

DECLARED ILLEGAL.

Texas Railroad Commissioners are Kneaded Crooked by the United States Court.

W. V. Advertiser.

There was great rejoicing among the holders of Texas railroad securities yesterday and in railroad circles generally, due to a decision of Judge McCormick, of the United States Court, at Dallas, Texas.

The decision was handed down yesterday. The railroads claim that, owing to the unreasonable exactions of the Commission, some of the operating wholly within the State were on the verge of bankruptcy, and would soon have gone to pieces had this relief not come so opportunely.

One effect of the decision was demonstrated in the course of the Texas Pacific securities. There were \$68,000 first mortgage 5 per cent bonds sold at an advance of two and a half points and \$219,000 income bonds, at an advance of four points.

But the decision of Judge McCormick has a significance greater than its immediate effect upon the value of Texas securities. It means that the action of all State Railroad Commissioners is subject to review in the Federal Courts, and this is very gratifying to the railroads, for they prefer to trust their interests to the latter tribunals than to hold them at the mercy of the State Commissions.

From the point of view of the railroads it is probably the most important decision made by a Federal Judge in many years, and is hailed by them as a protection, not only to the roads themselves, but to the holders of their securities.

In 1891 the Legislature of the State of Texas passed a bill creating a Railroad Commission, granting it full power to establish rates and providing heavy penalties against the railroad companies for any failure to comply with the requirements of the Commission.

By the same bit of legislation the right was conferred upon shippers to bring actions against the railroad companies to recover such penalties.

The Commission comprises Messrs. Reagan, McLean and Foster. Hardly had they received their appointments to office, it is said, when they proceeded to cut and slash rates. The companies repudiated the rates for a while, and were periodically brought up with a round turn by the Commission, which imposed upon them the heavy penalties spoken of in the law. Then the shippers got in their work.

They brought suit to recover under the penalties imposed, and it was but a short time before the creation of the Commission before all the roads in Texas were plunged into an ocean of litigation. The roads affected were the Gulf, Colorado and Santa Fe, which is practically a branch of the Atchison, Topeka and Santa Fe, the International and Great Northern, Texas and Pacific, St. Louis and Southwestern, Galveston, Harrisburg and San Antonio, Houston and Texas Central, Tyler Southwestern, and the Topeka, Atchison and Santa Fe.

The companies contend that the rates established by the Commission were so low that to conform to them business had to be done at a loss, and so they represented the case to the Commission, but they did not get any relief. The railroad people say that the Farmers' Alliance influence dominated the Commission, and, owing to that party's bitter hatred of railroads, it was useless to expect any change of front.

All the railroad corporations affected are creations of the State of Texas, and could not bring an action for relief against the Commission in the Federal Court. But the trustees of the mortgages of the several roads were outsiders, and it was decided to make them the orators in a prayer for an injunction before the Federal Court. Accordingly, Anson T. McCook, the firm of Alexander & Green, No. 120 Broadway, this city, who is general counsel of the Atchison, Topeka and Santa Fe railroad, instituted the necessary proceedings against the Railroad Commissioners of the State of Texas.

Following is the relief prayed for in the bill filed in the United States Court, at Dallas, Texas.

That an injunction may issue out of this Court restraining the said Reagan, McLean and Foster, and the said Charles A. Culberson, and each of them, from instituting or authorizing or directing any suit or suits, action or actions, against your orator for the recovery of any penalties under and by virtue of any of the provisions of the act of the Legislature of Texas, approved April 3, 1891, and restraining all other individuals, persons or corporations now or hereafter claiming any right under and by virtue of the said Commission law or said tariffs, or either of them or both combined, or under and by virtue of the said tariffs or orders of the said Commission, or either of them from bringing or instituting suit or suits against your orator for the recovery of any damages, overcharges, penalty or penalties under or by virtue of the said Commission, or any or either of the said Commission law and the said tariffs, orders or circulars, or any or either of them combined, and restraining the said Railroad Commission of Texas and said Reagan, McLean and Foster, and each and all of them, from making, issuing or delivering to your orator, or causing to be promulgated, established or made effective against it, any further tariff or tariff, circulars or orders, and from attempting so to do; and that in the mean time, until the hearing hereof, your orator may have a temporary restraining order embracing all of the relief herein prayed for, such restraining order to continue in force until the termination of the hearing for a writ of injunction, and that on final hearing of this cause it may have all injunctions herein prayed made perpetual, and that all tariffs, circulars and orders heretofore made and issued by said Railroad Commission of Texas, or by said Reagan, McLean and Foster, acting or claiming to act as said Railroad Commission

STATE POLITICS.

Everybody in Fayetteville knows Mr. Tom Gill, and that he says some very good things. Some days since he was giving a "bird party" for the Democrats, but now very enthusiastically for the new party. "Oh," said this wise politician, "the old parties are rotten, perfectly rotten."

"But always notice that the rotten good falls off the log first." A good old farmer, of China Grove township, called on us this morning for a newspaper to read. He says the people in his neighborhood are changing back to the Democratic party fast.

"We understand that the third party movement in the neighborhood of Enochville is rapidly on the decline. After John S. Henderson's speech of last night at this place, candidate Prof. Brown and one or two others will be all the following left the 'Republican Aid Society.'—Salsbury Herald.

Democratic headquarters is a busy place these days. Chairman Simmons will in a few days increase his force so as to send out a great mass of literature which is daily expected. He wishes the chairman of all county executive committees to send him lists of dissatisfied voters, so that to the latter there can be sent twice a week newspapers or other good literature. The correspondence now is very active, and 100 letters a day. This shows that the people are becoming well stirred up and is an encouraging sign.—Raleigh Chronicle.

GREENVILLE, N. C., Aug. 25.—Fully three thousand people attended the Democratic picnic to-day at Grindool, Pitt county. In the forenoon the immense crowd was addressed by Hon. W. Kitchin, of Scotland. He spoke for two hours. His speech was a power for good in this county. His arguments were such that it can't be possible that there is a single Third party man left in this county. He was heard to say that they had been on the fence until to-day, but were now back into the Democratic party. Mr. Kitchin is doing a noble work for Democracy in this section.

On Tuesday evening Congressman S. B. Alexander and Col. E. D. Hall, on their way to the county convention, spoke in the court house to a large audience. Mr. Alexander, in his talk, presented the thought that the very things the Third party was now contending for had always been Democratic demands, hence the folly of Democrats going outside of their party for relief. Col. Hall recalled the history of how the Democratic party had always been the party of progress and one which upheld and maintained the credit of the State. Both addresses were listened to with deep interest.—Southport Leader.

Ex-Gov. Jarvis spoke at Magnolia yesterday to at least two thousand people. Great enthusiasm prevailed and much good was done. We learn that Col. D. C. Cogdell, of Grant township, the Third party nominee for the Senate, has refused to accept the nomination. We have it from reliable authority that the Republicans will not nominate a county ticket, but will endorse the county nominees of the Third party. We learn that Hon. Octavius Coke made a ringing Democratic speech at Lagrange yesterday. There was an immense crowd present and many converts was the result.—Goldboro Herald.

THOMASVILLE, N. C., Aug. 26.—Three thousand people were here to-day to attend the annual picnic of the Democratic Alliance. The Alliance Lecturer Massey and would-be-Congressman Shuford made straight Third party speeches, consisting of nothing but abuse of the Democrats. Massey said the meanest thing of the day when he charged that Senator Vance stayed away from the Senate chamber on the day the vote on free silver was taken in order to keep from voting. He said that Vance was against the Republican party. Many Alliancemen were disgusted that strict party speeches were made at an Alliance gathering. Shuford said if an Allianceman voted anything but "reform" ticket he was a coward.—Charlotte Observer.

We have heard during the past week of several gentlemen who had been professed weavers, coming back into the Democratic fold. When the report was first published here that negroes had been nominated by the third party in Vance and Edgecombe counties for responsible offices, the third party men here said they did not believe it, that it was a newspaper lie. One of our citizens thereupon wrote to the chairman of the Democratic executive committee of the counties for the purpose of the adjournment of the Third party in regard to it and received letters that confirmed fully all that had been published. In Edgecombe negroes were nominated for the Legislature and for coroner. In Vance, Allen P. Easton, one of the most offensive negroes in the county, was nominated for register of deeds.—Monroe Enquirer.

The People's party convention for this Congressional District assembled in Rockingham last Thursday. There were eighty-four delegates present and seven of the nine counties of the district were represented. Dr. A. A. Maynard, of Morven township, this county, was nominated for coroner on the first ballot. Dr. Maynard is a practicing physician and has lived in this county about four years, coming here, he believes, to get a better education. He is the same Dr. Maynard who participated in the Democratic county primaries and went as a delegate from this county to the late Democratic State Convention. One of the Democratic speakers, that he would support Carr for Governor, but we learn that he has since swallowed the whole People's party policy, nigger and all.—Wadesboro Messenger.

MORGANTON, N. C., Aug. 24.—The largest, the most enthusiastic, the most harmonious Democratic convention ever held in Burke county was that held here yesterday. Prob. Patton, of Wadesboro, chairman of the Executive Committee of the party for Congress in this district, made rousing Democratic speeches and the latter warned the people against the "populists." Mr. Small evidently needs some kind of a mental regulator. Or, maybe, it is a liver regulator he needs.—Savannah News, Dem.

Hon. B. F. Grady, Democratic candidate for Congress in the 3rd district, and John G. Shaw, Esq., Democratic Presidential Elector, together with other distinguished Democratic speakers, will address the people on the issues of the day at the following times and places: Wadesboro, Sampson county, Wednesday, Aug. 31. White Oak, Bladen county, Thursday, Sept. 1. Elizabethtown, Bladen county, Saturday, Sept. 3.

An equal division of time will be given Republican or People's party candidates, and a joint discussion of the issues is invited. Chm'n Dem. Ex. Com. 3d Dist. Z. W. WHITEHEAD.

Labouchere has written to Gladstone complimenting him upon his accepting of the responsibility for the arrangement of the Ministry. Labouchere declares his unwavering loyalty to Gladstone, but advising him not to permit the pressure of Home Rulers to swamp radical measures.

LABOUCHERE'S LETTER TO GLADSTONE.

My dear Mr. Gladstone, I have the honor to acknowledge the receipt of your letter of the 10th inst. and to thank you for the interest and confidence which you have expressed in me. I am glad to hear that you are still in the enjoyment of good health, and I trust that you will continue to be so for many years to come. I am, Sir, your obedient servant, J. Labouchere.

LABOUCHERE'S LETTER TO GLADSTONE.

THE BIRD.

I am tired to-night, and something—the wind, maybe, or the rain, Or the cry of the bird in the copse outside— Has brought back the past and its pain.

And I feel, as I sit here thinking, That the hand of the dead old June Has reached out hold of my heart's loose strings, And is drawing them up in tune.

I am tired to-night and I miss you, And long for you, love, through tears; And it seems but to-day that I saw you go— You who have been gone for years; And I seem to be newly lonely, I, who am so much alone; And the strings of my heart are well in tune, But they have not the same old tone.

I am tired, and that old sorrow Sweeps down the bed of my soul, As a turbulent sea might sweep down from a dam's control. It beareth a wreck on its bosom, A wreck with a snow-white sail, And the agony on my heartstrings thrums away.

But they only respond with a wail.

SUNDAY SELECTIONS. —Curses are like a stone flung up to the heavens, and most likely to return on the head of him that sent it.—Walter Scott.

Prayer is the tender tie that binds God and man together, a golden thread that runs through the bleeding heart to the bosom of a Father.—Messias.

Prayer is the noblest impulse of the soul, a swift flight out of the world towards God, momentary breathing in his own fatherland, a nesting time in the arms of a strong and loving parent.—Messias.

"I can forgive, but I cannot forget," is only another way of saying, "I will not forgive." A forgiveness ought to be like a cancelled note, torn in two and burned up, so that it never can be shown against the man.—H. W. Beecher.

The gospel is a work of love. Christianity is only love realized under its purest form; and since the light of the world cannot be known without an eye, love cannot be comprehended but by the heart.—Vinet.

Bishop Pierce was once asked the question: "Will the heathen be damned if we don't send them the gospel?" He replied that the question for the heathen man was, not whether the heathen will be damned if he does not have the gospel, but whether the Christian man could be saved if he did not obey God's command and send him the gospel.

Christ lays hold of the very foundations of society, and works his upward way to the very topmost stratum, taking with him all men, women and children—poor, feeble, homeless, lost, and never resting until he has brought within the circle of his sovereignty, and the hopefulness of his benediction, men of every grade and quality.—Joseph Parker.

Perhaps you have a great mind; perhaps you have an eloquent tongue; but if you are not a man of God, and can glorify God and bless mankind with that; but perhaps you have nothing in the world but a kind, sweet smile; then let that fall upon some poor life that has brought within the circle of his sovereignty, and the hopefulness of his benediction, men of every grade and quality.—Rev. C. H. Parkhurst, D. D.

The pew is just as much responsible for being as the pulpit is for preaching. The more a man hears the worse he will become unless he profits by the hearing. It is an awful thing for a man to sit in the house of God and hear His Word preached and then disregard it. Every person should be deeply impressed with the solemn warning, "Take heed how ye hear."—Alabama Advocate.

As soon as you see this, without waiting a moment, and without saying much about it to anyone, look at you and see if you can find something to do for somebody else. To your surprise you will probably have a chance inside of two minutes. No matter what it is, or how trifling or unpleasant it may be, do it. Keep this up until bedtime, and you will find that you have had the pleasantest day of your life.—Christian Advocate.

THE SICK and aged are inclined to think that their work is accomplished and that instead of helps they are hindrances. But it is those who are patient and joyful in tribulation who may engage others who are actively at work for the masses. Those who are strengthened with all might according to his glorious power into all patience and long-suffering with holiness may strengthen the faith and courage of those who are permitted to labor more directly for the advancement of our Lord's Kingdom.—Christian Inquirer.

TWINKLINGS. —"If there are people in Mars," said he, "I don't believe they amount to much." "Humph," rejoined the slangy girl. "They are out of sight."—Park Star.

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