



# THE BEAUFORT NEWS

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VOLUME XXIII

EIGHT PAGES THIS WEEK

THE BEAUFORT NEWS THURSDAY, SEPTEMBER 20, 1934

PRICE 5c SINGLE COPY

NUMBER 38

## Court Ruling Calls Off Election On Constitution

Court Agrees Unanimously That Submission Now Would Be Invalid

GOES BACK LEGISLATURE

Voters of the state will not be called upon to decide the question of a new constitution for the state at the November general election for the State Supreme Court on Wednesday ruled that the question cannot be submitted at this time.

The advisory opinion, delivered to Governor Ehringhaus in accordance with his request of last Saturday, was unanimous. It ended abruptly the State-wide campaign for and against the adoption of a complete new constitution.

Action of the Supreme Court in holding submission at the coming election unconstitutional sends the question of constitutional revision back to the General Assembly, which may resubmit the entire new constitution, any separate amendments, or call a Convention of the people to write a new organic law to replace the present constitution which was adopted in 1868.

**Point At Issue.**  
The constitutional point at issue was:

The present State Constitution provides that an amendment to the Constitution must be submitted "at the next general election" following approval of such amendment by the General Assembly. The proposed new Constitution was passed upon by the 1933 General Assembly and in the normal course of events, the election next November would be the next general election following the 1933 General Assembly.

But, the 1933 General Assembly also passed a bill providing that North Carolina should vote on the repeal question in November, 1933, and designated that election as a general election. The Supreme Court, in an advisory opinion at that time, held that the repeal question, since it involved the Federal Constitution, should be submitted at a general election.

Therefore, the 1933 repeal election was the next general election held following the 1933 General Assembly.

Three factors combined to make submission of the proposed constitution this year invalid. They were: The repeal election held last November 7, the act of the 1933 General Assembly calling that repeal election, and the 4-1 opinion of the Supreme Court on which the 1933 General Assembly relied in terminating the 1933 repeal election "a general election."

**COUNTY NOW SETTLING WITH TAX COLLECTOR**

County Commissioners Bonner, Guthrie and McCabe have been in conference most of the week with A. L. Hamilton, county tax collector making the annual tax settlement. The 1934 tax list will be placed in the hands of the collector October 1.

By order of the County Board at their meeting no change was made in the arrangement of settlement over that of last year. Mr. Hamilton is to be allowed certain expenses and the sum of \$1.50 on each tax certificate of the 1933 taxes that were sold a few weeks ago.

**County Club Women Meet N. C. Specialist**

Leaders from the nineteen Home Demonstration Clubs of the county are in attendance at a meeting being held in the office of the Home Agent to receive instruction from Miss Willie Hunter of Raleigh, clothing specialist for the Extension Work of the state.

The program for the days instruction includes the making over and remodeling old clothing and hats. The session was called at 10:00 o'clock and will last all day. Lunch was served the ladies at noon.

The instructions received by the two leaders of each club will be carried back to the other members of the club women of the county and in that way all will be able to benefit by the help that this state department is able to give the members of the Home Clubs.

**NOTICE**

All persons interested in becoming members of The Beaufort Fire Department are asked to make application to the secretary on or before Oct. 4th.

Richard D. Whitehurst, Secretary.

**Demand Settlement**

Representatives of the Morehead City Port Terminal Commission returning from a conference held in Washington on Tuesday state that the PWA has announced its final approval of the terminal project as soon as the State gets the railroad situation on a satisfactory basis.

Rentals from the railroad are pledged in repayment of the \$297,500 loan and the Federal agency wants some assurance that the defaults of the past two years will not continue.

Governor Ehringhaus has called on the Attorney General's department of the State to take appropriate action toward having the courts declare the lease of the State-controlled Atlantic and North Carolina railroad by the Norfolk Southern railroad declared forfeited for non-payment of the \$72,000 annual rental for the past two years.

**BASBALL SEASON WILL END THIS COMING SUNDAY**

Beaufort's baseball season reaches what is supposed to be its last game of the season Sunday when the strong Chesterfield Dodgers of Kinston play here. This organization has won lots of ball games this summer against strong opposition and the locals will be put to one of the strongest tests of the year against this brilliant array.

This game is for the benefit of the High School Athletic Association and every one who has a spark of school enthusiasm in him, or her, should be in attendance. Regular admission is 15 and 25c and school children 10c.

Beaufort's record for the year shows 21 games won and 11 lost. The scores by games follow:

Beaufort	5	Morehead City	0
"	1	Morehead City	5
"	6	Pollockville	3
"	8	Pollockville	3
"	6	Lewis of Raleigh	13
"	4	Marshallberg	2
"	3	Oriental	11
"	3	Oriental	7
"	1	Belhaven	6
"	9	Morehead City	1
"	15	Farmville	6
"	14	Belhaven	5
"	12	Oriental	0
"	1	120th Infantry	7
"	8	New Bern All Stars	2
"	13	120th Infantry	12
"	2	Chocowinity	1
"	9	Roanoke Rapids	6
"	9	Roanoke Rapids	4
"	5	New Bern Indpts.	2
"	1	Morehead City	6
"	8	Harkers Island	2
"	8	Morehead City	9
"	13	Newport	0
"	7	Straits	9
"	2	Straits	1
"	11	Harkers Island	6
"	9	Straits	0
"	9	Morehead City	7
"	8	Oriental	0
"	9	Morehead City	16
"	1	Morehead City	10

Coach Potter of the High School announces that his opening football game is with Edenton the 28th, here. Loss of seven or eight men from last year's great team has considerably weakened his '34 outfit, but with such outstanding stars as Chadwick, Layton, Beverage, Styron, R. Thomas, P. Thomas, Hamilton and E. Potter back as probable linemen and Brooks G. Hassell, F. Rice, C. Rice, and Cardwell in the backfield, a team should be formed to give somebody some trouble. What Potter is especially weak on is reserves, a bunch of inexperienced lads forming his second string.

**Change in Station Management**

John Hill and Hardy Lewis, Jr., who for the past two or three years have had charge of the retail Standard Oil station have been relieved of their position and Cecil Jones of New Bern sent here to take their places. Mr. Jones was assistant manager of the company's station at Five Points in New Bern.

**PLENTY OF DEER REPORTED**

In spite of the warm weather and hordes of mosquitoes since the opening of the deer season, hunters have been out in full force. Several good bucks have been reported shot. It is also reported that deer are very plentiful this season and those shot and sighted are of good size and heavy.

## T. C. WADE SAYS IN RACE TO END

Refutes Report Going the Rounds That he Will Step Down as Candidate for Representative

When T. C. Wade of Morehead City makes up his mind to run for office he says he cannot be persuaded to step down and let another run in his place.

This decision on Mr. Wade's part and the emphatic manner in which he made the statement to a representative of the News came when he was approached regarding a report which has been going around that the "powers that be" of the county organization had asked Mr. Wade to withdraw from the race for state representative, in order that a stronger man might be sent to Raleigh who would have more pull and influence in securing the Port Terminal for Morehead City.

Mr. Wade says he was drafted by the county organization to be a candidate for the office of representative and received the very flattering vote of the organization and his friends. He says the only thing that will prevent him from representing Carteret county at Raleigh during the coming session will be his defeat by the Republican candidate.

Mr. Wade assures his host of friends that he is in the race to the end, has no intentions of withdrawing his name as a candidate and will stand or fall by the decision of the voters in the November election.

## NEW BERN ROAD BEING SURVEYED

State to Start Improving Soon; Will Build New Draw-bridge

Surveyors under the directors of the State Highway Department are at work on the section of the old New Bern road between the North River road and Core Creek, establishing grades and road boundaries that data may be compiled for specifications to be issued by the Department for bids covering the improving of this section of road.

It is understood that plans will call for the construction of a new draw bridge over the Adams' Creek canal which will have a clearance of some eight feet more than the present bridge.

The attention of the Highway Department was called some time ago to the need for improvement of this road that transverses one of the best and most extensive agricultural sections of Carteret county. At that time assurance was given that this road would receive early attention. It would look as though the Department was keeping faith with the county.

People of this section will recall the bitter fight that was waged some ten years ago when the movement was started to abandon the improving of this highway and instead span the Newport river with the bridges now in use.

At the time the building of this road was halted in favor of the bridge the sub base had been laid from the junction near Havelock to the North River road. At that time a top surface could have been put on at very little cost but the wear and tear of ten years travel has ruined the sub base which will make it necessary to practically build a new road.

It is expected that the survey work will be completed within the next week or two and that bids on construction of the road and bridge will be asked for by early winter.

**MRS. CASE RECOVERING**

Mrs. Charles Case of this city who was injured last week in an auto accident and who was confined in St. Luke's hospital for several days has returned to her home.

The accident occurred Tuesday night when Mrs. Case was returning home from a motor trip upstate with her niece, Miss Evelyn Norcom, when the car in which they were riding skidded on a curve and turned over along the highway.

**NO TRACE GUN ROBBERS**

County authorities have not as yet made any arrests in the robbery of Carteret Lodge, the hunting preserve of T. J. Walker, located about five miles from Newport.

The robbery is supposed to have taken place on Monday night of last week when the lodge was entered and guns and ammunition to the value of \$1,000 were taken. Miss Walker has spent considerable time at this lodge in the past year and was living at the lodge at the time of the robbery.

## FISHERMEN MEET TO STUDY PRO

Mass Meeting Called at Harkers Island Saturday by County Fishermen

Fishermen of the county are planning to hold a meeting at Harkers Island on Saturday afternoon at 2:00 o'clock for the purpose of talking over the present condition of the fish trade and especially the low prices prevailing.

Boat owners from Morehead City, Beaufort and other sections along the eastern shore have expressed their intentions of attending this mass meeting. Those who have started the movement state that they have no cut and dried program to offer but that the meeting is for the purpose of getting expressions from the fishermen regarding the condition against which they are now working.

It is believed that out of this meeting may come some good ideas that can be developed, which will result in better prices than what the fishermen are now getting. Catching and selling fish at one cent to a cent and a half per pound cannot produce a profit for any crew. With fish selling at high prices upstate, fishermen are unable to understand why better prices cannot be paid by the dealers.

Dealers on the other hand claim that they are paying the top market price and in no way regulate the retail price. It is pointed out that trucks visit the shipping points, job around and beat down the dealers until there is hardly a profit for the handling. Also northern markets are overstocked which keeps the price down. In many cases shipments are sold at a complete loss to the dealer.

Just what will come out of the meeting to be held on Saturday is hard to predict but the movement started may result in better price conditions for the fishermen if some plan can be worked and the fishing industry brought under government control as the cotton and tobacco of the state has been or some agreement can be made with the dealers to share in the profits.

**FALL TERM COURT OCTOBER 15**

The fall session of Superior Court for the trying of both civil and criminal cases is called for Monday, October 15.

This court will be presided over by Judge J. Hunter Parker who will make his first appearance in this county as presiding judge of Superior Court.

## BEACH COLONY TO HAVE ADDITIONS

Two New Cottages Under Construction; All Waterfront Lots Sold

Two new cottages are under construction at Atlantic Beach by recent purchasers of lots in the beach development section. Samuel R. Hill of Greensboro is erecting a large two story cottage to the east of the string of waterfront cottages erected the past season. When completed this cottage will be next to the largest cottage on the beach at the present time. The Wright cottage, the first to be built at this resort is rated as the largest.

An attractive cottage of the bungalow type is being built for Dr. J. R. Young of Angier. This cottage is on the ocean front some distance west of the hotel.

Manager Cordon has had the ticket office that was located at the head of the bridge on the Morehead side moved over to one of the ocean front lots and will combine it with the small cottage in which he has resided for the past two seasons, converting it into a very spacious cottage.

During the recent selling campaign all of the waterfront lots have been sold as well as a large number on streets back. A new board walk has been built bordering the first street to the east back of the waterfront lots. Both boardwalks facing the cottages have been extended several hundred feet to give access to the new cottages being built and to be built during the winter and spring.

All lots facing the driveway leading to the Casino have been reserved for commercial purposes while the center space between the parking streets will be used for carnival purposes. Manager Cordon predicts many improvements will be made about the beach next season. He reports one of the best seasons since he has had the management of this resort. He says another year will see a colony of some forty or fifty cottages.

## E. C. WHITEHURST TAKEN BY DEATH

Was One of The Oldest and Most Venerable Citizens of Beaufort; Passed Entire Life Here

By the death of Edward C. Whitehurst early Sunday morning, Beaufort lost one of its most esteemed and highly respected citizens. Death resulted from a complication of diseases extending over several months of illness. Mr. Whitehurst arose at his usual time Sunday morning, appearing to be about in the same condition he had been for several days. Soon after arising he was stricken and passed away before aid could be summoned.

The deceased was born in Beaufort 76 years ago, the only son of James and Francis Duncan Whitehurst. His entire life had been passed in this city. During his years of residence here he took his place in the social and civic life of the community. His faith was founded in the teachings of the Baptist church in which denomination he lived true to his belief. His affiliation with the Masonic Order and the Knights of Harmony was that of a loyal member, true to the obligations of fraternal brotherhood.

Mr. Whitehurst was a carpenter by trade at which occupation he worked for several years. The last ten years of his active life was spent in the employ of the government on Piver's Island. Funeral services were held from the family home on Orange street, Monday afternoon at 2:00 o'clock in charge of Rev. J. W. Morgan with burial in the family lot adjoining the Baptist church. The only surviving member of the family is Mrs. Walter Longest with whom the deceased made his home.

## HEAD IS CRUSHED WHEN CAR WRECKS

Inez Willis in Hospital in Serious Condition Result Accident Sunday Night

Miss Inez Willis of Morehead City is in the City Hospital suffering from a concussion of the brain received in an auto accident Sunday night when a car driven by Will Styron of Morehead City turned over on the highway about a mile east of Newport.

Riding in the car at the time of the accident besides Miss Willis and Styron were Mrs. Lon Piner, Mildred Lewis, Randolph Eubanks and Frederick Fulford. None of these parties were seriously hurt. Bruises and a general shakeup was about the extent of their injuries.

When the accident was investigated by county authorities, Styron claimed that he was driving about fifty or fifty five miles an hour as he approached a curve in the road where the accident occurred. The car ran off the pavement onto the shoulder and as he brought it back on the road the car turned over. It was reported the steering rod broke but the fact that the car was driven in after the accident disapproved that statement.

Styron was placed under arrest by Sheriff Chadwick pending the outcome of Miss Willis' condition. On Tuesday in Recorder's Court he was released on bond. The latest reports from Miss Willis are that she is still in a semi-conscious condition and that it will be several days before the exact condition of her injuries can be determined. But little hope is held out for her recovery.

**Foreclosing County Tax Suits**

Suits for 1930-31 county taxes are being prepared by collector A. L. Hamilton, but delinquents still have a chance to pay them and avoid heavy penalties.

All suits for back taxes in the above mentioned years must be drawn by October 1, but payments can be made to Mr. Hamilton at his office prior to that date.

Mr. Hamilton states that in case suits are drawn, 26 per cent of penalties plus \$4.00 court charges will be added to 1930 assessments, and 18 per cent plus \$6.00 court costs will be added to 1931 taxes. The penalties are those prescribed by the state legislature 10 per cent for the first year and 8 per cent for years thereafter.

**INJURED BOYS IMPROVING**

Matthew Marshall, of Jasper, a student at St. Paul's school, Beaufort, is reported to be recovering nicely at the local hospital from a recent automobile accident, in which the car in which he was riding was struck by a train. His companion, Guy Daniels, of Beaufort, has returned home, being released recently from the local hospital.

## FORK IS WIELDED ON JEALOUS WIFE

Colored Women Mix Up Their Love Affairs With Deadly Weapons

**LARGE DOCKET TUESDAY**

What might be termed the feature attraction in Recorder's Court at this weeks session was the case that involved Lucinda Hill of Morehead City who was charged with stabbing Julia Dudley with a fork.

The affair happened when Julia discovered her husband Henry all "hugged up" with Lucinda on the beach at Sandy Point. Julia went after the other woman with a broom handle and Lucinda said that in order to protect herself she stabbed Julia with a fork.

In addition to the broom handle, Lucinda said that Julia was armed with a long knife. She measured the length of the knife by extending her arms. The court decided the knife must have been nearly three feet long. It no doubt was an optical illusion on the part of Lucinda. Julia swore she did not have a knife and again admitted she did.

However Julia came out the worst of the fight for as she was prevailing her wandering husband to leave his dusky lover and return home with her, fond husband patted her one in the eye. Lucinda must have anticipated trouble for she admitted that she took the fork with her when she went out for her evenings stroll. The court decided the battle to be a draw, dismissing the charges against Lucinda.

Bernette Willis of Bogue got it in his head that he was a better man physically than his father, so during an argument between the two the son beat up his father with no regard to the Queensbury rules. He was found guilty, assessed the costs and must behave for two years or else serve a thirty day sentence.

Charles Lockhart was found asleep at the switch, but lucky for him the switch had been turned off. He was said to be sleeping off an overcharge of corn in his car when the officers of Morehead City found him parked in the middle of one of the streets of that city. \$10.00 fine had cost and to be of good behavior for two years.

J. C. Pratt and wife decided that they would give the trials of married life another chance so instead of airing their family affairs in court they will endeavor to fight it out on the home grounds.

John Carlton Henry must pay the costs in the case of assaulting a couple of colored boys, Andrew Slaughter who charged L. H. Gibbie with pointing a gun at him had a change of heart at the last moment. He asked for a dismissal of the case and stood ready to pay the costs.

Gus Davis of Morehead City is said to have furnished the "stick" to put in some punch that was to be served at a dance given in his Japanese Tea Garden. Officers arrived before the punch was made so Gus must pay half the costs of the court and clear of any punch mixing for a road sentence will confront him.

## Working Out Plans For Achievement Day

Mrs. Jane McKimmon, of Raleigh, assistant director of extension work in North Carolina, who has charge of all demonstration work, will meet the women of the several Home Clubs of this county on Tuesday, October 30. She will be the chief speaker at the annual Achievement Day program of the county home demonstration clubs that will be held on that day.

Announcement to this effect was made this week by Misses Helen Dry, county home agent, who is much pleased that Mr. McKimmon, busy as she is, has accepted the local invitation. It has been some time since she has visited this section.

Also planned for the program which is expected to be held in the Court House, will be an exhibit of the county entries in the Ball Brothers and Kerr jar canning contests. Another exhibit will consist of clothing and other home-made articles that have been made by the club women during last Achievement Day. As this is one of the feature occasions of the clubs much interest is being shown in the coming event. Mrs. Dry has already started to work out the program for this day.

**PRENTISS LONGEST HOME**

Prentiss Longest, of this city who lost an arm as a result of a recent automobile accident, was permitted to leave St. Luke's hospital Thursday and is now at the home of his parents.

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