

ROAD'S LICENSE REVOKED

SOUTHERN OUT OF ALABAMA

Removal of Suit From State to Federal Court Responsible for Action of Secretary of State in Depriving Corporation of Right to Do Business—No Alternative Under New State Law—Action Taken Under Provisions of Second of Outlaw Acts Passed Last Winter, the First Being Declared Unconstitutional.

Montgomery, Ala., Aug. 2.—Announcement was made to-day by Secretary of State Frank N. Julian that he had revoked the franchise of the Southern Railway Company, because it had removed a case from the State Circuit Court of Talladega county to the United States Circuit Court at Birmingham. This action of the Southern is alleged to be in violation of the outlaw acts passed by the State Legislature last winter, each of which provided that such removal should be punishable by a revocation of the charter of the offending railroad. One of these laws, the better known, was declared unconstitutional by United States Judge Thomas G. Jones, but the other has never been enjoined by the Federal Courts. For this reason the action of the State official was taken under the provisions of the second of these outlaw acts. The State insists that this second outlaw act is still in force and that the Federal injunction under its provisions which the adherents of the railway contend the act of revocation is in contempt of the Federal Court injunction, at least in spirit. Neither side would make any concession in the matter of the probable course to be pursued in the controversy to-day.

The action of the Secretary of State is not in resistance of the restraining order issued by the United States Court of the circuit, while the law is not among those combated by the railroads and not included in any of the litigation now pending in the court of Federal Judge Jones, of the middle district. The case upon which the revocation was made out came from the Circuit Court of Talladega county, in the shape of a notification from Clerk J. D. McNeil that a suit had been removed from the State court to the Federal Court. Secretary of State Julian looked into the law and found that there was nothing else to do but mark the license cancelled, as the action of the statute is automatic.

Act 18 provides that when any foreign corporation is used in the State courts and removed such suit from the State to the Federal Court, the clerk of the court from which the removal was taken will at once certify a true and correct copy of the record, "who shall thereupon immediately cancel said license and make and enter upon the stub thereof an order in substance:

New York, Aug. 2.—President W. W. Finley of the Southern Railway, was at the Broadway offices of the company for a short time to-day, but took an afternoon train for the South. He refused to comment upon the revocation of the company's license to do business in the State of Alabama.

FIRE AT YORKVILLE.

Firemen do Good Work—York County Cotton and Corn Fine—N. & W. Railway to Discontinue Two Passenger Trains on Account of the New Rate Law.

Special to The Observer. Yorkville, Aug. 2.—A small house on the lot of Miss Anna McPheters, situated about 75 feet in the rear of her residence on East Jefferson street and occupied by a negro, was destroyed by fire early this morning. The loss was total and amounted to about \$150. Good work on the part of the fire department was shown in the disadvantage of being forced to stretch about 800 feet of hose from the nearest hydrant, saved the dwelling of Miss McPheters.

The weather has been ideal for the past week or two, and the cotton crops have never made greater improvement in this section in the same length of time. It is said that the outlook for cotton has not been so good at the same period in several years, while it is generally conceded that the corn crop, which is practically made, is probably the largest and best in the history of the county. An unusually large amount of native hay is being sold off in the rear of the market throughout this section.

There is any class that knows and appreciates good hotel accommodations, it is a great pleasure to those citizens to see the new hotel, the value of such an institution to a town or city, to hear these hard-working promoters of business along all lines assert that Ed. Sadler, with the assistance of Mrs. Sadler, has made Yorkville's new hotel, the Shamrock, one of the best in the State. Of course such a hotel receives liberal patronage.

It is said that by reason of the fact that it will be forced to submit to the outrage of hauling passengers on that part of its line located in North Carolina at 1-4 cent a mile, after August 8th, the management of the Carolina and Northwestern Railway will discontinue passenger trains Nos. 7 and 8, recently put on. The people of this section do not look upon the North Carolina law reducing the passenger rates as being due to any desire on the part of the Legislature to benefit the people, but simply as a scheme on the part of the demagogue to do something to appeal to the prejudices of an ignorant class that travels very little, but unfortunately has a vote.

Court Refuses Writ of Mandamus.

Richmond, Va., Aug. 2.—Judge John Ingram, of the Law and Equity Court, to-day refused to grant the writ of mandamus applied for by State Senator Machen, of Alexandria, to compel the publication of his two constitutional amendments one to make a 90-day session of the Legislature, the other to require, but one failed a majority vote to be adopted. He said that the amendments were not a part of the bill. The Senate clerk failed to enter them in legal form. Senator Machen will now apply to the Corporation Court at Petersburg.

Rancher Succeeded After Killing Wife and Companion.

Boise, Idaho, Aug. 2.—Walter Scott, a rancher of Jordan Valley, Ore., shot and killed himself to-day after shooting to death his wife and Alfred Duncan. Scott last night returned home unexpectedly and found his wife and Duncan together.

SHOW MANAGERS ARRESTED.

An Albemarle Citizen Has a Warrant Served on Them For Trespass on His Land—His Fellow-townsmen Disapprove of His Action.

Special to The Observer. Albemarle, Aug. 2.—Yesterday as the show train of West & Wells was about to leave here, two of the managers were arrested on a charge of trespass on the land of Mr. Parker. As the train on which this company was to exhibit was too small for their tents, the manager, Mr. Godfrey, went to see one John A. Teeter who owns a small lot, joined on the lower side by Mr. J. C. Parker. Mr. Teeter, fearing that his lot would not measure up to the requirements of the company in size told Mr. Godfrey that his lot was much larger than it really was, causing Mr. Godfrey to put his tent about the size of Mr. Parker's. When Mr. Parker saw that the tent was on his lot he went to Mr. Godfrey and told him that his tent was on his land. When this intelligence was conveyed to Mr. Godfrey he immediately left the company to go to accommodate him, commenced moving on Mr. Parker's land altogether, and paid him the price therefor.

This caused Mr. Teeter to become very indignant as he was to get \$20 for the use of his lot, and he forbade the gentleman's going on his land to move his tent until the \$20 should have been paid. Mr. Godfrey, knowing that all of the trouble was due to the fact that Mr. Teeter had misrepresented his lot, went ahead and began taking away his tent. Mr. Teeter did not make any move to demand his legal rights until just before the company was ready to leave. Mr. Teeter then went before Recorder Boston and swore out two warrants for criminal trespass, one against Mr. Godfrey and the other against Mr. Jones. Sheriff Love made the arrests just in time to prevent the company from leaving. Mr. Teeter was to pay the \$20, as they could not afford to wait to stand trial. After the \$20 were released, and went their way.

The other citizens here are very indignant at Mr. Teeter as they think that he acted an unfair part in the matter.

TWO INDICTMENTS RETURNED.

Frederick Magill and His Wife Held For Murder of Mrs. Pet Magill, His First Wife—Defendants May Be Tried Together.

Clinton, Ill., Aug. 2.—The grand jury which has been investigating the death of Mrs. Pet Magill, the first wife of Frederick Magill, who, with his second wife, is in jail here, having been brought back from California to answer to the charge of having caused the death of Mrs. Pet Magill, to-day returned one indictment against Frederick Magill, the first defendant, and one indictment against Mrs. F. G. Graham Magill.

The six counts in each indictment follow: "That Mrs. Pet Magill was murdered by the administration of strychnine poison; that the murder was done by means of the strychnine which was mixed with a quill; that she was strangled by death by chloroform; that she committed suicide as the result of a compact and agreement with the defendants and their advice and counsel; that her death was caused by the defendants, by some means unknown to the grand jury."

Magill and his bride of four weeks were in the court room when the indictments were returned.

During the afternoon session Judge Cochran sustained a motion to quash the count of both indictments. He overruled the motion to quash other counts holding that they were good. The defense immediately filed a motion to consolidate the two cases so that both husband and wife would be tried together, and the court took this under advisement.

The defense then asked that the trials be set as speedily as possible, and Judge Cochran announced that the trials shall begin next week or in two weeks. The defendants pleaded not guilty.

ELECTRIC CAR RUNS INTO AUTO.

Three Persons Killed, One Fatally Injured and Another More or Less Seriously Hurt.

Jackson, Miss., Aug. 2.—A west bound car on the Detroit, Jackson & Chicago Electric Railroad struck an automobile containing five Jackson residents at Sutton's Crossing, about three miles east of here this evening. Mrs. L. E. Palmer, Mrs. Emily Palmer and Burnice Oliver were killed, the last two instantly. R. Adelbert Oliver, a prominent business man of this city, who was driving the car, was probably fatally injured, while Mrs. E. A. Oliver, the fifth passenger, escaped with less serious injuries. Mr. and Mrs. Oliver and Mrs. Palmer were taken on board the electric car and brought to this city, but Mrs. Palmer died before reaching the hospital.

The parallel electric railroad tracks, the unused Boland line, and the Detroit, Jackson & Chicago, cross the country road at the point where the accident occurred. A house and some trees hid the approaching car. From the fact that the brakes on the car were not set, it is believed that the driver, who was driving the car, did not see the electric car. Burnice Oliver, one of the killed, was Mrs. Oliver's sister. Mrs. Palmer was Mrs. Oliver's mother and Mrs. Palmer was her guest.

KILLS HIS LIFE LONG FRIEND.

Husband Takes Life of School-Mate and Boarder For Making Improper Proposals to His Wife.

Savannah, Ga., Aug. 2.—A special to The Savannah News from Bazley says: Last night seven miles south of here N. A. Burnside was mortally wounded by Clarence Gilmore, his life-long friend, school-mate and boarder for many months. Both moved here from Columbia, S. C., a few months ago and had been engaged in the steam saw mill at Washington, including a special train from here with an hour's stop at Greenville, made by the Third Regiment band to be one of the features of the trip. Several hours will be spent at the home of the deceased, this matter actively and intends to make the affair a great success. Of course, the progressive Norfolk & Southern Railway will co-operate in many ways.

Penitentiary Superintendent Mann says the crops at the State farm on the Roanoke river are far from good this season.

The cotton is small in size and the stand is remarkably poor. The crop is not expected to amount to as there was a good rain last week. He does not think even with a perfect season much over two-thirds of a crop can be made.

State Superintendent Jones did not believe in the two-year school district law voted for local tax, one for public schools.

RAILWAY GETS CONVICTS

Raleigh's Whiskey Fight Getting to Be Interesting—Judge Purnell at Beaufort to Hear Penance Cases—Mining Company Chartered for Missouri County—Governor Glenn Off to Speak on Temperance—U. & N. Says It Operates Its Road in North Carolina at a Loss—A. & M. to Have a Fine Athletic Field—Other News Matters.

Observer Bureau.

The Holloman Building, Raleigh, Aug. 2.

The Governor and Council of State to-day took up the matter of letting the Mattamuskeet Railway, in Hyde county, have 50 convicts, for which it had applied and had filed the necessary bonds and statements. Messrs. Carter and Davis, of Hyde, and Superintendent Mann of the penitentiary were present at the meeting. The use of the convicts was granted. The length of this road is to be approximately 43 miles from a point on parallel Southern road to the line of the Norfolk & Southern Railway. Hyde is one of the very few counties in North Carolina which has no railway. A very interesting campaign was held there this year on the question of the issue of bonds in aid of this road. Governor Glenn and several other State officers making speeches.

Mention was made the other day of the fact that the convicts who had been at work on the Wilmington & Jefferson County Road, had been brought to the penitentiary and would be transferred to Robeson county to do some work for the Atlantic Coast Line. As yet the convicts have not been sent. There are about 35 of them.

The Charlotte Realty Company is authorized to increase its capital stock from \$100,000 to \$300,000.

J. H. Little is the President of the company.

Charters are granted the Dixie Real Estate Company, Greensboro, which will do insurance business, capital stock \$20,000, and to the Elise Mining Company, of Moore county, capital stock \$50,000. A. J. Jones, of Glendon, and others being the stockholders.

NEWS FROM STATE CAPITAL

RAILWAY GETS CONVICTS

Raleigh's Whiskey Fight Getting to Be Interesting—Judge Purnell at Beaufort to Hear Penance Cases—Mining Company Chartered for Missouri County—Governor Glenn Off to Speak on Temperance—U. & N. Says It Operates Its Road in North Carolina at a Loss—A. & M. to Have a Fine Athletic Field—Other News Matters.

Observer Bureau.

The Holloman Building, Raleigh, Aug. 2.

The Governor and Council of State to-day took up the matter of letting the Mattamuskeet Railway, in Hyde county, have 50 convicts, for which it had applied and had filed the necessary bonds and statements. Messrs. Carter and Davis, of Hyde, and Superintendent Mann of the penitentiary were present at the meeting. The use of the convicts was granted. The length of this road is to be approximately 43 miles from a point on parallel Southern road to the line of the Norfolk & Southern Railway. Hyde is one of the very few counties in North Carolina which has no railway. A very interesting campaign was held there this year on the question of the issue of bonds in aid of this road. Governor Glenn and several other State officers making speeches.

Mention was made the other day of the fact that the convicts who had been at work on the Wilmington & Jefferson County Road, had been brought to the penitentiary and would be transferred to Robeson county to do some work for the Atlantic Coast Line. As yet the convicts have not been sent. There are about 35 of them.

The Charlotte Realty Company is authorized to increase its capital stock from \$100,000 to \$300,000.

J. H. Little is the President of the company.

Charters are granted the Dixie Real Estate Company, Greensboro, which will do insurance business, capital stock \$20,000, and to the Elise Mining Company, of Moore county, capital stock \$50,000. A. J. Jones, of Glendon, and others being the stockholders.

RALEIGH'S LIQUOR PROBLEM.

To-night a committee composed of Rev. S. J. Betts, Z. P. Smith, W. C. Douglas, and C. C. Miller, representing the prohibitionists here, presented to the board of aldermen a petition for an election on the question of prohibition or dispensary. As it seems to be understood that the election on the issue of bonds for the water tower will be held the first week in September, the committee ask that the liquor election be set three months later, or during the first week in December. The aldermen are all said to be prohibitionists, and Rev. Mr. Betts was to do the talking. He says his side will win, three to one. Manager Batchelor, of the dispensary, when asked what he thought would be the result of the campaign said it would be hard to say, as undoubtedly it would be a question of horse power to the last degree. Rev. Mr. Betts and Secretary Jack Miller, when asked about the dispensary business here, said it amounted to \$225,000 during a year and that Raleigh was a distributing point for a territory within 50 miles supplying a number of counties. They declare that the dispensary makes every effort to sell all the liquor it can and that it sells more than the saloons used to. The dispensary keeps her on ice, they say. They added that the liquor would give evidence that more liquor was shipped in here, for sale by the dispensary, than used to come to the 28 saloons. There are all sorts of suspicious persons, of course, and some of these say the ox-saloon men are interested because they think with the dispensary put out of business saloons can be brought back, because under prohibition there will be so many blind tigers that the system will be made odious. A little over 20 years ago Raleigh had prohibition for two years, and in the county there was a bar-room just outside the township lines on every road. Now conditions are changed and there are no saloons allowed in the county, nor are those great numbers of persons here who ardently desire prohibition and there is a considerable element which would go to any length to make it odious. The dispensary has some earnest advocates, and was voted for the solution of the liquor problem. The number of signatures necessary to call an election is 440 but those of qualified voters were on the petition presented to the aldermen this evening.

There has been a fine prospect for drought in this section, but now the crop is being severely hurt by the drought. At the city farm corn only two months old is ten feet high and is coming into silk and tassel, but it is showing the effect of the very hot dry weather.

The number of persons in the jail here is now only ten, and of these five are charged with murder. Judge Purnell is at Beaufort to hold the first term of Federal Court there to try the ten persons charged with murder. These are the cases of Pitt county foreigners who were brought to work on the Norfolk & Southern Railway.

FINE ATHLETIC FIELD.

Very active work is in progress on the athletic field at the Agricultural & Mechanical College and in the autumn there will be some fine games of football, notably with the Indians from the United States Indian School at Carlisle, Penn. There will be accommodations for 3,000 people. The athletic field was not used during the baseball season. City baseball teams will be allowed to use it, and it will be a place for the great sort of athletics.

Preliminary arrangements are being made here for a very handsome celebration of the completion of the Norfolk & Southern Railway from Raleigh to Washington, including a special train from here with an hour's stop at Greenville, made by the Third Regiment band to be one of the features of the trip. Several hours will be spent at the home of the deceased, this matter actively and intends to make the affair a great success. Of course, the progressive Norfolk & Southern Railway will co-operate in many ways.

Penitentiary Superintendent Mann says the crops at the State farm on the Roanoke river are far from good this season. The cotton is small in size and the stand is remarkably poor. The crop is not expected to amount to as there was a good rain last week. He does not think even with a perfect season much over two-thirds of a crop can be made.

State Superintendent Jones did not believe in the two-year school district law voted for local tax, one for public schools.

YADKIN TO BE OPENED UP

INTERESTING RAILROAD NEWS.

Mr. Hugh G. Chatham Says That the Elkin & Allegheny Railroad is to Go Across the Blue Ridge and Finally to be Extended to Winston-Salem Via Yadkinville—This Would Open Up a Fine Section of Country Open to Now Practically Isolated, Benefiting Greatly the Twin City—A Far-Reaching Project Planned.

Special to The Observer.

Winston-Salem, Aug. 2.—In the course of a conversation last night Mr. Hugh G. Chatham, of Elkin, stated that the Elkin & Allegheny Railroad, which is to be built from Elkin to Sparta across the Blue Ridge, will eventually be extended from Elkin to Winston-Salem by way of Yadkinville. The preliminary work of the road from Elkin to Sparta is already under way and will be pushed as fast as possible. As soon as the line is completed to Sparta work on the Elkin and Winston-Salem end will be commenced. This is the present plan of the Elkin & Allegheny Railroad Company.

This will be interesting news not only to the people of the Twin City but to Yadkin county as well. It will be the first railroad to touch Yadkin county and will open up one of the best counties in the State. The distance from Elkin to Winston-Salem by the proposed route is between 40 and 50 miles. The road from Elkin to Sparta will be about 30 miles.

This road will be of immeasurable benefit to Winston-Salem as it would open up a direct trade connection between a section of the country that is not now traversed by a railroad. It would bring hundreds of the people to the Twin City that do not come here at the present time.

If the Statesville & Line Railway now being surveyed through Yadkin is completed, the road through Yadkin from Elkin to Winston-Salem will form a junction with this road at Yadkinville, thus giving to Yadkin county a railroad service that it has long desired and which its numerous resources have long demanded. Yadkin county has never in its history heard the toot of a locomotive whistle nearer than across the waters of the Yadkin.

At present the streams of Yadkin county would furnish more water for the city than it could use. The Statesville & Line Railway is completed, the road through Yadkin from Elkin to Winston-Salem will form a junction with this road at Yadkinville, thus giving to Yadkin county a railroad service that it has long desired and which its numerous resources have long demanded. Yadkin county has never in its history heard the toot of a locomotive whistle nearer than across the waters of the Yadkin.

The leading citizens of Yadkin county have long considered the possibility of a road and when the time is ripe it is safe to say that they will vote bonds for its construction if this is required.

Striking Painters Return to Work.

Special to The Observer.

Spencer, Aug. 2.—The strike inaugurated two weeks ago by the painters could give evidence that more liquor was shipped in here, for sale by the dispensary, than used to come to the 28 saloons. There are all sorts of suspicious persons, of course, and some of these say the ox-saloon men are interested because they think with the dispensary put out of business saloons can be brought back, because under prohibition there will be so many blind tigers that the system will be made odious. A little over 20 years ago Raleigh had prohibition for two years, and in the county there was a bar-room just outside the township lines on every road. Now conditions are changed and there are no saloons allowed in the county, nor are those great numbers of persons here who ardently desire prohibition and there is a considerable element which would go to any length to make it odious. The dispensary has some earnest advocates, and was voted for the solution of the liquor problem. The number of signatures necessary to call an election is 440 but those of qualified voters were on the petition presented to the aldermen this evening.

There has been a fine prospect for drought in this section, but now the crop is being severely hurt by the drought. At the city farm corn only two months old is ten feet high and is coming into silk and tassel, but it is showing the effect of the very hot dry weather.

Deaths in Pennsylvania Mines.

Philadelphia, Aug. 2.—More than one thousand persons were killed last year in the coal mines of Pennsylvania, according to the annual report just issued by the State Department of Mines. The statistics show that 557 persons were killed at the anthracite mines.

LEGAL VICTORY FOR STATE

REVERSED BY SUPREME COURT

South Carolina's Highest Tribunal Declares Foreign Corporations are Not Excepted from the Corporation Law—An Unusual Case in Marion County Wherein a Negro Says He Assumed a Young Lady When She Declares Positively Otherwise—He Seeks to Be Labeled—Superintendent Martin Sees the Error of His Way and Apologizes to Governor Ansel.

Observer Bureau.

1209 Main Street, Columbia, S. C., Aug. 2.

Attorney General Lyon has won an important legal victory for the State in a decision filed in the Supreme Court to-day. In the decision the Supreme Court unanimously reverses, in effect, several months ago a ruling by the Marion County Whorehouse and Negro Says He Assumed a Young Lady When She Declares Positively Otherwise—He Seeks to Be Labeled—Superintendent Martin Sees the Error of His Way and Apologizes to Governor Ansel.

1209 Main Street, Columbia, S. C., Aug. 2. Attorney General Lyon has won an important legal victory for the State in a decision filed in the Supreme Court to-day. In the decision the Supreme Court unanimously reverses, in effect, several months ago a ruling by the Marion County Whorehouse and Negro Says He Assumed a Young Lady When She Declares Positively Otherwise—He Seeks to Be Labeled—Superintendent Martin Sees the Error of His Way and Apologizes to Governor Ansel.

This decision caused the domestic corporations to sit up and take notice and they began action to have the law set aside as to them on the ground that to tax them and not the foreign corporations was showing unjust discrimination. A case was brought in the Supreme Court by the Ware Shoals Manufacturing Company, of Laurens. This is now pending in the Supreme Court, but the decision rendered to-day makes that case hopeless.

When the other decision was filed Attorney General Lyon, who had just closed his office, secured a rehearing, and in the rehearing to-day secured a complete reversal of the former decision.

A VERY UNUSUAL CASE.

A case which should prove interesting to psychologists, students of sociology and criminology is that of the negro, Nathan McCleary, who in spite of the positive statement of Pittman to the contrary, says that he is the man who attempted to criminally assault her at Oak Grove schoolhouse, Marion county, last spring.

A letter received to-day from Sheriff Evans of Marion brings the case to the attention of the Governor. The sheriff writes that Sheriff Burch, of Florence county, has turned over McCleary to him, but that he is holding him without any commitment papers and without any formal charges against him. He says Sheriff Burch turned him over to Marion county with the statement that he was a policeman, but that he had been told by the negro that he was the assailant of Miss Pittman.

It will be recalled that last spring when the attempted assault on Miss Pittman was made the people of that community were kept busy for several days and nights scouring the woods, and there were significant hints that the proper man had been secretly lynched. When McCleary was caught the officers were confident he was the criminal, and by action of a policeman, Sheriff Burch, of Florence county, was turned over to McCleary to him, but that he is holding him without any commitment papers and without any formal charges against him. He says Sheriff Burch turned him over to Marion county with the statement that he was a policeman, but that he had been told by the negro that he was the assailant of Miss Pittman.

It will be recalled that last spring when the attempted assault on Miss Pittman was made the people of that community were kept busy for several days and nights scouring the woods, and there were significant hints that the proper man had been secretly lynched. When McCleary was caught the officers were confident he was the criminal, and by action of a policeman, Sheriff Burch, of Florence county, was turned over to McCleary to him, but that he is holding him without any commitment papers and without any formal charges against him. He says Sheriff Burch turned him over to Marion county with the statement that he was a policeman, but that he had been told by the negro that he was the assailant of Miss Pittman.

DUMP CARS FOR CANAL WORK.

American Car & Foundry Co. and Continental Car & Equipment Co. Lowest Bidders—Bid of Knoxville Concern, \$17 Higher, Promises Cars in Four Months' Less Time.

Washington, Aug. 2.—Bids were opened to-day at the isthmian canal commission for steel dump cars to be used at the isthmus. For supply 500 cars of 12 cubic yards capacity, the lowest bidder was the American Car & Foundry Co., of New York City, at \$554,000. For supplying 115 cars of four cubic yards capacity, the lowest bidder was the Continental Car & Equipment Co., of New York City, at \$19,151.

A bid submitted by the William J. Oliver Manufacturing Company, of Knoxville, Tenn., was \$17 higher than that of the American Car & Foundry Co. for supplying the 100 larger cars. The Knoxville concern also promised to deliver their goods four months earlier than the New York company. This latter proposition will be given consideration by the commission, who are anxious for the delivery of the cars at an early date.

A bid submitted by the William J. Oliver Manufacturing Company, of Knoxville, Tenn., was \$17 higher than that of the American Car & Foundry Co. for supplying the 100 larger cars. The Knoxville concern also promised to deliver their goods four months earlier than the New York company. This latter proposition will be given consideration by the commission, who are anxious for the delivery of the cars at an early date.

A bid submitted by the William J. Oliver Manufacturing Company, of Knoxville, Tenn., was \$17 higher than that of the American Car & Foundry Co. for supplying the 100 larger cars. The Knoxville concern also promised to deliver their goods four months earlier than the New York company. This latter proposition will be given consideration by the commission, who are anxious for the delivery of the cars at an early date.

A bid submitted by the William J. Oliver Manufacturing Company, of Knoxville, Tenn., was \$17 higher than that of the American Car & Foundry Co. for supplying the 100 larger cars. The Knoxville concern also promised to deliver their goods four months earlier than the New York company. This latter proposition will be given consideration by the commission, who are anxious for the delivery of the cars at an early date.

A bid submitted by the William J. Oliver Manufacturing Company, of Knoxville, Tenn., was \$17 higher than that of the American Car & Foundry Co. for supplying the 100 larger cars. The Knoxville concern also promised to deliver their goods four months earlier than the New York company. This latter proposition will be given consideration by the commission, who are anxious for the delivery of the cars at an early date.

TRACTS.

State Superintendent of Education O. B. Martin's violent "roast" of Governor Ansel in protesting against the latter's appointment of ex-Governor John C. Sheppard as a member of the State Board of Education, was created a buzz of talk throughout the State. The subject has almost diverted general attention from baseball. The newspapers throughout the State have almost without exception condemned the intemperate language, the superintendent used, though many of them have expressed sympathy for the superintendent in wanting a board of school men in sympathy with his plans. The governor's diplomatic conduct throughout the affair, his refraining from hitting back, his character of the man, and is one of his strongest points. He did not even get ruffled. If he did there was nothing about his manner of speech to indicate it.

Coming into his office just after the violent "roast" of the superintendent, a newspaper correspondent who did not know of the clash at that time, asked him: "Anything happening to-day Governor?" "Nothing worth mentioning, nothing out of the ordinary, I believe," and smiled one of those nice, frigid, Fairbanks smiles that have made him famous, and which are good to see in the torrid weather now prevailing.

His friend and fellow townsmen, Mr. Martin, had but two minutes before given him the most sarcastic tongue-lashing he had perhaps ever received, characterizing him as "obtuseness," "stupid," "deceitful," "having played cheap politics in a sneaking way," and various other things along the same line. And yet there was not the movement of a muscle, nor the faintest disturbance of an eye to indicate that anything had happened.

To-day Superintendent Martin had "cooled off" and his condition had reached the conclusion that he was wrong in the intemperate language he had used, and he sat down in his penitence and dictated the following letter of apology to the Governor, which the Governor received with the same smile that he received the "cussing."

APOLOGY MADE.

"Dear Sir: During my term of service as State Superintendent of Education I have had an abiding desire for the bettering of educational conditions in this State. Such desire is almost a passion. Naturally I have plans when I thought that those plans were being inconsiderately and rashly upset. I got exasperated to the point of mental disquietude and physical discomfort, and I guess means I got mad. I do not often do so. I was harsh. I desire to withdraw the words which may have been personally offensive. I apologize for same.

Very sincerely yours,

O. B. MARTIN.

State Superintendent of Education.

ESCAPED NEGROES CAPTURED.

Important Real Estate Deal Made—Washington Street Methodist Church to Change Its Location on Account of a Dispute Over Its Present Site.

Special to The Observer.

High Point, Aug. 2.—The young men in charge of the cafe of T. M. Montgomery at night made a scoop last night in the way of being responsible for the arrest of three negroes who escaped from the workhouse in this county Monday of this week. At 4 o'clock in the morning they stalked into this cafe and one of the young men, recognizing them to be the escaped negroes, phoned Chief Gray that they were in town and were going to leave on an early morning train. The chief came up town but the train had just left with the negroes aboard, leaving them being their destination. The authorities there were made aware of the fact and the three negroes were caught and sent back to the workhouse.

Through Mr. J. J. Farris an important real estate deal was made here yesterday when Mr. Douglas Davis purchased the store building owned and occupied by the High Point Clothing Company. Improvements will be made.

VARDAMAN HARD RUNNER

WILLIAMS BUT LITTLE IN LEAD

Victory Claimed by Barely 500 Votes and Vardaman Men Admit Estimate is Probably Correct, But Declare There is Possibility for Vardaman—Returns From 25 of 78 Counties Gave Vardaman Lead of Fully 1,000—Three Candidates Still in Race for Governor, Noel Leading—Another Primary to be Held to Choose Between Two Highest-Manship Leading for Lieutenant Governor.

Observer Bureau.

Jackson, Miss., Aug. 2.—Victory by the narrowest of margins for John Sharp Williams, minority leader of the House of Representatives, was the outlook from the official returns, more than 24 hours after the polls closed in the United States senatorial primary.

Gov. James K. Vardaman was leading Williams by fully 1,000 votes when the returns from the first 25 of Mississippi's 78 counties were in. Despite this lead, the Williams men, basing their prediction on unofficial advice as to