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FRIDAY, DECEMBER 16, 1921.

**THE ROAD DECISION.**

The decision of the Supreme Court as to which of the two county bodies, the commissioners or the highway board, is liable for the balance of \$42,000 due on the Monroe road, turns out pretty much as has been anticipated and, in addition to being right in law, is also right on morals and right according as the public would have it.

The people of this county have voted for all the road money which they feel like voting for at this time and it is their desire that the road bonds available be utilized entirely for this purpose without having to resort to any other additional levies for road construction. If the court had decided in favor of the highway commission, the county commissioners, who have no road-building funds at all, would have been forced to resort to a special levy to make up the amount. That would have been quite contrary to public sentiment as to what was right and proper and just in the premises. The Monroe road was completed—\$42,000 worth of the work was done—after the highway commission acceded to authority in road-building work in this county and it stands to reason, therefore, that it inherited the contract for this road along with all other heritages connected with road work of all sorts.

There has been no dispute between the two boards about it except as to which was within its legal rights to pay the bill. If the county commissioners had conceived from the outset that they had any law upon which they could move in liquidation of this bill, they would have paid it without a question; and so would the highway commission for that matter.

The Supreme Court was asked to give a ruling on it only for the purpose of establishing authority for paying the debt. There has been no feeling or any sort of unfriendliness about it between the two boards. And neither could be publicly censured for having moved so cautiously and so slowly in winding up this matter.

**THE TESTIMONY OF OFFICERS.**

Mecklenburg juries need to have more faith in the testimony of the officers of the law, Judge E. B. Ray said on the occasion of a recent term of the court here. Judge Ray is somewhat brusque and crude at times, says things that have an edge to them, and naturally, therefore, is easily misunderstood, but he is a well-meaning judge and wants to see the laws enforced. He was speaking of the tendency to depreciate the testimony of officers in a certain class of cases that find their way into the criminal court rooms. "If an officer of this county were to drop dead, the average jury would stick a pin in him before accepting it as a fact," Judge Ray said, remarking upon this frame of mind of the average jury.

Court attendants do not find it out of the way to agree with the judge. There is a very manifest disposition on the part of some juries either to disregard entirely or to minimize the testimony of officers of the law who swear to facts as they have gathered them or recite evidence as it has come to their notice.

Officers, of course, want to bring about convictions. If they have any prejudices, they are on the side of the law and against the evil-doer, but, at the same time, their natural inclinations are no sharper nor more definite than those testifying for defendants, those who have a special interest in the outcome of cases and who, for this reason, are likely to have their feelings or their friendships sway them in the recitation of their testimony.

We do not undertake to assert that the testimony of officers ought to have the right-of-way every time and that juries can afford at all times to depend absolutely upon these men. Nevertheless, if we get into the habit even of minimizing the testimony of these men whose duty it is to break up wrong-doing, we not only bring discouragement to them, but we tinker with the very foundations upon which the social order is established and this practice, run to excess, will make law enforcement a veritable travesty.

**SERIES OF FIVE LECTURES.**

The Mecklenburg Alumni Association of the University of North Carolina is promoting, in connection with the Y. M. C. A., a very instructive program in bringing here for a series of addresses some of the most outstanding leaders at the University for the Winter. The first of these is to be held Friday night when Dr. Howard W. Odum, sociology professor, introduces the course with a lecture on "Democracy and Active Citizenship."

The several professors who are coming here are among the most expert leaders of progressive thought in the State at this time. Dr. E. C. Branson is to follow later and Dr. Branson has come to be known as a powerful leader in economic and social movements in North Carolina.

It will be well worth the time of the people of this community to hear these addresses. They will be profitable to them as well as entertaining.

**THE TENDENCY OF POPULATION.**

Fourteen of the largest cities of North Carolina absorbed nearly half of the total increase in North Carolina's population during the last two decades. These cities were Gastonia, Rocky Mount, High Point, Winston-Salem, Asheville, Durham, Greensboro, Wilson, Charlotte, Salisbury, Goldsboro, Raleigh, Wilmington and Newbern.

During the 20 years in question, the ratio of dwellers in the countryside decreased from 52.3 to 41.4 per cent of the total population and from 1900 to 1910 the increase in urban population was four times the increase in country population and from 1910 to 1920, the urban increase was six times greater than the rural.

There is, therefore, no longer any doubt as to the tendency in population in North Carolina. It is decidedly away from the farms and into the cities. That means that North Carolina will soon lose its agricultural standing and become, more and more, industrialized in its society; the cities will grow large and the countryside will be more sparsely settled, unless the backward trends in and some economic reforms are set in motion by which the population can be held to the country.

"Ought it to be held there?" Wherein can the State become the greater, in agriculture or in industry? These are pertinent questions. They can not be answered, assuredly, within narrow limits. It would take a long treatise to discuss the issues properly, but the mere recitation of the statistics ought to be enough to produce serious thought among those who want to see North Carolina come into its kingdom.

The inevitable result of the city-ward drift in population is to increase the cost of living, to put consumption requirements so far beyond native production that we shall be forced to look elsewhere for those basic products upon which our wellbeing depends. That situation has already developed in some localities. It exists in this community. For 10 years, the disproportion in supply and demand in Charlotte has been acute. So many people have deserted the farms and come into the city that Mecklenburg county, is no longer supporting Charlotte, the city. When we consider the fact that a removal from the county to the city doubles the problem of consumption, it is not difficult to understand this process. When a farmer moves from his country place to the town, he not only deprives the productive population of his own services as a producing unit, but he becomes a sheer consumer when he takes up his residence in the town. Thus he both subtracts from and adds to the equation, the result being that his transfer doubly accentuates this problem of supply and demand.

Dr. Branson, of far-seeing eye and gifted in social analyses, discussing the general situation in the State as this city-ward drift is now indicated, has some very pertinent observations to make. He is of the opinion that whether the movement is economically good or bad, it will continue so long as present conditions remain. "The problem is world-wide," he says, "and it is not to turn people back to the farm or to keep people from leaving the farm, but to make farm life efficient, prosperous, satisfying and wholesome for country-minded people who choose to live in the country; there are now and will always be many country-minded people in every state and nation, but at present they are being driven out of the country by unendurable conditions, economic and social.

If these conditions cannot be cured and in the main they must be cured by the country people themselves, then country life in North Carolina will fall into decay as in the New England and the North Atlantic states. The industrial supremacy of this area is now imperiled by the decline of agriculture. As a result eastern factories are being moved into regions of larger food production and lower food costs. Meantime New England manufacturers are spending millions of corporation money for agricultural rehabilitation in the Eastern states.

So far in our history, we have had too many producers of farm products, an too few local consumers. Our towns and cities have been too few and too small to furnish ready, profitable markets for any farm products but cotton and tobacco as surplus money crops for demand for these in the markets of the world reduces the net income of our farmers to the lowest possible terms. The way out lies (1) in bread-and-meat farming and (2) a large consuming public at home, (3) with cotton an tobacco as surplus money crops for local and for world-wide consumption.

Activities of city and county officers against blind tigrism these day remind us that they are seriously interfering, no doubt, with at least a part of the public's plans for an egg-nog Christmas to a rather alarming extent.

**LEGISLATIVE INITIATIVE.**

The effort made to bring about an increase in the salary of the treasurer of Mecklenburg county indicates a decided legislative tendency in these times—a tendency on the part of Representatives generally to put through legislation upon which the people have not been informed.

Understand us as having no suggestion to make that this attempt on the part of some of the county's Representatives, in this particular case, was without cause. We should imagine that if the people could pass upon the issue themselves, they would very probably be in favor of allowing the treasurer an increase from \$3,000 to \$3,600 the year, but we are speaking only of general tendencies and not of this particular incident.

And this tendency is not only marked as to Representatives in State Legislatures, but as to representatives of city governments and to representatives in the National Legislature as well. The people are no longer consulted first and mandates taken from them. Mandates are more nearly given them. Legislation is passed and the voters consulted afterwards. The cart is in front of the horse.

Government in a democracy has its foundation upon the authority of the people. Representatives are chosen merely as vehicles through whom the people may express themselves and indicate their will. It was never the intention of the founders of our system of representative government to have men go into the law-making bodies and there write their own wills instead of the wills of their constituents. They are supposed only to represent the people.

Of course, representing the people is sometimes a difficult task. The Representative must use his own judgment in determining what the people want and what they do not want in cases where there has been no referendum taken. In such instances, he is obliged to gauge public opinion as best he can and then to act accordingly. He is supposed to do what a majority of his constituents want done.

It would be well to get back to this early practice in our representative governmental bodies and give the people a chance once more to be the final authority in all of these instances. This is their country. They are capable of running, although Mr. Taft once said they were not, and they are entitled to retain this privilege which the framers of the Constitution gave them.

This is undoubtedly one of the most enjoyable Springs we have run across this time of the year in this part of the country in a long while.

**THE YAP CONTROVERSY.**

About all the newspaper readers know about what is called the Yap controversy is that it has suddenly become quite sizeable for some reason or other, and that the United States has been drawn into it. Yap is a small island 400 miles west of Guam, bought by Germany from Spain in 1899 which became at once a center for her cable lines, of which one went to Shanghai, one to Guam and another to German New Guinea. When Japan drove Germany from the Pacific in 1914 she seized this along with many of Germany's Islands in the Pacific Ocean; the end of the cable reaching Shanghai she cut and connected with Japan.

The sudden interest of America in Yap has been due, first to President Wilson's plan to "internationalize" it, a plan not accepted by the allies, for they were already under expressed obligations to give it to Japan; and second, to Secretary Hughes' use of it as the fulcrum for his diplomatic attack on the proceedings of the League of Nations. He contended that neither the allies nor the League of Nations could dispose of Germany's captured territories without the consent of the United States by whose aid Germany had been overthrown, and that, therefore, Japan could not claim exclusive possession of Yap nor of any of the north Pacific Islands, even though given to her by the allies.

Japan's reply to these contentions has been first that Britain, France and Italy agreed in 1917 before America entered the war, that Germany's possessions in the north Pacific should come to her at the final peace settlement; second that there is no record of President Wilson's reservations or plans regarding Yap in the minutes of the Paris Peace Conference; third, that all mandated areas had been regularly assigned in the regular procedures, America having failed to attend the Commission on Mandates though invited; the fault therefore, is with America, not with the League; fifth, that nevertheless she was willing to make special arrangements with the United States in regard to the Yap-Guam cable, and sixth, that it would be better and much cheaper to lay a new cable from Guam to Shanghai and give it to the United States than to come to blows about so trivial an affair.

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**BURCH PROSECUTION CLOSED.**

Los Angeles, Dec. 16.—The prosecution in the trial of Arthur C. Burch for the alleged murder of J. Belton Kennedy rested its case late yesterday. Adjournment was taken until Monday on motion of the defense.



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