

WINS HIS CASE AGAINST ELKS

J. M. Arnold Awarded Damages Yesterday Morning in the Sum of \$585.

JURY DELIBERATED LONG

Suit Grew Out of Tearing Down of Brick Wall Adjoining Elks' Temple Site.

After being out all night the jury in the case of Arnold vs the Elks Construction Company et al. yesterday morning returned a verdict awarding the plaintiff damages in the sum of five hundred and eighty-five dollars.

This suit grew out of the tearing down of a brick wall several years ago located just north of the site now occupied by the Elks Temple. The wall was left standing after a building owned by J. M. Arnold, then residing in this city but now of Vanceboro, had been destroyed by fire. The owner of the building objected to the wall being razed but the Elks Construction Company were afraid that it would cause them some trouble in one way or another. Dwight Styron, then chief of the New Bern Fire Department, was consulted in the matter and he ordered the wall to be torn down and this was done.

The case was taken up Monday and was stubbornly fought by both sides, a large number of witnesses being placed on the stand. Moore & Dunn represented the defendants while R. A. Nunn and W. D. McIver appeared in behalf of the plaintiff.

The case of Jones vs Vanceboro Steamboat Company was next taken up. This was not concluded at the close of the day's session.

NO LICENSE, ARRESTED

Joe Buck, Colored, Held For Preliminary Hearing Nov. 30.

Late Saturday night U. S. Deputy Marshal Samuel Lilly placed under arrest near Vanceboro a colored man named Joe. Buck. Several months ago a warrant was issued against Buck by the government charging him with retailing spirituous liquors without a government license. In some way he learned of this and has since that time succeeded in eluding arrest until Sunday night.

Buck was brought to this city yesterday and taken before United States Commissioner C. B. Hill for a preliminary hearing. Owing to the fact that one or more of the government's witnesses were absent the case was continued until Nov. 30th and the bond fixed at one hundred and fifty dollars. Failing to secure this amount he was committed to the county jail to await the next term of Federal court.

MOTOR BUS FOR THE JAMES.

The Hotel James will introduce an innovation in this city in the near future. This will be a motor bus line between the hotel and the union passenger station. Motor buses are now in use in many large cities and are giving perfect satisfaction. The cars have not been purchased at the present time but will be selected within the next week or two and shipped to New Bern promptly from the factory.

INSANE PROBABLY.

Chief of Police W. H. Smith of Vanceboro arrived in the city yesterday with James Blango, a colored man of that town who is supposed to be mentally deranged. Blango was placed in the county jail for safe keeping until an examination of his mental condition can be made.

MORTALITY IN SENATE IS HIGH

No Fewer Than Thirty-Four Members Have Died in the Last Twelve Years.

The List Includes Only Those Who Succumbed While In Harness.

Washington, Nov. 26.—The death rate among members of the United States Senate during the last 12 years has been little short of appalling. The passing away of Senator Rayner runs the death list up to 34 in that period, which shows that more than one-third of the total membership of the upper branch of Congress has passed away. These figures do not include the members who died after retiring from the Senate, but only the men who succumbed while in harness. The present membership of the Senate is 96.

The death roll includes some of the strongest characters and most prominent statesmen of the present generation.

Senator Rayner's death is the fifth, counting Vice-President Sherman, among the members of the upper chamber in the last eight months and during the present session of Congress. Senator Robert L. Taylor, of Tennessee, died last spring after a term of 11 years; Senator George S. Nixon, of Nevada, who was elected in 1905, was stricken down last summer, and once a month ago Senator William B. Horn, of Idaho, who had served since 1903, passed away after a few months of illness.

The fatality among Maryland members has also been striking. Senator Rayner is the third Marylander to die in harness during the last five years. Senator Arthur Pue Gorman and Senator William Pinckney White, both of whom had served in the upper chamber with him, yielded to the fearful strain and arduous labors which are now a part of the life of a Senator.

In the last dozen years such powerful figures as Marcus A. Hanna, of Ohio; John W. Daniel, of Virginia; Redfield Proctor, of Vermont; Stephen B. Elkins, of West Virginia; William P. Frye, of Maine; John T. Morgan and Edmund W. Pettus, of Alabama; George F. Hoar, of Massachusetts; Cushman K. Davis, of Minnesota; Matthew Stanley Quay, of Pennsylvania, and J. P. Dolliver, of Iowa, have disappeared.

HOME MISSIONS NEEDED.

The frequent appearance of news items bearing on white slavery shows how depraved a good-sized element in this country is. Home missions, which are to have a week's celebration in New Bern beginning next Sunday and which were emphasized by a week's celebration in other parts of the country two weeks ago are surely combating a great evil. There are few heathen countries which can produce a more hideous evil than exist right here in America. White slavery is a mere symptom of a badly diseased condition of public morals.

FIRE DAMAGES DWELLING.

Fire supposed to have originated from a defective flue caused considerable damage to a dwelling house owned by Ralph Davenport and located on Miller street shortly after 7 o'clock yesterday morning. The fire had gained much headway before it was discovered and it was only due to the prompt response and hard work of the fire fighters that the building was not destroyed. The loss is estimated at three hundred dollars partially covered by insurance.

EXPECT TO GET CHEAPER EGGS

Cities Believe Parcel Post Will Cause Reduction in Food Cost.

POULTRYMEN SELL DIRECT

Regulations Worked Out Under Which Dressed Poultry and Meats Can Be Carried.

Washington, Nov. 25.—The Parcel Post Commission after months of study and investigation, have worked out regulations by which eggs, meats and dressed fowls can be safely carried through the mails from the farm to the city consumer under the Lewis "Farm Products" provision of the Parcel Post law, which becomes effective January 1.

Manufacturers have submitted to the commission a scheme for light weight corrugated paper boxes in which these articles can be packed for transportation without fear of damage. The egg crate is made of strong corrugated pasteboard. It consists of square partitions for each egg, and the scheme is one which the postal experts declare will enable the poultrymen in the country to ship eggs to any part of the United States. Boxes have also been made for meats and dressed fowls.

The scheme is one which it is said will go a long way toward breaking down the high price of eggs in the cities. The poultrymen on the farm, it is pointed out, can advertise in city newspapers for customers of a dozen eggs once or twice a week, delivery by parcels post. At the present time the price of eggs in the cities is nearly three times greater than it is in the country. The same scheme regarding dressed fowls can be worked, by which the city consumer can have delivered at his door a dressed chicken at a little over half what it costs retail in the cities. The city butcher, on the other hand, with the meat crate that has been provided for him, can send to the urban resident or a nearby farmer every morning a roast or steak. With the establishment of these facilities the postal experts declare it now remains with the city merchants and the poultryman and trucker in the country to extend their trade through the medium of the parcels post.

The Parcel Post Commission has also worked out the insurance regulation, by which valuable packages sent by city merchants to their urban trade can be indemnified in case of loss. This means that the insurance provision of the law will be put into operation when the parcels post is inaugurated in January. The collection delivery system has not yet been perfected, but the experts expect to originate a scheme for returning the money collected on delivery of packages without much bookkeeping on the part of the Government. Some of the experts believe that the parcels post collection delivery business will eventually bring fractional currency. If this is done, they contend, the problem to return money will not be hard to solve.

Steps were taken today by Postmaster General Hitchcock to ascertain just to what extent city and town merchants intend to use the parcels post. Each postmaster, has been sent circulars that contain a number of questions which, when answered, will give the department detailed information as to any particular city, town or locality, showing the average number of fourth-class parcels now mailed; the number that will probably be mailed when the parcels post law becomes effective, together with the average weight of the parcels and their average size; what proportion of the entire number will be mailed in large quantities at frequent intervals or in regular daily mailings; what percentage of the parcels will be insured, registered, made up of perishable or fragile articles, and whether when the "C. O. D." feature is placed in operation any considerable portion of the parcels will be sent by that method.

With this information available Postmaster-General Hitchcock believes that it will be possible for him to begin the parcels-post service on January 1 with the necessary equipment, and thus establish a nation-wide service of large proportions with the least possible friction. It is his desire to give to the patrons of the postal service at the outset all of the privileges and advantages contemplated by the law establishing the parcels-post system.

LADIES TO GIVE BAZAAR.

The public is cordially invited to come next Wednesday Dec. 4th, to the Bazaar given by the ladies of the Episcopal church at the parish house. There will be many new and attractive features, numerous fancy articles at reasonable prices suitable for Christmas gifts. And lots of fun for the little folks. Instead of the old fashion fish pond, something entirely new, that will be a great surprise and delight to them, also beautifully dressed dolls, Japanese toys and articles of various kinds—potted ferns and flowers, all sorts and kinds of good homemade candy, as well as delicious refreshments.

BRICK SCARCE. CEMENT IS TOO

Hard to Get Either Variety of Building Material and Prices Are Very High.

BRICK ARE A DOLLAR HIGHER

Difficulty of Getting Labor Is One of The Reasons of The Advance.

One of the greatest problems that the local contractors and builders are facing just at this time is the scarcity and high prices of brick and cement. This condition is accounted for by several causes, one of which is the scarcity of freight cars in which to transport the brick from the yards and the cement from the manufacturing plants.

In November, 1910, brick could be purchased at about six dollars per thousand. A few months ago this price was increased fifty cents a thousand and recently another fifty cents has been added. They are now selling at the yards for seven dollars per thousand. There are several brick yards within a radius of twenty-five miles of New Bern and the greater majority of the brick used here are secured at one or the other of these. The freight rate is about eighty cents per thousand, making the cost delivered in New Bern about eight dollars per thousand.

Then, too, the brick manufacturers say that they are handicapped in securing sufficient labor and this tends to make an increase in the price of their product.

The price of cement has also increased, though not so much in proportion as brick and it is hard to secure prompt shipments of large quantities. This condition prevails not alone in New Bern but in a large number of towns in North Carolina. Particularly in the Western part of the State it is causing much trouble.

The demand for both these varieties of building material has been very large during the past few months and this has doubtless had something to do with the present condition.

PREDICTS DAY OF DEATH

Pamlico County Man Dies on Day He Set For His Demise.

William Ward, an aged and highly respected citizen of Stonewall, Pamlico county, died yesterday—the very day on which last Sunday he said he would die.

Mr. Ward and his wife had been in feeble health for some time and as they were very old—he 78 and she 73—their death had been expected by friends and neighbors as liable to occur at almost any time.

Sunday Mrs. Ward passed away. Her husband was critically ill at the time. When notified that his wife had breathed her last the aged man, on rallying from his grief, remarked "Well, Betsy has gone. I will go Wednesday". Yesterday at 11 o'clock the end came.

Mrs. Ward's funeral took place Tuesday. Her husband's will take place today. Mrs. Ward was an aunt by marriage of Postmaster J. S. Bannight.

ARTICLES SOLICITED

Committee Seeks Information to Be Used in Magazine.

The undersigned committee was appointed at the last meeting of the Daughters of the Confederacy to gather sidelights, personal experiences, unrecorded stories and anything that will throw light on New Bern and surrounding country from 61-67, also adventures and achievements of New Bern men and women during the Civil War. These articles are to be printed in the January number of Carolina and the Southern Cross, a publication endorsed by the U. D. C. and made the official organ of the Children of the Confederacy. Letters or other documents sent to any one of the committee will be preserved with care and returned in good condition.

SHIPPING NOTES.

The schooner Linie B. of Beaufort came in yesterday morning with a cargo of oysters. The power boat Nellie Oriole of Bairds Creek was in port yesterday with a cargo of country produce. The schooner Daniel Fowle of Beaufort was in port yesterday after a cargo of general merchandise. The power boat Charmer of Swansboro, came in yesterday with a cargo of country produce. The schooner Alfonso of Baird's Creek was in port yesterday taking on a cargo of merchandise. Two large barge loads of lumber left this port yesterday enroute to Norfolk.

PROVIDING FOR EX-PRESIDENTS

Senator Burleson Joins Carnegie In Trying to Make Their Future Safe.

WANTS THEM AS LAWMAKERS

Give Them Privileges of Floor, No Vote and a Salary of \$17,500.

Washington, Nov. 25.—As a result of the discussion aroused by Andrew Carnegie's offer to pension ex-presidents and their widows, a movement is already on foot to avoid the need of the pension for retired Presidents by making them permanent "Representatives-at-Large" with seats in the House.

Representative Albert S. Burleson, of Texas, who has been prominently mentioned for Secretary of Agriculture in the Wilson Cabinet, is behind the scheme, and he has already drafted a provision which he will try to induce the Committee on Appropriations to insert in the Legislative, Executive and Judicial Appropriations bill. His proposed provision is as follows:

"Hereafter every ex-president of the United States shall, during his life, be held and regarded as a Representative-at-Large of the people of the United States and shall be entitled to the privilege of the floor of the House of Representatives, with all the rights of members of the House of Representatives, save that of voting, and shall receive for his services an annual salary of \$17,500 provided that no obligation to serve on committees of the House shall be imposed upon such representative."

Mr. Burleson said that such members as he had met seemed to approve his plan. A subcommittee of the Committee on Appropriations, of which Mr. Burleson is a member, is already at work on the general bill, and Mr. Burleson hopes to have the subcommittee first, and then the full committee accept his text or something like it as a part of the original measure that will be reported to the House. If the provision meets general approval Mr. Burleson will order to protect it against a point of order new legislation by securing from the Committee on Rules a special resolution permitting it to stand on its merits.

To give the proposed "representatives-at-large" votes in the House would, of course, require a constitutional amendment but such an amendment, in Mr. Burleson's opinion, would be unnecessary for his plan. The Constitution provides that "the House of Representatives shall be composed of members chosen every second year by the people of the several States." But that section has not been construed as preventing the seating of territorial delegates and the resident commissioner from Porto Rico and the Philippines.

Under Mr. Burleson's plan ex-presidents, except for the larger salary, would be in the position of territorial delegates who can speak in their own right, but cannot vote. Should it be adopted Colonel Roosevelt could address the House whenever he secured recognition, and he and President Taft would face each other after March 4. Their presence in the lower chamber, in Burleson's belief, would add to the prestige of the House.

The feeling is that Congress will probably take some action in answer to Carnegie's offer, which has been regarded seriously here as chiefly as a challenge to Congress. His proposal has been almost universally condemned, but many Congressmen have expressed the opinion that something should be done to provide for ex-presidents. Mr. Burleson's provision will probably be the center of a warm discussion from which some form of pension legislation for ex-presidents may emerge.

SHRINERS TO MEET.

On Thursday, December 5, Shriners from all sections of North Carolina and from adjoining States will gather at Charlotte for the annual meeting and ceremonial session of the Oasis Temple, Ancient Order, Nobles Mystic Shrine. It is estimated that there will be five hundred nobles and novices present. Among these will be Dr. J. F. Rhem, of this city, who is the illustrious potentate of the Shrine, and probably others from New Bern. Oasis Temple is one of the largest and most important in the South and that the visiting Shriners will be given a royal reception is the aim of the Charlotte members. This is a meeting similar to the one held in July, 1911, in this city.

CROOM BOUND OVER.

Oscar Croom, the colored shoe maker who was placed under arrest Tuesday afternoon at his shop on Broad street by Policemen Bryan and McDaniel on a warrant charging him with retailing spirituous liquors, was given a hearing before Mayor McCarthy yesterday afternoon. After hearing the evidence in the case the Mayor found probable cause and bound the defendant over to the next term of Superior Court under a bond of one hundred and fifty dollars. He gave bond and was released from custody.

HANDLED LIQUOR BY THE BARREL

Officers Capture Negro Who Had Been Doing Land Office Business Illegally.

IN JAIL NOW AWAITING TRIAL

Mayor Gives George Seals and Jesse Wilder Preliminary Hearing. Blinds Both Over.

Jesse Wilder and George Seals, colored, who have been conducting a restaurant on South Front street near Trent river bridge, were placed under arrest yesterday afternoon by Policemen Bryan and McDaniel on warrants charging them with selling whiskey. They were given a preliminary hearing before Mayor McCarthy a short time after the arrest and probable cause being found were bound over to the next term of court, Seals under a bond of two hundred dollars and Wilder under a bond of one hundred and fifty dollars. They failed to give bail and were committed to the county jail.

The officers have had Wilder's place of business under surveillance and yesterday afternoon seeing a man go in and come out in a very suspicious manner they nabbed him. On his person was found four half pints of whiskey and he immediately told them that he had purchased it from Wilder and the latter's arrest followed.

Seals is said to be a wholesale dealer and two barrels of whiskey containing one hundred half pints consigned to him were confiscated as they were being taken from the freight depot. Both negroes emphatically deny their guilt.

WEDDING AT MARINE'S

Miss Effie Simpson and Mr. Daugherty Made Man and Wife.

Marine's N. C., Nov. 25.—One of the most beautiful and attractive events of our town occurred Sunday, Nov. 24th, at 3 o'clock in the afternoon when Mr. J. B. Pollard pronounced the words that made Miss Effie Estelle Simpson the bride of Mr. Jesse McLean Daugherty. The parlor was beautifully decorated with geraniums, roses and other cut flowers. The bride was gowned in brown satin while the groom wore the conventional black. Misses Callie Simpson and Kate Marine were the bridesmaids. Messrs. Ken and A. J. Hurst were the groomsmen.

The bride is the popular and charming daughter of Mr. and Mrs. Mack Simpson. The groom's home is at Kingston, N. C. and he has been well known for a long time in the government work, as chief engineer of the dredge Scuppernon. After the marriage was over the host of friends present were entertained by music rendered by Miss Kate Marine on the organ. Supper was served at 6:30 o'clock.

After the happy young couple spent a few days with the bride's parents, they left for the home of the groom's parents, where a reception was awaiting their arrival on Thursday night Nov. 21. The bride's going-away dress was a brown whip cord coat suit.

After spending some time at Kingston, N. C., where the groom will resume his position, they will go to Bogue, N. C., where the groom will resume his position.

IN BANKRUPTCY.

The firm of C. Ellis & Bros., Syrian merchants who have been engaged in a retail dry goods business on Middle street, have gone into bankruptcy and the doors of their store have been closed, pending the appointment of a trustee.

WHY SMALLPOX IS NOT QUARANTINED

Dr. Duffy Furnishes Explanation of Why Quarantining of Disease Has Been Abandoned.

IT'S TO RELIEVE TAXPAYERS

Vaccinated People Bore Burden Necessary to Protect the Unvaccinated.

Editor Journal:—There appeared in the columns of the Journal yesterday morning a query in regard to the abolition of quarantine against smallpox. As the writer of this query evidently does not understand the situation, and as I have found there are many other who do not understand it, I take the liberty, as a member of the Craven County Board of Health, to herewith furnish the explanation.

The State has been for many years expending \$50,000.00 annually enforcing quarantine against smallpox. Whom did this quarantine protect? Not you, who have been vaccinated, from ignorance or other less pardonable reasons, refuse to be vaccinated. From whom did the State derive the money to pay for this quarantine? From you who have been vaccinated, and, therefore, need no protection. The unvaccinated class in practically all instances is made up of those who do not pay taxes. You see then, the answer to the query is simple.

Vaccination is an absolute protection against smallpox. If you have been vaccinated, you need fear smallpox no more than chickenpox. If everyone were vaccinated, smallpox would be wiped off the face of the earth. It is perfectly possible for everyone to be vaccinated. This country, through its County Superintendent of Health, will vaccinate any free of charge. Vaccination is practically devoid of danger; a sucking infant may be vaccinated with impunity, and as a matter of fact this is really the best time to vaccinate, as the reaction at this age is comparatively slight.

Taking all these things into consideration, why then should you, who pay the taxes and have been vaccinated, be taxed to protect those from smallpox who pay practically no tax, and who foolishly refuse to be vaccinated? The State has decided that it has no right to thus burden you unnecessarily, and it has, therefore, abolished quarantine against smallpox. It is anticipated that by doing this, only not the tax payers of the State be relieved of the cost of the quarantine, but also more individuals will now be vaccinated than formerly to protect themselves against the disease and that, therefore, the incidence of smallpox will be considerably decreased.

When a case of smallpox occurs now in any community in this State, it is the duty of the County Superintendent of Health, to put a placard on the house in which the case is confined, and to notify the public of the existence of the case and its location. It is then "up to" the unvaccinated individuals in the community to take their choice between vaccination and protection from the disease, or remaining unvaccinated and rendering themselves liable to infection.

RICHARD N. DUFFY, M. D. Member Craven County Board of Health.

HOLIDAY TRADE ON.

With Christmas less than a month distant many of the local stores are taking on a holiday appearance and the force of clerks is being increased. The annual call to "shop early" has been sent out and for the next three weeks the scene in the business district of the city will be one of activity.


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