# Salisbury Evening Post

THE POST GROWS WITH SALISBURY

VOL. 9, NO. 116.

۲

4

-

THE WEATHER:

Fair and Colder.

SALISBURY, NORTH CAROLINA, THURSDAY, NOVEMBER 14, 1912

# IMPORTANT CASE FOR BERMUDA PULLMAN COMPANY SUED FIGHTING HAS CEASED OPPOSITION TO GOMPERS A DEPLORABLE SHOOTING TWO READY COMES TO AN END

SUPREME COURT HANDS DOWN DECISION IN PENDER CASE.

THE SUIT WAS FOR \$5,000

The Case of Suit for Damages or Account of the Death of Youn-Husband, Who Was Killed by Be-Thrown From Hose Wagor During Empire Store Fire Several Years Ago-Opinion Handed Dowr Yesterday-Much Discussed Case Comes to an End-Hinged Principally on Condition of Streets.

The Supreme court of North Caro lina handed down a decision in at. important case yesterday. The decision was as follows:

"Pender vs. City of Salisbury, ne error."

This was the case of Mrs. Banks Perder, administratory of R. H. Pender, against the city for damagein the sum of \$5,000 on account of the death of her husband who was killed by being thrown from a hose wagor while going to a fire several year. ago. It was during the great fire a the Empire store. Pender was not a member of the fire department but got on a hose wagon at the fire and went to the city hall with others to get additional hose. While the wag on was making the return trip, goir at fast speed, and crossing the dip where there is a surface drain at th corner of Fisher and Church streets Pender was thrown from the wagon his head striking the curb,and instantly killed. The suit was brought the following spring and has been pending ever since. At the February term of Rowan Superior court the jury rendered a verdict in favor of the city. The fight was not made on the inct that Pender was killed as a result of being on the base wagon burecarding the condition of the street where the accident tools place. Th jury found that the city was not negligent in the construction of the street. The plaintiff appealed to the Sufreme court for a new trial and the case was argued before the court week before last by Louis M. Swink of Winston-Salem, for Mrs. Pende administrator, and by Kerr Craige and Walter Woodson for the city of Salisbury. The Supreme court hand ed down the opinion yesterday in favor of the city and this means that this important and interesting casis closed and the city free from liability. It means that the city, in the construction of this street and whether the surface drain is used or not,th city is not negligent by reason o. adopting such construction. One of the main points at issue was whether a witness could testify as to whether a street was safe for the usual and ordinary travel. The witness giving an opinion the plaintiff contended that it was an expression of opinion and not admissible as evidence, while the defendant contended that it was merely a conclusion of fact and admissible The attorneys in the case were Truis M. Swink, of Winston-Salem, and John L. Randleman, of Salisbury, for Mrs. Pender, and Kerr Craige, Stahle Linn and Walter Woodson for the city of Salisbury Before this suit was brought Mrs. Pender had received \$300 through the State Firemen's Association on account of the death of her husband while going to the fire, and in this pared by the Southern Railway and she had the co-operation of the city to be issued November 15. It is on officials. The city also bore the fun- that date that Mr. Baxter's appointeral expenses, giving the deceased a ment will become effective. respectful burial.

Vinners in the POST Bermuda Contest Will Leave Salisbury Monday Night and Sail Wednesday the 29th for Bermuda--Everything in Readiness and a Pleasant Trip Awaits the Contest Winners,

The arrangement for the trip to-Bermuda by the winners in the contest Pullman Company for alleged injur-POST conducted and which came conclusion last Saturday are Detroit and Chicago on December 5. 1941. bout completed. The winner of the

ag prize was Miss Cussie Aaron and te has named Miss Grace Ritch for he chaperons trip. The party of nine idies, accompanied by some one from ac POST will leave next Monday. ight up No. 38 for New York and all have about 24 hour in the city fore the sailing hour. In New Yor! he party will start at Hotel Ramond all bargage will be checked from alishury direct to the steamer, se there will be no transferring in the sity. The POST would like for the young ladies to call at the office to-

norrow or Saturday and talk over a 'ew details of the trip. Everything points to a pleasant trip or the young ladies. The season i ust right for a trip to the beautifu

fermudus. The representatives of the 20ST will have little to bother them MI plans, previously arranged leave ittle for the winners to do but enjoy beautiful sea trip and a visit to the dand of world renown. The POST i saving usthing undone to make the rip both pleansant and profitable to the young ladies and everything inliated such will be their portion.

## SOUTHERN OPENING NEW INDUSTRIAL OFFICES

Washington, Nov. 14 .- The South ore Railway Company will on Novemher 15 enlarge the work of its Land and Industrial Department in the South by opening three new offices, to e locatel at Birmingham, Ala., and Knosville and Chattanooga, Tet-n hese new officies are established it armony with the policy of the South on Railway to cover just as fully a ossible the development of the agri ultural and manufacturing and othe prests in its territory. In come on with the opening of these office ie following appointments have been mounced by the Land and Industrial topartment:

W. Page

Mr. Gaston B. Means Files Suit for That Amount for Alleged Injuries Sustained in Accident in Pullman Car on Michigan Central Railroad Concord, Nov. 14.- Mr. Gaston B.

Means, of New York, son of Mr. and Mrs. W. G. Means, of this city, has entered suit for \$75,000 against the ies sustained while traveling between

The complaint has been filed here but on motion of coursel the suit has seen removed to Federal court in "harlotte, A. W. Haywood, Jr., I. f. Hartsell and W. G. Means, represent the plaintiff and Edwin C. Gregary, of Sali imry, the defendant, The complaint alleges that the upper berth in which the plaintiff was

NO. port and that the support broke and precipitated the plaintiff violently to ed. the floor of the car and causing him

to sustain serious injuries.

HENRY NOT TO OPPOSE SPEAKER CHAMP CLARK.

Washington, Nov. 14 .- Representative Henry, of Texas, chairman of the rules committee of the House, who was a candidate for speaker two years ago, announced yesterday he would not oppose Speaker Champ Flark when the new Democratic iouse is organized after March 4. "It is not my intention to be a andidate," said Mr. Henry," "Rejuests from many parts of the country urging me to run have come to me, however, and it seems approprinte that I make a public statenent and acknowledgement of my ppreciation. Governor Wilson and hose acting with him cannot afford

actional contest against the present neaker. It is understood also that Mr. Bryn is favorable to the re-election o. r. Clark. Expressions from Demoratic members of the House who ave reached Washington indicate hat the speaker has little or no opposition for re-election.

MARK SMITH COMMITS SUICIDE AT ASHEVILLE.

He Was a Traveling Man of Lynchburg Va .- Shot Himself.

That Fighting Has Ceased Along the Chatalja Lines and it May be That the War is Over-Turkey Has Asked for Armistice-and It Looks Like the End May be Near if Feddin nd Will Refrain From Entering Turkish Capital.

## Vienna, Nov. 14 .- The report that the Turkish Crand Vizer has appealed directly to Ferdinand for peace is confirmed. . . .

London, Nov. 14. If Czar Ferdiuntil agrees to not enter Constantinotiple at the head of the Balgarian army the war may be considered ended according to a dispatch from Constaniding when the accident occurred tinople. It is uncertain what are the provided with a defective sup- peace terms, but it is said that fighting along the Chatalia lines has ceas-

# Turks Wants Armistice.

London, Nov. 13 .- The porte on the o recognize more than one internaadvice of Russia has instructed Nazim tional union in a single trade. Last Pasha, the Turkish commander-inyear the International Asociation wa: chief, to apply to the Bulgarian com- ordered to affiliate with the United mander for an eight days' armistice Association. Members of the radical with a view to opening direct negotia- wing of the convention which includetions for peace. This decision seems nearly a hundred Socialists assert that to show that Turkey has little hope of vigorous opposition will be made to being able to hold the Tchatalja lines the re-election of President Gompers Mrs. Meyers had gone for a few break an arm anl otherwise bruise him against the Bulgarian commander's advance. There is no news yet, how- his last term. ever, as to how the Bulgarian com-

Socialists have been trying for mander met the Turkish request. The situation at the front, owing to the paucity of the news allowed to bled on the opposition of President ilter through from either side, is very Gompers to direct political action. The confusing

Clearly there has been heavy fighting as on November 12, Constanti- election of officers to a referendum nople reported that numerous wounded were arriving from the front and o begin his administration with a the almost invariably accurate Vienna HAMMER FOR DIS-Reichspost correspondent has reported the capture of positions by the Bulgarians in the neighborhood of the Ichatalja lines. The same corres-

pondent now says that the main attack on Tchatalja has been declared 2 lays by rain.

# Zagora Country Raided by Turks.

Athens, Nov. 13 .- Telegrams received here today from the Arta, or he Albanian frontier, reported that the Zagora country in the northwest of Greece has been raided by a band of 100 Turks and Albanians. The women and children of the district who fled to

Reports From Constantinople Says One wing of the Federation of Labor More About the Young Woman Who Opposes the Re-election of Samue **Gompers** as **President** 

Shot Her Mother on a Pulman Car

Mistaking Her for a Burglar.

Rochester, N. Y., Nov. 13.- So fat Philadelphia, Nov. 13 .-- Mrs. J. Rape Myers, wife of the proprietor of is the American Federation of Labor s concerned there is no such organihe Rappe hotel, Greensburg, Pa., was tation as the International Association thot by her daughter, Gladys lizaof Steam, Hot Water and Power Pipe eth Myers, in mistake for a robber n a sleeping car on a Pennsylvania Fitters and Helpers of Ameirca. This ailroad train bound for New York leclaration was made today by Presi lent Gompers before the thirty-secbout 5:30 this morning. She died a and convention of the federation and hort time later in a Trenton, N. J.,

the convention upheld him when af tospital. er an all-day debate and by a vote Miss Meyers and W. R. Cuthbert, White Boy Falls Across Belting and 0 years old, of Lynchburg, Va., were f 291 to 31 it refused to seat th tailed all day by the Trenton poelegates of the International Associa ce, but released tonight. It was hought at first that Culbert was The reason given by President Gom oncerned in some way with the pers and the delegates who backed nim up is that the United Association shooting, as he was found with Miss of Journeymen Plumbers, Gas Fitter Myers at the side of the wounded and Steam Fitters and Helpers of voman a few seconds after the sound America which is affiliated with the of the shot aroused the other pasfederation, takes in members of the engers in the car and brought the steam fitters trade and it would be porter and conductor. Later he explained that he had been standing on contrary to the federation's principle:

he front platform of the car next young boys were injured. n the rear and had run in when he leard the shot. Then the police inromed him that they would detain Brown & Corriber when Lonnie Plyler, im merely as a material witness. The a white boy about 17 years old in some

was in distress.

## Had Casket of Jewels,

years to win the federation over to Miss Meyers who is about 20 years their principals but they have stumof age, was on the way to New York to purchase a trousseau for her comng wedding to J. Blair Dillard, of fight is likely to come up next week Salem, Va., a druggist. She had a when the question of referring the asket of jewels which she was taking to New York to have repaired and vote of the members is to be taken up. matched and when she heard her mother re-entered their section, after Mrs. Meyers had gone for a few TRICT ATTORNEY ninutes to the dressing room, she took her revolver from under her pil-Friends Pushing for Job Now Held by 'ow and fired, thinking a burglar was ifter the gems. She was half awake Salisbury friends of Solicitor W. C

it the time. Miss Meyers' brother and her fiance ire on the way from Salem and will rrive in Trenton early tomorrow careful. His injuries are reported as norning. Her father is also en route being of a serious nature and it will om Greensburg to meet his daugh- be some days before the outcome of er. He is accompanied by an at- the same can be ascertained. orney. Miss Meyers made a state-

ONE AT A COTTON GIN, AN-OTHER AT A ROLLER MILL.

IN UPPER ROWAN

TWO BOYS BADLY INJURED

Sustains Injuries of a Serious Nature-Colored Boy Gets Caught in Shafting and Has a Leg Broken and is Otherwise Hurt-First Acident Occurred at Miranda at Brown & Corriber's Cotton Gin and the Latter at Sloan's Roller Mill at Mill Bridge-Negro May Die.

There was two serijus accidents in upper Rowan this week in which two

The first took place Tuesday afternoon and occurred at the cotton gin of Frenton police say they are convinced manner slipped and fell ocross a belthe shooting was an accident and that ing which was in motion at the time. Mrs. Meyers had gone ffro weings"H The force of the throw was such as to and that if he is re-elected, it will be person whom he had reason to believe up considerable. His injuries are not regarded as being necessarily of a fatal nature, although he was badly hurt and will be laid up for some days. He was employed at the gin at the time

of the accident. The second accident occurred yesterday afternoon at the roller mill of Mr. J. W. Sloan at Mill Bridge, a negro boy about 16 years old, who was employed about the mill being caught in a piece of shafting and hurled about with such force as to break a leg and otherwise be bruised up badly. So great was the force that a pair of heavy shoes which he was wearing were litereally forn to pieces. His clothing was also torn to pieces. He and Mr. Sloan had been doing some work around the shafting and the boy had just been warned to be

These are accidents similar in nanent in which she said: "I was ture and occurring in the same secwakened by my mother, who inform- tion of the county on following days d me that she was going to the wash mekan a

TAFT TO STRIP PLUM TREE.

Vacancies for Wilson.

Washington, Nov. 14 .- President

Mr. Pender was a young man and held a good position with the Southern Railway at the time of his death.

#### EGGS SOME PRICE.

#### New York Paying 72 Cents for Her Fresh Eggs.

New York, Nov. 14 .- Strictly fresh

The Kings Daughters will hold their well wherever he may go. annual bazar in the store room of Mr. R. J. Holmes, on West Inniss street on ities.

Tenn., to be agent at Chattanooga onn.; R. G. Hansom, Jr., now travel g immigration agent in the North h htadquarters at St. Louis, Mc be agent at Bristol, Tenn.; E. I. West, agent, Nnoxville, Tenn., ? Marsh, agent, Birmingham, Ala d W. E. Price, traveling immigra on agent to succeed R. G. Hanson

With the opening of these new of fices the Land and Industrial Depart ment of the Southern Railway wil a offices and agents in the Sout

Atlanta and Macon, Ga., Mobile and irmingham, Ala., Chattanooga, .noxville and Bristol, Tenn.; Columas, Miss.; Columbia, Ala.; Asheville investigation showed him stretched on nd Brevard, N. C.; and Danville, Va

AAMILTON BAXTER IS TO SUCCEED THOMPSON

Former Washington Commercia Agent Here to Direct Freight Of fices.

Greensboro, Nov. 11.-Hamilton Baxter, who has been Southern Rail way commercial agent with headquarters at Washington, D. C., is to succeed the late George G. Thompson as division freight agent with headquarters in Greensboro, according to a general service bulletin being pre-

# MR. BARRELL LEAVES.

Manager of the Post Bermuda Contest Goes to Chicago.

in Salisbury for several months and at the same time enjoy a pleasant who had charge of the Post's Bermuda hour, also help these good women in 'rip contest, left this afternoon for a most worthy cause. They will also eggs are today 72 cents, a record Chicago. The next point to which his be open tomorrow. price. Ordinary eggs sell for 60 cents company sends him will be decided upand the price is still rising. Butter on after his arrival in the windy city. is also selling at 34 cents wholesale. Mr. Barrell made quite a number of

Mr. T. G. Williamson, of the firm of to get nice Christmas presents and Thursday and Friday the 14 th and Overman & Company, whose head- many fancy articles will be on hand 15th, and hope to have a large pairon- quarters are in Richmond, Va., is in to select from. Remember the time. age. The proceeds go to local cnar- the city, and his host of friends are The place will be announced later. However she is greatly improved and that Carmi Thompson, secretary to ladies this evening, also dinner tomormighty glad to see him.

Asheville, Nov. 14 .- After writing a note in which he left directions for the disposition of his body Mark H. Smith, a prominent traveling man of Lynchburg, Va., entered his room in a hotel at Saluda yesterday afternoon and shot himself through the heart with a 32-calibre revolver. He died instantly. No cause for

the action is known, as Mr. Smith who was about 35 years of age, apneared to be in excellent health, and vas in the best of spirits yesterday morning. Shortly after noon he went ato the depot at Saluda and asked for a piece of paper with which te write a note. A few minutes later a -hot was heard from his room and he bed dead. The note simply left directions to notify Sam S. Smith at Whitesburg, Tenn., to take care of

his body. Mr. Smith traveled this territory

of Lynchburg, Va., and was one of the best known traveling men through this section. He was a member of the T. P. A. The body will be held at Saluda pending word from Tennes-

KING'S DAUGHTERS BAZAAR.

Opens This Evening in the Holmes Building on West Inniss Street.

The members of the King's Daughters of the First Presbyterian church who have been preparing for several days for their annual bazaar are now ready to receive the public. They willbe found in the Holmes building on West Inniss street, near the postoffice, and will be glad to wait on you. Here Mr. J. E. Barrell, who has been you can get something fine to eat and

The Baplist Ladies Bazaar.

22nd. The opportunity will be given rived here today also.

Ladies of the church keep busy.

the snow covered mountains for safey, are dying of hunger and cold. The male inhabitants of the Zaora district engage in trading puruits in all parts af the world, leaving heir families at home. The districts herefore, lies at the mercy of the aiders.

# No Fighting Past Two Days.

Constantinople, Nov. 13 .- In the ast 48 hours, according to advices yrous prosecuting attorneys in the received here, there has been no fight- State. ng on the Tchatalja lines, owing, it 's believed, to the fact that the negoiations for an armistice are proceedor wirect with the Bulgarians.

Another fact which probably has contributed to upset the Bulgarian plans is the outbreak of cholera. **Russians Discusses Balkan Situation.** 

St. Petersburg, Russia, Nov. 13 .--A special meeting of the cabinet was held this afternoon. All the ministers for the Smith-Biscoe Shoe Company, atended and the Balkan question was taken under advisement.

#### A Tempting Menu.

The following is the menu at the King's Daughters bazaar today and tomorrow: Oysters, Stewed,

Pickles and Crackers-25c. Oysters, Fried

Crackers, Pickles or Slaw-25c Chicken Salad

pickles-25c.

Coffee-5c. Cake-5c.

Ice Cream-10c.

# Dead Woman's Body Taken to Salem For Burial.

Salem, Va., Nov. 14 .- The body of Mrs. Elizabeth Myers, of Greensburg, Pa., who was shot by her daughter, accidentally on a Pennsylvania train has been brought here for burial. Don't forget the bazaar which the Miss Gladys who shot her accompan-

friends while here and these wish him Ladies' Aid Society of the First Bap- ied her mother's dead body here. J.

Miss Grace Ritch has been confined er Andrews. Mr .McClung refuses to hopes to be out the last of the week. President Taft will succeed McClung. row.

Mr. Hammer has a host in Salisbury and Rowan county probably as many, considering the number 10 are acquainted with him, as he his home town, Asheboro. They ould like to see him get the distrittorneyship. There is no doubt but hat offenders against the Federal 's would be in bad hands should he ant and land the job held by Mr. A. E. Holton. He is one of the most vig

A. E. Holton.

Hammer will be interested in the fol

"Hon. William C. Hammer solicitor

s week attending court is being

f this judicial district who is here

acked by his friends for the office of

istrict attorney to succeed Hon. A.

E. Holton. Mr. Hammer has not an-

nounced his candidacy."

lowing sent out from Lexington:

WILL ASK GOV. WILSON TO THE WHITE ROUSE.

Ir. Taft Plans to Entertain President-Elect and Wife Christmas Week.

Washington, Nov. 14 .- President and Mrs. Taft will ask President-elect and Mrs. Woodrow Wilson to be ident wants to ascertain before sending the invitation when it will be most convenient for the President-elect and Mrs. Wilson to come. It is likely that the invitation will be given at the time the President-elect goes to Staunton. Va., his birth place, to attend a jubi

the jubilee.

House will begin December 12, when York Telephone Society. Beaten biscuit, ham sandwich, the President and Mrs. Taft will give the annual dinner to the cabinet. Dur-

Individual Salad-and crackers-15c ing the season they will give five re-

McCLUNG RESIGNS.

Treasurer of the United States Hands in Resignation Which is Accepted

by Mr. Taft.

There will be a regular communica-Washington, Nov. 14 .--- Unitel States treasurer Lee McClung's resig- tion of Andrew Jackson Lodge No. enormous black and green frog, which nation has been accepted by the Pres- 576 A. F. and A. M., this evening at had already swallowed the chicken's ident. In official circles it is believed 7:30 o'clock. Business of interest to legs and a part of its body, flopp tist church will hold on the 21st and Rappe Myers the father of Gladys ar- the action was brought about the re- be transacted. All members to be and struggling. cent squabble between the secretary present. A cordial invitation is exof the treasurer and assistant treasur- tended visiting brethren.

to her bed several days with the grip. discuss his resignation. It is reported

oom and while she was absent I the Plyler boy occurred near where lozed off asleep. I was suddenly a young man was killed several wakened from my sleep by seeing months ago by falling from a load of he curtains parted and some one lumber. awled into the berth. I always sleep

ewelry I julled out the revolver President to Leave No Civil Service er into the smoker where I found her. Taft stated to visitors yesterday that "Then I shouted for some one to he planned to fill all vacancies occuret a doctor and some whiskey. A ring before March 4, without regard centleman came forward and whom 1 to the approaching change of Admin-

ing the commissionership of the Buervices. reau of Indian Affairs, and the office "My mother and I were always on ood terms and I considered her my of chief of the Bureau of Chemistry,

est friend. We were on our way and many other opportunities for apo New York to do some shopping, pointment will occur during the winter months. The President intimated in anticipation of my brother's wedzuests at the White House. The Pres- ding on Christmas eve and my own that President-elect Wilson probably would find all positions filled when in June to Mr. Dillard." he comes into office.

> **Telephone Pioneers of America.** New York, Nov. 14 .- The second annual meeting of the Telephone Pioneers of America began here today at

mas week, and the President probably dress the business sessions are U. N. will ask them to stop over here after Bethell, Thomas A. Watson and others. A reception will be tendered the

cesptions and four dinners. The last ship, one of Rowan county's best reception, that of the army and navy, young farmers, left with his family last night for Fort Worth, Texas, where they will make their future home. Rowan regrets to lose such

**BIG FROG OR AWFUL LIAR.** A Georgia Man Comes Forward With a Wonderful Bull Frog. Atlanta, Nov. 14 .- Tucker Mauldin,

a well known Hurary county planter, came to Atlanta this morning with a bull frog eighteen inches long and as thick through the body as a fullgrown rabbit.

Mr. Maulin killed the frog, which is the largest ever seen here, while it was trying to drag a young chicken into the stream which runs through his place. Mr. Mauldin, who is no humorist, vouches for the story. He says he was standing on his porch when he heard the chicken squawking, he got his shotgun, thinking it might be a big blacksnake or mink, and started around behind the barn, from whence the noise came. The chicken's shrill cries of distress led him to the edge of a branch, and on the brink was the

Mr. Mauldin first reached the chicken, which has survived fright, and then killed the frog. was evidently a very old one, and part of its head was as hard as if covered with barnacles.

is scheduled for February.

ith a revolver under my pillow and nowing that the porter had seen my

nd fired and was horrified to hear ny mother scream and see her stagafterward learned was Wm. Culbert, istration. There are several important of Lynchburg, Va., and offered his appointive offices now vacant, includ-

the hotel Astor and will continue unlee in his honor. This will be Christ- til tomorrow. Among the men to ad-

The social season at the White delegates this evening by the New

To Texas to Live.

Mr. Zip Karriker, of Atwell town-

good people but wishes them well in their new home.

Masonic Meeting.



