

ARGUMENTS END TELEPHONE CASE

Lynch Asking \$25,000 From Carolina Telephone And Telegraph Company

HARD FOUGHT BATTLE

The Lynch-Telephone case which has occupied the greater portion of the term of civil court will be given to the jury today.

Attorneys for both sides of the \$25,000 suit which has been fought inch-by-inch since it began Tuesday noon have completed their arguments and Judge Paul Fizzelle is expected to deliver his charge when court opens at 9:30 this morning.

The legal battle is to determine whether or not the Carolina Telephone and Telegraph Co. was guilty of negligence on the 24th day of June, 1930, when lightning entered the home of F. M. Lynch of near Churchill and injured his daughter, Miss Pattie Lynch. Damages of \$25,000 are sought.

Undisputed facts in the case are that lightning entered the home of Mr. and Mrs. Lynch on the 24th day of June, 1930, and simultaneously with the crash Miss Pattie Lynch was rendered unconscious for several hours, her hearing impaired throughout the night, and at present she is subject to nervous spells.

The plaintiff has endeavored to prove that the lightning came into the house on a telephone wire and that the telephone company did not have a proper ground at the Lynch home. The telephone company brought expert witness here to prove that the ground at the plaintiff's home was adequate and that the company was not guilty of negligence.

Miss Lynch is represented in the case by Julius Banzet, Gilliam & Romo of Tarboro and Congressman John H. Kerr have handled the case for the telephone company.

Miss Pattie Lynch was the first witness to take the stand. She testified that on the 24th day of June, 1930, she was in a bed room at 7 o'clock and when she left there and started through the dining room, where the phone is located, to the kitchen, she came within about two feet of the telephone when "something" seemed to hit her side the head." She said that she remembered no more until midnight and at that time she was cold, nervous, numb and unable to hear. She testified that since that time she has suffered from nervous attacks which last from half an hour to an hour or more and cause her hands to become cold and numb. She said that some times she goes for three weeks or a month without having a spell and some times she has as many as two a week. Prior to the 24th of June, 1930, she testified, her health was good.

Her father followed her to the witness chair. He stated that he was on the porch the afternoon of June 24, 1930, and saw the electrical fire on the telephone wire. He ran into the house, he said, where he found his daughter unconscious and carried her to the bed room. Mr. Lynch testified that he thought she was dead at first, but when she began to show signs of life he carried her to the front porch where she could get more air. He stated that she was foaming at the mouth and her feet and legs were purple. She was carried to Dr. L. H. Justice at Littleton the next day, where it was found she was suffering from epilepsy.

The witness said that he saw the lightning on the wire as much as 50 yards from the house and an examination of telephone poles revealed effects of the bolt as much as half a mile up the line. He said that when the lightning entered his house the noise was worse than that of a shotgun and that his home was filled with smoke.

Mr. Lynch testified that in August, 1929, there was a telephone in his house and during that month the phone was bursted to pieces by lightning. He said that J. R. Stanley, local manager for the Carolina Telephone and Telegraph Co., came to his house and after making an examination remarked, "I am not surprised at lightning coming in—You are not protected by a ground." He said that an old iron pipe with a clamp on it was being used for a ground at that time. Continuing his testimony, Mr. Lynch stated that Mr. Stanley said that he did not have a ground rod with him, but he made a temporary ground and said that the next time he was down that way he would fix a proper ground.

Mr. Lynch testified that Mr. Stanley did not return to his home until after the lightning had struck the second time. He put in a new ground rod at that time. Mr. Lynch (Continued on Page 3)

'Dickens' Son Retires'



Sir Henry F. Dickens, only surviving son of Charles Dickens, after serving 15 years as judge in Old Bailey criminal court in London, announced his retirement at 84.

P. T. A. Seeks To Raise Funds For Undernourished

The Parent-Teacher Association of the John Graham High School plans to raise funds to aid in caring for undernourished children in the school by taking subscriptions to the News and Observer and to Holland's Magazine.

Miss Mariam Boyd, chairman of the Ways and Means committee, this week announced that the Association has secured the agency for this paper and magazine and asks that new subscriptions and renewals be turned over to her. Her appeal, addressed through The Warren Record to the friends and patrons of the John Graham High School, follows:

"Because of the suspended work of the Woman's club and the Kiwanis club—the two civic organizations of the town that helped largely in supplying milk and hot lunches for the undernourished of our school, and clothes for those unable to attend—the responsibility of helping these less fortunate ones falls on the Parent-Teacher Association and those interested in this work.

"We are using the following two methods for securing funds:

"1. The News and Observer gives us 15 per cent, or \$1.20, on each renewal or new subscription sent in. Miss Belle Dameron handled this for the school last year. If you did not give her your name and care to help in this work, I will appreciate the privilege of sending in your order. If we send in as many as five renewals or subscriptions a month, we get \$6.00 and this amount will give a 10c plate lunch or a bowl of soup and a glass of milk to 60 children a month.

"2. We plan to act as agent for the Holland Magazine—a clean, wholesome Southern magazine—\$1 for 2 years. They make a 50 per cent offer to some civic organization in a community, and we plan in this way to make \$50 to use toward welfare work among the children of this district.

"Your help in either or both of these plans will be greatly appreciated."

Fans Hang Around Radio; Series Opens

Warrenton baseball fans have given an attentive ear to the radio broadcast of the world series which got underway Wednesday in Yankee Stadium, New York, between the Chicago Cubs and the Yankees. The Yankees took a commanding lead in the series yesterday by taking the second game from the Chicago Cubs.

There will be no game today due to the fact that the two teams will move to Chicago where they will play Saturday and Sunday.

In the first game of the 1932 series the Cubs were defeated, 12 to 6, by the Yankees. The home run of Lou Gehrig in the fourth inning, Ruth being on first, was the feature of the game, which conclusively broke the defense of the Cubs.

The fine pitching of Senor Vernon Gomez, Spanish sidewheeler, and the ability of the Yankees to get ten hits from Lon Warneke, hurling the horsehide for the Cubs, gave the Yankees a 5 to 2 victory yesterday afternoon.

About 50,000 fans witnessed the game Thursday.

RETURNS FROM HOSPITAL

Mrs. Howard F. Jones returned to her home here on Sunday from Park View hospital, Rocky Mount, where she underwent an operation. Her condition is greatly improved. She was accompanied home by her nurse, Mrs. Robert Fleming.

MAN HURLS SELF BENEATH TRAIN

Coroner's Jury Returns Verdict of Suicide; Two Witnesses To Tragedy

MIND WAS DERANGED

Edward D. Weston, 27-year-old white man of Montclair, New Jersey, was instantly killed near Ridgeway Wednesday morning at 7:15 o'clock when he threw himself beneath a freight train.

Insanity was given as the cause for the act by L. O. Goodwin and J. W. Childress, two young white men who were carrying Weston to Florida. A coroner's jury impaneled by Frank Allen found that the death was a clear case of suicide.

According to the testimony disclosed before Mr. Allen, Childress and Goodwin were carrying Weston to Florida at the request of his father. The trio arrived at the B. & W. service station and tourist camp late Tuesday and spent the night there. Early Wednesday morning Weston slipped away from his companions, ran to the railroad track and threw himself beneath freight train No. 74.

Childress and Goodwin told Mr. Allen that Weston was mentally deranged and had been in Overbrook Institute in New Jersey for some time and they were taking him to Florida where his father was going to place him on a farm in the hopes that his condition would improve. They said that Weston attempted to commit suicide several times before reaching Ridgeway.

Burt McCleason, a traveling salesman of St. Petersburg, Fla., and Sam Alston were eye-witnesses to the death. Coroner Allen stated that he did not think an inquest was necessary, but held one upon the urgent request of Goodwin and Childress who said that they wanted Weston's father to know that they had been exonerated of all blame in connection with the death.

The body mangled body of Weston was gathered up and brought here to the T. V. Allen funeral parlors. Mr. Allen shipped the body to Montclair, N. J., Wednesday night.

R. Hunt Parker Appointed Judge Of Superior Court

R. Hunt Parker of Roanoke Rapids has been made Judge of Superior court to fill the vacancy in the third judicial district caused Tuesday last week by the death of Judge Garland E. Midyette of Jackson, and W. H. Burgwyn of Woodland has been chosen to succeed Mr. Parker as Solicitor.

Solicitor Parker became Judge Parker at Henderson on Saturday night when he was administered the oath of office by Judge William A. Devine of Oxford in a ceremony held in the Vance county courthouse.

He was nominated to succeed Judge Midyette by the third judicial district executive committee at a call meeting held in Halifax at noon Saturday. Saturday afternoon he was given an appointment and a commission by Governor O. Max Gardner to serve until his formal election in November becomes effective January 1, and arrangements were made to have Judge Devine, an intimate friend of Judge Parker, administer the oath at Henderson Saturday night.

With the nomination of Solicitor Parker for judge, Mr. Burgwyn was nominated for solicitor. J. M. Peace, Henderson attorney, was also named for this place, but after the first ballot was taken, which was four to two in favor of Mr. Burgwyn, the choice was made unanimous in favor of the Northampton man.

Judge Parker went to Camden county on Monday to preside over a term of court. Solicitor Burgwyn's first term of court will be in Vance county, commencing Monday, October 3. Solicitor Burgwyn will come to Warrenton at the January term. Judge Parker is scheduled to be at Warrenton for the September term of court, 1933.

Both Judge Parker and Solicitor Burgwyn have friends here. Judge Parker has become known throughout the county during the past eight years that he has come to the court house at Warrenton to represent the State of North Carolina as solicitor, and Solicitor Burgwyn is remembered by many as a student in the school operated in bygone years by the late Prof. John Graham.

SON BORN

Born to Mr. and Mrs. Harold R. Skillman a daughter, Mary Agnes, on Sunday, September 25th.

Unless Injunction Is Obtained, Tax Levy To Be Made

Unless an injunction is obtained in Superior court, collection of an additional tax not to exceed seven cents on the hundred dollars valuation will proceed in the Norlina Special school district as a result of the election held there on September 19th.

Whether or not such an injunction will be sought awaits action of attorneys and will probably not be determined until Saturday. A. L. Fleming, one of the Norlina taxpayers joining in a protest against the levy on account of alleged irregularities in the election, said yesterday.

Meeting in special session as a board of canvass on Monday night, the Board of County Commissioners heard the reading of a petition, filed by A. L. Fleming, W. G. Overby, E. F. Benton, A. B. Laughter and Z. M. Newman, asking that the election be ordered void on account of illegality, and the reading of affidavits seeking to prove the petitioners' contention.

The petition, addressed to the Board of County Commissioners of Warren County, N. C., was worded as follows:

"The undersigned voters of the Norlina Special School District respectfully submit that they have evidence of gross irregularities in the special election held on the 19th day of September, 1932, and do propose to duly present the same to your board in the form of affidavits, and do, therefore, respectfully request that you give them an opportunity to show to your honorable board that the said election is void on account of irregularities. The undersigned accompany the protest with an affidavit and propose to file additional affidavits on or before the day of canvass."

Affidavits were read from Perry J. Horton, saying his brother, Robert L. Horton, was not in Norlina during the time of registration; from H. W. Peter stating that he was not permitted to register his wife in her absence, and that registrar had started to register another over the telephone when he objected, whereupon registrar went back and telephoned this person that he would have to appear in person; from H. B. Wiggins and H. E. Weldon Jr. certifying that Rom R. Rodwell registered his wife, Rena R. Rodwell, who was not present. J. C. Pridgen certified that he counted ballots with the following results: 319 registered voters and 220 recorded voters; 221 votes counted from ballot box for 160, against 61, being one ballot more than recorded voters; that he demanded a recount and his demand was denied.

Asked by the Commissioners as to the next step in the proceedings, County Attorney Julius Lane (Continued on Page 8)

Man Runs Off With Sheriff's Automobile; Car Is Recovered

The stolen Pontiac sedan of Sheriff W. J. Pinnell was found abandoned on the old Ridgeway road Sunday afternoon by C. C. Britton.

The car was taken from in front of the cafe at Norlina Sunday morning by Arthur Edgen, Warren county white man, in an attempt to escape being carried to the State hospital at Raleigh.

Pridgen was left with his brother in the car by Sheriff Pinnell while he went into Dr. I. H. Foster's office to have commitment papers filled out. While he sheriff was absent Pridgen asked his brother to step into the cafe and purchase him a coca cola, and as this transaction took place Pridgen slipped under the wheel and drove off.

Mr. Pridgen was caged at Ridgeway Sunday night and taken into custody by Sheriff Pinnell. The automobile had not been damaged when discovered by Mr. Britton.

Library To Hold Annual Meeting 4th

The annual meeting of the Warren County Menoal Library will be held in the lbrary building on Tuesday, October 4 at 8 p. m., according to announcement made yesterday by C. A. Fiker, member of the board of directors.

Officers will be elected at this meeting which will be open to the public and Mr. Fiker asks that as many friends of the library as possible be present.

Maine's Governor-elect



Governor-elect Louis J. Brann of Maine, the first Democratic governor of the state in 18 years, takes the limelight in Eastern states, the National Committee assigning him speaking dates as a result of the surprising victory.

Commission Hears Claims Of Two Warrenton Men

Claims for compensation for two Warrenton men who have been accidentally injured were set forth before the State Industrial Commission at a hearing conducted by T. A. Wilson in the courthouse here on last Friday.

C. A. Price of Rose's 5 & 10 cent store and Dan Butler are the men who are seeking compensation. Mr. Price was injured while decorating a window at the store, and Mr. Butler was hurt while employed by the State Highway Commission in the construction of the Warren County Prison Camp.

Mr. Price was represented at the hearing by John H. Kerr Jr., and his witnesses were Dr. G. H. Macon and Dr. F. P. Hunter.

Mr. Overby and John H. Kerr Jr. appeared for Dan Butler, and Mr. Witherspoon of Raleigh represented the highway commissioner, Dr. G. H. Macon was a witness for the highway commission.

It will probably be several weeks before the outcome of the case is known.

L. M. Johnston, Littleton Citizen, Buried On Sunday

LITTLETON, Sept. 27.—Funeral services for Leon McIntyre Johnston prominent business man of this town, were held in the Littleton Methodist church Sunday afternoon. Interment followed in Sunset Hill cemetery.

Mr. Johnston died Friday in Johnston-Willis hospital, Richmond. He had been seriously ill for five weeks.

For some years Mr. Johnston was connected with the Seaboard Air Line Railroad as operator in Wilmington, and since locating in Littleton, he had been engaged in the wholesale grocery business, and held responsible positions in town and church affairs. He was president of the former Farmers' and Merchants' Bank, and for a number of years was steward in the Methodist church.

He was the second son of Col. William A. Johnston and his wife, Mollie Miles Johnston. He was born in Littleton in 1887. Surviving him are his wife and two children, Mack and Louise; four sisters, Mrs. Claude A. Fetter of Washington, D. C., Mrs. Irma Ryder of Norfolk, Va., Mrs. Mollie Turner of Richmond, Va., and Mrs. John Leach of Littleton. There is one brother, William Foster Johnston, of Rockingham.

Officers Seize Pint Of Whiskey In Cafe

A pint of whiskey was seized on Saturday morning when Sheriff W. J. Pinnell, Deputy Lawrence Robertson and Chief M. M. Drake raided Hilmon Reavis' cafe here in the city limits of Warrenton.

Following the seizure of the booze and the arrest of Reavis a hearing was held before Magistrate W. C. Fagg and the negro was placed under bond of \$100. He is to face trial in Recorder's court before Judge W. W. Taylor.

Salvage Company Opens Store Here

The Salvage Company opened for business on Main Street here yesterday under the management of H. Cohen, formerly of Louisburg.

This store, featuring dry goods and clothing, is located in the building occupied for many years by Allen & Kaplan.

Local Market Leads In Prices On Opening Day

Tar River Baptist Association To Meet On October 5-6

The Tar River Baptist Association will hold its 102nd annual session at Ephesus church, Nash County, on next Wednesday and Thursday, according to announcement made here by J. Edward Allen, Moderator.

The session will be opened at 10 o'clock on Wednesday morning when Rev. Charles B. Howard of Cary will preach the introductory sermon. Organization and appointment of committees, roll call, election of Moderator, Clerk and Historian will follow. Rev. A. A. Pippen of Zebulon, will make a report on missions. After a short discussion a recess will be taken for dinner.

The afternoon session will be opened at 2 o'clock with devotional exercises. A report will be made on the Co-operative Program by Dr. H. A. Ellis, associational chairman of the promotion committee. Following a discussion, J. W. Riggan of Macon will make a report on Colportage. M. A. Huggins, General Secretary, will lead the discussion. J. Willie White will make a report on the Sunday schools, and after a general discussion of this topic, the association will give its attention to miscellaneous business.

Devotional exercises at 9:30 o'clock will open the second day session of the association. S. G. Chappell of Norlina will report on Benevolences, and R. D. Covington, Miss Home and others will take part in the discussion to follow. A report on Education will be made by Rev. D. P. Harris of Louisburg; discussion. A report on Religious Literature and a discussion will follow. Mrs. W. W. Parker of Henderson will make a report on the Organization of Women. A discussion will precede general business and committee reports, after which a recess will be taken for dinner.

Miss Mamie Gardner of Warrenton will make a report on Stewardship and Tithing when the association reconvenes at 2 o'clock. A discussion will follow her report, and the report on Baptist Young People's Union by Rev. J. F. Roach of Norlina. Rev. H. Reid Miller of Littleton will report on Public Morals and Law Enforcement. The final business period will follow at 3:30, after which the association will adjourn.

J. Edward Allen of Warrenton is Moderator of the Tar River Baptist Association which embraces 62 churches and approximately 11,000 members. Rev. R. E. Brickhouse and J. Willie White of Warrenton are members of the executive committee.

John Graham Loses To Oxford Eleven

By JIM POLK
The John Graham High School football team officially opened the football season last Friday in a close game with Oxford, the latter coming out ahead, 19 to 13. It was too warm for a spirited game but both teams gave all they had and the result was a first class exhibition of football. This game seemed to be a whole lot of Parker and Perkins as something was sure to happen when either got the ball.

The line up—Warrenton: G. Heathcock, L. E.; Gupton, R. E.; Frazier, R. T.; Paschall, L. T.; Peoples, R. G.; Harris, L. G.; Bell, C.; R. Heathcock, L. H. B.; Riggan, R. H. B.; Parker, F. B.; Terrell, Q. B. Substitutions, Floyd, Tucker, Davis.
Oxford—Ends, Clement, Stam; Tackles, Williams, Hobbgood; Guards, Yow, Hill; Center, Early; R. H. B., Preddy, L. H. B., Dillihay; F. B. Brown; Q. B., Perkins.
Subs: Clarke, Jackson.

The game began with Gupton kicking off to Oxford who rushed the ball down the field to a touchdown in the first four minutes. They made a successful goal kick (Continued on Page 8)

Field Agent To Be In Office In Morning

J. C. Howard, Government Field Inspector of Federal Seed Loans, announces that he will be in his office over the post office each morning of the week.

Mr. Howard said that he would not be in the office in the afternoon as he would be called out by his field duties.

35,000 Pounds of the Golden Weed Sold For An Average of 13.6c Per Pound

NO TICKETS ARE TURNED

The Warrenton tobacco market led practically every market in the State in regard to price on Tuesday morning when 35,000 pounds of the golden weed were sold on the floors of the two warehouses her for an average of \$13.60 per hundred, according to figures released here following sales.

Not a ticket was turned and farmers expressed themselves as being highly pleased with the sales. J. E. Rooker, veteran warehouseman, said that in the 40 years that he has been in the warehouse business he had never seen farmers express greater satisfaction at sales than on Tuesday morning.

The price paid here averaged from one to four cents higher per pound than on the majority of markets in the State, the figures show. According to press reports, Zebulon's market was the only one in the State to lead Warrenton and this was by less than one cent a pound. The Fairmont and Warrenton markets tied. Below are given the averages quoted in a daily paper from fifteen markets:

Warrenton \$13.60; Wilson \$11.00; Oxford \$12.50; Tarboro \$12.00; Rocky Mount \$12.46; New Bern \$10.92; Fairmont \$13.60; Zebulon \$14.32; Farmville \$10.72; Greenville \$10.77; Smithfield \$11.10; Goldsboro \$11.71; Louisburg \$12.00; Henderson \$13.06; Durham \$12.50.

Some of the tobacco on the Warrenton floors Tuesday morning brought as high as 52 cents per pound, but the majority of the crop offered here consisted of first primings with a scattering of tips.

A warehouseman said yesterday that he had not figured the averages for Wednesday and Thursday but that he was of the opinion that the prices received on those two days were in line with prices paid on the opening day. Sales for the past two days were lighter than on Tuesday.

The first sale was held at Center warehouse and then farmers and local folks moved down to Boyd's where they were welcomed by J. E. Rooker.

"Gentlemen, we welcome you! Not only to this warehouse but to the Warrenton market," Mr. Rooker said. "We want you to know that we will pay the highest market price allowed for all tobacco brought to this market and the prices here will be as good as those prevailing anywhere."

The sale was then under way with John Hill Hicks crying for the high dollar and the buyers heeding.

Judge Parker Visits Here Last Night

Judge R. Hunt Parker, who has been in Camden county this week presiding over his first term of court, was in town last night.

When asked when he would preside over Warren county Superior court Judge Parker said that he was scheduled to be here for the September term of next year, but he was hoping that some change could be arranged so that he would preside here at the May term.

Judge Parker said that he would have liked very much to have come here for the January term but the fact that he prosecuted in the Burchette manslaughter case, which comes up again due to the fact that a jury was unable to agree when he was tried, made that an impossibility.

Missionary Workers To Meet Here On 5th

All the ladies of every Missionary Society in the Methodist churches of Warren County are urged to attend their county zone meeting to be held next Wednesday, Oct. 5th at 2:30 afternoon in Warrenton Methodist church. The Conference President, Mrs. Gates, and possibly Miss Elizabeth Lamb, will bring exceptional messages for these trying days. This is an important meeting. All are urged to come.

Mrs. B. C. Thompson, district secretary, will have charge of the meeting.

HIGHWAY OFFICIALS HERE

Charles Ross, chief counsel for the State Highway Commission, and Claim Agent Dodge were here yesterday in conference with Judge Kerr and Polk & Gibbs in respect to legal matters pertaining to the highway commission.