BY H. E. C. BRYANT!

a the State of North Carolina and

o'clock Mr. Justice opened for the State. Mr. Thom followed, the speeches and the interruptions Differences Existing in South Cuming the day. To-morrow lina Farmers' Union Said to I line Farmers' Union Said to I Been Adjusted — Meeting Testerday at Columbia.

THE COURT INTERESTED.

Ballway, for Violating a State statute by selling lickets for more than the vate fixed by law; that Judge Pritchard, of the Circuit Court, discharged Creating and that Judge Pritchard's orders were in violation of the eleventh amendment to the constitution of the United States and therefore void. In the beginning of his remarks Mr. Judge Jetre C. Pritchard, of the Circuit Court, had no jurisdiction, declaring among other things that no duty was prescribed for the corporation commission or for the Attorney General or the State; argued that Judge Pritchard, of the Circuit Court, had no jurisdiction, declaring among other things that no duty was prescribed for the corporation commission or for the Attorney General or the State; argued that Judge Pritchard, and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard, and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard, and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the circuit and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the Citaen, that if they did represent the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the State; argued that Judge Pritchard and the Circuit Court, had no jurisdiction, for the Citaen, that it has proved a source of the

"Anything from one cent up."
"Yes sir."
"LOOKS LIKE DESTRUCTION."
"Assuming." said Justice White, "that the procedure of Judge Pritchard was wrong, what remedy would the railroad have had it numerous genes. Say it many agents had been brought against their agents, Say it many agents had been brought against their agents, Say it many agents had been arrested there would have been andicted all over the Siste and the trains stopped, what would, have become of all the roads? If all of the agents had been arrested there would have been nobody to operate the roads that carry the freight, the passengers of the United States mails. This hould have been a great wrong. There must be some remedy, and that is by means of the writ of habeas corpus. Judge Pritchard had issued the injunction and the State courts discreareded it, by continuing to indictagents. This looks like destriction?" There questious made a very lawing marcesion on the minds of the laymen who were there to hear the arguments. Mr. Justice White assured Mr. Justice had no hurpose in interrogating in mituriber than to get at the bottom of the mater. As he cappesed it, "It is light that we want."

MR. THOM'S ARGUMENT.

After Mr. Justice had concluded if. Thom spoke and made a clearmit, forceful argument, which was istened to attentively oy the court of the sudience. The attorney for the Southern has a very forceful way of presenting his side of the case, the desired of the sudience. The attorney for the Southern has a very forceful way of presenting his side of the case, the desired of the sudience and the sudience. The attorney for the Southern has a very forceful way of presenting his side of the case, the desired in a court of justice. The speaker declared that if the penalties had been enforced, it would have continued the audience. The attorney for the southern has a very forceful way of presenting his side of the case. The storney for the southern has a very forceful way of presenting his side of the case. The storney for the southern has a very forcefu

which the State of North Carelina and the Southern Railway are interested, was called in the Supreme Court of the United States to-day. Former Governor Charles B. Aycock of Goldaboro; Speaker E. J. Justice, of Greensboro, and Judge James H. Merriman, of Ashevilla, represent the State and Mesers A. P. Thom, of Washington; Walter D. Hines and Mr. Alexander P. Humphrey, of New York, the railroad, Among those who came on to bear argument are: Governor Robert B. Glenn, of Rajeigh; Robert B. King, of Greensboro, and Judge C. A. Moore, of Asheville. The two Senators and half a dozen of the members of the House of Representatives were in court most of the day.

When court convened at noon Senator Overman presented Mr. Aycock and Thomas Staples Fuller, who were admitted to practice. At 1 o'clock Mr. Justice opened for the Seats Mr. Justice opened for the

PEACE BETWEEN FACTIONS.

Observer Bureau, 1202 Main Street, Columbia, S. C., Dec. 18.

contains the grant and all 2 my Sect and the country of the countr

He was interrupted by the justices who seemed to be easer to catch every point he made. Most of the questions seem to indicate that the court is against the position takes by him, but, as Justice White explained, it was not opposition, they sought light.

"What," asked Justics White, "Is the penalty for violating the rate law?

"A fine or imprisonment," said Mr. Justice.

"How much?"

"A fine of one penny or more, or a term of imprisonment of two years or lass."

"How large could the fine be?"

"Anything from one cent up."

"It could be \$100,000?"

"Yes sir."

of the foreigners Sunday.

required, among other things, the commission to classity, the railroads. He read from the State laws where it says that it shall be the duty of the corporation commission to notify any overporation that broke the laws and warn it that it it occurred again, it would be reported to the Attorney General and would take the proper steps to prosecute for the violation. According to the Supreme Court had worked, the commissioners were the proper one to bring suit. The North Carolina and the Nebraska laws are alike.

"FFFORTS AT COERCION.

"Mr. Thom said that the Southern

TATE AMP PEDERAL POWER

Washington, Dec 18.—In the Senate to-Jay resolutions were introduced by Senator Tiliman asking the inter-State commerce commission to report whether any corporations engaged inter-State commerce is the owner of the stock of any other corporation transporting passengers and freight and calling upon the inter-State commerce commission to define the authority of the Federal government and of the States in respect to the control of the liquor traine through the operation of the inter-State commerce law. These resolutions provoked considerable debate committees though one of them was transformed into a bill.

Senator Cuberson spoke on his resolution calling on the committee of finance to investigate and report upon the cause of the present financial stringency and to recommend measures for the prevention of its resocution. The Senate adjourned at 4 o'clock

The Senate added regulate it STATES WILL DECIDE.

"The States," he said, "will determine for them was transformed by the owner. Will go."

While all would submit to the action of the Supreme Count of the Pederal Congress will determine for them is government will go."

While all would submit to the action of the Supreme Count of the Pederal Congress will determine for itseif how far they may go and the Federal Congress will determine for itseif how far the station of the Supreme Count of the Supreme Count of the Supreme Count of the Supreme Count and the present financial stringency and to recommend measures for the present financial stringency and to recommend measures for the present financial stringency and to recommend measures for the present financial stringency and to recommend the supreme Count of the Busine for the Supreme Count of the United States the passage of the Busine for the Supreme Count of the United States the passage of the States to regulate this question of the liquor trains the Wilson law was specifically and avowedly for the purpose of permitting the States to regulate this question of the liquor trains the Wilson law was specifically and

upon the cause of the present financial stringency and to recommend measures for the prevention of its reoccurrence. The resolution was referred to the committee on finance.

The Senate adjourned at 4 o'clock until Saturday. The House was not in assain.

The report that the Canadian Pacific Railroad has succeeded in acquiring a majority of the stock of some American roalroads having come to the attention of Senator Tillman, he to-day introduced the following

resolution.

"That the inter-State commerce commission is directed to inform the Senate whether any corporations engaged in inter-State commerce are the owners of any of the capital stock of other corporations which are transporting passengers and freights; and if so the commission is further directed to transmit a statement showing the extent and details of such ownership so far as the facts now THE COURT INTERESTED.

The court seemed very much interseted in what Messrs. Justices and hom had to say. Justices Harlan, loody, Holmes. White, McKenns, seekham and Day asked the Tar Heel swyer a number of questions, some if which impresed the ordinary spectator as being very significant. Severation of county in the color of the capital stack of other corporations which are sensitives of the Farmers Union, which was called by State Searchary and if so the commission is further and indicate hat he thought the associate justice had made up his mind that he was begun in the Columbia city council chamber to-day behind closed that he was assured that it was sight that was sought. It looked as if if, white did not agree with Mr. the two factions have been adjustice's position. This was noticed by ill present. If will be remembered by North Georgia, president Duckworth, of arcollaisus that everiff Thomas F. Houles, of Buncombe county, arrested Lames H. Wood, agent of the State statute by saling lookes for more than the court of the matters, which was called to county represented in the owners of any of the capital stock of other corporations which are the owners of any of the capital stock of other corporations which are the ownership so far as the facts now president Outworth. Sentenced to transmit a statement show that the commission which are the ownership so far as the facts now should not still in session at a lite hour to-night. The statement is given out that all differences between the commission which would contained the two factions have been adjusted and all is now peace and quiet. National President Barrett, of Georgia, president Duckworth, of a remaining the commission which would contained the county of the capital stock of other corporations which are the ownership so far as the facts now and to state in what cases the corporations whose stock so owned the county of the county of the capital stock of other commission is further and the ownership so far as the facts now and to state in what cases the co

"No:" replied Mr. Aldrich, "because he may want to get facts fitting into a preconceived idea of what should be lone."

Mr. Aldrich Insisted upon his objection and consideration of the resolution was postponed which action has the effect of deferring it until after the holidays.

Senator Tillman to-day introduced the following resolution on the liquor traffic:

uor traffic:
"That the committee on inter-State commerce be instructed to consider and report by bill or otherwise what legislation is desirable or necessary to enable the States in the exercise of

legislation is desirable or necessary to enable the States in the exercise of their police powers to control the commerce of liquors and all alcoholic beyerages within their borders so as to aid the cause of temperance and to prevent the encouragement by the United States government of lilicit dealing in the same."

Explaining his purpose in the matter Mr. Tillman said it was to prevent, if possible, the circumvention of the laws in the interest of prohibilion which are being generally enacted in the Southern States. "Congress attempted in enacting the Wilson law to protect the people in the enforcement of their State laws but the courts have shaded and shaded down the protection until there is practically nothing left of it, and I want the committee to ascertain whether it is not practicable to give relief. The decisions of the courts have been on the ground that the law interferes with inter-State commerce and it is on this account that I have asked to have the investigation made by the inter-State commerce commission."

EXPRESS COMPANIES RESPONSI-EXPRESS COMPANIES RESPONSI

Mr. Tiliman held the express companies responsible for the evasion of the State laws. He says they are flooding the local opition part of South Carolina and other local opition Southern States with whiskey which is sent in from other States "C, O. D." The Supreme Court of the United States has held that such traffic cannot be interferred with because of its intersiste character.

When Mr. Tillman attempted to sequre the adoption of the resolution he aroused a long discussion. Mr. Tiliman held the express

age did not enter a State until Its delivery to the consignee, whereup-on Mr. Tillman dectared that if he should send for a glass of water the water might be in the Senate before it reached him.

Mr. Knox considered it unfortun-ate that the decision of the Su-preme Court of the United States had maintained that the "arrival" of the goods should mean their delivery to PROHIBITION INCREASING.

"I don't believe," he said. "that it Prohibition," he added, "is increas-ing and will continue to increase."

been produced in such State or ter-ritory and shall not be exempt therefrom by reason of being introduced therein in original packages or oth-

NEWS FROM FLEET.

Battleships Are 550 Miles Southeast of Jacksonville — Wireless Tele-phones. Are Be. ig Used on Trip and Are Proving Successful-Many Official Messages Sent During Day. Savannah, Ga., Dec. 18 .- The Savannah DeForest wireless station all this afternoon was in communication with the flagship Connecticut and the Georgia and the Minnesota, of the battleship fleet. Many official and private mesages being sent to Norfolk, Washington and New York, from officers and correspondents with the fleet were caught.

the fleet were caught. the fleet were caught.

The messages showed that the wireless telephones are being used on the
trip and are proving successful. The
ships in the squadrons carry en conversations and receive orders for formation by wireless telephone.

At 8 p. m. the fleet was reported as
in communication with the wireless
station at San Juan, P. R.

The following message was caught

The following message was caught The following message was caught at the Savannah station:

"Wednesday noon, 240 miles; course remains southeasterly; fleet 550 miles southwest Jacksonville; ante-noon Evahs signaled double column interval 1,600 yards; well executed; special flagsnip's signal quute Weil done Louisiana, unquoted Rhode Island commended Empry hode Island commended Emory. swells; day perfect; magnificent sicture, blue, waters; two lines white inips crew, white dress; squadrons sarly staken down; keeping perfect listances."

CAROLINA GIRL'S SAD ENL

CHLIED BY THAIN AT PITTSBURG

ber, but he was rescued by men who told him they were Americans. The remaining 12 were stripped naked, stood up against trees and shot through the head. A band of Yaquis is reported to be on the warpath.

HEARING OF TOBACCO CASE. Affiliation of Jobbing Firm Brou Out During Day's Session-Ad-journment Until January.

Out During Day's Session—Adjournment Until January.

New York, Dec. 18.—That one jobbing firm affiliated with the American Tobacco Company does a business of \$13,000,000 a year in New York City and Yonkers, was brought out to-day in the hearing of the government's action against the company before United States Commissioner Shields. Adolph D. Bendelm, president of the Metropolitan Tobacco Company, so testined with reference to this concern.

Over 75 per cent. of the jobbing business of New York City was controlled by the Metropolitan, Mr. Bendelm continued.

M. W. Reed, president of the American Tobacco Company, organized to purchase supplies for the American Tobacco Company and subsidiaries, said the supply company recently earned enough to declare a stock dividend of 60 per cent. The stock was owned chiefly by the corporations purchasing through the supply company, he added.

An adjournment was taken until the first week in January.

SNOW SLIDE CAUSED BREAK.

SNOW SLIDE CAUSED BREAK,

Alarm Which Was Pelt When Power Wires Were Broken Dispelled When Cause of Break is Found—General Funston Leaves To-Day.
Goldfield, Nev., Dec. 18.—The break in the transmission wires of

beer and liss precisioned as the complete the Buck Stove and Range Company
For Rey Steel Staff of Upon Her
Without Warding.

Boscid to The Observer.

Pittsburg. Pa. Dec. 15.—Rurrying
hack, to her work after a heaty
hopping trip into the city, where she
houghit a present for her sweetheart
in her home town at Morgantian
in her home town at the home town town at the home town town town the separate
in her home town at the home town town town the hopping town town town the home town town the home town the home town town the home town the howe town the home town the home town the home t

The helpless inmates of the was in the court room. The most important section of the mad-house, who had learned to love the young Southern girl in the brief time she had been in the institute, gave the body an affectionate farewell to-night at informal services held in the

Wireless Message Says His Steamer Will Reach New York Friday— Views Pacific Voyage With Satis-faction. On board steamer President Grant.

On board steamer President Grant, by wireless, via Halifax, N. S., Dec. 18.—Secretary of War Taft, who is finishing the last stage of his journey around the world on the President Grant, will probably reach New York about noon next Friday. In commenting to-day on the departure of the fleet for the Pacific, the Secretary said he viewed the undertaking with real satisfaction. He regards the cruise as necessary practice and valuable as placing the men and ships under conditions approaching a war footing. "By this cruise they will gain experience which would not be obtainable in any other way," said he, "It would be useless to spend millions of dollars in building up a navy and then withhold opportunities for practice."

Mr. Taft declared that the cruise has no international significance.

He declined to discuss American politics in any way, saying that he has no personal knowledge of present political conditions in the United States.

INVESTIGATION OF CAUSE.

enator Culberson Discusses Resolu-tion Asking For Investigation of Present Financial Stringency— Legislation Necessary in Near Fu-

tion Asking For Investigation of Present Financial Stringency—
Legislation Necessary in Near Future.

Washington, Dec. 18.—Senator Culberson to-day called up and entered upon a discussion of his resolution directing the committee on finance to investigate the causes leading up to the present financial stringency. He referred to the message of the President in which he suggested the necessity of legislation in the near future and said that either the President had changed his mind or that Congress was loath to carry out the recommendation.

"I have noticed," said Mr. Culberson, "that statements from Mr. Roosevelt have not always been received with that degrees of welcome as were those of his flustrions predecessor, George Washington."

The resolution was referred to the committee on finance.

Benator Gore, of Oklahoms, to-day

Senator Gore, of Oklahoms, to-day stroduced a bill providing for the ection of United States Senators by

DEATH LIST SIXTY-ONE.

CORTREYOU MUST

calls were short and aforded no opportunity to discuss at length any of the problems connected with the construction of the canal; though briefly they reported that everything was progressing satisfactorily on the Isthmus.

Former Senator Blackburn, after spending eight months on the isthmus returned to Washington loud in praises of the climatic conditions there. He declared that he had not seen eight modulitoes in as many month; that the temperature had not been excessive and that the Isthmus of Panama was almost an ideal place to live.

"The engineers of the Panama canal commission are perfectly willing that the locks should be widened to any extent that the navy thinks necessary said Colonel Goethals to-day. "We shall in a measure leave it to the navy to settle the question, thereby making it a matter of naval expediency as to how wide the locks shall be."

This will be the attitude which the Panama canal commission will take on the proposition which has been referred to the members for a widening of the locks of the canal to like or 120 feet as may seem best, according to the statement made by Colonel Goethals, the chairman of the commission. Colonel

of Charge That He Ever Has Disloyal in Any Manner to Presi Roosevelt

Washington, Dec. 18 .- A brief, but important, contribution to current political comment was made this eve

ing by Frank H. Hitchcock, First Assistant Postmaster General.

In breaking the silence he has maintained for several weeks respecting statements concerning him that have been made, from time to time, Mr.

told me he knows it to be false.
"I do not care to discuss the me further. I should not say even were it not for the apprehension some people who are unfamiliar the facts may be misled by the sements circulated."