

In these columns will be found a fair presentation of local and county news of general interest.

# THE CHOWAN HERALD

A HOME NEWSPAPER DEVOTED TO THE INTERESTS OF CHOWAN COUNTY

This newspaper is circulated in the territory where advertisers will realize good results.

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## Answer Is Filed To Complaint In Prison Guard Suit

### C. A. Cooke Denies Practically All of Charges PERFORMED DUTY.

### Admits Mistaken Identity of Negro Filled With Shot

Answer to the complaint in the suit instituted by John Johnson, colored, against C. A. Cooke in which Johnson asks \$4,500 damages, was made this week with Richard D. Dixon, clerk of court.

In the answer practically every paragraph in the complaint is denied and sets out that on the afternoon of July 14 information was obtained by the defendant and others of a posse that three escaped prisoners were secreted in a woods near Edenton. The defendant Cooke was placed at the junction of two roads to be on the lookout for the prisoners and that at about 9:30 o'clock at night the defendant saw two men approaching. Their presence was first revealed by a flash of lightning, says the answer, and Cooke observed that each time an automobile passed along the road the two men would step entirely out of range of car lights so that they were not plainly visible.

As the men approached, it is stated, Cooke heard one of them say that if they saw anybody they must run. When the two men were about 20 to 30 feet from Cooke, he called to them to step out from the edge of the bushes into the light of an approaching automobile. Upon giving this order both men are said to have immediately turned and run, separating and running in opposite directions. Cooke ordered the men to halt, but the order was disobeyed and he shot wild the first time. However, the answer says, that when Johnson had gone about 65 or 70 feet Cooke believed that he was one of the escaped felons for whom he was looking.

The defendant expressly denies he had any ill-will towards the plaintiff or that he even knew him and while Cooke admits that he made a mistake in his identity of the party, he alleges that he acted at all times in good faith and as any reasonably prudent man would have done under like circumstances. The defendant alleges that he not only had the right but that it was his duty to use whatever force was necessary to recapture and subdue said escaped felons. It is also averred that Cooke honestly and in good faith believed that Johnson was one of the escaped prisoners at the time he fired upon him, claiming that the action and conduct of the colored man was such as to reasonably lead him to believe that he was in fact an escaped prisoner.

Cooke was acquitted in the recent session of Chowan Superior Court of the charge of assault with a deadly weapon with intent to kill.

Cooke is represented by John F. White, while Herbert Leary represents Johnson.

## Auxiliary Institute At St. Paul's Church

Miss Sallie Deane, of Richmond, Va., has been holding an Auxiliary Institute at St. Paul's Church this week, telling of the purpose, plans and working on the Auxiliary. She spoke on this subject last Sunday.

Miss Deane is being heard with much interest and is well versed in the Auxiliary work. Her institute will conclude tomorrow afternoon. She is to visit several other places in the diocese of East Carolina, and the Convocation of Edenton meeting at Farmville on Tuesday, October 24th.

## Schoolmasters Club Meets At Cross Roads

The Schoolmasters Club of this District met Monday evening with Superintendent W. J. Taylor and Principal P. L. Baumgardner at Chowan High School. The meeting was held in the Community House and supper was served by the Woman's Club. Thirty-four were present.

Mrs. Wood Privott, Mrs. Clarence Cates and Mrs. Gordon Blow, of Edenton, and Miss May Belle Edwards gave a splendid musical program, and by request repeated several selections.

L. E. Griffin, secretary of the North Carolina School Commission, gave a very interesting and instructive talk.

## Sheriff Moves

For the time being Sheriff J. Bunch's office will be at a new location. Due to necessary repairs to the present office, in one of the oldest buildings on King Street, it was necessary for the Sheriff to vacate while the work is in progress.

The County Commissioners suggested that the Sheriff, in the meantime, occupy the office on the second floor of the Court House, but G. H. Harding, proprietor of Hotel Joseph Hewes, kindly proffered a vacant store room in the hotel building, which offer was very agreeably accepted by the Sheriff and the Commissioners. The temporary office is much more convenient and will be of no extra expense.

## United Charities Squeezes \$50 Out Of Commissioners

### Group Will Aid In Feeding Undernourished Children

#### STOVE NEEDED

### Though Not Functioning, Organization Is Not Disbanded

Mrs. R. F. Tuttle and Mrs. A. T. Bush, president and treasurer, respectively, of the United Charities which for a number of years had charge of relief work in Chowan County, appeared before the County Commissioners Monday in behalf of underprivileged children at the Edenton school, where meals are served in the lunch room under the sponsorship of the Edenton Parent-Teacher Association.

Though the United Charities has not been officially disbanded, the organization has ceased to function since the advent of the social security program in the county. However, in their budget for 1938-1939, the Commissioners allowed an appropriation for the United Charities for use in cases which were not taken care of under the social security program, but on account of it not being used, no provision was made for any funds in the present budget. It was because the 1938-1939 appropriation was not used that Mrs. Tuttle and Mrs. Bush hoped to be able to comply with a request by the Parent-Teacher Association to secure a stove for the lunch room and to provide dinners for underprivileged children.

The matter was thoroughly discussed by the Commissioners and because the 1938-39 appropriation was carried over with the unexpended balance for the year, it was agreed to appropriate \$50 toward the project.

## Creswell Merchants Form An Association

### Improvement of Business Conditions Is Major Function

Merchants of Creswell met Friday evening in the store of H. W. Norman for the purpose of organizing a Merchants Association.

After open discussion of ways and means of cooperating with each other for improvement of business conditions in their town, the following officers were elected: President, J. B. Davenport; secretary, Rom Norman; treasurer, O. D. Hatfield; chairman advisory board, H. W. Pritchette.

The organization will meet once each month. The nine members present at its organization were: C. N. Davenport, J. B. Davenport, H. R. Stillman, C. L. Barnes, Claude Brinn, H. W. Norman, Rom Norman, O. D. Hatfield and W. T. Phelps.

## Legion Auxiliary To Meet Friday Night

The Auxiliary to the American Legion will meet Friday evening at 8 o'clock in the Auxiliary room at the Armory. Mrs. D. M. Reeves, president, urges all members to attend as plans are to be made for the installation of officers to be held on October 23rd. Auxiliary members are urged to renew their interest in affairs of the organization to the end that this year now facing them will show the most accomplishments of any year since organization.

## W. E. White Seeks \$15,000 Damages For Death Of Son

### Bus Company and Hemby Chappell Defendants In Suit Filed

#### SAYS NEGLIGENT

### Boy Killed Shortly After Leaving Bus Near Hertford April 8

Suit against Hemby Chappell, a resident of Perquimans County, and the Norfolk Bus Corporation has been filed with Richard D. Dixon, Chowan County Clerk of Court, by W. E. White, of Edenton. Mr. White is administrator of his son, W. E. White, Jr., a minor, who was killed April 8, shortly after he and his mother left the bus about a mile north of Hertford. The youngster was struck by a car driven by Mr. Chappell as he ran across the highway toward the home of a relative whom he and his mother planned to visit.

The complaint charges that the boy was killed due to negligence on the part of both defendants and damages in the amount of \$15,000 are asked.

Mr. White, suing as a pauper, is represented by P. W. McMullan, of Elizabeth City.

## New Club Organized In Gum Pond Section

### Miss Eva Nixon Elected President; 14 Members Enrolled

Miss Rebecca Colwell met with the ladies of the Gum Pond Community on Friday afternoon, September 29, and organized a Home Demonstration Club. She was assisted in this work by Mrs. Percy Smith, county home management leader.

Miss Pauline Smith, of Raleigh, made an interesting talk on "What Is Home Demonstration?" She reviewed the history of home demonstration work and discussed the fine projects offered and the splendid work accomplished in this State. Miss Smith also urged these women to start now and work toward getting a Community House.

Officers were elected as follows: President, Miss Eva Nixon; vice president, Mrs. J. R. Bunch, Jr.; secretary and treasurer, Mrs. Milton Evans, and song leader, Miss Pearl Nixon.

Miss Colwell gave a demonstration on table linens and ways of serving meals. The club will meet at the Gum Pond school building on the third Wednesday in each month.

Fourteen members were enrolled at the first meeting, and it is expected that additional members will join at the next meeting. Four visitors were also present.

Members enrolled in the club are: Mrs. J. T. Evans, Mrs. W. L. Smith, Mrs. G. T. King, Mrs. Charlie Peele, Mrs. J. T. Nixon, Mrs. G. P. Harrell, Mrs. J. R. Bunch, Miss Ila Bass, Mrs. Milton Evans, Mrs. H. M. Nixon, Miss Beulah Evans, Miss Pearl Nixon, Miss Eva Nixon and Mrs. Selby Byrum.

## Mrs. Evans Continues Improve In Hospital

Though Mrs. B. W. Evans is not yet out of danger, reports from the hospital at Fayetteville are encouraging to her friends and relatives. Even under the most favorable conditions, Mrs. Evans is expected to be forced to remain in the hospital for several weeks longer as the result of serious injuries sustained in an automobile wreck while enroute to Atlanta, Ga., for a visit on Wednesday, September 20.

Mrs. Evans was not expected to live for several days following the accident, but now it is not necessary to administer oxygen and blood transfusions have also been discontinued.

## Few Placed In Jail During September

Another small jail population during the month of September was reported to the County Commissioners Monday by Jailer Shelton Moore.

According to Mr. Moore's figures, there were only 28 persons confined in jail during the month, the cost involved, including jail and turnkey fees, amounting to \$64.30.

## Modern Heating Of Chowan Court House Is Again In Limelight

### Butane Gas Is Recommended as Safe and Economical

#### TAKE NO ACTION

### Commissioners Decide To Study System at Triangle

Chowan County Commissioners at their meeting Monday again discussed the idea of installing heat in the Court House, but no definite action was taken, the Commissioners deciding to investigate a system now used by L. S. Byrum at the Triangle Service Station and which he also expects to install in his home.

Representatives of the Eastern Butane Gas Company, of New Bern, were present at the meeting and explained how the entire building could be heated by using butane gas. It was explained that the gas is sold in liquid form, a tank being placed underground outside the building, where the liquid generates its own gas and insures a constant pressure. The gas is said to carry more than six times the heat contained in an equal amount of artificial gas.

The Commissioners were told that (Continued On Page Five)

## Paul Spencer Stars On Alabama Team

### Former Edenton Player Had Major Role In 21-0 Victory

Edenton football enthusiasts were thrilled Sunday when they saw a sport story in the News and Observer headed "Edenton Boy Proves Hero as Alabama Takes Opener."

The Edenton boy referred to was Paul Spencer, a former Edenton gridiron star now a student at the University of Alabama and a member of the Crimson Tide football squad.

In part the Associated Press dispatch was as follows: "Stalemated for nearly three periods by Howards superlative defense play, Alabama's Crimson Tide unloosed a belated attack today to open the 1939 football season with a 21-0 victory over the Birmingham Bulldogs before 6,000 fans.

"Sparked by a sophomore fullback, Paul Spencer, of Edenton, N. C., Alabama rushed across a touchdown in the third period's waning moments and struck hard for two more pay-off parades in the final quarter. It was Spencer on two scores, and Holt Rast on the other. All extra points were booted by that place-kicker de luxe, Sandy Sanford.

"Near the end of the third period, Alabama took the ball on an out-of-bounds kick by Howard at the Bulldog 46 and marched to the first score in a drive featured by Blackwell's 11-yard sprint on an end-around. Spencer went over from the one.

"Recovering a fumble at Howard's 28, Alabama counted again quickly. Boswell led the attack and barely missed the score by stepping out at the 2-foot line. Spencer lugged it across."

Alabama plays Fordham in New York next Saturday in a major inter-sectional fray. Several Edenton fans are planning to accompany Tom Spencer, brother of Paul, to witness the battle.

## Commissioners Grant Home Agent \$10 Per Month For Expenses

Chowan County Commissioners on Monday agreed to appropriate \$10 per month as an expense account for use by Miss Rebecca Colwell, Chowan County home demonstration agent. The request for the appropriation was made by Miss Pauline Smith, district home demonstration agent, who told the Commissioners that only two counties in her district, Chowan and Camden, do not augment the home agent's salary to help pay for a telephone, extra necessary office help and the many incidentals needed in connection with the work.

Miss Smith highly commended Miss Colwell for her work in Chowan and plainly told the Commissioners that an agent of her calibre could very easily be transferred to a county where a larger salary was paid, as well as adequate office help provided.

## Double Suit

In addition to a suit filed May 16 in which Mrs. Lillie May Ward is seeking \$15,000 damages from Rose's 5-10-25c store and Paul M. Wallace, manager of the Edenton store, on a charge of slander, another suit was filed last week with Clerk of Court Richard D. Dixon by Mrs. Ward against the same parties.

In the latest action Mrs. Ward charges false arrest in the complaint, for which she is asking for \$1,500 compensatory damages and \$1,000 punitive damages.

The plaintiff was charged with stealing a pair of 69-cent hose from a counter in the Rose store, and was found not guilty in Chowan Recorder's Court on May 16, following which the first suit was immediately filed.

## Windsor High Hands Edenton Its Initial Defeat Of Season

### Passing Combination of Hale and Spruill Results In Upset

#### FUMBLES COSTLY

### Next Three Games to Be Played on Edenton's Gridiron

Whether it was a case of over-confidence or not, a stubborn Windsor High School football team on Tuesday afternoon handed Edenton High School its first defeat of the season on the local gridiron 7 to 6. Despite the fact that Edenton's line was bolstered by James Cozzens at center, the necessary punch was lacking to add the third consecutive victory.

Two factors are responsible for Edenton's loss and Windsor's victory, one being a smooth working passing combination for Windsor composed of Spruill and Hale. This pair of youngsters, Spruill a mere strapping weighing not much over 100 pounds, would do credit to almost any high school outfit, for each can flip a bullet-like pass at will and each is a very capable pass receiver. The other factor in Edenton's loss can easily be attributed to fumbling, for on several occasions when within striking distance of a touchdown the pigskin fell aimlessly to the ground only to be recovered by the Bertie boys.

Except in the passing department, both teams played on about even terms. Edenton was first to score, Dick Badham scoring a touchdown (Continued On Page Five)

## Chowan Senior In State Dress Revue

### Ica Mae Stallings Wins First Place In County Contest

Miss Ica Mae Stallings, a senior at Chowan High School, will compete for honors in the State dress revue to be held at State College tomorrow (Friday).

Miss Stallings won first place in a county contest held at Chowan High School in which 12 contestants were entered. Miss Forbes, home economics teacher at Chowan High, judged the dresses, all of which were very good as to material, pattern and workmanship.

Others entered in the county contest and who will attend the State dress revue are: Kathryn Copeland, Virginia Hope Perry, Mozelle Stallings, Kathryn Hollowell. Kathryn Copeland made second highest score and Virginia Hope Perry third in the county contest.

## \$17,300 B. & L. Stock Matures On Saturday

Next Saturday Edenton Building & Loan stockholders will benefit to the tune of \$17,300, when 173 shares of stock matures. This amount will be distributed among 14 stockholders, who have paid into the Association \$14,099.50, the earnings amounting to \$3,200.50.

A new series of stock will be issued Saturday and R. E. Leary, the secretary, will gladly accommodate any who desire to take shares in the new series.

## Norfolk Visitors Well Pleased With Edenton Hospitality

### Mayor John Gurkin Extends Invitation to Visit His City

#### SOME TAR HEELS

### Band Invited to Be Special Guests at Football Game

That the good-will tour of a group of prominent Norfolk business men in Edenton Saturday was all that the name implies was evident by the way the visitors commented upon the hospitality showered upon them during their stop here. Headed by Mayor John A. Gurkin, himself a native North Carolinian, the group included others who have moved from this State to make their home in Norfolk, and there was not a single one in the party but who expressed his pleasure at the way they were greeted and entertained in Edenton.

Arriving about half hour later than scheduled, the group, traveling in a special bus and accompanied by a sound truck, were met at the city limits by State Patrolman George I. Dail and Chief of Police G. A. Helms, who escorted them to Hotel Joseph Hewes. At Broad and Church Streets the High School Band dropped back of the patrolmen and played lively tunes enroute. The visitors were taken south on Broad Street to Water, thence to Court Street and then north to the hotel, where they disembarked and resorted to a round of hand-shaking and self-introductions, as the band played in the street.

Before a microphone, Mayor John Gurkin expressed his pleasure in being here and extended not only a cordial invitation to Edentonians to see the Carolina-V. P. I. football game in Norfolk on October 7, but extended an invitation to visit Norfolk at any time not only for business reasons but pleasure as well.

Mayor J. H. McMullan briefly welcomed the delegation and E. W. Spires, chairman of the Chowan County chapter of the Governor's Hospitality Committee, also extended words of welcome in behalf of his committee and the citizenry in general.

Stepping up to the microphone a second time, Mayor Gurkin said he had a special announcement to make and proceeded to highly commend the Edenton band. "It is just about the best band of its kind I have ever seen," said he, and forthwith extended an invitation to the organization to be special guests at Saturday's football game. The invitation has since been accepted and unless something prevents, the band, as well as a host of Edenton football fans will be on hand in Norfolk Saturday to witness the Tar Heels fight it out with V. P. I. Director C. L. McCullers has requested any who go to the game from Edenton and can carry any members of the band to see him immediately or call phone 19-W. Mr. McCullers also stated Wednesday morning that he had accepted an invitation for the band to play at the State Fair in Raleigh, Friday, October 13.

G. H. Harding very graciously provided a room in Hotel Joseph Hewes, where refreshments were served to the visitors before departing for Plymouth, where they were scheduled to eat dinner.

## Special Service Held At Methodist Church Next Sunday Morning

Every member of the Methodist Church is urged by the pastor, Rev. W. C. Benson, to be present at a special meeting to be held next Sunday morning at 11 o'clock. At that time John A. Holmes will present a matter of special interest to the congregation and the preacher will speak on a topic relating to the welfare of the youth of the town.

In announcing the service, Mr. Benson said it would be very worthwhile and hopes as many as possible of the congregation, as well as other friends, will attend.

## Garden Club Meets With Mrs. Byrum On Monday Afternoon

Edenton's Garden Club will have a meeting Monday afternoon at 3:30 o'clock at the home of Mrs. T. C. Byrum. The hostesses for this meeting will be Mrs. J. W. White, Mrs. J. C. Small, Mrs. Ernest Stillman and Mrs. T. C. Byrum. All members are urged to be present.