

Court Recognizes Property Rights Over River Fish

In the Sir Walter Hotel, Daily Dispatch Bureau.
BY LYNN NISBET
 Raleigh, Nov. 11.—Decision of the Supreme Court Wednesday in the case of W. R. Hampton against the North Carolina Pulp Company may become what the lawyers call a "controlling case" in litigation involving the question of State or Federal jurisdiction over quasi-navigable streams, as well as settling some issues with respect to property rights of abutting landowners to fish in the stream.

Hampton had alleged that operations of the pulp company at Plymouth had polluted the Roanoke river and killed most of the fish, resulting in serious loss to him because he had for years operated a fishing beach, renting boats to fishermen and even catching and selling some fish on his own account.

The pulp company answered that Hampton had no title to the fish in the first place, and that the matter was one for Federal courts instead of State courts. In fact it has been in Federal court and Judge Meeking's decision is an interesting document in the history of fish.

The issue came before Judge Walter Bone in a chambers proceeding under the Washington County Superior Court. Judge Bone ruled that it was properly a State court matter, at the same time he held that Hampton's complaint had failed to show a cause for action. Both sides appealed, and in the supreme court decision this week Hampton won both points. Bone was sustained on his claim of State jurisdiction, but was reversed on the point that plaintiff had not

shown proper cause of action. The case now goes back to Washington county for determination of damages, but the principle of state jurisdiction and property rights has been established.

Interest in the case was stimulated by the calibre of lawyers involved. Former Governor Khringhaus led argument for Hampton, while Senator J. W. Bailey made one of his few appearances in North Carolina courts since becoming senator to plead for the pulp company.

TWO DEFENDANTS IN THE POLICE COURT

Two defendants were tried by Mayor Henry Powell in police court today.

Charlie Matthews, white, paid the costs for being drunk.
 Mary Lee Allen, colored, charged with theft of a dress and sweater valued at \$12 from Hattie Plummer was found not guilty.

AROUND TOWN

NO COUNTY COURT
 No session of recorder's court was held today, no cases being ready for hearing.

MARRIAGE LICENSE
 A marriage license was obtained from the register of deeds Wednesday by Ralph M. Porter and Lillian Virginia Smith, white, both of Henderson.

MUSICAL PROGRAM AT HENDERSON INSTITUTE

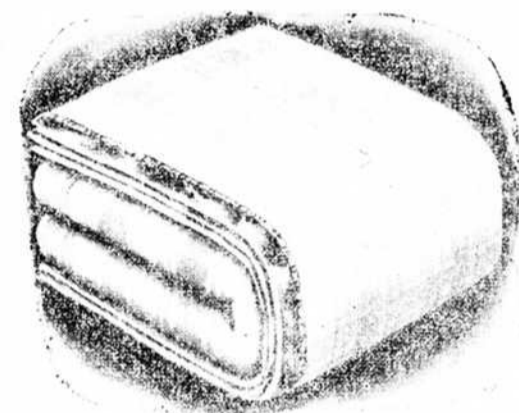
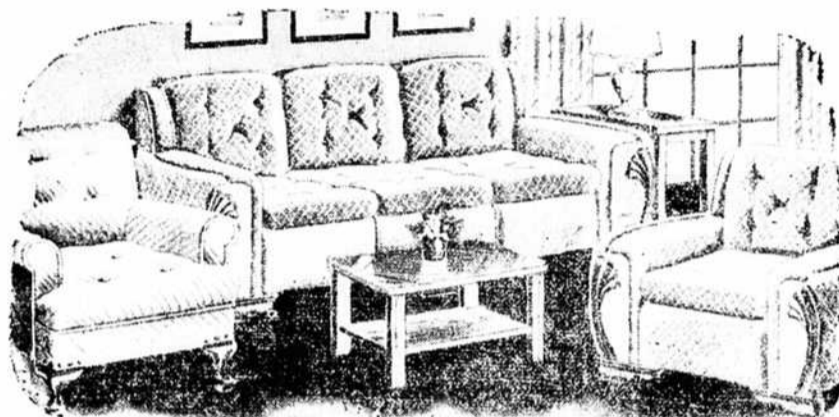
The Liberty Four Quartet of St. Marks A. M. E. Zion Church, Durham will render a fine musical program of Spiritual songs Sunday afternoon at three o'clock in the Auditorium of Henderson Institute. The public is invited to come and enjoy a special treat as this is their first appearance in Henderson.

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DAILY CROSSWORD

- | | | |
|-------------------------------|-------------------------|--------------------------|
| ACROSS | DOWN | |
| 1. Cry of pain | 1. Eastern | 18. Feminine pronoun |
| 5. Happy | 2. Homely | 20. Weep |
| 9. Debate | 3. Hint | 22. Fetid |
| 10. American poet | 4. A fence of thickets | 23. Unpires |
| 12. Arranged systematically | 5. Molar tooth | 24. Mild |
| 13. Silly | 6. Reins | 26. Act wildly |
| 14. Fated to die (Scot.) | 7. Expression of sorrow | 28. Guido's highest note |
| 15. Originations | 8. Sandy tract (Eng.) | 33. Forebodings |
| 17. Indefinite article | 9. Business | 34. Ravine |
| 18. Ovules of plants | 11. Affirmative reply | 36. Thin silk (Chin.) |
| 19. A pricking sensation | 16. Ever (poet.) | 37. Cavity |
| 21. Music note | | |
| 22. Grampus | | |
| 25. More infrequent | | |
| 27. Insurgent | | |
| 29. Foxy | | |
| 30. Male nickname | | |
| 32. Animation | | |
| 33. Greek letter | | |
| 35. Type measure | | |
| 36. To wash, as hair | | |
| 39. Metallic rock | | |
| 40. Prophet | | |
| 41. Bird | | |
| 43. Together | | |
| 44. Salute | | |
| 45. Scottish-Gaelic | | |
| 46. Fruiting spikes of cereal | | |



Yesterday's Answer
 35. Musical instrument
 39. Across
 42. Constellation

CRYPTOQUOTE—A cryptogram quotation

BKMY LE IWTMH LE BLET DOY BKMY
 LE FVY IWTMH LE FVY BLET—TOHL-
 ULRTE.

Yesterday's Cryptoquote: MEN DO NOT SUSPECT FAULTS WHICH THEY DO NOT COMMIT—JOHNSON.

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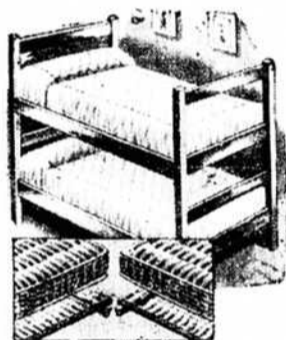
"—but I'm Smiling"

My shelves are empty—I'm short of help—my business is half gone because of rationing by the producers—but I'm still smiling because I know the war's got to come first. Sure I could use a lot more business—but when I know the distillers are turning their entire production over to the government for the production of alcohol to be used in the manufacture of munitions, synthetic rubber, etc., I'm grateful to them for rationing a limited amount of their reserve stocks so I can stay in business.

Sometimes it's a bit hard to explain when a personal friend comes in with a pounding fist—but I just think of what our industry is doing for the government—and I'm glad I can say I'm helping.

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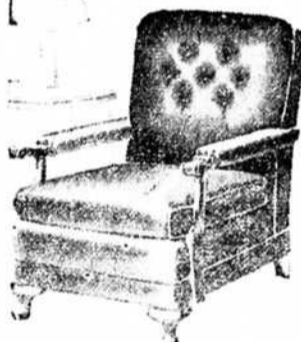
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