Herbert argued before the Senval Committee against removal navy yard from Port Boyal to eston. -- The Venezuelan nment maintains a defiant atagainst the United States.

guinary battle is reported be rival Arab, chiefs in the Per-Bulf. -- Bids for construcf three protected cruisers opened Navy Department. -- The discussed the shipping bill. In the House a bill was passed claims for stores and supplies by the union army durhe civil war. -- The South na Legislature killed a bill vent child labor in factories. John Ruffin hanged at Burn. N. C., for criminal assault. Union painters in Tampa, Fla. struck for higher wages. --

Cleveland, Onio, destroyed whole salehouses, losses ag-\$300.000 -- New York s: Money on call was steady 22 per cent.; cotton dull and ar; middling uplands 10c; as quiet but rather firmer in n the rise of wheat; wheat firm; No. 2 red 81c f. o. b corn-spot steady; No. 2 47c stor and 46to f. o. b. afloat; pot steady; No 2 30c; rosin strained common to good \$1.65 turpentine steady at 401@41c.

VEATHER REPORT.

S. DEP'T OF AGRICULTURE, WEATHER BUREAU, HAMINGTON, N. C., Feb. 1. peratures: 8 M., 26 degrees: 39 degrees; maximum, 47 de minimum, 26 degrees; mean, 36

fall for the day, - rainfall at of the month up to date.

e of water in the Cape Fear river etteville, at 8 A. M., 6.4 feet. FORECAST FOR TO-DAY.

HINGTON, Feb. 1.-For North na: Generally fair Saturday. y increasing cloudiness and ly rain in west. n portion by light to fresh westerly winds, ing variable.

rt Almanac ... February 2.

ts..... 5 28 P. M. Length 10 H. 27 M. Water at Southport . 6 21 A. M. Water Wilmington. 851 A. M.

Washington Post says an session of Congress is now red by Senators as certain. Mark a seems to be carrying out his

ator Pettigrew is a vigorous plator. The other day while nlating he dislocated his wrist. ng some disjointed remarks as

e fates fix things right some-A fellow in Pennsylvania. ast week sold his wife for fifty was caught shortly afterwards ng iron, jumped into a river to e and was drowned before he wum fifty yards.

s said that the flow of oil from well near Beaumont, Texas, has so immense that in going to it as to travel through oil a foot over the county roads for It poured out so fast that earth reservoirs hastily dug not hold it.

company has been formed in go which will convert Missiscatfish into salmon, the big h which take up too much room e markets. They have some ss of coloring the meat so that ald take an expert to tell the ence between it and suregh salmon.

other great oil gusher has been d in Texas, near the coast, bout three hundred miles from big gusher which began its ing performance in the northart of the State, near Beau-, a couple weeks ago. Texas be a pretty well lubricated

e whipping post seems to be ing in favor on the other side e line. An Indiana solon prooffering a bill which provides ash as a punishment for numerffences, and now a Connecticut

wants to see the w. p. introd in his State. Some years ago thought the whipping post in outh enful. e problem of getting rid of the inths which have proved such estruction to navigation in some

be built for renting purposes. Secretary Johnson. ir Southern rivers seems to be way of being solved by the use chemical compound, concocted ome company in Louisiana, 11 A. M., at Southside in the afterh it is said will destroy the noon, and at Brooklyn at night, ts with a little spraying at a l cost.

THE MORNING STAR.

VOL. LXVII .-- NO. 112.

LOCAL DOTS.

- March 14th is the date the Piano Recital Organization hopes to have Edward Baxter Perry here.

- The British vice-consulate will be closed today by Mr. James Sprunt, in honor of the funeral of the lamented Queen Victoria. - L' Agile Cotillon Club's Feb-

ruary German will be danced Wed nesday evening, February 6th, in the Masonic Temple ball room. - The monthly statement of re-

ceipts of cotton and naval stores at the port of Wilmington is published in the commercial columns of the STAR. - The SSAR is in receipt of a handsome 1901 calendar of the Co-

lumbia and Hartford bicycles from Mr. C. M. Whitlock, the resident - Instead of telling a fellow to to to hades, why not vary the mono-

tony by telling him to go to Kansas? It is about as hot there as it is in the - If the proposed new City charter is not defeated in the Legislature,

that body will make no mistake if it add a provision requiring it to be submitted to a vote of the people. - The steamer Clara Ellen for the new Menhaden fishery at Fort Anderson is in port at Southport.

She brought a cargo of machinery from Cape Charles for the works. - Rev. James Carmichael, D. D., will preach a special sermon to the Wilmington Lodge of Elks at St. John's Episcopal church, on Sunday afternoon, 17th, at 4.0'clock. The

lodge will attend in a body. - The STAR is glad to note from yesterday's Charlotte Observer that Judge T. C. Fuller, who is critically ill at the Buford Hotel, was much better Thursday morning. His physicians, however, still apprehend the

gravest result from his condition. - Conspicuous on the Water street tracks of the A. C. L., yesterday were three solid cars of Good Luck Baking Powder, appropriately placarded for Messrs. Hall and Pearsall, (incorporated), Stone, Rourk & Co. and Cooper & Cooper. A hundred cars of the same freight passed through Hamiet a few nights ago.

- It is very evident that the proposed new charter, in its present form. is not acceptable to the white voters of Wilmington, and that, if they had the opportunity, they would reject it at the polls. It seems, also, that if the proposition to abolish the Criminal Court were submitted to the white meet a like fate.

NEW ADVERTISEMENTS

People's Savings Bank-Our motto. Wilmington Savings and Trust Co. -Do you rest easy?

BUSINESS LOCALS.

Dan. Benton & Co.-Groceries

Mr. Grady Has Been lavited. The State Council Junior Order United American Mechanics will meet this year at Winston-Salem, February 19th, and Jeff Davis Council, of this city, has named as delegates to the same Messrs, L. V. Grady and W. E. Yopp. A very largely attended session is expected. Mr. Grady has been invited by Mr. Rufus Shore, chairman of the committee of arrangements, to respond to the welcome address of Mayor O. B. Eaton, of Winston, in behalf of the "Juniors" of the State. and has accepted the invitation. The invitation was a compliment to Mr. Grady, as coming from the large membership of the order in North Carolina, and it is a duty his friends know he will fulfill with great credit to himself and those he represents.

Died at Advanced Age.

The STAR regrets to announce the death of Mrs. Rebecca Rigsby, which occurred at 9 o'clock yesterday morning at her home, 1010 North Fourth street. She was 83 years of age. Deceased is survived by three daughters, wo of whom-Mrs. John A. Stauss and Mrs. D. A. Smith-are of this city. The funeral was held yesterday afternoon at 2 o'clock from the residence, Rev. J. J. Porter, assisted by Rev. J. J. Payseur, officiating. The remains were carried on the S. A. L. train to Council's Station for inter-

Basket Ball Last Night.

The first of the Y. M. C. A. basket ball games in the cup series was played at the City Hall last night by the Young Men's and Boys' Brigade teams and it resulted in a score of 23 to 20 in favor of the former. The teams lined up as follows: Young Men-Love Davis, Frank

Irving, Earl Gore, E. Y. Davis and C. Boys' Brigade-W. R. Dosher, A. . Hopkins.

L. Dosher. Chas. Loughlin, Joe Loughlin and Jas. Price. A match game was also played between the two junior teams, and "Blacks." The latter won by s

a score of 8 to 1. Sabarban Property.

Messrs, J. G. Wright & Son, real estate agents, have been granted permission by the city authorities to erect five one story frame dwelling houses on the east side of Tenth, between Dock and Orange streets. They will

Rev. Livingston Johnson, the new secretary of the Baptist State Missions, will be in the city on Sunday and will preach at the First Baptist Church at WILMINGTON, N. C., SATURDAY, FEBRUARY 2, 1901.

Proceedings for the Impeachment of Chief Justice Furches and Justice Douglas.

NO "BUNCOMBE" ABOUT IT.

Action Taken by the Judiciary Committee-Number of Witnesses Summoned - The Supreme Court Records Examined

Special Star Correspondence. RALEIGH, N. C., February 1 .- The impending impeachment of Chief Justice D. M. Furches and Associate Justice R. M. Douglas, of the North Carolina Supreme Court, reported in yesterday's special STAR telegrams, is by odds the most talked of thing about the Capitol this morning. While this move has been expected for some time by those in touch with the sentiment and work of the General Assembly, still the introduction of the bill looking to this end by Representative Craig created a sensation even among those who were best informed as to the progress of the movement and were

parties to the preparation of the bill. As stated yesterday the bill was reerred to the Judiciary Committee, and they have re-referred it to a sub committee of five, with Judge Allen. of Wayne, as chairman. Other members of the committee are Mr. Craig introducer of the bill), Mr. Graham, udge Connor and Mr. Spainhour.

The fact that the bill was introduced by one of the acknowledged Democratic leaders in the House, causes even those who at first thought the talk of impeachment all for "buncombe" to be convinced that the movement is in "dead earnest," and will be prosecuted with all the vigor and power of the Demogratic leaders. It will probably be several days before the resolution for impeachment is re ported back to the House for adoption. But when it is every one concedes that the report will be favorable, for the resolution has been carefully prepared under the direction of the best legal talent of the State, principally members of the Assembly.

The resolution of impeachment cites Article 4, Section 9, of the Constitution, prescribing that while the Supreme Court shall have original jurisdiction to hear claims against the State, their decisions shall only be recommendatory, with no process to follow, and be reported to the next session of the Legislature. Also Section 1, Chapter 21, Laws of 1899, which prohibits the treasurer from paying any claims for services in the shell-fish industry, except those under provision of an act entitled "To provide for general supervision of the shell-fish industry in North Carolina; ratified March 2d, 1899."

Then follows a recitation of the Theophilus White case and the manand Polyrand by the court-Furches "Now, therefore, you (meaning the treasurer aforesaid) are commanded absolutely and peremptorily, without delay, to pay the warrants issued as aforesaid by the State Auditor on you as Treasurer in favor of the plaintiff, and that in all things you comply with and obey the mandates and requirements of this writ, and that

herein you fail not." Then come the two sections denouncing the action of the judges, the real "milk in the cocoanut," which

are as follows: "That the action of the said judges of the Supreme Court is hereby de-clared to be in violation of the spirit and letter of the Constitution and in defiance of the plain statutory law of this State, and a usurpation of power subsersive of the rights and powers of the legislative department of the gov-

"That the said David M. Furches, Chief Justice of North Carolina, and Robert M. Douglas, Associate Justice of the Supreme Court of North Carolina, be impeached for high crimes and misdemeanors in office.

[Special Star Telegram.]

The Special sub judiciary committee met this afternoon and examined the records of the Supreme Court regarding charges for impeachment of Chief Justice Furches and Associate Justice Douglas. Subpoenas were issued for the following witnesses: Judge W. A. Montgomery, Judge Walter Clark, ex Treasurer W. H. Worth, ex-Auditor H. W. Ayer, Thos. S. Kenan. Clerk Supreme Court, and Deputy J. B. Seawall. Col. Kenan is to produce the records of the court in the shellfish case.

Mr. Worth and Mr. Ayer are out of the city. Only the records were examined to-day. The sub committee's purpose is to report to the Judiciary Committee as to grounds for impeachment proceedings, and the full committee will then report the Craig resolution to impeach, favorable or unfavorable, to the House.

In the House to day Willard's bill requiring lobbyists to register the names of those who they represent and their compensation, passed third reading. The bill is entitled "To regulate employment of legislative counsel " Mr. Willard accepted an amendment to strike out the amount received. The vote on the passage of the bill was 46 to 32.

Other bills passed final reading as follows: To appoint justices of the peace for Chatham county; to repeal Chapter 435, Laws of 1899, relating to the stock law in Johnston and Randolph counties; to prevent live stock running at large in Robeson county: requesting Senators and Representa tives in Congress to support the bill to purchase the Temple farm and the Moore House at Yorktown, Va.; to confer upon the Governor power to fill vacancies on the corporation commission; to protect owners of timber; to amend Chapter 79, Laws of 1899. relating to wreckage; to make the Bishop of East Carolina a corporation sole; to amend Chapter 278, Laws of 1899, relating to a dispensary in Ruth-

Laws of 1885. The House and Senate concurred in the election of Capt. M. O. Sherrill as State librarian for two years.

erford county; to amend Chapter 262,

A message from the Governor was read relating to the railroad tax as- improvement has already begun.

sessment compromise. The message

GENERAL ASSEMBLY. recommends an act in acceptance of the compromise made with the railroads, they agreeing to pay taxes due. amounting to \$178,244. The Governor says that in his judgment the settlement agreed upon is both just and

In the Senate the following, among

other bilis, were introduced: Miller, of Pamlico, by request, a resolution to investigate the Soldiers'

Warren, to incorporate the Farmers' Bank, of LaGrange. Lindsay, to authorize a committee

to investigate the management of the institution for the deaf, dumb and

Foushee, to protect farmers and merchants. Alexander, to encourage manufac

turing. CIntyre, a petition against the steek law from Whitehouse town

ship, Robeson county. To amend Section 1618, Laws of 1899, relative to the examination of State banks. Senate bill to allow alimony in

cases of divorce a vinculo matrimoni passed third reading. Senate bill to allow the city of Raleigh to issue bonds and levy a special

House bill to change the name of Union City to Ashpole and amend the charter passed a second reading. House bill to allow Charlotte to issue bonds to fund the floating dett. the issue not to exceed \$40,000, passed second reading.

House bill to pay indebtedness for a new jail in Graham county passed second reading.

Other bills passed in the Senate were as follows:

Third reading-To incorporate Richmond County Savings Bank; to pay J. S. Mann balance due as shell-fish commissioner, Laws 1891-93; to amend Chapter 28. Laws '99, substitute by printing committee; to regulate work ing convicts in Pasquotank county; to authorize Halifax county to use certain surplus funds for county expenses; to allow Iredell county to work convicts on public roads.

Second reading-To allow any city or town along the line of the Great Eastern Railway to subscribe to its capital stock; to authorize a graded school in Greenville; to permit Hertford to levy a special tax: to establish a graded school in Enfield; to incorporate East Spences Rowan county; to authorize Waynesville to issue bonds; to authorize Franklin county to issue-bonds.

The Committee on Fisheries heard.

W. H. Yopp for, and E. H. Freeman against the bill prohibiting stacompromise is being arranged my which a substitute bill will be re ported, allowing these nets under restrictions as to the number of individuals they have and the size of the

LOCAL SHIPPING INTELLIGENCE.

Trim Little British Steamer in Port-Other Arrivals and Departures. Among the arrivals of vessels in

port yesterday were the trim little British steamer Premier, 188 tons, Capt. McDonald, from New York, for a cargo of lumber from the Chadbourn Lumber Company, for San Domingo; the schooner C. C. Wehrum, Capt. Cavalier, from New York, and the Clyde steamer Saginaw, also from New York.

The clearances were the schooner Ino. G. Schmidt, Capt. Norbury, for Savannah, and the schooner Wm. F. Campbell, for Baltimore, with a cargo from the Angola Lumber Company. The schooner J. Howell Leeds, reported yesterday from Norfolk with coal for orders, has received instructions to discharge at Southport.

Brugswick Bridge and Ferry Co.

The stock in the Brunswick Bridge and Ferry Company belonging to Mr. E. S. Tonnent, of Spartanburg, S. C., and Col. Walker Taylor, of this city, has been sold to Mr. D. L. Gore, and Col. Taylor has retired from the presidency of the concern, the affairs of which he has managed with great credit to himself and satisfaction to the public. Mr. W. A. McGowan, who has also recently acquired some stock in the company, has been elected to succeed Col. Taylor. Mr. McGowan is a young business man of splendid ability and his election to the position is a decided compliment. The stockholders in the company now besides those mentioned above are ex-Governor Russell, Mrs. Kate Cumming and Mr. W. M. Cumming.

Burled in Oakdale Cemetery. The funeral of the late Mrs. Mary Hodges was held yesterday afternoon at 4 o'clock from Fifth Street Methodist church. The service was conducted by the pastor of the deceased, Rev. J. H. Hall. A large number of friends gathered with the relatives to pay a last tribute of respect to her memory. The interment was made in Oakdale Cemetery. The following were pallbears: Messrs. J. H. Hanby, W. J. Kirkham, W. B Bell and Willie Hodges.

Mammoth Grain Bins. Capt. Jno. H. Hanby has the contract for the construction of a mammoth grain bin at the plant of the Boney & Harper Milling Company. on Nutt street. It will have a capacity of twelve car loads, and will extend the entire heighth of the building. Additional elevators will be put in to facilitate the unloading of corn or other grain from the side track in front of the building. Work on the

PERSONAL PARAGRAPHS.

- Mrs. P. Heinsberger, Jr., and child went to Faison yesterday.

- Mr. W. B. Fort, of Pikeville, was a visitor in the city yesterday. - Rt. Rev. Bishop A. A. Watson

and wife left yesterday for New York. - Mr. J. A. Murphy, of Atkinson, N. C., was a visitor to the city

- Miss Carrie Hawley, of Fayetteville, is the guest of her sister. Mrs. J. E. Bunting. - Miss Gertrude Rivenbark, of

Willard, arrived in the city last evening on a visit to friends. - Miss Mary Belle King returned home last evening, after an extended

visit in Duplin county. - The friends of Mrs. Jno. R. Marshall, No. 808 Princess street, will be glad to know that she is recovering from a recent illness of several weeks. - Mrs. J. H. Land. Jr., of Chadbourn, passed through the city yester-

parents, Capt. and Mrs. S. A. John-- Messrs. Jno. R. Tolar and J. H. Hart, of the Tolar-Hart mills, Fayetteville, arrived on the steamer Hurt yesterday afternoon at 5 o'clock and

day en route to Warsaw to visit her

are guests at The Orton. - Mrs. J. Wayland Jones, wife of Mr. Jones, who is head clerk at the gents' furnishing establishment of Mr. A. Shrier, arrived last evening from Raleigh and is at Mrs. C. A. Price's, No. 219 North Third street.

- Mr. J. E. Benton left vesterday afternoon for Newbern where he will be employed as head salesman in the well known gent's furnishing establishment of J. G. Dunn & Co.

- Mr. and Mrs. I. Sycle and son, of Philadelphia, after spending some time with the family of Mr. A. David, left yesterday for Richmond, where they will spend a few days before returning home.

DIED IN CHARLOTTE.

Mrs. Eliza Owen Graham, Wife of Mr. A Graham, Formerly of Wilmisgton.

A telegram received pesterday announced the death in the early morning, in Charlotte, N. C., of Mrs. Eliza Owen Graham, wife of Mr. Archibald Graham, at the home of the family in that city. Beside her husband and children-Miss Mary O. Graham, Mr Archibald Graham and Mr. E. K. Graham-her sister, Mrs. H. H. Smith of Wilmington, was with her when

Christian ham was a woman of high wide circle of relatives and ha g friends. She removed to Charlotte from Wilmington, where she was born, shortly after her marriage, some twenty-five years ago. She was the eldest daughter of the late Jonathan and Mary S. Barry, and s sister of the late John D. Barry, colonel of the Eighteenth N. C. regiment, and Capt. Jas. O. Barry, both of whom died a few years after the close of the civil war.

THE GATTIS-KILGO SUIT.

Famous Case in North Carolina Will B

Heard To-day on Appeal. Judge Robert W. Winston and J. Crawford Biggs, Esq., of Durham, arrived in the city last evening and will to day argue on appeal by defendant in chambers before Judge Hoke the famous Gattis-Kilgo case, in which the plaintiff was awarded \$20,000 damages by the jury at Oxford, N. C., some time ago.

Judge Winston is counsel for the defendant and Mr. Biggs for the plaintiff.

The Smallpox at Payetteville. Dr. McGougan, the city physician at Fayetteville, yesterday afternoon issued the following statement regard-

ing the smallpox situation there: "There is no change in the smallpox situation, unless it is for the better. There are no new cases, and the five cases now under treatment are of the very mildest type. There is absolutely no danger of a contagion if every citizen will adopt the precautions prescribed by the board of health—vacci-

The Fayetteville Observer of yesterday afternoon states that a 'phone message just received stated that Mrs. Cook and Miss Kate Holland, who are in the country suspected of having varioloid, are doing well.

Mr Smith Will Return.

Mr Joseph D. Smith, who for some time has had charge of the insurance stamping office in Charlotte, will resign that office and return to Wilmington to take up the duties of secretary and treasurer of J. F. Garrell & Co., (incorporated). His family are expected on next Saturday. The Charlotte Observer says that Mr. Smith has been a resident of that city almost a year and during that period he and his family have made many friends.

In Honor of the Queen.

At the usual service at the Temple of Israel last night Rev. Dr. S. Mendelsohn, the rabbi, took occasion to make a few very touching and appropriate remarks concerning the life and character of the lamented Queen Victoria, of England, who will be buried to day. Dr. Mendelsohn also referred feelingly to the death of the late Baron Rothschild in Germany a short time

cheap wrapping paper.

Shepard Suit Against Railroad in Superior Court May Result in a Mistrial.

FIVE DAYS' HEARING.

No Verdict Reached Early This Morning. Question of Amount of Damages Appears to Be the Trouble-The Session To-day.

After an extraordinarily lengthy hearing of five entire days in the Superior Court, the Shepard damage suit went to the jury last evening at 6 o'clock, and up to the time of going to press this morning, no verdict had been returned, and the jury is still held at the Court House. Whether the hearing will result in a mistrial, or whether Mr. Shepard will recover, so far as the lower court is concerned, the amount claimed for his alleged injuries, cannot be determined until the court convenes this morning as usual at 10 o'clock. It was believed, however, last night that the only question of disagreement on the part of the jury was as to the amount it would award the plaintiff.

The session yesterday was taken up with argument for the defendant by Hon. John D. Bellamy; for the plaintiff by Marsden Bellamy, Esq, and a very able and clear presentation of the law and facts to the jury by

His Honor, Judge W. A. Hoke. The speech of Mr. Bellamy in the morning was spoken of by all who heard it as one of the most powerful and effective delivered in the Court House here in many years. For two hours and a half the jury, members of the bar and a crowded court room were enraptured by his clear-cut propositions, his logical presentation of the facts in the case and, withal, hiseloquence in appeal to the jury to deliver unto his client equal and exact justice. He first addressed himself for about twenty minutes to Judge law at point and during the remain der of his speech to the twelve men who are to decide the issues in the suit. Upon the conclusion of his

with congratulations upon his exceed. ingly fine effort. Upon the re-assembling of court in the afternoon at 2:30 o'clock Marsden Bellamy, Esq., made a touching and convincing appeal to the jury in behalf of his client, the plaintiff, and he, too, was heard attentively by the jury, a large crowd of spectators and others interested in the. Judge Hoke's charge to the juncomment as to its scope, power and

speech Mr. Bellamy was showere?

lucidity, and consumed about three fourths of an hour after which the jury retired to make up its verdict. These were the issues submitted:

"Was plaintiff injured by the neg-ligence of the defendant? "Did plaintiff, by his own negligence, contribute to his injury?

"What damage is plaintiff entitled to recover?"

Synopsis of Judge Hoke's Charge. After defining negligence and stating the contents of the pleadings, the court charged the jury on the first issue that there were three sources of negligence imputed to the defendant: (1) That defendant's train approached the crossing without giving the usual and customary signals. (2) That it approached the crossing at too great a rate of speed. (3) That the defendant's employes failed to stop the train after they saw the plaintiff, or after they could have seen him by

keeping a proper outlook.

With regard to the last source of negligence, His Honor charged that there was no evidence that the defendant could have stopped its train after the employes saw the plaintiff pass the danger point and the jury ago, have returned to Wilmington to would exclude that source of negligence from their consideration on this issue; that the question of the defendant's responsibility on the first issue depended on whether they approached the crossing without giving signals or at too great a rate of speed; that the burden of that issue was upon the plaintiff; that the law presumes that every person did right until the contrary is made to appear and requires the plaintiff, who alleged negligence, to establish it by the greater weight of evidence to the satisfaction of the jury; that in this case at bar, if the jury was so satisfied, that the defendant failed to sound the proper signals and the injury resulted as the proximate consequence of that failure, or if members of the jury were so satisfied that the defendant approached the crossing at a greater rate of speed than was prudent and the injury resulted, they would answer the first issue, "Yes: that if they were not satisfied they would answer the issue, "No."

Judge Hoke then recited the evidence and the argument of the plaintiff and the defendant upon the first

On the second issue the court

charged the jury that the plaintiff was required by the law to use his senses and faculties for his own preservation. It was his duty in this respect to exercise the degree of care that a prudent person would use under like circumstances, and if he failed to exercise such care and by that failure brought the injury upon himself as a proximate consequence, it would bar his recovery; that it was the duty of a person approaching a railroad crossing to look and listen for the approach of trains, and Do you want 2,000 or 3,000 old newspapers at your own price? If so, call at the STAR office. They make a and the duty was upon him through-

JURY CAN'T AGREE. The People's Savings Bank,

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Do you rest easy

about

out; that if this is a level country and

the plaintiff as he approached this

track and was induced to do it by rea-

give the usual and customary signals.

upon which he had a right to rely and

did rely, and the jury further finds

danger was imminent, he did what he

could in the exercise of proper care to

avoid the collision and to stop the

horse, then there would be no con-

tributory negligence and the jury

The evidence and argument perti-

nent to this issue was then stated by

Judge Hoke, and he further charged

the jury on the third sue as to dam-

ages, which he said was a matter en-

tirely in the discretion of members of

answer the first issue, "No," or the

second issue "Yes," it would not re-

spond to the third, but if the answer to

the first is "Yes" and to the second

"No," that is, if the defendant was

found negligent and the plaintiff free

from fault, the jury would award to

the plaintiff what is, in their judg-

ment, a fair compensation for the in-

A. H. Zoeller, E. R. McGowan, D. S.

Bender, W. A. Piner, S. A. Schloss,

W. W. Roberts, Geo. Wynne, J. H.

Dew, F. L. Mintz, John L. Smith, J.

The Closing Session To-day.

Company vs. Lucy J. Farriss-and the

whole attention of Judge Hoke and

the attorneys will be given to a dispo-

who removed to Norfolk some time

Bladen Street Methodist Church: Rev. J. J. Porter will preach at 11 A. M., and at the evening service.

Rev. P. C. Morton will preach at Delgado Mills Sunday morning at usual hour, and at 8.80 in the afternoon.

Chapel of the Good Shephend, Sixth and Queen streets. There will be the usual services on Sunday at 11 s. m. and 8 p. m. Sunday School at 4 o'clock in the afternoon.

Religious services will be conflucted at the Seamen's Bethel to-morrow (Sabbath) afternoon at 3 o'clock, by Rev. A. D. McClure. Seamen and rivermen are especially invited. All are welcome.

First Presbyterian Church: Divine service at 11 A. M. and 730 P. M., conducted by Rev. John W. Paxton. Sunday School at 3.30 P. M. Prayer meeting on Thursdays at 8 P. M. The public cordially invited.

Southside Baptist Church, corner Fifth and Wooster streets, Rev. R. H. Herring, pastor. Services it o'clock A. M. and 7:39 P. M. Sunday School at 3 P. M. Prayer meeting service every Wednesday night at 8 o'clock.

St. Andrew's Presbyterian Church, corner Fourth and Campbell streets, Rev. Alex. D. McCiure pastor. Sabbath services at 11 A. M. and 7 30 P. M. Sabbath School at 3 31 P. M. Prayer meeting and lecture Wednesday at 8 P. M. The public cordially invited. Beats free.

Brooklyn Baptist Church, corner Fourth and Brunswick streets. Rev. J. J. Payseur pastor, Services to-morrow at 11 A. M. and 8 P. M. Sunday School at 4.00 P. M. Weekly prayer and praise meeting Wednesday at 8 P. M. Strangers and visitors are cordially invited to all services.

all services.

Fifth Street Methodist Church, situated on Fifth street between Nun and Church, Rev. John H. Hall, pastor. Services on Sunday at 11 A. M. and 7.30 P. M. Prayer meeting Wednesday evening at 7.30 o'clock. Bunday School Sunday afternoon at 3.00 o'clock. A cordial invitation extended to all.

Grace M. E. Church, corner of Grace and Fourth streets. Pastor, Rev. J. N. Cole. Services Sunday at 11 o'clock a. m. and 7.45 p. m. Sunday School, W. B. Cooper, supt., 3.30 p. m. Weekly prayer meeting Wednesday at 8.00 p. m. A cordial welcome to all. Visitors to the city especially invited. Seats free.

Church Notices.

W. Barnes and Wm. Simpson.

should answer the second issue. "No."

son of the fact that the train failed to

WHOLE NO. 10,439

WM. CALDER. ISAAC BEAR W. G. WHITEHEAD, M. J. CORBETT. JNO. S. ARMSTRONG, Vice President. F. W. DICK, Cashier,

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Six Months.

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your money? Quarterly, and is subject to check, without notice, at any time.

Our next quarter begins March 1st. WILMINGTON SAVINGS & TRUST J. W. NOR WOOD, President,

C. E. TAYLOR, Jr., Cashier.

crossing could have seen the train A Change in Business. through its entire route until it reached the crossing by simply looking or turning his head to look, and by reason of that failure he drove on the I wish to inform my friends and the public generally that I have bought the entire business of THE KING GROCERY CO., and crossing without seeing the train and was burt, it would be contributory negligence and the jury should answer | \$ the second issue, "Yes." Or, if the plaintiff saw the thin approaching in will continue it on the same principle that has always characterized its policy.
SPOT CASH.
NO TIME.
NO DISCOUNT.
NO CREDIT. time to have stopped his vehicle and thus avoided the injury, and he failed to do it when he could have done so by exercising the Everything must be exactly as represented or money refunded. We thank you very much for your liberal patronage to the old firm in ordinary care of a prudent man and failed to do it, in that event he would be guilty of contributory negligence and the jury should answer the second the past, and hope by fair dealing, courteous treat-ment and prompt service to issue, "Yes." If, however, the plaintiff did look and listen and merit a continuance of your continued to do so, the sight of the train being obstructed by inter-J. L. MIDDLETON. vening obstacles, he drove on the

SUCCESSOR TO THE KING GROCERY CO. Fourth Street Bridge. 'Phones 387. tu th sa jan 23 tf

> Choice and Exclusive.

Naming a price without regard to quality does not make a centinued successful business. You may put on the public an inferior goods one time and maybe two times, but not all the time. We are in the Cigar business to win; and knowing it is only a question of quality that counts with a discriminating public, we have made it a THAT "Renown," "Guban Blossom"

> Cigars ARE THE BEST VALUE FOR THE MONEY sold on any market. If your grocer won't sell them because of the small margin of profit to him, we can tell you who does.

The jury which has the case under consideration is composed of Messrs. VOLLERS & HASHAGEN,

> Cigar Manufacturers' Agents. THE EXPENSES PUT ON YOUR LAND DEMAND

The closing session of the two You Should Plant weeks of the January term of the court will be held to day. There is Only the Best Seed. but one trifling case on the docket for trial to day-National Cash Register

Houlton Early Bose and Early Ohio Seed Potatoes. Very fine N. C. Reed Oats. Fertilizers made by the Vir-guisi-Carolina Chemical Co., and Fertilizers not made by that com-pany, at low prices and reasonable terms. sition of the motion and summons

-Mr. G. T. Flynn and family, INQUIRIES AND ORDERS A Complete line of

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Beginning 182 feet north of N. W. corner of

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