m built at a out of approximately and was fitted up in the most provide manner. It was finished in mary and since then he had been ung from one to 100 head of catter in the denied ever having kept dilet any hogs on the premises, that he had never asked for the live in the building with the barn, and and his wife and his children. Do you have any objections to the Do you have any objections to the

"I want the strictest regulations," colored Mr. Whitaker. "I will fur-ier give bond to keep my place thorsanitary, leaving this matter with the board of health. I lace that can be kept saniy if any place can. There is noth-for me and my four boys to do look after the barn, and I am willing to stake everything that it will be kept in good condition. I bed the stalls every day, moving out the lit-ter every 24 hours. I move the cattle about and hence there is a constant change which renders the place as sanitary as it can be made. Charlotte people and Charlotte butchers demand the very best meat. It can only be furnished from a cleanly place. The competition with the big packers, and the discrimination of the Southern Railway is such that every modern appliance has to be provided. Stock yards are allowed in Columbia. Charleston, S. C.; Augusta and Atlanta, Ga.; Louisville, Ky.; Chicago. BL. and many of the other great centers. I want regulations, the strictest that the city can require," was the last remark of Mr. Whitaker.

"Do you want to jeopardize the health of the city in order to give a better quality of beef?" asked Mr. After a few question and counter

question, Mr. Whitaker stated that he "It is difficult to keep cattle barns in a sanitary condition; does it not require extreme care and attention?" asked Mr. Tillett.

"If you are allowed to keep barns, will we have to accord the same privi-leges to others. And if they are allowed to keep them, will it not be necessary for them to exercise that same 'extreme care and attention?'
To this Mr. Whitaker assented. He denied that his old yard was very flithy, although he admitted that sev-eral complaints had been made. He eral complaints had been made. He stated that he had been approached but once by the sanitary officer relative to the condition of the yard.

"Was not the place so bad that it was condemned even in dry weather?" asked Mr. Tillett. Mr. Whitaker thought that Mr. Win

cester was mistaken when he said that he had observed but two cows in the barn since Christmas, for he had had numbers of them repeatedly. Mr. Whitaker having been examined. his attorneys rested.

Mr. Guthrie presented a petition from the immediate residents, those whom he stated had direct and property interest in the removal of of these cat tle barns from the neighborhood. This petition contained a number most prominent residents of Ward 2. Mr. Guthrie also presented a petition from the members of St. Peter's Catholic parish, asking that the stock yards and barns be re-moved from their midst. The first name in the list of signers was that of Father Joseph of Father Joseph, pastor of St. Peter's church. A letter was read from Dr. H. M. Wilder, dean of the Mercy Gen-H. M. Wilder, dean of the Mercy General Hospital, asking that the stock garns be removed on the grounds that they were objectionable and if allowed to remain would become positively dangerous to the health of the inmates of the institution. A letter was read from the Sisters of Mercy, also petitioning for the removal of the stock barns. This documentary evidence having been introduced, Father Joseph

was called upon to testify.

Father Joseph stated that he was pastor of St. Peter's Catholic church and had general supervision of the affairs of the parish. The property of the church embraced all of the north side of East Stonewall street, extend-ing from Tryon back to College. On this property were located the hand-some O'Donoghue Hall, the home of the Sisters of Mercy, and three resi-dences. On College street was located the school used for colored children and on East First street were located new Mercy General Hospital and Sit. Peters shurch, on the corner of

"Is the existence of that stock barn objectionable to you, as the head of the several institutions under the care of the church?" asked Mr. Guthrie. "Undoubtedly," declared Father Joseph. "In the matter of health as well as to odor. The tendency of stock barns is unbealthy." You mentioned the Mercy Hospital.

Would you have established it, had you known anything of the continuance of these stock barns?" Never, never, never," was the force-

ful denial of Father Joseph. "I spent entitled as above has been c \$10,000 alone in refitting and renovat-menced in the Superior Court ing this building with full assurance ing's use will be greatly impaired."

ing to the bad odors from across the said defendants will further

asked Mr. Guthrie something is done to get rid of the of- manded in said complaint. fensive odors from across the street that he will have to leave. The other two houses have been occupied only Those who have moved in have moved away in a few days after DR. C. L. ALEXANDER, entering. My agent, Mr. C. McNells. DR. C. L. ALEXANDER, states to me that the condition across the street is such that he fears that he will have great difficulty in renting them at all. I have let an old soldier occupy one of the houses gratis and the other has been tenanted only last other has been tenanted only last week. I consider the existence of stock barns a great financial loss to the

parochial property." Mr. McNinch questioned Father Joseph as to the relative condition of Mr. Black's stable and Mr. Whitaker's

Father Joseph stated that he could not designate whether the offensive s came from the stable or the sam.He was positive, however, that they were much more severe since the barn had come to re-inforce the stable. Mr. Saley was called upon to testi-fy. He affirmed all that Father Jo-seph had said, declaring that the odore ere such that he intended leaving something were not done.

Mr. Saley was followed by Mr. C. Valuer and Mr. W. H. Bruna, both testifying to the undesirability of stock parks in the community.

At this point Alderman M. F. Kirby gross and moved that the meeting adjourn until to-night, when the hearing after syldence might be resumed in the speeches of the attorneys made. He motion was seconded, but the speeches of the attorneys made it could be put. Dr. Faison desired to ask a few questions. He called

strock yard HEARING at the strictest regulations,"

strock yard HEARING at the strictest regulations,"

strock yard of the Morey Hospital, of the faculty of the faculty of the Morey Hospital, of the faculty of

embodying the action of the board, And yet Mr. Whitaker kept cattle in the city after that, and fater built this very nice place." "I merely mention this," added Dr. Falson, as he sat down, "to show what Mr. Whitaker went ahead in the face of the board's action and spent his money. He cannot now ask for favors."

Mr. W. F. Dowd advocated the continuance of the session, Mr. Guthrie having stated that they would confine or McNinch put Mr. Kirby's motion and 6 aldermen voted in favor of it, and 5 against.

Mayor McNinch then declared the session adjourned to meet again tonight at 8 o'clock.

MR. KITCHIN IN CHICAGO.

Tar Heel Congressman Speaks on Sectional Harmony at Banquet Given by Hamilton Club.

Chicago, April 9.—Congressman Nicholas Longworth was the guest of honor at a dinner given to-night in the Auditorium Hotel by the Hamilton Club in celebration of the 41st anniversary of Appomattox Day. Mrs. Longworth sent her regrets, saying that she would visit friends while her husband was addressing the banquet-

Congressman Claude Kitchin, North Carolina, spoke on South." He said: "The

"My friends, to you I bring this assurange: Every heart that beats with-in the bonds of that fair land, the land of my birth, my home and my love, rejoices with us to-night; and, in spite of the former differences, thank God that in the higher and broader analysis of patriotic hope and duty, his wisdom gives us to see for North and the South only one side, the American side; only one Union, the American Union; onry one flag, the American flag. If she be permit-ted, the South with one voice would present to our flag this sentiment: The air breathed by slave or subject is not pure enough to float the Amer

Congressman Kitchin then turned o the negro question and declared that it was the only spark that could ever again cause a resumption sectional animosity. He told of the work being done to educate the colored race, and in conclusion said: "Our step in the slow march of the successful adjustment of the negro question would be less impeded if the politician, North and South, could be controlled by the conviction that sectional harmony throughout our common country is worth more to peace and progress of the Union than the solid negro vote of America for one party or another."

Greensboro Woman Robbed in St. Louis.

Mr. P. R. Rhodes is spending a few days at Wilmington on business. Mr. John S. Watters returned to the city last night after spending several days at Wilmington on business. Clarence C. Wearn returned home last night from Henderson, where he spent a few days with his wife, who is visiting her parents there.

-Mrs. A. C. Owen, of Sunnyside, is ill. She has been confined to her home

North Carolina, Mecklenburg County. Superior Court. Special Proceeding. P. C. Harty, Mrs. Nora B. Shell, and C. L. Shell, Plaintiffs,

James Harty, E. R. Harty, S. Patrick Harty, Jesse A. Harty, Elizabeth E. Harty, Alice Mason, Annie McCorkle, and J. G. McCorkle, Addle Lethco, and G. A. Lethco, C. W. Harty, Harriet F. Harty and Mary Heltman, Defendants, Publication of Summons.

The above named defendants will take notice that a special proceeding has been com-Mecklenburg County for the sale for this such a condition of affairs would partition of a lot of land situated in pever exist. I am afraid that if these the City of Charlotte, fronting sevenstock barns are allowed to remain ty-four and a quarter (74 1-4) feet where they now are, that this build- on the West side of South Tryon Street, and extending back that width What complaints have the Sisters to Church Street, known as the lot of made about the stock barns and the late Patrick Harty, adjoining Fred "They have stated to me that the of said proceeding is to sell said lot windows have to be kept closed on one for partition among the plaintiffs and side of the house on certain days, ow- defendants as tenants in common; street. They have been frightened by notice that they are required to aploom stock in the streets on several pear at the office of the Clerk of the occasions and so also have the school Superior Court of Mecklenburg County at the Court House in the "What about the tenants of the three City of Charlotte on Monday, the 7th houses that you mention on Stonewall day of May, 1906, and answer of demur to the complaint filed in said "One has been rented by Mr. Saley proceeding or the plaintiffs will apbut he has notified me that unless ply to the court for the relief de-

This the 5th day of April, 1906. J. A. RUSSELL, Clerk Superior Court.

DENTIST.

CARSON BUILDING -Southeast Corner FOURTH AND TRYON STREETS.

HOOK AND ROGERS

- ARCHITECTS -

CHARLOTTE & GREENSBORO, N.C. Wheeler, Runge and Dickey

-ARCHITECTS

PLEEING DESERTER RULES Military Prisoner at Fort McP Near Atlanta, is Shot by G Was Third Atlempt to Es

Atlanta, Ga., April 9,-Lewis Persell, a military prisoner at Fort McPherson, was shot and killed to-day while making his third attempt within four months to escape. He was driving an army team and lashed his mules into a run in the endeavor to escape. Guard Lawrence Ludlam, who had Persell in charge, called him to stop and fired when the third command was not obeyed. Persell, whose home was at Washington, Tenn., enlisted with the Thirteenth Cavalry at Knoxville last September as a private. He deserted at Fort Riley last December. He surrendered at Birmingham, Ala, and while being brought to Fort Mc-Pherson to await trial, he made a second successful attempt to escape, fumping from a train near Tallapooss. He was re-captured at Newman, Ga., and was brought to Fort McPherson.

The Order Was Cancelled.

Special to The Observer.

Spencer, April 9.—The Spencer
Young Men's Christian Association today cancelled an order amounting to
\$1,500 for furniture ordered of High
Point furniture dealers. The order
was placed some time ago but the
recent lock-out at High Point, occasioned by friction between the furniture manufacturers and the unions niture manufacturers and the unions of that place, resulted in opposition to the use of their goods on the part of the Spencer association.

THE WEATHER.

Forecast for Tuesday and Wednesday; Fair Tuesday and Wednesday, fresh to brisk southwest to northwest winds.

LOCAL OFFICE U. S. WEATMER BUREAU. Charlotte, April 9, 8 p. m.—Sunrise 5:50 sunset 6:51 (Standard time). LOCAL WEATHER REPORT.

BUIST'S SARSAPARILLA PURIFIES
the blood and makes a new person of
you. It's the spring time tonic. Sold
and recommended by JAS. P. STOWE
& CO., Druggists. 'Phone 179.

GROWING MORE POPULAR EVERY day. March sales of Blue Ribbon Lemon and Vanilla broke all previous

FOR RENT-ROOMS OVER 225 WEST Trade; 502 N. A. St., good garden, 5 rooms; 810 N. College, 4 rooms, \$7.00; 710 East 4th, 4 rooms, \$7.00; 5-5 East 4th, 5 rooms, \$7.00; 5-room house S. Church, \$6.00. J. ARTHUR HENDERSON & BRO.

SEND US YOUR PRESCRIPTIONS and orders for medicines and sick-room supplies. Prompa and accurate service. Only the best. 'Phone 68. WO MALL & SHEPPARD, Druggists.

PRI-LAND IS SURE RELIEF FOR that full feeling after eating, heart burn, sour stomach and all the ills that DILWORTH DRUG STORE, one 247. B. S. DAVIS.

FOR SALE-THE CLARKSON RESI-No. 10 E. 9th St This is charm dence, No. 10 E. 3th St. This is charming location and good house. Fine purchnses like this will soon be gone, so get a move on you right now if interested. When it's gone you'll want it. E. L. KEESLER. 'Phone 344.

TYPEWRITERS RENTED, ALL MAKES day, week or month. J. E. CRAYTON & CO., Trust building.

GEE, THEY'RE NICE!" "NO SKIN on em!" After dinner Salted Peanuts, Decidedly the best salted peanut on the market. Each nut is carefully selected, blanched and salted. You will find them nice. 'Phone 68. MILLER-VAN NESS

HURRY UP! EASTER IS ABOUT here. Let me start on your Easter suit, at once. I have the finest line of suitings in the city, imported stock. Prices to suit everybody. Don't delay. Come now and be in the ring. Fit and satisfaction guaranteed. H. MILLER, Tallor. The Old Reliable. faction guaranteed. H

A LIVERY SERVICE THAT IS SAFE, good horses, nobby turnouts, drivers if you want them. Our horses, while they are not by any means dead, are perfectly safe. 'Phone for a team for the wife and children. J. C. COCHRANE & BRO, 'Phone 52.

FEW DELICIOUS CRATE FED BROIL-ers Phone farm, No. 294-3. CHAR-LOTTE FOULTRY FARM.

FOR SALE—2,000 CABBAGE. LETTUCE and Tomato Plants. Cut Flowers and Funeral Designs at SCHOLTZ'S GREEN HOUSES, Charlotte, N. C.

WE HAVE A VERY FINE LOT OF seasoned oak and pine stove wood; quantity and quality guaranteed. We also carry a stock of terra cotta pipe from 4 in. to 24 in. 'Phone 376, Prompt delivery. C. DOWD & CO.

BUSINESS MEN WILL NOT FIND A more convenient place to dine nor a more varied bill of fare than here. Our efforts are for kuick, best satisfactory service. GEM RESTAURANT, factory service, GEM RESTA E. F. CRESWELL, Manager.

Huyler's **Old Fashion**

Put up in 1-4 pound cakes; retails for 10c.

Of course you know Huyler's is the top of perfection. Received fresh almost daily.

If your girl is a judge of candy, you had better buy HUYLER'S; then you run no

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R. H. Jordan & Co.

A trifling cold—it amounts to nothing—and I'll be all right to-morrow. How many of us have heard that statement time and again, and to-morrow shows a

BAD CASE OF PNEUMONIA

The doctor is summoned, a nume is called in, prescriptions, medicines and excitement generally prevail. All this trouble and expense could have been avoided if

GOWAN'S PNEUMONIA CURE

had been used when the first symptoms appeared. It is a never failing External Remedy for Courby, Sore Throat, Colds. Pneumonia and Croup. Get a bottle from your druggist, and read the directions. Sold in three sizes—\$1.00, 50c. and \$5c. If your cruggist cannot supply you, send direct to

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-For the Treatment of-

Nervous Diseases.

Resident Physician.

constitute a consulting board.

nurses and attendants.

W. M. STRONG, M. D.,

Greensboro, April 9.—Sid Matlock, who is said to be the most desperate man in this district, was arrested early yesterday morning at his home near Hamer, Caswell county. The arrest was made by Deputles R. C. Chand-ley and J. M. Baley, of United States

Sid Matlock Captured in Caswell by Revenue Officers and Taken to Greensboro for Trial.

Special to The Observer.

ed by Sheriff Donahoe, of Caswell. The prisoner was brought to Greensboro last night and lodged in jail to await his trial in Federal Court to-morrow on the charge of illicit dis-

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PHONE 50.

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Choice 8-room house in 4th ward corner lot, on car line, \$4,750.00
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3,000.00
6-room, two-story modern dwelling, East Liberty street.
3,500.00
Choice 8-room modern dwelling on North College street
and car line
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20 Henrietta 200. 25 Hoskins 100. 5 to 20 Odell 90. 10 to 20 Gibson 100, ... 20 Tucapau pref. 100, 20 Erwin Mfs. Co. 106, 5 to 10 Arista 91. 20 to 00 Cora 98.

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