

# New Bern Weekly Journal

No 89

NEW BERN, CRAVEN COUNTY, N. C., FRIDAY FEBRUARY 9, 1912--SECOND SECTION

34th. YEAR

## SENSATIONAL MURDER TRIAL NOW IN PROGRESS

### Baker Bryan on Trial For His Life Charged With The Murder of Young William Avery in This City on Last Christmas Night. Entire Day Spent in Selecting Ten Jurymen. Special Verdict Exhausted And Another Drawn. Trial Delayed Until Saturday.

Court Room Crowded With Spectators. Counsel on Both Sides Promise Some Sensational Evidence. Case Creating Much Interest.

At the opening of yesterday's session of Superior Court the case of the State vs Baker Bryan was taken up. In this case the defendant is charged with the murder of young Wm. Avery in this city on last Christmas night. The particulars of this murder are familiar to every reader of the Journal and it is needless to report the story only as it is given by the witnesses.

A special venire of two hundred men had been summoned from which to select a jury for the case. This work was taken up at once.

Bryan was brought from the jail where he has been incarcerated since the night of the murder and seated by his attorneys. He was dressed in a brown suit, the same he wore on the eventful night, and outwardly appeared little the worse for his stay in the jail. However, it could easily be seen that his nerves were at their highest tension. As each jurymen was called Bryan scrutinized him carefully and assisted his lawyers in their decision.

Jurymen after jurymen was called but either the State or the defense found some cause of objection and at 6 o'clock yesterday afternoon the entire special venire had been exhausted and only ten of the twelve jurymen had been selected. A number of the regular jurymen were then drawn down but none of these gentlemen proved acceptable to either the State or the defendant. After a consultation with the solicitor, Judge Foushee ordered another special venire of 75 men to be drawn and that they be notified to be on hand Saturday morning at 9:30 o'clock. From this venire the two remaining jurymen will be drawn. The following are the ten men now on the jury: Messrs. Claude Taylor, J. F. Rhodes, Woodward Ipeck, T. E. Haywood, E. A. Hill, J. H. Harris, R. W. Cook, G. J. Ipeck and J. R. Wiley.

All during the day the court room was crowded to its utmost capacity. Look before the hour set for the opening of the day's session the seats in the large auditorium began to fill and when the Judge arrived there was not a vacant seat remaining in the room. The case has attracted much attention all over this section and there were a large number of visitors to the city in attendance. The selection of the jury consumed the entire day, as has before been stated, but the audience seemed to be content with hearing the proceedings and many remained until the day's session closed.

At 6 o'clock last night a special session was held and the special venire drawn. Just after the afternoon session had been convened solicitor Abernathy announced that all other cases remaining on the docket would be continued until the next term of court and that the witnesses could go until that time. On this account it is not probable that there be a session held today.

The Grand Jury will doubtless complete their work today and be discharged.

### FARM FOR SALE

I offer for sale my 109 acre farm one half mile from city limits, 1,335 feet fronting on Pembroke road. For particulars apply or write to John A. Boon, 164 Broad street, New Bern, N. C.

### Craven County There Again.

Raleigh, Feb. 6.—Forty-one young men, some of them destined to hold high position in the life of the state and nation, faced 66 questions and Associate Justice Part D. Walker in the Supreme courtroom today, when they appeared before the court to take the examination prescribed for the practice of law. The young men hailed from every section of the state and some of them were natives of other states. Tomorrow at 10 o'clock a portrait of Associate Justice James H. Shepard will be presented to the court; the presentation speech will be by former Governor Aycock and the acceptance by Chief Justice Walter Clark. Mr. E. Whitehurst and Mr. Geo. F. Willis, of Craven County are among the applicants.

## BOX OF MATCHES IGNITES DRESS

### Little Miss Helen Eaton Seriously If Not Fatally Burned Yesterday Afternoon.

While playing with a box of matches at her home on Johnson street late yesterday afternoon, the dress of little Miss Helen Eaton, the six year old daughter of Dr. and Mrs. G. A. Eaton, became ignited and the little girl was seriously, if not fatally burned before the blaze could be extinguished. The little girl had in some way managed to secure possession of the matches and with several playmates was out in the yard striking them, as children will do, just for the purpose of seeing them blaze. Finally one of them fell too close to her dress and within a few seconds was enveloped in flames. One of her playmates had presence of mind enough to throw a rug around the little girl and this doubtless saved her life.

Medical attention was secured at once for the little sufferer and she was given all assistance possible. A telephone message from the home last night stated that she was resting as well as could be expected under the circumstances. The entire community sympathize with Dr. and Mrs. Eaton in the accident which befell their little daughter.

### TO CURE A COLD IN ONE DAY

Take LAXATIVE BROMO Quinine Tablets. Druggists refund money if it fails to cure. E. W. GROVE'S signature is on each box. 25c.

### Wood's Annual Catalogue and Farmer's Guide.

We are in receipt of T. W. Wood & Son's annual catalogue of high grade seeds and goods for farmers and gardeners. The seed house of T. W. Wood & Son is well known in this section and each year they receive thousands of orders from this section. The farmers know that the seeds purchased from Wood & Sons are all that is claimed for them and whenever seeds are needed they know where to send their orders. The catalogue is profusely illustrated and contains much useful information and is well worth a place in any home.

The iceboat Annapolis relieved conditions at Tighmanns Island, where nine boats broke their moorings last Saturday night.

## INTERESTING CASE TRIED YESTERDAY

### Walter Grant, Colored, Placed on Trial For Shooting at Mr. R. A. Richardson, of Dover.

At the opening of the session of Superior Court yesterday was consumed in the hearing of the case of the State vs Walter Grant, colored, charged with an assault with a deadly weapon upon Mr. R. A. Richardson, of Dover, at that place several weeks ago. Late yesterday afternoon the case was given to the jury and after being out for a short while they returned a verdict of not guilty. However, Grant was not released. He still faces a charge of incriminating and will doubtless be placed on trial again this morning.

William Jones pleaded guilty to a charge of stealing Mr. R. R. Eagle's bicycle a few weeks ago and was sent to the county roads for six months.

Walter Jones, colored, pleaded guilty to a charge of stealing Mr. C. A. Ryman's bicycle, but sentence has not yet been passed on him.

James Brown, colored, pleaded guilty to a charge of breaking into Mr. S. Lipman's store several weeks ago. He was sentenced to serve 12 months on the county roads.

The Deputy Sheriffs were kept busy all during the day summoning the special venire of two hundred men from which the jury for the Baker Bryan murder trial will be drawn. This case will be called at the opening of tomorrow's session of Court.

### WILLIAMS' KIDNEY PILLS

Have you neglected your kidneys? Have you overlooked your nervous system and caused trouble with your kidneys and bladder? Have you pains in your back, sides, groin and bladder? Have you a rabby appearance of the face, especially under the eyes? Do you get a desire to pass urine? If so, Williams' Kidney Pills will cure you. Druggists, Price 50c. Williams' Mfg. Co., Orange, Va.

## WARNER DECLARES FOR UNDERWOOD

### Wants Southerner Nominated For The Presidency. Replies to News-Observers.

Lexington, Feb. 7.—Colonel H. B. Varner yesterday afternoon gave out a letter written to the News-Observers replying to an article in that paper this morning. The letter is in this language and explains itself:

"I see in your paper today that your Washington correspondent says that I am for Mr. Underwood for the Democratic nomination for President, for the purpose of helping Governor Harmon. There is absolutely no foundation for this statement. I never in my life supported one candidate in the interest of some other candidate. It is true, that before I had given careful consideration to this question, and before I knew that a southern man had a real chance to secure the nomination, I was inclined to support Governor Harmon, but recently I became convinced that not only did Mr. Underwood have a good chance to secure the nomination, but that at his nomination would give the party its best chance to elect a president and that his election would give to the country its best possible executive. In this condition I determined to support him.

"Why is it necessary to the candidacy of the man whom your Washington correspondent is supporting that the motives of those who support other candidates should be impugned? Why is it that every man who changes from some other candidate to Wilson is a pure and lofty patriot, while every man who changes from an inclination for a northern candidate to an earnest support of an able, upright Southerner is somewhat of a rascal, or at least a hypocrite and trickster?"

Mr. Underwood is unquestionably the best qualified man for the presidency that has been proposed, because he has had 18 years experience in Congress. It is generally conceded that he knows more about the tariff than any man in Congress and he has led the Democratic majority as no other man has been able to lead it since the war. He is a consistent tariff reformer, standing for a tariff for revenue only. If the Democrats win the presidency, the tariff must be the paramount issue. If Mr. Underwood is nominated he will be elected, because he will command the support of all factions. He is progressive, yet he is conservative, and is not aligned with any faction of the party, therefore he could sweep the country as no other candidate could possibly do. For 50 years the doors of the White House has been closed to the men of the south. I have long felt that this was largely the fault of the Democrats of the south themselves. During these 50 years whenever a southern man has been spoken of for this high office, we have taken counsel with our fears and unanimously voted that our man would be unavailable. Of course the other sections of the country have been willing to accept our own estimate of ourselves. This condition will go on just as long as we make no effort to change it. The Democrats of the north and west will take our presidential nominations to men of their sections forever if we of the south do not demand the nomination of a southerner. For one, and I believe there are many thousands more, I favor the nomination of Oscar W. Underwood, of Alabama, not only because he is a southern man, but because of his eminent fitness for the office and the certainty of his election should he be nominated. Democrats of the south, now is the time to realize your long hope of an equal participation in the government of the country by the election of one of your own statesmen to the presidency. Let's give Underwood a solid southern vote; the divisions and jealousies between the northern candidates will furnish the other votes necessary to his nomination."

### New Pastor Arrives.

Goldboro, Feb. 6.—Rev. N. E. Starlings, who recently received a call from Bayboro to fill the pulpit of the Second Baptist Church in this city, has arrived and is being cordially greeted in Goldboro.

### Samuel Gompers made an unequivocal denial of any intent to disobey the injunction of the District of Columbia Superior Court.

### Death of Mr. Chas. Aydlotte.

Mr. Chas. A. Aydlotte, who for many years has held the position as foreman at the carpenter shops of the Norfolk-Southern Railway Company, succumbed to an attack of aneurism of the arteries at his home in this city yesterday morning. Mr. Aydlotte had been sick for some time and his death was not unexpected. The remains were taken to Newton, N. C., last evening accompanied by his wife and daughter and will be interred there today.

## THE KING AND QUEEN RETURN

### From India. Gladly Welcomed by Thousands. King Salutes American Flag.

London, Feb. 7.—In one of the worst snow storms London has known in many years King George and Queen Mary were welcomed back from their eventful visit to India to be crowned Emperor and Empress and receive the homage of their Oriental princely vassals. They have been absent three months. Despite the cold, thousands gathered along the streets and heartily cheered the King and Queen. The cold was so intense people had to stamp their feet and run up and down on the pavement to keep warm. A few Jays ago spring flowers were growing in the open. George and Mary were all smiles and were obviously very glad to be home again. No one disguises now that their visit to India was involved in great risks. The family group of the King, the Queen and the Prince of Wales, who met his parents at Portsmouth exchanged affectionate glances among themselves, and, at the same time beaming on the cheering populace, made a picture that aroused the warmest enthusiasm. The short drive to the palace was attended by two impressive incidents. Each of them has greatly stirred the people here. As the royal carriage drove by the American Embassy King George stood up and, turning impressively toward it, saluted the Stars and Stripes flying over the Embassy entrance. The crowds that witnessed this act of courtesy quickly recognized its meaning and cheered vociferously. At the gates of Buckingham Palace the enthusiasm of the people broke loose from the customary British stolidity. As their Majesties passed through the throng spontaneously burst forth into the strains of "Hornet, Sweet Home." The effect was thrilling, and many shed tears. The Queen was so deeply touched that she was forced to raise her handkerchief to her eyes. After the royalties had entered the palace the crowds remained outside singing "God Save the King!" "For He's a Jolly Good Fellow!" and "Auld Lang Syne." Their Majesties responded by appearing on the balcony over the entrance, and they were then greeted with round after round of applause. The King looked thin after his anxious tour but he was bronzed and appeared unusually active and lively. Queen Mary seemed remarkably well and had more than her wonted color. Premier Asquith and other members of the Cabinet, the Diplomatic Corps, the Lord Mayor, of London, the Mayors of the principal provincial cities and many officers of the army and navy were at Victoria station to meet their Majesties and formed a brilliant group in their uniforms and regalia.

### For Sale

The city of New Bern has one horse for sale also the real horse located on West street, apply to A. J. Gaskins, 54 New street for further information.

### Mr. George Green Denys Statement.

In yesterday's issue of the Journal there appeared a local item which stated that there were more cases of violations of the Internal Revenue law by retailing and distilling without a government license on the docket of the next term Federal Court than before in several years. Mr. George Green, Clerk of the Federal Court, says that this was a misleading and incorrect statement. He states the following in regard to the matter:

"The 'New Bern Division' of the Eastern District of North Carolina embraces the following Counties, and portions of Counties, to wit: Craven, Pamlico, Carteret, Jones, Onslow, Lenoir, Greene, that portion of Wayne East of the Atlantic Coast Line Railroad, and that portion of Beaufort and Pitt Counties, except Greenville, on the South side of Pamlico and Tar Rivers, with Commissioners at New Bern, Kinston, Goldsboro, Greenville and Jacksonville.

The Court is held at New Bern in April and October of each year. Since the term of the Court held in October last there have been only nine new cases docketed from this entire territory: 7 from Craven, 1 from Onslow, and 1 from Carteret.

Of these cases, 7 were for retailing spirituous liquors without payment of the special tax, 1 for assisting in the operation of an illicit distillery, and 1 for violation of the Postal Laws.

General Orono is believed to be planning the secession of the state of Chihuahua from the Mexican republic.

### Jury Returns Verdict of Guilty in Case Against Gary Hawk.

After being out for more than twenty hours the jury in the case of the State vs Gary Hawk in which the defendant was charged with retailing whiskey yesterday afternoon returned a verdict of guilty and recommended mercy. Judge Foushee has not yet passed sentence on the defendant but will probably do so today or tomorrow.

## THE ELECTRIC STREET RAILWAY

### Construction Begins in Two Weeks. Cars Running By May 1st.

Mr. Norman T. Boggs, First Vice-President of the Reorganization Company of New York, arrived in this city yesterday to determine the final details of the building of the Neuse-Trent Traction Company street railway. At the last annual election of this company Mr. Boggs was elected President.

The Company expects to begin active work in two weeks and have cars running before May 1st, on regular schedule on at least part of the line.

The line will be so located as to cooperate with the new Fair Association which is now practically assured and other important plans for the development of the city are being considered. The Edison-Busch electric cars will be used and the service will be first class in every respect.

Mr. Boggs will be here for a day or two. Mr. I. M. Aldrich who has been in the city more than a month and made many acquaintances, is here to look after this end of the enterprise. The engineer and constructor is Mr. M. P. McGrath of Worcester, Mass., who has built more than 30 trolley and steam lines in this country.

Among the Directors of the Reorganization Company, of New York, are: David W. Armstrong, Jr., President of the Empire State Surety Company, the Augusta, Aiken & Electric Corporation, and Director of the National Surety Company and the New England Surety Company.

John E. Zimmerman, of Philadelphia, of the firm of Day & Zimmerman, Vice-President of the Hydro Electric Company, and Secretary and Treasurer of the Penn. Central Light and Power Co. Arthur L. Lion, Jr., Auditor of the West Shore Railroad, and General Agent of the Otway Light & Traction Company, and Schenectady Railway Company.

## Taft Strong in South

### Is Indicated By Reports To President. Federal Officers Busy.

Washington, Feb. 8.—President Taft saw P. D. Barker, P. M. Long and T. H. Aldrich of Alabama. Mr. Barker is chairman of the Republican State Committee, Mr. Long is National Committeeman from Alabama and Mr. Aldrich is postmaster at Montgomery. Mr. Taft was urged by his visitors that Alabama would send a solid delegation to the convention for Taft. Mr. Barker disclosed the workings of the Administration in the Southern States in seeking delegates. Every Federal officer in the South has been instructed to work for Taft. What promises have been made to these officeholders has not been learned, but from reports reaching the White House the officeholders have responded.

Secretary Hille received a message from Henry S. Chubb, National Committeeman from Florida, that the Republican State convention had instructed for Taft. He said all the delegates-at-large had been selected, and they were Taft men. Mr. Chubb said there could be no semblance of a contest from Florida.

From L. B. Mosely, National Committeeman from Mississippi, the President heard that March 28 will be the date for the State convention. Mr. Mosely said that at a meeting of the State Committee the President and his Administration were endorsed.

From Henry S. Jackson, National Committeeman from Georgia, this telegram was received by Secretary Hille: "Returns coming in rapidly from all counties in Georgia holding conventions today. Every county reported thus far advise delegates selected to State and district conventions instructed and pledged for the renomination of Mr. Taft."

The President started the day by having Dan Campbell, Postmaster at Chicago and a prominent Republican of Cook county, as a breakfast guest. Mr. Campbell related to the President the battle of Salsburgh in Cook county, when the Taft forces, defeated the Roosevelt boomers by an overwhelming majority. Mr. Campbell related to the President, also, a history of conditions politically in Illinois and made suggestions as to what course to pursue in order to capture all the delegates from that state to the National Convention. When he left the White House Mr. Campbell said Illinois would be for Taft.

### Is President Taft's Ultimatum To Mexican Government or This Country Will.

Washington, Feb. 6.—Unless the fifty Americans now held prisoners by the revolutionaries at Villa Ahumada, Mexico (a town between Columbia and Juarez), are released at once, this Government will take such steps as may be necessary to force their release. That is, in substance, the demand which has been made upon President Madero by this Government, which also demanded that all Americans in Mexico be given every protection necessary to assure their safety. The decision to present an ultimatum to the Mexican Government was reached at President Taft's conference with State and War Department officials. A reply to the note is expected in a few days. In the mean time the War Department will order Gen. Duncan, commanding the Department of Texas, to continue assembling troops along the border. Col. Steever, commanding at El Paso, Texas has been ordered to enforce the neutrality laws and prevent any firing from the Mexican side which may imperil lives on the American side of the river.

### Gen. Orono was expected at Juarez yesterday to suppress the mutiny, but instead of going to Juarez and compelling the insurgent soldiers to lay down their arms he opened negotiations with them. This action the War Department regards as a sign of President Madero's weakness. George F. Robinson, the American manager of a Mexican mining company, who was reported captured several days ago by Mexican insurgents near Cuernavaca, in the far north of Mexico, is safe, according to uncorroborated reports which Ambassador Wilson at Mexico City communicated to the State Department. No word has been received at the State or War Department regarding the reported relief of the revolutionary junta. At the State Department it was said this Gov-

## BODIES IN NIAGARA'S DEPTHS

### Believe Remains Can Never Be Recovered. Refused To Leave His Wife.

Buffalo, N. Y., Feb. 7.—Watchers along the lower rapids and at points of vantage on the shores of the Niagara whirlpool fail to see any trace of the bodies of Burrell Heacock of Cleveland, and Mr. and Mrs. Eldridge Staunton, of Toronto, the three persons who were swept into the whirlpool and drowned Sunday, through the breaking of the ice bridge over the Niagara river below the falls. Old rivermen say that the bodies never will be found. The whirlpool is a mass of floating, grinding ice cakes and the bodies in all probability will be ground to pieces in the milling of the ice cakes.

The bridge was considered perfectly safe. For weeks the great fields of ice had been coming down the river, piling up against the barrier, until it was from 60 to 80 feet thick and under the influence of zero weather had become firmly anchored to the shore. The jam was about 1,000 feet in length and in some places a quarter of a mile in breadth. For two weeks it had offered safe passage to the hardy and Sunday an immense crowd of excursionists came to view the winter wonder of the river. Had the accident happened an hour later in the day hundreds would have lost their lives, for the crowd was moving into Prospect park in the elevators that run down the cliff for the purpose of venturing out upon the ice. Somewhere deep in the great whirlpool sleeps the man partially identified as Mr. Staunton, who twice put aside chances of rescue in order to remain with his terror-stricken wife, and who, in the shadow of death—just at the break in the rapids—spurned assistance for himself and attempted to bind about the woman's body a rope dangling from the lower steel arch bridge. The lad, Burrell Heacock, was cast in the same mould. Had he not turned back on the ice to give assistance to the man, he too, might have made the shore. On the bridge at the time it was seen from the shore besides these three were Monroe Gilbert, of this city; Ignatius Roth, of Cleveland, Heacock's companion; William Hill, an old riverman; William Labion, riverman, and an unidentified Italian. Hill, nearest to the American shore, heard the grinding and cracking of the ice, and ran at top speed toward the Canadian shore, calling to the others to follow him. Labion gave them warning that safety lay in that direction. Gilbert and the Italian followed their lead, but the others became confused. By the time they had regained their composure, the bridge was moving fast down the river.

You are what you are only when no one is looking.

### "SET THOSE AMERICANS FREE"

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### ARAPAHOE NEWS.

February 5.—Cold weather still continues and everybody is feeling good. Had just a little snow yesterday morning.

A goodly number of people from this place went to Bayboro Saturday to attend the Farmers' Institute held there. They reported a nice time but rather cold.

Mr. T. J. Boyd made a flying trip to Beaufort Saturday.

Mr. Clifford Nunn, of this place, left one day last week for New Bern to enter the Southern Shoethead and Business University there.

Mr. Harry Rawls made a business trip to New Bern last Thursday.

Miss Lucy Linton spent Saturday and Sunday with Miss Keel at Grantsboro.

Miss Nancy Ireland, of Alliance, went home Friday evening returning Sunday.

We have a right full school here now. One of our lady teachers has 75 on her roll and 60 in attendance.

Rev. J. J. Walker filled his regular monthly appointment at the Christian church here last Sunday and Sunday night.

### REPORTER

Students would have no dealings, not even "talk state," with those who were in Washington. At the War Department it was said that arrangements would be given the revolutionaries to the affairs of the army.

## YESTERDAY WAS "TIGER" DAY

### A Large Number of Whiskey Sellers Faced Judge Foushee. Baker Bryan Will Be Placed on Trial Today.

Practically the entire session of Superior Court yesterday was taken up with the disposal of retailing cases. A few of the offenders managed to prove that they were not guilty but a large number were found guilty and were sentenced to the county roads.

The first case called was that of the State vs. The Mutual Aid Banking Company and John H. Fisher. There were two bills in this case and they charged the defendants with retailing whiskey by selling bills of lading. The first case was sent over to the Supreme Court while the second one resulted in a mistrial and was continued until the next term of court.

Messrs. Moore & Dunn, attorneys for Walter Grant, who is charged with incriminating, then asked the Judge to take up the case against their client. Solicitor Abernathy, however, was not quite ready in this case and asked that the defendant be required to give a bond for his appearance at the next term of court. There was considerable discussion on this matter; the defendant's attorneys contending that he was not able to give a large bond and would be compelled to remain in jail until June. The bond was finally fixed at \$400.

When the afternoon session convened the following cases were first disposed of:

David Hatch, charged with retailing, pled guilty and was sentenced to the county roads for 3 months.

Mark Brickers, charged with retailing, pled guilty, had already spent four months in jail, was sentenced to the county roads for 60 days.

Leham Morris, charged with retailing, pled guilty. Had been in jail four months and was sentenced to the county roads for 60 days.

Walter Jones, who pled guilty to the larceny of a bicycle on the previous day, was sentenced to a term of 6 months on the county roads.

O. Shaw, charged with retailing, pled guilty. Had spent four months in jail and was sentenced to a term of 60 days on the county roads.

Bryant Robbins, charged with retailing, pled guilty. Had been in jail for five months, sentenced to serve a term of 60 months on the county roads.

The case of the State against Gary Hawk, white, was next taken up. In this case the defendant was charged with retailing whiskey in violation of the law. He entered a plea of not guilty. Quite a number of witnesses were examined and it was late in the afternoon before the attorneys concluded their arguments to the jury.

The case was given to the jury at 6 p. m., but the jury retired for the night about 11 o'clock without reaching a verdict.

Yesterday afternoon the Sheriff's deputies completed their task of summoning the two hundred special venire men from which the jury for the Baker Bryan murder case will be selected and the case will be taken up the first thing this morning. Much interest has been manifested in this case and there is not the least doubt but that the court room will be crowded with spectators. The defendant is represented by Messrs. Moore & Dunn and Guion & Gulon. Solicitor Abernathy will be assisted by Mr. D. E. Henderson.