

New Bern Daily Journal

VOL. LXII.—No. 52

The Weather
FAIR WARMER

NEW BERN, N. C., SATURDAY MORNING, MARCH 29, 1913

THREE CENTS PER COPY.

GOVERNOR MANN UNYIELDING, ALLENS GO TO THEIR DOOM

Get Respite of a Few Hours As
Result of Appeal To Lieu-
tenant Governor.

LED TO THE CHAIR AT
1.23 IN THE AFTERNOON

Unavailing Effort Made To Get
Lieut. Gov. Ellyson To
Commute Sentences.

(Special to the Journal)

Richmond, March 28.—Floyd Allen and his son, Claude, the only two of the Hillsville gunmen to pay the death penalty for the shooting up of the Carroll county court, were electrocuted here today shortly after an eleventh hour attempt to save them had been thwarted by Governor Mann unexpectedly returning to the capitol from a proposed trip to New Jersey, thus preventing Lieutenant Governor Ellyson acting upon a request to commute the two mountaineer's sentences.

The electrocution was scheduled to take place shortly after 7 o'clock this morning and everything was in readiness at that time. The twelve men who were to act as witnesses were on hand and the chair had been tested, but at that time there was a delay.

The attorneys and friends of the condemned men shortly after midnight made a last appeal to Lieutenant Governor Ellyson to commute the sentences. The warden of the prison, doubtful of the Lieutenant Governor's authority called upon the State Attorney General for an opinion and in the meantime the execution was delayed.

Governor Mann's son, hearing of the plan to commute the sentences, intercepted his father, who was then enroute to Trenton, N. J. and told him of the state of affairs. The Governor was at that time at Washington, D. C., and he immediately crossed the Potomac to Virginia soil and telegraphed to the State authorities and the prison warden: "I am the Governor of Virginia and am on Virginia soil." He then hurried back to Richmond and ordered that the law take its course.

The Electrocutation.

The two Allens had spent a quiet night, both getting snatches of sleep but to those on the death watch it was evident that they were keyed up to the highest tension. At 7 o'clock they were told that they had been given a short respite but warned not to entertain any hope of commutation. When the final message was received from the Governor the news was broken to the two clansmen and they assisted in making the final preparations for the end.

In the "death house" the chair had been tested, the witnesses who were to see the two souls rushed into eternity, were seated around the room and the only sound that could be heard was the soft but mournful purr of the heavily charged wires connecting with the instrument of death. Suddenly a small door at one side of the room swung noiselessly open and Floyd Allen was led into the room. The old man had control of himself to a great degree but those who were watching saw that at any moment he might give way. Quickly he was placed in the chair and after the adjustments had been made the deadly current was shot through his body. It was at 1:23 that Floyd Allen later he was pronounced dead and his body removed to an adjoining room.

Again the little door leading from the cells in which the condemned men are located, noiselessly opened and Claude Swanson Allen, namesake of a United States Senator, walked to his doom, erect and without a tremor. Taking his seat in the electric chair he assisted the guards as much as possible in getting the straps in position. Within a few seconds all adjustments had been made and the warden signalled for the current to be turned on. At 1:31 the switch was dropped and in less than four minutes the prison physician pronounced that the end had come.

The body of Claude was then laid beside that of his father and the two will be taken to their mountain home for burial.

Claude Not Given Medal.

The women of Carroll and adjoining counties had secured a medal which they intended to present to Claude Allen for his bravery in defending his father and this had been sent to the penitentiary to be delivered to him but the Governor advised the warden not to present it to him and the medal still lies in the warden's desk but in all probability will be given to his mother.

The Last Attempts To Save the
Allens' Lives.

The last scene of the long series of attempts to save the lives of these two men was most remarkable. For hours the men who have worked to gain clemency for the prisoners sought to secure a mandate from the Lieutenant-Governor, under the supposition that his hand has the power to stay execution, and, indeed, to avert it altogether. They desired that official to seize an opportunity, which they believed was afforded him by the departure of his chief for New Jersey, to overturn two separate rulings made by the executive of the State.

No sooner was it learned that the Governor had left the city yesterday afternoon than the Allen sympathizers began to put into motion a plan that they had in mind throughout the day. A conference was called to meet at the Jefferson Hotel last night to consider the scheme. This meeting adjourned soon afterward to the residence of John P. Branch, 1 West Franklin Street. Here were gathered Victor Allen, Mr. Branch, D. C. O'Flaherty, attorney for Claude Allen in the recent proceedings before the Supreme Court of the United States; Judge J. Richard Wingfield, of the State Corporation Commission; Captain Smith former counsel for the Allens, and other men who have shown by their labors and their contributions that they believe the younger prisoner at least should not go to the electric chair.

Judge Wingfield went to the residence of Lieutenant-Governor Ellyson, 10 East Franklin Street, at 10 o'clock, and the two repaired to the residence of Mr. Branch, hard by.

Is Asked to Interfere at Last
Moment.

The subject was at once broached to the Lieutenant-Governor. He was asked to commute the sentence of Claude Allen to imprisonment for life, in the interest of justice. He was told that Governor Mann was out of the State.

Mr. Ellyson responded to the effect that although he had held that office for seven years, he had never thought himself possessed of the powers of the Governor during the latter's absence from the State, and had never drawn the salary of the office. Rev. George W. McDaniel, D. D., then asked him if he would consider the matter provided he were assured that the Attorney-General believed him eligible to exercise the duties of the office of Governor. He replied that he would be glad to have the opinion of the Attorney-General, adding that he had compared the Constitution of Virginia with that of other States, notably Louisiana, where the law explicitly gives certain powers to the Lieutenant-Governor, whereas the section of the organic law in this State is not specific.

The Virginia Constitution says on this point: "In case of the removal of the Governor from office, or of his death, failure to qualify, resignation, removal from the State, or inability to discharge the powers and duties of the office, the said office, with its compensation, shall devolve upon the Lieutenant-Governor."

Decide to Get Attorney-General's
Opinion.

Judge Williams was communicated with, and expressed a willingness to give his services. He had no copy of the Constitution in his home, and Mr. Branch's automobile was called to take him to his office. There he worked until 12:30 o'clock this morning.

Reaching the Branch residence, where most of the interested people were still in waiting, Judge Williams stated emphatically that the Lieutenant-Governor has none of the powers of the Governor. He said the Constitution provides for his succession, but not for the transfer of power. Such power, once given to the Lieutenant-Governor, could not again be assured by the Governor.

Even supposing, thinks Judge Wil-

(Continued on page three)

FLOOD SUBSIDING VICTIMS AIDED

YESTERDAY WAS FIRST DAY
OF BRIGHTNESS IN THE
STRICKEN DISTRICTS.

West Dayton, Ohio, March 28.—Backed up by militia and hundreds of special deputies, the citizens' committee in charge of the relief work, have a good hold on the situation. Work of clearing up the chaotic conditions brought on by the flood is progressing with marvelous rapidity. Today began with great promise. A brilliant sun tempered the keenness of the frosty air. The flood has subsided perceptibly. The flood victims, who have been penned in the down town section, were able, unaided, to make their way to the suburbs by the thousands. On the main streets in Dayton it was possible to pick a dry path over the pavement. Militiamen and deputies were ordered to shoot offenders against a pre-arranged plan of relief work.

Relief Party at Work.

Columbus, Ohio, March 28.—At day-break today hundreds of rescue and relief parties started for the flood section with clothing, food and fuel supplies. The day dawned crisp, cold and clear. The flood refugees suffered severely during the night from the cold. The river is receding rapidly. Rescue parties will be able to reach many inundated sections of the west side, which were under water yesterday. West Columbus remains practically under martial law. The militia companies, on duty, were ordered to shoot looters on sight. Thousands of curious persons and those with friends and relatives in the flooded districts are being kept out the west side by police and troopers. The city relief station, the City Hall and the newspapers are maintaining and compiling lists of the rescued and lists of the dead. Scores are still unaccounted for. Officials are making desperate efforts to verify reports of persons drowned.

Floods in New York.

Albany, N. Y., March 28.—Scores of cities and towns throughout the Mohawk and Hudson Valleys are partially inundated by the worst flood in years. The Mohawks' waters were receding today, but the Hudson was rising and already has shattered the high water mark of 1857. The lower section of Albany is under water. Hundreds of families were forced to leave their homes.

Destitution Great.

New York, March 28.—Destitution is very great in Dayton, according to advices to the American Telephone and Telegraph Company. Messages State that troops are confiscating all supplies of coal and provisions to relieve the sufferers. Many refugees are being taken into the surrounding country.

Garrison's Special Train Delayed.

Roanoke, Va., March 28.—Secretary of War Garrison's special train after being delayed through the night by washouts and forced to make a detour, passed here at 9 o'clock this morning. Secretary Garrison and General Wood decided to try for Dayton and if that is impossible to go to Columbus.

Wonder if Prof. Willis Moore predicted those cyclones and floods before he resigned.

"It's difference of opinion," said Mark Twain, "that makes a horse race."

It's difference of opinion—and taste—and condition—that makes the classified page a most effective solution of most human perplexities.

Try a want ad for your trouble.

HAMMOND HAS HIS LICENSE REVOKED

CAN NO LONGER OPERATE PUB-
LIC VEHICLE IN CITY
OF NEW BERN.

Frank Hammond, colored, who has been engaged in operating a dray in this city and from whose vehicle Policeman Fred P. Rowe Thursday afternoon took three cases of whiskey containing one hundred half-pints each, was taken before Mayor McCarthy yesterday afternoon to tell what he knew in regards to the liquor which he had in his possession.

When placed on the stand Hammond stated that he did not know to whom the whiskey belonged; that a colored man had met him at the Norfolk Southern Company's freight depot and told him that he had a box of bread which he wanted carried to James City. He then said that he found the box which he thought contained bread and after placing it on his dray, started to James City to deliver it to some one on that side of the river.

This was the second time that Hammond had been caught with a large quantity of whiskey in his possession and on the previous occasion he would give the authorities no information. Since that time an amendment to the city ordinances has been made which is to the effect that any driver of a public vehicle who is found with whiskey in his vehicle and refuses to give the police any information which may lead to the owner's arrest shall have his license revoked.

After giving Hammond every opportunity to divulge the name of the owner of the confiscated whiskey and upon his refusal to take advantage of it, the Mayor ordered his license to be revoked and at no time will he be allowed to drive a public vehicle for any one else. The police were given orders to arrest him the first time he was seen driving a public vehicle and the Mayor warned him that he would be placed in jail if he was arrested for violating this ordinance.

NOT IN THE PATH OF THE TORNADO.

A telegram received yesterday from Ben Edwards, a brother of Mrs. Isaac Cohen of this city and who was at one time a resident of New Bern but who now resides in Nebraska, stated that the section in which he lived was not in the path of the tornado which has wrought so much havoc in sections of that State during the past few days. Mr. Edwards' friends here have been anxious about his safety since the disaster and his telegram announcing his safety was gladly received.

NEW ADS

National Bank of New Bern—Banking service.

New Bern Banking & Trust Co.—The impression you make.

A. T. Willis Co.—Stetson hats.

A Castet—If it is in the meat line we have it.

S. Coplon & Son—Saturday is shoe day at Coplon's.

PROGRAM AT THE ATHENS TODAY

VAUDEVILLE.

Misses Bland and Clayton
A harmony singing and talking sister act. New jokes—new songs—and a splendid act.

PICTURES.

"Our Lady of Pearls"
A dramatic Mexican romance.

"Fathe Weekly"
This "Weekly" contains many interesting pictures and is full of general information.

"The Manicurist and the Mutt"
One of Kalem's very laughable comedies.

"Johnnie Goes Ducking"
Another splendid comedy.

Beginning next Monday we will show four reels of pictures for the first three days of the week, without vaudeville and for the last three days of the week, our regular three reel service with vaudeville. This will give those who do not care for vaudeville the biggest picture program ever offered. If the arrangements prove satisfactory we will continue, otherwise we will resume vaudeville for every day in the week, which we can do any day.

Matinee daily at 3:45. 2 shows at night, first commences at 8 o'clock second immediately after first closes.

WHAT SHOULD A GRADUATE KNOW?

A Vital Question in Which Pup-
ils and Teachers Are
Greatly Interested.

SCHOOL NEWS OF THE WEEK

Several Grades Hold Spelling
Bees and Much Interest
Is Manifested.

(Prepared for the Journal)

What should a High School graduate know and be able to do?

The above question is a vital one and concerns a large number of people. We have written letters to several representative citizens recently asking for their ideas on this subject. To answer this query seems at first glance easy, but the more thought one puts on it the more difficult does it grow.

What is the aim of education anyway? Are we to train smooth working machines which turn out quantities of dollars? Should the body be trained? Should the thinking power be cultivated? Should the imagination the feelings, or the power be cultivated, or the will be trained? In other words shall we offer a course of study to develop the whole child systematically and symmetrically or shall we merely attempt to cultivate one or more of his powers? Is there not quite a great deal in the power to make a life as well as in the power to make a living?

After one has answered the above questions satisfactorily, then comes the hard practical question of making effective the principles decided upon. The main handicap is insufficient means to carry out desirable ideas.

Destructive criticism is the easiest job on earth but real constructive criticism, based upon facts and a wide outlook, is quite rare.

We are seeking that sort of criticism in the letters which we have sent out. At another time we shall give the ideas expressed in the letters received.

The meals which the Camp Fire Girls serve at the school building from time to time are among the requirements for their advancement. This work is all done outside school hours.

The girls themselves first decide how much they can spend, then they must purchase and pay for all the material used, keeping a strict account of all money spent, then prepare and serve the meal, clean up all dishes, etc.

The Domestic Science teacher, Mrs. Hancock, kindly supervises the buying, preparation and serving of each meal, as the Guardians want a competent person to pass upon it before the girls are given their credits. Of course this is a practical demonstration of the ability of the girls in domestic affairs.

The graduating class has begun work on essays and plans for Commencement are rapidly taking shape. The Class of 1913 wishes to vary the usual Class Day exercises this year with tableaux from Silas Marner, one of the requirements in English Literature, and some pretty Folk Dancing on the Green. The tableaux from Silas Marner will be arranged by the graduating Class and given by them. If the plans for the Folk Dancing can be carried out, the Academy Green will present an interesting and attractive appearance during Commencement week.

The recital next Friday night will prove of interest to many. A varied program is being prepared consisting of songs, choruses, vocal solos, piano and violin solos, quartets, etc. The concert will begin promptly at 8:15 P. M.

Seven little girls of the 3B Grade sang one of Gaynor's prettiest juvenile songs—"The Rhythm Game"—on Friday morning. The song was sung with animation, the motions carried out perfectly and in a very graceful manner.

Once each week, the 3B Grade has a written test on all the facts in the multiplication table. In the test given this week, perfect papers were handed in by Eloise Peterson, Alice Flowers, Vivian Peterson, Margaret Waters, Frederick Boyd and Raymond Suskin. Eloise Peterson and Frederick Nelson have made perfect records on tables since entering the 3B Grade.

Margaret Waters has not missed a word in spelling for the last six weeks. On Friday a spelling bee was held between the 2A and 2C Grades; twelve of the best spellers were selected to represent each grade. There were 380

HOW THE WHISKEY IS DISPOSED OF

Many Citizens Want To Know
What Disposal is Made Of
Confiscated "Booze".

POLICE METHOD MADE PUBLIC

Unclaimed "Wet Goods" Are
Destroyed in Presence
Of Witnesses.

Recently the police of this city have located and confiscated several hundred quarts of whiskey which was believed to have been intended for illegal use. This whiskey has in every instance been taken to the City Hall and placed under lock and key for safe keeping.

Whenever the police make a capture of the "wet goods" the affair is made public through the columns of the Journal and naturally there are a number of persons who, not being familiar with the methods of the city officials in matters of this kind, are curious to know in what manner the whiskey is finally disposed of.

This existing entirely upon the conditions existing at the time the whiskey is taken. If the police, having information that a man is engaged in the sale of whiskey and having evidence of a sale, make a search of his home or place of business and find a quantity of whiskey, this is taken to the City Hall, labelled with the name of the person from whose place it was taken, placed in a safe place and retained until the case is taken to Superior Court. Then after the owner has been tried, if he is released and claims the whiskey, the Judge is asked to give him an order for it. If the Judge refuses to do this then the whiskey is taken out in the rear of the City Hall and destroyed in the presence of several witnesses.

The whiskey which has been confiscated during the past few weeks has been taken from wagons and transfers and the drivers of these have claimed that they do not know to whom it belongs. In a case of this sort the whiskey is held for several weeks and the owner given an opportunity to lay claim to his goods. After having been held for eight or ten weeks this whiskey is also taken out and destroyed in the presence of several witnesses.

At present there are probably a thousand bottles of whiskey in the "depository" at the City Hall and unless it is claimed during the next few weeks it will be disposed of in this manner.

This afternoon at 4 o'clock the regular monthly meeting of the City Beautiful Club will be held in the Woman's Club rooms. Matters of importance are to be transacted and it is desired that every member be present.

The man who pays as he goes usually more particular about the ways he goes.

words spelled and at the close, the 2C Grade had six standing and the 2A only one. Those taking part were as follows:—Herbert Watson, Bessie Lawrence, Elizabeth Roberts, Charles Clark, Lydia Spruill, Carrie Louise Ward, Chadwick Uzzell, Dorothy Hill, Mary Mohn, Nettie Hill, Maggie Sawyer, Elma Watson of the 2C Grade, and Charles Styron, Ivory Long, Mildred Hawk, Ivey Cook, David Davis, Louise Joyner, Stella Park, Vivetta Crabtree, Hane Nassef, Jeanette Land and Mary Ireland of the 2A Grade.

Those standing at the close of the Bee in the 2C Grade were Bessie Lawrence, Elizabeth Roberts, Chadwick Uzzell, Dorothy Hill, Mary Mohn and Nettie Hill; and in the 2A Grade, Mary Ireland.

The 3C Grade, during their regular Friday's Spelling Bee, had a very interesting time. The sides were well matched. At the end of the half hour period, there were five standing on one side—Jane Dill, Matilda Harrell, Eleanor Hall, Earl McGowan and Claude Allen. Those standing on the opposing side were—Elizabeth Duffy and William Dudley.

The 3C Grade is also very much interested in department stars. A star is drawn on the board for a child who has excellent conduct for five days in succession. We have given stars for only five weeks, yet there are ten pupils who have five stars each. These pupils are: Matilda Farrell, Mollie Garrett, Eleanor Hall, Dorothy E. E. Elizabeth Duffy, Jane Dill, Harriet Dill, Mabel Carter, Katherine Bell, Nita Bell. There are a great many who have four of these stars.