# THE DURHAM RECORDER. 

## SEMI=WEEKLY.

## VOLUME 88.

DURHAM, N. C., OCTOBER 8, 1907.
NUMBFER 45.
 Many Cases Continued-Importan Decision; Rendered in Telephoone Durham Superior Court for the trial of civil cases adjourned last settled after The Recorder went to press Friday were as follows

Chappel case ended.
The time of the court Friday was taken up principally by the case of E. E. Chappell vs. the North Caroina Railroad company, in which Chappell was ask$\$ 7,500$. The evidence in this case tended to show that while plaintiff was in Durham driving a team of mules near the Bull factory the team became frightened. That they were fright ened more by the escape
steam and blowing of the whistle which he claimed was deliberate on the part of the engineer, than otherwise. After the evi-
dence was all in the railroad attorneys did not offer anything to offset but asked for a nonthe jury have the case without any evidence on the part of the road.
After being out all night t jury returned a verdict in favor
of the plaintiff for $\$ 2.050$ aam.

## manning and mann won.

As was told in our last issue Mann was argued before the Mann was argued before the
judge. Judge Allen decided that the telephone people had no right to charge extra for In order to understand th case it will be necessary to go back to the beginning. Dr. Manning and Dr. Mann occupied adjoining offices and they used the same telephone. This continued for sometime and finally it was decided by the telephone management that the price should be advanced from $\$ 3.50$ to $\$ 5$ on this account. The advance was made and refusal to pay the new price got the matter First there was a discontinu injunction proceedings got the In ordering that the service be restored until such time as the matter the court directed that
Drs. Manning and Mann pay the regular price of $\$ 3.50$ and give bond to protect the company in them. This was done.
When the case was called be-
fore the jury this week Judige Allen decided that it was not a case for the jury but was one of
law and for the court. He took
the matter under consideration and rendered the decision that in effect says that the company
has no right to charge additiond has no right to charge additional if the telephone is rented and paid for the company ha
nothing to do with the use of the phone.
The attorneys for the compan gave notice of appeal but it go up or whether the present decision will be allowed to stand After the disposal of this case Saturday morning the case of Mrs. Matthews against the Met ropolitan Life Insurance company for $\$ 500$ the amount of a The jury gave a verdict in her favor.
During the day Saturday sev eral judgements were signed and
an end. Judge Allen goes to Wilson to hold court this week and Judge Council, who was to
have been here at the two weeks term, was not able to come, so he last week of this term could

## Dr. A. H. Moment Dead.

Raleigh, N. C. Oct. 5.-Dr Alfred H. Moment, pastor of the First Presbyterian church, this
city, died this afternoon a few city, died this afternoon a few
minutes after 3 o'clock. He had minutes after 3 o'clock. He had been ill for some weeks and tydeath. For some hours his death has been expected. In fact he was kept alive by stimulants for a day or more.
The funeral service will be conducted from the charch of which o'elock and the interment will take place here. Full arrangements for the funeral have not
been made as yet. Dr. Moment was about 55 years of age. He was a Canadian by birth and at one time was pastor yn, and later of Spring Street, New York. Then his health $f$
traveled in Europe and finally an
rived in Raleigh, when he settled
for rest and was induced tosupply
the pulpit here. His health im
proved and finally he was induced
to take the pastorate of the First
filled that charge and was recog nized as one of the strongest of state. His wife died while he
sederian clergy in the was in the north and the only
surviving member of his family surviving member of his fam
is his daughter. Miss Julia.

## The City Aidermen.

A regular meeting of the city adermen was held last Monday consumed their time were of minor importance.
A new ordinance was passed
regarding pool and billard rooms. oo boy under 18 years of age allowed to loiter around and
watch the game. The keeper of such is not allowed to have any
stained or frosted glass or any thing to obstruct the viaw o the fine will be five dollars. policemen to fill the vacancy

building sidewalks, and improv stree board adjourned. Ileath Last Sight.
 Pettigrew street last night at 11 o' clock of consumption. He
was a son of Mr. and Mrs. A. C Beek, and in aldition to his par place at Creedmoor Wednesday, the funeral being conducted fron pastor of Branson Methodist While returning from west of While returning from west of
the city last Sunday afternoon the city last Sunday afternoon
Buchanan Lyon and party, who were in an automobile, happened to an accident that broke up th cupants. The machine was right badly damaged, and W. C. Old received ingures that caused him
a great deal of pain. George $L$. yon was phoned and went out the machine remained out over night, and was brought in Mon-
day for repairs.

Wanted-Men, Women, boys and girls to represent McClure's

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|  | reulation, | 100,000.00 |
| Banking House, Cash and due from Banks, | bepusits. | 781,657,23 |
|  | idends |  |
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