

Baseball Bat In Assault Case Given Back To 10-Year-Old Owner By Judge

Boy's Father Used It As Weapon. Gets Suspended Sentence

A baseball bat, a knife and a bottle were cited as weapons in separate assault cases heard in Moore County Recorders Court at Carthage Monday — and a pistol figured in another case as a concealed weapon.

As 10-year-old Olive Goode testified during the trial of his father, Frank Goode of Pinehurst, for using the bat on a visitor to the Goode home, the boy eyed the alleged weapon with some worry. The bat was his and he appeared to know that weapons used in assault cases are usually confiscated and destroyed.

His father was sentenced to three months on the roads, sentence to be suspended on payment of \$50 fine and costs and good behavior for the next 12 months, but Judge J. Vance Rowe took notice of the boy's concern about the bat and directed that it be returned to him—to the great and obvious relief of the owner.

Judge Rowe said he made the sentence for the father light since the assault took place in the defendant's home.

Hubert Stanback of Southern Pines — only recently released from the term on the roads—was defendant in the assault case citing a bottle as the alleged weapon, but Stanback was not in court when called. Instant capias was ordered and sci fa on the bondsman, for appearance in court Tuesday.

Pleading guilty to using a knife as weapon in another assault case was Mackie Lee Stubbs, 17-year-old West Southern Pines resident. Officer H. V. Chandler, Jr., testified that he had to draw his gun to get the knife away from the defendant after an altercation that happened in a public place and Judge Rowe, in suspending a three-months' road term for two years, lectured the youth severely, recommending that he stay home at night and keep away from nighttime gathering places.

Stubbs was fined \$20 and was taxed with the costs. The two-year suspension of the road sentence stipulates that he violate no laws during that time, particularly the laws against assault, or the road term will be put into effect.

David L. Bland of Sanford was charged with carrying a pistol as a concealed weapon. Fined \$50 and taxed with the costs, he was also charged with driving without license, but the State took a nol. pros on this count.

A judgment that encourages reunion of a divided family was

handed down by Judge Rowe when Robert Kennedy of Eagle Springs was tried for non-support of his wife and two children.

Found guilty, Kennedy was sentenced to 60 days on the roads, sentence to be suspended on payment of \$18 weekly by the husband to the wife for food and clothing for the family, provided that the wife returns with the children to live with him. If she does not return, the judgment stipulates, Kennedy is required to pay the clerk of court \$10 weekly to be used for the family's support.

Other Cases

Other cases heard Monday, listing defendant, charge and disposition, were:

William Lee Kirksey, Hickory, speeding 70, \$20 and costs; John Milton Williams, High Point, judgment continued on payment of costs on charge of allowing minor to drive auto, found not guilty of aiding and abetting in careless and reckless driving; Ronald R. Rochelean, Fort Bragg, speeding 70, no valid operator's license, called and failed, capias to be issued for appearance next Monday, bond set at \$50; Roy Watkins, Asheboro, speeding 73, called and failed, capias to be issued to appear Monday, bond set at \$75; Charles John Pratah, Cary, Route 1, speeding 65, pled not guilty, found guilty, 30 days or \$15 and costs; Paul F. Singletary, Winston-Salem, driving without license, pled not guilty, judgment continued on payment of costs;

Gertrude Ollie Hussey, Robbins, drunken driving, case continued; Worth Edwin Williams, Eagle Springs, Route 1, careless and reckless driving, pled not guilty, found guilty of operating motor vehicle with improper equipment, judgment continued on payment of costs; James David Wilson, Manly, drunken driving, careless and reckless driving, pled not guilty, found guilty, 60 days or \$100 fine and costs, driver's license to be revoked for 12 months; James W. Loflin, Denton, Route 1, speeding 80, 60 days or \$60 and costs, driver's license to be revoked for required period; James Henry Edmonds, Macon, Ga., speeding 80, careless and reckless driving, speeding 80, 60 days or \$60 and costs, driver's license to be revoked.

Lewis R. Adams, Edward F. Norris and Ferris A. Kennedy, all of Fort Bragg, possession of and transporting illicit whiskey, each sentenced to 30 days, suspended for each on payment of \$25 fine and one-third of costs each; Will Smith, Aberdeen, drunken driving, pled not guilty, found guilty of careless and reckless driving, not guilty of drunken driving, 30 days or \$25 and costs; James B. Monroe, Southern Pines, drunken driving, \$100 and costs, driver's license to be revoked for 12 months; Willie Jones, Southern Pines, disorderly conduct, cursing, assault with deadly weapon, pled not guilty, found guilty, three months or \$15 and costs and good behavior for 12 months.

Defendants Try To Sell Car To Pay Court Costs

Puerto Ricans Had No Driver's License When Stopped Here

Puerto Ricans popped up again in Moore recorders court Tuesday in the form of two swarthy lads, speaking very little English, who had been arrested as they drove north on US Highway 1 without a driver's license.

Jose Gregoria Vincent Gutzman, 22, who was driving the car, and Jose Gonzales, 21, who said he was the owner, were charged respectively with driving without a license, and allowing an unlicensed person to drive his car. Judgment was continued for each on payment of costs amounting to about \$15 each, which they did not have. Judge J. Vance Rowe said that, if they failed to pay costs, they would have to go to the roads for 30 days and he counseled them to sell the car and take the train.

At last report the boys, who said they were from Miami, Fla., traveling to New Jersey, were trying hard to do that but with little prospect of success.

Charles Curtis Sheffield and John Wesley Yow, of Robbins, were penalized by a joint fine of only \$1, plus costs, when they convinced the judge that their having nine pints of taxpaid whiskey in the car was purely an accident. Sheffield said he had bought five pints at the Southern Pines ABC store, and, starting off for home, picked up Yow, who was there on the same mission and, unknown to Sheffield, had four pints in a sack. This totaled one more pint than can be legally transported in a car at one time. All would probably have been well had they not passed by a beer place and, without opening their newly bought whiskey, proceeded to drink beer. They then parked on a Southern Pines street and entered into an argument, which became somewhat noisy, about which one should drive home, resulting in their arrest.

Judge Rowe found Sheffield guilty of unlawful possession and transporting of more taxpaid whiskey than the law allows. Yow of aiding and abetting and also of disorderly conduct. He ordered that the sheriff destroy the whole nine pints.

Other cases disposed of Tuesday:

Roosevelt Blake, failure to support illegitimate child, judgment continued on payment of costs and \$10 weekly to St. Joseph's hospital until doctor and hospital bills are fully paid, then \$7 weekly for the child's support till further order; Aloysius Kohorast, Clarence Center, N. Y., speeding 75, \$25 and costs; Clyde Thomas Sanders, Seagrove, Route 1, unlawful possession of illicit whiskey and transporting, leaving JP court without permission, 60 days

or \$25 and costs; Joseph Timothy Thompson, Robbins, driving without license and unlawful possession, and Clyde Simmons, Robbins, interfering with officer by destroying the evidence (whiskey in possession of defendants Sanders and Thompson), 30 days or \$10 each and costs.

Fred Goodman, Florence, S. C., driving without license, 30 days or \$25 and costs; David E. VanderCole, Biscoe, speeding 55 (truck), failing to stop at stop sign, \$10 and costs; Ernest Nappo, Buffalo, N. Y., speeding 80 in 35-mile zone, \$125 cash bond forfeit-

ed; Dick Bird, Canada, speeding 70, \$20 and costs; A. H. (Bird) Ritter, Southern Pines, driving while drunk, accident, property damage, continued to April 4, and capias; Eugene Spencer, Eagle Springs, refusing and failing to support illegitimate child, three months or pay costs and medical and hospital bills incident to birth of baby, then \$7 weekly toward its support till further order.

Although N. C. dairymen increased production of Grade A milk last year, supplies were inadequate for at least eight months of the year.

Wesley Stoltz To Sing Sunday At Musical Service

Wesley Stoltz of Sanford, formerly the tenor soloist of the Church of Wide Fellowship, will assist Mrs. L. D. McDonald, the organist, at the Lenten Musical Service Sunday at 7:30 p. m. The music will follow the Passion Sunday theme.

The program will include: Consecration, Beethoven; Clair de

Lune, Debussy; Prelude in E. Minor, Chopin; tenor solo, The Publican, Van de Water; The Lost Chord, Sullivan; Cavatina, Raff; One Sweetly, Solemn Thought, Ambrose; Processional to Calvary, Stickles; tenor solo, Going Home, Dvcrak; and Faith, Mendelssohn.

Immediately following this service, the Forum will present the fourth in the Lenten series of motion pictures dealing with "The Last Eight Days of Jesus." Everyone is invited.

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