

THE BEAUFORT NEWS

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Superior Court Tries Variety Of Offenses

Every Thing From Selling Liquor Up To Murder Charged Against Defendants; Several Capital Cases Tried; Still Working On Criminal Docket

When Superior Court convened here Monday morning at 10 o'clock Judge W. A. Devin and Solicitor David Clark were confronted with a criminal docket of considerable proportions and involving a variety of alleged offenses. The case set for trial embraced such charges as murder, rape, attempt at rape, burglary, breaking and entering, larceny, assault with deadly weapon, embezzlement, bad checks, abandonment and liquor law violations. Pretty nearly the whole category of crime. Several cases of somewhat sensational nature were tried which may have accounted for the fact that the court room has been packed with people ever since court opened.

Judge Devin's charge to the grand jury laid special emphasis upon law observance. He said the law should be respected, should be obeyed and should be enforced. Older people should set the example of obedience and should train their children to do the same. He spoke of the number of homicides in Charlotte, larger in proportion to population than that of Chicago, and said it showed a lack of self control. He said he had no respect for quack remedies for prohibition troubles or other law violations. The Judge instructed the grand jury as to its duties and stated that the office of the grand jury was one of great responsibility. J. R. Bell of Morehead City was made foreman of the jury and Herbert Forlaw was appointed special deputy for the jury. The jury was in session three days.

The first important case tried was that of Alf and Fairley Wilson, colored men, for burglary. Their counsel former Judge E. Walter Hill submitted a plea of second degree burglary for them. They were given a sentence of twenty to thirty years in the penitentiary. They were charged with having entered the house of Anna Allen, a Beaufort colored woman, handling her roughly and stealing a suit case and other articles. Alf Wilson is 19 years old and Fairley said he was 37 years of age.

Two cases were tried Wednesday that seemed to greatly interest the large number of spectators present. They were the cases of Norman Larklee of Morehead City on the charge of attempted rape upon the person of Lucille Willis, a 14 year old girl and that of Ransom C. Smith for bigamy. It was while the Larklee case was being tried that Judge Devin ordered all spectators to vacate the court room. This was done because the crowd got to laughing too much while one witness was testifying.

The testimony of the girl was that the defendant took her and another girl Beatrice Guthrie to ride Sunday evening February 8th, that he put the other girl out of the car and drove her over in the Crab Point section and made improper advances to her. She said she got away from him and went to the house of Luvania Toodles, a colored woman who lived nearby and spent the night. She was corroborated by the testimony of the Toodles woman and also to a certain extent by that of Beatrice Guthrie, Clayton Willis and Mrs. F. C. Salisbury. She also proved a good character by several witnesses. The defendant admitted taking the girls to ride but denied making any improper advances whatever. Attorneys W. C. Gorham and C. R. Wheatly put up a vigorous fight for their client and succeeded in getting the attempt at rape charge dismissed; Judge Devin holding that there was not sufficient evidence to substantiate this charge. He said the jury could consider the charge of an assault upon a female though and upon this accusation he was convicted by the jury after having been out all night and part of the morning. Sentence has not yet been pronounced.

In the Pansom Smith case his attorneys Messrs. Alvah Hamilton and C. R. Wheatly submitted a plea of fornication and adultery which was accepted by the court. He was given two years on the roads on this charge. The case was a very unusual nature. Smith who says he is 21 years old, admitted that in the year 1929 he married Alice Willis a neighbor of his, in South Carolina. This woman so it appeared according to the evidence had a white mother and a colored father. On February 2, 1931 Smith married a young

(Continued on page four)

Tom Noe In Hospital With Fractured Skull

A Saturday night row engaged in by Tom Noe and his step-son Walter Garner of Beaufort came very nearly having a fatal ending when Garner hit Noe over the head with a club and fractured his skull. The fracture is on the side of the head and is a very bad one. Noe is in the Potter Emergency Hospital and has been in an unconscious or delirious condition for most of the time since he was struck. It was thought for a while that he would die and even yet he is not out of danger by any means. Garner is in jail awaiting the outcome of Noe's injuries. There has been no trial yet and the facts of the trouble have not been brought out. The report is that Noe and the youth had some words and one or two licks were exchanged and that the Garner boy went out doors and got the club and came back and put an end to the fight by knocking his father-in-law unconscious with one blow. The affair happened at the Noe home on Fulford street and was witnessed by Mrs. Noe who is also the mother of young Garner.

SEVERAL SENT TO STREETS FROM CITY POLICE COURT

A right good sized docket was disposed of by Mayor Taylor in Police Court last Friday afternoon. The following cases were tried: James Everett, speeding, submitted and fined \$2.50 and costs. "Buster" Branch, colored; drunk and disorderly, 10 days on street work. Simon Gatling, colored, violating prohibition law, bound over to Recorder's Court. William Ed. Potter, colored, drunk 10 days on the streets. Manly Bailey, colored, drunk, five days on the streets. Ellis Baxter, colored, drunk, 10 days street work. Julius Jordan, fighting, acquitted.

FORMER STATION DIRECTOR OF LABORATORY HERE DIES

The information was carried recently in the Washington, D. C. Evening Star of the death of Henry D. Aller who was in charge of the U. S. Biological Station here some years ago and who is remembered pleasantly by a good many Beaufort people. The article from the Star reads as follows:

"Henry D. Aller, 51, assistant chief of the Alaskan Division, United States Bureau of Fisheries, with which he had been connected for 27 years, died at his home, 1427 Chapin street, yesterday following a heart attack. His body will be taken from the Hines Funeral Home today to Gladstone, N. J., where Masonic rites will be held tomorrow afternoon.

Mr. Aller was a graduate of Rutgers and Cornell, where he took degrees in forestry and zoology. He was elected to Phi Beta Kappa, national honorary scholastic fraternity. In 1903 he joined the staff of the Bureau of Fisheries, and went to Alaska waters on his first assignment. In 1908 he became director of the Marine Biological Laboratory in Beaufort, N. C., but in 1911 was again transferred to Alaska, remaining there until 1923.

Since that time he has been continuously on duty in Washington. He has written a number of books on Alaskan fishing.

Besides his widow, Mrs. Barbara Bartlett Aller, he is survived by a 10-year-old daughter, Jean, and a sister Mrs. Corrie Peebles of Newark, N. J.

REAL ESTATE TRANSFERS

Annie Benford and husband to Willie Shepard, 1 lot Morehead City, for \$10.

J. S. Fulcher to Sudie Fulcher, 96 acres Beaufort Township, for \$1.

E. W. Chadwick and wife to G. C. Chadwick, 40 acres Straits for \$—.

Marold V. Fulford to Anson Davis, tract Straits, for \$50.

Trustees M. E. Church to Board of Education, lot Atlantic, for \$300.

A car of 14,000 pounds of poultry and three cars of hogs were shipped out of Beaufort last week.

LEGISLATORS NOW GETTING NO PAY

Seem To Be Doing More Now Than They Did Before

By CARL GOERCH
The legislature has started off on a new tack. Up until Saturday night they drew their pay regularly, but from now on they'll have to work for nothing. As long as they were getting their salary, they didn't accomplish anything. They were too busy spending it. But the fur has certainly been flying during the last few days.

If the boys went to Raleigh and had to serve without any pay at all, they'd accomplish all their work in less than ten days and do it in better fashion, too.

The finance committee occupied the center of attraction last week. They did a lot of things, and then they undid them so fast that by the end of the week they were worse off than if they had done nothing at all.

They're still arguing about the sale tax. It looks as though Governor Gardner had better rush another out-of-state speaker down here to give his views on the subject of a sale tax. Which sale wouldn't be a bad one. We need a Specialist mighty bad just about now.

The prison bill probably will come up for some real action this week.

If you want to find out something about conditions as they exist in our present system, ask somebody in your neighborhood who's been there. Practically every neighborhood has a graduate. An occurrence, such as took place in Duplin county last week when eleven men burned to death, might take place at the prison plant at any time. As matters now stand, we're just inviting some sort of a disaster. I'd hate to feel that I was in any way responsible for whatever calamity might happen.

I got some dope from George Ross Pou last week—I reckon everyone else did too—which gives out some interesting facts. The old building has been condemned by everybody who has made an investigation of it. There is constant danger of a bad fire. To be perfectly frank, the entire thing is a disgrace to our State.

This is one proposition about which there oughtn't to be any serious argument. Which probably means that there'll be a lot.

I spent Friday and Saturday up in Raleigh, just hanging around. The boys were still getting their meals regularly and were in a fairly good humor. But now that they've been deprived of their pay and probably have had to cut down on their victuals, they're liable to get real mean. Atop of our little circus in Raleigh, there's been a democratic executive committee session in Washington, D. C., which resulted in a lot of fireworks about prohibition. I never have been able to see any sense in prohibition argument. The dregs ought to be satisfied, because they've got the 18th amendment on the books; the wets ought to be satisfied, because they can get all the liquor they want—so what's the sense in wasting a lot of time arguing? It's the senseless things, however, that bring about the most argument.

The only thing I'm scared of in connection with our present session of the legislature is that the gang will get so interested in this, that and the other thing that they'll forget all (Continued on page five)

HAMILTON STARTS NEW LEGISLATION

Some Bills Passed—Others On the Ways—Allowances for Officials Asked

By M. R. DUNNAGAN

RALEIGH, Mar. 10.—Several bills relating to Beaufort and Carteret county have been enacted into law by the General Assembly during the past week. They were introduced by Representative Luther Hamilton.

One ratified last week gives the county commissioners of Carteret county authority to appoint a tax collector and fix his salary, the act also fixing the salary of the sheriff of Carteret county.

Another, now a law, amends the charter of the Town of Beaufort.

A third now makes it lawful for boxing matches to be staged in Carteret county. Other bills introduced by Mr. Hamilton are:

A bill to be entitled an act for the relief of the Clerk of the Superior Court and Register of Deeds of Carteret county.

The General Assembly of North Carolina do enact:

Section 1. From and after May first, nineteen hundred and thirty-one, the Clerk of the Superior Court of Carteret county shall be allowed and paid from the general County fund the sum of fifty dollars (\$50.)

A month to be applied as partial payment on the salary of deputy clerk.

Section 2. From and after May first, nineteen hundred and thirty-one, the Register of Deeds of Carteret county shall be allowed and paid from the general County fund the sum of twenty-five dollars (\$25) a month to be applied as partial payment on the salary of deputy registrar.

Section 3. That all laws and clauses of laws in conflict with this act shall be repealed.

Section 4. This act shall be in force and effect from and after its ratification.

A bill to be entitled an act to regulate the fees of the justices of the peace of Carteret county.

The General Assembly of North Carolina do enact:

Section 1. That the Justices of the Peace of the several townships of Carteret County may charge and shall be entitled to receive the following fees in all criminal and civil actions:

(a)—In criminal actions: Affidavit and warrant, fifty cents; issuing subpoenas, each fifteen cents; commitments, each defendant, fifty cents; recognizance, each witness, fifteen cents; recognizance, each defendant, fifty cents; bond, each defendant to court, fifty cents; judgment, each defendant, one dollar and fifty cents; continuance of action, twenty-five cents; judgment nisi, fifty cents; forwarding papers to another county, twenty-five cents; return to court, fifty cents; itemized bill of cost, twenty-five cents; order of removal, fifty cents; capias and order, fifty cents.

(b)—In civil actions: Issuing summons, each, fifty cents; summons, each additional defendant, twenty-five cents; trial and judgment, one dollar and fifty cents; transcript of judgment, twenty-five cents; order of removal, fifty cents; plaintiff's undertaking, fifty cents; defendant's undertaking, fifty cents; order to seize property, fifty cents; (Continued on page five)

GARDNER PROGRAM IS MOVING ALONG TOWARDS THE END

The Governor Has Been Successful In Getting His Measures Adopted

ROAD BILL WAS MAIN TEST

By M. R. DUNNAGAN

Raleigh, March 9.—Governor Gardner's program of reorganization of state and local government has gained such impetus during the past week by the enactment of part of his bills and test votes on others which insure their passage, that it is confidently expected that all of the measures he desires enacted will come very near becoming law. He probably will abandon one or two of his former proposals on the ground of probable improvement on the plan or that the aim has been, in part, reached by consideration of the measures.

The road measure was looked upon as the "Hindenburg line" and all agreed that if that went over, most of the other administration measures would have easier sledding. That is why Governor Gardner staked his program on this bill and when it was enacted he was assured of practical success in most of the other measures proposed and pushed. Test votes in one or both houses on his bill providing for a Director of Personnel, his Director of Purchases and Contracts measure and consideration of three higher educational institutions as the University of North Carolina assure the success of his program.

The local Government Commission measure, already enacted, is probably the most important and far-reaching of the entire group and will probably be felt by the people back home more than any other measure. It takes the place of the County Government Advisory Commission and the local unit authority of the State Sinking Fund Commission, putting sharp and solid teeth into the measures which restrict local unit operations. By it, North Carolina counties, cities, towns, and all other units will be put on a business basis and must meet bond and note obligations, many of which may be refunded. After a period, it is destined to stop defaulting and overspending by local units. Charles M. Johnson has been named director and other members appointed. They began to functions March 18.

Measures have been introduced affecting all but one of the elective offices of the State created by statute. The most important, probably, is reorganization of the Department of Agriculture. By it the commissioner after the present term expires, will be appointed by the Governor, as chairman, with four other members, including the dean of the Agricultural Department of State College and three others, named from the three sections of the State, as the Board of Agriculture. The board will handle agricultural affairs and operate the State Fair. The five test farms and the research stations, however, will be taken over and operated by State College.

Another bill provides for the appointment of the members of the Corporation Commission after the present term expires. A new bill, the Governor's has been introduced to create the Department of Banking independent of the Corporation Commission. Governor Gardner has stated publicly that he thinks the bill is sound, necessary and in the public interest and that he will urge its passage.

The main function of the Department of Labor and Printing would be taken over by the Division of Purchase and Contract proposed, and the labor activities may be provided for in some other department, probably by the next General Assembly. The Insurance Commissioner is the only elective statutory officer that has not been touched by any bill up to this writing. The known ability and popularity of the Commissioner, Dan. C. Boney, may have something to do with the delay, for personalities seem to have a way of entering such proposals. But, no exception is expected to be made and the "short ballot" will probably reach to all such offices—stopping only with the seven constitutional post—Governor, Lieutenant Governor, Secretary of State, Treasurer, Auditor, Attorney General and Superintendent of Public Instruction.

Many Protect Sales Tax Plan
The House has adopted and the Senate is considering the bill which provides the machinery for operation by the State of the six months term, while the Finance committees have reached the conclusion that the \$12-500,000 which is required for this (Continued on page two)

C. R. THOMAS PASSED AWAY

Congressman And Died Sunday In Norfolk, Va.

New Bern, March 9.—Judge Charles Randolph Thomas, 69 of this city, former congressman and superior court judge, who moved from here a few years ago to Waynesville, died at six o'clock last night at a Norfolk hospital after an illness of two months. He had passed through here recently, on his way to Norfolk, where a son resides.

The body will be brought to New Bern for burial in Cedar Grove cemetery, following funeral service at 11 o'clock Wednesday morning from Christ Episcopal church, where he was long an active member and vestryman.

Judge Thomas was born at Beaufort on August 21, 1861, the son of the late Hon. Charles R. Thomas, also a judge of the state superior court and a member of congress. The father was born in Carteret county on February 7, 1827, and was elected as a republican member of the 42nd and 43rd national congress. The mother of the deceased was the late Emily Pitkin Thomas.

In 1881, the son obtained a degree of Bachelor of arts from the University of North Carolina at Chapel Hill, then studied law in Greensboro. On June 1, 1887, he married Laura Pasteur Davis. After her death he was on January 7, 1903, married to Mary Ruffin, daughter of the late Judge Thomas Ruffin of Hillsboro, who survives him.

Admitted to the bar in 1882, Mr. Thomas practiced law in New Bern after 1890. In the year 1887, he was a member of the North Carolina house of representatives. From 1890-96, he was Craven county attorney. In 1893, he was elected a trustee of the state university. Three years later he served as a democratic presidential elector.

From the third congressional district, Mr. Thomas was elected a member of the national house of representatives, following his nomination by the democratic party, and served in the congress from the 56th through the 61st, from 1899 to 1911. It was he who obtained the clock for the federal building here and he was connected with much important national legislation. In 1926, he was appointed by Governor McLean as a special superior court judge.

For he had been in poor health and had not been so actively engaged in the practice of law as previously. He and his wife moved to Waynesville on account of her health, having formerly resided here for many years on East Front street. Before leaving he donated many valuable books to the city library and otherwise showed his interest in civic and cultural betterment. He was prominently known throughout the state and south.

Surviving him are his widow, Mrs. Mary Ruffin Thomas; two sons; Charles Randolph Thomas, Jr., of Chicago, and Frank T. Thomas of Norfolk; and three brothers: Rev. Frederick D. Thomas, Rev. James A. Thomas and Rev. John Stanley Thomas.

Two grandsons Charles and Frank live in Beaufort with their great aunt Mrs. M. R. Geffroy.

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, March 13			
4:56 A.	M.	10:17 A.	M.
4:19 P.	M.	10:14 P.	M.
Saturday, March 14			
4:54 A.	M.	10:59 A.	M.
5:16 P.	M.	11:12 P.	M.
Sunday, March 15			
5:44 A.	M.	11:11 A.	M.
Monday, March 16			
6:05 P.	M.	11:56 P.	M.
6:26 A.	M.	11:59 A.	M.
6:45 P.	M.	12:34 P.	M.
Tuesday, March 17			
7:05 A.	M.	12:42 A.	M.
7:23 P.	M.	1:07 P.	M.
Wednesday, March 18			
7:39 A.	M.	1:18 A.	M.
7:57 P.	M.	1:40 P.	M.
Thursday, March 19			
8:11 A.	M.	1:54 A.	M.
8:28 P.	M.	2:09 P.	M.