

HORG & SONS BOOK BINDERY
SPRINGPORT MI 49284
12/31/79

BRUNSWICK BEACON

Volume 23, Number 36

Shalotte, North Carolina, Thursday, July 18, 1985

©1985 THE BRUNSWICK BEACON

25c Per Copy

24 Pages



LARRY ARNETTE (left), the only "regular" peddler at Sunset Beach, must find new quarters for his roadside business before August 1. The town council voted unanimously Monday night to ban commercial peddling in town, including yard sales. To Arnette's right sit Kenneth Jackson and Marshall Leach, who catch the shrimp he sells.

STAFF PHOTO BY MATTHEW FLYLER

No Motive, Suspects In Rural Slaying

BY SUSAN USHER

Investigators have a body, but no motive and no suspects in the Friday morning slaying of a man whose body was found in a stable near his home on Route 1, Winnabow.

The body of Matthew Donald Spaulding, 51, was found in the horse barn about 11:30 a.m. by a family member, said Phil Perry, chief of detectives for the Brunswick County Sheriff's Department. He had received multiple gunshot and stab wounds. "It's one of those cases where we're going to have to do a lot of digging. We're going to be talking to a lot of people."

"It's not an open and shut case," he continued. "Now and then you run across one with no motive, no suspects. This is going to be one of them."

Spaulding had been shot with a small-caliber weapon, at least several times in the body and possibly once in the head, Perry said. Also, he had shallow stab wounds in the collarbone area of both shoulders that Perry said they appeared to have been made with a small, rounded object, rather than a knife.

The weapons have not been identified nor located. Autopsy and ballistics reports had not been received as of Tuesday morning.

Sheriff's officers and SBI agents are investigating the murder. At times as many as a half-dozen sheriff's officers will be on the case, Perry said. He and SBI Agent Tim Batchelor were working the case together in the field Monday.

Perry said Spaulding left home Friday morning at his normal time to report to his maintenance job at

Carolina Power & Light Co.'s Brunswick Nuclear Plant near Southport. When he didn't arrive, his employer began calling.

A friend noticed Spaulding's truck at the stable, about 100 yards to 150 yards from the Spaulding residence.

With a row of trees in the line of vision, however, Perry said the truck parked in front of the barn could not be seen from the house.

A family member discovered the body.

But by the time sheriff's detectives and SBI agents arrived, rescue squad workers had removed the body from the scene, taking it to Doshier Memorial Hospital in Southport.

County Coroner Tommy Gilbert told the sheriff's department Spaulding had been dead about four hours when his body was discovered.

Town Creek Volunteer Rescue Squad had been called, but its ambulance was broke down and Southport Rescue Squad responded instead, Sheriff John Carr Davis said.

In the meantime, Perry added, a Town Creek volunteer had arrived and, noticing what appeared to be a vital sign, begun CPR.

"Once you've started CPR, you're bound to continue," said Perry.

Spaulding had retired from the U.S. Navy after 22 years of service. He had been employed at the CP&L plant approximately six years, Perry said.

To his knowledge, Spaulding had no known enemies. There was no evidence the stable had been used as temporary shelter.

"We just don't know," said Perry.

Peddling Ban May Shut Down Sunset Beach Tailgate Market

BY SUSAN USHER

The only regular roadside peddler at Sunset Beach may soon be out of business if he can't find a permanent home for his tailgate market.

Dubbed the "Shrimp Man," Larry J. Arnette sells local seafood and produce from the back of his truck, which he parks beside Island Grocery by agreement with store operator Alan Russ.

However, Sunset Beach Council members voted unanimously Monday night to ban after August 1 peddling of all "tangible personal property" for any purpose other than support of a charitable or religious organization. The ban includes yard sales as well as sales from wagons, trucks, pushcarts, concession stands, tents or other "movable receptacles."

A violation is a misdemeanor punishable by a fine of up to \$50, 30 days in jail, or both.

"It's unclear to me what I can do," Arnette said Tuesday. "I've got until the first of August to get my coolers off the truck and against a building. They don't want nothing temporary."

Board members cited as reasons for the ordinance concerns ranging from appearance to competition with established businesses.

Monday's vote came only after rigorous questioning by Councilman George Foster in defense of Arnette's operation. Foster, appointed to the board last year to fill a vacancy, rarely speaks at meetings other than to second a motion.

"Couldn't it be controlled with a privilege license as well as by this ordinance?" he asked. "If I go into the river and catch more fish than I can eat, am I a peddler if I go into town to sell it?"

Councilman Ed Gore replied that the town had once had a privilege license ordinance that had proved to be "more or less a bookkeeping

nuisance" for a town as small as Sunset.

The ban on peddling wouldn't prevent fishermen with commercial licenses from selling to wholesale outlets, he added, only their selling directly to retail customers.

Donald Safrit made the motion to adopt the ordinance, stressing to Arnette that the ordinance was not intended to single out any individual, "but to keep it from happening anywhere."

Before the vote, Arnette spoke in his own behalf at Safrit's suggestion.

"Regulate me, but don't put me out of business," he urged. "This is the only way I have to make a living. Tell me I have to have a privilege license or tell me what I can do."

Until several weeks ago, Arnette said he had been the only peddler regularly selling within the town for the past four years. Then a single peddler hawking sandwiches to construction workers on the beach drew complaints.

At a recent town board meeting, Town Administrator Wallace Martin told the board he needed assistance in regulating peddlers.

Monday, council members said the issue had initially come up about a year ago, with no action taken.

They defended the ordinance before the vote, Mary Katherine Griffith noting that established businesses that pay overhead expenses, property taxes and the like "deserve some consideration" and Gore expressing concern for the town's appearance.

Russ has told Arnette he could set up a lean-to or awning against the grocery. But the grocery itself cannot be enlarged for various reasons, including a requirement to also provide additional parking at the rate of one space for every 100 square feet.

But Administrator Martin, who is also the town building inspector, said any structure erected would have to

be "permanent," not temporary.

The fate of Arnette's business was still in limbo at the close of the discussion, with Foster asking what would prevent the dealer from selling his shrimp from a cooler in front of the grocery, as other businesses sell items out front.

Arnette said he believed there were "personal interests and business interests" behind the unanimous vote.

With a predictable 3-2 split common on most major votes, a unanimous action is a rarity for the board with its current make up.

(Related Story, Page 2-A)

EMC Chairman Will Seek Balance Of Interests

BY SUSAN USHER

The new chairman of the state's Environmental Management Commission says he will seek to maintain a balance between environmental and development interests.

"We need to grow, we're going to grow no matter what," said Southport businessman and former state representative Tommy Harrelson. "It's a matter of how we're going to do it. We have to look after the rights of those who make their living from the water."

"You have to balance their interests with those of development. We can't turn our backs on them," he added, describing himself as a past champion of local fishing interests.

Harrelson, 44, was appointed by Gov. James Martin to serve on the commission through 1991 and was also appointed its chairman. A long time friend, U.S. District Judge Franklin T. Dupree Jr. administered his oath of office at Harrelson's first EMC meeting Thursday in Raleigh.

Harrelson is owner of two Southport businesses, Harrelson's IGA Grocery, and Harrelson's Appliances and TVs.

He was one of four commissioners appointed to fill vacancies, including the seat formerly held by engineer Jerry Lewis of Shalotte.

Some of the issues before the commission aren't new to Harrelson, who previously served in the early 1970s

on the House Air & Water Committee—including a stint as its vice chairman. That committee had a hand in creating many of the laws the division and commission now deal with.

The commission's responsibilities include the setting of the state's environmental policies and levying penalties for violations of environmental regulations.

Harrelson said he supports the EMC's move last week to regain authority it has delegated in past years to the staff of the Division of Environmental Management, Department of Natural Resources and Community Development.

As one example, supporters of the move cite delegation of authority to the director of the Environmental Management Division to issue air and water quality permits. Permits on projects with major environmental impacts on the state have been issued without the involvement of the commission or with involvement only at a late stage in the development of a project, as in the location of an aluminum smelting facility in the state.

"My question was, 'Why did you let it happen?'" Harrelson said Monday.

He attributed the decline in powers to the Hunt's Administration's success in getting the EMC to transfer powers to state employees.

While NRC Secretary Thomas Rhodes described the commission's decision as an "embarrassment to me and to the governor," Harrelson said he doesn't read it that way.

"It's not a slap at the governor. The EMC should act like an independent body," he said. "I think they're trying to become men again."

The commission adopted a resolution Thursday calling for Secretary Rhodes and Director Paul Wilms to provide specific information on the authority they now hold and for a review of delegated authority.

It might be impossible for the commission to take on review of all air and water quality permits, he noted.

"It would be so time-consuming if we have to act as judge and jury, digging into permits. We would have to stay up there full-time."

"There are some who would like that, but those of us who work full-time can't do that," he added.

Along with examining its own responsibilities, EMC representatives will join those of other state agencies that control aspects of development in Beaufort on July 23, he said, to discuss where their responsibilities overlap and where gaps might exist.

Working on the commission won't be dull. "It's not boring at all," Harrelson said. "It's pretty exciting."



FORMER REPUBLICAN state representative Tommy Harrelson of Southport was sworn into office as chairman of the State Environmental Management Commission Thursday by U.S. District Court Judge Franklin T. Dupree Jr.

Store Clerk Recalls How She Was Dragged, Beaten, Raped

BY TERRY POPE

A Shalotte convenience store clerk took the witness stand in Brunswick County District Criminal Court last Wednesday and recalled how she was dragged to the rear of the store by her ankles and then forcibly raped at knifepoint.

Following an hour of testimony, Judge Jerry A. Jolly of Tabor City ruled probable cause exists for the first-degree rape charges filed against Elwood Pigott, 22, of

Mulberry Street, Shalotte. The case now goes before the Brunswick County Grand Jury, which will decide on July 22 if enough evidence exists to indict Pigott on a charge of first-degree rape.

At the probable cause hearing last week, the victim took the witness stand for nearly an hour, answering questions from both assistant district attorney Wanda Bryant and defense attorney William Fairley of Southport. The clerk was the only

witness to testify at the hearing.

She told the court that it was early Saturday morning, May 25, between 5 a.m. and 5:30 a.m., when a man she identified as Pigott entered the Oasis Food Mart in Shalotte and stayed for about 45 minutes before the alleged incident occurred. The man wandered about the store, playing video games and purchasing snacks before the incident began, she said.

According to the clerk, she was grabbed around the neck from

behind and dragged from the cashier's counter before stumbling over displays and falling on her back. After she hit the floor, the alleged attacker then slapped her, grabbed her by the ankles and dragged her to the rear of the store, where she was raped, she said.

"I was begging him to leave me alone," she recalled. "I said, 'I've got two babies at home.'"

While holding back tears, the clerk then testified that she offered to give

the man money from the cash register and to not call the police if he would leave her alone, but he replied, "No, I don't want that. I'm going to get what I want," she added.

"He pulled out a knife and said, 'Do you want some of this? Do you want some of this?'" she said.

She described the knife as an "Old Timer," one like her father uses for fishing, with about a five-inch blade. The clerk said she was not cut with

the knife. "It was enough to shut me up. I was scared. I didn't say any more," she added.

She said the defendant then had sexual intercourse with her while holding the knife to her neck and was preparing to leave when he heard a noise outside. He then ordered her not to call the police, she said, adding, "I've been in prison before and I'm not going back. I'll kill you if you (See STORE CLERK, Page 2-A)