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ROYAL BAKING POWDER CO., 100 WILLIAM ST., NEW YORK.

Rex Hospital Management Vindicated by Trustees

They Investigate and Find No Blame Can Be Attached to Superintendent or Nurses in the Mrs. J. A. Pope Incident-Statement

in the papers yesterday about the escape of Mrs. Pope from the bospital and the following resolutions were adopted: "On motion it was resolved that it is Mrs. Pope was carried from the hos-

conducted in the presence of her carried home Monday. husband, Mr. J. A. Pope, that no blame | Mr. J. W. Coffey, who was also exphysician in attendance upon Mrs. Pope." It is against the rule of the hospital, said a trustee vesterday evening, to take

ject to delusions during her stay in the hospital, which has now lasted several also that it has timbers in discrent C., on account of the South Carolina weeks, and a strict watch was kept over her." The physician in charge of her great loss will be suffered if the same tion, Charleston, S. C., December 1, case, in Dr. Goodwin's absence (he not being on duty on account of the death reasonable time. Timber belted pre- The following rates apply from Raof his father), had left her within five minutes of the time of her escape, and had taken her nurse in a near-by ward to give instructions about her further treatment, and she (Mrs. Pope) took this opportunity, in the delusion that she

Rex Hospital, after a careful investiga- and The Post is informed that she left smack of oppression, not equity. Com- November 30th to May 1st. final limit tion of the circumstances of Mrs. Pope's with reluctance. She was to have been

can be attached to the superintendent or amined, desires it to be stated that he bill will be tried by a jury-the usual nurses of the hospital, and, further, that did not volunteer, as might be inferred it is found that the remark made by from newspaper reports yesterday, to the nurses when Mrs. Pope was give information about what happened found and complained of her feet being at the time Mrs. Pope was found; and not made in a tone of reproof after hearing the statement of the physibut was a statement of what cian as to the remark made by one of was the natural result of her exposure, the nurses, he thinks it probable that good faith by taking steps to test its and was heard and so construed by the the physician's interpretation was the claim, the interests of the parties as rassenger trains to Charleston leaving correct one.

The authorities of the hospital sympathize 'deeply with Mr. Pope, and insone patients, and Mrs. Pope, in con- thought it just to him, as well as to the sequence of the character of an opera- management, that the matter should be ion which had to be performed, was sub- fully investigated and in his presence.

nces attending her being found the physicians, and pursuit was at once concerned. This the court will not do. and returned to the hospital, the trus- made by all nurses except one, who It is not equity. Defendant sets up via Greensboro and Charlotte. tees had a meeting to investigate the was left in charge of the wards. She was an apparently good title. It has crectmatter, and did investigate very fully in found and returned within half an hour, ed its works at considerable expense- November 30th to May 1st. final limit the presence of Mr. J. A. Pope, and the and everything possible done for her comfort.

Rulings Made in Big Green Swamp Land Case

Judge Purnell Continues the Injunction Except as to One Defendant - 170,000 Acres Timber Land Involved --- The Judge's Opinion

case in equity with injunction proceed- lows the prayers for relief. ing pending in the Circuit Court. The A temporary restraining order was case involves about 170,000 acres of granted, returnable on the rule day in ands known as the Green Swamp lands February, 1902, the subpoenae, bill and of Wilmington, and those for the defendis, of whom there are about seventy-

alleges complainant is a corporation crelish complainant's rights would involve the same day, being the return day, this situation. One afternoon, while enjoyit in a multiplicity of suits, endless litigation Sation lelay and irreparable damage, lemurrer will be more properly considenced a woman coming up the front

ants pretend to justify and detend, de-tendants in equity and good conscience should be required to discrose, fully and to trespass upon the said lands, cutting and removing timber therefrom, and de-Judge Thomas R. Purnell on yesterday | rendants cannot show any superior title rendered his opinion and order in the to complainant. That said lands are case of the New Jersey and North Caro- assessed for taxes in complainant's name ina Land and Lumber Company et al., a at sixty-one thousand dollars. Then fol-

and lying in Brunswick, Columbus and restraining order were returned served obeson counties, and was argued at on fifty-eight of the defendants, naming by counsel about a week ago. them, when the questions involved were Plaintiff's counsel are Meares & Ruark heard, counsel appearing on both sides. cept Mrs. N. J. Schulken, this being which constitute an apparently good dedefendants and a restraining denies any trespass or cutting of timbe tried by a jury on the law side of existing under the laws of the docket. To the rule to show cause complaniant has for thirty years had been in open, notorious, continuous and Possession of said land, except some exclusive possession under color of title.

of its own lines and boundaries (which in the grants and piots attached), and the fact of defendants and others trescompletely the grants, entries, claims or deeds under which they claim the right

Upon an examination of the record it appears from Mrs. N. J. Schulken, one we companies and private citizens, are of the defendants, filed an answer Jan-Hon. John D. Bellamy and George Roun- uary 31, in which she denies the title of complainant to parts of the land re-Judge Purnell's ruling continues the ferred to, sets out her muniments of ea herein, shall and the same is hereby injunction against all the defendants ex- title thereto and raises issues of fact vacated and dissolved. The opinion and order follow: | fense at law. A court of equity cannot Plaintiff filed its bill in equity against try these issues. This defendant also order was granted returnable on the ber. In short sets up defenses upon an apparently good legal title which must That the Gardner-Lacy she makes no specific answer, but her a corporation created and answer is considered in this connection ag under the laws of South Caro- having been filed before the return day. ag a place of business in On the return day the Gardner-Lacy sleep. I had consumption so bad that ounty, North Carolina, and Company answered with many affidavits if I walked a block I would cough imerous other defendants are and demurred ore tenus to the bill. This frightfully and spit blood, but, when North Carolina. That the defendant claims to be the owner in fee all other medicines failed, three \$1.00 North Carolina in 1795 granted, of certain tracts, the Burnice Little bottles of Dr. King's New Discovery Rowell, Stephen Williams tract, 80 acres; the Elijah Little tract, wholly cured me and I gained 58 of Collins certain lands in the Nathan Little tract. The Formy-pounds." It's absolutely guaranteed to the line and complainant is the duyal tract, the Narlow and Williams one Coughs Colds La Grippe Brone fee seized and in possession of tract, the Samuel Evans tract, 100 acres, chitis and all Throat and Lung Troubles described in said grants. Muni- and the Noah Williams tract, 100 acres Price 50c and \$1.00. Trial bottles 10c hients of title, surveys and acts of the of which it and those under whom it at all drug stores. Legislators are set out at length. That claims has for more than seven years small tracts (which are not described). It claims the timber interests on all moving trespassers therefrom, paying these lands, has established a lumbering lines thereon, etc. That defendants have amp and constructed a tramway with nearly half a century rector at Grace filed entries on parts of said land, tres- iron rails, engine and logging outfit, five Episcopal church in Chicago, was the imparts of said land, tres or six miles long, and prepared timber mediate predecessor of Ernest M. Stires, chief value of the lands to plaintiff, to the for market in ways described, some recently called to New York. Dr. Locke treparable damage and depreciation of afted, some cut down and other trees tells this story of how his quick-wifted

the hearing many questions will doubt-less be presented which it would be premature to consider now and which down to his wife: premature to consider now and which the court has no intention or disposition to even consider at this time. The only question for consideration at this time is, shall the restraining order be con-

It is only when complaint in his bill alleges a joint liability or community of interests that the answer of one defendant will inure to the benefit of other defendants. Bates Fed. Eq. Pro., 330, and authorities cited. Here there seems to be no community, but a great diversity of interests on the part of the defendants, diverse defenses, hence the defenses set up by Mrs. Schulken and the Gardner-Lacy Company do not affect the other defendants, except in so far as other defendants are connected with such defenses. As to other defendants, the bill is taken pro confesso, and the in-junction continued to the hearing. Mrs. N. J. Schulken traverses the title

of complainant, denies all allegations of trespass, alleges she is not and has not cut timbers and sets up an apparent good title in herself. Issues are thus raised which must be tried by a jury on the Improved Passenger Service to the law side of the docket. She is in possession of a part of the land claiming title thereto and her right to retain such

side of the docket. As against her the Arrive Buffalo...... 10:15 a. m. bill does not set up such equities as en- Arrive Pittsburg / 7:15 a. m. title complainant to injunctive relief. Arrive Cleveland 6:30 p. m. unless such action of ejectment is com- Arrive Toledo...... 3:30 p. m. menced at once, as soon as his defense Arrive Detroit..... 8:25 p. m. is disclosed, and unless proper steps Arrive Columbus...... 9:45 p. m. to this end are taken within ten days Arrive Chicago 5:00 p. m. the restraining order will be vacated as Through Pullman and day coaches beto the defendant N. J. Schulken. This tween Raleigh and Washington, where order is entered on an examination of close connection is made in Union Sta-

One of the principal objects of the and 19 for all principal points west. bill as said in Dick v. Forake, 155 U. For tickets, Pullman reservation, or S., 405-415, and Holland v. Chillon, 110 any information, apply to U. S., 15, being to remove clouds on and quiet title has served its purpose accomplished its end as to that part of the land claimed by the Gardner-Lacy Co., which discloses an appa- Low Rates to Charleston Exposition rently good title with the boundaries of the land claimed by this defendant. Deis not prepared for commerce within a 1901, to June 1, 1902. paratory to being felled or that cut, on leigh: the ground or in the water, if left stand- \$5.65-Tickets sold Tuesdays and worthless for commercal purposes.

in the papers yesterday about the escape of Mrs. Pope from the hospital, and the She was seen by a driver of one of science and equity a loss to all parties December 3d to May 29th, final limit evidently in good faith, depending on its ten days from date of sale. Route via title. To tie up its enterprise by in- Selma and Atlantic Coast Line, junction after these disclosures would plainant has its rights. Defendant also ten days from date of sale. Route via

> questions in actions of ejectment, is the complainant the owner and entitled to the possession of the land, the coundathe meantime, if complainant shows its boro and Charlotte. tions of law and equity discussed on the and Charlotte. hearing has been purposely avoided. For tickets, Pullman reservations and equities of the parties are more fully House, Raleigh, N. C. disclosed embarrass the parties or the court by a premature consideration or

when these questions can more intengently be considered and determined. It is therefore considered, ordered and adjudged that as to the Gardner-Lacy Lumber Co. the restraining order passing and committing acts of spona- heretofore granted be and the same is tion within its boundaries it has been hereby modified and dissolved on the unable to ascertain the particular grants said Gardner-Lacy Co., entering into and deeds, if any under which defend- bond in the sum of ten thousand dolars conditioned that it shall, if so required, by order of this court account to complainant and pay for such timbers as it shall cut and use from the land claimed by or which it shall be adjudged by the court the New Jersey and North Carolina Land and Lumber Company, was and is the owner and entitled to the possession. Said restraining order is continued in fun force and effect as to lands claimed by complainant and not included within the boundaries of the land to which the Gardner-Lacy Co. claims title.

> It is further ordered that unless the New Jersey Land and Lumber Company shall within twenty days from the entering of this order formulate issues and take steps to have its title to said land, claimed by the Gardner-Lacy Lumber Company, tried by a jury, the said restraining order heretofore grant-And this cause is held for further or-

THOS. R. PURNELL,

U. S. Judge, Etc. Feb. 11, 1902.

Night Was Her Terror

"I would cough nearly all night long," Colds, La Grippe, Bronsure Coughs.

> Helped Out by His Helpmate (Rochester Post-Express.)

The Rev. Clinton Locke, who was for bindishant's interests. That to estab- belted preparatory to being felled. On wife once saved him from an awkward and it seeks this remedy to establish its ered on the hearing on the next rule steps whom he particularly detested. The day. Other defendants do not answer doctor fled precipitately, leaving his wife basses and enjoin tres- day. Other determinants do not answer to meet the caller. After a half hour plainers one action. That while com- the rule and the bill may for the present to meet the caller. After a half hour plainant is informed as to the location be taken pro confesso as to them. At had passed, Dr. Locke came out of his

"Has that horrible old bore gone yet?"
The caller was still there. Mrs. Locke was equal to the emergency, however, and she called back:
"Yes, dear, she went nearly an hour ago. Mrs. A. is here now."

The Best Prescription for Malaria Chills and Fever is a bottle of Groves' Tasteless Chill Tonic. It is simply iron and quinine in a tasteless form. No cure, 10 pay. Price 50c.

Tess-Bess is going to marry an opti-

Jess-Is he wealthy? Tess-I think so; at any rate, she says there's a lot of money in sight for him.-Philadelphia Press.

It is better to wear out than to rust out .- Bishop Cumberland.

possession must be tried in an action or Leave Raleigh....... 10:20 a. m. issues formulated in the form of an ac-Leave Washington 7:45 p. m. This cannot be done on the equity Arrive Harrisburg 11:40 p. m. tion with Penna. R. R. trains Nos. 7

C. H. GATTIS, C. P. & T. A.,

Telephone 117.

via Southern Railway

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ing, lying or floating and not utilized Thursdays of each week commencing when in proper condition becomes December 3rd to May 29th, final limit seven days from date of sale. Route

9.90-Tickets sold daily commencing

has rights. The court will preserve Greensboro and Charlotte. 12.25-Tickets sold daily commencing both. The traversed allegations in the November 30th to May 1st, final limit June 3, 1902. Route via Selma and Atlantic Coast Line.

\$13.50-Tickets solv Jaily commencing November 30tn to May 1st, final ries of which are now known, etc. In limit June 3, 1902. Route via Greens-

The Southern Railway has four daily they appear will be protected and pre- Raleigh as follows: 1.00 a, m.; 10.30 served. The test should be made in a a. m.; 3.50 p. m.; 3.51 p. m. arrive reasonable time. Under the circum- Charleston 7.30 p. m.; 11.15 p. m. 7.00 stances the law's delay would be an in- a. m.; 5.40 a. m., respectively. Through justice. A consideration of the ques- Pullman by either route from Selma

lest their consideration at this time any further particulars write or call on should when the contentions, rights and T. C. Sturgis, C. T. A., Yarborough



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