

# Jury Says 'Levi' Killed Albert Fallin

## Court Term Due To Close Today

Charles Baxter, Negro, Sentenced to 10-15 Years on Roads

With the Fallin murder case out of the way, court machinery went into high gear yesterday afternoon to get as many cases cleared up as possible before the Superior Court term ends today.

Charles Baxter, Negro youth, charged with breaking and entering several Beaufort homes during the past winter, pleaded guilty to second degree burglary and was sentenced to 10 to 15 years on two counts.

Baxter, an old hand at slipping into homes in the night, earned the name "the phantom" for his stealth when he was on a burglary spree in Beaufort several years ago. He was finally caught and convicted and served time on the roads. He returned to Beaufort last summer.

Carlton Franklin is also charged with entering Beaufort homes. The grand jury Monday returned a true bill of first degree burglary and the court appointed C. R. Wheatly as Franklin's counsel.

Warrants have been issued to bring the following into court for trial in June: Ellis T. Boone, John Wray Martin Jr., Fred Smith, Edward J. Simons, all charged with drunken driving; Oscar McLean Kennedy, speeding; James Thomas Simpson and Ford Joseph.

Bonds posted by the foregoing have been forfeited.

Cases continued are as follows: Albert J. Wynne, speeding; Edward Richard Avant, drunken driving; Theodore Smith, whisky violation; Grace L. Flowers, abandonment; Jimmy Long, public drunkenness; Sanford Long, fighting; Ted Day, passing worthless check.

Members of the jury who freed Curtis W. Taylor, charged with speeding, were Alvin M. Garner, Charles R. Freeman, Telford Rose, George W. Adams, Walter M. Horne, Joe Guthrie, Allen Moore Sr., William R. Willis, Winfield Webb Jr., Allen V. Lupton, James W. Kellogg and Earl B. Jones.

Taylor allegedly was clocked by a whammy at 65 miles an hour. His case was heard Monday morning.

## Two Men Hurt In Auto Crash

Percy Deyo, 1606 Shackelford St., and Leslie Day, 2701 Homes Drive, Morehead City, were seriously injured in an automobile accident at 5:15 Wednesday afternoon west of Morehead City.

Both are confined to Morehead City Hospital. Mr. Deyo has a broken nose, severe cuts on his face, chin and neck, bruises and probably rib fractures. Mr. Day is suffering from a severe back injury.

Archie Williams, Morehead City, was also taken to Morehead City Hospital, but was discharged. The four were in a car driven by Harold Ketterer, Morehead City. They were proceeding to Morehead City from Cherry Point.

State Highway Patrolman W. J. Smith Jr., who investigated, could not be reached yesterday to furnish details of the accident, but it was reported that a truck pulled out from in front of the Pine Tree Inn and headed west into the oncoming lane of traffic. The truck and the Ketterer automobile collided head-on.

The injured passengers were taken to the hospital in the Dill ambulance. Ketterer had a small cut over his left eye and bruises. He was not hospitalized.

## Students to Appear On TV Tomorrow

Morehead City High School students will appear on the half-hour Teen-Age Show over WNCN-TV at 2:30 tomorrow afternoon.

Under the direction of Ralph Wade, public school music instructor and band director at the school, they have prepared solos, a duet and some specialty numbers. The Harmonizers are girls' sextet, The Barbershoppers, a boys' group; and a group called the Troubadours will sing Southwestern Men.

Drum majorettes will also appear. Mr. Wade said, "The students are working hard on the program and are looking forward to appearing before the TV cameras."

County ABC Officer Marshall Ayscue testified before the federal grand jury at New Bern Monday in cases dealing with liquor law violations in Carteret.

## Fire Consumes Sea Level Building



Destroyed recently in a blaze that started along the road, was the Sea Level School building. The school is shown burning here. When it was abandoned as a school house, it was purchased by the late Alvah B. Taylor, Sea Level, and used as a community building. Photo by Joe DuBols Jr.

## Racing Firm Stockholder Doubts 'Option' Bill Will be Introduced

### Live Up to Easter

Dr. Eugene Carson Blake, president of the National Council of Churches, has written a series of Easter articles for THE NEWS-TIMES. The first of eight appears in today's paper.

Accompanied by striking pictures, the brief, simple expositions bring the age-old Easter message to you in terms that apply to life in a modern world. Don't miss them. They will appear each issue through Easter week.

## Aruba Never Docked Here

A Finnish tanker, the Aruba, originally destined for Red China carrying 13,000 tons of jet fuel, has never been in Morehead City port, as some local folks believed. Tankers from Aruba, source of petroleum products off Venezuela, have been in Morehead City, but none have been named "Aruba."

The Finnish tanker skyrocketed into the news when Chiang-Kai-Shek, head of the Chinese Nationalist government, said he would never allow the fuel to reach Communist China.

It was reported early this week that the aircraft carrier USS Kearsarge on which two Beaufort men are serving (see armed forces news page 5 section 2) was in Singapore to intercept the Aruba, but the Navy denied that such was the case.

The Aruba's Finnish crew, at last report, had refused to take the ship beyond Singapore.

## Committee Lists JC Candidates

Nominations were presented by the nominating committee of the Morehead City Jaycees at the weekly meeting Monday night at the Hotel Fort Macon. They are as follows:

Herbert Phillips, Dr. Russell Outlaw, Charles Willis, and James Webb, president; Paul Cordova, Jerry Willis, and Frank Cassiano, internal vice-president; Gerald Murdoch and Russ William, external vice-president; Bob McLean, Dr. Robert Barnum, Charles Sumner, treasurer; and Dr. Mike Brady, Jerry Rowe, L. G. Dunn, and Billy Oglesby, directors.

Other nominations will be made from the floor at next week's meeting. The election will take place in April.

The secretary of the organization will be selected by the new president and the state director will be appointed by the new board of directors.

Harold Carpenter, Hickory, a lighting engineer spoke to the members about town Christmas lighting the club is going to sponsor.

Mr. Carpenter told Jaycees how they could do the most for Morehead City this coming Christmas season with their lighting system.

Herbert Phillips was appointed chairman of the committee which will be in charge of all arrangements for the fourth quarterly district meeting to be held in Morehead City the latter part of April.

President Jasper Bell spoke to the members regarding the state convention to be held in Asheville May 5-7.

## Weather Affects Power, Phones

Weekend rains and an electric storm early Monday morning played hob with telephone and power lines at two spots in the county.

Lightning hit several houses and farms in the Russell's Creek section. According to P. N. Thomas, line superintendent with the Carteret-Craven Electric Membership Corp., L. D. Springle's house and the adjoining Hugh Swann farm were struck by lightning between 5 and 6 Monday morning.

Four places in the Russell's Creek section were without power from 6:10 to 6:35 a.m. At one place the motor on a water pump burned out and at another a refrigerator was damaged.

The telephone trouble on lines downtown disrupted service late Friday and Monday morning. L. A. Daniels, manager of the phone company in this area, said that a tractor ran over a telephone pole guy wire Friday.

The pole located between Stacy and Sea Level, was put up again but the rains early Monday morning loosened the dirt around the guy wire and the pole went down the second time.

### What Clams Will Do!

## C&D Board Will Employ Seafood Marketing Expert

At the clam dinner in Raleigh Wednesday night, the news was released that the Board of Conservation and Development is going to employ a specialist in seafood marketing. The joint appropriations committee of the general assembly approved a transfer of funds to pay the specialist.

Governor and Mrs. Hodges, several hundred legislators including D. G. Bell of Carteret, and businessmen ate clams in the S&W Capitol Room.

The purpose of the meeting, as

stated quite clearly by Director Ben Douglas of the Department of Conservation and Development, was "to teach all of you that clams are good to eat." The lesson was well learned. Thousands of clams quickly disappeared.

The clams were served on the half shell, in clam chowder and in fritters, and along with them came generous helpings of clam juice. After sampling the clam in the various forms presented, Governor Hodges predicted "a very glorious future" for North Carolina.

The clams were supplied by Elmer Willis of Williston, who sells

## 75 Attend WOW Family Night

Three Woodmen Receive Awards at Supper Meeting, Camp Glenn

Seventy-five attended Family Night, observed by Woodmen of the World Monday night at Camp Glenn School and saw three Morehead City Woodmen receive awards.

They were Sovereign Jesse R. Griffin, Sovereign David F. Jones and Sovereign Lennis O. Brinson. Mr. Griffin received a plaque bearing the Woodman medallion, Mr. Jones the conservation plaque and Mr. Brinson the Woodmen Honor plaque.

The wife of Mr. Griffin was also honored. She was presented a manicule set.

Presentations were made by Nick T. Newberry, state manager of the WOW. Awards were also given the following students who drive the busses which take children to Morehead City and Camp Glenn Schools: Jerry Garner, Roy Kittrell, Lonnie Hyatt, Francis Guthrie, Timothy Jones and Jerry Pittman.

### Sergeant Speaks

Sgt. C. L. Teague of the State Highway Patrol spoke on safety. State Highway Patrolman W. J. Smith Jr. of Morehead City also attended the meeting.

Ted Davis, manager of the Morehead City Chamber of Commerce, commented on the Woodmen plaque and citation given Mr. Brinson. Mr. Brinson was one of two winners in the courtesy contest sponsored several months ago by the chamber.

The welcome address was given by R. L. Turnage, Morehead City, and the response by R. E. Simmons, Kinston, district manager of the WOW. Guests were introduced by E. B. Thompson, Morehead City.

### Quartet Sings

Music was provided by the Free Will Baptist Quartet, David Jones, Al and Marie McElmon and Evelyn Sherwood. They sang Victory in Jesus, Kneeling at the Cross and Empty Mansions.

The meeting took place in the Camp Glenn School lunch room where a barbecue supper was served. The invocation was given by the Rev. Noah Brown, pastor of the Free Will Baptist Church, Morehead City, and the benediction by the Rev. J. W. Funk, pastor of the Christian Church, Morehead City.

## Sugar Cargo Due Monday at Port

The biggest sugar cargo to come into Morehead City is due Monday aboard the Aenos of the North Atlantic and Gulf steamship line.

The Aenos will bring 30,000 bags (about 1,500 tons) of refined sugar from Cuba. The importer is M. Golodetz of New York. The sugar will be shipped to places throughout North Carolina.

Agent for the Aenos is Heide & Co. and the Morehead City Shipping Co. will handle the stevedoring.

## Dolzer Murder Case Will Be Tried in June

Moody Lewis, Salter Path, charged with the murder of Mrs. E. J. Dolzer early Sunday morning, Dec. 19, 1954 at Atlantic Beach, will be tried in the June term of



Mrs. E. J. Dolzer slain Dec. 19

Superior Court. Because the Albert Fallin case required four days of the five-day court week this week, there was no time left for the Lewis case.

Lewis was released from the county jail three weeks ago under \$12,500 bond. Bond was posted by several parties, Mr. and Mrs. E. G. Worthington, Ayden, \$7,500; Mr. and Mrs. S. A. (Red) Horton, Morehead City, \$1,250; Mr. and Mrs. George Dunn, Morehead City, \$1,250; and Luther Lewis, his son, and Lewis's former wife executed a deed of trust, \$2,500, on their home.

The grand jury returned a true bill Wednesday, charging Lewis with first degree murder. Mrs. Dolzer, a Morehead City waitress, was reported by Coroner Leslie Springle to have been slain by a shotgun blast. The body was found by the side of the road near the Catholic Chapel at Atlantic Beach.

Sheriff Hugh Salter said that Lewis claims the gun went off as the two struggled for it. He said that Mrs. Dolzer had threatened to kill him and herself.

The Albert Fallin murder occurred less than two weeks after Mrs. Dolzer's death.

## County Ministers Meet at Lejeune

Six county ministers met with Protestant chaplains and the Jacksonville Ministerial Association at Camp Lejeune Tuesday. The minister-chaplain seminar took place in the Protestant Chapel.

Attending from this county were Rev. J. D. Young, Beaufort, president of the Carteret Ministers Association; the Rev. A. L. Benton, Marshallberg; the Rev. E. W. Downum, Beaufort; the Rev. Paul Parker, Otway; the Rev. E. Guthrie Brown and the Rev. J. P. Jones, both of Morehead City.

The purpose of the seminar was to acquaint ministers and chaplains and to describe to ministers the duties of chaplains in counseling men of different faiths.

Brief talks by the chaplains preceded and followed lunch at the Paradise Point Officers Club. Between 40 and 50 ministers attended.

### Attorney Endorsed

Seven Carteret attorneys have endorsed former Superior Court Judge Luther Hamilton for appointment as judge of the newly-created third judicial district which includes Pitt, Craven, Pamlico and Carteret Counties. A. D. Ward of New Bern and W. J. Bundy of Greenville have also been suggested for the post.

## Williams Gets 8-12 Years; 'Candy Baby' Goes Free

Levi Williams was sentenced to 8 to 12 years in Superior Court yesterday for the New Year's Eve slaying of Albert Fallin, 19-year-old Beaufort Negro. His sister, Lucille (Candy Baby) Williams, also charged with the murder, was found not guilty.

The case went to the jury about 11:30 yesterday morning and the jury returned its verdict in less than three-quarters of an hour. Sentence was passed by Judge Walter J. Bone. The case has been in progress all week, having started Monday afternoon.

Attorneys for the Williams were Harvey Hamilton Jr. and Alvah Hamilton. Robert Rouse Jr., solicitor, pleaded the state's case.

The first witness for the state was Assistant Police Chief Carlton Garner of Beaufort who reported going to the scene of the murder, where he found the body of Albert Fallin still warm, with blood oozing out of the man's mouth and a wound over the left eye. Officer Garner testified that he had the man placed in the back of the patrol car after he felt a faint pulse beat. As he was starting off, he reached back to feel of Fallin's pulse again and discovered the victim had died.

The officer then testified that he removed the body from the car and put it back in the street where it originally lay.

He said he then called Morehead City police department for the coroner, and upon information received from the spectators at the scene, he went to Lucille (Candy Baby) Williams's house.

The defendant told him, he said, that she had been at home, getting ready to go to church.

The sheriff of the county, Hugh Salter, was on the scene about 15 minutes after Garner himself had arrived.

### No Weapon Found

According to his testimony and that of other state witnesses, Sheriff Salter and Coroner Leslie Springle, there was no bullet found nor was the murder weapon ever found.

Officer Garner and the recent police chief, Al E. Guy, went to house together, with Garner doing the interviewing.

According to the testimony of Officer Garner, Sheriff Salter, and John Edwards of the SBI, Lucille never had admitted that she had a rifle the night of the shooting nor that she had ever fired a shot at the victim.

Coroner Springle testified that he found four holes in the head of the victim. One was over the left eye, one a little left of the center of the forehead, one in the back of the head, and one over the left ear. When the body was removed to the Adair Funeral Home, Coroner Springle said a fifth hole was found above the victim's heart.

An X-ray taken at Morehead City hospital showed something that looked like a bullet, above the right lung.

The coroner said that the size of the holes in the body were equivalent to the size of the eraser end of ordinary lead pencils. No autopsy was performed and the body was turned over to a Negro undertaker in New Bern.

### Pictures Shown

Two pictures taken of the deceased were submitted to the court to illustrate the coroner's testimony.

William Thomas Odom, who had been working at the Elks Club, testified that someone brought word that there was a fight going on across the street. He looked out the window and then went downstairs to the front door of the lodge to get a better look at the fight.

After he got downstairs, he testified, he "saw both Levi and Candy Baby with rifles poised to fire." Then he said that he heard two shots within 10 seconds of each other. The defendants' attorneys tried to have the witness impeached by citing that Odom had a criminal record.

Isaac Jordan, janitor of the Elks Lodge, was the next witness and he corroborated Odom's story of two shots, though he watched the

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### Tide Table

Tides at the Beaufort Bar	
HIGH	LOW
Friday, March 18	
3:14 a.m.	10:10 a.m.
4:00 p.m.	10:22 p.m.
Saturday, March 19	
4:20 a.m.	10:59 a.m.
5:00 p.m.	11:12 p.m.
Sunday, March 20	
5:19 a.m.	11:44 a.m.
5:49 p.m.	
Monday, March 21	
6:09 a.m.	12:01 a.m.
6:33 p.m.	12:28 p.m.
Tuesday, March 22	
6:53 a.m.	12:47 a.m.
7:13 p.m.	1:10 p.m.

## Coroner's Jury Frees Officer In Garner Death

At a coroner's inquest at the courthouse Tuesday night Lt. Michael Fibich, USMC, 3005 Evans St., Morehead City, was absolved of all guilt in the death of Fred F. Garner, Newport. Garner was struck by Lieutenant Fibich, who was driving a 1954 Chevrolet Sunday night.

After hearing the evidence, the jury that ruled that the accident which cost the life of Garner was unavoidable.

Garner was struck by the Fibich vehicle about a mile west of Newport on Highway 70. It was reported at the inquest that Garner walked in front of the car after the Marine officer had blinked his lights to warn of his approach. When Lieutenant Fibich applied the brakes, he was unable to miss hitting Garner.

The victim was taken to Morehead City Hospital where he died in less than an hour. Lieutenant Fibich was put under \$1,000 bond for his appearance at the inquest Tuesday night. Bond was posted by Ray F. Garrett, Morehead City.

Witnesses included State Highway Patrolman R. H. Brown, Lieutenant Fibich, Sgt. John Broadwell, USMC, and Roy L. Man, Nick Allen, and Gordon Garne, all of Newport.

The inquest was conducted by Coroner Leslie Springle.

## School Band Will Present Concert

The Beaufort High School Band under the direction of C. Franklin Jones Jr., will give its annual spring concert Tuesday night at 8 o'clock in the school auditorium. No admission will be charged.

Numbers on the program include Victor Herbert melodies, American Folk Rhapsody by Grundman (based on American folk tunes), Hall of Fame March by Oliviodotti, Komm Süsser Tod by J. S. Bach, Dextology by Leiden, Golden Bears March by Yoder and World Events by Zamekine.

The feature number will be a trumpet trio, Jimmy Murphy, Joe Chipman and Charles Hassell Jr., playing Jim Dandies.

## N. C. Tax Returns Due April 15

The 1955 State Legislature, meeting in Raleigh, recently extended the filing date for 1954 individual state income tax returns to April 15. Prior to this change the annual filing date was March 15.

Returns are required of single persons with an income of \$1,000 or more, or a married man with an income of \$2,000 or more. A state return must be filed by a

To assist people in making out state income tax returns, a representative of the State Revenue Department will be at the courthouse, Beaufort, April 5 and 12 and at the city hall, Morehead City, April 7 and 14. Hours will be 9 a.m. to 4 p.m.

married woman with a separate income if the income is as much as \$1,000.

Taxpayers who filed last year have been mailed either a short form blank or a long form blank, depending on which type was used last year. If conditions have changed and the other blank is desired this year it may be secured by writing the N. C. Department of Revenue in Raleigh or contacting the local representative of the department.

Failure to automatically receive a blank does not relieve the taxpayer of filing and those who for some reason have not received a blank but are required to file should request one as soon as possible.