OHARLOTTE DAILY OBSERVER, FEBRUARY 28, 1907.

GOOD DAY FOR DEFENSE (Continued from Page One.)

singing in the streets for pen-

ir, Holton questioned Mr. Hutch-

Incon senin.
When I said that help was demarked," declared the witness." I meant that the nulls wors enticing coch other's operatives and kept them moving from place to place. All of the mills of Charlotte, the Loring, of Gastonia, and the Victoria and Manchester, of Rock Hill, S.C., belonged to the Textils Club.
"There ware two causes for the scarcity of help. First, many new for the moring to the farms."
"Did you hear Mr. C. W. Johnston say he would have nothing to do with language for the say he would have nothing to do would have nothing to d

"Did you hear Mr. C. W. Johnston say he would have nothing to do with importing foreign help, if it was against the law?" asked Mr. Holton. all,"

Ø

Mr. Coble followed Mr. Cooley and said that the sending of the money to Costello connected Smith with the violation. He hooted at the idea of skilled inhor, recalling the fact that Olive Drake had said that she was a bundler and that George Bonner had been an iron mouider in England and knew nothing about the sort of "I do not recall it now." When the district attorney had dismissed the witness, Mr. Tillett asked: "Don't you recall, Mr. Hutchinson, that Mr. Johnston said that if he were not certain the help would go to his mill he would not put up his money and have anything to do with money and have anything to do with mill work they were imported to do. He made a short clever speech, sum-

Mr. Hutchinson recalled something like that, he said.

NO OPERATIVES IDLE.

Mr. Holton closed for the govern-ment. He declared that the citations "Did you know of a single 'idle skilled cotton mill operative at that time?" asked Mr. Tillett. made by Mr. Bynum were not appli-

cable to this case, arguing that they were all right for corporations, but not for individuals. Mr. Holton de-duced a great deal from what Mr. "Not one," was the reply. Miss Olive Drake was recalled, She said she knew Costello. She had met him in Bolton, England. Several of her friends told her that they had put down their names to girls were singing on the streets of England for pennies showed that they England for pennies showed that they Miss Olive Drake was recalled.

"What did Costello tell yon?" was usked. It was here that the attorneys for he defendants objected. "What did Costello tell yon?" was bad no money to pay transportation to this country. To prove that Mr. Smith was not in such great need of help, he cited the fact that a bunch asked.

the defendants objected.

said Judge Boyd. Mr. Alford-W. Cooley, the youth-ful and graceful Assistant Attorney he defendants used the Governor of the defendants used the law, Smith

General of the United States, Har-the State to evade the law, Smith vard graduate and intimate friend and Sargent knew they were doing of the President, rose for the first wrong." Mr. Holton charged Costeltime since the case began. He is a prety young fellow, with lots of pull, a well-rounded education and MR. TILLETT REPLIES. affable ways. He said: "We have established the fact that Costello was an agent, and shown that Smith sent him money to pay the ways of the operatives over here. Therefore, what Costello said to Olive Drake is

competent." Mr. Bynum sallied forth with his head full of facts, a table full of books and his hands full of manuscript.

"We have it here," declared Mr. Bynum, "developed from the government's witnesses, that Costello was present at the meetings of the Texolina that makes the immigration detile Club; that he, being an Englishman himself, was familiar with the laws and that he declared that he of the United States say that advercould bring operatives here in comtisements giving the inducements the pliance with the laws. He was to do nothing unlawful.

"It has also been shown that the members of that club, trying to obey ing designated, it is his duty to make Mr. Tompkins not to send Costello as an agent of the club, but of North Carolina, Costello was appointed by Carolina, Costello was appointed by partment of immigration, at Wash-the Governor of the State and he ington, says that what Governor with the under went to England with the under-standing that he was to comply with law." The difference between an offithe laws. This is in evidence. The cer and an agent was explained by government has produced this testi-mony. If Mr. Costello went as an "Governor

aing reviewed briefly the and analyzed it. dey was the first to speak overnment. He declared Work on Minery-Mine Islands Station of the Southern Fower Company, Near Blacksburg, S. C., Walting the Completion of the Bailroad-Mr. A. L. Cornell Resident Enthe State had no right to appoint the State had no right to appoint setella agent, any more so than on the speciators in the court house

Mr. Coble followed Mr. Cooley and

ming up the evidence as he saw it.

MR. HOLTON SPEAKS.

The district attorney will be asham-

"We have a statute in North Car-

been put to bad straits.

ets and say if they show an unlaw. HE. A. I. CORNELL IN CHARGE

Mr. A. L. Cornell, of Birmingham Als., has been elected resident anginour of the Ninely-Nine Islands sta-tion of the Southern Poewr Company, on the Broad river, and has already arrived on the scene and taken charge. His postoffice address is King's Creek, S. C. Mr. W. L. Davis, a former resident of Charlotte, is cashler of this station, and Mr. E. W. Hobbs superintendent, Mr. Hobbs was formerly with the Great Falls station, having been recently trans-ferred to the Ninety-Nine Islands

> A force of hands is now engaged in clearing away the undergrowth about the station on Broad river. Much work has to be done on the site before the real development can sile before the real development can commence. Pending the completion of the railroad from the main line of the Southern to the station, as much of this preliminary work as possible is being done. The railroad will be 4 1-2 miles long, and is being built by Messra. Stewart & Jones, under contract. It will be finished in about six or eight weeks. As soon asster cars can be pulled up. As soon as the cars can be pulled up to the site of the actual development and the heavy machinery unloaded there, then the real work will com-

mence Mr. Cornell, who will be in charge of this development on the Broad river, is one of the most capable engineers in the South. He has both experience and ability, and under his supervision, the work there will speedily take shape.

TREASURER'S BOOKS AUDITED.

Executive Committee of the Mecklenburg Farmers' Mutual Fire Insur-ance Company Meets-The An-nual Report-\$400,000 Insurance in Force.

A meeting of the executive committee of the Mecklenburg Farmers' Mutual Fire Insurance Company was held at the court house yesterday afternoon for the purpose of auditing the books of the treasurer of the county, Mr. R. C. Freeman. The an-

These charges riled Mr. Tillett, who nual report of this official, which was closed the argument. On rising he submitted and ordered printed, shows said, "I am surprised and pained to note the stand that the government has taken. Mrs Holton speaks as if that the company has \$400,000 of insurance in force in the county. The claims during the past fiscal year amounted to \$2,521.71. he were dealing with liars and rascals. He attacks the character of our The date for the annual meeting of clients and makes the Governor out a weakling. He charges bad faith.

the stockholders in the company was fixed for Saturday, March 16, at 11 ed of himself when he gets out of o'clock. The treasurer was instructed to mail notices to members to this here and reflects. He must have effect. The treasurer was authorized to levy an assessment of one-fourth of one per cent. on all insurance in partment a part of the agricultural force to provide a sufficient surplus to meet any demands that might arise. department. The immigration laws The committee ordered the drafting of suitable resolutions relative to the death of Captain H. D. Stowe, State offers to immigrants are all who was president of the company, right. The Governor is the Chief Exand who has been succeeded by ecutive of the State. No one else be-'Squire C. H. Wolfe, who will serve until the annual meeting. Besides

> were Messrs. W. S. Pharr and J. H. Some Real Estate Transfers.

> 'Squire Wolfe those present yesterday

Glenn had the right Realty Company make the appointment," said Mr. Til-Mr. H. C. Marsh has purchased a lett. "If he were on trial here would The government has also Mr. Holton charge him with conspiring with Messrs. Smith, Sargent and \$4,000, the deal being made through Costello? If Costello was not the J. E. Murphy & Company. agent of the State he was the agent of R. B. Glenn, not Smith and Sar-How England Rewards Her Soldiers. gent. The only testimony offered Tit-Bits. here goes to show that Costello went Britain has generally been generous to England as the agent of the State.' in rewarding her soldiers. Perhaps the Duke of Wellington came off best in this respect. In his earlier Peninsular campaign he was granted a pen-Mr. Tillett continued his clear-cut sion of £2,000 a year for two generargument at some length and closed ations, and on the conclusion of the Peninsular War in 1812, he was voted f100.000 for the purchase of an estate. After Waterloo the govern-HIS. HONOR'S THUNDERBOLT.



ROYAL is absolutely Pure.

VIOLINS. MR. RICHARDSON'S Charlotte's Well-Known Violinist Has a Remarkable Collection of Musical Instruments

Most musicians, poets and actors have fads and Don Richardson, the violinist, who, with accompanists, will begin an eght-weeks' tour next Mon-day is no exception, Mr. Richard-Wonday, March 4th. son's fad is collecting musical instru-

ments. He values his collection of violins, numbering 16, at \$5,090. His favorite, and the one he will use dur-"The College Widow" comes to the ing his tour, is registered, and is in-Academy of Music to-morrow night,

sured for \$2,500. Mr. Richardson was recently offered \$2,200 for it, but turned the offer down, stating that turned the offer down, stating that \$3,000 would not buy it. Inside the frame of this violin, printed on a faded label, is the inscription: "Mat-teo Albani fecit, Bolzano, anno 1720." which is proof that it was made by Mr. J. C. Neely has purchased for \$4,500 a residence on South Tryon street, belonging to the Charlotte in the most noted violin-makers ing of its remarkable run in New York, there has been such a unanim-



Southern Railwa

Tits a. m., No. 14, daily en 10:55 a. m., No. 53, daily, for Col and Augusta. Handles Pullman New York to Augusta and day of Washington to Augusta. Dinfr mervice.

New York to Augusta and day coaches, washington to Augusta. Dining car service.
10:20 a. m., No. 26, daily, for Washing-ton and points North. Pullman Drawing Boom sleepers to New York and Rich-mond. Day coaches New Orleans to washington. Dining car service. Con-nects at Greensboro for Winston-Salem. Ralaigh and Goldsboro.
10:30 a. m., No. 11, daily, for Atlanta, and local stations. Connects at Sparsan-burg for Hendersonville and Asheville.
II:00 a. m., No. 30, daily, for Washington. Dining car service.
II:00 a. m., No. 30, daily, for Washington.
Dining car service.
II:00 a. m., No. 37, daily, New York day goaches Jacksonville to Washington.
Dining car service.
II:00 a. m., No. 37, daily, New York and New Orleans Limited. Pullman Drawing Room sleping cars. Observation and Club cars, New York to New Or-leans. Pullman Drawing Room sleep-ing car, New York to Birmingham. Solid Pullman train. Dining car service.
4:10 p. m. No. 41, daily except Sunday, for Seneca, S. C., and local points.
5:50 p. m., No. 27, daily, for Washing-ton and points North. Pullman sleep-ing car, New York to Birmingham. Solid Pullman train. Dining car service.
4:10 p. m. No. 41, daily except Sunday, for Seneca, S. C., and local points.
5:50 p. m., No. 12, daily, for Washing-ton and points North. Pullman sleeper, Charlotte to New York. Day coaches to Washington. Dining car service.
7:60 p. m., No. 12, daily, for Richmond

er. Augusta to New York. Pullman sleeper. Charlotté to New York. Day coaches to Washington. Dining ear service.
7:05 p. m., No. 12, daily, for Richmond and local stations. Pullman Drawing Room sleeper, Charlotte to Richmond. The Knoxville, Taylorsville and local points. Connects at Statesville for Asheville, Knoxville, Chattanooga, Memphis and points west.
8:55 p. m., No. 43, daily, for Atlants.
Fullman sleeper and day cosches, Charlotte to Atlanta.
8:56 p. m., No. 38, daily, New York and New Orleans Limited. for Washington and points North. Pullman Drawing Room sleepers to New Orleans and Club cars to New York. Dining car service.
9:30 p. m., No. 35, daily, for Atlants, and points South. Pullman Drawing Room sleepers to New Orleans and Bismingham. Day coaches Washington to New Orleans. Dining car service.
10:36 p. m., No. 29, daily, for Columbia, Savannah and Jacksonville. Pullman Drawing Room sleepers and day cosches, Washington to Jacksonville.
11:38 p. m., No. 29, daily except Sunday, southern's Palm Limiled for New York. Electric lighted. Dining car service. Solid Pullman train. First trip northbound January 9th.
44 a. m. No. 81, daily except Monday, Southern's Palm Limited for Jacksonville and St. Augustine. Electric lighted. Dining car service. Solid Pullman train. First trip northbound January 9th.
44 a. m. No. 81, daily except Monday, Southern's Palm Limited for Jacksonville and St. Augustine. Electric lighted. Dining car service. Solid Pullman train. First trip northbound January 9th.
44 a. m. No. 81, daily except Monday, Southern's Palm Limited for Jacksonville and St. Augustine. Electric lighted. Dining car service. Solid Pullman train. First trip northbound January 9th.
44 a. m. No. 81, daily except Monday, Southern's Palm Limited for Jacksonville and St. Augustine. Electric lighted. Dining car service. C. H. ACKERT.
Yice Pres and Gen. Mgr., 8. H. HARDWICK. P. T. M., W. H. TAYLOE. O.

"Not How Cheap, but How Good."

Our Motto:

overtures, songs,

love story idyllic and beautiful.

Archie Watson, a white youth, re-

A HEALING GOSPEL.

MANUFACTURED BY

AILEY BROS., Inc., Winston-Salem, N. C.

No Better tobaccos made than shose manufac-tured by BAILEY BROS. NOT IN A TRUNT.

The Rev. J. C. Warren, pastor of

"THE COLLEGE WIDOW." With its faithful prototypes of people of the average small college town,

College

Widow" Friday,

"The March 1st.

"If I Were King," Saturday, Mat-

Amusements

agent, it was of the State. There was a perfect understanding about proven that Mr. Smith did what he could to help the foreigners when they arrived."_____

NOT LIABLE FOR AGENT'S UN-AUTHORIZED ACT.

Mr. Bynum argued that the detheir agent did without their knowl-edge and cited a number of cases from the Federal Court reports to sustain his position. He pointed out the difference between penal and by asking the court to pass on the remedial cases and referred to cases case,

where the alleged infringements had been made by a corporation's agent Judge Boyd, after reviewing the in the scope of his employment where the courts had held that the testimony as it had seen offered, principal was not responsible for the said: "Although this is a civil action act of the agent. As. Mr. Bynum it is criminal in its nature. The spoke he compelled the attention of term penalty means punishment. Did the court and spectators. Being these defendants set out to do a crimhandsome of feature and striking in inal act? It must be proved that appearance, he commands admira- they were to violate the law. There tion. Once launched in debate, he is is no such evidence here. An eva-powerfui.

"Civil action to recover a penalty tion is not proven, so I rule out the will not hold, except against the testimony. Knowledge and willfulness agent himself," declared Mr. Bynum, are essentials. If Smith and Sargent This doctrine is universally held by are guilty. Governor Glenn is guilty. the courts. "Now, applying these If there was a conspiracy, he was principles of law," continued Mr. Bythe fourth conspirator." Several other unimportant wit-

"what has the government num, shown here to connect oup clients nesses were called. The result of the fight over the admission of Miss with the violation, if there was any?"

The counsel have shown that Smith, Drake's testimony paralyzed Mr. Holton and his associates. They asked for an adjournment until they could Sargent and others were careful not to break the law. No testimony has been offered to prove that Costello confer with their witnesses. The case will be taken up again at 10 was authorized to act for them. What the members of the club did they had o'clock this morning. The odds are on the defendants. a right to do. Smith and Sargent H. E. C. BRYANT.

had a right to send Costello over with instructions and if he disobeyed them the defendants could not be held liable. Now it is sought here to in-

troduce as testimony what Costello said to these people. We say, please your honor, that the court should not accept this testimony." Mr. Cansler followed Mr. Bynum,

making an affective speech. In the beginning he declared:

Assuming for the time that Costello did wrong, we contend that Smith and Sargent are in no way connected with the case. No evi-dence to that effect has been produced. What Smith and Sargent did was done as agents of their mills of the Textile Club. It may be that the mills could be held liable, but we can't see how."

WAS AGENT OF GOVERNOR.

"Costello was the agent of no one except the Governor of North Caro-lina. Our clients can only be held liable if they joined with Costello to unlawfully induce these people to ome here. To fix the act you prove

unlawfully induce these people to ome here. To fix the act you prove that they had a guilty purpose. If Smith and Sargent are guilty, their guilt rises out of an unlawful agree-ment. Smith and Sargent were act-ing for their mills. How can one agent be held responsible for what another agent does. Let us assume that Costello was the agent of Smith and Sargent. There was a lawful way to get these operatives. The principals instructed Costello to principals instructed Costello to bring them in the lawful way. Bebring them in the lawful way. Be-fore the evidence desired by the gov-ernment can be admitted, it must be proved that there was an unlawful agreement. If the case does not show this on its fact it is the duty of the court to exclude it. It is a matter for your honor and not for the jury. The court must pass on the

est quick relief from Dr. Shoop's Ointment. Remember it's made or Piles-and it works with car-ind satisfaction. Itching, painful, ing, or blind piles disappear like

ment bought for him the estate of Strathfieldsays at & cost of £263,campaign; Sir Hugh Gough for the

after Omdurman.

Sikh war, an annuity of £2,000; Sir Colin Campbell, £2,000 for wiping out the Indian Mutiny, and Sir Henry Havelock, for the relief of Lucknow, 1.000. Coming to more recent times, Lord Roberts received £100,000 for his services in the South African campaign

Reason For Odd Prices.

and Lord Kitchiner received £30,000

New Orleans Times-Democrat. "There's a reason for everything, said the dry goods merchant. "There's even a reason for odd prices -\$1.12, \$4.99, \$3.24, &c.

"The reason for these prices is that they keep the patron waiting for change, and while he waits he looks around, seeing, two to one, something else that he wants to buy.

"Odd prices, causing the customer to examine the stock, are responsible for some 15 or 20 per cent' of each day's sales."

Rockefeller to Return to Augusta. Augusta, Ga., Feb. 27.—It is stated that John D. Rockefeller will return the transgressors of the law. At any rate, the dockets in the city police court have been remarkably thin and to Augusta early next week to spend the remainder o fine winter.

puny during the last few days. The They scowled and look sour from morn principal offender yesterday morning was Charles W. Neal, the negro storekeeper who selected an unique method of clearing his place of busi-

ness Tuesday night. Neal got tired of his company and dispersed it by

in history and is nearly 200 years old. Hy of oginion regarding the merits of The other violins of the collection "The College Widow," that its perstore and dwelling on North Church street from C. W. Gallagher, for but all are good instruments each into an ovation. Henry W. Savage having some individual quality that has given Mr. Ade's play the cast and appealed to the genius in their present scenic environment that so worthy an owner and being of several types and effort deserves.

nationalities. Besides his violins, Mr. Richardson has a German 'cello, "IF I WERE KING."

an Italian viola made in 1746, and A pleasing feature of the produc-tion of "If I Were King," Justin Huntother instruments. ly McCarthy's splendid romance, which Action of Supreme Council Endorsed. recently proved the greatest kind of At a meeting last night of the a success in the hands of E. H.

Charlotte Council of the Modern this city at the Academy of Music Puritans it was decided unanimously next Saturday with Lester Lonergan to endorse the action of the supreme in the role of the vagabond hero and council in voting to amalgamate with poet, Francis Villon is the incidental entree-act music the American Guild, of Richmond, and a prominent. This includes Va. The American Guild is an exed by

ceedingly strong organization, being musician. Lord Wolsley received a grant of 17 years old and numbering 25,000 interludes. f25,000 on completing his Ashanti members. The action of the local gurds and members. The action of the local gurds and sonatas inspired from ex-council last night is in keeping with tracts extant from the music of the council last night is in keeping with period, that of the vast majority of subordinate councils of the order all over the country.

> ning the Highland Park Manu-facturing Co. Mr. C. V. Stikeleather, through his Suing the Highland Park Manu- tiful

attorney, Mr. Thomas W. Alexander, drama. It is replete with the first

has begun action in a suit against and greatest requisite of a good play, the Highland Park Manufacturing namely, action. And to this is added Company for the recovery of \$5,000 many amusing comedy situations, a damages on account of personal in- great deal of heart interest, and a juries sustained while in the employment of the company. Mr. Stike-

leather was working at a quilling machine and, it is alleged, had his hand crushed and permanently inwith some fellows. He was taken to

Two Marriage Licenses Issued. Register of Deeds W. M. Moore yesterday issued licenses for the marriages of two couples. The first was

jured.

Mr. J. A. Weaver, of Griffith, and Miss Leola Morrow, of Charlotte. The second couple was Mr. J. R. Foy, of Greensboro, and Miss Mettle Poole, of Belmont Park.

They scowled and look sour from morn till night. They never would agree: New they are healthy, happy and bright. They both take Rocky Mountain Tea at night. R. H. Jordan & Co.

The Rev. J. C. Warren, pastor of Sharon Baptist church, Belnir, Ga., says of Electric Bitters: "It's a Godsend to mankind. It cured me of lame back, stiff joints, and complete physical collapse, I was so weak it took me half an hour to walk a mile. Two bottles of Electric Bitters have made me so strong I have just walked three miles in 50 minutes ard feel like walking three mere. It's made a new man of me." Guestest remedy for weakness and all Stomach, Liver and Kidney complaints. Sold under guaran-tee at all drug stores. Price Mo.

Remit by Express on P. O. Money Order. THE FOUSINS SUPPLY CO., DEPT 8 RICHMOND, VA.

Reference: Planters National Bank.

Electric Cooking

compos Italian We have an electric ketrare futle in which one may cook which is the latter part of the Fifteenth century. The play abounds in dell-cate poetical passages, rhyme and prose as exqusitely beau-

ceived a painful cut in his right arm yesterday afternoon while frolicking ers, flat-irons, curling irons the Presbyterian Hospital, where the and other economic shockwound was dressed, and he then went his way as if nothing had happened.

SEABOARD

AIR LINE RAILWAY

"The Exposition Line to Norfolk." These arrivals and departures, as well as the time and connection with other companies, are given only as informa-tion, and are not guaranteed.

tion, and are not guaranteed. Direct line to the principal cities North, East, South and Southweat. Schedule taking effect January 6, 1907, subject to change without notice. Tickets for passage on all trains are sold by this company and accepted by the passenger with the understanding that this company will not be responsible for failure to run its trains on schedule time, or for any such delay as may be incident to their operation. Care is ex-ercised to give correct time to connect-ing lines, but this company is not re-sponsible for errors or omissions. Trains leave Charlotte as Postows: No. 40, daily, at 4:15 a. m. for Monroe.

We have an electric ket-tle in which one may cook three eggs, in three minutes, and with three teaspoon-fuls of water.
 We have other appliances to do other cooking. We keep in stock appliances to do every line of grill-room cooking by electricity.
 Also electric foot warm-ers, flat-irons, curling irons and other economic shock-ing things.
 Buy one of these com-plete outfits and let the cook go.
 The D. A. Tompkins Co. Charlotte, N. C.
 We flatter, N. C.
 We are and let the cook go.
 The D. A. Tompkins Co. Charlotte, N. C.
 We are an electric foot warm-plete outfits and let the cook go.
 The D. A. Tompkins Co. Charlotte, N. C.
 We are an electric foot warm-plete outfits and let the cook go.
 The D. A. Tompkins Co. Charlotte, N. C.
 West Trade street. Charlotte K. K. C.
 West Trade street. Charlotte K. C.

20 West Trade street, Charlotte, N. C.



DRAUGHON Business

Ghe or within the city limits. A. P. Operators Get a Raise. The telegraph operators in the employ of the Associated Press on

Meade & Baker's

Carbolic MouthWas at your druggist's, 14c., 10c., \$1.00

In the City Police Court. The banquet in honor of Recorder Shannonhouse a few nights since seems to have had a good effect on

getting out an old 38 and beginning

a regular fusillade. Neal was fined