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THURSDAY, JULY 1, 1982

Storage problem

If Superior Court orders dismissing Hoke County marijuana charges had been upheld by the State Court of Appeals, all North Carolina counties would have a more expensive job.

The appeals court on June 15 issued a ruling reversing the Superior Court orders. The orders in essence were based on the officers' burning the more than 2,000 pounds of marijuana plants they "harvested" September 14, 1980, from several acres of land in the county.

The harvest had been destroyed, however, the appeals court points out, after the officers had weighed, photographed and obtained, for laboratory analysis, samples of the crop.

Essentially, the Superior Court orders were based on the opinion that the destruction prevented the defendants from examining the evidence.

The appeals court ruled to the contrary.

Law enforcement officers were distressed by the Superior Court order. They said privately that if the orders were allowed to stand the county would have to build warehouses to hold such masses of suspected marijuana and other materials indefinitely till defense attorneys could have them examined.

It's still possible that the State Supreme Court will review the case if the defendants decide to ask for the review, and consequently possible that the Supreme Court would uphold the Superior Court orders.

But if so, then all North Carolina counties would be given an additional burden that would be expensive and unnecessary.

--BL

Psychiatrist in court

The June 22 verdict acquitting John W. Hinckley, Jr., of seriously wounding the President and three other men has provoked anger in Congress which will certainly stimulate a move to revise the law on the insanity plea. The plea allows defendants to plead innocent in criminal cases by reason of insanity. As in Hinckley's case, it allows commitment for an indefinite period of treatment in a mental institution but not in a regular prison for a specified term.

What the insanity plea does is bring to the courtroom as expert witnesses psychiatrists for prosecution and defense, with the result that in direct, conflicting testimony and in cross-examinations of one psychiatrist by the opposing side pronounces confusion in the minds of the jurors. This was demonstrated publicly in Hinckley's trial, and by statements afterward by some members of the jury.

What it boils down to, as it did in the Hinckley case, is whose psychiatrist do you believe?

Revising the insanity-plea law won't correct this situation unless their revision does what Dr. Karl Menninger said in the 1960s ought to be done -- all courts should exclude all psychiatrists from the courtroom. "Put us all out," Menninger, a psychiatrist writes, "and make us stay out."

Then he says, however: "After you have tried the case, let us doctors and our assistants examine him and confer together outside the courtroom and render a report to you (the judge), which will express our view of the offender -- his potentialities, his liabilities, and the possible remedies."

Dr. Menninger adds: "If we doctors cannot agree, let us disagree in private and submit majority and minority reports. That probably will not be necessary; our differences are going to be on minor points. We are not going to raise legal issues like 'sanity' and 'responsibility' because we are not going to talk legal jargon. Nor should we talk our jargon. We should try to say in simple English why we think this man has acted in this way so different from the rest of us, and what we think can be done to change his pattern."

Dr. Menninger, chairman of the Board of Trustees of The Menninger Foundation in Topeka, Kans., and a psychiatrist for the Menninger (mental health) Clinic of Topeka, as is quoted here from his "The Crime of Punishment," published in 1968. The book is a collection of his previously unpublished Isaac Ray Award lectures of the American Psychiatric Association given at Columbia University, N.Y., and the University of Kansas from 1963 to 1966.

His statements are contained in the chapter headed "Right and Wrong Uses of Psychiatry." The use of psychiatrists in criminal trials is one of the subjects Dr. Menninger covers in his published lectures, and one of the subjects concerning the use of psychiatrists in the criminal justice system that he discusses in that chapter.

Congress and the legislatures of the states should study Dr. Menninger's lectures to find at least a partial reform of the law allowing the insanity plea.

--BL

Read Romans 5:1-5
We also boast of our troubles, because we know that trouble produces endurance. —Romans 5:3 (TEV)

The score with a rival basketball team was tied, with three seconds remaining in the game. One of our players threw the ball down the court to our son. The crowd went wild with expectation. After practicing and making this play many times during his two years in varsity sports, Joe confidently dribbled



It's a Small World

By Bill Lindau

The Hinckley trial with all the psychiatrists for prosecution and defense testifying sent me back to Dr. Karl Menninger's book, "The Crime of Punishment" in which he discusses the psychiatrist as a witness in court.

In an editorial on this page, he is quoted as saying the psychiatrists should be kept out of court, that the trial be held without them, and then they should get together, consider the defendant's state of mind at the time the crime was committed, then give the judge recommendations.

But Dr. Menninger also makes another point in the same chapter. He says the questions of guilt and innocence are moral questions, consequently a medicalman, such as a psychiatrist, isn't qualified to testify as an expert witness on these questions. He suggests a philosopher or minister as a qualified witness to testify on moral questions.

Changing the subject, feller visiting the office the other day asked me: "What's the difference between 'illegal' and 'unlawful'?"

"I don't know," I replied.
"Unlawful," he said, "means 'against the law.'"
"Illegal," he continued, with a straight face, "is a sick bird. That's 'ill eagle,' as everybody (but me) knew."

The July 5 Miss Aberdeen Pageant in Aberdeen Middle School auditorium has special interest for Hoke County people.

One of the candidates for the crown is Leslie Madden, daughter of Deputy Sheriff and Mrs. James L. Madden of Raeford. Miss Madden is a student at Sandhills Community College in Moore County, which qualifies her to be a contestant. In the talent competition she will dance a ballet selection. The pageant starts at 7:30 p.m.

There's a false impression about that cats eat birds' leftovers. This isn't true. If a cat wants a bird's food, it doesn't wait till it's left over. It just goes on and gets it, and if the bird wants to argue about it, it's too bad for the bird -- unless it's as big as a chicken or even a pigeon.

If it's bread of any sort, the cat isn't interested. In the many years (since the early 1930s) that I've been associated with cats, I've never seen one assault a chunk of bread. Some do eat odd things. Sara cat was munching on potato chips the other day. My mother's cat, Rusty, liked green beans. Several of them like butter. But not all like fish. Sara doesn't care for most food with fish in it. She does go for turkey and giblets, and other

kinds of poultry, also beef.

Also, a cat won't necessarily tackle a bird even if it's within easy reach. For instance, one bird walked onto the porch of a house I used to live in, and one of the cats was crouched close by. The bird walked within a few inches of the cat, but the cat just stared at it. After eating a few crumbs, the bird walked toward the door. The cat followed it with its eyes but not with its pretty pink mouth. The cat even sniffed the bird's tail feathers as the bird walked by. But the cat never moved as the bird went out the door and into the yard.

Cats also don't wet motor vehicle tires and they can't scratch the paint and finish of a car or truck, though if the vehicle belongs to a known friend, the cat will lounge on the hood once in a while and maybe leave paw prints on it. These can be removed easily, however, with a quick swipe of a rag.

Also, cats are very clean about leaving fertilizer. They bury it. Then, too, I've never seen evidence of delivery in public places, like streets or sidewalks, or in strangers' yards. I've mentioned before that cats and dogs aren't enemies in our house. They don't actually play with each other, but they don't fight. And when the dogs and I are out for a walk, Phoebe cat follows us, which makes a funny side show for people who see us.

Some people just don't like cats. The objections commonly expressed are: they rub up against your legs and you don't know they're coming and they're not affectionate. The fact is cats are affectionate, if you're decent to them. They don't jump up and lick your face and wag their tails, when you bring them a bowl of goodies. It's just that they choose their times to show affection. If you pick one up to pet it, it might wiggle and jump out of your hands. But then, later, it might jump up on your lap, and lean toward you to have its ear or head rubbed. Sometimes it will reach out a paw and touch you when it wants affectionate attention.

A couple of mine, incidentally, saunter up to the curb in front of the house when they hear my car coming a half block away, and when I park and get out, they greet me, walking up to me and making gentle cat sounds.

It's very flattering, even if you don't come bounding up, tails wagging, and try to lick my face.

Feeding birds also won't cause them to make deposits on cars. They'll do it, unintentionally, of course, whether you feed them or not. I've had a number of deposits made on my cars by birds to whom I have never given so much as a left-over crumb of cake or plain white bread. On the other hand, could that be the reason they made deposits on my cars?

It's something to think about, if you've got absolutely nothing better to think about.

creates hope." Paul also reminds us to hold our heads high regardless of what happens. God yearns for us to sense the presence of the Holy Spirit especially at times when we feel helpless. God loves us immeasurably!

PRAYER: Dear God, help us to remember that You are with us in all things - big or small. We thank You. Amen.

THOUGHT FOR THE DAY
Because God loves us, we can always hold our heads high.
Shirley Kaufer (Pennsylvania)

CLIFF BLUE...

People & Issues



HINCKLEY... Many people have been discussing the Hinckley verdict, with most feeling that justice went astray.

Here in North Carolina Senator Allsbrook introduced a bill in the State Senate seeking to safeguard North Carolina against such a verdict.

Had Hinckley been brought up in an average income home with working people, his situation might be far different from what it is today.

Certainly, he didn't have an average mind. We think his punishment was far too light for the crimes which he committed without provocation.

It appears to us that he needs to be guarded from here on out! Such a verdict as was rendered, with three men seriously injured, including the President of the United States, made light of a serious charge, or so it appeared!

TIMES DO CHANGE... A long time ago, when a baby was born the mother would remain in bed for some weeks, but Princess Diana gave birth to her baby son on Monday and on Tuesday, just 21 hours after birth, she and Prince Charles carried their baby home. The early departure from the hospital was questioned by some in "medical circles" but her physician said she was in good health and this will not cause any problems.

CARTER'S DREAM... Bill Rose, writing in the *Knight-Ridder* newspaper about Jimmy Carter with an Atlanta dateline, says: "His dream of peace in the Mideast is crushed. His hopes of nuclear arms control is doubtful. His appeal for human rights in foreign policy is being reversed."

"But, as his emissaries explained to the Atlanta City Council Monday, Jimmy Carter has one more grandiose dream. On a quiet, green hilltop, overlooking downtown Atlanta, he wants to build a presidential library that would help scholars understand his presidency."

SMALL COUNTIES... Small Counties have lost much in legislative power in recent years. Take Hoke County for instance. It

was formed in 1911 from Cumberland and Robeson. It was named in honor of Robert F. Hoke, a major general in the Confederate States Army. It is in the southeastern section of the state and is bounded by Cumberland, Robeson, Scotland, Moore and Harnett counties. The present area is 389 square miles and the population is 19,200. Raeford is the county seat.

Before the courts began to meddle, Hoke had a representative in the General Assembly all the time, and a senator every-other-time.

Now, they have neither a senator nor a representative as Hoke is now in a district with a larger population.

We don't think that counties like Hoke and Scotland should be deprived of representation all the time.

A few years ago Robeson had two representatives, Hoke one, and Scotland one, each. Now Robeson has three representatives, Hoke and Scotland had had none for years. It looks like through a "gentlemen's agreement" that Robeson should have two, and Scotland and Hoke should have one every other election.

It might be difficult to do, but not impossible, and could be worked out.

INDEPENDENCE DAY... As we approach Independence Day there are three men in history that we should not forget - Thomas Jefferson, regarded as the author of the Declaration of Independence, Benjamin Franklin and George Washington - Giants in those early days in pioneering.

Reading about Franklin, Edward Bok, and others inspired your writer to the printer's trade.

Jefferson, born in 1743 and died in 1826 is best remembered as a great president and as the author of the Declaration of Independence. He also won lasting fame as a diplomat, a political thinker, and as a founder of the Democratic party, which in time has strayed pretty far from Jefferson's thinking.

Jefferson succeeded Benjamin Franklin as Minister to France and served in Washington's cabinet as Postmaster General.

Puppy Creek Philosopher

Dear editor:
Economists are like the TV weatherman who every night for a solid year predicts rain tomorrow, and then on December 31 checks his score and announces that not a rain fell that year that he didn't accurately predict.

Economists have been predicting an upturn in business sometime during the next quarter and if they don't run out of quarters are bound to hit it right sometime before the turn of the century.

Some of them however are getting smarter. Instead of flatly predicting an upturn they're saying "we're poised" for one, hoping somebody won't mention that a man poised on the edge of a tall building can fall either way.

The problem of high interest rates is one of the most bothersome problems economists are tackling. Some say high interest rates are caused by the deficit and others say the deficit is caused by high interest rates.

Yours faithfully,
J.A.

Letter To The Editor

Editor, *The News-Journal*.
On July 4, 1982 Hoke County and this great country, the United States of America, shall celebrate their independence.

This is a time "citizens" should reflect on this nation's freedom wrought up by the Declaration of Independence, the U.S. Constitution, and the Bill of Rights.

No documents are more important for the values and the freedoms they represent.

However, I encourage each citizen to read, learn and digest the article written, especially the U.S. Constitution.

As does the Bible, the U.S. Constitution offers hope to those citizens and government officials who aspire to "preserve, protect and defend it," as many do.

Unfortunately, our U.S. Con-

stitution is being perverted and some of our rights infringed upon, especially Article 1, Section 8, 9 and 10.

(I personally find it true and am waging corrections to it.)

The U.S. Constitution is the Supreme Law of the Land, yet it is being usurped by powers in and out of government.

If each citizen, young and old, will read and understand these sections of the Constitution and begin to "exercise their constitutional rights," inflation, taxes and high interest rates will diminish and "free enterprise" shall be restored to provide full employment.

Sincerely,
Charles Ventura

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INDEPENDENCE DAY