

The Pinehurst Outlook.

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AT THE BERKSHIRE.

A Mock Auction Furnishes an Evening's Fun.

The Auctioneer is Brought Before a Mock Court, Charged with Divers Crimes.

Sentenced to Receive Lashes, Lose His Ears, and to Be Hung, He Compromises by Buying Peanuts for the Crowd.

On Thursday evening of last week the guests at the "Berkshire" were entertained by a mock auction in the parlors at that hostelry. The committee having the affair in charge had prepared a large number of costly articles (at least the auctioneer said so), all of which were sold in closed wrappers and without examination, to the highest bidder. Every person present was given twenty-five beans, which were used as money, each bean representing one dollar.

Mr. C. P. Heyward of New York acted as auctioneer and got big prices for his wares. Among the articles sold were: an Indian chief's war bonnet, to Mr. Hildreth, for \$17.00; a paper suit with diamond (?) thrown in, to Mr. Whipple, for \$22.00; a penwiper, to Miss Gordon, for \$25.00; a tin pail, to Miss Richards, for \$18.00; a paper of facks, to Mrs. Heyward, for \$25.00; a vase, to Miss Goodridge, for \$650.00; one-half dozen doughnuts, to E. Rogers, the pilgrim, for \$15.00; a paper of toothpicks, to Mrs. Noble, for \$350.00; and a box of quinine pills, to Mrs. Whipple, for \$5,000.

At this point money became scarce. Combinations had been made and trusts formed, but no more money was obtainable and the sale was discontinued. The profits were to be devoted to "charity"—that is, to two bankrupt domino players—but up to the time we go to press THE OUTLOOK has been unable to learn that the poverty-stricken players had received the proceeds of the sale.

All present agreed that a very pleasant evening had been spent, but none could foresee the consequences that were to result from the evening's fun.

MOCK TRIAL.

Some of the parties who had attended the auction come to the conclusion, after mature reflection, that they "had paid too dear for their whistle"—that, although they had bid with their eyes open, the articles purchased had been misrepresented and that they had been defrauded of their wealth. In looking about for a scapegoat on which to vent their wrath the auctioneer was hit upon, and a committee was appointed to look up his record.

As a result of their investigation a warrant was issued by Judge Sample, and returnable to him, charging the auctioneer with having committed divers crimes, and Sheriff Spinney was instructed to arrest the evildoer and bring his body before the court in the parlors of the "Berkshire" on Friday evening last.

After an arduous search the sheriff found the auctioneer, Mr. Heyward, in the writing room at the "Berkshire," and at 7.30 p. m., arrested him in the name of the Commonwealth of North Carolina, by authority of the governor, by and with the consent of the council. The prisoner was very much surprised and alarmed when he saw the sheriff armed with a long rifle and a big coil of rope ready for business, but he soon recovered from his astonishment and demanded to see the warrant, which was read to him, as follows:

THE WARRANT.

STATE OF NORTH CAROLINA, } ss
MOORE COUNTY.

The people of the State of North Carolina to all Sheriffs and Constables of said State, Greeting:

Whereas the Grand Jury of said County has duly returned into open court a true bill of indictment against Charles Pettingale Heyward, charging him with various and sundry crimes,

Therefore you are hereby commanded to arrest the said Charles Pettingale Heyward and forthwith bring his body before the Superior Court of said Moore county, now sitting at the Hotel Berkshire in the City of Pinehurst, in said county, there to be dealt with according to law.

This you are not to omit under the penalty of the law.

Given under my hand and official seal of said court, this 10th day of February, A. D. 1899.

SEAL } DAVY JONES,
Clerk Superior Court.

It appeared at first that the prisoner might resist arrest and that the sheriff would be obliged to use the rope, but he finally decided to go quietly and was immediately conveyed to the court in the parlors.

Judge Sample instructed the sheriff to open court, which he did in characteristic style. The court then read the following indictment:

THE INDICTMENT.

IN THE SUPERIOR COURT,
TO THE FEBRUARY TERM, 1899.

STATE OF NORTH CAROLINA, } ss
MOORE COUNTY.

First Count.

Now comes the Grand Jurors in and for the County of Moore, in the State of North Carolina, in the name and by the authority of the People of said State, upon their oaths present: That Charles Pettingale Heywood on the 9th day of February, 1899, at said County, unlawfully hawked and peddled goods, wares and merchandise, (books and prints not and being included), such goods, wares and merchandise consisting of to wit: potatoes, tinware, a cheap doll, one harmonioes, doughnuts with a hole in them, an Indian chief's cap, probably being the same worn by the chief of the tribe

Madoekawando of Heron Island on the coast of the State of Maine, tooth picks and various other articles too numerous to be here more particularly mentioned, without having previously paid the tax and obtained the license required by law, contrary to the laws of the State of North Carolina and against the Peace and Dignity of the People thereof.

Second Count.

And the Grand Jurors aforesaid, on their oaths aforesaid, do further present, that Charles Pettingale Heyward, on the 9th day of February, A. D. 1899, in the county aforesaid was guilty of and did commit the crime of robbery in and near a highway to wit: called and known as the Magnolia road, on various and divers persons by then and there obtaining from them and each of said persons to wit: Dr. C. F. Hildreth, Angie M. Gordon, Joseph K. Whipple, Judiet B. Richards, Sophia Goodridge, Mrs. J. K. Whipple, Mrs. E. J. Clark, Miss Grace Peck and others, various and divers sums of money, and the representatives of money, to wit: beans, of great value, to wit: of the value of one dollar for each bean.

And so the Grand Jurors aforesaid, on their oaths aforesaid, do charge that the said Charles Pettingale Heyward, on the day and at the county aforesaid, willfully and feloniously did commit the crime of robbery in or near the highway of Magnolia, contrary to the laws of the State of North Carolina, especially Sec. 2 of Chapter 34 of the statutes of said State, and contrary to the Peace and Dignity of the People of the State of North Carolina.

Third Count.

And the Grand Jurors aforesaid, in the name and by the authority of the People of the State of North Carolina, upon their oaths aforesaid, do further present, that Charles Pettingale Heyward on the 9th of February, 1899, at the county aforesaid, did by a false token and by false pretenses obtain from Heloise Helena Hersey, C. E. Hoyt, Dr. C. E. Hildreth, Angie M. Gordon, Joseph K. Whipple and each of them money, goods and property of great value, with intent to cheat and defraud such persons and each of them, contrary to Section 61 of Chapter 34 of the statutes of the State of North Carolina, and against the peace and dignity of the people of said State, and so the Grand Jurors aforesaid, on their oaths aforesaid do charge that said Charles Pettingale Heyward is guilty of the crime of fraud and deceit.

Fourth Count.

And the Grand Jurors aforesaid in the name and by the authority of the People of the State of North Carolina upon their oaths aforesaid, do further present that the said Charles Pettingale Heyward on the 9th day of February, 1899, at the county aforesaid, who having no apparent means of subsistence and having neglected to apply himself to some honest calling for the support of himself and family, was, on the date and place aforesaid, found sauntering about and endeavoring to maintain himself by pretending to sell goods, wares and merchandise, to wit: potatoes, doughnuts with a hole in them, harmonicas, caps, little dolls, tooth-picks, etc., for a fair and reasonable price, and in fact, by fraud, deception and false representations making divers and sundry good people, then residing in the Village of Pinehurst in said county, believe that said goods were of great value and worth what he represented them to be, when in fact they were of but little value; and was then and there by other undue means, endeavoring to

maintain himself, and the said Charles Pettingale Heyward having prior to said time been duly convicted of a similar offence, the Grand Jurors aforesaid, upon their oaths aforesaid, do hereby charge that said Charles Pettingale Heyward was on the date and at the county aforesaid, guilty of the crime of vagrancy, contrary to the statutes of the State of North Carolina and against the peace and dignity of the People of said State.

EDWIN ROGERS,
State Counsel.

The prisoner pleaded not guilty and the court appointed Hon. E. Rogers counsel for the state. Dr. Hersey appeared for the defendant. The jury was composed of Mr. Whipple, Mr. Peck, Mrs. Hersey, Miss Richards, Mr. Stearns and Dr. Hildreth. The prisoner objected to the doctor because he did not know how hard a mule could kick, and Miss Chittenden was chosen in his place.

The prosecuting attorney then stated what the government proposed to prove, and introduced the following witnesses: Mr. Whipple, Mrs. Clark, Mrs. Whipple, Miss Gordon, Dr. Hildreth and Miss Richards.

The examination of the witnesses was very skillfully conducted by the attorneys and the questions brought forth many replies that, if not pertinent to the case, were at least greatly enjoyed by the spectators who were kindly allowed to be present. One witness stated that she was six years old and married, but when the astute counsel for the defendant asked how long she had been married she was dumb.

Another witness gave her age as seventy-eight years and said she had been married eight years. She said she had paid \$5,000 for a box of quinine pills and thought the price too high. The next one said she was twenty-one years old, and when asked if she had ever attended school or chewed spruce gum, said she had done both once. Still another thought the prisoner a fraud, as she paid \$25.00 for a tin cup, supposing it to be silver, and cried all night about it. She thought she might possibly do the same thing again.

One gentleman thought he had been swindled, as he bought a suit of clothes supposed to come from Paris, and it was only a paper suit; and a glass pin had been represented to be a diamond. Doughnuts with a hole in them brought \$25.00 for half a dozen, which was another case of swindling.

The counsel for the state did not seem to have a very high opinion of golf players and asked each witness if he or she was addicted to this sport. Only one golf fiend was found among the crowd.

The witnesses were all of one mind regarding the prisoner and thought that he came to this place for the purpose of cheating the people, while the counsel for the defense tried hard to prove him to be a very wealthy and respectable citizen of Greater New York. The prisoner was put upon the stand and gave his occupation as a buyer and seller of