

FOR CONSTITUTIONAL TEST

SENATE FIGHT ON RATE BILL

Opponents of the measure in committee make stand for determination of its propriety. Prospect of greatest contest in history of American Congress—Mr. Aldrich said to favor such an amendment.

Washington, Feb. 10.—With all sorts of compromises rumored, the Senate committee on inter-State commerce would resume consideration of rail road rate bills under the agreement to meet daily until Feb. 16, when a vote will be taken.

Certain opponents of the House bill, who have been contending for a special recognition of that right, have suggested another amendment, more moderate in character. This provides that the courts may determine the lawfulness of a rate fixed by the commission, which would amount to a test proceeding and a hearing on all subsequent orders of the commission.

How acceptable this proposed amendment will be to the majority of the opponents of the bill, has not been ascertained, but Senator Aldrich is said to favor it. It is a compromise upon the question of the constitutionality of the bill before its provisions are enacted. It is believed generally that if adopted it would result in the greatest and most interesting contest in the history of the courts.

WHAT WILL BE THE END?

Reported that the colored suburbs are to incorporate.—The Dilworth people mean business.—Declarator of the Dilworth citizens.

THE CARNIVAL OF HEARTS

The committees that will have the work in charge. The following named committees will be in charge of the Carnival of Hearts to be held at the city hall on the 12th to the 15th.

INDICTMENTS DEFECTIVE

ARGUMENT IN SAMUEL'S CASE

Judge Byrum, instead of directing remarks to jury in behalf of Samuel, directed to points of law vitally affecting case—Was Samuel Agent Within Meaning of Statute?—Prosecution Had This Very Point in Mind and It Not Admitted.

Special to The Observer. Greensboro, Feb. 10.—When Federal Court reconvened this morning in the G. W. Samuel trial ex-Judge W. P. Byrum, Jr., of counsel for the defense, arose and, instead of directing his remarks to the jury as was expected, in opening the argument for the defense, he proceeded to address the court upon a question of law vitally affecting this case.

Senator Tillman offered an amendment to accept Fullman's case and express confidence in the committee. He said that in view of the uncertainty as to whether the amendment would be included in the definition of transportation lines he would offer the amendment to make certain that they would not be included in the definition of transportation lines.

It is reported that the colored citizens of Dilworth, Raleigh and Charlotte are to meet Monday night to incorporate. The Dilworth people mean business. The Dilworth citizens are to meet Monday night to incorporate.

THREE DIE BY FIRE IN LOCK-UP

Town barracks of Eastman, Ga., are consumed, together with inmates. All of whom were white and all husbands and fathers.

IS MAJ. W. E. BREESE FREE?

A Charlotte lawyer declares that a charge of conspiracy against Maj. William E. Brees, late president of the defunct First National Bank of Asheville, is not yet free of the courts.

DISPUTE AMONG HOLTON HEIRS

Some want "dower property" divided without sale; others want sale—Case heard by Clerk of Court at Asheville.

NEW BRICK PLANT

Mr. E. E. Carson and others will build a brick factory at Shelby.

\$200,000,000 BY SOUTHERN

BOND ISSUE FOR DEVELOPMENT

Official Announcement is Made That the Road's Stockholders Will Be Asked to Authorize Issuance of New General Mortgage at Four Per Cent. President Spencer Stating That Dividends on Preferred Stock Will Not Be Suspended.

New York, Feb. 10.—Announcement was made to-day that the Southern Railway Company has decided to ask the stockholders to authorize an issue of \$200,000,000 development and general mortgage four per cent. bonds. Of this amount \$15,000,000 will be issued immediately for the following purposes:

ITS CHARTER SAFE. South and Western, Relieved of Overhanging Danger Will Fasten Completion of Line to Seaboard. Special to The Observer.

Richmond, Va., Feb. 10.—Relieved finally and for all time of the overhanging danger of forfeiture of its charter, the Southern Railway Company, under a bill unanimously passed in the Senate to-day and at once communicated to the House of Delegates, will unquestionably take final action on the proposed bill.

TWO BROTHERS SHOT DOWN

Georgia's Homicide Record Being Maintained—Affair Grew Out of Bullets on Leaving Function, Blayser Fleeing.

SCORES GREENE AND GAYNOR

Army Officer's Testimony the Most Damaging Yet Given—Mattress Sunk in Sound More Bundles of Brush and Not Worth a Tenth of Price Paid.

TEEN-YARD RULE AGREED ON

New Football Rules Committee Tentatively Adopt Several Changes Designed to Make the Game More Open—May Make Tests on Annapolis Field.

AGAINST COMPULSORY PILOTAGE

Littlefield Hill Exemplifying Sailing Yachts in Consistent Trade—Favorable Report by Vote of Eight to Five.

TREASURER LACY IMPROVED

He is Now at San Antonio, Texas

Friends of State Treasurer Lacy will be glad to know that he has been heard from from San Antonio, Texas, from which point he reports an improvement in health.

The Woman's Club of Raleigh has been organized. The club was organized for the purpose of promoting the welfare of the city.

Changes Brought by Memphis Driving Association in Supra Recover \$5,000 Gold Cup Awarded Owner of Major Delmar Begins to Take Shape—Evidence of Conspiracy.

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LOU DILLON TAMPERED WITH

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RUSSIAN TERRORISTS BUSY

WOMAN'S DEED ONE OF MANY

Menace of Assassination is Held Over the Head of All Officialdom and Revolutionaries in Russia.

St. Petersburg, Feb. 10.—The Admiralty has received a report from the watch commander of Vice Admiral Choukain, who was shot by a woman in his office in Sebastopol yesterday.

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DWARFS OTHER WARSHIPS

ENGLAND LAUNCHES MONSTER

Battleship Dreadnaught, the Largest and Most Powerful of All Fighting Vessels, Takes the Water Safely as King Edward Presses an Electric Button—Will Carry Ten 12-Inch Guns.

Portsmouth, England, Feb. 10.—The monster battleship Dreadnaught, which when finished will have cost \$7,000,000, was launched here to-day.

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HACKETT OPPOSES HOLTON

Democrat Mentioned as Opponent

Confidence in Holton's Administration is Expressed by Many. Hackett, of Wilkesboro, Charges That Holton's Administration is a Failure.

Washington, Feb. 10.—The House Democratic caucus today made a few days since the statement was made in these dispatches that a Democrat of prominence was urging opposition to the confirmation of the nomination of District Attorney Holton.

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