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# HICKORY DAILY RECORD

WEATHER  
Fair tonight and Saturday, no change in temperature.

ESTABLISHED SEPTEMBER 11, 1915 HICKORY, N. C., FRIDAY EVENING, DECEMBER 17, 1920 PRICE FIVE CENTS

## STATE SHOWS HOW MURDER COULD HAVE BEEN PUT OVER

### Destroys Evidence of Defendants' Witnesses and Makes Hildebrand Have Forty Minutes of Time and a Fast Buick Car on His Hands—Analysis of Evidence

Morganton, Dec. 17.—While the testimony of Marshall Cook, the main point of which were published yesterday, constituted the most important feature of that day's session, the evidence of Baxter Hildebrand, one of the five men first arrested for the murder of Glenn Lippard, furnished elements that kept the crowd gasping and guessing during the whole afternoon.

The most pathetic thing ever seen in a court house here or elsewhere passed review when John Branch, 12 year old boy suffering from disease, a cigarette smoker for three years and addicted to liquor drinking for some time, unfolded a story that made the dearest man in the building shudder.

Judge Thos. J. Shaw showed a deep interest in the boy's case and Solicitor Huffman drew from him the names of the persons who had given or sold him cigarettes, but failed to learn who gave the liquor, and showed plainly that the Rhodhiss people guilty of leading the boy astray would suffer for it.

Judge Shaw ordered the boy held in the clerk's office until such time as he made disposition of him. The young fellow is the son of the late W. W. Branch, a good man, well known in Hickory and this section, and his mother also is a good woman. The boy was a victim of his environment.

To state will endeavor to show again today that Lone Young had some of time to go to the woods of Burke county and participate in the murder of Glenn Lippard in the 10 minutes that Baxter Hildebrand, principal witness of the afternoon, could not account for. There is a gap that Hildebrand could not fill. The prosecution does not care how many witnesses the defense introduces to prove the whereabouts of the defendants after 10 o'clock that fatal Saturday night. The murder was done before that time.

As one listened to the examination of witnesses, he naturally took all the elements of time and places into consideration and saw through the state's position. Solicitor Huffman and Messrs. Self, Aiken, Johnson, Spanghauer and Hall are interested in getting the defendants to the scene of the murder of course, but as that is hard to do, it is up to them to show that they were nowhere else when the crime was committed.

Baxter Hildebrand in his cross-examination admitted that he might have gone with Lone Young to the latter's house about 9 o'clock that Saturday night before he drove to Brookford, though on his direct examination he declared he first went to Brookford to test out his car, a cylinder Buick that can speed like a prairie fire. Hildebrand said he went to Lone Young's house to get a drink of liquor.

The prosecution believes that the liquor was hidden in the woods in Burke county and that Hildebrand owned it. The state has the theory that Hildebrand went alone in his car to the place where Lone Young was to be had and that Lone Young went out with Duck and Cecil Lyons and did it. In that case the assumption that Hildebrand went out alone, probably by another road, and while he was getting the liquor the four men at Cecil Hefner's car passed away the time by shooting dice. Hildebrand had plenty of time to do all this. And this, the state may hold, accounts for the fact that Lone Young did not see him there and explains the third car that Ben Whitener said he saw at the place where the body was found. Lone Young later told Dan Cook that he saw a man killed in cold blood and the cartridge and check books Duck Hefner into the affair.

Another Angle

Every person who reads the testimony or who hears it wonders how the state will dispose of the testimony that Lou Lynn was at Loooper's garage on the Saturday night of the killing. The time was placed about 6:30 and the car she was in started towards Hefner. Marshall Cook showed that he had obtained out a de liberate ability to prove that Lou Lynn could not have been at the scene of the killing. There is a gap between about 6 o'clock and 11:30 that is absolutely destroyed by the testimony of the Rhodhiss boys.

But if Lou Lynn was at Granite Falls, as several witnesses stated, and the car she was in started back towards Hickory, there was no reason why it should not have been

## PRESIDENT WILSON PURCHASES RESIDENCE

By the Associated Press. Washington, Dec. 17.—President Wilson has purchased a residence here which he will occupy after the inauguration of Mr. Harding.

## SOUTHERN GIRL MISSING IN DETROIT

By the Associated Press. Detroit, Mich., Dec. 17.—The police are searching the deserted coast-lands in the Detroit river for Miss Mary Caldwell, whose glove with a note found saying she was being taken away by four men in a boat near the river. The girl is eighteen years of age, and came to Detroit from the south.

## EARTHQUAKE FELT HEAVILY IN PEKING

By the Associated Press. Peking, Dec. 17.—The earthquake yesterday raked the buildings and created big excitement in Poles and Calbus.

## ANOTHER BIG CUT IN TEXTILE MILLS

By the Associated Press. Spartanburg S. C., Dec. 17.—The Spartans mills announced an additional reduction in wages of 20 per cent. The management says this was necessary to avoid closing.

## REPUBLICANS HOLD CAUCUS TONIGHT

By the Associated Press. Washington, Dec. 17.—The Republicans will hold caucus tonight to consider the reappointment of the membership house representative to correspond with the population of this census.

## MEETING FOR RELIEF HOUSING SHORTAGE

By the Associated Press. Washington, Dec. 17.—The formation of a constructive program for the relief of the national housing shortage will be undertaken at a meeting of the Chamber of Commerce of the United States on July 27.

## ORGANIZING KNIGHTS OF KLU KLUX KLAN

(BY MAX ABERNETHY) Raleigh, Dec. 17.—Satisfactory progress is being made in North Carolina in organizing the Knights of the Ku Klux Klan although no announcement is being given for publication as to the number of men joining. It is understood that a charter will soon be granted by the secretary of State after which the various local organizations will be instituted.

## WAKE COUNTY MAN GIVEN 30 YEARS

(BY MAX ABERNETHY) Raleigh, Dec. 17.—Sam Shadrack, Wake county farmer, who shot his wife to death December 6, was yesterday afternoon sentenced by Judge John Kerr to 30 years in the State penitentiary. A plea of guilty was made by counsel to second degree murder.

## MAJ. ROBT. LAMB IN RACE FOR OFFICE

(BY MAX ABERNETHY) Raleigh, Dec. 17.—The announcement made here this week that Major Robert J. Lamb of Fayetteville had entered the race for appointment as adjutant general of the state which will oust Col John Van B. Metts, the incumbent, came as a distinct surprise to officialdom and is the cause for general discussion as to what Governor-elect Morrison will do after he enters upon his official duties.

Friends of Adjutant General Metts here are asking the question as to what if any, grounds the friends of Major Lamb are seeking to have the new governor make a change. They point out that Colonel Metts himself is an overseas veteran and his record is unquestionable. The majority opinion seems to be that Governor-elect Morrison will not turn one A. E. F. veteran out of office for another unless there are reasons which would justify the action.

When asked as to what effort he would make to hold the office Colonel Metts said that he had no campaign manager and would not seek to persuade the new governor to reappoint him. I shall be glad to continue as adjutant general if such is the desire of Governor Morrison," he added, "but I do not intend to organize a campaign for the appointment, nor do I intend to worry him about reappointment. If he wants me to continue as adjutant general I shall be glad to do so. Should he want some other man for the place I will make other arrangements."

Major Lamb is an excellent soldier and I agree with his friends that he has a war record overseas that is a credit and honor to him. His record speaks for itself and I am sure nobody will attempt to say anything derogatory of Major Lamb either as a soldier or a gentleman.

Colonel Metts at this time is in the midst of work of reorganizing the national guard in the state and his time is being taken up as there are several organizations that will soon be ready for muster into federal service.

## MEETINGS HELD EDUCATIONAL PURPOSES

(BY MAX ABERNETHY) Raleigh, Dec. 17.—The educational meetings proposed as a means of focusing interest of the legislature on the needs of the various state institutions are meeting with success at places already held, according to friends of the movement.

It is pointed out that there has been some misunderstanding as to the leaders of the meetings and requests are being made by the committees to make it plain that the alumni and alumnae of the university and state college and North Carolina colleges for women are fostering the meetings rather than members of the faculty of the institutions. In a number of instances meetings are being proposed by friends of higher education but who have never attended any college.

Meetings have already been held or are being planned at following cities: Wilmington, Raleigh, Charlotte, Greensboro, Elizabeth City, Wilson, Asheville, Winston-Salem and Salisbury.

The state budget commission will meet here again on December 20 to complete its work of considering appropriations for the state institutions and will at that time get its report ready to be submitted to the legislature in January. While the majority of the work has already been done the commission still has recommendations that have not been completed which must be straightened out before the report is ready. No announcement has been made as to what appropriations will be asked for.

## WANT ENLARGEMENT FEDERAL RESERVE ACT

By the Associated Press. St. Louis, Mo., Dec. 17.—Credits and systematic marketing were among the items considered at the conference of the farmers called by the National board of farm organizations. The delegates urged the conference sponsor for legislation, enlarging the powers of the Federal reserve act, allowing the extension of personal loans and short time credits to farmers.

Along about the time January bills commence to come in Honorable Santa Claus will proceed to put on his shock absorbers.

## ALBANIA ELECTED LEAGUE OF NATIONS

By the Associated Press. Geneva, Dec. 17.—Albania has been elected a member of the league of nations by the assembly.

## WILLIAM J. BRYAN CONFERS WITH HARDING

By the Associated Press. Marion, Ohio, Dec. 17.—William Jennings Bryan conferred with President-elect Harding today on the association of nations. He was the first official of the Democratic administration to be summoned to Mr. Harding's council table.

## SECRETARY COLBY NEARING S. AMERICA

By the Associated Press. Rio de Janeiro, Dec. 17.—Secretary Colby and party are expected to arrive here Monday according to a wireless message today.

## BREAK ALL RECORDS LAUNCHING SHIPS

By the Associated Press. Washington, Dec. 17.—American shipbuilders broke all world records for launching ships during the fiscal year, according to the annual report of the commissioner of navigation.

## TWO ARE KILLED IN RACE DISORDER

By the Associated Press. Independence, Kans., Dec. 17.—Troops are patrolling the streets here as a result of race disorders when a white boy and a negro boy were killed, and four white men wounded.

## BANDIT TRIES TO HOLDUP DRUG STORE

By the Associated Press. Chicago, Dec. 17.—The man who attempted to holdup a drug store last night was identified today as Thomas Heavey of St. Louis. A policeman killed the bandit after another policeman was fatally shot.

## HEARING ON HOUSE BILL TOMORROW

By the Associated Press. Washington, Dec. 17.—Hearing on the house bill proposing for adjustment of compensation for former service men was completed by the senate finance committee and the chair announced the committee will meet tomorrow to determine what action should be taken on the measure. With one exception the witnesses declared for a cash bonus plan.

## FLORIDA GOVERNOR RAKES PUBLISHER

By the Associated Press. Tallahassee, Fla., Dec. 17.—In an open letter Governor Catts threatens to go to West Palm Beach with his double barrel shot gun loaded with buck shot and have final settlement with Joe L. Earman, president of the state board of health and publisher of the Palm Beach Post. The letter follows the publication in the Post of an item regarding the reinstatement of the state's attorney at West Palm Beach.

Pity the poor South mountain farmer—corn is going down.

## BURKE MURDER TRIAL PROGRESSING RAPIDLY

### Defense Bends Its Efforts to Prove Alibis for Dock and Cecil Hefner. Witness from Highland States He Had Never Seen the Men There Before

Morganton, Dec. 17.—The defense bent its effort today to attempt to prove alibis for Dock and Cecil Hefner and the state proved by one of the witnesses that after midnight on Saturday of the murder Baxter Hildebrand, Lone Young, Eugene Hildebrand and others drove to the Horseford bridge and returned by way of the Piedmont Wagon factory. They passed by the home of Glenn Lippard's parents and the state endeavored to make Eugene Hildebrand admit that they wanted to know if Glenn's father had heard of the murder.

Hoyle Drum, one of the owners of Drum's cafe, testified that Dock Hefner was in his place about 9 o'clock and again about midnight when he took Tom Cloninger to his home, Cecil Hefner and Carl Eckard entered the cafe about midnight and Baxter Hildebrand, Eugene Hildebrand, Tallant, Lone Young and Fate Miller were in there after midnight and went in and out for an hour or two. Baxter Hildebrand, Lone Young and Eugene Hildebrand left the cafe the last time about three o'clock Sunday morning.

The state contends that the murder was committed between eight and ten o'clock and that Mr. Drum's evidence had not proved anything.

Several Burke county witnesses took the stand and swore to seeing Baxter Hildebrand, Lone Young and others at Dan Cook's store about 9:20 o'clock.

It was shown by Geo. Craig and several others that Hildebrand, Young and Tallant were at his store in Highland about 11 o'clock that night. Craig said they had never been there before and he had never seen them together in Highland before that night.

All the Burke county witnesses examined had first class memories as to time and places at Hickory on that Saturday night but when they were put on cross examination by solicitor Huffman or Self, they could not remember anything about who gave them liquor on the one or more occasions they admitted being drunk.

Mr. Whitener, counsel for the defendants, believed he scored heavily today.

The defense may get through this afternoon and the state will call its witnesses in rebuttal immediately afterwards.

### Morning Session

One of the spectators sitting close to the stove was observed by Judge Shaw to be on fire. The man then noticed his coat sleeve burning and moved his seat.

Robert Fox Case

From developments in this trial Judge Shaw said, after the jury had been sent out, there was a lawless element around Hickory. Looking at it in another way Catawba is not wholly to blame. Burke county is perhaps furnishing the liquor that leads to this lawlessness.

There is an old saying whatsoever a man soweth that shall he also reap," and that applies to the individual as well as to the state.

Judge Shaw said that Burke ought not to be required to bear all of the expense, but it should bear a part of it. The judge then sentenced Robert Fox, a Hickory man, represented by C. L. Whitener to pay \$250 fine, to give bond for three years to remain sober, keep off the peach and be of good behavior. If Fox violates the condition of the bond, he will be sent for. Fox was allowed to take his choice between these conditions and five months on the roads of Gaston county.

Fox was convicted of raising a ruckus at Vadesse in July.

The following witnesses were sworn by the defense:

Curtis Starr, Roby Clure, Hoyle Drum, Garland Hahn, Zeb Biggerstaff, Earl Leonard, Harvey Townsend, Henry Smith, Dan Hildebrand, Julius Butler, H. H. Abce, Fate Miller, Rob-

ert Lowdermilk, S. H. Farabee and W. H. Jones. Mr. Farabee testified to the good character of Hoyle Drum.

W. H. Jones, who lives in Highland was the first witness introduced by the defense and told of being at George Craig's store in Highland the Saturday night of the homicide. He saw Baxter Hildebrand and others enter the store about 10 o'clock. Lone Young he said was in the party. According to Lowdermilk's watch it was five minutes to ten. The witness stayed at the store about 20 minutes. He reached home about 10:40.

On cross examination the witness said it was not earlier than 10 o'clock when Baxter Hildebrand reached the store. The distance from there to where the body was found is about six miles and the road is good.

Saw Men at Store

Robert Lowdermilk a carpenter of East Hickory, said he saw Lone Young at Craig's store about 19 or 10:10 o'clock. The witness left about 10:20.

Mr. Starr took up the cross examination and the witness said he never saw Lone Young before that night. He heard their names called by somebody. He did not know that Lone's name was called. He was satisfied that Lone was there since he saw him in the court house. At 9:45 he thought it was time to go home and then stayed at the store 25 or 30 minutes, but he did not look at his watch this time. He was subpoenaed as a witness on Wednesday at the trial. He said he had not discussed the case much. He heard that he had been subpoenaed. Mr. Craig and Mr. Jones told him he might be. He didn't know whether they were drinking.

Curtis Starr, who operates a barber shop in the Craig building at Highland, said he saw Tallant on that Saturday night in his shop. He came in with Lone Young and other stranger fellows. The witness said Tallant and he shaved Young about 10:30. They had been in his shop only a few minutes before they were shaved. They probably left about 11:15.

The witness said on cross examination that he had never seen any of the four in Highland at that time of night before and the witness had lived there four years.

George Craig said he sold Baxter Hildebrand a piece of pork, but he could not remember the time they came into the store. He thought it was between 10 and 11 o'clock. He did not look at his watch. He saw the other witnesses, Young and the others left his place about 12 o'clock.

Mr. Self also examined Mr. Craig who said he had known Lone Young and the others for several years. He had been in business in Highland over a year and had never seen Baxter Hildebrand, Lone Young and the others there before. He had never seen any of them in Highland before.

The witness said he had known to Cecil and Dan Hefner and had been to town with them at different times.

## JESS WILLARD WILL TRY TO COME BACK

By the Associated Press. Kansas City, Dec. 17.—Jess Willard expects to train three months in preparation for a bout with Jess Dempsey in New York on March seventh. Willard's manager says he wants to prove to the public that he was not himself at Toledo.

## SEALS ARE GOING HEAVILY IN STATE

Raleigh, Dec. 17.—Tuberculosis Christmas seals sold during 1914 brought receipts of \$12,070.74, while in 1917 the gross sales were \$17,541.02. The seals are now being sold throughout North Carolina, and it is expected the receipts for 1920 will run far in excess of any previous year.

6 SHOPPING DAYS TILL CHRISTMAS

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