................ THE WEATHER TO-DAY. For the State.

Increasing cloudiness, with rain in South and West portions.

he News and Observer.

THE WEATHER TO-DAY. For the City.

Volume LVIII. No 16.

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RALEIGH, NORTH CAROLINA, THURSDAY MORNING, SEPTEMBER 28, 1905.

Price Five Cents.

PERKINS REFUSES **BOOKS DEMANDED**

But Will Have to Produce Them.

A JUGGLE WITH NAMES

"Commuting Renewal Premiums" Before the State Superintendent of Insurance Were in the Eyes of Vice-President Buckner of the New York Life Loans to Agents.

(By the Associated Press.) New York, Sept. 28.—Several sensational incidents developed at the sational incidents developed at the session of the Legislative Committee office of the Corporation Court of on Life Insuarnce Investigation today. Manchester, to Miss L. J. Jackson, The first was when George W. Perkins, vice-president of the New York Life Insurance Company and member of the firm of J. P. Morgan & Company, objected to probing the books Mr. and Mrs. J. B. Jackson. Both Mr. Tuck and Miss Jackson live in of his firm showing a certain transac- Manchester. tion of that firm with the New York Life. Mr. Perikns offered to present a copy of the entry in question from the books, but Mr. Hughes demanded the books after several refusals on the part of Mr. Perkins. The books

will be produced later. In the course of his testimony Ma Perkins, when asked concerning the difference in the "statement of profits from securities" in the Massachusetts report of the company and of "net profits from securities" in the New York report said:

"When we get national supervision we won't have these conflicts between the different States."

Mr. Perkins testified to a number of transactions in which he represented Morgan & Company as seller and the New York Life Insurance Company

Another Sensation.

Another sensation was sprung later i nthe day when Vice-President Thomas A. Buckner, of the New York Life Insurance Company, detailed the advances made to agents and which

muting renewal premiums. to agetns sometimes as in part: inducements to leave other companies were made by the New York Life.

vances to agents in the Buffalo branch suppose that such a surface inspection of the New York Life in 1902 alone of the appearance of conditions in exceeded by \$48,000 the amount really Fanama would give me any data from earned by those agents. Later Mr. which I could form any judgment as Buckner acknowledged this was most- to the practicability of a lock canal, amount was cut down by half and by due to either plan, or as to the cost, A copy of a contract and a confi-tion of the canal on either plan. halt the remaining amount in 1902.

dential letter to David H. Desbecker, of Buffalo, one of the agents in question, showing the inducements held missioner or to any members of the New York Life was read. The confi-dential letter showed that the New ty-eight feet below the level of the dential letter showed that the New ty-eight feet below the level of the York Life Insurance Company agreed sea, that would supply a canal at 30 to pay Mr. Desbecker a bonus of \$4,- feet above sea level; or as to a dam at him. Any returns for these advances, of the Charges River; or as to a possian asset until the end of the year those flood waters, and then they were charged off to profit and loss.

Clash With a Witness.

While Mr. Perkins was on the stand, during the afternoon there was somewhat of a clash between the witness and Mr. Hughes, the first of anything of this nature that has its sessins. It was when Mr. Perkins growth that would spring up around was testifying t the moneys in the "Nylic" fund of which he is trustee. Mr. Perkins did not want it to appear on the records that the agents paid the country, of such an excursion, or part of their salaries into the fund the value of any opinion that may be under contract, unless the words, formed on great engineering problems, "and bonues." appeared. He said to by a body of gentlemen who are non-Mr. Hughes that he (Mr. Hughes) professional and must form their conwas trying to get away from someth- clusions from surface appearances. ing and the counsel hotly retorted that he was not and that if Mr. Per- Varilla treaty, which I opposed,

throp, of the Equitable, while on the stand, presented a statement of the have not believed that success could the strike is for transfers of the stack of the strike is for transfers of the stack of the strike is for transfers of the stack of the strike is for transfers of the stack of the strike is for transfers of the stack of the strike is for the s ble at the time of its change of management and the directorate. Most find the key to unlock the barriers of the transfers Mr. Winthrop was able to explain, but somehow he was

At the time of these transfers Mr. Winthrop was the holder of twentyfive shares. He thought the actual owner was James H. Hyde, as he turned the checks for the dividends

over to Mr. Hyde. Mr. Winthrop was again called to the stand just before adjournment. explain a trustee account brought up ed it and would regret it. I beg to Buckner having given away to earlier in the day. Mr. Winthrop presented a type-written statement of the account and said the loans would be the successful completion of the great paid off in a few days and the col-lateral entered on the books of the "Sincerely yours company. Before Mr. Buckner retired, however, he was asked to produce a statement of the expenses of the Paris office, with a record of the real estate held there and the business that comes under that jurisdiction. Mr. Buckner had been ques-

foreign business and its cost to the home office. The committees will resume its ses-

COLE AND JONES IN JAIL.

ons tomorrow.

hese Two Men Will Occupy the Same Room in the Hospital Section,

Norfolk, Va., Sept. 28.-Charles P Cole, charged with the embezzlement of \$4,000 from the Southern Bell Telephone Company, of which he was formerly cashier, and Captain E. W. Jones, charged with the murder of Maud Cameron Robinson, will occupy the same room in the hospital section of the jail pending their trials in the corporation court, both of which are now set for next month.

Cole came to Norfolk six years ago from Jonesboro, N. C., where his parents live now. He was allowed to go Eight Hour Day is the Other. The Union there for the purpose of raising mon-ey to pay the bonding company, but he failed in that, hence the criminal prosecution by the bonding company

GRACIOUS! WHERE'S HER DOLL? Little Miss Jackson is to be United to

(Special to News and Observer.) Richmond, Va., Sept. 28.-A license thirteen years old, and Eddie L. Tuck,

an iron worker, thirty years old.

The groom is a native of Kentucky.

Yea, Morgan Talked of union. Several Dams.

But Concluded He Knew Nothing About each day the newspapers expect it to Them. So Won't Go to Panama

to Look at the Ditch.

(By the Associated Press.)

Birmingham, Ala., Sept. 28.—Senator John T. Morgan, of Alabama, has written a letter to Chairman T. P. were carried in the report to the State Superintendent of Insurance, as "com- Shonts, of the Panama Canal Commis-It was brought out as a matter of company the commision which leaves fact that these advances were loans New York today for Panama. The to agents but were not carried as such. Senator thinks nothing will be accom- Union, parties of the second part, as Mr. Buckner testified that advances plished by the trip. His letter says a day's work on and after January 1st.

and enter the employ of the New York stant you speak of a large party who construed to have any effect Life. A situation of condict in Buf-falo in 1901 between the Equitable the advisory board to Colon and are use of the label, but that it is a sepaand the New York Life was brought to have comfortable facilities for makout, and in order to get agents of the ing tours of inspection and examina- no way constitutes a bar to negotia- the State Gordon T. Atkinson was re-Equitable away from that company, tion of the canal. In the matter of liberal advances and liberal contracts sight-seeing, such facilities will afford line." much pleasure, which I regret I am Buckner testified that these ad- not prepared to enjoy, but I do not extravagant and said in 1903 the or a sea level canal, or the preference

"I could not wisely, intelligently and missioner or to any members of the out for him to enter the employ of the advisory board as to the possibility of 000 and to make certain advances to Gamboa that would control the waters Buckner said, were carried as ble tunnel to either ocean to carry off

"I could not inform the able, courageous and distinguished chief of the hygienic service in the canal zone whether, if we should floor all the breeding places of the stegomyia fasciata with great lakes, we would not increase them a thousand fold along the margins of the great bodies of occurred since the committee began fresh water, in the tropical under-

them in a few hours. 'I must say that I distrust the expected advantages to Congress or to "Since the ratification of the Hay-

kins would answer his question much have done all that I could and much etter progress would be made with more than I thought could ever be of advantage to the country to sus-Earlier in the day Henry R. Win- tain the government in its purpose to transfers of the stock of the Equita- crown their efforts, even in their most costly and desperate form. You may that nature has interposed at Panama. If you should be so fortunate, I would applaud your genius and courage. I will vote to provide you with every reasonable authority and power to accomplish your task and to meet your or shut it up.

tremendous responsibility. "In the effort to answer your friendly invitation with perfect frankness, f I have said anything that jars upon your sensibilities, I have not so intendassure you of my sincere respect and attached to many of them. They will

"JOHN T. MORGAN." (Signed)

Dodging work keeps many a fellow

busy. Lots of people feel puffed up without the aid of a press agent.

Carolina

a Key.

THAT IS ONE SLOGAN

and the Master Printers Stand Firm. Statements From Both Sides. Non-Union Men Come From the North.

(Special to News and Observer.) Charlotte, N. C., Sept. 28 .- The charlotte News this afternoon declares in unmistakable terms that the fight against the union printers has been won by the master printers. Both the News and the Chronicle came out on time this afternoon. The News contained its full quota of telegraphic and local news and the Chronicle showed little signs of the impending

Early this morning four machine men from Philadelphia arrived and commenced work at once; others will be in on the night trains.

The union printers issued a statement this afternoon that was published in circular form. It contains no new matter, only setting forth the former claims of the typographical union. The men claim that they will continue the fight. There has been no trouble, though it may occur at any moment. The employing printers have made up their minds not to yield one inch if they have to shut down their plants, but the situation has im proved greatly since yesterday and be an easier matter to get out their

The Union's Contention.

The following telegram giving the printers side of the contention, was received last night:
Charlotte, N. C., Sept. 28.—The printers position is eight hours work

-witnesseth that the party of the first part by signature hereto attached agrees to recognize eight hours Ie is expressly stated and understood "In your telegram of the 22nd in- that this agreement shall in no way be tions between the parties on any other

The master printers refused. The offer to consider any proposition that does not include recession from the eight hour day. The fight is quiet and orderly. The printers will not return restrict negro suffrage which will restrict negro suffrage which will restrict negro at the November election. to nine hours. Usually good feeling voted upon at the lows:
The platform declares as follows: prevails between the opposing parties. There is no prospect of settlement for several days. The printers insist that the controversy was coming and stated before hand that they had prepared "This Democratic con"

themselves for it. L. W. PRIDGEN. Sec'y Charlotte Typographical Union No. 338.

Mr. Dowd's Statement.

Charlotte. There is no lack of nerve of the State. Company, came out yesterday in the approve it. following editorial statement:

"News readers and advertisers are this campaign. asked to be lenient for a few days. "I returned from a business trip to New York at 10 o'clock last night, informed that unless I acceded to their demands by 7 o'clock this morn- at the convention but did not particiing they would refuse to go to work. pate in the proceedings, I refused to accede to their demands

"Briefly the strike is for an eight hour work day with nine hours pay Few of the men in this office work more than eight hours, and they make from \$13.50 to \$25 per week. We have made concession after concession to them for years until we can stand it no longer. Henceforth we will run

"We deeply regret this trouble, but we did not make it. Few of our men President is assured of this fact. wanted to quit. The trouble has been brought on by agitators and disturcome, but whatever the cost, we will not yield to these unreasonable debadly handicapped for some time to

the following advertisement for type- trip.

writers to run linotype machines, 'la dies preferred: "Typewriters can earn big money

on linotype machines. Ladies pre ferred. Apply at once, "News Publishing Company, W. C.

Meanwhile amid the "wild, grim dance" of all sorts, sizes and condi-tions of type, the Observer's poet rolls up his sleeves, and inspired perhaps by the fumes of conflict breaks forth with the following:

THE STRIKE.

Our devil is promoted To the ranks of demigod Our galley boy is setting type While a new man heaves the hod Our cub stands by the hellpot Oh, you never saw the like Of rustling since our printers To force us with a strike.

They thought they had us on the hip, Light work and heavy pay. Their stern demand, for which mos

men Are well content to pray. They thought they had us helpless loads. will change their minds, no But doubt,

For if we uns engrave it all The paper's coming out. Oh, dream you not that any place Cannot be soon supplied, Our editor is setting ads, And proving on the side.

We've rolled our sleeves up shoulder Are laughing at our luck, And we will send the sheet to press If a thousand printers struck.

Light work and heavy wages! They took their coats and went, They thought to punish us but soon Their savings will be spent, And when they saunter down the

street They'll hear the same old shout Of the newsboys on the corner,-For the paper's coming out!

All of which goes to show that life in Charlotte just now presents to the student of modern conditions points

Shall His Vote be Now Restricted?

following On This Line the Democrats of Maryland Will Engage Their Opponents in the November

Election.

(By the Associated Press.)

Baltimore, Md., Sept. 28 .- At the Baltimore, Md., Sept. 28.—At the strong protest against the lease. Democratic State Convention of Mary-which set forth at length the reasons land which was held in Ford's Opera why he protested against making the rate and ristinct agreement, and in House, this city, today, Comptroller of lease at that time, at which he renominated and a platform adopted which, excepting a paragraph indorsing the excellent business administraprinters waiked out. No other concession was asked for. The printers content of the present Democratic governor Edwin Warfield is wholly deernor, Edwin Warfield, is wholly devoted to the advocacy of the prorestrict negro suffrage which will be voted upon at the November election.

"By common consent, the only issue in this campaign is whether negro they have given employers every due consideration. The proprietors knew by force, shall be restricted and its by force, shall be restricted and its

"This Democratic convention, representing two-thirds of the white people of the State, reaffirms the declaration of our party in our platforms of 1899 and 1903 upon this subject, and now proclaims anew our resolute purpose to maintain the supremacy People all over the State are watch- our race and its control by all lawful Company was called to order at noon ng with interest the developments in and constitutional means of the ad- today in the office of the Trent Ware-

"Believing that the proposed constiappearance of the papers, but be- situation, without prejudice or injury The C. Dowd, of the News Publishing people, we unreservedly commend and Henry Weill, Goldsboro. "We make it the single issue of

"We declare it to be our battle

"The negro vote as it stands today amended in respect to the Finance I requested the men in my office to is a perpetual menace to the prosperwork today in order that I might in ity and peace of Maryland—a menace the meantime confer with them. This to our very civilization, for it is ignother part of the stockholders were: they refused. I asked them to give rant, corrupt, the blind instrument T. A. me until 12 o'clock today, and was of unscrupulous and selfish leaders."

TO STOP AT HIGH POINT.

President Roosevelt Will Take a Look at That Busy Burg.

(Special to News and Observer.) High Point, N. C., Sept. 28.-Presig dent Roosevelt will make a short stop here while on his Southern tour. A prominent Republican of this place who has been in consultation with the

Miss Sallie Benley, of Ashebore, had narrow escape from being run down bers. Most of our men have been by a train here yesterday. While athere for years and we have become tempting to get over the main crossing a train was near upon her before she suffer and so will we. We shall be saw it. The train cares up from an

Salisbury, N. C., Sept. 28.—A letter "If our friends will bear with us con he is character with the will seem he is character at the seem to see th we will soon be in shape to give them that President Roosevelt will make a In another place in the same issue afternoon of October 18th, on the ocin heavy black display type, appeared casion of the President's Southern Eern, expert accountant. Business

Stockholders and Direc- and shares of private stock is interested in this suit. The people in this tors Meet.

OFFICERS ARE CHOSEN

J. W. Grainger, of Falling Creek, Was Elected President. The Sentiment of the People Much Divided On the Matter of the Lease.

(Special to News and Observer.) New Bern, N. C., Sept. 28 .- At the neeting today of the stockholders of the Atlantic and North Carolina Railroad, a sensation was sprung when United States government. We are Mr. C. E. Foy, of New Bern, offered a resolution to institute proceedings to set aside the lease of the Atlantic and North Carolina Railroad to the Howland Improvement Company. The freight rates from ten to one hundred same resolution was offered in the meeting of the board of directors, and in both meetings Mr. Foy's resolution was tabled. But there is strong sentiment in this county, in Lenoir and Pamlico to set aside the lease. In Wayne and Carteret the preponderating sentiment seems to be against

setting aside the lease. No sooner had Mr. Foy offered the resolution to institute proceedings than Mr. E. C. Duncan moved to table the resolution. The vote stood: To table, 767 of private stock and 350 of the State's stock; against tabling, 231. The stock of Pamlico county was not voted, Mr. D. B. Hooker stating that he did not hold the proxy of the county, but Pamlico county is understood to be in favor of the Foy reso-

When the lease was made one year ago, the vote in the stockholders meeting stood: For the lease, 1,305: against lease, 68.

Just before Mr. J. W. Grainger

president of the road, took the train for his home in Kinston, a representative of the clerk of the Superior Court served him with a notice of an action, brought by W. S. Hill, for himself and others to appear at ought, is to be presented. of the stockholders held here when the lease was inde, Mr. Foy filed a garded too low a rental.

There is heard strong criticism of lessees have made great improvements on the road, have spent or ar- awarded. ranged to spend two million dollars to improve the road and to build a trestle to Beaufort.

There is difference of opinion among lawyers as to the suit, some declaring that there is no ground apon which the lease made last year and approved by nearly all the stock nolders present can be set aside. Hill and £'s associates, who are represented by Messrs. W. W. Clark, O. H. Guion and W. T. Dortch believe they have good grounds and a good chance to annul the lease.

Details of the Meeting.

The stockholders' meeting of the Atlantic and North Carolina Railroad the strike of the union printers at ministration of the political affairs house, Col. Jos. E. Robinson, of Goldsboro, presiding, C. Stevens and W. L. Arendell, secretaries. A full represenbeing shown on either side. There is a flicker of humor on the surface tutional amendment will operate as a flicker of humor on the surface tutional amendment will operate as a flicker of stock was present. The regof things, notably in the typographical effective remedy for the evils of our ular routine business was transacted. neath one sees the grim expression of fixed resolve. Speaking from the emmoreover, as a complete response to sty Wood, Falling Creek: C. E. For directors, on the part of the ployers' point of view, President W. the clearly expressed mandate of the New Bern; E. C. Duncan, Beaufort;

President J. W. Grainger read his report which was unanimously accepted.

The by-laws of the company were committee, increasing the number from six to eight. The committee on Greene, New Bern; G. H. Roberts, New Bern; J. A. Meadows, New Seantor A. P. Gorman was present Bern; W. L. Kennedy, Falling Creek; R. W. Taylor, Morehead City; L. Har vey, Kinston. On part of the directors: Col. A. C. Davis, Goldsboro; and Geo. W. Summerell, Kinston. Proxy committee: L. J. Daniels, H. R. Bryan, Jr., New Bern; D. Oettinger, J. C. Parker, Dr. Henry Tull, W. L. Arendell and S. Wooten.

Mr. C. E. Foy offered a resolution directing the directors of the Atlantic and North Carolina Railroad Company reply. He said: to enter suit against the Atlantic and North Carolina Company for the pur-pose of annulling the lease held by the late company. The resolution was The stockholders meeting tabled. then adjourned. Immediately afterward the new board of directors met, accepted the president's report and proceeded to transact their regular Mr. C. E. Foy offered the same reso-

ers, which was again tabled. They by further loud and hearty cheering, then proceeded to elect new officers. Mr. J. W. Grainger, of Falling Creek, was elected president; D. J. Broadhurst, of Goldsboro, secretary and being completed the meeting ad- being much of an artist,

a call.

A Libry Of Congress

To Set Aside the Lease.

The following information was re-

eived from some directors and stock-olders of said railroad this afternoon.

A suit was this day instituted against the Atlantic and North Carolina Company, and the Atlantic and North Carolina Railroad for the purpose of setting aside the lease of that railroad. It is understood that some two thoussection are much against the lease and feel that a great property right has been unlawfully taken from them, and at a price much under its value. For instance the entire road with all of its equipments, franchise and privieges has been leased to the Howland improvement Company, now the Atartic and North Carolina Company, at fifty-three thousand dollars per year, when the year before, when it was operated under great difficulties, its net earning was more than seventyeight thousand dollars per annum And the present lessees made a net earning of seventy-nine thousand dollars for the first seven months. Eastern North Carolina is increasing in commercial, agricultural and manufac turing industries more rapidly than ever before known, in this country; and further that the harbors of the South Atlantic seaboard must of necessity share in this increased value which will be produced by the construction of the Panama canal by the informed that the basis of the suit is the lack of power of the directors and stockholders to make the lease, and the violations of the various covenants therein, especially the raising of the per cent in direct violation of one ef the covenants therein.

First of Western Carolina Opens Second.

The Apple Fair at Asheville Has Demonstrated the Pomological Possibilities of That Section to Streams of Visitors.

(Special to News and Observer.) Asheville, N. C., Sept. 28.-The Western North Carolina Apple Fair attorney for the Aldermen, stated will came to a close at 4 o'clock to- that while he had agreed that the poll Craven Superior Court on Monday, morrow afternoon. The exhibit of October 9th, when the complaint, giving the grounds upon which the suit will be brought is to be presented. fruit from the counties of Buncomtbe, demonstrated the possibilities of apple Mr. Hill, who brings the suit, owns two shares of stock. At the meeting old North State.t The showing of apples at the fair has served as an eye-opened to thtose who have visited the committee room of the auditorium. The fair has been a success, and from the time the exhibits were offered to the inspection of the public there has been an almost constant stream of visitors and residents to the fair rooms mainly on account of the fact that the work tomorrow mornting and after tomorrow mornting and after their decisions the premiums will be

> The Asheville postoffice authorities have been advised by the department at Washington that aluminum souvenir postal cards must not the handled unless in covers, and that the cards must betr a two cent stamp. The fad of sending away elutminum souvenir postal cards from Asheville has beome guite an item in the business of the local postoffice and likewise no little annoyance. It has been ascer tained that other mail matter is in danger of being injured by coming n conttact with the sharp aluminum edges of the cards, and the department at Washington has settled the matter by ordering that taluminum cards are unmailable untless played in covers, and in the future they must not be handled loose,

THEY DISCOVER MR. WITTE. A Dozen Russians to Welcome Him Home, Where One Saw Him Off.

(By the Associated Press.) St. Petersburg, Sept. 28.—M. Witte arrived here today and was accorded a very hearty reception by a large crowd of officials and others. In a he was deeply touched by the wel-come with which he was received. When he left St. Petersburg, in July, a small delegation of officials accompanied him to the railroad station to d farewell. There was no pub-demonstration whatever. Today bid farewell. there were seven or eight times as many officials and a very enthusiastic rowd of five or six thousand people. the crowd had collected near where M. Witte would descend from the train and when he appeared they broke out into long and loud cheers. to which M. Witte bowed acknowledgment. The spokesmen then advanced and read an address of welcome

M. Witte, who seemed deeply moved by the sincerity of the welcome advanced a few steps and delivered his was so little prepared for this kind reception that I must ask your pardon for the incoherence of words. I have performed my duty well, because I have strictly obeyed instructions, because His Majesty's

circumstances favored me. because

the world is weary of this bloody war,

because all classes of American society, from President Roosevelt down were in sympathy with my and your cause, because I was true to my country and her and our interests.' M. Witte's last word was followed

An opportunity to do the wrong treasurer, and H. B. Holland, of New thing is generally taken advantage of The dentist can draw teeth without

laway.

For Supreme Court Contains All Facts.

THE JUDGMENT SIGNED

While Only Poll-Tax Question Was Decided, Mr. Battle Will Call Court's Attention to Further Doubt as to Aldermen's Right to Purge Registration Books.

In the Superior Court yesterday Judge Justice signed the writ of mandamus to which he had on Tuesday decided that the petitioners for an election for saloons were entitled directing the Board of Aldermen to forthwith assemble and call the election asked for in the petition to be held after thirty days notice as required by the provisions of the Watts act.

As stated yesterday would be the case the judgment sets forth that it is understood and agreed that the only question involved is one of law, whether or not the payment of politax prior to the first of May, 1995, was a necessary qualification of a petitioner under the provisions of the statute

With reference to the other question which seems of great importance to some able lawvers: to-wit whether or not the real intent of the act was that the registration books should be taken as they stand as an arbitrary standard fixed by law from which to reckon the number of petitions neessary to call an election and that therefore any purging of the books for any purpose, even the removal of "deads" and "removes" as practiced by the aldermen is unwarranted, while unrecognized in the judgment it may yet reach the attention of the Supreme Court by way of the plead-ings which are made a part of the

When seen with reference to this matter yesterday, Mr. R. H. Battle, tax question was the only point in the case, and while he would not argue purging of the lists by the Alder-men, he would in view of the fact that there seemed to be dissatisfaction that the point had not been argued on the hearing, call the attention of the Supreme Court to the matter to the end that if they desired to do so they could pass on that

question as well as the other.

The Case on Appeal, The case on appeal is contained in the judgment and the pleadings as is agreed by the following signed

NORTH CAROLINA-WAKE COUNTY. In the Superior Court, September Term. 1905. The State ex rel. J. M. Pace and others

The City of Raleigh

ment.

AGREEMENT. It is hereby agreed that the record in the appeal in the above entitled case shall consist of the pleadings and judgment, and that said record shall be immediately docketed in the Su preme Court and that a transcript thereof shall be immediately docketed in the Superior Court and transcrip thereof shall be immediately certified to the Supreme Court and that the Supreme Court shall be requested to advance the hearing at the earliest practicable mo-

W. B. JONES ARGO & SHAFFER, Attorneys for Petitioneds. W. B. SNOW,

R. H. BATTLE, Attorneys for Defendants.
The complaint and the answer in the case, which are voluminous, contain a full and complete satement of the action of the aldermen and the brief speech replying to a welcoming committee which passed on the peaddress, M. Witte showed clearly that titions from the moment that they were presented to the Board until their final rejection as not containing third of the voters under the construction of the act by the aldermen. The matter of the purging of the lists is therefore clearly stated in the record and the Supreme Court would be justified if it saw fit in taking cognizance thereof. though it was not adverted to in the judgment of the court. Battle states that he will call the attion of the court to the matter it now ems that the court will lo hat it is stated by several aldermen their wish, construe the statute with reference to the entire action taken on the question of the petitions from beginning to the end of the election agitation. While these aldermen would have preferred for the matter to be fully argued, it is felt that the Court will look at the whole transaction with the view of giving the act a final, complete and definite

> City Attorney Snow stated yesterday that it could not be said when the matter would be heard by the Supreme Court. That is a question entirely within the descretion of the Court. The City and the petitioners will ask that the case be submitted at the earliest moment, without the ordinary printed record and with no printed briefs. If the regular course were taken it would now be too late for the case to be docketed for argument with appeals from the sixth district, which will be called Tuesday morning, in which case argument could not be had until the Spring

(Continued on Page Five.)