

# Doffermire Defends Johnston Attorney

A six-man jury failed to reach an agreement at the conclusion of the day-long trial of Elam Reamuel Temple, Route 3, Four Oaks on charges of drunken driving, careless and reckless driving and speeding.

Defense attorneys Everett Doffermire of Dunn and Gilbert Grady of Four Oaks, produced four witnesses who testified that the defendant was not under the influence of an intoxicant when they observed him after he was placed in the Smithfield jail.

Three law enforcement officers testified that at 1:00 a. m., on the morning of August 14, Temple was operating a motor vehicle under the influence of some intoxicant and that he sped through Four Oaks on Highway 301.

State Highway Patrolman S. K. Johnson of Four Oaks, the arresting officer and W. L. Morrow of Mount Olive, formerly stationed at Benson, testified that in addition, Temple operated the car in a careless and reckless manner. The warrant which originally charged drunken driving and speeding had been amended to include the reckless driving charge.

Mrs. Hazel Neighbors of near Four Oaks, who is separated from her husband, declared that she was with the attorney from 7:00 p. m. until he left her home at 1:00 a. m. and that he had nothing to drink that night and was not under the influence. She admitted on cross-examination that she was the attorney's steady girl friend.

The defense also introduced evidence that the fuel pump on Temple's car was faulty and that it created a lot of noise and decreased the power and speed of his machine.

Patrolman Johnson testified that the defendant's car passed him as he was parked at the Esso Station near the stop light in Four Oaks "at a terrific speed and in the middle of the road."

He said he gave chase and at one point observed the defendant's car travel 150 feet on the left side of the road in the face of an oncoming car before turning off on the road to his father's house, where he lived.

Johnson said that when Temple got out of his car he could smell liquor on his breath and that the defendant's actions and appearance indicated intoxication.

**60 MILES AN HOUR**  
Patrolman Morrow, who followed Temple and Patrolman Johnson from the service station, corroborated his fellow officer's testimony. Four Oaks Chief of Police Earl Barbour, who was also at the service station told the court that Temple was "doing 60 miles per hour" when he passed the station, and that he was intoxicated when he saw him later at the jail.

Dr. G. A. McLemore, Smithfield physician, who examined the defendant at the jail at 2:00 a. m. denied that Temple was intoxicated, as did J. Charles Parrish who went to the jail and provided bond for Temple's release. Others who saw the defendant at the jail supported this testimony.

The jury took the case at 4:30 p. m. and at 5:10 told Judge William I. Godwin they were unable to agree. He asked them to deliberate further, but at 6:00 p. m. they still had not reached an agreement, so a juror was withdrawn and a mistrial declared.

Solicitor Billy Britt declared that he would call the Temple case for trial again at the next session of jury trials in Johnston Recorder's Court.



A 2-c DAVID S. McCULLEN, JR., is the son of Mr. and Mrs. D. S. McCullen of Dunn, Route 5. He was graduated from Plainview High School in 1951 and entered the Air Force on October 15. He took his basic training at Lackland Air Force Base in Texas and was later assigned to Radio Operator School at Keesler Air Force Base in Biloxi, Mississippi, where he has completed a 36 week course. He is home for 21 days and will report to Brooks Air Base in Texas at the termination of his leave.

## City Policies To Be Talked

City policies and a retirement fund for city employees are to be discussed at two special meetings of the Dunn City Council. It was announced today by City Manager A. B. Uzzle, Jr.

On Sept. 16, Nathan Yelton, executive-secretary of the North Carolina Employees Retirement Group, will meet here with the council and the town employees, to discuss the possibility of setting up a retirement fund. The town board discussed the project at one of their meetings and instructed the City Manager to call a meeting with reference to the question.

On September 19, George Franklin, general counsel for the North Carolina League of Municipalities, will meet with the council at a special session to talk over the various town policies and other matters pertaining to the town government.

Franklin was originally scheduled to come here on September 12, but a conflicting meeting at Roanoke Rapids on that date caused a postponement of the meeting, Uzzle said.

## Bob Thompson Buys Weekly Newspaper

**HIGH POINT**—Robert L. Thompson, editor of the High Point Enterprise for the past 10 years, today became editor and co-publisher of the weekly tabloid, the Beacon, here.

Thompson resigned as editor of the Enterprise effective Saturday. "It was like pulling my own teeth to leave the Enterprise," Thompson said. "My 10 years association with the paper and the publisher have been most pleasant, but there is an opportunity in the new enterprise which I can't afford to pass up. We expect to do a great deal with our paper."

Thompson, Dave Neill and Ed Kemp, all of High Point, purchased the weekly.

Thompson worked for various North Carolina and Southern newspapers and for the United Press and Associated Press before becoming editor of the Enterprise. He was private secretary to Sen. Clyde R. Hoey during Hoey's term as governor, and for a year directed the state's publicity campaign.

## Malik Attacks U. S. Leaders

**UNITED NATIONS, N. Y.**—Russia's Jacob A. Malik charged today that President Truman, Secretary of State Dean Acheson and Dwight D. Eisenhower "would sign an alliance with the devil himself if the new partner would bark loud enough about the crusade in which they are engaged."

The burley Soviet delegate told the United Nations Security Council, which is debating his "log-rolling" proposal for the admission of new members, that American leaders are busy creating aggressive blocs all over the world in preparation for a war against Russia.

## Dyson Services Held Saturday

Queen Dyson, 75, of Whiteville died in Columbus County Hospital Thursday after a brief illness. Funeral services were held Saturday at 2:30 p. m. in the chapel of McKenzie's Funeral Home, conducted by the Rev. W. L. Foley, pastor of Westminster Presbyterian Church, assisted by the Rev. R. C. Foster, pastor of the First Baptist Church. Interment was in Whiteville.

There are few evils, the judge added, "with which I have less patience that dealing in bootleg whiskey."

## Conjuring

BY LOUIS DEARBORN

## ON WATCHING ANTS

Ever since I was "knee high to a grasshopper" I've been fascinated by ants. I've filled in a lot of what otherwise might have been dull summer afternoons watching these industrious little creatures.

I'm afraid, however, I'll have to admit that I've failed to follow their example in industry and saving too closely, but we humans usually are allergic to following good examples anyway.

Some day I'm going to get me one of those glass houses that I saw in the Marshall-Field store in Chicago, park it on my desk at home, and do a little more observing of these fascinating little creatures.

## CLARIFYING THE LAW

In sending the controversial cases up to Superior Court by Judge H. Paul Strickland to the State Supreme Court for "a clear cut decision" and a clarification of the law with respect to jury trials in Recorder's Courts, Solicitor Jack Hocks has pointed up a problem that troubles most lawyers.

Ignorance of the law is held to be no excuse for the violator when he is hailed into court to answer for his violation, but some of our laws have become so bound up in legal verbiage that they are extremely difficult for a lay man to understand.

Of course, we understand that laws are made by lawyers, and perhaps they are designed the way they are in order that these lawyers will have work to do. However, in some cases the laws are so equivocal in their meaning and application that even the lawyers themselves admit that they find it hard to understand.

The average person will not willfully violate the law,

## "How," She Asks, "Can You Promote A Piano Player?"

**LOS ANGELES**—Singer Patty Andrews of the Andrews Sisters says her husband is only

the trio's pianist and even that job isn't permanent. Testifying at a court fight between her husband, Melvin Weschler, and his ex-wife, the singer said yesterday that her husband made \$300 weekly accompanying the trio. "But don't you intend to promote him," asked an attorney for Sue Allen, Weschler's former wife who sought to boost his child support payments from \$200 to \$616.15 monthly because she claimed he now earned \$500 a week. The singer said no promotion was to store for her husband. "How," she asked, "can you promote a piano player?" The judge denied requested boost in support payments.

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## Dunn Men Found At Still Go To Roads

James Mallard, Dunn Negro, after being sentenced to nine months on the roads for violation of the prohibition law told Judge Susie Sharpe he only worked one day at the illegal distillery.

"Well, it was a bad day's work," said the judge who first ignored pleas for a lighter sentence made by counsel and two small Negro girls who were at the defendant's elbow.

"What did you do with these children while you worked at distilleries?" asked the judge. "Well," replied Mallard, "I never worked but one day. I was promised big money but I never got my pay." He said he had cared for his two children ever since the death of his wife when the younger child was three years old. Both now attend school.

The judge relented and sentenced Mallard to the roads for nine months, suspended five years on good behavior plus payment of a \$100 fine.

**COMPANION GETS TERM**  
David T. Fisher, a white man, who entered a guilty plea to same liquor violation drew 12 months on the roads.

Deputy K. C. Matthews had testified that when officers raided the two 800 gallon stills in Nell's Creek township, Fisher and Mallard broke and ran but he overtook them.

"Neither of these men are economically able to erect two stills of this size and capacity," said the judge. "I would much prefer to sentence the man for whom they worked. Do either of you want to tell who was the owner?" asked Judge Sharp.

Fisher was silent, Mallard claimed he did not know the man's name. "Of course that's not so" said the judge. "You wouldn't work for a

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