

# THE JONES COUNTY JOURNAL

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## Jones County Superior Court Monday Judge Joe Parker Opening Civil Term

Judge Joseph Parker of Windsor will convene a one-week civil term of Jones County Superior Court Monday with a large number of civil actions scheduled for action during the week.

Divorces are scheduled for Norman Robinson from Kay Frances Brown Robinson, to Patsy Louise Brock from Hilton Cleo Brock and to Nathaniel Taylor from Cherry Daniel Taylor.

Motions are to be argued in the suits between Sheriff Brown Yates and Edward Jackson Morgan, between Elizabeth Evans Franks and Carl Weldon Franks and between Novella Hunter and James Coy Griffin.

In the Yates-Morgan case the defendant, Morgan, is seeking to have the accident damage suit tried in a county other than Jones, since he alleges it would be impossible for the case to be fairly tried in the sheriff's home county.

More than 40 witnesses have been summoned to testify in the effort to set aside the will of the late Robert T. Johnson, who left his property for scholarships to deserving Jones County students. Some over 30 of Johnson's cousins are seeking to break the will, alleging that the will was obtained from him when he was not in full possession of his mental faculties and the caveat fur-

ther alleges that the executor of the will, Branch Banking and Trust Company, used undue influence in persuading Johnson to leave his property to benefit Jones Countians, rather than his relatives, who live outside Jones County.

Other suits include a land squabble action between Pennie Lessy Kelluy and her husband against Hardy and Mamie Collins;

An attempt to force payment of an insurance claim brought by Mrs. Ethel Collins against an insurance firm represented by the Thom Foscue Agency;

An accident damage suit by Roy Carlton Parker against W. W. Brafford and Allen Meadows; An accident damage action brought by Edmund Huffman against his wife, Ella.

Set for trial on Thursday are actions for libel and slander damages brought by W. Bryan Hargett against Ouida and John Newell;

Action to collect a delinquent account by Rand Oil Company against Edmund Huffman;

Action by E. E. Bell against Cornelius Jordan and wife over title to a tract of land in Pollocksville Township;

And action by MacMillan & Cameron Company of Jacksonville to collect an account from Mrs. Helen Eubanks Taylor.

## Principal Not Guilty

Last Friday Moseley Hall Recorder William Coltrain found Le Grange Elementary School Principal Otis Singletary not guilty of assault with a deadly weapon on a seven year-old second grade student in his school. Parents of the child brought the indictment, claiming that the child had been badly bruised from a beating with a "sawed off boat paddle". Evidence before Judge Coltrain did not support the charge, and after a lengthy hearing he dismissed the charge.

## Court Orders Full Payment in Tobacco Lease Litigation

Last week the North Carolina Supreme Court upheld the decision of Judge Walter Bone in Lenoir County Superior Court in which payment of an agreed lease price for tobacco acreage was ordered.

Donald Gibbs contended that he should not pay C. W. Taylor the full \$2100 agreed upon since between the time of the lease and the planting of the crop a reduction had been made in the amount of tobacco that could be sold under the farm's allocation.

Gibbs had tendered \$1785 on the \$2100 lease price and had offered to pay the other \$315 if Taylor would permit him to sell 15 per cent over the farm's allotted poundage. Taylor refused, the law suit resulted and the courts agree that Gibbs has to pay the full rental price.

## Ambulance Driver Charged Monday

Monday Kinston Police Traffic Captain Fred Hart indicted Ambulance Driver Roland Hill of 603 Liberty Hill Road for speeding too fast for existing roadway conditions after he clocked Hill at 60 miles an hour on Bright Street and at 45 on Queen Street. And Captain Hart says, "To make the matter worse the patient in the ambulance was not an emergency patient — just one being taken to his doctor for a check up!"

## BACK IN BUSINESS

After three months and 20 days the agreement between a majority of Kinston funeral homes to go out of the ambulance business was broken last week when one of the signatories to the pact, Howard & Carter Funeral Home, broke out in a fancy new ambulance and advertising which said its friends had urged it to provide ambulance service. During the brief pact the two funeral homes that remained in the ambulance business were able to take care of all such needs in the community.

aerospace force.

A graduate of Moss Hill High School, the captain attended Mars Hill Junior College. He was commissioned in 1957 through the aviation cadet program.

His wife, Margaret, is the daughter of Mrs. Jim Barwick of Kinston.

## Appeal Taken in Conviction Friday For Receiving Stolen Property

Lazarus Simmons of Trenton has appealed to superior court his conviction last Friday before Recorder's Court Judge Joe Becton under a charge of buying and receiving stolen property, knowing it to have been stolen.

Becton suspended a 60-day jail term to Simmons on condition he pay a \$10 fine and make restitution in the amount of \$15 to S. A. Norris. He was released under \$200 bond, pending hearing of the charges in the higher court.

Minnie Mattocks of Maysville was found not guilty of assault upon a female and malicious damage to private property and Carl Lee Taylor, also of Maysville, was found not guilty of assault on a female.

A worthless check charge against uHbert H. Ellis was nolle prossed.

A non-support charge against Raymond Tripp of Kinston was nolle prossed with leave.

Several traffic charges against Clifton Sutton of Kinston route 3 were nolle prossed since Sutton is in prison for making whisky in Lenoir County.

Sargett Brown Jr. of Deep Run route 1 had a charge of driving an uninsured car nolle prossed.

Charge of driving without a license against Ada Privette Cooke of Kinston was nolle prossed.

Those paying court costs and in some instances small fines for traffic charges were John Ray McDaniel of Pollocksville route 1, Harold Lee Morton of Maysville route 1, Richard Bryan Morton of Comfort, Windsor Lee Wells, Regar Mickler, Rush Charles Suggett, William K. Gainor, Jerry T. Ross, Mildred Levi Anhalt and Daniel Merritt, all of Camp Lejeune.

Glendale Hayes Kornegay of Trenton route 2, Rogers Murrell of Pollocksville route 1, John Bennett Jr. of Kinston, James Theodore Taylor of Kinston, Johnny Edward Moore of Bayboro, Mildred Daniel Maloney of Greenville, and Calep Edward Dove of Trenton route 1.

## Three Booked

Persons booked at the county jail in the past week, according to Sheriff Brown Yates were Major Mitchell and Bill Walker, both of Cove City and Harvey Bearden of Camp Lejeune, all charged with being drunk in a public place.

## Wayne County Jury Called to Try Lenoir Murder Charge

Tuesday Judge Elbert Peele, presiding over Lenoir County Superior Court, ordered a special venire of 50 Wayne Countians to be drawn for next Monday morning, October 31st.

The special venire will be used to secure a jury to hear murder charges against R. H. McLawhorn, former operator of a motel south of Kinston, who is charged with killing Camp Lejeune Marine Harry F. Brown early in August at the motel.

Brown suffered a pistol wound that led to his death several days later in the hospital at Camp Lejeune. Witnesses identified McLawhorn as the man who fired the shot, but he strongly denies the shooting.

## Fall Festival at Maysville School Saturday at 6:30

Saturday, October the twentieth, at six-thirty, the doors of the Maysville Elementary School will be opened for the annual Fall Festival, with no admission charges.

Fun and food will be furnished for all. Some of the types of recreation which will be featured are as follows: sports events, cartoon movies, variety show, cake walk, costume contest, fortune telling, apple hobbing, and the country store. A new feature for the 1966 festival will be the antique auction.

For the benefit of the housewives there will be a bake sale to take care of that Sunday's desert.

## LA GRANGE BREAK-IN

Last week thieves broke into the West End Grocery and stole about 80 pounds of dressed chickens, a number of shirts and some underwear. A front door window was knocked out to gain entry.

## DRUG LAW PENALTY

Hugh J. Smith Wednesday pleaded guilty to selling drugs without a prescription and was placed on good behavior for three years and ordered to pay a \$200 fine by Superior court Judge Elbert Peele.

## Federal Appellate Court Upholds John Larkins' Decision

Last week the Fourth Circuit Court of Appeals in Richmond upheld the decision of Eastern District Federal Judge John Larkins who last summer dismissed an action brought by the tobacco warehouse firm, Cozart & Eagles of Wilson, against all other Wilson warehouses and the Wilson Tobacco Board of Trade.

After a 29-day trial Judge Larkins ruled that there was no basis to support the plaintiff's claim that it was being unfairly or illegally treated by the defendants.

The plaintiff contended that it was one of the oldest Wilson tobacco warehouses and had historically sold something near to 25 per cent of all tobacco sold on the Wilson market, and it contended that the defendants had cut its selling time so that it now was selling less than 18 per cent of the tobacco sold in Wilson.

## Dr. Bearden Named Member Planning Group by Governor

Governor Dan Moore has appointed a professor in the East Carolina College School of Business, Dr. James H. Bearden, to the 10-man State Emergency Planning Task Group for Industrial Production Resource.

Dr. Bearden and his colleagues in the group are responsible for assistance in "developing and installing an emergency preparedness program," according to the Governor.

The task group will have its first meeting in Raleigh on Thursday, Oct. 27.

Dr. Bearden, son of Mr. and Mrs. Joseph N. Bearden of Marion, Ala., has been an ECC faculty member since September 1959. He has a BS degree from Centenary College of Louisiana in Shreveport, an MA from East Carolina and a PhD from the University of Alabama.

He is married to the former Pauline Larkins of Trenton; they have two children and make their home at 106 Crown Point Road, Greenville.

## Captain James T. Jones Decorated for Heroism With Air Force in Viet Nam



Air Force Captain James T. Jones (right), nephew of Mr. and Mrs. Horace Whitfield, is decorated at Randolph AFB, Texas, for heroism in Southeast Asia. He received the Bronze Star Medal, five awards to the Air Medal and the Air Force Commendation Medal. Major General W. C. Lindley Jr., makes the presentations.

Air Force Captain James T. Jones, nephew of Mr. and Mrs. Horace Whitfield of Kinston, Route 4, has been honored at Randolph AFB, Tex., for heroism in Southeast Asia.

Captain Jones received the Bronze Star Medal, the sixth through 10th oak leaf clusters to the Air Medal and the Air Force Commendation Medal.

The Bronze Star Medal was awarded the captain for meritorious service as a forward air controller at Kien Giang Sector, Vietnam. He organized and developed the air support program in Kien Giang Province and was able to initiate the first use of close air support of ground troops there.

Captain Jones won the awards to the Air Medal for meritorious achievement in the successful accomplishment of important missions under extremely hazardous conditions and hostile ground fire.

The captain earned the Air Force Commendation Medal for meritorious service as a staff officer with the Seventh Air Force headquarters at Tan Son Nhut AB, Vietnam.

Captain Jones, who flew 318 combat missions, also holds the Vietnamese Cross of Gallantry.

He is now a T-37 flight examiner at Randolph with the Air Training Command which conducts the educational programs necessary to provide skilled pilots and technicians for the