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CHARLOTTE, N. C., FRIDAY MORNING, AUGUST 30, 1907.

PRICE FIVE CENTS

PLANT YET UNDER FIRE MEE KIRK, COLORED, CAUGHT. NEWS OF PALMETTO STATE COURT ADVANCES THE CASE CONVICTION LOOKS CERTAIN JUSTICE SHREWD QUESTIONER

Says He Can D

olag Intra-Stato Busines i Infer-State-Question of De-ase in Bond's Net Examings Gone o Freely-People and Rallroads at Work Together if Success th Desire is to Be Atmined-Per-tency of Mr. Justice For Direct aver to Question Put to Mr. ant Just Before Noon Recess mass Sharo Till. ahington, Aug. 29,-Comptroller

lant, of the Southern Rallway, was igain subjected to several hours' close and, vigorous cross-examination in the North Carolina failroad rate case

the North Carolina failroad rate case before Master in Chancery Montgom-ory. Speaker Justice, for the State, conducted the cross-examination and had not finished the inquisition when the hour of adjournment arrived. Mr. Justice failed in his effort to draw from Compiroller Plant a state-ment that he could determine with mathematical accuracy the cost of doing an inter-State business in North Carolina on the Southern Railway. Mr. Plant did say, however, that he could determine the minimum cost of doing an intra-State business. TWO SERIOUS CHARGES.

TWO SERIOUS CHARGES. The question of the decrease in the net earnings of the Southern Rallway was gone into very fully. Mr. Jus-tice asked Mr. Plant if he thought the decrease in the earnings of his company was due to conditions pecu-liar to the present time or to condiliar to the present time or to condi-tions which have come to be perma-nent. Mr. Plant replied that the Southern Railway was contronted with two things, which, if continued, will not result in very much improve-ment in the situation. Those condi-tions are, he said, the constant de-mands for increases in wages of em-ployes, together with an upward tendency in the price of materials and a desire on the part of the people of certain States to reduce rates and im-pose what he believed to be improper restrictions and penalties on railroads.

While Boarding a Pullman Car.
Special to The Observer.
Special to The Observer.</ from the through inter-State passen-from the through inter-State passen-ger trains, there is a loss in the local business, but taken as a whole, in-cluding the through passenger trains and the local passenger trains, 1/be-lieve there is a margin of profit in the business as a whole." A sharp tilt occurred between Mr. Justice and Mr. Plant just before the noon recess. Mr. Justice asked Mr. Plant if he could say how much more it would cost to carry a freight train with passengers than without passengers on the High Point ar i Ashboro line. Mr. Plant proceeded to answer the question in his own way but Mr Justice insisted upon a direct reply Judge Montgomery informed the witness that he must answer "yes" or "no." Then Mr. Plant replied that the cost could not be determined accurately.

e is Wanted at Greenshoro For Mur der—Big Blind Tiger Raid Made is the, Gate filty Yesterday Morning. ELEUTION FOR NEW COUNTY TO HEAR APPEAL SEPT. 17TH. STRONG CHAIN OF EVIDENCE

pecial to The Observer. Greensboro Aug. 3.-C'hie feelsy recolved a mezsago con convering the informati fik, wanted here for the Black Joe' Morehend, be ad heen arrested in Colum r. Nesley at once commun officier A. L. Brooks and folice are convinced that is

Black Joe Morehend, beth negross, Mr. Neeley at once communicated with folicitor A. L. Brooks and if the local past been transtured in Columbus, etranspo-nent will be made to bring him to freemsboro. The fight in which More-head was killed by Kirk occurred in Clegg's colored pool room here one night ast spring. "Black Joe was shot in the mode and died a few days after ward in the hospital from his injuries, it's disappeared after the shooting and building on South Davie street, near building on Key street abilitanment. However, the alert police have kopt a building on the street police have kopt a building of the street police have kopt a building of the street will be building on body was filled to the power wood at the place. This morning in officer taw the stame agen coming in the share wage coming in officer taw the stame agent of the fact of the place was formed. This party of bound the negre unboulding his building the whickey the horse and McCuiston free found the negre unboulding his building the shift the matter will be provide to the strenting more than five provide to the strenting the shift the boat the federal building the whickey the horse and model building bu

BRAND OF, CHARITIES.

reensboro Like to Have Such—A Sult Involving \$30,000 Settled by Compromise—J. C. Penny Hurt While Boarding a Pullman Car. Greens Special to The Observer.

of a Pullman car arranging

roposed to, Form High ity Out of Parts of Green Spartanburg—Striking Op County Out of Parts of Greenville and Spartanburg-Striking Opera-tors Have Been 'Tampering With Western Union Wires-Catawha Valley Railroad Ready to Handle Freight Traffic-Col. George John-stone Appointed a Special Judge-Chreat Court Declares an Act Pass-ed in 1965 or Bechares an Act Pass-

ed in 1905 to Be Unconstitution Observer Bureau, 1422 Main Street,

Columbia, S. C., Ang. 29. Governor Angel will likely order an lection in a day or so to decide the

two of the foremost countles of the State in the matter of manufacturing, but their large white populations make them of the greatest importance

in State politics. TELEGRAPH SITUATION.

In a telegram received by the railroad commission to-day in answer to latter. its summons to him to show cause here on September 3d why the West-ern Union should not be proceeded against for violating the commission's rule with regard to closing independent telegraph offices without permis-sion of the board, Superintendent Maxwell, of that company, says that striking operators have been tamper-ing with the wires, but the matter of commercial business being refused transmission at combination offices is now up hetween the railroad authori- sire on the Southern not to try the

olonel Rodman Contends the Trans-cript As Sent Up Was Not Com-plete in the Southern Rate Case at Raleigh—Aycock Speaks For the State, Saying He Sought No Unfair Advantage—Questions Asked Him Advantage—Questions Asked Him By Judges—Hodman Shows Much Feeting—Judge Clark Fixes / Hear-ing of the Case After Third District Appeals—Both Sides Contend For Appeals-Victory.

Observer Bureau, The ollioman Bullding, Ruleigh, Aug. 29.

Reliegh, Aug. 29. The county of the proposed new county of the proposed to be constitutional requirements would be met if the ferritory proposed to be cut off voted in favor of the new county will, according to afficient of the speeches of the southern, for the purpose of get-ting three speeches of the southern for the southern failway attorreys in the record of the several fing the speeches of the southern for the southern failway attorreys in the record of the several fing the speeches of the southern for the southern failway attorreys in the record of the several fing the speeches of the southern for the southern failway attorreys in the record of the several fing the speeches of the southern failway attorreys in the record of the several fing the speeches of the southern for the case; the other motion being by ex-trong freenville with \$4,000,000 find the speeches of the southern for the southern for the several fing the speeches of the southern for the several fing the speeches of the southern for the sou

will find and by the price of the first district, together the surger of 11,000 in Spartanburg. The surveyors were Representative W. H. Yelldeil, of Greenwood, and W. H. Newell, of Anderson, and the com-mission was composed of H. M. Bar-ton, S. M. Pilgram, M. C. Davenport and John D. Wood. The effort to dismember Greenville and Spartanburg counties will, of course, be resisted with vigor by those living outside the territory proposed to be cut off. These are not only two of the foremost counties of the erything which was said in the hear-ing before Judge Long. With Mr. men all the more difficult. The child Rodman was James H. Pou, also of that draws the names from the box counsel for the Southern, but he had may get some one who lives within nothing to say beyond a few words, a stone's throw of the courthouse and nothing to say beyond a few words. though he frequently nodded his head to confirm points made by his associ-ate and occasionally whispered to the latter. With ex-Governor Aycock was As-

sistant Attorney General Clement. Aycock said that the State was very The special variate conducted at the aycock said that the State was very anxious to have this whole matter settled promptly, correctly and with-out any heat and that it sought no unout any heat and that it sought no un-tair advantage of any kind; was per-regular juries of twelve men cach fectly willing that exceptions should that were first exhausted before the be made and reasons assigned by the special panel was called. other side, but what the State com-plained of was the very apparent dehow up driveen the rainoad author-ties and their employes and that all offices now closed on account of the strike will likely be opened be-fore the end of the week. Mr. Max-low had not set out fully the case of the data week to an out set out fully the case of the strike will likely be opened be-fore the end of the week. Mr. Max-

he Case of Major Guthrie, the Dur-hath Negro Charged With Wife-Murder, Taken Up Yesterday, Al-most Reaching the Jury—All Evi-dence Circumstantial But a Verilet of Guility is Expected—Horner Winston's Maiden Speech to the Jury Makes a Fine Impression— Jury Finds Another True Bill For a Capital Offense—Great Throngs at Courthouse.

The case for the negro was conducted by Benjamin Lovenstein, the Hebrow lawyer, who was employed by relatives of the negro man soon after well says in his telegram: "I have to advise that on account of a number of railroad operators who handle our business at joint offices in the defendent. He thought the mo-to employ counsel to assist the solici-tor-or rather they managed to get together sufficient money with which to employ counsel and dechared to employ counsel and dech

aggregated 151 months and the fines have reached \$365. This does not in-clude the enormous amount paid out in costs and the many forfeitures of bonds of those who have skipped out rather than "face the music." Still there are nine cases already convicted that have not been sentenced and many more on the docket to be dis-posed of this week. many more on the d posed of this week.

server.

FROM PRISON TO PRISON.

H. T. Allen, a white man and print Winston's Malden Specen to the Jury Makes a Fine Impression-Jury Finds Another True Bill For a Capital Offense-Great Throngs at Courthouse. Special to The Observer. Durham, Aug. 23.—All this week there has been a great crowd of peo-ple in and about the courthouse, but not such a crowd as was gathered

There was a charge in the commis-sioner's office here for this man, the bill having been found by the last Federal grand jury. He was at once arrested by officers and taken to Rasent him out.

leigh. The fraud that he was practicing that got him in trouble was an ad-vertisement inserted in a Dallas, Tex., paper saying that if \$1 was sent to a certain street address here \$20 would be returned. It is said that a num-

Delegate Body Composed of One Member For Every 50 Active Physi-cians in a State, Organized to Take Over Detail Work.

Dr. E. H. Shackleford, Richmond, Va.; second vice president, Ada A. Achorn, Boston; secretary, Dr. H. L. Chiles, Auburn, N. Y.; treasurer, Dr. M. T. Hulett. Trustees: Dr. W. W. Steele, Buffalo; Dr. M. R. Clark, Indianapolis, and Dr. M. K. Jones, Macon, Ga. The association organized a delegate body composed of one member for

body, composed of one member for every 50 active physicians in a State, to take over the detail work, and Dr. C. Wildreth, St. Louis, was named as president, and Dr. C. B. Atzen, secretary and treasurer.

Osteopathy Day at Exposition.

Norfolk, Va., Aug. 29 .- To-day was observed as "Osteopathy Day" at the Jamestown Exposition with a special programme of addresses and music in Convention Hall incident to the eleventh annual convention of the American Osteopathy Association,

to bury 25 dwellings."

or fire protection.

the plaintiff Morrow.

tor-or rather they managed to get HOUSES IN PATH OF LANDSLIDE.

Earth

W. W. KITCHIN AT DIXID BIG PICNIC OF THE WOODNEN

Candidate For the Gub ple and Makes a Good -Again Attacks the Railroads-States ord and Calls on the Pe -Complains of In -Hits at the New Again.

Mr. W. W. Klitchin, Representati in Congress for the past ten years a now candidate for the nomination f now candidate for the nomination i governor on the Democratic lick spoke yesterday to a crowd of abe 500 persons at Dixis school house i flearly two hours. The time he act ally consumed in speaking was o hour and fifty minutes. Of Cais peri-of time he spent 35 minutes in is lasting trusts and railroads, 18 m utes in attacking and correcting allo ed maccuracies in The Charlotte O server, 20 minutes in explaining the papers, 22 minutes in explaining why the people should love him for the enemies he has made, 20 minutes in

the Southern Railway and the American Tobacco Company by showing how they were all opposed to him. Norfolk, Va., Aug. 29.—The Ameri-can Osteopathy Association this af-ternoon elected the following officers: President, D. F. E. Moore, La Grange, Oregon; first vice president, Dr. E. H. Shackleford, Richmond, Va.; he was plain in saying that he never had made any such charge that he was plain in saying that he never had made any such charge—but he herdwd the "subsidy" papers and those persons who are opposed to him and then pointed to the hated figures of the Southern Railway and the Ameri-can Tobacco Company in the midst of the group as if to say, "Just look at 'em flocking toget.ter." the infer-ence being that they were all birds of a feather. Mr. Kitchin took the ground that there are no such things as "good" or "bad" trusts, but that they are all bad and must be stampel out of existence. Observer reporters came in for more complaints of inaccuracy. "The hostile reporter of the hostile Charlotte Observer" was arraigned for leaving out the word "not" in one paragrph of the Mor-ganton school speech and for putting a comma where there should have

been a period in another. been a period in another. Viewed entirely as a political ut-terance, Mr. Kitchin's speech was a good one. Mr. Kitchin knows how to appeal to a crowd and he is a good "mixer." His appearance yesterday

REV. JNO. H. GRAY OFF.

He Goes to His New Work at Bed-ford City-Something of Lanford, Davidson's Old Twirler.

Special to The Observer. Special to The Observer. Davidson, Aug. 29.—Rev. John H. Grey and family left to-night, he goling direct-ly to his new field of work in Bedford City. Mr. Parks Grey, of Jackson, Tenn, is here on a visit to his brothers. There was something of a family re-union to-day of the Grey family, the sev-eral brothers dining at the home of Mr. Charles L. Grey.

eral brothers dining a the Chronicle the Charles L. Grey, The reference in The Chronicle the other day to Lanford, Davidson's former pitcher, as appearing in Chicago may justify a word of explanation. Lanford justify a word of explanation. Lanford justify a word of explanation. Lanford has been sold by Orangeburg to Wash-ington, it seems, and the Washingtonians found themselves in Chicago pitted against the world's champions, the White Sox. It was in this game that went so disastrously against the Eastern team that Lanford was in the sixth in-ning put in the box and after a brief lime settled down to such steady work as to win the notice and praise that he did.

The watermelons this season have been The watermelons this season have been fairly 'abundant at Davdrson. And in quality and flavor they have never been surpassed. Possibly the absence of oth-er kinds of fruit has put their excelences at a premium, but even is this he grant-ed the melons are simply delicious and cheap enough for all to buy. The drought, however, will soon cook the vines and end the supply.

DEAD IN BERTH OF A PULLMAN

comotive Salesman Succumbs to Heart Affection While Passenger on Norfolk & Western Train-Leaves a Family in Washington,

Leaves a Family in Washington, Norfolk, Va., Aug. 23.-James Law-rence Minetree, aged 30 years, of Wash-ington, D. C., a Mocomotive salesman, representing a New York house, was bound dead in the berth of a Pullman car upon the arrival of the Norfolk & estern train from the West at Poters-burg, Va., to-day. The body was brought on to Norfolk and is still here. Mr. Minetree, who had been subject to heart trouble, boarded the train at Roa-noke, Va., last night, apparently in good health.

b. Va., last night, apparently in health. e deceased was a son of the late Col. ph P. Minetree, formerly purchasing t of the Southern Rallway at Wash-on. He leaves a family in Washing-

Fugitive From Justice Captured. cial to The Observer.

Reidsville, Aug. 29.—Ernest Mills, a young white man who escaped fall in Danville at the time of the delivery last February, when eight prisoners gained their liberty as a result of the door having been accidentally unlock-ed was captured yesterday at Spray by Sheriff Eanes. He was carried back to Danville by Deputy Sheriff Smith. At the time of his escape, Mills was confined awaiting trial on a was confined awaiting trial on charge of housebreaking. He already been indicted by the d jury, it being alleges that he g into a house where he former-He ed and stole a suit of clothes had been in Spray guly a few days on the officers there learned that e was a fugitive from Danville. Illis consented to return without

THIRTY INJURED IN COLLISION.

Southern Passenger No. 41 Runs In-to Engine on Westbound Main Line at Ashevilie-None of Injuried Fatally Hurt.

Asheville, Aug. 29 .- Passenger train No. 41 on the Southern Railway collided with an engine on the west-bound main line in this city at 11 fatally.

The more severely injured are: E. H. Jennings, Pittsburg, Pa.; Mrs. E. C. Brownton, Americus, Ga.; Miss, W. A. Collins, Hattlesburg, Miss.; Elias Field, (colored), Asheville, N. C.; Mrs. J. B. Smith, Atlanta, Ga; It was ready for freight traffic.

MORE AGAINST LOCAL OPTION

Breiners Propose to Adopt Plan to Prevent Its Spread.

others.

Prevent Its Spread. Cincinnati, O., Aug. 25.-United action by leading brewers of the United States egainst the spread of local option was begun at a sceret meeting here yester-day news of which developed to-day. It is proposed to adopt a definite plan to stop the spread of local option, especial-ly in the South. This was the prime ob-ject of the meeting. There was no for-mal call issued and no publicity of the fact that there was to be a meeting. Representatives of brewerles of Chicago, Milwaukee, St. Louis and Cincinnati were present.

MILITIA TO PROTECT NEGRO.

Charged With Killing Marshall Cargell, of Cairo, Ga.

gell, of Cairo, Ga. Tallabassee, Fia., Aug. 29.-Governor Broward has ordered the local militia company to hold fiself in readiness to protect George Simms, a Georgia negro who, pursued by ten armed men in au-tomobiles, surrendered hims if to the sheriff and is now in fail here. Simms is charged with killing Marshal Cargell, of Cairo, Ga., Tuesday night, when a spasse surrounded his house, seeking to capture Charley Williams, a negro outlaw. barley Williams, a negro outlaw.

Bondholders Form & Committee

Giace Bay, N. S., Aug. 2.—The schoon-or Electric Flash with such to-day and hree men who were working on her leck narrow!. escaped death when five ig cars. two of them loaded with coal, oltefied down from the end of the ship-ing pler. I feet above, and landed on he dock of the schooner. The vessel illed with water and sank within a few ninutes.

Faut Frisco Train Wrecked.

Fueld Frieco Train Weecked. Oklahoma City, Okla., Aug. 3.-Ti ast Frace train known as the "Meteor which left St. Louis at 3.20 yesterday a arnooi, and was due to arrive here noon, ran into an only hour this mor-rulas. I. T. at an early hour this mor-ng and was wrecked. A mail clerk as wo passengers were periously injured. Aug. 32.-Th the "Meteor,

handle our business at joint offices in that the side of the Southern Railway South Carolina (this applies to all other States) having refused to handle commercial business, and have also Thom for the Southern that it would wires, it has become necessary to cut take months to secure evidence, get tampered and interfered with our wires, it has become necessary to cut the commercial wires out at several places in South Carolina in order to enable us to handle the business at other points on the same wires that

were ready and failing to handle it, under its tongue as a sweet morsel, did not put on any evidence. The railroads are now handling these He declared that every sort of indulmatters with their employes and I be- gence and courtesy had been shown lieve before the week is out all wires the Sothern, as the record fully showwill be cut back and business will be ed and that the latter included all the going on as usual."

There has been a great improve-ment in the situation throughout the vthe North Carolina counts had no ju-Business is risduction to enforce their own laws State in the past week. o'clock this morning, damaging both being handled out of both the Postal but Judke lonw thought and taid to e engines and the combination car. and Western Union offices here not but Judge Long thought and said Thirty persons were injured, none only to all points in the State of im: otherwise.

portance, but to other States as well; though, of course, there is great R. Y. Strubble, Fredericktown, O.; room for further improvement. READY FOR FREIGHT. The officials of a new railroad re-

ported to the commission to-day that The califies and that the papers showed allow that a plea to the jurisdiction had

J. B. Enslave, Sylvia, N. C.; John Sample, Ninety Six, S. C.; Mirs, Eliza-beth Chambliss, Tuskeegee, Ala.; Miss W. L. Richardson, Conway; C. Hazel Eckert, Asneville, N. C.; Miss G. B. Eckert, Asheville, N. C. count of the condition of his health. Col. Johnstone's friends say he is certain to be in the coming race for

United Strites Senator I Major J. C. Hemphill, Major Hen- readily assented. syward Chief Justice Clark directed the tor Latimer, Col. Dan Hen-derson, / ex-Governor , Heyward Congressman Lever and possibly

ACT UNCONSTITUTIONAL Judge/Purdy declares unconstitutional the act of 1905 which forbids rait-roads operating relief departments from barring injured employes re-covering in suits for damages where they have accepted benefits from the relief department and vice versa. The members of the hospital relief I' a decision rendered in the

Bondholders Form & Committee New York, Aug. 29.—Announce-ment was made to-day that a com-mittee consisting of the following and been formed by income bond-holders of the Central Railroad of Georgia: C. Altschul, R. Walter Levy, Georgia: C. Altschul, R. Walter Levy, Georgia: Groesbrok, Frederick W.

had been formed by income hond-holders of the Constrait Railroad of Georgia: C. Altschul, R. Walter Levy, Earnest Groesbrok, Frederick W innis, of Savannah, Ga. The com-mittee will meet in this kity shortly and outline a plan. Scissoner Electric Flash Sinks. Glace Bay, N. S., Aug. 2.—The schem-er Electric Flash wills cut to day and three men who were working on her deck narrowl, escaped death when free big cars, two of them loaded with coal.

ulsory.

General Western Freight Agent. Norfolk, Va., Aug. 23.-Effective optember 1, J. G. Cantrell, assistan

September 1, J. G. Cantrell, assistant general freight agent for the Seaboard Air Line Railway at Birmingham, Ala, is appointed general Western freight agent of that system with offices at SL Louis and supervision over the Ciacinnati, Chi-be mass of matter contained in the case Kansas City, Memphia, and Nashville agencies. E. T. Steele suo-ceeds Mr. Cantrell at Birmingham.

Winston, the brilliant young son of Judge R. W. Winston, was secured was secured Tais was his first case While Solicitor Brooks was the di rector-general of the case for the

did not put on any evidence and the The first argument was by Horner Winston for the State, his first effort before a jury and he made a fine appearance and excellent argument. He-was followed papers in the United States Circuit by Solicitor Brooks in a powerful argument and one that completed the chain about the negro from which he cannot escape. B. Lovenstein, torney for the prisoner, then began his argument and had not concluded when court adjourned until to-mor-A number of the justices asked Governor Aycock questions while he row morning. The jury will get the case before the noon recess. The eviwas speaking and deep interest was dence against the negro was all cirshown in the remarks. He sail there was no intention on the part of the

cumstantial but was convincing There is not much doubt but that a State to discuss this case on techniconviction will be the result. HISTORY OF THIS CASE.

been entered and over-ruled as if a demurrer had been filed. He said of this year that the body of Lizzi-It was on the morning of May 6th that Judge Long stood ready to give any length of time for the hearing of this case and that if the Southern had this case and that if the Southern had gone ahead with it and showed a dis-position to try. Judge Long would have been right here now engaged was no necessity of an inquest, as it in the hearing. In simple justice to was clear she died suddenly from in the hearing. In simple justice to Judge Long this affidavit for certiorwas clear she died suddenly arl ought never to have been filed. He agreed that the plea for jurisdicnatural causes and while alone, A. superficial examination, however, revealed finger marks on her throat and tion should be taken as upon demura jury was empaneled.

y he is rer. Rodman had made quite a point race for about this matter and also upon the against numbering of the exceptions. To Sena- the latter Governor Aycock said he that the second In the investigation that followed it was developed that the woman was the wife of Major Guthrie, but that they had been parted for some time, that Guthrie had been living with clerk to make the entry and also to another woman, but his paramour had

number the exceptions. Rodman died; that he was jealons of the at-said that he had been trying to in-duce the State to renumber the ex-negro, that he had said he would kill ceptions, etc., that it had not been one of them if these attentions agreed to until now. Governor Ay- not cease and she did not make

they have accepted benefits from the relief department and vice versa. The members of the hospital relief association of the Coast Line road in joining sign an agreement that if they sue in the coarts for miuries they for-feit their right to benefits under the relief association scheme; and that if papers but that in half an hour they the members of the benefits of the relief was given at \$:30 o'clock Monday that the papers from the mase had come from Judge Long; and Mr. Pou went to the clerk's of-feit their right to benefits under the relief association scheme; and that if there have accepted benefits of the relief the relief association scheme; and that if t

rection. The negro then tried to ex-plain that his first statement was a mistake. A negro woman who lived near the woman heard scuffling in her i home late in the night, and then everything was atrangely quiet. On the body of the dead woman, which was laid out and covered with a sheet, was the photograph of the man soon arrested, and on the floor and about the bed was the broken fragments of glass that came from over the picture. Since that day Guthrie has been in fail. Guthrie has been in jail.

ANOTHER CAPITAL CASE.

ANOTHER CAPITAL CASE. It seems a hard matter to get the jail entirely cleared of those who are charged with capital crimes. The grand jury has returned a true bill against Louis Williams, who is charg-ed with criminally assaulting his wife's sister, a littel girl 10 years of age. The solicitor looked hurriedly into the case and sent a bill for at-tempt at criminal assault. The gran. furors examined the witnesses and sent the bill back, asking for a bill for assault. This was returned a true bill, and another negro is to be tried for his life, but not at this term of

Hillside Toward Cut-Street For 100 Yards With Houses Drops 300 Feet in 24 Hours. Pittsburg, Aug. 29 .- With their houses cracking, windows breaking,

probably gained him some votes though at no time was there any demonstration or attempt at applause. What Mr. Kitchin lacks in the more ornate kind of eloquence or convin ing logic, he makes up in personal and chimneys sinking deep into the earth, several hundred foreigners

magnetism and platform presence. He is not a bad looking man perhave fied from their homes in Port Vue, a South Side suburb, fearing death in a landslide, which threatens sonally and attracts the attention many people by his statesman style of dress.

to bury 25 dwellings." One hunderd yards below the Pitts-burg & Lake Erie Rallroad Company totals to make a put for add the World. The pretty Divis school started recently to make a cut for ad-house was handsomely decorated with flags and bunting and over the speakthe cut and the hillside on which the er's stand hung the massive letters in cedar, "W. O. W." Lots of the wohouses stand is underlaid with soft houses stand is undersata with soft shale and soapstone. The whole mass is slowly alipping toward the cpt. During the past 24 hours the street for 100 yards, with its houses, dropmen folks were out and a good per-centage of the "boys and gals." The latter were so interested in their own affairs that Mr. Kitchin was compelibursting gas and water mains and leaving half the village without light or fire protection

or fire protection. RETURNED TO S. C. STATE COURT RETURNED TO S. C. STATE COURT Charlotte bar. Mr. McCall introduced udge Pritchard Renders Decision in Case of Morrow vs. Charlotte Air Idne Railway—Plaintiff is Suing Idne Railway—Plaintiff is Suing judge Pritchard Renders Decision in For \$10,000 Personal Damages. in public life to-day. I have de Ashevilie, Aug. 29.-Judge J. C. Pritch-ard, in the United States Court, render-d, a decision to-day in the case of Charles J. Morrow vs. Charlotte Air Line Rallway Company, remanding the case back to the South Carolina State

case back to the south carolina. The suit court. Morrow sued the railway for \$10,000 on account of personal damages sustained by him, the suit being entered in the State court of South Carolina. The rail-way company petitioned that the case hos moved to the United States "Circuit Court on the ground of diversity of elii-zenship. The railway company alleging that it was a citizen of North Carolina. While the plaintiff was a citizen of South Tarolina. Judge Pritchard after hearing the ar-a under the line of the south o Mr. Kitchin announced that he way Carolina. Judge Pritchard after hearing the ar-gument remained the case back to the South Carolina State court from whence it was moved on the ground that the railway company was a domestic cor-remained to be a state of the showed how the party was united on the questions of education. Contedferences in the Democratic party. Me showed how the party was united on the questions of education. Confed-C. P. Saurders, of Spartanburg, ap-peared for the railway and Stanyarne Wilson, also of Spartanburg, represented

erate pensions and the negro, and while on this last he took a shot at The Observer reporter at Morganton for saying he "revived the race ques-tion." In refutation, Mr. Kitchin discussed the superiority of the white race for several minutes, showing how he was not reviving the race ques-tion. Thence Mr. Kitchin passed to BOARDERS WITNESS TRAGEDY.

Proprietor of Ocean Grove Hotel Mortally Wounds Wife, Seriously Shoots 9-Year-Old Daughter and Takes His Own Life. Ocean Grove, N. J., Aug. 3.-In the mysence of a number of boarders in the measures of a number of boarders in the was the proprietor. Robert S. Gravatt, 47 years old, to-day shot and perhaps mor-tally wounded his 5-year-old daughter. Mollie, election we have ever had on saloon I voted the dry ticket, as I shall or al) occasions do. By precept and prac-

which has been reported | several times before. I destroying all monopolies As to the railroads, he did not i in destroying them or in them "to plunder the people tarried a while in this disc deny that he was a domage asserted he was simply man." Demogogues

they accept the benefits of the relief association they are barred from re-covering damages in the courts. The point of the strict in half an hour they plaintiff in the case before Judge Pir-dy was J. R. Sturgess, a carpenter for hearing. If possible, at the end affer recovering a vertict for \$2700 for inturies received while at work in 1964 brought action to fecover \$421.-50 he alleges is due him from the re-elf association, Judge Purdy holds that the act is in repurpmanes to both that the state of the case the act is in repurpmanes to both that the state of the case the act is in repurpmanes to both that the state of the case the act is in repurpmanes to both that the state of the case the act is in repurpmanes to both that the state of the case be is said to have been the cause of the braked. The course quarreled in the hotel din-in her is room during the dinner hour. Gra-then in room during the dinner hour. Gra-then is wite. She fell with a built in her leg, and the child rushed between her promus to shield her mother and was shat in the thigh. When the child fell Gravatt fired two other builts into his broken t day profisior of the hotel where the tragedy the day part of the source in Asbury Park.

Park.

FALLING SCAFFOLD KILLS TWO

a 800 Pound Piece of Seonite Crashes Onto the Platform-Men Precipitated to the Ground, a Dis-tance of 50 Feet.

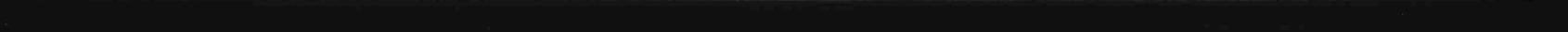
tance of 50 Feet. York, Pa., Aug. 25.-Two men were tilled and two injured, one probably fa-tally, by the failing of a scaffold to-day at the York county jail which is being rebuilt. The scaffold was wreaked by au 800-pound piece of granite failing on and the men were precipitated to the

The dend: EDWARD A. COOK, assistant fore-

WILLIAM FREY, stone mason, York. Injured: T. E. Cumuncham, stone mason, York, skull probably fractured

HOPING TO WIN.

On the other hand Governor Ay-coak is entirely sanguine of winning out in the context. The State has



DATE FIXED SEPT. 17th.