

## FIVE LOST

"Clarence H." Swamp-  
ed and All on Board  
Lost

## STRONG WINDS

Have Been Blowing Off the Coast for  
Several Days—All the Men Lost Are  
Well Known Here—Several Leave  
Large Families—The "Clarence H."  
Was a Small Schooner Plying Be-  
tween Wilmington and Shallotte.  
Thus Far Only One Body Has  
Drifted Ashore.

The schooner "Clarence H." plying  
between this city and Shallotte, was  
swamped on Wednesday night and all  
on board lost. There were five men on  
the schooner. The members of the crew  
who were lost were, Captain Lucian  
Hewitt master of the boat, Morris  
Calson, mate, and Walter Hewitt cook.  
Captain W. B. Lewis and Mr. Jim  
Lewis, who were on the boat and were  
coming to this city on business, were  
also lost. All of the men who were  
lost either lived at Shallotte or near  
there.

The news of the disaster was tele-  
phoned to this city yesterday morning  
from Southport.

The wreck is lying on the beach near  
the Oak Island life saving station.  
Thus far only one body has floated  
ashore, it was the body of Captain W.  
B. Lewis. The body had become fast-  
ened to the hatch and was underneath  
the hatch when found.

The schooner belonged to Messrs. W.  
H. Phillips, R. V. Leonard, Jackson  
Standard and W. A. Frink.

Mr. W. H. Phillips, of Shallotte, had  
all of his household property on board  
the "Clarence H." being moved to this  
city, where Mr. Phillips expected to  
make his future home. He recently  
bought an interest in the firm of the  
Brunswick Grocery Company. Mr. Phil-  
lips was here yesterday when he heard  
of the disaster.

The "Clarence H." was built some-  
thing over a year ago at a cost of \$1,000.  
The loss of the cargo is estimated at  
\$1,000, but it is impossible yet to tell  
to what extent the boat was damaged.  
A very strong wind has been blowing  
off the coast for several days and on  
Wednesday night it is said to have  
been very severe. It was in this weather,  
no doubt, that the "Clarence H." capsized.

At last reports none of the cargo from  
the boat had drifted ashore.

All of the men lost of the disaster are  
well known here and several of them  
leave large families. Walter Hewitt,  
was only 17 years of age and a son of  
Mr. Dudley Hewitt of Shallotte.

## GUARDED WITH A GUN.

Mr. B. P. Bailey had Watchman  
Guarding Alley Yesterday With a  
Rifle.

The police are still experiencing  
trouble in keeping the Hart-Bailey  
alley open. As stated in this paper  
several days ago, Mr. E. P. Bailey  
contends that he owns one-half of the  
alley and that the public has no right  
to the use of it.

On last Monday Mr. Bailey placed  
several obstructions in the alley, but  
they were promptly removed by the  
police as soon as the matter was re-  
ported. Tuesday the alley was again  
closed by a post being placed in the  
center of the alley and on Wednesday  
Mr. Bailey resorted to still another  
method, this time placing several red  
lanterns in the alley and putting up  
signs warning the public from tresp-  
assing. All of the danger signs are  
now in place headquarters at the city  
hall.

The above named means of prevent-  
ing the alley from being used were  
mild compared with yesterday's meth-  
od. A large red piece of flannel was  
tacked on the ground as a danger  
signal and near the danger signal  
stood a man with a Winchester rifle.  
Chief of Police Furlong happened to  
pass along the street near the alley in  
question and saw the man guarding  
the alley with a gun. The man was  
ordered by Chief Furlong to leave the  
alley at once, which he did. The man  
who was guarding the alley, Johnson  
by name, has only been black here a  
short time from the penitentiary. He  
was sent to the penitentiary in 1902  
for perjury and was to serve a two  
year sentence, but after being in pris-  
on about one year he was pardoned  
by Governor Aycock.

## JUVENILE AUTHORS.

Prizes Won by Two Attractive Young  
Wilmingtonians

Wilmington is the proud possessor of  
two juvenile authors, Miss Hattie Ray  
Kline and Master Wilber Gore, and  
each has just been picked as a winner  
in a fairy tale contest.

Some time ago the Dalton Shoe Com-  
pany, of Dalton, Mass., offered a fairy  
tale contest to the children of the United  
States and among those who com-  
peted were the two young Wilmington-  
ians noted and who by their literary  
talent each secured a prize—a pair of  
Little Giant School Shoes. The com-  
pany's exclusive agency here, the Sol-  
omon Shoe establishment, has just been  
notified to award the prizes.

Mrs. Burkholder, who has been here  
on a visit to relatives left yesterday  
for her home in Philadelphia.

HALF OUR ILLS  
ARE CATARRHAL  
IN NATURE.

Catarrhal Diseases are Most  
Prevalent in Winter.

IS THERE NO WAY OF  
ESCAPE FROM THEM?

Pe-ru-na Never Fails to Cure  
Catarrh Wherever  
Located.

There are some things which are as  
sure as fate, and can be relied on to occur  
to at least one-half of the human family  
unless means are taken to prevent.

First, the climate of winter is sure to  
bring colds.

Second, colds not promptly cured are  
sure to cause catarrh.

Third, catarrh improperly treated is  
sure to make life short and miserable.

Catarrh spares no organ or function of  
the body. It is capable of destroying  
sight, taste, smell, hearing, digestion,  
secretion, assimilation and excretion.

It pervades every part of the human  
body, head, throat, stomach, bowels,  
bronchial tubes, lungs, liver, kidneys,  
bladder and other pelvic organs.

That Peruna cures catarrh wherever  
located is attested by the following tes-  
timonials sent entirely unsolicited to  
Dr. Hartman by grateful men and wo-  
men who have been cured by Peruna:

**Systemic Catarrh.**  
Mrs. M. K. Bousch, Richmond, Va.,  
writes: "I had catarrh all through my  
system for two years and could get no  
relief. I was advised to try Peruna and  
I have taken five bottles of it and am  
well and better now than I have been  
for years. I can advise any one who  
has catarrh of any part of the body to  
take Peruna. My little girl who is  
eleven years old had catarrh, but was  
cured by Peruna. Before I began to  
take Peruna I was sick all the time, but  
now I am entirely cured, and all praise  
be due Peruna."—Mrs. M. K. Bousch.

**Catarrh of the Nose.**  
Mr. Herman Ehlike, 952 Orchard street,  
Milwaukee, Wis., writes:  
"I am entirely cured of my catarrh of  
the nose by your Peruna. My case was  
a severe one."—Herman Ehlike.

**Catarrh of the Throat.**  
D. H. R. Smith, Salesville, O., writes:  
"I suffered with catarrh of the throat  
for five years. I was induced to try  
Peruna. I have used five bottles and am  
perfectly well."—D. H. R. Smith.

**Catarrh of the Ear.**  
Mr. Arline Godin, 188 Beech street,  
New York, N. Y., writes:  
"I suffered with catarrh of the ear for  
three years. I have used five bottles of  
Peruna and am now perfectly well and  
better than I have been for years."—  
Arline Godin.

**Catarrh of the Bladder.**  
Mr. John Smith, 311 S. Third street,  
Atchison, Kan., writes:  
"I was troubled with catarrh of the  
urethra and bladder for two years. At  
the time I wrote to you I was under the  
care of my home doctor, and had been  
for four months.

"I followed your directions but two  
months, and can say Peruna cured me  
of that trouble."—John Smith.

**Catarrh of the Head.**  
Mr. D. R. Ramsey writes in a recent  
letter from Pine Bluff, Ark., the fol-  
lowing:  
"My son, Leon Ramsey, four years of  
age, suffered with catarrh of the head  
for eighteen or twenty months. He took  
one bottle of your Peruna and could  
hear as good as ever."—D. R. Ramsey.

**Catarrh of the Lungs.**  
Mrs. Emilie Kirchhoff, Ada, Minn.,  
writes:  
"Through a violent cold contracted  
last winter, I became afflicted with  
catarrh of the nose, which in a short time  
affected my lungs. I took Peruna which  
cured me thoroughly. I now feel better  
than I have for forty years."—Mrs.  
Emilie Kirchhoff.

**Catarrh of the Stomach.**  
A. W. Graves, of Hammond, Ind.,  
writing to Dr. Hartman, says:  
"I am well of catarrh of the stomach  
after suffering two years. I have taken  
five bottles of Peruna and one of Man-  
lin and I feel like a new man now."—  
A. W. Graves.

**Pelvic Catarrh.**  
Miss Katie Lochman, Lafayette, Ind.,  
writes:  
"I had pelvic catarrh, pain in the ab-  
domen, back, had stomach trouble and  
headache caused by catarrh. I followed  
your directions: took Peruna and Man-  
lin according to directions, and how  
happy I feel that I am relieved of  
such a distressing ailment."—Miss Katie  
Lochman.

**Catarrh of the Bowels.**  
Mr. Henry Entz, South Bend, Ind.,  
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bowels and I took his medicine, but  
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Address Dr. Hartman, President of  
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Ask Your Druggist for a free Peruna Almanac for 1904

## AT AN END

Injunction Against the  
Holly Shelter Railroad  
Dissolved

## APPEAL LIKELY

Result of the Motion Argued in the  
Superior Court Here Last Week.  
Judge Brown Decided Against the  
State—Interesting Notes About the  
Multiplicity of Suits.

The result of the hearing in the su-  
perior court here last week before  
Judge Geo. H. Brown, Jr., in the suit  
of State, on the relation of the At-  
torney General, vs. the Holly Shelter  
Railroad Company is now known. The  
motion to make permanent a tempo-  
rary injunction was the point involved  
and was so argued at length. Judge  
Brown has just over-ruled the motion,  
which dissolves the injunction and  
permits the defendant railroad to  
proceed.

The complaint alleged as a first  
cause of action, that the charter was  
obtained from the state by fraudulent  
representations, in that it was to be a  
private lumber tramway instead of a  
public carrier. As to this, the court  
holds that the suit cannot be brought  
by the attorney general under section  
604 of the code, without express direc-  
tion of the legislature. The second  
cause of action alleged in the com-  
plaint under section 605 of the code  
was that the railroad was abusing its  
chartered privileges, in not construct-  
ing its railroad according to its ar-  
ticles of incorporation. As to this, the  
court holds there is no evidence to  
support the charge. The injunction is  
dissolved, and the plaintiffs cost. It is  
understood that there will be an ap-  
peal.

This is another chapter in some in-  
teresting litigation in which the rail-  
road, and Messrs. W. L. Parsley, of  
this city, and a Mr. H. B. Newton of  
Boston, have been involved. It seems  
that Mr. Newton owns a large tract  
of land in Pender county and Mr.  
Parsley owns the timber rights there.  
They refused to allow, on any

terms, the New Hanover Shingle  
Mills, of this city, to cross the lands  
with a tramway in order to reach and  
haul out lumber from timber lands  
owned by the shingle mills. Then the  
stockholders of the New Hanover  
shingle mills, it is alleged, organized  
the Holly Shelter Railroad Company.  
This road is chartered to run from  
Bannerman's bridge on the North  
East river to Shalcks Creek, a dis-  
tance of five miles. The railroad in-  
stituted proceedings before the clerk  
of Pender county to condemn a right  
of way over the lands of Messrs. Parsley  
and Newton. This was resisted and  
several hearings had before the clerk.  
Counsel for Messrs. Parsley and New-  
ton obtained a suit of prohibition from  
Judge O. H. Allen, stopping any ac-  
tion by the clerk, which suit he after-  
wards dissolved; then application was  
made to the supreme court for a like  
suit and that court refused to grant  
it. Judge Wm. A. Allen afterwards  
heard the case at a term of Pender  
court upon appeal from the clerk, and  
he remanded it to the clerk with di-  
rection to proceed to appoint commis-  
sioners to condemn the land. This or-  
der was appealed to the supreme court  
and it affirmed Judge Allen's decision.  
Meanwhile, Messrs. Parsley and New-  
ton instituted two suits, against the  
railroad, the shingle mills, and Messrs.  
C. W. Mitchell, W. P. Taylor, A. W.  
Taylor, and H. A. Brown, Jr., who are  
large stockholders in the said com-  
panies, alleging title to the lands and  
asking that the defendants be enjoined  
from entering upon the lands. Judge  
Brown, sometime since at Clin-  
ton, restrained all the defendants, ex-  
cept the railroad, which was allowed  
to give a five thousand dollar  
bond and go on with its work. In  
these suits, the defendants H. A.  
Brown, Jr., and A. W. Taylor set up a  
defense that by entries and grants  
purchased by them they own part of  
the lands in question. Now as to  
further effort to prevent the railroad  
from building, this last suit was  
brought by the attorney general, at  
the instance of Messrs. W. L. Parsley  
and H. B. Newton. Still another in-  
junction matter is pending before  
Judge Brown to restrain Messrs. W. L.  
Parsley, H. B. Newton and the Hilton  
Lumber Company from trespassing  
upon the lands claimed by Mr. H. A.  
Brown, Jr., and A. W. Taylor, as al-  
so by Messrs. Parsley and Newton. Al-  
together seven suits between the de-  
fendants have grown out of this con-  
troversy and the end is not yet. These  
suits will have to be tried finally be-  
fore a jury in the courts of Pender  
county.

However, the railroad will now re-  
commence building, and maybe, before  
another suit opens a fresh chapter  
will nearly succeed in spreading itself  
along its whole length of five miles  
before the summer travel opens up, or  
the ingenuity of learned counsel again  
blocks its progress. It looks to an  
outsider that in all this there is much  
to do about nothing.

In all this litigation, Messrs. Roun-  
tree & Carr, Hon. Jno. D. Bellamy  
and R. G. Grady, Esq., have repre-  
sented Messrs. W. L. Parsley and H. B.  
Newton, and the state, Messrs. Ire-  
dell Meares, of this city, J. T. Bland,  
of Burgaw, and Hon. Frank D. Win-  
ston, of Windsor, N. C., have repre-  
sented the defendant railroad and  
other parties to the several suits.



FOR CATARRH OF THE HEAD  
FOR CATARRH OF THE NOSE  
FOR CATARRH OF THE THROAT  
FOR CATARRH OF THE LUNGS  
FOR CATARRH OF THE STOMACH  
FOR CATARRH OF THE PELVIC ORGANS  
FOR CHRONIC CATARRH  
FOR WINTER CATARRH  
FOR SUMMER CATARRH

**Catarrh of the Kidneys.**  
Peter J. Unger, Hawley, Pa., writes:  
"I think that I am perfectly cured of  
catarrh of the kidneys by Peruna, as  
I have no trouble of any kind."—  
P. J. Unger.

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## "SLAVES OF THE ORIENT."

A Big Scenic Production Monday  
Night Will Usher in a Week of  
Popular Prices at the Academy.  
Seats on Sale Tomorrow.

The ever popular Harris-Parkinson  
Company will, next Monday night, open  
a week's engagement at the Academy  
of Music with the melo-dramatic suc-  
cess, "Slaves of the Orient." All special  
cenery is carried for this play and will  
be used on that night. The popular  
Southern actor, Robert H. Harris will  
be seen in one of his best parts. Mr.  
Harris has just finished a two-weeks  
engagement at Chattanooga and Knox-  
ville to capacity house. The company  
is even stronger than last season.  
Many beautiful costumes are used in  
"Slaves of the Orient" and an extra  
strong list of vaudeville features.

The company comes heralded by the  
press as one of the very strongest of its  
class and especially is praise given the  
high class, royalty plays being present-  
ed. For the opening performance Mon-  
day night the sale of seats will com-  
mence at Plummer's tomorrow morning.  
Popular prices will prevail throughout  
the engagement.

## A SWEET PERFORMANCE.

Splendid and Up-to-Date Attraction  
Presented Last Night at the Acad-  
emy—Another Performance To-  
night.

The Academy has without doubt  
presented the strongest vaudeville at-  
traction ever seen in Wilmington. The  
tried, superlative expression of the  
flaring posters that "Every act a fea-  
ture" found realization in the per-  
formance last night of Mildred &  
Rouclere. The audience was not half  
in size what it should have been, but  
it was one of the most thoroughly en-  
tertained and well satisfied audiences  
that has attended the local playhouse  
this season. There was plenty of di-  
versity about the performance and  
every thing was up-to-date and "dished  
up" in splendid manner.

The first act was about ten minutes  
with Rouclere, who entertained in  
most refined and unique style. He in-  
troduced a number of elaborate new-  
ties that were both mirthful and be-  
wondering. Later in the evening he  
presented a startling illusion entitled  
"The Man of the Moment."

Following Rouclere a corps of par-  
excellence vaudeville artists, including  
The "Clay" and Hunter, a  
comedy musical act, a troupe of  
jugglers, Sherwood & Fox, illustrated  
song singers, and Mildred, Empress of  
Mental Phenomena. The last noted  
gave a wonderful exhibition of mind  
reading.

The performance closed with a sim-  
ply "great" act of Kitanura's Royal  
Japanese Troupe. The act was of  
most picturesque and remarkable na-  
ture. The finale was exceedingly  
startling. One of the Japs walked an  
inclined tight rope from the stage to the  
top gallery and then made a back-  
ward slide on the rope to the stage.

Tonight and tomorrow evening the  
company will again appear and also  
tomorrow afternoon at special matinee.  
For tonight an entire change of  
program has been arranged and  
seats are now on sale at Plummer's.  
Price of reserved seats are 35 and 50  
cents.

At noon today the company's splen-  
did band will give a free concert at  
Front and Market streets.

## CORONER'S VERDICT.

Jury Found That Mary Cartwright Met  
Death by an Accident.

The coroner's jury empaneled  
Wednesday to investigate the cause of  
the death of Mary Cartwright, met yester-  
day morning at 10 o'clock, and after  
hearing a report of the autopsy  
held by Dr. McMillan, assisted by Dr.  
Akerman, returned the following ver-  
dict:

"We the coroner's jury, having  
been duly named and sworn by Dr. C.  
D. Bell, coroner of New Hanover  
county, to inquire what caused the  
death of Mary Cartwright, do hereby  
report that,

"From the investigation and evi-  
dence of witnesses that the said Mary  
Cartwright came to her death from the  
effects of a bullet wound in the  
head from the accidental discharge of  
a pistol falling from the person of  
Mr. A. Watkins on the night of Novem-  
ber 4th, and the said Watkins is  
hereby exonerated from all blame in  
the matter.

"W. H. NORTHROP, JR.,  
"W. H. MOORE,  
"REUBEN GRANT,  
"JNO. TIFOMAS,  
"CHAS. G. DAVIS,  
"B. F. KING.

"Jury."

This paper on yesterday morning  
stated the facts that were brought out  
at the autopsy.

This case has attracted considerable  
attention among the physicians of this  
city. It is considered wonderful that  
a person could live under such con-  
ditions as existed in this case. When  
the woman was first shot she was ex-  
pected to live only a few hours, but  
she rallied and for several weeks the  
physicians thought there was some  
chance of her recovery. As a rule a  
wound of the kind in question would  
result in instant death.

The remains of the Cartwright wo-  
man were interred yesterday morn-  
ing.

## ON NEW YEAR'S EVE.

Arrangements Underway for the For-  
mal Opening of the Handsome New  
Home of the Howard Relief Com-