WILL ATTORNEYS BE DISBARRED?

Judge Purnell Hints Sensation in Riggsbee Case.

HEARING POSTPONED

After Hearing From Counsel, Judge Says if Allegations are Sustained He Will Attach for Contempt—Attorneys in Danger of Trouble.—Riggsbee's Answer.

As a result of the hearing in the matter of the rule against W. T. Riggsbee for contempt of the Federal court in the abuse of its process, the final determination of the matter was postponed until the adjourned term of the Federal court, which will meet in Raleigh on the 21st of January next.

This course was taken after argument upon a motion to quash made by Mr. Jas. Pou, of counsel for Riggsbee and replied to by District Attorney Skinner, and came as the result of the contention of the respondent's counsel that to go fully into all the allegations upon which the rule is based would be to air beforehand, possibly to the prejudice of the respondent, cases in the Superior court of Durham county in which he is the defendant.

Riggsbee's alleged contempt consisted in having subpoenaed to appear in the Federal Court here witnesses already in attendance in the Durham court on the trial of indictments for the illegal sale of whiskey and in having in one instance retained in Raleigh through Federal Court process a witness wanted by the Solicitor of the Ninth State judicial district to appear before the grand jury on a bill which had been sent against Riggsbee himself in which he was charged with ballot-box stuffing.

While consenting to the continuance of the hearing Judge Purnell took occasion to state from the bench that from what had so far appeared and taking the allegations to be true, there had been a contempt of court on the part of Riggsbee through an abuse of the process of the court to the end of an unlawful purpose, tending to obstruct and interfere with the proceedings of the court.

Judge Purnell also spoke with much force upon the question of the conduct of attorneys in interferring with and unlawfully using the process of the court, stating that as officers of the court there was not a shadow of doubt that their conduct in this respect was a contempt and that if the matter was officially brought to his attention he should certainly proceed to use the power of the court to debar from further practice.

While in this connection, the court took occasion to refer to rumors that he had heard during the present session of attorneys who had taken government witnesses to their offices and attempted to thus interfere with and influence their testimony, it was clear that he had special reference to the attorneys through whom the subpoenaes complained of in the Riggsbee case were procured.

Colonel Harris Involved.

In citing the facts upon which the rule issued, the District Attorney stated that he had affidavits that would show that the subpoenas had issued through the efforts of Colonel J. C. L. Harris; that the witnesses were immaterial in the cases in which they were subpoenaed and that in one instance a witness was subpoenaed in a case of which he knew nothing, in which Colonel Harris was not counsel and in which neither defendant nor his counsel knew of the witness being subpoenas. Colonel Skinner stated that he could show that the process for these witnesses was secured to issue by Riggsbee and that it was he who paid the money for the service and pointed out such of them as were in Durham to the officer sent there to make service.

It was also stated by Colonel Skinner that the money to pay for the subpoenas was brought to the Clerk's who was sent by his father for officer by young Mr. Harris (Winder) that purpose at the instigation of Riggsbee.

Colonel Harris, during the time of these statements and the subsequent remarks of the court, was in the room, having many clients in attendance on the sitting of the court and also being present in the capacity of a witness against Riggsbee.

No charge, other than that contained in the clear implication of the court, has been brought against him and it is problematical whether or not the District Attorney will later take steps to proceed against him in connection with the Riggsbee case.

Riggsbee's Motion and Answer.

Riggsbee's answer to the rule consisted first of a plea in which he contended that even if he had attempted an act the effect of which would be to interfere with and obstruct the administration of Justice in a State Court, that could not be a contempt of the Federal court and that the rule should be dismissed for want of jurisdiction. Second, that the rule does not set out facts sufficient to hold the respondent for a contempt in that it does not allege that the offense was committed within the presence, verge or view of the court or a refusal to obey any writ or process of the court; and, third, reserving all other defenses, the respondent denied that he had abused the process of the Federal court for the purpose of obstructing the administration of justice in the Superior Court of Durham county.

Mr. Pou and Judge Purnell.

After reading the answer, Mr. Pou for Rigsbee stated that if the matter contained in the affidavits were gone into, the counsel for the respondent feared that he would be prejudiced in certain trials in which he would be the defendant in Durham county. Before it was ascertained whether there had been any real charge brought against him, he did not think that any good could come from the airing of the matter in this court. Such a proceeding would be in the nature of a bill of discovery in aid of a prosecution in the State court. The offense charged against the defendant was having summoned witnesses in attendance on a State court, who did not attend. That was a matter of which the State court had full jurisdiction and in which it had ample and plenary powers. It ought not to be allowed that this court should be used in the aid of a prosecution in another court.

Judge Purnell: "Or to obstruct the proceedings of another court."

Mr. Pou continued, saying that under the rule the respondent was not such a person, as an officer, as the court could reach for contempt except for acts committed in the immediate presence of the court, or so near thereto as to interfere with the administration of justice.

Judge Purnell remarked that the offense had been committed, if at all, in a room of the building in which the court was sitting and that by construction this was "in the presence of the court."

Mr. Pou replied that, while this was true, the offense did not come within the letter of the rule as being a disturbance of the court, or a refusal to obey its writs, process, etc.

Mr. Pou went on to say that misbehavior had the special significance of disturbance or improper conduct in the presence of the court, and could not apply to an act of the character of that with which Rigsbee was charged. He argued that the rule was that an improper use of process could be punished as contempt only by that court the administration of which was interfered with by such conduct; consequently that, as the attempt had been to interfere with the proceedings of the State and not the Federal court, although by means of Federal process, jurisdiction to punish for contempt was in the State court alone, and not in the Federal court. Only one court could have jurisdiction, he declared, over one act to punish for contempt.

Upon a question from the bench, Mr. Pou declared that the case was different with an officer of the court, who could be punished for any misdemeanor or misconduct. An attorney is an officer whom the court holds in the hollow of its hand.

"Contempt," Says Col. Skinner.

District Attorney Skinner, in reply to Mr. Pou, stated that the rule was for unlawfully using and abusing the process of the court, and for interfering with the orderly progress of a co-ordinate court. The purpose was not to protect the State court, but the process of the Federal court from use for an unlawful purpose. If the respondent has done that, he is guilty of contempt.

After pointing out, as summarized above, what the Government was prepared to show as to the facts, he replied to the position that there had been no interference with the proceedings of the Federal court and therefore no contempt. Abuse of process always tended, he declared to interfere with the orderly progress of the court. The indiscriminate subpoenacing of witnesses immaterial to a case might well cause the case to be continued when otherwise it would have been tried; that the gravamen of the offense of abuse of process was the use of the process of the court in aid of an unlawful purpose, and this he declared to be contempt. The interference with the State court at Durham was not what it was desired to hold Riggsbee to account for, but such interference with the State court was cited merely as indicating the unlawful purpose in pursuance of which the abuse of the process was committed.

He quoted from an opinion in which it was declared that "if there is no precedent, it is time that a precedent were made" and stated that the present case called for the application of that principle. If there was no case analagous to this one the court should show that it could not thus be trifled with. None of the affidavits, he concluded, would in his opinion have the effect of prejudicing Riggsbee's defense in the State court but he was willing for the matter to go over until January.

In agreeing to the postponment of the hearing, Judge Purnell stated that at the time the proceeding had been first initiated he had said that it constituted a contempt of the State court His court, he said, was always careful not to do anything that smacked of interference with a State court. He now thought that abuse of process for an unlawful or fraudulent purpose was a contempt.

Judge Purnell Talks of Disbarment.

"If the facts charged had been committed by an officer," he said, "I should not hesitate to disbar him." Attorneys, he declared, were officers of the court whom it behooved to keep in the straight and narrow path, and they would be held to proper courtesy not only to the Federal but the State courts. It was a rule of the court that it could punish any misbehavior of an attorney by disbarment.

He did not say these things without a purpose. Matters had come to his ears of conduct of attorneys in abuse of process and interference with the proceedings of the court. Any office in the building was in the presence of the court and if it could be substantiated that any person had abused the process of the court in the unlawful purpose of the defeat of justice in the State court that would be an interference with the Federal court and contempt. This would apply to the person at whose instance the process was sued out and those who advised it. If they were attorneys, they ought to be disbarred. The court would protect itself from members of the "buttinsky club" who sought to interfere in cases in which they had no interest. An attorney was an officer and should be an example and he should never "butt in" especially for an unlawful purpose. The court had been a lawyer and found it sometimes difficult to keep nose above water and sympathized with attorneys in their troubles, but actions of this character could not be tolerated.

Another Veteran Gone.

W. J. Freeman, of Lenoir county, died yesterday morning at half-past ten o'clock at the Soldiers' Home, where he had been an inmate for the past five years. He was 78 years old, and had been in failing health for about a year. He served in Company D, Twenty-seventh North Carolina regiment.

The funeral will take place this morning at ten o'clock, and will be conducted by Rev. C. W. Robinson. Mr. Freeman has a married daughter

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JURY ACQUITS ELDER BARNHILL

Baptist Preacher Cleared on Liquor Charges.

LURID TESTIMONY

In the Clash of Witnesses "Characters" Were Torn to Shreds—Mr. "Fate" Moore Enjoys Himself on Stand—Baptists and "Niggers."

In Federal Court yesterday the jury in the case of Thomas H. Barnhill, of Pitt, Free Will Baptist preacher indicted for retailing and concealing whiskey on his land, returned a verdict of not guilty after little or no deliberation.

The main course of yesterday's testimony was attack and counter attack on the character of witnesses, the distribution of "bad characters" from the witness box indicating the depth of feeling aroused in the section of Pitt county in which the defendant resides.

The two white-capping sensations thought to have grown out of the charges against Barnhill, were again aired. One of the victims, John Manning, testified that he recognized the preacher-defendant in the mob that took him from bed and whipped him. But the testimony of this witness was negatived by the introduction of an affidavit which he admitted having made which belied his evidence on the stand.

Interesting features of the evidence were the details of the church trial at which "Elder" Barnhill's case was investigated and the indicated attitude of the Free Will brethren to the brother in black. It was in evidence that a "nigger" was not allowed to testify in a church trial, no matter what he might know. And a charge gravely made against the defendant was that he "shook hands with a nigger" on one occasion.

The testimony in the case was concluded at noon and there was three quarters of an hour argument per side.

For the Government, Assistant District Attorney Giles opened and District Attorney Skinner closed, the latter in a strong and particularly bitter attack on the defendant.

For the defendant State Senator Fleming opened and Mr. James H. Pou concluded the argument.

The testimony in detail, containing many interesting and some novel features, follows below:

One Bird and Two Rabbits.

Governor Glenn and State Treasurer Lacy are back from their hunting trip to Knight's farm, where they were guests of Rev. J. M. Hilliard.

Rumor has it that Governor Glenn's gunning brought him one partridge and one rabbit, while State Treasurer Lacy only got a rabbit, and states that no bird arose before his gun. The official hunt is not vigorously discussed at the Capitol.

$800 FOR SCHOOL

Holly Springs People ontributed Liberally Thursday Night For Building

The people at Holly Springs gathered at the school house last evening to consider a means by which a new school building might be secured for that place.

Supt. Z. V. Judd was present and after a short address stated that a building sufficient to meet the needs of Holly Springs could not be built for less than $2,500, including the school site. After a brief appeal subscriptions were secured to the amount of $800.

Those contributing and the amounts were as follows:

Mrs. R. W. Byrum, $100; Mr. J. F. Jones, $50; Mr. T. B. Holt, $50; Mr. M. S. Gunter, $50; Dr. B. S. Utley, $50; Mr. W. F. Shaw, $50; Mr. A. J. Stephens, $50; Mr. J. R. Carter, $50; Mr. A. J. D. Cross, $50; Miss Lillian Templeton, $50; Mrs G. B. Alford, $50; Mr. W. S. Cross, $50; Mr. R. A. Burt, $25; Mr. W. A. Segraves, $25; Mr. W. T. Brooks, $25; Mr. R. J. Utley, $25; Mr. O. J. Edwards, $25; and Mr. S. Scholl, $25.

Many of the patrons of the school who are interested in the movement could not be present and will gladly add their names to the list of subscribers.

A campaign will be entered into at once to secure the balance of $150 which it is believed can be done in the next ten days.

Many ladies were present and besides those who subscribed a meeting was held and next Mondey evening set for a second meeting at which a Woman's Betterment Association will be formed. It is the purpose of the association to subscribe $250 for furnishing the new school building.

Mr. R. A. Burt and Miss Clyde Holt have been teaching at Holly Springs about four months and the school interest there is keyed up higher than it has been since the days when Rev. J. M. White conducted a high school there.

ON HOMEWARD JOURNEY.

Remains of the Late Thomas C. Lynch on Way from Far West.

A telegram received in Raleigh yesterday from the far West was to the effect that Mr. James Weir and his daughter, Mrs. Thomas Campbell Lynch, had reached Goldfield, Nev., and started on the long journey homeward with the remains of the late Thomas Campbell Lynch, who died there in his wife's absence a few days ago.

Misses May and Harriett Weir, of New York, will join them at Chicago and accompany them on their homeward journey and other members of the family will come to Raleigh from Baltimore and New York in time to meet them upon their arrival here, which is expected to be Tuesday of Wednesday.

HEART TRIBUTES ARE POURED OUT

Charles Duncan McIver Champion of Education.

HIS LIFE A BEACON

Raleigh Had Public School Memorial Exrcises, Addresses by Josephus Daniels and J. Y. Joyner, While Deaf and Blind Paid Honors to His Memory.

There were tributes from the heart paid yesterday to the memory of the late Charles Duncan McIver in the public schools of North Carolina, for while it was North Carolina Day in the schools the program had to do with the life, the influences and the work of the man under whose control the Normal and Industrial College grew apace and who did mighty deeds for the making of better educational opportunities for women and the resulting uplift of the State.

The program for the day had been prepared by the State Department of Education and this was observed in public schools throughout the State but nowhere besides Raleigh could there have been paid more sincere and eloquent tributes, for at the memorial exercises of the Raliegh High School, held in the Centennial school hall the speakers were men who had been close and warm personal friends of Dr. McIver, these being Josephus Daniels, editor of the **News and Observer** and J. Y. Joyner, State Superintendent of Public Instruction. Tributes from these had in them the personal equation and they were from the heart.

Besides the exercises at the Centennial School there were also memorial exercises at the State School for the Blind, at the Brooklyn Public School, and at the State Colored Deaf the sign language being used. To aid in the fund for building a statue $18.42 was the contribution at the Raleigh High School, $5.00 of this coming from a visitor at the exercises. In commemoration of the day the Baptist University for Women bought a new North Carolina flag and it floated from the flag pole on the lawn, the only North Carolina flag flying in Raleigh, except that on the Capital.

At the Centennial School a number of visitors were present to join with the pupils in the day's exercises which while simple and informal, were marked throughout by a keen appreciation for Dr. McIver and the good he had done. On the rostrum were Mr. Josephus Daniels, invited to deliver the address of the day, State Superintendent J. Y. Joyner, Dr. W. C. Tyree, pastor of the First Baptist church, Mr. G. Rosenthal, secretary of the Board of Trustees, Superintendent E. P. Moses, of the city schools and Prof. Hugh Morson, Principal of the High School. About the rostrum were ferns and branches of pine, a stand of lilies of the valley being on the speakers table, while near the steel engraving of Dr. McIver on the wall was inscribed: "Charles D. McIver, Born In Moore County, N. C., Sept. 27, 1860."

The exercises began with prayer by Dr. Tyree who in it thanked God for Dr. McIver's life and work in North Carolina after which Prof. Morson explained the purpose and character of the exercises, and with pupils and visitors standing "The Old North State" was sung with enthusiasm by all.

Then came recitations and readings by the pupils, these all delivered excellently, the young people being given frequent applause. Miss Nannie Lee recited the sonnet written in memory of Dr. McIver by Prof. W. C. Smith of the Normal and Industrial College. After this four bright boys, Neal Ivey, George Strong, Arthur McKimmon and Charles Busbee gave selections concerning "McIver, the Farmer Boy." Next was a recitation telling of "McIver at the University," by Enos Blair, thus followed by a reading "How He Found His Mission," by Miss Virginia Newsom. The next recitation was "The Coronach" by Miss Nellie Lewis, who while young exhibited artistic elocutionary ability, as also did Miss Isabel Haynes who read "An Important Plank in Dr. McIver's Platform." This ended the recitations and then all sang "America."

Mr. Josephus Daniels was introduced by Prof. Morson, who in doing so said that he did not believe that in the State or in the south were two men more closely associated with Dr. McIver than Mr. Josephus Daniels and Mr. J. Y. Joyner, and it was a pleasure to have them present, that Mr. Daniels would deliver an address on the life of Dr. McIver.

Mr. Daniels declared that there were so many places in Dr. McIver's life, that in the few minutes he would talk he could only refer to the greatest things he had done for the young men and young women who would come after him. He described McIver as a "home-spun product. North Carolina in fibre and woof, born here, reared on a farm, educated in youth in the rural schools, brought up to hard labor, without any pull, and with no opportunity superior to any one else, while none in the sound of his voice but had better opportunities." He told of Dr. McIver making his decision to live out his life here among his own people. Educated all here he was part of them and he loved them, giving up opportunities of greater positions to serve the State.

Then Mr. Daniels told of McIver "dreaming dreams," and planning for his work, the speaker paying a tribute to the dreamers, who see visions and work to attain heights to benefit mankind. He told of how Dr. McIver's work grew, blossomed and fruited, of his efforts for the teachers in the rural districts, how he inspired them, and then of his great dream of the State lifted out from illiteracy by the education of its women along the best lines. He held up the never ceasing work of McIver to accomplish this as an example to all, telling the boys and girls that happy is that one who early selects his work in life and seeing visions, works on to make these good.

Dr. McIver's conception of education he said, was education for all, and he poured his soul into the work of bringing this to pass, so that at 46 he had lived more years in deeds than many who had passed the three score and ten. In his wife he had a noble aid, who with him saw the vision, and happy is that man whose wife takes up her life with him. In little school room, in dingy court house, in legislative halls, in great national assemblages McIver delivered his message and won the people. With the vision of a seer he saw the State's need of educated citizenship and worked for it. He struggled to make the Normal College built, and the influence within its walls was little as to its influence on lives outside. He died poor, having given his life to the service of the State, and passed away leaving a life of service that is an inspiration to all who come after him.

Prof. Morson announced that as there was present State Superintendent Joyner he could not refrain from asking him to speak, as he had been near and dear to Dr. McIver. Mr. Joyner responded and in eloquent terms paid tribute to the memory of his dead friend, saying in the beginning that with pleasure he had heard of the life of devotion to duty of Dr. Dr. McIver coming from the lips of one he loved while here. He said that the first beautiful lesson in the life of Dr. McIver was that of high unselfish service, a conception of public service to humanity for the present and for the future, a service far above the idea of a money serving and money getting age.

The speaker told of McIver's sacrifice of itself, and the work he did saying that opportunities come to all to do service, and that this could be found right at hand. McIver acted well his part, and that is another lesson to all. There are boundless opportunities for the American boy and the North Carolina boy who see these and have the courage to grasp them as did McIver. Like every great soul, McIver rose supreme above hard conditions, there being no other way to do this but by service and work, and that this was a lesson he left as a heritage. In conclusion the speaker told of McIver as always a great big happy hearted boy, never growing old, his heart close to childhood and in love with it. Graphically and eloquently he told of his trip abroad with Dr. McIver, closing by telling of McIver, of Scotch descent, drinking into his very soul the stories of Robert Burns at Burns' home, his face shining with the thought of it, his whole soul in touch with the beauty of nature.

Professor Morson closed the exercises by saying he believed their simplicity was such as Dr. McIver would have loved if he knew aught of the man, and that the school had honored itself in honoring the memory of Dr. McIver.

At State School for Blind.

Appropriate exercises wereheld yesterday at State School for Blind in memory of the life and great works of Dr. McIver.

Principal John E. Ray spoke knowingly and feelingly of the great educator and the man, and the following interesting program was observed:

Song, "Old North State." Recitation, "Carolina." Selection by band. "Character Sketch of Dr. McIver." Song, "Ho! For Carolina!" Sonnet, "Charles Duncan McIver." Song, "America."

At Brooklyn School.

At the Brooklyn public school appropriae exercises were presented by the school and by Miss Sue Porter's class from the Baptist University, which class had been especially invited.

The most remarkable feature of the programme was the reading of an original paper on "The Life of Dr. McIver," by Master Cary J. Hunter, Jr., who is but eleven years old. The paper was remarkable in its excellence for one so young.

Miss Porter gave an interesting talk about the work of raising funds for the McIver memorial and a good collection was taken.

TIME FOR BARRETT

Will Not Be Hanged on Tuesday.

Petitions and Telegrams From Greenville Cause Governor Glenn to Grant Reprieve Til January Fifteenth.

Sylvester Barrett, the negro who is in jail in Greenville under sentence to be hanged on Tuesday, has been granted some days of grace.

Late yesterday afternoon Governor Glenn issued a reprieve which postpones the date of the execution to the fifteenth of January. He had during the day set Monday as the time on which he would decide as to a reprieve, but telegrams followed letters and petitions from citizens of Greenville asking for a reprieve, and he wired the sheriff a reprieve for Barrett, sending the official notice by mail.

Attorneys for Barrett are seeking time to present new matter in their plea for a commutation of the death sentence to imprisonment for life, but Governor Glenn's position is that without the recommendation for commutation from Judge Long and Solicitor Larry I. Moore, he can do nothing in the way of commuting the sentence of the negro sentenced to death for the killing of Constable Lovett, who had come after him with a warrant of arrest.

There is intense interest in Pitt county in the matter, for while Governor Glenn is receiving petitions in behalf of the negro there are also letters from many who urge that the sentence of death against Barrett be carried out. In some cases there is a request that the execution be postponed for some time so that it may not take place during the Christmas time.

TOBACCO SELLING HIGHER.

Farmers Delighted at the Fancy Prices Obtained.

Prices of leaf tobacco on the Raleigh market are high, to the delight of the growers. Prices yesterday were from 10 to 25 cents a pound. Much was sold for about 15 cents a pound.

Mr. S. S. Puckett, of Willow Springs, was the heaviest seller yesterday. He sold 3,000 pounds at an average of about 12 1-2 cents, Mr. L. A. Jones, of Little River, sold a load at an average of 17 cents.

Among those who sold tobacco here yesterday were: Mr. R. C. Perry, of Franklin county; Messrs. C. F. Earp, S. S. Hobgood and Amos Dean, of Wendell; R. L. Liles, of Wakefield; J. H. Mitchell, of Rolesville, D. D. Massey and James Whitley, of Wakefield, and Mr. Weakers, of Eagle Rock.

There will be no sales here after next Friday until January 4 on account of the holidays.

ANOTHER SLAP AT NEW HANOVER JAIL

Federal Prisoners Sent to Penintentiary.

SENTENCES SEVERE

Judge Purnell Deaf to Pleas of Counsel—Doc Ray, the Holt "Boys" and Tony Evans Catch Hard—Criminal Docket Adjourned.

After sentencing several men for long terms to the Atlanta penitentiary for violations of the revenue laws yesterday Judge Purnell assigned reasons for taking such action in sentencing prisoners to the Atlanta penitentiary. Formerly, the condition of the New Hanover jail upon which he charged the grand jury of his district to look over county.

From reports which had been received, and of the truth of which he was convinced, he stated he believed that to confine men in a county jail under certain circumstances was to inflict upon them a cruel and unusual punishment. The court then stated that the case to which he referred was that of men who, in July and August last were given nothing to eat but meat and corn-bread, this being "cruel and unusual punishment" referred to." The complaint against the jail had determined him to stop the practice of sentencing Federal prisoners to county jails, adding he wanted it understood that he never heard a complaint of the county jail or that of any other county save New Hanover, as to the treatment received by prisoners. In Cumberland county, he said, it was known that prisoners frequently got out when they became tired of staying in confinement.

The Hard Case of Doc Ray.

These remarks followed the sentence of one year in the penitentiary and one hundred dollars fine on "Doc" Ray, convicted of selling without license. In Ray's case Col. T. M. Argo made a strong plea for a light sentence or a fine, stating that the single offense had been committed five years ago and that he had never since engaged in the liquor, but had led a law-abiding life. Colonel Argo stated that the sale by his client had been consented to at a picnic, and that only a pint of liquor had been sold and that to two men who had been "sprees" the day before and who had reassumed with a burning thirst. Ray, he stated, was a poor man, "a truthful, honest, who pays his lawyers' bills promptly, a fellow who deserves consideration."

After Colonel Argo's plea the court stated that, "owing to the peculiar circumstances," he would make the sentence of one year's imprisonment and a fine of one hundred dollars and costs.

At the imposition of the punishment the prisoner's wife, an un-comely, slight woman of the Andalusian type, half rose from her chair with compressed lips and her eyes flashing with pain and indignation. Her husband, a placid, whiskered giant, put out a hand and gently pulled her back into her chair. Afterwards the woman sat still in evident and hard restraint while her husband sat and blinked.

The heavy sentence and the manner on whom it was inflicted lent a touch of pathos to the ordinarily dull proceedings of a court concerned the main with petty offenses and crowded misdemeanor-doers.

Holt "Boys" Got Two Years Each.

Other heavy sentences were two years each in the penitentiary for C. A. Holt, Jr., and J. T. Holt, prominent young men of Johnston county, who, with their father were tried for illicit distilling a week before. While the two sons were convicted, the father, an aged man, was acquitted by the jury. The boys have each to pay in addition a fine of $200 and the costs.

"Tony" Evans, a negro recidivist, blind-tiger keeper of Greenville, was sentenced to 18 months and to pay a fine of $200 and costs. Colonel Argo appealed for Evans on the ground that he was induced to violate the law by an officer blacked up like a negro to whom he sold whiskey, but the excuse did not palliate the offense in the eyes of the court.

J. K. and W. T. Barnhill, Jim Wilkes and Sam Wilson, all charged with the liquor disturbances in Pitt county out of which grew the indictment on which "Elder" Tom Barnhill was tried, plead guilty on recommendation of the District Attorney, the Barnhills were released on $1,000 bond each for their appearance at May term and the two others upon their own recognizance.

Adjourned for Christmas.

It was stated by the court that the criminal docket could not be concluded before Christmas and that the court did not wish to keep jurors away from home too near the holiday season; that he had regard for children and their pleasures should be considered. The criminal docket was therefore continued to the January session commencing January 21st, the morrow, and probably until the middle of the week, the court being concerned with civil cases.

J. D. BOUSHALL SELLS OUT.

A. J. Williford Becomes General Agent Aetna Life Insurance Company and Mr. Boushall President Wake Lumber Co.

Mr. J. D. Boushall has sold his insurance business in the Company the Aetna Life, for which he has been general agent for the State of North Carolina for the past twelve years and will become President of the Wake Lumber Company.

Mr. Boushall's resignation as general agent will take effect January 1, 1907, and Mr. A. J. Williford of Raleigh, will succeed him as general agent on that date.

Mr. Boushall has made a signal success as an insurance man, and we wish for him even greater success in the lumber business, which is claiming the attention of a larger number of our people every day.

Mr. Boushall wishes to have as his successor in the agency one who has a large number of policy holders in North Carolina of this good company.