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VOLUME TWENTY-NINE

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NUMBER FIVE

Pitt Sheriff Is Removed Under Consent Judgment

Sudden Move Ends Long Ouster Hearing; Resigns Candidacy.

Greenville, June 15. — A sudden move for a consent judgment today removed Sheriff S. A. Whitehurst from office and ended long-drawn-out proceedings started in Pitt Superior Court by county commissioners, as citizens.

The judgment, presented when Judge G. Vernon Cowper reconvened court after the luncheon recess, revealed that the sheriff also has resigned as Democratic nominee for the term beginning in December: In the primary of June 4, Whitehurst won renomination by a majority of about 1,000 votes over three opponents.

The ouster hearing expired at 5:25, after Judge Cowper had signed a court order authorizing the county to pay prosecution attorneys \$9,890 for their services during the 24 days of the hearing was in progress. The commissioners had sought Whitehurst's removal on charges of maladministration, bribery and failure to turn over certain fees to the county.

Whitehurst was not in court when judgment was pronounced.

Court was recessed at 3:25 in order that the board of county commissioners might consider a successor to the sheriff. The board requested that Coroner A. E. Ellwanger, who by statute became sheriff, continue in the office until it could appoint someone to fill Whitehurst's unexpired term. Action on the matter is scheduled for Thursday at a special meeting for the board.

The three deputies, J. H. Harris, C. P. Pierce, and Miss Eleanor Barr, who automatically were removed with the sheriff, were deputized by Coroner Ellwanger.

Payment to lawyers for the prosecution was ordered as follows: Attorney Woodus Kellum of Wilmington, \$3,840; Attorney J. A. Jones of Kinston, \$3,300; County Attorney F. C. Harding, \$1,500, and Attorney J. H. Harrell, \$1,250. The attorney's fees include 24 days of the petition hearing, an injunction case, and three criminal cases.

In concluding the case, Judge Cowper observed: "It was never the intention of the court to find the sheriff guilty of corruption or extortion and the most damaging evidence was given by the auditors. He was undoubtedly guilty of habitual negligence in office. There is no criticism of the county commissioners. I hope the matter will pass over, and feel that this trial will be a benefit to the State."

Judge Albion Dunn, counsel for the defense, presented the consent judgment to the court at 3:12 o'clock.

With regard to cost in the action, the judgment says:

"1. That the defendant shall pay the cost taxed for only such witnesses as shall have been subpoenaed for and in his behalf, and the cost incident to subpoenaing said witnesses.

"2. That the defendant shall pay the court cost proper, which shall include the filing fee for the institution of the proceeding, court reporter's fee of \$5.00 as provided by statute, and the cost of docketing this judgment and shall not be liable for any further cost taxed in this proceeding.

"3. That the county of Pitt shall pay all the costs of this proceeding of whatever nature, except the costs herein specifically adjudged against the defendant.

"This judgment is entered without prejudice to the rights of Pitt County or to the defendant in any action that may be hereafter instituted against the defendant on account of any funds alleged, or which may be alleged to be due by the defendant to the County of Pitt."

Following is a letter from Sheriff Whitehurst to Dr. Paul E. Jones, chairman of the county Democratic executive committee, in which he resigned as candidate.

"For satisfactory reasons unto me appearing, I hereby tender my resignation as candidate for the office of Sheriff of Pitt County for term beginning the first Monday in December, 1938, effective immediately.

"I respectfully request that the committee take such steps as to nominate my successor as it may seem proper."

Respectfully submitted,
S. A. WHITEHURST.

Sets Last Date For Work Sheets

E. Y. Floyd, of State College, announced that June 18 will be the last day North Carolina farmers can submit work sheets for participation in the conservation phase of the 1938 farm program.

Swope Approves Wage-Hour Plan

Says Bill Establishes A Fundamental Right of Labor to a Living Wage.

New York, June 15. — Herbert Bayard Swope, distinguished publisher and industrial consultant, in an exclusive interview with the United Press, tonight gave strong support to the new minimum wage and maximum hour act, now on President Roosevelt's desk for signature.

Swope, for 20 years a leader in public service, said: "The minimum wage and maximum hour act is a step up. It will become increasingly important as its social implications become more apparent.

"I am not afraid of its being an undue centralization of power and another check upon state's rights. I am a state's rights man as against an overplus of power in Washington, but I think no community has the right to starve or freeze or overdo its workers. The sweating of labor must be stopped, just as child labor must be ended."

Swope is a director in several corporations employing thousands of persons. Included are Brooklyn Manhattan Transit Corp., Columbia Broadcasting System, Inc., New York Rapid Transit Corp., Brooklyn and Queens Transit Corp., and others. He is chairman of the New York Racing Commission.

"My quarrel with this and other legislation of social import is that it does not go far enough," he continued. "Why should farm labor be exempt? And why not include domestic servants? The same limitations are imposed here as in the Social Security Act. Both should be amended."

Alfred P. Sloan, chairman of the board of General Motors Corp., and other industrialists who opposed passage of the bill, predicted that its enforcement would increase unemployment, Swope disagreed.

Flirting Gun Girl Directs Robbery On Pitt Highway

Greenville, June 15. — Because he responded to apparent flirtations of a woman, W. M. Fornes of near Vanceboro became the victim of a hold-up yesterday afternoon in which he was relieved of 180 gallons of liquor, his automobile, and \$195 in currency and silver.

Fornes, driving toward Greenville on the Greenville-New Bern highway, near Shermurde, noticed that a woman in another automobile kept flirting with him, he told officers. Thinking that it was someone he knew, or perhaps someone whom he had met, Fornes drove off the highway and stopped his car.

The woman came over to Fornes' auto, jammed a gun in his ribs, and ordered him to get out. Realizing that he was the victim of a hold-up, Fornes grabbed the woman's arm. Meantime two men with whom the woman had been riding came over to Fornes' car, and one of them pressed a gun against his backbones, Fornes

Woman Grilled In Death Of Husband In Goldsboro

Wilson, June 14. — Mrs. Mimi Britt, 55, Goldsboro woman held in jail here in connection with the attempted marriage of her daughter to a Negro, was grilled for two hours today by officers seeking information concerning the mysterious death of her husband two years ago.

The woman, however, steadfastly denied knowledge of the manner of her husband's death, but admitted to officers that she feared that the Negro would expose the contents of a note received by her son had led to her consenting to the Negro's marriage to his daughter.

In Raleigh, it was reported here, Detective Chink Rhodes of the Goldsboro police department spent most of the day grilling the Negro, Tom Hill, at Central Prison, where he is held on charges of having carnal knowledge of Mrs. Britt's daughter.

Mrs. Britt's husband was found dead in a two-story apartment under the name of the Negro. The wife was arrested as a result of her husband's disappearance. She is accused of attempting to rob the

Tobacco Men Ask Earlier Opening

Eastern Carolina Association Elects J. J. Gibbons of Wilson President.

Kinston, June 9. — The Eastern Carolina Tobacco Warehouse Association today adopted a resolution recommending that the United States Tobacco Association set an earlier opening for East Carolina markets.

The association asked that the opening be not later than two weeks after the opening on the Border Belt; provided, however, that this does not set the East Carolina opening later than August 23.

The United States Tobacco Association during its meeting in White Sulphur, W. Va., June 30-July 2 will decide opening dates.

The Eastern Carolina warehousemen met here at the country club, and after a business session in the morning, had a luncheon and adjourned.

They elected J. J. Gibbons of Wilson as president of the association for the next year, to succeed E. V. Webb of Kinston. Gibbons was vice-president of the organization last year. H. P. Foxhall of Rocky Mount was named vice-president.

The association also elected its first full-time secretary since its organization in 1919—George L. Wainwright, supervisor of sales of the Wilson market.

U. H. Cozart, dean of Eastern Carolina warehousemen, was absent from the annual meeting. A committee composed of President Webb, H. P. Foxhall of Rocky Mount, and B. B. Sugg of Greenville was appointed to address a letter from the association to Cozart.

A resolution providing an average selling rate for baskets of tobacco on the warehouse floor not to exceed 330 baskets per hour, or 2,660 baskets for the regulation sales day of seven hours, was adopted.

A special committee was appointed to submit delegates from the association to the U. S. Tobacco Association meeting in Virginia. Those submitted and approved included J. C. Eagles, Wilson; W. E. Morton, Greenville; H. P. Foxhall, Rocky Mount; E. V. Webb, Kinston; Dixon Wallace, Smithfield; and R. H. Knott, Farmville.

The following board of directors was named: W. E. Morton, Greenville; W. H. Adkins, Robertsonville; W. E. Fenner, Rocky Mount; W. L. House, Tarboro; Dixon Wallace, Smithfield; J. C. Eagles, Wilson; J. Y. Monk, Farmville; Jimmy Taylor, Robertsonville; Garland Rodgers of Washington.

Next year's meeting will be held in Wilson.

The association gave a rising vote of thanks to retiring President Webb.

offered no further resistance. After relieving him of his money and liquor, the bandits forced their victim to stand aside. They then took Fornes' car and their own and sped away.

An alarm was spread through the radio transmitting facilities of the State patrol, but late today no arrest had been made by patrolmen nor members of the sheriff's office.

An investigation officer said today that Fornes first told investigating officers of being robbed of his automobile and currency. He did not reveal that his cargo of liquor was hijacked until last night, however, the officer said.

An application of limestone and phosphates has apparently wiped out broom sedge in the pasture of W. A. Hooper, Speedwell, Jackson County.

plant and told her that if anything ever happened to him, to turn the names over to officers. Officers today refused to reveal the names of those listed.

Mrs. Britt was jailed along with Hill and her daughter, after plans for the mixed marriage came to light. The note of which Mrs. Britt told officers was received, she said, by her son, Chester, who refused to tell her that it contained "something bad." He did show the note to Hill, however, and the Negro threatened to expose the contents, she said, unless she consented to his marriage to her daughter. He also demanded money, she said.

Rampaging River Swamps Fighters In Central China

Yellow River Flood Waters Threaten Widespread Tragedy In War Zone.

Shanghai, Thursday, June 16. — China's mighty Yellow river, swollen by melting snow in the mountains of Central Asia and continuous rains along most of its long course, roared through broken dykes north of the central section of the Lung Hai railway today to threaten one of the greatest tragedies in modern Chinese history.

Hundreds of square miles of once fertile farms in Honan and Anhwei provinces were inundated. Estimates of the dead ranged from 50,000 to 160,000, with more than 800,000 additional homeless. A Japanese army spokesman here admitted that many of the thousands of Japanese soldiers in the area appeared to have been lost, while Chinese estimated that Japanese military casualties at more than 6,000.

Japanese regiments, formerly in the great drive to clear Chinese forces from the western Lung Hai railway, the northern approaches to China's provisional capital in Hankow, were engaged in a frantic effort to repair the river's dykes.

Other developments included: 1. In Hankow there were additional indications that Generalissimo Chiang Kai-Shek's "all China anti-Japanese front" government was cracking under the threat of the Japanese drive on the national capital. The former Communist party, which entered the popular front government only after the war had started, issued a manifesto demanding that the Generalissimo defend Hankow to the last and threatening a withdrawal of support if he fails.

2. In North China, the Japanese controlled provisional government continued to meet strong resistance from foreign powers in its efforts to force a nationalistic, anti-Chiang Kai-Shek educational program in foreign-sponsored schools. Following protests against this program by French and Americans in Peiping, a company of French troops in Tientsin, commanded by Col. Henri Jacoby, left its barracks in the French concession and occupied the French Jesuit College after Japanese-controlled police had attempted to search the school for "Communist agitators."

3. A Japanese spokesman in Shanghai, for the first time, revealed that Japanese forces will occupy Canton and the entire Canton-Hankow railway. He refused to reveal when the attack on the great South China commercial metropolis will begin.

4. For the first time, Japanese naval planes carried the war into Kwangsi province, home territory of General Li Tsung-shan and Pai Chung-Hai, powerful South China leaders who have been threatening to withdraw from Generalissimo Chiang's coalition. The raid was centered on the city of Kweilin where the Japanese said 10 Chinese planes were destroyed.

5. The main Japanese drive on Hankow, based on Anking, capital of Anhwei province, was proceeding slowly toward the Kiang-Nan-chang railway south of the Yangtze river and about 100 miles southwest of Hankow.

Japanese dispatches reported 300,000 Chinese villagers were homeless between Kailang and Chenchow and that the worst flood conditions were south of the town of Chungmow, just east of Chenchow. They denied that Kailang was flooded and said the Japanese military authorities there were assisting American and other foreign missionaries in establishing refugee camps to take care of thousands of Chinese refugees.

WHO KNOWS?

1. Did Mayor La Guardia of New York, serve in the World War?
2. Is there any area in the U. S. threatened with drought this year?
3. Has Japan declared war upon China?
4. Is Chiang Kai-Shek a Communist?
5. Do farmers vote upon the application of crop quotas?
6. Does President Roosevelt wear braces to assist him in walking?
7. Does the United States contemplate naval or air bases near Alaska?
8. What party has the largest registration in Pennsylvania?
9. How long has Secretary Wallace been a Democrat?
10. When will the new "spending" program get under way?

(See "The Answers" on Page 6.)
CANT SHAPE MUSTACHE
A law passed in Germany, which forbids men from shaving their mustaches, has caused a great deal of trouble. A law was passed in Germany, which forbids men from shaving their mustaches, has caused a great deal of trouble.

Boy Saves Friend Pinned By Wreck

Truck Driver Dives To Truck and Extricates Unconscious Companion.

Tarboro, June 15. — Two men narrowly escaped death early this morning when their loaded truck crashed through the steel railing of the Roanoke River bridge between Scotland Neck and Rich Square and plunged 40 or 50 feet to the water.

Courageous action on the part of Willie Fields, 22, driver of the truck, in going back into the water after coming to the surface saved his companion, C. J. Boyd, 25. When he rose Fields did not see Boyd, so he dived to the wreckage and pulled out Boyd, who was unconscious.

Boyd was asleep at the time of the accident, and was pinned in the truck when it went down. The river is not very deep at the point. The accident occurred at 2:30 o'clock. The truck went through the railing near the middle of the bridge.

The men were brought to Edgecombe General Hospital, Tarboro, where it was said they have a fine chance to recover. Boyd has had cuts about the face and one leg, and may have internal injuries. Fields is suffering from shock. Dr. W. W. Green, hospital surgeon, said it was impossible to determine the extent of the men's injuries.

Fields, married, is from Salisbury, Md.; Boyd is from Jacksonville, Fla. The truck, loaded with beans and cucumbers consigned to New York from Florida, was a total loss, and the cargo floated downstream.

Fields, when questioned, knew little of the accident. He said: "I was driving the truck and Boyd was asleep in the back. As I approached the river bridge I slowed down, and was apparently driving carefully. Suddenly the truck went out of control, and I felt the truck swerve into the side of the bridge. The next thing I knew was we were falling. I waited until the truck settled on the bottom of the river, then swam to the top. I looked around for Boyd and failing to find him, dived to the bottom of the river to the truck and pulled him out. He was apparently unconscious. Someone brought us to the hospital."

VISITOR

Weldon, June 14. — Mrs. Franklin D. Roosevelt will come to North Carolina in September and may be accompanied by President Roosevelt; it was announced here today by L. L. McLendon, supervisor of the Roanoke Farms resettlement project near here.

Mrs. Roosevelt, who visited the Pendleton resettlement project when she attended the strawberry festival at Wallace last year, will stay at Roanoke Farms for a full day and possibly longer, McLendon said. The date for the visit will be set later, he added.

The announcement of the impending visit was made at the opening of the project's community store.

"NERVY" INDIAN

Washington. — Enough's enough, according to Indian Commissioner John Collier who is getting tired of having Indians from reservations pay "joy-ride" visits to Washington. Recently a group of Sioux drove into town from their South Dakota reservation and attempted to charge the coats of their trip to the Government. They had to be returned home with relief money earmarked for their tribe.

Business Men Indorse Organization of Commerce and Merchants Association

M'Call Faces Speedy Trial

Pleads Guilty to Kidnaping, Innocent of Murder.

Miami, Fla., June 14. — Franklin P. McCall pleaded guilty upon arraignment today to a charge of kidnaping James Bailey Cash, Jr., for ransom, a capital offense, and innocent to a charge of killing the five-year-old Princeton lad.

A special grand jury returned a true bill against the 21-year-old truck driver charging him with the kidnaping and slaying less than two hours after State's Attorney George Worley, leaving a sick bed, started presentation of the evidence.

Witnesses included Cash, Sr., the victim's father, and federal agents who said McCall had signed a confession admitting he abducted the boy May 28 for \$10,000 ransom.

Circuit Judge H. F. Atkinson, who received the indictment and ordered McCall's immediate arraignment, said he would appoint counsel to defend the prisoner, and a date would be set for the trial.

Plans were made to start the trial tomorrow if a defense attorney can be assigned. The first designated by Judge Atkinson declined to defend McCall, and a second nominee was out of town.

The indictment contained one count of kidnaping for ransom and two counts of murder. One charged McCall killed the boy "by strangling, smothering and choking him," and the second, that he caused his death "by means unknown."

Under a guard of 18 deputies, McCall was brought from his cell to the court room to plead. His face impassive, he mumbled his plea in a whisper and replied listlessly "I guess so" when the judge asked him if he wanted an attorney to be assigned.

Evidence Ended In Ouster Case

Arguments on Removal of Whitehurst to Begin In Pitt Court Today.

Greenville, June 14. — With all evidence completed today and motion for nonsuit by the defense denied, arguments in the hearing on the petition for the removal of Sheriff S. A. Whitehurst will begin Wednesday afternoon at 2 o'clock and are expected to be completed Thursday.

A recess was taken this afternoon to provide counsel for both sides ample time in which to prepare briefs and arguments for the Wednesday session.

Judge G. V. Cowper today ruled that Sheriff Whitehurst was not legally responsible for collection of the bills of cost. The prosecution alleges they amount to approximately \$7,000.

Auditor D. R. Hollowell, S. I. Dudley, W. J. Smith and Roy T. Cox took the witness stand during the morning session.

Arguments tomorrow will be heard upon the four causes as set forth in the petition and other questions that Judge Cowper has requested counsel to consider. The prosecution charges the sheriff with willful or habitual neglect in the performance of the duties of his office, willful

misconduct or maladministration, corruption and extortion. The prosecution has been aided by Judge Cowper to present a list giving specific examples of conduct that they think would warrant removal from office. Cowper asked the defense to furnish him with a list of allegations upon which no evidence has been presented. The judge said also that the contested field of evidence would be considered.

In response to a query by Attorney Jones of the prosecution, Judge Cowper said that "an officer convicted of a felony could be prevented from assuming office on the grounds that the officer was not being punished, but that the public is being relieved of a person who held office of trust and failed to keep it."

Declarations of support and cooperation of the Business men of Farmville clearly show the sincerity with which the movement to organize a Chamber of Commerce and Merchants Association combined is being welcomed.

Not only these men, but all others who have acquainted themselves with the advantages available to members of such organizations, readily offer their support to the movement now in progress here.

Several of Farmville's business firms have for some time realized the advantages of belonging to such an organization as the merchants association. These firms subscribed to membership in the State Association and have benefited through this membership by its opening to them the channels of information and service offered in no other organization. The benefits available to these firms will be multiplied many times after a local association has been established.

The advantages accruing and available to members of local merchants associations in affiliation with the State Association are too numerous to mention here. However, a few of the benefits are: (1) Access to credit bureaus of affiliated associations throughout the State which are located in practically every town and hamlet in North Carolina; (2) Assistance in collecting accounts and bad checks throughout the state; (3) Assistance in locating those who have left town owing merchants or professional men; (4) Receipt of the bulletin service of the State Association with references to check cashers, fake and fraudulent checkers, etc., which is used in case of emergencies; (5) Service in matters connected with any department of State Government, such as, securing rebates or adjustments of tax matters, the promulgation of rules, securing interpretations and opinions, etc.; (6) Services of the State Association in its efforts to abate trade abuses, injurious and unbusinesslike practices, and to secure the cooperation of manufacturers, wholesalers, and jobbers in bringing about more healthy conditions of the trade; (7) The informational service of the State Association on practically every matter of interest to the members; (8) The elimination of miscellaneous advertising and donation solicitation in the community. With the exception of newspaper or other regular publication advertising, and personal advertising of the members own invention, such as hand bills and bill boards, all passed upon by a secret advertising committee. If the solicitation is deemed worthy a permit card will be issued by the Secretary. If not, all members who subscribe to such advertising schemes are subject to fine. This advantage, alone, is worth the membership fee.

Also, every member of the association will have the satisfaction of knowing that he is supporting the organization which has championed the rights and interests of merchants since 1902, and which has secured practically all legislation upon our statute books which makes for better business conditions, and which has defeated untold numbers of proposed laws which would have been detrimental to business interests.

Through membership in his local association and Chamber of Commerce, each member will have the knowledge that he is an integral part in the organization which is ever striving to safeguard, protect, and advance the interests of every business firm, and citizen of Farmville through both tangible and intangible services; and, also, the knowledge that he is a member of the only organization through which merchants and professional men can work for the common good of all.

During the early part of next week a membership drive will be set in motion in Farmville. You will be called upon and invited to join the one organization which will bring all of us into one solid cooperating unit working with the interests of all at heart. You are needed in this organization just as much as you need it. Determine now to fall in line with the others around you and give all your support in making Farmville a better place in which to live.

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