

INSIDE:

The North Carolina Festival by the Sea
Holden Beach

Down By The Sea
Fall fun at the beach continues this weekend at Holden Beach! Your pull-out guide's inside.

Lots Of Spots!
Pier anglers get the action they've been waiting for. See the Fishing Report, Page 6-D.

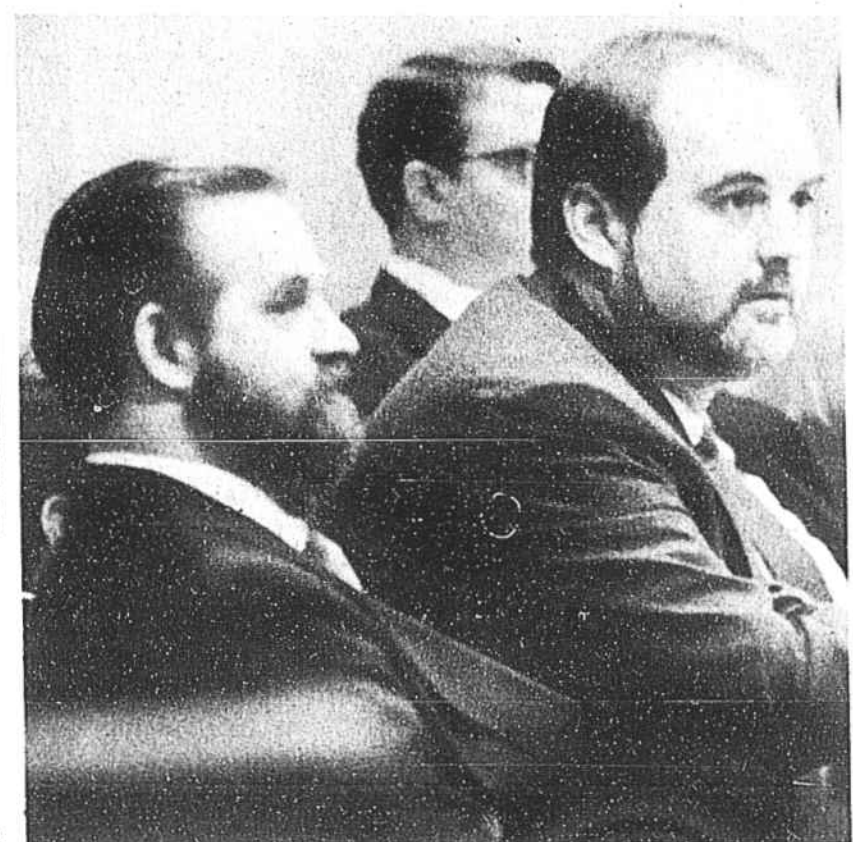
On The Tube
Check the comprehensive listings in the TV guide. It's on Pages 6-B, 7-B.

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Convicted Murderer Dies In Brunswick County Jail



RAYFORD CLAYTON PIVER (left) calmly listens with defense attorney Rex Gore last Thursday as jurors are polled to verify their unanimous verdict that Piver was guilty of first-degree murder.

BY RAHN ADAMS
Hours before jurors were to decide the fate of convicted murderer Rayford Clayton Piver, the 43-year-old Ash resident was found dead Tuesday morning in the Brunswick County Jail.
Piver was found hanged with a bed sheet in his jail cell Tuesday at 7:10 a.m., according to Brunswick County Sheriff John C. Davis. The sheriff said that when Piver's cell was checked around 4 a.m., the inmate appeared to be asleep in his bunk.
An SBI investigation requested by Davis was under way Tuesday. Also, Piver's body was to be sent Tuesday to the regional medical examiner's office in Jacksonville for autopsy, Davis said. No results were available at presstime.
Brunswick County Coroner Greg White estimated the time of death at approximately 5 a.m. He said the sheet had been fastened behind the upper edge of a square steel plate on the cell wall above a small metal table.
When asked if the death was a suicide, Sheriff Davis said, "I don't see how it could be anything else." He noted that no one except the jailer on duty early Tuesday morning had

access to Piver's cell.
Davis said the body was discovered by Jailer Charles Crocker. He added that Jailer Thomas Gore was on duty alone from 2 a.m. to 6 a.m. Tuesday, after a second jailer who was scheduled to work called in sick.
The death was the second to occur in the Brunswick County Jail in just over a year. On Oct. 22, 1987, 17-year-old Riley Bradford Ridgeway of Shallotte was found hanged to death in his cell.
Davis said Tuesday that he probably would not change any current procedures in the jail unless he is instructed to do so by the 13th District Attorney's office following the SBI investigation.
Piver was convicted last Thursday in Brunswick County Superior Court of first-degree murder in the Oct. 6, 1987, shooting death of 31-year-old Wilmington resident Michael Baker, whose body was found near U.S. 17 at Grissetown.
After five days of jury selection and two days of testimony, the eight-woman, four-man jury deliberated for just over an hour before returning its guilty verdict.
In March, Piver was convicted of first-degree murder and was

sentenced to die in connection with the Oct. 6, 1987 shooting death of 32-year-old Wilmington resident Nick Patelos outside a Wilmington bar.
The prosecution in the Brunswick County case maintained that Piver killed Baker at Grissetown because Baker witnessed the Patelos murder.
Both Davis and defense attorney Rex Gore said Tuesday that they were concerned about Piver's emotional state after the defendant broke down Monday afternoon during the sentencing phase of his trial.
"He did show some emotion yesterday in court, and we were concerned about it," Davis said. He added that Gore talked to Piver in jail Monday afternoon and told jail officials that he felt Piver would be okay.
Referring to Piver's emotional state after court recessed Monday, Gore said Tuesday, "We felt things were pretty much under control with him."
But according to the attorney, Piver apparently "didn't want to spend any more time in prison on death row." Piver had even mentioned considering withdrawing the appeal of his death sentence in the New Hanover County murder conviction, (See CONVICTED, Page 2-A)

Holden Beach Hires Interim Administrator

BY DOUG RUTTER
Faced with several major ongoing projects, Holden Beach Commissioners last week hired an interim town administrator who they hope can help stabilize town hall during a busy time.
After interviewing four applicants last week, commissioners decided last Thursday to hire Lester D. Roark, 63, of Shelby.
Roark, who has a long history of public service, will start work next Tuesday, Nov. 1, and will serve at least until the end of the calendar year. Mayor John Tandy said the administrator will work 30 of the 40 regular working days in November and December and will be paid \$125 per day or \$3,750 for the two months.
Tandy said the decision to hire an interim town administrator was unanimous and was based in part on the immediate needs of the town.
Relocation relocation of utility (See HOLDEN BEACH, Page 2-A)

Septic Tank Committee Aims To Ease Limits On Fill Areas

BY DOUG RUTTER
A state legislative committee reviewing septic tank laws will introduce legislation next year which would allow for easier approval of septic tank permits in some areas built up with "historic" fill dirt.
State Rep. David Redwine of Ocean Isle Beach, co-chairman of the septic tank study committee, said the group will push for passage of a bill which would allow septic tanks to be permitted in areas which have fill dirt over a sandy bottom.

He said this would clear the way for septic tank permit approval in some areas at Holden Beach and Sunset Beach, two islands that were affected by last year's local reinterpretation of state septic tank laws which require at least one foot of "naturally-occurring" soil above the water table.
Redwine added, however, that the legislation will not provide for permit approval in areas where fill dirt was added to cover "mud" or "muck."
The proposed legislation was one of

several key items which came out of a work session last week in Raleigh. Redwine said the committee decided to make recommendations to the General Assembly on some matters and introduce legislation on other matters relating to the state septic tank laws. He said the committee will meet again in Raleigh on Nov. 29 to review the final draft of its report, which must be completed no later than Dec. 6.
Also last week, the committee decided to pursue an appropriations

bill which would set aside state monies for the continuing education of sanitarians, research and development grants and assistance to low-income people trying to repair failing septic systems.
Redwine said the committee is hoping to get \$1.8 million the first year and \$1.9 million the second year. Each year, he said, \$1.5 million of the total would be available in county grants for demonstration projects of alternative sewage treatment systems.

Statewide fees would be imposed to raise the money needed for this research. Redwine said the committee has proposed a septic tank permit fee of \$25, a tank repair fee of \$10 and a fee of \$50 for any permit for an unconventional system. These state fees would be collected in addition to any local fees.
The committee will also recommend to the General Assembly that septic tank permits be good for five years instead of three years as they are (See COMMITTEE, Page 2-A)

Man Drowns, Two Companions Rescued After Boat Capsizes In Rough Seas

BY SUSAN USHER
A Lumberton-Fairmont area man drowned Monday afternoon but his two companions survived after their small boat capsized in heavy surf off Shallotte Inlet.
Airlifted by U.S. Marine helicopter, Walter Chappell, 54, was declared dead on arrival at New Hanover Memorial Hospital in Wilmington at approximately 4:30 p.m., Dr. Leon Andrews, New Hanover County medical examiner, said Tuesday. He listed drowning as the cause of death.
Chappell's two companions, whose names the hospital would not make available, were treated and released from the emergency room, a spokesman said.
While rescuers tried to reach them, the three men remained in the surf approximately two hours Monday

after their 15-foot McKee Craft boat capsized, indicated Dale Hewett, an enforcement officer with the N.C. Division of Marine Fisheries. He was first on the scene.
Hewett said the men "held on as long as they could" before breakers separated them from the boat.
Before that, a lone, unidentified swimmer reached the net-entangled boat and tried to sway the men to float or swim back with him to the beach, Hewett said.
But one of the three had a faulty lifejacket. "The other two refused to leave him," added the officer.
Hewett said the three had apparently ventured out into the ocean about 250 to 300 yards to retrieve fishing nets set offshore for spots.
Two men on shore told Hewett the net belonged to them; that the three men in the boat were friends from the

Fairmont area who had volunteered to bring in the net.
Going out Monday afternoon "was a bad mistake," Hewett added, noting that stiff southwest winds had made the surf "very, very rough."
The boat's engine apparently became tangled in the nets and stalled, leaving the threesome stranded. "They were sitting there in the edge of the breakers and couldn't get back in, couldn't go anywhere," he said. The boat turned sideways, with the stern in the waves, and the breakers flipped the boat over.
"I saw the boat capsize and the three people go in the water," said Hewett. "It's a weird feeling to be on the hill and see what's happening and not be able to do anything except what I did do."
Hewett, watching from the beach with a Coast Guard emergency medical technician and Logan, said

he tried to maintain visual contact with the capsized boat and its occupants while providing radio directions to the rescuers.
Patrolling the east end of Ocean Isle looking for nets Monday afternoon, he noticed the boat offshore and three people in it "waving their arms." The small boat was half-full of water and was setting low in the surf.
Hewett said he radioed the U.S. Coast Guard at 2:18 p.m. to launch a rescue.
Coast Guardsmen in a 21-foot motor surf boat arrived on the scene quickly, then spent much of the next two hours trying to cross rough seas to reach the stranded victims, to no avail. "They did everything in their power to get out, but when they did it was too rough. They had to turn back," said Hewett.

Meanwhile the Coast Guard radioed the U.S. Marine Corps, which dispatched "Launch Pedro," a search and rescue helicopter based at Cherry Point.
When the chopper arrived shortly after 4 p.m., Hewett said its crew quickly located the first two men, then searched again for the third.
Chappell was found floating, face-down, approximately 400 yards from the capsized boat, drifting into the inlet. The helicopter pilot told Hewett the crew immediately began resuscitation efforts for the man, who was described as unconscious.
More delays in the rescue occurred when the helicopter crew could not locate The Brunswick Hospital in Supply by coordinates.
The hospital's landing pad was only minutes away, with firefighters and deputies standing by, Logan said, but unable to pinpoint the loca-

tion, the helicopter continued on to Wilmington.
Both Hewett and Logan said they wish the Coast Guard had radioed for the rescue helicopter "first thing," given the conditions of the seas and that the rescue call came from a law enforcement officer. "I want to see if there is any way we can speed up the process, cut through the red tape," said Logan. He's also checking to see what the problem was with the coordinates.
"It's frustrating to see somebody out there and not be able to help," he said.
Logan added that he plans to investigate the possible purchase of the type surf boat used by Dare County rescuers, with a fiberglass hull and rubber pontoons that are especially suited for maneuvering in rough seas.

Judge Denies Motion For New Trial In Sunset Beach Lawsuit

BY RAHN ADAMS
The dispute over ownership of a \$500,000 oceanfront lot at Sunset Beach may go to the N.C. Court of Appeals after a motion was denied this week for a new Superior Court trial.
The legal fight involves "Lot 1-A," which is located near the intersection of Main Street and Sunset Boulevard. The lawsuit was filed in 1985 by the Sunset Beach Taxpayers' Association against the development firm, Sunset Beach and Twin Lakes Inc.
John Narron, the company's Raleigh attorney, said Tuesday that the case probably would be filed with the Court of Appeals in six to eight days. The 10-day period for appeal began Monday when the motion for a new trial was denied.
In August, Superior Court Judge Bruce Briggs of Mars Hill ruled in favor of the taxpayers' association that the lot is a public right-of-way for beach access and not private property owned by the company. Testimony in the non-jury trial was

heard by Briggs last November in Brunswick County Superior Court.
Shortly after the initial decision was reached, the company's local attorney, Roy Trest of Shallotte, filed a motion asking for a new trial, alleging that Briggs and SBT attorney James Maxwell of Durham had privately discussed the "merits" of the case before the ruling was made.
Trest also contended in his motion that Briggs' judgment was "void in that it was entered out of term and out of session . . ."
Maxwell immediately filed an affidavit denying that he and Briggs discussed the merits of the case. The attorney also stated that he notified Trest of all contact between himself and the judge either before or immediately after any communications between the two men, and that Trest raised no objections.
After hearing arguments Monday afternoon in Brunswick County Superior Court, Judge E. Lynn Johnson denied Trest's motion for a new trial and ruled that the com-

munications between Briggs and Maxwell were not improper.
The judge also denied a request from Maxwell that Sunset Beach and Twin Lakes Inc. should be required to pay attorney fees incurred by the SBT as a result of the motion.
In asking for the "sanctions," Maxwell cited coverage of the Lot 1-A case in the Beacon's Aug. 25 edition, which reported that Trest said "he (Trest) intended to file legal motions . . . asking for a new trial due to procedural questions about Briggs' handling of the case." Maxwell also cited a Sept. 1 Beacon article that reported on the company's motion being filed.
"The entire system of justice has been held up to potential ridicule," Maxwell told the judge.
Narron responded in court to Maxwell's statements by calling the newspaper accounts "the rankest form of hearsay." Trest did not comment on the matter during the hearing.
(See JUDGE, Page 2-A)



More Than She Bargained For
Doris Hubbard of Oakland, N.J., (center) got more than she bargained for when she bit into a steamed oyster Saturday at the N.C. Oyster Festival. She also bit into this pearl which she and several others said looked genuine. Her husband, Frank, pictured at left, said of the find, "What a shocking revelation." The two were visiting Bill and Merle Goldsberry (right) of Shallotte. More coverage of the N.C. Oyster Festival is inside this issue.