

Suspect Arrested After Being In 'Tight Squeeze'

BY RAHN ADAMS

If it had been Christmas, a Calabash woman might have thought it was Santa Claus or maybe even the Grinch who she heard coming down her chimney early Sunday morning.

Instead, it was a South Carolina man who apparently was attempting to break into her home. And according to authorities, he wasn't wearing anything close to a Santa suit either—just a T-shirt.

Brunswick County Sheriff's Capt. Phil Perry said Tony Lee Smith, 21, of Route 1, Longs, S.C., was charged with misdemeanor breaking and entering Sunday after he was rescued from the chimney at the Sherry Herd residence on Hickman Road.

After being trapped in the chimney for several hours, Smith had an easier time getting out of jail. He was released from custody Sunday on a \$75 bond.

According to Perry, Ms. Herd said she was awakened Sunday around 3:30 a.m. by someone calling for help inside the house. She reported the break-in to the sheriff's department after she found the man caught in her chimney.

Members of the Calabash Volunteer Fire Department were dispatched Sunday around 4 a.m. to free the would-be intruder.

"I went in the house and looked in the chimney, and I saw a foot hanging there," Calabash VFD Capt. Ronnie Gore said Monday.

Gore noted that the fireplace damper was what kept the suspect from being able to completely descend the chimney.

One fireman lowered a rope to Smith from the roof and pulled the trapped man from the chimney, Gore said. It took about 10 minutes to rescue the small man, whose weight was estimated to be about 120 pounds.

"We had no problems once we got the rope around him," Gore said. "We got him on the first try."

Neither Gore nor Perry could offer a clue as to why Smith was wearing only a T-shirt when he was rescued.

According to Gore, Smith was not injured in the freak incident, although the suspect apparently was trapped in the chimney for about five hours. Smith told his rescuers that he had gone down the chimney around 11 p.m., Gore said.

Sheriff Investigating Bingo Games In Leland

BY RAHN ADAMS

The attorney for the owners of a Leland business said this week his clients are taking a wait and see approach to a sheriff's department probe before they take the next step in a court dispute over bingo games played at the establishment.

"A lot of that's up to them," Elizabethtown attorney Clifton Hester said Monday, in reference to his clients' options. "There are strategic reasons for waiting to see what the other side does."

Brunswick County Sheriff John C. Davis—the other side—said Tuesday that his department's investigation of the Leland business is continuing. No charges had been filed as of Tuesday.

According to Davis, the business is located on Old U.S. 74-76 in Leland, and is identified only by a sign that reads "Triangle."

Sheriff's Capt. Phil Perry said Monday, "If we catch anyone in a violation of the North Carolina general statute for bingo games, they will be charged."

The business is owned by Charles Hester, Dennis Hester and Rachel Hester, who filed a suit March 8 in Brunswick County District Civil Court to seek a restraining order and injunction against law enforcement authorities, and a judgment interpreting the state's bingo laws.

The three plaintiffs are distantly related to their attorney, Clifton

Hester said.

Defendants named in the suit include Sheriff Davis, District Attorney Michael Easley and N.C. Attorney General Lacy Thornburg.

According to court records, District Court Judge D. Jack Hooks Jr. issued a temporary restraining order on March 10 which kept local authorities from "arresting or prosecuting any of the plaintiffs."

However, on March 18 Hooks rescinded the restraining order, saying he hadn't had the authority to issue it in the first place, since Hester's motion involved a felony statute. District Court has no felony jurisdiction, the judge said.

The Hesters' lawsuit states that the business uses "instant bingo" games to promote the sale of "sundry items," which their attorney described Monday as concessions including drinks and candy.

"In connection with the sale and purchase of sundry items, the purchaser/donor receives free bingo cards and may participate in a free bingo game," the lawsuit says.

Clifton Hester said Monday that one point of his clients' complaint is that state bingo laws are vague and need to be clarified.

According to the lawsuit, the business owners contacted the state attorney general's office earlier this year and were told that bingo games were not illegal if the game was provided "free of charge" and was used

only to promote business.

The sheriff's department last week received its own memorandum from the attorney general's office concerning an interpretation of bingo laws. Davis said Tuesday that Assistant District Attorney Napoleon Barefoot Jr. was reviewing the memo.

In the meantime, Clifton Hester said Monday that his clients have not decided whether or not to seek a dismissal of their complaint in District Court and file the case in Superior Court.

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Parks And Rec To Propose Sunny Side Relocation

BY RAHN ADAMS

If a plan by county parks and recreation officials is realized, Shallotte's historic Sunny Side school building will again bustle with activity soon—but in a different location.

According to Chairperson Ouida Hewett, the Brunswick County Parks and Recreation Advisory Board plans to propose moving the building from the corner of Main Street and N.C. 130 West to Shallotte Township District Park on U.S. 17 south of Shallotte.

"We'd like to move it to the Shallotte (Township) Park site and restore it to its original status—the original Sunny Side School," Ms. Hewett said in an interview last week.

"To me, I love Sunny Side," she added. "There are so many good memories there."

The four-room frame structure, which was built in 1915, has already made one move in its 73-year history. Until the construction of its replacement, the building stood on the site of Shallotte Middle School on N.C. 179.

Rather than destroy the old school building, the Brunswick County Board of Education turned it over to the Town of Shallotte, and it was moved to a temporary location—where it now stands—on property now owned by David Rourk of Shallotte.



STAFF PHOTO BY RAHN ADAMS

PARKS AND RECREATION OFFICIALS plan to present a proposal to Shallotte Town Council in April concerning the possible relocation of Sunny Side School

from its current site inside the city limits to Shallotte Township District Park, where it would be used as a community building.

But according to Shallotte Mayor Jerry Jones, a five-year agreement to keep the building on the Rourk property has expired, and the town has been unable to buy or lease the land.

Shalotte has nowhere of its own to move the building, the mayor said. He added that until a permanent location is found, the town is hesitant to make any significant improvements to the building. It is currently used for storage space.

"It's a situation of the building sitting on someone else's property," Jones explained last week.

The town allocates a small amount of money each year for the building's upkeep. Last summer, a project by the Shallotte Junior Women's Club fixed up the exterior of the old school. However, the interior remains in disrepair.

Ms. Hewett said she and Parks and Recreation Director Bobby Jones hope to present a written proposal concerning the relocation to Shallotte Town Council at the town board's April meeting.

Jones said he also intends to bring the matter to council members' at-

ention for their "thoughts and suggestions" at the board's next session.

"There are pros and cons (to the proposal)," Jones said, "but it needs to be in a permanent site where it can be used."

"I'd be open to any suggestions of where to put it and what to do with it," he added.

Ms. Hewett's suggestion is to move Sunny Side to the park, restore the building's interior and use it as a community building for club meetings and other activities.

Local groups currently meet "wherever they can," mainly at the Brunswick Electric Membership Corporation office or in churches, she noted.

Ms. Hewett said she doesn't think Shallotte would have to give up ownership of the building to facilitate the move to the county-owned park.

At a March 18 joint meeting between the parks and recreation board and county commissioners, Ms. Hewett unveiled her plan for relocation of the building. Commissioners discouraged the use of county parks and recreation funds but agreed that

the county could possibly seek grant monies for the project.

Another benefit of the proposed move is that the historic building would be located on the fenced-in park grounds where it would be protected, Ms. Hewett said. Also, Sunny Side could be cleaned by parks and recreation employees.

Although no estimates of the cost of renovation have been made, much of the work also could be done by parks and recreation employees, who restored a community building at Waccamaw Township Park several years ago, she said.

She estimated that the cost of moving the building would be about \$5,000.

If the project is approved by all parties and funding is obtained, Ms. Hewett said she intends to ask the public to provide photographs of the building's interior to aid in restoration.

Sunny Side consists of three large classrooms and a small auditorium. When it was in use, the building housed about 125 students, Ms. Hewett said.



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