

NEW BERN, NORTH CAROLINA, FEBRUARY 19 1915

Judge Carter Did Right Says the New Bern Bar

In Resolution Passed Yesterday They Uphold Judge In His Action In Regard to Solicitor, Praise His Excellent Work and Urge Legislature Not to Take Hand Into the Matter

The latest development in the Judge Frank Carter Solicitor Chas. Abernethy case which has attracted state-wide fame, occurred yesterday when the Craven county Bar met and passed a resolution requesting that the Legislature take no action in regard to the matter as it has been reported they are about to do. In addition to passing this set of resolutions a number of the members of the bar and officers of the court attached their signature to a set of resolutions praising the judge for his excellent work here and the course he has taken in the matter.

First Resolution

The first set of resolutions is as follows:

"At a meeting of the Craven county bar on February 16th, 1915, the following resolutions were duly adopted.

Resolved—That in the opinion of the Craven county Bar there is no reason, necessity or demand, for any legislative investigation of the official conduct of His Honor, Frank Carter, Judge, that would warrant impeachment proceedings against him.

Resolved further—That we deplore the undue notoriety of the unfortunate incidents which have marred the harmony and dignity of the present term of court.

(Sig.) L. I. MOORE, Chairman.
R. E. WHITEHURST, Sec.

Second Resolution

The second set of resolutions speaks in the highest terms of the able manner in which Judge Carter has handled the dockets at both the criminal and civil terms of court, praises him for his efforts to deal out justice in an impartial manner and expresses regret at the fact that the regrettable incident between himself and Solicitor Abernethy has occurred. Signing this are twelve members of the bar, the Sheriff, the clerk of the court, the foreman of the Grand Jury and others.

The Second Resolution

This resolution follows:

Resolutions of members of the bar and officers of the court in behalf of Judge Frank Carter, February term, 1915 Craven Superior Court.

The undersigned members of the New Bern bar and officers of the court desiring to express our high sense of appreciation of His Honor, Frank Carter, Judge presiding, at this, the February term of our Superior Court, for the able, upright and conscientious manner in which he has in all respects conducted himself and the proceedings of the court, do say:

"That but for his personal sacrifice in accepting the assignment of the court and in surrendering the three weeks of his leisure to the duties of holding this court, through the unfortunate illness of Judge George Connor, the riding judge, we would have been without either a court for the trial of Criminal or Civil cases. In view of the fact that our January term could not be held owing to the unfortunate illness of Judge Connor, this act of Judge Carter is especially gratifying.

Especially Grateful

Especially grateful are we to Judge Carter for his extreme courtesy in consenting to holding a special term for the week following the regular term, without compensation and with the purpose only of relieving the congested condition of our docket, both Criminal and civil.

We desire to commend Judge Carter for the extremely fair and impartial manner in which he cases on the docket have been tried and disposed of, for his prompt and most efficient manner in the disposition of all cases and in the manner of holding our courts.

In this, he has spared himself no more than jurors, witnesses and litigants. Promptness and dispatch of his public duties has been the guide of his own conduct and he has held all others only to that same strict observance, which he himself has strictly and conscientiously observed.

Save Expense.

Feeling as he has frequently expressed from the bench a public duty to save the county expense and litigants delay, he has commendably urged and enforced the rule of promptness in attendance upon his

courts, and has shown no partiality or favor in the enforcement of a rule which he himself has so rigidly observed.

The enforcement of order, the observance of decorum, the earnest desire to expedite trials and the avoidance of delays, and the refusal of continuances for trivial causes has produced for him admiration of the public and the gratitude of the bar.

We deplore that an incident of unpleasantness has arisen which in the opinion of this upright jurist necessitated the exercise of the extraordinary power conferred upon him for the preservation of order and respect of his position upon the bench, so needful to the administration of justice in open court, and without which every officer or bystander would be the judge of his own conduct and courts lose their usefulness to the people.

Should Aid Judge.

We feel that it becomes the express duty of lawyers in attendance upon the courts to aid the presiding judge in controlling and observing necessary decorum, and most especially do we feel that it was the duty of the Solicitor of the district to aid the judge in the exercise of his authority, rather than oppose his commands and by an open challenge to such authority, place the presiding judge in a position of enforcing his power, or of admitting to the public that the prosecuting officer of his court possessed a power equal to that of the presiding officer, or an exemption shared in by no other officer, litigant or juror.

This unfortunate incident having been given such wide public range, and much injustice done Judge Carter by comments through certain newspapers in the state, we desire to express to Judge Carter our high appreciation for his efforts in behalf of the courts of this county; of his able administration of public justice, and earnestly hope in leaving the court he has so ably and generously held at a time when great and serious inconvenience would have otherwise followed; that he may carry with him a high regard for the bar and people of this section, undisturbed by the recollection of so unfortunate an occurrence, which has disturbed the otherwise smooth and tranquil conduct of a three weeks term.

Respectfully,
O. H. Guion,
R. A. Nunn,
R. W. Williamson,
W. B. R. Guion,
R. E. Whitehurst,
C. A. York,
H. P. Whitehurst,
R. B. Lane, (Sheriff of Craven County),
E. J. Baylis, D. S.,
S. M. Brinson,
Henry R. Bryan,
J. W. Huff, D. S.,
D. L. Ward,
J. T. Hargett, Foreman, Grand Jury,
E. M. Green,
W. B. Planner, Clerk, Superior Court,
L. E. Lancaster, Deputy, C. S. C.,
R. O'Hara.

Committee to Raleigh

A committee composed of R. A. Nunn, Owen H. Guion, H. P. Whitehurst and Sheriff R. B. Lane have been appointed to take these resolutions to Raleigh and present them to the Legislature and explain to that body the entire affair. It is also understood that Solicitor Abernethy's appeal to the people of the State and published in the press on Sunday morning, is to be answered.

WILLIAM GASKINS IS LAID AT REST

Last Sad Rites Over Remains of Estimable Young Man

The funeral service over the remains of William B. Gaskins who was drowned in Neuse river last Sunday night was conducted from the home of the deceased on Broad street yesterday afternoon at 4 o'clock by Rev. Euclid McWhorter of Centenary Methodist church and Rev. J. E. Reynolds, pastor of the Christian church. Accompanying the body to its last resting place in addition to a large concourse of relatives and friends was a squad from the New Bern Division of the North Carolina Naval Militia of which organization Mr. Gaskins was a member, and also a delegation from the local branch of Stage Workers.

Attending the love and esteem in which the young man was held by all who knew him were the many beautiful floral tributes which came from near and afar.

BRIDGETON LADY HAS BAD FALL

Mrs. J. P. McCullen Suffers From A Broken Arm

An accident which resulted in a painful injury to the victim, occurred Monday at Bridgeton when Mrs. J. P. McCullen of that town in some manner slipped and fell and broke one of her arms. Drs. Jones and Patterson of this city were summoned and gave medical attention and a report from the home last night was to the effect that Mrs. McCullen was recovering rapidly.

An Operation.

A report from Fairview sanatorium last night was to the effect that Mrs. Arthur Guthrie, who on the previous day was operated upon by Drs. Jones and Patterson for an attack of appendicitis was resting nicely.

BIG LAND DEAL MAY TAKE PLACE

Persistent Rumors Are Afloat to This Effect

There is a persistent rumor afloat down in this section that one of the biggest land deals made in this part of the State in many years and one which will lead to the investment of millions of dollars hereabouts by northern capitalists, will soon take place. It is said that a party of northern capitalists, after having made thorough investigation of the soil and the climate of this section, have about decided to locate a colony of farmers at some point in Onslow county in the vicinity of Jacksonville and that the deal for the purchase of several thousand acres of land is to be put through in the very near future. It is a known fact that in the past week two soil experts have visited that section, secured specimens of the land in various sections and then returned to the north. Last week a party of twenty or more capitalists went down to Jacksonville, presumably to hunt and fish but it is the general opinion that their visit has another object. The land in Onslow county is among the richest and finest for trucking to be found in Eastern North Carolina and there are vast tracts of it that are just waiting to be placed in cultivation to yield a fortune to the producers. There is much interest being manifested in the rumors of this colonization and materialization of the plans of those interested and the announcement of what is to be done is awaited here with marked anticipation.

THIS JUDGE FINED MONTANA DIVINE

Later He Placed Larger Fine On Lawyer Who Disagreed

Helena, Mont., Feb. 16.—Because Rev. Father Carroll ignored a summons issued for him to appear in the district court to answer to an inquiry concerning the guardianship of Mrs. Murphy, he was taken before the judge by the sheriff today. Judge J. M. Clements, presiding, asked Rev. Father Carroll why he did not make his appearance when ordered to do so. The clergyman replied that he didn't have to answer. Judge Clements fined him \$100. Frank Mettler, counsel for the priest, began to protest, and the court, saying there was nothing before the court, ordered him to take his seat. Lawyer Mettler persisted and was fined \$300. Another lawyer, Edward Fealen, was about to address the court, but Judge Clements again said there was nothing before him and ordered the lawyer to sit down. He obeyed the order.

Rev. Father Carroll and his lawyer were taken across to the county jail where the attorney remained from 10:30 o'clock this morning until about 2 o'clock this afternoon, when he was released because the court found the reverend gentleman had acted on the advice of his counsel. At a late hour this afternoon Lawyer Mettler was still at the jail and his fine had not been paid.

MUCH ACTIVITY AROUND HARLOWE

That Section Is One of Busiest In Eastern Part of State

Harlowe, Feb. 15.—Mrs. Bettie Bell of New Bern is on a visit to relatives and friends in the neighborhood.

N. H. Taylor made a business trip to New Bern Saturday.

Miss Lila Taylor, who has been attending the graded school at New Bern is at home.

Mr. and Mrs. Carl Whitehead of Bachelor spent Sunday in the neighborhood.

Messrs. J. R. Bell and J. C. Long of Morehead City made a short business trip to Harlowe last week.

Miss Emiline Pigott of Morehead City is visiting relatives in the neighborhood.

Mrs. Bill Hancock of New Bern has been on a visit to friends and relatives at this place.

Roy and Carlton Taylor spent Sunday at Crab Point.

Quite a number of our young people attended a pie party at Mill Creek Friday evening.

Rev. J. T. Hood will preach at North Harlowe Academy next Sunday afternoon at 3:30.

Mr. and Mrs. Allen Taylor of Morehead City were over Sunday, accompanied by O. G. Bell and Mr. and Mrs. G. B. Small.

Messrs. George Oglesby and Dave Adams, of Morehead City were in the neighborhood Sunday.

There may be a paper published in this section with more subscribers than the Journal, but the growth of the Journal has been continuous. A solution of the rule of "omni and effect."

Miss Hattie Bell and Roy Mason entertained their many young friends at a Valentine party, at the home of Dr. and Mrs. C. N. Mason on Saturday evening. Columns could be written describing this affair, however, it suffices to say that every thing was up to date and the many merry couples expressed themselves as having spent a most enjoyable evening.

Dr. E. Dunn left yesterday for a professional visit to Washington, N. C.

EXPERT DECLARES THE CATTLE TICK IS GREAT MENACE

Dr. M. G. Smith Was Heard In This City Last Evening

INTERESTING TALK

The speaker had his subject well in hand and made an impression.

Although, owing to the exceedingly bad weather, the audience was small, the illustrated lecture given at the Court House last night by G. M. Smith, of the United States Bureau of Animal Industry, for the purpose of showing the improved conditions caused by the eradication of the cattle tick, was one which was both entertaining and beneficial.

Stock Law Counties.

At present there are seventy six counties in North Carolina that have a stock law, leaving four free range counties, with stock law districts in some of those. Dr. Smith related several sound reasons why the law is beneficial to the people. He told of how the people in a free range county, who are trying to do something are handicapped and as an illustration, related an experience of Graham Richardson, one of Craven county's most prominent farmers. He stated that Mr. Richardson had three yearlings of a very fine breed, and is unable to dispose of them, at a reasonable price, because he is unable to ship them out of free range territory. Mr. Richardson sold one of these a short time ago for one hundred and fifty dollars but was unable to deliver the animal because it is in the quarantine district. Mr. Richardson is now offering these animals for sale at fifty dollars each.

Illustrations.

One illustration showed two pictures of the same steer. One was taken just before giving the steer a dip in an anti-tick solution and the other was taken sixty days later, and during that time the animal had gained two hundred and eighty five pounds on the same feeding that he was receiving previously to the use of the solution. The dip is given by driving the cattle into a concrete vat, he is submerged for only a few seconds, but the liquid strikes every part of the body and kills every tick that it comes in contact with. L. I. Moore and J. V. Blades will have a vat built on their farms, and will demonstrate what can be done in the cattle raising business after the eradication of the tick.

Other Lectures.

Dr. Smith will give lectures at 7:30 o'clock at night as follows: Pollockville, Feb. 17; Maysville, Feb. 18th; Jacksonville, Court House, Feb. 19th; Ternton, Court House, Feb. 20th.

GOVERNMENT NABS BEAUFORT MAN ON A SERIOUS CHARGE

John Robinson Taken Into Custody Yesterday By Federal Officers

PLACED IN JAIL

Brought to New Bern, He Waives Examination But Can't Give Bond

John Robinson, a well-known citizen of Beaufort, was placed under arrest yesterday by U. S. Postoffice Inspector W. D. Kahn and U. S. Deputy Marshal Charles H. Ange on a charge, which if proven, will lay him liable to paying a fine of one thousand dollars or serving a term of five years in the Federal prison.

Had Many Aliases

The warrant under which the arrest was made, charges the prisoner with sailing under several aliases among which were John Robinson, the Beaufort Produce Company, etc., during which time he ordered goods from merchants in Norfolk to the approximate value of twenty-five hundred dollars. It is also claimed that Robinson would receive these goods from the express or freight warehouse, sell them and refuse to remit to the individuals or firm from whom he had ordered these.

Became Tired Of It.

This occurred a number of times and resulted in those from whom Robinson is alleged to have ordered the goods taking the matter up with the postal authorities and his subsequent arrest. The prisoner was brought to New Bern last evening and carried before United States Commissioner Charles B. Hill, for a preliminary hearing. The government was all ready to hear this case but the defendant decided that he would waive examination and was bound over to the next term of U. S. Court in this city under a bond of five hundred dollars. Failing to give this he was committed to the Craven county jail for safe keeping.

Seemed Unconcerned

Robinson, who appears to be about thirty-five years of age, seemed little concerned in the matter as he sat in the office of the Commissioner last night and in fact did not seem to realize the gravity of his offense. The affair, owing to the fact that the prisoner is well known in Carteret county, has created considerable interest in that section.

BITTER FEELING AGAINST CITIZENS OF UNITED STATES

The Teutons Growing More Angry With All American Subjects

TROUBLE FEARED

Officials Hope to Avert Any Serious Outbreaks On Either Side

Berlin, Feb. 16.—The bitter feeling throughout Germany against Americans is spreading. Officials and American citizens fear some incident will occur to lead to a serious crisis. Wounded Germans returning from the front declare their losses are becoming much greater now that the French are using American manufactured arms and ammunition. Berlin papers are publishing statements which are creating anti-American sentiment.

German Statement.

Berlin (via wireless by London), Feb. 16.—This official statement was issued in Berlin to-day:

"Inasmuch as it is to the interest of Great Britain that conflicts arise between Germany and neutral powers, it is thought in German shipping circles that English submarines, in order to bring about this end, may purposely sink one or more neutral ships. It is known also in the shipping circles that Great Britain has laid large quantities of mines against German submarines."

Wants Her "Rights."

Amsterdam, Feb. 16.—Berlin advices say the German reply to America's note protesting against the planned submarine blockade of the British Isles is expected to be forwarded to-day. It is declared the answer will be couched in friendly terms, but very firm and positively insist upon the right of Germany to declare the waters around England a war zone.

Ships In Danger.

Rotterdam, via London, Feb. 16.—The chamber of commerce here has received a communication from the German consul transmitting this note from Chancellor Von Bethmann-Hollweg:

"In most cases German submarines will be unable to distinguish between neutral and British vessels when encountered in the war zone. All merchantmen therefore run the risk of destruction. To avoid losses, it is urgently necessary for neutral ships to keep away from the war zone. Germany can no longer regard the British merchant fleet as unarmed or entitled to warning before attack because merchantmen are equipped with guns and a large reward has been offered to the first merchant vessel which sinks a German submarine."

"Germany will pursue the war in the manner announced until Great Britain acknowledges the rules of naval warfare as fixed by the Paris and London declarations or until the neutral powers force this acknowledgment from England."

CHARGE OF GRAFT IN NAVY CIRCLES

It is Claimed That the Price of Supplies Was Run Up

New York, Feb. 16.—Charges of wholesale graft in furnishing supplies to United States battleships were made today by Government officials in New York. Thomas J. White, manager of the Brooklyn Steamship and Hotel Supply Company, and Walter G. Roch, commissary steward on the battleship Texas were arrested.

They were held by United States Commissioner Cochran for further examination pending an investigation into charges of bribing United States officials to permit inferior meats and other supplies to be placed aboard the battleships.

The disclosures followed a complaint by Paymaster James Ray, of the Texas who declared that on January 9 he was approached by White, who offered him \$200 if he would permit the poorer grade of supplies to be placed on the Texas. White told him, Ray said, that he (White) had been sent to Ray by Roch. The Federal Grand Jury will take up the matter today.

BOLD ROBBERS IN WILMINGTON

Walk Into Residence Right In Broad Day-light

Wilmington, Feb. 16.—Quick and effective work on the part of the police this morning resulted in the arrest of George Weston, colored, within an hour after the home of Mr. O. A. Durant, No. 17 South Ninth street, had been boldly entered and robbed.

A negro was discovered in the house by one of the ladies at about 11 o'clock this morning, but upon being discovered the negro with all the self-assurance of one who was about his regular work of delivering groceries, picked up an oil can and walked out of the house, and not until a few minutes later did it develop that he had been in the house for the purpose of robbery. The only article found missing was a revolver and this proved Weston's undoing.

The police were notified at once and Hall Officer Moore detailed Policeman J. S. Lane to the case.

Armed with a motorcycle and a 44-caliber determination to get his man, Officer Lane cruised through all the surrounding territory and shortly past noon picked up a man who answered to the robber's description. A revolver was found in his possession and this was identified by Mr. Durant as the revolver stolen from his home.

The lady in the house who first discovered the negro identified Weston as being the man whom she saw.

NEGRO ASSAULTS 3-YEAR OLD GIRL

In Consequence He Is Now Behind the Prison Bars

Smithfield, Feb. 16.—About 11:30 this morning Cephas Cole, a negro boy of 18 is said to have assaulted Cleo, the three-and-half-year-old daughter of John William Wood of Meadow township, a county commissioner who was in Smithfield on business at the time. The negro was left plowing and had gone to the house purposely for water. The little girl was at barn lot and as negro passed back to field he took the little girl over the fence and towards the woods.

J. Mang Wood, a grown brother, was some distance off and this attracted his attention and he followed after them. When he got near the woods he heard his sister cry out. He started towards them and negro, meeting him, disclaimed any wrongdoing, saying he was picking flowers for the little girl. Wood beat him with stick and negro ran to house and told Mrs. Wood he had done nothing. The child had gone to the house crying and was clinging to her mother's knees; her clothes were soiled and her person bruised.

Mrs. Wood telephoned for her husband to come and bring the sheriff. They started, but before they arrived Deputy Sheriff Will Moore of Benson was passing and was called. He and Mang Wood went in pursuit of the negro, who left when Mrs. Wood telephoned her husband and captured him in a swamp near the Wood home. Sheriff Moore carried the negro by Benson and home, brought him to Smithfield where he was lodged in jail.

STEPHEN SMITH'S BODY IS FOUND

Washed Ashore Near the Mouth of Adams Creek

On January 20, Steve Smith, the engineer on board of the gas boat "Carl T." fell overboard from this vessel as it was enroute from New Bern to Morehead City and was drowned before assistance could reach him. Search for the body, which went into the water at a point near Adams Creek, was begun at once and for days the river in that section was thoroughly dragged, but not a trace of it could be found. Last Sunday afternoon Mr. Simpson, who lives in the Adams Creek section found the body where it had washed ashore. Placing this on board of his boat he brought it to New Bern and turned it over to an undertaker to be prepared for burial. Early yesterday morning the body, accompanied by J. R. Smith, a brother of the deceased, was taken to Bugies, N. C., for interment in the family burying ground.

Reports from Fairview sanatorium last night were to the effect that Walter York, a brother of Attorney C. A. York, and who was last week operated upon by Drs. Jones and Patterson for an attack of appendicitis, was resting nicely and that he would be out again within a few days.

Mrs. T. C. O'Neal and Mrs. E. Motson left yesterday morning for Washington, N. C. to spend a few days visiting friends.

TURNED ON GAS; NARROW ESCAPE

Came Near Being A "Fatal Turn" for Danville Man

Winston-Salem, Feb. 16.—Mr. O. J. Morton narrowly escaped asphyxiation in a room at the Hotel Zinsendorf last night while in an alleged state of intoxication. Twice, he turned on the gas and twice was it cut off, it is said, first by one of the hotel clerks, Mr. W. N. Schultz and again by the night watchman, Mr. A. D. Maynard. Finally, an officer was called. Volgers ambulance was summoned, and Mr. Morton was taken to the new Winston-Salem city hospital, where he was treated by the City Physician V. M. Long.

Mr. Morton is a young man, said to be about 20 years old and registering from Danville, Va. It is said that he was considerably under the influence of drink, and that when found, his clothes were scattered about the room and the gas was turned on. Mr. Schultz turned it off. Later, Mr. Morton turned it on again, it is said. Night watchman Maynard turned it off this time and an officer was summoned. This happened at about 11:20.

RUSH FRANK APPEAL

Lawyers Working Hard To Get It In Readiness

Atlanta, Feb. 16.—Attorney General Warren G. Grier and Solicitor Hugh M. Dorsey today were hard at work in the former's office in the capitol on the State's brief to be submitted in the hearing of the Leo M. Frank appeal in the United States Supreme Court, scheduled for February 23.

Solicitor Dorsey will devote his attention exclusively to preparations for the Supreme Court hearing.

Both Attorney General Grier and the Solicitor will go to Washington to wage the fight against Frank's plea for freedom.

THE ANNUAL MEETING OF THE CHAMBER OF COMMERCE

The annual meeting of the Chamber of Commerce for the election of Directors and the transaction of other such business as may come before the meeting, will be held Friday, February, the nineteenth in the Chamber of Commerce room over J. M. Mitchell's store. It is desired that every member attend this meeting and the chairman of the different committees are urgently requested to be present.

State Library