

U. S. COURT OPENS

Judge Connor Makes an Able Charge to Grand Jury

Considerable Attention Given to the Anti-trust Law, and the Jury Promised All the Aid It Needs in Making Investigations—State and Federal Officers Have Their Respective Laws to Look After Without Trespasing Upon the Rights of the Other.

The United States court for the eastern district of North Carolina opened here this morning with Judge Henry Groves Connor presiding, and District Attorney Skinner and Assistant Attorney Giles representing the government.

After formally opening court the following grand jurors were sworn in.

S. L. Arrington, foreman; T. W. Stokes, G. E. Woody, E. L. Walker, F. S. Lawrence, A. H. Dupree, J. B. Aaron, J. W. Forbes, H. M. McKenzie, Andrew Hancock, C. P. Heister, J. A. Madrey, H. Feston Peden, Julius Kornegay, Joseph D. Fletcher, Marion Wortham, J. S. Grant, and Noah W. Wiggins.

Judge Connor then delivered his charge, which occupied over an hour's time, but was an able one, dealing with the various crimes against the United States.

He first took up and discussed the similarity of the state and federal courts, and drew the distinction between the duties of the jurors in the federal courts. The federal courts deal only with the laws upon the statute books, and these laws must conform with the constitution of the United States. The duty of the grand jury relative to hearing evidence upon bills of indictment was then discussed. The grand jury protects the public and safeguards the right of the individual.

Judge Connor said that the records showed that there were more prisoners in the federal prison in Atlanta from North Carolina than from any other state in this division, consisting of the southern states, and said while North Carolina always took pride in leading her sister states, he hardly thought that this state of affairs would be considered a great honor.

The question of illicit making and selling whiskey was then taken up, and the difference between the state and federal liquor laws explained.

Each department of the government has its own laws, and should look after them. It would be wrong for a federal officer to trespass upon the state laws, and they would be upon forbidden ground when they meddle with the state laws. The federal officers should do all within their power to enforce federal law, but when they undertook to perform the police duties of the state they violate their oaths and set a dangerous example. Let the people of the state make its laws and the federal government attend to its laws.

What constituted the crime of manufacturing or selling liquor under the federal statutes was then explained. He called attention to cases of selling whiskey in which, after either acquittal or conviction, the same party would be held for federal court on the same offense. "This should not be," declared the court, "and a commissioner who persisted in doing this should be removed." It was suggested that in cases of this kind that the jury return "not a true bill."

The law about delivering whiskey to fictitious persons by the carrier, C. O. D. shipments, and labelling the package was read and commented upon.

The next subject discussed was violation of the postal laws, in tampering with rural route boxes, fraudulent use of the mails, sending obscene matter through the mails, etc. Interference with a federal officer in the discharge of his duty and perjury were commented upon briefly.

The anti-trust law as it stands today was read, also the United States supreme court decisions upon the law.

His honor dwelt upon this subject at some length, saying the responsibility of seeing this anti-trust law carried out rested upon the grand jury and promised the fullest aid of all the court officials in making any investigation along that line that the jury might see fit to make.

Judge Connor, after completing his charge, called attention to the new furnishings of the court room and requests that all aid in keeping the room in a clean condition. He also announced that the court would be in session from 10 to 1 o'clock, and from 2 until 4 each day.

The case of Cigarette Company vs. Wright will come up on the 10th. In response to an inquiry as to the length of time this would occupy, Mr. James H. Pou stated that at a former hearing when it was not necessary to go into the records, the argument occupied 12 days.

Attorney Sewell, of Carthage, made a motion to nol pros the case against Jerry Chisholm on the

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A bright and steady light depends upon the construction of the lamp.

The best skill has put forth its best effort in perfecting the Rayo Lamp.

As the air is fed to the flame—so does the light burn. The easy-flowing current of air through the air-tube of the Rayo Lamp secures a uniform light, with never a flicker or flare.

The ideal family lamp. Made of brass throughout and beautifully nickeled.

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ground that he had been acquitted of the same charge in the state court, whereupon one of the witnesses immediately had him arrested and bound over to federal court for the same offense. The court said it would take the matter up in its proper order.

The court took up the case against John Dunlap, charged with illicit distilling, this afternoon. This case will probably consume the balance of the day.

Mr. Garrison Arrives to Take Up Residence in Charlotte.

Mr. S. O. Garrison, of Raleigh, who has accepted a position with the Charlotte Printing Company, of which Mr. Charles M. Ray is manager, has arrived in the city and is at present at the Selwyn Hotel. Mr. Garrison was with the Raleigh Times up to the time of his departure and that paper in its issue of Saturday contains an extended reference to Mr. Garrison, in which his valuable work in behalf of the paper is fully reviewed.—Charlotte Chronicle.

Weights and Measures Conference.

Mr. Lonnie H. Lumsden has been appointed delegate to the National Conference of Weights and Measures, to be held in Washington, D. C., February 25-26, 1910.

THE SCHOOL FUNDS

\$125,000 Funds Apportioned to Various Public Schools

Mecklenburg Leads, With Wake a Close Second—Mecklenburg Gets \$3,660.54 and Wake \$3,537.36 of This Apportionment—Guilford is Third.

The apportionment of the \$125,000 to the various public schools of the state has been made. Wake county receives next to the largest amount. Mecklenburg, with a school population of 21,307, receives \$3,660.54. Wake comes next, with a population of 20,590, and will get \$3,537.36. Guilford is third, having a population of 21,307, receiving \$3,660.54. Clay county receives the least, \$261.35. Her school population is 1,498.

Fest of Lights.

The Feast of Epiphany is always celebrated in the chapel of St. Augustine's school by a symbolic missionary service, during which the light that is taken from the altar is scattered through the congregation

and is then carried into the darkness outside. There will be the usual celebration of the Feast of the Epiphany in St. Augustine's chapel on Thursday evening, January 6th, at the hour of evening prayer, 5:45 p. m. All are invited who may be interested in the service.

BOARD OF COMMISSIONERS.

Adjourned Today to Meet Again Next Monday.

The board of county commissioners after transacting the following business today, adjourned until next Monday.

The application for a new road from Wyatt to Falls of Neuse was granted and Superintendent Allen ordered to open it up.

It was ordered that \$10 be paid to the widow of the late John C. Hinsdale, who was a pensioner, for the purpose of defraying burial expenses.

Ordered that the culvert near Caraleigh mill be repaired.

An expert road man appeared before the board and explained the system of Macadamized roads and its advantages. The matter was referred to Commissioner Harrison, Attorney Gatling and Superintendent Allen for investigation and make a report to the board next Monday.

Mittie Herdon's quarterly allowance was increased to \$5.

Ordered that the Falls road be changed on the south side of the river, entering the village, so as to go around the hill.

TWO AMERICANS MISSING.

Their Friends Believe They Have Been Executed or Tortured in Nicaragua.

(By Leased Wire to The Times) Washington, Jan. 4.—The state department today has under consideration the cases of two Americans missing in Nicaragua, believed to have been arrested at the order of Zelaya. According to the friends of these men, their cases duplicate in wanton horror those of Cannon and Groce, the Americans with the insurgents who were shot after a drumhead court martial and whose execution led to the crisis in Central America.

The missing men are Lou Draper, the son of I. H. Draper, of Greenville, Texas, and Francis Scott, his companion. They are believed to have met either death or torture. For six years Draper lived in Nicaragua, being connected with the topaz mining company. It was because he told the truth about Zelaya, it is said, that he dropped from sight. A systematic search of Nicaraguan

he was the correspondent of a news agency. In his dispatches he did not paint the Zelaya administration as the former president would have had.

For seven weeks no word has come from the two men. In his last letter, Draper said he was taking no part in the revolution. Three weeks ago word came from a friend that Draper and Scott had been arrested at the behest of Zelaya.

A systematic search of Nicaraguan prisons has revealed no trace of the whereabouts of the missing men. Their friends, in placing the matter in the hands of the United States government, declared their belief that Scott and Draper had been executed or placed in a dungeon and tortured.

BOY'S SAD CONDITION.

Believed to Have Been Hurt in Fall From Bicycle.

(Special to The Times) Wilmington, Jan. 4.—Daniel Houston, the young son of Mr. and Mrs. G. W. Houston, is at his parents' home in this city in a very critical condition, suffering from a concussion of the brain on the right side and an ugly bruise on his right hip.

The boy has not been himself mentally since he sustained his injury and he cannot give an account of the manner in which he was hurt. He left his father's place of business to deliver a pair of shoes. He was riding a bicycle and returned in about an hour with the shoes tied to the handle-bars of the machine. It was noticed that he acted strangely and was asked what was the matter and he replied "Nothing". He immediately got on his bicycle and rode away again, returning a short time later complaining of a severe headache. A physician was then summoned and it was discovered that the boy in some manner had sustained serious injuries, the brain being affected. The boy has grown steadily worse since his injury was revealed and it is not known yet whether he will recover or not. The wound on the head produced convulsions. It is believed the lad was either struck on the head with a rock or that he fell from his bicycle while riding. About three years ago the boy was injured when his bicycle collided with a coal delivery cart. At that time he was confined to a hospital for three months.

ORDINANCE TO BE ENFORCED.

The editorial in The Evening Times of yesterday about spitting upon the sidewalks has received many favorable comments. Mayor Wynne said this morning that there was an ordinance covering this, and that he was going to instruct the police department to see that it was strictly enforced in the future.

The anti-spitting ordinance was passed January 4, 1901, but has been allowed to fall into the list of unobserved and unenforced laws, and probably many had forgotten that there ever was such an ordinance. But there is one, and it will be enforced.

The ordinance is as follows: "Be it ordained by the Board of Aldermen of the City of Raleigh; That it shall be unlawful for any person or persons to willfully expectorate or spit upon the floor or steps or other walkway or approach to any hotel corridor, hotel office, public hall, bank, public building, public office, court house, street car, or any sidewalk in the City of Raleigh; and any person violating this ordinance, upon conviction, shall be fined one dollar.

Two Old Men Burned to Death.

New Florence, Pa., Jan. 4.—Two aged brothers, each suffering from illness and unable to help themselves or each other, were burned to death in their home this morning. The dead men are John and Daniel Uteler.

A HARD STRUGGLE

Many a Raleigh Citizen Finds the Struggle Hard.

With a back constantly aching. With a distress urinary disorders. Daily existence is but a struggle. No need to keep it up.

Doan's Kidney Pills will cure you. Raleigh people endorse this claim: J. R. Upchurch, 205 south Swain street, Raleigh, N. C., says:

"I do not hesitate to speak well of Doan's Kidney Pills, for there is no doubt in my mind as to their being a reliable remedy for kidney trouble. My kidneys were disordered for a long time and the secretions caused me considerable annoyance by their irregularity in passage. I also had frequent dull pains across my loins. Upon learning of Doan's Kidney Pills, I procured a box from the Bobbitt-Wynne Drug Co. They regulated the passages of the kidney secretions and disposed of the backache."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other.

aged 85 and 80 respectively, the former a farmer and his brother, a veteran who had just completed arrangements to enter a home for soldiers.

NEW MAP OF WAKE COUNTY, NORTH CAROLINA AND THE U. S.

For some time there has been an urgent demand both by the business people of the city and the county for an accurate map of Wake County showing each township in colors and giving the location of all the roads and farm houses and places of interest in the entire county with a city map in the center. Wake county has never had anything like this done simply because the cost was too great.

By a special arrangement a U. S. government man spent a month here last summer going over the county, and the county commissioners furnished a man to help, and the result is they constructed one of the best and most accurate maps of Wake County that could be designed. This original map was then turned over to THE EVENING TIMES and we have had made a fine THREE page wall map. The front page gives the official map of Wake county with Raleigh in the center. The second page gives the latest and most accurate map of the State of North Carolina. The third page gives the 1909 map of the U. S. These maps would retail for \$2.50, but as there is such urgent need of this county map we have arranged to deliver a certain number of them at 75 cents each.

Those who pay for their subscription to The Evening Times one year in advance will be given one FREE. Order one now before they are all sold. A necessity in the school, home or office.

THE EVENING TIMES, Circulation Department, Raleigh, North Carolina.