REQUISITION IS REFUSED

GOV. PATTISON ON SPAETH CASE

Gov. J. M. Pattison, Confined in Christ Hospital, Cincinnati, Declines to Honor Governor Glenn's Requisition for W. T. Spaeth, Charged With Robbing Forepaugh-Sells Brothers Circus at Tarboro of $30,000—Refuses to Pass on Guilt of Accused Man—As Attorney, He Lost Similar Case—The Governor's Reasons for His Action.

Special to The Observer.

Columbus, O. June 8.—Gov. J. M Pattison, who is confined in Christ Hospital, Cincinnati, to-day handed down his decision in the Spaeth case, in which he refused to honor the requisition from the Governor of North Carolina.

Gov. Pattison, when a young man, was a lawyer in the case of Work, agent for the State of North Carolina, vs. Corrington and others, a similar case. He lost the case, Pattison representing Work. The Governor refused to pass on the question of the guilt of Spaeth. He set down these questions to be answered by him: First, are the affidavits and the application for the extradition in due, proper and legal form; second, is Spaeth a fugitive from justice; third, should the application be allowed and Spaeth returned to North Carolina.

He says: "I am of the opinion that, technically, the affidavit is not in as good form as it might be, but I am convinced that it is in compliance was the laws of North Carolina and Ohio and that the papers are in due, proper and legal form. As to the second question, the statement of facts as presented by counsel show that, in November, 1904, Spaeth was in the employ of the Forepaugh-Sells Brothers Show in North Carolina; that he had been an employe of the show for five years as ticket seller and treasurer; that in November, 1904, while in North Carolina, some one broke open the safe or vault belonging to said show, and took therefrom about $30,000. Spaeth is alleged to have committee this offense and, for that reason, his return to North Carolina is sought that he may be indicted and tried for the alleged crime of embezzlement. The facts further show that he had been a trusted employe for five years and that no attempt was made to arrest him or bring him to answer for the alleged offense from November, 1904, until the present time. He returned from North Carolina to Ohio with Peter Sells, one of the copartners, remained in Columbus several days and, with the knowledge of Sells, returned to his old home in Chicago. He returned to Columbus in the early part of 1905, attended the sales of the Forepaugh-Sells Brother Show in Columbus, remaining here several days. At different times since that he was in Ohio and West Virginia in the show business. All this time, it is apparent to me, Sells knew of his whereabouts or could have reasonably ascertained same and that no attempt had been made to arrest him until he was taken in custody at Cleveland, May 14. No charge is made and no facts offered to show that Spaeth attempted to secrete or hide himself since the alleged commission of the crime. No attempt has ever been made to indict him in North Carolina, although nearly 18 months have passed. I am of the opinion that Spaeth is not a fugitive from justice.

"As to the third question, I am of the opinion that he should not be returned and, therefore, the application for the extradition and his return to North Carolina is refused."

SAVED LOUISIANA CAPITOL

Destruction Limited to Roof of Senate Wing by United Efforts of Firemen and Legislators in Night Clothes—Loss About $60,000.

Baton Rouge, La., June 8. The saving of the State capitol from destruction by fire last night was accomplished in a spectacular manner, with Governor Blanchard assisted by many Louisiana legislators dressed in their night clothes and by hundreds of Baton Rouge citizens supplementing the fire department. The fire started from defective wiring near the roof of the senate chamber, destroying the capitol's eastern wing above the first floor. The loss is about $60,000. Among the valuables in the Senate chamber, where the roof fell in, was the famous painting, "The Battle of New Orleans," valued at $4,000. Governor Blanchard directed the work of saving valuable papers. The Legislature now being in session, the Senate will meet to-day in the Elks' Theatre.

The capitol is an imposing piece of architecture on the bank of the Mississippi. It was first built in 1847 and was destroyed by fire during the civil war. The present structure was erected in 1880.

FATAL WRECK IN MISSOURI.

Fireman Killed and 22 Trainmen and Passengers Injured on Iron Mountain Railroad.

St. Louis, Mo., June 8. Fireman P. H. Richards, of St. Louis, was killed and 22 persons were injured today in a collision between St. Louis-Memphis passenger trains on the Iron Mountain Railroad near Meigs, 114 miles south of St. Louis. The most seriously hurt are Louis Taylor, of St. Louis, engineer, Samuel Cohen, messenger, of St. Louis, and Mrs. J. L. Lanier, of Memphis, Tenn.

The injured were taken to Poplar Bluff for medical attention.

The south-bound train crashed into the other train, which was pulling on to a siding to let the south-bound train pass. At Iron Mountain headquarters in St. Louis it was said that the engine of the south-bound train became unmanageable and that the engineer was powerless to stop it at the siding.

One Grafting Official Discharged.

Philadelphia, June 8. Joseph K. Aikens, chief clerk to the superintendent of the Monongahela division of the Pennsylvania Railroad, was dismissed to-day by direction of President Cassatt. In his testimony yesterday for the inter-State commerce commission Aikens said that while his salary had averaged between $30 and $126 per month he owned nearly $75,000 worth of coal stock. He admitted having received checks from coal companies and also gifts from company stores.

Some twenty years ago Palestine meant little to the majority of the Jews. Now all is changing. Nearly every year fresh colonies have been established, till now they number more than thirty, and time is adding to their number and extent. One-third of Palestine proper is once again Jewish soil. So anxious are the Jews to get possession again that they endeavor to purchase all that comes into

REAL SACRIFICE.

Deprivations That the Missionairies Suffer—Recital of a Few Facts to Show What Sacrifices Are Made in the Cause of Christ.

The following communication from Rev. Livingston Johnston, corresponding secretary of the Baptist State Mission Board, appeared in a recent issue of The Biblical Recorder:

We have heard something of the sacrifices that the missionaries are making; but a visit to their fields is necessary in order to fully understand the deprivations that many of them suffer. Permit the recital of a few facts gathered from the fields and from the reports of the missionaries:

One brother says: "Until further notice you can address me at T. I will be here perhaps for two months. We can do nothing here until we get a house. I am working every day with my own hands. We must get this house so we can use it by fall. I am sorely pressed financially. Deduct ten dollars from amount due me and give by return mail amount due this quarter after taking out the ten dollars." At the end of the next quarter, the same brother wrote: "We will worship in our new house in September. Please deduct ten dollars for State missions, and, if possible, send me balance due on this quarter."

This brother lives in a little town, has a wife and several children, is under the necessity of keeping a horse, and gets $450 salary. Out of this small salary he gives most liberally, and works with his own hands to build a house for the Lord.

Another missionary saw the necessity of building a house of worship. Money was very scarce among his people. A gentleman who was interested in the work proposed to give the timber. The missionary shouldered his axe, went to the woods and led a force of volunteers in cutting saw logs.

On another field where a house was needed and the people were poor, the missionary, whose wife has a very small tract of timber land, proposed to give all the timber necessary for building a house of worship.

A young man, a native of South Carolina, who graduated at Wake Forest a ear or two ago, is missionary in an important seacoast town. He is doing a magnificent work, for which he receives the small salary of $500. He rents his house, and it takes all his salary to support himself and wife. He is in debt for his education. He was recently offered a thousand dollars and parsonage by a church in his native State that would give him a support and enable him to pay off the school debt. Under the circumstances it was a great temptation, but the yonug man, after earnest and prayerful consideration, decided that it was his duty to remain in his present field. Here is a man from another State, so much interested in a mission point in our State, that he practically contributes $600 to State missions, and suffers the privations that such a sacrifice involves.

One more case. A missionary in one of our most rapidly growing towns, knew that his Church could never gain a footing without a respectable house of worship. He determined to put up a brick building worth four or five thousand dollars. With one exception his members are poor, most of them are employes in furniture factories. Money enough was raised to secure the brick. The missionary requested his young men to meet him at the church lot after work hours, and each one was asked to bring a shovel and a wheelbarrow. The pastor was the first man on the ground with shovel and wheelbarrow, and led the van in the work of excavation for a foundation. Last year his church paid him three hundred dollars, and the board gave him $200. He put every cent of the $200 appropriated by the board into the new building, and supported his family on $200. Am in receipt of a letter from him, stating that he wants to get his church to make another payment, and asking if it is possible for me to pay him $200 which was appropriated this year, as he wants to contribute that. He owns his own home, but that is everything in the world that he does own. In addition to all tha he has given, he mortgaged his home, to pay off a debt of several hundred dollars that was pressing. I protested against his doing this. "I think the brethren will raise the money and pay it, but if the worst comes to the worst, I can sell my home, pay off the debt, and have enough over to buy a little home in another part of town."

I could fill The Recorder with accounts of such sacrifices as these, but space forbids. These men are making these great sacrifices for the sake of the cause in North Carolina. It may be that not one of them will be in his present field long. They are laboring others will soon enter into their easy, comfortable pastorates, the foundations of which pastorates were laid by such sacrifice as we have noticed. Some of the very fields mentioned above will, before long, be strong, self-sustaining churches. The earnest seed sower will go away to another church, and the reaper will come to enjoy the fruits of his predecessor's labors. The faithful missionary who "sowed in tears" may be forgotten of men, but his "witness is in heaven and his record is on high."

Is it right for us to let these missionaries make such tremendous sacrifices while we do so little? Is it right that other men be eased and they burdened? Are there not pastors in the State with good salaries who are not giving half so much to State missions as these missionaries are giving out of their paltry salaries? Are there not churches, many of them, rich and strong, that are not doing, according to their ability, a tithe of what these weak mission churches are doing? Brethren, let us think on these things and face the issue in the fear of God. During the five years that I have served you as secretary, I have never known the needs of the missionaries as urgent as they are now. Some of them are on new fields where they have not established a credit, and do not wish to injure their influence by incurring debt. Others have had sickness, and death has come to the homes of some. This means extra expense, as well as anxious hours and bleeding hearts. These earnest appeals almost always conclude with an apology for asking for a little of the amount already overdue, and with the statement, "If you can't possibly send me aid, do not let this worry you, I will try to get on somehow."

Many of these letters lie unanswered on my desk. I haven't the face to answer them without enclosing a check, and there is not a dollar in the bank to the credit of State missions.

These are sacred things I have been writing about. The missionaries open their hearts to me and I am so glad they do. Without giving names, I have just lifted the corner of the curtain a little to let the brethren of the State see something of the sacrifices that the missionaries and their noble wives are making. I pray that it may stir your hearts as the reading of their letters moves mine.

LIVINGSTON JOHNSON,
Corresponding Secretary.

The town of Henrietta, N. Y., takes a proper view of the poll tax and the duty of its collection. Two citizens there who declined to pay their $1 poll tax were arrested and sentenced to jail for sixty days. Declaring at first that they would rot in jail before they would pay a cent, the two finally settled for the tax and costs by paing $10.35 and $11.55 respectively.

"THE MECKLENBURG MYTH."

Review of Dr. George Graham's Book in The New York Evening Post—Prof. Alex Grham o Reply to It.

Special to The Observer.

Davidson, June 8.—A few minutes before the train started for Charlotte to-day the writer, who had earlier in the day drawn Prof. Alexander Graham out on he ever interesting question of the Mecklenburg Declaration happened to open a copy just received of The New York Evening Post of yesterday, when his eye fell upon a review of Dr. George Graham's book on the subject. The review was entitled, "The Mecklenburg Myth." Here, thought the scribe, is a chance to hear the professor at his best and see him tear the reviewer to tatters. But the time was too meager to allow the professor to do more than glance at the article, see a few sentences that made him willing to almost take an oath that it was written by an unbelieving and traitorous North Carolinian, but this he rejected a little later on the ground that the argument was too weak and too full of errors to have been written by any one close to the scene of action and discussion. Professor Graham, however, seized hold of the paper and said he would make it special business to reply to the article, and show the writer his errors and clinch the matter for good and all by asking him what he had to say in reply to the Moravian record found recently in Salem, no reference to which appears in this article.

We quote as a matter of interest to Charlotte readers a few paragraphs. The article makes short work in summarizing Dr. Graham's new evidence. "The periodic revival of discussion of the Mecklenburg Declaration of Independence is once more upon us and the zeal of the advocates of either side of the question has been quickened by the appearance of a clever forgery, somewhat stupidly put upon the market and therefore denounced before disposed of at a high price. In his book, Dr. Graham claims to present new evidence in favor of a declaration. This evidence is (1) a poem dated 1775, called the 'Mecklenburg Censor' in which mention is made of a rabble:'

"In Congress, they, the very first,
their independence to declare;'

(2) a child born twelve years after the alleged Declaration and called 'My Independence Boy;' (3) deeds for land which date from 1775 and not 1776 as the year of independence; (4) a schoolboy's declamation in 1809, mentioning the Declaration, and (5) a discussion of how Martin and Gardner obtained their information of the paper."

The writer argues that "because Martin and Gardner associated with men who were present at a convention in Mecklenburg in May is no reason why they should have discussed the mater with them or obtained original material." It may not be a proof that they did, it is surely a reason why they should.

Again the writer insists that the May 31 resolves would explain the censor reference and the boy's declamation.

As for Dr. Graham's accuracy as a historian, he has not much to say in praise. "Dr. Graham's mode of treatment does not inspire confidence, for under his hands a supposition soon becomes a certainty. Martin at the end of his chapter on the Declaration gives as his authorities 'Records magazines, gazettes.' Martin told Dr Hawks he had found a copy of the Declaration in the western part of the State prior to 1800. To this statement Dr. Graham adds 'Whether it was a manuscript or a newspaper copy is not stated but probably the latter.' A few pages later our author states positively that Martin had read The Cape Fear Mercury, of June, 1775!"

The reviewer says it is entirely gratuitous to assume that The Cape Fear Mercury was abstracted from the British records by Stevenson. But Prof. Alex Graham says he will show this writer that it was not only got gratuitous but that it was an absolute fact that it was taken.

The rest of the article is largely an argument to show that most of he facts relating to Capt. Jack and the messages sent to and from the Continental Congress can be explained away without assuming there was any Declaration in Mecklenburg.

We had hoped here that the Charlotte crowd of picnickers would bring along with other good things to-day a rain that would wet them and the thirsty earth before they had time to shake the dust off of their feet in getting away from Davidson, but they did not. A slight sprinkle just as the train was leaving was the best they could do in appreciation of the hospitality extended.

Dr. Eustace Sloop, now of Plum Tree, is a visitor on the hill. Prof. John L. Douglas leaves to-night for Blackstock, S. C., his old home,—Dr. Jas. M. Douglas goes away to-morrow.

One on The English Umpire.

Tit-Bits.

At the commencement of a village cricket match one of the captains found his side without an umpire. Approaching a likely-looking stranger, he asked if he would mind officiating.

"I'll do it," replied the man. "Any special instructions?"

At these words the captain began to see visions.

"Well, between you and me," he answered, "you see that great flat fool over there? Now, when I bowl against him and shout 'How's that, umpire?' you shout 'Out.' Here's five bob. Understand? Right!"

During the match the bowler called, "How's that, umpire?"

"Not out," replied the umpire, and whenever the appeal was made during this particular batsman's innings the invariable reply was "Not out!"

After the match the bowler met the umpire and demanded what he meant.

"It's like this, mister," answered the man. "That batsman came to me and said: 'You see that tall, silly-looking ass across there?' pointing to you; 'he's a bowler, but he knows nothing about it. I can knock him all over the shop. When he calls, 'how is that, umpire?' you say, 'Not out!' Here's half a sovereign.' You twig?"

A German scientist, after several years spent in experiments, has calculated the value of a flash of lightning in electric current at $1,400.

The seismograph at the Weather Bureau, in Washington, has registered an earthquake of considerable magnitude, beginning at about midnight of May 31. The total duration of the earthquake was nearly two hours. A series of scarcely perceptible shocks has been reported from Seattle.

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THE DAVIDSON PICNIC.

Members of First and Second Presbyterian Church Sunday Schools of Charlotte Enjoy a Day of Sport—An Interesting Game of Baseball.

Special to The Observer.

Davidson, June 8—The Davidsonians feel indebted to Charlotte for a delightful holiday and a liberal share in the hospitable spread that the picnickers put forth from their loaded baskets on the college campus to-day. The day was intensely warm and even the shade of the trees was only a partial protection against the sun's heat. If there had been any limit to the supply of water, it would have been a disgruntled crowd, but fortunately this liquid and lemonade were in abundance. A 1 o'clock dinner, served in bountiful measure, equipped everybody, men, women and children, with srength and energy for the diversions and amusements of the long hot afternoon. At 3 o'clock the big game of ball between the first and second church teams was called and for two hours all the visitors, from children to old folks, were eager onlookers to see who would win. The excitement was at times quite intense, but never anything but quiet. There was nothing but good humor and cordial feeling in evidence, but it was manifest that both sides and their rooters were eager to win. The game, a close one, and one that for a long time seemed to be going to the First church players, was finally won by the Second, the score being 5 to 4. Prof. R. J. Cochran acted as umpire. The batteries were: For the First church team—Miller, pitcher; Jesse Oldham, catcher; later Oldham went into the box and Dr. Brodie Nalle was behind the bat; for the Second church the Montgomery boys constituted the battery and played the game to a finish. The game was close and exciting and might easily have ended differently. Apparently the battery of the First was not in as good training as their rivals and were, for this reason, at some disadvantage in the blistering heat of the diamond, but young Miller pitched fine ball at times, striking out three men in succession, and Oldham, of course, knows his place. Dr. Martin Hardin in centrefield made a brilliant catch, but his promise to make a home-run reached no nearer fulfillment than his display of strength in fanning the air and being called out at least three times on strikes. The other part of his record we do not recall.

The crowd enjoyed the game and many a contest seen at the price of 50 cents a ticket would not elicit half the interest. All day jokes, new and old, enlivened the groups scattered over the lawn and under the trees and some of the more enthusiastic talkers and eaters remarked after dinner that a new definition would have to be furnished as an answer for the first question in the Shorter Catechism if it was to be quoted on occasions like this for everybody seemed to be thinking that man's chief end to-day was eating fried chicken.

$50,000 Lumber Plant Fire.

Shreveport, La., June 8.—Fire of unknown origin destroyed the plant of the Trout Lumber Company, at Trout, La., to-day. Loss, $50,000, partially insured.

SHIPWRECKED HOPES.

Mariah Conway Oernier.

Sometimes world-weary hearts will turn
To a land where ghosts of their youth abide,
A land where sunset memories glow
And shipwrecked hopes drift in with the tide,
Where sad eyes strain through the gates of death,
For a ship that sailed to an unknown sea
Laden with laughter and love and faith
Bringing answers to wistful prayers,
Joy or sorrow for days to be.

But never the brave Hope-Ship comes home,
Nor ever out of the darkened West
Gleams of a far white sail gleam fair.
Alas! we stand on a wide gray beach,
With empty hearts where a joy has been,
And outstretched hands that groping reach
For the shipwrecked hopes that the tide brings in.

EIGHT DIE IN MONTANA MINE.

White Damp Following Fire in Coal Operation Claims Eight Victims.

Anaconda, Mont., June 8.—One of the most serious accidents in the history of coal mining in Montana has occurred in the mines of the Northern Pacific at Rocky Ford, near Red Lodge, Carbon county.

Eight men are dead, all victims of the white damp that filled the corridors of the mine after the fire which started Wednesday. Their bodies have been recovered, but the story of the work of rescue parties is a tale of unexcelled bravery and heroic self-sacrifice.

Of the dead, two were members of one of the parties that entered the mine in the effort to reach the men known to be there.

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Trustee's Sale.

Under and by virtue of a deed of trust executed to me by John F. Butt and wife, Ella Butt, bearing date September 10th, 1903, and recorded in Book 175, at page 638, in the office of Register of Deeds for Mecklenburg County, North Carolina, and because of default in the payment of the debt therein secured, I will sell for cash to the highest bidder at public auction, at the County Court House Door, in the City of Charlotte, N. C., MONDAY, JUNE 11TH, 1906, at 12 o'clock m., all the following described land, lying and being in Charlotte Township, Mecklenburg County, North Carolina, and bounded and described as follows:

In the City of Charlotte, in Square No. 32, Ward No. 2, adjoining the lands of W. S. Liddell and others, bounded by lines as follows: Beginning at a post on the East side of South Brevard Street, Liddell's N. W. corner, and running with said Street Fifty (50) feet in a Northwardly direction to a post; thence in an Easterly direction, parallel with Trade Street or "East Avenue" 98 feet to a post in McDowell's old line; thence with said line and parallel with Brevard Street Fifty (50) feet to a stake or post, Liddell's corner, and thence with Liddell's line Ninety-Eight (98) feet to the beginning. Same being the premises conveyed to Mrs. Mary A. Butt by J. L. Chambers and wife by deed dated July 6th, 1891, and registered in book 82, page 123, in the office of the register of deeds for Mecklenburg County, N. C., and by said Mrs. Mary A. Butt devised to said John F. Butt.

R. E. COCHRANE,
Trustee.

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