

Animal Cruelty Trial Delayed Until May 29

A Belville man charged on multiple counts of cruelty to animals and failing to vaccinate dogs and cats had his trial in Brunswick County District Court postponed from Tuesday until May 29.

Albert Sidney Boney, 48, was charged by Brunswick County Animal Control Supervisor Zelma Babson with 15 counts of cruelty to animals, 13 counts of failing to vaccinate dogs and one count of failing to vaccinate a cat.

The charges stem from a raid made on the Town and Country Motel in Belville, owned by Boney, in which officers seized more than 300 animals on April 23. Boney was allegedly raising and selling the animals at his two-story apartment there.

Last week, the Brunswick County Health Department also cited Boney for a leaking sewer line at the motel, allowing him 10 days to make needed repairs.

Another inspection will be made Wednesday, May 15, to see if the septic tanks servicing the motel and several mobile homes there have been repaired. The lines are draining into a ditch that feed into nearby Brunswick River.

In District Court Tuesday, Ms. Babson told Judge David G. Wall that she was prepared for trial. She asked the judge to consider the number of animals the county is having to house in ruling on a delay.

Officers seized 13 Pekingese dogs, one mixed breed dog, four cats, 288 birds and five mice from the apartment. Many of the dogs had long wads of matted fur trailing beneath them. Others could barely walk on their hind legs. County residents began a local food drive to help animal control workers care for the animals.

Boney, represented by John Burney of Wilmington, faces a possible maximum fine of \$1,500 and a sentence of up to one year in jail on each of the cruelty to animals charges.

His attorney told Judge Wall Tuesday that he needed additional time to consult with Ms. Babson on the charges.

Boney is scheduled for trial May 13 on misdemeanor possession of marijuana and misdemeanor possession of drug paraphernalia charges. Boney was charged on those counts during the raid at his apartment after officers allegedly found a small amount of the drug in a bedroom.



STAFF PHOTO BY TERRY POPE

Sprucing Up

Brunswick County Building and Grounds employee Bobby Mills gives the administration building a coat of fresh paint Monday at the government complex in Bolivia.

RULING EXPECTED WEDNESDAY

Man Wants Court To Overturn Land Auction

BY TERRY POPE

Brunswick County Sheriff's Deputy Liston Hawes said Monday that he followed the law in selling the land and home owned by a Winnabow man to settle a \$907 judgment.

Joe Monroe Wright, of Governor's Road, filed suit in New Hanover County Superior Court last week against United Carolina Bank, Brunswick County Sheriff John Carr Davis and North West Channel Inc., the company that bought the property at a public auction for \$6,100.

Wright, who claims the land is worth \$36,000 and the mobile home \$7,000, is seeking a restraining order to keep the property from being transferred.

Wright claims he was not properly notified of the sale. The land and home were auctioned to pay off a car loan Wright owed to United Carolina Bank.

A New Hanover County Superior Court judge was to rule Wednesday, May 8, on whether to overturn or uphold the sale.

Hawes said the sheriff's department sent Wright a letter warning him of execution of the judgment and tried to serve papers on him personally and twice by certified mail. Wright never picked up the

letters, Hawes said.

A legal notice of the sale was published in *The Brunswick Beacon* on Dec. 13, 20, 27 and Jan. 3. The land and home were auctioned on the steps of the Brunswick County Courthouse on Jan. 4, but an upset bid came in and the process had to be repeated.

During this period, deputies were also trying to locate Wright to serve papers to him for civil contempt of child support, Hawes said. Those papers have since been served. He was also the subject of a lien served against him by the Internal Revenue Service in Brunswick County Superior Court on Aug. 8, 1990. According to court records, Wright owed the IRS \$7,019.

Wright contends that bank officials told him that after the judgment was entered he could pay the \$907 when he could under a payment schedule.

Persons owed money have the right to execute a judgment resulting in a public auction of the debtor's assets. By state law, a property owner must be personally notified by the sheriff's department at least 10 days before the public sale of his home.

The lawsuit states that Wright had received nothing about the debt since July.

In July, UCB sent Wright a form to fill out that would guarantee him a certain amount of money from the auction of his land and home. The defendant allegedly did not return the form.

The lawsuit was filed by Wright's attorney, Jim Lea of Wilmington, who also won a temporary restraining order last week to halt the property transfer. The lawsuit maintains that Wright did not know about the sale until April 21.

Hawes said the company that purchased the land and home apparently contacted Wright with an offer to resell it to him.

"I cannot see where we (sheriff's department) neglected any of our obligations," said Hawes.

Democrats Ready To File Late Financial Reports

BY DOUG RUTTER

Former Brunswick County Democratic Party Chairman Glen Peterson said two overdue financial reports and \$200 in penalties should be sent to the state elections office this week.

Peterson said Tuesday one of the reports is finished and the other is 90 percent complete. He needs detailed information about certain contributions before he can finish the final report.

Brunswick County's Democratic Party Executive Committee failed to file two reports showing income and expenses over the last eight months of 1990, according to the N.C. Board of Elections.

The executive committee did not file two of the three financial reports required for the year. One of the late reports was due in October and the other was due in January.

Peterson said earlier that party officials had inadvertently neglected to file the financial disclosure statements on time. "It was just a matter of having too much to do and not enough time to do it," he said last month.

In April, the state elections office asked the local district attorney to prosecute the executive committee.

District Attorney Rex Gore, who is a Democrat, said state law requires that prosecution begin within 45 days of notification from the state. The 45 days runs out May 23.

However, Gore won't have to prosecute the committee if financial reports comply with state law and penalties are paid in time, said Yvonne Southerland, supervisor of the campaign reporting office at the state Board of Elections.

Ms. Southerland said the one financial report the executive committee filed last year showed income of \$39 and expenses of \$5 for the period Jan. 1 through April 21.

Beaver Population Reduction Plan Endorsed

(Continued From Page 1-A)

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