

THE COMMONWEALTH.

L. E. HILLIARD, Editor
Published Every Thursday.

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Thursday, October 1, 1908.

Publisher's Announcement.

It is a settled point in newspaper ethics that editors and publishers are not responsible for the views of correspondents, and the publication of a communication does not mean that the editor or publisher endorses the communication. The COMMONWEALTH adheres to these general principles.

GREENSBORO'S HOME COMING.

Greensboro's Centennial and Home Coming Week will be held October 11-17. It promises to be a most unique and interesting occasion, for which a most elaborate programme has been arranged, and the many North Carolinians who will come from their present homes outside of the State, as well as many other visitors will doubtless enjoy the great occasion to its fullest extent.

THE STATE FAIR.

The North Carolina State Fair will be held in Raleigh Oct. 12-17. Among other things the following features are noted from a circular letter:

"Premiums have been increased and the agricultural, industrial and educational displays will be unexcelled. The County exhibits will be a feature; Haywood county will show the resources and possibilities of the glorious west, competing with counties from the east.

"The Virginia Horticultural Society will have a magnificent display of fruit, simply for exhibition purposes and not competing for premiums. Cattle will be here from Kentucky and poultry from all over the country.

"The attractions will include Beachy in the marvellous Strobel Air Ship navigating the clouds. His ship under perfect control, sails as easy and gracefully as a bird. This is the ship that set Washington wild and broke up a session of Congress, the members rushing from their seat to see the wonderful sight."

Forecast of Probable Presidential Cabinets.

The Washington Post gives the following forecast of the probable Bryan and Taft cabinets:

A POSSIBLE TAFT CABINET.

- Secretary of State—Elihu Root.
- Secretary of the Treasurer.—Geo. Von L. Meyer.
- Secretary of War—General Luke E. Wright.
- Attorney-General—Frank B. Kellogg.
- Postmaster-General—Frank H. Hitchcock.
- Secretary of the Navy—George C. Perkins.
- Secretary of the Interior—James A. Garfield.
- Secretary of Agriculture—James Wilson.
- Secretary of Commerce and Labor—Oscar S. Straus.
- Supreme Court Justices—Kohlsaat, Pritchard and Gray (?).

A POSSIBLE BRYAN CABINET.

- Secretary of State—Richard Olney, Massachusetts.
- Secretary of the Treasury—John A. Johnson, Minnesota.
- Secretary of War—Alexander S. Clay, Georgia.
- Attorney-General—Joseph W. Folk, Missouri.
- Postmaster-General—A. J. Montague, Virginia.
- Secretary of the Navy—Theodore A. Bell, California.
- Secretary of the Interior—Nathan Straus, New York.
- Secretary of Agriculture—Governor Glenn, North Carolina.
- Secretary of Commerce and Labor—John Mitchell, Illinois.
- Supreme Court Justices—George Gray, Alton B. Parker, William Gaynor.

STATE OF OHIO. CITY OF TOLEDO, LUCAS COUNTY.

Frank J. Cheney makes oath that he is senior partner of the firm of F. J. Cheney & Co., doing business in the City of Toledo, County and State aforesaid, and that said firm will pay the sum of ONE HUNDRED DOLLARS for each and every case of Catarrh that cannot be cured by the use of Hall's Catarrh Cure. FRANK J. CHENEY. Sworn to before me and subscribed in my presence, this 6th day of December, A. D. 1886.

(SEAL.) A. W. GLEASON, Notary Public.

Hall's Catarrh Cure is taken internally, and acts directly on the blood and mucous surfaces of the system. Send for testimonials free.

F. J. CHENEY & Co., Toledo, O Sold by Druggists, 75c.

Take Hall's Family Pills for constipation.

JUDGE PEBBLES' STATEMENT.

He Gives His Reasons For Dismissing The Case at Bryson City.

The following letter by Judge R. B. Peebles, which was sent to the News and Observer, explains his ruling in the Sunday-school case at Bryson City:

Murphy, N. C., Sept. 19th, 1908.—My attention has been called to an article in your issue of August 27th, 1908, headed "Protest Against Judge's Decision," and another allusion to it in your issue of September 13th.

I write to say that said article contains a false and defamatory statement that is calculated to, and has done me considerable harm. I never said at Bryson City, or elsewhere, that "A Sunday School was not a religious body." The true facts are these: Henry Branner and Merrett Beck were indicted under section 3706 of the Revisal which is in these words: "If any person shall be intoxicated or shall be guilty of any rude and disorderly conduct at any place where people are accustomed to meet for divine worship, and while the people are there assembled for such, whether such worship should have begun or not, he shall be guilty of a misdemeanor, etc."

There was no allusion to a Sunday School in the bill of indictment. The defendants plead guilty. Whether for the want of money to employ a lawyer or because of bad "advice of friends," I have no information—and as is usual in cases of submissions, witnesses were examined for the purpose of enabling the Court to fix the punishment, and when it developed that the disturbance occurred at a Sunday School, I suggested to the Solicitor that there was a fatal variance between the allegation and the proof, and that following my universal custom, I would have to strike out the plea of guilty and order a verdict of not guilty.

The only argument the Solicitor made in answer to this was, that Sunday Schools opened with prayer. I replied that that was a mere incident and not the PURPOSE of the Sunday School. That the main object of the Sunday School was to teach the children the Bible. That the PURPOSE of the meeting gave character to the meeting and not its incidents. That each daily session of our Legislature opened with prayer, and the Lord knows no one would say that the Legislature met for the PURPOSE of worshipping God.

Whenever a person from poverty or ignorance fails to employ a lawyer and pleads guilty, and it turns out that in my opinion he is not guilty, as charged, I strike out the plea of guilty and discharge him.

I have heard of a man who pleaded guilty to the charge of abandoning his wife, and the evidence showed that his wife abandoned him, and yet he was held to his plea of guilty and was sentenced to work on the public roads for twelve months. This is not my idea of justice. At Asheville a poor man pleaded guilty to a charge of bigamy. He had married the second time while his first wife was living. He thought he was guilty of bigamy. The evidence showed that his first wife had deserted him fourteen years before his second marriage and he had not heard from her during that time. Upon this state of facts, he had not violated the Statute. I ordered the plea of guilty stricken out and a verdict of not guilty entered. If I had done less I would knowingly have punished an innocent man. I do not believe the State wants to punish an innocent man. I do not and will not if I know it.

It is not every religious body or meeting that is protected by said Statute. It protects those only which have met for the PURPOSE of divine worship. I can find but one case in our Supreme Court reports bearing upon this subject. It is State vs. Fisher 25 N. C. Reports, page 111. Chief Justice Ruffin wrote the opinion. I think in absolutely sustains my views on the subject. No one, I assume, will deny that a "Quarterly Conference" is a religious meeting, or body, just as a Sunday-school is a religious meeting, or body, and yet Fisher was indicted under a similar statute for disturbing a "Quarterly Conference held in Church," and our Supreme Court held that he could not be convicted for the reason that the Quarterly Conference had NOT MET FOR THE PURPOSE of worshipping God. It opens with prayer just as Sunday-schools do, but prayer was not the object of the meeting, but one of its incidents, as it is an incident of a Sunday-school, while the PURPOSE of the meeting is to teach children—generally small children—the Bible. For many years we had no statute against incest, for the reason that no one thought there was a person in North Carolina brute enough to commit the crime. No one is expected to attend a Sunday-school except the teachers and pupils, and no legislator, I suppose, has thought it required a penal statute to make them behave, and hence no statute has been passed especially

for that purpose. At school entertainments a promiscuous crowd is expected and the legislature has passed an Act for their protection—Section 3704 of Revisal. In this Act, after certain meetings are mentioned, are these words "Or any meeting whatsoever peaceably held." If the defendants had been indicted under this section, I would have held the indictment good, but I would have done so with some misgiving.

Worcesters Dictionary says: "Worship consists in the performance of all those external acts and the observance of all those rites and ceremonies in which men engage with the PROFESSOR and SOLE view of honoring God." "To adore," "To honor," "To pay supreme homage to." Are these the objects for which little children are invited to attend Sunday-schools? Surely not. They are invited there for the PURPOSE of being taught the Bible and to learn something of the attributes of God in order that they may better understand how to worship Him when they grow to maturity.

But suppose I was mistaken in my views of the law, have you and those who through you have made a public protest against my ruling, pursued the proper course? If my ruling was wrong, the State, and through it the friends of the prosecution had the right to carry the case to the Supreme Court and test the correctness of my ruling.

I set aside the submission of guilty upon the ground that there was a fatal variance between the allegation and the proof, and this gave the Solicitor the right of an appeal to the Supreme Court. Neither he nor those who instituted the prosecution offered to appeal. If they had, the case would have gone to the Supreme Court, and if my construction of the Statute was upheld, application could have been made to the next General Assembly for an Act to cover such cases. There is another way to test the correctness of my ruling. If the said defendants are indicted under section 3704 of the Revisal, and they plead former acquittal, the question will be squarely raised as to whether or not they could have been lawfully convicted under the former bill. If those who have made this protest really believe they are right, it is not too late for them to test the question now by having said defendants indicted at the next term of Swain Superior Court under section 3704 of Revisal. Besides my ruling was not binding on any other Superior Court Judge.

The life, liberty and property of the citizens and the peace and good order of the State depend, in a measure, upon the integrity of and the respect given to the Judiciary of the State, and he who attempts to lessen the latter, in my opinion, commits a crime against the public.

I ask that you publish this communication in as prominent a form as you published the communication of Mr. E. L. Middleton.

See also State vs. Bryson 82 N. C. R.

R. B. PEBBLES.

A Paper is a Paper With Some People.

(Smithfield Herald.)

So much has been said about reading and education the past few years that most families hold the idea that they should at least take a newspaper but many seem to care but very little what kind that they take, whether it is a weekly or monthly, whether it is printed in the county or State or several thousand miles away, whether it is sold for ten, fifteen, twenty-five or fifty cents or one dollar per year makes but little difference. Nor does it matter if it contains articles which poison the minds of the young as is true of many of the cheap story papers. An unprincipled firm may send out an advertising sheet which recommends only humbugs but if it has a worthwhile story in each issue it is called a good paper. If any paper is taken it is almost impossible to sell another no matter how good it may be. A paper is a paper and anything called by the name is considered good enough for the home reading.

No wonder so many young people have foolish notions and are so hard to control when they are allowed to read such trash. In the selection of papers for the home some thinking should be done. People do not buy farm implements and household goods without giving the matter considerable thought. It does look like the literature of the home deserves at least as much consideration.

We advise you not to take cheap papers and do not take such of any kind as stand for nothing. What is the use of reading unless something is to be learned from it worth knowing. Take papers which have principles and stand by them. Take as many good papers as you can read.

Had a Close Call.

Mrs. Ada L. Croom, the widely known proprietor of the Croom Hotel, Vaughn, Miss., says: "For several months I suffered with a severe cough, and consumption seemed to have its grip on me, when a friend recommended Dr. King's New Discovery. I began taking it, and three bottles affected a complete cure." The fame of this life saving cough and cold remedy, and lung and throat healer is world wide. Sold at E. T. Whitehead Company's drug store. 50c. and \$1.00. Trial bottle free.



See Us ABOUT GLASSES Tucker, Hall & Co., The Expert Opticians, 53 Granby St., Norfolk, Va. Catalogue on Application.

PHOTOGRAPHS!

I am prepared to do all the up-to-date work in The Photographic Art! at very reasonable rates. Satisfaction guaranteed. Gallery east side of Main street next to Planters and Commercial Bank. All work first-class in every particular. . . . JOHN M. COX, Scotland Neck, N. C.

REPORT OF THE CONDITION OF

The Scotland Neck Bank

At Scotland Neck, in the State of North Carolina, at the close of business September 23, 1908.

RESOURCES.	
Loans and discounts	\$93,918.69
Overdrafts	2,668.94
Stocks, bonds, mortgages	8,000.00
Furniture and fixtures	1,025.00
Due from banks and bankers	12,601.86
Cash items	786.45
Gold coin	1,000.00
Silver coin, etc.	2,328.74
National bank notes, etc.	3,266.00
Currency account	2,000.00
Total	\$127,595.68

LIABILITIES.

Capital stock	\$25,000.00
Undivided profits	7,372.24
Dividends unpaid	122.00
Bills payable	30,000.00
Time certificates of deposit	19,106.67
Deposits subject to check	45,860.42
Cashier's checks outstanding	21.85
Bond tax	112.50
Total	\$127,595.68

State of North Carolina, ss. County of Halifax,)

I, Frank P. Shields, cashier of the above-named bank, do solemnly swear that the above statement is true to the best of my knowledge and belief.

FRANK P. SHIELDS, Cashier.

Subscribed and sworn to before me, this 23rd day of September, 1908.

J. HARPER ALEXANDER, Correct—Attest: N. B. JOSEY, G. HOFFMAN, R. M. JOHNSON, Directors.

\$3.90 To Raleigh, N. C., and Return VIA

Atlantic Coast Line

Account North Carolina State Agricultural Fair, October 12th-17th. Tickets on sale October 9th to 16th inclusive, final return limit October 19th. Tickets include one admission coupon to Fair Grounds.

For further information call on ticket agent or write.

W. J. CRAIG, P. T. M., T. C. WHITE, G. P. A., 10-1-2t Wilmington, N. C.

Wood's Seeds.

Seed Wheat, Oats, Rye and Barley.

We are not only the largest dealers in Seed Grain in the South, but we sell the best, cleanest, and heaviest qualities. Our stocks are secured from the best and largest yielding crops, and our warehouses are fully equipped with the best and most improved machinery for cleaning. If you want superior crops

Plant Wood's Seeds.

Prices quoted on request. Descriptive Fall Catalogue, giving full information about all seeds, mailed free.

T. W. WOOD & SONS, Seedsmen, Richmond, Va.

House and Lot For Sale.

A good dwelling on a lot 100 x 200 feet on Main street in Scotland Neck. Apply to E. E. HILLIARD. 8-20-1f

BUCKHORN LITHIA WATER

MORE LITHIA THAN IN ANY OTHER WATER

For Kidney and Bladder diseases has no equal. We will furnish free of cost a case of any other water to prove that Buckhorn Lithia is the most active of all waters on the kidneys.

If it does not cure inflammation of the bladder, it costs you nothing.

For Sale by all Mineral Water Dealers.

Ask your dealer or write direct for special offer and booklet.

Buckhorn Lithia Water Co., Henderson, N. C.

GET RID OF URIC ACID.

THE BEST REFLECTION that strikes the eye and wins the approval of all our customers for FINE TAILORING is, the acme of style and finish in every detail. Perfectly-fitting, slender, the most graceful curves, every lapel put on for use and style—each and entire suit that speaks volumes for a distinctive difference in the crowd. Why buy ready-made clothing that NEVER FITS, when for a slight difference in price, we can make you clothing that FITS AND FITS WELL? Come in and let us surprise you with our reasonable prices.

IT WILL BE To Your Advantage TO CALL AT

Cook's New Drug Store

Masonic Temple Building, When you visit Tarboro again!

COME AND SEE!

6-24-1f

Cotton Pickers' Book

FOR 1908

NOW READY!

Would be glad for our friends to call and get what They Want! . . .

Howard Hardware Co.

Tarboro, N. C.

HUX'S KITCHEN,

Next Door to S. A. L. Ticket Office, Weldon, N. C.

OYSTERS! Served on Short Notice, Any Style. OYSTERS! Full Dinner 50c. Hot and Cold Lunches. A First-Class Dining Room for Ladies and Gentlemen.

Lady Clerks in Attendance. Good Meals at All Hours.

BINGHAM SCHOOL

1793 1909

FOR 115 YEARS boys have been prepared for COLLEGE and for LIFE, and have been trained to be MEN at THE BINGHAM SCHOOL. Ideally located on Asheville Pike. Organization MILITARY for discipline, control and carriage. Boys expelled from other schools not received. Visiting boys expelled as soon as discovered. Biking excluded by pledge of honor. Limited to 100. Rates reasonable. Address COL. R. BINGHAM, Supl., R. F. D. Box 71, ASHEVILLE, N. C.

Clement's Warehouse,

ENFIELD, N. C.

Headquarters for High Prices.

Our market is now in full blast. We are ready and anxious for your tobacco. Our splendid corps of buyers are all on and want all grades. Prices are good on all desirable tobaccos and especially so on tobacco with body. Come to see me with your next load and it will be my pleasure to send you home pleased. I will be here at all times to see that your tobacco is packed and put on the floors to best advantage and your interests looked after in every way. We have as good market as any in the State, so when you get ready to sell come to Enfield and to Clement's Warehouse where highest prices always prevail.

W. T. CLEMENT, Prop., Enfield, N. C.

FOLEY'S HONEY AND TAR

Cures Coughs, Colds, Croup, La Grippe, Asthma, Throat and Lung Troubles. Prevents Pneumonia and Consumption

E. T. Whitehead Company, Scotland Neck, North Carolina.



THE BEST REFLECTION that strikes the eye and wins the approval of all our customers for FINE TAILORING is, the acme of style and finish in every detail. Perfectly-fitting, slender, the most graceful curves, every lapel put on for use and style—each and entire suit that speaks volumes for a distinctive difference in the crowd. Why buy ready-made clothing that NEVER FITS, when for a slight difference in price, we can make you clothing that FITS AND FITS WELL? Come in and let us surprise you with our reasonable prices.

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Cures Coughs, Colds, Croup, La Grippe, Asthma, Throat and Lung Troubles. Prevents Pneumonia and Consumption

E. T. Whitehead Company, Scotland Neck, North Carolina.

Land for Rent.

On October 16th, 1908, I shall propose publicly for rent to the highest bidder, in the town of Scotland Neck, N. C., at 12 o'clock M., rent to be payable in good lint cotton, middling basis, the following described land: That tract of land in Goose Nest Township, Martin county, N. C., known as the "Wilson Leggett Farm," of which the late Wilson Leggett died seized and possessed, lying on Roanoke River and adjoining the lands of L. J. Baker, W. E. Cherry and others containing fifteen horse crop cleared, about fifty acres cleared lying on Roanoke River. All persons desiring to rent, including team, farming implements, etc., now on said land, will be for sale about January 1st, 1909.

This September 10th, 1908. MRS. MARGARET LEGGETT, guardian.

Also Complete Undertakers' Outfit.

Hearse Service any Time

Day or night we are ready to accommodate our friends and the Public Generally.

M. Hoffman & Bro.

Scotland Neck, North Carolina

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