

CONSTITUTIONALITY OF RULING IS ATTACKED

Decision of State Corporation Commission Involved in Trial in Corporation Court.

C. & O. RAILWAY SUING J. W. DAVIS

Local Contractor Refuses to Pay Freight Charges Because He Claims Railway Company Owes Him Big Sum for Demurrage on Cars It Failed to Furnish.

Judge Barham, in the Corporation Court, yesterday afternoon began the hearing on the suit of the Chesapeake & Ohio Railway Company against J. W. Davis, a local contractor, for the collection of freight charges to the amount of several thousand dollars, which the railway company alleges is due it by Mr. Davis. The suit is attracting much interest because it involves a ruling of the State Corporation Commission requiring railroads operating in the state to pay \$1 per day per car when they fail to supply empty cars to shippers after the cars have been ordered.

The freight rates which the company is seeking to collect are on the hauling of the vitrified brick which Contractor Davis laid in this city recently.

Mr. Davis has refused to pay the freight charges because he claims that the railway company owes him a considerable amount of money as demurrage because it failed to furnish him with empty cars as he ordered them while he was laying the concrete bottom and steps in dry dock No. 3, at the shipyard, more than a year ago. He contends that his claim against the company will offset that which the company has against him.

Attorney S. Otis Bland is appearing for the railroad and Attorney R. M. Leet is representing Mr. Davis. Attorney Bland has raised two important contentions in the trial. The first is that the order of the State Corporation Commission on the demurrage to shippers is unconstitutional in that it does not allow the railroads any provision whereby it may escape the payment of the penalty, and the second is that Mr. Davis' claim should be brought before the State Corporation Commission, sitting as a court, and not in a court of law.

Attorney Leet is combating both contentions and the arguments will be continued today.

RAILROAD MEN ARRIVE HERE ON YACHT ALICE

President of Erie Railroad and Party to Spend Two Days Cruising in Chesapeake.

Mr. Frederick D. Underwood, president of the Erie Railroad, and a party of other railroad men, arrived here last night from Richmond on Mr. Underwood's handsome yacht Alice. The party will spend a day or two in this section and then will go to Washington on the yacht.

Mr. Underwood and party arrived in Richmond yesterday from Washington by rail and boarded the yacht, which went up to Richmond this week to meet them.

Mr. Underwood is accompanied by his wife and the following guests: George F. Brownell, vice president and general solicitor of the Erie Railway; A. W. Goodrich, of Chicago, president of the Goodrich Transportation Company and John W. Hadden, ex-corporation counsel of New York city.

To Enjoy

the full confidence of the Well-Informed of the World and the Commendation of the most eminent physicians it was essential that the component parts of Syrup of Figs and Elixir of Senna should be known to and approved by them; therefore, the California Fig Syrup Co. publishes a full statement with every package. The perfect purity and uniformity of product, which they demand in a laxative remedy of an ethical character, are assured by the Company's original method of manufacture known to the Company only.

The figs of California are used in the production of Syrup of Figs and Elixir of Senna to promote the pleasant taste, but the medicinal principles are obtained from plants known to act most beneficially. To get its beneficial effects always buy the genuine—manufactured by the California Fig Syrup Co. only, and for sale by all leading druggists.

Social Personal

Miss Allene Willett entertained delightfully at cards last evening at her home, 550 Huntington avenue. Among those present were: Misses Bertie Merritt, Nannie Reynolds, Mary Putzer, Anna Manville, Virginia Hamilton, Adelaide Lapsley, Emma Rowbottom, the Misses Barham, Mrs. Willard Bailey, Mr. and Mrs. J. A. Willett, Jr., Mr. and Mrs. John H. Lofland, Mr. and Mrs. James E. Abbe, Jr., Messrs. George Parker, Jerry Deer, Leroy Edwards, George Massenburg, J. A. Killey, W. W. Manville, Horace Nespe and Walter Nespe.

Mrs. B. Wentrant, of New York, is visiting her niece, Mrs. Sol Nachman, in East End.

Miss Frances Broadus left yesterday for Richmond to spend several days with relatives.

Rev. Samuel L. Naff left yesterday for Richmond, where he will spend several days.

Mr. J. H. Riddell is visiting his mother at Oakland, Va.

Mrs. J. Norma Hill and little daughter have moved to Portsmouth to make their home.

Miss Dollie Everling has returned from Cleveland, Ohio, where she visited relatives. She was accompanied by her brother, who will spend two weeks with his parents here.

Mrs. B. Keyes, of Elizabeth City, N. C., is the guest of her brother, Mr. Clarence Barnes, in East End.

Mrs. Harry S. Estcourt has returned to her home in Boston, Mass., after visiting relatives here.

Mrs. J. C. Bowman and children returned last night from a trip to Richmond, where they visited relatives and friends.

WANTS APPROPRIATION FOR ADVERTISING CITY

Councilman Fellows Prepares Ordinance for Providing for Appointment of Publicity Committee.

Councilman Charles R. Fellows, who introduced a resolution in the common council recently providing for the appointment of a city publicity committee, has gathered considerable data on the subject and is now ready to take the matter up with the council committee on ordinance and police, to which the original resolution was referred.

After going over the data gathered, Mr. Fellows has had an ordinance drafted and showed a copy of it to several members of the council yesterday and in every instance the councilman agreed to support the measure.

The ordinance is as follows: "Be it resolved by the council of the City of Newport News, the board of alderman concurring:

"That the sum of one thousand dollars (\$1,000.00) or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of advertising the resources and business advantages of the City of Newport News and the committee in finance are hereby instructed to provide said sum to be placed to the credit of an account to be known as 'advertising accounts' to be drawn upon and expended by a special committee to consist of the mayor, president of each branch of the council, one member from the board of aldermen and two members of the common council, the appointment of said members to be made by the president of the respective branches. All bills for the cost of such advertising shall be audited by said committee and when so audited and certified by the chairman of the committee shall be paid by the auditor of the City of Newport News and charged to said accounts."

Mr. Fellows has just returned from Manchester, where he attended the State meeting of the Junior Order United American candidates. He said yesterday that several of the cities of Virginia sent advertising matter to the convention and the delegates used this matter in determining where the next State meeting shall be held. He is enthusiastic over his plan and believes that the money spent by the city in this kind of advertising will bring excellent results and will be money well spent.

ATTEND MISSIONARY MEETING.

Many Local People Will Go to Richmond This Evening.

A number of local church workers will go to Richmond today to attend the meeting of laymen in the interest of the Laymen's missionary movement of the United States, which begins in that city this morning and continues until next Tuesday.

Meetings in the interest of this movement were held here recently and delegates were named to the State meeting at Richmond. Mr. W. R. Colonna is making arrangements for the local people on the trip.

Reported Sale of Railroad. LEXINGTON, KY., Oct. 22.—It is reported that the Louisville & Nashville railroad has bought the Frankfort & Cincinnati short line railroad and will formally take over the road on November 1.

Feminine Finance. The girl who has the least chance of being trained is the one whose father takes no interest in her education, "bothering his womanfolk" with his worldly affairs.—The Queen.

SPENT "QUEER" DOLLAR

D. M. and A. P. Jordan Arrested for Passing Counterfeit Money.

Charging with passing counterfeit money, D. M. Jordan and A. P. Jordan, brothers, who live at 3400 Huntington avenue, were arrested last night by Patrolmen Price and Tighman and locked up at the station house.

It is alleged that D. M. Jordan gave a lead imitation dollar to John Pitzrich, a storekeeper, of 3412 Huntington avenue, in payment for a package of tobacco. Jordan is said to have received 95 cents change. Sometime after the transaction, Pitzrich discovered that the dollar was not genuine and he sent for Jordan. The young man went to the place and the storekeeper demanded the 95 cents which he had given Jordan as change. Jordan replied that he did not have the money as he had given part of it away, but he took Pitzrich to his boarding house and the housekeeper "stood good" for the money.

Pitzrich then went in search of the police and found Officers Tighman and Price and they arrested the young men.

A. P. Jordan told a reporter at the station house last night that he got the dollar from Nathan Lunstall, a negro, who lives at 624 Twenty-fourth street. Lunstall, he says, gave it to him Thursday night, saying that it was no good. The coin had a scratch across one side and Jordan says he supposed the negro thought it was no good because of the scratch and he took it.

Jordan also told the reporter that after he got the dollar back from Pitzrich he cut into it and learned for the first time that it was lead. He says that his brother then took the coin and started to the police station to give it to Chief Reynolds and was arrested while on his way to the station.

NEGRO WANTED IN NORFOLK.

James Trowell, Arrested Here, Charged With Grand Larceny.

James Trowell, a negro, who is wanted in Norfolk on the charge of grand larceny, was arrested here yesterday evening by Detective Sergeant Henry Bridges and Patrolman Pearson and locked up at the station house. He will be held until an officer can be sent here from Norfolk to take him back to that city for trial.

Mothers find Perry Davis' Painkiller invaluable in the nursery, and it should be kept at hand in case of accident. For pain in the breast take a little Painkiller in sweetened milk and water, bathing the breast in it clear at the same time. If the milk passages are clogged, from cold, or other causes, bathing in the Painkiller will give immediate relief. Ask for New 5c. Bottle.

SPECIAL EXCURSION TO MATHEWS COUNTY

The Old Dominion Steamship Co's Steamer "MORJACK" will make a special excursion to Mathews County, touching East River wharves, Sunday, October 24,

Leaving Old Point at 8:00 a. m. Fare, round trip, \$1.10.

W. H. LANDON, Agt.

BIG AUDIENCE HEARS MAJOR BARTER SPEAK

Singing Brigade From Washington Gives Demonstration Before Services.

Major M. Elizabeth Barter, of the Washington, D. C. division of the Salvation Army, addressed a large audience at the Trinity Methodist church last night in the interest of the work of the local branch of the Salvation Army. Her talk was interesting and was thoroughly enjoyed by the audience.

Before the meeting began, the singing brigade of Washington gave an open air demonstration before a large crowd at Washington avenue and Twenty-ninth street. Many selections were rendered and the brigade was heartily applauded by the crowds.

Major Barter inspected the local quarters of the Army and audited the books of Captain Bloethe, in charge here. She is well pleased with the improvement the Army has made here during the past few months.

WASHINGTON AND LEE WINS FROM DAVIDSON

Captain Izard and Alderson Star for Lexington Boys—Two Players Badly Injured.

(By Associated Press.) ROANOKE, VA., Oct. 22.—Washington and Lee football team easily defeated Davidson College here today by the score of 18 to 5.

The game was clean and spectacular, abounding in several long runs and marred only by a few fumbles. All the scores were made in the first half, the second half being bitterly fought. Davidson showed a flash of form in the first half when three end runs resulted in their only touchdown. Kluttz, Davidson's captain and star, broke his left ankle in the second half. Captains Izard and Alderson starred for Washington and Lee.

Alderson's line playing was fierce. Left End Sims, of Washington and Lee, suffered a fractured shoulder and was in a semi-conscious state several hours.

Umpire, Hugh Moomaw; referee, Robert Graham. Time of halves, 30 minutes.

MAKE YOUR MONEY Make More Money

A splendid opportunity for small, conservative investors. Write for particulars.

THE HUB CORPORATION

Newport News, Virginia.

J. M. SPENCER FINED ONE HUNDRED DOLLARS

Counsel for Accused Asks for Stay of Judgment and Case Will Go to Court of Appeals.

James M. Spencer was found guilty yesterday by the jury in the Corporation Court of selling liquor without a license and a fine of \$100 was imposed.

Immediately after the verdict of the jury was announced, Attorney R. M. Lett, counsel for Spencer, asked for a stay of judgment in order that the case may be appealed to the Supreme Court of Virginia. Judge Barham granted the request.

Should the Court of Appeals refuse to grant the writ of error in the case, Spencer, in addition to pay the fine of \$100, will be put under a bond of \$500 for twelve months as a guarantee that he will not again violate the law.

Spencer's trial began before Judge Barham Thursday. It was alleged that he sold liquor without a license in a house near Salter's creek. Mamie Coley, a fifteen-year-old girl, who, it is alleged, spent several days in the house before being taken to Richmond, testified against Spencer Thursday.

Two other charges are pending against Spencer in the police court. One is for adultery and the other for conducting a house of ill fame. They will come up before Judge Barham on next Wednesday afternoon at 2:30 o'clock.

STILL CONDEMN STILES.

Textile Workers Adopt Resolution Approving Course of Congress.

(By Associated Press.) WASHINGTON, D. C., Oct. 22.—Still condemning the statements of Dr. C. W. Stiles, of the United States public health and marine service, respecting the conditions of child labor in the cotton mills of North Carolina, the United States Textile Workers' Association of America adopted a resolution just before adjournment today approving the prosecution by congress of a bill creating a child labor bureau in the department of commerce and labor.

After a lively contest the association selected New York city as the place of meeting for its tenth annual convention next year.

Charles A. Miles, of Paterson, N. J., was elected national organizer.

Capital Dry Goods House

2910-2912 WASHINGTON AVENUE.

GLOVES

LONG AUTOMOBILE GLOVES, IN TAN ONLY, ALL SIZES; WORTH \$3.00. SPECIAL \$2.48.

WASHABLE WHITE KID GLOVES, ONE CLASP, ALL SIZES. \$1.98 VALUE. SPECIAL \$1.48.

WALKING GLOVES, IN TAN ONLY. A \$1.50 QUALITY; ALL SIZES. SPECIAL \$1.25.

THE KEY TO SUCCESS

IS A THOROUGH BUSINESS EDUCATION. TIME TO ENTER? NOW!

All commercial branches taught, viz: Bookkeeping, Arithmetic, Penmanship, Rapid Calculation, Business Correspondence, Shorthand, Typewriting and Spelling, Telegraphy (taught in night school). DAY AND NIGHT SESSIONS. Graduates placed in positions.

INTERNATIONAL Business College

Third Floor, First National bank building. Bell Phone 350. J. M. RESSLER, President. C. A. HANSON, Principal.

DID YOU EVER STOP TO THINK

REASON THIS OUT FOR YOURSELF: SUPPOSE YOU ARE PAYING \$20.00 A MONTH RENT; IN FIVE YEARS YOU PAY THE LANDLORD \$1,200. HAD YOU APPLIED THIS AMOUNT TO THE PURCHASE OF A HOUSE, YOU WOULD TODAY BE THE OWNER OF A NICE HOME INSTEAD OF THE RENT RECEIPTS YOU HOLD. IF YOU PAY A HIGHER RENT, YOUR HOME WOULD BE JUST SO MUCH NICER WITHOUT ANY ADDITIONAL EXPENDITURE. IF YOU ARE INTERESTED IN OWNING YOUR OWN HOME, WE WOULD BE GLAD TO TALK THE MATTER OVER WITH YOU.

TERMS TO SUIT.

Old Dominion Land Company

HOTEL WARWICK BUILDING.

It Is Useless to Save Money

Unless you keep it in a safe place. Left at home, carried upon the person, or loaned without proper security, it is not safe. You may lose it or be robbed if you carry it about with you; and there has probably been more money lost by making unsecured loans and in speculation than in any other manner. There is, however, one place where your money will be absolutely safe, and that is with

SCHMELZ BROTHERS, Bankers

THE LARGEST AND STRONGEST BANK IN THE CITY. 4 PER CENT ON SAVINGS ACCOUNTS.

Ample Guarantee

The resources of the First National Bank, of Newport News, are ample guarantee of its financial strength. Your account and banking business invited.

THE FIRST NATIONAL BANK

United States Depository. Newport News, Va. Capital, \$100,000; Surplus, \$100,000

When out shopping

Why not look for the coolest place in the city, where you can enjoy a

FIRST CLASS DRINK ICE CREAM

Plenty of room. Stop in and rest.

Health Food Bakery & Confectionery Company

Washington Avenue and 21st St.

Get the Habit

\$9.75 —AND— \$14.75

The question of values you must take in consideration and when you do this you will buy your suit and overcoat and furnishing goods at

Myerson's Clothes Shop

Cor. 30th Street and Wash. Ave.

Watch Us Grow

MAKE YOUR MONEY Make More Money

A splendid opportunity for small, conservative investors. Write for particulars.

THE HUB CORPORATION

Newport News, Virginia.

IF YOU DO NOT DEPOSIT WITH CITIZENS & MARINE BANK

You are missing some of the things to which you are entitled. We invite those wishing to establish relations with a safe, strong bank to do business with us, knowing our service will prove satisfactory.

DIRECTORS:

T. M. Benann, D. S. Jones, H. E. Parker, L. P. Stearnes, A. C. Garrett, A. B. Mallett, Elias Payer, W. B. Vest, E. T. Ivy, J. A. Massie, Edwin Phillips, Geo. B. West.

J. W. COURTNEY COAL and WOOD

1/4 Cord Pine Wood... \$1.75
1/4 Cord Mixed Wood... \$1.80
1/4 Cord Oak Wood... \$1.85
Also job lot of Wood, Oak or Pine, at \$1.50 for quarter of cord.

No extra charge for splitting. The best grades of coal at the lowest net price.

427 Twenty-second St.
Both Phones 50

Distilled Ice Co.

35th St. and C. & O. Ry. Bell Phone 98. City Phone 308.

Oldest! Largest! Best

Why send your work to Laundries that give you inferior work, when you can have your work done at home by local Laundries that are the most modern, and up to date in the country, and employ the most skilled labor that can be secured. We claim this and can back what we say, send us a trial package of laundry, and let us convince you that we can give you better results than can be obtained elsewhere. AND WE ARE LOCAL. Foreign Mission is alright but charity begins at home. We most cordially invite the people of Newport News to pay our plant a visit. We will take pleasure in showing you our methods of doing better work than any other. Work called for and delivered with dispatch. Both Phones No. 10.

Warwick Steam Laundry

119 24th St. Newport News, Va.

Wood, Lime, Cement

Sole agents for Hard Wood Charcoal and Otto Coke. Your patronage solicited.

Benson, Phillips & Co

24th & Virginia Ave. Both Phones, 7.

When out shopping

Why not look for the coolest place in the city, where you can enjoy a

FIRST CLASS DRINK ICE CREAM

Plenty of room. Stop in and rest.

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