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In Defending His Son; Tom Wilcox Slanders His Town and County.

He Makes Malignant Affidavit.

WAS READ TO SUPREME COURT

The Affidavit was a Lengthy Document of Questionable Imputations. It has been pronounced a Nefarious Slander of our People; Disparaging to the Community; a Document of Malignancy and Falsehood.

The Supreme Court of North Carolina heard the appeal for a new trial in the Wilcox case Tuesday. The account of the proceedings as published in the News & Observer was supplemented by a lengthy affidavit made by Thos. P. Wilcox, the father of "Jim."

The affidavit in question cannot be given space in these columns because of its length. We will therefore content with a brief rehearsal of some of the statements made by Mr. Wilcox.

The document severely censured the people of Elizabeth City and Pasquotank county. It accused them of threatening the jury; of threatening to boycott anyone expressing belief in the innocence of the prisoner. It tells of open threats of lynching upon the part of residents. The demonstration in the court house and the false alarm of fire were cited and its effect upon the jury was pictured in no uncertain terms. It holds that the speech of J. Heywood Sawyer was very bitter against the accused and received frequent applause; all of which went to influence an intimidated jury in returning a verdict of guilty. The closing remarks in the speech of Solicitor Ward are severely criticised.

It charges that while the jury was deliberating, Friday evening, a plot to kill the defendant was formulated and that, upon Saturday night, the plotters made their headquarters at the jail and any one passing was stopped and demanded to explain his presence; that if said explanation was not satisfactory he was called "a spy." It also alleges that the crowd at the jail was kept informed of the movements of the jury by runners between the jury room and the jail. That the result of the vote of the jury was dropped from a window of the jury room.

This affidavit further says that the intense feeling against the defendant reached the jury and influenced them. That they had knowledge of the purpose of the demonstration in the court house on Thursday, and some of the jury have said since the trial that they were afraid not to return a verdict of murder in the first degree, because they thought that the defendant would be killed. They further say that they were afraid not to return a verdict of murder in the first degree on Saturday night, because they were afraid that the defendant would be killed if the jury hung.

This affiant has heard from members of the jury that they were afraid not to return a verdict of murder in the first degree, both on

account of themselves and the defendant. Part of the jurors who have said this say that they are afraid to make affidavit for fear of personal violence by the public. This affiant further says that the defendant had witnesses subpoenaed in his behalf, and that he is informed by some of the witnesses that they received notice that if they went on the stand they would regret it.

That this affiant was present in the office of E. F. Aydtlett when two of the jurors were in the office, and one of them made the following affidavit, to-wit:

"I, _____ being duly sworn, says that he is one of the jurors who tried the defendant Wilcox. That he saw the demonstration in the court house on Thursday, and he, with the other jurors, had knowledge of the purpose of the demonstration which showed the feeling of the public against the defendant, and that he would not have consented to a verdict of murder in the first degree had it not been for the feeling and demonstration of the public. This affiant further avers that he was of the opinion that if the jury did not return a verdict of murder in the first degree that night the prisoner would be killed."

The affidavit claims that both jurors expressed themselves as knowing that Wilcox would be killed if not guilty was the verdict and he thought it best to bring such verdict as he did not let the defendant take such steps as he deemed proper.

The above is but a part of the slanderous substance of the affidavit, of T. P. Wilcox, read before the Supreme Court by Hon. E. F. Aydtlett. Mr. Aydtlett asked that it be filed as a part of the record. The court denied the motion on the ground that it appeared that the facts were not ascertained until after the court, in which the case had been tried had adjourned.

Upon reading the affidavit in the columns of one of the leading dailies in the state we could not refrain from expressing our surprise. Knowing as we did that many of the accusations were false and knowing also that the publication of such filth is disparaging to the town and county our city editor immediately sought to investigate the charges. In interviews with lawyers, jurors and various officials he received assurance of the incorrectness of the charges.

DERICKSON INTERVIEWED.

Mr. Geo. F. Derickson, who was foreman of the jury that returned the verdict in the Wilcox trial was interviewed. Mr. Derickson said that he knew nothing whatever of any member of the jury being intimidated. Said he: "We were closely confined and could not know of the sentiment of the people. We heard nothing in the way of threats from the public and if there had been any threats we would probably have never known it because of our being closely guarded against receiving any word or message from even our families

unless the officer of the jury first read it. As for us informing outsiders, it was impossible to do so by sending them messages direct because when a note left that room every member of the jury had read it. I was sitting near one of the windows in the room and had notes been dropped to the crowds outside I think that I would have known something about it. I never saw anything like that going on and my personal acquaintance with every man on that jury gives me grounds to believe them innocent of such actions."

"Now about the crowds leaving the court room and the ringing of the fire bell; we didn't know what it meant and never found out until the judge mentioned it in his charge. When the crowds left the court room we all thought it was just a row at the outside and then there was such a few that got up and went out that we paid no attention to it. As for the fire bell ringing; we thought it was fire and held to that belief. I don't think any one on the jury was intimidated, we did what we thought was right."

Asked what he thought of Mr. Wilcox' affidavit; Mr. Derickson replied; "I think nothing of it."

Other members of the jury were interviewed. Among them were Mr. J. G. Nash and Mr. Will Jackson. Both of these gentlemen bore out Mr. Derickson's statement and stoutly denied having been the least intimidated or in fact; aware of any such fervency of sentiment as expressed in the Wilcox affidavit. Asked if they thought it even probable that notes of information were dropped out of the window to the crowds they emphatically denied there being the least truth in such assertions.

WHAT HEYWOOD SAWYER SAID.

Hon. Heywood Sawyer was interviewed and his attention called to the assertion of the affidavit, that his speech against the defendant was a bitter one Mr. Sawyer said: "That is one truth in the thing. My speech was bitter and when the opportunity is again presented I shall be more bitter. I believe Wilcox guilty and the guilty should pay the full penalty of the law."

"What do you think of the affidavit as a whole?"

"I think it is a lie. A miserable and nefarious defamer of Pasquotank people."

"I have talked with a number of members of that jury and their statements to me have been:

"Only three things influenced us in arriving at a verdict: Our oath before our Maker; 'The evidence in the case and The charge of the judge."

NO PLOT TO LYNCH.

That there was no formulated plot to lynch Wilcox, upon the Saturday night the verdict was rendered, is known and vouched for by the writer, who was at the time connected with a Norfolk daily.

Upon that eventful night people were growing impatient to learn the verdict. It was whispered that an attack would be made upon the jail. The reporter learning of this rumor went to the vicinity of the

jail and joined the talked of mob. It was but a bare handful of men—not more than fifteen. They, like the reporter, had heard rumors of lynching and were investigating for their own information. There were a few in the crowd who expressed themselves as willing to assist in a lynching. Others showed signs of approval but none ventured to lead and if I am any judge of human nature there wasn't enough bad blood in the whole push to steal a chicken. They were in no way aware of the position of the jury's ballot and no one approached with the slightest hint of such information. A couple of men assumed the responsibility of keeping a watch upon the movements of judge Jones. This was done because of the absolute secrecy with which the verdict was being guarded and the crowds wishing to be on hand when the verdict was rendered kept His Honor under surveillance, knowing that he would make some move should the jury return the verdict that night.

As for the crowd accosting strangers and demanding an explanation of their presence; this was not done. Passers by were allowed to go their way unmolested, Deputy Sheriff Charlie Reid—a man who would never stoop to an untruth or exaggeration says; "the crowd over at the jail didn't amount to a snap of the finger."

THE UNVARNISHED STORY.

One tale is good until another is told Mr. Wilcox has told his "unvarnished" story and we must say that it is a nefarious misrepresentation of facts. The above is a true "unvarnished" story, gained from the lips of men in whom the public place all confidence. We investigated the affidavit; asked why Judge Jones would not allow it to go to the Supreme Court as evidence. In his own hands is penned the words. "The court could not see that the jury was in any way influenced by the conduct of the public."

We feel that we have but done our duty in making these investigations and giving a recital of facts—facts that are facts.

Who is the juror who Mr. Wilcox alleges to have signed the above affidavit in which the blank appears? The public demands to know and should know.

Overman—Whitehurst.

Mr. S. J. Overman and Miss Lula Whitehurst, a young couple of this city, were united in holy matrimony Sunday. The event was solemnized at the residence of the brides parents and Rev. Dr. Penick officiated. The couple were the recipients of many presents from well wishing friends.

Cartwright—Morris.

Mr. Lemuel Cartwright and Miss Daisy Morris were united in holy matrimony at the home of Mr. Thomas E. Palmer, near Elisha, Sunday afternoon. Mr. Palmer, who is a justice of the peace, officiated.

Is Not Candidate.

Last weeks issue of the Tar Heel contained an article referring to abusive language towards Camden's Register of Deeds, by Mr. L. F. Wright, a candidate. Mr. Wright requests us to state that he is candidate for no office and that the language used towards Mr. Forbes was justified.

ALBEMARLE BELLES CONTEST.

Who is the Most Popular Young Lady.

Who is the most popular young lady in each of the following counties? viz: Pasquotank, Camden, Perquimans, Currituck, Dare, Tyrrell and Chowan.

This is a question which the Tar Heel will leave the respective counties to decide and every man woman and child who reads the Tar Heel is requested to participate in making the decision.

In another column will be found a coupon. Fill out same with the name of the young lady which you think the most popular in Pasquotank county. Mail the coupon to this office before October 1st 1902. It will be placed on file and the young lady who receives the largest number of votes will be accorded the honor of being the most popular young lady in this county. Her photograph will be secured and printed in these columns, as early as possible, after the date of the close of the contest.

Every reader of this paper is requested to fill out a coupon with the name of whom they think the most popular young lady in Pasquotank county. Remember this is for the most popular young lady in Pasquotank, though no restriction is placed upon voters. Residents of other counties may vote.

At the close of this contest we shall take up some other county and so on until the counties in which we have an extensive circulation have been represented.

This is not a contest to decide the prettiest or most talented girl but the most popular; or in other words the favorite. See additional information and coupon on front page.

Small to Speak.

Congressman, Jno. H. Small writes us that he will speak at Currituck Court House on Tuesday Sept. 2nd 1902 and at Camden Court House on Monday Sept. 8th 1902. Mr. Small promises out do himself upon both of these occasions and we trust that the people of the above counties will profit by his announcement.

Money in Farming.

The Tar Heel acknowledges a call from Mr. S. Belangia, a prosperous farmer of Jarvisburg, Currituck county. Mr. Belangia is a very interesting talker on the subject of farming. He believes there is money in farming when brains are applied with brawn. He has little faith in the cry of hard times usual among farmers. This year Mr. Belangia produced five hundred bushels of potatoes on five acres of land. These potatoes were shipped to Northern markets and netted the shipper more than seven hundred dollars. Mr. Belangia will raise two thousand pounds of pork from the cull potatoes dug from this five acre field. At this rate the Tar Heel believes with him that there is money in farming.

Large Horses For Sale.

Having more team than we need we will sell privately at our stables one heavy gray horse and one very fine large bay mule. Come and see them ag 30-1t

CRYSTAL ICE AND COAL CO.

Vessel For Sale.

Schooner, fully equipped for oyster business, good condition. Cheap for cash or easy terms. Inquire at Tar Heel office or of H. H. Hayman, Elizabeth City. 1moaug29

TO MAKE A TEST.

Negroes Will Test New Constitution.

RAISING MONEY FOR COUNSEL.

Virginia Negroes Will Contest the Validity of the Constitutional Amendment. Able Counsel to be Employed.

That the colored people of Virginia will contest the new Constitution is now almost beyond question.

Hon. John S. Wise, of New York, is likely to be one of the counsel or represent the negroes, and Judge Lewis and Senator Thurston are expected to be his associates. The declared purpose of the Negro Industrial and Agricultural Society at its Convention in Richmond last week to raise money to pay counsel leaves no question as to their determination.

In a letter to that society and presented at its meeting Mr. Wise expresses the opinion that the Constitution will not stand.

ADDRESS TO THE RACE.

After hearing this letter the society adopted an address to the colored people of the State, asking them all to contribute money to pay counsel in this fight.

A set of resolutions were also adopted, in which were condemned the actions of those States whose object was to disfranchise the negro, all class legislation, the part of the press which takes pride in setting forth that the negro is a criminal and unworthy of respect.

A committee was appointed to see the officials of the Seaboard Air Line, Atlantic Coast Line and Atlantic and Danville, in being alleged that these roads provide better accommodation for the white than the negro.

To the Democratic Voters of Pasquotank County.

I declared myself some time ago a candidate for the nomination for Sheriff I hear that it has been stated; that I would not be a candidate in our convention. I do not know who made the statement, but will state that I am a candidate before the Democratic Convention and am in the hands of my friends and if nominated or defeated, I shall do my best to help to elect the entire ticket.

Respectfully,

CHAS. REID.

Markham—Smith.

A very pretty marriage was solemnized at the residence of Mr. and Mrs. T. C. Markham, on Riverside, Tuesday morning. Rev. J. E. Underwood united, in holy matrimony, their daughter Miss Laura Markham and Mr. W. R. Smith of Garysburg. A few friends, and the immediate family were present.

After receiving the congratulations of many friends and partaking of a sumptuous repast, tendered by the bride parents, they took the Norfolk and Southern North bound train for Garysburg where they will make their home.

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