

New Bern Weekly Journal.

No 68

NEW BERN, CRAVEN COUNTY, N. C., TUESDAY NOVEMBER, 28, 1911--FIRST SECTION

34th. YEAR

NEW BERN BAR PAYS TRIBUTE

Impressive Ceremony at the Court House Yesterday When the Members of the Local Bar Held Memorial Exercises

Yesterday at noon at the court house in this city the members of the local bar, met together for the purpose of paying tribute to their departed member Hon. Chas. C. Clark who passed to his eternal rest since the last term of superior court.

Ex-Judge Henry R. Bryan presided over the meeting and Mr. H. C. Whitehurst acted as secretary. Judge Bryan told in a simple and impressive way the story of the deceased one's life. How he was beloved and honored by all who knew him and of the great loss caused by his death. A number of other short talks were made by different members, and at the conclusion the following resolutions of respect were adopted:

With the change of time this bar has been called to mourn many of its leaders and distinguished members, and as our brethren, one by one, are called from our midst, it behooves us to close up our depleted ranks and unite in paying homage to their memories, and keep ever fresh before us the example they have set, and resolve to keep unimpaired that escutcheon upon which their names are engraved.

The bar of New Bern has from the early days of this ancient capitol, ranked foremost in the ranks of our profession, and from its former list of distinguished townsmen and statesmen, there remains to us today, but two survivors, our distinguished Chairman, Ex-Judge Henry R. Bryan, and our honored brother, H. C. Whitehurst, Esq. to point out to us of latter years, the pathway hewn by the distinguished departed.

A short year ago this bar paid its sad tribute to the memory of the Hon. William W. Clark, whose brilliance and ethical example has been written upon the records of this court by his sorrowing brethren; while today again we meet to spread upon those records this testimonial of sorrow upon the death of his distinguished father, the Hon. Chas. C. Clark.

The walls of the old court nor the dome of the new, has heard a voice whose power and eloquence exceeded his.

The younger members of our profession as they severally entered upon their life's work, found no truer friend and counsellor, nor the elder a friend more worthy of their brightest steel.

And while for twenty years last past, his sojourn in our midst had ceased in the courts, yet in his splendid brain and power of knowledge, his clients found a wise and safe counsellor and zealous guide.

Saddened in life through the death of his partner and son, his latter months were passed in grief and sorrow, and knowing his absorbing love for that son that preceded him, we are comforted in the thought that he is now united in death as in life, with one who was his pride and companion. Therefore be it.

Resolved by the bar of New Bern, that in the death of the Hon. Charles C. Clark, one of its most distinguished leaders has been called from its ranks.

That the memory of his high personal, professional and ethical character, be for us a pathway to follow, and his eloquence and knowledge of men and law, leave behind an example of study and training, that most spur us to greater accomplishment and higher aims.

Resolved, That we unite with his family in their moments of sadness, and that a copy of these words be sent them and be spread upon the minutes of this court.

Respectfully Submitted,
HENRY R. BRYAN,
O. H. GUION,
LARRY L. MOORE,
R. A. NUNN,
November 23, 1911.

Basket Party at Brick Kiln.

Jones County, Nov. 23.—There will be a basket party given at Brick Kiln school house on Dec. 8th. Everybody is cordially invited to a m. Proceeds go for benefit of school building.

Don't say "they haven't got it" till you've tried us.
J. S. Basnight Hdw. Co.

Death of Editor Caldwell.

Morganton, Nov. 23.—Death as peaceful as was the life it brought to a close descended upon Mr. Joseph P. Caldwell, former editor of the Charlotte Observer, yesterday morning at 5:30 o'clock at the home of Dr. John McCampbell, superintendent of the State Hospital here, where Mr. Caldwell had been since he suffered a second stroke of paralysis in June, 1909. He reached the end of his journey in his 69th year, having been born in Statesville, N. C., June 1848, 1848.

O'ER NEUSE, TRENT AND CITY STREETS

The Birdman Makes a Second Day Record Of Very Great Interest to Thousands.

It looks so easy, who would not be a Birdman and mount on the wings of the morning and fly to the uttermost parts of the earth. There is something in knowing how, however, and Aviator Witmer knows the game. As he rises from the earth, his head cased in a leather helmet, staring straight ahead, he represents the up-to-date.

The flights were more spectacular than the first day's, longer, higher, more stately, but as we all desired, not trying the death inviting "spiral glide." The first flight lasted 13 minutes and began at the north end of the field, to meet the gentle southern wind. Rising midway of the course the biplane turned as before over Neuse river and then swung far away to the north, then in a wide detour to the south across the entire city and over Trent river, and thence back to the grounds. On this flight Witmer ascended about twice as high as on Wednesday, making the highest ascent over the field before crossing over the city, perhaps 2000 ft.

The second flight lasted eight minutes and again the course was over the city and many enjoyed the spectacle from the streets. The third time he flew in circles about the locality of the field.

Five thousand people are estimated to have been on the aviation field, and there was a big crowd on the outside also.

Birdman Witmer is a pleasant fellow and likes a good word. To show his steadiness of nerve, on landing he went to the shooting stand and made a succession of good shots at a target. He leaves for Savannah today, to fly three days of next week there, having come here from Atlanta. "No use being afraid," he says, which is pretty good when one has already had a skull cracked and a few bones broken by too practical a demonstration of Newton's in fallible law. Everybody was glad that everything went well, and when he flies again may we be there to see.

All the outgoing trains were packed, and it was standing up. The Pamlico train of four coaches pulled out with a full cargo and as for up Goldsboro way, oh well, you see the Norfolk Southern will enlarge the shops here and have more cars, so don't say a word.

Basket Party at Rhems.

There will be a basket party at Rhems School house, Saturday night, December 2nd. The proceeds to be used for the benefit of the church at that place. A cordial invitation is extended to all to attend and a pleasant evening is assured.

PERSECUTION RATHER THAN TRIAL

Declares Gompers, Would Go To Jail But Delegates Will Fight.

Atlanta, Ga., Nov. 25.—"Let us go to jail and end it," John Mitchell said in the convention of the American Federation of Labor when the news arrived that Justice Wright of the Supreme Court of the District of Columbia had decided that Mitchell, Samuel Gompers and Frank Morrison must again stand trial for contempt of court. "I want to serve my sentence and get it over with."

"No, we will fight it to the end," shouted the delegates in chorus, and by unanimous vote the convention at once decided to fight the contempt proceedings through every court.

"This whole proceeding," Gompers said, "has been in the nature of persecution rather than trial. It is hard to understand how a man so lacking in judicial temperament as Justice Wright could be raised to the bench. He is mentally incompetent for his place," at which the delegates cheered.

The convention appropriated \$50,000 for the McNamara defense in Los Angeles, and by a vote of 176 to 2, \$60,000 more will be raised by taxing the salaries of officers of the federation and of affiliated unions one week's pay for the same purpose. Appeal will also be made to wage workers all over the country to subscribe to the campaign fund of Job Harriman, the Socialist candidate for Mayor of Los Angeles.

FOR RENT.

One-horse farm, adapted to corn and cotton, fine open range, good residence and out buildings, wire fence, well drained, orchard and vineyard, excellent water, healthy. An ideal place for small family who wishes to raise poultry and stock. Address X, care of Journal Office.

THOUSANDS SEE HORSES RACE

Yesterday's Track Events Was the Feature of The Day's Program.

The horse racing at the Aviation Field yesterday afternoon proved to be one of the most attractive features of the event. Long before the hour which had been announced for the races to begin the spectators began to arrive. From then until the first race was called they continued to pour through the gates and when the starting gong was sounded there were fully five thousand people on the field.

Promptly at 1 o'clock the judges who were to decide the races entered their stand and the first race was called. Owing to the fact that one or two of the horses could not be properly controlled, there was some delay in starting the first race but the others were carried out without a hitch. Every one was anxious to see the horses when they started and the attendants had considerable trouble in keeping the people off the track so that the drivers would not be hindered and so that no one would be injured. However they succeeded so well in keeping the crowds back that only one man was struck and fortunately he was not hurt in the least.

In the Farmers Race, House won the first heat, his time being 1.384 seconds. Campen came in second. In the second heat, House won the heat and also the race in 1.324.

In the Free For All Race, Cox won the first heat in 1.223, Hancock came in second. In the second heat Cox won the heat and race in 1.21. Hancock won second money.

In the Gentleman's Driving Race Cox won first heat in 1.19. Dawson second. Cox won the second heat and the race in 1.21. Devore won second heat and money in this race.

In the Running Race Edwards won the first heat in 1.18. Taylor second. Edwards won the second heat and the race in 1.15. Taylor second.

Immediately after these races had been concluded Miss Nettie Fowler and Mr. B. B. Hurst, both driving fine animals ran one heat. Miss Fowler's horse showed up in fine form and easily defeated the animal driven by the general county treasurer. Miss Fowler's driving was perfect and evoked much applause from the immense throng who witnessed the race.

Yesterday's races showed that there are some fine animals in this section of the State and with a little care and training would develop into some of the best race horses in the country.

WANTED—100 men to work in saw mill and planing mill at Dover, N. C.

Washington's Ni-Football Players Raise Pitiful Wall.

When the team of football players from Washington, N. C., who came over to this city Wednesday morning for the purpose of playing a game with the New Bern graded school football team and who made such a miserable failure when it came to a 'show down,' returned to their native heath, they were requested to tell "how come."

In brief this is the account contained in Thursday afternoon's edition of the Washington News of what the team related when they reached home:

"The work of the referee cannot be condemned too forcibly. His decisions were biased; his conduct to other officials of the game was extremely discourteous; his remarks to the players were domineering; his attitude was one of defiance; and every little, courteous protest he took as a direct affront. His knowledge of the game was poor; his judgment ridiculous.

Scores of New Bern people termed the decision "raw" and rotten," and it was the unanimous opinion of the Washington delegation that not only had we not received a square deal, but also there had been no disposition on the part of the referee to give the local boys their due."

We do not believe that our esteemed contemporary published this account with the knowledge that it is practically a fake in every particular, but that he listened to the squeal put up by the fairly defeated would-be-players and believed every word they were saying.

The writer has been familiar with the game of football ever since he was strong enough to punt the leather and has never seen a game more fairly played, in fact the referee gave the visitors several chances which they did not earn. Three games have been played by these two teams and in two of them a Washington man refereed the game. Needless to say New Bern lost those two games. In the third game a New Bern man, who is noted for his fairness, was the referee and if there was any partiality shown it was in favor of the visitors. New Bern won by a score 5 to 0 and if the Washington team wants to help why let 'em do so.

BUSY DAY IN SUPERIOR COURT

W. H. Hancock Loses Out In His Damage Case Against Norfolk-Southern Railway Co.

Although only a few cases were disposed of during the day's session, yesterday was a very busy day in Craven County Superior Court which is now in session in this city.

In the case of Hancock vs the Norfolk-Southern Railway Company, in which the former was suing for \$5,000 damages for injuries received while he was in the employ of the defendant company, the jury returned a verdict in favor of the defendants.

The case of the Parker Buggy Corporation vs the Atlantic Coast Line Railway Company, in which the plaintiffs were suing for damages caused by delay in transportation, the jury awarded the plaintiff damages in the sum of \$225.

In the case of Joe Bynum vs the Roper Lumber Company, the plaintiff was awarded damages in the sum of \$150 for injuries received while he was in the employ of the defendant company.

The case of Baxter vs Irvin was next taken up. In this case Mr. J. J. Baxter was suing Mrs. B. A. Irvin for breaking a contract. The jury returned a verdict in favor of the defendant.

Ton of Fertilizer For No. 264.

The ballot box containing the votes which were cast at the Craven Chemical Company's booth during the Agricultural Exhibit in this city was opened yesterday afternoon in the presence of a committee of three disinterested persons, who drew No. 264 from the box. The persons who vote at this booth will please look at their number and the one who holds 264, will notify the Craven Chemical Company, present their ticket and receive the \$25.00 ton of fertilizer which was offered by the company in this voting contest.

Don't let the cold snap catch you without a heater from J. S. Basnight Hdw. Co. 67 S. Front St., Phone 99.

Not In Our Class.

Salisbury Post 23—Aviator Whitmer, one of the Curtiss birdmen, made two flights at New Bern yesterday in the presence of 10,000 people. Lincoln Beachey, the famous and world renowned aviator, made four sensational flights and carried two passengers in his Curtiss aeroplane at Fair Park, Salisbury, yesterday, in the presence of the enormous throng of 400 people!

CHAMBER OF COMMERCE WORK

To Have New Bern Raise Its Portion to Complete Road to Open up Fine Country.

Some weeks ago the Journal noted in its columns that the farmers living in the lower end of Beaufort county, and those living this side of the county line, usually designated as the Aurora section, wanted to trade in New Bern, but owing to the long distance one way, and the nearly impassable road the short way, they were kept away. Coming to New Bern a delegation of farmers, called at the Chamber of Commerce offices, and showed how by building up about four miles of roadway, and draining a portion, there would be opened up a direct road to Aurora, a road that could be traveled every day in the year. The road that needs opening is known as the Walker road, to show their confidence in this roadway, repairing of the Walker road and the building up of the entire road, of some 20 miles, the delegation pledged to raise \$250 of the \$1,000 they considered as necessary for the road work. They had subscription lists made up, and the Journal has just received word from Mr. N. A. Purifoy, one of the committee, that they have nearly \$800 subscribed and now wait for New Bern to do its share. Any merchant in New Bern can tell what the opening up of this country would mean for the retail trade of this city. Good roads are as much needed as railroads, and it seems impossible to believe that there should be any hesitancy on the part of New Bern merchants, specially the Chamber of Commerce to at once secure the money necessary to be added to what the farmers have subscribed to complete this direct road. Here is a case of trade seeking New Bern. Rather unusual, for the rule is the other way. There should be public action at once on this matter. It means thousands of dollars of trade annually for the merchants in this city.

POWERS UNABLE TO AGREE

So That Slaughter of Chinese And Foreigners Continues Uninterrupted.

Peking, China, Nov. 24.—The massacre of foreigners is still going on in Shensi province, according to information received here. In the same province more than 2,000 Manchus have been slaughtered.

It is also reported that foreigners are being murdered at Yunan. Five thousand corpses strew the battle field at Hankow as a result of two days' fighting. The anti foreign agitation is assuming a dangerous character.

The development of the anti-foreign outbreaks are taken by every one here as foreshadowing almost immediate intervention by the powers. It is said the only reason there has not already been vigorous intervention is because the powers cannot as yet agree upon a plan.

Premier Yuan Shi Kai is taking advantage of the jealousies and rivalries among the nations with interests in the empire to play one against another, which he has done with considerable success. It is believed, however, that the Premier would not oppose intervention if assured that it would save the Throne. He is constantly conferring with the Ministers and Ambassadors here. Stories that an attempt was made to assassinate the Premier Monday lack confirmation: There is no doubt, however, that the revolutionaries are on the outlook for a chance to kill him. It appears that the day in the rebel attack on Nankin is due to the fact that the arrival of the warships recently captured from the Imperialists is awaited to join in the engagement by a bombardment from the river.

Washington, Nov. 24.—In the face of an unexplained delay in dispatching to China troops which it was announced a week ago would be sent from Manila reports of serious interventional complications were numerous. These gained strength in the fact that Cabinet officers of the State, War and Navy Departments held frequent conferences, the subject of which they refused to disclose.

Brand New Line

of Rugs just in from the mills, 9x12 Ax-minister, in beautiful shades, extra heavy at \$20.00, 9x12 Wilton at \$27.50, 9x12 Brussels at \$25.00, 9x12 Topsy at \$12.50, small rugs to match. Now is the time to make selection, as my stock is complete.

J. S. MILLER,
The Furniture Man.

"When Cannibals Captured Me"

That's the title of an amazing story to be featured in the Magazine Section of next Sunday's, New York World, narrating the thrilling experiences of a New York City broker who suffered terrible hardship and had hair-raising conflicts with cannibals in Patagonia, barely escaping being eaten by the South American savages. This is a tale the truth of which makes fiction sink into insignificance in its telling. No person should miss reading it. Then there will be a score of other big articles in the Magazine Section of next Sunday's World. Order in advance and read them all.

Epworth.

Go to Epworth Thanksgiving night Nov. 30th.

The concert will make you laugh all your life.

You may win a heart and that will make you a good wife.

Only twenty cents to get bushels of sense.

The American Bankers' Association endorsed the Aldrich monetary plan.

STOMACH TONIC

Puts the Stomach in Splendid Shape and Supplies Vim, Vigor and Vitality to the Whole Body.

If you feel all run down, out of sorts, nervous and depressed, go and get a 50-cent box of MI-O-NA stomach tablets today.

Take every one of them according to directions and when they are gone you will feel like a different person.

MI-O-NA stomach tablets will renovate your disordered stomach and bowels, they will put life into your inactive liver.

They will banish nervousness, brain fag, dizziness, headaches, night sweats, and sleeplessness.

MI-O-NA will stop sour risings, gas and heartburn in five minutes. Large box 50 cents at Bradham Drug Co. and all druggists everywhere.

NO GAMBLE IN THIS CONTRACT

Highest North Carolina Court Upholds Judge Martin in the Bell Cotton Case.

Finding no reversible error, judgment for the plaintiff for damages in the cotton future case of Rodgers, McCabe & Co. of Norfolk against J. H. Bell from the Edgecombe Superior Court has been affirmed by the Supreme Court of North Carolina in a long decision given by Mr. Justice Hoke. It was pleaded that the contract for future delivery of cotton upon which the suit had been based was a gambling contract and that no damages could be awarded against the defendant.

The first of these cotton cases involving the point of "futures" was tried before Judge Martin in a case brought in the Court of Law and Chancery at Norfolk. Subsequently cases were brought in North Carolina where the judges followed Judge Martin who is now supported in this contention by the highest court in North Carolina.

The facts out of which Rodgers, McCabe & Co.'s suit against Bell grew were as follows:

A written contract between the parties was entered into whereby Bell agreed to deliver 50,000 pounds of cotton at the depot or boat landing in Pollockville, N. C., on or before January 1, 1910, and a stipulation that in case of failure to deliver the cotton, or any part thereof, the damages should be adjudged at the highest price in the above mentioned market any day between September 10, 1909, and December 1, 1909. About 20,000 pounds were delivered according to the contract. This suit is for damages for failure to deliver the balance. Bell alleges that no actual delivery was ever intended, but that it was a gambling contract and offered evidence to that effect. The jury found a fact that it was not a gambling contract and from the judgment for the plaintiff, Bell appealed to the Supreme Court which affirms the court below.

New Bern, Take Notice.

Mr. Editor—Please stop my ad at once. Since my last ad was placed in your paper my business has increased so I cannot hardly wait on my customers. Please stop until further notice. One fine mule for sale—"Big Hill," the Shingle and Paper Roofing Man.

New Autos Purchased.

The Hyman Supply Company have sold to Mr. W. B. Blades a handsome 1912 model Cadillac Touring Car, and to Mr. E. E. Bell of Pollockville, an E. M. F. Car. These autos are of high class, two of the several classes that the Hyman Supply Co. are agents for in this city.

BRUTAL ACTIONS CHINESE PIRATES

Rebels Continue to Have Best in Fights. Bitter Against Foreigners.

Hongkong, China, Nov. 25.—After a desperate fight with the crew in which chief officer H. J. Nicholson, an Englishman, was killed, Chinese pirates captured and looted the British steamship Shiun, near Kongkong, according to advices received here.

The pirates brutally mishandled everybody aboard the ship following their capture of the vessel, looting off the legs of two Chinese passengers in mere sport.

The attack on the Shiun marks the climax of atrocities perpetrated by the pirate crews which have swarmed in all Chinese waters since the rebellion broke out. The English naval authorities are expected to take vigorous action immediately toward suppressing them.

Tientsin, Nov. 25.—The rebels had much the best of Friday's fighting near Hankow, according to messages received here. They drove the Imperialists northward along the Hankow-Peking railroad. The losses on both sides was enormous.

Peking, Nov. 25.—Revolutionists in Pechili province are marching on Kalgan and say they will move thence against Peking. A panic prevails among the Manchus in the city. As their terror increases the Manchus are growing more and more bitter against foreigners. So tense is the feeling that it was decided advisable to increase the legation guards. The British Consul at Chungking, Szechuan province, reported that a republic was declared there Nov. 23d. He adds that foreigners in his locality are safe.

COTTON CONDITION THE PAST WEEK

Indicate Healthy State. Exports Large. Sales To Mills. Deadlock In Prices Continue.

New York, Nov. 25.—Cotton has alternately declined and advanced on a steady absorption by spot interests, spinners and shorts. Bombay will, it is said, take 250,000 bales this year, the largest total ever known. The yarn trade is improving. Several orders for knitting yarns, aggregating about 250 pounds, were taken by New York State mills on Wednesday. Spinners continue quoting prices that are about a cent above the market. The Southern yarn markets are also reported firm. Fall River is active. The week's sales are expected to be unusually large. Some French and German mills are buying cotton on the present basis for delivery several years ahead. Large New Orleans operators are buying the next crop months. So are continental spinners in Liverpool. They are said to be buying them on a very large scale.

The \$50,000,000 scheme to advance Southern farmer \$25 a bale on securing his pledge to restrict his next acreage, takes two million bales off the market, and then buy futures against it while it is denounced by many as absurd is regarded by others as possibly an entering wedge to clear the way for some better method for marketing the cotton than that which has heretofore been pursued. Meantime, holding back cotton at the South is still a noticeable factor in the general situation. The short interest here is said to be still large and the shorts and everybody else, it is declared, seems anxious to seize the opportunity to buy when the price reaches bottom. But what will prove to be the bottom is not assured. Has it already been reached, or must the price decline further. Meantime many traders fear to sell a dull market. The exports are enormous. On the other hand, prices fail to advance materially. Though the ginning figures for the last period were 230,000 bales smaller than were generally expected, the total, 10,295,986 bales was after all the largest on record. The receipts are large. The weather has recently been favorable for picking and marketing. "The cotton is there whatever the reported ginning," is a remark often heard. Corliss has increased his estimate of the Texas crop from 4,150,000 bales to 4,500,000 bales, which makes his total estimate of the crop 15,775,000 bales.

Spot houses have lately been selling January. The December premium has fallen off. The big preponderance of low grades in a large crop this year some think, may yet prove a depressing effect. As the case stands, however, cotton is being absorbed in sufficient quantities to keep the prices steady, though the Liverpool cotton exchange members estimate the crop on the average at 14,811,000 bales, and the Memphis Commercial Appeal puts it at 15,025,000 bales. The tenacity with which the price holds is exciting widespread comment. Some continental spinners are buying cotton as far ahead as it is stated, as 1918. Not changes in prices for the week are slight. The deadlock of six weeks is practically unbroken.

Lived in Three Centuries.

A death of more than usual interest occurred this week at Arapahoe. Simon Boskey, who was perhaps the oldest man in the State, if not in the whole country, died at the great age of one hundred and twenty years. He was born a slave, according to the records, in 1791 and therefore lived in three centuries. He was an industrious, quiet old negro, well liked by all who knew him, and was active and hearty until quite recently.

Thirty-three persons were killed in a boiler explosion at Liverpool.

Rebels Continue to Have Best in Fights. Bitter Against Foreigners.

Hongkong, China, Nov. 25.—After a desperate fight with the crew in which chief officer H. J. Nicholson, an Englishman, was killed, Chinese pirates captured and looted the British steamship Shiun, near Kongkong, according to advices received here.

The pirates brutally mishandled everybody aboard the ship following their capture of the vessel, looting off the legs of two Chinese passengers in mere sport.

The attack on the Shiun marks the climax of atrocities perpetrated by the pirate crews which have swarmed in all Chinese waters since the rebellion broke out. The English naval authorities are expected to take vigorous action immediately toward suppressing them.

Tientsin, Nov. 25.—The rebels had much the best of Friday's fighting near Hankow, according to messages received here. They drove the Imperialists northward along the Hankow-Peking railroad. The losses on both sides was enormous.

Peking, Nov. 25.—Revolutionists in Pechili province are marching on Kalgan and say they will move thence against Peking. A panic prevails among the Manchus in the city. As their terror increases the Manchus are growing more and more bitter against foreigners. So tense is the feeling that it was decided advisable to increase the legation guards. The British Consul at Chungking, Szechuan province, reported that a republic was declared there Nov. 23d. He adds that foreigners in his locality are safe.

LUZIANNE COFFEE

Good with milk, delicious with pure sweet cream. Blends perfectly with either losing no part of its flavor. It's guaranteed to please. Try it!