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TUESDAY, MAY 16, 1916

If everyone was as absolutely correct as they expect the newspapers to be, this would indeed be a grand old world and there would be no need of revival meetings or of any other agency for the promulgation of good. Few people realize the disadvantages under which newspapers labor, the getting up of the news on short order and there are some, thankfully very few, who are ready to make a howl if the slightest detail is deviated from. They are to be found everywhere, this sort, and newspapers all over the world have them to contend with.

We were talking with a successful merchant some time ago and asked him why he was so successful. "Well," he answered, "The main reason is that I advertise. Another reason is that my customer, no matter what the case may be, is always right." This man treats his customers in a genteel manner. If a purchaser walks into his store, calls for a certain article and after it is set before him, he says that it is worthless, it makes no difference if the article is the very best on the market, that merchant agrees with him and sides with his views. The average American likes to be handled with gloves. His to be made to think that his judgment is beyond the slightest contradiction and when a man finds an establishment at which he can get that sort of treatment, he is going to patronize it.

Without taking sides either one way or the other, the Journal sincerely regrets the action taken by the New Bern Fire Company No. 1 in deciding to withdraw its members from active service. This company has been one of the prides of the city, it has been pointed to with admiration and we are truly sorry to see it disrupted and taken out of active service. The members of the organization are, we believe, open to reason and we trust that the matter can be amicably adjusted and the usual routine allowed to continue.

Numerous reports of petty robberies are being made by local residents. The local police force at all times is endeavoring to break up these thefts but with only a few men on duty at any one time and with a large territory to cover, they have their hands full and much of the risk is, necessarily, up to the property owner and citizens. Thieves take an awful chance in burglarizing a store or home for North Carolina laws give the citizen a right to kill them when they are caught in a home and when they are caught in such, that is what usually happens to them.

Just on the eve of the real warm weather we would like to suggest that New Bern citizens make some effort toward having open air band concerts here during the summer months. We have here one of the best musical organizations in the State and there is no reason why they could not give at least two concerts a week. Last year the manager of the organization agreed to give these concerts in a small pavilion for the band was erected on East Front street. This would have cost but comparatively little but for some reason it was not done and the concerts were not given. Now is the time to take up this matter and to take some action toward it and we believe that if such is done that these open air concerts may be secured.

THREE TURKISH SHIPS GO DOWN

Petersburg, May 12.—The Russian Black Sea fleet has sunk three large Turkish ships, near Souda, according to dispatches from Sebastopol. Admitting that Russian's gradual retreat and heavy losses, the war office today declared the losses of the Germans are already overwhelming. It said the Russian lines in Gallies are now holding new positions and checking the German advance. The Germans are reported to be already retreating from the Baltic provinces.

SEVERAL MORE BODIES RECOVERED FROM THE SEA
 Quantico, May 12.—The steamer "Frying Pan" has arrived with several additional bodies. Only one was identified.

BUST OF BYNUM PRESENTED TO THE SUPREME COURT

Former Congressman Settle Made the Principal Address

GOVERNOR ACCEPTS STATES HIS REASONS

Hundreds Present to Witness the Impressive Event
 Raleigh, N. C., May 12.—The bust of Judge William Preston Bynum, member of the great court that went out as the Democracy was regaining its ante-bellum footing, was presented to North Carolina tonight in the supreme court room with former Congressman Thomas Settle making the address before a distinguished company.

The address came from a man whose father was contemporaneous with Judge Bynum and the two were mighty forces in their party in their day. Upon no other North Carolina lawyer could the presentation duties been conferred who could have made the sketch more attractive. Mr. Settle's address must be ranked with the best before such an audience here in a long time and one has in mind Frank Osborne, Clement C. Manly, Judge Bragaw and other big lawyers who have spoken in eulogy of their favorites whose portraits or memorials in marble have gone to the enrichment of the State.

Biggs Presented It
 Ex-Judge Crawford Biggs, president of the North Carolina Bar Association and upon whose initiative the Bynum bust became possible with the Bynum family's patriotism, presented the bust on behalf of the State bar. Declaring that the State has produced judges the equal of any in the sisterhood, he presented Bynum as one of the justices who had reflected honor upon the State. Judge Biggs did not refer to Chief Justice Clark, of course, but on reading between the lines could not repress the feeling that the younger lawyer was replying to the distinguished jurist when the defense of Samuel Ashe, first of the chief justices of the commonwealth, was quoted against appearing before the House of Commons to answer his refusal to dismiss the suit of Bayard vs. Singleton at the direction of the legislature. Judge Clark has in many forums held that supreme courts have no right to declare legislative acts unconstitutional. Judge Biggs quoted Ashe's fine sentence in refusing to appear before the House: "In my judicial character I am righteous and, therefore bold. And so the supreme court 129 years ago asserted its independence, which is the very foundation of judicial integrity and greatness, without which no judge can properly administer his great office."

More Remarks
 Judge Biggs declared that this Ashe case settled for all time in North Carolina the "supremacy and the inviolability of the constitution. That opinion was the first written enunciation by any court in any state or country with a written constitution declaring an act of the legislature null and void because in conflict with the constitution."

Judge Bynum held this view, Judge Biggs said, throughout his distinguished career of five year on the bench. That administration was marked by comprehensiveness of grasp and facility of utterance that placed him high among the jurists, Judge Biggs declared. The president of the association was pleased to be the medium of presentation. Governor Craig accepted the bust after the two little great granddaughters of the judge pulled the strings that dropped the trappings from the manly form of Judge Bynum.

VIRGINIA MAN ATTEMPTS SUICIDE

Petersburg, Va., May 12.—J. Allen Harris, a well known merchant of this city, attempted suicide about 8 o'clock this morning in his store in North Sycamore street by shooting himself in the head with a revolver.

About 8 o'clock this morning the colored porter entered the store and found Mr. Harris sitting at his desk with blood flowing to the floor from a wound in his head, and in reply to a question the wounded man stated that he had shot himself, but was not dead. Dr. W. P. Roy responded quickly to a call and removed the young man to the Petersburg hospital, where an examination showed that the ball had entered the flesh near the right temple and had come out at the forehead, inflicting only a slight fracture of the skull.

Mr. Harris fired two shots from a 25-calibre revolver, the first missing his head and entering the wall of the store. The bullet that caused the wound also lodged in the wall. Mr. Harris has a family, and worry over ill health is supposed to have caused him to attempt suicide.

Constable John H. Russell is receiving treatment for complication of disease in Westbrook sanatorium, Richmond, Va. Mr. Russell went to Richmond last week accompanied by his wife.

KINSTON LAWYER DECLARES HE'S NOT OUT FOR OFFICE

N. J. Rouse Emphatically Denies Aspirations for Attorney Generalship

SAYS THAT HIS PERSONAL BUSINESS AFFAIRS ARE ALL HE CAN ATTEND TO

Kinston, May 12.—"I am not a candidate for attorney general and have not had any intention of offering for the place," is the substance of a statement Hon. N. J. Rouse of this city, authorized today.

Mr. Rouse's name has been mentioned repeatedly by the press of the State during the past few weeks in connection with the campaign and many expressions and assurances of interest and support have come to him from leading men of the State. It is to set at rest these rumors that the above statement was given out. Going into the matter at some length Mr. Rouse says:

Not Unmindful
 "I would not have it understood that I am unmindful of the honor that has been accorded me in connecting me with the office of attorney general. I regard it as one of the highest honors that can come to my profession in the State. I have been very much gratified at the kindly expressions that have come to me, since my name was mentioned a few weeks ago in the Raleigh papers, and I have had such assurances from my friends and leading men of the State that lead me to believe, should it be possible for me to make the race at this time, I would be nominated. First, I want it understood that my private affairs are such now that it would be entirely out of the question for me to consider entering politics.

Important Business
 I have a number of important business connections here which demand my constant and personal attention, and to leave them would be too great a sacrifice. I want it understood, although not to be taken as my reason for not becoming a candidate, that I am not in sympathy with any effort to bring the recent Carter-Abernethy controversy into State politics. I think that such a state of affairs would be deplorable, and there is no occasion whatsoever for such injections being the Carter-Abernethy case.

Possible Candidate
 I have noted that my name has been mentioned by some of the press as a possible candidate on the strength of my being interested in the Carter-Abernethy case. In this respect I would like to have it understood that my connection with that case was purely a professional one. I was engaged by Mr. Abernethy to represent him, and no partisan or political interests had any bearing whatsoever on my entry. Please make that point clear and that I am not in sympathy with any political issue being made of the controversy. I hope the State papers, if they take occasion to use my name again in this connection, will see to it that my position on this point is made very plain. My private affairs preclude any serious thought of my becoming a candidate for any office now."

15,000 PLEAS FOR LIFE OF LEO FRANK

Ohio Female Reporter Carries Them to Atlanta, to Gov. Slaton

Atlanta, May 12.—With a bundle under her arm that would have staggered the parcel post service, a young woman entered Governor Slaton's office at the Capitol today and said she was Miss Eleanor Black, a newspaper writer of Cincinnati, and that she had come to deliver the protest of Cincinnati people against the execution of Leo M. Frank.

The protest was in the bundle. Miss Black pinched a hole in the paper and showed a double handful of paper slips, each of them bearing the request that Governor Slaton save Frank from the gallows, and each signed by a citizen of Cincinnati. There were more than 15,000 of these slips, she said. From the appearance of the bundle it is not to be considered unlikely that there were twice that number.

Miss Black is on the staff of The Cincinnati Post, a newspaper that has been displaying daily at the head of its editorial column a blank form of an appeal to Governor Slaton, so that readers might sign their names and thus through The Post express a wish that Frank's life be saved.

Miss Black was disappointed to hear that Governor Slaton was in New York on State business. But she placed the bundle and its 15,000 petitions in the large crate which already contained 25,000 or 30,000 letters which have come to the Governor from every part of the United States, begging of him clemency for Frank.

If the Governor should attempt to read all the appeals that have reached him already he would be occupied for a month. It is likely that there will be as many more before the date of execution.

THE GOVERNOR OF GEORGIA BELIEVES FRANK HAS CHANCE

Slaton Declares That Condemned Man Won't Die on June 22

LAWYERS ACTIVE

Counsel for Young Jew Plan to Make a Final Plea

New York, May 12.—Governor John M. Slaton, Georgia, said at the Waldorf last night that he thought it might be necessary to grant a brief respite for Leo M. Frank, who was sentenced to be hanged on June 22 for the murder of Mary Phagan. This action, Governor Slaton explained, will probably be necessary because the Prison Commission will not be ready to present the case to the Governor until several days after the date fixed for the execution. Governor Slaton goes out of office on June 26 and will be succeeded by Judge Nat E. Harris.

Bare Possibility
 "There is a bare possibility, however," declared Governor Slaton, "that I may be called on to take final action before I retire from office. I am told they plan to hear the case May 19, instead of the first week in June. In that case the respite will not be necessary. I am not keen to pass on this case, nor shall I try in any way to avoid it. I have passed on a hundred or more such appeals and to me the case of Frank is in principle, of no more importance than that of John Smith."

"If, on hearing the evidence, I should be convinced that Frank is not guilty beyond a reasonable doubt or that he did not have a fair trial, I would commute his sentence. If I were convinced that he is innocent, I would pardon him. If, on the other hand, I were convinced that he is guilty beyond doubt I would not interfere with the execution."

"I believe any Governor of Georgia would do the same, no matter if it meant political oblivion. Please understand that I am not in any way passing judgment on the case. I have not read the evidence and have no opinion as to the guilt or innocence of Frank."

Preparing Plea
 Atlanta, Ga., May 12.—With the death date for Leo M. Frank definitely fixed for June 22, attorneys for the condemned man today were hard at work on their plans for the final plea to be made before the State Prison Commission and the Governor for commutation of the death sentence to life imprisonment.

Although it has been rumored that a special session of the Prison Commission might be called within the next few days to hear this plea, indications were that the case would come up in its regular order at the session the first part of June. This will give counsel for Frank more time in which to prepare their petitions and arrange other details of their plans.

SERIOUS RIOTING IN EAST LONDON

London, May 12.—Serious anti-German rioting has been renewed in East London. Great crowds of men and women parade the streets, breaking windows. Several butcher shops conducted by men with German names, throwing the furniture and supplies into the streets. One crowd threatened Germans with physical violence. The police were temporarily powerless.

Several German butchers were mobbed in Smitfield market and thrown into the street.

Rioting and anti-German demonstrations are spreading throughout the islands. Liverpool Germans are unable to appear on the streets. So serious is the "alien enemy" problem becoming, a special session of the cabinet has been called to discuss it.

AMERICAN FUNERALS EXHAUST U. S. FLAGS

Queenstown, May 12.—The demand for United States flags was so great today that the supply gave out. Most of the coffins containing American victims of the Louisiana disaster were draped with the United States colors. All the coffins, including those bearing the American banner, bore the Union Jack. Wesley Frost, the American Consul, has advanced \$1,000 to those who appealed to him for help.

Undertaker

situated at Vanceboro and with two elegant hearses, I am prepared to serve funerals at shortest notice north of New Bern. I carry on hand at all times coffins caskets and vaults in sizes and kinds to fit from infant to giant, costing from \$25 to \$175. No charge for hearse when the job is \$25 or over.

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Four mules, 3 of them under 10 years; weight from 1050 to 1250 pounds; good shape and good workers, also 2 horses weighing about fifteen hundred pounds each, also lot of log wagons and logging tools at a bargain. Address J. D. Coston, Maysville, N. C.

HOUSE and 2 LOTS FOR SALE

Prices reasonable, write or apply to W. J. Parker, Morehead City, N. C.

KINSTON NEGROES ASSAULT OFFICER

Three Set Upon Policeman and Do Him Up Pretty Badly

Kinston, May 12.—While taking Tom Clark, a negro arrested for larceny, to the station house just before midnight last night, Policeman Claude Sumrell was set upon by Clark and his wife and an unknown negro and badly beaten with metal knucks, the officer sustaining such severe injuries that Dr. A. L. Hyatt had to strip him to dress the wounds. They are not serious, however, though Mr. Sumrell was "bloody as a hog" from the gashes made in his head by the metal knucks and other things used in the assault upon him. Clark got away and was not apprehended at a late hour this morning, though a posse was organized to hunt for him.

The assault on Officer Sumrell occurred about midway between King and Bright streets when the policeman was taking Clark, who had been arrested in "Cummings Row," to the police station. He says an unknown negro met them and assaulted him with knucks. This enabled Clark to get released and Clark's wife joined in the fray, the three of them using the officer up right badly. In the melee he lost his gun and "billie" in trying to "pull them," but later got the gun back, finding it on the ground where the fracas took place.

AMERICAN SURVIVORS ARE WELL CARED FOR

Washington, May 12.—Consul Frost at Queenstown, today cabled to the State Department the name of Mr. Kennan as among the survivors of the Lusitania disaster. He announced that the name of Mrs. May Brown should be stricken from the list of identified dead. "No American here is in want or has been since the hour of landing," was the Consul's statement in this dispatch.

The two mast schooner Spearwater arrived in port yesterday morning from Middleton, Hyde County, with a cargo of several hundred bushels of soy beans.

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