

THE NEWS=HERALD

Only Paper Published in Burke County

The Burke County News
The Morganton Herald
Consolidated November 29, 1901

Subscription Price \$2.00 per Year in Advance

DL. XXXVII.

MORGANTON, NORTH CAROLINA, AUGUST 11, 1921.

NO. 7

JUDGE'S ABLE CHARGE TO THE GRAND JURY

Comprehensive Review of Duties and Responsibilities Resting Upon Grand Jurymen and Citizens Generally.

Judge Bryson's charge to the grand jury upon its impanelment Monday was pronounced by all who heard it to be one of the most masterly and comprehensive ever delivered in the Burke county court house. The judge applied to his knowledge of the law and its application many principles of good common sense that brought his address within the comprehension of even the illiterate among his hearers and gave it a practical meaning to the men in the jury box.

He spoke of the responsibility that rests upon the man who is called to serve his country as a grand jurymen, of the importance and honor that should be attached to the position. "The office," said he, "is not held in as high esteem as it should be at every act of this body of men will result in better conditions for the county, State and nation, or the reverse." The grand jury was designated as a shield between the people and evil influences. It is a very necessary part of the administration of the law and men who serve in this capacity should be men of character and integrity.

In answering "What is the Law?" Judge Bryson showed it to be of divine origin and that all our statutes have their foundation and basic principles in the ten commandments. He explained the different branches that come from this parent trunk and in explanation outlined the different relations of the law to which the body should give attention.

Every citizen is given under our laws three guarantees, viz. (1) personal security, (2) personal liberty and (3) the right to own and enjoy property. Enlarging on these Judge Bryson impressed his hearers with the thought that while every citizen has certain rights there rests upon every one also individual responsibilities.

He compared the liquor traffic that is recognized throughout the State as a great menace to a pestilence against which organized effort would be necessary to stamp out. He called the men who make and sell it "Judas scoundrels," exchanging for a few dollars the influence that wrecks men and homes. He put special stress on the enforcement of the prohibition laws and those who heard him were led to believe that blockaders and retailers had a right to fear his judgments.

The following compose the grand jury for this term of court: J. F. Moore, foreman; S. H. Young, S. A. Wilson, W. A. Lefevre, J. M. Lowder, R. F. DeVault, A. E. Jamison, Pink D. Baker, J. R. Benfield, U. A. Rhyme, J. A. Scott, Max Hudson, William Avery, R. M. Hudson, A. J. Smith, Fred Meyre, Logan Huffman and J. Fred Champwell.

CHAMPION COFFEE-DRINKER

Len Bennett, Stokes county farmer, claims to be the world's champion coffee drinker. According to his statement, he drinks the beverage three times a day, six cups to the meal, besides frequently getting up during the night and indulging in one or two cups.

"I have consumed coffee on this scale practically all my life, and I am now 78," declared Bennett, who admitted that for a few years he made a specialty of drinking a quart of whiskey each day, "though it was of much better brand than that manufactured today," he added.

The Stokes farmer figures that he has drunk no less than 17,000 gallons of coffee and he has no idea of stopping for several years yet.

PHOTOGRAPHS BY WIRELESS

Transmission of photographs and written documents in fac simile across the ocean by wireless has been accomplished. Two successful tests of this epoch making invention have been made within the last three days at the foreign naval radio station at Annapolis, Md. A photograph and written message have been sent to Malmision, the French radio station.

Two French government engineers are now in Annapolis preparing for further tests which they believe will prove the invention a complete success within a very short time.

BIG BEETS

The News-Herald has had occasion this week to believe that Burke must beat the world for beets. Mrs. T. L. Duckworth reports raising one that measured 23 1-2 inches around and more than enough to serve the thirty people who attended her birthday dinner recently. Mr. John H. Potet brought in one the other day that weighs 9 1-4 pounds. How's that for big beets?

TWO KILLED WHEN CAR TURNS

James Smith, aged 22, white car driver for Kirk's transfer, Salisbury, was almost instantly killed late last Friday when his car left the road near Dunn's mountain and turned over. His neck was broken. Ann Pemberton, negro woman passenger, was also killed and another woman passenger was also killed and another woman and a negro man were badly injured.

YOUNG MEN ON TRIAL ON A SERIOUS CHARGE

Walt Brittain and Charlie Crawley Charged With Criminal Assault on Young Woman

A special venire of 100 has been summoned to appear here today for the trial of Walter Brittain and Charlie Crawley who are charged with criminal assault on Annie Belle Stamey, a young white girl said to be just 15 years of age. Tom Mull was included in the warrant making the charge but has not been apprehended.

The defendants are represented by Avery & Hairfield and Spainhour & Mull.

MANY LOSE THEIR LIVES WHEN THE ALASKA SINKS

Steamer Alaska Went Down in Fifteen Minutes; She Struck a Rock Reef

Forty-eight persons, 36 passengers and 12 of the crew were lost Saturday night when the steamer Alaska of the San Francisco and Portland Steamship company, southbound from Portland, Oregon, to San Francisco, sank 30 minutes after crashing into the rocks of Blunt's reef, 40 miles south of Eureka, Calif.

The survivors, numbering 166 persons, were taken to Eureka Sunday by the rescue ship Anyox, the first vessel to reach the scene of the wreck in response to the Alaska's radio signals.

The Alaska was bound from Portland, Oregon, to San Francisco.

A dense fog concealed the treacherous rocks off the Blunt's reef, which projects far into the ocean, when the Alaska crashed at 9:40 o'clock. Within 20 minutes, the crippled steamer listed, turned and sank to within four feet of the tips of the masts.

The passengers were placed in life boats, but one overturned as it was lowered into the water.

Of the 12 bodies recovered four have been identified as passengers and eight officers and crew.

CONFERENCE TO OPEN ON ARMISTICE DAY

Japan, Last of Participants in the Disarmament Conference, "Gladly Accepts."

Unanimous agreement on Armistice Day, November 11, for the opening of the disarmament conference was reached yesterday in the informal negotiations among the powers that are to be represented. Japan, the last of the participants to give her consent, informed the State department through the American embassy at Tokio that she would "gladly accept" the American suggestion to begin the conference on the fourth anniversary of the cessation of the world war.

Thus, the assembling of the delegates in Washington on a definite day becomes an assured fact, although the diplomatic formalities require that there be now a formal exchange of invitations and acceptances. The invitations are expected to go forward from Washington without delay and officials believe that prompt replies will hasten the negotiations into their second phase—a consideration of the list of subjects that are to be discussed around the council table.

STATE ASKS REMOVAL OF THE KINCAID CASE

Solicitor Requests Jury From Another County or Removal of Case; Kincaid Arraigned Tuesday.

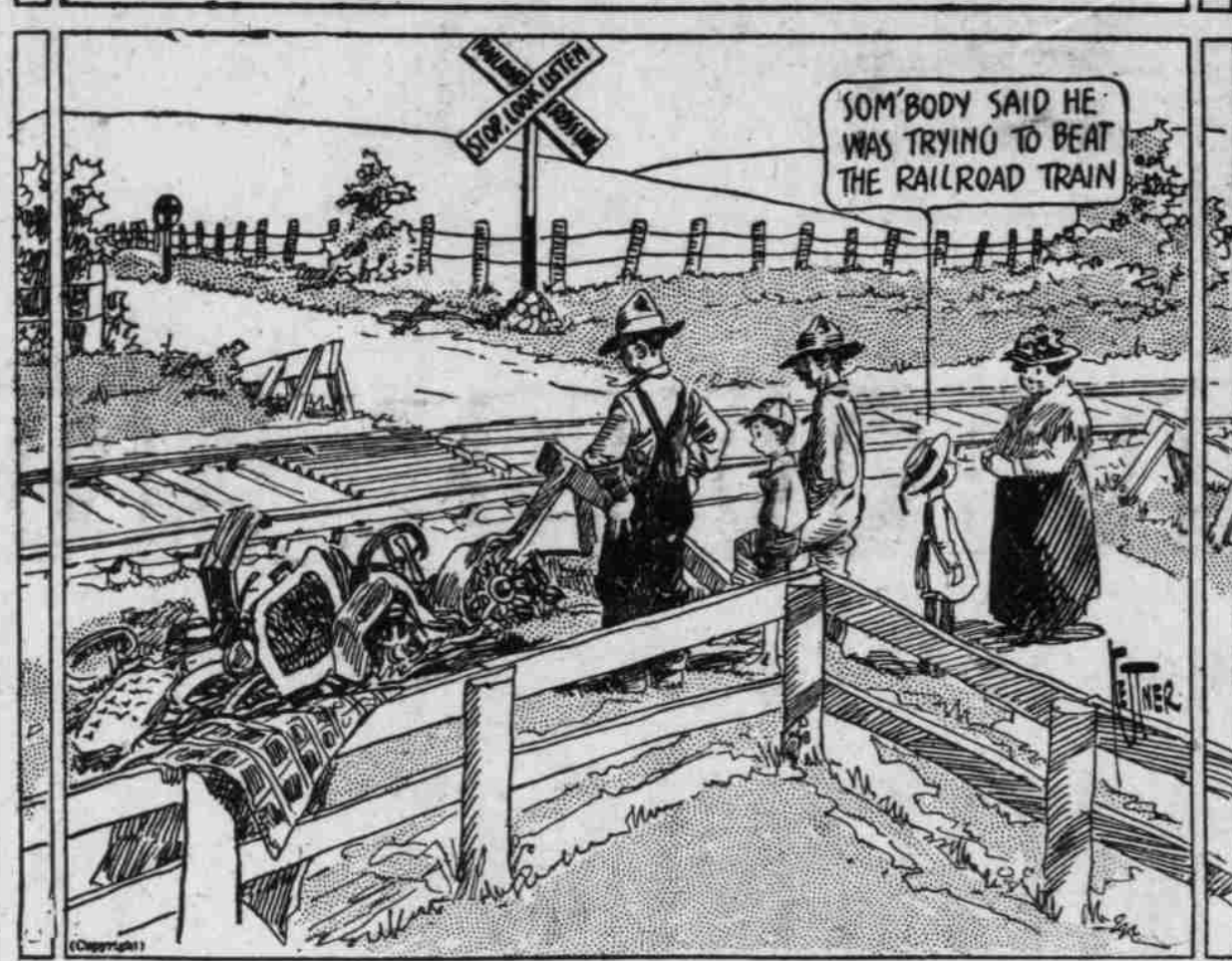
Solicitor Huffman has asked for a jury from another county or the removal to an adjoining county of the case of Sidney A. Kincaid charged with the murder of his wife. An affidavit making this request was filed when Kincaid was arraigned Tuesday morning. Yesterday morning the defendants counsel, Ervin & Ervin, read and filed counter affidavits opposing removal and Judge Bryson has announced that he will announce his decision at the convening of court this morning.

The appearance of the defendant in the court room Tuesday morning was the first time he has been out of jail since his incarceration on the night of the murder, July 18th. He appeared pale and rather nervous and his answers to the solicitor's questions were barely audible.

Solicitor Huffman's affidavit for removal of the case cited as reasons the wide business relationships and acquaintance of the defendant throughout the county, his connection with many of the prominent families of the county, the extensive discussion of the case, and active interest shown in the defense.

Answering these, five affidavits were introduced, these tending to show that the defendant was not so prominent and influential as pictured, did not have so many family connections or friends who were interested in his defense and that such discussion of the case as had been reported was probably detrimental to him. These affidavits were made by the defendant, Capt. L. A. Bristol, Messrs. N. O. Pitts, A. C. Kerley and B. C. Bright.

The Mourning After



LOCAL BRIEFS IN AND AROUND TOWN

Short Items of Local and Personal Interest Gathered During the Week.

Miss Neta Shuping, who has been at Ellerbe, is now located in Richmond, Va.

Mr. and Mrs. Clodfelter moved yesterday to their beautiful new home just completed on West Union street.

Mr. Fred Kistler who has been in the Biltmore hospital in Asheville, returned home this week very much improved.

Mr. Ben Howard, who has been county highway engineer in Caldwell county, has been elected to a similar position in Catawba county.

The Epworth league meeting Sunday evening will be conducted by Miss Clea Shiflet. Subject will be "Precepts of a Christian Life and How to Obey Them."

Rev. N. C. Duncan, the rector of Grace church, will preach at St. Mary's chapel Sunday afternoon at 3:30 o'clock. All are cordially invited to attend the services.

On account of the illness of Rev. J. A. Fry the revival meeting which was to have begun at Zion Methodist church last Sunday was postponed until next Sunday, August 15th.

Frances Louise Golloway is the name of a little daughter born July 23rd at Port Norfolk, Va., to Mr. and Mrs. J. P. Golloway. Mrs. Golloway was formerly Miss Addie Saulman.

Dr. W. F. Powell, who was formerly pastor of the First Baptist church here, but now located in Nashville, Tenn., preached here Sunday night. Many old friends were glad of this opportunity to hear Dr. Powell again.

Mr. John H. Pearson has just received twenty-one additional volumes of the Colonial Records which he has added to a former donation to the new library. This gift of Mr. Pearson's will form a very valuable part of the library.

A night force went to work last night on the drilling of the new well which the town is constructing near Silver creek, in order that the work might be rushed to completion as soon as possible.

Saturday is the last day of the free typhoid vaccination. All desiring to take it should meet the physicians on the court square here Saturday. Over five thousand people in the county have been vaccinated during the past three weeks.

Mr. and Mrs. John W. Bass and family of Natusula, Ala., are visiting relatives and friends in Burke county. Mrs. Bass' mother, Mrs. G. L. Icard, lives in Icard township. Mr. Bass was a farmer nine years ago and lived near Calvin. Since leaving Burke county he is engaged in the lumber business.

Mr. Thomas Lowdermilk reports that he sold Mrs. Isaac Keller some sweet potato slips on the 14th of June and that on the 9th of August she brought him potatoes, the largest of which weighed half a pound, this 56 days from the time the plants were set out.

Out of town attorneys here this week in attendance upon court have been Messrs. W. C. Newland, of Lenoir; J. L. Murphy, R. H. Shuford, C. L. Whitener and A. A. Whitener, of Hickory; Warlick, of Newton; C. R. Hoey, of Shelby; R. W. Wall, of Newland, and B. L. Lunsford of Marion. Miss Gertrude Hall of Lenoir is court stenographer.

FOR REV. AND MRS. DUNCAN

The members of the congregation of the Episcopal church will give a reception this afternoon from 5 to 7 o'clock at the home of Mr. and Mrs. B. S. Gaither to welcome to Morganton Rev. and Mrs. N. C. Duncan. Mr. Duncan is the new rector of Grace church. All the members of the other church in Morganton are cordially invited to meet Rev. and Mrs. Duncan.

MR. J. A. MARTIN, OF HICKORY, DIED SATURDAY

Morganton friends were pained to learn of the death last Saturday in Hickory of Mr. J. A. Martin, one of Hickory's most prominent citizens. Funeral and burial services were held Sunday.

NEW PRINCIPAL FOR GLEN ALPINE SCHOOL

Mr. W. T. Byrd Succeeds Mr. T. Hendrix Who Goes to Winston-Salem.

Prof. T. Hendrix, who has been principal of the Glen Alpine graded school for four years, has resigned and will have work next year as principal of the Southside graded school, Winston-Salem.

Mr. Hendrix is succeeded at Glen Alpine by Mr. W. T. Byrd of Mt. Olive. Mr. Byrd comes highly recommended and will doubtless make a worthy successor to Mr. Hendrix, whose work at Glen Alpine has been attended with much success.

Mr. and Mrs. Hendrix and children leave Glen Alpine this week to visit relatives at Advance before going to Winston-Salem.

MR. COBURN RESIGNS AS ROAD SUPERINTENDENT

Resignation Effective Sept. 1st; Successor Not Chosen; Mr. Franklin Also Resigns.

At the last meeting of the Burke County Board of Road Supervisors two resignations were offered—Mr. P. A. Franklin as a member of the board and Mr. L. S. Coburn as road superintendent. Mr. Franklin's resignation was effective immediately and Mr. Coburn's September 1st. Mr. Coburn has agreed, however, to serve until his successor is chosen.

MR. HOYLE SECRETARY

W. T. Hoyle of Newton was elected secretary-treasurer of the Burke-Catawba branch of the Farmers' Mutual Fire Insurance Association on the third ballot at the meeting in Newton last Saturday. He received 181 ballots, it requiring that number to elect.

Rev. G. P. Drum led on the first ballot with 140 votes. Mr. Hoyle received 126. On the second ballot Mr. Hoyle received 162 and Mr. Drum 156. Other candidates were Claud Ramseur, Colin M. Yoder and I. Alex Yount.

Between 350 and 400 farmer-members attended the postponed meeting. After Mr. Hoyle's election, Mr. Drum moved that the election be made unanimous and thanked his supporters for standing by him.

DR. ANDERSON AT THE METHODIST CHURCH

Dr. E. W. Anderson, missionary to China, supported by the Morganton Methodist church, preached two very interesting sermons at the Methodist church Sunday. He will preach again next Sunday and every member of the church should not fail to hear him.

An informal reception was given Monday night in the ladies' parlor of the church in honor of Dr. Anderson. Dr. Anderson is a guest at the home of Mr. and Mrs. E. McK. Goodwin and Mr. and Mrs. John Mull while in Morganton.

MEETING AT ZION CHURCH

Rev. G. P. Abernethy will assist the pastor, Rev. Jacob Harris, in a meeting next week at Zion Baptist church, beginning Sunday. The following week Mr. Abernethy will be engaged in a meeting at Pleasant Hill, Enola.

MR. GORDON OUT.

Chief of Police Leith Gordon is able to be out again after an illness of several weeks. His friends hope that his health will continue to improve.

CLEAN OAK HILL GRAVEYARD

All who are interested in the Oak Hill graveyard are asked to assemble there next Monday for the purpose of cleaning the yard and putting the graves in good shape.

Two concrete ships, a six-hundred-ton concrete river steamer and a thirty-five hundred-ton concrete tank will be launched at the local yard of the Newport Shipbuilding corporation this month, according to an announcement by Plant Manager Kirby Smith.

SUDDEN DEATH OF MRS. FRED DALE

Funeral Yesterday at Salem of Morganton Woman Who Died Tuesday.

Mrs. Fred Dale died Tuesday afternoon at her home near the furniture factory after a brief illness, acute indigestion said to be the cause of her death.

The funeral, conducted by Rev. G. P. Abernethy, pastor of the East Baptist church, was held yesterday afternoon at Salem church and interment made there.

Mrs. Dale is survived by her parents, Mr. and Mrs. J. F. Clontz, of Cliffside, her husband and two small children. Mr. and Mrs. Clontz were here for their daughter's funeral.

FIGURING HOW TO CUT DOWN THE TAX BURDEN

Republicans Estimate They Can Reduce the Levy By a Half Billion Dollars.

Treasury experts and Republican leaders in the house are far apart in their estimates of federal expenditures and income for the fiscal year.

Th committees dealing with tax revision has before it figures prepared by Chairman Madden of the appropriations committee which are said to show a smaller probable outgo than given in Secretary Mellon's statement and a consistently larger income.

Other house leaders also have prepared their own estimates and on this basis of the whole they insist that it will be entirely possible to reduce taxes by half a billion dollars. Democratic leaders, on the other hand, say this is not possible unless there is to be a huge deficit at the end of the year. Bringing up the tax question in the senate, Senator Borah, Republican, Idaho, declared that the army and navy were the only places where cuts could be made to meet Secretary Mellon's recommendations and warned against any increased taxes.

While expressing approval of Senator Borah's proposal to cut the army to 100,000 men, Chairman Fordney of the tax revision committee made it known that his estimates for tax reductions were independent of this. Other house leaders in arriving at their estimates, have declared for general cuts and they expect all departments to spend less than the sums actually provided.

Representative Madden said congress could be depended upon to keep down expenditures.

"We have got to keep our noses to the grindstone," he declared.

Republican members of the ways and means committee continued work on revision of the present revenue law, confining themselves largely to changes in administrative and other features designed to simplify the tax problem both for internal revenue officers and tax payers.

MEETING AT ANTIOCH

Rev. J. Elmer Lacey began a revival meeting yesterday at Antioch which will continue through the morning of the 21st. On the night of the 21st he will begin a meeting at Burkemont. Mr. and Mrs. Lacey returned recently from Kelly in the eastern part of the State, where Mr. Lacey conducted a very successful 10 days' meeting.

SUPERIOR COURT IS NOW IN SESSION

Brief Summary of Proceedings of First Two Days; Many Liquor Cases On Docket; Judge Bryson Presiding

The August term of Burke Superior court for criminal actions opened Monday, Judge T. D. Bryson of Bryson City, presiding, and Solicitor R. L. Huffman prosecuting. The docket contains two capital cases, many liquor cases and others of more or less minor importance.

The proceedings for the first two days are summarized briefly in the following report:

Cary Patten, Walter Boyd and Eck Haskins, assault with deadly weapon; Patten plead guilty, Boyd and Haskins found not guilty.

Walter Medlock and Bub Holt; affray; plead guilty; Medlock fined \$25 and one-half costs; Holt to pay other half of costs.

Max Lail and Frank Lail; retailing; Max Lail plead guilty; capias issued for Frank Lail.

Game Mithem and Hamp Cook, public drunkenness; plead guilty.

William Pitts and John Smith, larceny of car; plead guilty.

Elmer Deal, assault with deadly weapon, plead guilty; fined \$35 and costs.

Jink Chapman, public drunkenness; plead guilty; six months on Henderson county roads.

Henderson Bivins and D. M. Hildebrand, assault with deadly weapon; nol pros as to Hildebrand; Bivins found guilty, fined \$25 and costs.

Jim Deal and Arthur Borer; manufacturing liquor; entered plea of attempting to manufacture liquor.

John Yancey; drunk on highway; plead guilty; two months on Henderson county roads.

(Continued on sixth page.)

BRIEF NEWS ITEMS FROM OVER BURKE

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

DREXEL

Miss Lonnie Barrs of Hickory, spent several days with Miss Vivian Franklin last week.

Misses Artie Burns and Lula Garrison visited Mr. and Mrs. Burgin Burns at Asheville the past week.

Mr. and Mrs. Donald Berry spent the week-end with relatives at Icard.

Mr. and Mrs. Fred Smith of Morganton, moved here last week.

Miss Sadie Burgin of Old Fort, was the guest of her brother, Mr. A. T. Burgin.

Miss Irene Berry of Asheville, is spending her vacation with her parents, Mr. and Mrs. C. S. Berry.

Master Charles Burgin visited relatives at Old Fort.

Mr. and Mrs. Charles Foster of Kannapolis, are the guests of Mr. and Mrs. Will Powell.

Miss Essie Gross of Hickory, visited her grandparents, Mr. and Mrs. J. C. Abee.

Mrs. F. G. Propst and Miss Clara Lawson of Asheville, spent the week-end with Mr. and Mrs. G. S. Propst.

Mrs. W. C. Trogdon and children are visiting relatives and friends at Ramsaur.

Mrs. L. E. Bolick of Draper, recently spent a short while here.

Mr. Odus Zimmerman and family of Asheville, are here for a brief stay.

Mr. and Mrs. J. A. Rector were the guests of their daughter, Mrs. A. H. Giles at Marion.

Mrs. G. F. Rothrock and children are visiting relatives at Seagrove.

Last Saturday night quite a number attended the ice cream supper given at the home of Mr. S. L. Williams.

STATE HOSPITAL

Miss Bettie Rumsisell after spending two weeks at home visiting her parents, Mr. and Mrs. N. F. Rumsisell, returned Sunday to Winston-Salem.

Mrs. R. H. Taylor and sister, Miss Lou Harris, spent Monday with their parents, Mr. and Mrs. Hamp Harris near Table Rock.

Misses Fannie and Mary England and Miss Isadore Taylor of Winston-Salem, spent the past week with Mrs. Bracher Clark.

Mr. and Mrs. Bracher Clark and family spent Sunday with his father and family, Mr. and Mrs. J. A. Clark near Bethel.

Mr. and Mrs. G. C. Moose spent Tuesday and Wednesday at Newton visiting his parents, Mr. and Mrs. E. A. Moose.

Mrs. Cullen Propst and children were Sunday afternoon guests of Mr. and Mrs. Julius N. Pruett at the cross-roads.

Misses Mary Annie and Thelma Sloan spent the week-end with their grandfather Mr. Julian S. Mull.

Mr. and Mrs. N. A. McGinnis spent Saturday and Sunday at Hickory attending camp meeting.

Mr. C. A. Potet of Morganton is having a nice cottage constructed next to Mr. Allen Smith's cottage.

Mr. Everett Setzer and sister, Miss Neat Setzer and Miss Eva Love of Catawba, were Sunday visitors of Mr. C. A. Setzer at the Hospital.

Mr. and Mrs. R. H. Faulkner and two children, Dubois and Ruth, also Misses Rama Dale and Ruth and Maude Wacaster spent Sunday at Chesterfield with Mrs. Faulkner's sister, Mrs. David Chapman and family.

Mr. and Mrs. Atwell of Rocky Mount, and Mr. and Mrs. O. G. Daves of Morganton, were Sunday guests of Rev. and Mrs. W. K. Houk.

Mr. R. P. Harris and Mr. L. Wakefield and Misses Lola and Claudie Harris and Miss Maudie Benfield all motored to the power dam at Bridge-water last Sunday.

Miss Mae Gurley of Bridgewater, is a recent new nurse at the Hospital.

Mrs. E. M. Israel and daughter and Mrs. M. M. Garvin all of Asheville, were guests the past week of Mr. and Mrs. R. V. Alexander of near the Hospital and Mr. and Mrs. J. W. Fisher of Morganton.

Mr. and Mrs. Henry Hennessee and children spent Sunday in Morganton as guests of Mattie Duckworth.

Mr. and Mrs. Will C. Singleton had as their guest Sunday night Mr. Lucius Singleton of Lenoir.

Mrs. Steve Lackey and children of Lenoir, spent a few days the past week with Mrs. Annie Link.

Mrs. Annie Link and son Clarence, spent the week-end in Lenoir.

Mrs. T. M. Brinkley and Mrs. Addie Shadbolt of Morganton, visited their brother, Mr. L. L. Houk and family the past week.

Miss Rosa Lee Hipps spent Saturday night in Morganton with Miss Beulah Lambert.

Mr. John Houk and Mr. J. M. Brinkley, Jr. spent Saturday with his son, Mr. I. L. Houk near the Hospital.

Mr. L. L. Houk has accepted a position in the bake shop at the Hospital. The chapel services at the Hospital on Sunday afternoon were conducted by Rev. — Lacey of Morganton.

The picture show at Hospital on Saturday night was well attended and much enjoyed by all present.

Mrs. Hattie Duckworth visited relatives in Morganton the past week and also visited friends at the Hospital.

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