

Duplin Times

PROGRESS SENTINEL

VOL. XXXV NO. 41 USPS 162-860 KENANSVILLE, NC 28349 OCTOBER 15, 1981 16 PAGES THIS WEEK 10 CENTS PLUS TAX

Probable Cause Found In Jernigan Murder Mount Olive Minister Held Over For Trial

District Court Judge Steve Williamson ended the probable cause hearing Wednesday saying, "Let the records show this court finds probable cause. The defendant is to remain in jail without privilege of bond."

For two and one-half hours, seven witnesses testified for the prosecution in the hearing. Defense attorneys Doug Conners and E.C. Thompson III cross examined but did no objecting, nor did they present any witnesses.

District Attorney William (Bill) Andrews began the hearing reading the warrant charging Rev. C. Sheldon Howard of Mount Olive "did with malice and forethought kill and murder Inez Quinn Jernigan." Next he read portions of the autopsy report stating death came from blows to the head and stab wounds in the neck.

First to the witness stand was James Williamson, son-in-law of the deceased, who told the court he had known Howard for "right many years." He said Howard came to his house near Kenansville on April 22 about 9 or 9:30 p.m. He said Howard talked with him, Henry Quinn, brother of the deceased, and Mrs. Esteen Quinn's wife.

Williamson said they asked Howard about the money he allegedly owed Mrs. Jernigan, and that Howard told them he had repaid the loan in the "middle of March," that he had sold a farm near Smithfield for \$13,000 of the money.

He said they talked about some other "things in general" and some "private things." Williamson also testified that Howard told him that he had "tore up" the receipt where he paid Mrs. Jernigan.

Williamson said he told Howard that he (Williamson) was not "accusing you of

anything." He said Howard said, "I hope you realize I am a minister and what it would do to me if it got out."

Next to the stand was S.B.I. Agent Paul Bateman.

The agent said he talked with Howard at length at the Mount Olive police station on April 23, and that Connor at that time agreed to allow Howard to talk with investigating officers and he (Connor) signed a waiver of the Miranda rights.

Bateman said Howard told him that he went to Mrs. Jernigan's house on the evening before she was found dead the next day to repay a \$20,000 loan plus \$3,000 in interest.

He said Howard told officers he was at the Jernigan home about 6 p.m., but returned to Mount Olive about 7 o'clock. Bateman said Howard said he ate supper with his wife and left to visit some church members. He said Howard said he got some gas at Smith Brothers store in Dudley.

The agent said Howard told him that he visited a Johnson family near Dudley, and later left to visit a Herring family, but could not locate the house. Howard said he later decided to visit a Bradshaw family in Mount Olive, but decided not to go in the house after stopping at the residence because the resident there had been ill, had probably gone to bed, and he didn't want to bother the family, according to Bateman.

Bateman said Howard said he was at the Johnson residence for at least 30 minutes before going to the other places. The agent said Howard told him that he later went to his church to work on a sermon and talked with a church member, Billy Best, in the hallway and some women who were at a meeting at the church.

Howard later called his wife and went home, accord-

ing to Bateman.

Bateman said he questioned Howard about repaying the money he allegedly owed Mrs. Jernigan. He said Howard told him that he had paid her on April 21 in "mostly \$100 bills" stuffed in a green and white envelope.

Howard said he got the note, but burned it in his hand while driving his truck back to Mount Olive, Bateman testified. Bateman said Howard said he burned the note and continued to drive his truck until the paper burned near the corner he was holding and he then threw it out the vehicle window on rural paved road 1001 — the Mount Olive-Kenansville highway.

Bateman said the SBI acquired a cancelled \$20,000 check which was drawn on Mrs. Jernigan's account and made payable to Sheldon Howard. He said the check was issued in December, 1979.

The agent said he asked Howard where he had obtained the money to repay the loan, and Howard's attorney "interjected" and said he would supply documentation on that later. He said Howard did not say during the investigation on April 23 how he got the money to repay the loan.

On a consent to search, Agent Bateman stated a brief case was found under the desk in the pastor's study at the Northeast Original Free Will Baptist Church near Mount Olive. The case, when subjected to a luminol test, showed traces of blood. The luminol test brings out blood traces not visible to the naked eye. The case was sent to the SBI lab in Raleigh. Howard had said the case might show blood, for he had hit dogs with it.

The SBI agent also said Howard voluntarily came to the sheriff's department in Kenansville on April 29 to be

fingerprinted at the request of law enforcement officials. He said Howard also voluntarily turned over some of his clothes to the SBI.

After questioning by Howard's attorneys, Doug Connor of Mount Olive, and Jene Thompson of Warsaw, Bateman said Howard had cooperated with law officials and had answered all questions unless he was instructed otherwise by his attorney.

Thompson asked Bateman if Howard had refused to answer any specific questions. Bateman said, "I don't recall" any specific questions which Howard had refused to answer.

Bateman said Howard had refused to allow a search of his office at Northeast Church, but consented when he was told that officers would secure a warrant from a magistrate for the search.

Connor said Howard refused to consent to a search of the church, but told officers they could search his study or office. Connor told Bateman that Howard didn't have authority to consent to a search of the church.

He also asked Bateman had Howard consented to allow officers to conduct a blood-detection study of his home.

Bateman said, "Yes." Bateman testified that Howard refused to take a polygraph (lie-detector) test during the investigation.

But Connor said "the person who refused" the polygraph test was Howard's attorney, meaning himself (Connor).

Bateman stated Howard's attorney (Connor) had objected to Howard taking the lie-detector test until certain conditions were met. Later those conditions were met and Howard refused to take the test saying he was a nervous person.

Next to the stand was Esteen Quinn, who was

present during the conversation when Howard stated he paid the \$20,000 loan to Mrs. Jernigan in March.

Mrs. Quinn, sister-in-law of Mrs. Jernigan, testified that Howard "acted funny" when she, Howard, her husband and Williamson were talking about the loan at the Williamson house.

She said Howard told her he "tore up" the note after paying the loan in mid-March. She said Howard told her he had sold a farm to obtain the money.

Mrs. Quinn said she told Howard no one was accusing him of anything, but the family wanted to find out information about "who did this terrible, awful thing to our loved one."

She said Howard said "two or three times he did not do this thing." Howard told her that his wife did not know about the loan and he would appreciate it if they would not broadcast this, Mrs. Quinn testified.

Thompson asked Mrs. Quinn if Howard's visit at the Williamson's home wasn't a visit by a pastor calling on a family in time of a death.

Mrs. Quinn said, "He came, but I don't know what he came as." Thompson asked her if it was unusual to see a pastor at a house following a death in a family.

She said, "No."

Herman Quinn was next to take the stand. He is the brother of the dead woman. Quinn testified that the Jernigan family members were not aware of the alleged loan to Howard until a man identified as Murray Howell from Goldsboro told him about the loan while they were at the Jernigan house the day after Mrs. Jernigan's body was found. (Howell was not called to testify.)

After questioning by Thompson, Quinn said Howell lives near Goldsboro, and was a friend of Mrs.

Jernigan, and that Howell and Mrs. Jernigan had "talked and gone out to eat" on several occasions.

Connor asked Quinn if the loan had been discussed by him and other family members "several times" since Howell told him about it.

Quinn said, "Yes, it has been discussed."

Connor asked Quinn who he told about the loan after being informed by Howell.

Quinn said, "I told Sheriff (Elwood) Revelle, that was the first person."

Connor asked Quinn if he asked Howard about the loan when Howard went to the Williamson house while calling as a pastor on the night after Mrs. Jernigan's body was found.

Quinn said he asked Howard about the loan after he arrived at the Williamson house.

Connor asked Quinn if he had taken notes or made a tape recording of the conversation with Howard. He said he had not.

Quinn told the court that Howell told him that Mrs. Jernigan said she was "worried" about the money, and that she had set Tuesday, April 21 as a "deadline" for Howard to repay the loan or she would take legal steps to collect the money.

Quinn said Howell said he (Howell) talked with Mrs. Jernigan on the Sunday before she was murdered.

Carolyn Price was next to the stand. A neighbor of Inez Jernigan, she stated she saw a car like that of Rev. Howard at the Jernigan home between 8:30 and 9 o'clock the night she was murdered. She had returned from the hog pen to get penicillin for the hogs. The lights from her truck shone on the car. She later saw a car at Rev. Howard's home that was identical to the one she saw at the Jernigan house.

Rodney Thigpen, Duplin County deputy sheriff, was next to the stand. He testified as not being able to find a spent lightbulb Howard had said he changed for Mrs. Jernigan on Tuesday. Thigpen stated Howard had said he got up on the hood of Mrs. Jernigan's Cadillac and changed a light bulb in the garage as Mrs. Jernigan had asked him to do. Thigpen testified the bulb in the socket was dusty and was not burning; it was about half screwed out, so it was not making connections.

Opey Ellen of Wilson, an electrical contractor and brother-in-law of Howard, testified that Howard had called him on April 24 and asked him "to say that he (Howard) had borrowed \$20,000" from him to repay a loan.

Ellen said Howard told him that he (Howard) had paid a debt of \$20,000 to a woman who had been killed. He said Howard said he had paid the woman, but didn't have a receipt and "couldn't pay her twice." Ellen said he told Howard he would tell anyone that Howard had borrowed the money from him.

Ellen said he met with Howard and his attorney, Connor, in Wilson, and told Connor that "in fact, I did lend Sheldon the \$20,000."

But Ellen told the court he did not lend Howard the money, and decided he would tell the truth about the matter after talking with his attorney the next day. Ellen told the court that he (Ellen) was at that time being audited by the Internal Revenue Service, but the audit came out "very satisfactory."

Ellen said he told Duplin Deputy Alfred Basden that he had loaned Howard the \$20,000, but decided to tell the truth the following day. He said his attorney told him he had no choice but to tell

the truth.

Connor asked Ellen if he remembered showing Howard and him (Connor) a calendar with the notation B0.000 S.H. marked on the date of April 17.

Ellen said he used a "code for figures on his job orders so his 'mechanics' wouldn't know the cost of the project. He said A is for 1, B for 2, C for 3, etc.

Connor said the "B" on the calendar note was a "2," which indicated \$20,000.

Connor asked Ellen about his financial statement, which he said indicated he made a net profit of \$60,000 last year.

Ellen said he decided at first to tell officers he loaned Howard the \$20,000, but changed his mind after talking with his attorney because the "pressure was mounting" on Howard with an investigation by the SBI and sheriff's deputies. He said he did not know about the Jernigan murder until Connor showed him some newspaper clippings.

When asked about taking a lie-detector test on April 27, Ellen was said to state, "Sheldon is the one who should be taking a lie-detector test, isn't he?" Ellen refused to submit to a test at that time. When asked he would be willing to submit to the test the day of court, he said, "Yes, sir, anytime, any place." Judge Williamson asked why he was not willing to submit to a test on April 27th. "I was lying," said Ellen.

Bill Andrews, district attorney, read SBI documents stating Rev. Howard's fingerprint was found on the table in the Jernigan home. He also read a report stating blood found on the brief case was human type A. Howard's blood is type O. Inez Jernigan's blood type is A. Blood was found on the outside and inside of the brief case. The splatter pattern inside the case indicated it had to be open when the bloodstains were made.

The case is to be presented before the grand jury Oct. 26th. If a true bill is found, Defense Attorney Jene Thompson stated he and Connors would seek a change of venue to have the trial moved from Duplin County because of pre-trial publicity.

Briefs

ABSOLUTE AUCTION

The E.E. Smith Athletic Boosters Club will have an absolute auction sale at the school starting at 10 a.m. Oct. 31st. Also, a 10-speed bike will be raffled off at that time.

FALL FESTIVAL

The Kenansville Elementary School has scheduled their Fall Festival for Nov. 4th beginning at 5 p.m. at the Kenansville Memorial Auditorium.

Man Faces Charge Of Bigamy After Death Of Second Wife

Law enforcement also might be consolidated, he noted.

Following discussion of possible means of obtaining transportation facilities for kidney patients, Russell Tucker, county finance officer, suggested looking into the possibility of transporting the kidney patients to the dialysis center in Wilmington at night to eliminate the need to purchase additional vehicles.

Lenoir County authorities have charged a Pink Hill man, whose second wife was found in a grave in Duplin County, with bigamy after discovering he still was married to his first wife, a Maryland woman.

John Ivey Sandlin, 62, a retired Army sergeant, was arrested Oct. 1 by Lenoir County sheriff's deputies on

a charge of bigamy and placed in jail under \$5,000 bond. He was released from jail the next day after posting bond.

Detective Lt. Rickie A. Pearson said court records show Sandlin was married to Mildred O. Lanier Sandlin of Maryland in 1964. She still resides in Maryland.

Pearson said Sandlin was again married in 1970 to

Linda Nguyen Sandlin, a Vietnamese woman whose body was found in a 3-foot-deep grave in Duplin County six weeks after Sandlin reported her missing on July 12.

No charges have been filed in the death of Linda Sandlin. Sheriff Leo Harper said. He said an autopsy had not been completed.

Four County Directors Elected At Meeting

Four members of the board of directors were re-elected at the annual meeting of Four County Electric Membership Corporation (EMC). O. Homer James of Wallace, Garland P. King of Teachey, R.W. Blanchard Jr. of Turkey and Iva W. Brinson of Magnolia were each chosen by the 529 registered members to serve three-year terms.

Approximately 1,000 members and guests enjoyed the humorous stories of Ray Wilkinson, director of farm relations for the Tobacco

Farm Network and WRAL-TV in Raleigh.

In the drawing for attendance prizes, Charlie C. Becton of Magnolia was the grand prize winner of a portable color television. Lenwood Lee Graham of Maple Hill won the early attendance prize of a portable black and white television.

Other winners and their prizes are: Clarence McCray Herring of Rose Hill, Fry Daddy cooker; Frances Owen of Riegelwood, clock radio; James Edwards of Rose

boro, electric frying pan; Melvin Earl Carr of Ivanhoe, electric fan; Jerome Matthews of Rose Hill, hot air popcorn popper; and Ray McDuffie of Elizabethtown, ice cream freezer.

Harrells Community Improvement Center won a smoke alarm; Byrd Chapel Church of Rose Hill, fire extinguisher; John T. Cowan of Rock Point, clock radio; and White Oak Baptist Church of White Oak, electric blanket.

The following each won a pocket calculator: Hortense James of Maple Hill, Van Canady of Rocky Point, Grace E. Moore of Ivanhoe, Lena R. Suggs of White Oak, Bertha L. Batts of Chinquapin, Merrel D. Coffin Jr. of Clarkton, C.E. Stevens Jr. of Council, Mary C. Fennell of Harrells, Earl Graham of Riegelwood, and Roscoe Sellers of Magnolia.

CAR WASH

The E.E. Smith Athletic Boosters Club will sponsor a car wash Oct. 17th at the

Board To Vote Again On Building Rules

A split vote on a proposed Duplin County building ordinance after its first reading in Kenansville this past week will require the board of commissioners to vote on the ordinance a second time.

The ordinance, similar to the state building code, will be given its second reading at the board's next meeting. An affirmative vote will mean it goes into effect Nov. 1.

County Manager Ralph Cottle told the board that if the vote had been unani-

mous, the ordinance would have gone into effect immediately. The county now limits its building inspections to electrical work and insulation installation.

Voting against the ordinance was Commissioner D.J. Fussell. He objected to the section requiring employment of an architect to plan any structure costing more than \$90,000.

Fussell said because of inflation, \$90,000 does not provide a lot of building. Fussell's stand was sup-

ported by several building contractors and suppliers who were present.

Voting for the ordinance after its first reading were Commissioners W.J. Costin, who made the motion to adopt it, Franklin Williams, who seconded it, Calvin Turner and Allen Nethercutt.

The ordinance would require the owner or building contractor to obtain a permit for any structure costing \$2,500 or more.

Permits for new houses up to 1,200 square feet in area

will cost \$75. Permits for houses of 1,200 to 2,500 square feet will cost \$95. Houses containing more than 2,500 square feet will require permits costing \$150.

Wallace Mayor Melvin Cording, chairman of the Duplin County League of Municipalities, urged greater cooperation between the county and towns in several areas because of forthcoming federal and state fund reductions. He suggested studying consolidation of garbage collections.

appeal by Luke Clemmons, a local bicycle enthusiast. The tract would be for children 10-14 years of age. The board directed Clemmons and Mitch Ferguson, recreation director, to choose a suitable site and bring the proposal to the recreation board. If that board approves the location, the town board would consider it.

Perguson announced dedication of Clements Park on the former Wallace school grounds will be held at 11

Cable TV Ordinance Wins First Nod In Wallace

A cable television ordinance which would award a non-exclusive cable television franchise to Univision Cable Systems Inc. of Richlands won approval of the town board of commissioners in Wallace last week following first reading.

Final reading and approval of the franchise ordinance is expected at the board's November meeting.

The firm promises full service availability within year of the franchise award

it would provide 21 channels for a base fee of \$8.95 per month to customers.

A competitor, Rockfish Cablevision of Wallace, had made an offer to provide 11 channels for \$8 per month. It would have added one channel to those now available to residents.

Associated Insurance of Wallace won the contract for property and automobile liability insurance and workmen's compensation on its bid of \$24,276.

Wallace bid \$24,649 on the insurance contract.

The board approved purchase of a new change-over switch for the city water pumps for \$4,608 from Triangle Electric Co. of New Bern. The switch switches the pumps from the electric power lines to an emergency generation in case of power failure. Lightning burned out the switch in August.

Steps to develop a bike track at Clements Park or Art Myers Field were launched

at the annual meeting of Four County Electric Membership Corporation (EMC). O. Homer James of Wallace, Garland P. King of Teachey, R.W. Blanchard Jr. of Turkey and Iva W. Brinson of Magnolia were each chosen by the 529 registered members to serve three-year terms.

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