

Court Nearing End Of Short Criminal Term This Morning

Judge Leo Carr Makes Short Talk to Grand Jurymen Monday Morning

Clearing its criminal docket Monday afternoon a few hours after it was convened, the Martin County Superior Court this morning is nearing the end of its regular term called for the trial of both criminal and civil cases. A recess was ordered yesterday afternoon shortly before 4 o'clock after the few criminal cases had been tried and a divorce was granted. This morning, the tribunal is hearing a few civil cases and six divorce actions.

Opening the court yesterday morning, Judge Leo Carr of Burlington briefly addressed the grand jury, mentioning two subjects only. He expressed much interest in the little children riding the school buses, and said, "While the weather is bad, the buses must be inspected," he instructed the jurymen, suggesting that the body be divided into groups for the task. He also instructed the jurymen to inquire about the personal habits of the drivers, to make careful that they are careful and dependable. "We can't be too diligent about the safety of the children," he said, adding that North Carolina has a good record in transporting its school children, and that the jurymen should do all in their power to help maintain that record.

Judge Carr also instructed the jury to check and see if recommendations made by the previous body had been complied with.

The court attracted a fairly large group of white spectators, but when the session was opened yesterday morning there were hardly more than a dozen colored citizens in the court room. Briefly stated, it was a "white man's court," the criminals, spectators, witnesses and attendants coming for the most part from the white race. The Griffin manslaughter—cold-blooded murder would possibly be a better name for it—case, and the Cherry murder case attracted considerable attention. Had it not been for them, the court possibly would have been without spectators.

Proceedings other than the manslaughter and murder case follow: The case charging Leamon James with vagrancy was not prosed with leave.

Gadys Peel, charged with knocking his wife's eye out and under a six months' road sentence imposed in the county court, failed to appear on appeal for the second time, and his \$200 bond was ordered forfeited.

The case charging Harry Land with non-support was not prosed, the litigants having "kissed and made up," to use the words of Solicitor Donnel Gilliam.

A verdict of not guilty was directed by the court in the case charging Harvey Perkins with robbing \$100 from Albert Coffield.

Pleading guilty in the case charging her with false pretense, Mrs. Mabel Lynch Taylor, a very attractive young bride and young mother, was directed to pay the cost and pay \$25 to Gus Rigas, cafe proprietor, who cashed a worthless check in that amount for the defendant.

Based on two years' separation, a divorce was granted Herman F. Farmer in his case against Louise Farmer.

Six other divorce cases, five of them based on two years' separation, are before the court today. Those based on two years' separation follow: Daisy Thompson against Philip Thompson. Alexander Hodges against Gladys Hodges, Jasper Weaver against Myrtle Weaver, George Moore against Olive Moore, and Martha Whitley against Noble Whitley. The divorce case brought by L. E. Hyman against Ada Hyman is based on adultery.

The Standard Fertilizer Co. is suing to recover a large amount of use tax from Ed Gill, commissioner of the State Revenue Department. In the \$500 damage suit brought by J. Q. Andrews against Guy Whitfield, judgment has been given by default and the jury is being asked today to fix the actual amount. The Capps

(Continued on page four)

Missing Four Days, Boy Back in Action

Pfc. Paul C. Vanlandingham, local boy, is having quite a time of it over in Germany. The young man, son of Mrs. Emily D. Vanlandingham, was slightly wounded over in France last July when he was struck in the side by shrapnel. He recovered and returned to action. Last week the young soldier was reported missing as of November 16 somewhere in Germany, and four days later he was back in the thick of the fight somewhere along the muddy, bloody Western Front, it was learned here this week.

Just where the young man was during those four days could not be learned here, but it is thought that he was a prisoner and later escaped or was cut off from his battalion.

County Over The Top In Current Bond Drive

COW BELL

Just what happened to the cow, he didn't say, but Vernon Griffin made certain that the bell would be preserved so he sent it to his father, Mr. W. W. Griffin, of Williams Township, all the way from the China-Burma-India Theater.

About the bell, it is one of the most unusual ever seen in these parts. Using a kind of wood unknown to this part of the world, the manufacturer made it by hand. The bell, made without any metal, is about twelve inches wide with holes in the end for rope attachments. The bell itself was "dug" out and two clappers, made from wood, were fastened to a wooden pin. While it makes no ringing sound, it makes a noise that can be heard quite a distance. The bell is really a rare item and highly prized by Mr. Griffin.

Howard Herrick, Sr. Former Local Man, Dies In Washington

Married Miss Delha Lamb of Williamsston and Edited Newspaper Here

Howard J. Herrick, Sr., a resident of Williamsston back in the eighties and nineties, died last Thursday morning at the Willard Hotel in Washington, D. C., while on tour with Eva La Gallienne and Joseph Schildkraut, who were appearing in "The Cherry Orchard."

Born in Elmira, New York, he came to Williamsston at the age of 16 to study under the late Sylvester Hassell. Completing his education in the old Williamsston Academy he entered the University of North Carolina where he was graduated in Law.

Returning to Williamsston a few years later, he practiced law and established and edited "The Martin County Sun," a newspaper published in a small yellow building where the town hall now stands. He was married on December 22, 1897, to Miss Delha Lamb. She died here on October 19, 1906. Two children, Miss Virginia Herrick and Mr. Howard Herrick, Jr., of Valley Stream, L. I., survive the union. Mr. Herrick was later married to Mrs. Carmen S. Herrick, and one son, Francis Herrick, of Elmira, N. Y., survive that union. His third wife, the former Miss Dorothy de Dahlberg, died in 1931.

Following his marriage to Miss Lamb here, he located in Richmond where he was dramatic critic on "The Richmond Times" for two years. Moving to New York in 1902 he became a Broadway reporter on "The New York Telegram" and soon started a long and brilliant theater career. He represented a number of the great stars on both stage and screen, including Weber and Fields, Marie Dressler, Maude Adams, Otis Skinner, Ethel Barrymore, and others. He also did promotion work for such film classics as "Birth of a Nation," "Orphans of the Storm," "The Covered Wagon," "The Ten Commandments," "The Big Parade," and "Ben Hur." During the World War he was appointed by President Wilson to be publicity manager of the division of films of the Committee on Public Information, handling all war films. He was a member of the

(Continued on page four)

Plans Complete For Farm Security Fair

The Martin County Farm Security Administration has completed plans for its second annual fair, Supervisor James C. Eubanks announced today. Planned and arranged by Supervisors Eubanks and Ida O. Roberts, the fair will feature exhibits of home canned food, home made American cheese, butter, eggs, seed varieties, home cured hams and shoulders, and home made clothing.

The event is planned for two days. The first day, Thursday, December 14th, includes all white tented purchase clients and their families, and the second day, Friday, December 15th, the colored clients from Martin County, with five colored clients from Edgecombe County, will have their fair.

The fair exhibits will be on display at the courthouse. The public is invited to see the exhibits.

This fair comes as a year's end production survey of food for freedom in connection with the War Food Administration. The families of the FSA program have produced food abundantly this year and cooperated splendidly in the food production, and now for their recognition in doing a good job they are being given an opportunity to show what they have accomplished.

Hunter Loses Life In Roanoke River Early Last Sunday

General Services This Afternoon For Hardy Gardner In Williams Township

Hardy E. Gardner, farmer and hunter, was accidentally drowned in Lower Dead Water Creek close to the Roanoke River about two miles above Jamesville late last Saturday night or early Sunday morning. No evidence of foul play was found and it is believed that the 62-year-old man suffered a heart attack, causing him to drown.

He was last seen alive walking toward the river in Jamesville shortly before six o'clock Saturday afternoon. Sunday afternoon Phillip Blount and John Williams were riding the river and they saw his boat lodged in some vines about twenty feet from the bank. They investigated and found the body right at the bank, the back of his head and shoulder above and the mouth just under the water. Apparently Mr. Gardner started to clear the vines from around his outboard motor and accidentally fell overboard. He kicked off one boot and almost reached shore where the body was found caught in some vines.

Coroner S. R. Biggs ruled that no inquest was necessary. The son of the late Tom Hardy Gardner and Emma Hardison Gardner, he was born in Williams Township on February 10, 1882. He lived and farmed there all his life, spending much of his spare time hunting. In early manhood he was married to Miss Glendora Coltraine and she survives with four children. Mrs. Robert Ange of Plymouth, Chester, Garland and Roger Gardner, all of the home. He also leaves a sister, Mrs. Robert Parrisher of Williams Township, and two brothers, Messrs. John Gardner of Jamesville Township, and Wheeler Gardner, of near Williamsston.

Funeral services are being conducted at the home this afternoon at 3:30 o'clock by Rev. D. C. Wood, pastor of Siloam Methodist Church. Interment will follow in the Gardner Cemetery on the old Roberson farm in Williams Township.

Bear Grass Stores And Local Garage Robbed Last Week

Very Little Property Missing From Jenkins Garage And Stores

A series of robberies, constituting a little crime wave, was reported in this county during the past few days, but officers declared that other than the theft of an automobile which was recovered, the total loot was comparatively small.

The first of the robberies was reported in Bear Grass about ten days ago when a thief, using a dangerous ladder, climbed to and through a second-story window in Terry Brothers' store at Bear Grass. Mr. Terry, managing the store in the absence of his brother, Seaman Irving Terry, who is now somewhere in the South Pacific, stated that the robber stole about \$25 in silver and possibly a few other minor items.

Before officers could establish a lead in that case, the stores of Henry Harrison and Russell and Urban Rogers at Bear Grass and the garage of Chas. H. Jenkins and Company here were entered and robbed some time during last Thursday night or early Friday morning. A few dollars were stolen from the Harrison store and a carton of cigarettes and one or two other items were missed from the Rogers Brothers' store. It could not be learned how the robbers got into the two stores, one report stating that possibly the thieves were locked inside the stores.

Breaking a window pane in the garage here, the robbers, apparently small-scale operators, entered the building and tackled the iron safe. The hinges were torn from the door and when the robbers were unable to open it they moved the safe to another part of the garage and apparently

(Continued on page four)

War Board Denies Farmers Releases

Meeting in the county agricultural building last Friday afternoon, the Martin War Board granted three temporary releases to farmers and rejected three other claims.

Temporary releases, making it possible for the applicants to leave the farm for short periods, were granted to Douglas D. Taylor, Clifford Gainer and Remus Everett.

Applications for release filed by Lonnie Whitfield, Charlie Dixon and William Cortez Hopkins were rejected.

The War Board will meet on Thursday afternoon of this week at 1:30 o'clock in the agricultural building to consider other claims for releases.

Long Prison Terms Meted Out In Murder-Manslaughter Cases Here By Judge Carr In Superior Court

Jesse Griffin Gets Fifteen Years For Highway Murder

Case Described by Judge as "The Most Aggravated" He Had Ever Heard

Jesse Griffin, 34-year-old Beaufort County white man with a crime pedigree "a yard long," was sentenced to State's Prison for not less than fifteen and for not more than twenty years by Judge Leo Carr in superior court here yesterday. The sentence, it is believed will bring to an end a long crime career which was climaxed about dark on the evening of September 26 when he ran down and killed two young girls, Minnie Pearl and Mary Alice Mendenhall, and painfully injured their mother, Mrs. S. Walter Mendenhall, near their home on the Williamson-Washington Highway.

Pleading guilty of manslaughter through his attorney, Griffin had nothing to say for himself, and his only defense was that he was so dog-walloping drunk that he did not know what he was doing when he went on his wild ride and snuffed out the lives of the two young girls and almost killed their mother.

Mrs. Mendenhall, the first witness called by the State, told how she and her two daughters were walking side by side on the left shoulder of the highway, two feet from the hard surface, that the older daughter was nearest the concrete, the younger daughter was next and she was on the inside near the ditch when the car, admittedly running as fast as it would, bore down upon them from behind and dealt out sudden death for the older girl, fatal injuries for the other and injured her severely. It was thirty minutes, Mrs. Mendenhall said, before she was picked up and later removed to a hospital, a passing motorist carrying the fatally injured victim to the hospital, and a funeral car picked up the body of her older daughter.

Taking the stand, Patrolman W. E. Saunders who reached the scene of the killing, pieced together evidence he gathered immediately after the tragedy. He told how two boys had refused to ride with Griffin because he was so drunk. He quoted Griffin as saying that he (Griffin) started home, driving just as fast as his car would run, that he ran off the road on the right, swerved to the left and ran over something he thought was a stick. Later Griffin told the patrolman that he remembered seeing some girls on the shoulder of the road.

"I found Mrs. Mendenhall lying beside the road, and 100 feet farther down the road I found the body of one of the girls and beside her the dying sister. Griffin told me that he wished it had been his wife," the patrolman said, adding that he did not know what Griffin meant by the statement. The patrolman stated that Griffin had to be lifted bodily from the car at "Uncle Tom's" filling station and had to get help to put him in jail. Griffin, possessing a full fledged case of the "monkeys" the following day, had been drinking wine and taking headache powders.

(Continued on page four)

Escapes Injury In Oil Transport Fire

L. R. Ford, 28-year-old white man of Wilmington, escaped serious injury after a miraculous fashion, just before midnight last Sunday when the big oil transport truck he was driving clipped off seven posts and plunged through the Roanoke River bridge into the swamp. The truck and tanker, just unloaded of its fuel oil a short time before, caught fire and burned, the young driver escaping ahead of the flames.

Personnel from the prisoner of war camp heard the crash and equipping themselves with first-aid material and an ambulance they rushed there and picked Ford up and placed him in the local hospital. Treated for shock and a few bruises, the patient was discharged from the institution yesterday morning.

Thought to have fallen asleep, Ford ran into the bridge abutment—a j Jonah for southbound traffic—and the transport swerved to the left and plunged through the concrete bridge, fifteen or more feet to the ground.

The truck and tank, owned by A. C. Widenhouse of Concord and valued at possibly \$4,000, was almost a total loss.

Special wrecking equipment is being moved to the scene of the accident to remove the damaged truck and transport tank, and it is likely that the road will be blocked during short intervals.

ROUND-UP

Law violations are running into big numbers, a review of the jail record showing that more people were arrested and jailed in the county during the first ten days of this month than were jailed during all of November. Nine were detained last week-end, the number including Josef Scheinoba, inmates of the local prisoner of war camp, who went on a rampage and was booked for an assault. He was placed in jail by military police.

There were six drunks in the group. One was booked for drunken driving and one for indecent exposure. Five of the 9 were white, and for once youth did not figure in the law violations. The ages of the group ranged from 20 to 58 years.

John William Capps Died Suddenly Here Early Last Friday

Funeral Services Are Held on Saturday Afternoon For Retired Farmer

John William Capps, retired farmer, died in his sleep at his apartment in the Mobley house on West Main Street here some time during the early morning of last Friday. He had been in declining health for several years, but was getting along about as well as usual until Monday of last week when he was forced to his bed. He seemed to be resting very well during Thursday night but apparently suffered a heart attack and died about six o'clock.

Mr. Capps, the son of the late Robert and Mary Goodrich Capps, would have been 62 years old had he lived until tomorrow. He was born in 1882 near Nashville in Nash County and spent his early life on the farm there. About 1902 he moved to this county with his parents and located in the Oak City community, later moving to a farm near Gold Point. He was married to Miss Lucy Grimes 37 years ago, and continued to farm in this county with the exception of a short time spent in Halifax until he was forced to retire about two years ago, moving to Williamsston about a year ago. Despite a heart ailment, he continued very active, but confined his work to light tasks and at the time of his death he was connected with the office of Dr. A. J. Osteen here. He was a hard-working and conscientious citizen and made many friends in this county. When a youth he joined the Baptist church near his native home, later moving his membership to Hamilton.

Besides his widow, he is survived by five children, three daughters, Mrs. Clayton Bailey, Mrs. George Peel and Mrs. Reuben Rogers, all of near Williamsston, and two sons in the Army, Pfc. William Harcum Capps who is now stationed at Myrtle Beach, S. C., after being wounded and returning from the Italian war theater, and Pvt. Ernest Capps who was just recently transferred to Fort Meade, Md.

Funeral services were conducted by Elder B. S. Cowin in the Biggs Funeral Home here last Saturday afternoon at 3:30 o'clock, and burial was in Woodlawn Cemetery here.

(Continued on page four)

War Board Reverses Itself Last Week-end

An unusual case in the history of Selective Service in this county was unofficially reported last week-end when the Martin County War Board, working in good faith, no doubt, was said to have reversed itself to declare a registrant, Iloke Smith Roberson, of Robersonville, an essential farmer. The official records were placed in the registrant's "cover sheet" in the draft board office and could not be had, but it was claimed that Roberson, about 27 years old, directed a strong appeal in person to the War Board last Friday afternoon, claiming that conditions had materially changed, that he was entitled to deferment.

The registrant's brother, Kenneth Hudson Roberson, was inducted into the armed forces the latter part of last September. The registrant was given a release from the farm to work in a garage stock room the early part of October until the latter part of the year. He was later ruled non-essential. The county draft board machinery automatically picked him up and ordered him to report for pre-induction examination on or about November 20. He passed the examination, and last Friday he was ruled essential, the action automatically staying his final induction.

(Continued on page four)

Quite Ill Following Hunting Accident

Cutting his knee badly while hunting along the banks of the Roanoke about 2 o'clock one morning recently, Leland Roberson, of Williams Township, continues quite ill at his home near Gardner's Creek. It was stated yesterday that infection had developed and that the man was "right bad off."

According to reports reaching here Roberson, about 42 years of age, was using a hatchet to cut wood for a fire and accidentally cut his knee. He managed to drag himself back to his boat, but could not start his motor and drifted down the stream for 2 or 10 hours before he was found. It was also stated that he had almost bled to death before he was found. Treated in a doctor's office here, he was returned to his home.

Bryant Cherry Gets 20 To 25 Years For 2nd Degree Murder

Judge Expresses Doubt After Witnesses Offer Feeble Defense Plea

Bryant Cherry, young Martin County white man, was sentenced to State's Prison for not less than twenty and for not more than twenty-five years in superior court here yesterday when he, through his attorney, H. G. Horton, pleaded guilty of murder in the second degree. Considerable evidence was offered by both the State and the defense, and it was whispered in the courtroom that the case bordered on first degree murder. Cherry was charged with fatally shooting John Dave Davenport, his white neighbor, in Williams Township early in the evening of October 2nd.

Stanley Ward, a neighbor and friend to both Cherry and Davenport, gave a clear and acceptable account of the tragedy even though his safety had been threatened directly or indirectly. The witness, first called by the State, recalled how he, Sam Pate, Davenport and Cherry started home late that October afternoon, explaining that they drank about two quarts of cheap wine. "When we got to Pate's home, he (Pate) asked me to get out of the car, and we talked about plans for attending the fair the following week. When I opened the door to get back in my car, I heard Cherry say, 'No one is going to call my mother so and so and get by with it.' Cherry assured me I was not concerned in the argument and I drove on to Cherry's home and he got out. Cherry asked me to wait a minute, but I saw they were mad and I drove away. We had gone only a short distance when Davenport explained that Cherry had misunderstood him, that he wanted to go back. I told Davenport that to go back would cause trouble. Davenport added that he wanted to go back and explain and avoid any future trouble. I turned around and started driving back and I saw Cherry coming down the road with a gun. I stopped the car, told Davenport to wait and I walked to meet Cherry. I tried to reason with Cherry, but he warned me to get out of the way and I did."

Ward also stated that he heard Mrs. Cherry tell her husband to give him the gun. After the shooting, Ward stated that Cherry went to his home and said, "I told you I was going to do it." The witness added, "I told Cherry that I would not be in his shoes for anything, that he ought to know he could not get away with it. Cherry went out the back door."

The witness stated that possibly no one other than Pate drank enough wine to feel high, that Cherry and Davenport did not appear to be drunk. On cross examination, Ward stated that he knew nothing bad about Davenport.

Mrs. Ward, the next witness, said that Mrs. Cherry called her and said that they were having trouble. "I went out and heard Stanley (her husband) trying to get the gun away from Cherry. Davenport was leaning on the car fender when I passed. I returned and advised Davenport he had better go on home. He started walking down the highway away from Cherry when Cherry followed him. They had gone down the highway about 125 feet or more when I heard a gun fire. I did not see any friction between the two men, and heard neither of them talking."

Patrolman Whit Saunders, who helped investigate the killing, stated that Cherry explained that he was taking the gun to his mother's, that he had arrested Cherry previously for being drunk, and that Cherry

(Continued on page four)