

THE WEATHER: Cloudy tonight; rains along the coast.

SNOW, FROST, COLD WAVE REPORTED IN MANY STATES.

HEAVY FROST REPORTED IN THIS SECTION OF THE COUNTRY.

CROPS BADLY DAMAGED.

NO RELIEF IS PROMISED FOR NEXT FEW DAYS. HEAVY RAINS FOLLOW COLD SPELL.

Washington, D. C., June 9.—The coldest weather ever recorded during the month of June in the Middle Atlantic and New England States the Ohio Valley and the Great Lakes, was reported today by the weather bureau.

Many places in Pennsylvania reported frost this morning, a condition almost unknown in this State during the month of June. The minimum temperature in Philadelphia was 47 degrees. Forty degrees was registered in some parts of the interior of the State.

There was a heavy frost near Middletown, N. Y., last night. This ice formed in places, which were shattered from the wind. Much damage was done to vegetation. Rome, N. Y., reports a temperature of 28 degrees. Farm and garden produce was badly bitten by the frost. Snow fell at Montreal, N. Y. In New York City, the temperature was 47 degrees and will probably be lower this morning.

In Virginia, the lowest temperature registered along the coast was 56 degrees. North Carolina was close behind with 58 degrees.

The damage, which has been done to crops by the cold wave will run into millions of dollars. It will continue cold for another day or two.

ROOSEVELT IN DIRECT PRIMARY FIGHT.

Buffalo, N. Y., June 10.—Colonel Roosevelt arrives here this afternoon to make a speech tonight in aid of Governor Sulzer's direct primary bill to come up in the special session of the State legislature next week. A great welcome has been prepared for the former President.

FOURTH OF JULY CELEBRATION AT NEW BERN

EXCITING RACES TO BE HELD AT THE FAIR GROUNDS ON THE AFTERNOON OF THAT DAY.

MANY ENTRIES RECEIVED

HORSE RACES, MOTORCYCLE RACES AND FIREMEN'S TOURNAMENT TO BE PRINCIPAL EVENTS OF INTEREST.

New Bern is making great preparations for a "speedy" Fourth of July. A series of interesting and exciting races have been arranged to take place at the fair grounds on the afternoon of that day.

The first events of importance will be the horse races. All horsemen of prominence in this section of the State are deeply interested in the races and many entries have been received. Some close finishes are expected.

The motorcycle races also promise to furnish something in the line of thrills. Those who saw David Morris of New Bern and Billy Founstein of Norfolk go around the track last fall at the fair, know that it was about the most exciting event of the week. There will be two races; one for single cylinders and the other for more than single cylinder machines.

Last, but not least, will come the great firemen's tournament. All the firemen in this part of the State have been invited to participate. Taken altogether, a most interesting afternoon's program has been prepared.

Miss Elouise Grantham has returned from Rockingham, S. C., where she has been on a visit to her sister.

IMMIGRATION OFFICIALS ACCUSED BY JAPANESE.

Honolulu, June 10.—Resolutions adopted at a Japanese mass meeting held Sunday night requested the removal of United States immigration officials stationed here, accusing them of unfairness and unnecessary harshness on the dealings with Japanese returning from visits to Japan.

The treatment accorded, the resolutions declare, is such that it is not safe for Japanese to visit their home country if they hope to return to this port.

It is set forth also that Japanese women arriving have been insulted by unwarranted and offensive remarks alleged to have been made by officials of the immigration station.

INTERNATIONAL TUG OF WAR.

San Francisco, June 10.—The international tug-of-war tournament which began at the Pavilion rink today, offers to lovers of clean sport a series of the most interesting contests ever held in this city.

The following nations are represented: United States, England, Scotland, Italy, Sweden, Norway, Denmark, Canada, Ireland, Germany, France, Russia, Slavonia, Greece, Austria, and Australia.

This unexpected number of teams coming into the field has presented no small problem for the directors to solve, as all wish the opportunity of upholding the honor and prestige of their respective countries.

WOODMEN OF THE WORLD IN FLORIDA.

Jacksonville, Fla., June 10.—The Sovereign Camp, Woodmen of the World, convened here today and will be the guests of the city for the next few days. Governor Park M. Trammell, Mayor W. S. Jordan and Councilman C. D. Mills, welcomed the visitors, who come from all parts of the country, following which was the ceremonial program.

PICNIC IS POSTPONED

Owing to the cold and inclement weather, it has been decided to postpone the Methodist picnic, which was to have been held at Washington Park tomorrow. The date, when the picnic is to be held, will be announced next Sunday.

By paying the check in full. This is what is known as an "overdraft," and while contrary to the printed rules of most banks is still frequently done in ordinary commercial practice. If the bank allows an overdraft, in effect advancing money for its depositor, it may recover the amount from him.

Bankers do not take time to investigate a depositor's account for every check that is presented to the bank for payment. They depend upon memory, and confidence in the depositor, in many instances. So it sometimes happens that a bank will pay a check under the belief that the signer has an adequate balance on deposit, when such is not the case.

On discovering its mistake banks have sometimes endeavored to recover the money paid the person who presented the check, but they have not been successful. In one sense of the word the bank paid under mistake, and mistake is sometimes ground for recovery of money paid, but not by a bank under these circumstances.

Sometimes after a person has signed and delivered a check he wishes to recall his action. He immediately gets in touch with his bank on which the check was drawn and instructs it not to pay that check when it is presented. This is known as "stopping payment."

Stopping payment ends the bank's duty and also its right to pay the check when presented. It not only need not pay the check, but it must not pay it. If it disregards its depositor's instructions and pays the check on which payment has been stopped it is the loser as it may not charge that payment against the depositor's account.

A. L. Sullivan owed James P. Long \$47.00, but by mistake he filled out the check to James A. Long and mailed it in an envelope addressed to James A. Long, and a James A. Long received it and cashed it at a bank. The bank lost the money it paid out on the check. This was because a bank is bound to make certain that it is paying the check to the proper party. In law the middle initial is not part of a man's name and so the check was payable to James P. Long.

CASE AGAINST EDITOR TO BE BROUGHT UP TOMORROW

W. O. SAUNDERS, EDITOR OF THE ELIZABETH CITY INDEPENDENT TO BE TRIED BEFORE RECORDED WITNESSES.

PLAINTIFF IS E. F. AYDLETT

EDITOR IS CHARGED WITH LIBEL. HAS ALREADY BEEN CONVICTED IN ELIZABETH CITY COURT.

The case of E. F. Aydlett vs. W. O. Saunders, editor of the Elizabeth City Independent, will be brought up before Recorder Windley of this city at ten o'clock tomorrow morning.

Saunders was recently convicted to six months on the roads by the Elizabeth City Court for publishing a libelous statement about Aydlett. The latter has the right to have the editor tried in every county in which the Independent circulates, if such is his desire.

COURT TIRED OF S. O. SUIT.

Jefferson City, Mo., June 10.—John W. Montgomery, Jr., of Sedalia, who has been taking testimony to determine whether the Standard Oil Company has several oil trust connections, is running independently and whether it purposes to conduct its business along open competitive lines hereafter, makes his final report to the Supreme Court today.

The investigation is directed against the Standard Oil Company of Indiana and as this litigation has been going on for eight years, the court has shown a desire to get rid of it. Attorney General Parker has been directing the cross examination of the witnesses for the State.

BUILDING MANAGERS MEET.

Cincinnati, June 10.—The annual convention of the National Association of Building Owners and Managers began here today and will continue until next Saturday, during which time prominent men from all parts of the country will make addresses.

Edward M. Willoughby, president of the Chicago Real Estate Board, will deliver an address on "Central Agency Compared with Individual Management in Operating Office Buildings," and J. E. Randall, manager of the new Continental and Commercial Bank Building, will speak on "Duties of a Building Manager During the Construction of a Building." Carl J. Mauril will present a paper on "The Relation of the Plant to the Building Managers."

Fine Points in Advertising.

A reader of The Daily News the other day was planning a fortnight's fishing trip in the Adirondacks, and in running through the advertising pages chanced upon an advertisement of a sporting goods house.

Being entranced by the "out-of-door" atmosphere and sportmanlike tone of the announcement he was soon deeply engrossed. Toward the end, to his astonishment, he found complete, detailed information about the very lake on which he expected to spend his vacation.

He learned all about the fish and their habits, and the kind of tackle to use and a number of other useful and informing points all as if written for his special benefit by a true lover of the sport.

Crystallized in this one advertisement was all of the information, and more, that he needed to complete the arrangements for his trip.

This is only one instance of the splendid help that present day advertising offers to the readers of The Daily News.

SARAH BERNHARDT, WORLD'S GREATEST ACTRESS, LEAVES FOR FRANCE.

Sarah Bernhardt has a reputation as one of the greatest stars behind footlights and the world never knows the value of a good actress until they have seen her in some of the leading roles of dramatic production in which she has consented to appear. The value of this great actress was never brought out from the fact she could never speak English and it was only through an interpreter who could catch the direct meaning of her lines.

Often the public has paid enormous prices for seats to witness Sarah Bernhardt and the public agreed with the great New York critics in saying that she was alone in the world as an actress and could seldom receive the support on the stage she was due from the fact that her equals were few.

Sarah Bernhardt sailed last Friday for France and claimed it to be her last visit to America. Before going abroad she consented to appear before the moving picture camera in a four reel production starring and playing leads in "Camille." This actress received a salary of \$10,000 for her services in this great motion picture, which has been witnessed by millions of people.

This great feature picture that Sarah Bernhardt appeared in will be shown at the Lyric Theatre Wednesday, both matinee and night, of this week, and comes here at an enormous expense. The admission prices will be—children 15c.; adults, 25c.

RAILROAD NOTES.

The Missouri Public Commission has abolished life passes. Construction has been resumed on the Lorain and Ashland (Ohio) Railway. Eventually it will intersect the Pennsylvania, Erie, Baltimore and Ohio.

The Union Pacific is now double track from Omaha, Neb., to Cheyenne, Wyo., 516 miles. This is by far the longest stretch of double track railroad west of the Missouri river.

General Headquarters for the Third District of Chicago, Rock Island and Pacific Railroad, including the system south of Caldwell, Kan., in the States of Oklahoma, Texas, Arkansas, Louisiana and Tennessee, will be removed June 15 from Fort Worth, Texas, to El Reno.

Representative A. O. Stanley, who is making the campaign for U. S. Senator from Kentucky, says that the shippers of America on a conservative estimate in one year pay the sum of \$360,000,000 in interests and dividends upon securities arbitrarily issued by common carriers and representing nothing but "water."

The Colorado and Southern has reopened its Elizabeth line, between Colorado Springs and Denver, which was closed three years ago from lack of patronage. Trains from Denver will connect at Falcon with east and west bound trains of the Rock Island.

President B. F. Bush is authority for the statement that in the current year the Missouri Pacific ought to earn well over \$62,000,000. In 1912 earnings were \$54,000,000; in 1911, \$51,775,000; in 1910, \$53,000,000, and in 1909, \$46,385,000. More than 80 per cent of the gross gain is going back into the property for increased maintenance of way and equipment, for surplus or for interest on new capital for improvement and betterments.

It is noteworthy that President Bush has been with the Missouri Pacific only a few weeks longer than two years. No person inexperienced in railway work who is over 35 years of age, and inexperienced person over 45 years of age will be employed on the Frisco lines after July 1st next, according to the rules of the pension department, which have been issued by President B. L. Winchell.

TO FOSTER BROADER SPIRIT.

New York, June 10.—To foster a broader commercial spirit between America and Germany, about two hundred of the most prominent mechanical engineers of the United States sailed for Europe today on the Hamburg-American liner, Victoria Luise. They will visit the great shipyards, and make a tour of industrial Germany, under the direction of a committee especially appointed by the government to look after the American engineers.

MEETING OF CHAMBER OF COMMERCE.

The regular meeting of the Chamber of Commerce will be held tonight. Considerable business is to be brought up for discussion and it is hoped that a large number of the members will be present.

WASHINGTON'S GREATEST NEED

(By Rev. H. B. Bearright, Pastor of First Presbyterian Church.)

In answering this question, as a minister of the Gospel, it is natural that my views should be colored by my calling, and that I should magnify the religious element. But in so doing I am not forgetful of the material aspects of the question. We all desire a larger town, a healthier town, a happier and more prosperous city in every way. My point is that there is a vital relation between righteousness and prosperity—religion, or godliness, is the fundamental condition of growth and enduring success or lasting prosperity. Many do not look at religion in this light. They think of it as a vague sentimentality to do with a remote and uncertain future existence—a kind of insurance against loss by fire in the other world.

On the contrary Christianity is an intensely practical life, primarily concerned with this life, and with our happiness and welfare here and now. As St. Paul expresses it: "Godliness is profitable unto all things, having promise of the life that now is, and of that which is to come."

Why has Washington not grown faster? It is an old town, founded nearly 140 years ago. Its situation is strategic, and the natural advantages of its location are excellent. Why has it not prospered and progressed more than it has? I will not say, because it has been too wicked to prosper, less I seem too severe and uncharitable. But I do affirm that its prosperity has been greatly hindered and retarded by ungodliness and immorality—and I think this proposition can be demonstrated.

Prosperity depends on such virtues as temperance, industry, confidence, co-operation, and character; and these virtues are the fruits of religion. Our citizens have lacked:

1. Confidence in each other, which is the basis of credit and co-operation and without which business en-

terprise and prosperity is impossible. 2. Co-operation. We have not worked together for the common good of the community, as we should have done. There have been too many factions, and divisions among our people. Only by united effort can a city be built up. I was greatly impressed with this fact when in Atlanta recently. The secret of the marvellous growth of that great city is co-operation; they all pull together for Atlanta, everywhere and all the time.

3. Charity. We need more of that divine charity which "thinketh no evil, but suffereth long; and is kind; which envieth not, and seeketh not her own; but beareth all things, believeth all things, beareth all things, and endureth all things."

When the late Mr. J. P. Morgan was asked by the Puleo investigating committee what was the basis of credit, his profound and significant reply was: "Credit, in the last analysis, rests on character."

What we need, then, in order to come to greater commercial prosperity and material growth, is more character. And it is universally admitted that the greatest character-builder in the world is the Gospel of Jesus Christ. Washington needs more men; she needs more industries, and manufacturing plants; she needs more money; but before all and beneath all she needs more religion; she needs a great and gracious revival of the love of our fellow-man, that will result in the application of the eternal principles of righteousness to every phase of private and social life. This, then, is the conclusion of the whole matter. "Righteousness establisheth a nation; but sin is a reproach to any people."

"The righteous shall flourish like the palm tree; he shall grow like a cedar in Lebanon."

REV. R. L. GAY ELECTED PASTOR OF BAPTIST CHURCH

JUNE 10 IN HISTORY.

- 1811—Lord Wellington raised the siege of Balaosjos.
- 1837—Plague raging at Smyrna.
- 1861—Neutrality announced by the French Emperor.
- 1864—Gen. Burbridge vanquished Morgan and his raiders.
- 1892—President Harrison nominated for re-election.
- 1893—Launching of the battleship Massachusetts.
- 1902—President Patton resigned presidency of Princeton University and was succeeded by President Wilson.
- 1902—East St. Louis, Ill., swept by floods.
- 1912—Havre, France, strike tied up transatlantic traffic.

PINETOWN NEWS.

Rev. John A. Shaw of Elizabeth City filled the pulpit at White Plains Saturday and Sunday.

Miss Leah Woolard of Yemassee is spending a few days with her sister, Miss Effie Woolard, at the residence of W. A. Respass.

Mr. and Mrs. J. B. Boyd and two children were the guests of friends at Walla Walla Sunday.

W. A. Respass is the proud owner of a new late model automobile.

Miss Leah Gurkin is spending a few days with her sister, Mrs. Claude Harrison.

We are having a fine season. Crops, due to the recent rains, are looking fine.

Thank you Broad Creek for your compliment last week, it was appreciated.

Being absent for a while doesn't mean that we have bid you all adieu. We're on the job again, as you see.

HAS BEEN PREACHING FOR PAST SIX YEARS AT AULANDER, N. C.

NATIVE OF VIRGINIA

IS GRADUATE OF RICHMOND COLLEGE. WILL PREACH FIRST SERMON HERE ON FIRST SUNDAY IN JULY.

Rev. R. L. Gay has been elected to fill the pulpit of the First Baptist Church in this city permanently. Mr. Gay was elected by the Church Conference after several other ministers had been considered. He has been preaching for the past six years at Aulander, N. C., and is considered one of the strongest preachers in the West-Cowan Association.

Mr. Gay is a native of Virginia and a graduate of Richmond College. He will preach his first sermon here on the first Sunday in July.

PINETOWN G. BATH O.

Pinetown's hard hitting bunch of sluggers goose-egged the Bath aggregation Saturday on the Pinetown diamond.

The locals sewed up the game in the early innings. Some classy swatting by G. C. Boyd brought in four runs. He pulled out two long two-baggers. Brown twirled in big league form, while Davenport was all to the good as back stop.

The visitors were a bit cheery in the field. Their left fielder, the guy with the big "Seaboard" on his breast made a couple of classy snuffs.

Pinetown has some team this year. They have played six games and have only dropped one. Going some, I guess.

HEARING ON \$100,000 MORTGAGE

Albany, June 10.—The Public Service Commission began a hearing here today of the application of the New York Central & Hudson River Railroad Company for authority to execute a mortgage of \$100,000,000 on a plan involving the general re-financing of the companies controlled by the Central.

Harley Sparrow, proprietor of the Lyric Theatre has purchased a new 1913 model, five passenger Oakland touring car.

POPULAR TALKS ON LAW

WHEN THE BANKER CASHES YOUR CHECK.

By Walter K. Towers, A. J. D., of the Michigan Bar.

John Sommers was keeper of the general store at Elmwood. Allan McPherson was owner and head of the Elmwood Savings Bank. The relations between the two men were far from friendly, but as there was no other bank near at hand Sommers maintained a commercial account in McPherson's institution. One Tuesday morning he purchased a load of potatoes from Clyde Webb, a prominent farmer of the vicinity. Sommers paid Webb immediately, giving him a check for twenty dollars properly drawn on his account in the Elmwood Savings Bank. Webb took the check to the bank and presented it to McPherson, who was in the teller's cage.

"What did you do, go and sell that load of potatoes to Sommers?" inquired McPherson.

"Yes, why not?" replied Webb. "Well, you might have given me a chance at them. You know I'm buying produce, as well as banking."

"That's no reason why I shouldn't sell to John Sommers."

"Well, I'll show you're a fool to sell to him," angrily asserted the banker. "He paid you with a check, didn't he? And you took it; and it ain't no good at all, see!"

"What's the matter?" asked Webb. "Why, he's no good financially, and his check's no good, and you can't get any money on it."

Webb returned to Sommers, and Sommers hastened to the bank, knowing that his balance stood close to four hundred dollars. After a heated discussion at the bank Sommers travelled to the office of his legal counsellor. As a result action was begun against the banker because of his failure to cash the depositor's proper check, and substantial damages were recovered because McPherson's action had injured Sommers' standing and credit in the community.

This case illustrates what is perhaps the primary duty of the banker to his depositor—to pay all proper checks drawn on him against adequate deposits. If the banker fails

to do this, either willfully or through mistake, he must answer to his depositor. If the depositor whose check was wrongfully dishonored suffered any damages he may recover the amount against the banker. Injury to credit and business standing are the damages usually complained of in such cases. The banker is entitled to a reasonable time after presentation in order that he may examine into the state of the account against which the check is drawn. Good bankers have their affairs so arranged that this is a matter of seconds rather than minutes.

When Sommers sued McPherson, McPherson defended his action on the ground that while Sommers did have a balance of about four hundred dollars the bank held Sommers' not for five hundred dollars, which was to fall due within a week. The banker insisted that he had a right to retain Sommers' deposits to insure payment of the note when it should fall due. His position was not justified in law and furnished him with no effective defense. A banker may set off an indebtedness that is due by the depositor to the bank against the deposit, but he may not set off one not yet due. Sommers could not be required to pay the note until its maturity, and until then it was not an effective obligation against him.

It not infrequently happens that the holder of a check for say ten dollars, will present it at the bank for payment and discover that the depositor has a balance of but seven. Often the holder of the check would be glad enough to get the proportion that the deposit would cover then and there. But the bank need not make part payment. This is because it is entitled to the check for use as a voucher in settling with the depositor.

When the bank pays a proper check it has a right to charge payment against the depositor. It may be that the bank will choose not to dishonor the check for ten dollars when a balance of but seven remains and will accommodate its depositor

(Continued on Page Three.)