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Consent Judgment Shoots \$16,500 Hole In \$90,000 Estate of Mrs. H. D. Gray

A consent judgment signed Monday by Kinston Superior Court Judge Albert Cowper shot a \$16,500 hole in the estate left to deserving students of Jones County by Mrs. Henry D. (Stella Oxley) Gray.

The pie sliced thisaway: \$1,500 to each of the three kinsmen of Mrs. Gray who claimed that she was out of her mind and acting under the undue influence of Branch Banking & Trust Company when she made the will. They are Ethel Oxley Lovett, Merle Oxley Morgan and Hortense O. Taylor, each of whom had been left \$1,000 in the original will on condition they did not contest the will. Their take was upped to \$2,500 each.

Lawyers Donald Brock, C. E. Gerrans, John Beaman and C. T. Kellum, who defended the will were given \$8,000, and Lawyers James R. Hood, Lewis & Rouse of Farmville and Dunn & Dunn, perhaps from Dunn, were given another \$5,000 chunk out of the estate.

Officials estimated that court costs in the trial added up to another \$1,000, which the estate was also ordered to pay.

The full text of Judge Cowper's consent judgment follows here:

THIS PROCEEDING came on to be heard before the undersigned Judge Presiding and a jury at the November 24, 1969, session of the General Court of Justice of Jones County, Superior Court Division, and it appearing to the Court that all of the necessary parties have been served with the citation as required by law or are otherwise parties to this proceeding, and are now before the Court, and a jury having been duly selected and empaneled, and the following issues having been submitted to the jury and by the jury answered as follows:

1. Was the paperwriting dated April 14, 1967, and offered for probate as the Last Will and Testament of Stella O. Gray, deceased, executed according to Law?

ANSWER: Yes.

2. Did Stella O. Gray, deceased, at the time of the execution of said paperwriting dated April 14, 1967, have sufficient mental capacity to make a will?

ANSWER: Yes.

3. Was the execution of said paperwriting dated April 14, 1967, and offered for probate as the Last Will and Testament of Stella O. Gray, deceased, procured by the exercise of fraud, duress or undue influence over the said Stella O. Gray, deceased, as alleged in the caveat?

ANSWER: No.

4. Is said paperwriting dated April 14, 1967, as propounded and each and every part thereof the Last Will and Testament of the said Stella O. Gray, deceased?

ANSWER: Yes.

THE COURT, with the consent of the caveators and propounders, makes the following additional Findings of Fact:

1. This caveat proceeding was first heard before the undersigned, Albert W. Cowper, Superior Court Judge, and a jury at the October 27, 1969, session of the General Court of Justice of Jones County, Superior Court Division, at which time trial was had and issues submitted to the jury. The trial consumed four full days and on the fifth day of the session, after an extended period of deliberation, the jury reported that it was unable to agree upon a verdict; whereupon, the Court withdrew a juror and declared a mistrial as will appear in the records of the minutes of that session of the General Court of Justice, Superior Court Division, Jones County.

2. Subsequent to the declaration of a mistrial, attorneys for the caveators presented to the propounders an offer of compromise settlement.

3. Said offer of compromise settlement, as proposed, was that appropriate issues should be submitted to the jury, as hereinafter set forth, and answered in favor of the propounders of said will, declaring said paperwriting to be the Last

Six Jones Arrests

Jones County Sheriff Brown Yates reports six persons being booked at his office in the past week, including James Willie II of Pollockville route 1 on a capias, Clyde Kinsey of Pollockville, Joe Godley of Maysville and Joe Armstead of Trenton on public drunkenness charges, Aaron Moses Hall of Richlands for assault and Jesse Clinton Gray of Trenton on charge of drunken driving.

Will and Testament of Stella O. Gray; that the caveators and Hortense O. Taylor, heirs of the said Stella O. Gray, be paid the sum of \$2,500.00 each in lieu of the bequest made to them in the Last Will and Testament of Stella O. Gray.

4. It would be in the best interest of the estate of the said Stella O. Gray that said proposed compromise settlement be approved to avoid further expense of litigation and to the end that all matters relating to the administration of said estate be concluded without further delay or additional expense.

It is now, therefore, ORDERED, ADJUDGED AND DECREED:

1. That the paperwriting dated April 14, 1967, propounded for probate, and every part thereof, is the Last Will and Testament of Stella O. Gray and the same is hereby admitted to probate in solemn form.

2. That the executor of the estate of Stella O. Gray shall pay to Ethel Oxley Lovett, Merle Dixey Morgan and Hortense O. Taylor the sum of \$2,500.00 each in lieu of the bequest set forth in the will of the late Stella O. Gray in full and complete settlement of any and all claims which the same shall have against the estate of the late Stella O. Gray.

3. That the cost of this proceeding shall be paid by the estate of Stella O. Gray, said cost to include counsel fees of \$6,000.00 to be paid to counsel for the propounders, and counsel fees of \$5,000.00 to be paid to counsel for the caveators.

DONE at Trenton, North Caro-

Trenton High's Class of '31 Holds Reunion Sponsored by Three Members

Land Transfers

Jones County Register of Deeds Bill Parker reports recording the following land transfers in his office during the past week:

From Florence and James Higgins to Pauline H. Bratcher and Belva H. Thompson 48½ acres in Pollockville Township.

From J. Patrick Kelly III to Robert J. and Janie Simmons a tract in Beaver Creek Township.

From Laura M. Miller to Viola E. Powell a tract in Beaver Creek Township.

From Clella M. and W. C. Capps to K. D. Meadows a tract in Trenton Township.

From E. M. Philyaw and Alma H. King to Angela King a tract in Cypress Creek Township.

From Earl B. Collins and Myrtle L. Collins to B. R. Cotton and Dixie B. Cotton a tract of land in White Oak township.

From Granger C. Tyndall and Judy C. Tyndall to Neil B. Riggs and Glenda D. Riggs 71.15 acres in White Oak Township.

From Henry A. Foscue and Valworth M. Foscue to Henry A. Foscue, Jr., M.D., a tract of land in Pollockville township.

From Whitford Hill and Gladys S. Hill to Tommy Turner Jr. and Geraldine B. Turner a tract of land in Tuckahoe township.

From Annie Bell Hudson and W. F. Hudson and Carrie Provow to James A. Simpson 84 acres in White Oak township.

From Robert B. Killingsworth and Helen Killingsworth to Horace B. Phillips and Agnes M.

Verna Bell Lowery, Mrs. Agnes Haddock Becton and Mrs. Flora Humphrey recent honored their fellow classmates at a supper meeting commemorating the thirty-eighth anniversary of the group's graduation from Trenton High School.

The group met at the Barbecue Lodge in Kinston. The invocation was given by John Charlton West Jr., and Mrs. Agnes Becton was toastmistress. Mrs. Helen Eubanks, on the behalf of her classmates and their guests, thanked the host for their hospitality and for their efforts to reunite the class.

Each member of the class gave a brief history of his or her life since graduation from high school. Games were played and enjoyed by the group.

Members of the class present for the celebration were Miss Lowery, Mrs. Humphrey, Mrs. Becton, West, Mrs. Taylor, Mrs. Catherine Dixon Parker, Mrs. Inez Lee Wilson, Eddie Mitchell, Mrs. Alma Tyndall Phillips, William W. Barker, Wilmer E. Mallard and Miss Mable Tyndall.

Guest were: Fred Becton, Mrs. Mary West, Albert Taylor, William D. Parker, Hirman Wilson, Mrs. Louise Mitchell, Sam Phillips, Mrs. Carolina Barker and Mrs. Nannie B. Mallard.

The class members decided to meet again in the Spring of 1970.

Mrs. Parker, Mrs. Phillips and Mr. Barker volunteered to be joint hostess for this meeting.

Phillips 78 acres in Chinquapin township.

Another Shooting in 'Dodge City' as Marines Seek After-Hours Beer and Find 'Big Bad Bruce' Byrd Instead

Most of the lights along the main street had been dimmed and the rambling breed had largely knocked off their rambling for the night, but there were three boys in from the open range down around Paradise Point, who felt like they couldn't rest unless they had a couple more beers to nurse on as they drifted off to dream-

lina, this the 24th day of November, 1969.

Albert W. Cowper
Judge Presiding.

land. And they chanced to see a light still glowing at "The Strong Branch", just beyond the town limits, and there they went to slake that midnight thirst.

And one of the drovers walked in and told the sleepy-eyed boy behind the empty counter, "Gimme a six-pack". But the old clock on the wall had ticked on past 12:20 and the thirsty fugitive from Onslow's dry gulches was none too happy when he was informed, "Marshall Dil-

(continued on page 8)

ANY WAY PUBLIC SCHOOL PIE IS SLICED LENOIR COUNTIANS ARE GETTING GYPED

By Jack Rider

If there is one field of public endeavor in which one might suppose that equity would automatically exist it should be public schooling. To even suspicion that highly-placed, fair-minded, well-educated men would deliberately penalize children in one school district, while patronizing those in another is beyond imagination.

But it is well within reality, if it is beyond imagination. And even those responsible for this iniquitable crazy-quilt of education spending do not understand who is doing what to whom with whom with which or why.

A review of the operating expenditures for public schools in the four most recent years for which complete figures are available: 1964-65, '65-66, '66-67, and '67-68 reveals some amazing figures, which presumably may also be called facts.

By any method of analysis of these figures for the four-year period the same story, and

students of Lenoir County have been and still are getting a royal ypping.

Comparisons accentuated by the mass of tabulations along with this article show how badly Lenoir County has fared when set beside its sister counties of Craven, Pitt, Wayne and Wilson.

Conservatively, the taxpayers of Lenoir County during this four-year period have been gouged out of \$2,310,028.75 more than they should have.

And what is the basis for any such multi-million-dollar allegation? These figures from the State Department of Public Instruction are the basis.

Viewed from yet another angle the cash crucifixion Lenoir Countians have been given is far worse than \$2.3 million.

In 1964-65 the per-student expenditures for these five counties were as follows: Craven \$321.37, Lenoir \$338.42, Pitt \$293.56, Wayne \$296.83 and Wilson \$323.67. The average of those four sister counties comes

to \$307.37, which is \$31.21 less than Lenoir County was spending per pupil that year. This multiplied by 14,304 pupils amounts to \$446,427.84 that Lenoir was spending above the average expenditures of its sister counties.

For 1965-66 this same set of averages pops Lenoir County out of the computer with an over-expenditure of \$297,363.40.

For 1966-67 this same kind of simple arithmetic indicates Lenoir Countians on a per-student basis were spending \$661,856.54 more than their fair share, or at least more than their neighbors in these four counties were spending.

And for 1967-68 this figure soars to \$904,460.97. This totals \$2,310,028.75.

But recalling Disraeli's comment on statisticians let us look at these school expenditures from yet another point of view: The per cent of total cost born by local taxes.

The average for 1964-65 was

state 78 per cent, federal 5 per cent and local 17 per cent. That year Lenoir Countians paid 16 per cent of the county school system's operating costs and 24.7 per cent of the operating costs of the Kinston School system. State funds accounted for 79.1 per cent and federal funds for 4.9 per cent of the county system and 73.7 per cent 1.6 per cent of the Kinston system.

That year Craven Countians dug up just 5.5 per cent of their county school budget and only 12.7 per cent of the New Bern school budget.

Pitt Countians had to find at home only 10.4 per cent of the money for their county system and just 15.5 per cent of the cost of their Greenville system.

Wayne Countians only paid 5.6 per cent of the cost of their county system and just 13.6 per cent of the cost of the Goldsboro system that year.

In Wilson County the figures were 8.7 per cent for the county and 17.2 per cent for the Wil-

son city system.

Worst off of all that year was Mecklenburg County which got tapped for 36.7 per cent of the operating costs of its sprawling school system. Onslow got off lightest of all, having to pay just 1.5 per cent of its total school operation costs, with the other coming 78.5 per cent from the state and 21 per cent from federal tax revenues. Out of a \$3,797,015.33 expenditure that year local funds spent by Onslow County only amounted to \$20,430.98!

Consider big Marine-Corps rich Onslow County having to put up only \$20,430.98 of a \$3,797,015.33 school budget! That year Poor Little Pamlico County had to scratch up \$82,932.99 of its \$784,574.70 budget for schools.

Jones County's share of its \$958,596.60 budget was \$81,060.09 and Lenoir County had to ante up \$925,749.21 of its \$4,713,741.58 school budget!

Continued on page 8