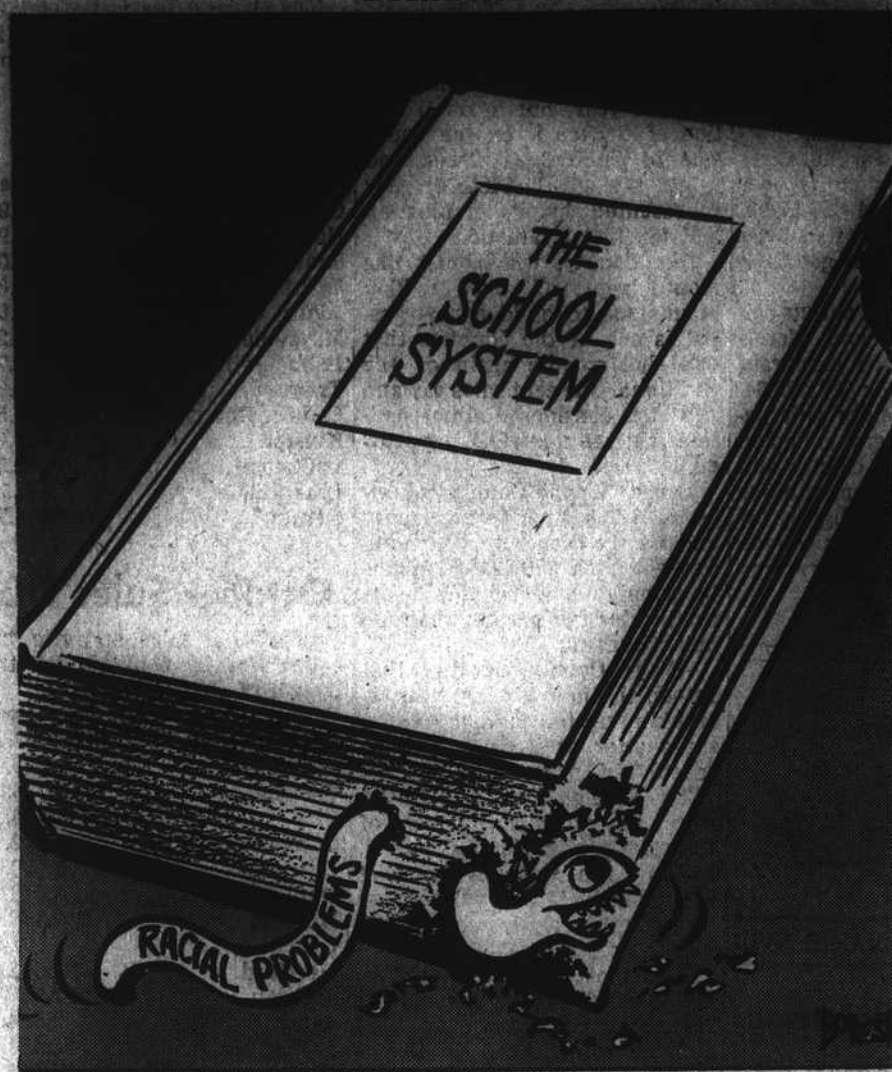


Bookworm



EDITORIALS

*Never Forget That These Editorials Are The Opinion Of One Man
And He May Be Wrong*

Fanning The Flames

In the tense and unhappy situation they misbehave. our public schools have been forced there is nothing more certain than an ultimate explosion of frightening proportions if school officials do not face their responsibility with courage and quit fanning the smoldering embers of racial animosity.

Since school began this fall two incidents have arisen: one in the city school system and the most recent in the county schools, and in each school officials took the blind attitude that if they looked in the other direction the problem would just go away.

In the first incident an assistant principal (white) slugged a colored student after the student had cut him on the arm. The principal resigned, which is exactly what he should have done. If he lacked the ability to control his temper. Permanent expulsion of the student and criminal indictment for the cutting of the principal were exactly what should have happened to the student. But, of course, this did not happen.

Now last week a colored teacher in the county system has beaten a white girl with a stick. School officials tried to smother this affair, rather than firing him summarily for such a blindly stupid act.

Any teacher who is not aware of the potential explosiveness of the school situation should not be permitted to remain in the system, and for any teacher to cross the color line and the sex line and begin beating on a student is the absolute most dangerous act that could take place in these schools.

Under no circumstance should a teacher be called upon, much less to volunteer, to do to children what their parents too frequently refuse to do; which is administer painful punishment when

The unruly child should be disciplined by its parents, and if the parents either refuse or try and then fail to bring their child under control then school authorities should simply exert their authority by permanently expelling any such child.

But blows struck by either teacher or student in anger, or in calm discipline, are wrong, and dangerous and should never be tolerated by any school system.

Union Help?

Some unions have a most unusual way of representing the working man. Consider: In 1929 there were 18 daily newspapers in New York City. Today only three survive because of unreasonable demands made by the unions which purport to represent the trades needed to run a newspaper. What's more one of the three surviving New York City dailies is now under union attack so the net result in the very near future may be just two daily newspaper where not so very long ago there were 18.

We do not have comparative figures but it is easy to see that a lot of newspaper jobs have gone up in smoke as strike after strike broke either the pocketbook or the will power of the people who ran these now departed newspapers.

This is terrible in the net loss of jobs for men who had well paying jobs, but perhaps even worse than the loss of a few thousand jobs is the concentration of power in the hands of so few newspaper men.

Not so long ago New York City was exposed to a wide range of ideas on issues by editors who ranged from the far left to the far right

Today the voices of so many points

Appointive Judges?

North Carolina lawyers are recommending that all Judges be appointed rather than elected. We don't blame 'em one little bit, if the people were as hot after us as they are getting to be after judges we'd sure want the same kind of protection that is already given to federal judges.

Now the federal judiciary is a wonderful example of how high caliber, fearless men can be attracted to responsible position if you'll just give them life tenure and pay them about four times what they are worth.

So it is no surprise that the judges and the lawyers are making two recommendations that all judges in North Carolina — like all federal judges — be appointed for life, and of course, that nobody but a lawyer could hold such an exalted position.

We do not need to remind anybody in this area of what appointed judges can do. All we have to do is look at the mess John Larkins and Algernon Butler have made out of so many school systems. If you want a more recent example take a look at what appointed State Superior Court Judge William Copeland did here in Lenoir County during the past two weeks. He is not an elected judge, but gets his high-priced job as the result of having been twice appointed to four-year terms by first Governor Dan Moore and more recently by Governor Bob Scott.

The only person in the world such appointed judges have to please is the people who appoint them.

Instead of going in this direction, our feeling is that we ought to go in the exact opposite direction, let's make all federal judges elective rather than appointed for life; let's eliminate these appointed special superior court judges in our state judicial system, let's make superior court judges come up for election more frequently than they do now.

It's hard to believe that there's a job more important than that of president of these United States and the president has to be elected every four years — and more important than that the president is limited to two terms in office while judges can stay in office until they can't chew clabber and until they can't count to ten with their shoes on.

of view have been silenced and New Yorkers are exposed to less controversy in their news and editorial diet than we hicks out here in the sticks.

We generally have a big city daily, our home town daily, a county weekly and two or three radio and television opinions to challenge our thinking. But this is natural in one sense. The Cliff dwellers of New York City in spite of their effort to appear so world wise have always been and always will be the most provincial collection of narrow minded yokels in the country.

A large percent of them think the sun rises out of Long Island Sound and sets in the Hudson River and that is the beginning and the end of the world. Of course it is the beginning and ending of THEIR world, but it is a strange world that actually has very little to do with the real America that is made of thousands of tiny towns and villages scattered like jewels across the broad sweep of our land.

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PERSONAL PARAGRAPHS

BY JACK RIDER

The quickest and most effective way to make the courts more responsive — not to the hot breath of the mob, nor to the sudden emotions of stress, but to the basic reasons for courts is to eliminate the rotation system which keeps the trial judge far from the people who put him in office.

In North Carolina each superior court judge only serves six months out of each four years in his home district. The theory behind that practice is fine, but in practice it works against rather than for a better system of justice.

The purpose of courts is to equitably decide issues that arise between individuals and between individuals and the government. Justice to be just has to treat each individual and each issue with equity under the law. Sometimes the law itself creates inequities, but it is not the right of the trial court to attempt to correct statutory inequities, but to accept the law and let the deciding of constitutional issues of equity be decided at the appellate level.

Yet a great many trial court judges eat their hearts out in a desperate effort to anticipate appellate decisions or to prostrate themselves under the now totally disregarded principle of "stare decisis", which converted to the language of everyday usage means to continue running things on the basis of previous decisions by those appellate courts. Obviously this has become impossible since there are no distinguishing landmarks by which the trial court can guide its actions. What was the law yesterday is not the law today and what's said to be the rule of law today will very likely not be the law tomorrow.

This lack of recognizable landmarks has imposed upon the trial judge the most terrible responsibility he has ever had to suffer. Now he has almost unrestricted power to wheel and deal however he wishes, because the wildest decision he may make might be upheld by appellate courts, while the most proper and logical and legal interpretation that he might make may and frequently has been tossed aside by the activism that has infected the highest court of the land in recent times.

But it is the duty to his community and to the common sense of the law of each trial judge to live within the borders of acceptable compromise. We have recently seen what disrespect the courts have fallen into when every attention is paid to the most minute hair-splitting of legal interpretations while no thought is given to common sense and the most basic issue of whether a defendant is guilty or innocent. By bringing trial judges home for a much larger period of their tenure to serve the people who put them in office we would automatically have judges assigning different priorities to fine legal points and to common sense.

If the known guilty must be turned loose it is far better for justice that they be turned loose by the ponderous twist of the distant appellate process than by flaunting of proven guilt in an open trial court and before a smothering coterie of the guilty.