

Judge's Suit Against Ocean Isle Delayed

A lawsuit filed by 13th District Court Judge William E. Wood against the town of Ocean Isle Beach has been continued until the September 30 session of Brunswick County Superior Civil Court.

In court Monday, Judge Giles R. Clark of Elizabethtown issued a continuance in the case as agreed on by both sides. Judge Wood filed suit against the town in March 1983, seeking \$114,000 in damages and a judgment mandating the town to reconstruct East First Street along the east end of the beach in front of the Woods' lot.

The street was destroyed by winter storm erosion and closed in the fall of 1981. According to the lawsuit, East First Street was the only means of ingress and egress to the Woods' lot and the lots of others living along the street.

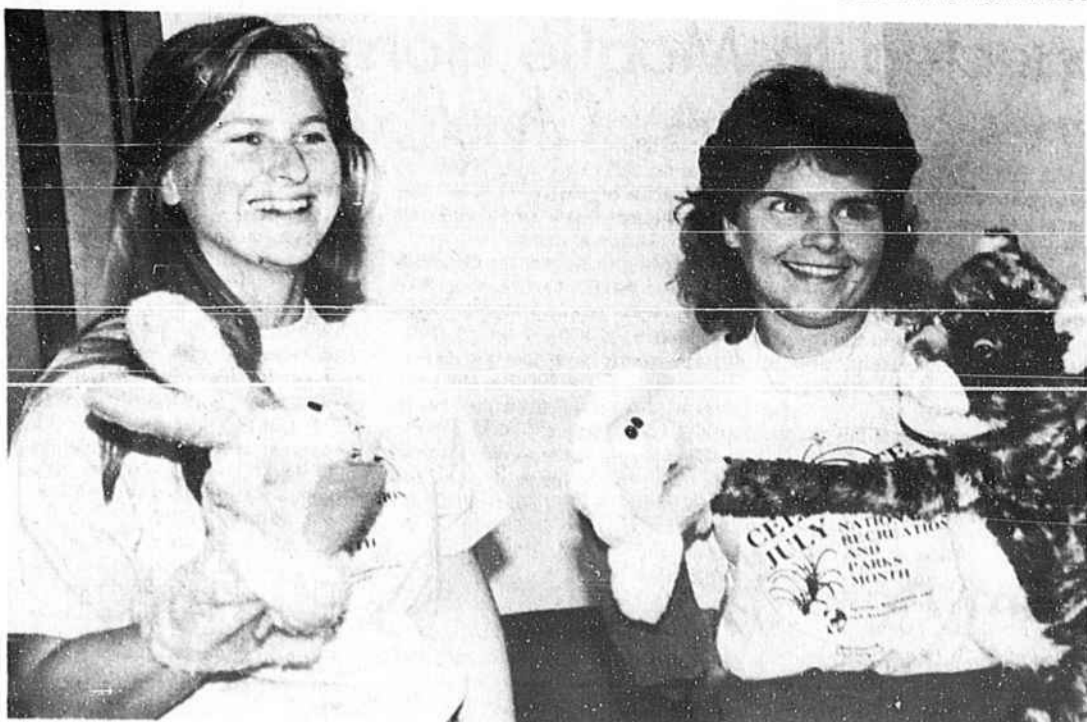
In a memo to Judge Clark dated

June 11 and signed by Ocean Isle town attorney Elva Jess, Judge Wood has suggested an out-of-court settlement offer that she believes will be accepted by the town.

Both sides agreed to delay the case this week, citing inconvenience and difficulties in calling on witnesses during the summer months.

The original lawsuit asks for \$37,000 from the town, \$37,000 from the governing officials (town council) and \$50,000 in punitive damages. The action springs from what the Woods allege is failure of the town and its officials to obey state laws as they relate to the street in front of their property.

The Woods allege the town accepted the street as part of its municipal street system, but failed to keep the street in proper repair and open as required under N.C. General Statutes.



SUMMER INTERNS Emma Thomas and Amy Arnette show off some of the puppets they'll be using to "Celebrate July," National Recreation and Parks Month. The Brunswick County Parks and Recreation

Department has packed its July calendar with programs for people of all ages and interests from bike riding to birdwatching. The story is on page 7-B of this issue.

Judge Awards Damages In Ad Copyright Suit

The Brunswick Beacon has been awarded \$6,000 in damages, reimbursement of "reasonable" attorney fees and a permanent injunction in its copyright infringement suit against The Brunswick Free Press.

The order, signed by Judge Earl W. Britt in U.S. District Court in Wilmington June 17, was received by The Beacon last Wednesday.

Publishers of the Free Press, who have appealed Judge Britt's decision of March 11 which found the newspaper guilty of copying three copyrighted ads from the Beacon, said they will also appeal the ruling on damages.

The Free Press and two of its three publishers are "jointly and severally liable for the willful infringement" of the Beacon's copyrights, according to the federal judge's order.

One publisher, Caroline Schock of Winston-Salem, was released from personal liability in the case after the judge ruled that the two other publishers, Bernard Charles (Rocky) Hopchas and Priscilla S. (Lou) Hopchas are active in the day-to-day operation of the newspaper and "guided and directed the corporate defendant (the Free Press) to commit the acts of copyright infringement." Mrs. Schock is Mrs. Hopchas' mother.

Judge Britt's order permanently enjoins The Free Press from

publishing any copyrighted material out of the Beacon "to prevent a recurrence of the infringement."

The Beacon filed the lawsuit April 13, 1984, citing three infringements of copyright of advertisements in the August 19, 1983, and Sept. 8, 1983 issues. In his order, Judge Britt noted that the Free Press continued to infringe the Beacon's copyrighted advertisements after the Beacon notified the Free Press to stop and after the Free Press was advised by their attorney to stop the infringements. Infringements of copyrighted advertisements continued as late as March 8, 1985, the judge ruled.

From the outset of the case, publishers of the Free Press have maintained they have a right to copy ads from the Beacon since, in their opinion, the ads are owned by the advertiser who pays for them. They have also contended that the Beacon has no right to copyright its work and that the use of the copyright notice by the Beacon constitutes a restraint of trade.

The Beacon's suit is based on the Copyright Act of 1976, which went into effect Jan. 1, 1978. It was the first revision of the copyright laws since 1909. Under the new statute, ownership of advertising created by a newspaper can be protected by copyright, the Beacon has maintained.

Fire Departments Offer Varied July 6th Menus

Cookouts, watermelon and ice cream cones are all part of the traditional Fourth of July holiday weekend menu.

But in Brunswick County there's a wider variety of foods from which to select, thanks to the local volunteer fire departments. Saturday dinners or "feeds" are a major source of operating revenues for most rural departments.

At least four units—and probably more—have "feeds" scheduled Saturday, July 6, serving breakfast through suppertime. All plates are \$3.50.

At the Calabash Fire Station, supporters will begin dishing up plates of pancakes and sausage at 6 a.m., continuing until 11 a.m. Orange juice and coffee will also be provided.

Tri-Beach Volunteer Fire Department will sell a choice of chopped, barbecued pork, ham or fried fish dinners beginning at 11 a.m. at the station, located near the Holden Beach Causeway. Each plate will include coleslaw, yams, hushpuppies and french fries. Carry-out plates are available by calling 842-2333. Plates will be served until all are sold.

Waccamaw Volunteer Fire and Rescue Squad, located on N.C. 130 at Ash, will sell a choice of fried or barbecued chicken dinners starting at 11 a.m. and continuing until sold

out. Baked goods will be sold separately.

In a change of pace, Shallotte Point Volunteer Fire Department is offering supper only, selling platters of fried fish with all the trimmings from

6 p.m. to 9 p.m. at the fire station.

Along with generous servings of fish, they're offering free bluegrass music as entertainment, courtesy of a band with members from Cumberland and Bladen counties.

Bullshooters Will Compete July 5

Anyone with a reputation for "shooting the bull" well—or anyone desiring a reputation as a master of idle talk, for that matter—is a likely competitor in the upcoming Brunswick County Veterans Bull Shooting Contest.

Co-sponsored by the Brunswick County Veterans Service Office and the Brunswick County Veterans Council, the contest will be held 7:30 p.m. Friday, July 5, at the Brunswick County Government Center public assembly building.

As of Tuesday, Veterans' Service Officer Jess Parker had registered one contestant each from Brunswick County, Asheville, Charlotte and Charleston.

Trophies awarded to the champion and to the first and second runners-

up.

"We have one hard and fast rule: You have to be a veteran or a non-veteran to enter," Parker quipped.

Judges will be Charlie Gore, "mayor" of Ash; Judy Smith and Don Ansell, WAAV morning show co-hosts; Cecil Logan, Brunswick County Emergency Management coordinator; and C.W. Casey of Southeastern Mental Health Center.

In advance of the competition, the county's three World War I-era veterans will be honored, said Parker. They are Bunn Frink, John T. Ballard and Dorman L. Mercer.

While Gov. James Martin has expressed regrets at his inability to attend, Parker said the governor is sending letters of recognition for these veterans.



Cool cotton shorts and tops are Lisa Blue's favorite outfit for summer. These Ocean Pacific shorts are matched with a geometric print top by Chic.

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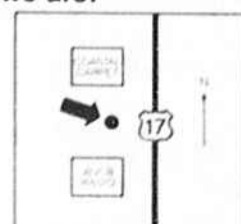
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