

The Chattham Record.

TAR HEEL TOPICS. Items Gathered From All Sections of the State

STATUS OF PROHIBITION WORK

Sixteen Counties Have Licensed Saloons and There Are Twenty-Eight Dispensaries.

Raleigh, Special.—The chairman of the State anti-saloon league, Mr. John A. Oates, will at once take up the work that was so long actively carried on by J. William Bailey, who retired from the chairmanship at the meeting of the executive committee.

This is the solution as regards the sale of liquor in this State. It must be remembered that such sale under any circumstances is illegal outside of incorporated towns and that the manufacture of liquor is forbidden by law outside of towns of a thousand population.

Vermont, \$60,000 Whetstone \$16,000. Charlotte, Special.—A long distance message from Bessemer City brings the information that the two cotton mills sold at auction there were purchased by Mr. J. H. Mayes, of Charlotte and Mr. John M. Miller Jr., of Richmond, Va.

Kenneth Beasley Case. An appeal has been docketed in the Supreme court in the case of Joshua Harrison convicted of the abduction of nine-year-old Kenneth Beasley.

Colored People's Corporation. Raleigh, Special.—A charter was granted last week to "The District Household of Ruth, No. 10, G. U. O. of O. F., of North Carolina."

Rodman's Motion for New Papers. Raleigh, Special.—In the Supreme Court W. B. Rodman, attorney for the Southern Railway, made a motion to have additional papers sent up from the Superior Court, in the \$30,000 penalty suit.

Suit Against Standard. Durham, Special.—Complaint was filed in a suit against the Standard Oil Company this suit being for damages in the sum of \$20,000 and brought by Robert Berry, colored, administrator of Tom Lunsford, also colored, who was killed in an explosion at the oil works.

Furniture Company Breaks All Records. Mount Airy, Special.—The National Furniture Company, of this place, will break the record this month.

Thirty Injured in Collision.

Asheville, Special.—Passenger train No. 41 on the Southern Railway collided with an engine on the west-bound main line in this city at 11 o'clock Thursday morning, damaging both engines and the combination car. Thirty persons were injured, none fatally.

Death in the Game.

Apex, Special.—A young white man by the name of Powell died at Merry Oaks Saturday afternoon during the progress of a base ball game. Apex and Merry Oaks were playing and Mr. Powell was the first baseman of the Merry Oaks team.

Stokes Sanitarium to be Enlarged.

Salisbury, Special.—The Whitehead-Stokes Sanitarium will shortly be enlarged twenty rooms and efforts made to grow to the demands made upon it. Twice in its history has it been necessary to expand and never since Dr. J. E. Stokes became the head of it has it been possible to meet the public in quest of treatment there.

New Company in Salisbury.

Salisbury, Special.—Salisbury now has an insurance company the Security Mutual Life Association having been inaugurated here within the past few days and now having between 100 and 200 policies to its credit.

Fugitive From Justice Captured.

Reidsville, Special.—Ernest Mills, young white man who escaped jail in Danville at the time of the delivery last February, when eight prisoners gained their liberty as a result of the door having been accidentally unlocked was captured at Spray by Sheriff Eanes. He was carried back to Danville by Deputy Sheriff Smith.

Hurt in a Sawmill.

Burgaw, Special.—Haywood Bannerman was very painfully hurt last Friday while working at his saw mill by being struck in the side with no chance for his recovery but later he was resting easy and his condition seems to point possibly toward recovery.

Bold Robbery Near Durham.

Durham, Special.—A bold robbery was done Saturday night just before 10 o'clock when a farmer Mr. W. J. W. Terry who lives near Bahama, was sand-bagged and robbed by a negro. The robber secured what money the farmer had in his pockets, this amounting to a few cents over \$13, and then took his pocket knife, and half plug of tobacco for good measure.

Boy Killed in Winston.

Winston-Salem, N. C., Special.—Clifton Proctor, white, aged 13 years, Proctor, a white boy, aged 13 years was instantly killed in a horrible manner at 10:30 o'clock Tuesday morning in the Taylor Brothers Tobacco Factory.

To Make Grain Report.

Winnipeg, Man., Special.—A meeting of the Canadian grain commission began here for the purpose of drafting a report which is expected to be of the greatest interest to all engaged in the grain trade in the West.

GREAT BOND ISSUE MADE

Big Enough Proposition to Hold the Attention of Wall Street—Purpose of the Bonds.

New York, Special.—Great interest is manifested in Wall Street in the proposed \$115,000,000 bond issue of the St. Louis & San Francisco Railroad Company, which will be authorized at a meeting of the stockholders.

Of the total amount, \$67,818,000 will be reserved to retire and refund bonds and notes maturing during the next 45 years. Only \$10,000,000 will be issued during the next two years for improvements and additions while the balance of \$37,187,000 can be issued only after June 1, 1909 to finance various capital requirements.

The stockholders will also authorize an increase of \$100,000,000 in common stock. This is merely a formality as under the Missouri laws the authorized debt cannot exceed the authorized stock.

Collateral to be redeemed by the road from time to time includes \$424,000 Orange & Northwestern bonds; \$170,000 Beaumont, Sour Lake & Western bonds, \$2880,000 Ozark & Cherokee Central bonds and \$100,000 Muskogee City Bridge Company bonds.

Texas Commercial Congress.

Fort Worth, Tex., Special.—The Texas Commercial Congress, composed of delegates representing all the commercial bodies of the State, met here in annual session. President J. A. Arnold, of Beaumont, delivered his annual address at the opening session.

North Carolina's First Bala.

Charlotte, N. C., Special.—Anson county comes to the front with the first bale of the new cotton crop. Mr. J. V. Hardison, a leading merchant and farmer of Morven Tuesday morning wired Mr. Willie L. Henderson of this city as follows:

"Bought today first bale new crop cotton. Thirteen half cents. Strict middling. Weighed 535. Shipped you by express.

Kentucky Sunday Schools.

Madisonville, Ky., Special.—Madisonville gave a hearty welcome to the hundreds of delegates gathered here for the forty-second annual convention of the Kentucky Sunday School Association which opened Tuesday with a conference of State, county and district officers.

The Fall River Weaver's Troubles.

Fall River, Special.—Manufacturers' Progressive Association on commencing with a view to the settlement of difficulties. The weavers insist that unless one standard is fixed for the length of piece woven goods, a strike is probable. The manufacturers are holding out for two standards.

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FULL RATE OPINION

Judge Pritchard Hands Down Final Decision

A COMPLETE REVIEW OF ISSUES

Judge Pritchard Hands Down His Formal Decision in the Noted Case of Southern Railway Against the Corporation Commission—Detailed Reasons for the Judge's Recent Opinion in the Same Case Set Forth.

Asheville, N. C., Special.—United States Circuit Judge Pritchard handed down his formal opinion in the now famous case of the Southern Railway Company vs. Franklin McNeill and others and commonly known as the railway rate cases. It will be remembered that this is the case in which the Southern Railway Company obtained an injunction restraining the railroad commission of North Carolina from making and publishing a passenger rate of 2 1/4 cents per mile under the provision of legislative act and which ultimately led to the arrest of railway ticket agents and the arousing of much interest all over the State; incidentally to the temporary surrender of the Southern Railway and Atlantic Coast Line and the putting the new passenger rate into effect pending the final determination of the matter in the courts.

Epitome of Opinion.

The railway company claims to own a line of road extending in many states that it is engaged in the business of common carrier, and in both inter and intra-State commerce; that it is operating that part of its system in North Carolina, by authority of the State. The passage of the acts regulating freight and passenger rates by the legislature of 1907 and the terms of these acts and the passage of the acts relating to railroads are all referred to, as a part of the contention of complainant.

The court then quotes in full those sections of the revised North Carolina which are relied upon by the parties to the litigation. These sections are: Section 2567, sub-section 7 and 9; section 2618; section 1069; 1099; 1106; 1078; 1082; 1086; 1092 and 5380.

Provides for Injunctions.

The opinion then shows that the law of North Carolina in section 1082 of the revision has especially provided upon what terms an injunction shall be granted suspending rates, pending litigation over the confiscatory nature of such rates; that the statute of North Carolina expressly authorizes the course pursued by the court when freight rates are involved, but does not even require a bond for such injunction when passenger fares are in litigation.

Freight Rate Act.

The court then says: "The freight rate act contains no clause repealing prior laws. The passenger rate act contains no repealing clause except section six which expressly repeals section 2618 of the revision of 1905 (which provides for first and second class passenger accommodations). This section also repeals all laws and clauses of laws in conflict with this act."

The court then holds that under the decision of the North Carolina courts set together as one statute and for this the following cases are cited: Colledge vs. Lacy, 130 N. C. 364; Jones vs. McAdoo, 112 N. C. 360; State vs. Munner 111, N. C. 675; State vs. Snow, 117, N. C. 774.

The court then takes up section one of the passenger rate act and holds that the power to make rates was taken away from the railroads by section 1099 of the revision; and if there was any doubt about it before, it is clearly so, under section 7 of Chapter 469 of the Laws of 1907, and that this power is under the laws of North Carolina vested in the corporation commission and that while it is true that the commission can not exceed the maximum fixed by the legislature yet under the law, it is the duty of the commission to make just and reasonable rates and that in so doing they must act as required by sections 1106 of the revision, that the commission may lower but not increase rates. The court holds that this being a proper construction of the passenger rate act, that the commissioners "are charged with a duty in connection with the enforcement of the act of 1907 and therefore proper parties to this suit."

15 KILLED; MANY HURT

Confusion of Orders Results in Collision Between Inter-Urban Express Train and Tractor Car.

Mattoon, Ill., Special.—Fifteen persons were killed and about fifty injured in a head-on collision between an inter-urban express train, consisting of a motor car and a trailer, and a tractor car on the Mattoon & Charleston electric line at a sharp curve one mile west of Charleston, Ill. A confusion of orders received over telephone is said to have been the cause of the accident.

Eighty Lives are Sacrificed.

Quebec, Special.—Steps to begin a criminal investigation into Thursday night's terrible disaster, when perhaps eighty men lost their lives in the collapse of the gigantic cantilever bridge five miles from here have already been taken. At the scene of the disaster the people are literally crushed by the awfulness of the calamity. Little has been done in the way of recovering bodies. No list of dead has yet been compiled and no steps taken to explore the great mass of broken and twisted steel. Hundreds of workmen rushed to the scene and commanded by skilled engineers, are exploring the wreckage, taking out the crushed and broken bodies of the victims. So far as known only ten of the 102 workmen employed are believed to have escaped and two of these are dying. Of the other eight four are believed to have a chance of recovery. Traffic on the St. Lawrence is practically blocked.

Richard Mansfield Dead.

New London, Special.—Richard Mansfield, the actor died at his summer home from disease of the liver and other complications. He had been ill since he broke down at Seranotus while playing Pere Gyant. He sought rest first in New York and then in Europe and failing to find relief, returned to this country. His condition had been reported as improved, but a change for the worse set in about three days ago, and since then he has been confined to his room.

Paper Will Appear as Usual.

Louisville, Ky., Special.—The loss on The Courier-Journal plant, which was gutted by fire shortly after midnight Friday morning, is estimated at \$200,000. Bruce Haldeman, president of The Courier-Journal Company, stated there would be no interruption to the business, the other papers of the city having offered The Courier-Journal the use of their plants until arrangements can be made for the paper to resume operations in its own place of business. The Courier-Journal and the Times were issued from The Herald plant.

Salt Lake Wants Congress.

Salt Lake City, Utah, Special.—Salt Lake City commercial interests have decided to wage a determined campaign for next year's Trans-Mississippi Commercial Congress and will send a large delegation to Muskogee, I. T., when the congress meets in November. During its last session the Utah Legislature passed a resolution inviting the body to meet in its great convention hall. So far as is known, Lincoln, Neb., will be Salt Lake's principal competitor in the fight.

Good Relations With Japanese.

Boson, Special.—The chamber of commerce has adopted resolutions deprecating agitation which may lead to ill feeling between America and Japan and declaring that every effort should be made to promote intimate commercial relations and to extend to the Japanese all privileges enjoyed by most favored nations.

Spanish War Vets Meet.

Jackson, Mich., Special.—Several hundred soldiers of the Cuban campaign are in attendance at the reunion of the United Spanish War Veterans of Michigan here. The programme of the opening session included the transaction of routine business, followed by pleasure trips about the city. A lively fight is being waged for the office of department commander, the aspirants being John Considine, a Detroit attorney and Fred Schmalzreich, deputy city clerk of Detroit. The election and installation of officers will take place in the afternoon.

Anarchy in the United States.

Amsterdam, Holland, By Cable.—Declaring the statutes of the United States were so strict and severe that it was practically impossible to carry on an anarchistic propaganda, Emma Goldman the American anarchist; bitterly criticised American laws in an address before the International Anarchists' Congress. Anarchy is growing in America, she declared and is especially gaining adherents among the Jewish working people.

Bryan Will Not Be a Candidate.

Philadelphia, Special.—The Record says that W. J. Bryan will not be a candidate for the presidency. The information comes direct from the Nebraska, says The Record, to a well known Democrat. Though the people may want him, Bryan declares he will not seek the nomination. This is his final decision after full consideration.

Late News In Brief

MINOR MATTERS OF INTEREST

Richmond may get a saloon-license law carrying a \$1000 tax.

Charles Lawson 11 years old, committed suicide at Fairmont.

Pacific Coast cities are preparing to give Taft a continuous ovation on the eve of his departure for the Orient.

Admiral Evans returned to Fort Monroe and preparations for the sailing of 16 battleships to the Pacific were begun.

Cher water will be carried 12 miles to make power for the street railways of Elkins.

Instead of commanding a squadron of battleships on the Pacific cruise, Rear Admiral Leutz is to be kept at Washington, making guns for the navy.

Diamonds have been discovered in Arkansas and great excitement prevails.

J. D. Uzzell, negro editor who is held responsible for much of the recent race trouble on the Eastern Shore of Virginia, gave himself up at Onancock and was taken to Norfolk under strong guard and locked up in the Norfolk jail. Uzzell surrendered to Colonel Nottingham.

Prince Wilhelm, of Sweden, had a busy day sightseeing at Jamestown and attending social functions in his honor. He awarded the trophies to the victors in the boat races between the American and Swedes.

Prince William attended services in the Swedish church at Newport and attended a farewell luncheon given by Mrs. Fish.

A Boston stockbroker and his chauffeur were killed by the overturning of their machine.

President Roosevelt declared in his Provincetown speech that there was to be no let-up in his trust and railroad policy.

The New Jersey Democrats are hopeful of a political turnover in the State.

Massachusetts is to try the savings bank amnesty plan, which is virtually an old age pension scheme.

Because of alleged inability to mine coal the Philadelphia and Reading Iron and Coal Company has declined several orders from foreign governments.

The submarine boat Viper, showed her ability to remain out at sea four days and met every test.

President Small, of the Commercial Telegraphers' Union arrived in New York and declared the strike a fight to a finish.

Jacob H. Schiff said the Administration's policies were not to blame for the financial situation but ascribed the changes to natural causes.

Ex-Mayor Paul C. Barth of Louisville, committed suicide because he had been legislated out of office and criticized.

Julius Teich, in a fit of jealousy killed his wife and himself in their New York flat.

Mrs. Lena Scham a widow was murdered in her apartments in Brooklyn. A rejected suitor is reported missing.

William J. Bryan after a wreck at Rockville, Ill., said he would soon reply to Secretary Taft's speech.

The grave of La Flora S. Baker, a lumberman, was opened after 14 years to satisfy a partner he was really buried.

J. P. Morgan returned from abroad and only smiled when asked if he had read the President's speech.

The report of the Judge-Advocate General shows that nearly half the enlisted men in the army have been tried on some charge the last year.

An 8-year-old boy killed his 2-year-old sister, in York, Pa., with a revolver he didn't know was loaded.

William Hicks was held up in the suburbs of Philadelphia by robbers who got \$6,000 and citizens caught two of the three highwaymen and recovered the money.

Emperor William toasted Empress Francis Joseph as friend and ally and King Edward gave a banquet in honor of his birthday.

Secretary Taft left Washington on the first stage of his around-the-world tour.

Government officials are wondering what is behind the mysterious demand for an investigation into the early transactions of the Chicago and Alton Railroad.

Work on delimiting the boundary between Siam and French-Indo China will soon be commenced.

The San Francisco Chamber of Commerce gave a love feast to cement the friendship between the United States and Japan.

The International Socialist Congress began at Stuttgart, Germany.

With the telegraph strike a week old each side professes to be as confident as ever.

Three persons were killed and two probably fatally injured when an express train struck an automobile near Great Barrington, Mass.

A large water main in the Shenandoah Valley burst on Sunday and the people of Berryville are now without water, except what can be drawn from cisterns. It will be several days before the break can be repaired.