

THE ONLY NEWSPAPER PUBLISHED IN MADISON COUNTY

VOL. XXI

MARSHALL, N. C., FRIDAY, FEBRUARY 26, 1926

1200

WALLACE RAY FACING FIRST DEGREE MURDER CHARGE

JURY SELECTED FROM SPECIAL VENIRE OF 150 MADISON MEN

CASE IN PROGRESS AS WE GO TO PRESS

If we could know that a verdict would be rendered today in the Wallace Ray case, we would hold the paper for the verdict; but of course, no one knows how long this case will be in the hands of the jury. This case, of course, is creating more excitement by far than any other case, though others are full of interest to people of Madison County. Wallace Ray, who has been in prison since he recovered sufficiently from the pistol duel in November last year, is charged with first degree murder for the death of Dr. O. V. Burnett. Prosecuting him for the State are Solicitor Ed Swain, of Asheville, Mr. Mark Brown of Asheville, Mr. John McElroy of Marshall, and Mr. Calvin R. Edney, of Mars Hill. Defending Ray are Mr. Thomas S. Rollins, of Asheville, Mr. Guy V. Roberts, of Marshall, and Mr. Alfred Rice, of Hendersonville.

Judge P. A. McElroy of Marshall is presiding.

It required about three hours to select the jury from the special venire of 150 men, the job of selecting them beginning about 10:55 Thursday morning, when Ray was brought into the court room, taking his seat between his defending counsel and holding in his lap his two children. Ray was somewhat pale from imprisonment, but, of course, watched every movement of the court with the keenest interest.

The Jury

Following are the names of the jurymen, with whom hangs the fate of Wallace Ray:

- ARCHIE OLIVER, T. S. No. 9
- JOHN GARDNER, T. S. No. 8
- ISAAC BROWN, T. S. No. 8
- C. A. WORLEY, T. S. No. 12
- H. C. ROBINSON, T. S. No. 4
- L. F. WEST, T. S. No. 1
- J. W. PIKE, T. S. No. 9
- H. H. HAMLIN, T. S. No. 5
- J. B. BROWN, T. S. No. 13
- J. L. KIRKPATRICK, T. S. No. 13
- J. N. PARKER, T. S. No. 13
- A. M. METCALF, T. S. No. 16

When court recessed Thursday afternoon until nine o'clock today, the following witnesses for the State had been examined:

- PORTER SHELTON
- PATTY BONE SHELTON
- MRS. MATILDA SHELTON
- DEMPEY LANDERS
- DR. I. E. BURNETT, brother of the deceased Dr. Burnett.

HONLEY A. LISENBEE FOUND GUILTY

The case consuming more time than any other except that of Ray was that in which Honley A. Lisenbee of Marshall was tried for reckless driving and assault with a deadly weapon. This was the case in which Mr. F. Shelton and Mr. J. N. White were returning on a Ford Coupe from the funeral of Mr. Ben Anders and were knocked off the road down a deep bank the car turning end over and both occupants injured by the rear wheels of Lisenbee's car striking the front wheels of the coupe as Lisenbee was passing. Both the State and the defendant were ably represented by counsel and quite a number of witnesses were examined.

The jury, out about an hour, returned a verdict of guilty. Other cases are as follows:

- The following cases were disposed of in the manner indicated:
- In all these cases the State is against the party or parties mentioned and it is useless to mention that in every case.
- FRANK BANKS—transporting—the defendant pleaded guilty and judgment has not yet been pronounced.
- ROBERT TREADWAY—operating a car while under the influence of liquor. The jury found him not guilty.
- EBBY SHELTON—retailing. The defendant pleads guilty. Prayer for judgment continued until the August term of court.
- VETER SANDS—carrying concealed weapons. The jury found him not guilty.
- CHARLIE BURRELL—larceny. He

of the cost, during which time the defendant is to show good behavior and to abstain from intoxicating liquors. GORDAN CONLEY—transporting. The defendant waives bill, pleads guilty, and is fined \$50.00 and costs. SAM MESSER—larceny—pleads guilty and prays for judgment to be continued until April term of court. JESSE WALLIN—giving a worthless check—waives bill, pleads guilty, and judgment is suspended on payment of the costs in consideration of the fact that the check has been paid. TROY ANGELL and WALTER BANKS—transporting. The defendants waive bill, plead guilty, and judgment is to be pronounced Saturday. JESSE MESSER—larceny—pleads guilty, and is given 18 months wearing stripes on the roads of Buncombe County. WALLACE RAY—charged with the murder of Dr. Burnett of Mars Hill in November last year—is being tried as we go to press. Quite a number of cases were continued until next term of court on account of lack of time.

BATHING AND CIVILIZATION

(From ASHEVILLE TIMES)

It isn't often that a report prepared for a State organization is both interesting and amusing, but the "Story of the Bath," written by Lewis W. Britton for the New York State Department of Health, proves a most notable exception. Mr. Britton writing in a light vein starts with the first bath discovered in history and carries the evolution down to the present day. Throughout his essay he emphasizes the relation of the state of a nation's bathing habits to its prosperity and civilization.

The Greeks and the Egyptians in the height of their culture were frequent bathers; it was in Greece that the first bathtub was invented, though it was considered "effeminate" to use warm water. The author goes into a detailed description of the Roman baths, or thermas, as he calls them. The luxury and numbers of these have never since been equalled for the Romans made one main social distinction, the "washed" and the "unwashed." Mr. Britton rather attributes the fall of Rome to a too greedy spirit of conquest than to the presence of the baths—a reason often cited. At any rate, with the fall of Rome began the dark ages, "dark with dirt," he says. Henry IV of England gets the

credit for bringing a close to this period; he, knowing that a "knight shied at water like an elephant shies at a mouse," conceived the happy idea of the "Order of the Bath." Before the candidate could become enrolled he must take a bath and his example finally influenced the less honored but equally dirty.

"In Japan," says Mr. Britton, "where everybody takes a bath a day and apologizes for not taking two, progress moves at a swift pace. In Russia, where millions of people get only three baths in their whole lives—one after they are born, one after they are married, and one after they die—there is stagnation, poverty, misery." The United States, such a leader in so many ways, can not yet boast the best in sanitation. Pumped water is only a hundred years old here, and there are still many families to be found who use the bathtub to keep coal in. Judging from the remarks of the writer, there yet remains much to be accomplished in the work of teaching sanitation. He ends his article not without a moral: "Where sanitation is a stranger, sickness is a constant guest."

NOTICE!

C. R. Hamrick, Deputy Commissioner of Revenue, will be at the Courthouse in Marshall on Friday, March 5th for the purpose of helping those who desire help in filing their income tax returns. Also I will be at the Bank in Mars Hill on Thursday, March 4th, and at the bank in Hot Springs on Saturday, March 6th for the same purpose. All single persons making over \$1000, all married persons making over \$2000, and all corporations and partnerships, regardless of income, must file returns by March 15th. Yours very truly, C. R. HAMRICK, Deputy Commissioner.

MRS. JAMES RAMSEY OF NEAR MARSHALL IS DEAD

Mrs. James Ramsey, 76 years of age, died last Wednesday at the home of her son near Marshall, after being ill but a short time. She is survived by four daughters and six sons, Mrs. John Hensley, Mrs. B. Hensley, and Miss Maud Ramsey of Marshall and Mrs. J. M. Perrin of Asheville, Mr. C. C. Ramsey of South Carolina, and D. W. M. G., and Zade Ramsey of Marshall and C. L. and B. B. Ramsey of Arkansas.

GROUP CONTESTS TO SELECT CONTESTANTS FOR COUNTY COMMENCEMENT

MARSHALL AND SEMINARY MEET

The group contests in Madison County between schools to select contestants for the various activities for County Commencement to be held the latter part of March proved to be interesting for Marshall at least. We have not heard from the other groups, but it may be that the bad roads and bad weather prevented many schools from entering the contest. At Marshall for instance, only two schools or at least four or five the group, were represented. The contest, however, was interesting, though not largely attended.

Supt. O. S. Dillard had charge of the meeting and announced the purpose of it. The purpose of the contests is cooperation and the contests are to be along three general lines:

1. Literary.
 2. Exhibits.
 3. Athletics.
- Beginning the exercises in Marshall was "Carolina," sung by a chorus of many boys and girls, 22 in number, which showed they were having splendid training at the hands of their teacher, Mrs. W. H. Morrow. Entering the contest of recitation a story read them one time, in-race, in which Grace Ramsey won.

mediately before entering the room were Ernest Roberts, of the Seminary and Monroe Ramsey of Marshall. Both did well, but Monroe Ramsey won. Marie Ramsey, having no opponent, read well a story. Little Miss Helen Dennis, daughter of Mr. and Mrs. J. A. Dennis of the Seminary school, distinguished herself in story telling and won over Edna Payne, of Marshall. Elizabeth Plemmons, of Marshall was given the honor of being selected over Marie Roberts of the Seminary in oral reading, though this contest was exceedingly close, both girls doing splendidly. Blanche Tweed, of Marshall, had no opponent in a recitation and if anyone ever opposes her they will have to start early and go some. This little girl was fine. The visitors at the school were much pleased with the exhibits of handwork. In the spelling contest four entered—two from each school. It resulted in the Seminary winning first place and Marshall second place, thus giving each school a representative in the County Commencement. The silent reading contest resulted in John Gage winning for Marshall. In athletics, Marshall won, having the best competition except in the 50-yard race, in which Grace Ramsey won.

HOT SPRINGS CITIZEN SEES DANGER IN PROPOSED SEWER LINE

MRS. B. M. SAFFORD CALLS ON CITIZENS OF MADISON TO PROTEST

Says French Broad May Be Cess Pool

The following letter and article explain themselves:

Editor of News-Record.

My dear Sir:—

Are the citizens of Madison going to allow the citizens of Buncombe to make a cess-pool of our county, as proposed by the article I enclose, clipped from today's Asheville Citizen. I do not think our laws will allow such an injustice, if tested. Imagine the low ebb of the River last year, or any dry year, carrying off the sewerage of Asheville's proposed \$400,000 population at your own town, the dam would cause a terrible menace to the town's menace, it would simply be a cesspool.

My cows drink all summer from the River, as I suppose all farmers, on the river, without great trouble, also have to permit, many women wash their clothes in river water—I think you men of Marshall should take up this matter. I will help in any way I can.

Cordially your friend, B. M. SAFFORD.

The article to which Mrs. Safford refers is partly printed below:

The proposed sewer line from Ridgecrest to the French Broad River which would drain the entire Swannanoa river basin was given the endorsement of the Buncombe County Board of Health at a meeting held in the city hall yesterday morning. The board ordered that preliminary surveys be started immediately in order to obtain an estimate of the cost of the proposed sewer.

Apparently anticipating favorable action on the proposed sewer line, Dr. G. A. Morgan, county health and quarantine officer, presented resolutions further tending to remedy unsanitary conditions existing along the Swannanoa River. The resolutions were unanimously approved by the board.

Close Springs

Included in the resolutions presented by the board was a resolution authorizing the health officer to condemn and close all springs and wells in the county found to be contaminated. Chairman E. M. Lyda, in pointing out that citizens of the county would not be deprived of their water sources by the condemnation of springs and wells, read a letter from Mayor John H. Cathey, in which the city official declared that water mains of the City of Asheville may be "tapped" in county communities when proper legal steps are taken.

Mayor Cathey's letter follows: "Mr. E. M. Lyda, chairman, Board of County Commissioners, City. "Dear Mr. Lyda: "I notice from the papers that there is one or more contaminated

sewer and water districts to be partitioned off by districts outside of Asheville. I was wondering if these people who are contemplating issuing bonds for a large water main know just what preparations the city is making in order to be in a position to supply a population of 400,000 in the city and county. You are aware of the fact that outside residents of Asheville are allowed to connect on the city main. This has been the policy of the City of Asheville as it is the only logical and reasonable thing to do.

"The impounding reservoir now under construction will assure us of seven million gallons a day from Bee Tree alone even though it might not rain on the water shed for a period of 100 days. North Fork as it now stands will deliver another three and one-half million gallons, making a supply, which will be available by March 1, 1926, of 11 million gallons daily, or a supply for a population of 100,000.

Plans are under way whereby the necessary land will be condemned on North Fork so that in the future by erecting an impounding reservoir at that point, Asheville will be assured of a water supply of 24 million gallons daily. This would be ample to allow all outside users, even to the outermost parts of the county, to have ample water supply for all necessary purposes without the outside districts going to the expense of issuing bonds for the purpose of putting in water systems.

"I give you this only as a matter of information in view of the fact that there is much discussion now about outside water works development.

Yours very truly, JNO. H. CATHEY, Mayor.

ANOTHER WRECK ABOVE MR. BAILEY'S

Tuesday afternoon the Ford touring of Mr. P. Z. Maynard of Paint Rock was almost completely demolished when it was struck by a heavy Cadillac Sedan at the dangerous curve in the highway above Mr. J. M. Bailey's. Mr. Maynard and four others including two women were starting back home after attending court. They were on their side the road and were doubtless "giving her all the juice they could" when the Cadillac was seen. The young couple from Indianapolis on the Cadillac were in the middle of the road and applied their brakes with all vigor, but it was too late. The cars crashed with the result that the Cadillac was badly damaged as was also the Ford. Fortunately, no one was hurt to any extent. One of the women on Mr. Maynard's Ford was badly shaken up. The Ford windshield was smashed. Officers were called to place the blame for the wreck—Policeman Troy Rector was sent for and as soon as he had noted the position of the two cars the road was cleared and the many cars which had been blocked were given way to pass on. The parties were taken down town for a hearing.

THE REDMON ROOSTER

In the midst of the excitement caused by the wreck, the most amusing thing was to watch Mr. Troy Redmon chasing a rooster which had escaped from his delivery truck. Mr. Redmon is no light weight and after chasing the chicken up the side of the mountain for awhile he was quite willing to offer some boys a reward to catch the rooster.

INDIANS ARE MARRIED

Butte, Mont.—Charlie Sit-on-His-Arrow and Mary Hailstones-in-Her-Stomach came in from the reservation recently and secured a license to be married.

"ALL'S WELL THAT ENDS WELL"
Husband—"What is that you are reading, my dear?"
Wife—"A letter from mother."
Husband—"Anything important in it?"
Wife—"I don't know; I haven't got to the postscript yet."—Fenton News.