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THE WISEMAN TRIAL MOVED TO CLEVELAND

Noted Murder Trial Transferred by Judge Long From This County, and to Be Heard Later in the Month.

The surprise of the present term of Burke county came Monday when after the arraignment of Aaron Wiseman, charged with the murder of Dr. E. A. Hennessee, Solicitor K. L. Huffman made the motion that the case be removed for trial to some adjoining county, basing his request on the fact that this and the two preceding murder trials with which it is connected have been so widely discussed in the county as to make it extremely difficult to get a jury for a fair and impartial trial of the case. Supporting his request he read five affidavits to the effect that the affiants were of the opinion that a fair trial could not be had in Burke.

Counsel for Wiseman, Messrs. S. J. Erwin and Spainhour & Mull, opposed removal of the case to any other county, and they, too, presented affidavits supporting their contention. The principal argument of the defendant against removal presented by his counsel was that he wished an immediate trial and that it is true as the State contended that over 90 per cent of the population of Burke county have discussed the case the fact that he is practically unknown in the county and has few friends as well as few enemies, the opinions formed and expressed were probably unfavorable to his case.

Judge Long gave his decision in the matter Tuesday afternoon, passing favorably on the solicitor's motion to remove the case, and in rendering his decision designated Cleveland as the place of trial. The defendant's attorneys entered objection and upon the statement of Mr. J. F. Spainhour that the Cleveland term of court, which convenes week after next conflicts with Yancey county court, in which he has been retained as counsel in another capital case Judge Long agreed to confer with attorneys to see what arrangements if possible (probably a special term of Cleveland court) can be made that will suit their convenience.

Judge Long's Decision.
Judge Long's decision as given Tuesday is in full as follows:
State of N. C., County of Burke.
In Superior Court, March Term, '19.
State vs. Aaron Wiseman—Indictment, Murder.

Whereas, at this regular term of the Superior Court of Burke county, the Solicitor for the State moves the court to remove this case, with the record therein, to some adjoining county for trial, suggesting that there are probable grounds to believe that a fair and impartial trial cannot be obtained in Burke county, and the Solicitor having supported this motion by the affidavits of the five persons set out in the record; and the prisoner being represented by counsel and opposing the motion for removal, and in support of his contention presenting the affidavits of himself and four other persons as set out in the record; and the court having heard the contentions of the State and of the prisoner fully discussed by the solicitor and his associate, W. A. Self, Esq., and by the prisoner's counsel, and the court having made a thorough examination of all the evidence offered in behalf of the State and in behalf of the prisoner, reaches the conclusion, and is of the opinion and satisfied, after a careful consideration of all the evidence and contentions on both sides, that a fair trial of this case cannot be had in the county of Burke; and the court also is satisfied from such examination of the case that the ends of justice are more likely to be promoted and require the removal of this case for trial to some other county than Burke.

It further appears to the court that it is impracticable to remove this case for trial to some adjacent county outside of this Judicial district for the reason that the solicitor of this Judicial district has already spent much time in the preparation of the case for trial.

It is, therefore, considered and adjudged by the court that this cause be and the same is hereby removed for trial to the county of Cleveland, one of the counties in this Judicial district and somewhat remote from the scene of the alleged homicide, and the clerk of this court is hereby ordered and directed to immediately make a full and complete transcript of the entire record in this case and to transmit the same in due form to the clerk of the Superior court of Cleveland county, at Shelby, North Carolina.

It is also ordered that the high sheriff of Burke county take into his custody the prisoner, Aaron Wiseman, and himself deliver him into the custody of the high sheriff of Cleveland county, North Carolina, and the said sheriff of Cleveland county is ordered to receive and safely keep the said prisoner in custody and confined in the jail of Cleveland county, until the order of the court.

It is further ordered that the clerk of the court spread on the minutes of the court all the affidavits filed by the solicitor and the prisoner at this term of the court respecting this motion as part of the record in the case.

The country is to pay every man in service a bonus of \$60. What men in military and naval service done for the country is cheap at the price the country can manage to pay.—Greensboro News.

MR. WAITS PHIFER DEAD IN TENNESSEE

Former Morganton Resident Died Tuesday at Chattanooga Home of Influenza.

After a short illness of influenza-pneumonia Mr. Waighstill W. Phifer (known to his friends here as Waits) died Tuesday morning at his home in Chattanooga, Tenn. At the time of his death his wife was desperately ill with the same affliction. Dr. E. W. Phifer, brother of the deceased, left Tuesday night for Chattanooga. The funeral and burial services will be held in that city this (Thursday) morning.

Besides his wife who was a Miss Brown of Chattanooga, and the brother named, Mr. Phifer is survived by an infant of several months, his brothers, Messrs. M. A. I. A. and Robert Phifer, of Spartanburg, S. C., Walton Phifer, of Charlotte, and John Phifer, of Asheville, and a sister, Mrs. Fletcher Brown, of Southport. He was 33 years of age, a son of the late Capt. and Mrs. George Phifer of Morganton. His death brings keen sorrow to many friends in his old home town.

LAND TRANSFERS RECORDED.

James A. Greenlee to A. W. England, one lot in Morganton.
J. B. Jones to B. Y. Jones, 21 acres in Morganton No. 2.
J. E. Brittain to J. P. Allran, 20 acres in Icard.
Mrs. Adeline Smith to James W. Smith, 50 acres in Lower Fork.
D. W. Hoyle to W. A. Brittain, 6 acres in Morganton No. 1.
Mrs. L. C. Lowder to Mrs. Ila Giles and children, 1 acre in Icard.
M. C. Pennell to W. C. Power Co., 127 acres in Morganton No. 1.
W. C. Power Co. to W. R. Holler, 60 acres in Morganton No. 1.
Wm. Reynolds, Com., to R. R. Hildebran, 50 acres in Icard.

DEATH OF MR. BLACKWOOD.

Mr. A. T. Blackwood, a prominent citizen of the three county corners section, died suddenly Saturday night about 7 o'clock, death resulting from heart trouble. He had been apparently well and while sitting before the fire after supper fell over dead. He was possibly 65 years of age and had been for years a man of influence in his community. His home was in Lincoln county, just across the county line. Funeral and burial services were held at Zion church, this county, Monday afternoon, conducted by Rev. Ham Cook.

BURKE COURT IS NOW IN SESSION

March Term For Trial of Criminal Cases Began Monday—Judge B. F. Long Presiding—Proceedings.

Judge B. F. Long, of Statesville, is the presiding judge at the two weeks' term of Burke Superior court which began its sessions Monday. The morning session Monday was taken with the organization, impanelling of the grand jury and the judge's charge to this jury.

Grand Jury.
The grand jury is composed of the following: B. F. Davis, Jr., chairman, B. D. Mosteller, D. C. Fincannon, H. D. Daniels, W. J. G. Cranford, Dan Abee, F. A. Conley, R. D. Franklin, J. P. Brendle, J. A. Mitchell, W. D. Franklin, J. W. Berry, J. A. Fleming, Thos. Townsend, Henry Ogle, J. W. Walker, Frank Denton, J. A. Martin.

The judge's charge. In language that was simple enough for the most illiterate man to understand and in scope broad enough to cover in a general way the duties of a member of the grand jury Judge Long charged this body before they began their duties, telling them how to proceed with their work. He said that an examination of the solicitor's docket showed the majority of the cases to be for retailing and manufacturing liquor, the next in number for carrying concealed weapons and that he found there would be seven murder indictments before the jury.

The substantial requirements made of a grand juror as interpreted by Judge Long are that he be sufficiently intelligent, that he be a moral man and that he show allegiance to the government.

He proceeded to give the jury specific instructions as to how they should deal with some matters it was evident would come before them for their attention.

Proceedings.
The following is a resume of the court proceedings, except the Wiseman arraignment, until noon Wednesday:
Terl Hawkins, Bart Hawkins, Eugene Ferree; manufacturing liquor; former found guilty, two latter plead guilty; Terl Hawkins given road sentence of 12 months; others fined \$50 each.

Frank Williams; retailing; guilty; fined \$50 and costs.
Alfred Mull and F. R. Mull; affray; F. R. Mull, not guilty; Alfred Mull, guilty—fined \$20 and costs.

W. T. Mace; carrying concealed weapon; guilty; fined \$50 and costs.
Will Ingle; retailing; guilty; 6 months on county home farm.

Lewis Griffin; breaking in car; 2 years on roads.
John Poteet; Carrying concealed weapon; not guilty.

(Continued on fifth page)

WHEREFORE WE KNOW COURT WEEK COMETH



MR. CLAYWELL RESIGNS AS S. S. SUPERINTENDENT

After 15 Years' Service—Succeeded by Mr. Joe Kjellander

Very impressive exercises were held at the Methodist church Sunday morning to which the regular Sunday school program gave way, the occasion marking the retirement of Mr. E. B. Claywell as superintendent, in which capacity he has served for the past 15 years. On account of other duties connected with the church Mr. Claywell had asked to be relieved and Mr. Joe Kjellander was selected to take his place. After a short address by the pastor of the church, Rev. C. M. Pickens, Mr. Claywell was presented by Mr. John M. Mull, with a beautiful gold watch as a gift of love and esteem from the Sunday school he had served so long and faithfully. In addition to his service of 15 years as superintendent Mr. Claywell had been connected with the school in an official capacity ever since its organization. He was chosen superintendent to succeed his father, the lamented J. A. Claywell, who was superintendent since the school was organized until that time.

Short talks were also made Sunday by Messrs. Chas. Lane, A. G. Lyman and J. R. Clodfelter. Mr. Claywell responded feelingly. Upon accepting his duties as superintendent Mr. Kjellander made a short talk. He will make a worthy successor of Mr. Claywell.

DEATH OF MRS. BRANCH.

Mrs. Cynthia Branch, widow of the late Henry Branch of Table Rock, died on Wednesday, March 5, at the age of 79 years and was buried on Thursday at Mt. Grove church. Rev. J. B. Tabor conducting the services. The husband died in January of this year. Two sons and one daughter survive. Mrs. Branch was a good woman, a consistent member of Mt. Grove church.

YOUNG MOTHER PASSED AWAY LAST THURSDAY.

Mrs. R. V. McGimsey Died at Fonta Flora Last Week.

A particularly sad death was that last Thursday of Mrs. Lillie Margaret Hela McGimsey, wife of Mr. R. V. McGimsey, a merchant at Fonta Flora, Linville township. The husband and seven small children survive.

Mrs. McGimsey was a native of Ohio and was a young woman, only 31 years of age.

She was a member of Linville church and in all the relations of life was faithful and true. She was buried at Linville Saturday, the funeral conducted at the same time as that of her husband's kinsman, J. G. McGimsey, by Rev. J. B. Tabor.

DIED IN STATESVILLE.

Mr. J. G. McGimsey, son of Mr. W. W. McGimsey, one of the county's substantial farmers, died last Thursday night at Dr. Long's hospital in Statesville. He was a young man, just 31 years of age, and unmarried. His parents and two brothers and one sister survive. The sister, Mrs. Nettles, lives in Charlotte, one brother is in the west and the other in France.

He was a young man of high character, holding the confidence and esteem of all who knew him. For some time he had been a steward in the Linville Methodist church, at which place the funeral and burial services were held on Saturday, conducted by Rev. J. B. Tabor.

Mrs. Will Austin and son, Forest, visited Mr. and Mrs. Sid Thomas, the former Mrs. Austin's brother, at Black Mountain Sunday.

AMERICAN CRAFT IS PLYING SEVEN SEAS

Carrying Products of U. S. to Farthest Corners of Earth.

For the first time since the days of the famous "Clipper" ships, American merchant craft now are plying the seven seas, carrying products of the United States to the farthest corners of the earth and bringing home both essentials and luxuries.

The shipping board has announced that the American merchant marine fleet built up under the spur of war's necessity now represented nearly one-fifth of the entire sea-going tonnage of the world and comprised 46 per cent of all ships clearing from United States ports, as compared with 9.7 per cent before the great war.

Trade routes not traversed by American craft for more than 50 years once more are invaded, with new routes established to China, Australia, New Zealand, India, the Dutch East Indies, the west coast of Africa and ports on the Mediterranean. Ships flying the Stars and Stripes also are running regularly to South America, Great Britain and Continental Europe, as well as to Canada and Mexico.

The fleet now engaged in overseas commerce consists of 351 freighters, 84 freight and passenger vessels, 71 oil tankers, 230 sailing vessels, and 16 miscellaneous ships, aggregating 1,961,239 gross tons. Of this total 406,528 gross tons are employed in trans-Pacific trade, 315,925 tons in South American trade, 761,252 tons in Caribbean and Mexican trade, and 76,014 tons in Alaska and Canadian trade.

CAMPAIGN CONTINUES THROUGH THE MONTH

Armenian-Syrian Relief Fund Has Not Been Raised.

State Chairman J. Y. Joyner of the Armenian-Syrian Relief campaign, has announced that the campaign will continue throughout the present month, to give several counties in the State opportunity to reach their quotas. Dr. Joyner realizes that conditions following the armistice tended to upset plans for the campaign, and that the people are slow to recognize the urgency of the appeal of the starving people of the Near East; but he is certain that when they know just how desperate the situation in Armenia is, how many lives are in jeopardy, they will respond to the call.

SECRETARY OF WAR BAKER SAID IN A CABLEGRAM:

"The need of the peoples whom your committee is striving to serve is so grievous and appealing that the department desires to do everything in its power to cooperate in relieving the condition of these peoples as far as this may be possible."

President Wilson has issued three proclamations urging the people of the United States to give liberally to this cause. He is willing to ask America to give liberally to this cause. He is willing to ask America to give because he knows that there is no other hope of saving the lives of the four millions of people who are starving. Among these sufferers are 400,000 helpless little children who have lost their parents either by starvation or at the hands of the Turkish murderers. North Carolina cannot afford to fail in doing her share in this worthy cause.

APPROPRIATIONS MADE FOR STATE INSTITUTIONS

Hospital Here to Get Biggest Appropriation—The State Board Health Good Fund.

Senator Holderness, chairman of the appropriations committee, introduced the appropriations bill Friday and it was given immediate passage without amendment and sent by special messenger to the House. The items embraced in the bill included the following annual appropriations and special allowances for debt:

Agricultural extension, \$68,948, for 1919 and \$88,165 for 1920.
Central Hospital, Raleigh, \$263,000 and \$27,000 for debt.
Western Hospital, Morganton, \$325,000 annually and \$75,000 debt.
Eastern Hospital, Goldsboro, for negroes, \$150,000 and \$23,000 debt.
Deaf and Dumb School, Morganton, \$80,000.
Caswell Training School, \$50,000 for 1919, \$75,000 for 1920.
Jackson Training School, \$25,000 and \$2,800 for debt.
Tuberculosis Hospital, \$50,000 and \$19,000 for extension work; \$10,000 for debt.
State University, \$250,000 and \$20,000 for debt.
East Carolina Training School, \$65,000.
Appalachian Training School, \$20,000 and \$6,000 for debt.
Cullowhee Normal, \$16,000.
State School for Blind, Raleigh, \$85,000, and \$2,500 for debt.
State College of Agriculture and Engineering, \$150,000.
State College for Women, Greensboro, \$162,000.
Oxford Orphanage, \$20,000.
Oxford Orphanage, negro, \$10,000 and \$1,000 for debt.
Soldiers' Home, \$45,000.
Confederate museum, \$200.
Confederate cemeteries, \$250.
Cherokee Indian school, \$3,600 and \$1,350 for debt.
A. and T. College, negroes, Greensboro, \$70,000.
Slater Normal, Winston-Salem, \$15,000.
Normal, Elizabeth City, \$11,000.
Colored Normal, Fayetteville, \$9,000.
State laboratory \$25,000 and \$3,500 for debt.
State Board of Health, \$57,000 with \$27,550 for rural work, \$33,988 for fighting venereal diseases.
Confederate Woman's Home, Fayetteville, \$5,000.
State Board of Charities, \$15,000.
Orthopedic hospital, \$7,500.
Geological Survey, \$30,000.
Industrial Home for Girls, \$20,000.

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BRIEF NEWS ITEMS FROM OVER BURKE

Items of Interest Gathered From Different Sections of the County By News-Herald Correspondents

GLEN ALPINE.
Abernethy Bros., who are running the new garage, have bought the gasoline and oil business from Mr. W. S. Butler and have moved the same to their new quarters.
Rev. F. A. Bower filled his regular appointment last Sunday. Part of the church orchestra, Messrs. H. R. Bridgers, F. J. Wortman and W. H. and E. A. Queen, came with him and gave some select music of a fine character which was well rendered. Miss Patton, daughter of Mr. P. W. Patton, presided with skill at the organ. We are glad to have these folks with us and miss them when they fail to come. Mrs. F. J. Wortman assisted very materially in the singing.

The Baptist are contemplating some needed repairs to the church here.
George Gates' son, Albert, met with an accident in the J. D. Pitts plant which came near being serious.
Pitts and Giles, W. E. Giles and others who attended the big government sale of horses at Spartanburg and Greenville, S. C., have been getting their horse stock in. The majority of this stock look well and are fine specimens of horseflesh.

Mr. W. R. White, living over the river near here, has a hen that so far has beat the record. She had been missing for over a week. Mr. White saw under a brush heap a pile of eggs and in crawling under looked up over the eggs and saw the hen three or four feet above him. She had made a nest of leaves in the brush and as fast as she laid, the eggs would slip through the nest to the ground without breaking. She had laid 16 eggs, was contented and seemingly happy. The question, how long will it be before these eggs would hatch?

Miss Charley Mae Hennessee gave a birthday party to her young friends last Saturday night, celebrating her 16th year. Those in attendance were Misses Mattie Conley, Velma Byrd, Ellen Trexler, Annie McCarthy, and Messrs. Dwight Giles, John Tabor, Robert Giles, Charles Drury, Lonnie Harbison and Robert Brinkley. Refreshments were served and all had a very pleasant time.

A big, bouncing 11-pound boy made its advent in the home of Mr. W. J. McCallard, claiming family board.

First-class Yeoman Price Simpson was home last week for a few days on furlough.

Mr. Eugene Hennessee is in from Virginia, where he has been working for the government.

Lieut. Otis Lail, of Asheville, is home from service overseas on a visit to his father, who lives near here. He (Continued on last page)

NEW ROAD LAW FOR THE STATE

Ratified Monday By the General Assembly After a Running Fight Almost Through the Entire Session.

An act, to provide for the construction and maintenance of a system of State highways and to enable the State to secure the benefits of Federal aid therefor, and for other purposes. The General Assembly of North Carolina do enact:

Section 1. That for the purpose of constructing and maintaining a system of State highways and post roads the funds collected by the State as a license tax on automobiles, motor cars, motorcycles, motor trucks, or other vehicles from which the State does now or may hereafter collect a license tax, shall, after the expense of collecting has been deducted as herein provided, be paid to the State Treasurer and by him kept as a special fund to be known as the "State Highway Fund," for the construction and maintenance of a system of State highways, which shall be constructed so as to form a system of modern highways acceptable to the United States government, connecting by the most practicable routes the various county seats and other principal towns of every county in the State.

Sec. 2. That all convicts, either State or county, than can be arranged for by agreement with the State Prison board or between the various county authorities and State Highway commission as the case may be, may be worked on this system of State highways and on the production of material for said highways. The care and discipline of such prisoners shall be as provided by the prison laws of the State.

Sec. 3. The location, construction and maintenance of the highways which are to be constructed by the State Highway commission under this act are to be determined upon and the work done by the State Highway commission, and all surveys, plans, specifications and estimates shall be made by said highway commission. Whenever any one or more of the counties of the State shall agree to furnish one-fourth the cost of the construction of that portion of the State highway system contemplated by this act which will be in or run through such county or counties, preference shall be given by the State Highway commission in beginning the construction of the highway or highways in or running through such county or counties, and whenever any county shall notify the State Highway commission that it will and is prepared to furnish one-fourth the cost of construction of that portion of the State highway system which will be run through such county or counties, it shall be the duty of the State Highway commission to proceed to such county or counties as early as practicable and determine upon the location of the highway or highways in or running through such county or counties which will be a part of the State highway system and make the necessary surveys, plans, specifications and estimates and proceed with the construction of the highway or highways as soon as necessary funds are available, the one-fourth to be paid by such county or counties to be held by the road authorities subject to the order of the State Highway commission, to be paid as the work progresses. Under this arrangement, one-fourth the cost will be paid by the county or counties, one-fourth from the State highway fund, and one-fourth from the Federal aid fund. In constructing the highway or highways, the State Highway commission may make and enter contracts for such construction work with any county or counties of the State, or with contractors, or have the work done under its supervision, endeavoring to have the same done as cheaply as possible. The said construction work and labor shall be under the direct supervision of the State Highway commission subject to the inspection and approval of the Secretary of Agriculture of the United States or his authorized representatives, and in accordance with the rules and regulations made pursuant to the Federal aid law. The State Highway commission may in its discretion from time to time apply for and secure Federal aid and make payments on said construction as the same progress in the pro rata part of the value of the labor and material which have been actually put into such construction in compliance with said plans and specifications. The State Highway commission shall cooperate with the counties in obtaining material and labor to be used on any project under the provisions of this act.

Sec. 4. That the several counties, townships and road districts in order to provide their one-fourth of the cost of constructing said system of State highways as contemplated by this act within their respective territories may, in their discretion, use such road funds as they may have available or may provide same under and pursuant to any law now in force or hereafter enacted, and the construction and improvement of said system of State highways is hereby declared to be a necessary public expense of the several counties, townships and road districts as to such portion of same as may be located within their respective bounds, under the provisions of this act. And the financial cooperation of the respective counties, townships and road districts shall under agreement entered into between the local county, township or road officials, and the State Highway com-

(Continued on sixth page)