BAILEY SUBSTITUTE IS KILLED. REGARDING MILEAGE BOOKS.

oaded Down With Amendments, and Radically Different From the Original Measure as Proposed by the Senator From Rhode Island, the Financial Bill Goes. Through the Senate by a Party Vote of 42 to 16—Three Democrats Vote For the Measure and Five Republicans Against —It—Senator Overman Makes a Final Speech Against Its Passage, Characterizing It as a Thin Patch Upon Our Monetary System—Text of the Important Amendments and the Outline, of the Bill.

SENATE SUMMARY.

The Senate devoted its entire session yesterday to a consideration of the Aldrich currency bill. After further amending the measure it was passed by a vote of 42 to 16. The Senate then adjourned at 6:30 o'clock until Menday.

Washington, March 27 .- The Aldrich currency bill was passed by the Senate to-day by a vote of 42 to 16. in the main a party vote. Previous to the taking of the vote on the Aldrich bill, a vote was taken on the Bailey substitute authorizing the government, ins ead of the national banks, to issue the emergency cir-The vote on the substitute stood 40 to 13, and this vote was entirely partisan, even Senator LaFollette casting his vote with the Republicans. The bill has been before the Senate since January 9th. The vote was not reached until after 6 p. m.

An interesting feature of the passage of the bill was a reiteration by Mr. Aldrich of his promise to bring in a bill for an investigation of the entire banking system of the country with a view to instituting reforms. THE BILL'S PROVISIONS.

As passed the bill provides for not more than \$500,000,000 of emergency modification, the Legislature did and currency to be issued to national I received letters from the railroads banks upon the deposit by them of State, county and municipal bonds to be approved by the Secretary of the Treasury. The currency is to be issued with a view of securing an equitable distribution of the currency over the United States, and in accordance with the unimpaired capital and surplus of banks in each State. Banks are to pay for this emergency circulation half of one per cent. a month during the first four months it is circulated and afterwards 3-4 of one per cent. a month.

The bill provides that national hanks shall pay not less than I percent on government funds deposited with them.

As amended to-day the bill carries an important change in banking laws relating to bank reserves. This amendment provides that of the 15 per cent. reserve required to be kept by banks not in reserve cities, fourfifths is to be kept in the vaults of the bank and of that amount one-third can be in the form of securities

of the kind required. By another amendment agreed to to-day, the period during which half of 1 per cent. Interest is to be charg-ed was reduced from 6 to 4 months after which 3-4 of 1 per cent. is to

e charged until redeemed.

At the instance of Mr. LaFollette, an amendment was adopted probibit-ing any national bank from investing ing any national bank from investing its funds in stocks or other securities of a corporation, the officers or direc-tors of which are officers or directors of the bank, and providing a penalty of imprisonment of from one to five years. The proposition to insert pro-vision for a government guarantee of deposits in national banks was de-

feated by a vote of 11 to 46.

An amendment by Mr. LaFollette to punish by from one to five years' imprisonment any falsification in bank securities was adopted. BAILEY SUBSTITUTE KILLED.

Senator Teller offered on request of Senator Bailey, of Texas, who was absent, the substitute currency bill of the Senator from Texas, which he stated was in the main similar to the Aldrich bill with the difference that it provided for government instead of bank paper, and asked for a roll call. The vote was 13 to 42 against the

Before the vote was taken on the Aldrich bill Senators Teller and Johnston (Democrats) explained their reasons for voting for the measure. and Senator Overman his reasons for opposing it. Mr. Overman said in

The Aldrich bill does not get at the root of the trouble but only ad-ministers to the diseased surface. It is said it is a patch; it is a thin patch upon the crazy quilt of our monetary system. A sait solution for use only hen death is imminent or an emergency comes.

MR. OVERMAN'S OPPOSITION. "What avail would this bill have "What avail would this bill have been, what relief would it have brought to the country banks in October last? The country banks do not own State, county, railroad, or municipal bonds. They only bear 3 or 4 per cent. Interest and the banks cannot afford to own them when they can loan every dollar they have at 6 and 8 per cent. These bonds generally go to the great money centres and are held by savings banks, insurance and trust companies and the great national banks. It is a monstrous proposition to say that the banks would have taken one hundred thousand and more of currency from their vaults to purchase bonds and get back in return only \$75,000 to \$90,000 in high taxed money."

Following was the vote on the passage of the bill:

Yeas—Aldrich, Ankeny, Beveridge, Brandegee, Burkett, Burham, Burrows, Crane, Cullom, Curtis, Depew. Dick, Dillingham, Dixon, Dolliver, DuPont, Elkins, Flint, Frye, Gallin-

pPont, Eikins, Flint, Frye, Gailln-r, Gamble, Guggenheim, Hopkins, Anston (Democrat), Rearn, Knox, odge, Long, McCumber, Nelson, wen (Democrat), Perkins, Piles, chardson, Smith, of Michigan; noot, Stephenson, Sutherland, Tel-r (Democrat), Warner, Warren and etmore—Total 42.

IMPORTANT AMENDMENTS.

Observer Bureau, The Holleman Building, Raleigh, March 27.

Governor Glenn to-day wrote a very strong letter to President W. W. Finley, of the Southern Railway, in regard to the new plan which the railways have announced their intention to inaugurate in regard to the mileage books, by requiring the person holding mileage to go to the tick-et office and there exchange it with the agent for a ticket to his point of destination. There is a very big kick about this arrangement. The Gover-

THE GOVERNOR'S LETTER.

"On my return home from an absence of a week or more I was met by a great many petitions and let-fers from the traveling public in North Carolina protesting against the order made by the various rallways regarding the mileage books and how they should be used. I frankly con-fess, if I have been rightly informed to this order, that I am astonished such a course has been taken by the railroads. In good faith I enterthe railroads. In good faith I enterern Railway (all the other roads, with one exception, concurring there-in), in which they agreed to do certain things on condition that I would recommend to the Legislature the passage of an act fixing a flat intra-State rate of 2 1-2-cents. In compliance with my agreement and in as strong language as I could use, I put this matter before the Legisla-ture and urged it to ratify the agreement entered into between the State and the railroads. This, with one agreeing to the act as passed by the Legislature. Some of the objects in on the part of the railroads selling for a less rate because they get the use of the money longer and, second, on the part of the public because it saves a little money, and in addition does not have the inconvenience of does not have the inconvenience of standing in a press at a ticket window for a length of time in order to get walted upon, but can go at once to the baggage room, check baggage and take the train, thus avoiding the rush. This order of the railroads, as I understand it, compels a man who has a mileage book to go to the ticket office, have the agent take out the number of miles to the place to which he is going and then get a ticket to that place before he can even have his baggage checked, thus causing even more delay than is necessary in buying a ticket. Now, Mr. Finley, there was a bill before the last Legislature fixing the rate at 2 1-4 cents, but agreeing that if the railroads would put on the mileage books, as agreed, they should be allowed to charge 2 1-2 cents for intra
State travel, without being indicted.

this bill for several reasons, one being that they thought the Legislature ought to trust them to act in good faith and asked that a fiat rate of 2 1-2 cents be adopted, leaving it to them on their part to comply with their agreement. This the Legislature did, showing its confidence that the railroads would carry out their contracts and von personally agreement. tracts, and you personally assured me that your road would do so, and that you felt certain the other roads would do the same. Now, if I had known that such an order as the one you have made was contemplated. I would not have submitted the proposition to the Legislature; neither would the Legislature have passed the bill, but would have passed a different one. Mileage cooks have never been used before in this way and ferent one. Mileage cooks have never been used before in this way and while you may say you are carrying out the letter of your contract, you are not carrying out its spirit, and I, therefore, urge that the Southern Railway at least, having directly made this contract with me, representing the State, rescind this order and put these mileage books on as heretofore. This action only makes the traveling public hostile to the railroad. The other course makes them friendly to the roads. The only result of your action is to dissatisfy the traveling public with the rate law, and if you enter into the spirit of our agreement you cannot desire to do this. I, therefore, urge that you have this order changed yourself and try to induce the other roads to do the same, for such action as you are now taking will certainly bring about further friction between the Legislature and the railroad, which will be of no benefit to the roads. Notwithstanding the Jecision of the North Carolina and Minnesota cases, you know, as well as I, that the State is not without its remedy, which can be effected by the Legislature, and

State travel, without being indicted

or sued, and that when they com-plied with these conditions they

cent rate. The railroads objected to

order, I am, with respect, yours very truly, etc."

This letter puts the matter very squarely up to the railroads and it will be interesting to know what will be the developments. It seems that some of the roads intended to have this rule apply to even the family mileage books, but this week the Seaboard Air Line stated that it would not apply to these 500-mile family

THE ALDRICH BILL PASSES GLENN'S LETTER TO FINLEY SIMMONS ON ALDRICH BILL SPEECH DELIVERED THURSDAY

In Support of His Amendment to the Aldrich Currency Bill North Carolina's Senior Senstor Made a Vigorous Speech—He Spoke For the People and Not For the Banks, He Declared Three Reasons For High Tax Against Emergency Money—Hill's Bill in 1896 Shows Complete Turn-About the Republicans Have Made—Democratic Efforts Now Being Made Use of by the G. O. P.

BY H. E. C. BRYANT.

Observer Bureau. Congress Hall Hotel, Washington, March 27.

Senator Simmons made a vigorous speech Thursday in support of his amendment to the Aldrich bill reducing the tax on money issued under that bill during the first three months of the life of the notes from 6 per cent. to life of the notes from 6 per cent. to 3 per cent. per annum. The Senator said that he did not offer the amendment in a spirit of hostility to the bill, although he could not vote for it in its present shape, but because he believed it was going to pass and he wanted to make it a measure which would be of use to all the banks of the country and not those of the great reserve cities, and because he knew the adoption of the cause he knew the adoption of the amendment would make the bill more acceptable to a large number of Sen-ators on the Democratic side, as well as to the people living in the sec-

He said he recognized the necessity for an emergency currency which could be quickly brought into requisiof panic or stringency and which of panic or stringency and which could be as quickly retired when the stringency had passed, but he said this bill imposed a tax of \$ per cent. upon every dollar issued under it and this together with the expense of laexcess of the interest rate which obtained in most of the States, and of the usual commercial rate of interest.

A gendarme was killed, 15 persons were slightly hurt and one was fatally injured in Mexico City last night by falling beams and walls. All of

burden to put on this money when the emergency was on and the money was performing the function for which it was created and relieving the stringency and distress. He said points in the Republic show that the that banks that already had these bonds, as the great financial institutions in the great central reserve citcles could afford to pay this tax and use this money to advantage, but that

they there was no emergency; second, to prevent too much of it from being issued; and, third, to enforce its restaurce. He said if under the bill banks could issue this money whenever they desired to do so and in such quantities as they wished, as in the case of with of money issued by banks upon government bonds, that it would be necessary to impose a high tax to prevent its being issued when it was not needed or in amounts in excess of what was needed, but he contendroads in had of this money could be issued until the Secretary of the Treasury officially determined that there was an emergency on, and that not a dollar or one one teed, it is the contendence of the cont ly determined that there was an emergency on, and that not a dollar more could be issued than the Secretary officially determined was needed to meet that emergency, and that in this condition there was no necessity for a high tax to prevent its issue when not needed or in unnecessary amounts; that the only necessity for a high tax was to enforce its retirement when the emergency was over and he said that our experience showed that these emergencies generally existed about three months.

He claimed that his amendment fixing the rate of interest during the first three months at 3 per cent. and 5 per cent. thereafter would meet the necessity of this condition.

AUTHORITIES CITED.

Professor Holt charged the Democration ewspapers of the fifth district with attempting to condone and cover up the alleged offenses of Solicitor Brooks and complained that he could not get a hearing in the press of his own party. He also charged that either he or some other Democrate either he or some ot

AUTHORITIES CITED.

them friendly to the roads. The only result of your action is to dissatisfy the traveling public with the rate law, and if you enter into the spirit of our agreement you cannot desire to do this. I, therefore, urge that you have this order changed yourself and try to induce the other roads to do the same, for such action as you are now taking will certainly bring about further friction between the Legislature and the railroad, which will be of no benefit to the roads. Notwithstanding the Jecision of the North Carolina and Minnesota cases, you know, as well as I, that the State is not without its remedy, which can be effected by the Legislature, and neither the railroads nor the State can gain anything by having a spirit of hostility existing between them.

"Believing that after thinking the matter over and seeing that this order is not in the spirit of the contract made with the State, you will remedy this wrong by changing this order. I am, with respect, yours very truly, etc."

This letter puts the matter very squarely up to the railroads and it the Senator from Rhode Island not a dollar of this money could be issued except by the banks and that the banks would not likely issue the money if it was not to their interest to do so. He said he believed bankers were as patriotic as any class of people, but that the people could not get this money except through the banks and that if it was against their interest to issue it they would not do so.

EARTHQUAKE DESTROYS TOWN. THE HEARING AT RALEIGH ROOSEVELT HOUSE TOPIC CONGRESSMAN USES A GUN

What Havoc Was Not Done by Con-vulsion of Nature is Completed by Fire-News of the Disaster Mea-

dozen places among the tumbling buildings, joined in a confiagration that swept the town. Only meagre facts of the disaster were known here and what has been learned has -iribbled in from a half-dozen sources more or less authentic.

The loss of life, if any, as well as State the monetary extent of the property ing. damage, is problematical, and continued efforts to gauge the catastrophe had been futile to-night. Telegraph communication with Chilapa was severed by the shocks and the town is two days by horseback from

the shocks and fire and that the people fled the place terror-stricken. Mrs. Emma Jeannette Dorville. American, dropped dead of heart dis-ease last night in the Tiburcio Theatre in Vera Crus, during a panic which followed the earthquake. News

of the panic reached Mexico City to-night. When the quake was felt, the audience rushed for the exits and many persons were severely bruised, but none was seriously injured. Dursue and redemption would make a fixed charge against these notes of ing the crush, Mrs. Dorville dropped 6 1-2 per cent.—1-2 per cent. in dead.

A gendarme was killed, 15 persons

workmen. was necessary after the emergency had passed to force the retirement of these notes, but he contended that that amount of tax was too great a the place from Mexico City it is nec-

MR. HOLT ELIMINATED. His Debate With Mr. Brooks Taken as a Solar Plexus to Himself—Gate City Items.

Observer Bureau. The Bevill Building. Greensboro, March 27.

The discussion batween Prof. J. Allen Holt and Solicitor A. L. Brooks, aspirants for the Democratic congressional nomination, in the court house last night is the talk of the town to-THREE REASONS FOR HIGH TAX.

He contended that there were three reasons for a high tax against emergency currency: First, to prevent sor Holt advertised the appointment. emergency currency: First, to prevent sor Holt advertised the appointment and invited Solicitor Brooks to be there was no emergency; second, to present and make any reply he might see fit to make. The friends of Pro-fessor Holt insisted that he would demolish Solicitor Brooks and came to the meeting in a highly clated frame of mind. Mr. Brooks had not frame of mind. Mr. Brooks had no spoken two minutes in reply to Professor Holt until he had the crowd with him, and the enthusiasm increased as he proceeded to tear into shreds the alleged charges made by his opponent. It is but stating a fact to say that the annihilation was full and complete. Mr. Brooks real-ly made a masterly speech, and if ap-pearances count for anything he won over to his support practically all of Professor Holt's friends in the meet-

WILL LAST BUT TWO DAYS IS HE A PRESIDENT OR A KING?

Mr. Judson Clements Hears Evidence in the Case Against the Norfolk & Western For Discriminatory Freight Rates to North Carolina Points—Clerk Brown, of Corporation Commission, Makes Report as to Financial Conditions of the Road—Comparison of Rates Filed—Winston and Durham Merchants Put on the Stand—The Hearing Will End To-Day—Many Railroad Men Present.

Observer Bureau. The Holleman Building. Raleigh, March 27.

At 10 o'clock a. m. to-day the freight rate discrimination hearing was begun in the Federal Court room. Mr. Judson Clements, of the intercommerce commission, presid-

corporation commissioners were present as well as their attorneys, five in number. The railways were represented by

the following persons:
Louisville & Nashville-C. B. Comp. ton, traffic manager, and W. G. Dear-ing, attorneys; Seaboard Air Line-C. Couriers have been dispatched to Chilapa from Chilapa from Chilapancingo, some 45 water—S. M. Adsitt, general freight agent; messengers for relight water S. M. Adsitt, general freight agent; Norfolk & Southern—R. E. L. messengers for relief were sent from Bunch; Norfolk & Western-T. S. the burned city early to-day and DeVant. vice president and traffic possibly immediately following the earthquake last night. earthquake last night.

The reports that have reached here tor; R. W. Moore and Sydney F. Anagree that the town was destroyed by drews. as istant special counsel. Southern-L. Green, freight traffic manager; J. H. Drake and George Thompson, assistant general Atlantic Coast Line-R. agent:

Brand, freght traffic manager.

The Seaboard Air Line, Tidewater,
Norfolk & Southern, Southern and Atlantic Coast Line are not directly concerned in this case, but indirectly they are and so their people are on the ground. The Richmond chamber of commerce is represented by E. S. Goodwin, its traffic manager. The Virginia cities—Richmond, Petersburg, Norfolk, Suffolk and Roanoke which are inteveners in this suit are represented by Charles H. Davis and R. V. Davis, of Petersburg, and A. R. Thompson, of Washington.

On the other side there is a strong delegation of fourteen from Durham headed by Julian S. Carr, and twelve from Winston-Salem. A. B. Justice represents Charlotte and other towns have representatives also. N. L. Crawford, the president of the North Carolina Retail Merchants' Association, is on hand and so is Norman H. its chief attorney. Johnson, about 100 persons were in the court room to-day.

VIRGINIA TOWNS OPPOSE. At the beginning of the proceedings Attorney E. J. Justice, for the State, and the corporation commission asked the intervening towns if they would oppose a reduction in the rates to North Carolina points, whether it did or did not interfere with the Virginia rates. Davis & Davis, who are at-

MR. BROWN'S EVIDENCE.

The evidence given by Secretary Brown, was as to the financial condition of the Norfolk & Western Rallway, showing it to be bonded at \$101, 600 a mile, to have paid last year 4 per cent. dividend on common stock and 5 on preferred, to have paid all expenses and to have a surplus. He filed comparisons of freight rates to Virginia and North Carolina points from the West; for example, grain from Louisville to Virginia points, say Lynchburg. Il cents and to North Carolina, say Durham. 28, the rate from the Virginia cities being 17 cents. This shuts up the North Carolina towns save for absolutely local trade, as the Virginia points can use the local rate and then undersell the North Carolina rate and the numbers of Parliament and to berate them on account of their votes in Parliament. The deventment and to berate them on account of their votes in Parliament and to call to the King's palace members of Parliament and to berate them on account of their votes in Parliament and to call to the King's palace members of Parliament and to call to the King's palace members of Parliament and to call to the King's palace members of Parliament and to call to the King's palace members of Parliament and to call to the King's palace members of Parliament and to call to the King's palace members of Parliament and to call to the King's the local rate and then undersell the North Carolina points. The meat

own party. He also own party. He also own party. He are owned there he or some other Democratic must defeat Mr. Brooks, or a Republican will have it to do.

Mr. W. H. Rankin, of Brown Summit, one of the best-known citizens of the county, has announced his can didacy for the Democratic nomination for register of deeds, in opposition to Rev. A. G. Kirkman, who has held the office for 12 or 15 years.

Plans have been accepted for the new Telfair Sanitarium to be erected in Glenwood, a residence suburb, and the contract will be awarded in a few days. The building will be an of the attention of the contract will be awarded in a leigant two-story structure with all the modern appliances and admirably arranged for sanitarium purposes, apted by a of the gappeal-gain of the Atlantic Coast Line; Green of the sanitarium for the Atlantic Coast Line; Green of the sanitarium purposes, and the committees conclusions of law and the contract will be awarded in a clegant two-story structure with all the modern appliances and admirably arranged for sanitarium purposes, appeal-gain of the Atlantic Coast Line; Green of the sent to him the side of the committees conclusions of law and the committees conclusions of law and the substance of the substance of the law of the some of the substance of the law of the law of the substance of the law of the law of the law of the substance of the law of t

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On the Strength of a Story in a Washington Newspaper, to the Effect.
That the President Had Berated a Representative For Censuring Judge Wilfley Mr. Williams,
the Minority Leader, Announces His
Intention of Introducing a Serious
Resolution Calling For an Investigation—The Representative in QuestionWarmly Defends the Presi-dent and Absolves Him of Any In-tolerance — President Did Not "Thump His Desk" But Used Vig-orous Gesticulations.

HOUSE SUMMARY.

The question of whether or not President Roosevelt is an intolerant man after the fashion of King George arose in the House of Represen tatives yesterday. The discussion was founded on a local newspaper story covering what purported to be the details of an interview Thursday between the President and Representative Diekema, of Michigan, in which the President was represented as thumping his desk and berating Mr. Diekema for having joined in the report of the sub-committee on the ju-diciary concerning Judge Wilfley of the United States Court in China. On the statement of Representative Williams, of Mississippi, the minority leader, that he proposed to offer a resolution to ascertain if the President had encroached upon the privileges of a committee of Congress, Mr. Diekema absolved the President from the suggestion of intolerance made by Mr. Williams, and said that the President in the conversation which took place had displayed the greatest libe in receiving his explanation of the circumstances leading up to the filing the report. He denied that the Presi dent thumped his deak, but admitted

that he gesticulated a good deal.
Following this incident the House engaged in a desultory debate on the agricultural appropriation bill, which however, had not been materially amended when it was laid aside.

Washington, March 27 .- Minority Leader Williams, of Mississippi, in the House to-day, gave notice of his intention to introduce to-morrow a resolution "to ask the committee on the judiciary to examine whether or not there has been on the part of the Executive, a breach of the privileges of the House of Representatives."

Mr. Williams said that his resolution would be based on a news item appearing to-day in The Washington Post bearing the heading "Roosevelt that upon the occasion of a visit yesterday to the White House, Mr. Die-

Carolina is better informed about railway rates. On behalf of the commission he was questioned mainly by Attorney Guthrie.

In calling attention to the matter, and it is said began cursing Mr. Hefmission he was questioned mainly by Attorney Guthrie.

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the local rate and then undersell the North Carolina points. The meat rate is 27 cents from Chicago to the Virginia points, say Lynchburg, and 49 to Durham, the rate from Lynchburg to Durham being 22 cents.

Winston merchants and jobbers gave evidence that they could do only purely local business by reason of these conditions. J. J. Norman, E. D. Vaughan, J. D. Vaughan, F. S. Vernay, J. M. Rogers, C. M. Thomas and others so testified.

DIEKEMA'S EXPLANATION.

He then said he had called to present the Governor of Michigan and the Wifiey matter incidentally came up. The President, he said, insisted that the report of the subcommittee would do Judge Wilfley an injustice and influence an opinion unfairly to the administration of justice and the prestige of the American nation in China. "On the other hand," said Mr. Diekema, "I endesyored to explain to him why we arrived at these conclusions of law and

Edwin Holt White, Probably Despondent on Account of III Health, New Orleans Monday. It will probable the Heart—More Than One Effort Required to Do the Deed, as the Pisto-morrow.

TRIAL OF TRAINMEN BEGUN.

Late this afternoon in the Superior committed suicide to-night against Engineer W. W. Rippey and in about \$1.15 by shooting himself in the heart with a 38-calibre revolver, ern Railway Company, was taken up, the heart with a 38-calibre revolver, ern Railway Company, was taken up, the heart with a 28-calibre revolver, ern Railway Company, was taken up, the heart with a 38-calibre revolver, ern Railway Company, was taken up, the heart with a 38-calibre revolver, ern Railway Company, was taken up, the heart with a 38-calibre revolver, ern Railway Company, was taken up, the heart with a 38-calibre revolver, ern Railway Company, was taken up, the heart with a 38-calibre revolver, ern Railway Company was taken up, the heart with a 38-calibre revolver, ern Railway Company was taken up, the president display the least symptoms of intolerance, but at all times to be adjourned to-morrow all the insisted that the President had perfect right to debate the question with him. "A member of the House," Mr. Diekema said, "has a perfect right to debate the question with him. "A member of the House," Mr. Diekema said, "has a perfect right to debate the question with him. "A member of the House," Mr. Diekema said, "has a perfect right to debate the question with him. "A member of the House," Mr. Diekema said, "has a perfect right to debate the question with him. "A member of the House," Mr. Diekema said, "has a perfect right to debate the question with him. "A member of the House," Mr. Diekema said, "has a perfect right to debate the question with him. "A member of the House," Mr. Diekema said, "has a perfect right to debate the question with him." A member of the louse," Mr. Diekema said, "has a perfe

SHOOTS OBSTREPEROUS NEGRO.

Plucky Alabama Representative
Promptly Attacks Negro Who Resents His Kind Admonition to
Cease Drinking in the Presence of
Ladies — Throws Negro From
Trolley Car and Then Shoots Him
in the Head When Negro Makes
Motion to Draw a Weapon—An
Innocent Bystander is Slightly
Wounded by One of Mr. Hefilm's
Bullets Which Missed Its Mark—
The Congressman is Arrested and
Afterward Released on \$5,000 Bond
—Shooting Occurs on Pennslyvania
Avenue and Creates Great Excitement.

Washington, March 27 .- In a desperate affray on a Pennsylvania avenue car to-night a negro and a white man were shot by Congressman Thomas J. Heffin, of Alabams. Thomas Lumby, the negro, was shot in the head and is in a critical condition and Thomas McCreary, a New York horse trainer, is suffering from a wound in the leg. The shooting of McCreary was accidental. Mr. Heflin was arrested and taken to the sixth police precinct station, where the charge of assault with intent to kill was placed against him. Later

he was released on \$5,000 bail. .The shooting occurred shortly after 7 o'clock as the car reached the corner of Pennsylvania avenue and Sixth street, bound for Capitol Hill. Congressman Heffin, accompanied by Congressman Edwin J. Ellerbe, of South Carolina, had boarded the car at Twelfth street and Pennsylvania avenue, Mr. Heffin being on his way to deliver a temperance lecture at the Metropolitan Methodist Episcopal church, Four-and-a-half street and John Marshall Place. Upon boarding the car he observed two negro passengers, one of whom was Thomas Lumby, and who was in the act of taking a drink from a bottle of whilekey. There was a number of other passengers, including several ladies.

Mr. Heffin says he remonstrated with Lumby and asked him to step drinking, saying: "Don't take that drink, there are ladies here and it is not right. It is against the law for you to do this thing in a street car and I hope you will put that bottle away." The other negro, who was sober, attempted to take the bottle away from Berates Diekema." The story stated his friend, but failed. It is said that Lumby became offended at Mr. Heffin's remonstrances and applied vile epithets. As the car reached ternsys for the Virginia towns, said the President for having censured the Heffin, who is a large, powerful man, they would oppose any reduction in judge.

Attorney Johnson, of the ABSOLVES THE PRESIDENT. car as it came to a stop. Most of rates. Attorney Johnson of the merchants' association, said this was a very significient admission.

The first witness was Clerk Henry Clay Brown, of the corporation commission, than whom so man in North.

ABSOLVES THE PRESIDENT.

Mr. Diekema got the floor to explain just what happened at the congletely absolved dighted, including Mr. and Mrs. Mc-clay Brown, of the corporation commission, than whom so man in North. through the car window, missing the negro and hitting Thomas McCreary, who was about 20 feet from the car. Mr. Heflin fired once or twice again, one of the shots striking Lumby in the head above the ear. Lumby ran a short distance and fell. An taken to the Emergency Hospital. The conductor of the car disappeared and Officer George N. Scriven took

charge of the car and ran it to Third and Pennsylvania avenue. There Representative Heffin was escorted by Officer Scriven to the Capitol Hotel and later was taken to the police station in a cab.

He was not locked up. Mr. Mo-Creary's wound is not serious and after treatment at a hospital he returned to his apartments. At the Emergency Hospital it was said Lumby, though badly wounded and unconscious, has a chance to recover. His skull was fractured but the surgeons were unable to ascertain tonight whether the bullet had entered the head.

Mr. Heffin explained at the station Mr. Heffin explained at the station his reason for going armed. He is author of a "Jim Crow" car law in the District of Columbia and says that since he introduced the measure he has received many letters of a threagening character, and secured permission from the authorities to go

armed.
Mr. Heflin represents the fifth Ala
bama district in which the Tuake
gee Institute, of which Booker T
Washington is at the head, is locat

PRITCHARD WON'T ABROGATE. Refuses to Revoke His Previous Or-ders in Dispensary Matter—Au-thorizes Paying Over of the \$15.-

Special to The Observer.

Asheville, March 27.—Judge Pritchard in United States Circuit Court this afternoon denied the metion of counsel for the South Carolina dispensary commission for an alteration or revocation of the court's previous orders and decisions. The motion was made on the grounds that the Supreme Court of South Carolina had construed the statute, counsel for the commission contending that this construction should be followed by the Federal Court. Counsel for the dispensary creditors maintained that the Federal Court was not bound by the court of the State after the Federal Court had taken jurisdiction. The court held to this view and denied the motion.

Incidentally Judge Pritchard made a motion authorising the dispensary commission or the receivers to pay over the controverted \$15,000 for the prosecution of the alleged grafters. On this point counsel for the dispensary commission refused to take part meither objecting to nor consenting to the order, maintaining that the court was without jurisdiction.

Comptroller Ridgeley Resigns.