SUBSCRIPTION PRICE: \$8.00 A YEAR

CHARLOTTE, N. C., TUESDAY MORNING, DECEMBER 10, 1907.

TO PROBE RECENT CRISIS THE RESCUE WORK SLOW.

CLIMAN PUTS IN RESOLUTIONS.

roduces Mensure in the Senate Deatroduces Mensore in the Senate Re-signed to Direct the Committee ou Finance to Investigate the Recent Proceedings of the Secretary of the Transury Anent the Currency Ponic, and Also to Make Inquiry Concern-ing Clearing House Certificates-South Carolinian Asks Unnolmous Consert to Address the Senate on the Resolutions, But This is Not Allowed Owing to the Absence of Chairman Aldrich, of the Finance Committee-The Resolutions Pre-sented in Two Series.

washington, Dec. 9.—Senator Till-tin to-day introduced resolutions dt-cting the committee on finance to vestigate the recent proceedings of a Secretary of the Treasury in con-ction with the financial crisis and to to make inquiry concerning aring house certificates. The reso-tions were presented in two series, the Treasury Department and the ond with clearing house certinman to-day introduced resolutions dtrecting the committee on finance to investigate the recent proceedings of nection with the financial crisis and also to make inquiry concerning clearing house certificates. The resoutions were presented in two series, the first dealing with the operations of the Treasury Department and the and with clearing house certin-

cates, both being divided into three sub-divisions. The first of the resolutions directs

the committee on finance to investigate and report to the Senate as follows:

THE RESOLUTIONS.

First whether the issue of certifi-cates of indebted ess bearing 3 per cent. interest, bids for which were invited by the Secretary of the Treasury November 18, T907, was for the purpose of borrowing money 'to meet

000,000 of bonds of the Panama canal oan, bids for which were called for by the Secretary of the Treasury on November 18, 1907, was required to 'defray the expenditures on said canal, there being at the time when both of these loans were made upwards of \$200,000,000 in the Treasury for current expenses."

Third, whether any legislation is the issue of unlawful money, if clearprevent the illegal increase of the public debt in time of peace.

The second series of resolutions directs the finance committee "to investigate and report to the Senate as soon as practicable" on the following points:

A SECOND SERIES.

First, whether clearing house certificates with which the country is now flooded have been issued under authority of law or contrary to the

same. Second, whether the issuing of such certificates by an association of banks, both State and national, and Within an hour the entire ceremony at an end. whether the use of the same as money subjects such certificates or notes to PLANS FOR WATTS HOSPITAL. the tax of 10 per centum provided in Section 3412 United States Revised. Statutes. Third, whether it would be permissible under the law, as it is, for an association of banks, warehouses and elevators to issue certificates based on cotton, wheat and tobacco, store Secured For the Buildings ft in such warehouses and elevators Special to The Observer. and fully insured, to be used as money

Total of 66 Bodles Recovered Fre an Official Stateme Has Its Repetition of Pathe

Scenes. Monongah, W. Va., Dec. S. When darkness came to-night a total of 66 bodies had been brought from the two wrecked mines at Mononsah.

Rescue work while slow, was progressing smoothly and as rapidly as due. precaution for the rescuers wuld permit.

It is believed that close on to

later developments lead the officials to belive there were only 260 men in the mine when the explosion occurred, The statement, however, is believed to

be purely conjecture and no one who is familiar with conditions here takes seriously. It is insisted by miners of the civinity that 406 men were checked off as entering the two mines

ast Friday morning and in addition to that number there were many having duties in the mines who are not under the check system. several times during the day Government Expert Hall and Chief Mine Inspector purpose of borrowing money to meet public expenditures" as provided by Section 32 of the act approved June ready to issue any statement at this 15, 1899, and if not whether there is any warrant of law for the issue of said certificates. Second, whether the issue of \$50,-

tenant Governor Joeph McDermott, expressed to The Associated Press today.

Over \$25,000 was added to the ya-riety relief funds during the day. The report that a second explosion occur-ved in the mines te-day was founded. The fourth day was a repetition of its three predecessors in the matter of pathetic scenes. Hundreds of wo-

men remained near the mines all necessary to protect the people and day, screaming and crying until they business interests of the country from almost collapsed. As on former days, hot coffee was served at intervals by ing house certificates are such, and to the company to keep the unfortunate women from failing to the ground from exhaustion. Probably a dozen funerals were held to-day and most distressing scenes were witnessed. A pathetic incident of the day occur-red at Mine No. 6. A foreign wo-man whoe husband had been killed. stood near the mine all day with a

half dozen carnations in her hand. The little floral tribute was wrapped with white ribbons. Shortly after noon her husband's body was recovered in such condition that burlal was necessary at once. She followed

Famous Massachusetts Architect Submits Them and Work on Durham's Magnificent Institution, the Gift of Mr. George W. Watts, Whit Begin Probably by March 1st-A Suburban Site of Fifty-Six Acres

RATE NEGOTIATIONS OFF BIG FLEET IN THE ROADS NO RIGHTS ARE WAIVED COURT TO SETTLE THE MATTER. "FIGHTING BOB" TAKES CHARGE ATTORNEYS WERE FOR GILMER.

Ills Fing Finng to the Breezes from the Main Truck of the Connecticut Which is to Be His Flagship—Th to the United States Supreme Cou For a Final Settlement Once F All—No Adjustment of the Tro ble in North Carolina Therefo Assembly Bat Two s' Appo ment on Steering Committee Con-sidered a Well-Deserved Honor-Bryan's Candidacy a Topic Much Discussed-House's Waste of Time May Be Used as Good Political Thunder Next Summer.

BY. H. E. C. BRYANT.

Observer Bureau. Congress Hall Hotel, Washington, Dec. 9.

mbly Day For the Fleet Finds Two Warships Laggards, the sesota and the Kentucky and These are Exp ted to Drop Anchor in the Roads To-Day-Crowds of Sight-Seers from All Parts of the Country Assembled at Old Point Comfort to See the Fun-Second Division to Be in Command of Rear Admiral Emory, and His Flagship is the Georgia.

Old Point Comfort, Va., Dec. 9 .-The double-starred flag of blue, em-blem of the commander-in-chief of

the Parific-bound oattleship fleet, was It is stated as a fact here, although flung to the breezes from the main truck of the battleship Connecticut It has not become public knowledge, to-day and Real Admiral Robley D. that the negotiations between North Carolina and other Southern States as leader of the greatest naval moveand certain railroads concerning pas- ment in the history of the American senger rate bills are off, for the timepeople. This was assembly day for being at least, if not for all time to the fleet, which is to set sail next come. Although newspaper men gen-erally have not been taken into the great fighting machines ordered to confidence of either side, it has been known by correspondents that Gover-nor Glenn, of North Carolina, and America and inaugurate a new naval others were considering a compro-mise to the effect that the roads but two laggards. These were the would sell to the heads of families 16,000-tonned Minnesota, flagship of and concerns a 1,000-mile ticket for Rear Admiral C. M. Thomas, comand concerns a 1,000-mile ficket for \$20 to be used by them, their fami-lies and employes; a 500-mile ticket for \$12.50 and local tickets, inter and intra-State, for 2 1-2 cents a mile. The railroads have decided to carry the fight to the higher courts. Now, they among the sixteen, having been laid say, is the time to settle the matter once for all. All propositions will be down with her sister, the Kearsarge, twrned down and the cases now in in 1898, at the beginning of the war court will be tried before the Su- with Spain.

preme Court of the United States. This means a great deal in North Carolina, where it has been believed The Minnesota and the Kentucky for days that the State and the railare both expected to drop anchor in roads were about to get together and Hampton Roads to-morrow. The settle their controversy and that the new Maine, which two years ago was rate question would soon be adjusted. the flagship of the commander-in-A number of leading railroal men of the South met here Saturday, and chief, came in to-day, making fourit is believed that the information The ships are disposed in two long teen battleships at anchor off here. contained in the foregoing paragraph lines leading in a crescent which beis correct. In making these asser-tions I think that I am giving the gins just off the Old Point pier and points toward Norfolk. The Connectruth as the case now stands. This caves the cases of the Southern and ticut, which lies scarcely more than the Coast Line and smaller roads in a stone's throw from the pler, heads the hands of Judge Montgomery for the column nearest shore. Next to the present. In the case of the South- her is her sister ship the Louisiana, ern and the State the testimony of and then in turn come the Kansas the State is in and the road has its and the Vermont, all registering 16, rendy. Soon Judge Montgomery will 000 tons. These four vessels compose take up the Coast Line. A num-ber of small lines are involved in this litigation. The decision of the State Supreme Court at Raleiga over- charge of Rear Admiral Evans. The ruling Judge Long, of the Superior second division in the first squadron Court, who imposed a fine of \$30,000 is made up of the Georgia, Virginia, upon the Southern, may have had New Jersey and Rhode Island. The something to do with the final de-finag of Rear Admiral William H. Emory, in command of the division, the matter; but it is more likely that the roads have concluded that now is the time to settle the controversy in the courts.

the courts. SIMMONS ON THE COMMITTEE. 15,000 tons each hey combine the SIMMONS ON THE COMMITTEE. 15,000 tons each hey combine the As has been anticipated in former tremendous driving force of 19,000 against liquor and only 4 for it, so

overnor Glenn Takes Cognitance of su Editorial in The Wilmington Messengor Relative to His Conduct of the Case Against the Southern and Says That Attorneys Aycock and Justice Appeared For Attorney General Gilmer and Not For the State Books of State Treasurer to Be Examined—A. & M. Executive Committee to Meet Next Week— Insurance Company Debarred From Doing Business in the State—Oth-er Raleigh News of Interest. Observer Bureau, or Glenn Takes Co.

Observer Bureau, The Holleman Building. Raleigh, Dec. 9.

Governor Glenn said this morning that his attention had been called to an editorial in The Wilmington Messenger and copled in The Raleigh Evening Times, in which it was stated that he was greatly worried and was seeking to compromise with the South-ern Railway because, on account of his conduct, the State had wayed cer-Western Federation and the Industrial tain of its rights to plead the eleventh amendment to the constitution against the rallway's right to recover. The Governor says he does not attribute had motives to the article, but hopes it was written from a misconception be any violence. of facts and not intentionally to injure him. He said that when Attor-neys E. J. Justice and C. B. Aycock entered their appearance in the Southern Railway suit against the corporation commission and Attorney General Gilmer, they specially and specifically entered their appearance for the defendant, R. D. Gilmer, and not for the State of North Carolina,

thereby waiving no right of. North Caroling in the matter. The Gover-nor said, further, that when the rail-ways came to him saying the would put the legislative rates into effect and was agreed that further indictments who was walking with the under the penalty act should stop, it grabbed the offender and held him unwas specially put in the written agree-ment that nothing contained in it should in any way affect the juris-bystanders. dictional question or any other right the State had under Article 11 of

the constitution. The Governor stat-ed that he had asked the opinion of no one regarding a waiver of this right, as he knew very well no waiver had been made by him. One attorney who was not present at the conference, wrote, making some suggestions, but when the matter was explained to him he was perfectly satisfied that no rights had been walved. clusion that on the question of jurisdiction he had no fear whatever that representing the State, he had waived any right.

ANOTHER TOWN VOTES DRY.

While your correspondent was talk-ing with the Governor about this mating with the Governor about this mat-ter a telegram came to his excellency from LaGrange, where he had spok-en last Friday night, saying that the town, which had been a stronghold Margaret Miller, and Mr. James Leroy and Rhode Island are all of a type and with a displacement of nearly 15,000 tons each hey combine the

MINES TO OPEN THURSDAY. ion Men Will Be Shut Out a They Goldneid Mine Owners Say They Will Do Business-Governor Sparks to Investigate the Stuation Person-

Goldfield, Nev., Dec. 9 .- The mine

of Goldfield are to be re-opened "hursday next. The wage scale is to be reduced. No members of the Western Federation of Miners will be given employment. Meanwhile men will be brought here to the number of 500 to take the places of the strikers. Such was the decision of the executive committee of the Mine Owners' Association reached to-day. The change from Wednesday to Thursday was made to allow time to get men from other points to replace the strikers. Officers of the Mine Owners' Association assert that they are depend-ing largely on deserters from the fed-

eration. They will permit men be-longing to the American Federation

Workers of the World. The streets of Goldfield are crowded with men and the air is filled with many wild rumors.

C. H. Mackinnon, president of the Goldfield Miners' Union, said to-day that he did not believe there would

Governor Sparks will come to Goldfield Thursday. The troops now here will be scattered throughout the camp and will practically guard the mines The card system, as used at Cripple Creek; will be introduced. Frank A. Kelth, general manager of the Tonopan Mining Company, and other prominent mining men from other prominent mining men camps are here in consultation with the Goldfield owners.

A street brawl took place on Main street to-day when a member of the Western Federation of Miners called a soldier a vile name. John Davis, officer.

DEAD MAN A BANKRUPT.

C. Clinard, of Winston-Salem, Who Committed Suicide Sunday, Adjudged Bankrupt Yesterday by Judge Boyd-Swedish Lecturer to Speak-Personal Notes. Special to The Observer.

s, but when the matter was s, but when the matter was ed to him he was perfectly J that no rights had been that on the question of juris-he had no fear whatever that ht. THER TOWN VOTES DRY. e your correspondent was talk-h the Governor about this mat-

MANDAMUS NOT GIVEN.

Asheville Aldermen in the Matter

A' Closing the Saloons January 1st

SHOP BY PLAYMATE.

a Result of a Bullet Wound.

-Petitioners Appeal to Supreme

Judge Guton Decides in Favor

Court.

PRICE FIVE CENTS.

FAMOUS MERGER CASE U MOTION MADE TO DISCONTINU

e of the Most Celebra Carolina, of a Suit Br Carolina, a Suit Brought by an A of the Legislature to Tea the Or stitutionality of One of Its Previo Acts, Called Yesterday at Colu bla—Attorney General Lyon Mon to Discontinue the Case and S Ont His Reasons Therefor—Do Not Want Himself Used as a Whi Washing Machine—History of T Famous Litigation.

Observer Bureau, 1422 Main street

Columbia, S. C., Dec. 9. After three hours' arguments of the motion to discontinue in the famous "merger case" against the Southern Railway, a sult which the Legislature by an act passed four years ago directed the Attorney General's ofof Labor, or affiliated unions to go to fice to bring against the road to test the constitutionality of its act passed in February, 1902, authorizing the consolidation of the Asheville & Spartanburg, the South Carolina & Georgia, the South Carolina & Georgia extension and the Carolina Midland roads and the leasing of the merged properties by the Southern Railway, Judge Klugh continued the hearing until to-morrow morning, when sever-

al more arguments will be heard. MR. LYON'S POSITION.

At to-night's hearing Mr. Lyon gave as his principal reason for ask-ing for a discontinuance the report he had heard, which he was confident of confirming, to the effect that im mediately after the Southern acquired control of these four alleged competing lines it raised freight rates to points on them but that this year the rates had been put back in anticipation of this trial. Division Counsel B. L. Abney ridiculed this, saying the rates were on record with both the State railroal commission and the inter-State railroad commission and the facts could be secured without difficulty. Mr. Lyon said he learned this after making the agreement with Mr. Abney last spring to have the case tried this year and that, therefore, the the agreement should not be binding. Mr. Lyon said he would not have the State go to trial and have himself used as a whitewashing machine unless forced by an order of the court to do so.

BEGINNING OF LITIGATION.

The act of 1902, which was passed after the railroad commission had recommended such a measure in or-der that the properties might be strengthened and improved, is claimed to be in violation of the constitu-tional inhibition against railroads owning or controlling parallel or connecting lines, but this act of 1904 to test the constitutionality of the former act and the validity of the lease cuts off the \$100 penalty, and the consequence is that a number of lawyers formerly engaged in the case have dropped out.

The act of 1904 was passed the recommendation of Attorney Gen-eral Gunter, who, however, said nothing in his recommendation about cutting off the penalties, which the con-

in marketing said crops in the same way as clearing house certificates are now used.

Senator Tillman asked that unanimouse consent be given him to address the Senate on his resolution but Mr. Lodge suggested that in the absence of Mr. Aldrich, chairman of the committee on finance, the resolutions should go over.

"That is satisfactory to me," said Mr. Tillman.

SENATE SESSION BRIEF.

Very Little Busidess Transacted Beyond the Introduction of Bills-Dull Day in the House Also.

Washington, Dec. 9 .- The Senate was in session a little more than an hour to-day and at 1:15 o'clock adjourned until to-morrow.

Very little business was transacted Very little business was transacted plans that have now been accepted. beyond the introduction of bills. The resolutions of Senators Clay and Culberson calling upon the Secretary of the Treasury for information con-cerning the recent bond issues of for more than two hundred hospitals. resolutions of Senators Clay and Culberson calling upon the Secretary of the Treasury for information con-

on the part of citizens of the town of Latta, S. C. to secure the stopping of two such trains, which daily pass through the town upon being flagged, and the commission ordered that stops should be made whenever the signal should be boisted. The railad company resisted the ruling as

The State Supreme Court deckled egainst the company, and it imme-diately appealed to the Supreme Court of the United States with the result that the relief sought was obtained. The opinion of the gourt was deliver-ed by Justice Peckham and reversed the decision of the South Country he decision of the South Carolina ourt. The opinion held the order of the commission to be an interference

Special to The Observer. Durham, Dec. 9.—The plans for the new Watts Hospital have been prepared and adopted and in a short while the contractors will submit bids for the erection of the hospital buildings. This new institution for the benefit of the people of this county is a gift of Mr. George W. Watts, who gave to the city the present Watts Hospital; and it is expected that first and last he will spend a half million dollars on the institution. It may be that the final expenditures by this mea who has decided to help suf-fering humanity through the hospital

fering humanity through the hospital will be a million. Some time 'ago agents for Mr. Watts of Durham, part of the property being inside the city limits and a portion on the outside, fifty-six acres of ground on which is to be erected the new hospital buildings. Civil engineers and landscape gardeners made a survey of the property and arranged everything for the erection of handsome and modern hospital build-ings. Then the matter of preparing plans were submitted and these are the plans were prepared by Mr. Ber-

ship unless he was permitted to name his

of the Treasury for information con-cerning the recent bond issues of the government came up and in the absence of Senator Aldrich their consideration was postponed until another day. Senator Tillman presented resolu-tions instructing the committee on finance to investigate the recent bond issues, but the absence of Mr. Aldrich was urged as a reason why they should not be acted upon to-day. A resolution calling upon the Sec-retary of Agriculture for information concerning the reclaimation of swamp land in the United States and abroad was adopted. The House adjourned at 12:10 un-til to-morrow without transacting any business beyond the introduction of bills. It was stated authoritatively that the House committees will not be announced this weak. **CANT STOP FAST TRAINS.** Washington, Dec. 9.—The state and the submitted to the company can be failored committees of a state ratio cost of the local company can be fue to the state of authoritatively the state committees will not be since to stop at Small Points. The Bouse adjourned at 12:10 un-the shufflor, Dec. 9.—The state ratio cost of the state of a state ratio cost of a state and both the state of the state trate of the state of the United finants to committees of a far-tation of the matter. Mr. Taylor, who are submitted to the notice is that he bound upon the order of a state ratio commetce and state far the united to the state the state committee in the cases of the Atlantic Coast Line Railroad Com-mainsioners of South Caroling. The boather of the state and the differ is the resolution of the new house the state of the state and the farmed is the other the state committee in the seasor ratio commetce was decided to day by the state and the state at the state of the state to the conting. The state are the state state to the state the boather in the state of the state the state and newspapers, they have surprised me by saying that they cannot under-stand the Nebraskan's attitude. I from the coming fight; but they close their remarks by asking. "What are we to do?" Bryan says that he is not run-ning but that he will take the nomf-

North Carolina and the

ocratic wing of the Se

Drainage Bill in the Senate lone what Bryan did the other Washington, Dec. 9.—The Senate to-day adopted a resolution offered by Senator Latimer directing the Secre-tary of Agriculture to submit to the referring to the visit he made to the House at the psychological moment. It looked to a new onlooker in Vienna

Senate a report on drainage, to in-clude the location and area of land in the United States that are swamp and overflowed and susceptible of be-ing drained and made fit for agricul-ture: the area of land that has been with a strong man at the head of the party there is a show of success. The Democratic wing of the Senate ture: the area of land that has been drained under the laws of the different States together with the benefits that have resulted, a summary of legislation of different States or drain-age and a review of drainage Jaws and policies of the leading spricultu-ral sountries of Europs. Democratic wing of the Senate and considered for Bryan. The Danie Bryan episode at the New Wills-two weeks ago is still told abo here as an illustration of the sta of mind of thinking party men. "B

cials, Senator Culberson, who suc- horses and on their trial trips have ceeds Balley, his colleague, as leader all exceeded 19 knots. of the Democratic forces in the Sen-SECOND SQUADRON.

ate, appointed Senator Simmons, of North Carolina, a member of his Awaiting the Minnesota in the sec-steering committee, with Money, of ond squadron are the Maine, Ohio, Mississippi; Bacon, of Georgia; Till- and the Missouri, of the third division man, of South Carelina; Martin, of of the fleet and in the fourth division Virginia; Newlands, of Nevada; Stone, are the Alabama, flagship of Rear of Missouri, and Clark, of Arkansas. Admiral Sperry; the Illinois and the Senator Simmons is a man of fine Kearsarge. The Kentucky will comsense. This committee names the Democrats on the committees of the plete this division and squadron.

Senate. It has an important func- . Crowds of sightseers from all parts tion to perform and it is considered of the country are assembled here to quite an honor to be a member of witness the final piparation and the Culberson departure of the fleet. The families very close friends-in fact, it is of most of the officers are also among here that the Senator from the visitors and the week is to be North Carolina is the first man that crowded with social events of both formal and informal character, the principal function to be a naval and military ball the evening of Friday, the 13th.

Admiral Evans arrived this morning from Washington accompanied by years ago without his Captain Ingersoli, his chief of staff and Lieutenant Commander Chandler his flag secretary.

NO TRACE OF GALLAGHER.

the steering committee instead of let- Halt in Calhoun Trial Until Exportant Witness For the State in 'Frisco Bribery Case Can Be Found.

San Francisco, Dec. 9 .--- The disappearance of former Supervisor James the Armature Winding and Perrofix that the motion be withdrawn. Senators Stone and Clark said that Cul- L. Gallagher, one of the most import- Brazing Company. berson would not accept the leader- ant witnesses for the State in the his own committee, for he would bribery graft cases, and the inability count it a reflection to have it elect- of the prosecution to locate him, toed by the caucus. Senator Simmons day caused the postponement of the was offered a place on the committee trial of Patrick Calhoun, president of amount of capital stock being and felt that he was entitled to the trial of Patrick Calhoun, president of 000, F. A. Silver and others henon, as he had been instrumental the United Railways, until January the stockholders.

7th. Mr. Calhoun desired to go to n electing Culberson. There has been a little talk here New York and was given permission about the appointment of Mr. Sim- by the court to leave the State. mons. It was even suggested that Judge Lawler, in making the order there had risen a little friction be-tween the Tar Heel Senators over the "absence of an important witness for tween the Tar Heel Senators over the "absence of an important whitees to matter, but there has been nothing of the kind. Senator Simmons helped to manage Culberson's campaign for the honor bestowed upon him by his Gallagher left with the intention of party and he was rewarded in this way. This is the case in a nutabell, WHAT OF BRYAN'S CANDIDACY? Bryan and his candidacy-that is Abraham Ruef and the boodling suthe interesting topic here. The oth-er day, when Bryan visited the House against the public service corporaof Representatives and was given an tions. Mr. Calhoun's attorneys stated or Representatives and was given an ovation, one was led to believe that he was still the idol of the leaders of the party; but since that time, in talks with men who have opinions of their own but see no need at the pres-ent time of airing them through the. of other bribery graft cases.

Two Alabama Counties Dry.

Birmingham, Ala., Dec. 9 .- Both have in mind two Congressmen of more than ordinary ability-one for prohibition by large majorities in for prohibition by large majorities in the elections held to-day. Returns to-night indicate that Cullman county's from Kentucky—who do not think it wise to let Bryan lead the party in majority will be about \$90 for prohi-bition. The result is considered all the more significant as the county is settled largely by Gormans.

nation if it is tendered him. It is being asked here, "What if any oth-er prominent man in the country had what can be done?" is asked again and again. Bryan is to the front and no one will oppose him. GOOD POLITICAL THUNDER.

The House adjourned soon after eeting this morning until Thurs-ty. It will be January before it day.

ts down to business. A number of mocrats made a brave stand Democrats ' made a brave stand against adjournment to-day, but they were defeated. A number of people have been trying all day to guess what the Democrats had in mind if the House had not adjourned. Next sum-mer some representative of the peo-ple will declare in stentorian tones that there is a great wasts of time af the capital. Time is precious every-where but at Washington, he will argue.

that there was a victory at

Mitchell county, by shooting him. A brother of Connally also offers \$100 reward for the murderer. Ida Ecket

This afternoon Senators Holt and Turner and Representatives Blount, gan the examination of the books of Dr

panied to Richmond by her brother, Mr Logan Swaim, and Dr. Thomas B. Little the State Treasury. They were ap-pointed by the Legislature to do this and a trained nurse, vork, their title being commissioners. Mr. G. A. Grimsley, secretary of the Security Life and Annuity Company, is recovering from an attack of malarial They will also examine the books, vouchers, etc., in the offices of the fever. Their many friends throughout the State will learn with much nleasure that Dr and Mrs. W. A. Lash, who are Auditor and Insurance Commissioner. Next week the executive committee of the trustees of the Agricultural and Mechanical College will meet to at Het Springs, Ark., are both improv inspect the farm. It is the purpose ing. to make it a great object lesson in the way of farming. A professor of agriculture will also be elected for

the college.

CHARTERS OF YESTERDAY. A charter is granted the Mutual Insurance Company, of Asheville, which is a sick-limited organization, J. W. O. Garrett and others being Special to The Observer. named as incorporators.

Asheville, Dec. 2.-In Superior Court to-day Judge Gulon held that the board of aldermen of the city of Asheville had no authority to extend the licenses of Another charter goes to the United Order of St. Luke, colored, of Raleigh, a benevolent organization. The Perrofix Company, of Charlotte,

is authorized to change its name to A charter is granted the New Lon-

don Development Company, to make bribery graft cases, and the inability yarn, cloth, etc., and to do a general real estate and develops business in Stanly county, and development the amount of capital stock being \$100,being

JANUARY INSTITUTES.

Dr. Tait Butler, who has in charge the farmers' institute work for the State, to-day made up the schedule. of the weather institutes in northeastern North Carolina, which gin January 14th and run until the The

agreement of facts. ary 14th; Maysville, 15th; Bayboro, 16th; Newbern, 17th; Williamston, 18th; Plymouth, 20th; Creswell, 21st; Columbia, 22d; Edenton, 24th; An Asheville Lad at Death's Door a ford, 26th; Shiloh, 27th; Moyock, 28th; Elm City, 29th; Aulander, Special to The Observer. 30th; Windsor, 31st, in the morning, Asheville, Dec. 9.-Corolos Goldsmith, 12 years of age and son of W. W. Gold-smith, of this city, was shot and prob-ably fatally injured at his home on Broad street this morning by a boy namand Swan Quarter in the evening. Ten street pavers arrived to-day from Norfolk to increase the force

Ten street pavers arrived to-day from Norfolk to increase the force which is putting down pavement on the principal streets here, where the street railway is doing double-tracking. The company has enclosed its power house with brick walls and a new metal roof and is putting up a steel stack 100 feet high and 5 feet in diameter. The company has bought hand in front of its plant and on this will build another car barn. Early next year more cars are to be bought, from the High Point Car Company, which has furnished some excellent ones. Insurance Commissioner Young notifies the Providence Life As-surance Society that it can do no more business in this State until it makes good the impairment which has been revealed by the investiga-tion recently completed. **Charged With Crooked Work.** Birmingham, Ala., Dec. 9.-W. L. Simas and P. G. Smith, formerly market is card and Severage Carry At

Sims and P. G. Smith, formerly man-

of Lindsay street school to-morrow ever stitution provided should go half to ing at 8 o'clock under the auspices of the the informer. General Gunter Insti-The Governor offers a reward of senior and junior A classes, which have charge of the improvement of civic dering J. C. Comally last October, in Mrs. J. C. Fience was called to Baltituted suit in May, 1904, but did not press the case on account of lack of funds. Finally the case was called in more Saturday by a message informing her of the death of her sister. Miss Rose

the Circuit Court at Camden, and afterwards a great volume of testimony was taken by a special reference hear-Miss Ada Swalm, whose ing on the five issues of fact involvbeen poor for over a year. has been tak-en to Richmond, Va. for treatment by Dr J. Allison Hodges. She was accomed.

of

CONTENTIONS OF THE SOUTHERN This has been one of the most celebrated cases in the history of the legal side of railroading in this State. The railroad people have contended from time to time that the whole fight against the Southern on the ground that it was violating the constitution in controlling these lines was brought on and kept up to feed a lot of law-yers, some of these hoping to float into office and others hoping to feed well on the penalties should the case be decided against the road. The rallroad people say that, if the Southern is compelled to relinquish these lines, they will become so run down as to be practically worthless in a few years, it being impractical to hem as separate concerns, and that

the public will suffer through in-creased freight rates, shipments from one point to another over separate lines being based on rates of the sum of the locals, less 29 per cent.

no authority to extend the licenses of maloon-keepers. The saloon proprietors, through their attorneys, construed the law to mean that they should have six months in whis? to close out stocks on hand; that the prohibition election in Asheville was held Cotober sin and that, therefore, the saloon men should have until April 7th to close out. The board of aldermen, on the advice of the cor-poration counsel, recently held that it had not the power to extend the licenses and the petitioners, the saloon proprie-ters, appealed to the court, citing the tity authorities to appear and show nause why a writ of mandamus should not issue to compet them to grant the The railroad people further claim that the litigation is injuring the service and retarding improvements are urgently needed; that it is possible to float bonds on the properties for improvements as long as these constitutional doubts remain. In Governor Heyward's administration Mayor Rheit urged the Governor to take steps to have the case brought to a termination in order that the road should have no further excuse for delaying improvements on the Charles ton terminals and lines leading into Charleston, and Governor Heyward made vigorous efforts to get the case tried, but two Attorneys General have died in office since then, which accounts for much of the Jelay.

THE OTHER SIDE.

On the other hand, those hoping to see the road lose in the fight contend that the Southern has openly vio. lated the law for five years and should be prosecuted; that the tariff schedules clearly show that freight rates have not been reduced, but on the contrary have in a number of in-stances been greatly increased, and that by the power of its lease the road has discriminated in its rates to the injury of some important local

Big Schooner Abandoned Off Hatteras New York, Dec. 9 .- The masted schooner Thomas A. Ward. Manasquan, N. J., which was bou from Jacksonville, Fla., whence sha sailed December 2d to New York. with a cargo of railroad ties, was abandoned in a water-logged con-dition and set afire at sea carly last Saturday about 180 miles south of Cape Hatteras, N. C. Her crew of Cape Hatteras, N. C. Her crew of 10 men was taken off by the achooner Judge Pennewill, which is on Its way to New York from Charleston. The Thomas A. Ward was a vessel of 739 tons. She was built at Camden, N. J., in 1891 and was owned by Benjamin Lyman, of Manasquan, V

ties.

N. J.

Tragedy in Georgia Woo

Valdosta, Ga., Dec. 2.—News h just reached here of the killing E. J. Mercer, yesterday, by Hoo W. W. breth's camp in Ec started a quarrel with Pennis and fired at him taree times. Anopped dead from two bullets is tal spots. There had been had a between them.

Birmingham, Ala., Dec. 9 .---- W. L.

Waterworks and Sewerage Carry At Maxton.

Maxton, Dec. 9.-The election to-day was carried for a bond issue for terworks and sewerage for the town of Maxton by a good majority.

Maxion, Dec. 9.—For waterworks, \$1 to 55. Scottish Chief lames the largest rooster ever in Maxion with "Watch Maxion crow, now it's ready to grow."

agers of brokerage exchanges in this

not issue to compel them to grant the extension. The only point presented to the court in the mandamus proceedings to-day was whether the board of alder-men had the power to grant the exten-sion. Judge Guion held that it has not. The pellifoners will appeal to the Su-preme Court and have that tribunal pass on the point. The case will go up on agreement of facts.

last day of that month. The schedule follows: Richlands, Janu-