

THE DARE COUNTY TIMES

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Superior Court To Set For The Last Time On Tuesday, In Dare

Next Week Will End Old Custom of Beginning a Day Late To Let the Sail Boats Come In; Judge Sumner Burgwyn to Preside; Sensational Cases Before the Court

Next week will most likely end the time honored custom of opening the semi-annual term of Superior Court in Dare County on Tuesday, a practice that had its origin when the county was formed, and those who had to come in sail boats from nearly every part of the county desired to remain home on Sunday before leaving for court.

Now it is possible for everyone in the county to reach Manteo in time for court to set on Monday, and the old custom will end with this week's term.

Judge Sumner Burgwyn of Northampton County will preside in Dare County for his first time. He is one of the state's most popular judges, and has many old friends here.

Among the most sensational cases due for trial is the case of Alton Best of Stumpy Point charged with the larceny of fish. This case has created great interest in Dare County because its citizens are mostly fishermen.

The trial of Jethro Milgett, Jr., of Nags Head whose auto killed Mrs. Ethel Hartley and Winston Green on the highway near Manteo, and whose trial ended in a farce at the last term when Judge Parker discharged the jury, will bring a large crowd of people.

There are a number of minor cases, one in which Orlando Burus has brought suit against an Insurance Company for the recovery of \$7,400 insurance on a fishhouse which burned at Wanchese. Walter Barnett Jr. of Buxton is suing his wife Celia Barnett for divorce.

MRS. CYNTHIA FULCHER

Mrs. Cynthia Tillett Fulcher, 68, widow of the late Stanford L. Fulcher of Manns Harbor died Tuesday night at the home of her daughter, Mrs. Elma Mann of Manteo. Mrs. Fulcher had been in failing health for a long time. She was a sister of Mrs. Will Mann of Elizabeth City, and a half sister of Mrs. W. O. Barnett of Elizabeth City, and Mrs. A. C. Mann of Manteo.

Surviving her are a son, Charles R. Fulcher, prominent traveling salesman of Dare County, and the following daughters: Mrs. Claude Midgett, Mrs. Fred Johnson of Manns Harbor, Mrs. B. A. Gibbs of Elizabeth City, and Mrs. Elma Mann of Manteo.

Funeral and interment was included at the family burying ground at Manns Harbor Wednesday. Mrs. Fulcher had been one of Manns Harbor's most prominent women, and she left a host of friends to mourn her loss. She married at the age of 12 years, and her grandchildren are legion, and she was the great-grandmother of 13.

GIVING FREE MOVIES ON THE MAKING OF CORDAGE

A 40 minute moving picture illustrating the making of rope and of particular interest to fishermen was given at Manns Harbor Wednesday night by W. C. Blakemore of the Plymouth Cordage Co., who with Clarence L. Midgett of Manns Harbor and Arthur Andersen, of Baltimore, Salesmen for the Linen Thread Company have initiated a program which they expect to carry to every fisherman in eastern North Carolina. Within a few weeks they expect to show this picture free of charge in every fishing community.

Mr. Andersen is well-known in Dare County, and found many friends to greet him. The three men were in Manteo Thursday morning, well-pleased with the reception given them at Manns Harbor.

DAUGHTER BORN

Mr. and Mrs. L. E. Fahey of Wanchese announce the birth of a daughter, Jacqueline Lee, 7 pounds, on May 19th. Mother and child doing well.

BRINGS HIS CAMPAIGN CLOSE TO THE PEOPLE



HON. HERBERT R. LEARY, Solicitor of the First Judicial District, and now a candidate for Judge, is a man who believes in carrying his campaign close to the people. He has served ten years in the office of District Solicitor, and might have held the job ten years more, had he not felt the urge to run for Judge. He has enjoyed great popularity during this time, and when he goes into the political arena, he is a formidable opponent, for he has a way of going from voter to voter, shaking hands with them in their fields, eating with them wherever he stops. In a recent letter addressed to the voters he says he has travelled 14,000 miles and consumed four months in a determined effort to see them all but for official duties has been unable to do so. He is a native and resident of Edenton, and member of a prominent family.

TRAGIC DEATH OF LITTLE GIRL KILLED BY MULE

Little Annie Elliott, four year old child of Durants Neck, Perquimans County, was killed last week when a frightened mule ran over her, and the cart wheels crushed her body. Her older brother, driving the mule, had gotten out of the cart to kill a snake. The mule became excited and ran toward the house, the little girl was playing in its path. She was one of a family of 13 children.

CLARK GODFREY'S ORCHESTRA AT CASINO



CLARK GODFREY'S 11-piece Norfolk Orchestra, with famous vocalist, Honey Lane, who is to play at the Nags Head Casino Saturday night, adding another starry spot to the glitter and glamour of the resort's gala opening. Manager "Ras" Westcott considers the Casino fortunate in obtaining this orchestra. The Casino has enjoyed a huge business each week end since it opened early in May. Among its new orchestra members are musicians from some of the leading bands of the country, such as Don Marco, Paul Whiteman, Meyer Davis, Johnny Brown, Jack Denny, and other well-known bands. The orchestra features Honey Lane a radio artist who has broadcast from Cincinnati, Albany, Cleveland, and also the various radio stations in West Virginia. She was a featured soloist of the Consolidated Artists.

KITTY HAWK'S BRICK CHURCH IS GOING UP

Boaz Methodists To Build First Structure of Its Kind In County

Members of Boaz Methodist Church in Kitty Hawk may rightfully feel much pride in the fact that their long desired brick church is now under construction, the old wooden building which served so many years having been torn down to make way for the new. The church will cost some \$7,000; it is reported, and liberal contributions have been made by the citizens of Kitty Hawk. The interest taken by the people of this community in church and school work is exceptional.

VACCINATION CLINICS IN HYDE AND DARE

Announcement has been made by Dr. S. V. Lewis, District Health Officer that free vaccination clinics for Diphtheria, Small Pox, and Typhoid will be held in several communities in Hyde and Dare Counties as follows:

On May 30, June 6, 13 and 20th, at the following hours: Scranton 3:30 a. m.; at Ed Credle's Store at 9 a. m.; at Sladesville store at 10 a. m.; Sladesville colored school 10:30 a. m.; Fairfield P. O. 12:00 noon; Fairfield colored school, 1:00 p. m.; Engelhard school, 2 p. m.; Engelhard Ridge, 3 p. m.; New Holland 4 p. m.; and Swindell's fork 5 p. m.

In Dare County June 1, 8th, 15th and 22nd: East Lake, 9:30 a. m.; Manns Harbor 11 a. m.; Stumpy Point 1:00 p. m.

In Swan Quarter, Mr. and Mrs. Dan Berry have as their guests, Mr. and Mrs. A. H. Berry of Florida.

Miss Fannie Cohoon and Mrs. Mattie Jones are now licensed beauty specialists in Swan Quarter.

Miss Queenie Boomer has returned from her recent trip to New York City.

Walter Credle Cuthrell of Fairfield, son of Mr. and Mrs. A. L. Cuthrell died Saturday night and was buried Sunday afternoon. Besides his parents, two brothers and a sister survive him.

Mr. Charlie Cohoon, 92 year old Swan Quarter citizen is dangerously ill. His immediate descendants number 62 persons.

HYDE COUNTY WOMAN LIKES THE TIMES

Mrs. R. O. Payne, wife of the Register of Deeds of Hyde County is another of our growing circle of readers in that county who likes the Dare County Times.

Mr. Payne says he likes the paper fine, and his wife says she likes it the best of any paper coming to their home.

Highest Point in Wisconsin Rib Mountain state park, near Wausau, Wis., is the highest point in the state, 1,940 feet above sea level.

JUDGE PROVES STILL WATER RUNS DEEP



JUDGE C. EVERETT THOMPSON, of Elizabeth City, went into Hyde this week to hold court. He came out of it with an astounding number of friends who found him with no wastefulness of words, but with a quiet and dignified manner, and an ever-present smile or a twinkle; a uniform bearing, and on every hand compliments were expressed upon his manner of holding court. Many discussions were held as to his charge to the Grand Jury which was considered a masterpiece and proof of the old saying that "still water runs deep." He was accompanied to Hyde by Mrs. Thompson.

In his charge to the Grand Jury, Judge Thompson went to considerable length to trace the history of that body, which had its origin as a result of the overthrow of the tyranny of Government prevailing in England up to 1215. The Grand Jury, he described as "a shield to protect the weak and innocent from false and unjust charges and a power to accuse the guilty, be they ever so great a power."

"A more delicate and important trust you could not be called upon to fulfill, for in a popular government such as ours, it is of utmost importance to the peace and harmony of society, not only that the administration of justice and the punishment of crimes should in fact be impartial, but that they should be so conducted as to inspire a general confidence. To accomplish this, nothing could be better conceived than the selection of a body, by lot, from among those who previously and without regard to time, person or occasion have been chosen from their fellow citizens, as persons deemed worthy of this high trust by their moral worth and respectability of character. . . . your body by the mode of its selection, by its number and character, and the temporary exercise of its powers, is placed beyond the reach or the suspicion of being over-awed by power or seduced by persuasion."

In closing Judge Thompson said: "In all your inquiries be diligent, and in all your conclusions be careful and deliberate. In a country like ours, blessed with free institutions, the safety of its people depends upon the vigilant and firm execution of the law. "Everyone must be made to understand, and constantly to feel that its supremacy will be speedily enforced by the constituted tribunals and that liberty cannot exist under a feeble, relaxed or indolent administration of its power, where crime goes unpunished and the law is codemned. "There can be no just cause for sympathy with any party who voluntarily occurs its penalties, and negligence or carelessness in your inquiries would tend to multiply the number of offences and would deprive society and the individual citizen of the protection and security to which they are entitled."

Mr. Overton promises the beach a variety of good music throughout the season. Through June, the High Hatters will play each week-end. On July 1, Freddy Johnson's 12-piece band from the University of North Carolina is coming for a solid month of music every night.

On August 1 more University players will come under the direction of Norman Bennett also with a 12-piece Orchestra, and this group will play through the closing dance, Labor Day.

Mr. Overton, who has operated a theatre in Enfield during the past two years is well pleased with prospects for his opening dance. He has more than 100 reservations already, and there is no doubt but that the beach club will be crowded Saturday night.

NEW YORKERS LAND 21 CHANNEL BASS MONDAY

Dr. C. C. Glucksman, head of the childrens ward of the Mt. Sinai Hospital, a big 800 bed institution in New York City, with four friends, has been spending the week in Dare County, fishing first at Hatters for three days, and coming to Oregon Inlet. They caught 21 channel bass on Monday, with Ira Stowe as guide, having chartered Mr. Stowe's boat for six days. In the party were Everett Grady, Vice-President of a New York Advertising Agency, Dr. Jimmie Chaitovitz, and Dr. Nathaniel Weg, dentists, and Buddy Cohen, merchant.

The party expressed great interest in Dare County and its fishing, several of them having been here before. Dr. Glucksman has fished here for six years and brought some 20 newcomers to this section.

TOLER-PAYNE CASE TO COME UP MONDAY

Stumpy Point Man Brings Serious Charges Against Father-in-Law

Seeking to have his father-in-law, Willington Payne, put under a peace bond, and alleging that Payne has threatened his life, Adolph Toler of Stumpy Point will appear in a Special Session of Recorders Court in Manteo Monday, to air out some of his differences of many months' standing. Mr. Toler got out the warrant. Mr. Payne's bond was signed by R. Dewey Wise.

The case has created quite a sensation in Manteo, and on Stumpy Point, and Rev. B. F. Perkins, and Mrs. Bateman, both Holiness ministers have been subpoenaed to appear on both sides.

Mr. Payne alleged sometime ago that Mr. Toler, a quiet, mild-mannered citizen, and husband of Mr. Payne's daughter, Mrs. Velma T. Payne, a young woman converted by the Holiness church and now one of its members, has caused much trouble in the family. Mr. Payne has gone so far as to say that Mr. Toler took the affections of his wife, and Mr. Toler's mother-in-law away from her husband. Mr. Toler now says Mr. Payne has threatened his life.

Mr. Toler was then living in the Payne home. Since the trouble began, Mrs. Payne has left Mr. Payne and has been living with her daughter, Mrs. A. B. L. Twiford in Manteo.

Stumpy Point folk in talking about the case raise an eyebrow at the suggestion that Mr. Toler ever cast a sheep's eye at his wife's mother. It all occasions quite a mix-up, for before the entire group got religion, Mr. Payne was considered a quite peace-loving man, as was his son-in-law Mr. Toler, and all appeared to go well in the Payne home.

BARELY \$200 PAID FOR 14 TONS OF SEAFOOD

Something like \$200 was all the Sears brothers and Dan Baum got for more than 14 tons of croakers, caught with a long net last Saturday and sold to D. D. Whitson, well known local fish dealer, and the fishermen were lucky to get that much, because Mr. Whitson bought them pot luck, and out of a desire to keep the fish from going to waste. The more than 28,000 pounds of fish should have brought more than a thousand dollars in the pockets of the fishermen. When fish got down to three-fifths of a cent a pound, it is tight times for the fishermen.

Had these fish been kept somewhere, until the proper time for marketing them, and released a few at the time as needed, they might have paid the fishermen something for their long hard work. As it was, probably nobody made any money on them.

BEACH CLUB TO OPEN SATURDAY FOR SEASON

Manager Levy Overton Has Hired Good Orchestras For The Season

The Nags Head Beach Club, under the management of Levy Overton, of Ahoskie and Enfield, will open full blast Saturday night, May 28th, with the High Hatters, famous 12-piece Norfolk Orchestra featuring Babe Pearson, vocalist. The Beach Club has been renovated and made over and shows a great improvement. And under a skillful and experienced management of Mr. Overton, has a successful season in prospect.

Mr. Overton promises the beach a variety of good music throughout the season. Through June, the High Hatters will play each week-end. On July 1, Freddy Johnson's 12-piece band from the University of North Carolina is coming for a solid month of music every night.

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Ed Gibbs 72, Gets 18 Months For Shooting Endorser, Closs Gibbs

Aged Hyde County Farmer Gets Off Light In Superior Court For Assault Which Almost Resulted Fatally for Engelhard Merchant, The Outgrowth of Endorsing A Note

DUVALL, OWNER OF THE FORT RALEIGH HOTEL



Claude C. Duvall so far as we know has never had his picture in a newspaper. He never blows his horn, or appears much in public yet he is one of the County's largest tax payers, and he has invested all his earnings in his home county. Mr. Duvall is 51 years old and is the owner of the Fort Raleigh Hotel in Manteo, beside being a partner in the lumber manufacturing firm of Duvall Bros. at Buffalo City. This business for many years has been a lifesaver to many working people of Buffalo City. At this time Mr. Duvall seeks the office of county Commissioner. "Frankly," says Mr. Duvall, "I am interested in serving on this group because I am interested in the welfare of the County. Why shouldn't I be? I have invested every dollar I have right here. I am not seeking election for the purpose of getting jobs for my relatives nor to reduce my taxes, nor to protect my interests. All I have is here in Dare County and the welfare of the county is my welfare."

Mr. Duvall was born in Tyrrell County, and came to Dare when 12 years of age. He got his education from four years of schooling at East Lake, the teachers could not give him more education and at 16 he left and began his mercantile business.

Ed Gibbs has no children. He and his wife lived alone. No doubt the thought of having lost his last bit of property as a result of his heavy borrowings, amounting to over \$4,000 during the depression, had preyed on his mind.

MANAGER OVERTON

Following the shooting, several other people began to be apprehensive when it was rumored that Ed Gibbs had said he was going to kill four others, among them being the attorney for the Land Bank, the Chairman of the Board of Commissioners.

Hyde County court was still underway Thursday afternoon, at that time being engaged in hearing the case of former Sheriff T. C. Swindell against T. L. Sawyer, over some mules. The case of Mrs. Sally W. Black, against her brother W. W. Watson over rights in an estate had been settled out of court. G. Selwin Myers, advertising man, who was charged with obtaining money under false pretense and fraud as the outgrowth of a transaction with the Hyde County Chamber of Commerce was found not guilty. The will of Catherine Davenport, largely involving 75 acres of land, contested by Geo. Hodges, was sustained. Sam Spencer, colored got six months on the roads for selling whiskey.

On May 21st Swan Quarter baseball team defeated the CCC team by a score of 9-7 on the Swan Quarter diamond while on May 22nd the CCC defeated the Swan Quarter nine by a score of 6-5 on the CCC diamond. The Swan Quarter team shows much improvement over last season and local fans believe that when this team becomes properly organized that they will represent the best team Swan Quarter has had in a number of years.

TURN ABOUT IS FAIR PLAY

On motion of defense counsel of Judge Thompson granted a "directed verdict of not guilty" in second degree murder trial of Billy Pugh, formerly of the New Lake section of Hyde County and now a resident of Belhaven on a charge of having shot his 16-year-old son last February.

Judge Thompson granted Wilkinson's motion when the prosecution admitted insufficient evidence to leave with the jury.