hecharlotheObserver. P. CALDWELL, Publishees, A. TOMPKINS, Publishees, Every Day in the Year. SUBSCRIPTION FILICE:

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# PUBLISHERS' ANNOUNCEMENT.

No. 3 South Tryon street. Telephone numbers, Business office, Bell 'phone B; city Editor's office, Bell 'phone Lat; news editor's office, Bell 'phone 24 A subscriber in ordering the address of his paper changed, will please in-dicate the address to which it is go-ing at the time he asks for the change to be made.

change to be made. Advertising rates are furnished on application. Advertisers may feel sure that through the columns of this paper they may reach all Charlotte and a perion of the best people in this State and upper South Carolina. This paper gives correspondents as wide latitude at it thinks public pel-icy permits, but it is in no case re-sponsible for their views. It is much preferred that correspondents sign

aponsible for their views. It is much preferred that correspondents sign their names to their articles, especial-ly in cases where they attack persons or institutions, though this is not de-manded. The editor reserves the right to give the names of courcespon-dents when they are demanded for the purpose of personal satisfaction. To receive consideration a communi-cation; must be accompanied by the cation must be accompanied by the true name of the correspondent.

MONDAY, DECEMBER 2, 1907. no hope of justice in the State courts.

THE INJUNCTION JUSTIFIABLE, and are entirely justified in availing themselves of the provision of the This paper is on record in patest Federal constitution that no one against the railroads in this State godeprived of his propbe ing to the United States Court to stay erty except by due process of law the execution of a State law as to passenger rates, but there has arisen a and in flying to the Federal Court situation in Alabama which fully war- for protection until the matters in rants the railroads in resorting to any controversy between them and the drinking is one of the best things in men would be in jall to-day under State can be adjudicated. Meantime legal means, through whatever channel, to defeat the apparent purpose to it would be profitable for everybody to remember, notwithstanding what bankrupt them by State legislation. Twice since the regular session of the may be our just views of the matter Legislature, which adjourned but a of State's rights, that the government at Washington still lives and convened it in extraordinary session that the constitution of the United adverted to recently as being very best people from foul jails when the States is supreme over all. The proto pass yet more restrictive and extreme railroad enactments, and that ceedings of the Governor of Alabama obedient body has conformed to his and his Legislature are lawless and steady increase in the quantity of know, however, and not forget, that wildest desires. We shall let The outrageous.

Washington Herald tell the story of

the proceedings to date: "Alabama's attempt at nullification of the constitution of the United States has. men" is an industry with which a cerbeen quickly brought to the bar of the Federal courts. Hardly had the ink tain incident now several years old dried on Governor Comer's injunction-proof railroad measures before that unamable Federal judge, Thomas G. Jones, clapped an injunction on the whole lamable Who does not recall how many widhatch of them. His order is addressed to every officer and apparently every citizon of the State, and restrains them all under penalty of contempt of court and threat of indictment for conspiracy, from putting in force any of the rate laws by exhibited, far and wide? But this cause we don't understand at all. To just enacted by the Legislature in sponse to Governor Comer's demand statutes that would virdicate Alabama's straightforward in comparison with ures we published from the office of right to run the raflroads, even though the vindication had to be accomplished

"Governor Conter, of Alerana, has shown a perultariy definint disposition in this matter and has had a subserviant Lorislature to back him up, which has been called together twice since its reg-ular session to make the laws more ex-trane and devise some way of eviding the suthority of the Federal courts. Af-ter an injunction was first granted stay-ing an execution of the rate law the Legislature was called together to make it a penal offense to apply for the trans-fer to the United State courts for the enforcement of the law. This would not work and the Intest device, after "strengthening" the law by making it more oppressive than before, was to avoid putting its enforcement into the hands of any public officer or official hody, who could be readily reached by injunction order, tuit to leave it in the hands of passengers and shippers by making it a misdemeanor to charge more than the specific rates and allow-ing anybody so charged to recover dam-ares. forty-three miles a day and making ninety-five miles one day, arriving at his destination fresh and unfattgued. His remarkable performance is accounted for by his habit of out-door exercise and by the fact that he is a total abstainer. In the latter fact no doubt lies the real reason. No man who drinks liquor is capable of great feats of physical endurance. It is rigidly withheld from prize-fighters in training and the downfall of John L. Sullivan, when he "went in the ring once too often," as he himself expressed it, was due to the fact that he had previously lowered his powers by his intemperate habits. Thus Old Adam, when Orlando, his young

"But Judge Jones has issued a blanket njunction against anybody interfering y any proceeding with the railroads for master, protested against his going with him in his flight. charging their own rates until the ques-tion involved can be passed upon by the court. Violation of the order will in-volve summary punishment for contempt "Let me be your servant; Though I look old, yet I am strong and lusty: For in my youth I never did apply Het and rebellious liquors in my blood; Nor did not with unabashed forehead of court. An extra force of United States marshals is put on duty to watch for any disregard of the injunction, and if there is collision or authority there should be no lack of support for that of the national government. This kind of The means of weakness and debility." nullification, started by Governor Glenn, of North Carolina, should have been nipped in the bud. It should be under-The man ood now that when the protection of

quor as a food and as af-fording nourishment doesn't know what he is talking about. There is no more effective devitalizer and the in-dividual who desires to husband his physical as well as his mental invoked there is to be no cuestion about the jurisdiction of the Federal courts to pass upon the matter." There is a studied attempt in Alabama not to regulate the railroads but to bankrupt them. They can have

the constitution of the United States is

physical as well as his mental at the great quasi-pointeal cases that strength will leave it alone. This is the practical view of the subject, all apart from the moral wrong of drinking to excess. One cannot drink even mod-erately, if at all regularly, and retain bis obwiced with the subject to his physical vigor. He may appear to do so but he knows better himself, or New York Commercial is that "the if he does not, he has only to put his Federal courts are our 'anchor to endurance to the test. It is all 'round windward.' But for them a good many bad business, my masters, and liquor-

who

exploits

The New York Times is confused about a matter which The Observer Carolina and released a lot of our confusing to it, to-wit: the fact that power of the State judiciary was exthe Federal revenue reports show a hausted. But we forget. We should

stinent, and that the inhabitants of tect them against themselves. Let us 'wet' areas have more than doubled bow in reverence before this greatest

bands in the plaster gentleman dug up their consumption of intoxicants?" tribunal of the world. in Henderson county and subsequent. We hope the wise will answer, begentleman's discoverers were entirely bring the matter home, the last fig-

forty years ago, averaging more than the Federal constitution had the mi federal courts with powers and fane tions distinct from those of the State tribunals-powers clearly defined and non-assailable-and that the judges presiding over these Federal courts are appointive by the President, not

In the treatment. My experience since taking the treatment in March, 1963, has been that any man who has thrown away a goodly perion of his life and awakens to find himself in the full possession of his health and faculties has a great deal to be proud of and is ready to begin life anew. So now, my brother, if you are addicted to drink, go to the Keeley Institute at Greensboro, N. C. and take the treatment honestly. Success will crown your efforts and add one more enemy to the curse of whiskey that destroys men, families and business, and last, but not løsst, a man's soul. Yours respectfully. elective by the people, and cannot therefore come into existence and authority as the result of passing political fads and prejudices." - "Chief Justice Clark, of North Carolina." The Commercial goes on in another paragraph, "wants the constitution amended so as to make Federal judges elective by the people of the several States. Imagine the power-

Yours respectfully, W. F. PARKER. Robersonville, N. C., Oct. 32, 1905. less, the helpless, position in which the owners of the Alabama railroads would now be, were the Federal courts \* (For The Observer.

there the creatures of Alabama polltics and Alabama politicians like Gov-

The dappled ring-dove coos in plaintive ernor Comer." Then it quotes from pine trees whisper soft funeral an address of Hugh Gordon Miller, The of New York, before the students of dirgo; The wild ducks slower circle on the the New York University law school main; The rivers sigh at each receding surge. last Wednesday night:

"The visiting and distinguished South-The feathered songstors, rivulets and trees, To him were dearer far than crown or

gold. He looked "through nature up to na-ture's God" and these, Warmed every fibre of his sunny soul.

IN MEMORIAM.

The autumn leaf, the sky's cerulean The suturn blue: The red horizon on a silver sea, He painted each in bright prismatic fiue, Festooned with bows of sweetest min-

The essence of his life through coming days; His love of nature, brooks and sylvan Upon which the comment of The flowers: The heart of kindness pulsing through his lays, Will shine a diamond on the map of ours.

honest and law-abiding men and wo-We how reluctant that life's evening bell,

So soon should ring his call "across the bar," But God who giveth, taketh back as well, State-court decrees." Time was when a Federal judgbreathed life into the nostrils of the him, swung the golden gates And for ajar. dead writ of habeas corpus in North

And as those pearly hinges softly turned. The silver bells of welcome sweetly chimed; While down his pathway gems of glory To light the lives of those he left behind -A. W. PARHAM. Greensboro.

> IFor The Observer. John Charles McNelll.

His harp now hangs on a willow tree, The song it sang is still; No more its music dreams upon

The woodland and the hill. The wind croons through its silver strings A lullaby of tears,

And sorrow wings her grieving way In silence down the years.

For, while the song he sang was sweet, The volce-his volce is still,-And troubled pain now weeps alone Upon the grassy hill. friends of increased efficiency of the postal service learn with sincere regret that Speaker Cannon has deem-ed it necessary to advise the Post-And all the song its beauty i



We have seventy-one of the season's newest Tailored Suits, which are arranged in four special lots and will not last long, as the garments are most attractive and the prices cannot be matched.

Lot No. 1. 17 pretty Suits for Monday at .... \$11.75 Lot No. 2. 19 attractive Suits for Monday at ... \$14.75 Lot No. 3. 23 nobby Suits for Monday at.....\$19.75 Lot No. 4. 12 beautiful Suits for Monday at .... \$29.75 These Suits are of best materials, including Cheviots, Serges, Panamas, Broadcloths; also Imported Chiffon Broadcloth, and each garment correctly fitted by our expert fitters.

#### **FASHIONABLE DRESS GOODS**

52-inch Brown Herringbone Serge, makes a handsome tailored suit. Price the yard ..... \$1.50

#### EPINGLE

# the world-not to indulge in. HOW IS IT. ANYHOW?

malt liquors, wines and distilled spir- the Supreme Court of the United its, between 1884 and 1907. The per States is our ark of safety, and that so A CHAMPION LOT OF FAKERS, capita consumption of the beverages long as it stands upon the basis on Planting and digging up "petrified combined was 22.27 gallions in 1906 which the fathers established it, high as compared to 12.60 in 1884. "Can it above the clamor of the hour, headbe," asks The Times, "that 40 per less of the passing passion of the peohave made the people cent. of the people of the United ple, it will safeguard their lives, libof the Carolinas reasonably familiar, States, residing in 'dry' areas are ab- erty and property, and, above all, pro-

some relis artists exposed the other the collector of internal revenue for ed it necessary to advise the Post-

parcels post proposition.

Those Who Are Present.

The Washington Post says that "the

in Michigan. The Michigan fak- the western district of North Carolina ers made a practice of manufactur- showed a large increase in the amount increasing the facilities of the parcels rights secured to them by the Federal

"We have not yet seen in any Alahama ing seemingly ancient relics from cop- of tax paid on spirits produced in this post will be taken this year, and that, per, coloring them green to represent district, notwithstanding that we are in the Speaker's estimation, no step newspaper an intelligible account of the measures thus enjoined, but all the ref-erences to them in the press indicate verdigris by dipping them in a cor- a prohibition people and not only so toward establishing a postal savings rosive acid. These relies they hid in but the whole South, which would bank will be taken." Sometimes even that they were framed for the express furpose of avoiding the Federal process rosive acid. These relies they hid in but the whole South, which would bank will be taken." Sometimes even But, somewhere in the old, old days, mounds to be dug up by relie hunt- otherwise be supposed to be the mar- Speaker Cannon is to be applauded. And meadow lillings echo yet ing expeditions under the leadership ket for this liquor if it were shipped. In this instance he deserves public of injunction. It was thought by their framers that every possible method of testing the reasonableness of the statuof the promoters and subsequently is practically prohibition territory. thanks for his purpose to block the tory rates by suits in the Federal courts had ben provided against, and every loophole covered. Nowhere in the bills sold for good prices with the aid of Mind you, this is taking account of affidavits procured from prominent only the tax-paid spirits, the moonis any State officer charged with the en-forcement of their provisions, so that citizens. Among their manufacturers shine product being omitted from the State officers cannot be entoined from were battle-axes of leaf copper, well- calculation. Mr. Solomon said there enforcing the law, as has been done else tempered spear heads, and other In- were three strange things; the way where, and there is nobody to sue. The enforcement of the law is intrusted to individual patrons of the railroads, who dian relics apparently of vast antiqui- of a ship in the sea, the way of the eagle on a rock and the way of a are entitled to recover damages if the statutory rate of fare or freight is re-The champion fraud, however, was man with a maid. But there is noth-

fused. Every person who tenders the legal rate of fare to a ticket agent and attempted when the fakers "discover- ing so strange, or ever was, as the ined" an alleged copy of Noah's diary creasing spread of prohibition and the mail order houses, purchases from refused a ticket, or who tenders the legal rate at a station gate and in reand offered it for sale to a wealthy corresponding increase in the manuadmission to a trala, is entitled to Wisconsin collector. The intended facture and sale of whiskey. There sue for damages. So is every person who is charged more than the legal rate pre-scribed for the carriage of freight. "But the real tests of the Comer laws virthm sought expert advice and ob- may be those who would suggest that tained information which led to an there are people who talk one way may be found in their provision of heavy exposure of the whote relic-manu- and drink another, but The Observer, exposure of the whote relic-manu- and drink another of suspicious or un-facturing enterprise. An ex-Secreta- thank God, is not so suspicious or un-Officials in the City-A Few of penalties for violation. Not only may the aggrieved citizen sue for damages on

copean fakers. The nerve displayed by

the Michiganders even now would

account of everytviolation, but to each the affair, and with him are a univer-

Violation there is attached a penalty the cumulative effect of which would back-rupt any violator of the law if it could sity museum curator and some other "It is the first ray of hope I have be compelled to pay. By the terms of the statutes, the penalties accrue, in spite of the fact that the railroad may be testing the reasonableness of the rate men of supposed respectability. in court, for it is provided that court proceedings shall be no defense to the penalties sought to be imposed. In other ness the otherwise shrewd enough party. Everybody who knows any- There were six or more fine private words, if the rate he suspended by in-Mr Jonathan Oldbuck, of Scott's thing knows that Mr. Bryan could doubtless others will arrive this sorres, if the rate he superded by in-junction, the penalties go on accumulat-ing, and if the subs should be dedded against the railroad, it would be com-pelled to pay them as if no injunction Antiquary," but Noah's diary was a only carry the Southern States, and morning. Among those who came little too much No wonder speedy of these he would lose Maryland, in last night were: Messre, C. H. had been granted. One railroad attorney the primities assessed its pasagainst one railroad alove penger lusiness, if it made an unsuccess-ful attempt to prove the unsuccessibleto point out that at least one species Southern State. It it normally Re- ager; E. H. Coapman, of Washingnews of the legal rate of fare would mount to the enormous sum \$2,136.-625.000 in twelve months. "inst he the ing people. Quite possibly native timents credited to Senator Latimer, of the northern district; W. N. Foreprice the framers of the ne neve attempted to income on the use of the Federal Court to test the reasonable inty upon the papper labor of Eu- News in its issue of November 27. The S. Stewart, of Washington, superin-

But this for a training of rates. But this the civit penalties peralties amount to twice as arge a mays that the purpose of the legislation is to make the perpose of the framition is to make the destruction of the cor-poration that tries it the penalty of re-sort to the Federal Court. It is designed to make it impressible for the ration to try property rights in a court while, has

the Michiganders even now would well nigh put a genutne petrified man to shame. Relic fasers may not be as bad as nature fakers, but they rise little above moliv-coddles, woaklings, liars, and undesirable citizens. Why are not the wires already ho' with a presiden-tial proclamation against them? The Norfolk Landmark says in an editorial discussing the close of the hitherco been dealed jurisdiction "It would seem temerarias for any corporation to enter this legislative fungle, but the thing has been done, and corporation outcome will be awalted with unusual the outcome will be awaited with unusual Interest. Judge Jones' injunction begins is egal conflict that will end either in a serious collision between Federal and State subbrities or in making Governor Comer indiculaus. As ex-Senator Spooner said the other night, if the Comer meas-ines prevail, we shall see for the first time in our history a successful nullifi-cation of the Federal constitution. Jamestown Exposition: "And among

cattor of the Faderal constitution. Will Alabama succeed where other States have failed?" In like manner The New York

Journal of Commerce, one of the ablest and most conservative of papers, comments; Not alone for the pleasure and in- by the Kentucky electorate on up-

"The provision that ap Siate shall de-prise any series' of property without due process of law necessarily gives the lighted States courts jurisdiction to pass upon the validity of state laws which are ing to have that effect. If it is shown to the satisfaction of the court that confis-ration of property will be the result of notoring a State law there can be no outer this enforcement until that ques-tion can be dominient determined. "For Southern or Northern State Gov-enters of realized commissions to dis-ting to the satisfaction of State shown to the satisfaction of the court that confis-cation of property will be the result of could chart the court has the right to re-strain its enforcement until that ques-tion can be dominient determined. "For Southern or Northern State Gov-enters of realized commissions to disstruction they derived from it, but as ward, such machines will hear naught tained." a manifestation of friendliness toward but Mr. Bryan.

master General that no step toward Is fraught with misery.

"My love is dead,-my love is dead,-My dreams can never be,-For silent hangs his silver harp Upon a willow tree."

Upon, the thronging street. and sometime in the days to come iniquitous parcels post bill, a project Its silver strings will tell The dreams of love that lingered in The songs he sang so well. designed for the benefit of the de-

partment stores of the great cities at His harp now hangs on a willow tree, the expense of the postal revenues

Unburdened of its song,--His eyes are closed in weariness,--At Peace he slumbers on. and to the great injury of the mer--HARRY GILLIAM LINK, JR. Los Angeles, California. chants of the towns and smaller cities of the country, who could not do

business in competition with the great How to Frighten Book Agents. lew York Sun.

which would be carried through the If you are tothered with agencs, beggars or other undesirables at your mails at nominal charge under this doors the finest way in the world get rid of them is to have a trained nurse open the door," said the West Side woman who lives in a big apartment. "They have their story RAILWAY OFFICIALS HERE. all ready or their card held out, but at the sight of a white cap and apron that will back off with scarcely a ap-Much interest is being manifested ron they will tack off with scarcely seen. I am glad somebody has told southern Railway officials which is be deathly ofraid of 'catching' some-Beggars especially seem to The public is a notoriously easy Mr. Bryan the truth about his situa- to be held in this city to-day. The thing and will almost run ff & nurse mark and amateur antiquaries are tion toward the Democratic party. He indications are that the attendance g.es to the door. You will find it out when you liave a nurse on your about the casiest of the easy, as wit- ought not to be the nominee of the will be both large and representative. caff?

> Coroner's Jury and Amzi Helms' Confession.

To the Editor of The Observer: exposure followed so lil-judged a per-formance At the same time we wish to point out that at least one species . West Virginia is not a to point out that at least one species . West virginia is not a ed the gun that killed the young lady. of fraudulent relie need no longer be publican.". "These," says The Charles-soucht in Europe by our humbur-lowsought in Europe by our humbug-lov- ton News and Courier. "are the sen- Danville, Va., general superintendent county fall in Charlotte, not to the jury and therefore could not be conalent will some day demand a tariff of South Carolina, by The Baltimore tendent of the eastern district; A, verdict. sidered by the jury in arriving at a verdict. W. B. GOODING,

Foreman coroner's jury. cussion, as The News says, at the Ho-datchell, of Washington, superin-tendent of transfers; G. W. Talylor,

Who Said Our Words Weren't True? Norfolk Virginian-Pilot. The Charlotte Observer having

opened the vials of (ironical) praise on the poor devil who runs the Limerick factory of The Virginian-Pilot, that modest individual can only reply: There's many a true word spoken in jest.

A TOAST TO THE MEN. (Didiented to the Women.)

Detroit Free Press. and higher officials of the system in

Detroit Free Press. Here's to the men. Since Adams's time They've always been the same: Whenever anything Sees wrong, The woman is to blame. From early morn to late at night. The men fault-finders are: They blame us if they oversleep, Or if they miss a car. They blame us if, beneath the bed, Their collar buttons roll; They blame us if the fre is.out Or if there is no coal. They blame us if they cut themselves While shaving, and they swear That we're to blame if they decide To go upon a tear. The almost insuperable difficulty the two districts. the states we have to express with special warnth our gratitude to North carolina and Maryland, our next-door neighbors. To North Carolina are we encounter is the fact that in every such as confront men in the handling of other men will be discussed in the state of indicated for the heaviest attendance Southern State where a distinct polit- formally. that came from any State—and that, of course, is the greatest debt of all." Beckham affair recently repudiated have high and low allke posted as to the needs of one another in order that the best results may be ob-

W. H.

an adjoining and friendly Common-wealth. North Carolinians one planes to have that disci. If it is shown to substance of the court that confis-to have that disci. If it is shown to substance of the court that confis-to flow for some the planes to flow for some the plane the planes to flow for some the plane the

50-inch Epingle, all the popular colors and Black.

Price the yard.. .... \$1.50

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Real Lace Robes, finished by hand, new and beautiful designs. Price each up to..... \$75.00

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A	swell	line of	Ladies'	Gold	and	Silver	Handle	Umbrel-
	las.	Price.					\$2.50	to \$15.00;
	every	one	guarante	ed for	r one	year.		

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Almost every express brings us new novelties in La-

### RIBBONS

Holiday	Ribbons	in all th	e new nov	elties, l	Holly, Rose,
Mistle	toe, Viol	et, etc.; al	ll widths.	Price	the yard
					lc. to \$1.00



New Pastor Preaches First Sermon,

occasion of the statement was the dis- tendent of motive power;