

James Miller Will Die in Electric Chair for Murder Planter Sutton

Militia Machine Gunners, Arriving During Night, Surround Prisoner When Sentence is Passed—Jury Deliberated Brief Time—Judge Calvert Warns Spectators 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 first degree 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 electricity of sufficient force and voltage to cause your death, and to continue until you are dead. The prisoner is in your custody, Mr. Sheriff."

This was the substance of Judge Calvert's words in sentencing James Miller to the death chair at Raleigh as the penalty for the murder of John Sutton, well-known farmer of Lenoir County.

When Superior Court convened Friday morning Judge Calvert delivered his charge to the jury, and the case was delivered to them at 9:32. In his analysis of the evidence and explanation of the law, Judge Calvert instructed the jury that they could return either one of four verdicts: Guilty of murder in the first degree, murder in the second degree, manslaughter, or not guilty. An agreement came from the jury room at 10:14 that the jury had agreed 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, colored, charged with illicit distilling and with sheltering and harboring Jim Miller following his killing of John Sutton on the night of September 29 last. Hearing of this case was temporarily suspended.

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 commented the crowds of Thursday for their orderly demeanor, and 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 court-room and formed a cordon around the bar.

Stolid, cold-unimpassioned and indifferent to any memory of the tragic event of bloodshed and murder revived during the trial and which led to his capture and confinement, Jim Miller sat through the trial Thursday reserved and sullen, exhibiting no signs of emotion or remorse for taking the life of a man who had many times been his friend. Throughout the proceeding, which each link of evidence drew him nearer to the day when he must forfeit his life or his liberty to the State as a penalty for taking the life of a citizen, to man charged with the killing of John Sutton on a Friday night in last September, exhibiting no signs of emotion or remorse for taking the life of a man who had many times been his friend. Throughout the proceeding, which each link of evidence drew him nearer to the day when he must forfeit his life or his liberty to the State as a penalty for taking the life of a citizen, to man charged with the killing of John Sutton on a Friday night in last September, exhibiting no signs of emotion or remorse for taking the life of a man who had many times been his friend.

BIG ROAD BILL IS PUT THROUGH HOUSE BY BIG MAJORITY

Everett Warns That State is Not Being Considered So Much as Districts. 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 three 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. Corner 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 the most possible.

Cowles of Wilkes and Coffey of Watauga, Republicans, repudiated Owen of Sampson as spokesman for the minority sentiment, each declaring the Republican Party a mover of good roads sentiment, even the author and finisher so far as it could be. Owen said he was not unfavorable to the bill but that he did think Sampson 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 district.

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 as 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 Committee. It therefore left the upper body without any test vote as to strength of the bill in the Senate. In the House adjournment was taken 15 minutes after opening to allow many members who are university 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 annual appropriation of \$50,000, which is equal to an endowment of one million, and one big building. Newspapers 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, 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 proprietor, 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 29 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 worth of merchandise. After each burglary, some new burglar alarm is added, but when the thieves 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 Lingayen Gulf, 100 miles from here, put in at the Island of Formosa. The other four were reported delayed but safe and en route.

Waterford, Ireland, Jan. 25.—Two more Irish insurgents were executed today for carrying arms.

SENATORS BELIEVE AMERICA SHOULD BE HELPFUL IN EUROPE

International Situation Coming to Front Again in Congress—War May Come Out of Present Mixup in Germany

(By the United Press.) Washington, Jan. 25.—The Senate on the eve of another wide open discussion of international relations. Definite expression of senatorial opinion that this government ought to no longer remain aloof seems certain to be forthcoming.

Many of both parties believe the Franco-German situation should not be permitted to develop to its "logical conclusion." That conclusion, many senators fear, will be war, or if 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.—Investigation into a blaze which gutted the new Harrison Building on a downtown corner yesterday, with a loss of approximately \$85,000, was begun today. Fire department officials will 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 firemen were overcome by smoke and two injured by falling glass.

New Orleans, Jan. 25.—Fire practically gutted the Tulane University Endowment Fund Building in the heart of the business 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 structures. Two firemen and one civilian were hurt 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 watchword of the movies for 1923 will be "consistency," according to Guy 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 best phases of its mission for education, enlightenment and education of people all over the world," Post declared.

Hijackers Hold Up a Train and Take Big Quantity of Alcohol

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.

Man Buried Alive by Falling Wall; Narrow Escapes for Many More

(Special to The Free Press.) Lawrence, Kan., Jan. 25.—One man was buried alive 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 Ferrelli was recovered. Police and firemen are searching the debris for other possible victims.

Slayer of Family of Five Will Pay With Life Electric Chair

(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.

Ruhr Seethes With Opposition to French; Rioting at Various Points; British May Quit Zone

(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 Dusseldorf, cities whose people showed signs of physical resistance to the invasion.

Unguarded Talk Played Part in Calling State Militia to Court-House

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

There had been considerable "talk," however. Some officials blamed the public for the troops' appearance because of the gibberish of tongue of many individuals. The jailer was ill and the force of deputy sheriffs on hand was insufficient to cope with any determined effort to do violence. It was entirely possible that "nothing would have happened" had the jury spared the prisoner's life, but the authorities were unwilling to take chances.

The soldiers attracted comparatively little attention. They numbered 20, including two officers. The detachment was armed with machine guns, an automatic rifle and rifles and small arms. The soldiers lounged 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 "hipsters" of modern days, do not appeal to Coach William Joyce of the "Classical" High School. During a lecture on athletics Joyce let it be known that unless candidates for track, basketball, baseball and football teams had their hair close, they would not be considered.

COUE REFUSES TO BE MOVING PICTURE ACTOR.

New York, Jan. 26.—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 advisers in New York yesterday announced that they had selected a simple two-reef educational story, written by Elmore Leffingwell. Coue rejected all scenarios that were based on fiction or romance and in which he was invited to appear as an actor, and which offered large financial benefits to him personally. He approved the educational script, which merely illustrates the outstanding points of his theory as set forth in his lectures and his personal appearance in this film is limited to an explanation of his beliefs.

Great Fire Loss in Two Chicago Blazes; Explosions Mark One

Chicago, Jan. 26.—Fires in the American Linsed 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 flee for their lives. Terrific explosions rocked the district as tanks containing oil ignited.

AMERICAN FILMS CROWDING OUT THOSE OF BRITISH MANUFACTURE

(By DAVID BLUMENFELD (Written for the United Press.) London, Jan. 26.—The British film on the showing of the past year has been condemned, prominent movie proprietors here admit.

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 film actors; fourth, poorly written sub-titles; and lastly, bad atmospheric conditions, coupled with lack of knowledge of how to hold the interest in a film, however dull.

BASTROP WILL BE GOOD TOWN AND TRY GET BACK NORMALCY

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

(By the United Press.) Bastrop, Jan. 26.—The "rush 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.

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 Withdraws Claim

(By the United Press.) Tokio, Jan. 26.—Tomekichi Kimura had one eye and a good job. He worked for a contractor in Osaka. One day he had a fight 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.

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

Rat Viruses Costly and Unreliable for Most Part, Learned

(By the United Press.) Washington, Jan. 26.—Special investigations regarding the effectiveness of the various rat viruses 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 large percentage of reports from users 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.

Inspected Gas Car With Torch; Blast Kills Missouri Man

(By the United Press.) Kansas City, Jan. 26.—J. H. H. Brooks was killed when a car of gasoline exploded. The explosion ignited five other freight cars, which were destroyed. The damage was estimated at \$10,000. Brooks was inspecting the car of gasoline with a lighted torch when the vapor ignited and the blast followed.

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

Prohibition Bureau Says Legation Gets Unreasonable Supply (By the United Press.) Washington, Jan. 25.—The Prohibition Bureau has protested to the Treasury Department against alleged importations of liquor by one legation. It was learned at the Treasury Department today that the bureau is said to have pointed out the magnitude of the legation's liquor orders and the small size of its staff.