



**NEW BERN  
BANKING &  
TRUST COMPANY**  
CAPITAL \$200,000.00

## A SYSTEM OF SAVING.

**T**HIS bank recommends a system for saving money. We are always pleased to receive the deposits of men and women who come on pay-days and other regular times, to make additions to their bank accounts. It makes no difference whether the deposit is small or large. The system of saving is the most important. Try to save \$1.00 a week or \$5.00 a month or 5c a day. Be systematic. This bank will assist you by paying interest on your money and keeping it positively safe.

WE ALSO INVITE ACCOUNTS SUBJECT TO CHECK

**4% PAID ON SAVINGS**

## AIRSHIP BARGAINS AT WHEEL-BARROW PRICES

**HIGH UP IN QUALITY--LOW DOWN  
IN PRICE.**

**Ladies and Misses Coat Suits  
Mens and Boys Suits and Over-  
coats.**

If you haven't bought, you can buy now at prices to suit your purse. Believe us or not--we can save you more money on wearing apparel than any other store in New Bern.

**S. Coplon & Son**

SELLS IT FOR LESS

LITTLE OUT OF THE WAY, BUT IT PAYS TO WALK TO COPLON'S

Don't Wait Until The Last Minute  
To Get Your Winter Clothes.

**Get Them Now**

To secure all the style, service, satisfaction and good value, to which you are entitled in your clothes, you had better come to this store, where the newest and best of everything women and girls wear can be had in quantities you like and at prices you like to pay.

## COATS THAT SATISFY

Coat Suits and Coats that satisfy is the one best phrase we can find to describe our handsome New Suits and Coats for Women and Misses, they satisfy the most critical dressers as to style, fit and service and they satisfy them at a lower cost than any other.

THE DIFFERENCE IS NOT IN THE PRICE, BUT IN  
WHAT YOU GET FOR THE PRICE.

**YOUR DOLLARS GO A LONG  
WAY AT THIS STORE.**

**J. M. MITCHELL & CO.**

61 POLLOCK ST.

PHONE 238

## 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 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 ascertained 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 of 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.

See our line of Coal and Wood Heaters. J. S. Bassnight 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!

Lived In Three Centuries.

A death of more than usual interest occurred this week at Arapahoe. Simon Baskie, 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.

WILLIAMS' KIDNEY PILLS

Have you overworked your kidneys? Have you caused trouble with your kidneys and bladder? Have you pains in loins, side, back, groins and bladder? Have you a flabby appearance of the face, especially under the eyes? Too frequent a desire to pass urine? If so, Williams' Kidney Pills will cure you at Druggist, Price 60c. Williams' Mfg. Co., Prop., Cleveland, O.

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.

Brand New Line

of Hugs just in from the mills, 9x12 Ax-minister, in beautiful shades, extra heavy at \$20.00, 9x12 Wilton at \$27.50, 9x12 Brussels at \$35.00, 9x12 Tapestry at \$12.50, small rugs to match. Now is the time to make selection, as my stock is complete.

J. S. MILLER,  
The Furthest Man

A Handbilly was captured as dead for 20 years, returned home.

## POWERS UN- ABLE 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 and corpses strewn 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 delay 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 international 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.

**New vaudeville at The Athens  
Thurs., Fri. and Sat.--The How-  
ards--In a neat refined talking,  
singing and dancing act, with an  
unusual novelty finish--Splendid  
voices, gorgeous costumes.**

The appointment of Prof. Garrett Droppers, of Williams College to the Massachusetts Railroad Commission by Governor Foss was prevented by the Governor's council.

Heaters.

If you want just a cheap heater for bed room, we can give you a nice little wood heater for \$1.25 that heats quick. We have out of car of Coles Ranges and Hot Blast Heaters, 2 Ranges and 90 Heaters left. Don't delay in getting your heater placed in your home.

J. S. MILLER,  
The Furniture Man.

## 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 Baggy 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 Levin was next taken up. In this case Mr. J. S. Baxter was suing Mrs. R. A. Levin for breaking a contract. The jury returned a verdict in favor of the defendant.

## CHAMBER OF COM- MERCE 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 \$300 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 of once on this matter. It means thousands of dollars of trade annually for the merchants in this city.

Just Received

1 solid carload of Brass and Iron Beds, we can give you good strong Iron Beds as low as \$2.50 each, 2 inch post for \$3.00 that beats anything you ever saw for the price.

J. S. MILLER,  
The Furniture Man.

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 request 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 he 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 games. 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 the game by a score of 6 to 0 and if the Washington team wants to help 'why let 'em do so.

FOR RENT

The Duffy homestead, No. 20 Pollock street.

The old Jonathan Haven's place, No. 112 East Front street.

No. 105 George street, a six room residence in good order, with bath etc.

Several small houses near N. & E. R. R. shops.

A few good residences and some cheap ones for colored people.

C. T. HANCOCK.

4% INTEREST ON SAVINGS 4%

## A CHECKING ACCOUNT FOR WOMEN.

A checking account is of inestimable value to women in paying household expenses and personal bills. It does away with the necessity of keeping money at home where it is constantly subject to loss by fire or theft. Moreover, the check book furnishes an accurate record of all expenditures and places the affairs of the household upon a systematic basis. The cancelled check is also evidence of the payment of a bill in case the receipt has been lost.

Our officers are always pleased to explain the few details necessary for keeping a checking account.

**THE PEOPLES BANK**  
NEW BERN, N. C.  
STRONG, COURTEOUS, PROGRESSIVE

## BIG CLOTHING SALE

### BEGINING TO-DAY

We put on sale our entire stock of mens, boys and childrens Clothing, Overcoats and Pants, at a sweeping reduction of 20 per cent.

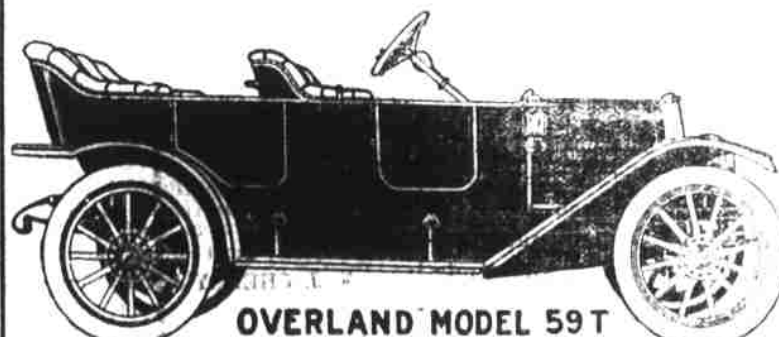
**Over \$10,000 Worth of New  
Goods to Select From**

**THESE GOODS MUST GO**

**J. J. BAXTER**

ELKS TEMPLE

DEPT STORE.



OVERLAND MODEL 59 T

**\$900.00 :: 30 H. P.**

**5 PASSENGER  
Fore Door Touring Car**

SPECIFICATIONS

WHEELBASE--106 inches.

TREAD--60 inches.

CRANK SHAFT--This is the only car of its class with a five-bearing crank shaft. This feature gives support on each side of each connecting rod as it delivers its power stroke, which insures the greatest possible rigidity and keeps the crank shaft in perfect line on its bearing.

MOTOR--4 inches by 4 1/2 inches. Cylinders cast separately. L-head type, large sized valves, push rods lubricated, insuring a sweet-running, silent, powerful motor.

CARBURETOR--Model L Schebler (the best Schebler makes.)

TRANSMISSION--Selective three speeds and reverse, center control, F & R, annular ball bearings.

STEERING GEAR--Worm and segment adjustable front wheel.

IGNITION--Distributor, split-disk magneto and battery, one set of plugs.

HORSEPOWER--30.

BRAKES--Internal expanding, external contracting, on rear wheels.

SPRINGS--Semi-elliptic front, three quarter elliptic rear, 1 1/2 inch wide.

FRAME--Pressed steel.

CLUTCH--Cone.

FRONT AXLE--Drop forged 1 1/2 inch section.

REAR AXLE--Semi floating.

WHEELS--Artillery, wood, 12 spokes, wide hub flanges.

SPOKES--1 1/2 inch spokes, bolt for each spoke.

TIRES--32-inch by 3 1/2 inch.

We are daily expecting a carload of these cars, and will sell them fully equipped with Mohair Top, Glass Windshield and Prestolite Tank, delivered in New Bern for \$1,000. No greater value in Automobiles has ever been offered. It will pay you to see the "OVERLAND" before placing your order.

**HYMAN SUPPLY CO.**

NEW BERN, N. C.