

...The Morning Star...

OUTLINES.

The President has issued his... Crech Damage Suit in the Superior Court was Ended Last Night.

WEATHER REPORT.

U. S. DEPT. OF AGRICULTURE... COTTON REGION BULLETIN.

...The Washington Post says a score of more of Corey's army are employed as mole whackers on the banks of the Chesapeake and Ohio canal.

...Although he is receiving a good 'smacking' at the hands of the State press for some of his rulings in the late Haywood murder trial at Raleigh, Judge Peoples is keeping remarkably quiet. This is well, after all.

...The Herald says that Durham is not so spending upwards of \$100,000 a year in building macadam roads and about ten miles of good roads are completed annually.

...Catcher Dewey is a slick duck. He has not made known his whereabouts, it is now thought that he wrote his letter saying that he intended to surrender only for the purpose of having the \$4,000 reward withdrawn so that he could easily slip out.

...Carrie Nation has sent a second letter to Lewis, challenging him to prove his assertion that he is Elijah's son, and declaring that if he would accept her challenge to debate his statements in public, she would pay for the hall and give him \$500. Carrie says the self-styled 'Elijah' is a fraud and a dreadful liar. Dewey had not replied to either of the two letters.

THE MORNING STAR. WILMINGTON, N. C., SUNDAY, NOVEMBER 1, 1903.

A VERDICT FOR \$800.

Crech Damage Suit in the Superior Court was Ended Last Night.

JURY WAS OUT FIVE HOURS.

Two Weeks' Term Expired by Limitation Last Night—Several Cases Compromised—Wedding Up Odds and Ends—Proceedings.

The case occupied nearly another entire day in the court yesterday. Upon the convening of the session Ireddel Haines, Esq., addressed the jury for about an hour for the defendant and he was followed in their order by Cameron F. MacDermott and Brooks G. Empe, Esq., for the same side. Hon. J. D. Bellamy closed the argument with a strong appeal for the plaintiff.

The jury which had the case in hearing was composed as follows: W. P. McElroy, Jno. R. Hanly, J. H. Gurney, R. A. Brown, B. R. Humphrey, H. A. Melvin, B. N. Bowden, A. Townsend, C. F. W. Reider, C. D. Sykes, George Haar and T. W. Wood. It is learned that the verdict of \$800 was a compromise between certain members of the jury who desired to award the plaintiff \$1,000 and others who held out for only \$600.

It is presumed that the case will go to the Supreme Court. The term of court expired by limitation last night. The following unimportant judgments and orders were made during the day, aside from the case of the Armour Packing Co., which is published in full in another column: Geo. A. Croft and wife vs. Graham Davis, trustee of Ann F. McLean, Harriet C. Daniel, Cyrus S. VanAmringe, Fanny VanAmringe, Edward Everett and wife, Emma Burr Everett, and Edward Everett, Jr.; upon motion of Herbert McClammy, Esq., ordered that judgment be in favor of plaintiff for lands on Wrightsville.

NEW ADVERTISEMENTS. Clyde Line—Sailing days. Atlantic National Bank—Safe. J. W. H. Fuchs—Discount sale. Solomon's Shoe Store—Rubbers. Geo. O. Gaylord—Fall and Winter. F. E. Hashagen Co.—What they say. Macaleo—Meeting Concord Chapter. G. R. French & Sons—What a relief. Atlantic Trust and Banking Co.—Deposits Nov. 24.

...The annual session of the North Carolina Synod, of the Presbyterian church, will be convened in the First church, this city, on Tuesday at 11 o'clock and will continue through the following Sabbath. Over 300 ministers and ruling elders will be in attendance and the churches of Wilmington are making extensive preparations for their entertainment. Mr. H. C. McQueen is chairman of the committee to find homes for all the guests during the session and that important branch of the work is now about completed.

PRESBYTERIAN SYNOD CONVENES THIS WEEK.

Annual Sessions Will be Held With First Church—Distinguished Body of North Carolinians—Many Visitors.

The annual session of the North Carolina Synod, of the Presbyterian church, will be convened in the First church, this city, on Tuesday at 11 o'clock and will continue through the following Sabbath. Over 300 ministers and ruling elders will be in attendance and the churches of Wilmington are making extensive preparations for their entertainment. Mr. H. C. McQueen is chairman of the committee to find homes for all the guests during the session and that important branch of the work is now about completed.

LOCAL DOTS.

—Other local, fourth page. — Cotton receipts for the past month will approximate 38,000 bales against only 16,584 during October last season.

—There will be preaching by Rev. J. D. Bowen at the First Baptist church to-day at 11 A. M. No service at night. — Concord Chapter No. 1, R. A. M., will hold a special convocation tomorrow night to confer the Past Master's degree.

—Rev. M. M. Bird, of Mullins, S. C. will preach at Biden Street M. E. church at morning and evening services to-day. — There was no Mayor's court yesterday. One defendant charged with operating an unlicensed dray was required to pay \$1 costs and the tax required by law.

—The police are after vagrants with a vim. Two colored gentlemen of leisure—Tobias Kelley and Caesar Roy—were arrested by Policeman J. J. Moore yesterday afternoon near Front and Church streets. — A bazaar for the benefit of St. Thomas' Catholic church will be given Wednesday evening in the Hibernal Hall. Refreshments will be served and music will be furnished by Cammarero's string band.

—Miss Blanche N. Sidbury, the attractive young daughter of Mr. Jno. D. Sidbury, of this city, and Mr. Forest Padrick, a popular young man of Cape Fear township, will be married this morning at Castle Haynes. — Mr. J. Frank Newsom, assistant weather forecaster at Norfolk, Va., has been promoted to the position of observer and has been ordered to take charge of the station at Cape Henry, Va. He will enter upon his new duties early this month.

—The alarm of fire last night at 11:30 o'clock was on account of a blaze started by a live wire in some boxes back of Honnell's jewelry store on Front street. The damage was of no consequence. Just prior to the fire the bell tapped, but it was due to no disarrangement of the system, but was caused by a battery cell bursting in the station. An alarm from box 29 on the same circuit was sent in.

BIG CITY CONTRACTS.

Coal Cement and Supply Company Awarded the Market Street Paving.

THE QUARRY IN OPERATION.

Extensive Drainsage System Will be Laid by Contractor W. E. Glenn—Committee in Session—Macadam Work on Second Street.

The award to the Coal, Cement & Supply Co., was for the celebrated Georgia Vitrified Paving Blocks at \$1.80 per square yard, according to the very complete plans and specifications prepared by City Engineer S. P. Adams, and the work is expected to begin within 90 days and to be completed within 90 days.

...The amount of paving to be done is between 4,000 and 7,000 square yards so that it will be seen the contract is for more than \$10,000. The committee is to be congratulated upon closing the contract after the many and apparently unavoidable delays which have been encountered, chief among which was the peremptory refusal of many property owners along the route to pay their pro rata share of the cost of the improvement according to the long established custom. By virtue of persistent effort, however, the committee has now secured the signatures of over three-fourths of the property owners, and the others are expected to come in without litigation when the work commences.

...The contract for the drainsage was awarded to Mr. Glenn, who agrees to furnish a complete job with standard vitrified terra cotta. The pipe will be laid in the middle of the street with laterals from each street corner and from the centre of each block, both sides. From the river to Third street, 34 inch pipe will be used, and from Third to Fourth street a 20 inch main will be laid. The laterals will be 12 inches in size. The drainsage work will also be completed in 90 days.

...The lowest bid the committee had for the drainsage work was \$9,700, but all were rejected. Subsequently Mr. Glenn agreed to take the job for \$9,350. The committee was satisfied that the work could be done with its own street force for about \$2,000, but inasmuch as objection to the work's being done otherwise than by contract developed in some quarters and to-morrow a dozen sets of repair material to the city for use on the streets. A day or two later the heavy material for building streets will be available and an additional number of carts will be employed. The crusher will start Tuesday and from now on Mr. Dock assures the committee there will be no further interruption. He has recently placed at the quarry a \$500 steam derrick on his own account and has determined to get the material out in a hurry. Mayor Springer was at the quarry yesterday afternoon and brought back to the city samples of some very fine material for macadam purposes. The supply is the best ever mined at the quarry and is found in a new place in almost unlimited quantity at only about 7 1/2 feet below the surface. Still lower there is a blue formation that is also very desirable.

...The first street to be macadamized will be Second, between Grace and Red Cross. The curbing has already been placed along that section and half the grading is now about completed. The force will begin the macadam this week. Then a vast amount of repair work will be progressed all in all, the committee appears to have done well—mightily well. It is the committee's purpose to ultimately extend the macadam on Second from Red Cross to Castle street.

...The annual celebration of the Reformation of the Sixteenth Century will take place at St. Paul's Evangelical Lutheran church to-day at 4:30 P. M. with appropriate music and an address by Rev. C. W. Kegley. The public is cordially invited.

SOUTHERN MUTUAL HOME AND REAL ESTATE CO.

Wilmington Corporation Organized for Landable Purpose in South—Prominent Citizens are Interested.

ARMOUR MUST PAY.

Opinion and Findings of Judge Brown in Suit to Enforce Collections.

FOR CORPORATION TAXES.

Payment of License Upon Capital Stock of Foreign Companies Doing Business in State Restated—Appeal to Supreme Court—Judgment.

The constitutional validity of the passage of the act by the Legislature was called in question by Hon. Jno. D. Bellamy, attorney for the defendant, while the plaintiff through Hon. George Rountree argued that there was no substantial irregularity, as finally held by Judge Brown. From the judgment of the court Mr. Bellamy appealed to the Supreme Court and it was agreed that the judgment and findings of Judge Brown should constitute the case on appeal. Mr. Bellamy is also attorney for defendant in a similar suit against Swift & Co., which was agreed should stand by the decision in the Armour case.

1. That the defendant, Armour Packing Company, is a corporation duly organized under and existing by virtue of the laws of the State of North Carolina and having a capital stock of over \$1,000,000.

2. That the defendant was engaged in the wholesale business of selling, dealing in and distributing of canned goods and other articles of trade during the years 1901 and 1902 on a large scale in North Carolina and in several counties thereof.

3. That the largest business done by the defendant during the said years in any county of the State of North Carolina, was done in the county of New Hanover and the chief office of the defendant company in the State of North Carolina was in the city of Wilmington, the State of New Jersey, and the corporation is in Kansas City, Kan. The defendant had offices in four other cities in North Carolina.

4. That the proper authorities of New Hanover county, at the time and place required by law, levied a tax of \$500 upon the defendant for each year for each of the years 1901 and 1902, together with the costs of this action.

5. That the defendant's business was conducted during the said years in any county of the State of North Carolina, was done in the county of New Hanover and the chief office of the defendant company in the State of North Carolina was in the city of Wilmington, the State of New Jersey, and the corporation is in Kansas City, Kan. The defendant had offices in four other cities in North Carolina.

OH! WHAT A RELIEF!

WHEN YOU CAN PUT YOUR FOOT INTO A FOOT FORM SELZ ROYAL BLUE \$3.50 SHOE.

They feel like your Old Shoe. Yet they look and wear like swell \$6.00 Shoes. Remember the name, ROYAL BLUE. Sold under guarantee by

Geo. R. French & Sons.

20 Per Cent. Discount Sale.

To introduce my line of Tailor-made Clothing the famous Feuchhelm Fabel & Co.'s line, I will sell for ten days commencing Monday, November 2 to 12 at a discount of 20 to 25 per cent. Also big drives in Neckwear, Suspenders, Lyon Brand Shirts and Collars; 50 and 75 cent Shirts reduced to 42 cents. Give us a call.

J. W. H. FUCHS, Head to Foot Outfitter.

more; provided that the payment of the tax imposed by this section shall not exempt any corporation from the payment of the license taxes levied under Schedule B of this act.

That thereafter the said Section 88 was amended by having inserted between the words "corporation" and the word "railroad," the following: "Organized under the laws of this State." That the said section of the amended became Section 95 of the printed bill known as House Bill 1,548 and Senate Bill 1,463. That thereafter the said section, being known as Section 95, was amended under conference of a committee of both houses, by having inserted therein after the words "organized under the laws of this State" and before the word "railroad," the following words: "Or doing business in this State," and there was further added to the said section 95 the words, "Provided, further, that the tax provided for under this section shall be payable in the county of this State where it has its principal office."

7. It was conceded that the tax of \$300 paid by the defendant was paid as an agency of a packing house under section 91 of the Revenue Bill, and the only contest was made upon the liabilities of the defendant in State and county taxes under Section 91 of the Revenue Bill, as printed.

8. That the defendant was engaged in the wholesale business of selling, dealing in and distributing of canned goods and other articles of trade during the years 1901 and 1902 on a large scale in North Carolina and in several counties thereof.

9. That the largest business done by the defendant during the said years in any county of the State of North Carolina, was done in the county of New Hanover and the chief office of the defendant company in the State of North Carolina was in the city of Wilmington, the State of New Jersey, and the corporation is in Kansas City, Kan. The defendant had offices in four other cities in North Carolina.

10. That the proper authorities of New Hanover county, at the time and place required by law, levied a tax of \$500 upon the defendant for each year for each of the years 1901 and 1902, together with the costs of this action.

11. That the defendant's business was conducted during the said years in any county of the State of North Carolina, was done in the county of New Hanover and the chief office of the defendant company in the State of North Carolina was in the city of Wilmington, the State of New Jersey, and the corporation is in Kansas City, Kan. The defendant had offices in four other cities in North Carolina.

PERSONAL PARAGRAPHS.

—Mr. M. Black is in the city on a business trip.

—Mrs. B. O. Stone returned yesterday from a visit to Scott's Hill.

—Mr. Adam G. Latta left on the Clyde steamer yesterday afternoon for New York.

—Mr. William Muse, of Durham, is the guest of his brother, Mr. F. A. Muse, of this city.

—Mr. O. K. Myers, of Washington, N. C. arrived last evening and is at the Orton.

—Miss Janie Peters, of Portsmouth, Va., has returned after a pleasant visit to the Orton.

—Mrs. D. T. Oates, of Fayetteville, is in the city on a visit to her sister, Mrs. Joe Bunting, No. 807 Walnut street.

—Mr. J. D. Orrell, of Croly, N. C. is in the city on a visit and is being cordially greeted by his hundreds of friends here.

—Lumberman Robesonian: "Miss Tessie Quinlivan, after spending a few days with friends, returned to her home in Wilmington yesterday morning."

—Mrs. W. A. Overcash and Miss Mary F. Watson, of Statesville, N. C., who have been visiting relatives and friends in the city, returned home yesterday.

—Mr. E. C. Davis, of Columbia, S. C., a popular young engineer of the Coast Line, has returned after a pleasant visit to his parents, Mr. and Mrs. E. H. Davis.

—The many friends of Miss Doris Hewett will be glad to know that she has so far recovered from an attack of typhoid fever as to be able to be brought home from Newbern, where she was visiting friends when taken sick.

—Mrs. Zebulon Weaver and children, of Asheville, is in the city on a visit to her aunts, Mrs. J. R. Turrentine and Mrs. F. E. Hashagen. Mrs. Weaver was formerly Miss Hyman, of Newbern, who is quite well known here.

—Mr. A. A. Lisman, of New York, who is interested in the South Atlantic Transit Co., operating stations between Wilmington and Fayetteville, was here yesterday conferring with Mr. T. D. Love, superintendent of transportation for the line.

TERMS OF SUBSCRIPTION. One Year, by Mail, \$5.00. Six Months, 2.50. Three Months, 1.25. Two Months, 1.00.

What They Say FLOUR PILLSBURY'S BEST. THE PRICE is high, but what a vast difference in the quality and size of the Bread.

SOLOMON'S SHOE STORE. Men's... 60 cents Ladies'... 50 " FISH, FISH.

200 barrels large and medium Mullets at \$3.90 per barrel. Guaranteed 100 lbs. to barrel. No short weights to offer. Write quick. STONE & COMPANY, 5 and 7 South Water street. ACADEMY OF MUSIC. ALL NEXT WEEK. Paige Comedy Company. Monday Night, November 2nd. "Fight For a Fortune."

DO YOU WANT AN IRON BED? We are agents for the celebrated Brantain 5-piece bed, the best in America. The springs are warranted five years. See our stock of Furniture including Haywood Chairs. We defy competition. GASTON D. PHARES & CO. 116-118 Market St. Inter-Phone 74. Concord Chapter, No. 1, R. A. M.