

# New Bern Weekly Journal.

VOL. XXVIII. -- No. 52

NEW BERN, CRAVEN COUNTY, N. C., FRIDAY, SEPTEMBER 29, 1915 -- SECOND SECTION.

28th YEAR



## STATE BANK EXAMINER

Appointed By Corporation Commission. Con-  
dited of 223 North Carolina  
Banks

### Special to Journal.

Raleigh, Sept. 27th.—The Corporation Commission gives out statement as to condition of 223 State, private and savings banks, showing resources \$36,900,024. Deposits \$22,718,000. Increase of resources over one year ago \$6,067,000.

Upon resignation of Mr. Ellington as bank examiner, the corporation commission appointed J. W. Aycock, the latter has resigned, to become secretary and treasurer of Goldsboro Furniture Company. Fabius J. Haywood, Jr., cashier of Southern Loan and Savings bank of Charlotte is appointed to succeed him. Haywood has been connected with banks for ten years, is native of Raleigh, and son of Dr. F. J. Haywood.

### TO ANNUL LEASE.

Of Atlantic and North Carolina Railroad Com-  
pany Suit Has Been Instituted. Reason  
For Suit.

Yesterday in the Superior Court a suit was instituted against the Atlantic & North Carolina Co., and the Atlantic & North Carolina Railroad Company for the purpose of setting aside the lease of the Atlantic and North Carolina Railroad.

It is understood that the owners of some two thousand shares of private stock are interested in this suit. The people of this section are much against the lease and feel that a great property right has been unlawfully taken from them, and at a price much under its value; for instance the entire road with all of its equipments, franchise and privileges has been leased to the Howland Improvement Company now the Atlantic & North Carolina Co., at \$63,000 per year, when the year before, when it was operated under great difficulties, its net earnings were more than \$78,000 per annum, and it is said the present lessees made a net earning of \$79,000 for the first seven months.

Eastern North Carolina is increasing in commercial, agricultural and manufacturing industries more rapidly than ever known, in this country. And the harbors of the South Atlantic seaboard must of necessity share in this increased value which will be produced by the construction of the Panama Canal by the United States government.

We are informed that the basis of the suit is the lack of power of the directors and stockholders to make the lease, and the violation of the various covenants therein, especially the raising of the freight rates from ten to one hundred per cent in direct violation of one of the covenants therein.

It dills the scythe of Father time drives away wrinkles of approaching old age—the elixir of life, that puts hope in the human heart—Hollister's Rocky Mountain Tea. 25 cents, Tea or Tablets. F. S. Duffy.

### School Notice.

At a meeting of the school board on June 5, 1915 all former regulations in regard to pay pupils were repealed and the following rule was adopted for all pupils who live outside of the city limits:

"Pupils living outside of the corporate limits of the city shall pay tuition as follows:

1st and 2nd Grades—\$1.00.  
3rd, 4th and 5th Grades—\$1.50.  
7th, 8th, 9th and 10th Grades—\$2.00.

All tuition shall be due and payable in advance to the Superintendent during the first week of each month.

Any person paying city tax and living outside the city may have the amount of his special city school tax credited on his tuition bill on presentation of his tax receipt.

W. M. WATSON,  
Secretary.

## CRIMINAL CASES

From Durham and Madison Counties  
Occupy Governor.

Again Petitions for Pardons. Confederate Honor Roll Cannot be Considered Original Record. Code Still Delayed in Printing. Koonce's Pistol Carrying Bill.

Raleigh, Sept. 27.—The Supreme court has disposed of the case of Murray of Durham, he was convicted of killing his uncle in an affray. Today attorneys for Murray appeared before Governor Glenn and asked him to suspend the carrying out of the sentence for four years in jail until an application for pardon could be prepared and presented to the Governor. The Governor he would notify attorneys for the prosecution of this petition and would give the matter a hearing next Saturday morning. He told the attorneys that his ruling heretofore that no matter of pardon would be considered unless the petitioner were actually in custody. He said he had repeatedly refused to consider such cases otherwise, and that he saw no reason why there should be an exception unless there were extremely strong evidence.

The Governor was today considering the petition by the attorney, Mr. Ebbs, for commutation of the death sentence of Peter Smith, who out-raged a girl in Madison county, this petition being pressed very warmly and the Governor having respited Smith until Oct. 2, and having directed the judge to take evidence of the girl as to whether she had said she had been forced by her father to swear what she did on the trial. The girl informed the judge that she adhered to what she had said at the trial, namely that Smith had lured her into the mountains and there committed the assault. The Governor thinks the man guilty. Ebbs has sought to make appear that the hearing of the girl's statement by the judge was a re-trial of the case and that he was not present. The Governor said it was no re-trial at all. It looks like Smith will go to the gallows.

State Auditor Dixon who is making up the corrected register of N. C. Confederate troops for the United States War Department, finds that the roll of honor is not regarded as an original record by the Department. The returns upon which it was made were either lost when Governor Vance moved the record from Raleigh to Greensboro in 1865, or were captured by the United States. At all events they are not here. The roll of honor has always been considered in a broad sense an original record.

The public printer is printing 45,000 copies of the new school law and also the August bulletin of the Agricultural Department. There is much delay about printing the new code, and no one knows now when it will appear.

Representative E. N. Koonce of Onslow county is here, on his way home from Greensboro and High Point, which he says are the driest places in the world except Jacksonville, his own town. At High Point he says the people are very public spirited and divide up everything, even the blind-tigers, and that they will not let any one man do all the blind-tiger business. He says he yet believes his bill to make pistol carrying a felony will become a law. He declares that North Carolina cannot spare so many of her good men as revolver victims.

### McCullen-Lee.

A very pretty wedding occurred at the home of Mrs. Sarah Oxley at 41 Hancock street at half past five last night in which Mr. J. P. McCullen of Goldsboro, and Miss Bertie Lee of this city, were made man and wife. The ceremony was performed by Rev. J. J. Douglas, pastor of the Tabernacle Baptist church.

The couple were accompanied to the altar by Mr. Henry Melson, best man and Miss Minnie Oxley, bride's maid. The bride was given away by her brother, Mr. Grant Lee.

The bridal party left on the steamer Neuse for a tour to Northern cities. They were accompanied as far as Norfolk by Miss Ellen Wilson.

Some fine F. F. F. Hama just received at Oaks Market.

Ladies if you want a refined and brilliant complexion free from blemishes, use Hollister's Rocky Mountain Tea. Brings red lips, bright eyes and a cream like complexion. 25 cents, Tea or Tablets. For sale at F. S. Duffy's.

## ANNUAL MEETINGS

Stockholders and Directors Atlantic  
and North Carolina Railroad Co.

President Grainger's Report. New Directors Elected. Finance Committee Elected. With Three Additional Members. Proxy Committee. Presidents Salary Increased. Resolutions to Annual Less Voted Down.

The regular annual meeting of the stockholders of the Atlantic & North Carolina railroad company, was held yesterday, at noon, in the company's offices, in the Trent-river warehouse. The meeting was called to order by Joseph E. Robinson, and on motion a temporary organization was effected, J. E. Robinson, Chairman, C. L. Stevens and W. L. Arendell, secretaries.

The proxy report was offered by H. R. Bryan, Jr., and read by the secretary, showing 4725 shares of private stock represented, with 1028 votes, and 12,968 shares State stock, with 350 votes, a total of 17791 shares with 1378 votes. T. D. Warren represented the State.

### PRESIDENT'S REPORT.

When we took charge of the affairs of your company we found a large volume of unsettled business—more than was anticipated. Many claims and suits were pending against the road, running back for years. The item of suits alone aggregated one hundred and fifty-five thousand five hundred and seventy-nine dollars and forty cents (\$155,579.40), the largest part of which has been compromised and settled. We found more than 2,000 unsettled claims (of all sorts and sizes) outstanding against the road a great majority of which have also been adjusted and cancelled. Many of these suits and claims were in a complicated condition, requiring much work and time for their adjustment. There are still pending two or three suits of some consequence, and quite a number of claims yet unsettled, which are being adjusted as rapidly as well as can be done. The large number of suits and claims accounts largely for the seeming by extraordinary amount of attorneys' fees. Besides these suits that were pending arising out of the operation of the road, came up the well-known Tyler suit in the Federal court. In this case the attorney's fees and the court costs amounted to about \$7,500, which we have paid.

That clause of the lease to the Howland Improvement Company, lessees of your road, reads as follows: "from September 1st, 1904, to December 31st, 1904, the sum of thirteen thousand four hundred seventy-nine dollars (\$13,479.00), which shall be paid on or before the 1st day of February, 1905, and twenty-six thousand nine hundred fifty-eight dollars (\$26,958.00) on the 1st day of July, 1905." These amounts were paid by the Howland Improvement Company when they became due, and your directors ordered these respective payments disbursed in dividends to the stockholders of your company. And the lessee has a no paid into the hands of your treasurer, a per contract under the lease, the interest accruing on the bonded debt of the Atlantic & North Carolina Railroad. And for the faithful payment of all rents, taxes and other obligations assumed by the Howland Improvement Company, lessees of your road, they are under contract in the lease to deposit a sum amounting to \$100,000 in United States bonds or bonds of the State of North Carolina or other securities, acceptable to the directors of your company. This deposit has been made by the lessee in six per cent coupon bonds of the State of North Carolina, maturing April, 1919, placed in the Wachovia Loan and Trust Company, of Winston-Salem, N. C.

Upon completion of the reading of the President's report, Henry Well made inquiry as to the nature of the security put up by the Howland Improvement Company, to protect the road against the lessee, Howland. The amount was \$100,000 and in bonds, and Mr. Well asked as to whether the bonds put up were at par or market value, to make good the \$100,000. It was stated that these at market value made the \$100,000.

C. E. Foy, said the bonds fluctuated in value. President Grainger said this could be changed by order of directors whenever wanted. On motion the reading of the other reports of the company were dispensed with. On motion the temporary organization was made permanent.

In behalf of the private stockholders, Jas. A. Bryan put in nomination for directors for the ensuing year, Dempsey Wood, C. E. Foy, E. C. Duncan, Henry Well. The secretary cast the vote for their election.

The following were elected directors for the State: W. S. Chadwick, Beaufort; C. T. Watson, New Bern; L. P. Tapp, Kinston; W. D. Creech, Goldsboro; J. W. Grainger, Kinston; W. H. Bagly, Raleigh; D. B. Hooker, Bayboro; C. M. Busbee, Raleigh.

## TRUE MURDER B'LL FOUND.

Against Four Hospital Attendants of Hall.  
Governor's New Appointments.  
Special to Journal.

Raleigh, Sept. 28.—This afternoon the grand jury in the Superior Court returned a true bill for murder in the first degree against the four men who as attendants at the Central Hospital for the insane were charged by the coroners jury with the murder of Thos. Nall. The Solicitor will prosecute for murder in the second degree as it is a conviction could not be secured on the graver charge.

Attorneys for the defendants asked a continuance of the case and this was granted to the January term. Gov. Glenn appoints the following Game Warden:

R. E. Booth, Oxford; B. F. Perkins, Beaufort; N. V. Brooks, Roxboro. He appoints Julius S. Mann and J. G. Packett of the penitentiary, as delegates to the Nation Prison Association October 21-25.

### THEY COME AND GO.

Miss Annie Brown who has been a guest of Miss Lillian Tolson, returned to her home in Kinston yesterday after a very pleasant visit here.

Mrs. Edward Plummer returned to her home in Petersburg, Va., after a visit with her parents, Mr. and Mrs. J. H. Green.

Miss Ethel Smith of Goldsboro spent the day in the city yesterday.

Mr. S. R. Edwards, who has been the guest of his sister, Miss Daisy Edwards, returned to his home in Siler City last evening.

Mrs. C. R. F. Edwards, of Roper, is the guest of her sister, Mrs. A. E. Hibbard.

Mrs. Benjamin Battz of Snow Hill, is the guest of Mrs. B. E. Moore.

Mr. Henry Green, of Baltimore, is the guest of his parents, Mr. and Mrs. J. H. Green.

Miss Marie Buys of Havelock has arrived to assume her duties as teacher in the Graded School.

Mr. C. W. Munger and family returned from their summer sojourn at Black Mountain yesterday.

Mrs. Samuel Moore returned yesterday from a visit with friends and relatives in Asheville.

Mr. B. B. Borden of Cherry Point was in the city yesterday.

Mr. R. W. Ward is in Greenville this week, having been called there on account of the serious illness of his father.

Mr. Claude Taylor passed through New Bern Tuesday en route to Wilson, where he expects to start a new business. Mr. Taylor will also visit Asheville and other places before he returns.

### Letter to Oaks Market.

New Bern, N. C.  
Dear Sirs: This story cuts two ways, and teaches two sets of people.

Father Galvin, Westerly, R. I., had his church and residence painted. Good job; and this is how he went at it.

Measured all carefully—seems to have known Devoe.

Then got bids from the painters, paint to be supplied by them and by him.

Saved \$70 by using Devoe. One of those painters ought to have got that money.

Yours truly  
F. W. Devoe & Co.  
P. S.—E. W. Smallwood sells our paint.

### Corinne Runkel Co.

All of next week the Opera House will be lighted for the Corinne Runkel Stock Company. Except Wednesday night, when they fill in their night, out here, at Kinston.

This company is one of excellent standing in the near vicinity of New Bern, and the Raleigh press was loud in their praises of their specialties will be given between the act. A. P. N.

### New York Cotton Market.

The following were the opening and closing prices on the New York Cotton Exchange, Sept. 28.

	Open	High	Low	Close
Oct	10.44	10.53		10.51
Dec	10.66	10.75		10.73

Receipts 30,545

CASTORIA. The Kind You Have Always Bought.

## DEATH OF CHARLES PRICE

At Salisbury. Known in Public Life. Raleigh Liquor Fight. Bernard to Answer.

Raleigh, Sept. 28.—The many friends of Hon. Charles Price, here, learned with deep regret today of his death, at his home in Salisbury. He had been long in public life, first as a member of the State convention of 1875, which changed the constitution; then as Speaker of the House 1876-7 and for many years as United States District Attorney for the Western N. C. District. He was a Republican candidate for Chief Justice.

The liquor element here and all the anti-dispensary forces are delighted at the granting of the mandamus to compel the aldermen to call an election on saloons. The other side is hoping that the Supreme court will decide adversely. The judge who granted the mandamus has the same hope, and very frankly said so. Dispensary people have said that they would win in an election, though of course a great deal of money will be spent by the liquor men, who have already invested heavily in attorneys.

There is a good deal of interest here regarding the answer which Claude Bernard will make to the very grave charges brought against him in the complaint of the father of the girl whom he is accused of having betrayed. He has until the end of the term to file his answer.

Goes further and further. Never stops until you are well. That's what Hollister's Rocky Mountain Tea will do. A great tonic. Makes rich, red blood, firm flesh. 25 cents, Tea or Tablets. Sold by F. S. Duffy.

TO TABLE.

D. Wood	715
Thos. Daniels	18
W. L. Arendell	4
W. W. Crawford	2
T. A. Green	4
Robt. Hancock	1
W. S. Chadwick	23
State	350
Total	1,117

### AGAINST TABLING.

C. E. Foy	37
Lenoir Co.	56
Craven Co.	135
W. T. Dortch	3
Total	231

Chairman declared resolution lost and on motion meeting adjourned.

At the directors meeting held after the stockholders meeting the following officers were elected for the ensuing year: President, J. W. Grainger, Kinston; secy-treas., D. J. Broadhurst, Goldsboro; expert accountant, Hughes Holland, New Bern; attorney, P. M. Pearsall, New Bern. For the State's two members on finance committee. A. C. Davis, Goldsboro; Geo. W. Sumnerell, Kinston.

## WINCHESTER

"Leader" and "Repeater"  
SMOKELESS POWDER SHELLS  
Carefully inspected shells, the best combinations of powder, shot and wadding, loaded by machines which give invariable results are responsible for the superiority of Winchester "Leader" and "Repeater" Factory Loaded Smokeless Powder Shells. There is no guesswork in loading them. Reliability, velocity, pattern and penetration are determined by scientific apparatus and practical experiments. Do you shoot them? If not, why not? They are THE SHELLS THE CHAMPIONS SHOOT

## Boys Suits

We are showing a large line of Boys' Suits, for either school or dress wear.  
Sizes from 3 to 17 in short pants at \$3 and up.  
Long pants suits from 15 to 20 year size from \$5.00 to \$12.50.  
We have a variety of styles and are confident that we can suit you in both style and quality.  
Some reduced prices on boys shoes in sizes from 1' to 5.  
New styles in boys caps, hats, underwear and overcoats.  
The best boys stockings for 15 cents that we have ever shown.  
Come in and let us fit out the little men.

I. G. DUNN & CO.,  
Phone 212 55-57 Pollock St.

## Whitford Hardware Company.

We have removed to our new store, next to W. U. Telegraph office, where we will carry a complete line of General Hardware, Paints, Oils, etc.  
Whitford Hardware Co.  
67 South Front St. New Bern, N. C.

## Ellwood Wire Fence.

Car Load Just Received.  
Cook Stoves, Heaters. Full line Hardware and Builders Material. Heath and Milligan Paints, Oils and Glass.  
Gaskill Hdw. & Mill Supply Co.  
Phone 14

## The Boys Clothes Question

It is an interesting subject to study and, as a rule a most difficult problem to solve  
We Have Studied  
Boys Clothes  
Concluded that Boys are "bound to be Boys" and that they must have a certain amount of sturdiness, along with the style, in the make up of their garments. Boys Shirt Trousers Suits, Single or Double Breasted \$2.00 to \$6.00. — Guarantee goes with our Boy's Clothes.

J. J. BAXTER

TO THE MERCHANT: If you haven't Red Meat Tobacco in stock, write the factory—we will supply you direct

TO THE CONSUMER:

RED MEAT TOBACCO

We give you our absolute guarantee that each 10c plug of Red Meat is made of better tobacco and contains more good solid juicy chewing quality than any other 10c plug of any weight offered or sold by any factory.

Write name and address plainly here:

TO ANY CRAWLER of tobacco who will cut out and mail us this advertisement, we will mail him a card which will entitle him to one 5c cut of Red Meat Tobacco FREE at any store handling this brand.