

RECORDER'S COURT

Contractor Fined On Speed Charge; Local Case Arouses Much Interest

Said County Prosecutor W. Lamont Brown: "I hated to slow down the contractor who is slated to build the Southern Pines town hall, but what could you do!"

Mr. Brown was referring to the case of Thomas Everet Saunders which came before Judge J. Vance Rowe in Recorder's Court Monday, in which the contractor was accused of exceeding the speed limit and failing to stop at a stop sign.

Patrolman Frank Swaim, testifying for the state, had said that he followed Mr. Saunders for several miles clocking his speed up to 75 miles an hour at times. At the crossing of Routes 27 and 705, the contractor slowed down considerably but failed to come to a stop. W. D. Sabiston, counsel for the defense, while admitting the undoubted guilt of his client, stressed the fact that Mr. Saunders' various jobs kept him on the run from one end of the county to the other.

Said Judge Rowe, as he handed down his decision—fine and revocation of license: "Too many people are in a hurry these days. They take on more than they can carry sensibly."

Longest case of the day was that of Dorothy Elizabeth Graham, of Southern Pines, accused of operating an automobile while under the influence, and careless and reckless driving. The defense was in the hands of H. F. Seawell Jr., who was also counsel for Ashley McC. Williams, of Winston-Salem and Carthage, owner of the car and accused of

allowing his car to be improperly driven. Both accused entered not guilty pleas.

Testifying for the state was a battery of law enforcement officers from Southern Pines, as well as Officer Ethridge, jailer, in Carthage. Their testimony described the defendant as "very drunk," the car as "running on the left side of the road." They said she refused to stop when signalled, and that, when she did stop, she pulled away before the officer could reach the car. The next time this happened, according to Sgt. Stout, he drew his pistol.

The officers corroborated each others' statements that when the defendant was taken to the police station, she showed plainly her intoxicated condition, "staggered and had to hold to something."

Prejudice Implied

The name of Justice of the Peace L. T. Clark entered the testimony several times. Mr. Clark was in the station when the defendant was brought in and it developed that she had written him a letter at the time of a former arrest for speeding, containing some criticism of the local police.

Bond was refused and the defendant alleged she was not allowed to telephone her mother, Mrs. Sally Cole Lawhorn. She was taken to the jail in Carthage and again, according to her statement, not allowed to telephone. (It was later stated by the prosecuting attorney, that this is "routine treatment" for all

driving - under - the influence cases.)

The defendant's statement was a blanket denial of all charges. She said she had driven the car all the way from Ashland Park, Negro recreation center, where she and the other occupants of the car had spent the late afternoon hours. Coming home around 7:30 p.m. at Manly, she said, a large dog had run across the road and it was to avoid striking him that she swerved the car into the left lane. She said that she had been stopped by the officers only the one time when "a pistol was shoved into my face." She said that, on seeing her driver's license, the officer had exclaimed: "Oh, you're the smart one!" referring, the defendant thought, to the former arrest and letter.

During the trial it was brought out by the officers that they had picked up another offender in Southern Pines before going to Carthage, an item not recalled by the defendant. "Taking the stand in defense of her daughter, Mrs. Lawhorn stated that she had tried to go bond and take her daughter home several times and it was not until between one and two o'clock in the morning that she was released.

Among the group of character witnesses appearing for the accused were the Rev. John R. Funderburg, of Southern Pines, and Rev. Gilchrist of Laurinburg, pastor of the defendant's church in Southern Pines.

"Too Many Prominent People Break Law" In upholding the law enforcement officers and the prosecution's plea for a conviction, Judge Rowe called attention to the good reputation of the defendant: "There is no question in the court's mind," he said, "about the defendant being a fine person, testified to, today, by many good people."

"Indeed," he said, "it is discouraging how many fine, upstanding prominent citizens come into this court on just this same charge. We've had some of the best people up in court," he said, "on this charge of driving while under the influence, or speeding, people who wouldn't think about breaking any other law. We want to be able to reduce the accident rate until people's attitudes change, and they come to realize how serious a thing it is to drive too fast or drive when in an intoxicated condition."

Miss Graham, the principal defendant, was fined \$25 and costs and her license to drive revoked.

(a sentence appealed at the time). However, in the case of the owner of the car, Williams, the judge gave a verdict of "not guilty."

Other cases to come before the court included that of Lee Daniel Gaddy, 16, Pinehurst, accused of stealing a used car from the Pinehurst Garage lot and driving it without a license. Following short testimony in which it was established that the boy was mentally off balance, the Judge ruled that he was guilty but directed that psychiatric treatment should be given, at one of the state institutions, if so ordered following examination. Sentence to be suspended while this was done.

Fence Was Malicious

The charge of careless and reckless driving and trespass with malicious destruction of property turned out to center around the case of Ken Currie and Perkins Reeds of near Carthage, who had been involved in the ambushing of a car by a wire fence, as the story seemed to tell it.

Rounding a corner, according to Reeds, his station wagon had run off the road, jumped a ditch and barged through a fence, to which it was irresistibly drawn. Currie helped him get back on the road; neither of them saw any of the cattle they were accused of allowing to escape.

"Did you tell the owner?" they were asked.

"Tried to find him," said Reeds. "They say he live in Pennsylvania." Judgment: not guilty of malicious trespass; but Reeds was found guilty of reckless driving.

Other cases disposed of: Walter Jenkins, failure to comply (continued from previous Monday) continued to first Monday in July when defendant is required to report to court and show that he is complying with judgment or, by doctor's certificate, the condition of his health.

Arnold Dean Lambert, Robbins, and Fred Talmadge Ellison, Route 1, Star, careless and reckless driving, 30 days on roads, suspended for two years on payment of joint fine of \$25 and costs, non-violation of speeding and careless and reckless driving laws during that time.

Marshall Wayne Lowe, Carthage, fraud and false pretense in obtaining driver's license, \$25 and costs.

Charles Junior Little, China Grove, speeding 68, \$15 and costs.

William Gilmore, Pittsboro, escaping from prison, 60 days added to sentence, to be served at expiration of present sentence.

Leon Wilson Rozier, Asheboro, driving without license, both after and during revocation period, \$50 and costs, license further revoked.

Gilbert Ronald Jones, Sanford, speeding 67, \$30 including costs.

Floyd Gilbert Barrett, Carthage, unlawful possession of illicit whiskey, \$25 including costs.

Ransom Dowdy, Carthage, unlawful possession for sale and selling, three months on roads, suspended on payment of \$50 and costs and non-violation of whiskey laws for two years.

Lewis George, Vass, careless and reckless driving, \$25 and costs.

Mrs. Willie B. Seward, Southern Pines, driving drunk, found guilty of driving while under influence of various drugs and beer, \$100 and costs, license revoked 12 months, fine may be paid in four monthly installments.

James L. Caddell, Clinton Caskill, Carthage, unlawful possession of seal-broken whiskey, judgment continued on payment of costs.

Vonnie Harrington, breaking and entering residence, found guilty but not with intent to commit felony, six months on

roads. James E. McKinnon, failing to report accident, improper equipment, 30 days on roads, suspended on payment of costs, not to operate car until it is properly

registered in his name and put in safe running condition. James Walter Dortch, West Virginia, and James Ed Saltz, Jr., speeding, set on bondsman returnable next Monday.

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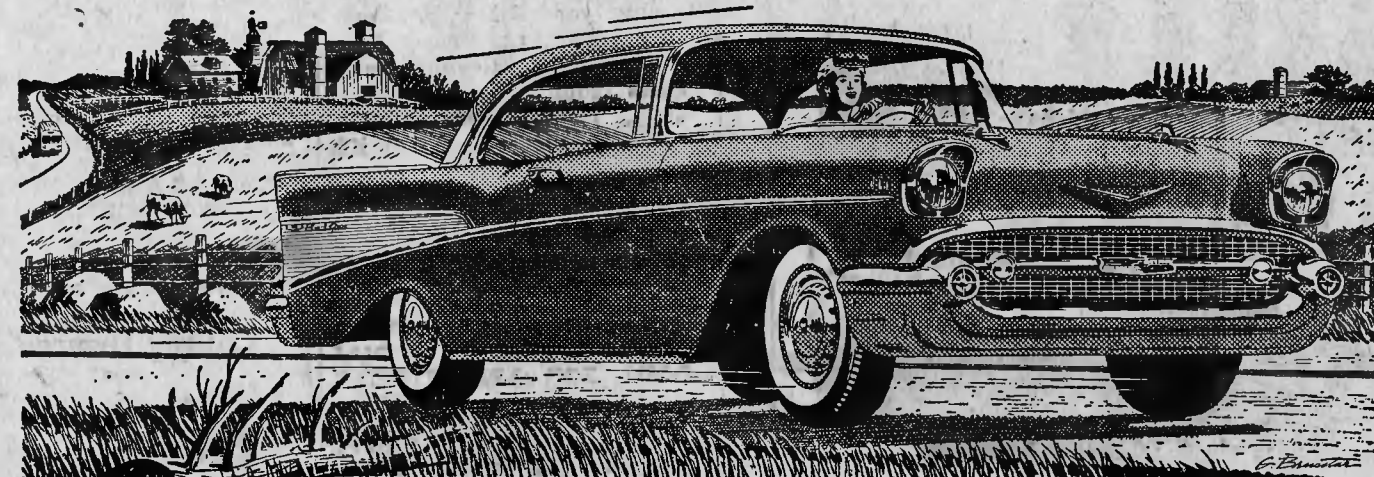
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