

Argument Over Power Saw Gets Man 12-Months Term In Recorder's Court

Melvin Frye of West End, charged with assaulting Charlie Honeycutt, also of that area, with a pocket knife and slashing him across the stomach, drew a 12 months road sentence in Moore Recorder's Court Monday.

Frye, who admitted cutting Honeycutt but said he did it in self defense, appealed the sentence to Superior Court. Judge J. Vance Rowe set bond at \$750.

The trouble stemmed from a power saw, testimony indicated. Honeycutt said that Frye had come to his house Sunday morning almost two weeks ago and accused him of taking the saw. Honeycutt denied the accusation.

He said that Frye had been drinking and had made the statement: "I'm going to kill someone before I leave this house and I'm going to take that saw with me."

Honeycutt said he tried to get away from Frye when he started slashing with the knife but was unable to do so. He told the court that he had attempted to strike back with a bush axe.

Frye said he had suspected Honeycutt of stealing the saw and had gone there between 2:30 and 3 a. m. on the Sunday morning in question, and had asked "peacefully" for the return of the saw.

He only struck Honeycutt "after I lost my temper," he said. He said he had thrown the knife, which he described as having a blade about one and one-half inches long, away in a clump of bushes but could not remember where.

Both men had previous court records, Frye for having cut another man once before in a fight, and Honeycutt for having engaged once before in a fight that resulted in his getting cut. Honeycutt said he had been cut once on the neck by accident when his father had cut at another man and had inadvertently struck him.

One note of humor cropped up in the seriousness of the trial. Shortly after Honeycutt had exhibited the still sewed-up wound to Judge Rowe and Solicitor W. Lamont Brown, a state witness, Walt McNeill, who lives with Honeycutt, said that he had not actually seen the "stobbing" but had been close by.

Frye, he said, "had seemed pretty tolerable mad" when he first came to the house. In another case Hubert Stanback, as vociferous a witness as court attendants had ever heard, denied repeatedly that he sold 20 per cent wine as a sideline. "I work for my money," he said, after being accused by Southern Pines policemen of having about seven quarts for the purpose of sale.

The officers said they had kept Stanback's house, in West Southern Pines, under surveillance for a number of weeks and had seen a long procession of visitors going there every night.

Solicitor Brown read a part of Stanback's police record to the court. It showed that he had been in court 30 times since 1949, mostly for fighting, and had been found not guilty only once.

Stanback, who was charged along with his wife, Nellie, of selling the wine, said he and two friends had bought 15 quarts of wine "to have a party. . . you know, to mix martinis and that sort of thing."

At one point in his testimony Solicitor Brown requested that he be cited for contempt of court because of his loud and insistent answers which were obvious evasions of the questions put to him.

Judge Rowe found him not guilty.

Other cases disposed of: Beecher A. Brown, public drunk, state takes nol pros on payment of costs.

James Curtis Walker, Route 4, Carthage, overloading truck, prayer for judgment continued on payment of fine of \$10 and costs.

Ralph Callicutt, Fort Jackson, driving drunk (third offense), careless and reckless driving, accident, no valid operator's license, 90 days on roads, suspended on payment of \$200 and costs and on condition defendant pay damages to other car.

Frederick B. Williams, Fort Bragg, driving without operator's license, driving on wrong side of road, causing accident and injury, \$25 and costs.

Charles O. McDougal, Carthage, carrying concealed weapon (straight razor), \$50 and costs.

Roy Burns, Robbins, breaking and entering and larceny, prayer for judgment continued on payment of costs and on condition defendant appear at next term of Superior Court for further action because of a violation of his probation.

James L. Hinson, Carthage, driving on wrong side of road, unlawful possession of tax paid whiskey, prayer for judgment continued on payment of fine of \$75 and costs.

Della Goins Stanback, Southern Pines, driving without operator's license, costs.

William Carlisle, Pinehurst, public drunk, 30 days on roads, suspended on payment of fine of \$15 and costs, and on good behavior conditions for next 12 months.

Jesse W. Banks, Jr., Fort Bragg, driving without operator's license, \$25 to include costs.

Ervin Cornelius Smith, Ador, careless and reckless driving, 30 days on roads, suspended on pay-

ment of \$25 fine and costs.

Joe John Beal, Bear Creek, unlawful possession of illicit whiskey, \$10 and costs.

Sgt. Steven J. West, Fort Bragg, speeding 90, four months on roads, suspended on payment of fine of \$150 and costs, and on further condition he not operate a vehicle on state's roads for 12 months.

John Hector Terry, West End, speeding, accident, costs.

Robert Lee Ritter, Greensboro, careless and reckless driving, no valid operator's license, 30 days on roads, suspended on payment of \$40 fine and costs.

Johnny Dickerson, Fort Bragg, driving without operator's license, \$25 to include costs.

Mrs. June Dick, Southern Pines, driving without operator's license, costs.

Clyde Cody, Route 2, Carthage, driving drunk, careless and reckless driving, no valid operator's license, unlawful possession of tax paid whiskey, 60 days on roads, suspended on payment of \$100 fine and costs, license revoked 12 months. Defendant filed notice of appeal to Superior Court, bond set at \$350.

Fred Homewood Wagon, Raleigh, speeding 85, 60 days on roads, suspended on payment of fine of \$75 and costs, license revoked as required by law.

Allison Caddell, Aberdeen, driving drunk, careless and reckless driving, guilty of careless and reckless driving, not guilty of driving drunk, \$25 and costs.

Edward McMannen, Southern Pines, carnal knowledge (continued from last Monday), nol pros with leave.

Bobby Leonard Frye, Pinehurst, driving without operator's license, second offense, \$25 and costs, appealed to Superior Court, bond fixed at \$100.

Henry Threadgill, Southern Pines, carrying concealed weapon, \$25 and costs.

Lillian Tyson, driving without operator's license, and Sgt. Fred Clayton, Jr., aiding and abetting in driving without operator's license, joint fine of \$15 and costs.

Clarence W. Goins, Pinehurst, gambling (dice), 30 days on roads, suspended on payment of fine of \$25 and costs.

Curtis Goins, Pinehurst, gambling, called and failed, capias issued, returnable next Monday, sci fa on bondsman.

Robert Wade Cook, capias issued, returnable next Monday.

Monroe Blue, Eagle Springs, careless and reckless driving, cursing on highway, \$25 and costs.

Gilbert McCaskill, Raleigh, public drunk resisting arrest, 90 days on roads, suspended on costs and good behavior.

Ernest Johnson, Carthage, attempted assault with a deadly weapon, not guilty.

Charles Brown, Jr., Carthage, attempted assault with a deadly weapon, threats, assault and battery, guilty only of assault and battery, 30 days on roads, suspended on payment of \$10 and costs.

NOTICE STATE OF NORTH CAROLINA COUNTY OF MOORE

The undersigned, having qualified as administratrix of the estate of Jacob McK. Lawhorn, deceased, late of Moore County, North Carolina, this is to notify all persons having claims against said estate to present them to the undersigned on or before the 21st day of September, 1957, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.

This 18th day of September, 1956.

SALLIE COLE LAWHORN Administratrix s20,27,04,11,18,25

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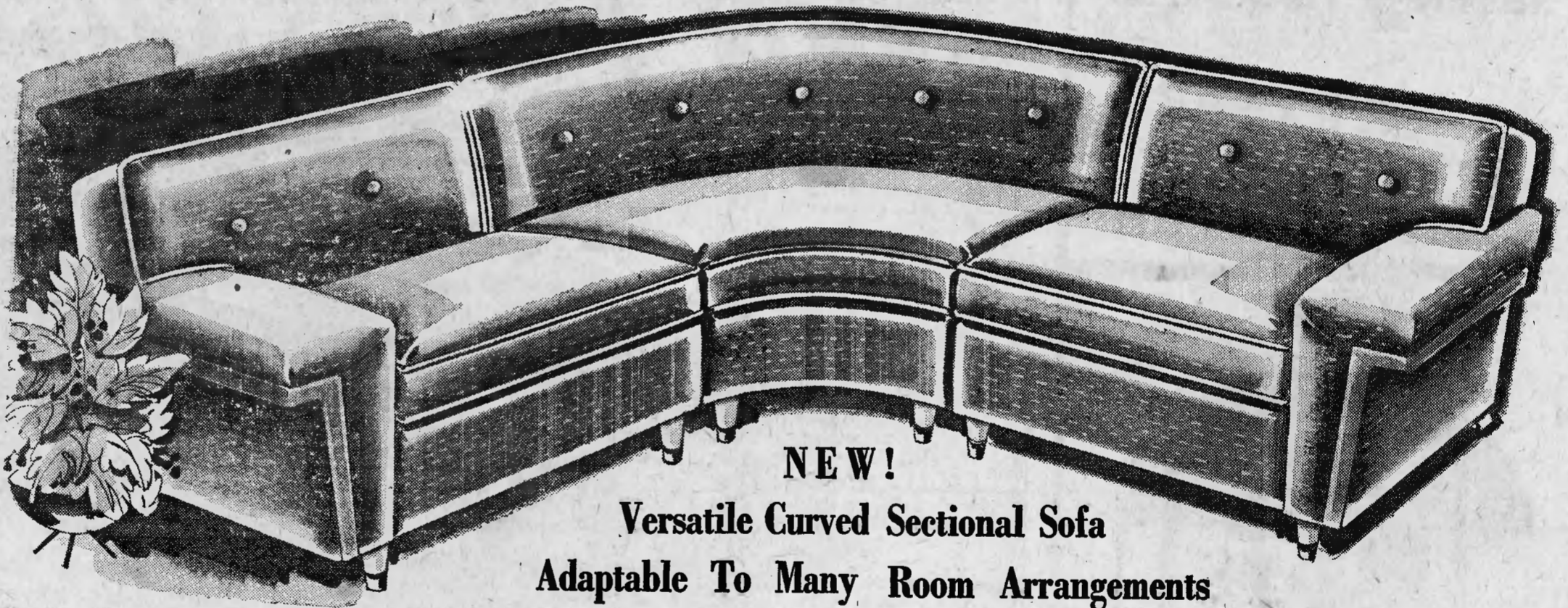
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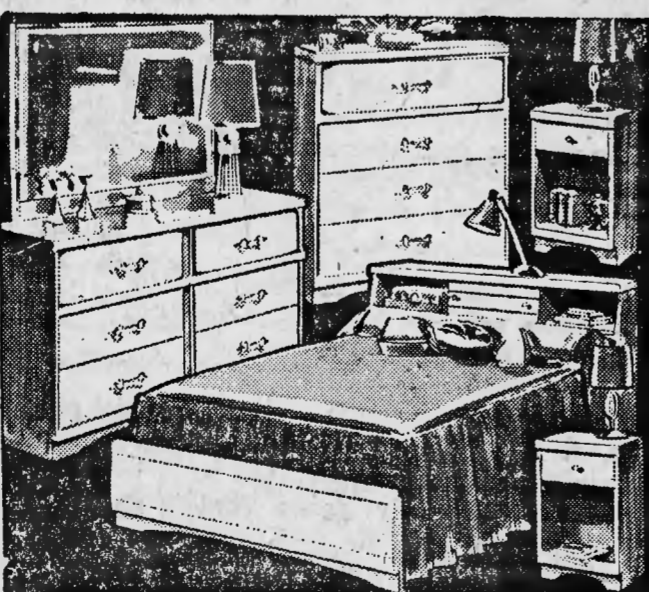
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