

## MRS. LYNCH IS RELEASED UNDER BOND OF \$5,000

### Widow of Prominent Farmer Freed Under Habeas Corpus Proceedings as Result of Investigation.

Rutherfordton, Feb. 9.—Mrs. Hibernia J. Lynch, widow of John Lynch, well known farmer who was shot at his home on the night of January 25, was released from jail here Saturday afternoon under a \$5,000 bond. Mrs. Lynch and John Paul Searcy, nineteen-year-old youth of that section have been held here in jail without bail since the killing.

Both defendants were given a hearing here Saturday afternoon at the clerk of Superior Court before Judge Hoyle Sink, who is trying the bank cases here, under a writ of habeas corpus proceedings.

Judge Sink announced his decision after he had read the evidence submitted before the coroner's jury here Tuesday afternoon and Solicitor J. W. Pless had questioned the eldest son of Mrs. Lynch, Jack, 14.

Solicitor Pless announced that he found no new developments, and there was no new evidence submitted. Both defendants appeared in the courthouse but did not go on the stand. Judge Sink stated that they should be held but would be allowed to give bond in the sum \$5,000 each, and Searcy has failed to make bond to date.

## SUNDAY FIRE DESTROYS HOME

### Home of Mr. Walter Settlemyer Burned Sunday Night at 7:15.

A frame house just off the old Alexander road, belonging to John Reid, of Rutherfordton and occupied by Walter Settlemyer and family, caught fire Sunday night about 7:15 resulting in a total loss to both Mr. Reid and Mr. Settlemyer, whose entire household furnishings were destroyed. The flames raged for more than thirty minutes before they could be checked.

Mr. Settlemyer and his family were at the Florence Baptist church when the fire was discovered by neighbors. Hearing the fire siren and noticing the fire was in the direction of his home, Mr. Settlemyer left church, but not until he was within sight of his home did he realize that it was his own place of abode that was afire.

The fire had gained such headway when discovered by neighbors that nothing could be saved. All of Mr. Settlemyer's household furniture was burned, while the house was also a total loss.

No insurance was carried on the furniture, but Mr. Reid had \$800 insurance on the building.

Mr. Settlemyer is connected with the Padgett Barber Shop, where he is one of the city's most popular barbers, and it was with much regret that his many friends learned of his misfortune.

## TWO BANQUETS HELD AT THE NEW CENTRAL HOTEL

The Isaac Walton League, Rutherford County chapter, held their regular meeting here Tuesday evening at 7:00 o'clock, in the banquet room of the New Central Hotel. A good attendance featured the meeting, and after an enjoyable luncheon a business session was held.

At 7:30 o'clock the Rutherford County Dental Society held a luncheon meeting at the same place. A good attendance was had at this meeting and after the luncheon a brief business session was held.

Men's socks, 25c quality, special Saturday, 10c pair, Courtney's Ten Cent Store.

## Lynch Trial Is Set For Spring

Rutherfordton, Feb. 10.—Trial of Mrs. John Lynch and John Paul Searcy, charged with the murder of Mrs. Lynch's husband at his home near here, has been set tentatively for the May term of criminal court.

Mrs. Lynch is at liberty under \$5,000 bond following a habeas corpus hearing last week, but Searcy, 19-year-old farm hand, has not been able to post a similar amount and is still in jail.

## SCHOOL BAND BEING ORGANIZED HERE

### Using Co-operative Plan to Secure Instruments—D. C. Cole to be Bandmaster.

A school band is being organized in the Cool Springs Township schools under a plan that guarantees success if the school receives the co-operation of the parents of the children who wish to join it. Capt. P. G. Sutton, bandmaster of the Harry J. Carlton Co., Elkhorn, Wisconsin, was at the assembly period Tuesday morning and explained the organization of such a band. This company has now more than 600 bands throughout the United States under its direction, a number of which are in North Carolina, and some of which are in our immediate section. North Wilkesboro is one of the participating schools and has about 60 children now taking lessons.

The guarantee made by the company is very liberal. The company proposes to produce a playing band by the last of May, every member playing his or her part in a program of five or six numbers played during second semester. This period of instruction will be without charge.

If any member fails to learn his or her part after taking the full course of lessons, following the instructor's directions—who is to spend one whole day each week in the school teaching the children—the instrument is taken back and all money advanced on it will be refunded.

Mr. P. G. Sutton and the Harry J. Carlton Co. were highly recommended by superintendents of schools at New Bern, Lincolnton and North Wilkesboro. Tuesday morning the superintendent of the local schools called superintendent H. C. Sisk of North Wilkesboro schools and asked about the success of the band. Mr. Sisk stated "We have just received over forty instruments and have had three practices. We are more than pleased with the work of Mr. Sutton and his company."

For a number of years the superintendent of Cool Springs Township schools has wanted an orchestra and band at the high school. He and the local board did not think it advisable to expend the tax payers money for instruments, etc. The plan as outlined by Mr. Sutton will enable the local schools to have a good band at a small cost to the patrons. The instruction for nearly four months will be free. Next year it will cost the pupils from 25c to 40c per pupil per week to continue this work. This is purely a volunteer proposition for the pupils and parents. It is hoped that the parents will grasp this splendid opportunity.

Mr. Sutton has agreed to use Mr. D. C. Cole of Spindale director of the Spindale band, as band master. All the people in Rutherford county and adjoining counties recognize Mr. Cole as an outstanding musician and Christian gentleman. The patrons should be grateful to Mr. Sutton for this selection.

The Directors of the Forest City Kiwanis club voted to endorse the movement for a high school band. Supt. Clyde A. Erwin and the local school board endorsed this proposition.

## PARENT-TEACHER MEETING WEDNESDAY FEBRUARY 18

The Parent-Teacher Association will meet Wednesday afternoon, February 18, at 3:30 o'clock instead of Wednesday, February 11th, as previously announced. All parents are urged to attend.

## THINGS THAT NEVER HAPPEN

By GENE BYRNES



## WOULD MERGE 23 N. C. COUNTIES

### Brookings Institute Also Recommends Uniform Government for State Units.

Raleigh, Feb. 9.—Consolidation of 23 North Carolina counties into eleven is suggested by the Brookings report on county government in the state released Monday by Governor O. Max Gardner.

"It is our recommendation that a careful study be made of this question of county consolidation," says the report, "and to this end we are listing certain specific instances in which it is believed such a consolidation could be made with advantage."

The following consolidations are urged:

- Cherokee and Clay counties with Murphy as county seat.
- Graham and Swain counties with Bryson City as county seat.
- Mitchell and Avery with Spruce Pine as county seat.
- Henderson and Polk with Hendersonville as county seat.
- Alexander and Iredell counties with Statesville as county seat.
- Stokes and Forsyth with Winston-Salem as county seat.
- Caswell and Person with Roxboro as county seat.
- Hoke and Cumberland with Fayetteville as county seat.
- Wilson and Greene with Wilson as county seat.
- Chowan and Perquimans with Edenton as county seat.
- Pasquotank, Camden and Currituck with Elizabeth City as county seat.

If such consolidations were affected, North Carolina would become a state with 88 counties instead of its present 100.

The report also suggests a uniform governmental system for the state's counties. The county government would be composed of the following units:

- 1—Board of county commissioners;
- 2—Department of finance;
- 3—Department of justice;
- 4—Department of education;
- 5—Department of health;
- 6—Department of highways and public works;
- 7—Department of welfare and
- 8—An audit department (state department of local government finances.)

## ELLENBORO TO HAVE TWO TRADE DAYS

Ellenboro, Feb. 10.—The enterprising little town of Ellenboro will have two bargain trade days Friday and Saturday, when the merchants will combine to offer special items to the trade.

## FARMERS NIGHT KIWANIS CLUB MONDAY, FEB. 16

### Sixty Farmers Invited to Meet With Club at Next Meeting at High School Building.

Next Monday night will be "Farmers Night" at the Kiwanis Club. There will be sixty or more guests of the Club on this occasion, at which time a splendid program will be rendered and many matters of importance to the farmers discussed.

In sponsoring Governor Gardner's "Live-at-Home" campaign the Kiwanis Club offers a cash prize of \$25.00 to the winner. The rules of this campaign have been worked out by the agricultural committee, headed by Mr. Sutton. This contest is proving to be very interesting and those wishing to enter should see Mr. Sutton or some member of the committee and get the details. Several prizes in addition to the Kiwanis prize will be offered.

The club is also lending its moral support to the formation of our High school band. Dr. W. A. Ayers and brother, M. A. Ayers of Idaho, also a Mr. P. D. Sutton were guests at the Monday evening luncheon. Mr. Ayers gave a splendid address on Abraham Lincoln, which was greatly enjoyed. Mr. Sutton, representing a large musical instrument concern, spoke on the formation of the High school band.

## DR. R. L. REINHARDT ANNOUNCES FOR MAYOR

After persistent urging upon the part of his many friends, Dr. R. L. Reinhardt has this week officially announced his candidacy for mayor, subject to the action of the voters in the municipal election, May 5.

There is no better known nor more universally loved man in the county than Dr. "Bob," as his friends affectionately call the genial druggist, who is eminently qualified for the position he seeks upon the demand of his friends. Dr. Reinhardt is a successful business man who has the interests of the city at heart, and, if elected, will use his business qualifications in the duties devolving upon him as mayor. Dr. Reinhardt has served on the Board of Aldermen and is experienced in city affairs.

Wild life is valuable. In the eastern part of the country, it has a meat and fur value of about 14 cents an acre; birds are worth more than 26 cents an acre as destroyers of insects and other pests.

## Womans' Club Meets Thursday Afternoon

The February meeting of the Woman's Club will meet in the High school Thursday afternoon at 3:45. The hostesses are Mesdames F. I. Barber, C. F. Harrill, M. H. Hewitt, Alton Horn, W. C. Huntley, A. M. Glickman, Arthur McDaniel and Miss Katherine Goggans.

The Junior Music Club will be honor guests of the club and present the program under the direction of Mrs. Glickman and Miss Goggans.

## LEGION BANQUET FRIDAY EVENING

### Banquet for Members Only—Public Invited to Hear Ward Threatt at 8:00 O'clock.

The Willis Towery Post No. 74, American Legion, will hold their banquet at the Cool Springs High School building Friday evening, beginning at seven o'clock. The banquet will be for the members of the Post only.

The Post has secured Mr. Ward Threatt, of Charlotte, as principal speaker. Mr. Threatt is a speaker of note, featuring humorous addresses. The public is invited to attend the speaking. The speaking will be held in the school auditorium, beginning at eight o'clock. Arrangements have been made with the Blue Ridge Entertainers to furnish string music for the occasion.

The Ladies Auxiliary will prepare the banquet.

## Telephone Wire Breaks Negro's Neck

Kings Mountain, Feb. 9.—A right Jimison, 30-year-old negro of this city, was instantly killed in a peculiar automobile accident on the York road four miles south of here, about 8 o'clock Sunday night.

Jimison was driving an old model Ford when he ran into a telephone wire on a privately owned line. The wire, it is said, yanked the windshield back and then caught the negro in the mouth, jerking his head back and breaking his neck.

The wire, it was reported here, was swinging low and was just about the height of the windshield. Two colored women and another colored man were in the automobile with him, but none of the others were injured.

Jimison, a well known negro, was an employee of the Kings Mountain cotton oil mill.

\* What caused the wire to be down and other details of the fatal accident were not definitely known here.

## Woodrow Matheny Member Phi Beta Pi

Tuscaloosa, Ala., Feb. 9.—Mr. Woodrow Matheny, of Forest City, has been pledged as a member of the Phi Beta Pi Fraternity at the University of Alabama.

The Phi Beta Pi Fraternity is an Honorary Medical Fraternity and has only for its members the most outstanding students from the medical school. Each year four undergraduate students, who are Pre Meds, are pledged to become a member of this fraternity when they enter the medical school. The four that have been selected are: Mr. Woodrow Matheny, Forest City, N. C., Mr. Jimmie Palmeri, Ann Arbor, Michigan, Mr. James Schaffer, Birmingham, Ala., Mr. Don Campbell, Youngstown, Ohio.

Mr. Matheny is a member of the social Fraternity, "Sigma Nu", also.

## MR. G. M. HUNTLEY INJURED MONDAY IN AUTO WRECK

Mr. George M. Huntley suffered three broken ribs and a number of bruises Monday when the car in which he was riding collided with a truck in front of Dr. R. R. Howe's residence on West Main street. The Forest City Seed and Fertilizer Co. owned the truck. Mr. Huntley was carried to his home where he is resting comfortably at latest reports.

## MOTION FOR NON-SUIT IN BANK CASES OVERRULED

### State Rests and Defense Places No Witnesses on Stand—Jury May Get Case Thursday.

Rutherfordton, Feb. 11.—Motion for non-suit in the trial of five officials of the defunct Rutherford County Bank and Trust Company was overruled Wednesday morning by Judge Hoyle Sink, who is presiding at the special term of superior court here. The motion was made by defense attorneys Tuesday afternoon at the close of the state's evidence. The defense did not put any witnesses on the stand. The attorneys agreed Wednesday to limit the arguments before the jury to three and one half hours for each side. Argument began Wednesday at eleven o'clock and it is expected that the case will go to the jury sometime Thursday afternoon.

Rutherfordton, Feb. 11.—The trial of five defendants of the defunct Rutherford County Bank & Trust Company—J. L. Taylor, president; W. B. Walker, cashier, and K. S. Tanner, S. E. Elmore and T. F. Oates—opened here Wednesday afternoon, with Judge Hoyle Sink presiding. This term of court was called to convene Monday, Feb. 2, but a special venire was summoned from Cleveland county to sit as jurors, which delayed the case until Wednesday. The special venire reported Wednesday at 2:30 o'clock, and Wednesday afternoon was consumed in selecting the jury.

The following men were selected from Cleveland to act as jurors: E. L. Holland, J. B. Hamrick, A. J. Dedmon, J. E. Randall, Tom Corwell, Grady McSwain, C. R. Wright, James B. Horn, A. P. Ramsey, Grady Wilson, E. G. Roberts and D. L. Martin.

The trial got under way on Thursday morning. Dr. John D. Biggs, liquidating agent was on the stand all day. Solicitor J. W. Pless led the questioning for the state until noon Thursday, while Clyde R. Hoey, attorney for the defendants, cross examined the witness Thursday afternoon.

A sharp argument of opposing counsel, involving the State Corporation Commission, were the high lights of Thursday's proceedings. When Solicitor Pless asked the witness if the bank was insolvent when he took charge, an hour's argument followed by attorneys of both sides as to what constitutes insolvency.

## Commission Scored.

Charles W. Tillett, of Charlotte, one of the attorneys for the defendants, argued that the bank was reported solvent by the state corporation commission when it was examined December 4, 1929, by state bank examiners, two months before it closed. Mr. Tillett read the law specifying the duties of the corporation commission.

Solicitor Pless replied that he was ready to help prosecute the state corporation commission if it was guilty of violating the law and that even if it did violate the law such action did not excuse the defendants from violating it.

## Insolvent Before Close.

Dr. Biggs said the bank was insolvent when he took charge March 24, 1930, also that it was insolvent February 1, 1930, and January 25, 1930.

Reports of bank examiners for the year 1928 of the bank was read and discussed in court. Signatures of officials who signed statements were identified. Notes and collateral of the defendants were also read.

## Big Deficit.

Testimony that there was a deficit of \$23,946.93 in the \$200,000 capital stock of the Rutherford County Bank and Trust Co., on February 3, 1930, the last day it was operated, was the high spot of Friday's session of the trial.

(Continued On Page Four)