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PAUL DICKSON Publisher-Editor
SAM C. MORRIS General Manager
LAURIE TELFAIR Associate Editor
MRS. PAUL DICKSON Society Editor

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THURSDAY, OCTOBER 24, 1974

As We See It..... By Laurie Telfair

The reduction of a driving under the influence charge to careless and reckless driving in District Court last week was interesting just at the first glance.

It was even more interesting on the second glance.

To begin with, there were three DUI's dropped by the state Friday. Breathalyzer reports attached to two of the cases indicated alcohol level in the blood at .25 and .13. There was no Breathalyzer report attached to the third case.

Now a blood alcohol level of .25 is pretty high, when you consider that a .10 level is, under law, part of the evidence used to establish drunkenness. Would .25 be two-and-a-half times drunk?

The only reason given by the assistant district attorney for reducing the case was that the man had eight children and would lose his job if he lost his drivers license. A conviction of DUI would have carried a two year license revocation, since this was a second offense.

Tempering justice with mercy, he said.

Well, the mercy was misplaced. Those who will drive when they are drunk ought not to be allowed to drive at all. One conviction of DUI, and the year-long license suspension with or without a limited driving permit that goes with it, should be enough. If a person is caught driving drunk a second time, rehabilitation has failed and he is a potential menace to society when he gets behind the wheel. The state would show more mercy by preventing such a person from driving and possibly causing a tragedy for himself or others.

However, this particular case became even more interesting as we looked back in the court records.

In the past six weeks, there have been 22 convictions in District Court here for driving under the influence. In all 22 cases, the driver pleaded guilty.

During the same period, 14 DUI charges have either been reduced to a lesser offense, usually careless and reckless driving, or have been not prosed—that is, the state agreed not to prosecute.

There are, of course, good reasons for the state to drop the DUI charge in exchange for a guilty plea to careless and reckless driving. Or to drop the charge altogether. For example, one of the DUI cases not prosed was refuted by an .03 Breathalyzer reading. Another instance when reducing the charge might be called for would be a case where the arresting officer did not actually observe the defendant drive.

But it is hard to believe that in the past six weeks, 14 out of 36 cases brought to court had circumstances that would justify a nol pros or a reduced plea. Especially when Breathalyzer readings in the cases include .20, .18, .11, two .11, .10, .12 and a .14.

Probably the most revealing statistic in our numbers game is the number of DUI cases brought to trial in which the defendant pled not guilty. Zero.

Perhaps that is a coincidence. Numbers by themselves do not always add up to the truth.

But it certainly appears that the district attorneys are not pressing for trial when the case will be contested.

It is one thing to reduce a DUI charge when the circumstances do not support such an accusation. But it is quite another matter to routinely reduce DUI's to get a guilty plea because it is easier and faster than prosecuting the case.

Browsing in the files of The News-Journal

25 years ago

Thursday, October 20, 1949

The Aberdeen and Rockfish railroad has petitioned the States Utilities Commission in Raleigh to permit it to discontinue its gasoline powered rail bus (the "jitney") between Fayetteville and Aberdeen.

Richard Neeley, president of the Hoke County Farm Bureau, announced this week that the bureau would climax its big membership drive with a fish fry and rally at the Armory on the night of Friday, November 4, and that Congressman C.B. Deane of Rockingham would be the speaker for the occasion.

From Poole's Medley:

The tendency is gradually, but surely tending towards socialism. That means the Government is everything, and its subjects nothing but slaves.

The nation's selective service director

believes there may be a draft call in the near future.

Representative Charles B. Deane, eighth district member of Congress, said this week that he would be a candidate in 1950 for the office he now holds.

Jim Warner, senior and junior, Hallie Blythe, Talmadge English and others are appearing with Warner and Blythe's cotton picker in an institutional advertisement of the National City Bank of York which is being run in several magazines of national circulation this month.

15 years ago

Thursday, October 22, 1959

The Hoke High Bucks continued their winning ways against opposition that turned out to be not as tough as expected, as they soundly defeated the Pirates of Massey Hill High School in Fayetteville Friday night, 38-0.

The Hoke County United Fund Campaign to raise \$15,000 will get underway Tuesday, October 27, it has been announced by John F. Campbell, president of the Fund.

'True, I've never received any Rockefeller money, but that's not a factor in my not confirming him'



by Marty Vega

It Wasn't A

With great regret, I must announce that a special 18-week series of columns on Watergate, scheduled to begin today and eagerly awaited by my readers, has had to be postponed.

Also, the special coverage of Sunday's American 500 in Rockingham, which would have included the complete mile-by-mile description of the race, has been shelved, too.

All of my big projects that were underway came to an abrupt halt last Friday when I landed in the hospital with meningitis.

I say "landed", as it was something of a jolt to learn that bad hangover was a good deal more than a hangover.

There was good news and bad news. The good news was that it isn't contagious and I can have visitors. The bad news is you feel so lousy you don't want any visitors.

With a week's confinement facing me,

Puppy Creek

Philosopher

Dear editor:

In order to whip inflation, all the experts agree, we've got to take some bold new steps but nobody is very clear about exactly what those steps are. If you took every step recommended you'd get tangled up before you got out the front door and as a result patting their foot is about as far as most of the leaders care to go.

But I was interested in a step if you want to call it that to reduce the price of meat in the supermarket, not on the hoof.

In order to bring the retail price down, the U.S. Department of Agriculture has come up with an idea that has limitless possibilities. Discovering that people aren't buying as much of the choice grades of beef as they did when everybody expected to get a raise every six months and eventually become a millionaire if they ever got their car and house paid for, the Department says the way to increase such purchases is to lower the quality but still call it choice. The grade of beef formerly called good is now to be called choice. Thus over night the price of choice beef would drop about 20 per cent and we've got inflation on the run.

There are all sorts of possibilities for this new idea. Want to lower the price of a loaf of bread? Cut the price by 20 per cent and the size by 40 per cent. Good news! The price of a loaf of bread has come down, and the kid at the end of the table who sees the slices disappear before the plate reaches him can bite a bullet, although he's going to have a hard time sopping gravy with it.

Speaking of biting the bullet, if we've all got to do that to whip inflation I guess it's all right, but it's hard enough to get a dental appointment as it is.

But back to the earlier idea. Want to lower the price of a Cadillac? Just change the name of a Ford to Cadillac and get a luxury car for half price. Want more educated teachers? Call a B.A. degree a Ph. D. Want lower interest rates? Re-arrange arithmetic and make 6 stand for 12. With 6 per cent money business would boom.

You could keep going with this line of thinking but the whole idea reminds me of the sharp guy who was selling apples for 10 cents apiece or two for a quarter. Said it was amazing how many people bought two, if you didn't give them time to stop and think. That must be what the Department of Agriculture is counting on.

Yours faithfully,
J.A.

CLIFF BLUE ...

People & Issues



GOOD ADVICE--B.C. Mangum, President of the N.C. Farm Bureau Federation gives good advice when he

Wallace as a cunning mate.

We don't think George Wallace has any real chance of being nominated for president, and his chances of being nominated for vice president are not very strong. But one thing is quite clear: No Democrat can be elected president without support from the Wallace wing of the Democratic Party.

If Senators Kennedy and Mondale believe that the Democratic Party is big enough for the honest people of different persuasions to join hands under the same tent, would not it have been much better for them to have said that they could see no reason why they would not be able to run, if nominated, with anyone the party selected as their running mate, since the party seldom, if ever, selects the vice presidential candidate without the advice and approval of the presidential nominee?

For instance in North Carolina in 1972 George Wallace received more votes in the Democratic primary than did Terry Sanford, Senators Muskie, Jackson and Congresswoman Chisholm, all put together. The 1972 vote in North Carolina and the recent polls show that Wallace has greater national support than any other potential candidate since Kennedy withdrew. This should speak pretty loud to informed and intelligent people, and even would-be candidates for president on the Democratic ticket!

TOWARDS '76--Looking toward the 1976 races in North Carolina Jim Hunt remains in the envious, yet dangerous place in which to be as the man to beat for the Democratic gubernatorial nomination. Former State Rep. Ed O'Herron of Charlotte has been making tracks all across the State in recent weeks checking out possible support. Many feel that he will make the race and that he will develop into a formidable candidate.

The race for lieutenant governor among the Democrats is still wide open. Waverly F. Atkins, youthful chairman of the Wake County Board of County Commissioners is eyeing the spot and may well become a candidate. Former Governor Bob Scott is also known to be thinking of seeking the office again, and others no doubt are toying with the idea.

Editor

not change very much. Here are some of my reasons for making this statement:

Our county building will be completed and the old county building will be left vacant, which will stop a big upkeep bill each year.

I think the county employees will cooperate with us in holding down the budget.

The volunteer fire districts set their own rate. However, I think they will drop their rate some. They now have a tax rate of 10c, all except Puppy Creek, which is 8c.

I am voting for the school bond. I hope you will do the same. The children are our greatest and most important resource in Hoke County.

T.C. Jones
Chairman
Hoke County Board
Of Commissioners

Senator Sam Ervin Says

WASHINGTON--The Federal Election Campaign Act, signed into law by the President last week, is a landmark measure which seeks to curb the influence of big corporate and labor contributors and to prevent a recurrence of the abuses revealed in the Watergate affair.

Although I do not like public financing of elections, which this Act permits, I reached the conclusion that this was not a sufficient objection to oppose the legislation on final passage. The taxpayer retains the right to refrain from using the income tax check-off. When this is analyzed in the context of the abuses caused by unrestrained funding of candidates through the use of private funds, I came to the conclusion that I should swallow my misgivings about this feature of the bill in order to obtain the passage of other provisions which are much needed to restore integrity to our government.

During the course of the investigations made by the Senate Select Committee on Presidential Campaign Activities, we discovered that in the last election big business and big labor made enormous contributions in one form or the other to various candidates for the Presidency, the Senate, and the House. One of the major purposes of this bill, and I think it is a healthy provision, is to place limits on the amount of contributions which can be made to Federal candidates for office. This Act provides that an individual cannot contribute more than \$1,000 in a primary and \$1,000 in a general election to any candidate, and that no organization can contribute more than \$5,000 to any one candidate in the primary and a like sum in the general election. With the acceptance of these limitations, there arose a greater need for public financing to carry out the purposes of this legislation.

The Select Committee discovered some amazing things concerning the raising of campaign contributions during

the course of the Watergate investigation. It was revealed that with the growth of the power of the Federal government, the President and his aides had until the enactment of this law great ability to extract campaign contributions from corporations and their executives. For example, Mr. Nixon's personal attorney, Herbert Kalmbach, now serving a prison sentence, went to the President of a major airline and stated that he wanted a \$100,000 contribution to President Nixon's campaign fund. He said if you will make a \$100,000 contribution you will be put in a special class by yourself. If you make a contribution of \$10,000 or \$25,000 there will be so many of those contributions that you will be forgotten. The airline did not contribute the \$100,000 but did contribute \$70,000, a large part of which came from the corporate treasury in violation of the law. At that time the airline had applications pending at the White House which could be finally determined only

by the President whose decision was not subject to review by the courts or anyone else. The airline president, who later pleaded guilty to a criminal charge, said that his company was not trying to buy favors but was afraid that if the firm did not contribute it would lose its application.

This is a terrible weapon for any party in power to hold over American industry, and when funds are raised in this fashion it amounts to a species of moral if not legal coercion. This bill is designed to keep corporations and labor organizations from contributing immense amounts of money to candidates for federal offices. In my judgment, this is one of the best provisions in the Act.

Significantly, the Act empowers a six member commission to supervise elections and to go into courts to secure injunctions at any time the commission believes that any candidate for office or his campaign committee is violating the provisions of this statute.

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colt or his creditors may seize it to satisfy their judgements. The father may deliver it as a gift to another or bequeath it as a gift in his will to another.

May a person make a gift of the contents of a safe deposit box at a bank by merely handing over the key to the donee and telling him that everything in the box is his?

Continued on page 15