"NU, SAYS KIRKPATRICK RECORDERTS POWER IS AMPLE One of Charlotte's Must Active Young Lawyers Declary: That it Would Not Do to Extend the Anthority of the City Court—He Says That the Court of the City court that possesses no more the City Court—He Says That the Court of the City of the City Should be Thights of the City Should be

The of Charlotte's Most Active Young Taswyers Declary: That it Would Not Do to Extend the Anthority of the City Court—He Says That the Hights of the Citzen Should be Protected if the Cost to the Tax Payer is Higher—Col. T. L. Kirk-patrick Preaches Against One-Man Power in Most Vigorous Terms— He Thinks That the People Should be Careful in Bestowing Power. e Careful in Bestowing Power.

Col. T. L. Kirkpatrick, a member of the Charlotte bar, has issued the following letter to the public: "I notice through the columns of

the public press that there is a measure on foot seeking to enlarge the constitutional and territorial jurisdiction of the city court.

"The public had a right to feel that this question had been put at rest for at least two years, as the same was made an issue is the last campaign and one of the candidates who favored an increase of jurisdic-

tion to this court was over meelmingly defeated and our present Senator elect, Hon. H. N. Pharr. supplanted him on a platform, a plank of which contained an opposition to the nog proposed bill.

"But like Banquo's ghost, the desire of this office, an ever increasing thirst for more power, will not down. The old Judaeic philosopher tells us 'that a horseleech hath two daughters crying, give, give. There are law. three things that are never satisfied, yea, four things say not, it is enough: the grave, the barren womb, the earth that is not filled with water, and the unquenchable fire;' and veritably to these might be added the fifth-the unsatiable greed of the recorder's office of the city of Charlatte for more authority.

A WORD FOR THE POOR DE-FENDANT.

bail.

"We grant to those who are urging the passage of this bill that they are honest in their convictions to lessen the burdens of the tax payers, and at the same time to preserve inviolate the inalienable rights of the citizen or citizens who may be charged with a breach of the law, still we feel that the enactment into law of the proposed bill will fall far short in every respect of the advantages desired to be accomplished, and instead of curtailing the expense of the tax payers. will increase the already necessary burdens in maintaining the city court and in many cases inflict an irreparable wrong upon the unfortunate families, by not availing themselves and poverty-stricken citizens who are of the right of appeal. unable to combat with the State in matters of prosecution.

"The recorder's court was never intended to be other than an inferior court, or in the language of the old common law statutes, 'a mere piepoudre court,' for the quick adjustment of the dusty-footed suitors in matters of alleged wrong between the State and the citizens. And it makes no difference how laboriously the friends of this proposed measure may strive to invest it with the dignicost from \$2 to \$8. The proposities of a superior court or how intion is in itself a 'reductio ad geniously the legislators might bestir themselves to magnify it with the powers and authority of a court of appeal, or to serve the ends of such, it will still be an inferior court by virtue of the restrictions' placed by the founders of our government as prescribed in the constitution, which is the fundamental law of the land.

"Can it be logically argued that the sovereign voters of this com-munity are not sufficiently intelligent. or lack in mental caliber to put into any office one of their citizens at all times and under all circumstances who shall bear rule? And we venture the assertion that there is no poli-tician, be he a pewse, Lilliputian, or of greater state, who values his fu-

ture at any price, would have the nerve to go on the stump and publicly tell the voters that they are not endowed with a same judgment and have a fair mind adequate to elect to office a citizen of Charlotte to pre-

side over the recorder's office. GIVE A MAN THE RIGHT OF THE JURIES.

ence. In that shape Representative "No man who has had any perience in dealing with the un- Rucker, of Anderson, vigorously atfortunate class who perchance may tacked the bill, but his amendment to litng be charged with an offense would cut out the \$50,000 for State aid was take the position that a defendant lost by a three to one vote, and the can maintain his rights as impartially before a one-man power as when his bill finally passed to its third readliberties are hedged about with the ing by a large majority.

impregnable bulwark of 18 of his The bill provides for a high school fellow citizens, who compose the in any school district to be establishgrand jury, 12 who constitute the ed on a two-mill special levy-the petit jury and a learned and able Superior Court judge versed in the curriculum to provide for grades from two to four years above the seven-"As stated, it is true, the unfortu- year grade of the public schools of the

Districts.

Observer Bureau, 1209 Main Street,

from Representative Ayer, of Flor-

Columbia, S. C., Feb. 6.

nate alleged culprit has his right to State. Before it was amended appeal, who with some this would be denied, were it not eternally guaran- allowed graded schools of more than teed to him by the fathers who seven grades, like those in a dozen or framed the constitution, and yet, with more of the leading cities of the all the restrictions of safeguard in- State, to benefit, though, of course, tended to be thrown around an al- in all cases an election must be held leged criminal his rights are often to determine whether the levy shall times prescribed because of excessive be made. The \$50,000 is to

all. the poorer districts. The bill was "It would be a very dangerous heartily endorsed by State superinproposition, if not a ravishment of tendent of Education Martin, and had the constitution and the inalienable the support of the State and de-right of the citizen to give one man nominational colleges. Each high the unlimited power, or measurably school is to be governed by a local such, to sentence one of his fellow board, the State aid to go through a men to wear stripes or undergo penal State high school board.

servitude on the county roads for a period of two years or any like term. An fense, are too poor to employ coun- dorsing Senator

The galleries and disles of the Senate thamber were crowded to-night, the oc-reasion being a continuance of the dis-ucrease in the magisterial bill of pensary delate. No vote was reached. AS TO TAXING THE DEFENDANT. increase in the magisterial bill of pensary cost in the city court be increased Mr. Walker finished and Messrs. Sinkcost in the city court be increased ler and Blesse snoke. The House pass and taxable against the defendant, ed a second reading bill to-night for forsooth to add a few dollars to the lidding the sale or use of any scale not coffers of the city treasury for the conforming to the student of weights maintenance of this court and its The bill was almed, the author said, al machinery, which additional taxation which

track their lines.

absurdum. If the expense account of The parden board met to-day and the machinery of this court is to be leard argument on the R. A. Adams curtailed, let it be in the salary of case, but took no action on any of the the officer who presides over the many cases before it.

same or from some other source MARRIAGE RECORD BILL KILLED. the founders of our government as prescribed in the constitution, which is the fundamental law of the land. CASES WOULD BE CARRIED HIGHER. "As to decreasing the expense rather than by additional taxation

br. J. A. Tonnig Removes to Newton to Practice Medicine—Miss Carrie Wray III—Boiling Springs Supply Co. Pfles Deed of Assignment,

Ionse After Sprnding Most of Morn-ing Debating Raysor Bill From Senate Passes It in Amended Form to Third Reading—Provides for High Schools in Any School Dis-trict to be Established on a Two-Mill Special Levy—Restricted to Towns of 1,000 Population and Less—\$50,000 to Help the Poorer Districts. pecial to The Observer. Shelby, Feb. 5.—Dr. J. A. Young, who is a graduate of the Atlanta Den-tal College, and who has been located at Fallston for several months, has removed to Newton for the practice of his practice.

of his profession Mrs. Geo. W. Wray loft last week for Haw River in response to a tele-gram telling of the serious liness of her daughter, Miss Carrie Wray, who has been teaching at that place. Her many friends hope for her speedy. The House to-day spent most of its morning session debating the Raysor fecovery. The Bolling Springs Supply Comnigh school bill from the Senate.

pany filed a deed of assignment on Friday, February 1, naming Mr. W. E. It killed the Nash bill, which is the same, in order to save time. It final-Yount, of Charlotte, as trustee. The ly passed the bill amended so as to president of the company is Mr. R. H. limit its benefits to the towns of 1,-Green, Jr., of Bolling Springs, Mr. J. C. Caddell, of Wake Forest, 000 or less, this amendment coming

who has been in Shelby for several weeks, was called home fast week by the liness of his son.

Mrs. James Archer is visat Mount Holly.-Mr. O. Mull, Cleveland's Represen-M. tative at Raleigh, spent Sunday and Monday here. -Mrs. H. G. LeGrand, of Charlotte, is visiting her daughter,

Mrs. Hugh Miller. -- Mr. William Eskridge, a student of the Agricultural and Mechanical College, is at home for a few days. --- Mr. A. Blanton left last week for a business trip to New York, Philadelphia and other points. -Mr. John Justice, of Hendersonville, is here this week, the guest of Mr. J. A, Anthony. He is an expert civil en-gineer and is engaged in making some extended surveys.

Everybody is Glad.

The reinstatement of John Asbury as a member of the Charlotte police force will delight almost everybody. John is one of the best fellows that help ever lived; old John Barleycorn took advantage of him. He is noted among the few handsome officers on the force. He carries himself well and looks the part of a uniformed officer.

> When Freedom from the Mountain high, Unfurled her Standard for all to see, hese words appeared in black and

will be pure and your teeth perfect

when you get the good habit of

Meade & Baker's

Carbolic MouthWash

the only PLEASANT antiseptic

any drug store, 25c., 50c., \$1.00

lhe

Reception

AS A JOKE ON BAILROAD. WITH SUELBY PEOPLE.

able to land the thief.

The funeral of Mrs. W. C. Cleveland wws held to-day at the First Presbyte rian church, services being conducted by Rev. T. W. Sloan. Coroner Wooten to-day held a final

Coroner Wooten to-day held a final inquest over the body of Cordoga Wil-liams, which was shipped in here from Concord, N. C., with a certificate saying the man died of "heart-failure," when upon the coroner's first examination the man was found to have had both legs broken, his skull crushed, and abdomen mashed. At the inquest to-day it was proved that the man was killed by a freight train, and a witness from Concord stated that the undertak-er there told him to put the "heart-fallure" card upon the box as a joke on the railroad.

Last Chapter in Incident Caused by "Heart Failure" Inscription on Curpue of Man Killed by Train, So-cluit to The Observer. Greenville, S. C., Feb. 4.-There were two burgharies in the city hast night, the Poe Mill store and the grocery of H. W. Hunt, being broken into. The police may they have a clow and will be able to hand the thief.

however, by the use of Mother's Friend before baby comes, as this great liniment always prepares the body for the strain upon it, and preserves the symmetry of her form. Mother's Friend overcomes all the danger of child-birth, and carries the expectant mother safely through this critical period without pain. It is woman's greatest blessing. Thousands gratefully tell of the benefit and relief derived from the use of this wonderful

remedy. Sold by all druggists at \$1.00 per bettle. Our little book, telling all about book, telling all about this liniment, will be sent free. Friend

Every woman covers a shapely, pretty figure, and many of them deplore the loss of their girlish forms

after marriage. The bearing of children is often destructive

All of this can be avoided

to the mother's shapeline

PROCLAMATION By the so Justly Appreciated The Mechanics Perpetual Building

Loan Association

INTERESTED PUBLIC TAKE NOTICE

that on Friday, March 1st, this Associatian will issue shares of its 49th Series-the subscription book to which will be open from TO-DAY, Feb. 1st. An discerning public has already scented the coming opportunity to invest its savings in a peradventure safe institution, and prospective borrowers are already subscribing to this "New Series"-realizing our inflexible rule of

FIRST COME, FIRST SERVED

effort was made in the House "There are numbers of unfortunate to-day to recall from the Senate the citizens, who when charged with an of- Sullivan resolution from that body ensel and are too ignorant of the roads scheme, but the motion was meshes of the law, and upon whom lost by an overwhelming majority. irreparable and lasting injury would Three were only 31 votes for the be inflicted, to say nothing of their resolution, members of the Anderson delegation from Mr. Latimore's own home voting against it.

certain computing scales concern ich advertised how to cheat in of cost, it is contended, would not weights by its scale, was intro-

though it is proposed to raise the dured in the House to-day calling upon the railroads to give better freigh facilities and asking all roads to double

The Senate killed the bill requiring a



budget of the county, no citizen who of impartially, fairly and conscient. Carelina and in the interest of morality might be arraigned in the recorder's tiously passing sentence in each given in the mill districts, where there are court and who felt himself aggrieved case upon its merit, according to the would submit to an injustice either in facts and circumstances and evidence would submit to an injustice either in facts and circumstances and evidence conviction or fine imposed, but would in same, and further, giving a just forthwith appeal directly to the Su- consideration to the character of the perior Court of the county for a trial defendant; and add a \$20 fine for a 'De novo,' and we venture the as- prescription drunk or \$50 fine for sertion that 85 per cent, of the cases this or that, simply because it might under the regime of affairs will be meet the whim of the officer who carried up.

"But suppose it would cost the "But suppose it would cost the county a few dollars more under the drunk and \$8 cost on an unfortunate rement avatem as soon as the de- defendant, and one perchance, who coal When Taken in the Form of sired change could be accomplished, might be innocent, compelled to be in good conscience a tex cents in ad- paid by penal servitude on the chainditional taxation, and thereby pregang of the county roads would reserve to the silizens its constitutional quire about five months of hard rights, this would be far more prefer- service, to say nothing of the moral able than to deny to him a fair and degradation to himself and family. impartial hearing of his cause, which Yet our friends argue that raising likely to occur in any human the price of a man's liberty from \$3 tribunal, but more particularly is this to \$8 is a matter of small consethe case with the right of jury trial quence. denied under the one-man power. system and too, because of excessive interest for the welfare for the clilball that necessarily compels the cenship of this community is earnestprisoner to go to jall and await a dely desired, let us see to it that Mecktermination of his appeal. It is al- lenburg county is made a judicial disways a serious matter to charge a trict with a judge of her own so that citizen with a violation of the majesty the business interests of the litigants of the law, but still a more serious interested in civil matters, together, and heinous crime when that citizen with matters appertaining to. State, is in jeopardy of being deprived of may be expedited as rapidly as possihis inherent rights as an American ble citizen. One of the eminent common law jurists said. It is better that ninety-nine guilty men escape than

one innocent man be punbhol, and We say it is more conducive to the peace of the State, law and order, to say nothing of good morals, that the county should bear a few extra dollars of taxation rather than one vitizen should be unjustly deprived of his legal rights

virtue of the inherent principles upon outy. which it is founded is clothed with school for young no more dignity than a trial justice credit to the South. of Mecklenburg county, and entitled to no more, shy should it be accorded any more power. Why the effective Presbylery, but its great necessity to make summons issued by magistrates in the county returnable before the officer who presides over that court? Can it be that the magic- united with Fayetteville in the deships in the county, and who have the school a large field. In the tercontributed their quota of bone and ritory comprising the Orange Presbysinew in all matters appertaining to try there is much wealth, there bepublic good, have not a sufficient in- ing such towns as Durham, Greens-telligence to act as trial justices and boro, Winston-Salem and High Point. maintain the peace and good order Mr. Vardell was on his way home of the various townships that com- from a visit to Winston-Salem, at pose the county" Such an insinga- which place he was given a most cor-A PARODY ON INTELLIGENCE OF that city, contributed \$1,000 to Red

VOTERM

Springs.

of the city in the expressed sentiment to erect another large dormitory. before a recent meeting of the board of The reputation of the college 'If it stould be found to such that many families from varialdermen : be necessary to enlarge the constitu- ous sections of the Bouth move to amenable to the qualified suffrage of except. Kentucky and Louisiana, in ion, the citizens of this municipality.' We represented. A number of Mecklenknow it is contended by some, and burg farmers have leased their farms honestly too, that the officer who pre-and gone to Robeson, so that they edges in that office, and who by vir-can get their girls in the Nouthern tue of his duty must pass on all Presbyterian College classes and conditions of alleged offenders and matters that appertain to public interest, should be removed one step from the sovereign people in matters of election. From this proposition we must vigorously

"It is a parody on the intelligence kept out of other communities, of this community to argue that they

rity is our watchword. Selecting the choices' perts and roots known pharmacters. No spirits or harmful a. Hollister's Rocky Mountain Tes-pring freed. Scents, Tes or Tablet.

Charcoal Stops Gas passed the sentence.

"A fine of \$20 for a prescription Stuart's Charcoal Lozenges.

> Trial Package Sent Free, Charcoal pure, simple charcoal, absorbs 100 times its own volume of gas. Where does the gas go to? It is just absorbed by the charcoal-the gas disappears and there is left a pure,

fresh, sweet atmosphere, free from all impurities and germs. "If a lasting good and a deep-felt That's what happens in your stomach when you take one or two of Stuart's Charcoal Lozenges, the most powerful purifiers, science has yet discovered. You beich gas in company, some-

times by accident, greatly to your own humiliation, That is because there is a great amount of gas being formed in your stomach by fermenting food. Your stomach is not digesting your food properly. Gas is inevitable.

A GROWING SCHOOL.

or two of Stuart's Charcoal Lozenges Some Interesting Facts About the right after eating, and you will be Southern Presbyterian College at surprised flow quickly they will act. Red Spring-Dr. C. G. Vardell No more belchings; no more sour Was a Charlotte Visitor Yesterday risings. Eat all you want and what Number of Pupils Has -The you want, and then if there is any Reached 370.

Dr Vardell has built up

Smallpox at Bluitt Falls.

gas going to be formed, one of these In C G Vardell, president of the wonderful little absorbers, a Stuart Southern Presbyterian College at Charcoal Lozenge, will take care of "As the office of the recorder by Red Springs spent yesterday in the all the gas,

And it will do more than that Every particle of impurity in your women that is a stomach and intestines is going to be His college has carried away by the charcoal. No one under the control of the Fay, seems to know why it does this, but it does and does it wonderfully. You notice the difference in your appetite. growth and large usefulness is so evigeneral good feeling, and in the purdein that the thrange Presbytery has ity of your blood, right away. You'll have no more bad taste in

trates throughout the various town- velopment of the work. This gives your mouth or bad breath, either from drinking, eating or smoking. Other people will notice your bad breath quicker than you will your self. Make your breath pure, fresh and sweet, so when you talk to others you won't disgust them. Just one or two Stuart Charcoal Logenges will make your breath sweet, and make tion does violence to the citizenship dial welcome and substantial aid you feel better all over for it. You of the townships and county. The Taylor Bros., tobacconists, of can cut all the onlons and odorous foods you want, and no one can tell the difference.

Besides, charcoal is the best laxa-All of the rooms are full this year, We heartily agree with the mayor and the trustees have on foot a plan tive known. You can take a whole boxful and no harm will result. It is is a wonderfully easy regulator,

And then, too, it filters your bloodevery particle of poison or impurity tional and territorial jurisdiction of Red Springs to educate their children. in your blood is destroyed, and you the city court, then let the gentle. There are 170 pupils enrolled this begin to notice the difference in your man who presides in that office be year and every State in the South, face first thing-your clear complex-

Stuart's Charcoal Lozenges are made from pure willow charcoal, and just a little honey is put in to make them palatable, but not too sweet.

They will work wonders in your stomach, and make you feel fine and fresh. Your blood and breath will be Smallpox has broken out among the purified. laborers at Bluitt Falls, in Richmond We want to prove all this to you. county, and the country round about so just send for a free sample to-day. is quarantining against the hustling

Then after you get it and use it, you little dam town. Traveling men are will like them so well that you will afraid to go down there lest they be go to your druggist and get a 25c. box of these Stuart's Charcoal Log-

TETTER, SALT RHEUM AND ECZE-MA. These are diseases for which Chamber-lain's Saive is especially valuable. It quickity allays the litching and emarting and soon effects a cure. Price, 21 cents. For sale by R. H. Jordan & Co. day and we will at once send you by

Over Perhaps your gloves or gown, maybe your dress suit was soiled. **On Your Stomach** We Can Dry Clean 'em. We are also "some" on Dress Shirts, Vests. Collars and Cuffs. Have You Tried Us? CHARLOTTE STEAM LAUNDRY Launders, Dyers, Cleaners. Whenever this happens, just take one ACADEMY Matinee and Night Saturday

Great Broadway Theatre Success "The Vanderbilt The Swiftest Moving, Cleanest, Most Amusing Musical Comedy Drama Yet

Given to the American Public, with its Remarkable Cast of Sixty and BARNEY OLDFIELD'S

Great Automobile Effect prices, entire lower filoor Matinee

MR. H. B. WHITAKER

Comedy-Drama

By Nesbit Scoville

This Season.

ce the Fight in the Snow.

Coming."

ee the Old Country Mill.

ce the Funny Rube.

Prices: 15, 25, 35, 50c.

Seats on sale at Jordan's.

Jee the Big Parade.

Balcony, 75, 50. Night, \$1.50, \$1.00, 75, 50. Seats now selling.

\$1.00

It has ever been the policy of this Association to take the Public in its confidence, hence it may not be amiss to give a short synopsis of what it has accomplished since its formation, 24 years ago the 1st of March coming (lacking but one year of a quarter of a century of successful existence:)

50,000 Shares issued since organization, Equal in par value to \$5,000,000 4,800 Shareholders since organization Cash handled since organization \$4,150,000 Loaned out during life of Ass'n \$2,082,000 Paid in matured stock \$1,381,000 Transactions during 1906 445,627 704,000 Assets January 1st, 1907

All these vast sums handled without the loss of a single cent and an operating expenditure of but seven-eighth of 1 per cent.

This is our record.

Jurors (the public) take the case.

S. WITTKOWSKY, President. R. E. COCHRANE, Sec'y. & Treas.

2.30 to 5--- Evening 8 to 10.30



F. MARION REDD,



HACKNEY BROS. Heating Contrac

Jobbers in Supplies.