

The board of aldermen of the city of Raleigh are considering the price and regularity and charges of hack fare in that city; providing the maximum charge shall be not more than twenty-five cents from one point to another in the city, and not more than four persons including the driver, shall ride in a one horse hack.

It is suggested that the hack drivers of Raleigh should apply to Judge Pritchard for an injunction to prevent the enactment of such an ordinance as this.

It may not be in general use, but it is nevertheless true, that there are towns in North Carolina that compel each hackman to have the rates posted in his vehicle in a conspicuous place. This law has worked well, and prevents hackmen from charging excessive prices for ladies and children who will not argue against the price.

The department of Agriculture proposes to send lecturers through the country to explain to farmers and especially to their boys how more money can be made out of the farm.

According to Judge Pritchard, a place to test the constitutionality of a state law is not in the state court, but in the Federal court, by getting an injunction upon that question before the question of constitutionality is passed upon.

There are sixteen Superior Court Judges in North Carolina and five Supreme Court Judges. There are sixteen judicial districts in the state, and the Southern Railroad and the Atlantic Coast Line, either one or the other have lines of railroad in practically every judicial district of the State. The fact that these railroad corporations refuse to have their rate grievances considered by the state courts, and by this act say, that they do not wish for any court to try cases in which they are interested is an evidence that the State courts are not what they ought to be, or that these corporations are extremely bad.

It strikes us that a lack of confidence in the courts of the state on the part of these corporations does not speak well for the corporation. It is because it is certain that there is some one of the sixteen judges at least, of the Superior Court who would give a fair hearing.

The truth is, that every one of the sixteen judges of the Superior Court would be perfectly fair to the corporation and to any one else.

We have no doubt about the truth that the purpose of rushing into the Federal Court is, that they do not want justice, but want favoritism.

The overseers of the roads of this county, who have not worked their roads six full days during the past year, may have trouble when the magistrates in the various townships, hold their meeting in August.

Instead of obtaining an injunction without having any evidence to support the case, the affidavit filed by the Southern Railroad being purely conjectural, containing only what would or might be in case the railroad sold tickets at the price fixed by law. Suppose Judge Pritchard had done like a sensible man and said to the railroad: "Here you are with your conjectural affidavits reciting what eventually will occur in the event you should do what a certain state law says you shall not do." And suppose Judge Pritchard had gone on and said further: "The law is probably unfair, and you have a just grievance, but you have furnished me no evidence to sustain an injunction of the character which you ask. I advise you to go back and test the new rate, place yourself in a condition to furnish me with testimony and come back with affidavits containing this, and no conjectures and no prophecies, and I shall gladly consider your application, and after considering the evidence and no prophecies based on hypothetical conjectures, I will grant you the relief you request."

Why is it that some Federal judges, in the South, go at things in such a high handed manner? Is it because they want to get even with those whom they realize do not have high regard for their official conduct? Federal judges, in the North, do not go at matters in the same way that some of them do in the South. How can any one blame the State of North Carolina in entering its earnest protest against Judge Pritchard's foolhardy movement? The exercise of the arbitrary power on the part of this Federal Judge in the late rate injunction in North Carolina is without precedent.

It is true that a California case is cited for authority to justify Judge Pritchard's actions in the rate case. It will be found that the facts are so very different from the facts in this case, that it affords no justification or excuse or authority for the high-handed manner in which Judge Pritchard has attempted to hold up the administration of the affairs of this State.

No one disputes the fact that the railroads have ample reason to appeal from an act of the General Assembly, fixing the maximum rate for their passenger and freight traffic. The point on which we insist is, whether a Federal Judge can overrule a state law, and annul an act of the Legislature of a sovereign state before the State or the constitutionality of the act is declared.

We have, in North Carolina, a Federal Judge who has undertaken by an injunction, to declare, null and void, an act of the Legislature and has held up the operation of two of the statutes so enacted by an order in which he makes proclamation that of all persons, and of all courts, whether in their civil or criminal capacity, shall refrain from taking any steps toward the upholding of the law of the state as to these two particular statutes.

The question at issue is, whether our members of the legislature have the power and capacity to enact laws to govern the citizenship of our State without interference and without first consulting and getting the consent of certain Federal Judges.

We talk about the boasted freedom of America; there is not, outside of Russia, a country in all continental Europe, whether a Republic or Monarchical institution, that would tolerate such conduct on the part of their judges as that of Judge Pritchard in his recent injunction proceedings.

Judge Munger, of the United States District Court of Nebraska, has quite different ideas from Judge Pritchard, of North Carolina. Judge Munger refused an injunction restricting the state railroad commission and the Attorney General, of Nebraska, from enforcing the law by the legislature reducing express rates in that state twenty-five per cent. Judge Munger evidently thinks that the state has some rights and is entitled to decent consideration.

The Washington Times says that Assistant Attorney General Sanford, was not sent to North Carolina as reported, for the purpose of aiding Judge Pritchard, but to try to persuade the officials of the Southern Railway to withdraw their application for writ of habeas corpus before Judge Pritchard. The Times further says:

"Judge Pritchard has got the department of justice by the ears," declared a high government official today. "He is interfering in a matter in which his jurisdiction is questionable and waving a red flag of legal irregularity in the faces of the already infuriated state officials. If he does not involve the government in a serious mess it will not be because he has not laid a perfect ground work for trouble."

We may be mistaken but in our humble opinion Judge Pritchard has greatly excelled his authority and has made matters worse in law argument in favoring the holding up and nullifying state laws. From the law of his opinion he is in ill humor because the judges, solicitors, and grand juries obey their convictions instead of Judge Pritchard's threats and blanket injunctions.

Ex-State Treasurer W. H. Worth suffered a stroke of paralysis on last Saturday.



ABOVE IS A PICTURE OF THE FRANKLINVILLE RIVERSIDE BAND.

The officers are—Prof. Poe Warburton, Band Master; R. L. Elkins Manager; Hugh Parks, Jr., Leader; D. Dove, Sec. & Treas.

Members—Prof. Warburton, Music Director; Hugh Parks, Jr., Solo Cornet; R. L. Elkins Solo Cornet; Jasper Brady, B Flat Clarinet; F. M. Wright, First Cornet; W. D. Manor, Second Cornet; Mack Maner Third Cornet; Prof. D. M. Weatherly, First Alto; John Brady, Second Alto; T. B. Dove, First Tenor; Clarence Parks, Second Tenor; H. T. Parks, Solo Slide Trombone; D. Dove, Baritone; Henry Black, B Bass; T. M. Jennings, E. Bass; Willie Upton, Tenor Drum; John Freeman, Bass Drum.

This band was organized July 1st, 1906, and has been under instruction of Prof. Warburton since that time, and now is very well prepared to furnish first-class music for the public.

It is no longer a question of passenger or freight rates but that which is attracting most attention is the effort of a Federal Judge who has never specially demonstrated any particular qualification for the position he holds, in his effort to hold up courts and grand juries from proceeding in an orderly manner with the business of the criminal courts.

Judge Pritchard is not pleased because the State of North Carolina does not sit down and let him and his deputy marshals dispense public justice in this good state.

FREIGHT DISCRIMINATION.

Gov. Glenn Turns His Attention to Another Care of Public Service.

Raleigh, N. C., Tuesday, 30.—Governor Glenn today issued circular letters to the traffic managers of the Southern Railway, Atlantic Coast Line, Seaboard Air Line, Norfolk and Western and other railroads operating in this State, telling them he desired a conference, in which they and the members of the Corporation Commission and Gov. Glenn would participate with a view to eliminating the freight rate discriminations against North Carolina cities as compared with Virginia cities. In the letters he informed the traffic managers that the last legislature appropriated \$4,000 to make the fight against the freight discriminations, but he hoped to make an adjustment without making a fight. He said he would name the date for the conference as soon as he hears from the different traffic managers.

The Industrial News is right about one thing. It says the committee could have selected any one else as easily as it selected Mr. H. G. Chatham. That's so, and by that declaration the News absolutely destroys its own argument.—Newbern Sun.

Moore County News.

Carthage, July 30.—Winder Molyer, colored, who escaped from the chaingang at Cole's Mills a year or so ago, was captured in South Carolina last week and brought back to Carthage to serve out his unexpired term of about 8 months.

Mrs. Annie Fowler died at Roanoke, Va. last Friday. The remains arrived at Glendon last Saturday evening and were interred in the old Tyson cemetery. Mrs. Fowler was a daughter of the late Thomas Gardner and a grand-daughter of the late Harris Tyson.

Court next Monday week, August 12th. Judge Webb will preside. It will be a criminal term, and the docket is a very heavy one.

Mr. S. G. Holloman was stricken with paralysis at his home at Carthage last Sunday afternoon about 4 o'clock and is in a very precarious condition.

LIBERTY VICTORIOUS.

Strongly Matches Asheboro in Ball Game Here Last Week.

In a good game of base ball on the local diamond last Thursday afternoon Asheboro suffered defeat at the hands of the Liberty team. The score was 3 and 1, and the game was replete with fine plays. The game was clean throughout, and thoroughly enjoyed by all. Liberty has a strong aggregation just the kind our boys like to meet, and Asheboro is looking forward to the date for another game with them, at which time the tide is expected to turn.

Death at Hannersville.

Mrs. Charles Plummer, sister of W. J. Miller, of Asheboro, died at her home at Hannersville Wednesday night of last week. She had been ill only a short while. The deceased is survived by her husband and two children, and was loved by all. The funeral was conducted Thursday at Pleasant Grove church. The bereaved husband is a brother of K. P. Plummer, of Asheboro.

Mt. Gilead News.

Miss Fannie Bruton left last Thursday for the Jamestown Exposition. She gets her trip complimentary from a shoe company in Charlotte.

Miss Fannie McKinnon, of Wadeville, is visiting relatives in town.

Mr. R. A. Bruton and daughter, Miss Jennie, spent Wednesday in Norwood having dental work done.

Miss Asbury, of Asbury, is visiting at Mr. Jim Steeds.

Miss Mattie Taylor, of Albemarle, is visiting Miss Stella Scarborough.

Mrs. Eugenia Taft, who has been suffering for some time with weak eyes, sent to Salisbury last week for treatment.

We are glad to see little Miss Mabel Ingram out again after having measles and pneumonia.

Mr. and Mrs. Wm. Birkhead, of Caples, spent Sunday with Mrs. R. B. Scarborough.

Miss Janie Parker is visiting relatives in Wadeville.

Miss Lally Cox began the summer school at the Haywood schoolhouse Monday.

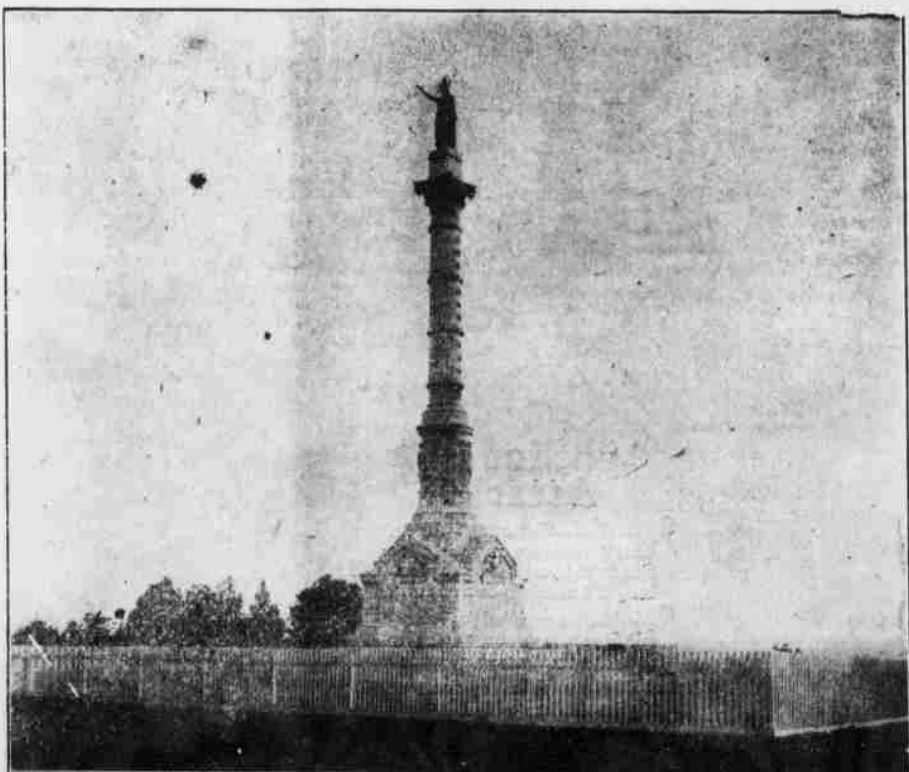
The protracted meeting will begin in the Baptist church here the third Sunday in August.

Mrs. Zil Williams, of Norwood, is visiting in town.

Suicide At Greensboro.

Greensboro, N. C., July 30.—Mrs. Mary E. Sykes, mother of Archie and Eugene Sykes, leading druggists here, was found lying dead in a pool of her own blood in her bedroom this afternoon, having sent a pistol ball through her brain. Physicians say she had been dead several hours when found by her youngest son. She was sixty years old and was a lovable woman. Despondency over the death of her son a year ago is the supposed cause of the rash act.

Associate Justice Conner has refused bond to Dr. and Mrs. Rowland, of Wake, without prejudice to either side.



Yorktown Monument, Scene of Surrender of Cornwallis to Washington—An Hours Ride From The Exposition.

CONDENSED NEWS.

The saw and planing mills of Whitley & Sons, of Rockingham, were burned last Wednesday night. The loss is estimated at \$5,000.

A terrible mine disaster at Tokio, Japan, last week killed 500 men. The cause of the explosion is unknown.

Rev. W. A. Lambeth, of Greensboro, will exchange pulpits with Rev. W. F. Carey, of Norfolk, Va., for a month this summer.

The machinery for Pilot Mountain's new cotton mill is being placed in the large brick building. These mills are to start up this fall.

Hon. Richmond Pearson, of Asheville, the newly appointed minister to Greece, will go to Athens in October.

Senator Overman has been invited and has accepted the invitation to speak at the mid-summer meeting of the Brooklyn Democratic Club at Brighton Beach, N. Y., on the 27th of August.

In a suit involving the will of his father, U. S. Commissioner of Pensions Warner, of Clinton, Ill., testified that his father's second wife was a negress. He claims that his father was not aware of her race.

W. Frank Armfield, of High Point, and Miss Ems Williard, of Deep River, were married at the home of the bride's father, M. L. Williard, last Wednesday morning.

W. L. Harris, James Woodsides and C. H. Holmes, of Salisbury, caught 127 fish in three hours at Brandon's pond near that place one day week.

Harry Powers and wife, both white, were found dead from pistol wounds in their bed room at Charlotte last Saturday. Evidence points to a drunken quarrel, in which it is supposed that Powers killed his wife and then committed suicide.

John B. Bagley, instructor in weaving and designing at the Texas Textile School, has been appointed to a similar position in the Mississippi Textile School. Mr. Bagley is a native of North Carolina and a graduate of Wake Forest.

U. S. Senator Pettus, of Ala., died Saturday night at Hot Springs, N. C., where he had been a guest for a week. Death was caused by a stroke of apoplexy with which he was seized while at breakfast Friday morning. He was 86 years old.

"Jolly Joe" Melvin Grubbs, of Wytheville, Va., weighing 702 lbs., aged 54 years, and measuring 90 inches around the thigh, died at Hickory last week. He was traveling with the Jones Carnival Co.

DeWitt Marshall, the 19 year-old son of A. F. Marshall, of Kernersville, fell from a wagon loaded with wheat straw Saturday, striking a pitch fork, the prongs of which pierced his breast, killing him instantly.

It is reported that J. B. Duke, who last week married Mrs. Inman, has settled \$1,000,000 on his wife. They are at Somerville, N. J.

A spark from an open fire place ignited a quilt upon which the infant of Mrs. N. Fulham was lying at her home near Concord last Friday, and the body of the child was burned to a crisp before assistance could reach it.

The State Hospital Commission will begin at once preparation for establishing the epileptic colony, a storage building and a carpenter shop, for use by both the hospital and the colony. They will cost \$8,000.

An explosion of a can of kerosene oil last week at the home of Mrs. E. Guthrie, at Morehead City, caused the death of her daughter, Mary, aged 13 years. The latter attempted to build a fire with the oil.

The seven-year-old son of Mr. and Mrs. Frank Everhart, of Midway, Davidson county, was kicked in the face by a horse in his father's barn yard one day last week, while attempting to drive it into the stable. His jaw bone was badly fractured, his nose broken and his face otherwise disfigured.

Thiers Leach, of High Point, has instituted suit against W. H. Chisholm, of Greensboro, charging him with the embezzlement of \$300. The case grew out of some contract cement paying done at High Point. Mr. Chisholm was employed in making the recent street improvements in Asheboro by Mr. Leach.

NOTICE.

Know Wombles has this day entered the following land in Randolph county to wit: A tract of 25 acres more or less of land in Beaulieu township, on the waters of Deep River; adjoining the lands of John Fields, Annie Stout, Bud Robbins and others, for which without objection filed within thirty days from this date, he will ask for a warrant of survey to the County Surveyor of Randolph County. This July 29, 1907. J. P. BOROCHS, Entry Taker.