

MILL MEN WILL FIGHT

GOVERNMENT FILES COMPLAINT

For Alleged Violations of the Contract Labor Law, Government Demands \$70,000 From Messrs. T. M. Costello, E. A. Smith, S. B. Sargent and E. C. Dwellle, Local Cotton Mill Men—Defendants Will Attack the Legality of the Immigration Laws and Claim That Facts Stated in Complaint Do Not Constitute a Violation—B. D. Hasty, Postmaster at Marshville, Found Guilty of Opening Letters—Sentence to be Imposed This Morning—Wells Cases To-Day.

District Attorney A. E. Holton and Assistant District Attorney A. L. Coble yesterday afternoon filed with the clerk of court the complaints in the suits of the United States vs. Messrs. Thomas M. Costello, Edward A. Smith, Sumner B. Sargent and E. C. Dwellle for alleged violations of the contract labor law. There are two cases against these cotton mill men, in the first of which Messrs. Costello, Smith and Sargent are named as defendants in the second, Mr. Dwellle's name is added. The four defendants being Messrs. Costello, Smith, Sargent and Dwellle. There are 20 counts in the first case and 50 in the second, the penalty in each count being \$1,000. The aggregate sum involved is \$70,000.

The defendants have during the remainder of this term of Federal Court either to demur or answer this complaint. It is given on good authority that the defendants, through their attorneys, Messrs. Tift and Guthrie, will attack the legality of the immigration act by demurring to the complaint. It will be argued also as to whether the facts stated in the complaint constitute a violation of law. This demurrer, unless the case is removed or special term ordered, will come on regularly for hearing at the June term of court.

ONE OF THE COMPLAINTS.

"The United States, vs. Thomas M. Costello, Edward A. Smith, Sumner B. Sargent, E. C. Dwellle. The plaintiff complains and alleges:

"1. That the defendants, Thomas M. Costello, Edward A. Smith and Sumner B. Sargent are citizens and residents of the county of Mecklenburg, in the western district of North Carolina.

"2. That on the 27th day of August, 1906, the said defendants did unlawfully, in violation of the act of Congress approved March 2, 1903, entitled 'An Act to Regulate Aliens Into the United States,' prepay and caused to be prepaid the transportation of one Samuel Powers then and ever since an alien, a subject of the Kingdom of Great Britain, then residing in England, on the steamship 'Carmania' to Ellis Island in the State of New York, knowingly, to procure, assist and encourage importation into the United States to perform labor and service in the United States, in pursuance of certain offers, solicitations and promises to and with the said alien, made previous to the importation of the said alien into the United States to perform labor and service in the United States, to wit: cotton mill industry in the manufacture of cotton goods as a mill hand in certain cotton mills situated in and around Charlotte, North Carolina, and thus procured the importation and migration of the said alien into the United States to perform labor and service as aforesaid.

"3. That the said defendants, on the day and year aforesaid, did then and there unlawfully and knowingly assist and encourage the importation and migration of the said alien, to wit, Powers, an alien as aforesaid, into the United States as aforesaid for the purposes aforesaid in pursuance and by reason of certain offers, solicitations and promises, made previous to the importation of the said alien to perform the services aforesaid, by then and there advancing and paying to the said alien the sum of twenty-five dollars money of the United States.

TRANSPORTATION AND A BONUS.

"4. That so induced by the said defendants and assisted and encouraged by them by the prepayment of his transportation as aforesaid and the payment of the twenty-five dollars as aforesaid for the purpose of performing labor and services in the United States, in pursuance and by reason of said offers, solicitations and promises and by reason of said offers, solicitations and promises made previous to his said importation and with the said services as aforesaid, the said Samuel Powers did migrate to the United States.

A LABOR CONTRACT MADE.

"5. That the said Samuel Powers on said date was not so imported, assisted, encouraged or solicited to migrate to perform skilled labor of which labor of a like kind unemployed could not be found in this country, nor was he a professional actor, artist, lecturer, singer, minister of any religious denomination, professor of science or seminary or person belonging to any learned profession, or person employed strictly as personal or domestic servant, but on the contrary was so imported, assisted, encouraged and solicited to migrate for the purpose of performing labor as aforesaid.

"6. That the said Samuel Powers on said date was and ever since has been an alien owing allegiance to the King of Great Britain.

"7. That the defendants by reason of the facts aforesaid and in pursuance of the provisions of the statutes aforesaid have forfeited to and become liable to pay to the plaintiff the sum of one thousand dollars as a penalty in respect to said alien and that the same is still due and unpaid.

"Wherefore plaintiff demands judgment for the sum of Twenty thousand dollars and the amount of the several penalties, so forfeited to the United States in the several causes of action set out in this complaint and for the costs of this action.

(Signed) A. E. HOLTON, Attorney for the United States and United States Attorney.

A FEW OF THE IMMIGRANTS.

Besides Samuel Powers, suits in the first case are brought in the name of Esther Hayden, Mary Jane Jones, Beulah McDonald, George Bommer, Martha Mulleneaux, Elizabeth Lever, Monica Roach, Annie Mayor Maude Witrow, John Jones, Frank Nolan, Evelyn Exley, Lucy Drinkwater, James Robinson, Nancy O'Hara, Olive Drake, Mary Cannon, Mary Fleming, Mary Cox. The names of the 50 aliens in the second case will be given later.

But two cases were disposed of at the session of court yesterday morning. For chapped and cracked hands get DeWitt's Witch-Hazel Salve. Sold by Hawley's Pharmacy.

REVIVAL CLOSING TO-NIGHT.

An Interesting Service Held Last Night—Cigarettes and Minors—What the Chief of Police May Do—A Poor Boy Who is Going to the Devil.

Before the beginning of the song service at the First Baptist church last night the house was almost full of people, who were anxious to hear Rev. Len. G. Broughton preach on the subject of "The Unpardonable Sin."

The song service begins half an hour before the preaching and by the time Dr. Broughton arrived there was hardly a vacant seat. These church services are one of the many features of the meeting, which are greatly enjoyed. The leader, Mr. H. O. Bell, of Atlanta, possesses a beautiful, clear and well-trained voice, which he understands how to use to the best advantage. It may appropriately be stated that he sings with the spirit and the understanding also.

And another advantage of his leadership is that none of his hearers fail to understand distinctly the words that he sings. During the Baptist State Convention, which was held in Greensboro, last week, a faculty quartette of Wake Forest College rendered a number of beautiful selections. At the close of the first of these songs, one of the delegates arose and said: "I feel like we ought to thank the quartette for singing in the English language so we can understand what they sing." The same compliment can well be paid to Mr. Bell, for what he sings is easily understood, which adds much to the beauty of his singing.

The last services of this meeting will be held to-day, one service at 4 o'clock this afternoon, and the last service at 8 o'clock to-night. The service last night was marked by more interest than any in the meeting so far, and a large number of young men and young women came forward and expressed their desire to begin the Christian life.

Before beginning his sermon Dr. Broughton stated that he had learned that the chief of police of Charlotte was going to begin a fine against the selling of cigarettes to minors, and he urged the Christian men and women of the city to support him in this work. He said he did not know the chief, but he thought he must be a good man.

He spoke next of a broken-hearted mother in Charlotte who had been to see him about her son, who is fact becoming a drunkard, and getting all of his whiskey by prescription, although he has not been sick in five years. Dr. Broughton spoke of a wrong committed in a prohibition town by a doctor who would give prescriptions for whiskey when not necessary; he spoke in strong terms, showing how such a doctor is responsible for making drunkards and breaking the law.

"ARE YOU A MASON?"

A Riproarious Comedy That Makes a Pretty Good House Laugh.

There are two sorts of comedies. The one is built on horseplay, and makes one laugh boisterously and slap his knee, maybe. The other is built on fine lines, contains a subtle humor, and makes one laugh and feel better indefinitely. "Are You a Mason?" which was presented at the Academy of Music last night, was of the former type. It was a rollicking riproarious production and the fair-see audience that witnessed it was kept howling the greater part of the play.

ENGINEER SEVERELY BRUISED.

Engineer H. D. Major, of Spencer, who was in wreck near Reidsville, suffers injuries—Mrs. Haderer Very Ill. Special to The Observer.

Spencer, Dec. 12.—Engineer H. D. Major, of Spencer, was severely injured near Reidsville this morning by falling from his engine to the ground. It is learned that a steam pipe suddenly sprung a serious leak and the steam was escaping with great force. The engineer, in an effort to escape serious scalding from the steam, jumped from his cab to the tender, from which he slipped and fell. The locomotive was making about 20 miles per hour when the accident occurred and came to a stop of its own accord, after the engineer had been left behind. No one else was hurt. Mr. Major, while not severely burned, sustained painful bruises and a strained back, from which he is suffering to-night. He was brought to Spencer on a southbound passenger train to-day and his train, a southbound freight, was taken in charge by another engineer.

White Man Killed by Train.

Greensboro, Dec. 12.—A white man was killed by a train at the Southern passenger station here to-night. His head and his right side were ground to pulp. He is unidentified, but is thought to be W. R. Murry, of Burlington. He was heading a ride on train 19, jumped off to avoid arrest and was struck by a passing freight train.

CATARH AND CATARRHAL HEAD-ACHES.

Are quickly relieved by Nowens. It soothes the congested membrane and thoroughly cleans and cleanses. It keeps moist all the passages whose tendency is to thicken and become dry. Cures colds and throat troubles, hoarseness, hay fever, "stopped-up" nose, breathing through mouth while sleeping, offensive breath, etc. It is a safe and contains no chemicals or drugs having a narcotic effect, or that can cause the drug habit. W. L. Hand & Co., Inc., M. Scott & Co.

The Heron-Brown Nuptials.

Miss Addie Heron and Mr. Wesley Brown were married yesterday evening at the home of the bride on West Eighth street. Rev. A. R. Shaw officiating. The marriage was a very quiet affair. The groom is a prosperous young farmer of Haywood county, his home being Waynesville. He was raised in this county, but moved away a number of years ago. The bride is a niece of Dr. I. W. Falson, of this city, and a sister of Mrs. Hugh Sloan, of Davidson.

For the Melver Memorial Fund.

County Superintendent R. J. Cochran stated yesterday that many of the schools of Mecklenburg county are interesting themselves in an effort to secure one of the ten portraits to be given to the schools, in the county contributing the largest amounts to the Melver memorial fund to-morrow, which is North Carolina Day. The exercises to-morrow will be in the form of a memorial to the late well-known educator and a collection will be taken in every school for the memorial fund.

Magistrates Not Qualifying Rapidly.

Clerk of Court J. Russell says that there is danger of the crop of magistrates in Mecklenburg county being short next year. In the various townships a total of about 75 of these officers were elected at the general election in November. About a dozen of them have appeared before Mr. Russell and taken the oath of office, leaving more than 60 who have not qualified. It would be a calamity to have fewer magistrates and every person who was elected in November is urged to take a day off and qualify; it will be too late after January 1st.

For chapped and cracked hands get DeWitt's Witch-Hazel Salve. Sold by Hawley's Pharmacy.

LOOK OUT FOR IMITATIONS

With Tags About the Same Color and Design As



The quality of the genuine sun cured tobacco used in REYNOLDS' Sun Cured and grown on soil where the best sun cured tobacco grows, has caused imitation brands to be brought out and offered as the genuine Reynolds' Sun Cured to unsuspecting dealers and chewers who do not look closely at the printing on the box and on the tag.

These brands only imitate the outward appearance and do not possess the genuine inside quality that has been found in Reynolds' Sun Cured ever since Reynolds' Sun Cured was introduced and which has so increased the chewing of sun cured tobacco and proven so popular, that the word "Sun Cured" is now printed on tags or in the advertising of many brands claimed to be genuine sun cured tobacco.

Did you ever see the word "Sun Cured" used in any chewing tobacco advertisement, or on any chewing tobacco tag or label, or in any other way, before it was introduced and used to identify the genuine Reynolds' Sun Cured? You see it frequently now, because many imitation brands are being made to appear as nearly like Reynolds' Sun Cured as they dare—with tag, shape of plug and style of package so similar that experienced buyers sometimes accept these imitations as the genuine Reynolds' Sun Cured.

Don't be deceived into taking imitation brands for the genuine. Be sure the letters on the tag spell "R-c-y-n-o-l-d-s' Sun Cured," and you get the best value in sun cured chewing tobacco that can be produced for chewers. Sold at 50c. per pound in 8c. cuts; strictly 10c. and 15c. plugs, with chewing qualities like that which was sold from 60c. to \$1.00 per pound before Reynolds' Sun Cured was offered to the trade.

BE SURE YOU GET THE GENUINE

Manufactured by R. J. REYNOLDS TOBACCO CO., Winston-Salem, N. C.

Advertisement for Reynolds' Sun Cured tobacco, featuring the logo and detailed text about quality and imitations.

Advertisement for Standard Ice & Fuel Co., featuring the text 'IF You want Dust, Dirt and Slate in your COAL Don't Phone 19 We haven't that kind STANDARD ICE & FUEL CO.'

Advertisement for L. F. & C. Carvers, featuring the text 'A VERY LARGE STOCK OF L. F. & C. CARVERS In all makes, including Sterling Silver Mounted. Prices 75 Cents to \$15.00 per set. Nice Christmas presents. The best assortment of Chaffing Dishes in the Carolinas. Prices from \$4.00 to \$15.00 each. These are nice wedding presents. Percolators make bad coffee good and good coffee better. Nothing equal to them for making good coffee. Also good wedding and Christmas presents. Shoppers coming to the city will miss the opportunity of their lives if they fail to see our elegant line of House Furnishing Hardware. Nothing to equal it in the Carolinas. Weddington Hardware Co., Inc. 29 East Trade Street. CHARLOTTE, N. C.'

Advertisement for Uneda Biscuit, featuring the text 'Open a Box for the Children Leave it where they can reach it. Watch them gain in weight. Watch their cheeks grow ruddy with health and life. Uneda Biscuit are the only Soda Crackers—the most nutritious food made from wheat, therefore the most wholesome food for children. 5¢ In a dust tight, moisture proof package. NATIONAL BISCUIT COMPANY'

Advertisement for Fehr's Malt Tonic, featuring an image of a bottle and the text 'Build Up! Gain strength, new, rich blood, new life, vigorous health. You can do it. Thousands here in your own city are doing it. Fehr's Malt Tonic Gives prompt results. If you are run down or weakened by overwork or ill-health, this is the one dependable builder for you to try. It picks you right up. You feel better from the very start. FOR SALE BY ALL DRUGGISTS FEHR'S MALT TONIC DEPT., Louisville, Ky'

A NEW HABERDASHERY. Mr. W. S. Shelor and Associates Will be in Business at No. 10 South Tryon Street in January. Mr. W. S. Shelor, Mr. W. W. Moore and Dr. I. W. Jamison have organized a company with a capital of \$10,000, and about the middle of January will open a new haberdashery at No. 10 South Tryon street, at the stand occupied at present by the Houston-Dixon Company. They will handle an up-to-date line of popular price gent's furnishing and hats. The store room will be overhauled to suit the convenience of the new firm immediately after the holidays. Meanwhile the stock will be ordered and as soon as the store is ready for occupancy will be placed and the store opened for the trade. The organization of the company was effected yesterday afternoon. Mr. W. S. Shelor, who has had 18 years experience in the clothing business and has been with Yorks Bros. & Rogers for the last seven years, was elected president and manager. Mr. W. W. Moore, who has also had considerable experience, was elected vice president and Dr. Jamison was elected secretary.

Advertisement for Mecca Cigarettes, featuring an image of a pack and the text '10 or 5 cents Surpassing anything heretofore accomplished by the sensational value they offer MECCA Cigarettes have unquestionably reached the ultimate goal of cigarette-value — offering every quality smokers desire at a price that permits unlimited enjoyment. Be sure and try them. Get a Box Today'

The Death of L. C. Houser. News has reached here of the death of Laban Cephus Houser in Cambridge, Mass. on the 14th, at 1:30 a. m. "Cephus," as he was familiarly known, was the eldest son of W. H. Houser, the well-known brick manufacturer of this city, and was in his 44th year. He was a brick mason by trade and at the time of his death was filling an important and lucrative position as foreman of the Housar Construction Company, of Boston. Lack of preparation for shipping the body here will necessitate its burial at his home in Boston. The deceased had been subject to recurring attacks of heart trouble for several years past, and hence his sudden death was not a total surprise to his family. DeWitt's Kidney and Bladder Pills quickly drive the poisons from the system and thus afford relief. A week's treatment for 2c. Sold by Hawley's Pharmacy.

Advertisement for Charolote Plaster Co., featuring the text 'WANTED 100 CORDS POPLAR LOGS Address at once, CHARLOTE PLASTER CO. Write for Booklet. CHARLOTTE, N. C.'

Advertisement for Kodol, featuring the text 'KODOL FOR DYSPEPSIA DIGESTS WHAT YOU EAT Relieves Indigestion, Sour Stomach, Bloating of Gas, Etc. PREPARED ONLY AT THE MANUFACTORY OF E. C. DEWITT & COMPANY, CHICAGO, ILL. FOR SALE BY ALL DRUGGISTS'