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ISSUES IN CASE ARE NOW WITH THE JURY

Last Chapter Being Closed In Famous Suit of Ware-Kramer Company

CHARGE THIS AFTERNOON

After Four Weeks and a Half of Sitting Twelve Men, Approved by Both Sides, Now Deciding Questions As to Whether the Defendants or Either of Them Injured the Business of Plaintiff By Means Other Than Fair—Issues Brief and to Point—Summary of Charge to Jury—Ayecock Finishes Argument at 1:30—Charge Began at 3:00 O'clock.

THE ISSUES.

1. Have the defendants, or either of them, and, if yes, which defendants injured the plaintiff corporation in its business or property by making any contract or engaging in any combination in the form of a trust, or otherwise, or conspiracy, in restraint of trade or commerce among the several states or with foreign nations?
2. Have the defendants, or either of them, and, if yes, then which defendants injured the plaintiff corporation in its business or property by monopolizing or attempting to monopolize, or combining, or conspiring with any other person or persons to monopolize any part of the trade or commerce among the several states or with foreign nations?
3. What damages, if any, has plaintiff sustained?

Judge H. G. Connor this afternoon submitted the issues in the case of the Ware-Kramer Tobacco Company against the American Tobacco Company, and the question of whether or not damages are due to the plaintiff is now in the hands of 12 men. As is seen from the foregoing, the issues are short and to the point. Judge Connor also charged the jury as to the evidence submitted and the law in the case. With the submission of issues and the charge to the jury, the last chapter in the now-famous case is being closed. For four weeks and a half the judge and jury have remained in the heated court room under conditions that were trying. Practically all of the evidence was submitted in the form of depositions, and there was but little to break the tedium of an uninteresting recital of facts and allegations. The plaintiff is asking for \$1,200,000 damages.

SENATORS ARE RUSHING WITH THEIR SPEECHES

Washington, July 12.—Probability of a move for final vote on Canadian reciprocity is being made in the senate. There was no program except the continuance of consideration of the reciprocity bill, with speeches by Bristow, of Kansas, and Borah of Idaho, both insurgents. The situation developed yesterday when Bailey held the floor several hours to fulfill an admitted promise to La Follette, republican insurgent, with whose anti-reciprocity views the Texan is aligned to keep talking if necessary to prevent a vote. Until La Follette was ready with his address and amendment, stir the senators to expedite the delivery of their addresses. La Follette expects to proceed in a few days. Early adjournment is more promising. The house met, but had no regularly scheduled business.

LITTLE BETTER TODAY Reservoir Shows Slight Gain Over Yesterday

Situation By No Means Relieved and Consumers Are Urged to Use Water Sparingly—Further Relief Indicated by Weather Bureau.

While the rain last night was a blessing to the city and section, it did very little to relieve the imminent water famine in Raleigh, and today the situation was changed very little from that of yesterday. Superintendent Bain reported a gain in the reservoir of 18 inches, thereby relieving the city from immediate danger. Consumers are urged to be as saving with the water as possible.

The weather bureau predicted rain for tonight, and the indications late this afternoon lent hope to the forecast. Everybody is urged, however, to husband the water. The danger has not passed, and until a good rain falls on the various sources of Walnut creek more than temporary relief cannot be hoped for.

SCOTLAND NECK NEWS.

Candidacy of Hon. E. L. Travis for Corporation Commissioner.

(Special to The Times.)

Scotland Neck, N. C., July 12.—We have heard the name of Hon. E. L. Travis, of Halifax, mentioned for corporation commissioner. Mr. Travis is easily one of the state's best lawyers, and has done as much for the success of the democratic party and the good of his state and county, and this honor would be only a slight recognition of the valiant services rendered by this good man.

Mr. Travis has served Halifax county several years as state senator and has been chairman of the county democratic executive committee a number of years, and has always led in the forefront in the battle for good government. He has never sought political preferment, always contenting himself with doing what he could for his friends. The people of Halifax county and the state would be pleased should Mr. Travis receive this position.

Mr. and Mrs. Guy C. Alston, of Seattle, Wash., are here on a visit to Mrs. Maria Kitchin and other relatives. Mr. Alston is a native of Halifax county, but for a long time has made his home in the far west, being engaged in the practice of law.

Thomas Shields, principal of the colored graded school of Scotland Neck, has been appointed by Governor Kitchin a delegate to the National Negro Educational Congress to be held in Denver, Colorado, August 12th to 15th.

HARDWARE MEN IN SESSION AT ASHEVILLE

(Special to The Times.)

Asheville, N. C., July 12.—The Hardware Convention of the Carolinas convened for the second day at 10 o'clock after which a group photograph was made. The roll call of officers and members showed 65 new members and 15 associate members. President W. H. Smith delivered the annual address, after which the report of the secretary was read. Lewis, of Huntington, Pa., made an address on mutual hardware fire insurance. Reports of committees were read and adopted and announcements made. R. W. Hatcher, secretary of Georgia association, made a short address. Several presents to the association were ordered sold for the benefit of the association. The afternoon was given to the study of exhibits. There will be several addresses tonight.



Nan J. Aspinwall, as she arrived in New York after a 11,478 mile trip across the continent on horseback.

She left San Francisco on September 1, 1910, bearing letters from Mayor McCarthy, of that city, to Mayor Gaynor, of New York. Miss Aspinwall has been on the road 170 days. Her diary shows she has traveled 11,478 miles without an escort.

GIRL'S RIDE A RECORD

Montana Miss Ends Saddle Trip Across Continent

Nan Aspinwall Reaches New York Mounted on Same Animal With Which She Started From Frisco—Undaunted by Danger and Privation, Big City Makes Her Timid.

New York, July 12.—Whoopee! All the way from the Pacific coast on horseback—all the way from the Pacific coast on horseback, that you are, Col. Walker Taylor will be installed as Vice Grand Chancellor of North Carolina, held a meeting Monday night to complete the final details.

Dr. W. C. Galloway presided and Joseph W. Little, Esq., secretary, took a record of proceedings. Following the installation, it was planned to have a number of short talks, by Supreme and Grand Lodge officers.

GOOD MEETING CLOSED.

About twenty-five added to membership of the Methodist Church.

(Special to The Times.)

Louisburg, N. C., July 12.—A very good meeting, evangelist, held on a series of meetings Sunday, June 11, at the Methodist church here, of which Rev. R. W. Bailey is pastor, from the beginning the attendance was good.

MOONSHINE MAKERS IN HEART OF CITY

New York, July 12.—Six men were arrested in a government agent's raid on several moonshine distilleries in New York and Brooklyn. Two thousand and gallons of moonshine brandy, a carload of sugar, a large quantity of mash were seized. One still was located in a Brooklyn flat, another in a four-story loft building. The moonshiners had been so successful that they were about to consolidate the various plants and install a fine copper still with a large capacity.

MR. TRAVIS IS NAMED

Appointment Goes to Halifax Gentleman

New Corporation Commissioner Is Named—Is Lawyer of Ability and Democrat of Right Sort—Began His Duties Today.

Hon. E. L. Travis, of Halifax, was named by Governor Kitchin yesterday afternoon as corporation commissioner to succeed the late Henry Clay Brown, and today assumed the duties of his office. The oath was administered by Associate Justice William R. Allen, of Goldsboro.

Mr. Travis will serve until the election in 1912 as an appointive officer. Mr. Travis is a native of Brunswick county, Va., but moved to Halifax county when he was fourteen years old. From early manhood he has been a democratic worker and has served his county in the state senate, Stage 1888. He has been a member of the state democratic executive committee. He is a lawyer of unusual ability and should fit in well with his new honor. He is forty-five years old.

BIG PYTHIAN MEETING.

Col. Walker to be Installed as Vice Grand Chancellor.

(Special to The Times.)

Wilmington, July 12.—The Pythian committee has arranged for the big celebration tonight, at which time Col. Walker Taylor will be installed as Vice Grand Chancellor of North Carolina, held a meeting Monday night to complete the final details.

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SEARCH WOODS FOR JERNIGAN

Clayton Officer Comes to Raleigh In Hunt For Slayer of Albert Todd

Wendell Young Man Stabbed With a Knife at Richardson's Mill Dies From Wound—Policeman Pope and Mr. Alf. Duckett Engage in Fruitless Search—Man Jumped From Southern Train and Disappeared in Night.

Wreck Cleared Up.

Bridgeport, Conn., July 12.—Following throughout the night two hundred laborers, with working trains, cleared up the greater part of the wreck which marked the flying leap of the Federal Express bound from Washington to Boston yesterday, death lists stands at twelve. Injured in hospitals, forty-seven. The condition of many is critical.

CHARGED WITH FRAUDULENT USE OF THE MAILS.

St. Louis, July 12.—E. G. Lewis, until recently a publisher of several magazines, and promoter of various enterprises, was indicted by the federal grand jury on charges of fraudulent use of the mails.

COTTON AVERAGES BEST

Condition of Various Crops On July 1.

Month of June decidedly unfavorable for growing crops—Aggregate condition of all crops July 1 ten per cent below the average—June deterioration great.

Washington, July 12.—Cotton showed the highest average growing condition of any crop July 1, with lemons and oranges ranging second and third. In the general review of crop conditions for June the bureau of statistics, department of agriculture, says the month was decidedly unfavorable for growing crops in most parts of the United States.

The aggregate condition of all crops July 1 was 10.7 per cent, below the average condition, whereas on June 1 the conditions were only 2.8 per cent, under the average. A comparison of the conditions of various crops July 1 and their average growing condition on July 1 of recent years, for the past 10 years for most crops is shown as follows, 100 representing the average conditions and not normal:

Cotton	119.2	
lemons	102.2	
oranges	99.5	
rice	99.9	
beans	98.4	
apples	97.6	
pears	96.3	
grapes	95.4	
peanuts	95.0	
raspberries	94.9	
corn	94.1	
catties	93.4	
potatoes	92.4	
winter wheat	92.3	
spring wheat	92.0	
rye	91.4	
hemp	91.3	
flax	91.2	
water melons	91.0	
tomatoes	90.9	
alfalfa	90.8	
all wheat	89.6	
onions	88.9	
sweet potatoes	88.5	
arganum	88.0	
blackberries	87.9	
hemp	86.2	
cashew	85.0	
tobacco	84.1	
potatoes	84.1	
spring wheat	84.1	
broom corn	82.2	
barley	82.0	
oats	79.7	
timothy	76.1	
pasture	75.9	
peaches	75.6	
hay	all kinds	74.7
Kafir corn	74.6	
clover hay	72.7	
millet	69.1	

Above figures relate only to relative growing conditions, not taking into account the changes in acreage. Taking into account both acreage and condition indications are that the wheat crop will be 1.4 per cent, larger, oats 12.3 per cent, less, barley 14.6 per cent, less, potatoes 10.8 per cent, less, tobacco 22.7 per cent, less, flax 16.5 per cent, more, rice 5.8 per cent, more. The average weight of wool for fleece this year is 6.8 pounds, compared with 6.7 pounds last year, and 6.5 pounds, the average for the past 10 years.

JEFFRIES WELCOMED HOME.

Los Angeles, Cal., July 12.—James J. Jeffries was welcomed home from his European trip yesterday by crowds of admirers. The scene at the station was like the old days when Jeffries was the world's champion.

CAUGHT BIG FISH AND DIED.

Portland, Maine, July 12.—As the result of excitement in catching the biggest fish of the day, Nathan Grott, member of a fishing party, died yesterday of heart disease, aged sixty-nine.

OCCURRED IN JOHNSTON

Wendell Young Man Stabbed With a Knife at Richardson's Mill Dies From Wound—Policeman Pope and Mr. Alf. Duckett Engage in Fruitless Search—Man Jumped From Southern Train and Disappeared in Night.

Policeman Jake Pope, Mr. Alf. Duckett and Chief of Police Johnson, of Clayton, scoured the woods around the state penitentiary practically all of the early morning in search of Alex. Jernigan, a white man of Wendell, wanted in Johnston county for killing Albert Todd, a young white man, also of Wendell. The trouble occurred just across the Wake county line, at Richardson's Mill, in Johnston county.

Jernigan and Todd and some other men were fishing at the mill one day last week when these two became involved in a difficulty. The outcome of the affair was a long, ugly wound in Todd's breast inflicted with a knife in the hand of Jernigan. Todd died at Wendell Monday as the result of the wound.

Yesterday Chief of Police Johnson of Clayton, learned that Jernigan, who fled immediately after the difficulty, was making his way toward Raleigh, and last night boarded the Southern train in the hope of catching his man. When he reached Raleigh he enlisted the services of Mr. Alf. Duckett, who was also on the train, and they and Officer Pope, of the local police force, began the search. A man answering the description of Jernigan was seen riding on top of a car, but he jumped off when he saw the officers, ran through the wood yard of Powell & Powell and disappeared in the darkness. Freight cars were searched, as well as the wood yard, and the officers then scoured the woods near the penitentiary. Mr. Duckett got his shepherd dog in the hope that the animal might run across the man hidden in the woods.

The pursuit was finally abandoned and Chief Johnson returned to Clayton this morning. Jernigan is a married man about forty-five years old. He was wearing a slouch hat and a brown suit of clothes when last seen. He is tall and rather stooped in his walk. It is said that a reward has been offered for his arrest.

FOREST FIRES ANNIHILATE LUMBER CAMPS.

Detroit, Mich., July 12.—Reports from northern Michigan's fire-swept districts say several families and lumber camps were near Wolverine and Gaylord are missing. In the towns of Escanaba and Ausable, only the schoolhouses and two dwellings remain.

CAUGHT IN FENCE AND BURNED TO DEATH.

Wendell, Cal., July 12.—Entangled in a barbed wire fence, Philip Aultman, aged thirty-four, was burned to death, Aultman climbed through the fence to examine a dog in the woods, and was caught and he fire surrounded and incinerated him.

MATTAMUSKEET ROAD GRANTED EXTENSION

A conference between Governor Kitchin and the council of State and Capt. George J. Stuard, of Washington, N. C., representing the Mattamuskeet Railroad Company, has just resulted in an agreement on the part of the governor and his council to allow an additional thirty days for the people of Washington to make the arrangements necessary for assuring proper terminals for the railroad at Washington, under the pending proposition for the immediate completion of the equipment and the operation of the railroad which the State has acquired a large interest in through the grading of the road with convict labor in exchange for stock. The time for the adjustment of terminal conditions at Washington originally allowed expires within two weeks. Then there will be the thirty days' extension of time just granted. It is understood that there is every assurance that the arrangements will be made.