

# The News of orange county

SEC. III, PAGE 8 THE NEWS—THURSDAY, AUGUST 17, 1961

## Justice is thwarted at \$40 an hour cost

Newly-appointed District Solicitor Ike Andrews announced on his first day of court duty in Orange County last week that he intended to seek a special extra criminal term of court for Orange, with the idea of relieving the clogged docket.

Some cases currently pending trial in the quarterly session of court have been on the docket as long as eight years. The attorneys who have secured these endless continuances have done well for their clients by these skillful legal maneuverings. But the public, as a result, is not getting justice in its courts.

And unless this proposed court term starts out better than just such a session did last week the thwarting of justice will continue.

### Costs \$1,500 a term . . .

Jurors' fees (a frugal \$6 a day per juror) plus other costs that must be paid out of the public treasury of Orange County bring the cost of a one-week superior court term up to roughly \$1,500. Court is in actual session about 35-40 hours during the week, so this pro-rates out to a cost of about \$40 an hour. (Of course it is anticipated that a good share of this money will come back to the County in fines and costs.)

But on Monday morning of last week several hundred jurors, law enforcement officers, court officials, witnesses and defendants, all of whom had been summoned under penalty should they fail to appear, were in court ready for the scheduled 9:30 a.m. opening of the session. For nearly two sweltering hours all of these people waited in the jam-packed court room, daring not leave.

It was after 11 a.m. when the judge appeared and the session was called to order. Such an occurrence was not at all unusual for an Orange County Superior Court session.

Now it is a good idea to have another term of court to clear up the clogged docket—for when court opens two hours late it is easy to see why the docket is so clogged.

### Commissioners should ask . . .

But the Orange County Board of Commissioners should ask the proper authorities to make certain that the public convenience and necessity, in which interests the courts are supposed to operate, is going to be served in any extra term that is called. This convenience and necessity includes having the court in regular operation during all of the hours that witnesses, defendants, officers, and others are required to be present.

At a cost of \$40 an hour Orange County cannot afford to pay for a court that is not in session. And the public should not tolerate such contempt for its convenience and necessity.

If the public is to have respect for the courts of law, the courts themselves must be conducted in a manner to merit such respect.

To improve space between the ears . . .



Walt Partymiller, York Gazette & Daily

## Delinquent taxpayers crackdown is laudable

Business people who make credit sales have been wailing of poorer collections this year. Debtors are over-extending themselves and payments aren't up to par, they say.

In the face of this the County of Orange has reversed a trend. Its tax collections are up two and one-half per cent over the previous year.

There's a good reason for Orange showing this improvement, too. The County Commissioners have initiated a vigorous program of going after tax delinquents.

Rather than be satisfied with the customary yearly Labor Day "sale" of tax liens of delinquents, Orange County is utilizing the seldom-tried statute for in rem tax collection from delinquents.

To date in rem proceedings have been started against over 185 property owners who have continually failed to pay their property taxes. Last week execution papers were served against the first 18 of these delinquents. If within 40 days they haven't paid their taxes and penalties the sheriff will sell their property at public auction and the county will take its tax debts off the top of the purchase payments.

The county commissioners, in pushing this procedure, are exercising praiseworthy jurisdiction over the public treasury. People who willfully fail to pay their taxes are doing nothing less than figuratively stealing money from those citizens who do pay their rightful public debts.

## How will visitors find historic old Hillsboro?

Over in Alamance County a State Archives Department spokesman has said that as many as two-thirds of the potential visitors who'd like to see the historic Alamance Battleground site and museum are missing out on it.

The reason is that there are insufficient directional signs to point out the location of the historic site, and federal and state regulations are very restrictive on erection of signs on this interstate federal highway.

Historic Hillsboro will be additionally isolated from the traveling public with the imminent completion and opening of Interstate Highway 85.

There is much of the heritage of colonial America and North Carolina that would be of great interest to the visitor to Hillsboro—much that he'd like to see if he knew about it.

It is not here suggested that a series of billboards or Burma Shave-type signs be sought, urging the motorist to turn off into historic old Hillsboro. But there certainly must be some sort of permissible and effective directional signs that may be erected in the public interest along the new interstate artery and which will serve the needs of the traveling public.

It is now the job of Hillsboro citizens to make the effort to see that such directional aids are secured, just as interested Alamance citizens are apparently working toward this goal, also.

Newsman's Notepad . . .

## Fluoridation 'white paper' notes inaction on motions

A civil term of Orange County Superior Court scheduled to open September 25, more than one month hence, will test the sincerity of motive of the administration of the Consolidated University of North Carolina.

For that will be the fourth civil term of court to be held since the University, through its legal counsel, the State Attorney General, filed motions to strike and dismiss a lawsuit to prevent fluoridation of the Chapel Hill public water supply.

If no attempt to have a hearing on this motion is made for this term of court the University should stand convicted in the public eye of bad faith in its plans for fluoridation of the water supply. This is admittedly a negative editorial approach to the campaign for fluoridation. But the record of inaction over the past 11 months gives some reason for this feeling. Here is the record.

In the winter of 1960 the Chapel Hill aldermen appealed to the University for the second time in a decade to take the step recommended by all major medical and public health authorities of fluoridating the local water supply.

Following considerable public controversy and a postal poll that showed customers favored the proposal three-to-one the University administration announced this would be done in the fall of 1960.

One year ago tomorrow, Aug. 18, Manning A. Simons of Chapel Hill filed a 73-point legal complaint to prevent the pending treatment. The University suspended its plans to fluoridate until the lawsuit was settled. On Sept. 23 and 24, 1960 the University, via Asst. Attorney Gen. Horton Rountree, filed motions to strike almost all of the complaint and to dismiss the action on technical grounds of improper service of the lawsuit on the defendants.

In November a special term of court was held for the purpose of hearings motions. No effort was made to have the University's motion heard. Another term of court was held in January. Again nobody sought a hearing on these motions. Another term of civil court was held in the spring. Inaction.

The third quarterly term of court is scheduled next month. The lawsuit filed by Mr. Simons cannot be heard until the motion is aired and ruled upon. And the motion cannot be docketed for hearing in court until somebody asks for a hearing on it.

Mr. Simons is obviously not going to seek such a hearing, for he is winning his lawsuit by default. The attorney general's office has told The News in the past that it is ready to argue its motion at any time. But nobody, apparently, has asked that the case be put on docket. This is a simple step. Write a letter. Make a telephone call.

Last Aug. 25 The News declared editorially: "We urge the University to show its good faith in moving toward fluoridation by quickly filing a formal reply to the lawsuit. Then it will be up to the plaintiff to show whether or not he fears an open hearing on the

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