THE SENTINEL IS A NEWS-PAPER SEEKING TO REPRESENT THE INTERESTS OF THE PRO-PLE OF THE PIEDMONT SEC-

NORTH CAROLINA.



# FIFTY-SEVENTH YEAR

### WINSTON-SALEM. NORTH GAROLINA. FRIDAY MORNING. JULY 14, 1911.

blished Every Tuesday and Friday Morning : Subscription Price One Dollar Per Year

ESTIMONY IN JONES-FLYNT CASE IS HEARD

dence Was Presented Before feree F. C. Robbins In Case Inlving Title to Sheriff's Office.

## Brief History of the Jones-Flynt Case.

ember 8, 1910-County election.

vember 11-Controversy at court house before the county board nvassers as to the votes for the two candidates for sheriff in dbay and Middle Fork townships. Flynt declared the winner by

badbay and mindle to official returns as made to the board. anuary 20, 1911—Permission granted to D. A. Jones by Attorney neral Bickett to bring suit in the name of the state to try the title the office of sheriff of Forsyth county, bond having been filed to inify the state.

Summons served in the action, entitled State of North ebruary 3lina on the Relation of D. A. Jones vs. George W. Flynt.

ebruary 3-Complaint, consisting of five typewritten pages, filed by ars. Lindsay Patterson, R. C. Strudwick, A. E. Holton and W. P. m, counsel for the relator, asking that he recover the possession the office of sheriff of Forsyth county. February 27-Petition to have relator appear before the clerk of the

t to be examined under Sections 865 and 866 of the Revisal of 1905 order issued to Coroner W. N. Dalton to notify the relator to be sent before the clerk of the superior court on March 7th.

March 7—Examination of adverse party before R. E. Transou, clerk the superior court, the stenographic notes covering 47 typewritten

March 24—Answer of the defendant, covering 7 typewritten pages, d by Messrs. C. B. Watson, G. H. Hastings, A. H. Eller and E. B. nes, counsel for George W. Flynt.

lay term of court-Case referred to Hon. F. C. Robbins, as referee, find the facts.

uly 11-Hearing of evidence started before the referee.

Other witnesses were sworn as fol-

lows: Messrs, Sidney Teague, Glenn

hearing of evidence before made to Mr. Wilson was identified C. Robbins, of Lexington, ap by him and offered in evidence, followed by objection on the part of the defense on the ground that it could not contradict the official returns filed as referee in the case of the I North Carolina on the Rela-D. A. Jones vs. G. W. Flynt, May term of Superior Court, gun in the county court room ternoon, counsel for the relator intro-May term of Superior Court, y at ten o'clock with about ducing testimony relative to the vote in Broadbay township. indred citizens present.

public interest has been man-in the case. It promised to be and identified a paper deposited in the most complex actions heard Mr. Spach's safe shortly after the county in a long time when it rted in the Superior Court, but, The paper in question is a tally sheet greatly simplified by the recent of the returns in Broadbay township reference in which all conwere waived except those as votes in precinct No. 1, Middle waship, and in Broadbay town- olson, Andrew Stewart, C. A and Geo

George Austin of the crew of the bitterly contested by the able counsel limony. On cross-examination, witmer John Mitchell, of Chicago ness stated that he contributed \$10 The attendance continues to be were missing when the steamer Will turns as made to the county he and Sidney Teague acted as judges, sing board give him 186 votes W. R. Rominger as registrar, and M. for the purpose of bringing the suit. large at the hearing in spite of the hot liam H. Mack, of Cleveland, arrive "You are a candidate for county weather, iont 49 votes. In Broadbay jailer if Jones succeeds, aren't you?" asked Mr. Watson. "Don't know about that. I would like to have the place, all right," an swered the witness. W. M. Hinshaw, George Clodfelter and other witnesses were examined by with the surviving passengers and crew of the Mitchell, which was such E.' Teague, Mr. Lancaster, J. F. Rey nolds and Geo. Clodfelter, as tally in a collision with the Mack in a dense 423 and Flynt 214, while the re- men, thims that he actually received . The witness was asked to read one of the three returns made out in this tog off Vermillion Point, Lake Supe Messrs. C. C. and B. C. Tavis were examined by the counsel for the relation Besides her crew of 27, the Mitche township and it gave Jones 443 and of the case. ounsel for the defense. carried the wife and daughter of Stew ard Clemens, who were listed as kitch en helpers, and seven passengers from sides are represented by an Flynt 214 A number of other witnesses wer Tray of counsel. Fx-Judge W., There was objection to this by um, of Greensboro; ex-Judge R. Judge Jones on the ground that there mawick, of Greensboro; U. S. was no evidence to show that that one examined for the defense and the tes-timony for the defendant was concludor, but nothing new was brought out in their evidence. leveland. Afternoon Session. All but six of the passengers Attorney A. E. Holton and of the return blanks had ever been be The hearing reconvened at 2:30 The relator put on a number of with most of the crew of the Mitchell climb ed safely to the deck of the Mack by andsay Pa. erson appear for the fore the canvassing board. and Hon. C. B. Watson, Hon. On cross-examination o'clock. nesses in rebuttal. The hearing was then adjourned for On cross-examination the witness Mr. A. P. Brown was examined and neans of a ladder from the stern o Mr. Cicero Jones, who testified yes-terday, was recalled to the stand, but fller, ex-Judge E. R. Jones and was asked to read the vote for candiargument at Lexington at a date to be agreed on by counsel for both sides 6. H. Hastings appear for the dates for sheriff on the blank returnthe Mitchell. Most of them escape in their night clothes, losing their pe ed to the canvassing board and this nothing new was brought out in their and the referee. The hearing brought out very few examination Tuesday onal effects Was gave Jones 433 and Flynt 214. testimony. Mr. S. F. Cude was called to the Three men and three women let Sydney Teague was the second with tily interrupted by objections new points in regard to the matter. The public has long since made up its the Mitcheil in a yawl, which soon capsized. Miss Fay Clemens, daugh ter of the lost steward, proved hersel a heroine in the rescue of her fellow ness put on the stand but nothing new part of counsel for the defense. stand and the tally sheet claimed to the first witness was asked ote was announced at the Midwas brought out in his testimony. be that kept by the late Dr. E. M mind, it seem, about one-half claiming one thing and the other half just op posite. There is no doubt that many Teague was handed to him for the Wednesday Session. Lender Newsom, Austin Charles, S. M. Bodenhamer and S. A. Sides were examined by counsel for the relator k precinct there was strenuous purpose of having him identify it. The witness stated that he thought passengers in the small boat. Mis Clemens called to the crew of th on the part of the defense people-Democrats and Republicans-are indeed sorry that the matter has was decided that the evidence the document handed him was Mack to throw them a line, and she fastened it to the boat in such a way that the Mack's crew, by pulling or be submitted, the counsel for become so muddled up. Every body is claiming that they want the man who was elected to get the office, but they Wednesday. The e first three witsheet in question; that it looked like fense having the privilege to nesses were questioned as to the can it; but that he was not positive as at such times as they desired. he only looked at the vote on didate for sheriff that they voted for the the line, was able to pull the yaw right side up. Among the six, all o R. L. M. Disher and R. F. Lin- and the latter as to a ticket on which sheet for sheriff which gave Jones can't agree on who was elected-Jones judges of election; Mr. R. he kept the records of the vote in the registrar, and Messrs. C. Broadbay township, which showed 443 or Flynt. whom were saved, was Miss Clemens mother, whose leg had been broken by the small boat as it was being lowered 443 and Flynt 214. Broadbay township, which showed 443 votes for Jones and 214 for Flynt. The tally sheet was offered in evi am and Tucker Day, who acted dence by the relator and counsel for THE LAW RELATING Hon. A. E. Holton conducted the capacity of tally ment testined e tallies showed 196 for Jones the defense objected on the ground TO LOST ARTICLES to the Mitchell's deck. examination of witnesses that mornthat it could not either cantradict or sustain the official returns. H. W. Masten, register of deeds. The finder of an article has a clean for Flynt. They submitted ing for the relator. When he asked on which they had kept the what the idefense deemed to be a FAMILY COW ADOPTS title to it against the whole world ex-cept the owner. The shopkeeper can be compelled by legal process to sur-H. W. Masten, register of decoa presented the poll books from pre-cinct No. 1, Middle Fork township, and Broadbay township. They show ed 254 votes cast in the Middle Fork read the migot after the elec ileading question, Hon. C. B. Watson, d the tally men offered their tal- of counsel for the defendant, gave nohe tally men offered their tal- of counsel for the defendant, gave no These were introduced in the that a motion would be made at PORTERVILLE, Cal., July 13 .- S. render it. He may make rules as to the finding of lost property that will Lewis is authority for the statement by counsel for the relator, the close of the testimony to strike that he has a family cow, Bessle which has adopted a litter of young pigs and the adoption took place very bind his own employes, but he cannot for the defendant objected to out all questions of a leading nature precinct No. 1, and 668 in Broadbay township. Witness stated that the bind the public in such cases. This law of finding was promulgated by the nony of the witnesses and to heretofore asked and those asked here sheets and tickets on the after, together with the answers, hat all was incompetent and Mr. J. F. Reynolds' Evidence. books were handed to him by the reg King's bench nearly a hundred and fifty years back in a case involving much against the wishes of the rea that all was incompetent and istrars about the, 10th of last Novem nother of the youngsters. ficient to either contradict or Mr. John F. Reynolds was on the ber and that since then they had been Mrs. Pig was placed in a small pe facts: A man picked up a wallet the official records of the elec-stand practically all of the morning submitted to the county can. He was questioned by Hon. A. E. Holin his safe in the corner of the pasture in which Bessie is confined, and there she gave cintaining a sum of money from a shop electric lights being put out of con-nission. Two schooners, the Mary Elizabeth Small and the Ocean Bird The books were offered in evidence oor. He gave the find and its con ton as to his position at the Broadbay bourd. tents to the shopkeeper to be turned over to the owner. When the owner failed to appear in three years, the finder demanded the wallet and monbirth to seven lusty pigs, When the pigs began to run abou and counsel for the defense objected to Mr. Masten's testimony and the in C. V. Pegram testified that he precinct. the one returned to Mr. W. of the tally men and that he made out the one returned to Mr. W. of the tally men and that he made out troduction of the books as irrelevant in the harbor broke loose and dam-Mrs. Pig broke out of her pen to for aged several other vessels. The United States L. S. Steamer age. While Mrs. Pig was gone beautry strolled to the pen, was smitten with the appearance of the babies and fin-ishing the destruction of the pen she ishing the mism into a corner, curied immaterial and incompetent State Senator H. R. Starbuck, Mr. secretary of the county two returns of the county box (that ey. The shopkeeper refused to sur-render them on the ground that they were found on his premises. The find-er thereupon sued the shopkeeper. of elections showing 196 for one in which the votes for county off-and 49 for Flynt and the one cers were placed) to the best of his to the canvassing board knowledge and that he thought he Carolina was run into, cons damaging her rail, mast, etc E. Savage and others were examined. The schooner Tranwood was so damaged and was leaking so badly that she had to be beached. drove the pigs into a corner, curied herself about them and contentedly munched her cud while the babier also took their luncheon, in the most Testimony for Defense. Mr. W. T. Wilson was the first witness called for the defense. He said 186 for Jones and 49 for made out one of some other ticket. The courts held that the shopkeeper was merely the trustee of the articles Mr. Reynolds stated that the only way in which he could account for the itness stated that he could he was secretary of the county elec-tion board and as such he did not send count for the difference, alfound and that the title rested in the finder in the absence of the owner. doth loose schooners were hadly damdiscrepancy in the vote for sheriff in uged. approved manner. The corn crop throughout this sec When Mrs. Pig returned there was a battle royal. Finally Bessle drove Mrs. Pig from the pen, discomfited and she has acted as a mother to the was that on account of the for Jones, according to the the returns out any of the short election return sheets, as the one exhibited by John Reynolds. He did not know where tion was probably damaged to a great On cross-examination, the lateness of the hour after the election ated that he did not know the figures were called wrong to him the returns he made out and that he rut them down as called -Special Order Oliver, of the stated that he did not know extent by the wind. Southern Railway, went to Mocks-Reynolds got the return blank which he (Reynolds) claimed to be the corthe returns he made out ville Monday to appear in two cases before Magistrate Hunt against A. B. -The Waughtown Moravian Sun-day School picnicked at Friedburg re-direct examination, wit-d that he supported Mr. youngsters ever since. Cher witnesses examined were R E. Transou, C. L. Holland, Z. T. By num, and J. H. Shamel. Their testi-mony related almost entirely to the work of the canvasing board. Thursday's Session. The morning was consumed to hear ing evidence for the defense. One new feature was brought out in the The witness also put down the fig ures for sheriff on a ticket as secured from a tally sheet showing 443 votes the election. A. Crews, J. W. Marshal for Jones and 214, for Flynt. This licket was offered in evidence. De-Moir testified that the tection was 196 and 49 for When questioned as to the correct tote for Jones in Broadbay township. T. Wilson was called to the vitness stated that Jones' correct rote as shown by the tally sheet was 142.

The witness identified a number of evidence, this being the establishing papers. He was asked to explain the of the fact that several of the short BOARD WILL recount of a vote mentioned Tuesday form return papers were presented to and witness explained that the tally the election officials in several of the men became confused as to one vote precincts for their signature by Re-and this was made necessary in one publicans, which they refused to sign. Instance. Hon. C. B. Watson, of counsel for The cross-examination was conduct-

the defense, announced that the de-fense would undertake to show that there was concerted action along this ed by Hon. C. B. Watson Mr. Watson asked the witness why he wrote the vote for Jones as being line. 433 when he knew it was 443, having

One witness after another was callwritten the vote that way on a ticket ed to the stand today, all being asked and telephoned it in to Republican headquarters. The witness stated practically the same questions and being rigidly cross-examined by Hon. headquarters. The witness stated that he thought that on account of the that he thought that on account of the A. E. Holton, of connsel for the rela-lateness of the hour a mistake had tor. The cross-examinations were more lengthy than the direct examina-tions, Mr. Holton explaining to the court that he was testing the membeen made in calling the figures and that he had put them down as call-

Alt this point Mr. Watson secured a paper from Mr. W. T. Wilson and asked the witness to see if it was in his (Reynolds's) handwriting. He stated that it was. The paper was a

third record of the returns from Broadbay township on county offi-The production of this paper was surprise and brought on a legal fight, the counsel for the relator desiring to the acceptance of the returns as handsee it. The defense refused to turn led in to the board as the official re-

the paper over until the proper time, stating that they presented it merely for identification so they could pre-Flynt. On cross-examination, all of sent it when they desired. Hon. A. E. Holton addressed the ref.

ree, stating that the counsel for the relator insisted on seeing the paper before the witness was questioned concerning it and also after he had been questioned and had identified the attention to the alleged discrepancy handwriting as his own and renewed the demand for inspection with a view in the vote in Broadbay township, of his gestures and every other minute detail of what he did and said at the to a re-direct examination of the witness neeting. This was repeated every time

Counsel for the defense objected to showing the paper on the ground that it had not been offered in evidence witness was called to the stand. but for the purpose of identification. Hon, A. E. Holton and ex-Judge Bynum cited law relative to the matter, but the decision of the refere was reserved until further argument

at which time the witness could be recalled if it was decided to allow the counsel for the relator the privil-

of looking over the document ege This was done in order to save time. Mr. Reynolds also told of being a the meeting of the county board of canvassers and calling their attentior Holton, other than to test the mem ory of the witness. Mr. Beroth, who made a splendid witness, rememberto the discrepancy in the vote in Broadbay township, stating that he ed the law cited at the meeting of the canvassing board and told what declared at that time that 443 was the correct vote and brought Mr. W. R. Rominger, the registrar in Broad it was.

bay, into the meeting to prove his as sertion. election by the late Dr. M. E. Teague.

tified that one of the short form re-turn blanks was presented to him for Mr. S. E. Hall, chairman of the Re publican executive committee, was examined relative to the controversy his signature and that he refused to sign the same, Mr. J. T. Thompson, registrar in the third ward, Winbefore the canvassing board, Witness corroborated the statements relative ston, testified that a Republican ask-ed him to sign one of the short form to this meeting made by Mr. J. F. Hoover, W. R. Rominger, J. A. Nich-Reynolds Mr. G. W. May also told of the con-

return blanks and that he refused to sign same. Mr. J. P. Goode, of Belew's Creek township, testified that there there was a difference of Clodfelter, James Myers, John Phil-as to the vote for sheriff. Ups, M. A. Haynie and J. F. Reynolds. troversy before the canvassing board, corroborating Mr. Reynods's as to the vote for sheriff. If ps, M. A. Haynie and J. F. Reynolds. Glen Hoover, one of the judges, was a vote of 196, while the offi-put on the stand first. He stated that ard Albert Clemens and Watchman he found one of the short form return blanks at his store.

make the tax levy on the first of Au gust as prescribed by the new revenue act. Much interest is felt in the levy as some change will have to be made if the rate in the rural sec-tions is to remain at \$1 on the \$100 ory of the members of the canvass-ing board. All of the witnesses exvaluation.

amined at the morning session were [ed 2 cents on the \$100 valuation. The members of the canvassing board. The witnesses were called to t state's part is as follows: For pen the sions, 4 cents; general state fund, 21 cents; general school fund, 20 cents. stand and told of the meeting of the canvassing board, of the controversy relative to alleged discrepancies in The la cents, the votes in Middle Fork No. 1 and The last item has heretofore been 13 One citizen suggested today that Broadbay townships. They told of

the county can reduce the general county fund 2 cents on the hundred dollars valuation and still give the county more money on this fund and turns, resulting in the election of at the same time leave the \$1 rate on the the \$100 valuation in the rural diswitnesses were questioned in detail as tricts as at present on account of the to the controversy before the canvass increased valuation this year. The ing board. They told in detail as to rate for the general county fund per which door Mr. J. F. Reynolds came one hundred dollars valuation is now into the court house, of where he sat, 23 2-3 cents and the reduction on this at what point he arose, of his calling

THE TAX LEVY ON

AUGUST 1.

The county commissioners will

fund would make it 21 2-3 cents "Basing the value of all property in the county at \$23,000,000, the amount which would be derived for general county purposes would be \$49,833 at the reduced rate which is more than was collected last year.

"The total property will amount at \$23,000,000 this year as there was a gain of \$2,500,000 in real and personal various intervals by objections on both sides to certain evidence. Every property and there will also be a splendid gain in bank stock and in point was hotly contested. In the cross-examination of Mr. V

new corporations. "The new county jail which hereto M. Beroth, counsel for the relator ask ed the witness about the law cited at the hearing of the canvassing board and there was strenuous objection on the part of counsel for the defore consumed much of the general fund has now been paid for in full and only the usual expenses are to be paid from the general fund including ense. There was no particular obthe jail expenses, county home ex-penses, court house expenses, salaries of county officers and superior court lect in view in this, according to Mr. costs. The county now has no new buildings to erect and there is still a balance on the general-fund left over from last year.

"The road tax last year was 33 2-Mr. J. H. Stafford, who was regis cents on the \$100 valuation and at the trar in Abbott's Creek township, tessame rate would give the county \$76, 666, an increase of over \$11,000 over last year.'

GIRL HEROINE IN WRECK.

ernor Aycock was finished yesterday Three Persons Lost in Collision Off Steamships on Lake Superior. SAUT STE. MARIE, Mich., July 12 Second Mate Archie Causey, Stew

Per cent on both sides auring the trial. Ob-1904 Census- 1909 1904, 1909 jections by counsel were frequent and no point was overlooked in the effort Number 68to score an advancage. Mr. C. C. lishments .. 52 Daniels, of Wilson, was leading coun-sel for the plaintiff while Mr. Junius Parker, of New York, took the .. .. \$12,856,000 \$9,212,000 Capital Cost of materials used.. 6,896,000 3,843,000 and in presenting the defense's side Salarles and wage ..... Miscellaneous 2,244,000 Later-Both Sides May Appeal. expenses 4.907.000 4,821,000 16,778,000 11,353,000 mission and rejection of evidence. Counsel for the plaintiff express great dissatisfaction at the verdict by manufac-ture (products INSE us allowing insdequate damages and will at five o'clock indicate fo the 9,8\$2,000 7,510,000 32 cost m't'rl) Employes: yourt whether they will join in the motion for a new trial. C. C. Daniels, Number salaried officials of counsel for the Ware-Kramer Co. 675 and clerks explained to the court that his clients owe \$70,000 under the present re-selvership so that the damages al-lowed will not even satisfy the crediv. number wage earnwage earn-ers employ-ed during
wage earn-ers employ-ed during
during the year ... 6,708 4,850 38
As to Capital Invested.
In the matter of capital invested.
In the sumonod show that, as against Winston's 11,596,000.
Cost of Materials.
In the cost of materials used Winston's figures are \$6,816,000 for 1909;
Charlotte shows \$6,852,000; Asheville.
\$2,225,000; Raleigh, \$1,276,000; Willington, \$6,810,000;
Greensboro, \$2,032,000;
Salaries and Wages.
As compared with the figures for
Winston in the table above Charlotte shows \$2,079,000; Asheville, \$499,000;
Raleigh, \$558,000; Asheville, \$499,000;
Raleigh, \$558,000; Charlotte, \$10,00;
Winston in the table above Charlotte shows \$2,079,000; Greensboro, \$469,000;
Control the plant of the Dare Lumber
Company was blown down and other
Ins etty was in darkness last night, sleetric lights being put out of comWinston, \$1,339,000; Greensboro, \$469,000;
Winston, \$1,339,000; ers employ-

considerably

THE SENTINEL SERES TO GIVE THE FACTS FROM WHICH PROPLE CAN DRAW THEIR JUST CONCLUSIONS-A PAPER FOR THE HOME CINCLE

MAKE WARE-KRAMER CO.

TO GET **S**60.000

000. Which Will Be Trebled.

Under Sherman Law.

\$1.200,000.

Formal Notice of Appeal But It is

Understood This Will Be the\_ End of This Big Suit.

night.

Tobacco Co \$60,000.

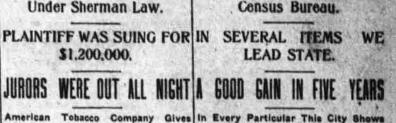
Wo weeks ago.

The concluding speech by Ex-Gov

Jury Returns Verdict For \$20, Figures As to Manufactures of

NUMBER 71

**WINSTON MAKES** 



Various Cities Announced By

In Every Particular This City Shows a Substantial Increase in Manufacturing Lines From 1904 to 1909-The Figures.

RALEIOH, July 13 .- A verdict for WASHINGTON, July 18 .- A prelimi-\$20,000 damages was returned this nary statement of the general results morning by the jery in the \$1,200,000 of the thirteents United States census damage suit of the Ware-Kramer To- of manufactures of the city of bacco Co. vs. the American Tobacco Winston, N. ..., was issued by Acling Co. after the jury had been out all Census Director Falkner. It contains a summary comparing the figures for Under the Sherman anti-trust act, 1904 and 1909, by city totals, prepared under which the suit was brought, under the direction of William M this verdict will be trebled, making Stewart, chief statistician for manuthe judgment for damages that the factures, Bureau of the Census. The

court will enter against the American figures are subject to such revision as may be necessary upon a further ex-The American Tobacco Co., through amination of the original reports.

The American Tobacco Co., through counsel, lodged notice of appeal, but it is understood here that it will be the end of the suit, which was brought on the ground that the American Tobacco Co., through the use of coupons, free gools, inside dis-counts, and other secret and unlawful in the number of wage earners; 52 per cent unber of wage earners; 52 per cent in the average number of wage earners; 52 per cent counts, and other secret and unlawful in the value added by manufacture; means of pushing cigarette sales, per-sistently invaded the trade of the

sistently invaded the trade of the plaintiff and brought about the fail ure of the plaintiff, which went into the hands of a receiver in Norfolk in 1969. The trial has been in progress here for four and a half weeks. The sult originally included W. M. Carter as co-defendant through alleged conspir-acy with the American Tobacco Co. but a non-suit as to him was , ken iwo weeks ago.

factories during the census year, and does not necessarily have any relation to the amount of sales for that year. ernor Aycock was finished yesterday afternoon and after an exhaustive charge of Judge Connor the case was given to the jury. Every phase of the litigation was

was given to the jury. Every phase of the litigation was 398 70

ad testified that the return of tion was handed to him on the r the election. The return as

The hearing was interrupted

Value of Products. Winston, \$16,778,000; Charlotte, \$10, 460,000; Asheville, \$3,250,000; Raleigh, \$2,376,000; Wilmington, \$3,005,000; Durham, \$23,272,000; Greensbo

032,000. Average Number Wage Earners. As compared with the figures for Winston, in table above, 5,708, Char-lotte shows 4,199; Asheville, 984; Rai-eigh, 1,022; Wilmington, 1,213; Dur-ham, 5,718; Greensboro, 925. For Winston Alone. All the figures given above are for Winston alone, the figures for Salem and Southside not having been an-nounced yet. These will make a con-siderable increase in the total.