

The News and Observer

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WEDNESDAY, February 4, 1903.

A MORNING TONIC.

(Henry Van Dyke) To be glad of life, because it gives you the chance to love and to work and to play and to look up at the stars; to be satisfied with your possessions, but not contented with yourself until you have made the best of them; to despise nothing in the world except falsehood and meanness, and to fear nothing except cowardice; to be governed by your admirations rather than by your disgusts; to covet nothing that is your neighbor's except his kindness of heart and gentleness of manners; to think seldom of your enemies, often of your friends, and every day of Christ; and to spend as much time as you can, with body and with spirit, in God's out-of-doors—these are little guideposts on the foot-path to peace.

A JURY OF APOSTLES WOULDN'T SUIT THE SOUTHERN.

A few months ago Mr. Fabius H. Busbee, attorney of the Southern Railway, made an affidavit that his railroad could not get justice in Wake, Granville, Franklin, Vance, Johnston, Harnett, Chatham and Durham counties because of the tremendous influence exerted by the News and Observer, and therefore he wished to have cases removed to the Federal court. Facts were printed in this paper showing that Mr. Busbee was in error and that jurors in Wake and adjacent counties were so fair that jurors were inclined to lean in favor of railroads.

It seems that Mr. Busbee's legal superior officer, Capt. Charles Price, division counsel of the Southern, has been making like complaints of Mecklenburg juries. A recent local in the Charlotte Observer gives Mr. Price's complaint and Col. Ham Jones' happy and effective answer. We quote:

"In the Superior Court yesterday there was a polite exchange of amenities between Col. H. C. Jones, of Jones and Tillet, and Capt. Charles Price, division counsel of the Southern Railway. Capt. Price, in moving to set aside the verdict for \$8,500 against the Southern in the Hartness case, stated in his argument that it seemed that the only question considered by juries in actions against railroads was the amount of damages; that they could hope nothing from juries, and that their only hope was in the judges.

"Replying to this, Col. Jones expressed surprise that Capt. Price should make such a statement in this country, and said that in his 30 years practice he had found Mecklenburg juries absolutely fair in their verdicts.

"Pointing to Capt. Price, Col. Jones said: "You know, or should remember, that the first case ever tried in this court house was one against your railroad, and after a hardly contested fight a Mecklenburg jury decided with you. At this term of court, in a case in which \$25,000 was involved, a verdict was rendered in favor of your company.

"The trouble is these railroads are getting sensitive. If you had a jury of twelve apostles to sit upon their cases you would hear the same complaint of excessive damages, and a disregard of their rights. If they go head on and kill some poor, unoffending person they sometimes compromise; but when all efforts fail to get a compromise and the case comes into court and the jury decides against them, then they complain. Every lawyer at this bar knows the difference between bringing suit and winning it."

"The verdicts against the railroad were allowed to stand."

Col. Jones has spoken truly in defense of juries. The truth is that Southern Railway lawyers are so accustomed to be treated "as one of the family" in most Federal courts that when they get only justice, without any special privilege, in the State courts, they feel that they have been badly treated. Nothing but a Federal Judge, who owes his appointment to Southern Railway influence, who is ready to set aside verdicts or issue injunctions or do any other act to help them win their cases, suits the Southern Railway lawyers. The remarks of Col. Jones are timely. He made a hit—a palpable hit—and one much needed in every county where Southern Railway lawyers make a habit of abusing the juries.

The New York papers say that the police figure that 90 per cent of the colored girls imported to that city from the South have been swindled by the employment agencies. One or two managers of bureaus have been arrested for swindling them.

NO SALOONS OR STILLS IN RURAL DISTRICTS.

The first step toward temperance legislation was taken yesterday in the House Committee on Propositions and Grievances. After a session of three hours, by the decisive vote of 16 to 10 the Watts bill, with certain amendments, was favorably reported to the House. The London bill, which is pending in the Senate, was not before the committee. That will come up shortly.

The Watts bill relates only to the rural district problem. It does not touch the town and city problem which will come up later. The London bill, with few changes, will be considered by the Senate committee, and will pass both houses if the people who are in favor of effective temperance legislation will continue their active efforts.

All friends of temperance legislation ought to work together harmoniously. The first step is to pass the Watts bill. It ought to be amended so as to exclude the sale or manufacture in any town of less than three hundred population. The country still and the country saloon are the outposts of the whiskey evil. The Watts bill, reported favorably by the committee, cuts up both by the roots. The House ought not to hesitate a moment about passing the bill by a large majority as it went through the committee. It will be a long step forward in temperance legislation and all the legislation needed as to country saloons and country stills. Then the legislation proposed in the London bill will come up for consideration and also other legislation affecting the cities and towns.

It would be a great mistake if the advocates of temperance legislation should take it for granted that the bill will pass the House easily. The opponents of all legislation on temperance are active, alert, resourceful, and they will bring every influence possible to bear to defeat it. The friends of temperance legislation should be active in their efforts to secure the passage of the bill.

A NATIONAL ANTI-JUG LAW.

The Hepburn bill, which passed the House a few days ago, is one of the best measures that has passed either branch of Congress in many days. The Hepburn bill is really what we know in North Carolina as the Duplin county law nationalized. It makes the selling of whiskey from one State conform to the laws of the State in which the delivery is made. This law, if it passes the Senate, will do away with the original package decision which has done so much to negative the State prohibition and dispensary laws.

In North Carolina the prohibition counties have all come to this Legislature demanding an anti-jug law. They believe that when they vote prohibition they ought to be protected against having jugs shipped into their county. They are right about it. This General Assembly ought to pass an anti-jug law to apply to all prohibition territory, and will doubtless pass such an act. It is demanded by the people and there is no good reason why it should not pass unanimously. If the people of any community vote out whiskey they have a right to be protected against having it set in part at naught by express companies bringing in jugs.

The only argument that has been brought forth against an anti-jug bill has been that the Federal government would permit jugs to be brought in from other States. The passage of the Hepburn bill through the House answers that argument, and when it passes the Senate it utterly destroys it. The original package decision was a great blow to prohibition and whiskey regulation. The passage of the Hepburn bill will be a long step forward for temperance legislation.

FAVORABLY REPORTED.

The Fuller bill seems to be running in the Senate as in the House. Before the House committee the vote was a tie and it was reported to the House "without prejudice." It passed by a vote of 71 to 38, every Republican except one voting with the railroad.

The Senate committee yesterday by one majority voted to report the bill favorably with some amendments. If the Senators vote as wisely as the House did, the bill will become a law by a vote of two to one. Its defeat would be a long step backward, and it is not conceivable that a Legislature elected by men who framed the Democratic platform at Greensboro and established the Corporation Commission should turn the hands of the clock of progress backward.

THE ESCAPE OF UTLEY.

The escape of Utley, recently sentenced to thirty years' imprisonment for murder in the second degree, from the jail in Fayetteville, has an ugly look. Utley has plenty of money, plenty of friends, and there is a well grounded suspicion that he used a golden key to effect his escape.

It is a matter for immediate, thorough, and full investigation by the authorities. The severest penalty should be visited upon the officers charged with his safe keeping. Action should be taken at once. The people of this State will not tolerate the carelessness, if nothing worse, of the sworn officials who permitted the escape of a rich murderer.

Spirit of the Press.

SOOTHY'S RETURN TO PUBLIC LIFE WELCOMED.

Asheville Citizen. What is this news from Raleigh? The lion S. Otho Wilson placed in the forefront of the fight against temperance legislation by the distillers? Thus once again is time wondrous kind to us. For many years this erstwhile Middle-of-the-road leader has been in retirement. Far from the maddening crowd he has devoted his uninterrupted time and boundless talents to the manufacture of booze. Amid the red bills of Rhamkette bus Otho has been by nature and training fitted himself for leadership, and we are rejoiced to know that he is to be placed at a point of vantage in the fight where we may again catch at least a passing glimpse of his widespread sombrero and expansive "jim-swinging." The tide of events has cast no more picturesque and exhilarating spectacle upon the surface of the sea of politics and we would not willingly lose it. Here's to Sotho! May he continue to ast the effulgence of his genius toward public life! Without his Populism would ever have been half so gay, and with him the temperance fight in the Legislature may not be wholly devoid of humor.

EQUAL VALUATIONS.

Tarboro Southern. All complaints of unequal and unfair valuation of real and personal property or taxation can be ended by the Legislature enacting the valuation rule of England. It is simple but ever so effective. It simply requires the owner to value his own property and then have a proviso, that if any one will raise this valuation, say 20 or 25 per cent, he can say the money and take the property, or require the owner to pay a penalty.

Special taxes and privilege taxes would not be needed. There would be no more trouble over the valuation of railroads, etc. All the Corporation Commission would have to do, would be to ascertain what the bonds, certificates of indebtedness, common stock, etc., sell at in the market. The total would be the value of the road, including that incorporated franchise.

LET US TREAT THE SOUTH FAIRLY.

Leslie's Weekly. In theory, we of the North regard the negroes as entitled to equal rights, privileges, and recognitions in politics and business with ourselves. But as a matter of fact we believe nothing of the kind. Our practices here, at least, are almost an antipodal distance from our theories. There are, in truth, few neighborhoods in the North where a colored man in any conspicuous official position would be much more welcome than he is in the South. Especially would this be true in a small postoffice, the worst of all possible places to put a person who, for any reason, is socially obnoxious.

IT SETS THE PACE.

Greensboro Telegram. The News and Observer said yesterday that if Guilford county passed the present good roads law, they would set the pace for all other counties in North Carolina. This is no unimportant matter. Guilford to do, in this county we are accustomed to set the pace for the rest of the State, we like to lead, not to follow. Greensboro has attracted the attention of the whole South by her progressiveness, and High Point is known all over the United States as a furniture manufacturing town. When one takes into consideration these facts it is any wonder that Guilford is getting a reputation.

THE LONDON LABEL LAW.

Greensboro Record. Virginia is working to secure a label law something like the one in this State relating to newspapers. A newspaper man, H. A. London, drew the North Carolina bill and secured its passage and if he never does anything else he will be entitled to a monument, for the old law was simply terrible—unfair, unjust and without reason. No injustice is done either party under the new law whatever.

BETTER SAVE THEIR MONEY.

Washington Post. The negro employees of the New York Union League Club are raising a fund to spend with the lawyers who are making a specialty of testing the new Virginia constitution. Perhaps it might be well for them to save their money. They may need it, as the sentiment in favor of employing only white servants in this exclusive Republican organization is by no means dead. It is liable to crop out again at any time.

GIVE US A LEGALIZED PRIMARY.

Littleton News-Reporter. No matter who may be named by the caucus, the News and Observer plants itself hereafter on a platform for selecting United States Senators by a primary in which every Democratic voter will have a voice.

SKETCH OF PRESIDENT JOHNSON.

Elizabeth City North Carolinian. The Raleigh News and Observer on last Sunday printed a very interesting sketch of President Johnson's early life. The article was written by Mr. Charles Upchurch Harris, the bright young son of Hon. J. C. L. Harris.

AND SOMEBODY "DONE."

Atlanta Constitution. The Boston Evening Transcript says: "When one concern can draw its check for \$25,000,000, as J. P. Morgan & Co. have done, it is time that the check is something doing." Rather, it indicates that "something has already been did."

Want the Temperance Cartoon Once a Month.

To the Editor: Your Sunday's edition of January 25th, which contained the cartoon on the whiskey traffic, is the grandest thing I ever saw in this line. We think this is well worth the space in your valuable paper every Sunday, or at least please don't fail to let it appear once a month. J. B. UPCHURCH. Raleigh, N. C., Feb. 3.

Under the Dome.

It is a man fit to have any State, who has been on duty twenty-four hours in succession, and yet this is the case. There are numbers of wrecks caused by the over-working of men, and yet Mr. Editor, the news is suppressed. These men have declared strikes and it has been of no avail. They have begged for help and their cries have been answered by a discharge. They have done everything under heaven to bring about amicable agreement and yet they have been insulted. This condition of affairs has been going on since the strike on the Southern Railroad, about three years ago. These honest, worthy, brave men know they can never get any consideration at the hands of these roads and especially the Southern Railroad, as they now stand. We have faith in the people. We believe, through the columns of your paper, the people will hear our cries. We have faith in our cause. We know we are right, and now what do we see? The good men are leaving the service and going into other employment. What does this mean? It means that there is no hope for the future. It means that the Southern Railroad in North Carolina. The Seaboard road is pushed forward. I have been told that the A. C. L. have closed one of their offices, being unable to supply it with an operator. The Southern Railroad has been without an agent at Mt. Airy, N. C., for months, the road is forced to send an agent from Washington City to do the work. With these good men leaving the service quietly and without any ado (for they know there is nothing to gain in strikes), it simply means railroads will work anybody, who can bluff the public. It simply means inexperienced boys to have under their control trains which they are not qualified to handle. The time when railroads required their office men to stand an examination, but, alas! that has passed. Men are too scarce to force that rule. They cannot afford it. Little do the travelling public realize the danger they are in when on these roads. You are helpless. Why can't they be rescued? Why can't the law come to our rescue? Why can't a law be enacted regulating the pay of operators and other office men after they have worked twelve hours? It is due them. Why not to them as well as to engineers, conductors and even negro brakemen. There is a restlessness about these men, but they are not talking. The tide is running against the Southern and others stem it? We shall see."

The election of Senator Griffith, a Democrat, to the Senate from Madison, Mitchell and Yancey so stunned the Republicans that they have not yet caught their breath. The Record gives this bit of gossip: "It is said that William M. Buckner late candidate for State Senator and to Johnson City the next day after the election and bought a \$10 suit of clothes to wear down to Raleigh but upon his return home he learned to his sorrow that Mr. Griffith was elected, and that the clothes would not fit Mr. Griffith and Buckner is now offering a bargain in a Senatorial suit."

Judge Fred. Phillips, of Tarboro, was a visitor to the General Assembly yesterday and occupied a seat in the House during the morning. Yesterday morning, while Representative George W. Morton was busily engaged in the gallery, roll-call vote was taken. After it was over, Mr. Curtis, of Buncombe, moved that the gentleman from New Hanover be permitted to vote.

When the clerk called Mr. Morton's name once more, that gentleman responded from his coveted point of vantage: "The gentleman from New Hanover is paired." And he was, too, beautifully paired.

Senator Godwin, of Harnett, has introduced in the Senate a bill which is for the purpose of prohibiting the sale and manufacture of liquor in Harnett county, to go into effect on the first of May, 1903.

It provides that it shall be unlawful to manufacture, barter, or sell any spirituous, vinous, malt, or fermented or other intoxicating liquors in Harnett county, all liquors, or mixtures thereof, that will produce intoxication to be considered as intoxicating liquors. The bill repeals all charter rights for the manufacture or sale of liquor.

The act does not forbid the sale of liquor by a druggist for sickness, upon prescription of a regular practicing physician under North Carolina laws, for a sick person under his charge, but forbids a druggist from filling such a prescription but once, and requires a new prescription each time. If a druggist violates this it is a misdemeanor, and a physician who evades the provision of the act is to be guilty of a misdemeanor and is to forfeit his license to practice medicine in North Carolina.

That act does not prohibit any person from manufacturing and selling wine or cider manufactured exclusively from grapes, berries or fruit grown on his own land, provided it is manufactured and sold on the premises where the fruits named are grown.

The Senators, while in session yesterday, were "kidded" by a charming young lady, a visitor to the city. Just before adjournment and while the movers kindly "held up" their motions to adjourn, the young lady was escorted back of the president's desk and took separate "snap shots" of one two sides of the Senate. The pictures will be a pleasing souvenir of her visit to Raleigh by Miss Alberta James, of Washington.

In the report of the committee hearing regarding the extension of the corporate limits of Asheville, it was said that Mr. J. C. Curtis was reported as being opposed to the measure. Mr. Curtis says that this is a mistake. He will not oppose the bill.

Last Saturday Representative John Charles McNeill, of Scotland, read a petition in the House signed by fifty citizens of the Northwestern portion of Robeson county, asking the General Assembly to cut off this part of Robeson and annex it to Scotland.

Representative Brit, of Robeson, said to the Representative man yesterday that Roberson, it was true, was the largest county in the State, but the people of his county did not approve of the above plan. If anything is done at all, he thinks it would be better to take a part of Cumberland, Moore and Roberson and form an entirely new county seat.

WORDS OF WISDOM.

Let Members of the Legislature Quit Themselves Like Men. To the Editor: I wish to express my gratification for the clarion tones in which your paper is speaking out on the vital question of temperance. Sunday's issue was superb.

It seems to have been a general understanding for some time now that the present Legislature would enact some wholesome laws in obedience to the large popular demand, that has been steadily growing among us. We sanguinely expect and anticipate those laws.

I do not believe in radical measures even for we seldom or never benefit any good cause by them, but today there is a vast multitude, in the good old State, determined that this monster evil shall be wounded unto death. And that legislator who fails them today and who goes before the people of any county in this commonwealth two years hence, asking their suffrage, is going to see the hand-writing on many a wall.

The fight is on and it would be better to let men who are first cry, "enough." Therefore, let our representatives quit themselves like men.

Let them legislate wisely, and let the people read a real manhood between the lines of legislation and in the language of Holy Writ the verdict of the people will be, "say ye to the righteous it shall be well with him."

I would not frame a bill. The best things often have to be gotten at slowly. But let our representatives be men. Let the lobbyist be shrewd and let them turn to the sacred precincts of their own consciences and do right. If the London bill is not the right thing, let us have what is right and all the people will say, amen.

Among the Railroads.

The people of Lenoir are alarmed over the rumored intention of the Carolina and Northwestern leaving them two miles off the main line of their road when it is extended across the mountains, and will endeavor to have the Legislature to prohibit this unjust act to the town that has given the road its best patronage. It would be a great blow to Lenoir to be thus side-tracked, for Newton knows what that means. We were left off the main line until the Legislature compelled the road to come through the town. But will the C. and N. W. ever cross the mountains? We have been hearing this until it has become a joke.—Newton Enterprise.

The New Bern Journal gives the following full account of the improvements that are being made on the Atlantic and North Carolina Railroad: "Long before the summer season takes the crowds to the seashore, that part of the A. & N. C. railroad below this city will have reached that good condition shown by the road between New Bern and Goldsboro. While there will be noticeable improvements of all kinds, it will be especially shown in the road bed. Work has been going on steadily in this direction, in fact a grading force has been employed for the last eighteen months.

"In years past there was a very bad stretch of road through a three mile poison below Havelock. The weight of an engine would cause the cross-ties to sink into the mud. This bad stretch has now been blasted, the ties raised, and ditches dug to carry off the water. Long stretches of the road have been sand and gravel ballasted this winter and the work is being continued.

"The new station at Riverdale is completed and is not only a much needed convenience but an ornament. "The similar station at Croatan and Havelock have been built about two years.

"The next improvement in order is the station at Newport. The present building will be widened, the open shed now covering a portion of it will be moved back and partly enclosed for freight and truck, with doors at the end, and the platform will be extended along the track for a distance of 40 feet. The business at this point has wonderfully developed due partly to the example of the fruit and truck farm of G. N. Ives & Son, which has started others to trucking.

"A trestle that crosses Scott's creek has been rebuilt. It was declared by some that there was "no bottom" in this creek to drive piles into. President Bryer ordered 60 foot piles to be driven and if that wouldn't do to splice them and keep a driving. The first blow of the heavy trip hammer sent them down 10 feet but at 20 to 40 feet depth bottom was found. There is now a strong safe trestle across this creek.

"At Sloumbs creek, just above Havelock, the engines will soon be supplied with the juniper water from the creek. This water is splendid for boilers, and will add years to their service. A 30,000 gallon tank has been built of the best materials and a pump house is being built to contain the engine, a line of pipe running into the creek.

"The section masters will have houses built at the middle of the sections, instead of having to traverse the entire section, they can reach any point on their beat by half the distance. New mile posts are being placed along the right of way.

"All these improvements are conducted under the personal supervision of President Bryan. When the "Vance" is seen going up or down the road it can be safely guessed that the President is headed for some point where work is being done. His energy and determination is a wonder even to those who know him well."

Meets Hearty Approval of Honest Men.

To the Editor: Your editorial on the liquor traffic in the Sunday edition is simply superb. All the good people of the State rejoice that we have our paper at the capital of the State that does not fear to stand up for what is right irrespective of any opinion that may rise against it. Your sentiments expressed about the attorneys of the liquor dealers will meet the hearty approval of every honest man in the State. You are doing more for Democracy of the State than all of the hired attorneys together. With the multitude of papers that will dodge an issue for fear of offending a certain class in society. Let all the distillers and saloon keepers go out of the party if they so desire, just so they go out of business. I would rejoice to see our party go before the people rid of the nefarious influence of the whiskey traffic. We can gain a victory not only for clean and honest government, but also for the happiness of our homes, a victory for all that makes life worth the living on earth. Fight on, and the News and Observer will be the grandest paper in our country.

(Rev.) W. P. CLINE. Hickory, N. C., Feb. 3, 1903.

Should be Enacted Into Law.

To the Editor: The daily News and Observer is to be commended and congratulated for the great and glorious work it has been doing in behalf of the great temperance cause in North Carolina. All of the best women, and the best manhood are in full accord with the News and Observer. The London bill now pending before the Legislature for the regulation of the liquor traffic, is a fair and good bill and should be enacted into law without any change whatever. Wishing the News and Observer much success, I am, with high regards, Truly yours,

A. B. HUNTER, SR. Warrenton, N. C., Feb. 3, 1903.

"ORIS" ASK THE LAWYER.

Morphine and Whiskey habituated without pain. For the cure of Opium, Morphine and Whiskey habituated without pain. For the cure of Opium, Morphine and Whiskey habituated without pain. For the cure of Opium, Morphine and Whiskey habituated without pain.

OPIMUM

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FOR THE CURE OF GRIPPE AND INFLUENZA USE CHENEY'S EXPECTORANT.

Notice is hereby given that application will be made to the General Assembly to amend the charter of the town of Randleman.

NOTICE.

This is to notify the people of North Carolina that Mr. J. A. Massey, of East Durham, N. C., is no longer authorized to solicit business for The Washington Life Insurance Company.

J. O. GUTHRIE, G. A.

SMOKE "La Josephine," 5c Cigars.

Norfolk, Va., Feb. 2.—As was expected, the First Baptist church here yesterday called the Rev. Calvin S. Blackwell, of Wilmington, N. C., and it is believed that he will accept. The church now paws its pastor \$1,500, but Dr. Blackwell will likely get more.

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