

'The more I feed the more it takes!'



EDITORIALS

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

The Question of Privilege

There is no more fragile area in law than that which pertains to "privilege," and current efforts tend to make this tender area even more fragile.

In Lenoir County Superior Court Judge Pilston Godwin of Gatesville has signed an order demanding that the state produce in court confidential informers because this is necessary to the defense of a young man in whose car marijuana was found.

This immediately raises the question that if the presence of such a confidential informer is necessary in one case then why is this not true in every case. If the inference is that an informer may have maliciously ensnared one defendant why doesn't this inference extend to every defendant.

If it is necessary to the defendant to betray the relationship between an officer and a confidential informer why couldn't this same prayer be entertained in such other privileged areas as that which normally exists between lawyer and client, doctor and patient, priest and parishioner, man and wife.

The courts have woven a crazy quilt of contradictions from which there really is no possible escape except to add another patch to the already badly bungled pattern of law.

The test of reliability of an informer is whether the things he has told an officer prove to be true and can hardly stem from the ugly proposition that there is any such thing possible as a "reliable confidential informer." The very act of

informing has connotations that hardly square with the complimentary adjective "reliable."

It is the business of the courts to sift the evidence, to weight it in the light of all the evidence and then to find and to find beyond a reasonable doubt whether a defendant is guilty or innocent.

If the court is to presume that each informer is also a "fixer" then the law must presume the same thing about each law enforcement officer, which is a presumption we hope the courts are not quite ready to jump.

Army Idiocy

One of the more ridiculous whinings to come from the direction of the armed forces recently has been about the poor soldiers who are on welfare because they cannot live off their pay.

A little examination reveals that all of this trouble stems from the Army idiocy which has permitted the lowest ranking enlisted men to haul — at their own expense — their families to overseas posts, where prices are high, jobs are non-existent and the commercial raping of Americans is a way of life.

Instead of the Army whining about the plight of the poor GI and his family in Western Europe, why don't the powers that exist simply forbid the dragging of families around to overseas stations by young, ignorant, penniless privates? Officers and upper grade non-commiss-

Looking to April

After petty delays on top of petty delays next month the Republican majority will take over the policy-making duties for the Lenoir County School Board.

Let all of us who believe in the need for common sense to be returned to the public schools hope and pray that these three citizens will stand firm in their pledge to totally support and install a true system of freedom of choice in the racial make-up of the county schools.

Undoubtedly a mountain of rhetoric and technicalities will be dumped on the backs of this courageous trio. Let us hope their shoulders and their hearts are strong enough to bear the burden.

A return to the letter of the law, which is what the Civil Rights Act of 1964, insists upon: Freedom of Choice, nothing more and nothing less is the most pressing public concern of every community in the nation where there is a considerable racial mix of school populations.

The courts have ruled that if a true Freedom of Choice plan does not force racial mixing then it is the duty of the school officials to do the mixing themselves, but this is not what the law says, only what a handful of non-elective petty judicial tyrants has said.

It is the duty of every public school board to enforce fairly and completely the Civil Rights Act of 1964 which was enacted by congress and remains the law of the land until congress either changes its majority mind or until the law is declared unconstitutional by the supreme court. Neither of these has taken place. Only the court has immorally and illegally ruled that if the law written by congress does not bring about a sufficient racial mix then it automatically is the duty of school officials to force the requisite racial mix.

The idiocy of such a course ruling is too apparent for much comment, except to point out that Negroes comprise about 11 per cent of the national population so the requisite classroom mix would be 11 per cent Negro students in every classroom in the nation but the distribution of Negroes nationally makes this impossible and makes impractical every other kind of forced mixing.

selection officers do have their travel expenses for their families paid by the taxpayers and for good reasons: First, that their tour of duty will be of sufficient length to make the taking of families desirable, while the lower grade service men are generally short-term assignees to overseas duty and seldom re-enlist. Of course it is axiomatic that "rank has its privileges." If rank did not have these and other privileges there would be no profit in accepting the responsibilities of rank.

Not only does the army invite the sob-sister stories about the poor GI's family it also contributes to the bad name of Americans overseas and, for the little it is worth, also contributes further to the balance of payments deficit our country has recently been suffering because of expenditures by service families overseas.

There is absolutely no logical basis in reason for raising the salary and fringe benefits of lower grade enlisted men to that point where they can take their young brides and babes with them for a few months paid vacation of the finer watering spots of Europe.

PERSONAL PARAGRAPHS

BY JACK RIDER

The war against the dope traffic is undoubtedly the worse battle society has ever faced in these United States. Not only is the physical threat to a large per cent of our youth involved, but there is also a grave danger that our troubled courts may not survive the problems which the drug traffic presents.

Without exception every dope pusher arrested in Lenoir County in the past year has hollered "Entrapment!" Their inference being that either officers or informers or both were deliberately enmeshing innocents in felony charges. And without information police are totally powerless in this fight. A man cannot hide a hundred dollars worth of stumppole whisky on his person or about his premises so well that a trained officer cannot find it.

But a thousand dollars worth of illegal dope can be hidden in the heel of a shoe, a trouser waist band, a belt, package of cigarettes, the lining of a jacket, and even most vulgarly in the natural opening of the body, an act which has been done many times in the smuggling and distribution of drugs.

So for officers to secure evidence they must have exact information and they must act hurriedly because the distribution of hundreds of thousands of dollars worth of dope can be done in a matter of minutes, and often is done just that rapidly.

Officers do not have the leisurely lead time of the judge, or jury or lawyer to sit around and split thin legal hairs. Information has to be gleaned wherever it can be found and action on that information has to be taken as rapidly as humanly possible if the information is to have value.

So indictment of the dope peddler is difficult and conviction is impossible under the strained and tortured rulings which give every advantage to the criminal and none to the officer.

This brings lawyers, solicitors and judges to a direct confrontation with a hard fact of life which a majority of the legal fraternity is either too stubborn or too stupid to accept: That if they are not a part of the solution they are part of the problem. Or, said another way, any lawyer, judge, or solicitor who knowingly sets free a dope pusher or any other criminal on any technical pretext cannot avoid the public view that he is an accessory to the crime himself.

If technicalities must prevail over guilt then our system is lost and each of us must arm himself and protect his family, his property and himself to whatever degree is possible since our governmental system will have failed in this basic responsibility.

JONES COUNTY JOURNAL
Jack Rider, Publisher

Published every Thursday by the Lenoir County News Company, Inc., 605 North Herritage Street, Kinston, N. C. 28501, Phone 523-2375. Entered as Second Class Matter, May 5, 1949, at Post Office at Trenton, North Carolina, under the Act of March 3, 1879. By mail first zone \$3.00 per year plus 3 per cent North Carolina Sales Tax. Subscription rates payable in advance. Second class postage paid at Trenton, N. C.