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BAYNE BOUND OVER IN BEACH SHOOTING CASE

Jockey Ridge Restaurant Operator to Be Tried in Superior Court on Felony Charge

Pat Bayne, owner and operator of Jockey Ridge restaurant at Nags Head, was bound over to superior court, under \$400 bond, Tuesday after a hearing in recorders court. He was originally charged with assault with a deadly weapon, but the state's motion to amend the warrant to make the charge a felony was allowed after evidence had been heard. This automatically transferred the case to superior court. The charge is now assault with a deadly weapon with intent to kill.

Mr. Bayne is charged in connection with the wounding of Frank Drake, 15, of Portsmouth, Va., who was shot in the thigh and the foot. Four bullets entered the car he was driving.

Drake and five boys he was with at the time of the shooting testified Tuesday. In the main they told the same story.

They said five of them came from Portsmouth on Saturday, May 9, and met a sixth youth, Charles Kelly, on the beach. They were to stay at the cottage that young Kelly's father is erecting in the Kitty Hawk area.

According to the boys, they spent the afternoon and evening riding around, on the beach and Roanoke Island. Between 11 and 11:30 that night they pulled into the Jockey Ridge restaurant parking space, though the cafe was closed, so that Allen Wright, owner of the open convertible in which they were riding, and Theodore Hartung could climb Jockey Ridge. Two of the boys stayed in the car, one asleep and the other watching the stars, and the other two got a sandwich from the trunk and walked to a bench on the south side of the restaurant.

While they were sitting on the bench, Frank Drake and Charles Kelly testified, Mr. Bayne called to them to "shut up and clear out." The boys said they went back to the car to wait for the two on the dune. When Hartung and Wright returned, Wright handed the keys to Drake and told him to drive. There was some disagreement among the boys as to whether or not Mr. Bayne's instructions were repeated.

As the boys got in the car preparatory to leaving, they testified, Mr. Bayne came out on the second story porch, told them to clear out and then fired, hitting the hood.

The boys testified that after the first shot Mr. Bayne called, "That one went in the hood and the next one's for you." After the second shot, they testified, he said, "I've got one for each of you."

As they pulled out of the parking place, the boys said, the driver killed the motor and the car rolled back. At that time, they claimed, the third shot was fired, entering the door of the car and hitting Drake in the thigh. The fourth shot, which followed quickly, also went through the door and hit Drake in the foot. When he told them he was hit, the boys thought he was joking, but after he was hit a second time and the boys saw the blood, they stopped and got out in front of the car to see the extent of the injuries.

According to five of the boys, none of them said anything to Mr. Bayne. Young Hartung, however, testified that he called out something between the second and third shots, but he could not remember what.

From the restaurant, the boys went to the Casino, where they were directed to a doctor in the building. They returned to the Casino with the idea of getting a warrant sworn out, but instead started on home. At Jarvisburg, they stopped at Dr. Charles Wright's, where they found state police and secured an ambulance to take Drake to a Portsmouth hospital. He remained there from early Sunday morning to the following Wednesday.

Mr. Bayne, put on the witness stand, said that after the restaurant was closed at 8 o'clock and the work was finished, he had gone to his upstairs apartment and gone to sleep. He was awakened, he said, by a banging noise. Stepping out on the porch, he could see nothing but could hear voices, and he called out.

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KITTY HAWK GIRL HURT IN TRAFFIC CRASH ON BEACH

Driver of Car Later Is Passenger in Truck That Turns Over on Side of Highway

Kitty Hawk. — Miss Dawn Tillett, daughter of Mr. and Mrs. Linwood Tillett, sustained cuts on her mouth and arm and lost a tooth in an automobile accident on Highway 158, near Jackson Homes, Tuesday evening. Her condition was reported satisfactory.

Rex Henly, son of Mr. and Mrs. L. J. Henley, was bruised and scathed, but not seriously injured. He is in the Coast Guard, stationed at Berkeley.

In the other car, Miss Peggy Ferebee and Andrew Cavanaugh were shaken but not injured.

The accident happened as one car was backed out of the driveway to the Ferebee cottage, just south of Jackson Homes. Henly, driving north, swerved to avoid the other car but struck the rear end of it. In the scramble, one car hit a Vecpo power pole and broke it.

In justice court in Manteo Thursday morning, Cavanaugh was fined \$20 and costs when he was found guilty of a charge of willfully failing to yield the right of way to an oncoming vehicle as he was backing out of a driveway.

After the accident Tuesday, Linwood Tillett started to take Rex Henly home from Kitty Hawk village, his brakes failed to hold and his truck turned over. No one was hurt and only the top of the truck was damaged.

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ECC GRADUATES 316 STUDENTS THIS YEAR

Pantego Girl Wins Award; Graduates from Beaufort, Dare and Hyde Counties

Greenville, May 18. — In exercises this morning as final event of the forty-fourth annual commencement at East Carolina College, degrees were conferred on 316 graduates of the fall, winter and spring quarters of 1952-1953.

North Carolinians make up most of the 1953 graduating class. They number 301 men and women. Fifteen of those receiving degrees are from the states of Georgia, South Carolina, Arkansas, California, Virginia and Kentucky. Fifty-six North Carolina counties are represented among graduates.

Recipients of scholarships and awards given annually at commencement were announced by Dr. Mossick. Frances A. Radcliffe of Pantego was the recipient of the James Fenly Spear, Jr., Memorial Award to an outstanding student majoring in the department of science.

North Carolinians in this section of the state who were graduated, arranged by counties, are as follows: Beaufort: B. S.—Maude Elizabeth Hodges, Joseph Frank Hodges, Emily Leggett, Herman Dallas Phelps, and Imogene Ricks Veazey, Washington; William Clay Adams, Aurora; Patricia Lu Dundy, Belhaven; William T. Harrell, Pantego; Edith K. Respass and Pauline Moore, Bath; Carolyn E. Slack, Pinetown; AB.—James Rickards, Washington; M.A.—Pauline Worthy and Harriet Harris, Washington; Dare: B. S.—Herbert A. Creef, Jr., Manteo; and Maggie C. Daniels, Wanchese; Hyde: B.S.—Mitzi Ann Watson, Engelhard; William F. Williams, Swan Quarter.

B.S.—William F. Landing and See STUDENTS, Page Eight

P. D. MIDGETT RETURNS FROM LAKE PLACID TRIP

P. D. Midgett of Engelhard, who will become Rotary District Governor in July, returned last week after several days spent at the National Rotary Assembly for District Governors elect at Lake Placid, N. Y. He was accompanied on the trip by Mrs. Midgett. District Governor-elect Charlie McCullers of Kinston also attended the Assembly.

11 DRUM AND 58 BLUES LANDED BY THIS PARTY

Fine fishing has been reported by a party who stopped over at Parkerson's at Nags Head, last week. Eleven drum and 58 blues were caught by Jordan Wood and C. A. Crabill of Petersburg, Va. and Robert P. Lukins of Elkins, Pa. fishing with Capt. Willie Etheridge at Oregon Inlet. The largest drumfish weighed 58 pounds.

COASTAL SCENES TO BE FEATURED IN GAO MURALS

Lindsay Warren Selects Scenes from Dare and Beaufort for Huge New Bldg.

Comptroller General Lindsay Warren stated today that the General Services Administration had let contracts for the two large murals in the new General Accounting Office Building. Both murals were personally selected by Mr. Warren, and approved by the Fine Arts Commission. Each of them is a North Carolina scene.

The mural in the Comptroller General's office will be of the beautiful tulip fields of Beaufort County, his home county. It will be a replica of the mural in the Sir Walter Coffee Shop in Raleigh. The picture will portray three young ladies of Washington, North Carolina in Dutch costume picking tulips. They are Miss Mary Helen Rodman, daughter of State Representative and Mrs. W. B. Rodman, Jr., now Mrs. John C. Hill, II of Norfolk; Miss Jean Ely, daughter of the late Mr. and Mrs. William Ely, now Mrs. Thomas Braddy of Greensboro; and Miss Florence Tripp, daughter of the late Mr. and Mrs. Guy Tripp, now Mrs. Paul Tate of Mobile, Alabama. The artist is John Chapman Lewis of Washington, D. C.

The other mural is in the large staff conference room of the Comptroller General. It will be a composite picture of scenes in Dare County. The artist is Mitchell Jamieson of Washington, D. C., who spent three weeks in Dare County to familiarize himself with the locale. This picture will contain Fort Raleigh, the Baptism of Virginia Dare, the Wright Memorial and the first plane, Kill Devil Hills Coast Guard Station, Jockey's Ridge and other sand dunes, wrecks along the Beach, fishing boats and sea gulls, Cape Hatteras light, and the Dare County Court House. (The only island County Seat in the State). Work is expected to begin on these murals in about a month.

ADRIAN CHESTER MIDGETT NATIVE OF WAVES DEAD

Adrian Chester Midgett, 39, a native of Waves, N. C. but more recently of Norfolk died in a Norfolk hospital, Wednesday morning, after an illness of ten days, having been found unconscious by Norfolk police, and the cause of injury not determined. He was employed by the U. S. Engineer Department as a drag tender.

He was the son of the late Clarence E. and Lydia M. Midgett, and was a lifelong resident of Waves. He is survived by the following brothers and sisters: Jesse James Midgett of Boston, Mass., Clarence E. Midgett Jr., of Waves and Mrs. Edna Scarborough of Avon.

The body was brought to Twiford's Funeral Home in Manteo Wednesday night. The funeral will be conducted from the residence at Waves at 1:30 P. M. Friday, by Rev. P. M. Porter, pastor of Fair Haven Methodist Church. Burial will be in the family plot.

TWO NAME BANDS COMING TO CASINO

Nags Head. — Two name bands are scheduled for the Casino this week. G. T. Westcott, the owner, has announced. Robert Akers and his Virginia Rounders will play tonight for a big square dance. This is one of the favorite hillbilly bands.

For Saturday night's dance, music will be furnished by Buddy Klein and his orchestra. Mr. Westcott said that the Casino bingo was now open in the afternoons on week ends, and every night in the week. Opening hours are 2 and 7 o'clock.

LARGE PIANO CLASS PRESENTED IN RECITAL

Miss Holland Westcott presented her large piano class, assisted by the Rhythm Band of the primary grades of Manteo school, in recital Wednesday evening, May 20, in the Manteo school auditorium. The auditorium was filled to capacity. Approximately 60 students took part, in addition to band members.

AUTO ACCIDENT HURTLER DRIVER INTO COURTROOM

One Found Guilty of Following Too Closely; Others' Hand Signal Found Questionable

As an aftermath of an accident at Kill Devil Hills, recently, Alonzo O'Neal Willis of Hatteras was fined \$5 and costs on a charge of driving too close behind another vehicle, and James P. McDaniel of Wanchese, charged with failure to give a proper signal, was required to pay court costs.

In the case against Willis, McDaniel testified that he was driving south on Highway 158, signaled for a left turn into Gregory's service station and when he turned the Willis car, coming from behind, struck his, and plunged into one of the gas pumps. R. C. Holt of the highway patrol, who investigated the accident also testified in both cases. In the case against McDaniel, Willis testified that he interpreted McDaniel's hand signal for a right hand turn and attempted to pass on the left. Holt said that McDaniel's window was only about half down, so that he could not put his arm straight out, but that apparently he did not bend his elbow for a correct right hand turn signal.

John J. Costello, stationed at Weeksville, pleaded guilty to a charge of causing a disturbance at the Casino several weeks ago and was fined \$10 and costs.

Joseph White, Jr., 16, and Mitchell Washington, colored, were charged with disturbing a school play. White pleaded guilty and was sentenced to 30 days, suspended upon payment of \$25 and costs. Washington, being only 15, was turned over to juvenile court, with a hearing set for 4 Thursday afternoon.

Two other cases involved Lloyd Meekins and Jerry Bell McCleave, colored. Meekins was charged with assault with a deadly weapon (shotgun) and after evidence was presented the court allowed a motion of the prosecuting attorney to amend the warrant to read "with intent to kill," which would make the case a felony. The court bound Meekins over to superior court and placed him under \$500 bond.

McCleave was found guilty and fined \$10 and costs on a charge of assaulting Lloyd Meekins with a knife. His lawyer served notice of appeal and he was put under \$50 bond.

DARE COUNTY YOUTHS TO REPORT FOR INDUCTION

Three Dare County boys will leave Manteo on Tuesday, May 26, to report to the induction center in Raleigh, where they will receive their orders and will proceed to the centers assigned them, according to J. E. Ferebee, chairman of the local Selective Service board. The boys are Stanley L. Tillett, Nags Head; Erbe Oswell Gallop, Wanchese; and Davy Lee Coldiron of Kitty Hawk, who is being sent by transferral from the Maryland draft board.

W. S. C. S. MEETING

At a District Meeting of the Womens Society of Christian Service, three district officers were chosen from Dare County. They were Mrs. Arnold Daniels of Wanchese, elected District Youth Leader; Mrs. Dallas Tillett of Wanchese, Status of Women; Mrs. Wilford Wise, Manteo, Missionary Educational Leader.

HATTERAS BOY WITH NAVY IN THE PACIFIC

Pacific Fleet (FHTNC)—Taking part in "Operation Seajump", a large scale amphibious training exercise off the coast of Southern California, is Loranzy W. Gaskins, boatswain's mate first class, USN, of Hatteras, N. C., serving with Utility Landing Craft Squadron One.

The climax of the exercise will be a full scale land assault by amphibious forces supported by air units and helicopter landing attack forces, against an "enemy" entrenched at Camp Pendleton, Oceanside, Calif.

MR. AND MRS. MARSHALL ENTERTAIN FACULTY

Mr. and Mrs. Charles Marshall, whose son Jack is in the graduating class of Manteo High School, and whose son Tommy is in the first grade, held Open House Sunday afternoon at their home in Manteo, honoring faculty members, their husbands and wives; and members of the local school board and their wives.

Roses were used for decoration, and punch, cookies, sandwiches, nuts and mints were served by the host and hostess and their two sons.

OTHER NOTABLES TO ACCOMPANY GEN. HERSHEY

Manteo Commencement Attracts State Selective Service Officials

When Major General Lewis B. Hershey delivers the address to the graduating class of Manteo High School on Friday evening, May 29, at eight o'clock other prominent citizens will be among those in the audience. General Hershey, who is head of Selective Service in the United States, will speak, and among the listeners will be Co. Thomas H. Upton, state director of Selective Service for North Carolina; and Lieut. Col. Russell G. Broadus, chief field director for the state.

Rev. H. R. Ashmore will pronounce the invocation and Wade Nixon, president of the Senior class, will give the welcome. Mrs. D. E. Evans, county superintendent of schools, will introduce the speaker, and Rev. H. V. Napier will pronounce the benediction. Principal Adrian O. Ayers will present diplomas to the following seniors: Anna Brickhouse, Wanda Barrus, Inis Cudworth, Laura Daniels, Shirley Daniels, Elinor Douglas, Marie Etheridge, Ann Krieger, Retta Liverman, Betty Alice Skinner, Joyce Stetson Baum, Harriett Tillett, S. C. Basnight, Steve Basnight, Jr., Jack Burrus, Jerry Cahoon, Bill Daniels, Carlisle Davis, Ferrell Gard, Randall Holmes, Ray Jones, Orman Mann, Jack Marshall, Wade Nixon, Billy O'Neal Clifton Topping and Robert Williams.

The baccalaureate sermon will be delivered Sunday evening, May 24, at eight o'clock by Rev. H. R. Ashmore. Rev. H. V. Napier will assist with the service. Miss Holland Westcott will render special piano music and a chorus of 18 girls will sing "The Lord Is My Shepherd".

Class night exercises on Thursday evening at eight o'clock will feature members of the Senior class in an interesting program. Bill Daniels of Wanchese will deliver the valedictory and Robert Williams of Manteo the salutatory. At ten o'clock Friday morning, May 29, the eight grade students will receive their certificates.

MRS. CARRIE WESCOTT SMITH DIES IN SOUTHERN PINES

Mrs. Carrie Wescott Smith, 52, widow of the late Dan Smith of Vass, died at her home in Southern Pines Sunday morning after an illness of a few hours. Funeral services were conducted Tuesday afternoon in the Southern Pines funeral home and burial was in the cemetery at Vass.

Mrs. Smith was a native of Roanoke Island, being the daughter of Mrs. O. J. (Aethia) Wescott and the late O. J. Wescott of Manteo. She is survived by her mother, Mrs. O. J. Wescott; four brothers, R. L. Wescott and William Wescott of Manteo, George Rowley Wescott and Carlisle Wescott of Norfolk; and five sisters, Mrs. Guy Lennon, Miss Ione Wescott and Mrs. David Pearsall of Manteo, Mrs. W. R. Hale of Rocky Mount and Mrs. Henry Johnson of Raleigh.

Among those attending the funeral were Mrs. Guy Lennon and Mrs. David Pearsall of Manteo; Mrs. W. R. Hale of Rocky Mount, Mr. and Mrs. George R. Wescott and Mr. and Mrs. Carlisle Wescott of Norfolk.

WANCHESE MAN GETS BOOST FOR CONGRESS

V. G. Williams of Wanchese, Furniture Salesman, Got a Boost from Seven Counties Saturday Night for the GOP Nomination for Congressman from the First District next year.

V. G. Williams of Wanchese, furniture salesman, got a boost from seven counties Saturday night for the GOP nomination for Congressman from the First District next year. At a meeting held in Plymouth, Mr. Williams who was not present, is reported as unanimously endorsed by Republican delegates attending from the counties of Dare, Camden, Hertford, Washington, Martin, Chowan and Gates. There are 14 counties in the district.

DONKEY BALL GAME IN MANTEO SATURDAY, MAY 23

Manteo sports enthusiasts will be treated to their second game of donkey ball Saturday night, May 23, when a game will be staged on the Manteo school athletic field. The game will begin at eight o'clock, and will be sponsored by the Manteo Lions Club, who will have as their opponents members of the Shrine Club. Proceeds will go toward payments due on gymnasium equipment and the Lions blind fund.

The field will be lighted with equipment brought by the company who furnishes the donkeys and other material for the game. The first donkey ball game put on in Manteo took place in the gymnasium, and drew a crowd which was delighted with the comical maneuvers of the players, and is expected that an even larger crowd will be present at the forthcoming game.

ZONING COMMISSION NAMED BY KILL DEVIL HILLS MAYOR WITH TOWN BOARD APPROVAL

Powell, Hines, Frank Named to Serve One Year; Public Demand for Water System Spurs Consideration of Plan to Go Ahead Unless Sanitary District Is Prepared to Build Soon.

Kill Devil Hills. — This newly incorporated community's first zoning commission was appointed Monday night when the town commissioners met with the mayor at his home.

Maj. J. L. Murphy, mayor, announced the appointment of P. L. Powell, H. V. Hines and George Frank, to serve one year. These selections were approved by the town commissioners, Frank Dean, Herbert Morrison and Robert Young.

Although the original plan had been to include at least one non-resident with property interests on the beach, this had to be discarded because of the opinion of lawyers versed in city ordinances that such action would be illegal.

The new zoning group is to begin its work immediately, although a map of the entire community will not be available for some weeks. The town board, however, authorized employment of Linberg Engineers of Burlington, to prepare two maps. A. C. Linberg recently conferred with the board.

One, to be prepared at once, will be used in preparation of claims for Powell bill state funds for town streets and claims for refunds from utilities' taxes. This will also be used for zoning and assessment purposes.

The other, much more complete map, will be used in case Kill Devil Hills undertakes to build a water system, without waiting for the sanitary district to do so. Under the law creating the sanitary district, part of Kill Devil Hills is in the district, but its limits extend only 700 feet west of Highway 158, while some rapidly developing areas within Kill Devil Hills city limits are beyond that distance.

In bringing the problem before the commissioners, Mayor Murphy specified, "Neither I nor the commissioners have any desire to upset the sanitary district. However, we want water for Kill Devil Hills without delay. We don't want to keep dragging our feet on this project."

The mayor suggested that if the sanitary district were not in a position to proceed quickly, he believed there was enough property in Kill Devil Hills to warrant issuing bonds for a water system. He recommended that if such a system were built it follow the overall sanitary districts plans, with a 12-inch main and other facilities in line with the sanitary district scheme. Then, if the Nags Head and Kitty Hawk sections ever wished to go ahead the construction in Kill Devil Hills would meet the requirements. In the mayor's opinion, a water charge of \$2.50 per month would finance the construction. Aside from health and convenience considerations, he pointed to savings in fire insurance rates if a water system were provided, with a fire department in operation.

A resolution adopted by the town commission authorized the employment of the Linberg Engineers to make the maps, to provide sketches of any improvements to be undertaken by the new town and to supervise construction of such improvements. The resolution carried provision for a payment of \$1000, plus 3 per cent of estimated construction costs and 3 per cent of actual construction costs, with additional fees for changes made in approved plans. When the first map is delivered, \$100 is to be paid the engineering firm, the rest of the \$1000 fee to be paid as the town acquires funds.

As one way to secure funds, the mayor called attention to privilege licenses, which an incorporated town may charge business firms. He said such an ordinance would have to be passed before June 10 in order to become effective July 1.

Mayor Murphy and one of the commissioners went to Raleigh today to iron out some of the problems involved in getting Powell bill funds for street improvements and to secure the

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IRISH AMBASSADOR TO VISIT BIRTHPLACE OF IRISH POTATO

John J. Hearne, ambassador from Ireland will visit on Roanoke Island, May 29, the Dare Coast, legendary birthplace of the Irish Potato, says W. P. McDowell, president of the Albenmarle Potato Festival scheduled for Elizabeth City on May 29-30. In the ambassador's party will be Veronica and Kathleen Buckley of Cork, Ireland, who will also be featured guests from the Republic of Eire in the Pasquotank city's annual festival.

Ambassador Hearne who is one of the most accomplished sons of his country and was one of the great forces in establishing the Republic of Eire in 1937. He is credited with the principal role in the authorship of the nation's constitution which was adopted the same year. Because of the importance of his services he was appointed Eire's first ambassador to the United States and, as such, presented his credentials to President Truman on April 17, 1950.

He will be honored on the Dare Coast by Mr. and Mrs. H. Travis Sykes at a luncheon at their Sea Ranch on Friday May 29. After the luncheon, the official party which will include Inglis Fletcher, noted author of historical novels about the Albenmarle region, her husband John Fletcher of Bandon Plantation, Edenton, Mayor Elton F. Aydtlett of Elizabeth City, Frank Stick of Southern Shores, outstanding American artist now living at Southern Shores and others. Ambassador and Mrs. Capus Waynick of Nicaragua, native born North Carolinians have been invited and the North Carolina's governor's office will be represented.

While there are many accounts about the origin of the Irish potato the most accepted local version (which Encyclopedia Britannica verifies) is that the "potato" was first found growing on Roanoke Island by 16th Century explorers who took plans back to England and where Sir Walter Raleigh developed same on his estate near Cork Ireland. Thus he noted the Irish ambassador when he visited the site of The Lost Colony here on May 29—the legendary birthplace of the potato and English America.

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