

THE DEMOCRAT.

E. E. HILLIARD, Editor. Published Every Thursday.

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THURSDAY, FEBRUARY 20, 1908.

NOT CORRECT.

The Kinston Free Press is in error in saying that Brantley, one of the prisoners in the Bonner murder trial, corroborated Cretle in his confession...

Brantley did not go on the witness stand at all, and the only thing the public has heard from him at all is his confession.

CHEEKY IS NOT THE NAME.

That medicine concern in offering to give "a pretty dinner set of 112 pieces" to papers that will run a 10x60 inch advertisement a year, has gone beyond the place to be called "cheeky."

THE VOTE ON SILVER.

Last Friday the vote was taken in the House on the silver bill sent down from the Senate.

The vote stood 58 Democrats, 25 Republicans, 6 Populists and 1 Silverman—80 in all—for it; and 31 Democrats, 181 Republicans—215 in all—against it.

But what has Congress done yet? Criticisms are cheap and easily made, we know; but if the present session of Congress has done anything worth building a monument for we have failed to note it.

THE NEW BERNE FAIR.

The New Berne Fair has been a success from the first. It was a fine idea to give a mid-winter exhibit of game, fish and oysters of Eastern Carolina...

The Fair opens next Monday February 24th, and will continue until 29th. Large preparations have been made for its success this year, and all who attend may safely calculate on witnessing the best of the fairs yet held by the Association.

The managers have spared no pains in getting things in readiness for a great fair. It will be a rare opportunity for those who have not before done so to witness the wonderful treasures taken from the waters and game forests of Eastern Carolina.

Lovers of stock and fine fowls will have an opportunity of seeing some of the finest in the country. There will be fine trials of speed on the race track and something at the fair to interest all who go.

The managers say they expect to surpass all previous efforts, and if they do, it will be an exhibition worth the time and expense of seeing, for it has been a fine exhibit every year for the eight years it has been running.

Noises at night are always exaggerated, but none the less alarming. When one is suddenly awakened, the senses do not readily adjust themselves to the situation, and people of nervous temperament are liable to be unduly terrified.

The names of only the best men ought to be put in the jury box. The law disqualifying those who have recently served ought to be abolished. Tales jurors ought not to be selected by the sheriff nor from the bystanders.

Each side ought to be entitled to the same number of challenges in criminal as well as civil cases. The reply to the last, we understand, is that the State being more powerful than the defendant ought not to have the same advantage.

This is plausible but not sound. The State furnishes a prosecuting attorney but the defence is nearly always, especially in important cases, represented by local counsel who have the advantage of the State in selecting a jury; and when the defendant is unable to employ counsel, the court (an impartial judge) can, if it deems proper, appoint counsel and require the service.

We need some radical changes in the jury law. We do not favor a change from the trial by jury but we do favor the changes in the jury system as above outlined. The system must be changed; or the public will not rely upon the uncertainty and the insecurity to life and property now afforded by court trials, and instead of a decrease there will be an increase of lynch law.

"Bacteria do not occur in the blood or in the tissues of healthy living body, either of man or the lower animals." So says the celebrated Dr. Koch. Other doctors say that the best medicine to render the blood perfectly pure and healthy is Ayer's Sarsaparilla.

JURY TRIAL.

The Kinston Free Press has recently had a good opportunity to make observations of trial by jury. It discusses the matter editorially as follows:

"In the first place, our county commissioners have an important responsibility resting on them. They are required to select only such persons as are of good moral character and of sufficient intelligence. It is a rare thing to see many of the most intelligent men of a county on the jury; and at most only a few, and they are generally taken off by the lawyers on one or the other side, who make use of the peremptory or other challenges, allowed by law, to benefit their clients.

Then the tales jurors are summoned by the sheriff from the bystanders. This gives the sheriff too much power. If he is an old officer he is apt to be friendly to one or the other side, and if inclined to do so can select the friends of either side into the box; and we understand that friends of defendants, especially, are often gathered from over the county and purposely put in view of the sheriff so he will be apt to call them in the box, not knowing that they are friends of defendants.

"Besides all this, the bystanders are not the proper persons for tales jurors. They are apt to be parties or witnesses in some other cause and may use the jury service to benefit their special interest; or they may be idlers hanging on for a job, and as such are unfit to pass upon important questions, requiring good judgment and an appreciation of the grave responsibility resting upon jurors.

"Every juror, tales or otherwise, should be drawn from a well purged jury box. This would be troublesome, but nothing should be in the way of a fair trial.

"A tales juror, who has served as a grand, petit or tales juror within two years preceding the term of court, may be challenged by either side. The fact that a person has recently served as a juror ought not to disqualify him, but rather to recommend him. To say that his experience disqualifies him is a reflection on the system. This cause of objection is used mainly to enable ingenious lawyers to take off objectionable jurors and have the friends of their clients, who may be of the bystanders, called into the box.

"Another, and a very serious defect which we notice, is the great disadvantage the State labors under in criminal trials. In the trial of misdemeanors and felonies, not capital, the State has in all two peremptory challenges of jurors, while the defence has four to each defendant; and in capital cases the State has four peremptory challenges to each defendant, and the defence has twenty-three to each. This is the explanation of so many acquittals of guilty men.

"As an example, take the late case for burning tried in this county, with four defendants. The State could take off only two jurors peremptorily—that is, without assigning any cause, such as relationship, having formed an opinion, etc.—while the defence could take off sixteen peremptorily. This practically amounted to allowing the defence to select its own jury—and they got a good one, for them.

"This also explains the outrageous verdict in the Shemwell case, the verdict in Carteret county in the insurance fraud cases, and the still more recent verdict in the Bonner murder case, where cold-blooded murderers got off with a term in the penitentiary, whereas they deserved death.

Able and shrewd lawyers with the aid of influential clients and their relatives and friends, can, with the law as it now is, pick just such a jury as they desire. The blame is not so much in the lawyers or their clients, so long as they do not resort to corruption, but the fault is in the jury system.

The names of only the best men ought to be put in the jury box. The law disqualifying those who have recently served ought to be abolished. Tales jurors ought not to be selected by the sheriff nor from the bystanders. Each side ought to be entitled to the same number of challenges in criminal as well as civil cases. The reply to the last, we understand, is that the State being more powerful than the defendant ought not to have the same advantage.

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A FATAL BLOW.

Robert Moore Strikes Samuel James With a Dye Paddle.

JAMES DIES IN ABOUT 18 HOURS.

Monday afternoon about 3 o'clock Robert Moore, a young man who has been living in Scotland Neck for several years, went to the knitting mill and went into the dye room where a young man, named Samuel James, son of Mr. Henry James near Hogwood, was at work. A difficulty of words ensued and Moore struck James a severe blow across the head with a dye paddle. James fell to the ground and never spoke again. He died Tuesday morning about 9:30 o'clock.

A warrant was issued against Moore soon after the blow was struck and he was brought before Mayor J. A. Perry for trial, Mr. Claude Kitchin appearing for the defense. There were three witnesses examined.

THE EVIDENCE.

Claude Allbrook, a young man who works in the mills, testified that as he was passing from the mill by the engine room Stephen Ellis, a colored man who was working in the dye room, called him to come there and stop Moore and James from fussing. Witness saw Moore in front of James walking backwards. James had a paddle in his hand but did not look like he was going to strike with it. Witness thought James was trying to get out of the room. He did not understand well, but thought James called Moore some kind of a son of a —. Moore reached around, got a dye paddle about four and a half feet long and struck James. Witness was about 10 feet from them.

Mr. Kitchin asked witness, "Did you hear Moore say anything to James?" "No," answered witness.

"Did Moore look scared?" "I did not notice. I did not think they were going to fight."

"Do you know what they were quarreling about?" "No; do not know how it began."

"Could Moore have been scared and you not notice it?" asked Mr. Kitchin. "I did not notice. He did not seem scared to me."

Witness said that James was within the paddle's reach when Moore struck him. Moore made one step to strike him. Stephen Ellis, colored, was next examined.

He said Moore came into the dye room by the engine room and James was looking at his (Moore's) ear muffs. While looking at them and handling them James' hands having dye on them he got some of it on the side of Moore's face.

Mr. Gay or Mr. Bracy spoke to him about the dye on his face and Moore pulled a glass from his pocket and looked at his face and said, "That's all right, I'll get him." Witness said he did not know whether Moore was mad or not. After that Moore came into the dye room. James was standing on a box. Witness went out into engine room and returned. When he came back Moore was standing with a potato rake drawn back. Witness heard Moore say to James "God d—n you, I'll burst your head open with this rake if you bother with me."

James said to Moore, "Bob, go on out of here. I don't want any trouble with you." Moore cursed and said he was not going anywhere until he got ready. James then asked witness to go after Mr. Smith and ask him to come and see if he could not get Moore away. Moore still had the rake drawn on James. James walked up to Moore and said, "Hand me this rake," took hold of it, snatched it and Moore let it go. James asked Moore again to go on out and Moore still said he would not go until he got ready. Moore then walked backwards like he was going out and when he got to the door, instead of going out, he turned and walked by the door about five or six feet with his back towards James. James came from the dye tub and said, "Bob, I asked you to go on out of here; and you won't go. If you won't go out I'll get some one who will put you out." James laid his paddle down beside a bench and started out like he was going after Mr. Smith. He stepped side-wise from Moore towards the door. Then witness called Mr. Allbrook. Just as Mr. Allbrook got to the door Moore struck James with a dye paddle, knocked him down and said, "God d—n you, I'll kill you." He struck only one blow. About that time Mr. Bracy came in and Moore said, "I've killed him," or "I'll kill him," and Mr. Bracy said to Moore, "You get on out of here."

Witness Ellis works at the mills in the same room that James worked in. Mr. G. W. Bracy, engineer at the mills, was last witness. He testified that he did not see the row at all. Claude Allbrook called him and when he came into the dye room Moore met witness and said, "Do something for him, I have killed him."

Witness told Moore to get out and go on away. Witness went to James and found him, as he thought, dead. The wound was over the left eye across the head. He then went for Mr. Smith. It is about 10 feet from dye room door to where James was lying.

Mr. Kitchin asked witness, "Did you notice for any paddle near where James was lying?" "I did not."

"Do you know what Moore was over at the mills for?" "I do not. When he first came to the mills he came to the engine room and told me he had been to Coughenour's mill and was nearly frozen."

Mayor Perry here adjourned the court until 9:30 o'clock Tuesday morning. Grave fears were entertained as to the results of the blow, and the court did not allow bond but left the defendant in the custody of officer Dunn.

JAMES DIED.

Tuesday morning about the time for opening court, news came that James had just died. A new warrant was issued against Moore, charging him with the killing of James, and the same witnesses were called. Allbrook and Bracy swore to and signed the testimony they gave in the evening before.

Stephen Ellis was examined again by defendant's counsel, but his testimony was substantially the same as it was the evening before. He said that as James started from the dye tub with his paddle he was dragging it behind him; and he did not say in his examination Tuesday morning just what he said Monday evening about Moore's going backwards towards the door of the engine room.

Moore was committed to jail to await trial next week. Physicians were called to see the wounded young man soon after he was struck and he had good attention. The entire community deeply regrets the whole affair. The young men were both under twenty years of age.

James was brother to the young man that was killed about two years ago at Hogwood by a newsboy. Great sympathy is felt in the community for the families of both James and Moore.

INQUEST HELD.

Mr. James, the father of the young man who was killed, telegraphed to Weldon for B. F. Gary, county coroner, who came on the afternoon train, and had the following persons summoned as a jury of inquest: W. E. Whitmore, J. W. Bell, J. S. Paul, T. W. Fenner, C. Speed and E. W. Hyman. The jury in a body with the coroner and Dr. J. R. Pope viewed and examined the body of the dead man and returned to the Mayor's office to take the testimony.

Dr. J. R. Pope was called and testified that he was called to see James about an hour after he was struck. He found that James had received a blow on the left side of the head, with the skull crushed in, and that he had no doubt about the blow causing death, which occurred 18 hours afterwards.

Mr. Fenner asked, "Do you think the same blow would have killed any other man?" "Yes; I think it would have killed almost any man."

"Do you think any previous wound on his head had anything to do with his death?" "No; it was not broken where his head had been previously saved open. His skull was thicker there than anywhere else, though there was a sink there."

This closed Dr. Pope's testimony which he signed in the presence of the coroner and jury. Stephen Ellis was called and testified substantially what he had twice before, which has been given in detail above.

Claude Allbrook was called and testified substantially as he did on the preliminary examination Monday afternoon, adding that Moore after he struck the blow looked at James before Bracy came in and followed witness and Bracy as they were going to James and looked at him again.

G. W. Bracy was called and stated as he did Monday afternoon. F. L. Bell was called and testified that James was at his house Sunday night, Feb. 16th. He asked James if he was going to church, and he said he was not. He said, "I am afraid to go for Mr. Bob Moore said if he caught me on the streets I would have him to whip or kill."

Witness told James that he would not go then. James did not go until after two hours had passed. This closed the evidence.

THE VERDICT.

The jury, with E. W. Hyman as foreman, after a few moments of consultation, returned and rendered the following verdict: "That deceased came to his death by a blow given by one Robert Moore with a deadly weapon, to wit, a dye paddle."

Notwithstanding the prisoner had been committed to jail before Coroner Gary came, he thought that the citizens generally desired that it should be done, and he held the inquest on the affidavit of Mr. James, brother of the young man who was killed.

\$100 REWARD, \$100.

The readers of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages and that is Catarrh. Hall's Catarrh Cure is the only positive cure now known to the medical fraternity. Catarrh being a constitutional disease, requires a constitutional treatment. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of this system, thereby destroying the foundation of the disease, and giving the patient strength by building up the constitution and assisting nature in doing its work. The proprietors have so much faith in its curative powers, that they offer One Hundred Dollars for any case that it fails to cure. Send for list of testimonials. Address, F. J. CHENEY & Co., Toledo, O. Sold by druggist, 75c.

STATE NEWS.

The Raleigh Progressive Farmer, which has for several years been the organ of the Farmer's Alliance of North Carolina, is to be the organ of the National Alliance.

Mr. Louis Calvin Mause, of Philadelphia, vice-president of the firm of J. C. McNaughton & Co., operating the Martin Lumber Co., at Everetts, is dead, says the Williamston News.

There are now 61 inmates in the Soldiers' Home at Raleigh, writes Col. F. A. Olds to the Charlotte Observer. Their health has been good during the winter and there have been only two deaths.

Dr. George B. Ferritor, of Kenansville, committed suicide in Columbia, S. C., a few days ago. He was carried there for special treatment, and his physical condition was the cause assigned for the deed.

The Rocky Mount correspondent to the Sunday's Richmond Dispatch said that at a musical entertainment given by Miss Bessie Worthington at the opera house Friday night \$95 was raised for the Vance memorial fund. By telephone connection the people in Tarboro, St. Lewis and Elm City heard the music.

The trial at Clinton last week of Dr. F. J. Cooper and Redden Butler, charged with the Roseboro express robbery, resulted in a verdict of not guilty. The trial consumed a week and when the cases were given to the jury they rendered a verdict in two hours. Judge Starbuck's charge to the jury was highly complimented.

A special to Sunday's News & Observer said that in Swain county two white men and a negro filled up on mean whiskey at a still house, teased an Indian, ran him off, and when he resisted they attacked him with knives and cut him so badly he died in a short time. The negro was caught but the white men were at large and a reward of \$200 each has been offered for them.

Gold Leaf: Henderson experienced the sensation of an earthquake Monday night. The shock was very perceptible and lasted several seconds. It was accompanied by a roaring noise resembling the rumbling of a train of cars in the distance. Many of our people in different parts of the town distinctly felt the oscillating, quivering motion of the earth and heard the sound following. At one place some tumblers resting side by side on a table shook against one another and kept up a regular rattling as if rattled together by hand. The shock came about a quarter to 9 o'clock.

Help

Is needed by poor, tired mothers, overworked and burdened with care, debilitated and run down because of poor, thin and impoverished blood. Help is needed by the nervous sufferer, the men and women tortured with rheumatism, neuralgia, dyspepsia, scrofula, catarrh. Help Comes Quickly

When Hood's Sarsaparilla begins to enrich, purify and vitalize the blood, and sends it in a healing, nourishing, invigorating stream to the nerves, muscles and organs of the body. Hood's Sarsaparilla builds up the weak and broken down system, and cures all blood diseases, because

Hood's Pills are the only pills to take with Hood's Sarsaparilla. Johnson's Chill and Fever Tonic cures every time. Cost 50 cents a bottle if it cures; not one cent if it does not. For sale by E. T. Whitehead & Co.

Advertisement for ORINOCO TOBACCO GUANO, featuring a testimonial from F. M. Dorens and contact information for Biggs & Johnson, Agents, Scotland Neck, N. C.

Advertisement for COMPERE & SON, Parisian Dye Works, Steam-Dyeing, Scouring, and Renovating, located at 107 Church St. and 107 Main St., Norfolk, Va.

Advertisement for SCOTLAND NECK MALE SCHOOL, offering a genuine home for boys and young men with excellent literary societies and reading room.

Advertisement for PIANOS and ORGANS, featuring an image of a piano and text describing the largest stock and lowest prices.

We only ask an enquiry... We carry the fullest stock... Write for full particulars and mention this paper.

Advertisement for WALTER D. MOSES & CO., 1005 Main Street, Richmond, Va.

Advertisement for NORFOLK Business College, Haddington Building, offering thorough instruction in bookkeeping, shorthand, penmanship, and business education.

Advertisement for HEARN BROS., General Commission Merchants and General Brokers, located at No. 5 ROANOKE DOCK, NORFOLK, VA.

Advertisement for I. P. LEE & CO., Cotton Factors and Commission Merchants, 28 Rothery's Wharf, Norfolk, Va.

Advertisement for Virginia Candy Company, Manufacturers and Jobbers, 41 Roanoke Avenue, Norfolk, Va.

Advertisement for GUANO Tobacco and Cotton Planters, featuring testimonials and listing various grades of guano fertilizer.