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**SENATOR  
 SAM ERVIN**

★ **SAYS** ★



WASHINGTON - - Congress just before the mid-October recess passed two major anti-crime bills. These were the Organized Crime Control Act and the Drug Abuse, Prevention and Control Act.

I supported these measures which seek to deal more effectively with two of the most serious problems confronting our nation; i. e., crime and drug abuse.

The Organized Crime Control Act was initially formulated in the Senate Subcommittee on Criminal Laws and Procedures, of which Senator John McClellan is Chairman and of which I am a member. Its major objectives are to cure defects in the process of gathering evidence against organized crime, to limit abuse of pretrial proceedings by defense counsel, to extend Federal jurisdiction over syndicated gambling and corruption, to attack the take-overs of legitimate businesses by racketeers, and to authorize longer prison terms for dangerous offenders.

The Drug Abuse Prevention and Control Act seeks to unify and revise the penalty structure of our Federal narcotics laws and to provide new tools for their enforcement by Federal agencies. It also expands programs of rehabilitation, treatment and drug abuse education. I regret that this Act does authorize so-called "no knock" searches by the police in drug raids. I offered an amendment to strike this provision, because in my judgment such a provision authorizes unreasonable searches and seizures which are expressly forbidden by the Constitution, and puts in jeopardy the traditional Anglo-Saxon concept that "a man's home is his castle."

Like most other Americans, I am alarmed about the spread of crime in our country. But, I think that we must resist the temptation to simply pass a Federal law which is based upon an emotional reaction to rising crime rates and which regates human experience and basic Constitutional guarantees for all individuals, both good and bad. Most of the provisions of these crime laws are good in principle, and yet I found during my study of them that there is much need to carefully scrutinize every title to keep this legislation on a rational and Constitutional plane.

One of the problems in dealing with anti-crime bills is that we are tempted to adopt the most drastic measures to deal with a particular crime that has been in the news. However, one must recognize in the drafting of such legislation that it is impractical to impose too great a punishment for a criminal offense for the simple reason that juries will not convict in cases where people think the accused may get excessive punishment. When that occurs, the jury can negate all of the punishment imposed by statute simply by stretching the doctrine of "reasonable doubt" to an unreasonable degree.

Thus, in Committee and on the Senate floor, I have sought to see to it that these anti-crime bills are based upon sound logic and Constitutional doctrine. I am pleased to say that some of my amendments and suggestions for the improvement of these bills were accepted, and I regret to say that others were not.

One of the major anti-crime needs yet to be met by legislation is to have speedy trials in our criminal courts. On June 9th, I introduced a bill to require trials of Federal criminal cases within 60 days. While there is insufficient time to secure passage of this bill at the present session, I intend to press for action upon it at the next session, because I believe it is one of the most effective anti-crime deterrents.

**PTA White Elephant Sale**

Burnsville PTA will have a White Elephant Sale at their annual Harvest Festival, November 13. Such articles as books, toys, vases, dishes, etc. are needed. Anyone willing to donate any article contact Mrs. Bob Proffitt, Harvest Festival Chairman, at 682-2332.

**Letters To The Editor**

Dear Editor:

I have just read the Bill Hess speech on the Yancey County schools. It is a thoughtful presentation.

My legal residence is Boca Raton, Florida. We love these mountains and spend six months of the year in our cottage on Cattail Creek. My productive life was given to the education of our wonderful youngsters. So the speech struck a responsive chord in me. It brought to mind that the U. S. Chamber of Commerce once fought the imposition of taxes for school purposes. The National Education Association then published research figures showing that a close relationship existed between the educational outlay of a community and its economic and social status. After taking a good look at the statistics, and then verifying them, the Chamber of Commerce did an about face.

My own attitude toward taxes is one of acquiescence. They do things for me which I could never do for myself. I have no fault to find with the tax levy against our mounta in cottage, or did, until I read your publication. Now I have the feeling that someone, or some group is "gypping" me of true value by their handling of the public school system of this county.

Respectfully yours  
 F. Edgar Lane

P. S. Keep up your good work for the schools... F. E. L.



Dear Editor:

As a citizen of Yancey County, I have been sitting back watching the trend of changing times here. I can say "thank God" for good ole Yancey citizens. I did not realize when

**Meeting Slated**

The North Carolina School Board Association Meeting will be held in Charlotte on November 13 and 14. Dr. Craig Phillips will be the keynote speaker. James McConnell, Westinghouse Learning Corporation will be the Banquet Speaker. Dr. Amos Abrams will present his address at the Saturday Morning Breakfast, November 14.

Members of the Yancey Co. Board of Education attending will be L. E. Clevenger, A. F. Blankenship, Albert Edwards and Landrum Wilson.

**B Of E Meeting**

Members of the Yancey County Board of Education and County Commissioners met in an informal conference Saturday and discussed ways and means of financing facility needs for the schools.

Under present budget conditions additional funds are not available for any major alterations of school plants.

The Commissioners and Education Board will meet with the Local Government Commission in Raleigh.

I was going to school in Burnsville High that the day would come that the people here would come together in our county and fight for better schools for the children. I think that day is just around the corner. I also didn't realize at the time I was going to school here that the squabbles in different sections of the county were not hurting the older generation, but hurting us, as school kids, instead.

I was gone from the county for some 12 years. Then I took my children out of real good schools and returned to the people and home that I love. All three of my children are in school at Burnsville, and the oldest, Kathy 9, is in fourth grade and goes to class in the basement of the old Agricultural Building.

But I believe, with all my heart, that in the hands of the people of Yancey County they will soon be in schools we will all be proud of. Politics is out. This is just common horse sense that Yancey Countians are blessed with. . . Let's not grow long hair and march, but get together and

have better schools. Not for you and I who have already missed the boat, but for our children.

I know from experience that they will appreciate this more than anything we can do for them when they take that big step into the world.

Donald N. Banks  
 Amberjack Restaurant



Dear Editor:

I'd like to thank each person who visited and helped my mother, Mrs. Mack Blankenship. She fell 3 months ago and fractured her back and was confined to bed for several days. Because of friends and neighbors like these, her days seemed brighter and not so long.

I'd like to thank Sheriff Kermit Banks especially for each visit. He is a very busy man, I'm sure, yet he takes time to visit the sick like his father used to do.

Thank you all so very much and God Bless you for all your kindness.

Mrs. Cleo Fox  
 Winston-Salem

**straight talk**

By Tom Anderson

**WE BECOME WHAT WE CONDONE**

The Federal Government has recently spent more than a million dollars in a two-year study of pornography. The residential Commission on Obscenity and Violence has rendered its verdict: Pornography and obscenity are good, not injurious. That's probably what Walter Jenkins told the boys at the "Y." Since President Johnson appointed all but one of the 18-member commission, it is reasonable to believe a majority of them are probably obscene themselves.

The Commission said: "The Commission is of the view that it is exceedingly unwise to attempt to legislate individual moral values and standards."

It would be exceedingly wise for citizens to once again legislate such things on the local level, imposing such proven effective remedies as public whipping posts, tar and feathers, and jail. The morality breakdown is worldwide, all pervading, overwhelming. But that is no reason to accept it. "First we abhor, then we endure, finally we embrace." We become what we condone.

Believe it or not, I can still remember how embarrassed I was when I came out in my first topless bathing suit. But modesty, male and female, is almost obliterated. Most of the women today want to show everything, either blatantly or in a now-you-see-it-now-you-don't technique. "If you've got it, show it," is the attitude today. Reminds me of the woman who *didn't* have it, explaining why she wouldn't dream of walking topless on the beach. "The first guy I'd meet would probably stop me and say, 'Hi buddy, got a match?'"

Our best recourse is to the Congress. Maybe a majority of them are decent. Many are not. There are several homosexuals and more than several notorious philanderers in Congress. And Teddy Kennedy ("Greater love hath no man than this, that he laid down his friends for his life"). But a majority of our Senators and Congressmen could doubtless be prevailed upon—with proper pressure from home—to pass an anti-obscenity bill. Senator Dirksen introduced one (S.1077) shortly before his death. We can't depend on the Supreme Court. It may improve somewhat under Burger, but one of its own members (as well as the Governor of a Southern state) reportedly has one of the nation's "outstanding" pornographic collections.

Obscenity and pornography, and in fact all censorship, should be "local option." What's obscene in New York—and most of it is—would doubtless be obscene anywhere. But what's obscene in the town of Happy Valley, probably would not be obscene in New York. I was in "Fun City" recently, unhappily, after an absence of a couple of years. Up and down Lexington and other avenues, in downtown Manhattan, arc magazines and newspapers displayed depicting every conceivable, and some inconceivable, kind of sex, natural and unnatural. Some of these newstands are on the public sidewalks, where any little seven-year-old girl, walking by, couldn't avoid seeing the vilest pictures imaginable. In Happy Valley, the news vendor would not merely lose his license; he'd probably lose a few teeth, too.—American Way Features