

IN THE SUPREME COURT

Fourteenth District Appeals Being Argued

State Senator C. A. Webb Makes Argument in Case in Which He is Himself the Plaintiff—Bond Transaction With Town of Morganton Involved.

Appeals from the Fourteenth district are being argued before the supreme court this week, embracing Yancey, McDowell, Henderson, Ruth-erford, Polk and Burke counties. There are seventeen cases, as follows: State vs. Kincaid, State vs. Hodge, Bank vs. Hay, Webb vs. Trustees, Seals vs. Mining Co., Duckworth vs. Mull, Parker vs. Insurance Co., Burge vs. Telegraph Co., Shepherd vs. Telegraph Co., Steadman vs. Steadman (defendant's appeal), Martin vs. Price, Dorsett vs. Bridges, York vs. Westall, Thompson vs. Seney, Bird vs. Leather Co., and Steadman vs. Steadman (plaintiff's appeal).

State vs. Kincaid, from Burke county, argued before the supreme court today, is a case in which the prisoner was convicted of seduction, and the contention of the defense is that there was not sufficient evidence in the trial below to warrant the verdict of guilty. Attorney General Gilmer argued for the state, and S. J. Erwin and Self & White for the defense.

The other state case, State vs. Jos. Hodge, is one in which the prisoner was convicted and fined \$100 for compounding a felony, in that he agreed not to prosecute certain parties for larceny. D. F. Morrow, argued for the defense, and Attorney General Gilmer for the prosecution.

Mr. C. A. Webb of Asheville made an argument before the court today in a case in which he is the plaintiff. It was Webb vs. Trustees, a suit against the school trustees of the town of Morganton. Morganton had advertised to sell twenty-year bonds for school purposes, when the act authorizing the issue specified forty-year bonds. Mr. Webb filed a bid for the bonds to be issued for forty years, but with the option for them to be taken up in twenty years, the bid being, Webb claims, conditioned on the approval of his attorneys as to the legality of such an adjustment as complying with the act. With the bid Webb filed his certified check for \$500. Later when the trustees accepted the bid, Mr. Webb's attorneys ruled that the bonds would not be legal, and the trustees refused to return the certified check, holding it as a forfeiture.

A FRENCH COACH STALLION IN TOWN

Mr. E. K. Coyner of Waynesboro, Va., is in the city with a French Coach stallion that he is trying to sell for McLaughlin Brothers of Columbus, Ohio. The price asked for the animal is \$1,000. It was imported on July 6 last from France and has been exhibited at one fair, the Ohio state fair at Columbus, where it took first premium in a group of its class, and also the blue ribbon as a single stallion.

It is a handsome animal, dark brown, nearly black, with remarkably noble neck and powerful but clean-lined build. Its pedigree is given as far back as 1724. It is of the French coach breed developed under the guidance of the director general of the national studs of France.

Mr. Coyner's idea is to organize a syndicate here to purchase the stallion for breeding purposes.

A Big Seizure.
A telegram was received in the office of the collector of internal revenue here this morning from Deputy Collector R. J. Lewis to the effect that he seized a big illicit distillery at Grifton, Pitt county, yesterday.

The best way to make money at the races is not to bet

THAT'S THE TRUTH!

And the "truth" of good bread-making is good flour

THAT'S PATAPSCO!

THE PISTOL MISSING CONSPIRACY, HE CRIES

Hearing of Parish Had to be Postponed

Everything Ready This Morning. When City Attorney Snow Discovered That the Revolver That Caused Dempsey's Death Was Not at Hand—It Cannot Be Found.

The hearing of R. H. Parish, the night call-boy of the Seaboard Air Line, who is charged with murder on account of the death of J. E. Dempsey from a bullet wound caused by the discharge of a revolver in the hands of Parish early last Tuesday morning in the office of the railroad at Johnson street, had to be postponed this morning by Police Justice Badger.

Everything was ready for the hearing, and it was about 10 o'clock, when City Attorney Snow discovered that the pistol itself was not at hand. Mr. Snow considered the weapon a very material piece of evidence, as the defense is that the revolver was discharged accidentally as Parish was breeching it after examining it to see if it was loaded.

Efforts were made to get the pistol at once, so that the hearing could be proceeded with, but it was not to be found in its place in the drawer of the desk in which Parish usually kept it. One of the railroad men was said to have it, and it was seen that it would take some time to find him, so the hearing was set for 4 o'clock this afternoon, tentatively, to go on if the pistol was in the court room at that time.

Later in the morning the man who was said to have it was found, but he said that he had not had it except to take it up one day and look at it and put it back. He had no idea where it was.

TWO LOCKED IN CELL ON BRIBERY CHARGE

(By the Associated Press.)
Pittsburg, Pa., Nov. 27.—City Councilman W. A. Martin, charged with bribery in connection with the alleged Tube City Railroad franchise scandal, is now locked up at central police station, together with C. S. Cameron, president of the Tube City Railroad Company. Bail has been fixed. It is said, at \$20,000 each, and both men expect to secure their release before the close of the day. Superintendent of Police McQuade, who made the information against Martin and Cameron, said the hearings in the case would probably be held on Saturday.

WAS A PEACEMAKER

Flem Bleven Must Serve 2 Years for Murder

Verdict in Second Degree Elicited Sharp Criticism from Judge Bryan. He Imposed Minimum Fine. Killed J. J. Buchanan While Trying to Quiet a Row in Mitchell County.

Sheriff J. W. Bryant of Mitchell county brought Flem Bleven, a young white man, to the penitentiary today to serve two years, this being the minimum punishment for second-degree murder. Bleven killed J. J. Buchanan, the evidence tending to show that Buchanan was involved in a row with several other parties, when Bleven interfered as a peacemaker, when Buchanan attacked him and Bleven was, he claims, obliged to kill him in self-defense. Sheriff Bryant says Judge Bryan expressed decided disapproval of the verdict of guilty, that the jury returned, and then imposed the minimum sentence. There is to be a movement soon for a pardon for Bleven.

William Milan, another white man, was also brought from Mitchell to serve four years for secret assault.

FAMILY MYSTERIOUSLY POISONED BY ARSENIC

(By the Associated Press.)
Auburn, N. Y., Nov. 27.—After over a month's investigation by physicians and chemists, it has been determined that the peculiar sickness in the family of William F. Wait is due to arsenical poisoning. Mr. Wait is still very ill at the city hospital, and his son, Bryan, who recently graduated at Yale, is also partially paralyzed. He has lost the use of his hands and legs, and physicians say he may not recover in years.

The Rev. Harvey Clements of Gloversville, a son-in-law, who recently spent a few days in the Wait household, was stricken with the malady and was ill for some time. Mrs. Wait also was desperately ill for several days. The servants in the household and the coachman were among the victims of the disease. All symptoms, pointed conclusively to arsenical poisoning, and as a last resort detectives and the local police were called into the case, but the greatest secrecy was preserved.

Analysis of sugar, flour, tea and other foodstuffs remaining in the Wait house showed the presence of arsenic in sufficient quantities to produce death; indeed, it is supposed the victims were given overdoses, for horrible nausea followed meals, and this may have averted speedy death. Investigation is still progressing, but there is absolutely not the slightest proof to indicate the author of the crime. Mr. Wait is a member of the carpet manufacturing firm of Nye & Wait, and the family is among the most respected in the city.

SUNSHINERS WHO WILL BE ON DUTY

Col. F. A. Olds, director of the Sunshiners, notified the following girls and boys that they are assigned to duty on Wednesday afternoon, at the orders of the Associated Charities on West Hargett street, to carry to the poor Thanksgiving dinners. They will report at half past three o'clock to Mrs. John E. Ray, who is in charge of the committee. It is the purpose to deliver all the dinners that afternoon, instead of leaving some of the work to be completed on Thursday morning, as heretofore.

The following is the list of the Sunshiners thus put on duty: Addie Bar-swell, Louise Bernard, Ray Brown, Louise Baldwin, Betsy Haywood, Olive King, Mary Lumsden, Ruby Terry, Jean Thurgston, Margaret Ivey, Frank Brown, Herman Briggs, N. B. Broughton, Jr., William Clements, Alexander Field, Hubert Holding, Joe Moore, Grace Sherwood, Jeffrey Stanback, and Moses Woodard.

DENTIST'S FORCEPS GIVE DEATH WOUND

(By the Associated Press.)
New Castle, Pa., Nov. 27.—John Pollock is dying here as the result of having a tooth extracted last Saturday. During the operation the forceps slipped, cutting an artery in his tongue. All attempts to stop the flow of blood from the wound failed and for several days the man's life has been slowly ebbing away. Last night the physicians in attendance announced that they had exhausted their resources for saving the man and that death was inevitable within a few hours.

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- (2) The bread-winner, striving to accumulate a fund to procure a home or a competence for old age.
- (3) The well-to-do, for the convenience afforded and the income provided.
- (4) Those with idle funds awaiting other investments.

We pay 4 per cent interest on deposits.

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FOUR FULL QUARTS OF OUR CELEBRATED ALBEMARLE CLUB RYE, 8 years old. Express prepaid \$3.00

FOUR FULL QUARTS TYSON'S EXPOSITION KENTUCKY RYE, 4 years old. Express prepaid..... \$2.30

FOUR FULL QUARTS TYSON'S PURE NORTH CAROLINA COGN WHISKEY. Express prepaid..... \$2.30

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