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RADICAL CHANGES PROPOSED FOR NORTH CAROLINA CONSTITUTION

The Constitution Commission Has Been Receiving Suggestions And Will Meet Again January 1 For Further Consideration; Governor May Be Given Veto Power And Be Eligible For Re-election

By M. R. DUNNAGAN

North Carolina's antiquated Constitution, adopted in 1868 and amended many times, but tediously, until it is topheavy and cumbersome, would be almost completely reworked by Governor Gardner's Constitutional Commission, judging from suggested changes made at the meeting last Friday, the group adjourning to meet again January 1 and 2.

The "short ballot", granting the veto power to the Governor, allowing women to serve on juries, allowing majority votes of juries in all except capital offenses, classification of property for taxation, abolishing the six per cent limit on taxes on income, abolishing the ratation of superior court judges, were among suggestions made by Judge John J. Parker, of the U. S. Circuit court of appeals; a new article under a public welfare heading dealing with conservation of water power, fish, game, forests, minerals and other natural resources, by legislation action, was suggested by Major Geo. E. Butler, Clinton. Chief Justice W. P. Stacy, of the N. C. Supreme Court, and Burton Craige, Winston-Salem, presented other suggestions.

The commission, created by the 1931 General Assembly to report in advance of the 1933 session, will hear Charles M. Johnson, director of Local Government, and Supt. R. H. Latham, of the Winston-Salem schools at its January meeting. Suggested changes will be received until December 10. Dean M. T. VanHatch and Prof. Fred B. McCall, of the State University law school, spoke of the veto power and the judicial system. A report on county government was made by Prof. Malcolm McDormott, of Duke University, and Dean N. Y. Gulley, of Wake Forest law school, will report on taxation later.

Other suggested changes follow: eliminate constitutional provision against re-election of Governor and Lieutenant Governor; permit Governor to submit to General Assembly revenue and appropriation bills and State budget; restrict extra General Assembly sessions to specific purpose named by Governor; dividing State into three judicial districts and elimination of rotation of judges; judges to be elected at special non-partisan elections for 10 years, removable for cause by the General Assembly, and retired at age of 70; increasing Supreme Court justices from five to seven; creating Department of Justice under Attorney General, heading up State solicitors and with State police under department; remove restriction of women serving on juries; indictments only in capital cases, other cases to be tried on information; trial without jury by consent of parties, except capital cases; delete "male from many parts of constitution.

More than 25 of the approximately 3,000 notaries public in North Carolina have notified Governor Gardner's office that they are now ineligible for such posts, because they have taken other offices since appointment, as a result of the three to two N. C. Supreme Court decision that a notary public is a public state office, Miss Mamie Turner, executive clerk, reports.

Attorney General D. G. Brummitt has written numerous letters informing inquirers that "By express provisions of Article XIV, Section 7, of the Constitution, a justice of the peace may hold another office," by which it is seen that a man may be a justice of the peace and a notary public, but may not be a notary and hold any other public office. Offices in private corporations are not included, of course.

A notary public is not permitted to hold any of the following offices under the court ruling: Federal, district court or enforcement officers, or post masters; State, officers or heads of departments or divisions; county, commissioners or other usual officers, attorney, judges or other court officers; city, clerk, treasurer, auditor, secretary, judge, board of aldermen, commissioners or councilmen, or any "two offices of profit and trust."

High Interest Paid
The State of North Carolina, due to its guarantee to pay salaries of the teachers and other school expenses for six months, had to borrow \$3,800,000 on revenue anticipation notes to meet the schools costs of about \$2,600,000 a month, and had to pay an interest rate of 6 per cent last

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PROHIBITION LAW VIOLATIONS LESS

Statistics Show Some Decrease In Number Of Criminal Cases Tried

By M. R. DUNNAGAN

RALEIGH, Dec. 1 — Prohibition law violators have shown a small but steady decrease in numbers in North Carolina in the past three years, the decrease keeping pace with the decrease in criminal actions of all kinds tried in the Superior Courts of the State, the annual compilation made in the office of Attorney General Dennis G. Brummitt shows.

Criminal cases tried in the State in the fall of 1930 and spring of 1931 numbered 15,421, as compared with 15,732 in 1929-30 and 18,810 in 1928-29. The 1930-31 prohibition cases numbered 3,775, as compared with 4,379 in 1929-30 and 5,307 in 1928-29. The last year the cases were disposed of as follows: convictions, 2,703; acquittals, 393; nol prosequi, 845, and otherwise disposed of, 34, the report shows.

Libel has disappeared from the list, no cases appearing in three years due to the caution and care of newspaper people. Slander showed 16 cases. Rioting, numbering four cases in 1929-30, also has disappeared. One man was prosecuted in 1929-30 for failure to work the roads, another disappeared offense.

Additional figures, incomplete, were compiled on cases tried in courts lower than the Superior Court for the first time, 12,019 cases having been tried in the courts which reported. Not all such courts reported, nor all in any given county, and in some counties no such reports were made. A few such reports show 69 cases in Burke, none in Carteret, 244 in Chatam, 216 in Halifax, 627 in Harnett, 21 in Montgomery, 25 in Moore, 95 in Richmond.

Carteret Superior Courts tried 23 cases, 21 whites and 11 negroes, 10 males and two females, the cases being disposed of as follows: convicted, 32; acquitted, 0; nol prosequi, 0; and otherwise disposed of, 0.

The offenses charged were the following: assault and battery 2; assault on a female 1; assault with a deadly weapon, 5; bigamy 1; breaking and entering 6; burglary, 2nd degree, 2; forgery 1; larceny and receiving 3; manslaughter 2; prohibition laws 2; prostitution 1; trespass 2; worthless checks 3; miscellaneous 1; total 32.

Larceny and receiving led the list in the State outside of liquor laws, with 2,987 cases; affrays and other kinds of assaults, 2,130; breaking and entering and housebreaking 1,299; motor vehicle laws, 424; store-breaking 442. Capital felonies included eight first degree murder and two first degree burglary, 54 arson and 19 rape cases. There were 269 second degree murder and 42 second degree burglary cases.

STOCK RUNNING AT LARGE CHARGE AGAINST FOUR MEN

Warrants were served Monday by Sheriff Chadwick on four men at Portsmouth and one at Atlantic on the charge of allowing stock to run at large. The Portsmouth men were Tom and Charlie Salter and Tom and Lemmie Gilgo. Will Mason was the Atlantic man.

A hearing of the matter is to take place tomorrow (Friday) before Justice of the Peace Henry W. Noe.

HARVEST SUPPER FOR MEMBERS OF CHURCH

Those who attended the Harvest Supper last Wednesday evening given by Reverend and Mrs. J. P. Harris to the members of the First Baptist Church, reported a most enjoyable evening. It is seldom a congregation has the privilege of enjoying such generous hospitality as was shown them last Wednesday by their pastor and his fine wife.

SHOOTING AFFRAY LANDS ONE MAN IN HOSPITAL AND THREE IN JAIL

Three men in the county jail and one in the Emergency Hospital here was the outcome of a shooting affray that took place in the Negro community on the upper North river road Monday afternoon. All of the parties are colored.

Waddell Smith, 20 year old son of Jim Smith, was severely injured in the fracas but other participants were not injured. Smith was shot in both arms, the abdomen and left thigh. The gun used was a shot gun and the shot were of rather large size, something about number two. The wounds are dangerous, in fact it is possible that he may die. It will be two or three days before he will be out of danger, if he lives. In the

ALLEGED THIEVES HELD FOR COURT

Gang of Negro Youths Charged With Robbery of Morehead City Drug Co.

There was a considerable wrestle in Recorder's court Tuesday over the question of what should be done with four Negro boys from Morehead City, Jasper Dudley, Henry Jones, Jr., Nathaniel Jones and Custis Bell, charged with breaking into the store of the Morehead City Drug Company. The robbery took place on the 23rd of October and several hundred dollars worth of fountain pens, watches, flash lights and other articles were taken. Chief of Police George Nelson worked up the case against these youths and after a hearing before Mayor Bonner they were sent to the County Recorder's Court.

Attorney Luther Hamilton who appeared for the defendants asked to have the warrant so amended that the Recorder would have jurisdiction. As the alleged crime is a felony, without amendment it would have to go to the Superior Court. Mr. Hamilton said that the county could save several hundred dollars by a prompt trial of the case and that the punishment in the Superior Court would not be any more severe than what the Recorder could do.

Solicitor Phillips resisted the motion very vigorously saying the effect on the public would be bad and that it should go to the Superior Court for final settlement. Judge Davis said he thought that the case of the boy Curtis Bell, said to be not quite fourteen years of age should be remanded to the Juvenile court which he did. The others are more than sixteen years old and they were held for the higher court under bonds of \$500 each.

Everett Stewart of Newport pleaded guilty to the charge of abandonment and nonsupport of his wife but stated that they were going to live together again and that he would support her. Judgment was suspended and the case continued.

William Moore Willis of Morehead City was convicted on the charge of an assault on his wife Mrs. Mollie Willis and sentenced to the roads for six months. His attorney A. B. Morris took an appeal to the Superior Court. Mrs. Willis and her daughter testified that the defendants was an habitual user of whiskey and drugs and that on this particular occasion he threatened to cut her throat and that he threw her down and tore her dress nearly off her. Attorney Morris asked if Mrs. Willis and her husband did not have frequent fights which the witness said was true but that he always started it. She said he was all right except when drunk. His bond was fixed at \$200.

Cases against Reuben Jones, colored, charging abandonment and E. D. Upchurch issuing worthless check were continued. As Superior Court will be in session next week there will be no session of Recorder's court until Tuesday the 15th.

YOUNG ATTORNEY HONORED

The News learn that an honor was conferred on a former Carteret county citizen, C. W. Hall of Newport, last week in his election as Vice President of the Durham County Bar Association. Mr. Hall graduated from the University of N. C. a few years ago and subsequently graduated in law. He is located in Durham and is practicing law there.

ROSE FIVE AND TEN TO OPEN IN MOREHEAD CITY

The Rose chain of Five and Ten Cent Stores have leased the building in Morehead City, formerly occupied by the Binings Five and Ten and will soon open for business at that place. Mr. J. A. Cree, Manager of the Beaufort Store, has been in Morehead City all week making preparations for the opening of the store.

Many Attend Funeral Of Theodore E. Adair

A large concourse of friends from Beaufort, Morehead City and other parts of the county gathered Wednesday afternoon to pay the last tribute of respect to the memory of Mr. T. E. Adair. The funeral services took place at the residence of Mr. Adair on Turner street where he had lived for many years. The Reverend R. F. Munns pastor of Ann Street Methodist church and the Reverend Worth Wicker rector of St. Paul's church conducted the services at the house and grave. "Blest be the tie that binds" was sung at the home by the choir and at the grave "Now the day is over" was rendered.

The active pallbearers were Chas. Hattell, R. Hugh Hill, L. J. Noe, Jr., T. M. Thomas Jr., Charles Manson, John White, R. B. Wheatly. The deceased for many years was a member of the Beaufort fire company and for many years past had been an honorary member of the company. As a tribute of respect the body was carried to the grave on the Beaufort fire truck and the Morehead City truck carried the floral designs which were numerous and beautiful. The interment was in the Episcopal cemetery. Mr. Adair was 77 year old. He was an excellent mechanic. He was one of the few men living who helped build the Atlantic Hotel at Morehead City more than fifty years ago. He was regarded as a man of sincerity and courage, honest and fearless in word and deed. He was well known not only in Beaufort but in the county and was highly respected. He is survived by his daughter Mrs. E. D. Doyle, a son W. E. Adair and four grandsons William, Braxton, Julius and Glenn Adair. His wife died just two years ago.

Mr. Adair came to his end in a most unusual manner. He had been engaged by Mrs. Cora Whitehurst to move the body of her son the late Dr. Elijah B. Whitehurst. The body was to be moved just a few inches in order to be nearer the grave of his father, the late James S. Whitehurst. Mr. Adair was assisted in the work by Leland Swain. The dirt and sand had been removed from around the vault. Mr. Adair was at work in the grave when the monument at the end of it toppled over on him and crushed his life out in an instant. The young man with him had his back turned at the moment and said he heard no outcry whatever. When he discovered what had happened he tried to remove the monument but could not and immediately ran into town and got help. Captain George Brooks and R. Seelye and Rev. R. F. Munns were the first to get there. Dr. W. S. Chadwick was called and reached the scene in a very few minutes. Coroner G. W. Dill was notified and after viewing the body and hearing the circumstances deemed an inquest unnecessary.

DR. LEWIS BACK FROM VACAT'N

Dr. C. W. Lewis returned Monday from a short vacation which he spent in various parts in this state and northern cities. He visited the State Sanatorium for the Treatment of Tuberculosis, at Sanatorium, Duke Hospital, Durham, and hospitals in Richmond, Baltimore and Washington.

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. 4	
3:08 a. m.	9:16 a. m.
3:27 p. m.	9:25 p. m.
Saturday, Dec. 5	
4:07 a. m.	10:20 a. m.
4:28 p. m.	10:19 p. m.
Sunday, Dec. 6	
5:01 a. m.	10:50 a. m.
5:24 p. m.	11:19 p. m.
Monday, Dec. 7	
5:53 a. m.	11:11 a. m.
6:17 p. m.	12:14 p. m.
Tuesday, Dec. 8	
6:45 a. m.	12:02 a. m.
7:08 p. m.	1:04 p. m.
Wednesday, Dec. 9	
7:35 a. m.	12:53 p. m.
7:58 p. m.	1:53 p. m.
Thursday, Dec. 10	
8:24 a. m.	1:43 a. m.
8:47 p. m.	2:42 p. m.

Washington Snapshots

Taken by The Helm News Service

It is noteworthy that in the Farm Board's story of its activities, the general outlines of which were presented to the Senate Agriculture Committee in Washington, the development of the cooperative movement among the farmers is stressed rather proudly with the bare figures are pretty well left to tell the tale of stabilization purchases in wheat and cotton. For the stabilization program is the sorry chapter of the Farm Board program, and unfortunately for the board that is the chapter best known to the country at large. If the board is legislated out of existence at the coming session of Congress it will be because of that venture.

The Farm Board's "confession" before the Senate committee on agriculture will doubtless lead to a renewal of the demand that the board close up shop and leave the farmer to his own fate. That the board indulged in a costly blunder is undeniable. It can not expect to escape public criticism as a result of its tremendous losses. Yet the board has a right to expect that the public will not exercise snap judgment and condemn its entire program for benefitting the farmer because its attempts at stabilization went awry.

Believe it or not Republicans have cold feet about the forthcoming special election in New Hampshire to fill the vacancy caused by death of Representative Fletcher Hale. The first district contains the six principal cities of the State. Manchester, most important of them, goes Democratic more often than not, and others are addicted to the same habit. Several are mill towns, which means that unemployment is stalking through them and that, in turn—so the G. O. P. fears—means Democratic votes at this troubled hour. A veteran Democrat with a vote-getting record, William N. Rogers, will be pitted against former Gov. John H. Bartlett, who is also a former Assistant Postmaster General, and some Republicans fear the worst. Mr. Rogers once held the seat.

While dry elements of the party continued to oppose efforts of John J. Raskob to bring the prohibition question to the fore at an early date the Democratic national chairman has amplified and restated his proposition. It is not his idea that the party should take either the wet or the dry side of the controversy, he asserted, but merely that it should commit itself to a policy under which the people would be given an opportunity to vote for repeal, retention or modification of the Eighteenth Amendment.

Clarification of his position was set forth by Mr. Raskob in a letter to the New York Times protesting against certain "unfair and untrue statements" which he said appeared in editorial comment of that newspaper on the questionnaire sent out by him last Saturday. Among the statements resented was one to the effect that Democratic chairman persisted "in the belief that the committee and the chairman should draft the party platform."

The diplomatic experience of Henry P. Fletcher will be utilized next in America's efforts to effect a general reduction of armaments. It has been learned that the retiring chairman of the Federal Tariff Commission is to be a delegate to the Arms Conference in Geneva next February under auspices of the League of Nations. He is considered the most likely possibility for chairman of the delegation if Secretary of State Stimson is not one of its members.

Senator Hiram Johnson sets himself up as spokesman for the "rank and file of the Republican party." In an interview in Chicago written in his own hand the California Senator asserts that the decision of former President Calvin Coolidge not to be a candidate for President next year entitles him to the highest praise of the American people and that if President Hoover would make a similar decision, Mr. Hoover would win the undying gratitude of the party. All of which sounds rather like sour grapes, coming from Mr. Johnson. In the first place, Calvin Coolidge occupied a place which might well have come to Mr. Johnson himself had he seized opportunity by the forelock when it presented itself in Chicago in 1920. In the second place, Mr.

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