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THE ROANOKE NEWS.

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A weekly Democratic journal devoted to the material, educational, political and agricultural interests of Halifax and surrounding counties.

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Powell Murder Trial

Comes to Abrupt End at Halifax.

CASE REMOVED TO WARREN

After Exhausting a Venire of 150 Men Only Ten Jurors Were Chosen—Rule Against L. R. Carter and C. T. Lewis for Attempting to Influence Venireman Daniel—Carter Fined \$50 and Costs—Lewis Put in Jail for Ten Days.

The murder trial of E. E. Powell, in Halifax Superior Court, charged with killing C. W. Dunn, in Scotland Neck, Mr. Dunn being shot on March 4th and dying on the 7th day of the month, came to an abrupt end Friday afternoon, after ten jurors had been chosen, 150 veniremen examined, and after the defendant had exhausted 18 of his peremptory challenges, and with 25 veniremen in court not examined.

Judge Ward announced after exhausting the first venire that in his opinion the case should go to another county and that he would rule on the matter at the afternoon session. As soon as court was opened Friday afternoon he said: "Gentlemen, I will move this case to another county. In doing so I in no sense reflect on the citizenship of Halifax county. When I went into this case I did not think it necessary to move it, but after examination of 150 jurors I am now convinced it should go to another county. There seems to be a fixedness of mind on the part of the men examined here as to the guilt of the prisoner, the majority of them declaring that on oath they could not give the prisoner a fair trial. This feeling appears to be natural, and I might so feel myself under similar circumstances." Warren was selected as the county, and at the June term beginning June 20th.

Solicitor Kerr then sprang a sensation by asking for a rule against L. R. Carter, of Scotland Neck, and C. T. Lewis, of Palmyra, on the serious charge of attempting to influence Venireman L. A. Daniel, knowing him to be summoned on a special venire, in favor of Powell.

Judge Ward, after examination of Daniel, on oath, issued a rule for Carter and Lewis, returnable before him in Halifax Superior Court Saturday morning at half past nine o'clock. Information was received that Carter's mother had just died. Judge Ward said, "I regret this very much, but this is a matter that must be dealt with promptly and by this court, so I shall require Carter to appear before me Saturday morning."

Full particulars of the trial in detail follow.

Court convened Thursday morning, March 31, at ten o'clock with Judge George W. Ward presiding. The defendant, E. E. Powell, was brought into court and had a seat near his attorneys—Judge R. W. Winston, and Gay & Midyette. The attorneys for the State were Solicitor John H. Kerr and W. E. Daniel assisted by Congressman Claude Kitchin.

The State was ready for trial, but the defense asked for a continuance or removal. Judge Winston in arguing for continuance or removal read affidavits and newspaper clippings and did not believe that his client could get a fair trial in Halifax county. We are not asking that our client be liberated. Our only plea will be insanity and we think that he should be confined in an asylum for the insane for the remainder of his life. He also asked for continuance on the ground of the illness of Chief of Counsel C. B. Aycock for the de-

fense. W. E. Daniel and Congressman Kitchin argued against a removal or continuance, presenting affidavits to the effect that the defendant could get a fair and impartial trial in Halifax county.

Judge Ward promptly ruled "we will go on with the case."

The examination of the regular jurors for the week then began.

G. H. Johnson, of Scotland Neck, was excused.

H. L. Faucet believed prisoner guilty, but could give fair trial, stood aside.

W. J. Partin had formed and expressed an opinion that the prisoner was guilty but could give fair trial—rejected by defendant.

B. G. Rodwell believed prisoner guilty.

R. W. Lucas could not give prisoner fair trial.

J. A. Carter, of Littleton, accepted as juror No. 1.

R. A. Hardy, challenged by the State and stood aside.

C. M. Cotton could not give fair trial.

This exhausted the list of regular jurors and court took a recess till 2 o'clock with one juror sitting alone in the box.

At the afternoon session the call of special veniremen began promptly.

L. T. Garner had expressed opinion prisoner was guilty and could not give fair trial.

Henry Stokes and W. F. Ophelia placed at foot of panel.

Bud Barnes not acceptable to defendant.

R. G. Branch could not give defendant fair trial.

W. L. Liles was held to be fair and impartial juror. Peremptory challenge by defendant.

S. S. Viverette had served with in 2 years.

J. K. Dickens believed him guilty.

H. J. Adcock foot of panel.

Robert Shaw had served in 2 years.

W. L. Cook not a free holder and rejected by defendant.

T. W. Myrick foot of panel.

W. C. Dickens challenged by State and not acceptable.

C. C. King was of opinion that prisoner was guilty.

W. S. Hockaday was held to be fair and impartial juror. Peremptory challenge by defendant.

T. A. Cooper stood aside.

J. W. Pierce could not give fair trial.

W. L. Scott formed and expressed opinion prisoner was guilty.

W. H. Barnes, ditto.

J. B. Lawler stood aside.

Ambrose Green believed prisoner guilty.

J. B. Boseman, passed by State. Defendant dug too deep and lost.

Mr. Boseman was of opinion that defendant is a crazy man.

Hugh Bloomer, W. G. Lynch, M. J. Morris all stood aside in order.

G. W. Medlin could give prisoner a fair trial. Peremptory by defendant.

J. R. Brake and J. R. Cullom foot of panel.

B. M. Pugh passed by State not accepted by defendant.

R. A. Rogers passed by State. Another opportunity lost by defendant in challenge—Rogers believed defendant crazy.

T. H. Iles challenged for cause. Cause admitted by State.

J. J. Viverette, at foot of panel.

T. E. Pully, passed by State challenged by defendant and accepted as juror No. 2.

C. P. Bounds, could not give prisoner fair trial.

Matthews foot of panel.

E. B. Pair held to be fair and impartial, rejected by defendant on peremptory challenge.

W. B. Boseman expressed opinion of guilty.

J. F. Batchelor passed by the State. Another juror lost by defendant. Batchelor had decided opinion that Powell is crazy.

W. L. Dickens, of Aurelian Springs, accepted as juror No. 3.

R. M. Purnell challenged for cause. Cause admitted and excused.

B. D. Hamill, of Thelma, was fair and impartial and was accepted as juror No. 4.

C. B. Bobbitt believed prisoner guilty.

S. E. Tippet at foot of panel.

Sandy Glasgow was member of grand jury and excused.

W. M. Pepper and R. E. Shell stood aside.

E. F. Kennedy, of Butterwood, accepted as juror No. 5.

W. Y. Gay couldn't give defendant fair trial.

Jim Taylor, Roanoke Rapids, accepted as juror No. 6.

W. C. Edwards and Louis Grimmer, formed and expressed opinion that prisoner is guilty.

W. D. Hux had served on jury in 2 years.

T. S. Snipes, of Gaston, accepted as juror No. 7.

G. W. Hudson and V. M. Dauridge failed to pass defendant's examination.

J. D. Neville was held to be fair and impartial juror. Defendant used another peremptory.

A. M. Inge, W. L. D. Ivey, J. S. Turner, W. H. May, T. B. Grant, T. W. Russell all stood aside in order.

J. P. Leach, Jr., passed by the State, defendant learned too late that Leach believed there was something wrong with mind of defendant.

E. C. Dickens, R. E. Merritt not accepted.

R. E. Hardy and J. E. Rue foot of panel.

Ed. Woodruff, held to be fair and impartial. Peremptory challenge by defendant.

W. C. Albrook, Mack Shearin, R. W. Partin stood aside in order.

J. R. Wollett foot of panel.

D. Keeter, stood aside.

S. W. Smith, peremptory challenge by defendant.

W. E. Nicholson, of Airfie, accepted as juror No. 8.

Judge Ward ordered an additional venire of 25 men for Friday and court at 6 p. m., adjourned till half past nine o'clock Friday morning.

SECOND DAY'S PROCEEDINGS.

Court opened promptly at 9:30 o'clock Friday morning. The prisoner looked refreshed after a night's rest and the eight jurors accepted the day before took their seats in the jury box.

The calling of the veniremen who were not tendered the first day, began:

S. Trueblood put at the front of the panel.

E. C. Bobbitt had formed and expressed the opinion that the prisoner was guilty.

T. D. Parker, challenged for cause and cause admitted.

W. B. King, of Thelma, accepted as juror No. 9.

W. F. Horner, of Rosemary, accepted as juror No. 10.

Everything looked bright for a speedy completion of the panel. Yet not another juror could be secured in the tendering of man after man to the defendant by the State.

J. L. Cobb, excused.

Stuart Hedgepeth, stood aside.

C. E. Carter stood at foot of panel.

M. W. Harrison held to be impartial but not acceptable to the defendant.

Gid Alston, J. W. Carlisle, C. J. Masse, J. B. Hudson, Geo. G. Gary all failed to pass the examinations satisfactory to defendant.

J. W. Tharington caused a little diversion and ripple of laughter by declaring that under oath he could not try the case by the evidence introduced in court but by what he had previously heard. Judge Ward said, the juror of course does not mean that, he is just a little tangled on the question.

W. T. Parker, E. L. Lee and Henry Johnston next came and not accepted.

Richard Morris was held to be fair and impartial, but the defendant set him aside peremptory.

J. W. Crawley, N. W. Brown, J. W. Northington had all expressed opinion that the defendant is guilty.

W. L. Stainback was passed by the State, but the defense made another slip. Mr. Stainback believed that Powell is a crazy man.

J. S. Stansbury and J. E. Ayers had served on jury in two years.

W. T. Whitehead and Ezra Crawley had decided convictions that defendant is guilty.

L. A. Daniel passed, fair and impartial, but peremptory challenge set him aside.

J. A. Dickens, C. R. Iles, C. P. Williams, J. L. Harris, R. L. Keeter, J. R. Glasgow, T. C. Shaw, H. Holt, H. L. Grant all believed the prisoner guilty.

J. L. Keel, W. W. Spears, B. H. Hale passed and held to be fair and impartial jurors but peremptory challenges were used.

C. L. Birdsong, Bud Wood, W. R. Wiggins, W. H. Marks, L. I. Crawley, S. G. Butts, T. T. Massie, J. L. Johnson, W. L. Shearin, ditto as to guilt of prisoner.

J. M. Grizzard was held to be fair and impartial juror. Peremptory by defendant.

A. J. Medlin, Wm. Wood had decided opinions as to guilt of prisoner.

J. J. Allen was held to be fair and impartial juror. Peremptory challenge by the defendant.

J. A. King had unmovable convictions as to guilt of prisoner.

Judge Ward said I have seen and heard enough to convince me that the case should be moved.

Saturday morning J. R. Carter

and C. T. Lewis, in obedience to the rule issued by Judge Ward, appeared in court. The evidence of L. A. Daniel was that Carter and Lewis had approached him knowing he was a special venireman and said that Powell was crazy and that people up there wanted to hang him, and then said: "If you are taken on the jury do all you can for Powell."

The defendants alleged that the conversation took place before they knew that Daniel was on the venire, but when cross-examined by W. E. Daniel, for the State, they could not explain to the satisfaction of the court why they should ask Daniel to do all he could for the defendant provided he was taken on the jury, without a knowledge of the fact they were talking to a venireman, and they were adjudged guilty. Judge Ward fined Carter \$50 and costs and in imposing the fine said "I would send you to jail but for the fact that your mother died yesterday." Lewis was sent to jail for ten days, but was later allowed to pay a fine of \$25 and costs, and was released.

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HALLEY'S COMET.

Brilliant Blaze of Mystery in the Sky Will Attract the Attention of Thousands and on May 18th It is Expected That the Flimsy Tail Will Envelope the Earth.

A calendar has been arranged for the appearance of Halley's comet that will prove of value to all who rise early enough to view the splendid blaze of mystery and study its movements. The appearances indicated are:

On April 16th it will rise at 4 a. m.

On April 24th it rises at 3:30 a. m.

After May 20th it will be seen in the west after sunset.

On May 14th it rises at 3 a. m.

On May 20th it sets at 7:45 p. m.

On May 25th it sets at 10:30 p. m.

On May 30th it sets at 10:00 p. m.

After the 1st of June the comet will be faint and will soon disappear out of sight.

By the middle of April the comet will be in the east and it be seen about two hours before sunrise, probably visible to the naked eye.

On the fourteenth of May it will be about 13,000,000 miles from the earth and will pass directly between the earth and the sun, this being its closest approach, after which it will move rapidly away from earth and sun and be lost to view.

On May 20th it will reappear in the west in the evening and will be seen till early June, when it will pass beyond sight.

The astronomers' predictions are for a magnificent sight of the comet just before and after the 18th of May. The figures given are 190,000 miles in diameter for the head, with the tail more than 5,000,000 miles long, and on the increase, the expectation being that this will extend at least one-third of the distance from the horizon to the zenith when it is closest to the earth. In fact the prognostication of some astronomers is that it sweeps by the earth at an inconceivably rapid motion on May 18th this sphere may be enveloped in the tail. This need trouble no one, however, as the authorities say that the comet's tail is but tiny particles of gas or flecks of dust, and is very flimsy.

The formation of this "tail" of the comet is caused by the pressure of the sun's light on the comet, its particles being pressed upon by the tiny light waves; as the light moves straight onward. Upon the amount of surface of each particle depends the pressure, as this is in proportion to its surface.

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