

# Supreme Court Approves Action Of Weldon's Paying Police Chief's Expenses to FBI Training School

Nisbet Says Court More Realistic Now

By Lynn Nisbet

Raleigh, Nov. 27 — Mr. Doolley is generally credited with the wise quip that "judges read the election returns." Whether influenced by election returns or some other sentiment, the courts have been showing a more realistic, as contrasted with purely legalistic, approach to solution of problems presented to them.

The North Carolina supreme court this week decided specifically that the commissioners of the Town of Weldon were acting within scope of their clear authority in paying the salary and expenses of their police chief while attending an FBI police training school two years ago.

The fact that Chief Justice Stacy, Associate Justices Denny and Winborne dissented from the majority opinion written by Justice Ervin with approval of Justices Devin, Seawell and Barnhill, indicates there is "law" on both sides. These four-to-three decisions are not very satisfactory, but majority prevails and until reversed fixes the interpretation of the statutes.

Main question involved in the Weldon case, which becomes controlling for other municipalities and counties in the state, was whether special training of a police officer is a "necessary expense" properly chargeable to general tax fund revenue.

Those protesting the practice contended that the individual officer rather than the community derived major benefit and thus was violation of the constitutional prohibition against personal emoluments from public funds. It was argued in support of this contention that the officer was under no permanent contract or obligation to stay on the local job, and might by reason of the public financed training, get a better job somewhere else. In that event the taxpayers of Weldon would have been socked with the bill for the individual training that inured only to the particular officer and his subsequent employees. Three eminent judges found merit in that contention.

Four just as eminent judges concluded that the duty of the municipality to provide competent police service outweighed the purely legal technicalities and justified the expenditure. In the instant case it was shown that Police Chief Kitchin had continued on the job after getting the training, and so the other argument was in this particular situation academic.

Justice Erwin's writing of the majority opinion is replete with legal phrases, but typical homely phraseology carries more punch. The justice declares that "poets may be born, but policemen must be made." Again: "Both letter and spirit of these laws (those dealing with municipal responsibility to citizens) reveal that a city or town cannot convert a neophyte into a policeman in the true sense of the word by the simple expedient of investing him with a badge, a billy, a firearm and a uniform."

The court was dealing with specific conditions of the Weldon incident and the decision does not necessarily mean that any town under other conditions may divert public money to individual training.

## Navy Spoils Army's Chances Of Perfect Season as Bowl Promoters Snap up Contestants

New York, Nov. 27 — (AP) — Winless Navy spoiled Army's bid for a perfect season with a 21-21 tie today but Notre Dame continued undefeated as the last big football Saturday of the year found the bowl promoters snapping up the best available talent for New Year's Day.

There were several surprises but the No. 1 eyebrow lift was the moral victory for a Navy team that hadn't won a game since early in the 1947 season and entered the service classic a three-touchdown underdog.

Oklahoma, the Big Seven champion, subdued a good Oklahoma A. M. club, 19-15, on a rain-soaked field and immediately accepted an invitation to play in the Sugar Bowl at New Orleans Jan. 1.

The opponents for the unbeaten Sooners will be the undefeated but once-tied Tar Heels of North Carolina, who closed their season with a 34-12 triumph over Virginia as the great Charlie Justice scored two touchdowns on runs of 80 and 47 yards and passed for two others.

Georgia wrapped up the Southeastern Conference championship by squeezing past Georgia Tech, 21-13, with Johnny Rauch's passes and Joe Geri's



## Old Father Roanoke Says:

You won't believe it, but I'm going to get serious today. Old Father Roanoke V, son of "The Fourth" is 17, going on 18. He's already getting some bad habits. Sonny is beginning to enjoy "telling people off." He's trying to take after his Uncle Loudmouth who lives next door to him. Loudmouth is always blustering: "Well, I say what I think and if people don't like it, they know where they can go to." Sonny wants to be a Tough Guy like that, too. So I took him over to Hatcher's for some java and told him about a farmer I worked for back in '73. "Twas during Reconstruction Days; Grant was President. The farmer's name was Mason; he lived down Halifax way. He's been dead 50 years so I can speak freely. My job was to pick tobacco worms. Mason said you had to pick up the worms and squeeze the juice out of them by hand; otherwise, they'd come to life again. Eighty hours a week I did that; he paid me \$2.50 a week. The old Skinflint. Well, I had the same admirin' feelin' toward Mason that Sonny has toward Uncle Loudmouth. Every time Mason told people off, which he did every time he went to town—to hear him tell it—I thought him so brave I wouldn't have been surprised to see a telegram from the White House pleading with him to accept the Congressional Medal of Honor.

I got wise to Old Man Mason when I heard him boast; "When I want to spit, I spit; and it don't make no difference whose floor it is. I spit."

"Get the point, Son?" I asked.

"Guess I do, Gramp. Loudmouth spits, too; only he spits with words. But it is still spitting."

## New Auto Tags Go On Sale Wednesday

Raleigh, Nov. 27 — (AP) — North Carolina will put its 1949 motor vehicle license plates on sale next Wednesday.

The State Department of Motor Vehicles said the tags will be sold at its office here and at 63 branch offices throughout the state.

The new plates, which the department said already have been distributed to the branches, will have black letters on an orange background.

L. C. Rosser, motor vehicles commissioner, estimated that plates for probably 1,000,000 vehicles will be issued during 1949. Already, he added, registrations in the state total 955,000.

## Farm Bureau Against Increase In Tobacco Quota

Raleigh, N. C., Nov. 27 — (AP) — The North Carolina Farm Bureau unanimously adopted resolutions today opposing any increase in the announced 1949 flue-cured tobacco quota and favoring 90 per cent of parity support on all basic commodities.

A third resolution also called for a change in the time at which farmers can begin moving corn through government channels. The proposal would move the time from June to April as a means of encouraging greater corn production.

President W. W. Eagles of Macleesfield presided over the group of more than 75 organization leaders.

The group resolved that "the North Carolina farm bureau is opposed to any further increase in the already announced quota for flue-cured tobacco for the 1949 crop."

## Chinese War Moves Nearer To Nanking

By The Associated Press

Chinese government forces battled Communists last night in open warfare over a large area northwest of Nanking.

The center of fighting shifted from Suchow, 211 miles from the Chinese capital, to Suhsien, 45 miles south of Suchow.

In Paris the United Nations general assembly formally condemned three Balkan nations, Albania, Bulgaria and Yugoslavia, for aiding Greek Communist guerrillas. The vote was 47 to 6, with only the Russian bloc voting no.

Steel-helmeted troops of the new military government kept order in Caracas, Venezuela, as the army leaders who overthrew Romulo Gallegos Wednesday attempted to restore normal conditions.

A report from a secret radio station supporting the deposed president said that there were clashes between civilians and troops in Maracaibo and Caracas. The dispatch came from neighboring Colombia.

Communist leaders officially called off the French coal strike which had crippled industry for a month. The government said 80 to 90 per cent of the men have been back at work for several weeks. About 9,000,000 tons of coal were lost during the strike. United States experts estimated.

In Berlin, Soviet authorities ordered a sharp reduction in electric power consumption in the Russian zone. Western authorities said this was due to the western allies' counter-blockade which deprived the Russian sector of needed coal from the Ruhr.

## Truman Is Consistent

Chicago, Nov. 27 — (AP) — Polls may come and polls may go, but Harry S. Truman didn't think any more of them in 1944 than he does in 1948.

A Chicago marketing research firm, Ben Gaffin and Associates, today made public a letter written to one of its staff members by President Truman when he was a member of the U. S. Senate. The letter, dated September 21, 1944, was in response to a questionnaire on political polls. It read:

"Replying to your questionnaire regarding polls, I am not familiar with them, don't know anything about them, and have no opinion on them except that most of them are inaccurate."

"Sincerely yours, (Signed) Harry S. Truman, U.S.S."

Leonard Rosenstein, chief statistician for the Illinois Poll, a survey conducted by Gaffin and Associates and dealing only with Illinois, said, "We keep the letter around for laughs."

## Flue-Cured Sales Continue Drop

Raleigh, Nov. 27 — (AP) — Volume and sales prices continued to decline this week on the flue-cured tobacco markets still operating in North Carolina.

The sales season ended Wednesday for the eastern North Carolina belt, and will end next Friday on the middle belt.

# J. Edward Allen Charged With Embezzling \$20,372 in County Funds in More Warrants

## Sunday Herald

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FOG IN PARIS — Gendarmes stand near a street light during an unusually heavy fog in Paris.

## Study of Presidential Vote in California Is Requested By GOP National Committee

San Francisco, Nov. 27 — (AP) — A study of the California presidential ballot at the precinct level was asked of Republican county chairmen today to determine if there is a basis for a vote recount.

The study was requested by National Committeeman McIntyre Fairies, who informed a meeting of the Republican State Central Committee it had been asked in a letter from the Republican National Chairman, Hugh Scott, Jr.

Fairies said similar requests had been made on GOP party officials in Ohio and Illinois, although leaders there said they had not received them.

In Chicago, however, Illinois GOP chairman Paul C. Rosenquist said he would meet with state central committee members to discuss the situation and probably look into possible need for a review.

Fairies said he understood a review of the Nov. 2 votes in which President Truman carried California, Ohio and Illinois by small margins, was to determine "if the results were in accord with the vote."

It seemed unlikely, however, California Republican leaders would demand a recount although Fairies commented: "Our faces would be red if we found we had the wrong president."

## Madame Chiang To Arrive In U. S. Next Week

Washington, Nov. 27 — (AP) — The state department announced tonight that the American government would furnish official transportation to Madame Chiang Kai-Shek, China's first lady, on her visit to the United States beginning next week.

The announcement said that the wife of Generalissimo Chiang Kai-Shek will leave Shanghai tomorrow and arrive here next Wednesday.

She is expected while here to make an appeal for greatly increased American aid to the national government of China in its fight with the communists.

## More Rain Is Forecast

By The Associated Press

The forecast promised more rain and little change in temperatures for North Carolina and South Carolina today (Sunday).

## Weather

North Carolina — Mostly cloudy, little change in temperature, rain Sunday.

## ROANOKE RAMBLINGS

By PAT NANTZ

Bobbie Fisher, '48 graduate of the local high school, is visiting with her mother, Mrs. Cassie Fisher. . . . Bobbie is a freshman at Woman's College of the University of North Carolina. . . .

Mr. and Mrs. Elmer Reeves and small son, Bruce, of Alexandria, Virginia, are visiting with their parents, Mr. and Mrs. R. I. Riggan. . . .

Congratulations are in order for Mr. and Mrs. Raymond Green, who are the proud parents of a son. . . . and to Mr. and Mrs. Harold Carawan, to whom was born a daughter Friday morning. . . .

The many friends of Mrs. Rives Manning will be interested to know that she has been confined to her bed, because of bronchitis. . . .

Mr. and Mrs. H. H. Taylor has as their guests, Mr. and Mrs. George Allen, former residents of this city. . . . The Allens are now from Springsdale, Massachusetts. . . . Mr. Allen is a graduate of the Roanoke Rapids High School and of State College. . . . Mrs. Allen is the former Miss Janie Lee Maddrey of Littleton. . . . they plan to visit their many friends here until Christmas. . . .

## Correct Number

In Friday's Herald an article concerning the State Highway Patrol radio station in Halifax contained an error in the number of the telephone at the patrol barracks.

The correct number of the radio station at the patrol barracks is Halifax 671, and all who need any assistance from members of the patrol are asked to call this number in order to get in touch with patrolmen in this area as soon as possible.

## He Didn't Give A Hoot For A Toot

Atlanta, —(AP)—Aaron E. Richards, 27, apparently doesn't give a hoot for a toot.

Police early today found Richards sitting calmly in his stalled automobile on a railroad crossing. Six trains were held up. Richards, said police, just ignored the angry whistles.

He was booked on a charge of public drunkenness.

## Judge Parker To Convene Court Monday; 12 Criminal Cases Are Listed On Docket For Hearing

Halifax, Twelve criminal cases will be docketed for trial here Monday morning, when Judge R. Hunt Parker of Roanoke Rapids convenes the two-weeks' November mixed term of Halifax County Superior Court.

Court officials said here the first four days of the two-week criminal and civil court are scheduled for the trial of criminal actions on the docket and it is expected that the cases for trial will be disposed of by Thursday afternoon.

On Friday a number of pending divorce actions will be heard as part of the civil term and the week of December 6 will be turned over to civil proceedings.

Five of the cases for trial are appeals of judgments in the recorder's court and all are for driving drunk cases. Those who have entered appeals to the Superior Court on the charges are E. M. Burnett, Howard Sistaire, J. E. Whittington, Theron H. Edmonds and Milton Massey.

Three Roanoke Rapids youths, L. E. Draper, Eldred Strickland and Richard Gilliland, will face charges of assault and larceny of an automobile in a case where the three were charged with having hit Cleveland Harris of Emporia over the head late on the night of November 6 and having taken Harris' automobile. In Mayor's court the three waived a preliminary hearing and were bound over to Superior Court. Both Draper and Strickland were placed on probation under sentences for larceny by Judge Chester Morris here in October.

Claude Barnes, Roanoke Rapids man, will face a charge of larceny of an airplane here this week in a case which was bound over, from recorder's court. Barnes, who is alleged to have taken a Piper Cub training plane belonging to W. B. Copenhaver, local airport operator, from the Roanoke Rapids airport on September 21. Barnes, a licensed pilot, crashed in a dense pine thicket near the Aurelian Springs-Roanoke Rapids highway a short time after the plane was taken from the field. In an earlier trial before Judge Charles R. Daniel Barnes was fined for reckless operation of an airplane and operating the plane while under the influence of intoxicants.

Doris Burwell, a Littleton Negro girl, will face a charge of illegally concealing the birth of a baby. She was charged with felony on orders of district Solicitor Ernest R. Tyler after county coroner Rufus Britton had found the body of a male infant in a privy behind the girl's home when an investigation was made by the coroner after a complaint had been lodged by neighbors.

Lawrence R. McPhail will be tried for breaking and entering and larceny. McPhail, a minor, is being tried in the case which court officials said was transferred from juvenile court.

Casper Clanton is charged with the larceny of an automobile, reckless driving and driving drunk; Millard Cooke will be tried on a charge of fraud; and Thomas O. Griffith is scheduled to face charges of abandonment and non-support and assault.

## France, England Present Rival Unity Plans

Paris, Nov. 27 — (AP) — France and Britain tonight presented rival plans to a five-nation unity committee attempting to lay the foundation for a European federation.

The French foreign ministry announced in a communique that Britain proposed a "council of Europe." France put forward a plan for a "European consultative assembly." Belgium, the Netherlands and Luxembourg are also represented at the conference.

The communique did not give details of the proposals. Britain is known to favor regular meetings of a kind of European cabinet composed of ministers appointed by and responsible to each of the governments.

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British sources have criticized as "just another talking shop" a French plan for a "parliament of Europe."

Both the British and French plans would give the proposed European political organization only advisory powers.

## CIO Smacks Down Left Wing Union

Portland, Ore., Nov. 27 — (AP) — The CIO smacked down one of its left-wing unions today.

Its executive board ordered the farm equipment workers union to give up its identity and join the united auto workers.

This was the first action growing out of the CIO convention which established the right wing in full control, determined upon a big nationwide organizing "crusade" and adjourned yesterday.

The board also adopted resolutions in which it:

- 1—Called upon the 81st Congress to abolish the House Un-American Activities Committee and to set up new rules for congressional investigating committees that would "protect the rights of witnesses and persons under investigation."
- 2—Urged President Truman to revise his order concerning the loyalty of federal employees, in order to assure each accused individual of a fair trial, an opening hearing, and the right to hire a lawyer. The resolution said the government's loyalty program now "has degenerated into an irresponsible witch hunt."

## Interdenominational Sunday School Training Course Begins Tomorrow At First Presbyterian Church Here

All Sunday School teachers and leaders in the Roanoke Rapids and Weldon churches will participate in an interdenominational leadership training school at the First Presbyterian Church for three days starting tomorrow.

The school has been arranged through the Weldon and Roanoke Rapids Ministerial Associations and will feature four courses by leading teachers.

Classes will start each evening, Monday, Tuesday and Wednesday, at 7:30 and will consist of two 45-minute periods each evening.

Roland Johnson, general superintendent of the Rosemary Baptist Sunday School of Roanoke Rapids, has been elected general chairman for the school. Edwin Akers of Roanoke Rapids will serve as secretary and Mrs. W. E. Selden of Weldon is treasurer for the three-day session.

Sunday School workers enrolled in the school have been urged to present at the First Presbyterian Church, where all classes will be held, promptly at 7:30 tomorrow evening.

One of the courses to be offered will be for workers in the Children's Division. It will be taught by Mrs. W. R. Reed, director of children's work in the Virginia Conference.

The Rev. R. W. Bradshaw, pastor of the First Methodist Church of Wilson, will offer a course designed for workers in the young people's division.

Workers in the adult Bible teaching division will receive instruction from Dr. Joseph M. Getty, professor at Assembly Training School.

A general course of methods in visual education will be under the direction of Dr. Von Schofield of the Department of Visual Education of the Baptist Foreign Mission Board of Richmond, Va.

On Wednesday evening following the final session of the interdenominational school there will be held a social hour for all participants with refreshments. The Rev. John M. Walker, Jr., is the pastor of the host church and Rudolph Williams is chairman of the hospitality committee of which George Pappendick, Mrs. Jarvis Taylor, Mrs. J. U. Vaughn and Miss Josie Moore are also members.

Chairman of the steering and program committee for the school is the Rev. W. R. Stevens, pastor of Rosemary Methodist Church of Roanoke Rapids.

Sunday School teachers and all Bible class leaders from all churches in the two towns, regardless of denominations represented, have been invited by the ministers to attend the classes in order to improve the quality of work being carried on in the Sunday Schools in the area.

## New Charges Made Against Ex-School Head

Warrenton, Nov. 27 — Warrants charging former superintendent of Warren County school J. Edward Allen with embezzlement of \$20,372.85 in county funds and the forgery of 126 checks were served on Allen here today, and a cash bond of \$15,000 was posted.

Warren County Sheriff Roy V. Shearin said here this evening the warrants had been served, however he said he did not know who had served the warrants but said he had been informed they were served and bond was posted.

Special Agent James W. Powell of the State Bureau of Investigation swore out the warrants on Friday after Powell had consulted with district Solicitor Ernest R. Tyler and Richard Urquhart of the firm of Williams and Urquhart, certified public accountants.

The auditing firm has been conducting an audit of the books of the Warren County Board of Education on a court order drawn by Judge R. Hunt Parker, who was presiding at a term of Superior Court in Warrenton at the time Allen was indicted on warrants charging embezzlement, false pretense and forgery in the September term of court.

Information from here today indicated that the new warrants had been drawn after the audit had indicated Allen had forged 126 checks with the name of County Board of Education Chairman Harry Walker of Norlina. The checks are alleged to have been drawn by the former superintendent for such listed purposes as repairing buildings and buying equipment.

The charges of embezzlement and forgery on the warrants served today are in addition to the warrants served in September in which Allen was charged with the embezzlement of \$24,327.75 in State school funds. Between the two embezzlement charges the former school head is charged with the embezzlement of \$44,700.60 in State and Warren County school funds over a ten-year period. Tyler said there had been uncovered by the auditors a total of approximately \$34,000 in disbursements which are not backed by proper invoices.

At the time the first warrants were drawn, the 61-year-old superintendent was a patient in Duke Hospital, where the warrants were served on him. At that time a cash bond amounting to \$15,000 was posted pending the trial of the case in Superior Court, the next term of which is scheduled to start on January 17, 1949, before Judge Walter J. Bone of Nashville.

A short time after Allen was first indicted he was again as superintendent of Warren County schools after having served in that capacity since 1919.

Allen today was reported to be at his home here, where the warrants were served.

Special Agent Powell was one of the investigating officers in the first case, having given testimony before the Grand Jury which returned "true bill" findings to the first warrants.