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ASSAULT CASE IN RECORDER'S COURT HOTLY CONTESTED

Verdict Of Acquittal For Defendants On Serious Charge; Full Docket

TWO ROADS SENTENCES GIVEN

An accumulation of something over two weeks business was handled in Recorder's Court this week. It took all day Tuesday and until about eleven o'clock Wednesday to dispose of the cases on the docket.

The case that took most of the court's time was that in which H. W. Hibbs Jr., and Franklin Lewis, two young men of the Bogue Sound section were tried. The offenses charged against them was driving a car while under the influence of liquor and assault upon a female. The assault was supposed to have been committed by Hibbs and Lewis was charged with aiding and abetting in it. Both men plead not guilty to the indictment through their attorney C. R. Wheatly. The prosecution was conducted by Solicitor Duncan assisted by W. C. Gorham of Morehead City.

The principal witness for the State was Mrs. Rossie Sanders upon whom the alleged assault was made. A jury trial was demanded by the defense and in response thereto a jury of six men was summoned by Sheriff Davis and empaneled. Their verdict was not guilty.

Mrs. Sanders testified that the two young men came to her place on the county highway between Gales Creek and Broad Creek on July 18 and asked for cool drinks for a chaser. She told them she did not have any thing of the sort. She said Hibbs punched her in the side, took hold of her and mashed her. She also said he cursed her and used a good deal of unprintable language. Shortly thereafter Deputy Sheriff Harvey Daniels and her son J. R. Sanders appeared. She said Hibbs had some words with Willis and offered to fight him. Willis and her son left in a few minutes and Hibbs and Lewis also left. Not very long afterwards she said the two defendants came back and that Hibbs took hold of her and attempted to put her in the car. She resisted and they left. She said she smelled liquor on Hibbs' breath. She testified that her place had been used as a store at one time but not recently.

J. R. Sanders testified that he and Willis came to the house stayed a few minutes and left. That he thought both Hibbs and Lewis acted as if they had been drinking. His mother did not tell him that Hibbs had mistreated her. He said Hibbs smelled Willis and made an unprintable remark about him.

Deputy sheriff Willis testified that both defendants seemed to be under the influence of liquor. That he told Hibbs he was an officer and would arrest him if he did not behave himself. He testified as to the smelling incident. About 3 o'clock in the afternoon he and Deputy Iredell Salter arrested the two defendants and brought them to Beaufort where they were put under bond.

Larrie Sanders 13 year old son told about the same story that his mother did. Said Hibbs was drunk and Lewis half drunk.

The defense relied strongly on the testimony of J. L. Edwards of Newport who after the counts referred to were over rode with the defendants to the Hibbs home from Newport. He said Lewis was not under the influence of liquor at all but that Hibbs probably was.

The defendant Hibbs took the stand in his own behalf. He denied that he made any assault upon Mrs. Sanders but said he put his hand on her shoulder and asked her to sell him some home brew which he claims he had bought a number of times from her. He admitted that he had been drinking, denied that he drove the car at all. As to the second trip he said he came back to apologize to Mrs. Sanders and did not leave the car at all.

The other defendant Franklin Lewis, 25 years old, denied having had a drink that day. Said he rode the car, they asked Mrs. Sanders for beer, said Hibbs laid his hand on her back. Said Mrs. Sanders did not get mad until her son and Willis arrived. Said Hibbs was drinking but that he would accept the apology. He said Hibbs was drinking but that he did not drink.

Tim Taylor testified that he saw Mrs. Sanders the Saturday after the trouble and that she said she was sorry it had happened and if she had \$50 or \$75 she would leave. He said he had bought whiskey from her John Hall, E. J. Garner, Reverend Mr. Johnson, Mr. Oglesby and Mr. Elliott testified that the Sanders place (Continued on page five)

New Bern Man Named President of A. & N. C.

Raleigh, July 27—A New Bern attorney, A. D. Ward, was Thursday afternoon named by Governor O. Max Gardner as president of the Atlantic and North Carolina Railroad, succeeding W. M. Jones, of Raleigh. Mr. Ward, whose appointment is for one year, will be formally elected at the meeting of the stockholders of the road at Morehead City on August 8.

The A. and N. C., known as the "Mullet Road," runs from Goldsboro to Morehead City and is owned by the State, but the Norfolk Southern is operating the road under a 90 year lease. Officers of the road get passes, but no salaries like officers of the Norfolk Southern Railroad.

Other officers named were: W. J. Boyd, of Greensboro, secretary-treasurer, to succeed T. J. Murphy, of Greensboro; Rivers D. Johnson, of Warsaw, attorney for the road; John D. Warlick, Jacksonville, auditor, succeeding Austin McCormick, of Sanford; and Don C. Humphrey, of Goldsboro was appointed expert, succeeding T. Boddie Ward of Wilson; and W. B. Harvey, of Kinston, and W. M. Webb, of Morehead City, as members of the finance committee.

H. D. Bateman, of Wilson; Mrs. John D. Langston, of Goldsboro; A. D. Ward, of New Bern; C. S. Wallace of Morehead City; and James H. Holloway, of Raleigh, were re-appointed on the board of directors. New directors named were: Charles B. Park of Raleigh; S. B. Alexander, of Charlotte; and Frank Gough, of Lumberton.

Rural Tax Burden Now Serious Problem

Raleigh, July 29. The total taxes collected by the State, counties, municipalities and tax districts in North Carolina in 1928 amounted to \$96,000,000, said Hon. A. J. Maxwell in discussing farm taxation at the State Farmers' Convention at State College last week.

This is not all, he said, for at least forty million dollars is paid to the federal government in taxes making the total burden amount to \$136,000,000 each year. This forty million dollars is the part paid by Tarheel citizens of the total \$250,000,000 collected in this State by federal authorities. The people of the State actually paid in taxes last year a sum slightly greater than the combined value of the corn and tobacco crops in 1928 amounted to \$45 for every man, woman and child in the State.

Mr. Maxwell said there is no way of knowing just how much of this is paid by farmers but he believes that the total tax burden of strictly rural lands and personal property will amount to \$25,000,000. Farmers also pay other taxes which are passed on to the consumer, such as the gas and automobile taxes.

Yet, he said, citizens must pay for the kind of government they desire. Taxes are similar to a community chest from which we can take just what we put in. Yet, good citizens should see to it that all pay taxes proportionately and justly, and that local authorities live within the income set. He declared that it was time, however, for the tax increases to be limited so that business and professional enterprises could have time to build up to the taxes which they are now paying.

"We have had our period of expansion in public expenditures said Mr. Maxwell. "It has been a broad and liberal one. It has brought North Carolina from near the foot of the list of backward states to a nationwide recognition of its place in the forefront."

HARKER'S ISLAND BRIDGE PERMIT HAS BEEN GRANTED

Information was received here last week to the effect that permission had been granted by the U. S. Department to Cape Lookout Highway Inc. to erect a bridge between Lenoxville and Harker's Island. This means that another step has been taken towards putting the big project of a road to Cape Lookout across. Various other details that had to be done before any actual construction work could start have been attended to and others are now under way. Indications seem favorable now for the construction of the road connecting Cape Lookout, Harker's Island and the mainland.

MARRIAGE ANNOUNCEMENT

Mr. and Mrs. H. M. Whitehurst announce the marriage of their daughter Sadie Miller to Mr. George Randolph Russell, Wednesday evening July 31, 1929. Gloucester, North Carolina.

CARTERET WOMEN ATTEND 4-H MEET

Fifteen Young Ladies Receive Instruction At State College This Week

(By Edith Powell Home Agent)

Fifteen 4-H club members from Carteret County are attending the 4-H Short Course at State College this week. They are: Donnie Mason and Reva Morris of Atlantic, Katherine Gaskill of Sealevel, Lillian Fulcher of Stacy, Maude Lineberger of Marshallberg, Pollie Gillikin of Beaufort RFD, Bertha Gray Lewis and Helen Lewis of Harkers Island, Edna Beachem of Beaufort RFD, Rosalie Watson of Wildwood, Georgia Meadows of Peletier, Grace Taylor of Bogue, Margaret Whitehead, Alice Williams and Armetta Bland of Morehead City RFD.

One delegate from each club attends this annual meeting. The delegates were selected on the basis of their health as well as certain other qualifications. Dr. Frank E. Hyde examined all the girls who had already been selected by the home agent to represent their clubs. It was found that Donnie Mason from Atlantic made the highest score of the fifteen girls examined.

The girl making the highest score in each county was taken to a central meeting place for a second examination. There are seventeen counties in the Southeastern district, twelve of them having home agents; so each of these twelve counties took their healthiest girl for the district elimination contest which was held in Lumberton and Goldsboro. Donnie Mason of Atlantic was the winner over the eleven other girls in the district. She will compete with the four other district contestants for the selection of the Queen of Health whose crowning will be a big feature of the Short Course, on Thursday night of this week.

The clubs get their name "4-H" from the principal words in their club pledge, which is: I pledge, My HEAD to clearer thinking, My HEART to greater loyalty, My HANDS to larger service, and My HEALTH to better living, for my club, my community, and my country.

Besides their classes in clothing, foods, room improvement, music appreciation, culture, the club members will make a tour of the city of Raleigh visiting the State Capitol, the Governor's Mansion, Hall of History, Museum, State Prison and other state institutions.

Recreation, games, songs and moving pictures will occupy the evenings on the college campus.

REAL ESTATE TRANSFERS

W. H. Garner and wife to Sarah Jane Garner, 35 acres Newport Township, for \$10.

Sarah Jane Garner to W. H. Garner, 35 acres Newport Township, for \$10.

L. F. Thompson and wife to T. M. Jarrell, 1 lot Cape Cape Lookout, for \$10.

James E. Wade and wife to Martin Fulcher, 1 9-10 acres Harkers Island Township, for \$25.

C. R. Wheatly, Trustee to Mrs. D. M. DeNoyer, part lot Beaufort, for \$100.

W. L. Stencil to F. M. Simmons, part lot Beaufort, for \$10.

Bonnie Day Hart et al to M. L. Styron, tract Cedar Island, for \$17.

Levi Goodwin and wife to M. L. Styron, tract Cedar Island, for \$10.

MOST SCHOOL EXPENSES ARE PAID BY COUNTY AND OTHER LOCAL TAXES

(State Superintendent of Public Instruction)

Raleigh, Aug. 1—The largest percentage of each current expense dollar for schools comes from local and county ad valorem taxes and the largest percentage of this same dollar is spent for instructional service, according to today's issuing of State School Facts, the official publication of the State Superintendent of Public Instruction.

School Facts carries in this issue a chart showing by percentages the source of all current funds, as well as the phase of school operation for which it is spent; or as the chart states, "where it comes from" and "what becomes of it."

In other words, out of every dollar received for the current operation of the schools, 54.9 cents comes from county wide ad valorem taxes, 21.4 cents from local district ad valorem taxes, 13.6 cents from State funds, 5.1 cents from poll taxes,

O'BRYAN FUNERAL HELD WEDNESDAY

Large Concourse of Friends Pay Final Tribute To Popular Citizen

The funeral obsequies of Allen Darlington O'Bryan who died Friday in a sanatorium at Albuquerque, New Mexico, was held here Wednesday afternoon at St. Paul's church of which church he was a member. The services were according to the Episcopal ritual and were marked by simplicity and dignity. The Reverend G. W. Lay, former rector of St. Paul's, and the Reverend J. A. Vache, the present rector, conducted the services. The Masonic lodges of Beaufort and Morehead City attended the funeral in a body and held the Masonic service at the grave.

The congregation present, of both the white and colored races and representing all walks of life, was so large that the church building could not seat them all. Mr. O'Bryan had many friends both in and out of the county and many of them were here to pay the last tribute of respect to his memory. A choir composed of the regular St. Paul's choir and representatives of other churches sang "Lead Kindly Light," "In the Hour of Trial" in the church and "Abide with Me" at the grave. The floral tributes were very numerous and beautiful. The active pallbearers were M. Leslie Davis, G. W. Huntley, Hugh Longest, W. R. Longest, Wiley H. Taylor, C. W. Thomas. The honorary pallbearers were Congressman C. L. Abernethy Dr. C. L. Duncan, C. A. Clawson, C. H. Bushall, R. E. Chaplain, Mr. Dawson, W. A. Mace, Frank Longest Hugh Overstreet, Hal Potter. The interment was in the Episcopal cemetery.

Allen D. O'Bryan came to Beaufort to live about 19 years ago. He was a native of Allendale, S. C., and was born 41 years ago. He was educated at the University of S. C. and was a man of wide information as well as one of unusual natural ability. Since he came to Beaufort he was active in all civic matters and in politics. He was for a number of years a member of the Democratic State executive committee. Several years ago Governor McLean honored him with the appointment of president of the Atlantic and North Carolina Railroad Company.

Mr. O'Bryan married Miss Elizabeth Taylor daughter of Mr. and Mrs. N. W. Taylor of Beaufort. For a number of years he represented a large truck manufacturing company and was very active and successful in his business life.

Mr. O'Bryan is survived by his widow Mrs. Elizabeth Taylor O'Bryan five children, Allen, Ann, Katherine, Helen, and Taylor. Also surviving him are a brother Louis an attorney of Kissimmee, Florida and three sisters Mrs. Ada Goodman of San Antonio, Texas, Mrs. Tryie Stevens and Miss May O'Bryan of New York city.

BEAUFORT YOUNG MAN WALKS STREET IN PAJAMAS

Beaufort can now claim the distinction of being in the list of cities belonging to the Pajama League. The efforts to establish pajamas as day time apparel for men started a week or so ago by W. O. Saunders of Elizabeth City and which has spread to a number of places was boosted here Tuesday when Charles Clawson Jr. followed suit. Clad in a becoming suit of pajamas he made his appearance in broad daylight on Front street and walked several blocks in his airy costume to the amusement of a number of spectators.

Union Meeting Held Of Twin City Juniors

The Junior Order Councils of Morehead City and Beaufort held a very interesting joint meeting and Class Initiation Wednesday night July 24th at Morehead City. The meeting was held in the Masonic Hall and was attended by a large number of members. The hall was overtaxed early in the session but extra chairs were secured so that all were made comfortable.

The early part of the meeting was given over to short talks by local and visiting members all of which proved to be of much interest to the new members of the order. There were visitors from Washington, Vandemere and Goldsboro.

The crack degree team of "Old Hickory" Council No. 148, of Washington, N. C., conferred the degrees of Virtue, Liberty and Patriotism in a most impressive manner. Several candidates from Beaufort and Morehead City Councils were initiated into the mysteries of the order.

The councils passed jointly a resolution asking the next State Council meeting to come to Morehead City Beaufort in August 1930. If the State Council comes to this city it will bring several thousand members of the order. The local members feel that Morehead City-Beaufort are amply able to entertain a State Council and has much to offer. The Juniors would like to have an expression from the business men and the city officials before delegates are sent to the August session of the State Council which meets at High Point Aug. 19-22 next.

Beaufort Rotarians Entertain Many Guests

The Beaufort Rotary club held its usual weekly meeting Tuesday evening at the Atlantic Hotel and had for its guests members of the Morehead City club and a number of visiting Rotarians from other cities. About 100 persons were present. W. A. Mace, Vice-president of the club presided over the meeting.

Agreeable features of the meeting were a solo by Mrs. Buell Cooke of Beaufort and speeches by Dr. B. F. Royal of Morehead City and F. R. Seely of Beaufort. A number of comical stunts were pulled off for the entertainment of the members and guests and a very nice supper was served by the hotel management. R. L. Fritz, Chairman of the Entertainment Committee had charge of the program.

SHERIFFS WILL MEET IN MOREHEAD CITY

On August 13th and 14th the sixth annual convention of the Sheriffs' Association of North Carolina will be held at Morehead City. About 75 sheriffs are expected to be present, and with the deputies and guest the number will be swelled to nearly 300. On Tuesday evening of the 13th President Hunt will call the convention to order. The address of welcome will be made by Mayor Bonner, of Morehead City, and the response by Judge R. A. Nunn, of New Bern. Lieut. Gov. R. T. Fountain will make the main address.

On the second day, besides a short business session in the morning, most of the day will be devoted to pleasure jaunts and pistol contests for individuals and teams. The ladies will stage a "shooting" contest for officers' wives.

POLICE COURT ITEMS

The following cases were tried by Mayor Chadwick in Police Court Friday afternoon:

Bert Lloyd, two cases charging drunkenness. He submitted and was fined \$2.50 and costs in one case and \$5 and costs in the other. In case he did not pay the fine he was to serve 10 and 15 days on the streets.

John Henery a Negro youth was charged with running a car into and damaging a car of Halsey Paul. The damage was estimated at about \$40 and the boy was sentenced to pay Mr. Paul \$3 a week until the damage was paid.

Alma Turner, charged with cursing another woman denied the charge and her mother and sister said she did not use the language charged in the indictment. Three women testified against her though and the Mayor fined her \$5 and costs.

G. W. Duncan was fined \$10 for contempt for failure to appear in court to answer a charge of blocking traffic. He arrived shortly after court had adjourned and stated that he had forgotten to come.

FORTY NATIONS REPRESENTED AT PEACE MEETING

Imposing Scene In White House To Ratify Peace Treaties

STOP WORK ON CRUISERS

By Fred Holmes, (Helm News Service)

Washington—The actors did not propose to let the hot weather cheat sweltering Washingtonians out of their regular seventh day sensation last week, so they staged a couple of them—or, possibly it might be said, a two-act thriller with such absorbing climaxes that a number of inter-act features, which ordinarily would have inspired serious attention, were completely over-shadowed.

Within the week the accredited representatives of forty nations assembled in the East Room of the White House to proclaim the renunciation of war, while twenty-two other countries were represented in spirit if not in the flesh. Even without an inspiring background such an assemblage would have been of immeasurable human interest. In the circumstances, the motive back of the conclave made of it an occurrence of unparalleled dramatic import. Of course, not even the most visionary advocate of universal peace has attempted to delude himself with the idea that the pact will absolutely preclude war for all time. Concerted effort to prevent forever physical encounters between pugnacious individuals would be little less of a dream. But we now have a league of good-will among nations, united to make resort to arms far less probable than before.

At the head of momentous gathering stood President Hoover. At one side of Mr. Hoover stood ex-President Coolidge, who had perceived the feasibility, the magnificent purport and the ultimate success of Premier Briand's historic plea, and at the other side Frank B. Kellogg, whose name the treaty will bear for all time. To fortunate onlookers, it was a scene never to be forgotten; to all it marked an epoch in human progress.

The spirit of the Kellogg peace pact found even anticipatory response in moves by two outstanding powers, Great Britain and the United States, toward reduction of naval armament.

Before the representatives of the many governments had arrived at the White House, word came that Premier MacDonald had announced in this year's British naval program. Immediately after the formal ceremonies of the peace-pact conclave, President Hoover retired to his executive offices for deliberation on this significant news. As a result, he met the MacDonald gesture with the announcement that work on the three cruisers authorized in this year's program would be held up. They are three of the five cruisers for which Congress appropriated at the last regular session. Navy yards were to do the work. The blue prints already in the course of preparation and as the President said in his announcement, "the actual keels would, in the ordinary course, be laid some time this fall."

It is undoubtedly probable that Mr. Hoover already had in mind the holding up of work on his three cruisers as a gracious move when the proper time came, but there had been no intimation that it was to come coincidentally with the signing of the treaty. An answer or comment on the British premier's announcement had been expected, but the nature of it came generally as a surprise.

Did ever tree bear fruit more expectantly?

Tax Reduction Unlikely
As was intimated in this column last week, hopes for early reduction of Federal taxes are waning. Figures made available by the Treasury last week show that expenses of every department of the Government, except the White House, increased for the fiscal year ended June 30. President Hoover has now found that the Government faces an increased expenditures amounting to approximately \$300,000,000 in the next four years. The cost of Government continues to rise in spite of every effort to hold the budget to a minimum of actual requirements.

In this connection President Hoover declared that something would be done about this country's spending more for military activities than any other nation on earth. Another commission is to be set up, this one composed of army general staff officers, to survey and revamp the entire army with a view to eliminating obsolete outlays, to rearranging development projects, and in general to ef-

(Continued on page eight)