Vol. LXX. No. 8

Weather-Thunderstorms

RALEIGH, N. C., WEDNESDAY, JULY 12, 1911.

LAST EDITION

PRICE FIVE CENTS

Newspaper

## Double the Number of Paid Subscribers in Raleigh of any Oth.

## ISSUES IN CASE ARE **NOW WITH THE JURY**

Last Chapter Being Closed at 3:00 o'clbck Judge Connor began In Famous Suit of Ware-Kramer Company

### CHARGE THIS AFTERNOON

tion 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 3:00 O'clock.

### THE ISSUES.

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?

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 withany other person or persons to monopolize any part of the trade or commerce among the several states or with foreign

What damages, if any, has plaintiff sustained?

Judge H. G. Connor this afternoon against the American Tobacco Com- bond at all. pany, and the question of whether or now in the hands of 12 men. As is the evidence submitted and the law

With the submission of issues and the charge to the jury, the last chapter in the now-famous case is being allegations

The plaintiff is asking for \$1,200. 000 damages.

Former Governor Aycock, speaking for the defendants, concluded his argument at 1:30 this afternoon, and

## SENATORS ARE RUSHING WITH THEIR SPEECHES

Washingon, July 12.-Probability of a tion of the reciprocity gill, wih speeches by Brisow, 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- torney General and led him a pretty reciprocity views the Texan is aligned to keep talking if necessary to pre-vent a vote, until La Follette was ready with his address and amendstirre the senators to expelte the deliveryof their addresses.

La Foliette expects to proceed in a Early adjournment is more promising. The house met, but had no re-

JUDGE CONNOR'S CHARGE.

In his charge, Judge Connor called attention of the jury to consider what interests, if any, the varjous witnesses had in the outcome of the rial, whether there was a feeling of ostility or dislike between the parties and whether there were any relations such as to reasonably justify After Four Weeks and a Half of Sit- the inference that any witness has a ting Twelve Men, Approved by real or supposed obligation or inter-Both Sides, Now Deciding Ques- est to speak falsely or to suppress the truth.

He advised the jury that testimony had been submitted not only as to facts within the witnesses own knowledge, but to opinions and mento Jury-Aycock Finishes Argu- tal conclusions based upon knowledge ment at 1:30-Charge Began at or observation. The court advised tae jury that this kind of testimouy is wisely admitted to aid them but is not binding. In other words, they should consider the reasonableness of the testimony so given and the interests of the person testifying. He (Continued on Page Five.)

## WHITE SLAVE" CASE

### Charles Noell and Wife Held **Under Bonds**

Vertie Kindley and Clara Gibbes, Both Young Girls, Lured Away-Hard Fought Case But State Wins Out-Evidence.

(Special to The Times.)

Lexington, N. C., July 12-The socalled "white slave" case was given a preliminary hearing before Mayor John H. Moyer Monday afternoon and it resulted in a victory for the prosecution. The defendants, Charles Noell and his wife, Jamie Noel, were bound over to court under bonds of battle for good government. He \$200 each. In fixing the amount of has never sought political prefer into consideration the fact that it would probably be hard for the de- The people of Halifax country and submitted the issues in the case of fendants, having no money and with the state would be pleased should Mr. the Ware-Kramer Tobacco Company no influential friends, to give any Travis receive this position.

For both sides the case was admir not damages are due the plaintiff is ably conducted. Mr. John C. Bower, one of the most brilliant young attorneys in this part of the state, represeen from the foregoing, the issues sented the state and he was opposed are short and to the point. Judge by that hardened veteran of a thous-Connor also charged the jury as to and battles, Gen. Zeb Vance Walser, who conducted the defense with the skill and eloquence that made him famous throughout the state many years ago.

The evidence for the prosecution closed. For four weeks and a half was overwhelming and almost comthe judge and jury have remained in pletly convincing. Two girls were tions that were trying. Practically Gibbes. The case was brought under the form of depositions, and there making it a felony, punishable by imwas but little to break the tedium of prisonment in the state prison for not returns, and hope he will recover als an uninteresting recital of facts and more than fifteen years, to abduct a female child under fourteen years of ment. He is a brother of Governor

age. The Kindley child has passed fourteen and the Gibbes girl is not Raleigh and Lumberton for some yet fourteen, and in her case, the action came under the statute. There and associating himself with his fawas no prosecution in the case of the Kindley girl, who really looks to be the younger of the two.

The first witness called was Mr. H. E. Gibbes, father of the abducted girl. He testified that he was married in 1896 and that the girl was born in 1897. She will be fourteen years old next November. He said that he did not give his permission for her leaving and that it was not move for final vote on Canadian re- asked. The child went away while ciprocity is forcing speech-making in he was off at work. He telegraphed the senate. There was no program to Chief Christenburg, of Charlotte, except the coninuance of considera- to look out for the girls and for Noell and went to Charlotte the next morn-

ing and found his child. Clara Gibbes, the intended victim 15 associate members. President W. of the abductors, followed and she made a wonderful witness. She was too quick for even the veteran ex-Atchase. She told of meeting with Noel and his wife. Mrs. Noel asked her several times to go to Charlotte with adopted and announcements made. R. her and pormised her "a nice time, W. Hatcher, secretary of Georgia asnice clothes and plenty of money." When asked as to what she was expected to do to secure all this, Mrs. Noell told her that she would have to

(Continued on Page Three.)

## 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 immineut water famine in Raleigh, and today the situation was changed very little from that of vesterday. 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 rain last night caused much thanksgiving in the city. Even though the fall was not much, it sufficed to lay the dust on the streets and strengthen the hope of the water people and citizens that it was the forerunner of a rain that may break the long drougth and provent suffer-

The weather bureau predicted rain for tonight, and the indications late this afternoon lent hope to the fore-

Everybody is urged, however, to husband the water. The danger has not passed, and until a good rain falls on the various sources of Wal- 178 miles without an escort, nut creek more than temporary re lief cannot be hoped for.

SCOTLAND NECK NEWS.

andidacy 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. Travis is easily one of the state's hest 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 valients

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 commitmittee a number of years, and has always lead in the forefront in the ond Mayor Moyer said that he took ment, always contenting himself with doing what he could for his friends.

Mr. and Mrs. Guy C. Alston, of Seattle, Wash... are here on a visit clatter coat and leather three to Mrs. Maria Kitchin and other relatives. Mr. Alston is a native of Haitfax 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 Neck, has been appointed by Gover-12th to 15th.

Dr. Thurman D. Kitchin has gone his friends will be pleased when he health and be benefitted by the treattime before coming to Scotland Neck ther-in-law, Dr. H. I. Clark.

## 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 H. Smith delivered- the annual ad dress, after which the report of the secretary was read. Lewis, of Huntingon, Pa., made an address on mutual hardware fire insurance. Reports of committees werefe ad and eral presents to the association were ordered sold for the benefit of the as-The afternoon was given to the study of exhibits. There will be several addresses tonight,



She left San Francisco on September 1, 1910, bearing letter from Mayor McCarthy, of that city, to Mayor Gaynor, of New York. Miss Aspinwall has been on the road 179 days, Her diary shows she has traveled 11,-

### 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, Whospeed Alie was from the Pacific exact orseback all the way from the Pacie coust as horseback, must yeu ver the mountains and desert brough cities and fowns, and acros unbridged rivers, after 189 days of ctual riding, Miss Nan J. Aspinwall, he "Montana girl," reined her eliestout mount, Lady Ellen, in front of the ity hall in Manhattan ve perselve to be sure-browned bond a line etter from the mayor of San Francis

The supshrowned band was attroined o a sun browned wrist, chiriched by make. Shewaccahi g sombro and earlet waist, a short brown divided riding word and leather know both with the sliver spars, The young woman had ridden 90

niles at a stretch between Pallon and Austin in the Nevada desert; rudder ront t in the morning till 7 at night. colored graded school of Scotland with nothing to drink or eat; had shot up a lown in Colorado where the nor Kitchin a delegate to the Na- inhabitance proved inhospitable, and tional Negro Educational Congress to had crossed the Tennessee Path, Colo. be held in Denver, Colorado, August When it was snoweded, but she lost her nerve when she got to crowded without Town. She was mighty sholly when she

the heated court room under condi- abducted, Vertie Kindley and Clara to Baltimore to enter a hospital for dismounted from Lady Ellen, who special treatment. Dr. Kitchin sut- looked to be well groomed and "fir" all of the evidence was submitted in that section of the revisal of 1905 fers with some stomach trouble, and after her journey of nearly 4,500 miles at the city hall, and strode with jing fing spars to the mayor's office, wit! a prob pressing at her heels,

Ball yesterday morning, but Presiden Kitchin and practiced medicine in McAneny was on hand, and he sent greet the Montana girl publicly. Moss Aspinwall remounted Lady El-Mr. McAperry, and she handed hin he letter from the mayor of Frisco He shock hands with her on her nerv and endurance, while the crowd ap plauded. Then Miss Aspinwall can tered away to find a hotel for herself and a stable for Lady Ellen.

The longest rest taken by Miss Asdownth on the trip was a week at Denver, and four days at Salt Lake City. She supported herself throughout by giving exhibitions of her skill with the lariet. Lady Ellen, mount were out fourteen sets of shoes on the trip.

### Had a Merry Time.

"By brokey," said Miss Aspinwall "I recken I've had a merry time of it. I certainly ran into stuff fit to fill a book. But nothing ever got my nerve exceptin' this here New Yorkso blamed many people, buildings go ing up in the air till you can't see the rky; fat cops stopping you at every street corner. Gee whizz! I calculate per still with a large capacity. this is some fuss of a town,

"But Mitchell, Colo .-- say, there's th town with the heart of ice, stranger; there's the town. It's winter, and I'm in the Tennessee Pass, with the sugar failing thick. And if I don't get out of that base in a hurry I'll have to (Continued on Page Seven.)

## 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.

Hou. E. L. Travis, of Halifax, was smed by Governor Kitchin vesterday effermoon as corporation councils sioner to succeed the late Henry (1) Brown, and today as unied the duties of his office. The oath was admin stered by Associate Justice William R. Allen, of Goldsboro.

Mr. Travis will serve until the election in 1912 as an appointive offi-

ounty. Va., but moved to Halifax county when he was fourteen years old. From early manhood he has been his county in the state senate. Stace tate democratic executive commit ce. He is a lawyer of unusual ability and should fit in well with his new honor. He is forty-five years

### BIG PYTHIAN MEETING.

### Col. Walker to be Installed ac Vice Grand Chancellor,

(Special to The Times.) Wilmington, July 12 - The Joint Pa elges to make arrangements for Walker Taylor will be tastalle is Vice Grand Chancellor. irollies, held a meeting Menday nigh a complete the final details

Dr. W. C. Galloway presided loseph W. Little, Esq., secretary, tool record of proceedings. Following have a number of elect talks, by Su come and Grand Lodge officers.

The Supreme Lodge officets will come to amin the books of Cap of Exhomer, arrived this morn ug. They were not the the union of Weight-ville Sound, from which post drafted to be sent to Pythians in Will mington requesting their attendance

### GOOD MEETING CLOSED,

About Twenty-five Added to Membership of the Methodist Church.

(Special to The Times )

Louisburg, N. C., July 12, Rev. Bay nond Browning, evangelist, begin a eries of meetings Sunday, June 11, at the Methodist church here, of which Rev. R. W. Bailey is paster, from the beginning the attendance was good. Cotton, 110.2; lemons, 162.2; is said that a rewa an it was intended to be interdenous branges, 100.5; rice, 29.0; beans, fered for his arrest. aimr out of all christons as was deired. The congregations seemed to opeaking carnestly, and no effort made o produce excitement, using the word

man of wonderful personal magnahis language is smooth and his manner pleasing, so that no one takes

Allevation of years standing were

The community generally toned in We think much good has been done

## MOONSHINE MAKERS

arrested in a government agent's rata on several moonshine distilleries in New York and Brooklyn. Two thousand gallons of moonshine brandy, a carload of sugar, a large quantity of mash were seized. One still was Inated 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 cop-

### Noted Lawyer Dead.

New York, July 12-Charles S. Southmayd, once Andrew Johnson's partner, later member of the famous firm of Evarts, Southmayd and slay up there in the mountains all Choate, died at his home here, aged

## sarding the constitutionality of il

## ARTHUR NEWTON SUSPENDED.

Found Guilty of Unprofessional Condact in Handling the Crippen Case.

London July 12 Arthur Newton cas found guiny of professional in: nduct in defending the wife-mur deted Dr. Hawley H. Crippen, by th law society committee and was sto ended for one year from practic He was ordered to pay the inquit Newton, it was alleged, at fee a weekly paper to publish talte state ments regarding the Crippen Case

### Wreck Cleared Up.

Bridgeport, Conn. July 12 3 of ng throughout the night two man dred laborers, will a wrecking train. eleared up the executer near of th creek which marked the flying the of the Federal Express bound craft Washington to Boston yesterday death list stands at twelve. Injured in hospitals, forty-seven. The condition of many is critical.

### Charged With Fraudulent Use of the

antil resently a publisher of several man, also of Wendell. The trouble enterprises, was indicted by the fed- ty line, at Richardson's Mill, in Johneral grand bury on charges of frauds ston county. utent use of the mails.

## COTTON AVERAGES BEST

### Condition of Various Crops at Wendell Monday as the result of 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 nowed the highest average growing ondition of any erop July 1, with emons and oranges ranging second and third. In the general review of crop conditions for June the bureau of statistics, department of agriculunfavorable for growing crops in most parts of the United States.

the average condition, whereas on might run across the man hidden in June 1 the conditions were only 2.8 the woods. cops July 1 and their average grow- ton this morning. ing condition on July 1 of recent! Jernigan is a married man about years, for the past 10 years for most forty-five years old. He was weargroups is shown as follows, 100 repre- ing a slough hat and a brown suit of senting the average conditions and clothes when last seen. He is tall not normal:

national, there was not such a general dry, 98.1; apple, 97.6; pears, 96.3 grapes, 96.1; peanuts, 96.0; rasp. Forest Fires Annihilate Lumber berries, 94.9; corn, 91.6; cante loupes, 94.4; winter wheat, 94.3; sugar cane, 94.1; rye, 93.6; Jima beans, 92.3; flag, 92.1; water midand impertinent sinuers. The meeting ons, 91.6; tomatoes, 99.9; atfallt, her camp news near Wolverine and About twenty-five gave names for sweet potatoes, 88.3; sorghum, 88.0; storch membership. Mr. Prowning is blackborries, 87.9; hemp, 86.2; cabbage, 85.0; tobacco, 84.1; potatoes ism, and is a strong preacher. His \$4.1; spring wheat, \$1.1; broom enumeration, of sin is fearable but corn, 82.2; barley, 82.0; oats, 79.7 timothy, 76:1, pasture, 75.9, peach es, 75.6; bay, all kinds, 74.7; Kato corn, 74.6; clover hay, 72.2; millet,

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, bar IN HEART OF CITY larger, oats 12.3 per cent. less, barles 11.6 per cent less, potatoes 10.8
per cent less, rebacco 22.7 per cent per cent less, tobacco 22.7 per cent less, flax 10.5 per cent more, rice 5. per cent, more. The average weigh 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 was like the old days when Jeffrie was the world's champlon.

#### Caught Big Fish and Died. Portland, Maine, July 12, As the re-

gest fish of the day. Nathan Grott. member of a fishing party, died yesterday of heart disease, aged sixty-

eighty-seven. He appeared in many smaller the income you will need.

# FOR JERNIGAN

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

### 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 St. Louis, July 12 E. G. Lewis, killing Albert Todd, a young white nagazines, and promoter of various occurred just across the Wake coun-

Jernigan and Todd and some other ien were fishing at the mill one day ast 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

Yesterday Chief of Police Johnson of Clayton, learned that Jernigan, the fled immediately after the difticulty, was making his way toward Raleigh, and last night boarded the Southern train in the hope of catching his man. When he reached Ralcigh be enlisted the services of Mr. All Duckett, who was also on the train, and they and Officer Pope, of the local police force, began the search. A man answering the icscription of Jerngan was seen riding on ton 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, ture, says the month was decidedly Freight cars were searched, as well as the wood yard, and the officers then scoured the woods near the pen The aggregate condition of all itentiary. Mr. Duckett got his shep rops July 1 was 10.7 per cent, below herd dog in the hope that the animal

per cent, under the average. A com- The pursuit was finally abandoned parison of the conditions of various and Chief Johnson returned to Clay-

> and rather stooped in his walk. It is said that a reward has been of-

Camps. Detroit, Mich., July 12.-Reports from northern Michagan's fire-swept 90.8: all wheat, 89.6: onions, 88.6: Chybrid are missing. In the towns of enough and Amadde, only the schoolhouse and two dwellings remain.

### Caught In Fence and Burned to Death.

Voirba, Cala, July 12.-Entangled in barbed wars fence. Pitip Aultman, ed civity four, was burned to death. Storman climber through the fence to exempaished a fire in the woods, and caught and he fire surrounded

## MATTAMUSKEET ROAD **GRANTED EXTENSION**

hin and the council of State and apt. George J. Studard, of Washingion, N. C., representing the Mattamusiced Railroad Company, has just resulted in an agreement on the part of the governor and his council to allow an additional thirty day's 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 laber 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 The fewer friends you have the that there is every assurance that smaller the income you will need. the arrangements will be made.