VOL. 29

SMITHFIED, N. C., FRIDAY, MARCH 11, 1910

Number 2

MANY CASES WERE DISPOSED OF FIRST THREE DAYS.

Judge Oliver H. Allen, Who is Pre-Of Clayton, Foreman of the Grand Jury.

Court of Johnston County convened Monday morning with Judge Oliver H. Allen, of Kinston, presiding.

The following grand jury was Arawn and sworn in:

Jesse Hilliard, Foreman, B. A. Turpage, C. P. Ellis, Willis T. Bailey, G. W. Godwin, Joseph Wood, J. Sauls, Kemp Lee, T. P. Oliver, Ashley Wallace, J. H. Talton, J. P. Tiner, A. J. Southard, W. G. Mitchell, H. S. Wall, T. R. Hood, J. W. Tippett, and J. E. Hobbs.

Judge Allen in a clear and forcible charge of an hour and a half in length told the grand jury the duties which devolved upon them as such grand jurors. During the course of his remarks he spoke of the recently enacted prohibition law. He said tha the law should be enforced because it was the law of our state and the only law on the statute books that had been made by the vote of the people. That every other law the statute books of North Carolina were placed there by the legislature, with the exception of the prohibition law, and that it was enacted by the direct vote of the people. He said that 85 per cent of the crimes committed had whiskey connected with them. After the grand jury had retired from the court room to begin their work, the docket was taken up

and the following cases disposed of. State vs. Tom Johnson and Sam Johnson, L. and R. Nol pros leave.

State vs. Eddie Oneal and John Ferrell. Store breaking. Nol pros Capias and continued. with leave.

State vs. Walter Sanders. Store bill. breaking. Defendant pleads guilty to receiving. Judgment suspended upon

the payment of costs. State vs. John Beckwith, R. W. L.

Nol pros with leave. State vs. James Gary and John Gary. House breaking. John Gary having broke jail James Gary was out on trial, and being found guilty was sentenced to five years on the

Smithfield and Clayton roads. State vs. A. A. Bass and Catherine Capps. F. and A. Nol pros as to both defendants.

Ross. The defendants were charged years of age. with entering the cotton house of Mr. Robert Sanders and taking jug of cider. Defendants plead guilty and judgment was suspended upon Aviator at Moumelon Meet Lands the payment of the costs, Mr. Sanders joining in the prayer for

State vs. M. D. Smith and Archie upon the payment of the costs.

W. Defendant pleads guilty to sim- death. ple assault, and is fined five dollars and taxed with the costs.

fendant was charged with breaking The aviator was saved by the machine is a play upon whose success or fail- porch. A gun that had been recently and entering a store in the town of striking in the top of a tree. The Clayton. He plead guilty of receiv-biplane was smashed to smithereens, least 200 presentations." ing goods taken from the store know- but Crochon, whose friends had rushing them to have been stolen, but ed to the scene expecting to pick denied the breaking and entering. Be- up his mangled body, climbed down ing of a very weak mind the solici- from the tree badly scared, but not tor accepted a plea of receiving and hurt. Freeman was sentenced to serve two

goads. pended Gary having been sentenced but neither pilot was hurt. in another case to serve 5 years on the roads.

State vs. Willie Smith and Rosa Smith. F. and A. Defendants found months.

State vs. C. V. Young. L. and R. of \$13,500,000. Bill changed to charge forcible tres-

State vs. Eugene Canady. C. C. morrow.

PROCEEDINGS W. Defendant waives bill and pleads guilty. Judgment suspended on the payment of the costs.

> State vs. Paul Young. L. and R. ced to do duty on the Smithfield and Clayton Roads for twelve months.

State vs. Allen Norris. C. C. W. Defendant pleads guilty. Judgment siding, Delivered Strong Charges of the court is that Norris pay the To Jury-Several Law Breakers costs, and give bond in the sum of Sent to the Roads for Terms of \$100.00 to appear at each term of Different Length-Jesse Hilliard, the court for a period of two years and show that he has been sober and of good behavior.

State vs. Fletcher Strickland, A. D. W. Defendant is found guilty and The March Term of the Superior sentenced to serve four months on Friday afternoon on the streets of the Smithfield and Clayton Roads.

> State vs. Fletcher Strickland. L. pended

> State vs, Ira B. Hudson. Appeal

State vs. Let Davis. C. C. W. Not

R. Defendant pleads guilty in three Fowell, who asked Mr. Travis why cases but being a boy under thirteen he had not replied to a letter he had years of age and of weak mind he written him. Mr Travis stated that was hired out for a term of 2 years the letter had escaped his notice. to Mr. George Hinnant.

D. State vs. J. Robert Young. A. W. Defendant found guilty of a sim- and soothe the man and placed his ple assault and judgment is suspend- hand upon his shoulder. As he did ed on the payment of the costs.

State vs. Chas. C. Lee and Joe

James Holt, and Charlie Williams. bullet through his side." L. and R. Defendants plead guilty. Williams and Turner, and Holt are hired out for the costs.

State vs. John James. C. C. W. Capias and continued. State vs. J. W. Stancil. A. D. W.

Capias and continued. State vs. Isaiah Singleton. L. and R. Capias and continued.

State vs. Walter Wallace, A. D. W. State vs. Jim Oneal. Not true

State vs. E. Z. Jones. Dis. M. P.

Capias and continued. State vs. Let Davis and J. A. Gill.

A. D. W. Gill called and failed judgment nisi, sci fa and capias. State vs. J. H. A. Parham. Dis. M.

P. Not true bill. John Winfield.

Capias and continued. Creech. Dis. M. P. Nol Pros.

State vs. Lonnie Smith and Will bound out to J. T. Barham till 20 people will cease to ask "Is 'Chan- the deceased, when he left his store

FALLS 400 FEET AND LIVES.

In Tree and Escapes Unhurt When His Biplane Breaks.

Mourmelon, March 7.-Two aero-State vs. George Mitchell. A. D. biplane had a miraculous escape from

Crochon's machine fell from height of 400 feet, overturning sev-State vs. Freeman Young. The de- eral times in its bulletlike descent

A few minutes later the Farman

Tuesday in Congress.

TRAGEDY IN HALIFAX THIRIY YEARS IN PEN

BY E. E. POWELL FRIDAY.

The Victims of Powell's Wrath Are Paul Kitchin, a Brother of the Governor, Senator from Halifax, and Deputy Sheriff Charlie Dunn. Tragedy Took Place on Streets of Scotland Neck.

An awful tragedy was enacted last Scotland Neck, when E. E. Powell, a man about 70 years of age, shot Repand R. Bill is changed so as to resentative Paul Kitchin, a brother read forcible trespass; defendant of the Governor, State Senator E. L. pleads guilty and judgment is sus- Travis, and Deputy Sheriff Charlie Dann.

The tragedy began very unexpectfrom Mayor's court of Benson. Not cdly and according to the newspaper accounts is as follows:

"Kitchin, Travis and Dunn in Woolard's livery stable and the State vs. Percy Hastings. L. and two former were approached by Powell cut in and began cursing. Mr. Kitchin started to remonstrate so Powell drew a revolver and shot Mr. Kitchin in the face. Kitchin fell E. Booker. Failing to list taxes. Nol to the ground and Powell turned and shot down Travis also. Deputy Sher-State vs. Demas Lane and Henry iff Dunn started to approach Pow-Atkinson, Shooting into dwelling. Nol ell, but being unarmed turned when he saw the latter raise his revolver. State vs. John Henry Turner, Powell fired and Dunn fell with a

Dunn died Monday. The others are getting on as well as could be expect-

Powell went to his home after the was placed in jail. He was later taken to Raleigh for safe keeping. He says now that he has no recollecion of the horrible affair. He will doubtless try to get out of it by claiming temporary insanity, or brain-storm, or some other fool trick of these modern

PLAY IS BRINGING FORTUNE.

"Chantecler" Will Net in Its First 100 Performances at Least \$320,000.

Paris, March 7.-Financially success of Rostand's "Chantecler" is phenomenal. I am told that the first ed instant death, State vs. Mary Creech and J. R. 100 representations in Paris alone wil tecler' a success,"

tures of the damned."

actor and author are not on speak- and several facts showing hard feel-Hodges. A. D. W. Defendants plead plane accidents marred the flying to- cent occasion, when the poet and his Pearces were disclosed. The coroguilty, and judgment is suspended day on the local aviation grounds, in illustrious family left the theater, ner's jury then decided to visit the country cousins."

war with each other.

ure I cannot pronounce until after at

Jules Lemaitre declares: "It is a fable of 4,000 verses."

Negro Traveling with Smallpox.

years on the Smithfield and Clayton biplane used by M. Frey collided with last Tuesday in Smithfield when a and of the rear wheels 11/2 inch. These Capt. Moreau's machine as the av. negro tramp came up Third Street to tracks were traced from the Pearce State vs. James Gary. A. D. W. De- lators were alighting. Both machines find a doctor for smallpox. It had home to the place on the railroad fendant pleads guilty. Judgment suswere badly twisted by the impact, a good hold on him. He walked the track where the body was placed. and nineteen days. middle of the street and seemed not These tracks corresponded with those to want to get too near any person. made by a wagon owned by Andrew A good many as soon as they saw Pearce, alias Walker, and was the him or heard about him left for oth- only wagon known in that community | Last Monday Mr. H. P. Stevens judgment is suspended on the pay- siness a couple of hours longer. Both ed when it became known that he him with the crime. the disease at Wilson or Rocky Mt.

THE SECOND DEGREE.

Albert Pearce and Andrew Pearce Given a Sentence of Thirty Years Ten Years. History of the Crime.

The case of Albert Pearce, Troy Pearce, John E. Pearce, and Andrew Pearce, alias Andrew Walker, came to a rather unexpected close yesterday afternoon at the opening of the afternoon session, the defendants Andrew Pearce withdrawing their former plea of not guilty and pleading guilty to murder in the second degree, whereupon the Solicitor for the State accepted the plea and the jury returned a verdict of guilty as to the three above named defendants, and a verdict of not guilty as to the defendant Troy Pearce. After hearing some of the facts connected with the case, the defendants, Albert Pearce and Andrew Pearce were sentenced to serve a term of 30 years each, and John E. Pearce 10 years at hard labor in the State prison.

This was one of the most revolting and shocking cases that this county has ever known. The history of the case is as follows.

On Saturday night January 22nd, Mr. George Davis and Charlie Braswell while on their way home from Princeton, came across the dead body of a man lying alongside the railroad track about a mile west of the town of Princeton. Reporting their finding the coroner, Dr. R. P. Noble, of Selma, was notified, and he instructed the town authorities at Princeton to shooting but later surrendered and have the body guarded until he could arrive the following morning. riving at the scene, Dr. Noble empanelled a jury and began to investigate. The train had severed the head from the body and cut off one of the arms. A closer examination of the body revealed a hole in the then probed and picked around in the hole and soon brought to light a No. 4 shot. The body was then taken to the depot at Princeton where it was cut open and a load of shot found, which load had entered the body just above the heart severing the left aorta, and which had produc-

bring in no less than \$320,000. When er thick nad fast connecting parties State vs. Claud Williams. L. and the managers of the theater St. Mar- with the killing. Mr. W. F. Young Former Political Leader and Several R. Defendant pleads guilty and is tin have pocketed a million or so, told of having seen Frank Langley. just before sunset to go after some Rostand says: "Do not congratu- whiskey for Bithon Willoughby, and late me. I have been betrayed by of hearing a gun shot in the direcmy interpreters. I suffered the tor- tion of John E. Pearce's home shortly after Langley had left his store. Now all the world knows his chief Several other witnesses testified to interpreter is M. Guitry and that having heard a shot in that direction. ing terms. It is said that on a re- ing between the deceased and the might snap in twain. one of which M. Crochon in a Voison Guitry pointed the finger of scorn at Pearce home, and upon arriving them and remarked: 'There go our there found where blood had been Y. scoured off the front porch of the As to the critics they are all at Pearce home and also found blood on several garments around the Alfred Capus says: " 'Chantecler' house and on the walls of the fired was also found, and two other guns loaded. In another room were found quite a number of 4 and 5 gallon jugs and a quantity of whiskey. Tracks of where a wagon had been driven up to the house and turned around were also found, the tread There was considerable excitement of the front wheels being one inch

guilty through their counsel Messrs, fore,

were appointed by the Court to defend them, Sauls was placed on the stand by the State to relate the Defendant found guilty and senten. THREE PROMINENT MEN SHOT PEARCES GUILTY OF MURDER IN facts of the killing. The killing as PEARY DECLINES TO SUBMIT related by Sauls took place in the following manner. He (Sauls) had been working for the Princeton Lumber Company and as his wife was out of town on a visit to her rela-In the Pen, While the Old Man, tives in Clayton, he had gotten Mrs. John E. Pearce, is Sent Up for John E. Pearce to do some cooking for him, and had gone to the Pearce home after finishing his work and just before dark to get his supper. He went in and it being a very cold day, pulled his chair up near the fire and was warming his hands, and sitting with his back to the door. Albert Pearce was sitting in front John E. Pearce, Albert Pearce, and of the fire, with a gun lying across his lap and appeared to be rubbing the same. Soon Andrew Pearce, alias Walker, came in at the back door and appeared to be in a hurry. He then heard Frank Langley's voice ment follows: in front of the house, and Andrew Pearce spoke saying, "There comes Frank Langley now." Albert got with his publishers render it imposup to go to the door as if to let sible to make his records and scienhim in. He then heard a gun shot, tific data public now. It would not and heard Mrs. Pearce, say, "Albert only subject Peary to heavy damhas killed "Frank Langley." Turning around he saw Albert Pearce set the having just extricated himself from gun down. Everything was then in debt incurred in connection with his a stir, and he ran out of the house and on down town. He said that he was overtaken by the Pearces, Albert and John E., and asked to help carry the body off, but he refused, and having received a letter that day from his wife stating that

Chas. U. Harris and S. S. Holt, who

ing else of what took place. To conceal their dastardly crime the body was then taken and carried to a place one mile west of the town of Princeton where it was placed on the track in hopes that the train would cut it to pieces and thus forever hide their crime.

their child was sick, left on the night

train for Clayton, and knew noth-

The body was struck however in such a manner as to mutilate it above the wound, and the evidence day to honor Commander Peary withof the death wound was left untouched, and so is it proved, "For murder, though it have no tongue, will ing of the rank of a retired rear adbody just above the heart. Dr. Noble speak with the most miraculous organ."

In accepting the plea of guilty of murder in the second degree the ac- tional Geographic Society was suftion of the Solicitor has met the entire approval of all the citizens of the county conversant with the facts, and the ends of justice appear to be fully met.

Times Senator From New York Passes Away.

New York, March 6 .- Thomas Collier Platt, for a quarter of a century John Atkinson's Death Sentence Is the most powerful factor in New York politics and the founder of the modern political machine, died to-day in his seventy-seventh year. His long life ended as a slender cord

The story of his life has been summarized as follows: Born July 15, 1883, at Oswego, N.

Entered Yale with the class of

Received honorary degree of A. B. in 1876.

fourth congresses. Elected United States senator January 18, 1881.

same year. 1896, re-elected 1902.

Term expired March 3, 1909. since 1880.

Died New York city March 6, 1910, aged seventy-six years seven months

Manure Spreader Exhibited.

Washington, March 8.—The post- er parts of the town. Others who with the peculiarity of the wheels showed the work of the Easy Load- mended clemency and eleven of the guilty. Rosa Smith sentenced to office appropriation bill carrying ap- had never seen a case of smallpox as above mentioned. The defendants er Manure Spreader to a number of trial jury also recommend commutasix months in jail, while Willie goes propriations aggregating \$241,000,000, and were a little more venturesome upon this evidence were placed in farmers who took quite an interset in to do service on the Smithfield and was passed in the House to-day, drew near to see him. He was jail together with one Sauls who the exhibition. A load of manure mute John Atkinson's sentence from Clayton roads for a term of three while the Senate disposed of the ag- sent off by the County Physician to was at the house at the time of was placed on the spreader which death penalty to life inprisonment."ricultural bill with total appropriation a house where he could be treated the murder. Sauls however was re- was drawn by two fine horses and News and Observer March 5th. for the disease. Before coming here leased upon habeas corpus proceed- the manure was spread on a lot be-The Senate was in session three he had been working in the southern ings before Judge Allen at Goldsboro, longing to Mr. Stevens. The work pass, the deefndant pleads guilty and hours, the House continuing to do bu- part of the county but was dischargwas interesting to many who had the Senate and House will meet to- had smallpox. He probably caught After the defendants had plead never seen a spreader work be-

THE PUBLIC MUST WAIT

PROOFS TO CONGRESS.

Sends a Statement Written in the Third Person to the Sub-Committee Declaring That it is Impossible to Make His Records and Scientific Data Public Now.

Washington, March 7 .- Commander Peary declined to-day to submit to Congress the proofs of his discovery of the North Pole. He sent in care of Representative Alexander of New York a statement, written in the third person and addressed to the sub-committee of the House committee on naval affairs, in which he set forth his reasons for refusing to send his data to the committee. The state-

"Commander Peary and his friends say that contracts signed months ago ages-a loss which he cannot meet. various expeditions-but it would be breaking faith with his publishers, which he is unwilling to do under any circumstances."

After hearing statements by Representatives Hobson of Alabama and Moore of Pennsylvania, urging the granting of a congressional reward to Peary irrespective of the question of his proofs, the committee adjourned until Wednesday without taking ac-

Of the committee of seven members, it is known that three are opposed to granting recognition to Commander Peary unless the proofs of his discovery of the pole are submitted to Congress and the public.

Both Mr. Hobson and Mr. Moore vigorously urged the committee toout further quibling over the proofs. The former declared that the grantmiral was none too much honor to bestow. He argued that the endorsement of Peary's proofs by the Nafulcut.

Representative Macon told the committee that since he publicly declared a few days ago that he would insist upon seeing Mr. Peary's proofs and was opposed to any "legislation in the dark" on the subject, he had re-Circumstances then began to gath- SENATOR PLATT DIED SUNDAY. ceived letters containing three thousand signatures, endorsing his stand.

> The deserts of the earth cover 4,-180,000 square miles.

SAVED FROM THE CHAIR.

Commuted To Imprisonment For Life.

John Atkinson, the negro of Johnston County, who was sentenced to be electrocuted on Friday, March 18. escapes death, and his sentence is made life imprisonment. This was done by Governor Kitchin yesterday.

Walter Morrison, of Robeson County, is now left in the State Prison as the first to be electrocuted and there is an application to commute Member of forty-third and forty- his sentence. This is yet to be acted upon. He was convicted of rape, while John Atkinson was convicted at the December term, 1909 Resigned with Conkling May 16 of Johnston County court of the murder of another negro. In his reasons Elected United States senator in for commutation, Governor Kitchin says:

"In this case the prisoner shot President of the U. S. Express Co. deceased on account of deceased's criminal relations with prisoner's wife, and while under great excitement at having learned that the guilty parties had just been offending. The Judge and Solicitor recommended commutation. Every lawyer who heard the trial also recom-

> Oklahoma has the greatest Indian population of any of the states of this country. They number 117,370.

The earth's fertile area is estimated at 28,269,200 square miles.