SUBSCRIPTION PRICE: \$8.00 PER YEAR.

CHARLOTTE, N. C., SATURDAY MORNING, MARCH 23, 1907.

PRICE FIVE CENTS.

MR. BONAPARTE'S ANSWER INTERPRETS IMMIGRATION LAW

The Attorney General, in a Com he Atterney General, in a Communi-cation to President Roosevelt, An-overs the Queries of the Governor of South Carolina Affecting the Ad-ministration—The Questions the Outcome of the Recent Conference Held at the White House—Attor-ney General Interprets the Past and the Present Laws Bearing Upon Immigration—The New Law Opera-tive July 1st—The Changes to be Effected in the Existing Statutes. Washington. March \$2.—Attorney Washington, March 22 .- Attorney

General Bonaparte has sent to President Roosevelt a communication containing answers to various questions affecting the administration of the immigration laws propounded by Governor Ansel, of South Carolina, The Attorney General upholds the legality of a State advertising its inducements to immigration, including a statement of prevailing wages and a statement of prevailing wages and uphoids the legality of introduction of immigrants where they are other-wise qualified and had not been so-licited or encouraged except by pay-ment of their passage out of the State's public funds. The State's acceptance of contributions to the im-migration department funds and ad-vertisement of its inducements therewith and its prepayment of the passage of aliens would not exclude the immigrants but might render liable to the law the parties contributing the money. All these are with the proviso that ne agreement or contract he en-tered into. With the changes made by the new law, allens are excluded when solicited by promises or offers even when there is no contract or agreement and while payment of immigrants passage from State public funds is not barred, its payment with funds out of the board by any society or association makes the immigrants liable to exclusion. The prohibition does not apply to contributions of passage money by such individuals as

OUTCOME OF CONFERENCE

The Governor's letter to the Presi-The Governor's letter to the Presi-dent bears date of March 16. The guestions are the outcome of the re-cent conference held at the White House betwen the President, Attor-ney General Bonaparte and South Carolina officials, when an opinion of the Attorney General regarding the Muder consideration. Three of the Governer's questions answered by the Attorney General relate to the exist-ing law and the fourth to the new law of Feb. 20 last which becomes operative July 1. The first question asked, whether it is a violation of the immigration law in force up to the time of the tak-ing effect of the act of Feb. 20 for a State, legislation through its officers, to advertise its inducements and pub-lish abroad the scale of wages pre-valling within its borders, provided no contract or agreement is entered

valling within its borders, provided of the no contract or agreement is entered include into. In his answer the Attorney Gen-eral after quoting various sections of the existing law says:

THE LAW IN FORCE "These provisions co minim ambata tially all the law in force at the pres-

House, Gov, Ansel wrole the Presidenti asking for an interpretation of the pres-ont law with respect to paying the trans-portation of immigrants, by the State and the use of money for this purpose subscrifted by immigranton societies, cor-porations and individuals. Then the Governor asked if the new law to go into effect July 1 will materially alter the situation. The Attorney General relter-ated his former opinion as to the solici-tation, advertisement and payment of transportation by State. But con-cerning the new int, after an-swerths' specifically that it is "ma-terially different," he cites passages in the new law which lead him to con-clude: "These provisions change the law in

In the new law which lead him to con-clude: "These provisions change the law in two particulars. In the first place, allens solicited or induced to migrats by rea-sons of offers, or promises, even when there is no contract of employment, will be excluded after this act takes effect. At present, although their importation is unlawful and subjects the parties re-sponsible to punishment, the allens themselves are allowed to enter. "Secondly, the person whose passage momey is paid by another must be pre-pared to show, not merely that he does not come within any of the categories of immigrants, but also that his passage was not paid by a corporation, an as-

immigrants, but also that his basage was not paid by a corporation, an as-sociation, a society, a municipality or a foreign government; and this provision against such payment by any of the agencies mentioned is effective whether the payment be made directly or indi-rectly.

"While, therefore, the payment of the "While, therefore, the payment of the passage maney of such immigrants by a State with its public funds is not pro-hibited, its payment with funds contri-buted by any society or association ren-ders the immigrant liable to exclusion, although the payment may be made through the agency of the State or its officers, and although the immigrant would be otherwise entitled to admission. The same prohibition, however, does not The same prohibition, however, does not extend to the payment of the passage money by individuals whether directly or through the agency of a State; provided that their action is, and is satisfactorily shown to be, in good faith, individually and is not attended by such combination or concert of action as would make it substantially the act of an association or society." Mr. Bonaparte further adds significant-ly, for the sake of clearness only, I may

here note that Section 4 of the same act is as follows: "That it shall be a misdemeanor for

any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any

of 'contract laborers' given in Section 2 of the present law is broad enough to include the persons whose importation is forbidden by Section 4 of the law of 1903, it follows that the same section of the act approved February 30, 1907, although different in language from Section 4 in the act of 1903, is the same substantially in meaning." MeGHELE.

MCGHEE.

LOCAL COMPANY CHARTERED COURT SENTENCE DISAPPROVED. GOVERNOR MAKES ADDRESS

The Whitney Cotton Mill Gets a Charter—The Am chino and Manufacturing of Charlotte, With Me MI of Charlotte, With Messrs. D. A. Tompkins, J. W. Conway and S. B. Sargent as Stockholders, Has Capital Stock of \$200,000—Great Intercis Manifested in the Harrison Kidnap-ing Case—The State Chemist Talks Very Interestingly About Soil Test Farms—The Use of Stencils Criti-cised. cised.

Observer Bureau, The Hallaman Building

Raleigh, March 22. A charter is granted the Whitney Cotton Mill Company, of Ireland Station, Caldwell company, or fremer and the capt. Roemer was charged with the tion, Caldwell company, or fremer and the capital stock being \$100,-000, G. L. Barnhardt, G. W. F. Parker and others being the stockholders. The stock is held by people in half a dozen or more States from New England south. Another charter is granted to the American Machine and Manufactur-

ing Company, Charlotte, \$300,000, to manufacture hydraulic, steel, electric and transmission machinery and install the same, the stockholders being D. A. Tompkins, J. W. Conway and S. B. Sargent. A third of the stock may be preferred. The State Authorizes the disselu-

tion of the Ritter Lumber Company at Pincola, Mitchell county, the stock-holders being Ohio and West Virginia men.

was convicted of kidnaping the 9year-old son of ex-State Senator "The proceedings, findings and ac-Samuel A. Beasley, of Currituck. It is quittal in the case of Captain Lewis heard talked about constantly. Mr. Isaac London of Chatham coun-

Separk, the charge being cruelty to animals. Mr. London has a contract for straightening the tracks of the Durham and Southern Rallway, beween Apex and Dunn, under Mr.

Ransal, who has the general contract, and it is charged that some of his mules were driven to death and others driven with extensive sores on their bodies. Mr. London demanded a jury trial and there were many witnesses. Among to-day's visitors here was Senator Odell, of Cabarrus, who with his brother, had been to Bynum, in Chatham county, to attend a meeting of the Odell Manufacturing Company.

SOIL TEST FARMS. Your correspondent had a talk with State Chemist B. W. Kilgore, re-It is sold at New York, Philadelphia of conduct and uprightness they ex-

Reports Make Magnificent Showing and Demonstrate That Material Progress Has Been in Furthering the Landable Work of the Organi-ation—Handsome and Costly Build-ings to be Erected in Various Cities, The President Concurs in All That the Secretary of War Says Regard-ing the Conduct of the Cavalry Of-ficer—Guilty of Filing Captious and Unnecessary Charges Against a Su-perior Officer—The Text of the Let-ter of the Secretary of War Bear-ing on the Case. Manifesting Deep Interts on the Part of All Concerned-Most Im-portant Feature of Day Was the Presentation of the Inter-State Ex-

ecutive Committee's Report by G. C. Huntington, of Charlotte-Mill Or-

ganizations to be Encouraged Con-

From Southfort the party

ditionally.

Washington, March 12 .-- President Roosevelt to-night announced his disapproval of the findings of acquittal in the case of Capt. Lewis M. Koehler, Fourth Cavalry, U. S. A., cavalry Special to The Observer. commander at Jolo, Philippine Islands. Capt. Koehler was charged with manding officer at the Jolo military post and civil Governor of Jolo, with conduct unbecoming an officer and gentleman in making unfounded and malicious statements regarding his commanding officer and with insuborinent business men. dination. The first court martial sentenced him to be reprimanded and the second court martial on which today's action was based acquitted him. The effect of the President's action is merely to set aside the proceedings o fthe court martial, as if Unusual interest was expressed here they had never been held, and Captain were given a most enthusiastic recepin the case in which Joshua Harrison Koehler is restored to duty. The President's order follows: the wharf to meet the boat.

M. Koehler, Fourth Cavalry, United entertained by Major Ridgeway, the States Army, are disapproved. I enty, was here to-day and a jury trial tirely concur in all that the Secretary was held before a magistrate C. A. of War says of Captain Koehler, and of General Wood, and of the poor showing made by the court which last passed on the case.

"THEODORE ROOSEVELT." SECRETARY TAFT'S LETTER. Secretary Taft in his letter, says: "Captain Koehler is an officer with an excellent record for courageous

service in the field and for attention to duty generally. He disting ished himself at the battle of Mount Dajo. Captain Kochler made himself very annoving to Major Scott and the friction between the two officers became fourth annual inter-State convention so great that Captain Koehler filed of the Young Men's Christian Associa-

charges against Major Scott." tion convened here this afternoon and Major Scott later filed charges organized by the election of the folagainst Captain Hoehler. A court- lowing officers: President, T. S. Bryan, garding the soil test farms, of which martial found Captain Koehler guilty of Columbia; vice presidents, JV. H. there are now 4. He says he has in- of preferring captious and unneces- Sprunt and Walker Taylor, Wilmingspected all recently and that they are sary charges against his commanding ton; R. H. King, Charleston; W. V. in good shape. The most easterly officer and in reprimanding him un-McRae, Trinity College; secretary, G. farm is at Williard and there the der the sentence of the courtmartial H. Wright, Asheville; assistant secretruck is looking well; the lettuce crop General Wood declared that Captain tary, D. M. Myers, Citadel, Charlesis being gathered and is a fair one. Koehler's conceptionu of the standard ton.

The attendance is not larger than and Raleigh and brings good prices. hibt in the army "were distorted to usual, but the delegates are enthusi-At this farm, at the Edgecombe farm, a degree not found in the just and astic in the work and profitable sesand at the Iredell farm, numbers of fair minded; and that he should cul- sions are promised. The most importpecan trees are being set out of all tivate those habits of true soldierly ant feature to-day was the presentavarieties, in order to find the ones subordination which the evidence in tion of the inter-State executive combest suited to the particular section, the case showed him to lack. Cap-study also being made of the fer-tilizer and culture method. Later tary of War, allering that General well during the year, two new buildthese trees will be planted at the Wood's reprimand prejudice, bias, un ings have been crected and since De-

AT THE STATE CAPITAL KOEHLER BACK TO DUTY Y. M. C. A. AT WILMINGTON support of the 20 student and the 4 HALT IN THE THAW TRIAL The report as submitted was unan-imquily adopted and the convention

adjourned until this evening. The Governor's address to-night was listened to with rapt attention by a large audience. Following the address the distinguished guest was entertained at a supper given by the Wilmington Light Infantry, where he also made a brief address.

WRECK AT PARETON.

server.

Engine of Bennettsville ' Crashes Into Work Train "Shoofly Injured, Some Dangerously Hurt, It is Thought-Great Excitement Prevailed.

Special to The Observer.

Wilmington, March 22 .-- Governor Fayetteville, March 22 .- The Ben-Glenn, who is the guest of friends in nettsville "Shoofly" on the Atlantic the city, had a taste of the strenuous life in the various courtesies shown him to-day by Wilmington business wrecked at Parkton at 4:57, and sevmen. This morning he visited the puberal persons were more or less injurlic schools of Wilmington, speaking ed. The injured are: Mr. Geo Bell, to more than 2,000 children, leaving mail clerk, a severe cut on the head immediately thereafter on the govard soveral body bruises. ernment boat Mercer for a trip down

Captain E. H. York, bad bruise on head and several bruises. the river, accompanied by his host. Mr. James Sprunt and a dozen prom-Mr. Grimsley, severe cut on head. Mr. Hatchell, a number of severe

At the Cape Fear quarantine station bruises on body. It is thought that some of the

the party were entertained by Dr. Sprague, the officer in charge, and there they were received by Mayor above are dangerously hurt. There were several others who were slightly bruised and badly shaken up. Guthrie and a delegation of South-The port business men. From there the train was in charge of Captain Ed. York, with Henry Clark at the throtparty went over to Southport and tle. It took the passing track at Parkton and was not running at any great tion by the citizens who gathered at rate of speed. It was so dark that En-

gineer Clark did not see a work train on the track and crashed into the over to Fort Caswell, where they were rear end of it. Why the work train was on this track, and without lights commander, a Governor's salute being displayed, is being investigated. The fired upon the approach of the boat engine of the "Shoofly" plowed into in honor of North Carolinas Chief a car containing wrecking apparatus, which in its turn telescoped the "shanty" car just ahead. In this car Executive. In the early afternoon the Governor reviewed the regiment of United States artiliery now compriswas the crew of the work train, and it was here that Messrs. Grimsley and ing the garrison of the post, the Governor being shown every considera-Hatchell were hurt, If the "Shoofly" had struck the work

tion. The party returned to the city at 6 o'clock and the Governor to-night train with any considerable speed, addressed the Y. M. C. A. Convention. OFFICERS ELECTED.

Following a conference of the stuthat although Engineer Clark and dent association presidents conductthe crash came, and although the ing proof that he does. ed by the inter-State student secretary, C. D. Daniels, of Charlotte, the engine itself was badly wrecked, both escaped with only a few slight scratches. Mr. Bell was distributing mail when the collision occurred and he was hurled headforemost into me letter case 8 feet away. Conductor York was standing in the vestibule between the second and third cars, and his head was driven against the fornt car with such force as to render him unconscious for several minutes When the crash came there was g eat excitement, and it was thought that many persons must have been

killed. Besides the engine which was put out of commission, the platform of the combination baggage and mail car was torn off and both ends of this car and the one behind were badly smasned

DAVIS MUST SERVE SENTENCE.

Judge Boyd Refuses Vigorous Effort

JURY EXCUSED THE WEDNESDAY

The Defense Prepares Affidavits Answer to the District Attor Suggestion That Thaw's M Condition is Such at Present He is Unfit for Trialogizes for Misconstrued Remar Mr. Hartridge Makes a Staten in Which He Puts Mr. Jerome Lead Light-The Latter Has Reply to Make,

New York, March 22 .- The Thaw ury was brought before Justice Fitzgerald in the Supreme Court to-day and told they need not attend the trial again until next Wednesday morning. In the meantime Justice Fitzgerald said he would receive af-Coast Line Railroad, which left here fidavits from the defense in answer to at 4:30 o'clock this morning, was the suggestion of District Attorney Jerome that Harry K. Thaw, on trial for the murder of Stanford White, in at the present in a condition of mental unsoundness which makes him incapable of advising his counsel or of understanding the proceedings against him.

> Justice Fitzgerald has designated to-morrow afternoon at 2 o'clock as the time, for the defense to present its affidavits in the clerk's office. He stated to-day that the district attorney might have until Monday to make response to the showing of the defense.

> > THAW SANE.

Clifford Hartridge, of Thaw's counsel, stated to-day that the affidavite to be presented in Thaw's behalf would be made by his attorneys and the various alienists who have appeared for the defense. These affidavits merely will state that Thaw at present is able to advise his counsel and fully understands the proceedings against him.

"That is all the law requires us "It is not to say," said the attorney. every one in the shanty car would be question as to whether he is of un-have, no doubt, ben killed. The most sound mind at all; the only question a question as to whether he is of unmarvelous part about the wreck is at issue is whether or not he understands the proceedings against him. his fireman remained in the cab when We claim we can produce overwhelm-Wa will algo submit documentary evidence-Thaw's own writings.

THE FAMILY PRESENT.

When Justice Fitzgerald took his place on the bench to-day all the members of the Thaw family were seated in the court room and when Harry Thaw was called to the bar he seemed surprised and delighted to find them present. They had all been excluded ever since the taking of testimony was begun. The prisoner bowed to each member of the family group in turn and they all smiled back to him confidently.

Of Thaw's attorneys neither Mr. Delmas nor Mr. Gleason was present. It was generally understood the proceeding was to be but a formal adjournment of court until Justice Fitzgerald has had time to satisfy his

conscience as to whether or not a commission in lunacy dered. After the jury had retired Justice Fitzgerald said that on yesterday Mr. Hartridge had attempted to be heard. "I understood," he continued, "that the had something to say in the matternoon session of the United State ter of the time of adjournment and I District Court to-day counsel for L. did not allow him to proceed. It oc-E. Davis made a vigorous effort to sired to make a statement with refget Judge Boyd to suspend the prison erence to the district attorney's rein custody and will be carried to At- seesed information he believed to be lanta in a few days to begin his sen- in their possession he would call the matter to the attention of the appellate division. I will hear Mr. Hartridge now if he so desires." Before Mr. Hartridge could reply District Attorney Jerome himself arose to make a statement JEROME APOLOGIZES. "I did not mean to charge Mr. Hartridge with unprofessional conduct," said the district attorney, "but I stand to what I said that if I find at the conclusion of the trial that they had possession of knowledge which would lead one to believe they had persisted in trying a man incapable of understanding the proceedings auginst him I would the matter up. If my remarks were construed as charging unprofessional conduct, I was simply unfortunate in my expression." Mr. Hartridge said; "The district attorney's remarks were given the widest publicity and I did want to have an opportunity to What he had said to me was reply. in the course of a private conversation at which no one clse was present. It was only a suggestion that if anything developed in the line of what he has pointed out he would take the matter up. "I replied to Mr. Jerome by telling him that if he thought our client was insane he should come out and say so. He answered that there was a big difference between an official opinion and an unofficial opinion; that if he was convinced officially that Harry Thaw was insane he would come out and say so. He also said that we ought not to suppress any testimony which would tend to shed light on the defendant's present mental condition. NOT HIDING ANYTHING. "I told him we were not hiding or suppressing anything. He wanted to know what we intended to do with regard to the testimony of Dr. Bingaman and Dr. Deemar, the Thaw family physicians, and asked if we would permit him to examine them in his office. I said we had not the slightest objection so long as I could be present at the examination. This examination took place, and it was our understanding that anything the physicians said was to be presented. in this court. We tried to get the testimony of these physicians before the jury at the beginning of trial, but it was ruled out on technical legal objections interposed by the dis trict attorney. When these doctors went back to Pittsburg it was the express understanding, announced in open court, that they would return

ent time and until the act approved Feb. 20, 1997, shall become effective in accordance with its terms, that can he material to determine the answer to the foregoing first question, therefore, reply that it is lawful for a State to advertise its inducements to immigration and to state, as part of such advertisement, the scale or wages generally prevailing within its territory, it being my understanding Southern Express Company, was here of the question that such advertise- to-day from Charlotte in conference ments be limited to setti.g forth the inducements offered by conditions prevailing within the State to immigrants, leaving the said immigrants to draw their own conclusions from

such advertisements as to the advisabillty of coming to the said State." "While the parties providing the money for the publication of the advertisements might be," continues, the Attorney General, "in my opinion liable to the penalties impose by section five of the prestn law, the immigrants themselves, upon the hypothesis of the third question, could not be excluded."

The fourth question submitted oy Governor Ansel was:

"Will the answers to the foregoing questions be materially different after the taking effect of the act approved the 20th of February, 1907, and if spirit or the letter of the law. in what respect?" different.

PROVISIONS OF NEW ACT. shall be excluded from this country and says:

"These provisions change the law aliens solicited or induced to migrate by reasons of offers, or promises even when there is no contract of e.aployment, will be excluded after this act takes effect. At present, although their importation is unlawful and subjects the parties responsible for it to punishment, the aliens themselves ara abowed to enter, Secondly, the person whose passage money is paid by other must be prepared to show, not merely that he does not some within any of the categories of immigrants be excluded, but also that als passage was not paid by a corporation an association, a society, a municipal ity or a foreign government; and this provision against such payment by any of the agencies mentioned is ffective whether the payment be

made directly or indirectly. LIABLE TO EXCLUSION. "While, therefore, the payment of the passage money of such immigrants by State with its public funds is rohibited, its payment with antributed by any society or intributed by any society or to exclusion, although the payment may be made through the agency of the State or its officers, and although the immigrant would be otherwise, entitled to admission. The prohibition, however, does not extend to the payment of the passage money by individuals, whether directly or through the agency of a State; provided that their action is, and is satisfactorily shown to he, in good faith, individual, and is not attended by such combination or concert of as would make it substantially the act of an association or society.

NEW LAW DIFFERENT.

Attorney General Bonaparte Given Opinion of Widespread Interest Concerning New Immigration Law in Response to a Letter From the of South Carolina.

Observer Bureau, 1417 G Street N. W., Washington, March 2, The new immigration law, according to the Attorney General is materially dif-ferent from the old one respecting the payment of the transportation of im-payment of the transportation of im-payment of the transportation of im-

CONFERS WITH OFFICIALS.

Observer Bureau.

1209 Main Stret. Columbia, S. C., March 22. Superintendent O. M. Sadler, of the with Governor Ansel and Attorney General Lyon regarding his com pany's handling of liquor under the way aid the officers in carrying out

which specifies what classes of allens further conduct of the kind to report beneficial in preventing it in the fuit to the express official who had ture. promised to discharge such employees. The agreement will effect "These provisions change the law ployees. The agreement will effect The report of Adjutant General in two particulars; in the first place, a large and steady growing jug trade Thomas R. Robertson was issued to day with Georgia and North Carolina for the year ending December 31st last. points.

THE SALVADOREANS ROUTED.

State Department Receives Information of a Three-Day Battle in Honduras-The Salvador Forces Lose 1,000-Movement for Intervention Gaining Strength,

Washington, March 22.-The State De-partment received the following dispatch to-day from Jose d'Oliveres, the Américonsul at Managua, Nicaragua:

to-day from Jose d'Oliveres, the Améri-can consul at Managua, Nicaragua: "This government reports that on March 18 an army of 5,000 Salvadoreans and 1,000 Hondurans, commanded by Gen. Press, a Salvadorean, atticked the Nicaraguan syanguard near Mamasique, Honduras. The battle lasted three days, resulting in the complete rout of the Salvadoreans, who lost 1,000 killed. Nica-ragua has 20,000 troops at the front and will commerce an immadiate attack on Cholutean and Taxuelgaba."

has received a capegram from his gov-erament confirming the press report to the effect that the Nicaraguan navy has captured the important Honduran Carlb-bean port of Celba. The naval vessels are now on their way to Puerto Cortes, where they probably will repeat their success and as Trujillo already has fal-len into the hands of the Nicaraguana, practically the whole north coast of Honduras is in their possession. The cruiser Chicago, which has been patrolling the Paeific side of the Isthmus and Central America, has gone from Acajuta, Salvador, to Acapulco, in Mexi-co, a thousand miles northward. This voyage is made necessary from the fact that coal is earce in Central America. The movement for intervention is gain-

that coal is scarce in Central America. The movement for intervention is gain-ing strength and Assistant Scoretary of State Bacon to-day strongly impressed upon the minister from Costa Rica and Nicaragua the windom of speedily ter-minating the warfare in Central Ameri-ca, as it promises to involve all of the other republics, and it is almost certain if prolonged to lead to the presence on their waters of European naval vessels with possible intervention in behalf of their own citizens.

own citizens.

Gift to Stetson University.

Deland, Fis., March 22.—J. Howell Cummings, president of the John B. Statson Company, of Philadelphis, has given \$5,000 to Statson University for the new symposium for

west they will grow profitably. What Kochler guilt. Superintendent O. M. Sadler Has an will yield well in the mountain re-Understanding With Governor An-sel and Attorney General Lyon. gion; peaches are being set out at the various farms, also. Dr. Kilgore the while. He will soon issue a bul-

in regard to the pecan which is very valuable at a nut.

USE OF STENCILS.

new dispensary law. There had been the Senate and the Speaker of the was guilty of filing captious and uncomplaint from several quarters that House began the use of stencils in necessary charges against his comers" and giving them succor in order most cases, it seems, upon the statethe officials was called to this new unfair and unjust and would resort cept such shipments and his patrons Carolina courts involving this point, had to be served, but the express but there have been cases in other company wants no business that has States. The North Carolina Legisto be gotten at the expense of the latures from time to time have enacted special laws giving certain

conference, wrote the chief of police use stencils, but this is the first use sustaining its findings was prejudiced This question, Attorney General of Williamston, who had complain- of stencils by officials in signing acts or malicious. Bonaparte says, must be answered in ed that the agent there was deliver- of any Legislature and it is expected the affirmative. He refers to the pro- ing to tigers under cover of night it will be the last. It is the comment visions of section two of the new act and on Sundays, that if there was any that the talk about the matter will be

> REPORT OF ADJUTANT GENERAL He says that so far as disicpline and efficiency are concerned the several units imposing the national guard are in fine shape and that the arms and equipments

are of the best patterns, the uniforms serviceable, but in some cases not sufficlent as to quantity or quality and that some of the infantry companies need more clothing in time for the spring in-spection. Considerable improvement has been made during the year and the present strength is 2,143 officers and men, this including a light battery, three regi-

ments of infantry, a hospital corps of three dethchments, and the naval militia. three dethemments, and the inful and so The infantry regiments are full and so are the naval reserves. The Third Keglment reflected great credit upon the State at Chickamauga in the manoevres, and army officers have so stated. It is to one of conviction. It can, how-urgently recommended that advantage be taken of every opportunity in the future for the guard to engage in similar furm a finding of acquittal."

maneuvers. THE FRUIT OUTLOOK.

THE FRUIT OUTLOOK. In the course of a special interview with State Entomologist Franklin Sher-man, he said that he found that all the large growers of fuit have already treat-ed their trees by spraying them against the San Joze scale. This has to be done before the last buds or biossoms appear, and in all cases good results have been secured. A mixture of lime and sul-phur, bolled together is entirely effi-cient, if thoroughly used once a year, in cient, if thoroughly used once a year, February, or very early in March, February, or very early in March, the time depending upon the opening of th² buds, as must be done before these open. There is considerable increase in orchards, with only one large new one, this being of 16,000 peach trees at Gan-dor, planted last year, besides an or-chard a few years old of 35,000 peach trees, which will this year come to full bearing for the first time. Mr. Sherman finds very good interest in fruit growing. The best apple growing is in the high mountain section. The largest orchard is of 30,000 trees, belonging to the Cones-at Blowing Rock, and it is 20 miles from a railway. The trees there are from four to sight years old. The fruit grow-ers at Southern Fines have everything in very fine shape. Peaches are the main crop there, but there are forms plums. So far the fruit everywhere in the State is all right so far as the weather is con-

So far the fruit everywhere in the State is all right so far as the weather is con-cerned. Mr. Shorman says there has never been a time in the past three years that persons who sprayed their trees have not had control of the scale. Those who do not spray are simply out of the race. The San Jose scale is in

1- 11-11

idea of cember 1 building funds have completed, aggregating \$220,000. Two

it is desired to know is whether they ACQUITTED CAPTAIN KOEHLER. other funds of \$8,500 have been start-General Wood called the attention ed. There has been marked improveof the War Department to the appeal ment in student association says there is very great interest in and submitted the question of dis- since a secretary was placed in the nut culture, particularly as to pecans, ciplinary proceedings; a courtmartial field. Asheville has raised \$22,000, and that inquiries are coming in all proceedings; a courtmartial was then liquidating all debts and making many the while. He will soon issue a bul appointed which acquitted Captain desirable improvements. Elizabeth letin giving all possible information Koehler. Continuing Secretary Taft's City has \$22,000 and Winston-Salem has \$53,573 subscribed for new buildletter says:

"I have no hesitation in saying af- ings. At these two points work has ter a full consideration of the mat-ter that the findings of the first ready so that the secretaries may de-nied the request. Davis is at present the counsel of record that if they pos-It is found that the President of court martial that Captain Koehler vote full time to building affairs.

BIG GAINS IN MEMBERSIP.

express agents are aiding the "tig-ers" and giving them succor in order most cases, it seems, upon the state-"I have gone over these matters gains in membership and is support-Charleston has been making big to increase the express business. Mr. ments of those who have looked carefully for they constitute the ing its own representative in the for-Sadler assured the Governor and the over the bills, that one signature whole foundation for the charge eign field. Charlotte has held remark-Attorney General that it was the ine would be in stencil and the other in made in the appeal against General able building campaign. In addition to tention of his company to in every ink. It is said that the attention of Wood by Captain Koehler that he was paying \$20,000 for a new site \$97,000 has been pledged toward : \$100,000 the law; that any agent or other rep-resentative of the company acting otherwise would promptly be dismiss-ed. He said his company had to action of good faith attends all officers, building. Durham has raised \$46,362 civil or military.in the performance and will build a handsome structure this year. Spartanburg has had a sucof duties with which they are charged by law. The mere fact that General Wood is a friends of the prose- its equipment a new bath plant and cuting witness does not prove that improved its furnfshings, the latter who pleaded guilty of illicit distili-The Attorney General, after the officials who were disabled leave to his action ordering a court martial or given by the Ladies' Auxiliary. WORK PROGRESSING.

> BETWEEN THE DEVIL AND THE DEEP BLUE SEA.

"You, as the reviewing authority, Rankin employed as general secretaare put in this position-that if you ry. E. R. Walton is developing very approve the findings you necessarily satisfactory work as general secretary affirm or approve the statement de- at the A. &. M. College, Raleigh. rogatory to General Wood contained student conference has been held at in the appeals and if you do so ap- Clemson and Trinity Colleges. Increasprove these statements, then it would cd interest in Bible study, larger membecome your duty, as commander-in bership, greater influence upon college chief, to order General Wood before life, and more encouragement and cocourt, martial for perverting his operation on the part of the faculties power as department commander to are gratifying features of the student accomplish an unjust and unfair pur- work. Four new student associations pose against his subordinate officer, have been organized in preparatory You cannot in justice to General schools and at least three more stu-Wood find any evidence in the rec- dent associations are considering the ord to sustain the bringing of such employment of general secretaries proceedings or the finding of the court against him.

"The question then gemains, what is to be done? A reviewing authority may mitigate a septence, but it cannot change a finding of acquittal to one of conviction. It. can. how-

By so doing, Secretary Taft adds, the President would not be involved prosperity everywhere, the income of in the logical consequences, with rehe committee has not materially inspect to General Wood, which must creased while expenses have been follow an approval of the sentence, greater. Under jurisdiction of Interand Captain Koehler is simply re-State Convention there are 80 cities stored to duty. This is the vjew and 36 student, one railroad, two taken by the advocate general.

James Parker a Raving Manlac.

Atlantic City, N. J., March 22 .--James Parker, who attempted to save the life of President McKinley by striking the arm of Czolgolz as the latter fired the fatal shot at the President, is in jail here a raving oaniac. Parker was taken in charge by the police to-day and will be committed to an asylum. Parker was formerly a constable at Savannah, Ga.

known to exist in 97 of the 98 counties, and in 100 different localities. In about 13 localities it is widespread, that is on all the fruit trees, over a considerable area. There is a list of 350 premises in the State in which it is found and in all probability it is on many others. It is all over Raisigh and in this section. As a matter of fact, it is all aver the South-ern States. These who look for it find it. The scale, which has done so much damage in the United States in the past ounter of a century began to be noticed in California about 130 and is supposed to have been brought here from north-ern States.

béén Get Him to Suspend Sentence-Entire Force and Equipment of Superintendent Coapman to be Moved to Charlotte. work

Special to The Observer.

Greensboro, March 22 .- At the af-

tence of one year and one day for filing false expense accounts. At the session this morning Judge Boyd announced that if Hardin would make himself indebted to the government in the sum of \$500, he would suspend judgment in the case against him, W. R. Combs, who entered a plea of guilty of flicit distilling, was sentenced to 3 months in jail and fined \$200, the prison sentence to be suspended on payment of fine. The prayer of judgment was continued in the cases against W. S. Smithey, James cessful year, Wilmington has added to Ellis, James Eller, Garfield Foster and

Andy Foster, who were convicted or ing. It is learned that 5 assistants of

E. H. Coapman, assistant general su-Among the student associations, the perintendent of the eastern district of University of North Carolina, has a the Southern Railroad, now located in new \$13,000 building, and Frank B. Danville, are soon to be moved to Charlotte. These offices were at one time in Greensboro. The change is to take effect at an early date and the - A entire office force and office equipment will be transferred. Changes have been made in the northern and eastern districts and the middle and western districts.

J. N. Seale, who was formerly manager o ftransportation, becomes manager for the northern and eastern districts, with headquarters in Washington, and M. M. Richey has been appointed manager of the middle and western districts, with headquarters in Atlanta. The office of manager of transportation has been abolished.

INCREASE IN SALARIES.

Result of Conference Between Railroad Officials and Representatives of Dispatchers and Operators.

Observer Bureau, 1417 G Street, N. W. Washington, March 22.

From 1,600 to 1,800 telegraph opertors of the Southern Railway are to have their salaries increased as a result of the conference held here today between the officials of the road and the representatives of the disarmy and one cotton mill association. patchers and operators. All telegraph operators in block signal stations will be raised \$2.50 a month, and with this the representatives of the telegraphers express themselves as satisfied. There are from 800 to 1,000 block signal operators who will be affected by his. The others are men throughout the system whose individual records entitle them to a raise, as the officials of the road put it.

Big Fire at Pine Bluff.

Memphis, Tenn., March 22 .- A pecial to The News-Scimitar from Pine Bluff, Ark., says:

Fire which started late this afternoon in the boiler room of the Bluff City Lumber Company destroyed sevnearby residences together with eral

whenever the district attorney them. "That is all that was said with regard to the suppression of mony. Now your honor will a instead of suppressing the of these witnesses, we brou-here, placed them on the at last went to the extreme eral nearby residences together with the plant of the lumber company. Lack of water pressure necessitated the use of dynamite, Two compresses and several thousand bale of cotton were badly damaged. The loss is heavy and will probably exceed half

with a combined membership of 6,-019. The current expenses have been \$60,345,06, and the value of property is \$221,050, while the amount of the building fund is slightly in excess. The committee thanks those who have supported the work in the year and recommends that \$48,000 be raised for the expenses of the coming year, and that increased individual gifts be en-

couraged; that the associations be encouraged to increase amounts toward the foreign work; that city and mill organizations be encouraged only when funds are contributed for suitable buildings or adequate quarters are provided with prospects for maintenance including a secretary; that the Sunday following the convention be observed in all associations as inter-State day; that the committeemen whose terms expire be re-elected with whose terms expire be re-elected with C. H. Hobbs, of Asheville, for 3 years, and Peter S. Glichrist, of Charlotte, elected to fill the unexpired term of George B. Hanns, deceased; that pro-

The Spencer Railroad Association was opened at a cost of \$25,000 during the year. The Seaboard Air Line is considering the matter of opening an association for its employee at Hamlet. The Army and Mill Associations, especially at Fort Moultrie and

at Greenville, are doing good work. PROSPERITY EVERYWHERE While the year was one of material