

# The News-Journal

'If it happened, it's news to us'

No. 31 Vol. 91

50 cents

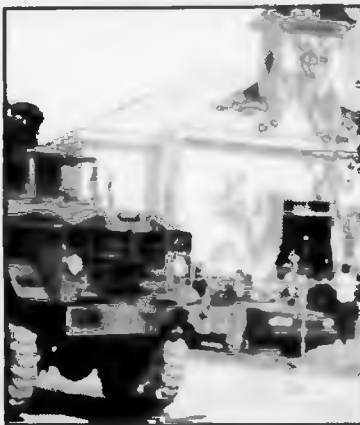
Wednesday, November 4, 1998

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Around Town



By SAM C. MORRIS  
Contributing Editor

The weather has been nice for the past week. We have finally gotten away from the 90 degree temperatures. We could have used some rain. It seems that it was about a month ago since it rained. As I write this column on Monday afternoon, the weather report implies that we could have some rain tonight or Tuesday morning. I hope so.

The forecast for the remainder of the week, Wednesday through Saturday, calls for cooler weather. The highs for the period will be in the 50s and the lows in the 40s or high 30s. There could be some rain on Thursday.

\*\*\*\*\*  
The participants of the Leadership Hoke will start work on Thursday. The day is known as History Day and they will travel over the county and be informed at many places about the history of Hoke County. The program is sponsored by the Raeford-Hoke Chamber of Commerce and Sandhills Community College.

Once again I will give the  
(See AROUND, page 5A)

## Raeford #5 sweeps Davis into office

By PAT ALLEN WILSON  
Staff writer

At 10:30 p.m. last night, Wayne Gardner was leading Jim Davis by 344 votes in the race for sheriff. One precinct, the predominantly black Raeford # 5, was yet to come in, and, for Gardner supporters, that was the killer. At 10:40, the precinct chief judge arrived and gave the vote count to an election official. With eight votes for Gardner and 544 for Davis, the victory went to Davis.

The final count was Davis, 3,748; Gardner, 3,556. If the unofficial vote stands, Davis will become Hoke County's first black sheriff when he takes office on December 4.

Yet to be counted are more than 200 provisional votes. These are ballots that will be held until the voters are verified. Elections officials will begin verification at 4 p.m. tomorrow.

Davis won the Democratic primary in May, defeating incumbent Sheriff Wayne Byrd by (See DAVIS, page 12A)

## 98 Election — Davis wins



By a margin of approximately 200 votes, Jim Davis defeats Wayne Gardner in Hoke County's most watched contest.

## Judge drops charges against Hicks in Sivak case

By PAT ALLEN WILSON  
Staff writer

Because he had been delayed by accidents on Aberdeen Road, Sheriff Wayne Byrd almost missed Superior Court Judge Jack Thompson's announcement in Sanford that Deputy Frank Hicks, 42, was "justified in using deadly physical force" when he shot David Michael Sivak, 32, to death on Labor Day weekend in

1997. Byrd, who has supported Hicks and kept him on staff duty even after he was indicted on voluntary manslaughter charges almost a year ago, had not missed a day of the trial that lasted just over a week.

The judge ruled first thing Tuesday morning to dismiss the charges against Hicks after his attorneys motioned for dismissal late Monday. The trial was held in Lee County after a change of

venue was granted when Hicks' attorneys said a fair trial could not be held in Hoke County because of adverse media publicity.

When the judge's decision was made, Hick's attorneys, Neil Yarborough, J. Michael McGuinness and Randy Gregory, patted Hicks on the back and shook his hand. Hicks' wife and mother, sitting behind him, hugged each other. Byrd received

congratulations from members of state law enforcement organizations that had been following the proceedings closely.

Sivak's family sat silently in the listeners' area. Only as people were filing out of the courtroom did David Sivak's widow, JoAnn, shed tears as she hugged his aunt, Lucille Brooks.

"David was wronged," JoAnn Sivak said. "He (Hicks) hasn't gotten away from it. We'll all be

judged someday."

Sivak's mother, who had cried often during proceedings, agreed. "David wouldn't hurt anybody. We know David."

"We're not saying David was right, but he did nothing to get killed for," Brooks said.

At the request of attorneys, Hicks' weapon that had been held as evidence, was returned to him. Other evidence was ordered tem- (See HICKS, page 12A)



### Morehead nominees

A dinner honoring the 1998-99 Morehead nominees from Hoke and Moore counties was held last Wednesday at the Pinehurst Resort Club. Hoke County nominees include Alicia Del Carmen Raymond (front row, third from left), Saralyn Smith (back row, left) and Aaron Locklear (not pictured). All nominees were introduced by Morehead and N.C. Merit Awards Selection Committee member Harold Gillis, who attended the event with his wife, Peggy. Tom Howell and his wife, Selection Committee member Kim Howell, also attended. The nominees experienced the first round of interviews last Friday and will learn later this month whether they advanced to the next round. (Knight Chamberlain photo)

## Commissioners take next step toward economic development

By PAT ALLEN WILSON  
Staff writer

Monday night, Hoke commissioners took another step toward economic development in the county by voting unanimously to rezone to Highway Commercial approximately 140 acres in the vicinity of U.S. 401 Business, U.S. 401 By-Pass and Club Pond Road. The Hoke Planning Board had recommended approval of the rezoning.

The property, in four tracts, belongs to Duncan McFadyen

III, Nash Johnson & Sons Farms (Marvin Johnson, president), William J. McNeill and Mr. and Mrs. James R. Riley.

McFadyen, an attorney, spoke for the landowners. He said his property is zoned RMH and the other properties are zoned RA-20. He said the land is "a promising area for commercial development."

No one else spoke either in favor of or in opposition to the request.

The land is in one of three areas approved by commission-

ers at an October 19 meeting for sewer service extension as major capital projects to encourage industrial and business development.

The Highway Commercial zone allows for businesses such as convenience stores, fast food restaurants and motels.

In other business, commissioners approved a rezoning request from RA-20 to R-15 for a 95-acre tract of land located on Hobson Road. The Planning Board had recommended approval of this request.

## Locklear, Smith, Pilkington win school board seats

FROM STAFF REPORTS

Teddy Locklear, Russell Smith and Tom Pilkington edged Leo Salzer and John Harry in Tuesday's election to become Hoke County's newest school board members.

Unofficial results show Locklear with 2,955 votes, Smith with 2,346 and Pilkington with 2,056. Salzer tallied 2,025 and Harry got 777.

In other election results: Democrat John Edwards took Hoke County by an almost 2-1 margin over Republican Lauch

Faircloth, 4,395 to 2,202, enroute to winning Faircloth's U.S. Senate seat.

Democrat Mike Taylor defeated Republican Robin Hayes by more than 2,000 votes in Hoke County, 3,867 to 1,847, but Hayes won the overall election to take the 8th Congressional District seat left vacant by Bill Hefner.

The Clean Water and Natural Gas referendums were also overwhelming winners, clean water winning 2,645 to 635, and natural gas winning 2,212 to 910.



Firefighters at the scene of a trailer fire that is believed to have been deliberately started. (Pat Allen Wilson photo)

## Arson suspected in trailer fire

By PAT ALLEN WILSON  
Staff writer

setting the fire.

The owner of a vacant mobile home that was burned the night of October 26 is offering a \$5,000 reward for information leading to the arrest and conviction of the person or persons responsible for

Several neighbors said they heard an explosion just prior to the fire in the trailer in Roscoe's MHP at the intersection of Blue Springs and Old Maxton roads about five miles south of Raeford. Owner Roscoe McCollum said (See FIRE, page 12A)