

## County Hearing Continued And Bill Of Particulars Demanded

No Witnesses Examined Here Monday In County Suits Matter; Defense Takes Exception To Order But Is Overruled

By The Court

The hearing Monday before Superior Court Clerk Hassell about the county suits against the Simmons Construction Corporation and others, resolved itself mainly into arguments between the lawyers on the opposing sides. No witnesses at all were examined. C. M. Johnson of Raleigh of the State County Advisory Commission was in the court room while the hearing was in progress. E. L. McLendon of the law firm of McLendon and Hedrick, which firm is in the employ of the county, made his first appearance in the case.

Immediately after the proceedings started Attorney A. D. Ward on behalf of his client W. L. Stancil asked that the county produce records of tax sales from 1917 to 1927 inclusive. Mr. Stancil said he left a book containing this information in the office. County Auditor Plint when asked about the matter said he had never seen any such book. Mr. Mr. Ward also asked that it be entered in the record that the firm of Ward and Ward have been retained to defend C. K. Howe in the suits.

Mr. Moore, who appears for the Simmons Construction Corporation and F. M. Simmons, said that the defense was about as much in the dark now as in the beginning and asked for a bill of particulars on the engineer's report as to surveys, measurements of headers, where samples were taken etc., and also various details of the auditor's report, particularly exhibit "C," details as to expenditures for 1926-1928 and also details about expenditures for county home, courthouse grounds, attorneys' fees.

Mr. McLendon said that it would put the county to a great deal of expense and work to get up such detailed statements; that they were willing to furnish such information as they had and had already done so. He said the county would positively refuse to furnish the defendants with the sort of statement asked for. Mr. Ward said that the matter was very important to their clients and that it took time to prepare the defense and that it was necessary to have the information desired and time enough to study it and prepare for trial. He said they would put their request in writing.

Mr. Gorham replied that the records speak for themselves and counsel had access to them. He opposed any further delays and said counsel should file their answers to the complaints. Mr. Ward repeated that more time was needed and Clerk Hassell said he thought it was essential the defense should have the information and that he proposed to be fair and impartial about the matter.

Mr. Wheatly representing some of the defendants said that they should have the time asked for in order to prepare their defense and the county should furnish the information which had been asked for.

Mr. Duncan also for the defense, said the bill of particulars should be furnished and should specify on what specific matters the complaints were based. Attorney Luther Hamilton also argued along the same line.

The time finally settled upon for filing the request for the bill of particulars by attorneys for the defense was set at December 20. Mr. Moore said it would be done sooner than that if possible. Mr. McLendon said that a reply to the request would be filed within 36 hours after it was received. Judge E. Walter Hill suggested that time could be saved by going with auditor Delamar at once and get what information they wanted now.

It was finally ordered by Superior Court Clerk Hassell that the written request for the bill of particulars should be filed not later than December 20 and that the hearing should be resumed on January 2nd. Mr. Gorham said that the request for the bill of particulars was foreign to the purpose of the hearing. He read an exception to the order which was overruled by the Clerk.

### REMODELLING STORE FRONT

The H. C. Jones Hardware Company is having the front of their store remodelled. New show windows will be put in and the doors changed so as to give the store a very modern appearance. The work is being done by George Woolard.

## City Commissioners Had Meeting Monday

A recess meeting of the board of Commissioners of the town of Beaufort was held at the city hall Monday. The session was not a very long one.

A motion was passed by the board authorizing Mayor Chadwick and City Clerk Thomas to renew a note with the Beaufort Banking and Trust Company for \$3000 for 90 days and also a note for 60 days with the Bank of Beaufort amounting to \$2444.

A motion made by Commissioner Chapman that no supplies for the town be bought without an order from the Clerk was adopted.

Action was deferred on the resignation of Joseph House as a member of the Water and Light Commission.

Commissioner Willis made a motion to allow the Standard Oil Company permission to erect a canopy over their filling station. This was passed.

A motion was passed allowing Mrs. G. A. Russell refund of \$2.11 overpaid on taxes.

The office of building inspector for work on the city hall was discontinued. Some bills were audited and the board adjourned.

## ATLANTIC & N. C. DECLARE DIVIDEND

Directors Declare Usual 1.75 Semi-Annual Per Cent; Discuss Beaufort Port

Raleigh, Dec. 7.—Directors of the Atlantic and North Carolina Railroad assembled in their semi-annual meeting here yesterday, declared the regular dividend, discussed the development of the port of Beaufort and Morehead City and adjourned.

The dividend declared was the usual 1.75 per cent, making 3 1-2 per cent on the stock for the year.

The chief aim of the A. & N. C. directors is the development of the Beaufort port. At their regular meeting last summer they discussed with Governor Gardner the possibility of a State appropriation for the development of the port and the erection of piers suitable for ocean going ships. The directors believe that one of the State's greatest needs is a good port and that the mouth of Bogue Sound is the best place to develop.

Governor Gardner told the directors that the matter was one to be taken up with the Legislature. At the meeting yesterday they further discussed the matter and hoped for "good times" before the General Assembly meets again.

Present at the meeting yesterday were President A. D. Ward of New Bern; Secretary A. E. Boyd of Ayden; Charles Park, of Raleigh; L. R. Cutler, of New Bern; S. B. Alexander, of Charlotte; W. B. Batman, of Wilson; Charles Wallace, of Morehead City; George D. Folk of Raleigh; S. W. Holloway, of Raleigh; Mrs. J. D. Langston of Goldsboro.

### POLICE REPORT FOR MONTH OF NOVEMBER

To The Hon Mayor and Board of Commissioners:

Gentlemen: I beg leave to submit the following police report for the month of November, 1929.

We have made 45 arrests and collected fines and cost to the amount of \$186.05 and paid same to the Mayor and Clerk as follows:

Arrests	Fines	Cost
Longest ----- 14	\$34.35	\$31.40
Holland ----- 24	36.10	54.15
Styron ----- 7	15.00	15.15

45 \$85.45 \$100.60

Of the 45 arrests made (3) were assigned to work the streets for a period of 40 days. One (1) was sent to the Recorder's Court and one dismissed.

Respectfully Submitted,  
W. R. LONGEST,  
Chief of Police.

## MENHADEN BOATS CATCH MANY FISH

Best Week Of The Season; Balster Lost On Cape Lookout Shoals

It seems to be the general impression around Beaufort that more fish have been caught this week by the menhaden fishermen than ever before in the same length of time. There are more than twenty boats in Carteret county engaged in this work and every one of them seems to have done well this week. In fact the good run of fish really started last week. Many of the boats made good catches on Friday and Saturday.

One boat had hard luck last week though. The George D. Balster while returning to this port with a load of fish was wrecked and lost Thursday night. The accident happened while the boat was coming through the slough on Cape Lookout shoals. The vessel began to fill with water and her pumps refused to work with the result that she sank and was a complete loss. The men took to the purse boats and were picked up by Captain Fred Gillikin from the Cape Lookout station. They were taken care of at the station and brought to Beaufort the next day. The boat was commanded by Captain W. H. Snow and was owned by the Beaufort Fish Scrap and Oil Company. The loss of the vessel, equipment and load of fish is estimated at around \$40,000.

The Parkins commanded by Captain Bonner Willis and owned by the Beaufort Fish Scrap and Oil Company seems to have caught the most fish this week, estimated at close to two millions. This does not count today's catch as the boats have not come in at this writing. However the boats of the Wallace Fisheries, the Newport Fisheries, Taylor's Creek Company, C. P. Dey and all others have done well. The fish have varied considerably in size. Some were quite small, others of medium size and some were full grown.

Quite a good many croakers and gray trout have been brought to the local market this week. The prices being paid for them are low and the fishermen are very much dissatisfied at the prices. The low prices are said to be due to the fact that Northern trawlers some fifteen or twenty of them, have been catching large quantities of croakers and trout off Hatteras and Ocracoke and have glutted every market in the country. Two car loads were shipped to Charlotte recently and all the markets from Richmond to New York are said to be glutted with these fish caught on the Carolina coast. The fishermen say the matter ought to be controlled in some way.

Quite a good many croakers and gray trout have been brought to the local market this week. The prices being paid for them are low and the fishermen are very much dissatisfied at the prices. The low prices are said to be due to the fact that Northern trawlers some fifteen or twenty of them, have been catching large quantities of croakers and trout off Hatteras and Ocracoke and have glutted every market in the country. Two car loads were shipped to Charlotte recently and all the markets from Richmond to New York are said to be glutted with these fish caught on the Carolina coast. The fishermen say the matter ought to be controlled in some way.

### POSTMASTER WHEATLY WILL GET REAPPOINTMENT

The name of Postmaster R. B. Wheatly was sent in to the Senate, along with several others, Tuesday by President Hoover for confirmation for another term as postmaster at Beaufort. Patrons of the office here have been heard to express themselves as pleased that Mr. Wheatly is to have the position again and that he has no opposition.

### CONGRESSMAN ABERNETHY TO MAKE AN ADDRESS

The News is informed by Congressman Charles L. Abernethy that he will deliver a radio address on the night of December the 18th. The subject of the address was not given. The address will be over station W. J. S. V. which operates on a wave length of 205 meters and can be found between numbers five and eight on the dial. Everybody who cares to do so is invited to hear Mr. Abernethy speak.

### CHRISTMAS CHECKS MAILED

The channels of trade in Beaufort will be refreshed somewhat by the Christmas savings checks which were mailed out this week. The two banks here sent out checks totalling some \$5000 which represents money saved by putting a small sum in the bank each week during the year.

### MARRIAGE LICENSES

For several weeks business has been very dull with Register of Deeds R. W. Wallace in the marriage license line. As Christmas approaches he has hopes of a pick up in this respect. This week only one permit has been issued. This was to Dale Styron of Atlantic and Veda Hamilton of Sea Level.

## TWO CONVICTIONS IN COUNTY COURT

One Gets Jail Sentence; Witness Fined For Not Being On Time

Only three cases were put on trial in Recorder's Court Tuesday but it took considerable time to dispose of them. Many witnesses were examined and the opposing lawyers wrangled considerably.

The case against Tuttle Robinson charged with violation of the prohibition law was not tried because the defendant failed to show up. He was called out in court and his bond of \$25 forfeited. If he can be found at any time in the next two years he can be arrested and tried.

The case against Captain J. J. Day charging an assault was continued on account of the absence of his attorney Captain Rodman Guion of New Bern who was sick and unable to leave his home.

A case against Charles Wesley, charging an assault was continued on the request of his counsel James W. Mason on the ground that Wesley is working on a fish boat and the fishing is too good at present to miss.

Dady Moss was tried on the charge of assault with a deadly weapon upon a young fellow by the name of Burgess Chadwick. The offense was alleged to have occurred on November 17 when Chadwick was a visitor at the Moss home near Morehead Bluffs. Attorney A. B. Morris said that the prosecuting witness had decided to withdraw the warrant in the case and wanted the action dismissed. Judge Hill said he would accept a plea of nolo contendere and let the defendant pay the costs. Mr. Morris said he was willing to pay half the costs and let the other side pay the other half. It appeared that the Chadwick side was not in a position to pay any thing and so the trial proceeded.

The evidence showed that young Chadwick had visited at the home of Moss several times and they had drunk whiskey together. Moss is 55 years old and is married. On this particular Sunday they had several drinks and finally Moss said, Chadwick got his liquor jar which he kept near the hog pen, and was about to make off with it. He got a shot gun, which he said was empty and threatened the youth with it. Charles Lockhart said he saw Moss point the gun at Chadwick. Andrew Slaughter and a man named Willis testified that they saw Moss with the gun in his hand. Mr. Morris argued strenuously for his client but the court pronounced him guilty and fined him \$10 and costs.

The other cases tried came from the Negro colony on upper North River. Elisha Murrell who said that he is 22 years old was charged with hitting Isaac Felton on the forehead with a spark plug wrench. Felton's forehead still showed signs that he had received a pretty bad lick. David Felton, William Nolan, Alonzo Bell, Annie Felton, James Cox and Aleck Smith testified for the prosecution. Solicitor Duncan and Mr. M. Leslie Davis conducted the prosecution. J. W. Mason defended Elisha.

From the evidence it appeared that Elisha was mad with Isaac because he said the latter wanted to take an automobile ride with his wife, Lilla, his seventeen year old wife, said Isaac asked her to "take a run with him" and she told her husband about it and the fight was the result. The court decided Elisha was guilty and gave him a sentence of four months in jail. However by paying \$8 to Isaac, a fine of \$25 and costs and behave himself for twelve months he can get rid of the jail sentence.

Immediately after the finish of the Murrell trial the court went into the trial of Isaac Felton Jr., on the charge of slandering Lilla Murrell. This case consumed some time and ended in acquittal of the defendant.

For not appearing in court promptly at opening time James Foster a young Negro who had been summoned as a witness was given five days in jail. Deputy Stanford Gaskill made a long trip in the country to find him but he finally showed up of his own accord.

### MOREHEAD CITY WOODMEN VISIT BEAUFORT LODGE

The Morehead City degree team of the Woodmen of the World visited the Beaufort lodge Thursday night December 5th. The team gave a drill on the streets and in the lodge rooms which was quite impressive. The two teams then participated in a smoker and had a very enjoyable time.

## Teachers Are Trained Better Than Formerly

Since 1922-23 the average training of the teachers of Carteret county has increased 1.66 years, it is learned from the State Department of Public Instruction, which has just completed a study of the scholastic preparation of white teachers in all the counties and 34 of the largest of the State.

In 1922-23 the index of training of white teachers in this school system was 4.49, whereas the past year, 1928-29, the index of the teachers employed was 6.15. In other words, better prepared teachers are now employed than were six years ago.

The average training of all rural white teachers of the State is now 2.19 college years, and of city teachers 3.44 years in college. Thus, it is noted that the training of teachers in the Carteret County system is above the State average of all rural teachers.

In the adjoining counties the indices of white teachers for 1928-29 were as follows:

Onslow County	5.84
Pamlico	6.66
Craven	6.17

It is thus seen that the training of teachers in the rural system compares favorably with that in these other systems.

### POLICE COURT DOCKET WAS RATHER SHORT FRIDAY

As is usually the case drunks predominated in Police Court trials Friday afternoon. Only a few cases were tried and several were continued.

Charles Wickizer of Morehead City, drunk submitted and was fined \$2.50 and the costs amounting to \$6.40.

Walter Herdesty, drunk, submitted. Second offense and was fined \$5 and costs a total of \$8.90.

Mark Washington, colored, drunk. He admitted it and as he had been in court on the same charge several times he got a fine of \$20 and costs or 30 days on the streets.

R. L. Davis charged with getting his car in the way of a fire truck was let off with the costs amounting to \$3.45. Mr. Davis stated he waited for some time and one truck had passed and he did not know how long he was required to wait. He said he did not know what the law required. He was informed that there is both a town ordinance and a State law on the subject.

## Safety of Children Must Be Assured

Raleigh, Dec. 10—"The safety of our school children should be constantly looked after," State Superintendent A. T. Allen points out in a statement given out today. "North Carolina" he says "is now transporting nearly 150,000 pupils to school. The lives of these children as well as those who walk must be protected at all times. It is a sad thing to hear of an accident happening to one of these little ones."

Superintendent Allen believes that if care and diligence is observed on the part of the motoring public that such occurrences may be kept at a minimum. In order to acquaint the public with the traffic laws in force, the General Assembly of 1927 passed an act requiring that such laws shall be read and explained in the public high schools. The rules referring specifically to school buses, and which are not always observed, are:

Rule 63, (section 5). "Before passing or attempting to pass a public school bus while it is standing upon any public road and taking on or putting off school children, the operator of the passing vehicle must bring it to a full stop at least 50 feet from the bus." The responsibility, however, does not all rest upon the driver of the passing vehicle, for section 33 of this rule states "Every school truck, and every passenger bus, is required to come to a complete stop at every railroad crossing, whether designated as a 'full stop' crossing or not."

Rule 84, (section 7). "Twenty-five miles an hour while operating a bus carrying school children to or from school along any public highway or street in this State," is the maximum rate of speed permissible.

Rule 45 is one which applies to all drivers and one which aims to impress operators of motor vehicles with the necessity of exercising care at all times.

### REAL ESTATE TRANSFERS

George G. Credle to H. C. Armstrong and wife, 5 1-2 acres, Straits, for \$50.

John A. W. Goodwin and wife to J. J. Day, 1 acre Cedar Island Township, for \$10.

## COUNTY FARMERS SHIP MANY HOGS

Five Years Ago No Car Load Shipments; Ten This Year

When we take into consideration the fact that five years ago Carteret County did not ship a single carload of hogs during a year, and this year she has shipped ten carloads to date, we must feel that the county is making progress with this line of livestock. This increase in shipments has gradually been brought about in order to assure hog producers a sure market, and at the same time keep the local market from being glutted all through the winter months. There were six hundred, sixty-three head of hogs handled in these carload shipments that returned the farmers of Carteret county \$12,089.48 in cash. The average price paid per hundred pounds on hoof was \$10.57. The most profitable known method of feeding and marketing hogs has been systematized in a form which is easy to understand and readily adaptable to the usual conditions on the farms of Carteret county.

For a farmer with fairly fertile land to succeed in properly feeding and efficiently marketing hogs it is necessary that he do the following five things: 1. Adjust the number of brood sows to the amount of home raised corn available for them, allowing 150 bushels of corn per sow per year; 2. Use good thrifty animals and keep them so by giving due attention to proper housing, sanitation and parasites; 3. So control breeding dates as to profit by the average seasonal trend of hog price; 4. Full feed, either by hand or through a self-feeder, on pasture when possible, all the hogs intended for market will eat every day from the age of four weeks until they are sold; 5. Stick to the system outlined above year after year regardless of changes in the price of corn or hogs. The use of pure-bred animals on modern type is recommended with a special emphasis upon the use of pure bred males.

Sows from which the expected produce is intended for market, should be bred as nearly as possible, May the first and November the first, in order that their pigs may be full-fed for maximum gains, and sold when reasonable prices are at their highest.

HUGH OVERSTREET,  
County Agent.

### SIMMONS WILL BE OPPOSED JOSIAH BAILEY SAYS

Raleigh, Dec. 9.—Josiah William Bailey, Raleigh attorney, today said that a Democrat who will oppose Senator F. M. Simmons in the primary next year will make himself known in "a few days."

Mr. Bailey who has been prominently mentioned in State political circles for some months as a possible candidate against Senator Simmons, refused to say who would make the announcement. Walter P. Stacy, Chief Justice of the State Supreme Court, and Willis Brogden, Associate Justice, have been widely mentioned in political circles along with Mr. Bailey as possible candidates.

### TIDE TABLE

Information as to the tides at Beaufort is given in this column. The figures are approximately correct and based on tables furnished by the U. S. Geodetic Survey. Some allowances must be made for variations in the wind and also with respect to the locality, that is whether near the inlet or at the heads of the estuaries.

High Tide	Low Tide
Friday, Dec. 13	
5:26 A. M.	11:20 A. M.
5:53 P. M.	12:19 P. M.
Saturday, Dec. 14	
6:12 A. M.	12:00 A. M.
6:42 P. M.	1:04 P. M.
Sunday, Dec. 15	
6:59 A. M.	12:50 A. M.
7:31 P. M.	1:52 P. M.
Monday, Dec. 16	
7:48 A. M.	1:39 A. M.
8:24 P. M.	2:41 P. M.
Tuesday, Dec. 17	
8:39 A. M.	2:30 A. M.
9:17 P. M.	3:31 P. M.
Wednesday, Dec. 18	
9:31 A. M.	3:25 A. M.
10:10 P. M.	4:22 P. M.
Thursday, Dec. 19	
10:25 A. M.	4:23 A. M.
10:50 P. M.	5:16 P. M.