

Rape Defendant Gets Life Sentence

BY SUSAN USHER

A Charlotte man was sentenced to life in prison Thursday following his conviction in Brunswick County Superior Court in the first-degree rape of a convenience store clerk.

Aaron Elwood Pigott, 24, could serve 20 years in prison. His attorney, Bill Fairley, has filed notice of appeal to the N.C. Supreme Court.

At District Attorney Michael Easley's request, the sentencing order requires the N.C. Parole Commission to notify the victim's family any time Pigott is considered for parole.

Life imprisonment is the mandatory sentence for first-degree rape, a Class B felony which involves the use of a weapon. The jury deliberated less than 40 minutes before reaching its verdict of guilty at 12:30 p.m.

Superior Court Judge B. Craig Ellis charged the jury with finding "beyond a reasonable doubt" that vaginal intercourse had occurred between the two; that force or threat was used to overcome resistance; that the rape was against the clerk's will; and that a dangerous weapon was used or displayed.

The trial began Monday with jury selection, with

final arguments taking nearly three hours Thursday morning. The defendant sat quietly and expressionless throughout, declining to speak in his own behalf before sentencing.

Addressing the jury for about 90 minutes Thursday, Fairley challenged the lack of fingerprints tying Pigott to the scene of the crime and the results of tests on body fluid samples taken as part of the rape evidence kit.

He insisted that one set of results excluded his client as a suspect, a point Easley contradicted in his own 40-minute closing argument.

Easley reminded jurors that an SBI forensics lab

expert testified the results specifically did not exclude Pigott.

Contrary to Pigott's court testimony, he said, an earlier statement showed he tried to call his sister the morning of May 25. Pigott testified he made two calls, both from his sister's house because he didn't have access to a phone. One was to a barber, the other to Lt. Gause's house, he said.

Gause, however, testified he received a call at the Oasis from Pigott, though he had not told the suspect the scene of the alleged rape during questioning.

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Boy With Head Injury Said Okay

A boy whose skull was impaled by a boat cleat in a Sunday afternoon boating accident near Holden Beach came through surgery at Pitt Memorial Hospital in Greenville in good shape, Brunswick Hospital officials said Tuesday.

"He was alert and asking questions. He's expected to do fine with no residual effects," said Dr. Mike Bauerschmidt, director of the emergency room at the Supply hospital.

The four-year-old and his uncle, apparently from Laurinburg, were thrown from the family's boat Sunday by the wake of a larger vessel as it passed in the Intracoastal Waterway near Holden Beach.

Bauerschmidt said a couple from Raleigh on the shore nearby saw the two bodies in the water and realized they were not waterskiers.

"He paddled out on his windsurfer and pulled the boy on board—he thought he was dead. He then pulled the boy's uncle on board and brought them to the hospital in his car."

Hospital officials didn't know the details of the accident, but Bauerschmidt said the cleat had broken away from the boat, screws and all, and that the tip of the cleat was impaled in the boy's skull.

As is standard procedure for the hospital in dealing with all head injuries, said Director of Nursing Marlina Howlett, the boy was stabilized then airlifted at 2:20 p.m. by the Eastcare helicopter to the hospital at the East Carolina University Medical School, Pitt Memorial.

"They called us back to say what a great job we did stabilizing the patient," added Bauerschmidt.

Shalotte Mayor's Race Emerges

BY SUSAN USHER

Mabel Dutton has stayed at home for three weeks, waiting—waiting for candidates that, as of Tuesday afternoon, had not yet appeared.

A long-time member of the Holden Beach Board of Elections, Mrs. Dutton has registered candidates in numerous past elections. Never before have they kept her—and the voters—in suspense for so long.

As in other Brunswick County towns, the filing period closes at noon Friday at Holden Beach. Holden Beach is one of four municipalities in the county that run their own elections, rather than contracting with the county.

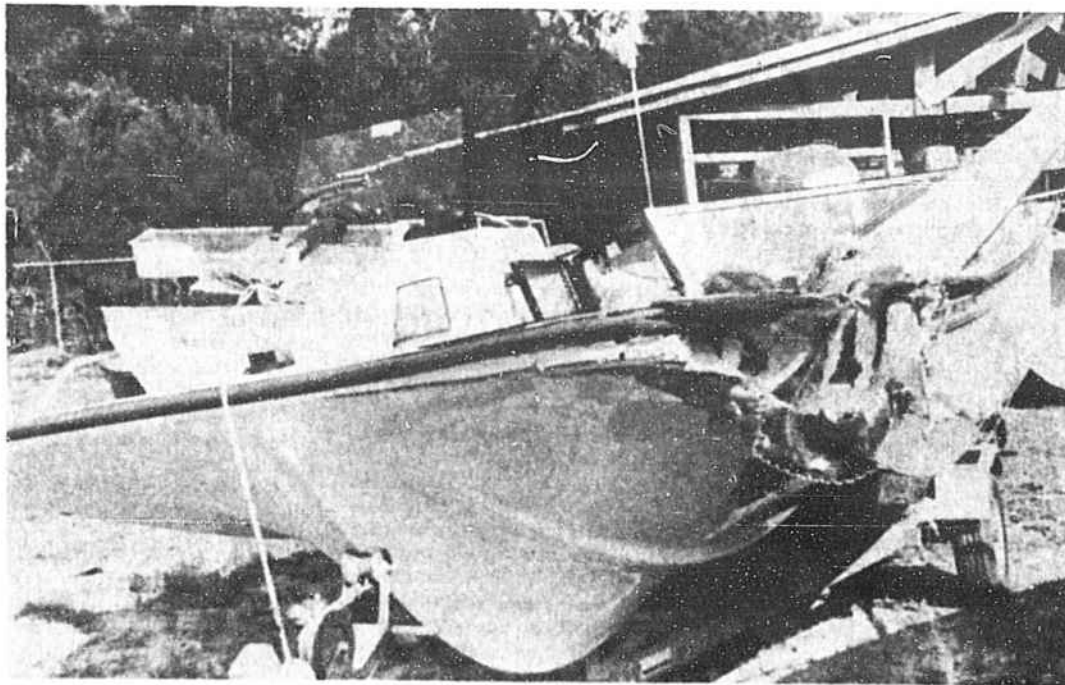
"It's never happened before," said Mrs. Dutton Tuesday of the delay in filing, predicting a last-minute rush. "It's an unusual thing."

Mayor Kenner Amos had announced earlier that he would not seek reelection. Commissioner Jim Griffin announced he would file for mayor, but so far has not.

Elsewhere in the county, one other town had no candidates for office as of Tuesday, Bolivia, where voters will elect a mayor and four aldermen.

In Shalotte, however, a race has emerged for mayor with the filing of Frankie L. Bennett. Alderman Jerry Jones has also filed for mayor. Charles Williams, Gary Cheers and Danny Roden have filed for the board of aldermen.

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TWO PERSONS WERE KILLED and three injured Saturday evening when this 17-foot McKee craft struck an electrical cable and then a steel piling at the Ocean Isle Beach Bridge. It was the first boating accident in the county this year to result in a fatality, officials said.

STAFF PHOTO BY SUSAN USHER

FIRST BOATING DEATHS IN '85

Two Killed, Three Injured In Boat Crash

BY SUSAN USHER

A prominent Robeson County farmer and his daughter were killed and three other passengers seriously injured Saturday when their boat struck a power cable and then a steel piling at the Ocean Isle Beach bridges.

It was the first boating accident in Brunswick County this year to result in a fatality, according to Fred E. Taylor, the N.C. Wildlife Resources Commission enforcement officer who investigated the accident.

Dead are Charles Blue Pate, 45, of Rowland, and his daughter, Anne Marie, 15.

County Coroner Tommy Gilbert ruled drowning was the cause of their deaths. The bodies were sent to Jacksonville Monday for an autopsy.

Both were thrown from the boat, as was Pate's cousin, James, 36, said Taylor.

James Pate was listed in stable condition Monday at Brunswick Hospital in Supply.

Also injured were Charles Pate's wife, Helen, and Dena Butler Pate, James Pate's wife. They remained in intensive care and were listed in serious condition Monday at New Hanover Memorial Hospital, where they were transferred Saturday, said Taylor.

The officer said the five were en route from Holden Beach to Calabash for dinner when the 17-foot McKee Southporter hit an inch-thick power cable, careening into a steel piling at the new Ocean Isle Beach Bridge.

The accident occurred at about 5:20 p.m.

Taylor said the westbound speedboat, equipped with a 150-horsepower outboard motor, was traveling at an estimated 40 mph hour at the time of impact.

"I don't know why he was going that fast," said Taylor. "We may never know."

Pate had piloted the vessel between the south fender of the old Ocean Isle Beach Bridge and the mainland shore rather than through the main channel of the waterway, he added.

"An eyewitness said that when the boat hit, it bucked and the three bodies flew out," said Taylor.

The witness indicated there was no other boat traffic on the waterway at the time, he added.

After the impact, the boat began to

circle back. James Pate had popped up out of the water, Taylor said, when he saw the boat coming his direction and dove back under. The propeller caught his foot, tearing it badly.

Anne Marie Pate had been sunning on the bow of the boat at the time of the accident, Taylor said, while James Pate was seated to the left of the pilot. The two women, the only boat occupants wearing life vests, occupied jump seats in the rear.

The boat's port bow was damaged, the console torn away on the port side and the gas tank knocked from the boat. The pedestal seat on which James Pate was sitting was torn from the floor and the seat detached from the pedestal. Both jump seats in the rear broke.

Taylor said the power cable was privately-owned, in use by the contractors building a new \$4.2 million high rise that will replace the drawbridge on N.C. 904 to Ocean Isle Beach.

Pate had picked up the factory-order boat earlier Saturday from Shalotte Marine Supplies and had tried it out that morning, accompanied by several dealer employees and a local friend.

Taylor said it was not Charles Pate's first boat and that he was not an amateur boater.

Pate, who owned a house at Holden Beach and was in the process of building one at Ocean Isle, was well-known in both communities, Taylor said, as well as throughout the southeastern part of the state.

Shalotte and Calabash Volunteer Rescue Squads responded to the emergency, as did the Ocean Isle Beach Police Department and the Brunswick County Sheriff's Department, which provided traffic control.

The U.S. Coast Guard's 22-foot rescue vessel arrived from the Oak Island station just minutes after the victims had been transported to Brunswick Hospital in Supply and the boat towed to Ocean Isle Marina.

Taylor said the bodies had begun drifting toward the Eastern Channel when a Grissetown farmer, Hollis Smith, and a companion in his skiff, caught and held them until help could arrive.

The victims were transported to Ocean Isle Marina by the Sea Hawk II, captained by Buster Gillis, he said.

Appointed Board To Hear Tax Revaluation Appeals

BY SUSAN USHER

Five Brunswick County real property owners "knowledgeable of real estate matters" will hear the appeals of taxpayers dissatisfied with the values assigned their property during the 1986 revaluation.

Revaluations are required by the N.C. Machinery Act every eight years, with certain adjustments allowed but not required every four years. In the past, Brunswick County commissioners have traditionally sat as the county's Board of Equalization and Review during revaluations and also in appeals of valuations in any tax year.

The board of commissioners will appoint the appeals panel this year, with each commissioner expected to recommend a resident of his or her electoral district.

On a 4-1 vote Monday, commissioners adopted a resolution establishing the board, but delayed their appointments for at least a week. They will meet Tuesday, Sept. 24, at 6:30 p.m. with their nominees, Revaluation Project Director Brent Weisner and Tax Administrator Boyd Williamson.

Commissioner Frankie Rabon was the only commissioner to vote against the resolution, after concerns about salaries and the size of the board were apparently resolved to other members' satisfaction.

At least two commissioners said their nominees wanted to discuss the panel's work with tax officials before deciding whether to accept.

They will be paid \$35 per "official session," not to exceed \$70 a day, a reduction in the \$50 per session initially proposed last month.

Members must be registered to vote in Brunswick County. They must be also of good moral character and must have resided in the county at least one year prior to taking office.

A two-year minimum residency had first been proposed, but County Attorney David Clegg said it was lowered to avoid claims that the county showed partiality to long-time residents in making the appointments.

The chairman will be named by commissioners from the five E & R Board members.

Many taxpayers' questions about their revaluations will be resolved during informal hearings with W.P. Ferris Inc., the firm conducting the revaluation, and county tax officials.

Other appeals of property valuation will be heard by the E & R Board beginning in April 1986. If the property owner is dissatisfied with the county's decision, he may appeal to the N.C. Property Tax Commission.

No action was taken on a proposal from Chairman Chris Chappell to add two "at-large" members to insure the board includes people familiar with the full range of land use within a county, including areas that are largely resort, industrial or agricultural in make-up.

While not objecting, Commissioner Frankie Rabon suggested they be appointed on a rotating basis as is done with members of other boards.

"It's no problem. I just want the opportunity to have two members from my district instead of yours," he told Chappell.

County Attorney David Clegg said he thought the board could be any size commissioners want.

Chappell also said he thought the proposed pay of up to \$70 per day was "too little" for the members, who he said would be "professionals" taking time away from their jobs.

"But they can collect that twice a day, one before lunch and once after lunch—and probably will," interjected Commissioner James Poole. "I don't see it (the money) as a criteria for joining."

Commissioner Rabon said he didn't favor allowing payment for two sessions per day. Members of most county boards are paid "per diem," a fixed sum per day regardless of how long they meet that day.

An initial proposal had called for E & R Board members to earn \$50 per session, up to a maximum of \$100 per day.

Tax Administrator Boyd William-

son said the double-session rule was intended to make sure the board didn't hold "three or four meetings per day—to put a limit on the amount that could be paid out in one day."

Commissioner Grace Beasley wondered if the board could meet briefly before and after lunch and count it as two meetings.

Theoretically they could, the attorney noted.

"But you commissioners appoint the chairman. You can instruct him to meet once a day and to call a recess, but not a lunch recess," he added.

1985 Values

In another tax matter, Tax Administrator Boyd Williamson reported a 1985 combined county tax levy of \$13,611,810.65, including Doshier Hospital District, corporate taxes and late list fees.

Real and personal property is valued at \$2,213,214,569, he said, an increase of \$131,433,336 from 1984. The county tax levy will be \$13,279,214, including late list fees of \$110,537.

In Smithville Township, taxable property totals \$1,107,834,250 in value, including corporations.

A four-cent tax per \$100 valuation levied for Doshier Hospital will yield \$447,022 for the hospital, plus \$3,803.72 in late list fees.

Smithville Township's corporate tax base of \$860,593,350 accounts for a majority of the county's total corporate valuation of \$1,290,301,621. Corporations will pay \$7,677,306 in taxes and \$45,410 in late list fees for 1985.

Total valuations, county taxes and late list fees are as follows by township:

- Northwest—\$56,963,824, \$338,877, \$4,706;
- Town Creek—\$100,512,725; \$598,067, \$7,249;
- Smithville—\$247,240,767, \$1,471,091, \$17,848;
- Lockwood Folly—\$197,820,536, \$1,177,045, \$12,236;
- Shalotte—\$290,814,968, \$1,730,359, \$21,584;
- Waccamaw—\$29,570,158, \$175,942, \$1,565.

Protesters' Case Is Continued

The people who object to the barricade across Holden Beach's west end are not giving up.

Approximately 30 persons were arrested for crossing the barricade on Aug. 25 and charged with trespassing.

The case, scheduled for Brunswick County District Court on Monday, was continued until the Nov. 4 session.

The group, which met Saturday morning, plans to incorporate and has established a legal fund to

finance their fight to reopen the west end.

Their next meeting will be held Sept. 28 at 10 a.m. at 125 Burlington Drive on Holden Beach. Any interested person may attend, said Raymond Cope, spokesman.

The group has hired James Maxwell, an attorney from Durham, to represent their case. In addition, Maxwell serves as the attorney for the Sunset Beach Taxpayers Association, which is also fighting a legal battle over access rights.