

# THE MORNING STAR.

VOL. LXIX.—NO. 17.

WILMINGTON, N. C., SATURDAY, OCTOBER 12, 1901.

WHOLE NO. 10,653

Guaranteed Best-Fide, Every-Day  
Circulation Larger Than That  
Of Any Other Daily News-  
paper Published in  
Wilmington.

The Morning Star.

## OUTLINES.

V. P. Clayton, of Columbia, S. C., is to be collector of internal revenue for that State. — Dun's review of trade says the business situation is satisfactory. — The town of Alba, 100 miles east of Dallas, Tex., destroyed by fire, with a large quantity of cotton. — Capt. F. C. Chadwick was the star witness yesterday in the Schley court of inquiry. — Frank Lavender, a fireman, was killed in a train wreck on the Norfolk & Western, near Dublin, Va. — The Pocomoke Coal and Coke Company, capital \$40,000,000, has been incorporated in New Jersey. — Four men were killed and five seriously wounded in a railroad collision near Los Angeles, Cal. — Crescens lowered the trotting record on a half mile track one-quarter of a second. — Arrangements are being made to pay the ransom demanded by the abductors of Miss Stone. — John J. Pert shot and killed in his home near Madison, Fla., by his nephew, Monroe Williams. — Admiral Crowhshield says there is imperative need for more officers and men in the U. S. navy. — New York markets: Money on call steady at 3@3 1/2 per cent, the last loan being at 3 1/2 per cent; cotton quiet and steady at 8 1/2-16c; flour fairly active and steady; wheat—spot market firm, No. 2 red 76 1/2c; corn—spot firm, No. 2 61 1/2c; oats—spot steady, No. 2 58 1/2c; spirits steady; spirits turpentine steady.

## WEATHER REPORT.

U. S. DEPT. OF AGRICULTURE,  
WEATHER BUREAU,  
WILMINGTON, N. C., Oct. 11.  
Temperatures: 8 A. M., 63 degrees;  
9 P. M., 69 degrees; maximum, 79 de-  
grees; minimum, 60 degrees; mean, 70  
degrees.

Rainfall for the month to date, .25  
inch.

## COTTON REGION BULLETIN.

The temperature has generally risen  
in all districts. Local rains have fallen  
in Texas; elsewhere in the cotton belt  
the weather has been generally fair.

## FORECAST FOR TO-DAY.

WASHINGTON, Oct. 11.—For North  
Carolina: Fair Saturday, except  
showers in the western portion in the  
afternoon or at night. Sunday  
showers; light east to southeast  
winds.

## Port Almanac—October 12.

Sun Rises..... 6.04 A. M.  
Sun Sets..... 5.29 P. M.  
Day's Length..... 11 H. 25 M.  
High Water at Southport 7.07 P. M.  
High Water Wilmington 7.37 P. M.

A European scientist says he has  
succeeded in taking the dimensions of  
the aurora-borealis. But they  
haven't succeeded in bottling any of  
it yet.

It is said that Mark Twain, who  
has become a citizen of New York,  
will take the stump for Seth Low,  
anti-Tammany candidate for mayor.  
That would be one of Mark's best  
jokes.

The French Academy has been  
at work revising and adding to the  
French dictionary. They have got  
along as far as the letter C, and the  
supposition is they can finish the  
job in about 200 years.

Commenting on the arrest of a  
woman charged with the murder of  
fourteen people, including four  
husbands, an exchange remarks,  
"she must be either very mad or  
very bad." Very likely both.

The negroes in Georgia seem to  
be doing pretty well. According  
to official reports they now own  
\$15,629,811 worth of taxable prop-  
erty, an increase of more than a mil-  
lion dollars over last year.

There isn't any fun in being a son  
or a daughter of the Sultan of Tur-  
key. He has six sons and seven  
daughters, and all are kept in the  
strictest seclusion. The boys are  
never permitted to leave the ranch  
they were born on.

Mayor Harrison, of Chicago, is  
writing a book, memoirs of Chicago  
politics. But as he doesn't want  
to be jumped on, and desires to die  
a quiet and natural death, he doesn't  
propose to have it published until  
twenty years after his death.

The director of the Iowa Crop  
Bureau estimates the corn crop of  
the State this year at 235,000,000  
bushels, which is 55,000,000 more  
than indicated by the September re-  
port of the U. S. Department of  
Agriculture, but 35,000,000 less  
than the average for twelve years.

## REGISTER ACQUITTED

Defendant in Important Case in  
Federal Court Found Not  
Guilty Yesterday.

## BY JUDGE'S INSTRUCTIONS.

Unimportant Matters Heard From Rob-  
son and Columbus Counties—No In-  
timidation of Witnesses Tol-  
erated by Judge Parnell.

An unexpected and rather abrupt  
termination of the case of Jabel Regis-  
ter resulted in the Federal Court yes-  
terday and the defendant was found  
not guilty by the jury under instruc-  
tion of the court.

As stated in these columns yester-  
day, the prosecution rested its case  
upon the adjournment of court for the  
day on Thursday, and yesterday  
morning the defendant through his  
counsel, Hon. Jno. D. Bellamy and  
Herbert McClammy, Esq., began to  
introduce testimony. The defendant,  
Jabel Register, went on the stand first  
and was followed by his father, J. B.  
Register. Upon the conclusion of their  
testimony, Judge Parnell gave in-  
struction to the jury that the case  
had proceeded far enough and that  
they could only bring in a verdict of  
not guilty which was entered.

Aside from the case against Mr. Reg-  
ister for tampering with registered let-  
ters passing through the office at Vin-  
eland, N. C., the grand jury at this term  
returned a true bill against him and  
also against his sister, who was post-  
master at Vineland, charging them  
with misappropriating money order  
funds of the government. These cases  
will not be heard at this term and  
yesterday bond was fixed at \$5000 ap-  
parently for each of the defendants to  
appear at the next term. The bond will  
be promptly furnished, as both Mr. and  
Miss Register are of a prominent fam-  
ily in Columbus county and their  
friends anticipate no trouble in estab-  
lishing their innocence as was done in  
the case just ended.

The court adjourned yesterday af-  
ternoon at 5:30 o'clock, until 9:30  
o'clock this morning instead of 10 A.  
M. as heretofore.

The following unimportant cases  
were tried yesterday:

Nancy Dees, Robeson county, retail-  
ing, pleaded guilty; 30 days and  
\$100 fine; to be discharged at end of  
30 days.

Lou Lovette, Robeson, retailing;  
sentence same as above.

Emma Thompson, Robeson, retail-  
ing; same as above.

Oliver Cobb, Robeson, retailing;  
verdict not guilty.

Lady Locklear, Robeson, retailing;  
30 days and \$100 fine and costs.

Aggie Chavis, Robeson, retailing;  
judgment suspended, defendant hav-  
ing been in jail 41 days.

Dave McLaughlin, Robeson, retail-  
ing; 30 days and \$100 fine.

Zennie Chavis, Robeson, retailing;  
30 days and \$100 fine and costs.

Lorenzo Cartwright, Columbus, re-  
tailing; not guilty and defendant dis-  
charged.

Bradley Coleman, Columbus, illicit  
distilling and retailing, six months  
and \$100 fine and costs.

Paul S. Steed, a petit juror, was ex-  
cused for the term.

Joel Jones, a grand juror, was ex-  
cused for the term.

The grand jury ignored bill against  
James Kirby, of Sampson county,  
charged with retailing.

In passing sentence upon Bradley  
Coleman, white, of Columbus county,  
charged with illicit distilling, Judge  
Parnell stated that usually for such  
an offense he made a sentence of thirty  
days' imprisonment and \$100 fine,  
but in this instance an element of in-  
timidation of witnesses had entered  
and he would make the judgment six  
months' imprisonment and \$100 fine,  
the intimidation of witnesses, he said,  
positively would not be tolerated in  
any form.

## TO WED AN ENGLISH GIRL.

Mr. Lindsay Russell, formerly of Wilming-  
ton, announces his engagement.

Wednesday's New York Journal  
has the following dispatch concerning  
the engagement of Mr. Lindsay Rus-  
sell, nephew of ex-Governor D. L.  
Russell, and formerly a resident of  
this city, but now a prominent young  
lawyer of the metropolis:

BIRMINGHAM, Oct. 9.—The engage-  
ment is announced of Lindsay Rus-  
sell, of New York, to Frances, daugh-  
ter of William Brittain, who was  
twice Mayor of Sheffield.

[Lindsay Russell is a lawyer at  
No. 6 Wall street, and lives at No. 9  
West Thirty-first street. He is a mem-  
ber of the Lawyers', Delta Epsilon  
Epsilon and Southern clubs and the  
New England Society.]

## The Rev. Hay Watson Smith.

Central Presbyterian: "The Rev.  
Hay Watson Smith, of North Caroli-  
na, has received a call to the pulpit of  
the Parkville Congregational Church  
in Brooklyn, which has been vacan-  
since the resignation of Rev. M. F.  
Welcher a few months ago.

## NEW ADVERTISEMENTS

Andrew Smith—Notice.  
Massey—Funeral notice.  
E. Warren & Son—Cream.  
J. W. Plummer, Jr.—Candies.  
Opera House—School for Scandal.

## BUSINESS LOCALS.

For Sale—Choice lots.

## LOCAL DOTS.

—Rev. P. C. Morton expects to  
conduct services as usual at Delgado  
Sunday morning and night. A song  
service will be held Saturday night.

—L'Elite German Club has or-  
ganized by the election of the follow-  
ing officers: Strudrick Nash, presi-  
dent; Eugene LeGrand, vice president;  
William Emerson, secretary and treas-  
urer.

—Rev. Robert M. Mann, of Clinton,  
N. C., will preach at St. Andrew's  
Presbyterian church at 11 A. M. Sun-  
day and Rev. Dr. Jno. M. Wells, pas-  
tor of the First Presbyterian Church,  
at 7:30 P. M.

—Mr. Andrew Smith gives notice  
that he will continue in the fire in-  
surance business although he has sold  
his real estate agency. The companies  
he represents are all first class and he  
will be glad to talk with those inter-  
ested.

—Charlotte Observer: "One of  
the most delightful social functions of  
the week will be the reception given  
by Mrs. T. M. Constable, at her home  
on North Church street, this evening  
for her guests, Mesdames Willard and  
Cantwell, of Wilmington, who are  
here as delegates to the convention of  
the Daughters of the Confederacy.  
The hours will be from 5 to 7 o'clock.

## TRUCKERS IN COMMITTEE SESSION.

Conference With Railroad and Refrigera-  
tor Car Representatives.

A special meeting of the Executive  
Committee of the East Carolina Truck  
and Fruit Growers' Association was  
held in Wilmington Wednesday.  
Present were W. L. Hill (Chairman),  
Geo. F. Lucas (Secretary), J. A.  
Westbrook, J. S. Westbrook and W.  
E. Thigpen. Dr. E. Porter, of Rocky  
Point, was the only member absent.

Both morning and afternoon sessions  
were held in the rooms of the Mer-  
chants' Association, North Front  
street, and a multitude of matters were  
considered.

At the morning session reports were  
made by Mr. H. T. Bauman, business  
agent of the Association, and individ-  
ual members of the Committee. An  
important action and one which should  
be a source of gratification to truckers  
all over the district was the re-election  
of Mr. Bauman to the position which  
he has so creditably filled in the past.

At the afternoon meeting there were  
present for a conference with the Com-  
mittee Mr. T. M. Emerson, of the At-  
lantic Coast Line, and Mr. G. B. Rob-  
bins, of Chicago, general manager of  
the Fruit Growers' Express. At this  
session the question of transportation  
and refrigeration was discussed.  
Grievances were also listened to from  
different members of the Committee.

## AT THE THEATRE TUESDAY NIGHT.

Will be the Celebrated Stars, R. D. Mc-  
Lean and Odette Tyler.

The theatrical society event of the  
season will be the engagement at the  
Opera House Tuesday night of the Mc-  
Lean-Tyler Company. These cele-  
brated stars are too well known to  
need any introduction. Miss Odette  
Tyler is a native of the South, conse-  
quently the engagement will hold  
greater interest for the people of Wil-  
mington. The bill selected will be  
the ever-green "School for Scandal." It  
will be produced by a strong cast  
and staged with magnificent scenery.

The play has been called a "Comedy  
of Manners" but it is a great deal more  
than the mere reflex of the somewhat  
stilted and ceremonious observance  
of society in vogue at that period of  
the eighteenth century. It deals with  
the principles and elements of human  
nature; and as men and women of the  
world are made alike in all ages this  
"School for Scandal" is as enjoyable  
to-day as when it was first written.

The advance sale of seats commences  
at Gerken's Monday morning. First  
five rows of seats down stairs and first  
row up, \$1.50; 50th reserve seats \$1;  
general admission 50 cents.

## Cumberland Fair Marshals.

The following are among the assist-  
ant marshals appointed for the Cum-  
berland County Fair at Fayetteville  
Nov. 5th-8th: Geo. L. Morton, A. S.  
Williams, T. M. Turrentine, F. H.  
Stedman, W. M. Divine, D. T. Cronly,  
J. K. Williams, C. O. Chadbourne, M.  
H. Curran, H. H. McIlhenney, F. W.  
Kercher, Geo. Harris, of Wilming-  
ton; H. S. Ledbetter, Leak S. Covington,  
Frank Leak, Lee Everett, Watt  
Steele, Rockingham; A. J. McKinnon,  
J. H. Cook, Maxton; J. W. McDiarmid,  
W. B. McLaughlin, Raeford; J.  
C. Clifford, G. K. Grantman, O. P.  
Shell, Dunn; Martin McKinnon, Jas.  
Williams, W. J. Johnson, Red  
Springs; M. L. John, Jno. M. Cook;  
Laurinburg; Arnold Borden, W. R.  
Parker, Goldsboro; Dave Woodward,  
Wilson; Geo. A. Holderness, A. M.  
Fairley, J. A. Moore and H. A. Gil-  
lian, Tarboro.

## Cotton Receipts Still Short.

Cotton is now coming to market a  
little more lively than earlier in the  
season but the receipts are yet far be-  
hind those of last year. The stock re-  
ported yesterday at the Produce  
Exchange shows that to Oct. 11th last  
crop year, 120,905 bales had been  
brought to Wilmington whereas this  
year only 49,265 bales have been re-  
ceived. The receipts for the past week  
have been 28,388 bales against 48,981  
bales the same week last year. Yes-  
terday the receipts were 3,006 bales;  
same day last year, 5,268 bales.

If you want the latest and best in  
Photographs get the "New School  
Platinum at Taylor's Studio.

## DEATH OF H. P. WEST

Well Known Business Man and  
City Official Died Early Yes-  
terday Morning.

## FUNERAL THIS AFTERNOON.

Died of Bright's Disease After Illness  
of Little More Than a Week—Promi-  
nent Mason and a Member of  
Grace Methodist Church.

The hand of death has again been  
laid upon one of Wilmington's most  
prominent and influential citizens—  
Mr. Henry Perrin West.

Mr. West died at his home in this  
city, No. 310 Chestnut street, yesterday  
morning at 7 o'clock after a week's se-  
vere illness with Bright's disease, from  
which it was seen several days ago he  
would not recover. The news of his  
demise was received upon the streets  
yesterday with profound regret and  
sadness. A little more than a week  
ago he was about his place of business  
and few could realize that in so short  
a time he had been removed from their  
midst.

Mr. West was born in Wilmington  
June 14th, 1847, and was therefore in  
the 55th year of his age. He was a son  
of the late Mr. S. M. and Mrs. Emma  
Perrin West and had resided in his  
native city all his life. He began his  
business career soon after the war as  
a member of the firm of West &  
Harris, composed of himself and  
the late Nehemiah Harris, and  
engaged in an extensive wholesale  
grocery trade. When shipping was at  
its zenith in Wilmington the firm had  
a very large trade with vessels at this  
port and the business was one of the  
largest and most important here.

Upon the death of Mr. Harris the  
firm name was changed to West &  
Co., and has remained thus ever since.

In September, 1875, Mr. West mar-  
ried Miss Rebecca Love, of Wilming-  
ton, and she with three children sur-  
vive to mourn their loss. The children  
are Mrs. E. Payson Willard, Miss  
Emma West and Mr. H. P. West, Jr.,  
all of this city. Deceased is also sur-  
vived by two brothers and two sisters.  
Dr. George H. West, of Newton,  
N. C., who will arrive to-day to at-  
tend the funeral; Mr. Samuel L.  
West, of Shreveport, La., and Miss  
Elizabeth West and Mrs. Mary Ann  
West, of Wilmington. To all of them  
is poured out the sympathy of hun-  
dreds of friends in this their hour of  
deep gloom.

Mr. West at the time of his death  
was one of the most influential and  
popular members of the Board of Al-  
dermen, having been twice elected to  
that position from Second Ward. As  
a member of the Board he was Mayor  
pro tem and was frequently called  
upon to exercise the duties of chief  
executive of the city. His death is a  
great loss to the city and to the com-  
munity. Mr. West was a devoted  
member of the Masonic fraternity and  
was a Past Master in Wilmington  
Lodge No. 319, of this city. He was  
also a faithful and highly valued  
member of Grace M. E. church and one  
of the stewards of the congrega-  
tion.

The funeral will be conducted this  
afternoon at 4 o'clock from Grace  
M. E. church by the pastor, Rev. J.  
N. Cole. The burial will be with  
Masonic honors and members of St.  
John's, Wilmington and Orient Lodges  
are officially called to assemble in the  
Temple at 3 o'clock this afternoon for  
the purpose of attending the services  
in a body.

In recognition of Mr. West's close  
identification with the shipping inter-  
ests of the port for many years the  
flags of American vessels in the har-  
bor will be at half mast during the  
day and many engaged in the shipping  
industry at Wilmington will attend  
the funeral.

The following have been selected as  
the pall bearers: Honorary, Mayor  
Waddell, Dr. L. E. Love, Hon. Jno.  
D. Bellamy, Messrs. Samuel Northrop,  
H. M. Foard and E. W. Wilson; ac-  
tive, Messrs. W. B. McCoy, E. H.  
Gardner, W. E. Springer, M. S. Willard,  
E. P. Bailey and W. B. Cooper.

Resolutions by Fellow Aldermen.

At a called meeting of the Board of  
Aldermen yesterday, at which were  
present Mayor Waddell, Aldermen  
Spencer, VonGlabn, Harris, Maun-  
der Johnson, Ballis, Skinner and  
Mann, the following resolutions were  
adopted:

"The Board of Aldermen of the city  
of Wilmington, have been shocked and  
distracted by the announcement that  
their late associate, Henry P. West,  
alderman from the second ward, and  
mayor pro tempore, has this day been  
called from his earthly labors, and  
they wish to place upon the records of  
the city an expression of their sincere  
sorrow at this great and sudden loss,  
and their high appreciation of the virtue of  
deceased as a citizen, and of his faith-  
ful services as a member of the Board.

"Resolved, That the City Hall be  
draped in mourning for thirty days as  
a proper mark of respect to the mem-  
ory of the deceased.

"Resolved, That the clerk and  
treasurer of the city be directed to  
send a copy of these proceedings to the  
family of the deceased, with the as-  
surance that they have the profound  
sympathy of the Board in their afflic-  
tion.

"Resolved, That the Board will at-  
tend the funeral of their deceased  
brother in a body.

The Board of Audit and Finance will  
be asked to attend the funeral in a  
body.

The Aldermen ordered the clerk to  
order proper floral decorations for the  
funeral.

For LaGrippe and In-  
fluenza use CHEBNEY'S  
EXPECTORANT.

## DAY AFTER TO-MORROW.

Elks' Carnival and Street Fair is Close  
at Hand—Booth Building Was All the  
Race Yesterday.

Additional booths for the Elks' Fair  
and Carnival day after-to-morrow began  
to spring up in "waste" places yesterday  
and there was a gratifying increase of  
the window and store decorations. To-  
day decorative work will be necessarily  
delayed by the rush with the mer-  
chants incident to a Saturday's trade,  
but Monday Father Time will be asked  
for a few final spare moments to com-  
plete the job, and a grand finish will  
be put on that will surprise the na-  
tives.

It was noticeable yesterday that the  
booth district will not alone be con-  
fined to Front street. These little vicin-  
ities of the enterprise of Wilming-  
ton merchants are springing up on Mar-  
ket, Princess and perhaps other streets  
and the Carnival district will embrace  
a somewhat larger territory than was  
at first supposed.

With good weather the Carnival  
will open in a blaze of glory Monday  
night at 8:30 o'clock.

## MAKRIED AT PETERSBURG, VA.

Miss Louise Knight Becomes the Bride of  
Mr. W. E. Davis, of Wilmington

Mr. and Mrs. J. C. Davis, Mr. J.  
Love Davis and Miss Mary E. Davis  
returned last evening from Peters-  
burg, Va., where they attended at  
5:30 o'clock Thursday afternoon the  
marriage of Mr. W. E. Davis, of this  
city, and Miss Louise Knight, of  
Petersburg, Va.

The ceremony was performed in  
Washington Street M. E. Church in  
the presence of a large concourse of  
friends, and Mr. and Mrs. Davis left  
on the 6:30 o'clock northbound train  
for Buffalo, New York, Philadelphia  
and other points of interest North.  
They were accompanied by the  
groom's brother, Mr. E. Y. Davis  
and bride, who were married in Wil-  
mington Wednesday afternoon.

The Petersburg correspondent of  
the Richmond Dispatch has the fol-  
lowing account of the marriage:

A large and fashionable assemblage  
gathered in Washington Street Meth-  
odist Episcopal church this afternoon to  
witness the marriage of Miss Louise  
Knight, the attractive daughter of  
Mrs. E. Y. Davis, and Mr. Wm.  
Edwards, a prominent young citi-  
zen of Wilmington, N. C. The cere-  
mony was performed by Rev. B.  
F. Lipscomb, the pastor, assist-  
ed by Mr. J. C. Davis.

Miss Evelyn Evans acted as maid of  
honor, and Mr. J. Love Davis was best  
man. The bridemaids were Miss Be-  
sie Shyler, Miss Rebecca Love, Miss  
Mary E. Davis and Miss Grace Wil-  
cox. The following gentlemen were  
the ushers: J. Weston Brown, Au-  
gustus Taylor, William H. Wilcox  
and F. S. Myers.

## YARD CONDUCTOR INJURED.

Clarence Montgomery Severely Injured by  
Falling From Box Car Yesterday.

Mr. Clarence Montgomery, a yard  
conductor at the Seaboard Air Line  
station in this city, suffered a very  
painful injury yesterday about noon  
by falling from the top of a car being  
shipped by an Atlantic Coast Line en-  
gine near the Seaboard tracks.

Mr. Montgomery was on top of the  
car with the A. C. L. yard conductor  
when the brakes were applied and  
a rather sudden stop made. He lost  
his balance and would have car-  
ried the A. C. L. conductor with him  
to the track below but the last named  
grasped the brake wheel and steadied  
himself. Mr. Montgomery fell to the  
track about fifteen feet below and  
suffered a dislocation of the right  
shoulder, the crushing of nearly all  
the fingers on his right hand and sev-  
eral gashes and bruises about the  
head and face.

He who sent in a carriage to his  
home where a physician attended  
him. He is a young man and a son  
of Mr. Jos. P. Montgomery.

## NEW RIVER STEAMBOAT.

"Campbellton Star" Launched at Fayette-  
ville Yesterday for Cape Fear River.

Yesterday afternoon's Fayetteville  
Observer has the following in regard  
to a new steamer that will soon be  
seen on the Cape Fear:

"A new boat was launched in  
Campbellton to-day. Her name is the  
Campbellton Star, and her builder  
and sole owner is Mr. George Wash-  
ington Davis, son of the late George Davis.  
Mr. Davis has been building this boat  
at the mouth of Blount's creek for  
the past two months. She is con-  
structed of drift timbers most of which  
came from the new Harnett county  
bridge, which is being built across the  
Cape Fear at Lillington, the timbers  
of which were washed away several  
times by the big freshets.

"She is of ten tons burden, 35 feet  
long and seven feet wide. A six horse  
power engine will be placed in her in  
a few days which will propel her  
stern screw. The Star is modelled  
after the steamer Hurst and is a  
staunch white craft.

"Mr. Davis, who recently received  
an engineer's license, will run her  
himself and will use the boat for trad-  
ing purposes along the Cape Fear be-  
tween Fayetteville and Wilmington.  
Her crew will consist of himself, a  
pilot and one deck hand. Success to  
the Campbellton Star."

George Davis Monument.

In its report of the proceedings of  
the State meeting of Daughters of  
Confederacy at Charlotte this week,  
the Observer says: "Mrs. Gaston  
Meares, of Wilmington, was intro-  
duced to the convention, and read an  
appeal from Mrs. Parsley, president of  
the Cape Fear Chapter, regarding the  
erection of a monument to Hon.  
George Davis. It was reported that  
the Cape Fear Chapter had a small  
sum of money as a nest egg for the  
monument."

## THE SUPERIOR COURT

Audit and Finance Board is Made  
a Party Defendant to  
a City Suit.

## CLASH BETWEEN THE BODIES

Case Will Determine Relative Authority of  
the Two Co-ordinate Branches of Mu-  
nicipal Government—Proceed-  
ings Yesterday Lengthy.

In the Superior Court yesterday a  
large number of cases were cleared  
from the docket, but the major portion  
of them were of little general impor-  
tance.

Perhaps the most noteworthy pro-  
ceeding of the day was the argument  
before Judge Allen of the matter of  
allowing the Board of Audit and Fi-  
nance to enter counsel in defence of  
the suit brought by the S. P. Cowan  
Livery Company against the City of  
Wilmington to compel payment for  
the police patrol wagon, the liability  
for which the Board of Aldermen has  
acknowledged and virtually confessed  
judgment. The Board of Audit and  
Finance desires to resist payment upon  
the ground that without its approval  
there is no contract. A decision in  
the matter will determine the relative  
authority of the two co-ordinate  
branches of the city government and  
will settle a breach between the two,  
which has been growing wider and  
wider as the administration of public  
affairs progresses.

Judge E. K. Bryan has been em-  
ployed to represent the Board of Au-  
dit and Finance and City Attorney  
Bellamy will represent the city as the  
original party to the suit. Upon ar-  
gument, Judge Allen decided to allow  
the Board of Audit and Finance to be  
made a party to the suit, and he will  
in due time file an answer to the con-  
tract denying the existence of a con-  
tract and the legality of the purchase,  
in that no bids were called for the  
vehicle as required in the city charter.  
In the meantime the City Attorney  
has filed an answer to the complaint  
of the plaintiff, in which the Mayor,  
as the legal representative of the city,  
admits all the allegations contained  
therein. The Cowan Livery Com-  
pany is represented by Messrs. Bel-  
lamy & Bellamy, and to Judge Al-  
len's ruling to allow the Audit and  
Finance Board to be made party de-  
fendant, they excepted.

Judge Bryan is desirous of a hear-  
ing of the case to-day, but it is likely  
that it will go over to next term.

The following proceedings appear  
from the clerk's record yesterday:

Meta H. Hullen vs. City of Wil-  
mington, continued.

Timothy Donlan vs. American  
Bonding and Trust Company, referred  
to B. G. Empe, Esq., to take the tes-  
timony of the parties, read the facts and  
law and report to the court at its next  
regular term.

Worth & Co. vs. Fidelity and De-  
posit Company of Maryland; placed  
on trial docket for Saturday, Oct. 19th,  
subject to motions.

Wilmington Iron Works vs. Fidelity  
and Deposit Company of Mary-  
land; placed on trial docket for Sat-  
urday, Oct. 19th, subject to motions.

Matilda Johnson vs. Moses Johnson;  
judgment for plaintiff.

Sternberger Bros. vs. Aaron  
Nathan, et al; continued.

Wienbush Millhauser Brewing Com-  
pany vs. L. Well, continued.

Peoples' Perpetual Building and  
Loan Association vs. A. J. Byrd and  
wife, judgment.

I. W. Bates vs. W. H. Bernard; non  
suit.

Wilmington Iron Works vs. Rowe,  
Johnson & Murray, non suit.

Edna Bronson vs. Robert Bronson;  
judgment for divorce.

John Wilder Atkinson vs. Wm.  
Sheehan, constable; ordered by the  
court that S. J. Davis be made party  
defendant and to file answer at this  
term and placed the second case on  
Monday next for trial.

Wm. Simon vs. Dan Denton; agreed  
that bond be properly executed by af-  
fixing seal; thirty days allowed to file  
complaint and on failure to do so, it  
is agreed that the case be dismissed and  
the goods returned to the Waterbury Rubber  
Company vs. Greensboro Coal and  
Mining Company, Judge E. K. Bryan  
was allowed \$150 for professional ser-  
vices and the receiver was ordered to  
pay the same.

The afternoon session was taken up  
yesterday in a hearing of the case of  
Julius Hahn, trading as the Southern  
Distilling Company vs. S. M. Taylor,  
trading as S. M. Taylor & Son. The  
defendant is proprietor of the Texas  
Saloon on Market street and several  
months ago the plaintiff secured a  
judgment against Mr. Taylor for about  
\$300. A homestead exemption was de-  
manded and the stock was appraised  
to which appraisement plaintiff's coun-  
sel, Messrs. Bellamy & Foschauer, took  
an exception, transferring the case to  
the Superior Court.

The verdict yesterday afternoon was  
in favor of the plaintiff to an amount  
a little less than \$50. The defendant  
was represented by Messrs. Bellamy &  
Bellamy and Herbert McClammy,  
Esq.

The Court took a recess at 6 o'clock  
until 10 A. M. to-day.

The Atlantic Coast Line has on sale  
round trip tickets to Buffalo, on ac-  
count of American Exposition, with  
transfer of five days in each direc-  
tion. First class limit 30 days, at rate of  
one fare plus \$1.00. Rate from Wil-  
mington \$38.50. Stop-overs allowed  
within transit limit. These tickets  
sold via Philadelphia and Pennsylv-  
ania railroad, as well as via direct  
route.

## PERSONAL PARAGRAPHS.

—Miss Carrie Myers left yester-  
day for a visit to Richmond and New  
York.

—Miss Mattie Grimaldy