

THE CONCORD TIMES.

J. B. SHERRILL, Editor and Publisher.

PUBLISHED MONDAYS AND THURSDAYS.

\$1.50 a Year, Due in Advance.

VOL. XXXVII.

CONCORD N. C., THURSDAY, FEBRUARY 15, 1912.

NO. 66

NO MORE HOG PENS IN CITY OF CONCORD

BOARD PASSES ORDINANCE AGAINST THEM AND WILL STICK TO IT.

Busy Session Held Tuesday Night.—Ordinance Passed That All Vicious Dogs Be Muzzled.—For Dairy Inspector.—Draining Creek at Depot.—Asphalt in Business Section.—Other Matters.

The board of aldermen held a busy meeting Tuesday night. A number of new ordinances were passed and many questions of interest toward the welfare of the city were discussed. Among the most important of the new orders made by the board was the passage of an act prohibiting hog pens within the city limits of Concord and that all bull dogs, bull terriers and other vicious dogs be muzzled. Mayor Wagoner presided and all the aldermen were present.

The city tax collector requested the board to advise him as to the collection of privilege tax. He stated that there were several firms beginning business and that they were anxious to be relieved of paying the full tax as there was only a few more months of the fiscal year. After discussing the matter the board decided to let the matter stand as it is now, which requires that the full tax be paid for either a year or a part of a year.

Dr. W. D. Pemberton appeared before the board and asked that the ordinance against bull dogs running at large be changed so as to include bull terriers. Dr. Pemberton stated in the course of his remarks that there was a certain amount of fear on the parts of the parents here while the bull terriers run at large. After discussing the matter the board passed an ordinance requiring that bull terriers and other vicious dogs be muzzled.

City Attorney Hartsell reported that the county had agreed to pay half the cost in improving the crossing at the Marshall House. The matter was referred to the street committee with power to act. The committee will no doubt put down a cement crossing at this point.

Mr. H. M. Propst requested the board to grade Ann street, near graded school No. 2, so that cement sidewalks could be put down. The matter was referred to the street committee with power to act.

The board changed the privilege tax to sell candy on the streets from \$10 to \$2.50, the same as the tax on ice cream.

At this juncture of the proceedings Alderman Brown aroused the liveliest interest of the meeting when he asked what the board was going to do about the hog pens this year. He very candidly added that so far as he was concerned there would not be any.

This much mooted question has been up for consideration before. The board passed an ordinance prohibiting hogs in the city limits two years ago. No piece of legislation aroused as much opposition here in years. The people who were against it organized in a solid body while those who favored the action took no definite steps in support of it. The opponents of the ordinance went before the meeting armed with a petition containing about 1,000 names and after a hearing the board revoked the ordinance.

From the discussion it aroused tonight the ghost (not the kind that stalks about Valentine night) of that opposition was present. Mayor Wagoner, who has always come out squarely and vigorously for the measure, stated that he considered hog pens "a voluntary infliction on a civilized community."

Dr. King said that hog pens are breeders of flies which were spreaders of disease and that they are the birthplace of mosquitoes, which are the base of malaria.

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In the discussion of matters pertaining to the public health, of the community the question of draining the creek just beyond the depot was brought up. The sentiment expressed by the board was that they would be only too glad to co-operate with the movement that is now underway to drain the creek. Dr. King stated that it was his opinion that \$500 a year would be saved in doctors' bills alone. Alderman Bruton stated that the bull rushes in the swamps were nothing but a vast collection of mosquito roosts. The board instructed the city attorney to take the matter up with those who are working on the drainage movement and see if there was not some plan whereby the city could co-operate with them.

City Engineer Smith requested the board to advise him as whether they would accept the street car company's proposition to put down asphalt in the business section of the city. Mr. Smith said that if this work was going to be done there would be a considerable amount of sewer work to be done before the pavement could be put down. The matter was referred to the sewer committee.

The street committee was instructed to report at the next meeting and suggest some plan and estimates of the cost of putting down the proposed asphalt.

Alderman Barrier requested that the board put a light on Kerr street between Depot street and Guy street. He was instructed to have a petition presented to the water and light board, which has control of all the city lights. He also requested that a crossing be put down on depot street at St. Andrews Lutheran church and at Pine street. The matter was referred to the street committee.

Chief of Police Boger reported that \$52.70 and four loads of wood had been contributed by citizens for charity during the recent cold weather. He presented an itemized report showing the amount and to whom the money was expended.

MARRIAGE THIS EVENING.

Miss Sue Nicholson Will Become the Bride of Mr. M. Cameron of Albemarle.

A marriage that will be of interest to the people of Concord and this section will be solemnized this evening at 7:15 o'clock at the bride's home on Franklin avenue, when Miss Sue Nicholson will become the bride of Mr. M. Cameron, of Albemarle. Owing to a recent bereavement in the bride's family the marriage will be a quiet one, only the relatives and friends and the contracting parties being present. The ceremony will be performed by Rev. Dr. J. M. Grier.

Miss Nicholson is a young lady of many noble qualities and by her gentleness and kindly nature has endeared herself to many friends. Much interest is attached to her marriage from this office, where she was bookkeeper and stenographer for the past year. During that time she won a warm place in the esteem of the entire force, all of whom sincerely regretted to see her leave. Mr. Cameron is a native of Laurinburg but is now a resident of Albemarle, where he holds a position as secretary and treasurer of the Albemarle Mantle Co. He is a young man of ability and worth and the only thing we hold against him is that he took Miss Nicholson away from this office.

Missionary Institute in Salisbury.

Mrs. J. E. Smoot has received notice from Mrs. D. A. Beaver, of Salisbury, that a missionary institute will be held in Salisbury next Tuesday and Wednesday, under the auspices of the Woman's Foreign Missionary Society, of the Salisbury district of the Western North Carolina Conference. An interesting program has been arranged and it is hoped to have a large attendance, as the meeting will be profitable and helpful. Misses Davies, Bynum and Durham, well known missionary workers will be present and make addresses, and other speakers of prominence are expected to be present. An invitation is extended to every one to attend this meeting, as entertainment will be provided free to those who attend. If you can go send your name to Mrs. Smoot at once in order that she may notify Mrs. Beaver at the earliest possible moment.

MR. W. M. SMITH DIED SUDDENLY LAST NIGHT.

Death Caused by Acute Indigestion.—Was in Apparent Perfect Health Only a Short Time Before His Death.—A Graduate of Washington and Lee.—Leaves Nine Children.

The life of Mr. W. M. Smith, a well known lawyer of the local bar, terminated at his home here last night at 9 o'clock with a shocking suddenness. He had just returned to his home from a social gathering at the home of Mr. T. D. Maness. During the evening he was in his apparent good health and to those who talked with him there was not the slightest intimation in his appearance that would indicate his earthly career was so soon to close.

Mr. Smith walked home from the reception and on arrival complained to his two children that he was pretty well out of breath. He was a large man and any kind of exertion usually caused rapid respiration and this did not cause alarm. In a few minutes his condition became suddenly worse and before his two children, Miss Kathleen and Mr. Donnell Smith, who were with him, could summon medical aid the end came.

Physicians soon arrived and pronounced the cause of his death as acute indigestion.

Mr. Smith was 60 years of age and a native of Concord. He was a son of the late W. A. Smith, for many years a leading business man here, and grew to manhood here. He graduated at Washington and Lee University, Lexington, Va., and studied law there. He located here and has practiced his profession since that time. When he first began the practice of law he was associated with the late General Rufus Barringer, but since the partnership was dissolved he has not been associated with anyone.

Soon after he began the practice of law he was married to Miss Seavers, of Staunton, Va., who died several years ago. He is survived by nine children, seven sons, Messrs. Fred and Monroe, of Louisiana; Theodore Smith, of Atlanta; Horace Smith and Julius Smith, of San Antonio, and Donnell and Lewis Smith, of this city, and two daughters, Mrs. William F. Clegg, of San Antonio, and Miss Kathleen Smith, of Concord. He is also survived by three sisters, Mrs. W. N. Wells, of Andrews, and Misses Jeanette and Kate Smith, and three brothers, Messrs. Victor Smith, of Birmingham; John Smith, of Muskogee, Oklahoma, and Capt. Q. E. Smith, of this city.

Mr. Smith had been a prominent figure in the history of Concord for a good many years. He was always deeply interested in the city's growth, and was instrumental in bringing many things to pass which largely contributed to the material expansion of Concord.

The funeral will be held tomorrow afternoon at 3 o'clock at the home on West Corbin street, and will be conducted by Rev. Dr. J. M. Grier.

SUNDAY SCHOOL RALLY

To Be Held at Cannonville Presbyterian Church Sunday Afternoon.

A Sunday School Rally will be held at Cannonville Presbyterian church next Sunday afternoon at 3 o'clock, to be presided over by Mr. Jas. C. Fink, township president of the Sunday School Association. The following will be the programme: Song—Awake! the Master's Calling—Us—No. 121. Devotional Exercises.—Rev. G. G. Harley Song—Strike for Victory—No. 135. Address of Welcome.—Rev. G. W. Thomas. Response.—J. A. Simpson. Song—Scattering Seed—No. 123. Address.—Rev. J. H. West. Song—Gather Them All for Jesus—By Children. Address.—Rev. A. D. Wanehope. Song—Never Give Up—No. 169. Collection. Song—King's Business. Benediction.

DRUGGIST FINED \$250 FOR SELLING WHISKEY

COLORED DRUG STORE PROPRIETOR FOUND GUILTY WEDNESDAY.

Will Pearson Also Convicted and Fined \$50.00.—Attorney Hartsell Says He Will Insist on Road Sentences Hereafter, and Recorder Puryear Will Uphold Him to the Court's Fullest Powers.

Two whiskey cases were tried before Recorder Puryear Wednesday one against Will Pearson, a negro boy better known as "Doodle," and one against the Eureka Drug Co., the colored drug store. Both defendants were found guilty. Pearson was fined \$50 and the drug store \$250.

The case against Pearson was tried first. He was charged with selling liquor to two white men, named O'Kelly and Hurley. O'Kelly testified that he and Hurley made a "pot," each contributing a certain amount and bought two half pints of liquor from Pearson last Saturday night a week ago. Hurley corroborated the testimony of O'Kelly. At the time of the sale both of the men were in the lockup for being drunk. The transaction took place about 11 o'clock. The city lockup is directly beneath the court room and it was a case of Pearson going right into the shadow of the bar of justice and vending his goods to men who were already behind the bars awaiting trial for violating the laws of the municipality. Ed. Hedrick, an aged negro, was also in the lockup at the time. He also gave Pearson sixty cents and sent him for a pint, but will fail to return. He testified that he was later refunded his money. Al the men testified that they were pretty "dry" and when Will called to act the good Samaritan they were only too glad to welcome him.

In the case against the Eureka Drug Company, Pearson was the principal witness for the State. He testified that he purchased the liquor he sold O'Kelly and Hurley from the drug store and that on Saturday night, February 10, he purchased a half pint of gin. The bottle of gin, with one good slug missing, was produced in court. It was of the "Red Rooster" variety and attracted considerable attention sitting on the bar of justice. Officers Sloop and Simpson testified that they watched Pearson go in the drug store Saturday night and that they saw him come out in a slightly intoxicated condition. He was searched and the half-empty bottle taken from him and he was advised by them to go home or he would be locked up, and he did so.

City Attorney Hartsell, who represented the State rested his case here, and Mr. T. D. Maness, representing the defendant, also rested.

Mr. Sloop was later called upon to testify as to what he found at the drug store this morning. Mr. Sloop stated that he and Officer Benfield went to the store armed with a search warrant. On going through they looked into several lockers beneath the prescription counter and discovered about two hundred half-pint bottles of booze. When the secret confines of the alcoholic emporium were exposed to view he was moved to the exclamation of Archimedes of old upon discovering a method of determining the purity of the gold in King Hiero's crown. "Eureka!" I have found it!

Attorney Hartsell said that during his four years' experience as city prosecuting attorney he had never made it a custom to ask for a road sentence on the first conviction of selling liquor but that he had insisted that every druggist convicted of retailing be made to pay a fine of \$250 and that he would insist upon this amount in the case against the colored drug store. Continuing Mr. Hartsell said, "I want to say right now that hereafter, from this day, February 14—Valentine day, 1912—that when a man, high or low, rich or poor, black or white, is convicted of selling liquor here I am going to insist that he be sent to the road without any equivocation. They are not going to be caught by chance but a strenuous effort is going to be made on the part of the police to enforce this law. I have reason to believe that liquor has been shipped into this town to druggists and the railroad books can be brought here and the fact shown. Our officers have been criticised about this law and now I am going to insist that every man convicted shall be sent to the roads."

Recorder Puryear stated at the conclusion of Mr. Hartsell's talk that the prosecuting attorney would use our Penny Column—it Pays.

be upheld in such a course to the fullest extent of the powers of the court.

Bud Miller and Adam Holbrooks, colored, were sent to jail under a \$25 bond for stealing a hide. Mr. G. R. Blackwelder hauled the hide here from Mount Pleasant and left it at A. F. Hartsell's store. Miller and Holbrooks came along and appropriated it. They later sold it to J. K. Dayvault & Co.

RAIN AND SLEET, GALORE.

These And a Terrific Wind Make This the Worst Day of the Winter, So Far.

Rain, sleet and snow accompanied by terrific wind is the combination of unpleasant elements the ground hog sent out within the past twenty-four hours. Beginning with a steady rain yesterday afternoon the rain storm continued for several hours only to change into sleet and thence back to rain, which descended through back to rain, which descended throughout the entire night and day. The downpour was accompanied by high rapid winds that swept the earth with unrelenting fury.

Trees and shrubbery creak and groan in the grasp of the ice king and telephone poles and wires are swayed groundward by the weight of the ice and the fury of the wind. Large limbs split off and fell to the earth with a crash and the sidewalks are littered with smaller ones. Icicles adorn the edge of every sidewalk and protruding shelter while beneath the water runs in a steady stream.

The streets are deserted with the exception of a few pedestrians that are driven by the force of necessity to brave the elements. The usual crowd that wends their way homeward for the midday meal was conspicuous by its absence and the street took on an aspect of bleakness that bespoke of desertion. Inside the stores and offices the clerks and business men are taking things easy. Business is at a standstill and in the place of the hum of commercial activity only the ceaseless beat of the rain upon the rooftops and the whistling of the winds can be heard.

OUR CHINA FAMINE FUND.

This paper will publicly acknowledge the receipts of all moneys contributed to the China famine sufferers, and will forward it promptly to the Red Cross Society at Washington, which will cable it to the proper authorities in the stricken districts. The fund today stands:

Dr. W. C. Houston	\$5.00
Times and Tribune	5.00
Daughters of the King	3.00
Frances Murdoch Chapter	
Mrs. Fannie Bynum	1.00
Jno. A. Barnhardt	5.00
Maggie Barnhardt	2.50
Elsie Barnhardt	1.00
S. E. Barnhardt	1.00
Total	\$23.50

We shall publish the list each Monday and Thursday.

Death of Mr. James M. Means.

A telegram has been received here by relatives announcing the death of Mr. James M. Means, which occurred last evening at 6 o'clock at his home in Houston, after an illness of several months.

Mr. Means was born and grew to manhood in Concord. He is a brother of Messrs. G. W. and W. G. Means and Dr. Victor Means, of this city, and Dr. Victor Means, of the navy. Mr. Means was 65 years old and is survived by his wife. He left here in 1874 and located in Texas. A short time after he moved there he began to work for the Southern Pacific Railroad and was for many years traveling passenger agent and was connected with the road attached to the road at the time of his death. The interment will be made in Houston.

Card From Congressman Doughton.

Mr. Editor: If there are any citizens in my district who have not received a package of vegetable seed from me by the 1st of March, I will be glad to send them seed if they will send me a card stating that they have not received seed.

R. L. DOUGHTON, M. C., Washington, D. C.

New Gilead Reformed Church.

On next Sunday afternoon at 2 o'clock there will be church service at Gilead Reformed church. Rev. W. H. Causey will preach. A full attendance is very much desired.

J. N. CATOE PARDONED.

Convicted of Embezzlement in 1910. Pardon Conditional.

Governor Kitchin on yesterday granted a pardon to J. N. Catoe, formerly of Kannapolis, who has just completed serving two years of a four year sentence for embezzlement. Catoe is a young white man and while agent for the Southern at Kannapolis conducted an organized system of stealing from the railroad. He was tried here about two years ago and sentenced to four years in the penitentiary. The prosecutor agreed that if Catoe pay them the sum of \$310.82, the amount he embezzled, they would recommend a pardon. Governor Kitchin granted the pardon on this condition and that he remain a law-abiding citizen. The reasons for the pardon follow:

"In this case the judge and solicitor recommended pardon on restitution being made by prisoner. The recommendation of the surety company joins in recommending pardon. A representative of the prosecutor wrote that he would upon restitution join in recommending the pardon. He has served over two years.

"I pardon prisoner on condition that he pay his former employer, the prosecutor, or pay into the clerk's office of Cabarrus county for that purpose the sum of \$310.82, and upon further condition that he hereafter remain law-abiding and of good behavior.

"I will add that an attempt to escape caused me to defer this action."

OSCAR FLOW IN TAMPA.

Tells Party in Monroe That He Was Offered \$1,000 to Leave.—Refused the Money, Was Frightened Away.

Charlotte News.

The recent whiskey sensation, which is not ten days old, followed by the disappearance of the chief witness, named the day after the mass meeting at the auditorium, as Mr. Oscar Flow, a well known citizen of the county, was given a new impetus of interest today by the following letter which came to a prominent citizen of the city from a well known citizen of Monroe:

Monroe, N. C., Feb. 12, 1912.

Dear Sir:—Mr. Oscar Flow spent last Wednesday night in Monroe. He told a friend that he was going to Tampa, Fla.

He also told him he was offered \$1,000 to leave Charlotte, but he refused to do so. He was waited upon, he said and told that it would not be healthy for him to remain in Charlotte, and that he had better go to another climate.

The News has personal acquaintance with the gentleman who wrote the letter. His statements are strong proof of the fact reported and published to the effect that Mr. Flow had disappeared for cause.

The News made effort to discover his whereabouts in order to get the facts in the case, but he was then, according to the above letter on his enforced leave of absence to Tampa."

PERSONAL MENTION.

Some of the People Here And Elsewhere Who Come And Go.

Mr. J. F. Cannon is spending the day in Charlotte on business.

Mrs. Robert Graham, of Charlotte, is the guest of Mrs. T. D. Maness.

Mr. R. L. McKimmie, of Charlotte, is a visitor in the city today.

Messrs. L. E. Boger and Ernest McConnell spent yesterday afternoon in Charlotte.

Mr. W. A. Stone went to Salisbury to see Mrs. Stone, who is in a hospital there, yesterday afternoon.

Mrs. Holmes Asking for Divorce. Greensboro Record.

Judge C. M. Cooke arrived in Greensboro today for only a single session of the Superior court today.

The first case taken up was the divorce suit of Mrs. Francis Holmes vs. Reuben J. Holmes. Infidelity was charged and no resistance was made to the suit by Mr. Holmes.

It will be remembered that Mrs. Holmes sued recently in Guilford court for alimony from her husband, alleging that he was worth between \$10,000 and \$50,000.

She lost the suit and has been living with her mother, Mrs. Lyon, on North Elm street since that time. Mr. Holmes asked her to return to his home in Salisbury at the time of that action, but the offer of reconciliation was refused and the divorce suit continued.

John Hays Hammond, president of the National Republican League, has issued a call for a meeting of the league to be held in Chicago, June 18.