

Copy

New Berne, N. C. June 13th, 1892

To His Excellency,

Thomas M. Holt.

Dear sir:-

We have the honor to submit the following charges against Mr. W. H. Lucas, Chief Shell Fish Commissioner and Adam Warner Associate Commissioner of Shell Fish.

1st,- That during the Summer of 1891 at Vandemere in Pamlico County N. C. the said W. H. Lucas made an inflammatory speech to the oyster-men and others of that locality, suggesting violent, illegal and ~~xxxxxxx~~ improper procedure on their part against the entry and survey of private oyster grounds and those interested therein, and advising in effect the destruction of stakes or other marks of the boundaries of such private oyster grounds.

2nd,- That frequently during his incumbency of office the said W. H. Lucas has threatened violent and arbitrary action against any private oyster grower or proprietor of private oyster grounds, should the said grower or proprietor use dredges on his own ground, notwithstanding that the use of dredges on said ground was proper and lawful and was so admitted by the said Lucas.

3rd,- That the said W. H. Lucas instructed, caused or authorized Adam Warner the Capt. of the Patrol force to visit Ocracoke and advise those purchasing oysters at that place, not to have their oysters inspected there and not to pay their inspection fees, the said action of the said Lucas and Warner being illegal, an abuse of the power conferred upon them and tending to promote disturbance and violations of the law.

4th,- That the said W. H. Lucas has unlawfully and improperly instructed the inspector at Coinjock to require payment of inspection fees on oysters passing that place whether sold in that market or

not, and notwithstanding any previous inspection or payment of fees.

5th,- That the said W. H. Lucas has been guilty of falsehood in an official communication to the Governor in stating that he had instructed Edward Farrow, Inspector at Ocracoke, not to inspect oysters unless they were going out of Ocracoke Inlet, and in stating that he had asked H. L. Gibbs of New Berne to convey such instructions to the said Farrow.

6th,- That the said W. H. Lucas has improperly and unlawfully issued an order purporting to be by authority of the Board of Shell Fish Commissioners, prohibiting the taking of oysters during the coming summer from grounds in less than eight feet of water, and that the said order is not worded in a proper and official manner, but so as to inflame and antagonize the various classes interested in the industry.

7th,- That the said Adam Warner has improperly and illegally pulled up stakes or marks of private oyster grounds and has stated that he would continue to do so.

8th,- That the said Adam Warner improperly and unlawfully advised oystermen that they could take oysters from private oyster grounds.

9th,- That the said Adam Warner improperly and unlawfully advised those purchasing oysters at Ocracoke to refuse to have the same inspected there or to pay the legal fees there.

10th,- That the said Lucas and Warner, composing a majority of the Board of Shell Fish Commissioners have not held the meetings of the Board as required by law.

11th,- That the said Lucas and Warner have so administered the duties of their offices as to hinder and harrass the growers and planters of oysters, thus preventing that promotion of the industry contemplated by the law.

Believing the foregoing charges to be true:
We therefore respectfully submit that sufficient cause exists for the removal from office of the said W.H. Lucas and Adam Warner.