

Judge Changes Guilty Plea To Not Guilty Of Assault

King Henry Love, of Rt. 1, Raeford, went to District Court to plead guilty to assaulting an 84-year-old man with a pocket knife, but after hearing the testimony, Judge Joseph Dupree had the guilty plea stricken and found him not guilty.

After pleading guilty, Love testified that Tom McIntosh had pointed a loaded shotgun at him and when he grabbed the gun, he and the old man had fallen and McIntosh had been cut on the chin. Love said he had a pocket knife in his hand when he reached for the gun.

Judge Dupree questioned McIntosh, who at first denied and then later said he did aim a shotgun at Love.

Before passing judgement, Judge Dupree explained to the crowded courtroom why he had spent so much time on a routine assault case in which the defendant had already pleaded guilty.

"This man (Love) is accused of assaulting an 84-year-old man and if I had found that to be the case, I would have given him every day the law allowed. But because I wanted to make sure before sending a man off to prison, I have gone into the matter in some detail and on hearing the testimony, I am convinced that the cutting happened in the way the defendant said it did - this is, accidentally, as a result of a scuffle."

"No one should ever come to court and plead guilty to a serious offense unless he is, in fact, guilty. And one should never come to court for a serious offense unrepented. It takes a fool to represent himself," Dupree said.

"After hearing the witnesses in this case, the court is of an opinion that the defendant is not guilty and orders the defendant's plea of guilty stricken and enters a plea of not guilty for the defendant."

Love was found not guilty. David Propst of Rt. 2, Raeford was found not guilty of maintaining a nuisance and Randy Propst, his son, was found not guilty of trespass.

Neil Junior McMillan of Shannon was found guilty of assault and was sentenced to 30 days suspended with capias and no commitment to issue at any time during the next three years if he is convicted of any violation of state penal laws.

Prayer for judgement was continued for three years with the court reserving the right to pass judgement at anytime for Larry McCain of Raeford, who was found guilty of assault. He was charged court costs.

Prayer for judgement was continued for three years with the court reserving the right to pass final judgement at anytime for Lillie Mae Purcell of Rt. 3, Raeford, who was found guilty of assault on a minor. She was charged court costs.

Probable cause was found to bind John Wayne Locklear of Rt. 3, Raeford over to Superior Court for assault with intent to kill. A continuing bond of \$1,000 was set in the case.

Lewis C. Cunningham of Raeford pleaded not guilty but was found guilty of failing to comply with provisions of special permit for excessive size and weight by not having a patrol escort and exceeding the specified height. He was sentenced to 30 days suspended and fined \$25 and costs.

Delton Monroe, Jr. of Rt. 1, was given a four month active sentence for assaulting his wife, Wilma. He was also sentenced to four months during the Superior Court session last week for assaulting his wife.

The suspended sentence given to Bobby Chavis was revoked and he was given a two year active sentence for violation of his probation.

Hubert Gates of Bowmore was found guilty of non-support and was sentenced to six months suspended for five years on the condition that he pay \$25 a week child support. The court reserved the right to modify the payments at anytime during the next five years. Court costs were remitted.

James Buster Morrison of Raeford was jailed for two weeks for contempt of court after coming to court intoxicated and registering a .25 on a breathalyzer test which Judge Dupree ordered administered Friday morning.

James McLeod of Rt. 1, Raeford, was found guilty of possession of liquor for purpose of sale and was sentenced to six months suspended for three years on the condition that he violate no state penal laws for the next three years. He was fined \$25 and costs.

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Donald Garrett Goodwin of Eagle Springs pleaded not guilty but was found guilty of driving under the influence, second offense. He was sentenced to six months suspended for two years on the condition that he surrender his driver's license and not drive for two years. He was fined \$200 and costs.

Robert Wayne Carroll of Jacksonville was assessed court costs for an inspection violation.

Norris Clair McNair of McCain, who was found guilty of driving under the influence second offense, was sentenced to six months suspended for two years. He was ordered not to drive for two years and was fined \$200 and costs.

Leroy Locklear of Red Springs was convicted of failing to yield right of way and was sentenced to 60 days suspended and fined \$50 and costs.

Billy Gray Parks of Raeford was found guilty of careless and reckless driving and was sentenced to 60 days suspended and fined \$50 and costs.

Hal Wayne McDonald of St. Pauls was fined \$5 and costs for speeding 55 in a 45 mph zone.

Gregory T. Locklear of Raeford was fined \$10 and costs for unsafe movement.

Harry Clifton Chance of Rocky Mount was found not guilty of reckless driving and was found guilty of exceeding a safe speed. He was fined \$25 and costs.

The state took a nol pros on a charge against Ernest Stephen Duncan of Raeford of running a red light.

The state took a nol pros with leave in the following cases: Wilson McPlatter of Raeford, charged with assault by pointing a pistol; Bobby Lee Wallace of Raeford, charged with no operator's license; John Wayne Locklear, of Raeford charged with assault with a deadly weapon with intent to kill; and Bobby Ray Chavis of Red Springs, charged with assault with a deadly weapon.

The state took a nol pros on a charge against Jackie Milton Miller of Raeford of carrying a deadly weapon.

The state took a nol pros with leave upon payment of court costs by J.E. Williams of Davis's Bridge, who was charged with issuing a worthless check.

David Locklear of Shannon was found not guilty of assault.

Clarence Aaron Kennedy of Seagrove was found not guilty of unsafe movement.

Ernest White of Rockfish was found not guilty of trespass.

Jerry Lee Jackson of Raeford was found not guilty of exceeding a safe speed.

A motion to quash was granted in a charge of assault with intent to kill which was brought against Nelson Eyster of Rt. 1, Raeford. He was found not guilty in a separate charge of assault with a deadly weapon.

Thomas Franklin Wright of Raeford was found not guilty of driving under the influence.

MAGISTRATE COURT The following cases were heard in Magistrate's Court: Johnnie William Alshrooks, Lumber Bridge, inadequate brakes, costs.

Robert Neill Baker, improper mufflers, costs.

David Joseph Dombkowski, Raeford, exceeding safe speed, costs.

Glendora Parker, Red Springs, no operator's license, \$25 fine and costs.

Charles Thomas, Raeford, no operator's license, \$25 fine and costs.

James Earl Locklear, Red Springs, stop sign violation, costs.

Carl Clarence Boahn, Jr., Fayetteville, no operator's license, \$25 fine and costs.

Roberta Leslie Handon, Raeford, stop sign violation, costs.

Wilson McPlatter, Rockfish Road, taxi fare violation, pay restitution for fare and costs.

Robert Lee McCrimmon, McCain, public drunk, four days in jail.

Charles Franklin Brown, Hope Mills, stop sign violation, costs.

Reynolds Bryant, Aberdeen, stop sign violation, costs.

Romulus Elvin Freeman, Lumberton, speeding 75 in a 60 mph zone, \$10 fine and costs.

Walter Chaney, Raeford, speeding 45 in a 35 mph zone, \$5 fine and costs.

James Fairley, Jr. Aberdeen, no chauffeur's license, \$25 fine and costs.

Leonard Eugene Dowd, Fayetteville, improper passing, \$10 fine and costs.

Arnold Cummings, Raeford, failing to display a red flag on a load extending more than four feet to rear, costs.

Sgt. Edward Lee McKeller, Ft. Jackson, speeding 75 in a 60 mph zone, \$10 fine and costs.

Johnnie Pridden, Raeford, inspection violation, costs.

Alex Campbell, Raeford, inspection violation, costs.

Jessie Lee Taylor, Hamlet careless and reckless driving, \$50 and costs.

Vander Terry, Laurinburg, stop sign violation, costs.

William Henry Murchison, Raeford, stop sign violation, costs.

Malcom Townsend, Bronx, N.Y., fishing without a license, \$5 fine and costs.

Reita Mae Moore, Bronx, N.Y., fishing without a license, \$5 fine and costs.

PFC Ronny Gene Hess, Ft. Bragg, speeding 70 in a 60 mph zone, \$5 fine and costs.

Deaths And Funerals



GUTHRIE E. LONG

Funeral Sunday For G.E. Long

Funeral services for Guthrie E. Long were held Sunday at Church of God by the Revs. W. H. Ginn and Daniel Allen. Burial was in Raeford Cemetery.

Long, 64, was a retired plumber. He died Saturday. He is survived by his wife, Mrs. Louise Rhodus Long; a daughter, Mrs. Betty L. Sandy of Aberdeen; two sons, Guthrie Long, Jr. and James Long of Raeford; two sisters, Mrs. Mimmie Stockes and Mrs. Mina Stockes of Tabor City; two brothers, Willie Long of Cumberland and Roy Long of Raeford; 15 grandchildren and two great-grandchildren.

William Currie Buried Sunday

Funeral services for William G. Currie were held Sunday at Crumpler Funeral Home by the Rev. John C. Ropp. Burial was in Raeford Cemetery.

Currie, a Linotype operator, was killed Friday afternoon when he was hit by a train on the A&R tracks near his father's house. He was 46.

Currie was survived by three daughters, Mrs. Haywood Riley and Mrs. Stephen Wilson of Enterprise, Ala. and Mrs. Will Pitt of Bladenboro; his parents, Mr. and Mrs. D.S. Currie of Raeford; three brothers, David Currie, Jr. and James Currie of Raeford and Ben Currie of Ormond Beach, Fla.; one grandchild.

Palbearers were Graham Monroe, Jack Pope, Franklin Teal, James McBryde, Malcolm McNeill and Sam C. Morris.

Mrs. Eubanks Buried At Shiloh

Funeral services were held for Mrs. Mary McLaughlin Eubanks Sunday at Shiloh Presbyterian Church by the Revs. Allen Smyth and Vance Baucom. Burial was in the church cemetery.

Mrs. Eubanks, 70, died Saturday. She was the widow of Floyd L. Eubanks.

She is survived by two sons, A. Guion Eubanks of Kensington, Md. and John M. Eubanks of Greensboro; two sisters, Mrs. Joe Wilson and Mrs. Frank Templeton of Charlotte; a brother, Kirk McLaughlin of Charlotte and seven grandchildren.

Eddie Weinert Buried Sat.

Eddie Weinert, 19, of Sewiekeley, Pa. was buried at Sewiekeley Saturday. He was killed in a motorcycle accident.

Legals

CREDITOR'S NOTICE

Having qualified as executrix of the estate of Archie Howard, deceased, late of Hoke County, this is to notify all persons having claims against said estate to present them to the undersigned on or before March 3, 1971 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.

This the 3 day of September, 1970. Mrs. Sarah H. Howard Executrix Raeford, N.C.

17-20C NORTH CAROLINA HOKE COUNTY

CREDITOR'S NOTICE

The undersigned, having qualified as Executive of the Estate of Joseph Raleigh, deceased, late of Hoke County, this is to notify all persons having claims against said Estate to present them to the undersigned on or before the 27th day of February, 1971, or this notice will be pleaded in bar of their recovery. All persons indebted to said Estate will please make immediate payment to the undersigned.

This, the 25th day of August, 1970. Mittie Woodward, Executrix 620 Hope Loop Fayetteville, North Carolina 28304

Moses & Diehl Attorneys at Law 127 West Edinborough Avenue Raeford, North Carolina 16-19C

CREDITOR'S NOTICE

Having qualified as administrator of the estate of James Lee Armstrong, deceased, late of Hoke County, this is to notify all persons having claims against said estate to present them to the undersigned on or before February 27, 1971 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.

This the 27 day of August, 1970. R. Palmer Willcox, Administrator Attorney at Law Raeford, N. C. 28376 16-19C

STATE OF NORTH CAROLINA COUNTY OF HOKE

NOTICE OF SALE

Under and by virtue of an Order of the Superior Court of Hoke County, North Carolina, made and entered in the action entitled "LUCILLE LISENBY WINTERS, ET AL, Petitioners, VS. SALLY MAE LISENBY COOPER ET AL, Respondents", the undersigned Commissioner will, on the 14th day of September, 1970, offer for resale and resell for cash, to the last and highest bidder at public auction, at the Courthouse door in Hoke County, North Carolina, in Raeford, at 12 o'clock Noon, the following described real estate, lying and being in Raeford Township, Hoke County, North Carolina, and more particularly described as follows:

BEGINNING at a point in the center of the present hard surface highway between Raeford and Rockfish, and being the Southwest corner of the lot deeded by D.J. Ray and wife to Dees (as of record will appear), and runs as the Dees' West line and beyond a distance of 550 feet to a new corner; thence S 86 W 237.5 feet to a new corner; thence S 4 E 550 feet to a point in the center line of said hard surface highway; thence as the center line thereof N 86 E 237.5 feet to the BEGINNING, running around and embracing the lots deeded to the said Evans and wife by said Ray and wife, Grissella Ray, to wit: By Deed registered in Book No. 87, at Page 268 of Hoke County Public Registry; and by said Ray and wife to said Evans and wife by Deed dated December 23, 1950, and recorded in Book 92, Page 251, Hoke County Registry.

This property is located on the north side of and adjacent or fronting said hard surface highway that leads eastwardly toward and to Rockfish and junctions with I-5-A Highway about half a mile West from the location of the property hereinabove described. This is a resale of the above-described property, a previous sale having been held on the 17th day of August, 1970, under and by virtue of an Order of the Superior Court of Hoke County, North Carolina, made and entered in the above-entitled action, and

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an increased bid having been duly filed within the time allowed by law. Bidding will start at \$6,500.00, which is the amount of the increased bid.

CASH DEPOSIT: Ten per cent (10%) deposit will be required for the first \$1,000.00 bid and five per cent (5%) on the remaining amount of the bid. This, the 26th day of August, 1970.

CHARLES A. HOSTETLER, Commissioner Hostetler & McNeill Attorneys at Law Raeford, N.C. 17-18C

NOTICE OF SERVICE OF SUMMONS BY PUBLICATION IN THE GENERAL COURT OF JUSTICE SUPERIOR COURT DIVISION BEFORE THE CLERK NORTH CAROLINA HOKE COUNTY

The undersigned, having qualified as Executive of the Estate of Joseph Raleigh, deceased, late of Hoke County, this is to notify all persons having claims against said Estate to present them to the undersigned on or before the 27th day of February, 1971, or this notice will be pleaded in bar of their recovery. All persons indebted to said Estate will please make immediate payment to the undersigned.

This, the 25th day of August, 1970. Mittie Woodward, Executrix 620 Hope Loop Fayetteville, North Carolina 28304

SPECIAL PROCEEDING FOR THE ADOPTION OF A MINOR CHILD AGAINST BRENDA BUTLER TO BRENDA BUTLER:

Take notice that a special proceeding entitled as above has been instituted against you in the Superior Court of Hoke County, North Carolina, for the adoption of a minor child, resident of this State.

Further, take notice that you are required to appear at the office of the Clerk of the Superior Court of Hoke County, North Carolina, in the courthouse at Raeford on or before the 6th day of October, 1970, and make defense to this proceeding or the parties seeking service against you will apply to the Court for the relief sought.

This, the 25th day of August, 1970. MOSES & DIEHL, Attorneys By: William L. Moses, Atty. William L. Moses, Attorney for parties seeking service P.O. Box 6 Raeford, North Carolina 16-18C

NOTICE NORTH CAROLINA HOKE COUNTY

Notice is given that based on Petition signed by property owners, and recommendations of Puppy Creek Fire District and Fire Protection Commissioners, the Hoke County Board of Commissioners will conduct a hearing in the conference room of the Board of Education Building in Raeford, North Carolina, on Tuesday, the 8th day of September, 1970, at 9:00 a.m. to hear any and all matters pertaining to the inclusion of annexation of certain territory to the Puppy Creek Fire District. Territory proposed to be annexed is described as follows:

Puppy Creek Volunteer Fire Department Four Mile Radius Beginning at a point (1) on U.S. Highway No. 401 at the Hoke - Cumberland County Line; thence in a Southeasterly direction following the Hoke - Cumberland County line to a point (2) on road No. 1449; thence in a Northwesterly direction to a point (3) on the Wayside - Rockfish road (No. 1418), 0.3 mile South of its intersection with road No. 1419; thence in a Southeasterly direction following the center line of Wayside - Rockfish road (No. 1418), 0.8 mile Southeast of its junction with road No. 1417 to a point (4); thence in a southwesterly direction to a point (5) on road No. 1416 at the culvert of Guiley Branch; thence in a Southerly direction to a point (6) on Raeford - Rockfish road (No. 1406), 0.1 mile East of its intersection with Marshall Newton road (No. 1413); thence in an easterly direction following the center of Raeford - Rockfish road (No. 1406) to a point (7), 0.3 mile East of the junction with road No. 1415 thence; in a Northerly direction to a point (8) on Marshall Newton road No. 1413; 1.1 mile South of its intersection with Raeford - Rockfish road (No. 1406); on Reynolds road (No. 1412); thence in a Westerly direction to a point (9) 1.0 mile South of its intersection with Raeford - Rockfish road (No. 1406); thence in a Northwesterly direction to a point (10) on Raeford - Rockfish road (No. 1406), 0.1 mile West of its intersection with Townsend road (No. 1410); thence in a Northerly direction to a point (11) on Townsend road (No. 1410); 1.2 miles North of intersection with Raeford - Rockfish road (No. 1406); thence in a Northeasterly direction to a point (12) on Puppy Creek Mill Road (No. 1409) at the culvert of Black Branch; thence in a northwesterly direction to a point (13) on U.S. Highway No. 401, 0.5 mile southwest of its junction with the John W. Scull Road (No. 1303); thence

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in a westerly direction to a point (14) on G.W. Ray Road (No. 1302) 0.6 mile west of its intersection with John W. Scull Road (No. 1303); thence in a northeasterly direction to a point (15) on the Southern line of the Ft. Bragg reservation 0.4 mile west of Road No. 1304; thence in an easterly direction following the southern line of Ft. Bragg to a point (16) at Little Rockfish Creek; thence in a southeasterly direction to the point of beginning.

invited to appear at the meeting. This notice is posted this day at the Courthouse in Raeford and at three (3) public places in the area to be included or annexed.

This notice is given pursuant to provisions to G.S. 69-25.11. This, the 20th day of August, 1970. T.B. LESTER, JR., County Manager 16-17C

NOTICE OF TRUSTEE'S SALE OF LAND NORTH CAROLINA COUNTY OF HOKE

Under and by virtue of the power of sale contained in a certain deed of trust dated October 12, 1962, and duly recorded in Book 125, Page 103, in the office of the Register of Deeds of Hoke County, North Carolina, executed by Joseph H. Tillman and Bessie Tillman to Bobby Burns McNeill, Trustee, default having been made in the payment of the indebtedness secured by said deed of trust, and the holder of the note evidencing said indebtedness having requested the undersigned Trustee to foreclose said deed of trust, as by the terms of the same provided, the undersigned Trustee will sell at public auction to the highest bidder for cash at the courthouse door in the City of Raeford, County of Hoke, State of North Carolina, at 12 o'clock noon, on September 15, 1970, the property conveyed in said deed of trust, which property is more particularly described as follows:

NORTH CAROLINA, HOKE COUNTY, TOWNSHIP OF McLAUCHLIN: BEGINNING at a stake in the southwest corner of the Roscoe Bundy lot, also being the center line of highway in the village of Rockfish and runs thence to the dividing line between said Bundy lot and the lot hereby conveyed North 45 degrees West 147.4 feet to a stake in the line; thence South 6 degrees West 149.5 feet to a stake in the center line of said highway; thence as its center line South 85 degrees East about 73 feet to pointer; thence North 44 degrees East to the BEGINNING, being Lot No. 3 in the division of the one-acre of land described in Map Book 2, Page 278, and also Deed Book 96, Page 315, and Book 92, Page 103, of the Hoke County Public Registry, to which reference is hereby made, and being the same property received by Joseph H. Tillman from Mary E. Door in Book 106, Page 69, of the Hoke County Public Registry. This property is sold subject to any prior liens of record, if any, and any recorded Releases, if any.

BOBBY BURNS MCNEILL, Trustee

This property will be sold subject to outstanding and unpaid taxes and special assessments, if any.

This 11th day of August, 1970. 15-18C

CREDITOR'S NOTICE

Having qualified as Executrix of the estate of Alfred Cole, deceased, late of Hoke County, this is to notify all persons having claims against said estate to present them to the undersigned on or before February 13, 1971 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.

This the 13 day of August, 1970. Mrs. Betsy Cole McNeill, Executrix Raeford, N.C. Hostetler & McNeill, Atty. 14-17C

CREDITOR'S NOTICE

Having qualified as administrator of the estate of Cathryn Canaday, deceased, late of Hoke County, this is to notify all persons having claims against said estate to present them to the undersigned on or before February 13, 1971 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.

This the 13 day of August, 1970. J.W. Canaday Administrator Raeford, N.C. 14-17C

FOR ATHLETE'S FOOT USE KERATOLYTIC ACTION BECAUSE - It sloughs off and dissolves affected skin. Exposes deppart infection to its killing action. Get quick-drying T-4-L, a keratolytic, at any drug counter. FAST relief of your 59c back NOW. AT HOWELL DRUG CO.

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BUT IF YOU CANT WAIT, WE'LL WRITE YOUR ORDER RIGHT NOW.

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Pays a little over \$4 on every \$3 you invest.



Announcing That J. P. McMillan, Jr. Registered Land Surveyor HAS OPENED AN OFFICE AT 127 W. EDINBOROUGH AVE. Day Phone Raeford 875-4386 Night Phone Red Springs 843-4836

