FEATURE

Joel McCrea in "TROOPER HOOK" —and— Robert Mitchum in "THUNDER ROAD"

Sunday, Monday and Tuesday, March 12-13-14—

Cary Grant, Deborah Kerr, Robert Mitchum and Jean Simmons in "THE GRASS IS GREENER" (Cinemascope and Color)

Wednesday, March 15—DOUBLE FEATURE

Elizabeth Taylor in "ELEPHANT WALK" —and— Charlton Heston in "THE NAKED JUNGLE" (Both in Color)

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Richard Copeland	Rudy Spruill	Lenny Copeland
Mae Garris	Melvin Copeland	Leslie Carter
Jack Hardison	James Alred	Paige Farmer
Sybil Jones	Johnny Bass	Van Fleming
Jim Keeter	Donnie Nixon	Gary Hardison
Ernest McCleave	Beulah Privott	Frank Hedgepath
Harry Overton	William Reeves	Walter Stowe
Bobby Overton	Leroy Spivey	Woodrow Slade
		Paul Whiteman



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the House, and then immediately returning the resolution to the House, he made a fairly lengthy explanation which provided entertainment and mystification. When Sen. Hancock was assured by President Philpott that the Chair would not be offended if the Senator chose to appeal an adverse ruling, the Senator graciously declined with the comment that one such foolish action (which he had once taken) was enough.

### Theory Tested

Conservative—So you believe in dividing everything up, do you?

Socialist—Yes.

Conservative—Would you be willing to give me half your cows?

Socialist—Yes, most certainly.

Conservative—Would you give me half your chickens?  
Socialist—No, that's different.  
Conservative—What's the difference?  
Socialist—Why, I have chickens but I ain't got no cows.

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