

The Smithfield Herald

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CRIMINAL COURT IN SESSION HERE

Judge Daniels Charges The Grand Jury; A. M. Coats Takes Oath As Lawyer

A one-week criminal term of the Johnston Superior court convened here yesterday and was the occasion of the assemblage of a large number of people at the county's capital. The resident judge, Hon. F. A. Daniels, of Goldsboro, is presiding. Solicitor C. L. Williams of Sanford, is also here and has upon his hands the prosecution of the docket.

The business of the court was delayed one hour on account of a belated train which brought the judge to the city, and immediately upon his arrival business was begun and a grand jury drawn. Then followed the judge's charge which was brief but comprehensive. He told the grand jurors that from time immemorial the grand jury had been regarded as the right hand of the criminal law, always safeguarding our ancient liberties by first finding out by their investigation that the accused is probably guilty. He reiterated the old principle of the law that it were better for ninety-nine guilty persons to go unpunished than for one innocent person to be punished. He gave caution, however, that the records of the justices of the peace should receive close investigation in order that they may not assume powers of arbitration and settle matters of which the statutes give no jurisdiction.

After declaring that our government had succeeded under our Federal and State constitution because our people had lived up to the ideals expressed therein, he had something to say about the county affairs. He declared that the county officials were the servants of the people, and that if they found the officials to be competent and performing well their duties that they ought to let the people of the county know that their affairs were in faithful and worthy hands. He spoke of the court house. He said it was clean and commanded that it should be kept so, stating further that the person who wantonly abused it or marred its appearance should be prosecuted. It was dedicated to justice and the good people of Johnston county and stood next in his esteem to the church just across the street from it. He stated further that while Johnston's is not the largest court house in the State, that it is the best arranged and most modern of any to be found within the State.

He ordered an investigation and report of the condition of all the county penal and charitable institutions—the jail, the chain gang camp, and the county home. He was gratified to know that Johnston had now the best county home in the State as well as the best court house. He wanted the grand jurors to find out something of the management and something of the type of a keeper of the home that we have, declaring that none except such as are qualified by good character and temperament should be placed in such an important position.

Following the judge's charge, upon the presentation of Col. Ed S. Abell, Mr. Albert Coats of Smithfield took the prescribed oath as an attorney at law.

The docket presented by the Clerk contains over 150 cases, several of which for various causes were carried over to the next term. The docket contains one case of murder in the first degree, State vs. Allen Pennell, which was set for trial on Thursday of this week. The case of State vs. Leon Hill, on a charge of seduction was set for Wednesday. There are other weighty cases which will contain a good part of a day when they come before the court, and it is doubted whether the docket will be cleared by the end of the week.

The following are the grand jurors for the week: J. W. Stephenson, foreman, Lee Branham, Jno. A. Johnson, L. Z. Wood, J. B. Sanders, Julian Godwin, A. V. Hinton, J. H. B. Tomlinson, G. J. Murphy, W. E. Narron, J. B. Tomlinson, H. M. Stewart, O. W. Sasser, Jephtha Benson, Nazro Parker, P. E. Tomlinson, C. G. Wiggs, and S. A. Peedin. Joe Eason was appointed officer to the grand jury.

Pet Monkey Turns on the Gas while Woman Sleeps

"Jimmy," a young monkey "willed" by a departing tenant to Evelyn Sutton, a negress, employed as a maid in a boarding house conducted by Mrs. Mary Ryan at 64 Riverside Drive, New York City, playfully opened the jet of a gas stove while his mistress was taking a nap in her room in the basement.

Instead of lying down to die when the room became filled with gas, "Jimmy" dropped into a corner and stuck his nose to the ground, thus escaping the effects of the gas. Two men smelling gas in the hallways traced it to the negress' room and forced open the door. They found her unconscious. A pulmotor revived her.

NEGRO FOUND DEAD ON RAILROAD TRACK

Early Saturday morning the body of a dead negro, whom no one was able to identify, was found on the railroad track between here and Selma, about one mile and a half north of Smithfield. The body was discovered about seven o'clock and reported to Mr. Henry the Express agent, who immediately reported it to the station agent. The coroner was notified, who instructed the body to be brought to the station here where an inquest was held. A hole had been knocked in the negro's head. The situation looked as if the body had been placed on the railroad track. No evidence was brought out to sustain this theory. The coroner's verdict was that he came to his death through some unknown cause. The body was consigned to Mother Earth belonging to the A. C. L. Railway.

PRESIDENT ALLIED WITH CONGREGATIONALISTS

Washington, D. C.,—For the first time in history, the Congregational Church, through the rise of Calvin Coolidge to the presidency, will be able to claim the nation's executive. Although not a member, Mr. Coolidge has for many years been a regular attendant at Congregational churches here and in Massachusetts, accompanying Mrs. Coolidge, an actual member of the church since childhood. They have attended the First church constantly during Mr. Coolidge's term as vice president and will keep it as their place of worship in the future. It was founded in 1866, and is of old fashioned architecture, a large but not imposing structure, and located downtown at 10th and G streets. The pastor is Rev. Jason N. Pierce.

President Coolidge although not a member of the church, is the first President associated with the Congregational faith. He and Mrs. Coolidge rarely miss Sunday services and occasionally attend at mid-week services. When a girl, Mrs. Coolidge joined the church at her home in Rutland, Vt., and after her marriage transferred her membership to the Edwards Congregational church at Northampton, Mass., of which the father of President Coolidge's private secretary, E. T. Clarke, once was pastor.

Swimming the English channel bids fair to become as popular a diversion as marathon dancing.

An African Soldier In Civilian Attire, Arrested

Presidents of Mayence, Germany, were recently edified by the sight of an African promenading through the streets clad in nothing but a loin cloth, according to a story going the rounds of the European press. When picked up by the local police and taken to the Station House, the black soldier justified the wearing of his native costume by producing a pass signed by a French officer, reading as follows:

"The negro Bambula is on leave. He is allowed to wear civilian clothes."

Keaton, Who Married Smithfield Nurse, To Answer Bigamy Charge

Captain Nat Warren, of the Raleigh Police Department left last night for Birmingham, Ala., to bring back to Wake County for trial Darwin M. Keaton, charged with bigamy. Although information was to the effect that Keaton, arrested by the Birmingham authorities would not resist extradition, Captain Warren is armed with the proper papers.

Keaton, highway inspector for the State Highway Commissioner, had been married five years and his family relations, from all information which could be gathered by the police, were pleasant when he married Miss Mabel Coker, a trained nurse of Smithfield, in Goldsboro last Monday.

When he left Mrs. Keaton, who lives at 124 Firwood Avenue, last week with the explanation that he would be away until yesterday, he explained to her that his pay check would be sent to her. The check did not arrive as expected and Mrs. Keaton made inquiries. She learned, ac-

ording to the police, that the check had been given to Keaton who had made no arrangements for having it forwarded to her.

Jesse Wyatt, Raleigh detective took up the case and it was developed that Keaton married the young woman of Smithfield at Goldsboro last Monday. She, in the meantime, had written her parents from Birmingham, telling them how happy she was, what a splendid husband Mr. Keaton was, and how considerate he had been throughout the trip to Birmingham. Telegram to the authorities at Birmingham asking for the arrest of Keaton followed.

From Birmingham last night came the news that Mrs. Keaton No. 2, entirely innocent of the duplicity of her lover who had been courting her for months under deception, was heartbroken at the exposure. Keaton confronted with the charge of bigamy admitted his guilt.—News and Observer, August 13.

M. E. PREACHER ON LAW ENFORCEMENT

Talks Straight From The Shoulder As To Sabbath Observance Here

"For reasons given for repealing the Sunday ordinance by the town Board of Commissioners," according to Rev. D. H. Tuttle, in a sermon at the Methodist church Sunday night, "every commandment of God and statute made by men may be repealed and every man be a law unto himself."

Having previously announced that he would preach on Sabbath Observance at the evening hour, a good sized congregation gathered in the last of a series of union night services held in the town during the hot summer months. The night was hot and fans moved vigorously but there was nothing drowsy about the congregation as they listened to the preacher expound straight from the shoulder his idea of Sabbath observance in Smithfield and elsewhere.

Rev. Mr. Tuttle began his discourse by naming some present laws which are in force as a result of the godliness of our fore fathers:

1. Congress never meets or sits on Sunday.
2. No court sits on Sunday.
3. No court decree is valid on Sunday.
4. No President, governor or other official is ever inaugurated on Sunday.
5. Neither Congress nor any legislature can enact a law on Sunday.
6. No President or governor can validly sign a bill on Sunday.
7. Our United States constitution (article 1, section 7) requires that our President shall not be expected to attend to public matters on Sunday. They wanted Sunday as a holy day for all.
8. All Sunday notes and contracts were void under pioneer laws and are still void in nearly every state.
9. Nearly every state forbids farmers, blacksmiths and mechanics from Sunday work.
10. United States postmen in cities are allowed Sunday for rest. Why not all employees?
11. Congress by law required the World's Fair in Chicago and the St. Louis Fair to be closed on Sunday.

Mr. Tuttle then discussed the motive behind Sunday trade and games, and papers and trains—a desire for gain; to make money. "Look at the railroad schedule," he said, when the Sunday train doesn't pay big dividends, it is cut out. He cited the small roads here and there as examples. He mentioned the Sunday newspapers and especially the big editions gotten out on the Sabbath, and said that an account to God would have to be rendered for the extra work thus entailed. He denounced the custom on the part of some to use the day for the display of dress and as an occasion for having a big dinner.

In regard to the local issue which prompted the sermon at this time, (Continued on page five)

MASS MEETING HELD SUNDAY AFTERNOON

Discuss Action of Smithfield Board In Reference To Sabbath Observance

The action of the City Board of Commissioners at their regular meeting last Tuesday night in passing a resolution designed to annul a town ordinance prohibiting drug stores to open for the sale of any merchandise except medicine, has caused no little comment in the town. The step taken by the Board was not generally known until Friday, since which time, it has been the chief topic of conversation on the streets, and elsewhere.

Saturday morning a group of twelve or fifteen men met in the office of Judge F. H. Brooks and passed the following resolution:

Whereas there was an attempt made by the Board of Commissioners of the Town of Smithfield, at the regular meeting held Tuesday night, August 7th, 1923, to repeal Section 3, Chapter 6, of the Ordinances of the Town of Smithfield, which reads as follows:

"Any person who shall open any shop or store on Sunday for the purpose of trading, shall be fined five dollars; but drug stores may be kept open on Sundays for the purpose of selling drugs, medicines only."

And whereas, the Christian people of the Town of Smithfield not willing to sit idly by and see the Holy Sabbath Day desecrated by the opening of the drug stores, for the purpose of selling cold drinks, cigars, cigarettes, etc:

Do Hereby Call all the people of Smithfield, who are opposed to the opening of the drug stores in our little city for the purpose of selling goods, other than medicines on Sunday, whether they be members of any churches or not, are urgently invited and requested to meet at the Court House in the town of Smithfield, N. C., on Sunday, August 12th, 1923, at five o'clock, for the purpose of memorializing our Honorable Mayor and the City Fathers to not allow the general desecration of the Sabbath Day by the repeal of the ordinance above referred to.

L. D. WHARTON,
W. M. SANDERS,
L. C. POWELL,
JAS. H. WOODALL.

This resolution was read in the various churches Sunday morning and five o'clock found a goodly number of citizens both men and women assembled in front of the Court House. Some one had failed to secure the key to the court room and it became necessary to assemble in the Methodist church across the way. Mr. J. D. Spiers, upon motion of Mr. L. T. Royall, was made Chairman of the meeting, and Judge A. M. Noble, was chosen Secretary. The Chairman called upon Mr. F. H. Brooks to state the object of the coming together, which Mr. Brooks did in a few words, stating that the action of the Board had come unexpectedly to the majority of the citizens and in-as-much (Continued on page five)

MARION LAYS AWAY HER DEAD

Prayers and Hymns and Bugler's Taps Comprise the Final Scenes

MARION, Ohio, Aug. 10.—The body of Warren G. Harding, twenty-ninth President of the United States, rests tonight in Marion cemetery. Near the brownstone receiving vault where the metal casket containing his still form was placed this afternoon are the graves of many with whom he was on terms of intimacy in Marion's pleasant community life. A quiet and restful spot, this God's acre of Warren Harding's home town, sweet-smelling from myriads of flowers piled thickly around his temporary tomb; a spot suggestive of all that God's acre should be.

Tonight, while silent soldiers of the army guard his body, the widow of the President is on her way back to Washington to oversee the removal of many personal possessions of her residence of more than two years in the White House. With her on what was once "the Presidential special" for the period of President Harding's progress across the continent "to look into the faces of the people," and which became later, in the reversal of that joyous journey, "the funeral train," are the members of the Harding cabinet, headed by Charles E. Hughes, Secretary of State. Others with her wear little strips of ribbon, once white, now stained and mottled with the dust of travel, bearing the legend, "The President's Alaska Party."

All that could be done was done by Mrs. Harding to deprive her husband's requiem of every and any appearance of pomp and ostentation. She resisted the efforts of those who would make this pleasant, tree-shaded, home-like little city the scene of a great ceremonial. With that decision for which she is noted among her friends and to which she has tenaciously adhered by a supreme exercise of will since the sudden passing of her husband eight days ago, she courteously but firmly vetoed the suggestions of some of those in authority in Washington to surround the obsequies with military display and the paraphernalia of official spectacle.

No troops were in that simple procession which followed the body of the late President to the tomb save that little band of soldiers, sailors and marines which had guarded the metal casket in its travels across the continent to Washington and from Washington to Marion. While the processional to the tomb was in progress guns boomed a parting salute and as the final words were said a bugler sounded "taps".

Notice to Automobilists in the Town of Smithfield

The following statute is taken verbatim from the Consolidated Statutes of the State of North Carolina, in reference to the operation of automobiles in the State of North Carolina on its public highways and municipalities.

"CHAPTER FIFTY-FIVE (55)"
Entitled
MOTOR VEHICLES.
ARTICLE FOUR (4).
SECTION 2614. "By incompetent person: racing.

"No person shall operate a motor vehicle upon the public highways of this State who is under the age of sixteen years and who is not competent physically and mentally, and no person shall operate a motor vehicle when intoxicated, or in a race, or on a bet or wager, or for the purpose of making a speed record: PROVIDED, nothing herein contained shall prevent racing on private race courses or tracks."

The above referred to law in respect to the operation of motor vehicles as defined by the above quoted section, will be enforced.

This the 10th day of Aug. 1923.
JNO. A. NARRON, Mayor
of the City of Smithfield, N. C.
By the Mayor:
C. R. Cable, Chief of Police.

TOBACCO MARKET WILL OPEN AUG., 28

Opening Is Postponed One Week Because of The Lateness of Crop

At the request of the Imperial and the Export companies, which buy the bulk of the tobacco sold in Eastern North Carolina, the warehouse men met here at noon today and decided to postpone the opening of the tobacco markets until August the 28th. This postpones the opening date one week, it being originally set for Tuesday the 21st of August.

There was some opposition to the matter. Some of the buyers expressed themselves as being opposed to it since they had already advertised the opening on the 21st, and had been to much expense in that connection and the farmers expected it.

Mr. B. B. Sugg, Secretary of the Eastern North Carolina Warehouse Association stated that the opening date the 21st was fixed by the United States Tobacco Association in its meeting in Asheville, and he proposed the date would not be changed.

The buyers however stated that the crop is late, very little has been cured, and that it would mean a small flurry of tobacco and then a cessation of the weed ready for market. That an early opening would mean the maintenance of an expensive overhead for several weeks with little tobacco coming in. The majority of the warehousemen were willing to accede to the wishes of the buyers and all voted for the motion.

The meeting was presided over by Vice President, George R. Fleming of Greenville, while Mr. B. B. Sugg acted as secretary.

A number of speeches were made on the subject. Mr. J. F. Brinkley of Greenville making the motion in accordance with the wishes of the buyers this motion was seconded.

Mr. Brinkley stated that inasmuch as the Imperial and the Export company bought the bulk of the tobacco and saw to it that the farmers received good prices for their weed, and that an early opening would not do any one any good but add to their expense, as the farmers have very little prepared for market, argued for the proposed postponement. On the other hand Mr. B. B. Sugg opposed the matter on the ground that the warehousemen have had already made preparations and to readvertise would cost them considerable. However the motion carried and the opening date was made the 28th.

There were a number of warehousemen and buyers present. Mr. A. C. Meek, of Monk and Co., Mr. J. T. Cheatham, of the Export Company, Mr. C. M. Fleming of the Imperial, and other buyers from here and abroad.

In addition to the Wilson warehousemen there were present Mr. George L. Fleming of Greenville, Mr. H. H. Morton of Williamston, Mr. Paul L. Clodfelter a banker of Greenville, Mr. Guy V. Smith of Greenville, Mr. Willie Morton of Greenville, Mr. R. L. Skinner of Smithfield, Mr. R. H. Knott of E. P. Wooten of Kinston, and W. A. Knott of Kinston, Mr. V. E. Wells of Greenville, Mr. P. C. Vestal of Rocky Mount, and R. O. Thompson of Rocky Mount.—Wilson Times, Aug. 13.

CONGRESSMAN WARD TO SPEAK AT KENLY

Hallet S. Ward of Washington, congressman from the fifth district, will speak to members of the Tobacco Growers Co-operative Association at Kenly Wednesday, Aug. 15, at 2:30 o'clock, in the afternoon. This will be the regular meeting of the County Unit of Johnston Tobacco and Cotton Growers Association and every grower is requested to be present.

It is important that every secretary and chairman of each local in the county attend this meeting and urge as many members as possible to attend.

A. M. JOHNSON,
County Chairman.
For the Chairman
N.B. STEVENS,
Secretary.