

Bucklesberry, Back in the Day

Alexander Richard Sutton (Part 14)

The lawsuit against the town of La Grange in 1914 was not Alexander Richard Sutton's (1860-1928) first legal rodeo. Over time, he had become comfortable using the court system to resolve problems with neighbors and business affiliates.

Although he was successful in his suit, recovering \$1,150 for unpaid electrical service to the town that was generated from his mill, he didn't win all of his court battles. A decade earlier, he was involved in multiple litigations over a twelve-month period that resulted in legal losses:

1902, April 24: "Mr. C. P. Davis was tried yesterday on two warrants. The first charge was assault on Mr. A. R. Sutton, the circumstances being that Mr. Davis threatened to hit Mr. Sutton with the butt end of a buggy whip if the latter didn't get off his land. Mr. Sutton got off and Mr. Davis didn't hit him. The justice decided that the defendant wasn't guilty and taxed prosecuting witness with the costs. The second warrant charged Mr. Davis with removal of crop and mortgaged property. Decision rendered in favor of defendant, taxing Sutton with costs in the action. An appeal was taken in both cases." (*The Daily Free Press*, Kinston)

1903, February 10: "Justice Cox had up before his court today for trial a case for forcible trespass against W. L. Arthur, of Falling Creek township. The prosecuting witnesses are A. R. Sutton and wife. The forcible trespass case has grown out of some trouble between Mr. Sutton and Mr. Arthur concerning a lot of turkeys, which were mixed up by running together, and which were sold. A satisfactory settlement was not made and a suit resulted. This brought on more trouble and the warrant in today's case is the seventh that has been issued concerning the matter. The warrant charges that Mr. Arthur is guilty of forcible trespass in that he had cursed at Mrs. Sutton on her premises. The judgment of the court is not known when we go to press. Both sides are represented by counsel and fighting the case hard." (*The Daily Free Press*, Kinston)

1903, March 26: "Messrs. H. Weil & Co., of Goldsboro have instituted supplemental proceedings against Mr. A. R. Sutton of Falling Creek, to locate property out of which to collect three judgments of \$100 each....The circumstances according to the evidence adduced is as follows: H. Weil & Co. sued for an attachment on the remainder of insurance policies Mr. Sutton held on property recently burned and which had not been settled. The two policies were for \$1,500 and one had been transferred to T. W. Mewborn & Co., in settlement of an account, and the other to Sumrell & McCoy, who gave a due bill for \$500 and their account for the policy for \$750 which had not been adjusted. This due bill was transferred to Einstein Bros., in settlement of their account and Einstein Bros., making the difference good to Mr. Sutton with another due

bill for \$325, which H. Weil & Col, are trying to trace and attach. This due bill, which was non-negotiable was given to Mr. Sutton's son in settlement of an account for labor. The trial is in progress as we go to press and the result cannot be given." (*The Daily Free Press*, Kinston)

Some might argue that Alex was overly litigious and quick to let the legal system handle his disagreements and scuffles with people. Perhaps, rather, he was taking the high road by exercising good judgment and restraint. Allowing the courts to settle unresolved problems is more civil than deciding them through heated verbal or physical force.

This is a lesson that today's increasingly quick-tempered society needs to learn, one that Hollywood taught more than a half-century ago in the American western television series *The Deputy*. Actor Allen Case played the character of Deputy Clay McCord. After killing a gunman who drew on him first in a 1959 episode titled "Like Father," McCord was quoted as saying, "Someday, there will be a better way to settle things."