

Next Jones County Civil Court Docket Headed by State Action Against County

The docket for the next regular civil term of the Jones County Superior Court is headed up by a suit in which the State Board of Social Services is seeking to force the Jones County Board of County Commissioners to levy taxes to fund a program the state desires to operate in Jones County.

(see editorial page 2)

Other actions include Goldie Hill Gray versus Dr. John E. Littman; Kenneth Lee Tucker versus E. A. Piatt et al; Allen Gies Davenport versus Odell Louis Lee et al; and Bobbie Miller Meadows versus Dennis Joseph Saladin et al.

Also Dixie Acceptance Corporation versus Franklin D. Jordan and wife; and, Pennie Lessy Kellum et al versus Rosa Lee Collins Coward et al.

The Honorable George M. Fountain will be presiding at the January 13th session of civil court.

Land Transfers

The following land transfers were reported during the past week by Jones County Register of Deeds, Bill Parker.

From Thomas K. Smith and Gladys K. Smith to Guy Thomas Smith and Janice T. Smith 1 acre in Chingapin township.

From Janie Henderson to Percy Lee Conway and Marilyn Collins Conway a tract of land in White Oak township.

From Edd Croft and Ann H. Croft to Edd Croft 50 acres in

CHURCH STATUETTE FOUND

Henry W. Bushwitz Jr. and Thomas William Counter of 506 Rhem Street were arrested by Kinston police Monday after a statuette of Christ, stolen from Holy Trinity Catholic Church in Kinston, was found in their apartment. Counter was also charged with stealing five flashing lights from barricades on Vernon Avenue in Kinston where broken pavement was located on a storm sewer project.

Legal Miscogeneration

Although the North Carolina Constitution forbids intermarriage between races the United States supreme court has overruled that provision and last week Lenoir County Register of Deeds Catherine Cooke issued the first mixed marriage license in the history of the county. The license went to 23 year-old Cephus Farrier Nelson of 301 Lee Street in Bridgeton and 19 year-old Ethel Waters Mayfield of 412 Browne Avenue in New Bern.

Congress Rushing to Reach Compromise Tax Reform Bill Before Christmas

By U. S. Senator Sam Ervin

The Senate and House have passed separate versions of the most comprehensive tax reform bill in history after ten months of hearings and debate. Tax reform over the last decade has received much attention by the Congress, but the 1962, 1964, 1965, and 1968 tax amendments did not involve the sweeping proposals now before the Congress.

First indications that this year would be different came in a warning issued on January 17th by then Treasury Secretary Joseph W. Barr who told the Joint Economic Committee that "we face now the possibility of

Trenton township.
 From Julia Graham Ward to Vanadis Raife of Brooklyn New York a tract of land in White Oak township.

a taxpayer revolt if we do not soon make major reforms in our income taxes." Barr added fuel to the reform move when he said that in 1967 there were 21 persons with million dollar incomes who paid no Federal income taxes.

Shortly thereafter, the Treasury released the Johnson Administration tax reform proposals. On February 18th, the House Ways and Means Committee, which has original Congressional jurisdiction over tax measures, embarked upon hearings dealing with seventeen major tax reforms. A month later, President Nixon asked Congress to extend the 10 percent surtax until 1970 by citing the dangers of inflation and the need for federal revenues.

Later in April, the President submitted an interim tax package calling for the repeal of the 7 percent investment credit and requesting that the surtax be lowered to five percent on

Kinston's Worst Fire in Two Years Does \$250,000 Damage Saturday Night

Kinston's worst fire in two years did an estimated \$250,000 damage Saturday night and required four hours to bring under control with help from several fire departments in the area, plus help from Army Reservists in directing traffic and helping move vehicles in danger of being burned.

The fire was discovered at

7:47 Saturday night in Sheppard Warehouse No. 1 at the corner of Bright and Heritage streets. Fire had spread over most of the large building by the time fire apparatus arrived on the scene.

The building, owned by W. I. Herring, was under lease to Austin-Carolina Tobacco Company which had about \$100,000 worth of tobacco stored in it.

Several cars belonging to Morris Brothers Motor Co. suffered heavily from the fire and the building occupied by the motor company also lost several plate glass windows from the heat of the burning warehouse just across the street.

Total damage was estimated in the vicinity of \$250,000.

It was impossible to establish cause of the fire since it had spread so completely by the time firemen arrived and since the building was totally consumed in the blaze.

PREACHER'S GOT PROBLEMS

Monday Reverend R. E. Philpott of LaGrange route 3 was found guilty of passing eight worthless checks, and ordered to make good each and pay \$15 costs in each. Tuesday he was arrested under another warrant, charging him with passing a ninth check with an exceeding high rubber content.

Bribery Conviction

Last week a re-opened bribery charge against Roland Hyman Sutton of Goldsboro was tried in Lenoir County Superior Court and Sutton was found guilty of offering \$100 to Patrolman Earl Smith to drop a drunken driving charge. Judge Howard Hubbard first suspended a 90-day jail term, fined Sutton \$1,000, and put him on probation three years. Later in the session he dropped the probationary part of the sentence and reduce the fine to \$500. Sutton had pleaded guilty to drunken driving earlier in district court.

Congressman L. H. Fountain Defends American Soldiers Serving in Vietnam

By Congressman L. H. Fountain

Whatever may have happened at the Village of My Lai in South Vietnam many months ago — and the facts are not all in — all responsible Americans join in condemning any wartime act of sickening, mindless violence.

But, should we not reserve judgement on this highly publicized affair until we have had a chance to sift through the conflicting reports and reach a sensible, reasoned conclusion?

It is well to remember that throughout all American history, we have never adopted the policy of sending our soldiers to slaughter innocent civilians. If innocent women and children have been shot down in cold blood, even in the midst of war, those responsible must be punished — although frankly I have difficulty in believing that some Americans have done this sort of thing.

In any event, the honorable profession of American arms, which is dedicated to keeping America free, has never condoned ill treatment of civilians in zones of war. On the contrary, the soldier's creed calls upon him to be the protector of the helpless.

Vietnam is no exception. The creed of the American military man has not changed. The rules of civilized war still prevail. In some circumstances, the behavior of Amer-

All this cannot be said of the enemy we are fighting in Vietnam. They abide by no rules of warfare. Unhesitatingly, I can say that they operate by the Machiavellian principle that the end justifies the means. This is no reason for us to adopt or permit the same policy even by a few of our men. We have not done so.

The fact remains that terror is an instrument of national policy for the Communist enemy. Millions of South Vietnamese can attest to this, because of unspeakable acts against members of their own families by the Viet Cong and the North Vietnamese regulars.

Hundreds of thousands of South Vietnamese, especially those in places of authority have been maimed, tortured or butchered in barbaric ways.

Who can forget the Hue Massacre during the Tet Offensive last year? The Communists held the ancient capitol of Vietnam for 25 bloody days. During that time they succeeded in murdering 2,786 people (maybe more), including 16 Americans and Europeans. Some victims were shot, some were buried alive. Members of the Christian Church were high on the murder list.

This was no isolated incident. Typically, the Viet Cong commit atrocities every day. If a villager is even suspected of communicating with South Vietnamese authorities, he is soon murdered, or taken, or shot, or burned to

Judge Frees Man Jury Convicts, Guilty Under Law

by Jack Rider

Last week Superior Court Judge Howard Hubbard of Clinton set aside the verdict of a Lenoir County jury that had

convicted a man for drunken driving, whose blood alcohol contest was .19 per cent; .09 per cent more than the laws of North Carolina say is sufficient to convict a person for driving under the influence.

Herbert Alphin Hoover was arrested by veteran Highway Patrol Sergeant J. S. Briley on January 31, 1969, and charged with speeding 70 in a 55 mile zone and drunken driving.

Alphin of LaGrange route 1 was tried first in Lenoir County District Court on September 16, 1969, and convicted; after which he gave notice of appeal to superior court.

Alphin was tried in superior court and convicted by a jury on October 30, 1969, at which time the presiding judge deferred judgment in the action.

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On December 11, 1969 Judge Hubbard entered his judgement, setting aside the jury's verdict on the grounds that the verdict "was contrary to the greater weight of the evidence."

The average person not familiar with the courts may wonder why Alphin availed himself of the most expensive attorney in Kinston, Tom White, and fought so long, and successfully to defeat the work of the patrol officer, and the general statutes of North Carolina.

court at New Bern of transporting 48 gallons of non-taxpaid whisky and Judge John Larkins sentenced him to three years in federal prison with the prison term suspended on condition he remain on probation for three years and pay a \$750 fine. He, of course, still remains under that federal probation, and faces three years in prison subject to review of his behavior under probation by Judge Larkins.

Although Alphin's conviction was set aside by Judge Hubbard's arbitrary ruling he still must face a hearing on the revocation of his probation since he is on the record, of the breathalyzer test, guilty of violating the law as well as his probation which forbids drinking whisky.

Alphin has been in other other courts, as well.

Kinston Police Department records indicate that he was tried March 20, 1958 for driving without license and following too close, tried again on January 16, 1961 for driving without a license and was found not guilty on March 13, 1962 of failing to give a hand signal and found not guilty on December 28, 1962 of larceny.

Tuesday Solicitor Walter Britt said he would try Alphin again, since the effect of Hubbard's order was to grant Alphin a new trial. It did not find him not guilty.

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