

The Smithfield Herald

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SMITHFIELD N. C., FRIDAY MORNING, DECEMBER 23, 1927

\$2.00 PER YEAR



BUY CHRISTMAS SEALS They Fight Tuberculosis

SEAL YOUR MAIL With This Stamp of Health



Roby Wall Is Found Guilty Manslaughter

Arrive At Verdict From Defendant's Statement On Witness Stand — Must Pay Widow of Oneal \$500.00

Fights Impeachment



Governor Henry S. Johnston, of Oklahoma, on whose order National Guardsmen armed with rifles and pistols prevented members of the Oklahoma legislature from meeting in the State Capitol to consider his impeachment.

The December term of the Superior court concluded a two weeks' session here Wednesday at the close of the trial of state vs. Roby Wall, who stood charged on an indictment of the murder of Richard O'Neal on September 10, last. A large number of witnesses had been summoned in this case and it required a good part of Tuesday and Wednesday to hear the evidence. The case did not reach the jury as the attorneys in the case under the direction of the court agreed upon a verdict of manslaughter, this being arrived at by the defendant's statement on the witness stand. A settlement was arrived at by which the defendant is to pay the widow of O'Neal the sum of \$500 to be paid in consecutive monthly payments of \$50. The defendant was also taxed with the costs.

At the close of Wednesday's proceedings a number of defendants who had been convicted during the term had sentence passed upon them by the court.

Johanne Johnson, a ginger-colored negro, of many and sundry alias names, was sent to the state prison for a period of five years. He was charged with concealing stolen property and the jury found him guilty.

John A. Capps of Boon Hill township, was convicted of manufacturing whiskey but owing to ill health a twelve months road sentence was changed to a two-year suspended sentence upon the payment of the cost.

Handy McLamb, a white man of Meadow township, was in court on charges of violating the prohibition law and carrying a concealed weapon. He was given a 12-month road sentence.

John Louis Honeycutt and W. B. Wiggs, indicted for shooting the sheriff's posse during April of this year in Clayton township, plead guilty of an assault with deadly weapon with intent to kill, and were each committed to the state prison for a period of twelve months.

Paul Adams, who figured in this shooting match and who has been in jail since April, made a clean confession in his testimony on trial and was committed to the county roads for a period of twelve months. He is to receive credit for the time already spent in jail.

J. B. Faircloth, a white man of Sampson county, was convicted of an attempt to break from the confines of the county jail and was discharged upon the payment of the cost.

J. E. Lewis, Greek restaurant manager, formerly of Smithfield, submitted through his attorney, E. J. Wellons, to the mercy of the court on various charges of bad checks, forgery, and prayer for

Turn to page three, please
—Merry Christmas—
MEETING POSTPONED

The next regular meeting of the Johnston County Highway Commission will be held on Monday, January 9, instead of Monday, January 2, on account of the holiday season.

W. N. HOLT, Chairman,
C. P. HARPER, Secretary.

Tantalizer

There are exactly enough letters in the line below to spell the name of a person in Smithfield, and if the right one decipher his name and will present it to The Herald office, we will present him with a complimentary ticket to the Victory Theatre. Tickets must be called for before the following issue.

Junius Stephenson recognized his name last issue.

Today's Tantalizer: waidgotolnn

Golden Parker Arrested Again

In Jail Without Bail On An Indictment of the Murder of J. M. Royall; True Bill Also Again Claude Barbour

Golden Parker, of Benson, who was arrested some time ago in connection with the murder of J. M. Royall of Banner township, but who was released after giving a \$5,000 bond, has been re-arrested and placed in jail without bond. This action was taken after the grand jury here this week found a true bill on an indictment of murder. Indicted with Parker was Claude Barber. Barber has been held in jail without bail since the murder of J. M. Royall which occurred in the late hours of the night of October 25, 1927.

The grand jury also returned a true bill of murder against Joab Baker for the killing of Malcolm Denning on September 10, 1927. A true bill of conspiracy with murderous intent was found against Howard Baker, Jethro Baker, and Thonis Belle Baker, the conspiracy being connected with the murder of Malcolm Denning.

—Merry Christmas—
SPECIAL LICENSES ARE REQUIRED IN 3 COUNTIES

Reports that several sportsmen have been arrested on charges of hunting ducks and geese in some of the eastern counties without the special licenses required by the counties for this type of shooting has caused Director Wade H. Phillips of the Department of Conservation and Development to call my attention to the fact that state licenses are not good for migratory wild fowl hunting in Currituck, Dare and Hyde counties.

Director Phillips points out that these counties have special license laws in effect which require special permits for shooting migratory wild fowl, which were exempted from the operations of the state-wide game law. He has issued this statement in order that some who are not yet familiar with the law may be spared possible embarrassment should they attempt to use state licenses for this type of hunting in these counties.

Recently, the attorney-general's office has ruled that the exception on migratory wild fowl from the state-wide law applies to all the territory in the counties with special laws covering this type of game.

Two counties, Carteret and Tyrrell, which have had authority to require special licenses for hunting migratory water fowls have waived this right, leaving a state license good for all shooting in these counties. There are only three counties, Currituck, Dare and Hyde, which now require special licenses for duck, geese and rant and other water fowl shooting.

GUY A. NICOLL,
Game Com. 8th District.

—Merry Christmas—
PUPILS TO GET BOOKS CHEAPER

Saving estimated at \$57,400 will accrue to purchasers of Language and Health books for use in elementary schools of the state as a result of new contracts made Saturday by the State Board of Education with publishers of these two series of books. State Superintendent Arch T. Allen announced.

Contracts were made on the two subjects changed this year only. Bids on the remainder of the list, retained from last year, have been opened, but contracts have not been made. Some of these books are expected to be contracted for at cheaper prices than formerly, but Supt. Allen said there was little hope of reduction on subjects on which cuts were made last year as a result of a sweeping inquiry by the board into prices when it was learned that in some instances Tennessee children were getting books cheaper than North Carolina pupils. Where there was a differential, prices were reduced.

The contracts let yesterday, for a five-year period beginning June 1, 1928, were for the "Malden Health Series," published by the D. C. Heath Company, and "The Open Door Language Series," published by D. C. Heath and Co.

And We Celebrate His Birth

The following epistle is said to have been taken by Napoleon from the records of Rome when he deprived that city of so many valuable manuscripts. It was written at the time and on the spot where Jesus commenced his ministry, by Publius Lentulus, Governor of Judea, to the senate of Rome, Caesar, emperor. It was the custom in those days for the governor to write home any event that transpired while he held his office.

CONSCRIPT FATHERS: In these days appeared a man named Jesus Christ, who is yet living among us, and of the Gentiles is accepted as a prophet of great truth; but his own disciples call him the son of God. He hath raised the dead and cured all manner of diseases. He is a man of stature somewhat tall and comely, with a ruddy countenance, such as the beholder may both love and fear. His hair is the color of a filbert when fully ripe, plain to his ear, whence downward it is more of orient color, curling and waving on his shoulders; in the manner of the Nazarites. His forehead is plain and delicate; the face without spot or wrinkle, beautiful with a comely red; his nose and mouth are exactly formed; his beard is the color of his hair and thick, not of any length, but forked.

In reproving he is terrible; admonishing, courteous; in speaking, very modest and wise; in proportion of body, well-shaped. None have seen him laugh, many have seen him weep. A man for his surpassing beauty excelling the children of men.

Former Citizen Dies In Virginia

R. A. Riddick Passes At Age of 71; Funeral Yesterday Afternoon at Ford, Va.

A telegram received here Wednesday by Leon G. Stevens announced the death of R. A. Riddick, who until last September made his home in this city. Mr. Riddick passed away Wednesday morning and was buried yesterday afternoon at Ford, Va.

The deceased came to Smithfield about thirty years ago. He was an insurance agent and kept books for several firms here. He was quiet and unassuming, and made a number of warm friends who sorrow at his passing.

A few months ago his health failed, and in September he went to Ford, Va., to live with his sister, Mrs. John Moss.

After going there he spent some time in a Richmond sanatorium. The deceased was about seventy-one years of age.

—Merry Christmas—
THERE IS A SANTA CLAUS

A kindergarten institution in Evanston, Ill., has been testing the children on Santa Claus. All five-year-olds questioned were firm in the faith. The six-year-olds were as fifteen to one. As the age period increased the number of Santa Claus devotees decreased to the vanishing point. God be praised for the innocent faith of childhood. All too soon it is dissipated by the stern realities of life, its falseness, its deceit, its cruelty. Cruel indeed is he who would disturb the faith of the innocent little ones in Santa Claus. That period is so short, so terribly short, why try to bring children to the hard realities of life before their time? So far from being harmed by these childhood experiences they remain throughout the years a pleasant memory. Among the greatest pleasures of the Christmas season to the grown-ups, especially to the elderly, is the recollection of the Christmases of childhood. There may not have been so much to them as compared with this age, but who would lose the joy of the memory?

And after all there is a Santa Claus. Every year the jolly man who radiates good cheer and happiness for children is more in evidence. Every year in Statesville, and in all other communities, enlarged effort is made to carry cheer to the homes of the unfortunate, to see that every child is remembered at the Christmas season. That is the spirit of Christmas, the expression of kindness, of good-will. The little children understand it best as it is typified in Santa Claus. And so notwithstanding the sneers of the scorn-

Take Appeal In Case Wayne County Negro

J. J. Hatch Appointed to Represent Newsome, Refuses To Appeal But Partner Perfects Appeal to Supreme Court

GOLDSBORO, Dec. 21.—When J. J. Hatch, prosecuting attorney in the trial of John W. Faison for the alleged murder of Mrs. Elsie Holt Snipes, returned Wednesday from Richmond he found on his desk a letter from Edwin Bridges, pardon commissioner, advising him that it was the wish of Larry Newsome, negro, who was convicted several days ago in Wayne county superior court for the murder of Beulah Tedder, that his case be appealed to the Supreme court.

In commenting upon this letter, Mr. Hatch said: "I was appointed by Judge Grady to defend this darkey when he was tried in the courts of this county, and in my opinion he received a fair and impartial trial, Judge Grady being very fair in his decisions. When the jury returned their verdict I washed my hands clean of the whole affair, having accomplished my duty. I think he deserved the sentence imposed upon him and in there is an appeal taken in his case some other attorney will have to do it for him."

"I think it would be a serious mistake to ever try him again in Wayne county. The citizens of this county have as much respect for the laws of our state as anyone could have, but I do not think it would be wise to ever return this darkey to Wayne county and attempt to have another trial."

M. B. Loftin, partner of Mr. Hatch, is proceeding to perfect the appeal.

—Merry Christmas—
MAN IS ACQUITTED OF CHICKEN MURDER

MORRISON, Ill., Dec. 21.—Earl Fee, of Rock Falls, today stands acquitted of the charge of killing one chicken.

Some months ago, Fee's automobile ran over and killed a chicken belonging to Guy Ewers, a farmer living near Morrison.

Ewers had Fee arrested. The October grand jury indicted Fee for the chicken's slaughter.

The jury, after deliberating for more than 12 hours, returned a verdict of not guilty. And the county is out \$300 for the trial costs.

Hearing Clayton Bankruptcy Case

Crowd From Johnston County In Raleigh For Examination of Chas. W. Horne Who Asks a Discharge

RALEIGH, Dec. 21.—Three hundred or more persons, the majority of whom were from Johnston county, were here Wednesday for the examination of Charles W. Horne, Clayton merchant, farmer and financier, who was declared bankrupt in late summer by Federal Judge I. M. Meekins after a lengthy hearing in local Federal court.

Mr. Horne who traded individually as C. W. Horne and as Ashley Horne and Sons, recently made application in local Federal court for a discharge from bankruptcy. His creditors, while not exactly opposing the discharge from bankruptcy, requested that they be allowed to examine the bankrupt before his discharge and the request was granted.

Mr. Horne was on the stand for nearly four hours Wednesday. He described his various business dealings in detail as questions concerning same were asked him by Mr. Paul D. Grady, of Smithfield, who is representing one block of Mr. Horne's creditors. When adjournment was taken for lunch at 1:15 Wednesday afternoon Mr. Grady was about half through interrogating the bankrupt. Attorneys for other creditors contemplated questioning Mr. Horne during the afternoon.

Mr. Grady's questioning dealt largely with what Mr. Horne did with certain collateral. Did he apply it on certain debts four months before he was adjudicated bankrupt, or did he apply the collateral within four months of the time the court decreed that he, Charles W. Horne, was bankrupt? This is what the creditors would like to know.

For if Mr. Horne applied the collateral on certain debts four months or more before he was adjudicated bankrupt, the collateral cannot be applied to his assets which will be used to satisfy other creditors. But, if he applied this collateral on certain debts within four months of the time he was adjudicated bankrupt, the trustee can compel its return and apply it to the present assets.

The hearing may not be concluded in all probability until after the Christmas holidays, attorneys said. Joseph B. Cheshire, Jr., referee in bankruptcy, however, is hoping to conclude the hearing before the end of the week.

C. A. Gosney, of Raleigh, who was appointed trustee for Mr. Horne and for the Ashley Horne & Son Company, submitted his report to Referee Cheshire, who approved it. The report shows what Trustee Gosney has done in disposing of properties belonging to C. W. Horne and the Ashley Horne & Son Company.

Mr. Gosney's report showed that the receipts from the Ashley Horne & Son Company since he was appointed trustee amounted to \$327,033.18, while the receipts from the C. W. Horne estate totalled \$37,255.32. Mr. Gosney stated he had not sold any of the Horne land as yet and that he had disposed of but few of the stocks belonging to Mr. Horne.

Mrs. C. W. Horne, who endorsed notes to the sum of \$140,000 for her husband and who held claims aggregating \$166,000 against his estate, has offered to withdraw her claims if the other endorsers will release her from her endorsements and allow her to hold her dower free of claims, Mr. Gosney said. This question will be also settled during the present hearing.

Since his adjudication, Mr. Horne has continued on the cotton market as a buyer for a big Greensboro cotton concern. Dealing cotton, it has been brought out at various hearings, was what proved the financial ruin of Mr. Horne. Many of Mr. Horne's creditors are reported to have said that they favored his discharge from bankruptcy, believing that he, were he to be unfettered, would be able to work out his financial salvation more quickly.

Would Sell Ear



Miss Doris Clarke, 18 years old of Rockford, Ill., has offered to sell her left ear for \$2,500 to a New York society woman who advertised for an entire left ear to replace her own, lost in an automobile accident.

Jurors Fail To Agree In Faison Case

Court Declares a Mistrial When Jury Fails to Reach Verdict; Faison Hopeful

RICHMOND, Va., Dec. 20.—The trial of John W. Faison for the murder of Mrs. Elsie Holt Snipes came to an end today when the deadlocked jury informed Judge Kirk Mathews that it was hopelessly divided and unable to reach a verdict, whereupon the court withdrew a juror and declared a mistrial.

Obviously disappointed over the verdict, yet reiterating his faith that ultimately he will be given his freedom, the former Sunday school superintendent said the matter of applying for bail is in the hands of his attorneys. He said he still hopes to spend Christmas at home with his wife and five children.

The case goes over to January 4, when the January docket will be called by Judge Mathews and a date set for a second trial.

In discharging the jury, Judge Mathews requested the twelve men not to disclose how they voted.

Although the case went to the jury on Saturday night at 11:00 o'clock, the jurymen actually deliberated only nine hours and 35 minutes.

JURY'S INQUIRY

When the jury filed in at 10 o'clock this morning, Juror A. Percy Diggs asked the court to instruct the jury clearly "if mere possibility should be construed as a reasonable doubt." On Monday, Mr. Diggs had asked the court to define reasonable doubt. Judge Mathews told the jury that a mere possibility cannot be construed as a reasonable doubt.

Mrs. Faison, who has stood loyally by her husband, conferred with Faison privately after the court announced its decision shortly after one o'clock. "We are not going to stop fighting," she told newspapermen.

During the seven days' trial the defense has maintained that Mrs. Snipe's shot herself with Faison's pistol when she realized that she was losing his affections. The State contended that Faison, who was alone with the young music teacher at the time of the shooting, killed the woman through jealousy.—Associated Press.

—Merry Christmas—
A CARD OF THANKS

I wish to thank our neighbors and friends for their kindness to me during the illness and death of my uncle, Lucian Tool; also during the sickness of my children. We are especially grateful to the doctors for their service.

MRS. CALLIE WILLIFORD.
—Merry Christmas—
It's a wise worm that stays under cover and deprives the early bird of his breakfast.

600 Officials On Slayer's Trail

Hickman Is Seen In Store; Left One of the Gold Notes Received As Ransom From Dead Girl's Father

SEATTLE, Wash., Dec. 22.—A hot trail believed to be that of William Edward Hickman was followed by 600 Seattle officers today after a youth resembling the suspected kidnapper and slayer of little Marian Parker left one of the gold notes received as ransom from her father at a store here.

The search for the fiend who mutilated the little daughter of Pennington M. Parker, Los Angeles bank official, and dumped the torn body almost at the feet of the distraught father after receiving \$1,500 switched from California to the state of Washington with electrical suddenness last night when the excited haberdasher showed the excited a \$20 bill identified as one of those which Parker had given the kidnapper.

Seattle's police force of 600 was mobilized and set on the trail only a few minutes after the suspected youth made a purchase at the clothing store and slipped into the night.

Everishly the police hunted, believing that their quarry was heading for the Canadian line or a ship bound for the Orient. The clue was regarded as the hottest that has been uncovered since the search began. Police believe that if the accused youth continues to leave a trail of \$20 bills he cannot evade capture. The kidnaper had 75 of the bills, the numbers of which have been broadcast.

The "Fox" entered a haberdashery in the heart of the downtown district — at 8:30 last night, purchased a pair of black gloves and a suit of underwear, gave one of the \$20 bills in payment.

The proprietor, alone in the store said he immediately recognized the stranger as the Los Angeles fugitive from newspaper photographs.

The suspect, who appeared tired and worn put the gloves on while the underwear was wrapped. Then he pulled from a pocket a \$20 gold certificate, gave it to the proprietor, who placed it in the cash register and made change. The young man walked out.

The haberdasher immediately took the bill from the register and telephoned Captain Wilhamkent, chief of detectives.

"What are the serial numbers," he asked Captain Kent, "on those \$20 bills that were paid to the Los Angeles kidnaper by the father of the girl he murdered?"

Kent gave the numbers. A moment of silence ensued.

"Well," the haberdasher replied excitedly, "Hickman has just left my store."

On the bill which the store proprietor received from his customer was the number K-68016970.

The numbers of the bills given Hickman by Parker were K-68016901 to K-68016975 inclusive.

Nearly a dozen persons were arrested before midnight but all were released after questioning.—Associated Press.

HORRIBLE DEATH OF LITTLE PARKER GIRL

LOS ANGELES, Dec. 18.—The dismembered legs and arms of little Marian Parker were found today scattered in well-wrapped

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Aunt Roxie Opines

By Mc—



"MERRY CHRISTMAS!"