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# The Mount Airy News.

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## Dobson Court

The proceedings at Dobson court last week as published in The News covered only those cases disposed of up to Wednesday. Judgment was suspended on payment of the cost in the case of Bob Allred of Mt. Airy convicted of retailing. John Mills was the witness against him and he went on the stand and told how on a cold winter day he had gone to Allred in the warehouse and asked him about getting some liquor. He said he gave Allred seventy five cents and in a few minutes Allred returned and, there behind a big tobacco hoghead, slipped the pint of liquor in his overcoat pocket. A policeman happened to see this last act and thus the trouble. Allred went on the stand and told how Mills, an old friend of his, came to him and being awful thirsty wanted a drink. He said that because of the friendship existing between them he went and got some liquor in a pint bottle and gave it to him. He declared that he never was paid a cent for it and that he intended it as a gift to a suffering fellow mortal and that was all there was to it. There was no evidence that Allred had ever been accused of being a retailer and the Judge let him off with the cost.

Lee Burrus, an old man long a citizen of Mt. Airy, was before the court under the charge of retailing. His lawyer plead him guilty and then asked for mercy because of the poor health of his client. It was in evidence that up to a year ago Burrus had been a hard working poor man. Then his health failed and he was not able to work. He went to retailing and when he could get it had liquor for the boys who worked about the furniture factories or any one else who happened to be thirsty. He was accommodating and when they would go to him for it if he was out he would tell them when he was likely to have another supply. And then when he got in some that would quench the thirst he would tell them the good news. It was very evident that the old man had been doing his best to meet the demands of the town so far as he was able. Then his lawyer read a certificate from a physician telling how Burrus was afflicted and how he was not able to work and because of his bad condition was likely to die at any time. All of which was very evident from the general appearance of the health of the man. It was one of those cases that no Judge knows how to dispose of. So judgment was suspended and the state will pay the cost.

Hampton Long was up for carrying a pistol. When an officer arrested the negro in Mt. Airy he had a pistol hid in his stocking. He was given two months on the county roads.

### The Wagoner Case.

The trial of Daniel G. Wagoner charged with burning his store in Elkin on Dec. 16, 1912, was begun Wednesday at noon and attracted much more attention than ordinary cases. The fire that burned his store came near burning the whole town, and as it was, four large houses filled with goods were destroyed at a loss of many thousand dollars. The prosecution was conducted by the solicitor assisted by W. F. Carter, J. F. Hendren and H. H. Barker. The case was defended by district attorney A. E. Holton, of Winston, D. M. Reece, of Yadkinville and J. H. Folger of Mt. Airy.

The state undertook to show by a chain of circumstantial evidence that Wagoner burned the building. There was no direct evidence, for no man ever set fire to a building when there was some one standing to watch him. The state undertook to put together the chain of circumstances that preceded the fire and also show that Wagoner had a motive for firing the building.

For a motive for the crime the state produced evidence to show that he was not succeeding in business. He was operating un-

der the firm name of J. D. Holcomb & Co. J. D. Holcomb is his wife's brother and each put in fifteen hundred dollars when they began business in July, 1910. J. D. Holcomb is a tobacco salesman and travels in the south and had nothing to do with the active management of the business. In July 1911 an inventory was taken of the stock and it showed between thirty five and thirty seven hundred dollars in goods and the amount on the books to the company's credit was about equal to their indebtedness, thus showing that they had not made much money.

No inventory of the stock had been made in a year and a half before the fire. Experienced merchants were put on the stand and allowed to give their opinion as to the value of the stock about the time of the fire. Mr. A. G. Click, an experienced and successful merchant, stated how he had noticed the stock and how he was impressed with the fact that it was reduced. His opinion was that the stock would not represent more than \$2,000.00. J. B. Cockerham, another experienced merchant, thought that the stock was reduced one third from Aug. 1912 to Dec. of the same year. An effort was made to show that goods had been sold with a view to reducing the stock. Shoes that cost \$1.85 per pair at the factory in Elkin were sold at \$2.00, and when they undertook to buy some more shoes to meet the demands of their trade the Elkin shoe factory refused to sell them for the reason that they were selling them to the retail trade at a price considered below cost. Then they had a company at King, N. C. to buy what shoes they needed and after paying \$1.85 for the shoes at the factory and the freight to King and back retailed them at \$2.00 per pair.

Wagoner had taken out \$2,000 insurance when he went into business and on the 23rd day of November, three weeks before the fire, he had another policy issued for \$2,000 more. This policy was to run for only 120 days.

Wagoner owns a farm seven miles south of Elkin in Yadkin County. Last fall he began to build a store house on his farm and gave it out that he would quit business in Elkin and move back to the farm the first of the year 1913. It was his purpose to move where he could give his farm his personal attention and also devote some time to the store. He had had circulars published to advertise his stock at reduced prices owing to the fact that he intended to move, but had never distributed the circulars.

The store building where he had his goods was a two story house with basement. The basement had two windows in the rear with iron bars over each. The door to the basement was a double door fastened on the inside with a heavy bar which slipped into staples to hold it in position. The basement was entered from the store room by a pair of steps in the rear of the building. The first floor was the store room and the second floor was entered from the street by a stairway and was used as a lodging house, several young men occupying rooms in which they slept.

### The First Attempt to Fire the Store.

Evidence was introduced to show that an effort was made to burn the building on the night of the 13th of Dec. J. B. Messick who clerked for Wagoner made it a part of his business to see that the basement door was closed and the bar in position every night before he left for home. On the morning of the 14th when he got to the store he found the basement door bar had been removed. On the night before the young man who slept over the store waked up and found their rooms full of smoke. They thought the building afire and after making a search left their rooms and went to the hotel just across the street and spent the remainder of the night. The morning of the 14th Wagoner had said that he came to the store room and went to the rear of the building to an-

swer a call of nature. He had rooms over The Times building and when he awoke in the night he had come a hundred yards to answer a call of nature at the rear of his store room when there were closets in the rear of the building where he had his living rooms. The impression intended to be conveyed was that he came to the store and made an effort to fire the building that night, and while he raised a smoke sufficient to run out the young man, it failed to set the store room on fire.

In this way the bar across the basement door was left down when he passed out at the back door, after starting the fire, was the impression that the evidence was intended to convey. He could have reached a closet at the rear of the room where he slept in one fourth the time that it took him to reach the rear of the store room, and hence his explanation of his being at the store the night of the 13th was suspicious.

### When the Fire was Started.

The night of the 16th, the same being Friday, night the store burned. Wagoner's partner, J. D. Holcomb, was expected home from the South that day. J. B. Messick put up the bar of the basement door and left the store soon after dark. During the day he had observed Wagoner to be of a nervous disposition and had noticed that he kept going into the basement so many times that it looked odd. When Messick left the store he had his suspicions aroused to that extent that he went to the rear of the building and waited to see if he could detect anything wrong. After waiting a while he heard a knocking in the room and saw Wagoner raise the rear window and look out for a moment. The night was cold and Messick left after waiting for a short time.

The state was able to show by two witnesses that Wagoner left the store a few minutes after eleven o'clock that night. A short time after midnight the young men sleeping over the store were awakened by the dense smoke in their rooms and it had the same oily smell that was so noticeable on the night of the 13th when they were smoked out. They got up at once and it was with great difficulty that one got out because of the density of the smoke. They went down on the street and saw that the fire was in the store room. Then they gave the alarm and one went to Wagoner's room. When he called at his door the noise made was that of a man jumping out of the bed with his shoes on. A few minutes later Wagoner was at the store room with the keys and had on his clothes and his collar and necktie were in correct position. The front door was unlocked at once and the smoke was so dense and the heat so great that the room could not be entered. Then they went to the rear of the building and found that the basement door was only pulled together and could be pushed open. This they did and found that they could enter the basement and saw that the fire was burning at the head of the steps that lead from the basement to the first floor. Several men gathered at once and tried to stop the fire before it had made sufficient headway to get beyond control. An effort was made to show that Wagoner was indifferent to the fire and stood around with his collar and necktie on and made too little effort to assist in the work of extinguishing the flames.

The state intended to convey the idea that when Wagoner left the store room after eleven o'clock he fired the building and passed out at the rear door, thus they accounted for the bar being left down and the basement door open when the fire was discovered. After leaving the building he went to his room and in his excited state of mind waited without undressing. When the alarm was given and he was notified he had on his shoes, and thus made the noise in his room. He had not pulled off his collar and neck tie and hence he neglected to notice that he was appearing at the fire in his usual dress, when many others had

rushed out in their night shirts. It was brought out that while he had a safe in the store room he had failed to put in it his books or any valuable papers except some little cards on which were charged goods that he had sold on credit to customers.

As many as thirty witnesses were examined by the State and every point was contested by the lawyers that could be raised.

The defense put on as many as thirty witnesses to show that the business had been conducted in the usual manner and that the change from Elkin to the farm in the country was nothing to raise suspicion. Evidence was produced to show that they had been buying goods all during the fall months as usual and that daily deposits were made in the banks. Ex-sheriff J. D. Hamlin, an experienced merchant, told how he had visited the store during the summer months and again in the fall and had noticed no reduction in the stock. He gave it as his opinion that the goods represented \$3,500.00 to \$4,000.00. S. O. McGuire, an experienced dry goods salesman, gave it as his opinion that the stock was worth about \$4,000.00.

Numbers of witnesses were examined as to Wagoner's character and without exception they gave it as good. It was brought out in the course of the examination that he has served in recent years as magistrate and superintendent of public instruction for Yadkin county. The lawyers for the State made much of the fact that, as they charged, Wagoner got tangled up with the Government several years ago while a revenue officer and was tried before a United States Commissioner charged with making false entries in his books and collusion with a distiller to defraud the Government and was bound over under a bond of one thousand dollars and fled the state and remained in Tennessee for three years, or until he was able to effect a compromise with the Government. The defense showed that this was when Wagoner was a very young man, many years ago.

One prominent looking citizen went on the stand and stated that Wagoner's character was good, very good, with much emphasis on the "very". The attitude of the witness and the emphasis he put on the "very" was to the state's lawyers like flaunting a red in the face of a mad bull. The witness was asked if, in the face of the fact that he gave the defendant a very good character, he knew that he had been a fugitive from the state for three years of his life. Then the lawyer wanted to know how much blockade liquor the witness had made and he denied ever making any. But under the rigid cross examination he admitted that he had handled and dealt in blockade liquor for several years and that he and two other men had cleaned up forty or fifty thousand dollars while in the business of dealing in block liquor that other men had made. Then the lawyer wanted to know if he was yet dealing in it, and he said, "Oh no, that was many years ago," and that he had reformed and joined the church. By this time the Judge on the bench was intensely interested and turned to the witness when he said that he had joined the church and mischievously said, "Hope you haven't gone to preaching," and the witness admitted that he had not entered the ministry. Another witness who gave Wagoner a good character was questioned about "handling the truth too recklessly," as the solicitor expressed it. And it was brought out that he got turned out of his church for "spiking" his elder and then lying about it, as least that was the impression that the lawyer tried to convey. The witness insisted that he got back in the church and had been a teacher of the bible class for five years.

But many men who could not be embarrassed by impeaching questions gave Wagoner a good character. He went on the stand in his own defense and told of all his business transactions and appeared to make an effort to make a full and frank statement

of the whole affair.

Six lawyers spoke to the jury Saturday afternoon and the Judge gave the case to them to consider about dark. Sunday morning after they were up they rendered a verdict of not guilty.

If Wagoner had been convicted he would possibly have been indicted for arson, burning a building where people are sleeping, which is punishment by death in this state. It is doubtful if he will be able to collect his insurance, for he had not taken the inventory annually as the state law requires and he had his records of all kinds destroyed which leaves it as mere guess work as to what he had in the store.

The cost of the action will be several hundred dollars, possibly a thousand, and the State will pay it, the custom being for the State to pay only half the cost when a conviction is not made.

### Quits Cab After 60 Years at Throttle.

Spencer, April 22.—Engineer R. S. Sigman of Spencer has been retired by the Southern Railway Company on a salary for life. So far as is known, he is the oldest engineer in the railroad service in this country and is the first to be retired for life.

Mr. Sigman began his railroad service nearly 60 years ago, at a time when coal-burners were unknown and only wood was used for steaming. In this early day locomotives were named instead of bearing numbers as is now the rule. He was running on the old Georgia Railroad before the Civil War and during the conflict continued his services for this company. He had a run between Atlanta and Augusta.

He was on his engine at Conyers, Ga., when General Sherman came along and was forced to leave his cab, was driven to the woods, until the army passed, and thus escaped injury and returned to his engine. The cars attached to his train he found burned to the ground, upon his return.

It is estimated that during the half-century he has been in the cab, Mr. Sigman has worn out no less than 10 locomotives, illustrating the powers of endurance of a man as compared with a machine. For more than 35 years Engineer Sigman has seen service with the old Richmond & Danville Air Line, and the Southern Railway Company. He has never had a serious accident and has never killed a man while in the service. He enjoys the distinction of never having been discharged, suspended, or given a demerit. It is significant that some of the oldest and best engineers now in the railroad service began firing for Engineer Sigman. It is estimated that several hundred have made their first steam for "Dad" Sigman, as he is familiarly known among his friends.

He is now 76 years old, has been in Spencer for the past 13 years, is well preserved and never had a serious illness. It will be of interest to note that he has reared a large family of eight sons and two daughters. All of the sons were railroaders, three now being engineers. One son, Dr. F. G. Sigman, however, retired and is now a practicing physician in Spencer.

### Killed by Guard.

Scotland Neck, April 26th.—Willie Smith colored, one of the prisoners on the county chain-gang, was shot and instantly killed by a guard this morning while attempting to escape. Smith made a dash for liberty just after leaving the camp car here, to begin work for the day; and made for a thick cluster of bushes. Two shots were fired, one of which entered under the right shoulder-blade and came out through the left breast, penetrating the heart.

Smith was brought here about three weeks ago from Northampton County, under a sentence of two years for horse stealing. This is the third man killed since the establishment of the county convict gang several years ago, the second one being killed about two years ago.

## REBELS TAKE TOWNS IN MEXICO.

Dozens of Engagements Occurred Last Week in Various Parts of the Republic.

Mexico City, April 27.—Further evidence of the aggressiveness of the northern rebels was given today when several hundred of them well armed and mounted, captured the town of Vanegas, on the National railway, in the state of San Luis Potosi. They cut the railway to the north and then moved over to Matehuala, a mining and smelting center.

Dozens of engagements have occurred during the last week in various parts of the republic. The majority of these have been victories for the federals, according to reports here, but in no case have the rebels lost heavily. The greatest rebel losses were at Feata, where their casualties are said to have numbered 150.

The rebels continue to cover new territory and cripple transportation facilities. More than 2,500 miles of the National railway's system are out of commission. To this is added a long stretch of the Southern Pacific south of Guaymas and other short independent lines.

The inability up to date of the government to float a loan is a serious handicap, but notwithstanding this, President Huerta is doggedly forcing the campaign. The recent announcement that the pay in the army will be a peso and a half a day has been followed by fresh efforts to augment the ranks. Volunteers for the most part by conscription are being obtained here at the rate of 100 a day. However, the government's campaign appears to be largely defensive. It believes it will be able to hold Guaymas.

Mexico City papers are printing stories of dissensions among the Sonora rebels and assuring their readers that the movement in the north is disintegrating as a result. The government assurances that there are no rebels in the state of Sinaloa are not supported by private advices, which indicate that even the capital of the state, Culiacan, is threatened.

In the south, Zapata and his allies are waging a terrible campaign of destruction. The government proposes to proceed without mercy against the rebels in the south. It is said that it intends to deport men, women and children to the jungles of Quintanaro when captured and will attempt to drive the others to the southern boundaries of this territory which is popularly described as Mexico's Siberia.

Because the telegraph lines over an enormous area are in control of the rebels, accurate news is scarce and there have been no mails from abroad in three weeks.

Tension in the capital caused by the withdrawal of Gen. Felix Diaz as candidate for the presidency as a result of the refusal of congress to call the elections on July 27, has practically disappeared since President Huerta and his cabinet have agreed to make a new effort for the holding of the elections.

### Roller Skates Claim Life.

New Bern, April 27.—The roller skate claimed its first victim here today when Ellis Meekins, the 17-year old son of Mr. and Mrs. Isaac Meekins, who reside at No. 34 1/2 New South Front street, died from injuries received from a fall sustained while he was skating on Pollock street last Sunday night. The young man, in company with several companions, was skating on Pollock street and some one playfully threw a small strip of wood across the sidewalk. Not seeing this obstruction Meekins went down the sidewalk at a pretty fast clip and when his skates struck the stick he was thrown to the pavement with great force and his hip and three ribs were broken. He was taken to his home and medical attention rendered, but he did not rally and yesterday congestion of the brain set in and death occurred a few hours later. Several accidents have occurred lately to roller skaters, but this is the first that has had a fatal culmination.