

COURT IN RANDOLPH

Judge Allen Delivers an Able Charge to Grand Jury—Suggestions as to County Homes.

Court opened Monday morning at a quarter past eleven. The following men were drawn as Grand Jury: D. S. Sumner, foreman; Jasper Auman, Simpson Patterson, J. S. Sikes, J. M. Vuncannon, J. V. Hinshaw, T. W. Mitchell, O. J. E. Frazier, J. B. Slack, J. C. Williamson, R. C. Hoover, M. F. Skeen, C. B. Pearce, Willie Pressnell, T. J. Bulla, H. C. Patterson and W. L. Cranford.

Judge Allen then told the grand jurors that this was his last court as superior court judge. He expressed his pleasure at holding this in Randolph where there were so many pleasant associations. Judge Allen spoke of attending school in this county 34 years ago, and being taught by Braxton Craven, whom he praised warmly.

Passing from this to charge he spoke in substance as follows:

Evolution and Administration of Law

The earliest sign of organization was the banding together of the weak against the strong. The common wish to protect themselves against the oppression of the stronger individuals drew the weaker together. This was the beginning of society.

Society has passed regulations to regulate the indulgence of individual practices which are hurtful to others.

These regulations are law. Law then is a safeguard which protects both society and the individual, guaranteeing the individual his rights so long as they do not conflict with the public good, and imposing punishment upon him when he has infringed upon the rights of others.

The American idea of law is to be found in the constitution of the U. S. and that of North Carolina.

This deal with the administration of the law from three points of view, there must be a body to make laws—the legislature—a head to enforce them—the executive department—and a body to adjust them and to weigh—the judiciary.

In the lower courts, which more vitally concern us, the question of administering justice is in the hands of the Judge, the lawyers, and the jurors; back of all this is public sentiment.

If a community does not wish a law to be enforced it is never successfully done. Here Judge Allen spoke of lawyers as being officers—a not commonly accepted view—saying that they alone of all citizens had to swear allegiance to the constitution and to take an oath to demean themselves properly. He said that the duty of a lawyer was not primarily to defend his client, but to ascertain the truth.

The grand jury, said Judge Allen, is provided for by the state constitution, and shall come from the body of the people.

These jurors are to be good and honest men according to law, and it is a complement paid to a man when he is selected for a juror. It is hardly looked upon in this way by most people. Business men try to avoid serving. This should not be, for the best working and ablest juries are composed of men of all occupations.

Crime and Its Suppression.

A tendency toward crime is inherited, and is in part the result of environment. Since the best means of correcting an evil is to remove the cause, the suppression of crime rests upon giving those who might otherwise be criminals a good community, and in making them respect the law. In punishment consideration should be paid to the influences which have produced the criminal. If outside influence has caused his crime he should not be judged so harshly as if it were malicious and deliberate.

In this fitting the punishment to the criminal rather than the crime, the judge is helpless. The jurors knowing the criminal and the conditions under which he committed it can come nearer knowing how to treat his case. Judge Allen then gave some illustrations of what part heredity had in crime. He gave statistics showing that the offspring of criminals were usually given to crime.

With this Judge Allen passed to the things by which a grand jury could help to make fewer criminals, the breaking up of disorderly houses,

blind tigers, and places of like nature. The jurors were to act without any feeling in the matter except that of the public good, not considering the individual in tearing up these breeding places of crime.

County Homes as a Means of Suppressing Crime.

After going into the technical definitions of definite crimes and their punishments, Judge Allen suggested the employment of the County Home as a means of lessening crime. A good farm should be secured, which would make the Home self-supporting.

Room then could be found for the younger criminals. Those committed for slight offences, crimes caused by lack of insight into the why of well doing, could be trained for citizenship. The idea of the County Home as a reformatory is a new one, but is more practical than that of a separate reformatory for each county.

To give the young criminal a chance to develop into a good citizen much training is needed. To rid him of the effects of heredity and early environment a healthy atmosphere is essential. This could more easily be gained on a good large farm than anywhere else.

New Dwellings in Asheboro.

Mr. Thomas Kearns, who recently moved from Union township will build a nice residence on Salisbury street which he recently purchased from Mr. John Hamner.

Mr. Thaddeus Auman, who recently moved from Union township to Asheboro will build on adjoining lot.

Mr. Lee Frotter, of Back Creek township, will build on his lot near by the lots above and will move to Asheboro.

The Home Building and Material Company will build three dwelling houses on Salisbury street. Work will begin this week.

Mr. I. C. Myrick, of the Stout-Rankin Co. will build a nice cottage on Oak Avenue. Work will begin on this in thirty days.

Mr. John M. Hamner has completed a house for rent on Glynn street.

All these dwellings are on the lots recently sold by Mr. John M. Hamner, real estate and insurance agent.

Mr. O. M. Henry, Mr. John W. Bulla have completed their new and elegant residences on Cox street.

The Home Building and Material Company and Mr. Sherman Lamar have each completed new and comfortable dwellings on Hamlin Highlands.

There will be several other new dwellings erected in Asheboro in the near future.

Many persons from the county and some from other counties are thinking of moving to Asheboro so that they may have the many advantages offered to those who locate in Asheboro.

Court Proceedings.

The criminal docket of the December term of court was concluded Wednesday morning. There were few cases on it, only two taking up much of the court's time.

Thomas Lewallen was convicted of abandoning his wife, and for failure to provide for her. In this case judgment was continued.

Another case was that of Cummings King, who was convicted of permitting a distillery to operate on his land. The judgment of the court has not been pronounced as yet.

The case now being tried is that of R. R. Ross vs. Southern Railway.

Asheboro Busy.

Asheboro's waterworks are coming on in fine shape. Ditching has been hindered quite a bit of late on account of rock in the ditches, which has necessitated drilling. The outfalls have been completed, and the ditching will soon be finished. Only a few ditches, through the main streets, need to be dug. The piping is being laid as fast as the ditches are ready.

The company, which is digging the well, has struck a pretty stiff proposition. The rock encountered is very hard and much time has already been consumed. Still the drilling will become easier as they get further down, and we may hope to see the town supplied with practical waterworks at a comparatively early date.

See notice elsewhere of postponement of sale of lots on the Frazier property.

TO PROSECUTE STANDARD OIL COMPANY.

For Violation of State Anti-Trust Law—Case Starts in Raleigh.

The Standard Oil Company is to come before the courts of North Carolina on the charge of violating the Anti-Trust law passed by the General Assembly of 1907. Warrants have been sworn out against the company because of alleged trust methods in dealing with competition in Raleigh by a successive lowering of prices with the purpose of driving out or breaking up competition.

The matter of the transactions of the Standard Oil Company in Raleigh had been called to the attention of the City Attorney by private parties and by Attorney General Bickett. City Attorney Clark, by his own investigations, found such a state of facts to exist that he has sworn out warrants against the Standard Oil Company for violations of the State Anti-Trust Law of 1907. In the matter there will be heard the reasons which have induced the Standard Oil Company to reduce its prices of oil in the present year from 11 1/2 cents to 7 3/4 cents a gallon in Raleigh, while maintaining a higher price at other places, the fact of the competition of the Indian Oil Company in Raleigh to be set out in the matter.

The suit against the Standard Oil Company and the grounds on which it is brought will be understood from the correspondence between Attorney General T. W. Bickett and City Attorney, Walter Clark, Jr., of Raleigh, which is as follows:

The Letter of the Attorney General. Mr. Walter Clark, Jr., City Attorney, Raleigh, N. C.

Dear Sir: The Anti-Trust Act of 1909 imposes certain duties upon the attorney general with respect to its enforcement. In view of this fact, and the general supervisory authority conferred upon the attorney general by section 5380 of the Revised, and by the very nature of his office, I have endeavored to keep on the alert to detect any violation of this law which was designed to prevent a destruction of competition in the State.

I have recently made an investigation of the conduct of the Standard Oil Company in Raleigh, and submit for your consideration the following facts:

In January of this year the Standard Oil Company was selling oil to the merchants in this city for 11 1/2 cents per gallon. It was selling at the same time oils in Oxford, Henderson, Smithfield, Franklinton and Louisburg, and in all nearby towns, where it has storage tanks, at the same prices that prevailed in Raleigh.

In January 1910, the Indian Refining Company was licensed to do business in North Carolina, and about the first of March commenced to offer its oils for sale in Raleigh. As soon as this competitor appeared upon the field the Standard Oil Company reduced the price of oil to 10 cents, and has, by successive cuts, reduced the price to 7 3/4 cents per gallon.

The Indian Refining Company has never cut the price below the Standard Oil Company, but has been forced to meet the Standard Oil Company's rate. The prices in nearby towns where the Standard Oil Company has no competition, have not followed the Raleigh prices, though there has been what might be called a sympathetic reduction. The prevailing prices in the nearby towns above named are from 9 and 9 1/2 cents as against 7 3/4 cents in Raleigh.

I am of the opinion that these facts constitute a violation of subsections B, C and D of chapter 218 of the Public Laws of 1907.

It seems that the Standard Oil Company explains these cuts by saying that the increased demand for gasoline has resulted in an over-production of kerosene and, therefore, beat down the price. However that may be, this does not explain the radical discrepancy existing between the prices in Raleigh and nearby towns, a discrepancy which did not exist at all when the Standard had no competition.

I would have called the attention of the solicitor of the district to these facts and requested him to send a bill against the Standard, but I find that Chapter 1 of the Private Laws of 1907 confers upon the Police Justice of the City of

Raleigh exclusive original jurisdiction of all offenses committed in the City of Raleigh below the grade of felony.

It seems, therefore, that the City Attorney for the City of Raleigh is the proper officer to prosecute offenses of this class, and I respectfully suggest that you take action against the Standard for what appears to be a plain violation of our Anti-Trust statute.

I will be glad to furnish you with the data which I have collected in making this investigation.

Very respectfully, T. W. Bickett, Attorney General.

Reply of City Attorney Clark.

November 29th, 1909.

Hon. T. W. Bickett, Attorney General of North Carolina, Raleigh, N. C.

My Dear Sir: Have previously acknowledged your letter calling my attention to the violation of the Anti-Trust law by the Standard Oil Company.

My attention was directed to this violation slightly prior to your letter by some private parties and I have made a very careful examination of the matter and in pursuance of the investigation, will today ask for a warrant against the Standard Oil Company and probably other warrants later.

Investigation of the subject was done under more or less difficulty owing to the defects in the law which I trust will be amended by the Legislature. Among the most glaring of the defects is the fact that no money, even the smallest sum, is placed at the disposal of the Governor, yourself or any prosecuting officer to secure necessary evidence. All investigation under the present law must be conducted by the prosecuting officer, not only at a loss of his time without compensation, but without remuneration for what may be spent by him in making such investigation. Such a condition demands a remedy if the Anti-Trust law is to be made effective.

I regret very much that I could not secure the evidence on which to base the warrants sooner, but as under the law, the only funds available were personal ones, I was somewhat delayed in my investigation. The investigation has conclusively convinced me that the Standard Oil Company has flagrantly violated the law, and I trust and hope that I may be able to produce sufficient evidence to convict it legally for its wrong-doing.

If you are willing and feel that it is proper, I shall be glad for you to conduct the prosecution or to assist in the prosecution in the Police Court as you may deem to be the best interests of the State and the propriety of your office.

Respectfully yours, Walter Clark, Jr., City Attorney.

AWARD OF PRIZES.

Names of Successful Contestants and the Prizes They Win in Boys' Corn Club Contest.

The following prizes have been awarded according to the rules and regulations governing the Boys' Corn Club Contest:

First prize, for greatest number of bushels of corn per acre.

Won by T. J. Underwood, Trinity, 28 5/8 bushels.

Prize, \$25.00 cash.

Second prize,

Won by Sam Phillips, Thomasville, 97 bushels.

Prize, \$15.00 cash.

Third prize,

Won by R. M. Jordaa, Franklinville, 83 5/8 bushels.

Prize, \$10.00 cash.

First prize, greatest profit on one acre of ground.

Won by Sam Phillips, Thomasville, \$47.70.

Prize, \$25.00 cash.

Second and third prizes are still under contest on account of insufficient report. We hope to announce these next week. A fourth prize will also be given in both the above contests. There are still other prizes which the above contestants will receive in addition to those already awarded. Certificates will be sent the successful contestants the last of this week and the date announced on which they may receive their prizes.

We hope to publish an official account of the contest in the county and also the townships in our next week's issue.

NEWS IN BRIEF

During Home Coming week next fall there will be an agricultural and industrial exhibit.

All the governors of the meeting at Louisville, favored the direct primary except Draper, of Mass.

Mrs. Mary Baker Eddy, discoverer and founder of the Christian Science, died of pneumonia December 4th, aged about 90 years.

The Immigration Commission has reported in favor of cutting out sentiment and restricting the immigration of unskilled laborers.

Dr. Cook has at last explained it: The polar regions induces insanity. This is one time that few will offer any contention to what he says.

The personal estate of Ex-Gov. David B. Hill, of New York, is estimated at \$62,000. The beneficiaries are, Dr. Harvey S. Pearce and Peter J. Manwiler, both of Albany.

According to the Southern Pines "Tourist", Mr. Will Harrington, a young farmer of Moore county, has made 186 bushels of shelled corn on an demonstration acre this year.

J. A. McRae, Principal of the Colored Graded Schools, delivered an address at the laying of the corner stone of the colored graded school building in Sanford last Thursday.

The testimony in the Eastern Trunk Line freight advance case is all in. The testimony is considered to be plainly against the railroad. The arguments in the case will be heard January 9th.

News comes from Washington that Congressman Grant and Cowles have picked out the same piece of pie, the collectorship of internal revenue in the Western North Carolina district.

Albermarle Dec. 3—Wat Porter, liverman, of Albermarle, shot and badly wounded Will Talbert this afternoon. The trouble has been brewing for some time. Both men are of good character.

Rev. L. N. Booth, of the Chowan circuit, M. E. Church, South, has confessed to the misappropriation of \$100 of church funds. And his congregation had just outfitted him for conference with a fine horse and buggy, a new suit of clothes, and No. 1 testimonials.

A railroad is evolving that proposes to run from Charlotte to Mt. Gilead by way of Locust, Big Lick, Rocky River Springs, Cottonville and Norwood. A survey has been made by an engineer who was pleased with the prospects as to grade and slope of land, timber, freight, etc.

The new Supreme Court Justices are to be appointed this week. Much speculation is being indulged in as to whom Taft will name. It is thought by many that those whom he names will be out of sympathy with the income tax.

The Annual Carolina-Pennsylvania debate held in Chapel Hill December 5th, was won by the representatives of the University of North Carolina. The question was the establishment of a Central Bank. Carolina had the affirmative.

As a Matter of Course.

A story of the late campaign comes from Greensboro. It was on the night of the election, when the landslide returns were being received at Republican headquarters. During a brief cessation of advises the long-distance rang and Judge Bynum answered the phone:

"—"

"In hell, I hope!" replied the Judge in disgust, throwing down the receiver, and going home to bed.

It was not until the next day that somebody at the other end of the wire had inquired of the whereabouts of one Marion Butler.

—Ex.

New Hunting Lodge.

Mr. George J. Gould is building a fine lodge on the present site of the Fairfield Lodge. The contract for the building has been let, for some time, and the workmen are making good headway. The main house has been shipped. It is built upon a plan so that it can be readily put together. Several thousand dollars are to be spent on improvements.—High Point Enterprise.

Fireworks at J. A. Holder's, opposite McQuay-Redding.

FARMERS' CO-OPERATIVE ASSOCIATION.

Meeting of Farmers of Randolph—Plans for Exhibit at County Fair, 1911.

The annual meeting of the Farmers' Co-operative and Educational Union of Randolph County met in the court house in Asheboro Saturday, December 3. The object of the meeting was the election of officers and the discussion of ways and means to improve the conditions of farming in the county. Eighteen "locals" answered the roll call, many members being absent on account of weather conditions.

The following officers were elected: President, Lee M. Kearns, Hill's Store; vice-president, Allen Macon, Farmer; secretary-treasurer, Wm. R. Julian, Chimax; conductor, L. L. Adams, Randleman; assistant, T. L. Adams, Randleman; chaplain, W. B. Lassiter; D. K., G. C. Bouldin; assistant, L. Marvin Kearns, Farmer; county organizer, L. L. Farlow.

Executive Committee.

L. Troy Redding, Randleman, Thoas R. Gaddin, Trinity, A. B. Coltrane, Glenola, J. R. Royals, Trinity, R. L. Moffitt, Coleridge, Jas. M. Allen and L. Marvin Kearns were elected county trade agents. The following were selected as delegates to the State convention to be held in Greensboro December 14:

Allen J. Macon, Thomas Farlow, Thomas Lawrence, W. R. Lassiter, Wm. R. Julian.

The subject of teaching agriculture in the public schools of the county was discussed, and teachers are urged to take up this important branch, and put it before the pupils as attractively as possible. An educational committee was selected to confer with County Superintendent Lassiter this week composed of:

Wm. R. Julian, Benj. Lanier, Lee M. Kearns, M. Claude Yow, J. M. Allen.

The subject of an exhibit of farm products for the county fair to be held in the fall of 1911 was next discussed. During this discussion Wm. O. Hamner, editor of The Courier, was invited to address the meeting on the subject of this fair.

Mr. Hamner suggested the co-operation of the Union with the chamber of commerce, of Asheboro, which suggestion was approved by the meeting. The following were elected as a conference committee:

Wm. J. Redding, Wm. Clark Hinshaw, A. C. Cox, L. Marvin Kearns, J. M. Allen, A. B. Coltrane, W. L. Adams, C. H. Craven, Allen J. Macon.

The next session of the Union will be held in Asheboro February 25, 1911.

ANOTHER OF THE OLD GUARD GONE

One of the 9 North Carolina soldiers who laid down their arms at the command of "Marse" Robert has obeyed orders to lay down his arms forever at the command of Jehovah.

William Alridge's last stand at the end of seventy years of battle's was against consumption which defeated him at 3 o'clock a. m. Dec. 4. Since January 17th 1905 he had been an inmate of the Soldiers Home in Raleigh, and for some time the only inmate from Randolph county. He belonged to Co. M, 22nd North Carolina, and served throughout the war. He leaves no immediate family, which accounts for his presence in Raleigh. Randolph seldom allows even the State to care for her veterans, only 5 ever having entered the Soldiers Home from her confines.

Auditor Wood Makes Announcement

To the more than one hundred and forty thousand sovereigns of North Carolina, who cast their ballots for me on the 8th of November last for State Auditor, I take this method of assuring you of my genuine appreciation of the confidence then reposed in me, and hereby assure you that I will devote my best efforts to fully perform all the duties of that office.

W. P. Wood.

State papers please copy.