

CONTINUES FROM PAGE ONE

Fuquay Physician Named Defendant In \$15,000 Law Suit

himself out to the public for the practice of medicine and surgery.

3. That plaintiff's intestate, Wilbert Burnette, at the time of his death as hereinafter set out, was an infant of about two years of age, and was living with his mother at Fuquay Springs, Wake County, North Carolina.

4. That on the 7th day of June, 1941, as plaintiff is informed and believes, and on such information and belief alleges, the services of the defendant, Dr. J. B. Davis, were engaged and secured by the mother of plaintiff's intestate to perform a circumcision operation on said intestate, it being agreed as to what the said operation was to cost and when it was to be performed.

5. That later on the said day of June 7, 1941, in accordance with the said agreement, the said child, plaintiff's intestate, was taken to the office of the defendant, where it was caused to be undressed and placed on its back on a table in the said office, and a rubber protractor laid over its eyes, with its mother standing at its head, holding its hands and defendant's assistant holding its feet, in which condition, and without making any physical examination of the child whatsoever, and without any knowledge or intelligent opinion as to whether the said child take anesthesia without danger of injury or death, the defendant poured ether or chloroform or other anesthesia directly from the container on and in the nose and mouth of plaintiff's intestate, and immediately proceeded to perform the circumcision operation; that by the time he was half through with the said operation the defendant, appearing to be highly nervous and frightened, turned to the child's head and attempted to pull the child's tongue out of its mouth with a pair of scissors, splitting the tongue in two places; that, in the meantime the child's tongue had swollen to twice or three times its normal size and the child had become strangled or suffocated with the liquid anesthesia which defendant had poured on and in its mouth and nose, after gasping and struggling for death, it died.

6. That plaintiff is informed and believes and alleges that the defendant himself was not in a normal condition on the said occasion, but that he was under the influence of intoxicating liquor or other narcotic drug; that he appeared to be dazed and had a wild look in his eyes and was awkward and cumbersome and did not have full control of his faculties of mind and muscle, as required for the successful administration of anesthesia and the performance of operations on human beings.

7. That plaintiff is informed and believes and alleges that the manner in which defendant gave plaintiff's intestate anesthesia and attempted to relieve the strangulation or suffocation which he thus caused was contrary to the methods employed and practiced by competent and reputable physicians and surgeons and approved by the medical profession in that defendant did not make a physical examination of his patient before giving the anesthesia; in that he poured the anesthesia directly on and in the child's nose and mouth from the container, instead of using a mask made for the purpose, which would have permitted the patient to inhale the fumes from the anesthesia, as and when needed, instead of letting the liquid form of the same come in contact with the child's face, nose or mouth; and in that the defendant's awkward, frantic and brutal attempt to relieve the child from his suffering and struggle for breath, resulting from its strangulation and suffocation, is not the method employed by competent and reputable physician and surgeons and approved by the medical profession for such emergencies.

"That plaintiff is informed and believes, and on such information and belief alleges, that the death of plaintiff's intestate was solely due to, proximately caused by the directly the result of the defendant's willful, wanton, negligent, incompetent, careless, reckless, wrongful and brutal conduct in the following particulars, to wit:

a. He was under the influence of intoxicating liquors, or other narcotic drug, when he began the said operation and did have the full and normal control of either mind or muscle required for the successful administration of anesthesia and the performance of operations.

b. He failed to make a physical examination of his patient, plaintiff's intestate, to determine whether or not the said patient could take anesthesia without risk of injury or death, as was his professional duty.

c. He willfully and recklessly poured ether or chloroform, or other anesthesia, directly from the container, on and in the nose and mouth of said intestate, in liquid form, contrary to every approved method known to medical science for the administration of anesthesia, thereby burning and strangling and suffocating the said child to death.

d. He frantically and brutally cut the said child's tongue by pulling it out of his mouth with scissors, instead of cauterizing the child to bleed profusely.

"That at the time of his death, which was caused by defendant's wrong doing and willful neglect of and default in his professional duty, as hereinbefore set out, plaintiff's intestate was a young child of approximately two years of age, strong in body and mind, with good health and strength and with prospects of a long and useful life before him.

10. That plaintiff's intestate left him surviving as his sole and only heir at law and next of kin, his mother, Grace Burnette.

11. "That as a direct and proximate result of defendant's wrongful act, neglect and default in his professional duty to the said intestate the said intestate's next of kin, Grace Burnette, has suffered great pecuniary injury and damage, and on account thereof plaintiff, as he is informed and believes, is entitled to recover of said defendant for said damage.

12. That this action is being brought within one year after the death of plaintiff's intestate.

WHEREFORE, plaintiff prays the court as follows:

1. That he, as administrator of the estate of Wilbert Burnette, deceased, recover of the defendant the sum of \$15,000.00 as damages for the wrongful death of the said Wilbert Burnette, for the use and benefit of said Grace Burnette, sole heir and next kin of said Wilbert Burnette.

2. That defendant be taxed with cost of this action.

3. For such other and further relief as to the court may seem fit.

-- Bishop Grace --
of Prayer. All ministers, congregations, choirs, quartettes are invited to participate in this wonderful weeks meeting. The Grace Cafe will swing wide its doors day and night to serve all people.

-- CCC Camp --
march of a group of Negro members who apparently were coming to the aid of Winstead. It is reported that they were dispersed with shots by members of the mob. Special Agent in Roxboro Lieutenant J. Hochstim, special investigator for district "A" of the CCC has been tabulating reports as to the marching mob and will submit a report to Colonel Kirk Broadus, executive officer at Fort Bragg.

-- Ushers Meet --

dress by T. A. Hamme, superintendent of the Oxford Orphanage, will also be featured. Saturday afternoon will include reports from the First Aid Department, the Board of Directors, finance committee and the delegate to the National Convention, O. G. Donnell. Election of officers will follow.

Oratorical Contest
On Saturday evening the annual oratorical contest of the ushers under the direction of J. H. R. Gleaves will take place. This contest is confined to the Junior ushers and students of high school grade. A banquet will follow the conclusion of the oratorical contest.

On Sunday morning at nine o'clock the annual memorial service under the direction of J. W. Doak, treasurer of the association, will be conducted. He will be assisted by Chaplain Thomas Broadnax and Mrs. Ruth Morgan. At eleven o'clock the ushers will be permitted to attend services at the various churches of the city.

The annual address Sunday afternoon which will be delivered by Dr. Vernon Johns is expected to elapse every feature of the convention. Dr. Johns is one of the outstanding ministers of America, and persons having an opportunity to hear him will receive a rare treat.

1 lot 3.24
New Cabinet Shop
518 1/2 E. Pettigrew

A new modern and complete cabinet shop has been opened at 518 1/2 East Pettigrew Street by F. A. Walker. The shop is a 16 by 65 ft. structure having overhead daylight and good ventilation. Miss Ludie Elliott is the bookkeeper and assistant. The firm specializes in all kinds of cabinet making, also general repairs to all wood works, including screen doors, windows, etc. They have the very latest equipment which includes news bands, bench saw, turn lace, school saw and shapers. Also all the latest tools necessary for cabinet making. They have a phone and call for estimates on any wood work. According to Walker the place opens at 7:30 eastern daylight saving time and closes from 5 to 7, and then is open each evening until 10 P. M.

The shop is about the most complete the writer has visited.

in a long time. It is very cool and well lighted. Walker invites his many friends and customers to call by and see the new plant.

An "Owed" To Taxes

We are taxed to fish.
We're taxed to hunt;
It looks now like—
We'll be taxed to grunt
We are taxed to work
We are taxed to play;
If this keeps up—
We'll be taxed to pray.
We are taxed to ride
We are taxed to talk;
We'll be taxed
To crawl or walk.
We are taxed to chew
We are taxed to smoke;
And, believe me, Madam—
This aint no joke.
We are taxed to eat,
We are taxed to drink;
It would be no surprise—
To be taxed to think.
We are taxed to buy,
We are taxed to sell;
We are taxed every minute—
And taxed like... well?
We are taxed to borrow—
We are taxed to lend;
We are taxed to hoard,
And we're taxed to spend.
We are taxed for earning—
We are taxed in brackets;
We'll soon be wearing
Taxed straight jackets.
We are taxed if we do—
We are taxed
If we don't,
We are taxed if we are rich,
And taxed if in want.
The jig is up—
Ain't no use t' osqueal;
Taxes have got us,
And this is my spiel.
But, Brother, take comfort
Come seven, come eleven;
There are taxes on earth—
But none in heaven.

Miss Gurney Mae Hammond and little son, Raymond of Greensboro were the house guest Sunday of Miss Bernice Hayes, on Bailey Street.

Little Paul and Alpranza Mitchell are still in Duke Hospital recuperating from Typhoid Fever.

The above is my opinion stated Miller and I think that a careful check with other dealers in the industry will tell you just about the same thing.

Very Wise
"Do you think it wise to use signals when you play bridge?"
"Yes, if it's my wife who's giving them."

After Dark!!...by Rice

BUT
PROBABLY THE AWFUL TOLL OF NIGHT DEATHS WILL BE CUT WHEN AUTHORITIES USE THE TAXES WE PAY FOR SAFE ROADS TO:
1. MODERNIZE ANTIQUE LIGHTING ON CITY STREETS.
2. PROVIDE MODERN SAFETY LIGHTING ON DANGEROUS, HEAVILY TRAVELLED HIGHWAYS.
3. AND WHEN THE MOTORIST AND PEDESTRIAN REALIZE THE LIMITATIONS AND DANGERS OF DRIVING AFTER DARK.

MANY THE MOOCHERS

THE salty breeze blow fresh and free!
The gull's clean curving wing
Flashes on the summe sea!
The friendly wavelets sing!
The little boats go to and fro
On rhythmic, dipping oars—
At least, they should. I wouldn't know.
I never got outdoors.
For I am the Nonstop Hostess!
Oh, I've got a house by the sea!
And all my relations
With summer vacations
Impulsively spend them with me.
Not to mention the friend who is bringing a friend in.
And invalids looking for places to mend in.
Why, the precepts that people like Carnegie preach
Can be rolled into one: Build a house at the beach!
I spend my days in changing beds
And sweeping piles of sand out;
I've barely time to count the heads
Assembled for the handout.
I cook and clean and wash and scrub,
And when to bed I pull
My failing frame—ay, there's the you can't spell the other one."

rub!
I can't—the beds are full.
I'm the All-American Hostess!
But who are the people I'm host to?
Who is the guy
With the patch on his eye
That I'm suddenly serving a roast to?
Who is the wench I thought was cute
Till I recognized my bathing suit?
Who's heading the plot to defather my nest?
Which is the one who invited the rest?
For Sale: A Charming Little Home.
If anyone that you know
Enjoys the sun and sand and foam
Please look me up—in Juneau.
The lot is high; the view is nice
No ants or other pests;
The thing's a steal at twice the price—
And 'll throw in the guests!
—Kay Hosking.

Defined
Tommy's Sister — What is a synonym?
"A synonym," said Tommy wisely, "is a word you used when My failing frame—ay, there's the you can't spell the other one."

WET WEATHER BRINGS UP THE OLD ARGUMENTS

Years like this always bring up discussions about former wet seasons, but just about every one of the older citizens who can remember that far back stick to their claim that 1901 was the most unfavorable year on record in this section in which to cultivate crops. In 1901 the rain set in early in June and last all summer. In some sections of the country practically nothing was harvested that fall except "erab" grass hay out about the only thing it is good for is to keep cows and horses from caving in.
Selectee: "I was a traveling salesman, sir."
Sergeant: "Well, we'll make you feel right at home. I'll give the orders and you take 'em."

Man Goes To Sleep On Train; Loses Teeth

Stateville, (CP) — An unusual case of a man losing his false teeth while sleeping on a train was reported here Saturday morning.
A man sailed Moore had been meeting every train at the Southern station here for several days, asking trainmen whether they had heard of his teeth which he lost just before he got off the train here the morning of July 31.
He said his teeth did not fit him well and he thought they dropped out as he was taking a nap just before he reached his destination here.
Friday afternoon a conductor said a porter found some teeth; the porter at the time running via of Spartanburg and Asheville, giving the man some hope he would recover his lost teeth.

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Buy Your Coal Now At SUMMER PRICES!
and have it delivered when you need it!
That's the money-saving action you can take under a new payment plan offered by the SCOTT COAL CO.
HERE'S WHAT YOU DO:
Visit the Scott Coal Company's convenient East Pettigrew Street office. Place your order and make a deposit of \$1.00 per ton. Each following week or payday make a payment of \$1.00 per ton until your coal is paid for in full.
Thus you will have purchased your coal at Summer prices and you can be sure of getting it delivered when you need it.
You will have avoided an almost certain rise in coal prices expected to follow increased national defense activities and railroad car shortage.
Furthermore, you'll be getting the famous "coal from silos". Clean, dry coal that gives extra warmth, extra economy, and extra cleanliness at no extra cost.

Scott Coal Co.
East Pettigrew Street Office Telephone L4311
"CLEAN, DRY COAL FROM SILOS"

SOME PEOPLE BELIEVE IN LUCK —OTHERS OWN—
Hospital, Accident Health And Funeral Insurance Policies
—in—
SOUTHERN FIDELITY MUTUAL INSURANCE COMPANY
Durham, North Carolina
One person in every 13 became a Hospital Patient in 1940
Families with less than \$1,200 a year income spend \$49 a year for medical care.