

MISTRIAL IN A. W. GEORGE CASE

Juryman Taken Sick After Arguments and Mistrial Results

CONVICTION, NINE; ACQUITTAL, THREE

Old is the saying that men trained and tutored, of noble ancestry and high financial and social standing among their fellow men too often go unpunished or perhaps are not required to give a strict account to the State when they violate a law of their land by the commission of some crime.

It is nothing unusual where it is read in the papers of an unlettered and unlearned man, being sent to the roads for some misdemeanor—perhaps for selling some one a pint of liquor, or he has stolen a coat with which to protect his back from the untempered wind, or a ham from some farmer's smoke house to satisfy that gnawing in the hungry stomachs of his crying children.

One also reads of transgressions against the laws of the State by men of letters and learning and finance—some may cause the wreck of a banking institution by speculation on the stock market, others by misappropriation or theft of public funds entrusted in their care—and these also must give an account to the State for their deeds—What answer they give or restitution they make no one can foretell for they feel secure behind a screen of innumerable skilled attorneys who represent them before every court of the land.

The poor half-witted soul who has stolen a ham from his neighbor is hurried off to the prison cell. The man of money and social standing who has caused the loss of thousands of dollars of public funds fights for years in every court in the land. And this very inability of the laws of our country to be applied to poor and rich alike in all instances, many believe, is to some degree a reasonable theory for much unrest in the land. Such distinctions and others of like nature, are what makes the poor man—the working man—the man who wants laws to apply to all—a "bolshhevik."

Up on the top of the Blue Ridge a lonely little woman with three small children will dig her living out of the ground this spring and summer while she sits her babes close by under the shade of some chinquapin bush. A few months ago her husband, said to be a half-witted subject, stole a mule. He was apprehended soon thereafter, and the mule recovered by its owner—no harm had been done anyone—no one had suffered the loss of any property—but he had committed a crime and he was called into court to answer to the law. And he is now paying the State for his offense with the sweat of his brow while his wife digs a scant living out of the earth.

Last Sunday witnessed the closing of the greatest legal battle witnessed in this county in years—This time a man of means, social standing and large business relations was being asked by the State to give an account for his transgression of the law. The case against A. W. George had been on the docket of Surry Superior Court for several months and Solicitor S. P. Graves last Thursday called for its trial. The defendant was represented by able counsel and they made a strong plea for a continuance on the ground that material witnesses were not present—Judge Harding ruled against them and the Solicitor went into the trial.

Mr. George is a resident of Elkin, and was up to a few months ago, president and cashier of the Farmers and Merchants Bank of Elkin. For years Elkin had only one bank, but about eight years ago a second bank was organized with A. W. George as cashier and W. S. Reich, president. Mr. George was a native of Yadkin, took an active part in church and Sunday school work, being a Baptist, and had had much experience in teaching school, before being named cashier of the new bank. Mr. George's former acquaintance among a large number of farmers of Yadkin, Wilkes and Surry enabled him to secure a substantial patronage for his bank from its beginning. Being well known among so many people his bank became the safe keeping of the life-time savings of many of his acquaintances—In the meantime Mr. George was honored by the Republican party by being elected as County Commissioner and his bank also became the depository for the funds of Surry county (the county at times having on deposit in his bank from fifty to one hundred thousand dollars).

rounds of street talk that our County Highway Commission withdrew several thousand dollars worth of its funds from the bank months before the closing of its doors.

The bank was formally closed about a year ago after an examination of its condition had been made by a State bank examiner and A. W. George, its president and cashier, indicted and placed under a large bond charged with making false entries and misappropriating the funds entrusted to his safe keeping. The closing of this institution was a heavy blow to the people of Elkin and surrounding country for it tied up large amounts of their funds when they most needed them. Our own county was seriously embarrassed financially for a time as the County Treasurer (also a director and stockholder of the bank) F. S. Eldridge had on deposit in this bank when it was closed twenty-seven thousand dollars of tax money. This fact made it necessary for the county to borrow a large sum up north until the new tax books were put out.

A close audit of the books of the bank showed it to be short in its account fifty-five thousand dollars, and many false entries were discovered by the State bank examiners—All kinds of rumors were at once in circulation as to the cause of the bank's financial predicament. Those who are perhaps in better position than many to learn the truth express the belief that the bank's troubles began back two or three years ago. It will be remembered that back then many land companies sprang into existence and enjoyed a prosperous season for a time, but they were the first hit when the "re-action" in this county came. And so the theory has been advanced that Mr. George and some associates engaged in the land business, investing heavily.

When the land business hit the ceiling it naturally left all real estate dealers high and dry who had this high price land left on hand. With all this vast amount of land on hand and the real estate business as dead as an Egyptian mummy something had to be done. Everyone knows that real estate concerns make it a practice to buy up land giving notes for it, and paying them off when they re-sell the land. And so notes continued to fall due whether sales were made or not.

The fact that so many certificates of deposit were found in this bank without any record being made of them has led many to believe that they were issued by Mr. George for the use of his associates in their land business in paying off notes that were due, and that they were hoping to dispose of their land holdings in time to redeem these same certificates of deposit. Many rumors have been circulated that large numbers of these certificates, falsely issued by the bank's cashier, had been "peddled" in many parts of the country by these land agents and offered at such low prices people were afraid of their guineas.

The average person would think that all this matter of using the bank's money, the tying up of the county's funds and many other points might be used in court but they could not for the rules of evidence, and which the average mind is unable to understand, close the door to many points that are talked outside. There are special laws on our books dealing with the conduct of banks and one of these is that it is a felony punishable from 4 months to 15 years in the penitentiary, for any president, cashier or other bank officer to issue certificates of deposit without making a record of same with intent to defraud, injure or harm the bank or its depositors.

Considerable time was consumed in selecting a jury, both the State and defense asking the jurors many questions. Much comment was heard on the fact that out of the large number of men examined for jury service when the jury was empaneled it was seen that the close selection had left it composed entirely of men of Republican party affiliations. Of course no one expressed the belief that politics would have any effect on the trial—it was just a peculiar incident rarely seen. The jury consisted of the following gentlemen: J. W. Jessup, Jas. Slaydon, S. J. E. Simmons, J. S. Collins, J. M. Haymore, J. S. Hollingsworth, R. W. Redman, R. R. Evans, W. A. Terrell, W. C. Hiatt, W. H. Wall and W. H. Atkins.

The bill of indictment against Mr. George as read to the jury charged him with issuing certain certificates of deposit while an official of the Farmers and Merchants Bank without keeping a proper record of same, to-wit:

No. 1007, April 24, 1920, to G. S. McFarlan, trustee, for \$5,000.00.
No. 1108, April 24, 1920, to G. S. McFarlan, trustee, for \$5,000.00.
No. 1009, April 24, 1920, to G. S. McFarlan, trustee, for \$5,000.00.
No. 1503, Sept. 30, 1920, to F. W. Haynes, for \$5,000.00.
No. 2093, Jan. 31, 1921, to F. W. Haynes, for \$2,500.00.
No. 2489, Mar. 21, 1921, to F. W. Haynes, for \$2,500.00.
No. 2501, Mar. 17, 1921, to W. S. Alexander and F. W. Haynes, for \$5,000.00.
No. 2508, Mar. 17, 1921, to J. H.

Mockie, W. S. Alexander and F. W. Haynes, for \$5,000.00.

No. 2504, Mar. 17, 1921, to J. H. Mockie, W. S. Alexander and F. W. Haynes, for \$5,000.00.

No. 2005, June 7, 1920, to J. D. Bowman, for \$2,500.00.

No. 2006, June 7, 1920, to J. D. Bowman, for \$2,500.00.

No. 2002, May 11, 1920, to J. O. Cobb, for \$5,000.00.

And for issuing the following certificates of deposit and making false entries of same on the books of the bank, to-wit:

No. 1781, issued for \$2060.00, stub on certificate book showed for \$20.00. Paid as \$2060.00.

No. 501, issued for \$700.00, stub marked "void, not issued." Books showed paid as \$1,000.00.

No. 1522, issued for \$1151.28, stub read \$151.28, certificate marked paid, no bank record where it was ever paid.

The State used only three witnesses: W. S. Reich, former president of the bank and the two bank examiners.

Mr. Reich was on the witness stand only a few minutes, he being used to identify the proceedings of the meeting of the bank's directors which gave Mr. George authority to manage the bank.

All the day of Friday was used in the examination of the men who examined and closed the bank. This examination was slow, tedious and uninteresting, the defense offering objections to almost every question.

The examiners stated they found many certificates of deposit not properly recorded among them being those included in the bill of indictment.

They testified that Mr. George admitted to them of having issued about ten thousand dollars in certificates of deposit without running them through the books of the bank, and that he had kept a list of them in a little book at his home. The examiners stated that Mr. George gave them a list of the certificates so issued from this little memorandum book, but that the amount run up to about thirty-five thousand dollars. They said Mr. George had never made any explanation to them of these certificates being so issued and not recorded on the books of the bank.

Much time was spent in going through the books of the bank and explaining the way the books of a bank are kept. The rules of evidence prohibited any evidence as to the amount of money tied up in the bank, such as the funds of Surry county, etc.—Only evidence dealing with the issuance of the certificates, named in the indictment, could be used. The State was not permitted to show any loss to stockholders, directors, depositors or any other person under the rule of evidence.

At the conclusion of the evidence by the prosecution the defense declined to offer any evidence on its behalf. This was counted as an advantage over the prosecution as it gave the defense the last argument to the jury.

Speeches were made by R. C. Freeman, W. F. Carter and S. P. Graves for the State. For the defense speeches were made by J. F. Hendren, A. E. Holton and J. H. Folger. Both sides used its three hours of time allowed by law. Mr. Graves closing for the State and Mr. Folger for the defense.

The defense contended that the State had failed to make out a case against Mr. George; that there was no evidence that Mr. George had made false records with intent to defraud, arguing that the State must show the intent of the defendant to defraud; that no evidence was before the court where a single person had lost any money in the bank or in any way suffered by the way the bank was managed by the defendant.

The case was given the jury late Saturday afternoon for their consideration. After deliberating at intervals for several hours, one of the jurors, J. E. Simmons, was suddenly taken ill about nine o'clock Sunday morning. Physicians pronounced him to be suffering with an attack of chronic appendicitis and stated that it would be impossible for him to further take part in the deliberations upon which information Judge Harding discharged the jury and ordered a mistrial of the case.

Since the dismissal of the jury it is generally understood that it stood at the time of the illness of Mr. Simmons nine for conviction and three for acquittal. The case is to be tried again at the next criminal term which convenes in October. In the meantime Mr. George is under a bond of \$25,000.00 furnished by: W. M. Henric, \$7,000.00; J. A. J. Royall, \$2,000.00; J. W. Mathis, \$5,000.00; J. E. Hamby, \$2,000.00; J. M. Simmons, \$5,000.00; R. E. Brown, \$2,000.00.

Solicitor S. P. Graves prosecuted the case assisted by W. F. Carter and R. C. Freeman who appeared in behalf of the Corporation Commission. The defense was represented by J. H. Folger, A. E. Holton, J. F. Hendren, and E. C. James.

The bank is now open and doing business after being closed for several weeks following the disclosures by the bank examiners. Men interested in the bank furnished the state Corporation Commission securities guaranteeing the payment of all funds to the depositors if the bank was allowed to reopen which was done. As a part of this agreement the depositors also agreed to some kind of arrangement whereby they are not to withdraw any funds from the bank except as the bank will become able to take care of these payments from time to time. At present there is a large amount of money on deposit in the bank not available to the depositors, including about twenty thousand dollars county funds, and which amounts the men interested in the bank have guaranteed to make good as soon as possible.

Registrars and Judges Named

At a meeting of the Surry county board of elections held last week the registrars and judges for the county were named. They are to serve for the primaries on June 3, when a State senator on the Republican ticket and a solicitor on the Democrat ticket will be selected by their prospective parties.

These same officials will act in the November election.

The list follows, the first person named in each township being the registrar for that township:

Bryan township—J. R. Norman, Frank Thompson, F. S. Eldridge.

Dobson township—F. F. Riggs, G. L. Jarvis, Grover Sissell.

Eldora township—S. J. Jones, G. F. Simpson, G. T. Jones.

Elkin township—R. L. Harris, W. G. Church, R. P. Crater.

Franklin township—Fred Armfield, C. E. Bartley, G. E. Isaacs.

Long Hill township—D. B. Needham, S. M. Stone, M. H. Needham.

Marsh township—W. H. Chandler, A. F. Mounce, C. A. Sebastian.

Mt. Airy, Ward 1—J. E. Monday, C. F. Melton, J. R. Patterson.

Mt. Airy, Ward 2—E. F. McKinney, J. W. Badgett, N. M. Gwyn.

Mt. Airy, Ward 3—R. V. Deyerle, R. C. Carter, J. M. Hiatt.

Mt. Airy, Ward 4—G. A. Bowman, Lon Beamer, J. D. Minick.

Pilot township—G. W. Lawson, J. W. Redman, F. M. Dodson.

Rockford township—W. M. Wood, T. W. Snow, V. R. Does.

Shoals township—P. G. Scott, S. W. Scott, A. A. Moser.

Siloam township—J. J. Stone, J. M. Whitaker, R. W. Fulk.

Stewarts Creek township—W. S. Lovell, C. L. Beamer, W. A. York.

Westfield township—A. F. Snoddy, J. M. Chilton, W. L. Smith.

Frost in Asheville Section

Does Small Damage to Fruit

Asheville, April 24—Frost in this section this morning, and yesterday is believed to have done only slight damage on the whole to fruit crops in the bud. In more exposed places and in certain localities it is reported that considerable damage was done to grapes, peaches and apples.

Reports from the Swannanoa section and from points in the south section of the county bear information of serious damage to vineyards. The tender clusters of buds in these localities were destroyed.

The local weather bureau reports that the minimum temperature for Sunday morning was 34 and the same for Monday morning.

Radio Outfit Aids in

Prevention of Fires

Camp Bragg, April 27.—A radio station has been installed on the camp artillery range, providing a means of communication between the fire guards riding the great pine forest of the tract and the camp.

Some excellent fire prevention work has been done by the soldier crew, who have also proved efficacious in capturing illicit stills, which now and then are found hidden in the marshlands adjacent to the government boundary lines. The men live under canvas miles out in the lonesome pines, and once each week have their rations brought out by means of army trucks. During the daytime, each follows his own route, covering many miles in the round trip on horseback. Several high points of ground are used as observation stations and signal points, from which they communicate with each other.

Greensboro to Have a New Hotel, Costing \$400,000

Greensboro, April 14.—Greensboro will soon have a new, modern hotel, costing in the neighborhood of \$400,000. The contractors will commence work on the new structure immediately following the turning of the first shovel full of dirt, preparatory to laying the foundation for the city's new million dollar passenger station.

This information was learned here yesterday from one of the city's most reliable business men, the name of the directing hand being withheld by request. The new hotel will contain between 150 and 200 rooms and will be erected in close proximity to the new station, which means it will be near the present passenger station, South Elm street.

An anti-prohibitionist generally

wears a paper flower in his button-hole. This is to signify that they can both live without water.

DECK OF ISLAND QUEEN

CARRYING 200 PERSONS FALLS TO DECK BELOW

Many Young People Below Had Miraculous Escape

Point Pleasant, Ohio, April 27.—President Harding's trip up the Ohio river today to participate in the 100th birthday anniversary of General Grant narrowly escaped serious disaster when part of the third deck of the steamer Island Queen crashed to the deck below carrying with it some 200 persons. Only half a minute's warning by cracking timbers gave a school children's band and many others on the deck below time to get from under the crashing deck. Only three persons were injured, not seriously.

That the President and Mrs. Harding and others in the presidential party were not aboard the Island Queen was due to advice of government inspectors late last night. They advised against the President making the trip on the old pleasure boat because of her condition. Consequently the President and his party were assigned to the Cayuga, a government boat, which led the flotilla of seven steamers from Cincinnati bearing between 10,000 and 15,000 people.

The flotilla was passing New Richmond, Ohio, seven miles below Point Pleasant.

The Cayuga with the President aboard, leading the procession, had cleared the village. New Richmond citizens, however, did not know of the change in plans which put the President aboard the Cayuga. They began firing rockets as the Island Queen with its 3,000 passengers came abreast. Those on board crowded to the front decks to witness the spectacle ashore. Bands aboard were playing and everybody was in high spirits.

Suddenly there came the crashing and grating of timbers under the feet of the three hundred on the third deck. They felt the floor sink. They stood silent, apparently awe-struck for half a minute. Then came a deafening crash. The entire forward deck dropped. Still there was no panic.

The Manchester, Ohio, school band had been playing immediately under the deck. There were 52 boys and girls, many boys in knee trousers.

But the half minute's warning saved the boys. At the first crash, they began to scurry toward the stern. Some, however, did not make it in time and were caught. The chairs on which they had been seated, however, held the load for a second, long enough to permit them to crawl to safety before the tons of timber and human weight crushed the chairs.

The crash of the falling deck resounded from bow to stern. Many thought the steamer was sinking. Others thought the boilers had exploded. Women fainted and became hysterical. One girl attempted to jump overboard. Officers caught her.

Officers shouted orders for people to remain in their places and keep quiet. Military officers and Cincinnati police, of whom there were many on board, also cautioned against becoming panic-stricken. The 11th division band was on deck immediately above, but which did not extend all the way over the ill-fated deck. They heard the crash and saw the deck drop. True to their military training, not a bandsman stirred. They were playing a soft air and sensing the situation the director immediately struck up a lively tune. The music drowned out the cries of children and women. It no doubt had great effect in preventing panic throughout the forward decks.

The Island Queen was the fourth line of the flotilla. President Harding did not learn of the accident until the Cayuga moored at the Point Pleasant landings.

The Island Queen is a pleasure craft, plying principally between Cincinnati and a pleasure resort up the river and is an old river craft.

Endorse Dr. Joyner for Next Governor

Aberdeen, April 27.—At a meeting of the Parent-Teacher Association of this place, a voting vote was given to endorsement of Dr. J. Y. Joyner as candidate for Governor in the next election. The ladies in their talks said there was a need of more men of Dr. Joyner's caliber for public offices; men who have shown great interest in and know the schools and who put the training of future citizens ahead of any other issue.

ONE SEX CAN'T GOVERN, SAYS LADY ASTOR

Virginia Girl Who Married British Nobleman and Who Won First Woman's Seat in Parliament, Addresses Cheering Throng in New York

New York, April 19.—Nancy Langhorne Astor, the Virginia girl who married a British nobleman and who won the first seat in the house of commons ever held by a woman, came back to America today for a short visit.

The beauty for which Lady Astor was famed in her debutante days in Virginia is still a part of her charm. She spoke with the accent of the south, though it has been eight years since she has been home.

The gathering of men and women who crowded to hear her speak to-night cheered with a fervor that bespoke their admiration for Lady Astor's achievements.

Lord Astor accompanied his American wife from England, and will go with her to Baltimore, where this week she is to take a prominent part in the international conference of the league of women voters.

It was Lord Astor, said Lady Astor tonight, who started her on "this downward career from home to the house." Her husband, she explained, was a born social reformer.

One Sex Can't Govern.

One sex cannot govern alone, Lady Astor declared. She believed one of the reasons civilization had failed so lamentably was that it has had one-sided government.

"Don't let us make the mistake of ever allowing that to happen again," she said. "I can conceive of nothing worse than a man-governed world, except a woman-governed world, but I can see the combination of the two going forward and making civilization more worthy the name of civilization based on Christianity, not force; a civilization based on justice and mercy. I feel men have a greater sense of justice and we of mercy. They must borrow our mercy and we must use their justice."

In entering politics, Lady Astor said, women are up against generations and generations of prejudice. Mercifully, she declared, women have no political past, but they have "all the mistakes of sex legislation with its appalling failures to guide them."

Must Break It Gently.

"Ever since woman's consciousness looked beyond the material, she said, "men's consciousness has feared her vaguely; he has gone to her for inspiration, he has relied on her for all that is best and most ideal in his life, yet by sheer material force, he has limited her. He has, without knowing it, westerned the harem mind of the east. I don't believe he knows it yet, so we must break it to him gently. We must go on being his guide, his mother, and his better-half. But we must prove to him that we are a necessary half, not only in private but political life. The best way that we can do that is to show him our ambitions are not personal."

"Let the men see that we desire a better, safer and cleaner world for our children and their children. We realize that by only doing our bit, by facing unclean things with cleanliness by facing wrongs with right, by going fearlessly into all things that may be disagreeable that we will somehow make it a little better world."

The Real Struggle

"If we want this new world, we can only get it by striving for it," she said. "The real struggle will be within ourselves, to put out of our consciousness, of our hearts and of our thoughts all that makes for war, hate, envy, greed, pride, force and material ambition."

Ever since she first entered the mother of parliaments, she realized that she ceased to be a person and had come to a symbol.

When she entered parliament, she recalled some of the members looked upon her more as a pirate than a pilgrim. A pioneer may be a picturesque figure, she added, but often is a rather lonely one. Still she said the men in the house bore their cheek with dauntless decency and to her body of men could have been kinder and fairer.

The employer must learn that he cannot maintain himself without justice to the employee, and the employee must learn that for a good day's pay he owes an honest day's work for his employer.