

# Motorists Give Biggest Volume Of Business To Criminal Courts

North Carolina's criminal courts get their biggest volume of business from motorists. And motorists get from the inferior courts of the state treatment that varies from court to court according to the methods and techniques these courts have designed to meet their local needs.

That there is little uniformity and often little similarity in the treatment of motorists and the procedures of these lower courts is shown in a study made for the North Carolina Bar Association's Committee on Improving and Streamlining the Administration of Justice by James Albert House, Jr., of Chapel Hill, assistant director of the Institute of Government, J. Spencer Bell of Charlotte is chairman of the committee.

The research work was done on the more than 125,000 motor vehicle cases handled by 32 Superior Courts and 61 inferior courts in 1956. One-third of the 11,561 criminal cases disposed of by the 32 Superior Courts and two-thirds of those in the 61 inferior courts involved charges of traffic violations. The Superior Courts tried 1,337 drunken driving cases as well as 775 speeding cases, 473 reckless driving cases and 907 cases concerned with other motor vehicle regulations.

Of the 199,705 cases handled by the inferior courts included in the study, 123,856 involved motor vehicles, as did 62.3 per cent of all cases which were pending in 1957 when the research was done. There were 32,765 speeding cases, 8,965 drunken driving cases, 8,276 reckless driving cases, 41,107 cases dealing with other motor vehicle regulations, and 13,749 in which violations of municipal traffic ordinances were charged.

This great bulk of motor vehicle cases has resulted in the establishment of such plans as waiver of appearance and cash bond forfeitures and the use of "justices of the peace-police" and "clerks of the court-police" for the convenience of both the courts and the motorists. In fact, in more than one-fourth of the cases examined the defendant never appeared in court. He took advantage of one of the various systems by which appearance may be waived. The Institute report points out that although the legality of these systems has been questioned, the courts continue to use them.

In the Superior Courts, it was found that only 10 per cent of motor vehicle cases went to trial. A not guilty plea was entered in 90 per cent of these cases. In the inferior courts, however, the number of cases which resulted in a guilty plea plus the conviction rate rose to 2,347 or 67.5 per cent. The cases in which the defendant was found not guilty or the trial process was suspended or fine and/or costs and imprisonment suspended came next with 20.8 per cent of the cases, and active imprisonment terms were imposed in 9.4 per cent of them. The defendant was found not guilty or this case was dismissed, not proscribed or otherwise disposed of in 37.9 per cent of the cases.

There was a higher rate of conviction in the inferior courts, where only 12.1 per cent of the defendants went free of punishment. There, the most prevalent forms of punishment were costs only and fine and costs, which were generally imposed except in drunken driving cases. In these, a large percentage of the punishments included suspended prison sentences.

From analyzing the cases, the research staff reached the conclusion that while the defendant tried in Superior Court may receive more severe punishment if he is convicted, his chance, percentage-wise, of an acquittal is much greater there than in the inferior courts.

Many variations in the lower courts in punishments, fines and costs imposed for the same offenses were found in the study. For instance, in one court a motorist convicted of speeding 25 miles an hour was fined \$25 and \$17 in costs and retain an attorney in order to waive appearance on a charge of speeding 25 miles an hour. In another court, a motorist convicted of speeding 25 miles an hour in a 35-mile zone was fined \$10. In many courts, the cost in a minor traffic offense is less than \$10, while in others, for the same violation, it is as much as \$20 or \$30.

The report shows also that in three times as many cases in Superior Court as in the inferior courts either active or suspended imprisonment terms were imposed and the median length of those terms in Superior Court was larger than in inferior courts. In drunken driving and reckless driving cases, imprisonment terms were given more often in lower courts, and the median term was about the same for both lower and Superior Courts.

The committee also released a report on jury trials in criminal cases in the inferior courts by Bernard Harrell of the Institute staff.

This report shows that defendants who wish trial by jury in the inferior courts sometimes have to make jury deposits varying from \$3 to \$42, depending upon the court. Sometimes, however, they are not required to make any such deposits.

An analysis of the 17 inferior courts in which jury trials were held in 1956 shows that only 577 of 37,673 cases were heard by juries. The overall percentage of convictions in jury trials was 69.67 as compared with 76.01 in cases tried by a judge alone. It was also found that in 24 cases tried by judges alone, the judgment was that the defendant pay

# Wife's Death - 'The Bravado' in Court

Wife's death - 'The Bravado' in Court. A man plunges into politics to make his fortune, and only cares that the world shall last his days. — R. W. Emerson.

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# SUNDAY SCHOOL LESSON

have separated ourselves from God. Alienation from God is a stern judgment. The sin of omission.

**SOPHIA LOREN TELLS THE STORY OF HER LIFE**

Sophia Loren tells the story of her life to the American Weekly in two articles published in the Baltimore Sunday American.

Read how the impoverished small-town child rose to the spectacular heights of international stardom... how she met and married her husband, and many other exciting facts about her life.

Don't miss "CAN THIS BE ME?" by Sophia Loren in the September 28th issue of the AMERICAN WEEKLY Magazine in Colorpage with THE BALTIMORE AMERICAN On sale at your local newsdealer

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**BUSINESS OPPORTUNITY**  
Area Man Or Lady Needed  
To service established route of Self-Service Merchandise Units. Excellent income to the person who qualifies. Must be free to work 9 hours weekly and have car, references and a minimum of \$398.00 working capital, which is secured. Submit work history and phone number for interview. Write Vice President, Box 11647, Dallas 18, Texas. 1tp

**CARD OF THANKS**  
I wish to thank my friends for the many acts of kindness shown while I was a patient in the hospital, for the flowers and gifts sent and prayers offered. Your thoughtfulness will always be remembered.  
GEORGE S. CADDY.

**CARD OF THANKS**  
We wish to thank our friends and neighbors for their prayers, cards and flowers, and all kindnesses shown during the recent death of our husband and father, Andrew Alonza Dale.  
—Mrs. Nellie L. Dale  
And Family.

**NOTICE OF SERVICE OF PROCESS BY PUBLICATION**  
State Of North Carolina  
Perquimans County  
IN THE SUPERIOR COURT  
Mattie A. Boyce, Plaintiff,  
vs.  
Mary Reynolds, Defendant.  
Take notice that a pleading seeking relief against you has been filed in the above entitled action.

**NOTICE OF ADMINISTRATION**  
Having qualified as Administrator of the estate of C. W. Haskett, deceased, late of Perquimans County, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned at Hertford, N. C., on or before the 8th day of August, 1958 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.  
This 8th day of August, 1958.  
RAY HASKETT,  
Administrator of  
C. W. Haskett.  
Aug15,22,29,Sept5,12,19

**NOTICE OF ADMINISTRATION**  
Having qualified as Administrator of the estate of John Q. Hurdle, deceased, late of Perquimans County, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned at Rt. 2, Belvidere, N. C., on or before the 12th day of September, 1958, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.  
This 12th day of September, 1958.  
C. J. RAPER,  
Administrator of  
Mrs. Elma Nona Raper  
sept26,oct3,10,17,24,31

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situate in Parkville Township, Perquimans County, North Carolina. You are required to make defense to such pleading not later than October 16, 1958, and upon your failure to do so the party seeking service against you will apply to the court for the relief sought.  
This, the 26th day of August, 1958.  
W. H. PITT,  
Clerk Superior Court  
WALTER G. EDWARDS,  
Attorney for Plaintiff.  
aug29,sept5,12,19,26

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