

# FRANKLIN TIMES.

A. F. JOHNSON, EDITOR AND MANAGER

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THE COUNTY, THE STATE, THE UNION.

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## AYCOCK DRUG CO. OFFER

### Miss Williams Wins The First Big Offer.

BUT HAD A CLOSE COMPETITOR IN MISS KEARNEY.

Only Two More Weeks For the Ladies to Work, So It is Now Time For Them to be at it.

Sweets to the sweet! This week that popular concern, the Aycock Drug Co. are offering an 80c. pound box of Swiss chocolates to the young lady making the largest report this next week. Aycock has just received a big assortment of chocolates and bonbons. These candies rank with Huyler's in quality. Besides giving the candy, they will also give a silver spoon with a gold-plated bowl. Ladies, this is a mighty nice offer, and you have Mr. Aycock to thank for it. Mr. Aycock keeps a full line of drugs and medicines and also toilet articles, etc. Go to Aycock's when you get your next box of face powder.

The big bonus offers last week were won by Misses Williams, Kearney, Collins and Dean, respectively. Miss Williams and Miss Kearney had a very close fight for the first honors. Several of the other contestants made splendid reports.

As we stated last week, there will be no more bonus votes for the largest reports, but the offer of 25,000 votes for every \$5.00 subscription holds good for this week.

There are just two weeks more, ladies, you want to get out and hustle now.

The standing of the contestants in the districts remains almost the same this week, but you can't tell how it will change next week. If you are ahead in your district it is up to you whether you stay there or not.

Remember, only two weeks more. We announce the judges next week.

F. R. THOMPSON,  
Contest Manager.

#### STANDING OF CONTESTANTS.

The following is the standing of the contestants according to the districts. The one with the largest number of votes in each district being named first:

##### DISTRICT NUMBER 1.

Miss Mary Williams.  
Miss Annie Dorsey.  
Miss Una May Hayes.  
Miss Ruby Lancaster.

##### DISTRICT NUMBER 2.

Miss Margie Speed.  
Miss Louise Thomas.  
Miss Nellie Whitfield.

##### DISTRICT NUMBER 3.

Miss Irma Dean.  
Miss Lizzie Alford.  
Miss Roxie Harris.  
Miss Lottie Sykes.  
Miss Beatrice Yarboro.

##### DISTRICT NUMBER 4.

Miss Madeline Kearney.  
Miss Ruby Collins.  
Miss Irene Sledge.  
Miss Nellie Sledge.

#### PROTEST AGAINST A. T. CO.

The following is the protest submitted by the Attorneys-General of Virginia, North and South Carolina to the circuit court of the United States of the state of New York, against the proposed plan of desegregation of the American Tobacco Co.

"In the Circuit Court of the United States, for the Southern District of New York:

United States of America vs. The American Tobacco Company, et al—Objections.

Now comes Samuel W. Williams, Attorney-General of the Commonwealth of Virginia, T. W. Bickett Attorney-General of the State of North Carolina, and J. Frayser Lyon, Attorney-General of the State of South Carolina, and first acknowledging the courtesy of Court in permitting these petitioners to be heard, respectfully show:

I. That the State represented by your petitioners are among the largest tobacco growing States in the Union, North Carolina ranking second and Virginia third in the production of tobacco, and in the State of South Carolina the growth of tobacco is a large and important industry. In these States hundreds of thousands of people cultivate tobacco as their chief if not their only means of support, and these people directly, and all the other people of the States named incidentally are vitally interested and deeply concerned in the dissolution of the American Tobacco Company in accordance with the judgement of the Supreme Court of the United

States rendered in this cause.

#### II.

That for a number of years the men who grow tobacco, by reason of the fact that The American Tobacco Company has been practically the only purchaser of their tobaccos and has arbitrarily fixed the price of the same, have felt that they were in a state of financial servitude to the said Tobacco Company, and this feeling has engendered much of bitterness and discontent. Your petitioners earnestly insist that in the dissolution of The American Tobacco Company the rights and interests of the tobacco growers should receive the first considerations. To the consumer tobacco is a luxury to the grower it is a living. The stockholders and bondholders invested their funds in the securities of this company as a matter of choice. The tobacco grower cultivates tobacco as a matter of necessity. His land is ill-adapted to the growth of other crops, and having spent his life in learning how to cultivate tobacco, he knows how to do little else. The independent manufacturers may possibly be able to maintain a more or less compact defensive organization and secure for themselves a certain measure of protection, but the tobacco growers by reason of their great number, and by reason of their being scattered over such a wide extent of territory, and unable to permanently maintain any effect defensive organization.

It is the high mission of government to protect the defenseless and the utter helplessness of the tobacco grower makes a strong appeal to the government to secure for him the largest measure of protection possible under the law of the land.

#### III.

The findings of this Court sustained and emphasized by the Supreme Court of the United States that The American Tobacco Company is a combination in restraint of trade and has designedly monopolized the tobacco business of the country and the consequent mandate of the Supreme Court requiring a dissolution of the combination and a destruction of the monopoly inspired the tobacco farmers with a faith that the days of their servitude were at an end and that hereafter they would realize the reasonable value of the product of their toil.

#### IV.

That the plan submitted to this Court by The American Tobacco Company does not have the merit of even looking like a dissolution of the combination or a destruction of the monopoly. We earnestly protest that said plan is in no sense a compliance with the judgment of the Supreme Court of the United States, but tested by the rule of reason which the Supreme Court invoked in the interpretation of the law, it is plain that the plan is a bold attempt to nullify the judgment of the Court. The one purpose of the bill in equity filed in this cause and the one purpose of the decree obtained in answer to its prayer was to restore the competition that has been destroyed. The plan of The American Tobacco Company contributes nothing to this end. It turns loose no assets, and no agency by which it now maintains its absolute dominion over the tobacco trade. Its avarice for power and its utter unwillingness to loosen its grip on the tobacco business is strikingly illustrated in its refusal to give up one of its least subsidiary companies, R. P. Richardson, Jr., & Company, Inc., although that company has from the inception of this suit, petitioned to be allowed to do an independent business.

The division of the company into four or fourteen working organizations, each and every of them dominated and controlled by the present common stockholders of The American Tobacco Company, will effect a change in the methods of bookkeeping and nothing more. Oneness of ownership necessarily means oneness of control, and the plan submitted contains the same kind of dismemberment that takes place when the hand divides into the fingers. We submit that if the evidence taken in this cause had disclosed the precise condition which The Tobacco Company proposes now to create, the findings of the Court would have been in no way different. The combination would have been as ineffective, the monopoly as complete, and the violation of the law as clear as under a single organization.

It is axiomatic that business moves

along lines of self interest, and there can be no real competition between persons or corporations unless their interests are antagonistic. The plan proposed by the Tobacco Company maintains a community of interests between all the companies proposed to create, and this makes competition between them impossible. In its patent failure to separate into independent entities, in the utter absence of a serious effort to restore the competition which has been destroyed, the plan submitted by The American Tobacco Company falls far short of the primary and imperative requirement of the Court "that complete and efficacious effect shall be given to the prohibitions of the statute and a condition created which shall be honestly in harmony with and not repugnant to law." We maintain if The American Tobacco Company shall be allowed to break up into a number of parts and the present stockholders shall receive stock in each and every of the new companies in proportion to their holdings in the original company, the decision of the Supreme Court will not be a thing of value. Diversity of ownership is absolutely necessary to secure diversity of control. To reject the plan as fundamentally defective on this account is far from holding that an individual may not hold stock in competing corporations. We are not dealing with abstract propositions, but with aggregations of men and corporations that have been found guilty of violating the law and have been ordered to restore the competition they have destroyed. To require these violators of the law to disband and to forbid them by oneness of ownership to perpetuate the monopoly they have created, will cause no alarm to stockholders in corporations that are doing a legitimate business. This is the crucial question to be settled by this court, and the answer to this question will determine whether under existing law "relief can be awarded coterminous with the ultimate redress of the wrongs which are found to exist." A fundamental error in the plan proposed by The American Tobacco Company is that in determining where the ultimate control of the several companies will reside, it distinguishes between the common stock held by the twenty-nine individual defendants and that held by other individuals not named as parties in this cause. This distinction is wholly arbitrary. The Court finds "that the combination as a whole involving all its cooperating or associated parts in whatever form clothed, constitutes a restraint of trade within the first section and an attempt to monopolize or a monopolization within the second section of the anti-trust act." This finding reaches every common stockholder and taints every share of the common stock with the vice of illegality. If the twenty-nine individual defendants are to bear the sins of the whole company they should be put into a class and company all to themselves and the other companies should be set free from unwholesome influence.

#### V.

We furthermore submit that there are no insurmountable difficulties in the way of an actual division of the assets of The American Tobacco Company and the formation of new corporations having no connection with each other either in ownership or control. The genius that could triumph over bitter rivalries, over international pride and prejudices, and reduce a thousand warring elements to a compact harmonious unit, would find it easy to accomplish an equitable partition if it would concentrate its energies upon that task. Vast estates, kingdoms have been and are constantly partitioned. The principles of equity of partition and, in some instances of sales for division, could be justly invoked in a serious effort to comply with the mandate of the Court. The difficulty of an equitable partition lies not so much in the inability as in the unwillingness to make one. In its petition filed herein the Tobacco Company says, upon oath, that the assets of the company can be fairly distributed among fourteen companies. This is a complete answer to the suggestion that an actual equitable partition is impracticable. Give to the fourteen companies proposed the elements of complete independence; forbid the stockholders in any one of these companies from owning stock in any of the others and perpetually enjoin them from acquiring such stock, and a condition will be created in compliance with the judgment of the Court. If A holds fourteen shares of common stock of The American Tobacco Company, what is the necessity for allotting to him a single share in fourteen different corporations? Why not give him his entire holdings in a single company? Possibly he would then have some incentive to give some attention to the management of his

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## COUNTY COMMISSIONERS

MET ON MONDAY AND TUESDAY OF THIS WEEK.

Election of Cotton Weighers—Several Corrections Made to Taxes—Several Reports Received.

The Board of County Commissioners met in regular session on Monday of this week with all members present. After reading and approving the minutes of the previous meeting the following business was transacted on otherwise disposed of:

It was ordered that the road asked for by A. F. Vick be granted as per petition before the October meeting with no expense to the county.

S. G. Griffin was re-imburshed with \$1.52 taxes in Seven Paths School District, Cypress Creek township, said amount to be paid out of said school district. Griffin is not in said district. The request of Susan Andrews for an increase of allowance as outside pauper was deferred.

H. B. Pretty, of Youngsville township was relieved of poll tax—he not having but one arm.

The order granting Jesse Wheelers relief of poll tax was received.

Mrs. W. P. Neal was reimbursed with \$5.79 taxes on land—the same having been paid by W. P. Neal, colored, in Cypress Creek township.

Lucy Chavis was stricken from outside pauper list—being dead.

J. W. Ayescue was relieved and re-imburshed of poll taxes—he being exempt.

The bond of Dr. W. P. Simpson, Coroner, was received and recorded after which he came forward and took the official oath of office before Chairman T. S. Collier.

The Board then took up the election of cotton weighers for the next two years.

O. H. Harris was unanimously elected cotton weigher for Louisburg.

W. T. Blanks was unanimously elected cotton weigher for Youngsville.

B. A. White was unanimously elected cotton weigher for Franklinton.

E. B. Clegg was unanimously elected cotton seed weigher for Franklinton.

Report of W. M. Boone, Sheriff, was received and recorded.

Report of F. R. Pleasants, Manager Medical Depository, was received and recorded.

Report of Dr. J. E. Malone, Superintendent of Health, was received and filed.

C. C. Winston was allowed \$4 for coffin for Cain Upchurch.

An order was allowed for holding an election in Franklinton township to authorize the Road Trustees to borrow \$10,000 to be used on the road work. The election will be held on December 12th. B. A. White was appointed registrar, and B. F. Bullock and E. L. Moore, pollholders.

The Board then took recess until Tuesday morning, when the following was transacted:

P. B. Griffin, Treasurer, was instructed to collect the interest on the sinking funds, loaned out to different parties, by December 1st.

Report of E. N. Williams, Superintendent of County Home, was received and filed. He reports 10 white and 14 colored inmates.

J. N. Harris was allowed \$2.50 for one-half expenses for building butment at Cedar creek, Harris township.

The matter of putting Dr. J. E. Malone, County Superintendent of Health, on a salary basis, was deferred until first Monday in December, 1911.

J. H. Uzzle was authorized to have railing put on the Sycamore Creek bridge.

After allowing a number of accounts, the Board adjourned to its next regular meeting.

#### Bond Placed at \$10,000

In the trial of J. Hackney Pearce in the habeas corpus proceeding before Judge R. B. Peebles at Raleigh on Tuesday Pearce was allowed to give a justified bond in the sum of \$10,000. Pearce was represented by Spruill & Holden and W. H. Yarborough, Jr., and the state by Solicitor Norris and W. M. Person.

Up until yesterday evening Pearce had not given bond.

#### Fuller-Sherwood.

Invitations which reads as follows have been received by friends here:

Mr. and Mrs. John Roberts Sherwood request the honor of your presence at the marriage of their daughter Anita to Mr. Perry Wade Fuller on Wednesday evening, the twenty-second of November, one thousand nine hundred and eleven, at seven o'clock, Saint

Mark's on the Hill; Pikesville, Maryland.

With the invitations are cards reading as follows:

"At home after the first of January, Park Heights Avenue, Baltimore.

Mr. Fuller is a Franklin county boy and resided in Louisburg until a few years ago, when he went to Baltimore, where he fills an important position with the R. M. Sutton Co. He is a descendant of one of Franklin county's oldest and most honored families and is the son of Mr. R. F. Fuller, one of Louisburg's most successful horse dealers. Mr. Fuller is a young man of splendid business ability and made many friends while associated with the firm of F. N. & R. Z. Egerton, of this place. He has many friends here who will extend the warmest congratulations to himself and his bride.

#### A Good Yield.

A friend of ours who recently paid a visit to Nash county reports the following item to us:

Willie Gaylor a colored man living on the land of J. T. Winstead, of Nash county, made on five acres of land with one horse \$1,340.00 worth of tobacco, eleven bales of cotton and 35 barrels of corn. This is a record that will be hard to beat.

#### Seriously Hurt.

The youngest son of Mr. W. S. Pernell of Alert, and a brother to Mr. L. J. Pernell of this place, while working at a gin near his home had the misfortune of getting caught in the saws and cut up very badly. Reports received here Wednesday were to the effect that the young man was in a serious condition. Upon the receipt of the message here Tuesday Mr. L. J. Pernell left immediately with Drs. S. P. Burt and R. F. Yarborough for the scene of the accident where all that was possible was done for the sufferer.

#### Cotton

The receipts on the local cotton market has been much smaller this week than usual, possibly on account of the weather. The conditions of the market seem to be improving some as the prevailing price here yesterday was nine cents. There is no question but that the price on this market is always as good as adjoining markets and our town offers exceptionally good trading advantages to the farmer.

#### Teachers' Association.

The teachers of Franklin county met in regular session last Saturday. The special feature of the day's sessions were practice classes in the first and second grades, the children being borrowed from the Louisburg Graded School. Miss Arrington, with these classes, showed methods in phonics, number work and other things.

In addition to observation of practice class, Miss Arrington discussed, for benefit of the teachers, methods and materials for use in primary work.

Other matters brought up were care of school libraries, use of register, and new book adoption.

Quite a good number of the teachers have joined the Teachers' Reading Circle and reports will be made at each meeting of work done.

Among the visitors present were Superintendent J. A. McLean, of Franklinton, and Superintendent W. R. Mills, of Louisburg.

Money raised for improvement of school buildings and grounds by individual schools was reported as follows:

Pearce School, No. 1, Dunn's.	\$44.00
Pilot " No. 4 "	49.00
Bunn " No. 5, "	50.00

The next meeting will be held on Saturday, December 9th.

#### Last Sermon.

Rev. L. W. Swope preached his last sermon to the Baptist congregation here on last Sunday. There was an exceedingly large number present to here his last discourse and they were well paid as it was one of the ablest sermons that has been delivered in Louisburg in many years. In his explanations he stated that he could not preach what was generally known as a farewell sermon, but would substitute another, so therefore it was rid of bringing to bear the feeling that always exist upon the loss of a true friend and a good citizen. Mr. Swope has filled the position as pastor of the Baptist church here for a number of years and has endeared himself not to his own congregation but the entire citizenship of Louisburg. He is a man of strong convictions and is open in his duty to his calling. Louisburg has been benefitted by his residence here and loses much in his leaving.

## THE MOVING PEOPLE

THEIR MOVEMENTS IN AND OUT OF TOWN

Those Who Have Visited Louisburg the Past Week—Those Who Have Gone Elsewhere For Business or Pleasure.

C. K. Cooke is in New York on business.

H. L. Candler left Tuesday for several days, visit in Elizabeth City.

R. H. Bunas, of Henderson, was a visitor to Louisburg the past week.

Mrs. G. L. Crowell is visiting friends and relatives in Princeton this week.

Dr. Joel D. Whitaker, of Raleigh, was a visitor to Louisburg Monday.

His many friends here were glad to see H. C. Bowden in our town the past week.

Hon. F. S. Spruill, of Rocky Mount, was a visitor to Louisburg the past week.

Mrs. Lee H. Battle and little son, of Littleton, spent Sunday and Monday in Louisburg.

J. M. Person and family returned from a visit to her people in Nash county the past week.

Miss Maude Hicks left Saturday for Elizabeth City to attend the marriage of Miss Annie Woodley.

W. H. Yarborough, Jr., B. T. Holden and W. M. Person went to Raleigh Tuesday to appear in the habeas corpus case of Hackney Pearce.

Sheriff W. M. Boone and Deputy Sheriff R. W. Hudson left Tuesday morning for Raleigh, taking Hackney Pearce before Judge Peebles in the habeas corpus proceedings.

#### Miss Sallie Barrow Dead.

The remains of Miss Sallie Barrow, sister of Mr. J. S. Barrow, of Louisburg, who died at the State Hospital in Raleigh Wednesday night, was brought to Louisburg yesterday evening for interment.

#### Tobacco.

The conditions on the tobacco market, if possible, are improving. The sales are increasing, and it seems to be the opinion of the tobacco men that at grades between ten and thirty cents per pound are higher than they have been in years. This sounds good in the face of such low priced cotton. Again, we remind you, that Louisburg is the place to sell your tobacco.

#### At the Methodist Church.

In the absence of Rev. J. H. Hall, Presiding Elder of this District, Rev. L. W. Swope delivered a strong and much appreciated sermon to the Methodist congregation at the Methodist church Sunday night. He handled his subject in his usual easy manner and made an able address.

#### Ice Cream Supper.

The Ice Cream Supper at Pearce's Academy, Friday evening was quite a success, considering the weather. A neat sum was realized, which will be used in improving the school building.

One of the most interesting features of the entertainment was the voting on the most beautiful young lady present. Miss Maggie Pearce, of Privett, received the largest number of votes, by a large majority. Miss Pearce should feel very much honored, as she was recently crowned Queen of Beauty, at Pilot, also.

#### Chafing Dish Club.

The very best Chafing Dish party we have had yet was with Mrs. A. R. Winston Tuesday night. Messrs. E. J. Cheatham and A. H. Vann took the members of the club in their machines to the place of meeting. There Mrs. Winston threw her home open to the crowd and from that time the most informal "good time" began, which lasted through the evening.

Nothing affords such an informal good time as a Chafing Dish party.

After the refreshments were served, several games were played, the most enjoyable one, "Midway at the Fair." Paper dusters, feathers, whips, show-ers of confetti—and the real spirit of the Fair—for an hour!

Then several "close harmonies" before the party said "good night" to their charming hostess, declaring this the best party of all.

Those present were Misses Grace Ward, Nellie Conway, Frances Winston, Mattie and Kate Ballard, Messrs. E. J. Cheatham, A. H. Vann, H. Holmes and L. D. Wall.