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KINSTON, N. C., FRIDAY EVENING, JANUARY 26, 1923

PRICE TWO CENTS

James Miller Will Die SENATORS BELIEVE Ruhr Seethes With Opposition BASTROP WILL BE to French; Rioting at Various GOOD TOWN AND TRY Points; British May Quit Zone GET RACK NORMALCH in Electric Chair for HELPFUL IN EUROPE Murder Planter Sutton International Situation Coming to Front Again

Militia Machine Gunners, Arriving During Night, Surround Prisoner When Sentence is Passed-Jury Deliberated Brief Time—Judge Calvert Warns Spectators RV **Demonstration Will Not Be Tolerated-**March 9 Date Set for Execution—Good Order of Crowds Calls Forth Commendation From Court, But Authorities Take No Chances With Possibility of Flare-Up of Violence

"James Miller, stand up and hold up your right hand. "The jury has just returned a verdict of guilty of first deree murder against you for the killing of John Sutton, on Friday night, September 29, 1922. Is there any reason why the court should not pronounce sentence upon you?

"Judge, if I ever told the truth in my life, I told it when I said I killed that man because he jumped on my wagon and grabbed me," answered the prisoner.

In pronouncing sentence, Judge Calvert said: "The Sheriff of Lenoir County, who has the prisoner in custody, will forthwith transport and deliver you, James Miller, to the warden of the State penitentiary at Raleigh, who

will, on Friday, March 9th, cause to pass through your body a current of electricty of sufficient force and voltage to cause your death, and to continue until you are dead. The prisoner Watauga, Republicans, repudiated Owen of Sampson as spokesman for

This was the substance of Judge Calvert's words in sentencing the Republican Party a mover of ing James Miller to the death chair at Raleigh as the penalty good roads sentiment, even the author and finisher so far as it could be.

Throughout the proceeding, each link of evidence drew

different to the fate that but few men doubted would be meted out to

him when the 12 men selected to sit in judgment upon his guilt of

Many in the court-room expressed

full and complete realization of

The prisoner remained in court after the conclusion of the trial, and

vas used as a witness in the case

howed some signs

of nervousness

When Superior Court convened friday morning Judge Calvert delivered his charge to the jury, and the case was delivered to them at 9:52. In his analysis of the evidence and explanation of the law, Judge Calvert instructed the jury that they could return eiher one of four verdicts: Guilty of murder in the first degree, murder in the second degree, manslaughter, or not guilty. An-

manslaughter, or not guilty. An-present came from the jury room at 10:14 that the jury ha dagreed and was ready to present its verdict to the court. This was just after the beginning of the hearing of the case against Bert Jones, coloring the case against Bert Jones, coloring the hearing of the hearing of the hearing of the case against Bert Jones, coloring the life of a citizen, te man charged with the killing of John Sutton on the case against Bert Jones, coloring the life of the case against Bert Jones, coloring the life of the case against Bert Jones, coloring the life of the case against Bert Jones, coloring the life of t ed, charged with illicit distilling and a Friday night in last September with sheltering and harboring Jim remained absolutely unmoved and in with sheltering and harboring Jim Miller following his killing of John Sutton on the night of September 29 last. Hearing of this case was

Judge Calvert ordered the aisles cleared, and notified the spectators that the court would not tolerate any outward approval or disapproval of the jury's verdict when returned. He commended the crowds of Thursday for their orderly demeanor, and the court in the first degree. While Judge Calvert was or their orderly demeanor, and the truth in my life, I killed to: he expressed the hope that the same spirit of order would prevail at the

conclusion of the case.
Under command of Captain Michaux, a detachment of the Goldsboro machine gun company filed into the count-room and formed a cordon around the bar.

Abyssmal silence permeated every nock of the court-room when the judge announced that the court was ready to receive the verdict. The jurors filed into their box solemvisaged and pale, markedly conscious of the tremendous responsibility and solemnity of the duty they had per-formed as citizens of the Commonwealth. Each man's countenance was stern and set, and radiated no good cheer to the close and tense scrutiny of the prisoner's gaze. The jury was poled as to each man's decision in reaching the verdict, and in response to the call of Clerk Jesse T. Heath carks and in the counterpart of the call of the cal

was stern and set, and radiated no good cheer to the close and tense scrutiny of the prisoner's gaze. The fury was poled as to each man's decision in reaching the verdict, and in response to the call of Clerk Jesse T. Heath, eachm an firmly announced "Guilty of murder in the first degree."

Not a sound or move from the vast throng of spectators. A whisper could have been heard at a distance. The moment was solemn. The hour had come when a man—a creature of God with hops of his soul's salvation—should answer to the people of this Commonwealth with his life, his libety and all tathe hold dear and sacred, for unjustly taking the life of a fellow-man in violation of man's law and the divine low of God that "Thou shalt not kill."

Shortly after the court had pronounced sentence upon the prisoner Attorney John Denton, counsel for the defense, announced that an appeal would be taken to the Supreme Court in behalf of the prisoner as a reuper without bond, and that he would wile the necessary papers during the day.

Many of the spectators left the court-room immediately after sentence was pronounced. The trial had rocedure. At no time during the rial had there been any untoward event, and the general spirit results and the general spirit results and the general spirit results.

would wile the necessary papers during the day.

Many of the spectators left the court-room immediately after sentence was pronounced. The trial had "a conducted on a high and dignified plane, and members of the barwere unanimous in their commendations of Judge Calvert's methods of "ocedure. At no time during the trial had there been any untoward event, and the general spirit prevailing during the trial was one of apparent confidence that the jury of Lenoir County citizens would do their duty conscientiously and impartially as prescribed by the laws of the State. At times during the trial had there were as many as 700 or more copie in the Court-house, and except for crowding the aisles, there has never been a more orderly or orous group of people at a trial where a man's life was at stake.

dridge, practically substanciates are widened to the witness stand Walter Sutton stated that he was in the automobile with John Sutton when search was being made for the man who had stolen corn and hay from his farm. When they accosted Jim Millier, who was driving a one-horse was on with a lot of whiskey and some corn, covered with straw, the negro denied that he had stolen anything from John Sutton, who examined the contents of the wagon. Walter stated that he drove his car toward Kinston to get an office of the law, while John Sutton mounted the negro's wagon and informed him that he would be turned over to the police. When he returned with the officer he found Sutton lying in the road dead, and Jim Millier gone.

Saw Pixtol Flash.

C. T. Savage, who lives on the Pink (Continued on page six)

Everett Warns That State! Republicans Vote' for Measure-15 Millions

(Special Capital Correspondence) Raleigh, Jan. 26.—By 85 to 9 the road bill passed the lower House this afternoon with an appropriation of \$15,000,000 and increasing the gasoline tax from one to htree cents. Everett of Durham made a strong speech heartily supporting the bill but warning the State that it is degenerating into a district rather than a state system. He said the State must make up its mind to complete the work and that the cost will be near 200 millions. Conner of Wilson declared the Highway Commission had done its best and the fact that every section felt discrimination against it was but proof that all got most possible, Cowles of Wilkes and Coffey

Owen said he was not unfavorable to the bill but that he did think Samp son got mighty little, and his people expected more. Quickel of Lincoln led the fight against the bill and sought an amendment by affecting redistribution and allocation.

Burgwyn of Northampton asked an additional million for the first dis-

Shipping Bill Goes to Appropriations Committee in Senate

(Special Capital Correspondence,)
Raleigh, Jan. 25.—The Senate
fight today over Governor Morrison's steamship bill took the final
turn of going to the Appropriations Committee after Senator Giles, leading the opposition, had made a motion appointing a subcommittee to confer further with the governor gree. While Judge Calvert was bronouncing sentence Miller trembingly interjected: "Judge, if I ever is the truth in my life, I killed Mr. Sutth because I had to; he wind on my wagon and grabbed men..." At this point the judge conas to amendments. A roll call vote defeated Giles' proposal after sharp debate by 14 to 29. No vote was taken on the proposal to refer the bill to the Appropriations Commit-tee. It therefore left the upper men..." At this point the judge continued. If Miller sensed the fate that was to be his during the trial he manifested no outward evidence of his feelings until sentence was being pronounced upon him. He held himself together with reserve until sentence had been passed, when he showed some signs of nervousness. body without any test vote as to strength of the bill in the Senate. In the House adjournment was taken 15 minutes after orening to allow many members who are uni-versity trustees to attend the meeting today relative to the proposed medical school. Charlotte sent a big delegation here with an offer of \$750,000 worth of land and an of \$750,000 worth of land and an annual appropriation of \$50,000, which is equal to an endowment of one million, and one big building. Newspapermen were excluded from the hearing, and what other offers were made had not been given to the public at 2 o'clock this afternoon. The North Carolina Bar Association Executive Committee, noon. The North Carolina Bar As-sociation Executive Committee, meeting here today, chose Blowing Rock for the convention city this year and July 5 as the opening date for the association.

BURGLARS MAKE LIFE MISERABLE FOR DREYFUS. New Cork, Jan. 25.—Leo Dreyfus, Second Avenue drug store proprieor, has a continued and long-stand tor, has a continued and long-standing tournament on with the fraternity of burglar. Burglar alarm science has done its best for Mr. Dreyfus, yet 24 times in 20 years has his store been entered and cleaned of nearly everything easily turned into cash. In the last two and one-half months, the robbers have made five visits and stolen \$4,000 truth of marchanding. Man Buried Alive by

Falling Wall; Narr worth of merchandise. After each burglary, some new burglar alarm is added, but when the theieves return, they seem to have learned all about it and just how to evade it.

Missing Ships of Slav Refugee Fleet Are All Finally Accounted For

(By the United Press.)

Manila, Jan. 25.—The seven missing ships of Admiral Stark's Russian refugee fleet from Vladivostok were accounted for today in advices reaching here. Three of the seven vessels which failed to arrive Saturday when five sister ships reached Linguayan Gulf, 100 miles from here, put in at the Island of Formosa. The other four were reported delayed but safe and en route.

Wateford, Ireland, Jan. 25.— Two more Irish insurgents were executed today for carrying atms.

Coming to Front Again in Congress-War May Come Out of Present Mixup in Germany

(By the United Press.) Washington, Jan. 26.—The Senate on the eve of another wide open dis-ussion of international relations.

Definite expression of senatorial opinion that this government ought to no longer remain aloof seems cer-

tain to be forthcoming.

Many of both parties believe the is Not Being Considered So Much as Districts. not that, accentuation of the present world turmoil which will further depress American markets and curtail American industry immensely.

> Begin Investigation Into Explosion That Accompanied Big Fire

(By the United Press) Augusta, Ga., Jan. 25.—Investiga-on into a blaze which gutted the corner yesterday, with a loss of approximately \$85,000, was begun to-day. Fire department officials will seek to determine the cause of a ter-rific explosion which occurred a few

firemen were overcome by smoke and two injured by falling glass.

Fire at New Orleans.

New Orleans, Jan. 25.—Fire practically gutted the Tulane University Endowment Fund Building in the beart of the business district here. Endowment Fund Building in the heart of the husiness district here today, doing damage estimated at \$100,000. Several adjoining stores suffered losses. Shortly after the fire was discovered in the building, which was vacant, three explosions occurred, tearing the roof and blowing gaping holes in the sides of nearby structures. Two firemen and one civilian were burt in a crash of debris following the explosions.

Movie Man Lauds and Makes Promises: New Films Will Be Better

(By the United Press.) Los Angeles, Jan. 26.—The watch-ord of the movies for 1923 will be "Conscience," according to Gay
Bates Post, of "The Masquerader"
and "Omar the Tentmaker" fame.
"There is every prospect and indication of fulfillment of the hope
that the motion picture industry is

approaching its highest, greatest and pest phases of its mission for education, enlighenment and education of people all over the world," Post declared.

"The mision of the movies is to

"The mision of the movies is to live up to its great influence and large scope of activity in modern civilization. In the portrayal of human interests, passions and ideals the motion picture wields a power that is so far reaching that its vast force cannot be overestimated."

Post declared that the quality of pictures for release during 1923 will be even excelled by those being made this year. The pictures are high in artistry and construction, and ele-

artistry and construction, and ele-vated in tone and subject matter, he

Hijackers Hold Up a Train and Take Big Quantity of Alcohol Great Fire Loss in

Peoria, Ill., Jan. 25.—"Hijackers" held up a Chicago & Rock Island train near Tiskilwa, Illinois, today and rolled off a hundred barrels of alcohol worth \$12,000, consigned from Chicago to Kansas City. The train crew was held in the caboose.

Falling Wall; Narrow Escapes for Many More

(Special to The Free Press.)
Lawrence, Kas., Jan. 25.—One may
was buried alive and scores of other was buried anye and scores of others narrowly escaped the same fate when a basement wall at the International Paper Mill here collapsed today. The body of Peter Ferelli was recovered. Police and firemen are searching the debris for other possible victims.

Slayer of Family of Five Will Pay With

(By the United Press.)

Blountsville, Tenn., Jan. 26.—A verdict of guilty of murder in the first degree was returned today by a circuit court jury against Ben Burchfield. Burchfield was charged with having killed the other five members of his family with an axe on November 26. The verdict carries with it sentence in the electric chair.

(By the United Press.)

Essen, Jan. 26.—France today ordered her steel ring around the Ruhr hermetically sealed as a punishment for outbreaks of violence against French troops of the occupied zone yesterday and last night. No fuel whatever will be permitted to pass from the mines to German sources outside, according to French reports.

Simultaneously with this reported restriction French guns, tanks and machine guns struck a warlike attitude about Essen and Dusseldorff, cities whose people showed signs of physical resistance to the invasion.

From passive sabotage the Ruhr

was forced to charge a crowd at Dus-seldorff and two Germans were trampled. In Essen last night a suc-cessions of rows occurred between overheated citizens and French patrols Stones were hurled and bloodshed averted only by the restraint of the

Uproar at Coblenz.

Coblenz, Jan. 26.—Less than 24 ours after the Yanks had departed Coblenz was in an uproar. The populace, overwhelming the local police held two violent demonstration against rumored separation from Ger many and formation of a Rhineland republic. A mob wrecked the offices From passive sabotage the Ruhr of the newspaper "Rhinelander, turned Thursday to petty violence which supported the republic idea, a scarcely restrained. French cavalry French plan.

Unguarded Talk Played Women 'Cu Cluxers' Part in Calling State Militia to Court-House

Authorities today believed the call for troops to guard Jim Miller, Fri-day convicted of the murder of John Sutton, was justified, Feeling against Sutton, was justified. Feeling against the negro slayer had been strong from the night of the crame, September 29, 1922. The crowds attending the trial Thursday and Friday were orderly, and it was possible that a second degree verdict night have been accepted without a degree retail.

ed without a demonstration.

There had been considerable "talk," however. Some officials blamed the public for the troops' appearance because of the glibness of tongue corner yesterday, with a loss of approximately \$85,000, was begun to day. Fire department officials will and the force of deputy sheriffs on seek to determine the cause of a terrific explosion which occurred a few minutes after the fire was discovered. The blast shook buildings and rattled window panes for blocks. Several window panes for blocks. Several spared the prisoner's life, but the authorities were resulting to the property of the pro authorities were unwilling to take chances.
The soldiers attracted comparative

The soldiers attracted comparative-ity little attention. They numbered 20, including two officers. The de-tachment was armed with machine guns, an automatic rifle and rifles and small arms. The soldiers loung-ed in the sheriff's office, and broke up the business of collecting taxes.

Long-Haired Youths Are Barred by Joyce From Part in Sports

Lynn, Mass., Jan. 26.-Long, wavy locks, such as worn by the so-called "he-flapper" of modern days, do not appeal to Coach William Joyce of the on Classical High School. During a lecture on athletics Joyce let it be known tha unless candi-

dates fo rtrack, basketball, baseball and football teams had their hair close, they would not be con-

As a result nine youths were re-ported to have lost no time in get-ng to the nearest burber shop to have their hair cut "as Bill said it hould be."

COUE REFUSES TO BE MOVING PICTURE ACTOR.

MOVING PICTURE ACTOR.

New Fork, Jan. 25.—After carefully considering all the offers made to him by motion picture producers to film stories concerning his life, his work and his message, M. Emile Coue and his advistrs in New York yesterday announced that they had selected a simple two-reel educational story, written by Elmore Leffingwell. M. Coue rejected all canaries that were based on fiction or rethat were based on fiction or ro-mance and in which he was invited appear as an actor, and which him personally. He approved the situation, Logan said.

lustrates the outstanding points of his theory as set forth in his lecter of his personal appearance in this film is limited to an explanation of his beliefs.

Situation, Logan said.

Inspected Gas Car

Two Chicago Blazes; Explosions Mark One

Chicago, Jan. 26.—Fires in the American Linseed Oil plant and an unoccupied five-story building yesterday caused more than \$4,000,000. Sixty fire companies were called out to fight the blazes, which broke out simultaneously. The fire in the oil plant started in the roof of one of the buildings. Employees were forced to buildings. Employees were forced to flee for their lives. Terrific explos-ions rocked the district as tanks con-taining oil ignited.

Will Clean Up West if Officials Don't (By the United Press.)

Oklahoma City, Jan. 26.—The Ladies' Cu Clux Vlan' today an-nounced that new raids on boot-leggers' dens will be staged in an effort to clean up vice conditions in the Southwest

effort to clean up vice conditions in the Southwest.

The raids will be carried out in the afternoons, so members of the clan can return home "in time to put dinner on," they said.

"They are insistent that the work of purifying the country is theirs, and should be done by them if the authorities are unable to cope with the situation," F. C. Barefield, "grand miser" of the Oklahoma division, said.

Society Shuns Bright Colors; Fashions as Seen at Metropolitan

By HEDDA HOYT (United Press Fashion Editor.) New York, N. Y., Jan. 26.—The lorseshoe River of the Metropolitan

Horseshoe River of the Metropolitan Opera this season still glitters forth in tones of red and green. This year's shades, however, are mere fade-outs of the brighter reds and greens of last season.

Pinks range from flesh tones to a priots and corals, but never verge an the brilliant red of last year, and a sare of the soft bottle vert and dull jade variety, rather than of emerald and kelly green. White valled gowns are scattered here and there and there is an occasional gold gown, but these are entirely ob-

gold gown, but these are entirely ob-

gold gown, but these are entirely ob-literated by the preponderance of greens and pinks.

The evening gowns remain sleeve-less, with rounding armholes, and necklines are slightly lower than they were last season. Bodices are cut simply and are long-waisted and skirts are of the clinging type rather than bouffant.

Kansas Wheat Crop is Threatened Again by

(By the United Press.)

Kansas City, Jan. 26.—Rain or snow today meant a hundred million dollars to farmers of Western Kansas. Allen Logan, grain expert, declared that for a second successive year drought was threatening failure of nearly three million acres in the district, which normally is one of the most productive in the country. Only rain or snow in the next few weeks will save the situation, Logan said.

With Torch; Blast Kills Missouri Man

(By the United Press.) Kansas City, Jan. 26.—J. Holbrook was killed when a car of gasoline ex-

Heavy Fire Damage.
Fayettoville, Jan. 26.—Forest fires in Harnett County have ravaged 15 square miles and caused \$60,000 dam-

AMERICAN FILMS CROWDING OUT THOSE OF BRITISH MANUFACTURE

on the showing of the past year has been condemned, prominent movie proprietors here admit.

The trouble with the British film,

Life Electric Chair

The trouble with the British film, they said, was: First of all, its lack of proper scenario direction; second, the type of play chosen—generally a sloppy, sentimental early Victorian drama; third, dearth of good British make.

"The reason for this slowness," a drama; third, dearth of good British returned today by a circury against Ben Burch-hiled was charged with the other five members with it interest in a film, however dull.

It you ell the average Englishman that British films are "punk," he will argue with you. Just teh same, it is 10 to one that he will go to the speaking and funny if the dialogue is good, a long drawn out tea scene on the movie, with stage electric chair.

the movie which provides American (Written for the United Press.) films, for the simple reason that London, Jan. 26.—The British film they are far the best. English films never show "pep." They are too slow. There is not sufficient action and everybody moves about 100 per cent, more slug-gishly than they do in the films of American and first class continental

Sheriff Will Jail First Citizen Starting Anything. Klans Heads at Chicago to Fight Order Ousting **Ku Klux Job-Holders**

(By the United Press.)

Bastrop, Jan. 26.—The "hush after the battle" held Bastrop today after weeks of probing into the masked outrages by the open court hearing, in which the high pitch of passions in this section was revealed by startling testimony from the witness stand.

Where swarms of court spectators and newspapermen crowded a few days ago, only scattered groups of men stood around the square this morning, discussing in hushed tones the State's charge that the Ku Klux Klan was responsible for the outrages which culminated in the deaths of Richards and Daniel. "Let's get back to normal," keynote sounded by Judge Fred. M. Odom, was accepted at its face value.

Fred. M. Odom, was accepted at its face value.

Sheriff Fred Carpenter's announcement that the "first man who starts anything will see the inside of the parish jail" was heeded on all sides. Glux Heads at Chicago.

Chicago, Jan. 26.—High officials of the Ku Klux Klan are in Chicago to fight the order by the council that all city employes who are members of the Invisible Empire must be discharged. A council committee investigating the klan today asked the imperial officers to appear and present their case, but whether or not they would accept the invitation could not be learned. Evans, imperial wizard, headed the delegation.

One eYe and a Job: Damages But oN Job; Jap Withdrew Claim

(By the United Press.)

Pokio, Jan. 26.—Tomekichi Kimura had one eye and a good job. He worked for a contractor in Osaka. One day he had a ight with his boss, who hit him in the good eye and put it out. Tomekichi had neither eyes nor job but excellent ground for lawsuit, so he filed an action for heavy damages. damages.
Before the suit came to trial the

Before the suit came to trial the sight returned to the eye that had first been blind. Tomekichi was told by expers that the wallop in the second eye, although destroying its sight, had caused sight to return to the first opic.

Tomekichi looked around, and 'lowed that everything considered he was in just as good shape as he had ever been.

"I want to withdraw my suit," he told the court.

The judge told him he could cer-

tainly recover large damages and have his employer sent to prison, as he offense was without mitigating

Drought; Rain Needed

(By the United Press.) sas City, Jan. 26.—Rain or oday meant a hundred millars to farmers of Western

Rat Virusses Costly and Unreliable for Most Part, Learned

(By the United Press)
Washington, Jan. 26.—Special investigations regarding the effectiveness of the various rat virsuses on the market were recently made by the Biological Survey of the United States Department of Agriculture, in cooperation with the experiment station of the North Dakota Agricultural College and the Bureau of Animal Industry of the department. All the results obtained in connection with these investigations and a tion with these investigations and a arge percentage of reports from arge percentage of reports from isers of these products throughout the country indicate that such viruses are generally unreliable, and at their best the cost is out of all proportion to the destruction of rats that may be accomplished by their use. A survey made during the year of contitions of rati nfestation in 27 states and the Mississiani River show. intions of rati infestation in 27 stateseast of the Mississippi River showed that rats and their depredations
were a problem common to all. The
blem is equally serious in westrn states. Many local campaigns
have been waged against rats
throughout the country, and the bureau has responded to innumberable
requests for information, for practiolans of organization and for effective methods of combating these
animals in concerted community efforts.

Prohibition Bureau Says Legation Gets. Unreasonable Supply

(By the United Press
Washington, Jan. 25.—The
bition Bureau has professed
Tressury Department agains
importations of liquor by one
it was learned at the Tress
partment today. The bureat
to have pointed out the magthe legation's liquor orders
amall size of its staff.