



Hoke County wildlife officer T.L. Pilkington with confiscated guns and spotlight.

Night Nov. Deer Hunt Nets Fines For Men

by Bill Lindau

Hunting deer with a spotlight the night of November 3 cost two men \$250 and court costs each, their guns and the spotlight Friday in Hoke County District Court.

They also are prohibited from hunting with firearms for a year. Judge Joseph E. Dupree sentenced the men, Benny Ray Lowery, 28, and John Paul Locklear, 41, both of Rt. 2, Maxton, to six to 12 months, suspended for one year on conditions they pay the fines and costs, surrender any hunting licenses in their possession, and not use firearms to hunt any wildlife for the year of suspension.

The judge also ordered that the guns and light in evidence be confiscated and turned over to John Kennedy, State Wildlife Enforcement District Four supervisor at Whiteville, for use and benefit of wildlife officers.

Lowery pleaded guilty and Locklear not guilty to "firelighting" deer. The judge found Locklear guilty.

The warrants accused the defendants specifically with "taking deer" between a half hour after sunset and a half hour before sunrise with the aid of artificial light.

Hoke County Wildlife Law Enforcement Officer Tom Pilkington said after the hearing that he and Ron Helms of Red Springs, wildlife enforcement area leader for Hoke, Robeson and Scotland

counties, apprehended Lowery and Locklear near Macedonia Church in Allendale Township.

The officers started following the truck after seeing a spotlight shining from the passenger side of the truck on a field in Allendale Township, Pilkington said.

The officers moved in when they saw two flashes and heard shots fired from the suspects' vehicle. Pilkington said adding that the shots were fired at a six-point buck, whose tracks he found later, but that the hunters either missed or the buck wasn't wounded seriously enough to prevent him from running off.

When Pilkington and Helms stopped the truck, a four-wheel-drive model, Locklear was driving and was the owner of the vehicle, and Lowery was on the passenger side, the officer said.

Pilkington reported the gun Lowery allegedly fired was a Glenfield .22 caliber semiautomatic rifle and it and a Remington 1100 12-gauge shotgun were the weapons the officers confiscated.

Pilkington pointed out that using a rifle to hunt deer also is a violation of the state law and added that the truck also could have been confiscated but indicated the penalties, facing the defendants appeared sufficient punishment for that situation.

The law provides that a shotgun is the only firearm which may be used in hunting deer.

County Audits Ambulance Service

(Continued from page 1)

Although one bid was \$56,000 from a Cumberland County individual, all other bids were more than \$100,000 per year.

Officials also estimated in 1978, that it would cost the county \$102,000 per year to get into the ambulance business.

Henley's bid was for \$50,000 per year with increases tied to the National Consumer Price Index.

After the first year, the county subsidy increased 9.3%, and the second year 10.6%.

The third year's payment was 6.8% higher than the year before.

There is also no evidence that the Hoke Ambulance Service has ever refused to carry someone who requested it.

"We have never received a complaint from anyone who had been refused service," Hoke County Department of Social Service Director Ken Witherspoon said.

"In fact, I think a lot of people might just use them for a taxi service," he added.

Only about 2 percent of the U.S. population got married for the first time in 1981, but they accounted for 13 percent of all service and retail sales. The total accounted for 13 percent of all service and retail sales. The total accounted for 13 percent of all service and retail sales.

DeVane Prepares For Legislative Action

by Bill Lindau

State Rep. Danny DeVane said Friday that among the first official actions he planned to take as a member of the House were to introduce legislation to place the county under the state ambulance service act and to look into the state's existing laws concerning child-rape trials.

DeVane was referring to the September 1982 Hoke County case in which the judge, Sam Britt of Lumberton, denied a prosecution motion to clear the courtroom of spectators while the child victim would be testifying. The child then refused to answer the prosecutor's questions regarding the alleged crime itself and the alleged role the defendant had in it; and the judge then allowed a motion of nonsuit, freeing the defendant.

A number of people not connected with the case, as well as some who were, expressed outrage at the judge's decision on the mo-

tion to clear the courtroom.

DeVane said in the Friday interview he was awaiting word from an attorney with the Bill Drafting Division of the State Legislative Services Office about existing laws providing child victims with protection in testifying.

DeVane, a Democrat elected in November 1982, became Hoke County's first member of the General Assembly in 10 years when he was sworn in with other legislators in the House chamber in Raleigh Wednesday.

His wife and their 10-year-old son Howie were with him on the House floor during the ceremony. This is the only occasion of the year on which spectators are allowed on the House floor while a session or program is being held.

DeVane is one of the three people elected to represent District 16, Hoke, Scotland and Robeson counties, in the House. Several days after he won election he

resigned as a Hoke County Commissioner.

He said during the interview that he would not introduce legislation affecting Hoke County before getting the approval of the Board of County Commissioners.

DeVane said that his introduction of ambulance service legislation would be a response to the commissioners' action of January 4 in requesting of the area's legislators inclusion of Hoke in the state ambulance acts.

The acts make failure to pay a bill for ambulance service a misdemeanor and also provides a penalty for calling for ambulance service when the caller does not need it.

DeVane said he also has been requested by several landowners to have Hoke placed under the provisions of a state act prohibiting hunting from the right of a highway. He plans to introduce such a bill on approval of the commissioners.

The hunter, though standing on public property, at times fires at game on or flying over private property, to the possible detriment of the property and the landowner, he said.

"I feel it to be a good law," DeVane said.

DeVane already had received a briefing and orientation in preparation for going to work in the House. He and other incoming freshman legislators were given a session in Raleigh January 4.

Speakers from the State Legislative Services Division explained the procedure for drafting bills and getting them introduced in the legislature, DeVane said adding that he was impressed with the speakers.

Besides that, back home he was studying literature pertaining to legislative process.

The bulletins and booklets on the subject make a stack several inches high on his desk.

In District Court

Heavy Docket Enters New Year

Joann Wright, Rt. 1, Box 12B, Raeford, obtaining property by false pretense, voluntary dismissal by the prosecutor; by agreement with the prosecuting witness; the defendant is not to go on the premises of Pope's.

Prentis Robinson, Rt. 1, Raeford, Jones Hill section, domestic criminal trespass, voluntary dismissal: the witness was subpoenaed but didn't appear: larceny, voluntary dismissal, witness didn't appear.

Donald Clark, Rt. 1, Box 64G, Red Springs, failure to comply with child-support payments, the court finds the defendant is in arrears, that he perhaps has just cause for being so, and that modification of the judgment would be in order; therefore, it is ordered that the defendant be excused from all arrearage and that he resume payments of \$50 each week, with the first payment to be paid on January 21, 1983.

Prentis Johnson, Rt. 1, Raeford, Jones Hill, nonsupport, prayer for judgment continued on condition the defendant support his children commensurate with his ability to do so; payment of court costs is remitted.

Shunetho Melvin, Box 173, Harmony Heights Mobile Home Park, Raeford, show-cause order for contempt: failure to appear in response to a subpoena ordering the defendant to testify, court orders action to abate in this matter.

Maurice Andre Holt, Box 421, Raeford, driving under the influence, 60 days.

Thaddeus E. Jones, Rt. 1, Raeford, worthless check, 30 days, defendant gives notice of appeal.

Marlyn Locklear, Rt. 2, Raeford, no operator's license, and driving under the influence, 90 days.

Terry Oxendine, Rt. 2, Box 95, Raeford, assault, voluntary dismissal: witness couldn't be located.

Steve Allen Harris, Rt. 2, Box

507, Raeford, assault by pointing a gun, found not guilty, prosecuting witness to pay costs for frivolous and malicious prosecution.

William James McLean, Rt. 1, Raeford, assault, prayer for judgment continued upon payment of costs.

Charles Edward Morrissey, Rt. 3, Box 29D, Raeford, assault on a female, found not guilty, prosecuting witness to pay costs for frivolous and malicious prosecution.

Victor Tyler, Rt. 3, Raeford, injury to personal property, prosecuting witness to pay costs for frivolous and malicious prosecution.

Anthony Wade Johnson, Rt. 1, Rex, driving under the influence, exceeding a safe speed (driving about 45 in a 25 zone), and failing to stop at a stop sign, 90 days suspended for 12 months, \$150 and costs, surrender license and not drive for 12 months, left open for limited driving privilege.

Leon Locklear, Rt. 2, Box 95, Raeford, worthless check, 30 days suspended, \$10 restitution to Graham's Service Station, and costs.

Don Tyler, disposing of mortgaged property, 90 days to six months suspended for one year, probation for one year, on condition he make \$314 restitution to James Easterling, and pay court costs.

The following judgments were issued last week in Hoke County District Court. Judge Joseph E. Dupree presided.

Henry Melvin Jacobs, Rt. 1, Shannon, driving with expired limited-privilege permit, prayer for judgment continued, costs.

Donald Keith Floyd, Rt. 3, Raeford, exceeding a safe speed, voluntary dismissal by the prosecutor: insufficient evidence, defendant couldn't be placed as driving.

Freddie M. King, Ft. Bragg, no operator's license, 30 days suspended, \$25 and costs.

Losie Cummings Jerigan, Rt. 1, Lumber Bridge, driving under the influence, found not guilty.

Dennis R. Richardson, Fayetteville, speeding 66 in a 55 zone, pleaded not guilty, found guilty, prayer for judgment continued, costs.

Louis Ray Holmes, Raleigh, speeding 66 in a 55 zone, prayer for judgment continued, costs.

Graham Lewis, Rt. 2, St. Pauls, driving while license revoked, and failing to stop at a stop sign, 181 days.

Otis Breedon, 204 Lamont St., Raeford, nonsupport, prayer for judgment continued, costs, costs remitted, defendant signed a civil support agreement.

Jessie Jones, Rt. 1, Lumber Bridge, driving under the influence, six months suspended for two years, probation for two years, \$250 and costs, complete successfully within 90 days the Drug and Alcohol Abuse School, then enroll in an Alcohol Rehabilitation Center, if treatment is indicated, and follow guidance of probation officer regarding alcoholic rehabilitation.

Mae Woods Chavis, Lumber Bridge, permitting an unlicensed person to drive her motor vehicle, aiding and abetting a person under the influence to drive while the defendant was under the influence, pleaded not guilty, found guilty, six months suspended for one year, \$150 and costs, surrender license and not drive for 12 months, limited driving privilege granted, and complete successfully within 90 days the Drug and Alcohol Abuse School.

Ozell Johnson, Jr., Rt. 2, Laurel Hill, driving under the influence, six months suspended for two years, probation for two years, \$250 and costs, surrender license and not drive for two years, and complete successfully within 90 days the Drug and Alcohol Abuse School; defendant gives notice of appeal.

James Peterson, Rt. 1, Box 567,

Raeford, larceny, pleaded not guilty, found guilty, 30 days suspended, \$50 and costs.

Harlie Cummings, Jr., Rt. 1, Aberdeen, speeding 66 in a 55 zone, prayer for judgment continued, costs.

Dennie Junior Barefoot, Fayetteville, speeding 66 in a 55 zone, prayer for judgment continued, costs.

Theadis Bruce Jackson, Rt. 1, Holly Springs, aiding and abetting an unlicensed person in driving the defendant's car, and transporting an alcoholic-beverage container with seal broken, \$25 and costs.

Oscar King, Jr., Fayetteville, speeding 68 in a 55 zone, voluntary dismissal by the prosecutor; driving under the influence, 90 days suspended for 12 months, \$150 and costs, surrender license and not drive for 12 months, limited-driving privilege granted, and complete successfully within 90 days the Drug and Alcohol Abuse School.

Floyd Landy McLamb, Rt. 1, Erwin, failing to drive on the right, \$50 and costs; failing to stop at the scene of an accident, voluntary dismissal by the prosecutor.

Carolyn Locklear, 205 Stewart St., Raeford, disorderly conduct, \$10 and costs.

Timothy Lee Watson, Rt. 4, Raeford, driving under the influence, 90 days suspended for 12 months, \$150 and costs, surrender license and not drive for 12 months, limited-driving privilege granted, and complete successfully within 90 days the Drug and Alcohol Abuse School.

Roscoe Baxley, Jr., Rt. 2, Raeford, driving under the influence, 90 days suspended for 12 months, \$150 and costs, surrender license and not drive for 12 months limited-driving privilege granted, and complete successfully within 90 days the Drug and Alcohol Abuse School.

Cephus Elizah Williams, Fayetteville, speeding 76 in a 55 zone, \$25 and costs.

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