

THE LOUIS COUNCIL CASE ARGUED IN SUPREME COURT

The Notable Cumberland County Criminal Assault Case Under Consideration—Regular Hearing of Seventh District Appeals.

Yesterday in the Supreme Court there was an argument of the case against Louis Council charged, in Cumberland county, with criminal assault upon the person of Mrs. Lonnie West. Council, it will be remembered, was convicted some months ago and repeatedly sentenced to be hanged there having been some point raised each time which warranted Governor Aycock in granting a respite. And finally when the Governor had announced that he positively would not interfere again with the execution of the death sentence the sheriff of Cumberland came out in an affidavit declaring that before the arrest of Council Mrs. West had told him that she knew Council and he was not the negro who committed the assault upon her.

Ex-Judge E. K. Bryan of Wilmington, argued for the defense and Mr. N. A. Sinclair of Fayetteville, with the Attorney-General, argued for the State. Other cases argued in the Supreme Court yesterday were as follows: State vs. McDowell, by McLean & McLean, with the Attorney-General for the State, Wishart, Lee and Bizell, by brief, for defendant. Koch vs. Porter, by J. B. Schulken for plaintiff, McLean & McLean and McNeil & Bryan for defendant. Lebew vs. Hewitt, counsel have filed an agreement to submit the case under Rule 10. Eighth district cases will be called next Tuesday, October 15, as follows: Knight vs. Hatfield. Boggan vs. Railroad. Jerman vs. Gulledege. Cotton Mills vs. Town of Waxhaw. Dargan vs. Railroad. Phifer vs. Ford. Blair vs. Belk. Broom vs. Broom. Meredith vs. Railroad. Wilkie vs. Railroad. (Five of the above cases from Union county stand under an agreement of counsel to continue till next term.)

VETERANS OF STATE

The North Carolina Association's Annual Meeting

WEDNESDAY, OCT. 23

President and Secretary to Present Their Annual Reports and Business of Interest to Be Considered

The annual session of the Confederate Veterans' Association of North Carolina will be held on Wednesday night of Fair week, October 23, beginning at 8 o'clock, at the capital. The meetings of this body have resulted in important action for the benefit of the survivors of the war between the States, through the untiring labors of its officers and committees. Among the benefits may be mentioned the publication of the regimental histories, the increase of the appropriation for the Soldiers' Home, the addition of its hospital, and the new dormitory now in process of erection, the correction of the pension system, and the additions to the roster edited by Major Moore, which are now being prepared. Camps of United Confederate Veterans throughout the State, county and other associations of survivors, and veterans who may not be members of any organization are cordially invited to the meeting, which embraces all. Gen. Julian S. Carr, the president, and Capt. C. B. Denson, the secretary, will present their annual reports at this meeting, and business of interest will be considered. It is known that soldiers of prominence in the war will be present on this occasion during the Fair, the president of which is Gen. Wm. R. Cox, and the chief marshal Gen. Wm. P. Roberts. The newspapers of the State are requested to call the attention of veterans to the meeting.

FROG LEVEL NEWS

A Batch of Stuff from the Last Issue of the "Clarion" It is whispered about town that Deacon Joe Bunker put a dollar in the hat at church Sunday. We wonder if he was trying to ease his conscience over that little transaction in cotton? A man was here Saturday talking up a new paper for Frog Level. If he wants some facts that will shed light on newspapering here, he should call at the Clarion office. This is a good town for a newspaper—to die in. Ben Sparks was taken to the penitentiary yesterday. Sparks set fire to a shack on Crow branch a few weeks ago. The circus has canceled its date, it having been learned that there was not hay enough in this section to feed the elephants. This is a terrible warning to our farmers. What we want is less cotton and more elephants. There was a lively row on King's Kopje Thursday night. Rufe King lost his temper because Si Harkness wanted three dances with Rufe's girl, Mandy Perkins. Rufe went out in the dark and called Si, and then hit him a whack with a blackjack sapling that loosened seven of his teeth. Mandy took up for Si, with the result that Rufe did not become rational till Friday afternoon. Cards are out for a wedding, but Rufe won't be there. That perfect little angel of loveliness, Miss Becky Benfield, brought to our table a few days ago a fine apple. She is one of the fairest of the fair and her voice is like the tinkling of myriad fairy bells. Come again, Miss Becky! Another tramp was killed in a wreck on the K. Z. F. road yesterday. It looks like the crop of hoboes ought to have been killed off before this. Anyhow, the railroads are doing their share of the work. The Sons of Rest are to meet Saturday to discuss the new curfew law. Ike Brodie says his wife will set the dogs on him if he has to go home at 9 o'clock. Bow Terrill is walking with a decided

limp now. His leg was pulled by a picture peddler. Hi Adams and his wife have separated. Hi refused to give up eating garlic. The jury gave his wife a divorce without leaving the box. We were initiated at the meeting of the Anna Nigh Us Club Wednesday night, and our readers are asked to overlook any shortcomings in this issue.

Lillian Tucker Company "The attraction at the opera house last evening was the Lillian Tucker Company in 'La Belle Marie,' this being the first appearance of this company in Pensacola. Miss Tucker in the title role was fully up to the highest conception of the character, and impressed the audience as an actress of superior merit and ability. Her support was fully up to the standard. The specialties were the finest we have had this season. The general verdict is that this is the best popular price company ever in the city."—Daily Times, Pensacola, Fla. This attraction will be seen to-morrow night, when it opens at the Academy of Music for a three nights' engagement at popular prices. "Only a Woman's Heart" is announced as the opening play. Ladies free to-morrow night. Prices 10, 20 and 30 cents.

RICHARD CARVEL TONIGHT Mr. Robson in Title Role—Strong Support and Magnificent Stage Settings. Andrew Robson's triumph seems to increase as it goes along, for there is even greater interest today in the actor and the play than there was when the run of "Richard Carvel" began. The play, which has been made from Winston Churchill's book, is one of the most effective transferences of a novel



Meeting Between Richard Carvel and Dorothy Manners in London to the stage that has yet been effected. All the beauty of Mr. Churchill's love story and all the dash and hero-clarion of young Carvel have been cleverly extracted from the printed pages and are set forth on the stage in a most attractive and delightful manner. The quintessence of the story has been secured by the adaptor, and Mr. Robson so charmingly realizes the character of young Carvel that one almost seems to live back in the old colonial days and among the early revolutionists while looking on at the play. At the Academy tonight. Reserve seats now on sale. Prices 25, 50, 75, \$1.00 and \$1.50.

DR. CYRUS THOMPSON To Be Chief Clerk in Collector Duncan's Office Dr. Cyrus Thompson, of Onslow county, came to Raleigh yesterday afternoon. Friends who gave him the glad hand at the station and asked what he was doing here were told that he had come in on a short business trip. The Doctor was strictly accurate, but he did not know the nature of the business at that hour. He had come here at the request of Colonel Duncan, the collector of internal revenue, who had given him no intimation of the nature of the business on which he was wanted. When the Doctor reached the collector's office it required only a few minutes for the collector to offer him the position of chief clerk made vacant by the death of Mr. Henry C. Thompson, of Orange county. Dr. Thompson considered the matter a while and then announced his acceptance. A Post man in search of news dropped in the office about this time and was told of the appointment. He inquired when it became effective. "That's what we are talking about

now," said the collector; "let's say to-morrow morning, Doctor. The Doctor studied a minute. "All right," he said; "I didn't come prepared to stay, but I suppose we might as well say tomorrow morning. How things do change sometimes. Only yesterday I was in the field superintending hay-stacking—and the finest hay in the world." So this morning Dr. Thompson will begin his work as chief clerk. The salary of the office is \$1,800 a year. Dr. Thompson was Secretary of State during Governor Russell's administration, and he has a very large number of friends in Raleigh. He was an active participant in the doings of the Ananias club, rejoicing in the fact that he had reached the 99th degree in his march along the road to perfection. The man who had a dull time when he was one of the company was either deaf or asleep. The Doctor's friends will be glad to know that he is to be one of them again.

SEABOARD INCORPORATION Significant Increase of \$25,000,000 in Capital May Mean Big Deal A special telegram from Norfolk to the Washington Post says that high officials of the line in this city say there is no especial significance to be attached to the incorporation of the Seaboard Air Line in South Carolina. It is but the working out of the plan formulated by President Williams when he purchased the constituent properties of the Seaboard. The capitalization named in the articles is, however, \$25,000,000 more than the \$75,000,000 originally determined upon as the capitalization of the greater Seaboard. This may mean that the long-mooted extension to Charleston will be undertaken at once, although this cannot be verified, as the general officers of the system decline to discuss the granting of a charter, of which it is learned they have not yet been advised. The omission of the Florida Central and Peninsular Railroad from the report of the charter cannot be explained because the officials will not discuss the matter.

WAKE COMMISSIONERS Complaint Made Against Mayors and Magistrates in the County During a short meeting of the Wake county commissioners yesterday the point was raised that it is a frequent practice of the mayors and the magistrates of the county to sentence persons to terms of service on the county roads and then by the time they begin the service the sentences are remitted. The board requested Chairman Green and County Attorney Snow to look into the matter and see if the evil can not be in some way remedied. An order was passed instructing W. R. Allen to take a squad of 17 convict convicts as soon as the work on the new road is completed, put the Raleigh-Pittsboro road in good condition. The board has adjourned until the regular November meeting.

REMITTING SENTENCES Question to Be Investigated by County Attorney At yesterday's session of the County Commissioners the question of the right of the mayor and magistrates to remit a sentence about the time the offender begins his term on the roads was considered. It was referred to Chairman Green and Attorney Snow for investigation. Instructions were given Superintendent Allen to take Mr. McMackin's squad and work the Raleigh and Pittsboro road near Cary as soon as he can complete the work on the new road. The board adjourned for the term yesterday afternoon.

Editor Robinson in Richmond At the Press banquet at the Livingston Hotel, Richmond, last night, Editor Robinson, of Durham, N. C., responded on behalf of the North Carolina press. Editor Hart, of the Farmville Herald, responded to the welcome of the Richmond press on behalf of the Virginia newspapers. It Saved His Baby "My baby was terribly sick with the diarrhoea; we were unable to cure him with the doctor's assistance, and as a last resort we tried Chamberlain's Colic, Cholera and Diarrhoea Remedy," says Mr. J. H. Doak, of Williams, Ore. "I am happy to say it gave immediate relief and a complete cure." For sale by Henry T. Hicks, Bobbitt-Wynne Drug Co., and North Side Drug Store.

Mr. W. C. Biggs Dead The death of Mr. W. C. Biggs occurred at 5 o'clock yesterday morning in this city and the remains were carried to Oxford yesterday afternoon for interment in the family burying ground at that place today. The deceased had been in failing health for some time. Before his health collapsed he did business in Oxford, but has since been residing with his mother, Mrs. W. H. White, on North Wilmington street. He was 31 years of age and was a native of Oxford. Besides his mother Mr. Biggs leaves a brother and two sisters, Mr. J. C. Biggs of Durham, and Misses Lollie and Jennette Biggs of this city.

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Executrix Notice Having qualified as the executrix of the will of Spier Whitaker, late of the city of Raleigh, I hereby notify the creditors of his estate to present their claims to me, in Raleigh, by the 20th day of August, 1902. FANNY DEBERNIERE WHITAKER, Executrix, etc. Raleigh, N. C., Aug. 20, 1901.

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