

Jones Journal

"A BETTER COUNTY THROUGH IMPROVED FARM PRACTICES"

VOLUME FIVE

KINSTON, N. C., THURSDAY, DECEMBER 10, 1953.

NUMBER 31

Judge Howard Hubbard Conducting Jones Court With 91 Cases on Docket

Special Superior Court Judge Henry H. Hubbard of Clinton is presiding over the current term of Jones County's highest court and late Tuesday a goodly part of the 91 case docket had been cleared in one way or another.

Dispositions reached by that time included the following:

Judgement Absolute was ordered on the bonds of Alton Futrell, Raeford Adams, James Audrey Mills and C. Manley Erving, Jr. All of these had failed repeatedly to show up for trial on old charges before the court.

The case of Lewis Reddin Faircloth was remanded to the Juvenile Court when he was found to be a minor.

Benjamin Franklin Bryant of Dover Route two who was charged with trying to derail an Atlantic and Carolina train on two different occasions was ordered committed to the State Hospital at Goldsboro for detailed examination to determine if he were mentally capable of standing trial on the charge.

James Cleo Perry was assessed the court costs in a reckless driving case. An embezzlement charge against J. L. Eason was nolle prossed. Thad Alonza Hart was fined \$100 and costs on a drunken driving indictment. Harvey E. Morton was fined \$50 and costs in a larceny case. Idell Moore was placed on three years probation on an assault with a deadly weapon count.

Edward Strayhorn was ordered to pay \$50 and costs in another assault with a deadly weapon charge. Willie Jones drew the usual \$100 and costs for drunken driving.

Omie Hill drew two years for assaulting a female. Cliff Moore was found not guilty of whipping his wife after she had testified that "he just breshed" me a little."

Chess Roberts was fined \$50 and the court costs for assault with a deadly weapon and Johnnie Gardner was ordered to pay \$700 back to an insurance company that had employed him and also pay the court costs.

"We Wuz Robbed"



From left to right above Stallings Air Base Fire Chief T. A. Jones, Mrs. A. W. Lieb, wife of a Carolina Power and Light Company employee, and William J. Best are seen as they appeared before the Kinston City Council Monday night, protesting what they called exorbitant utilities rates. Best, near the end of the complaint period

suggested to the standing-room-only crowd of petitioners that they take their complaint of the State Utilities Commission. Mrs. Lieb said "Our electric bill is so high I can't afford stockings. These I'm wearing are some my mother gave me." Several others who spoke said that the high rates would force them to leave Kinston. Many asked that their

area, Greenmeade, which is just outside the city limits be annexed so they would not have to continue paying the 20 per cent extra on their utility bills. The aldermen promised to study their petitioned complaints and give the group a report at a later meeting. (Polaroid Photo-in-a-minute by Jack Rider.)

Majority 'Outside' Opposes Coram Nobis; Reverse 'Inside'

At last week's term of Lenoir County's Superior Court a most unusual hearing in recent months in the local courts. It was, in legal terms, a Coram Nobis hearing in which Hosea Parker, currently serving a total of 54 years in State Prison was seeking a retrial.

Kinston Attorney Charles B. Aycock had been appointed by the courts to represent Parker and it is generally conceded by those who watched Aycock's presentation of the case that a superlative job was done.

Perhaps the biggest part of Aycock's job fell into the very direct category of getting around the opposition that is felt in official circles for this new law under which Coram Nobis hearings are begun.

Every court official who has expressed himself, either publicly or privately, is violently opposed to the Coram Nobis procedure. They contend that it is in effect "trying every case twice." But that, of course, is not exactly correct.

A review of the Hosea Parker

cases is indication enough that there is a little more to this "double trial" hearing than meets the naked eye.

In 1946, following a long string of breakings and enterings in Eastern North Carolina, Parker was arrested and placed in the Greene County jail at Snow Hill, where he says he was held incommunicado for two days during which he was constantly and violently questioned by re-lays of law enforcement officers from Greene and other counties in which the long string of breakings and enterings had been committed, along with officers from the State Bureau of Investigation.

Parker says that a confession was finally beaten out of him by Greene County Deputy Sheriff Fred Carraway, after he had been without sleep and with very little food or water over a 48-hour period.

Parker further says that after that confession was obtained from him by duress he was quickly taken into court and there convicted on the basis of that confession and with very

little other evidence beyond that. In quick succession he was taken from Greene to Duplin and finally to Bertie County where he accumulated consecutive sentences totalling 54 years.

In petitioning the court last week for a new trial in each of these cases Parker, through the able representation of Counsellor Aycock, contends that his Constitutional rights were frequently, obstinately and continuously ignored.

He contends that he was convicted by a confession which was obtained from him after he had been beaten, starved and kept awake for nearly two days.

He contends that he was denied the right of being represented by counsel.

He contends that he was held without privilege of bond and without having been given a hearing before a competent magistrate, and that his bond was fixed arbitrarily high and by a person not authorized to fix a continuing bond.

In support of these contentions Parker's counsel has arrayed a

considerable and impressive volume of law, including recent North Carolina and the United States Supreme Court decisions on cases similar to that in which Parker contends he finds himself.

Of course, the officers involved in the conviction of Parker deny each and all of his allegations and perhaps the single strongest point in substantiation of Parker's complaint lies in his aggregate sentence.

To receive a total of 54 years from counts in four counties, each of which imposed consecutive rather than concurrent sentences, is recognized as far more severe than the usual sentencing in such cases in which only breaking and entering are charged. Parker did receive a small part of his sentence for trying to burn the jail in Snow Hill while he was held there, but the bulk of it came from breaking and entering indictments.

Even those who strongly oppose the Coram Nobis procedure as expensive and a waste of the taxpayers' money and the court's time agree that it would have

been highly unlikely for such a long sentence to have resulted, and particularly on the fact of a confession—no matter how the confession were obtained.

Certainly, it is admitted that any lawyer worthy of his salt would have been able to exchange the "confession" for some concurrent sentences, since the law enforcement officers were eager to clear up the long string of robberies and would have "swapped" a little time for such an all-encompassing confession.

The matter, of course, now rests squarely in the lap of Judge Paul Frizzelle of Snow Hill before whom the pleadings were made. It is completely within his discretion to allow or to refuse Parker's plea for a new trial, conducted on a basis more favorable to his side.

Parker, a young, erect, well-educated Negro man, showed that he also had some foundation in Constitutional Law during his cross examination in last week's hearing. When asked why his wife had not subpoenaed witnesses in his behalf, Parker very

Continued on Page 5

Emotionalized Traffic Controls Are Worst Possible Kind



A recent statement by one of the nation's foremost traffic experts was "Too much money and too many lives are at stake to permit development of traffic plans and controls by guesswork or by the trial and error methods. It isn't enough to simply observe what works successfully in one community and apply it in another." The pictures here illustrate one result of hit-and-miss traffic controls. In this accident at the intersection of Carolina Avenue with Vernon Avenue the car of Mr. and Mrs. Jesse Reeves, both employees of the Caswell Training School, is seen rammed into and under the rear of a truck.



Continued on Page 8