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# THE PERQUIMANS WEEKLY

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## Lawsuit against county, sheriff dismissed

SUSAN R. HARRIS

A lawsuit filed in federal court against Perquimans County and Sheriff Eric Tilley has been dismissed.

Chief United States District Judge Terrence W. Boyles denied plaintiff Michael Craig Clark's motion for summary judgment on Nov. 12. Clark filed a *pro se* action on July 23, alleging violations of his constitutional rights.

According to the judge's ruling, since May 2001, Clark has made at least seven 911 emergency calls

reporting fires near his home. Clark contended that the calls were necessary to report illegal fires, but fire department reports submitted by the county to the court show that in each case, the call was found not to be necessary. Tilley visited Clark at his residence on March 2, 2002 and warned him that continued misuse of the 911 emergency system would result in Clark's arrest.

Clark filed suit, claiming that he was deprived of his right to speech under the First Amendment and his

right to due process under the Fourteenth Amendment.

Boyles ruled that Clark had no claim under either amendment. He noted that while protecting free speech is important, "...it is clear that in an orderly society there must be some limits to free speech." He said the calls were actually alarms which were "the equivalent of falsely shouting fire in a crowded theater."

The judge further stated that prohibiting the intentional misuse of the 911

system is a measure to provide efficient operation of the system and is not aimed at Clark's "communicative impact."

Boyles agreed with the assertion in the county's motion that unnecessary or frivolous 911 calls may divert scarce resources from other emergencies.

County Attorney John Matthews told county commissioners during a Nov. 4 meeting that attorneys representing the county in the lawsuit expected it to be dismissed at any time.

The issue came to the

fore in late October when Tilley was running for sheriff. Flyers were disseminated throughout the county stating that a \$10 million lawsuit had been filed against Tilley and the county, and that the plaintiff was likely to win. The flyer called Tilley a "loose cannon" and suggested that his actions leading to the filing of the lawsuit would cost county residents in tax dollars.

In an interview with The Daily Advance shortly before the election, Clark would neither confirm nor

deny that he was responsible for distributing the flyers. However, on Nov. 1 an off-duty Perquimans County deputy spotted Clark's vehicle on New Hope Road and Wildlife Ramp Road in the New Hope community. There were two people in the car and someone inside the car was attaching yellow papers to mailboxes. Tilley said the deputy called him at his home, and he went to New Hope Road, where he saw the flyers on the mailboxes. Tilley said he did not see the vehicle.

## Holiday safety

SUSAN R. HARRIS

Christmas is coming, and with it, a reminder from local law enforcement to protect your property.

Both Hertford Police Chief Dale Vanscoy and Sheriff Eric Tilley said there are precautions that can be taken to insure happier holidays.

Keep the doors and windows to your home locked, even when entertaining. Last year, Vanscoy said, a Hertford woman's purse was taken from her kitchen table while family and friends were in another part of the house.

When shopping, place packages in the trunk where they cannot be seen and always lock your car. If you leave a purse, cell phone or anything else in the car, lock that in the trunk, also. Always lock your vehicle, even if you plan to just go into a store for a few minutes.

Be particularly mindful of the location of checkbooks and credit cards.

Vanscoy said there are people who walked down streets and check cars, looking for purses left out in the open. They may break a window to retrieve the purse.

Children should never be left unattended in a vehicle, while you are shopping in another area of a store or in a shopping cart.

Be especially cautious if you go out at night. It is best to go with a group and park in well-lit areas. Senior citizens are especially vulnerable to purse-snatchers, Vanscoy said.

If an incident should occur, Vanscoy said victims should call law enforcement immediately. Waiting to call could make the difference between catching a perpetrator and recovering stolen property or losing wallets, checkbooks, personal information, phones and Christmas presents permanently.

Vanscoy and Tilley both remind those who choose to drink alcohol during celebrations to use a designated driver or arrange transportation home.

And holiday hosts should watch how much guests drink, and should make absolutely sure all those who are drinking alcohol are 21 or over.

## THE COLORS OF FALL



Fall came late to Perquimans this year, but brought with it some spectacular color. Hertford attorney and photographer John Matthews caught this tree on Front Street wearing its orange finery.

## Heritage House opens on Hwy. 17

SUSAN R. HARRIS

Mary White has worked for years to bring people into downtown Hertford. Now, she and a group of her business associates have found a new way to do just that.

White's group has opened The Heritage House, a gift shop at Hertford's southern gateway from which they sell a variety of gift and home decor items, and from which they also encourage those who stop by to visit Hertford to browse, shop, take in historic sites and enjoy a meal or a snack.

So far, White said almost 1,200 people have stopped in, and several have told other merchants that they



Mary White, Ricki Pala and Diane Ronan gather Thursday at the Heritage House to make last-minute preparations for the shop's Friday ribbon cutting sponsored by the Chamber of Commerce.

learned about them through Heritage House.

Businesses represented in what White calls an eclectic display of what's available in the county include The Wishing Well, The Tin Rabbit, Pala Creations, Layden's Supermarket, Hertfordshire Antiques, Market Street Antiques, Smith's Jewelry, Hertford

Cafe, Irrestistable Gifts and Chef Joseph from Albemarle Plantation. In addition, 10 local crafters offer items in the shop.

Locals may want to stop by the attractively arranged shop to find a variety of holidays gifts in all price ranges to suit a wide range of tastes. It's worth the short ride.

## Hertford native reported missing

SUSAN R. HARRIS

The family of a Hertford native has one Thanksgiving wish: They want information on his whereabouts.

Kevin Fields, 44, was last seen in Perquimans County on July 6. His truck was found on Sept. 28 abandoned in a wooded area in Gates County. There has been no word from Fields.

A missing persons report was filed with the Perquimans County Sheriff's Department earlier, and now Fields' family has contacted the CUE Center for Missing Persons for help finding him.

Perquimans Sheriff Eric Tilley said Fields' last known permanent residence was in Pasquotank County. It appears that he was living in his truck in an area of Pasquotank County known as The Gold Mine just before his disappearance.

Fields has brown hair, brown eyes, weighs 150 pounds and is 6'2" tall.

Anyone with information is asked to contact the Perquimans County Sheriff's Department at 426-5615, the Gates County Sheriff's Department at 357-0210 or the CUE Center for Missing Persons at 1-877-838-7852.

## Holiday events begin next week

Caroling, tours, parade, open houses scheduled

Caroling on the Green is sponsored by the Historic Hertford Business Association with assistance from the Hertford Main Street Program, sponsors this event.

The Antique Dealers Association of Perquimans County will feature an open house and extend their hours during the Caroling on the Green. Contact Jane McMahon for more information at 426-5945.

Christmas is coming, and a host of events will celebrate the season in Perquimans County.

On Dec. 5, Caroling on the Green, the Christmas Ramble Tour of Homes and the Antique Ramble are scheduled.

Activities will begin that day on the courthouse lawn at 5 p.m., with the Perquimans County Middle School Band performing holiday music.

Groups set to perform after the band include Hertford Baptist Choir, Up River Friends Children's Choir, Inspirational Voices, Albemarle Sounds Barber Shop Chorus, New Bethel Baptist Gospel Choir, and

Whiteville Grove Baptist. At 7:30, everybody will join in for candle lighting and group singing of Christmas carols. RBC Centura Bank will provide candles.

Those who attend may enjoy hot chocolate served by the Hertford Baptist Youth Group and homemade cookies from the Historic Hertford Business Association and the Hertford Main Street Program.

Various merchants will extend their hours to accommodate holiday shoppers.

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## WEEKEND WEATHER

THURSDAY  
High: 47  
Low: 27  
PARTLY CLOUDY

FRIDAY  
High: 51  
Low: 36  
MOSTLY SUNNY

SATURDAY  
High: 56  
Low: 32  
PARTLY CLOUDY