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Important Cases To Come Up Before Supreme Court

Washington, Feb. 17.—The most important cases since the decisions in the Standard Oil and Tobacco Trust decisions will be set for final hearing before the United States supreme court when the tribunal reconvenes on Monday after a recess of two weeks. Tremendous as will be the direct results of the decisions themselves in the specific cases to which they apply, their subsequent efforts will be greater still, by virtue of the establishment of precedent that will rule in future cases.

The biggest cases to be scheduled for review Monday are the Union Pacific-Southern Pacific Railway merger, and the Minnesota rate case, The Patten cotton-corn and the Oregon initiative and referendum cases, and other famous cases before the court.

Important questions of law, that will be determined by the decisions are:

The power of a state to regulate railroads within its own boundaries without violating the interstate commerce act.

The application of the Sherman anti-trust law to railroads.

The constitutionality of the initiative and referendum, and, whether a "corner of a market in any commodity constitutes a violation of the anti-trust law.

The far-reaching efforts of the solving of these questions are obvious.

The problem of intrastate railway regulation is in many respects the most important before the tribunal. Cases from seven states have been assigned for hearing on Monday and at least a source of states are directly interested in the outcome. The decision will also affect almost a hundred suits brought by railroads against orders of state railroad commissions now pending in lower courts.

Cases in which the orders of state railroad commissions are opposed have been presented to the court from the state of Missouri, Kentucky, West Virginia, Oregon, Minnesota, Ohio and Arkansas. From Missouri alone there are 36 cases, appealed and cross appeals from decision in suits brought by every railroad in the state against the validity of the orders of the state commission reducing class rates. If the supreme court affirms the decision of the lower court in the Minnesota rate case, it is contended the efforts of the state to regulate intrastate commerce will be set at naught.

The chief ground of complaint made by the railroads against the state laws and order of the state commis-

sions is that they interfere with interstate rates and commerce. The question of interstate commerce has to a great extent been settled by the establishment of the interstate commission but the regulation of the interstate commerce remains to be disposed of by the supreme court.

Another contention is that the rates fixed by the state commissions are confiscatory. This brings up the question of what constitutes a fair rate and involves the problem of physical valuation, the apportionment of expenses between intrastate commerce and a number of lesser difficulties. It will be for the supreme court to fix at last the principle upon which the line of distinction between interstate and intrastate regulation can be drawn.

The legal battle for which the forces of the state are gathering promises to be one of the most spectacular ever fought in the old chamber in which the forces of the state are gathering from court suits and in which the senate once fought over the problem of states' rights, which is one of the fundamental questions in the present rate cases.

The question whether or not the titanic struggle or railroad giants to secure control of transportation to the Pacific coast, resulting in the merger of the Union Pacific with the Southern Pacific and many other western railroads, is in violation of the Sherman anti-trust law, will also be presented to the supreme court for final review on Monday.

In point of melodramatic interest and the magnitude of negotiations in which millions of dollars passed from hand to hand it is the most important cases before the court. Upon its decision also will depend whether the anti-trust law is to be applied to the combination of competing lines of railway or whether it is to be practically a dead letter in this respect.

The figures of the E. H. Harriman, George Gould, J. H. Hill and other railway kings loom up behind the web of gigantic transactions as the moving spirits of the struggle for ascendancy. Great railroad systems appear as the pawns shuffled about in the progress of the game. The case presents, apart from its legal aspect, one of the most extraordinary chapters in the romantic narrative of the development and concentration of railroad control in the United States.

The suit is based upon the application of the government under the anti-trust law to dissolve an alleged contract, combination or conspiracy in restraint and monopoly of interstate and

foreign trade between the Union Pacific, Oregon Short Line and Oregon Railroad and Navigation Company on the one hand and the Southern Pacific, Northern Pacific, Salt Lake and Santa Fe railroads on the other.

In its petition the government named E. H. Harriman, Jacob H. Schiff, Otto H. Kahn, James Stillman, H. H. Rogers, H. C. Frick and William A. Clark, also as defendants, through whom it was averred the huge combination was created and maintained. Harriman and Rogers, the two giants of the financial world at the time, are now dead.

The specific charges of the government are that in 1910 the Union Pacific acquired a controlling interest in the capital stock of the Southern Pacific for the purpose of directing its operations and suppressing competition.

That in the same year it acquired a majority of the stock of the Northern Pacific as well as subsequently induced W. A. Clark and his associates in the Salt Lake Road to desert from constructing an independent line to Los Angeles.

That in 1904 Harriman, Schiff, Rogers, Kahn, Stillman and Frick purchased \$30,000,000 worth of stock in the Santa Fe and thereby secured the election of Frick and Rogers to the board of directors.

That in 1906 the Union Pacific Company through the Oregon Short Line purchased \$10,000,000 worth of Santa Fe stock and that these purchases were made with the purpose of eliminating the competition of the Santa Fe.

In its bill the government prays that the corporate and individual defendants be enjoined from voting the stock of other defendants and that the latter be enjoined from permitting them to vote.

The case was heard in the United States circuit court of Utah, which, upon the decision of three of the judges, Van Devanter, Sanborn and Adams, dismissed the government's petition on the ground that the evidence did not show that there was any restraint of competition resulting from the merger of the great railroad systems, the Southern Pacific, Union Pacific, which in turn controlled by the Salt Lake, the Northern Pacific and other roads, and practically had a grip on every railroad to the Pacific coast.

From this decision Judge Hook dissenting, saying, among other things, apropos of the court's consideration of certain questions—"there introduction so greatly narrows the act of congress which however it may be regarded, is the law of the land, that very little is left of it when applied to railroads."

The supreme court, of course, not being concerned with the collateral operations, which in the ordinary perspective of business are themselves gigantic undertakings, except as evidence of the conspiracy, will pass upon the principles of the law only. But, in effect, it will determine whether the stupendous plan of E. H. Harriman achieved as the crowning effort of his career not long before his death, is to be considered valid in the light of the anti-trust law.

The struggles among the railroad kings and the events to which they led will be kept, therefore in the background. Among these are the fight between Harriman and Gould to secure controlling interest in the Southern Pacific, in which Harriman was the victor by the purchase from the heirs of C. P. Huntington, himself a railroad king of 900,000 shares for many millions of dollars. The organization of the Northern Securities Company, which declared illegal by the courts, and which left the mark of panic on the history of Wall street, was another phase of this great battle of railroad giants.

The story of the operations of the various kings of finance and railroad systems told in twelve thick volumes of testimony of several hundred pages each, the transcript of the record of the case before the circuit court.

The case was assigned for hearing in January by the supreme court but because of its importance, it was re-assigned for hearing on February 19, after the other railroad rate cases were for that day, because of the desire of the court that it be heard by a full bench.

Tonight at 8 o'clock, in the First Presbyterian church, a rally of all the Presbyterian men of Charlotte will be held in the interest of Presbyterianism in our city. Short addresses will be given by the pastors of the First and Second churches, by Dr. Caldwell and by Mr. E. I. Cansler. This will be the second meeting of the organization known as the Presbyterian Council, and matters vital to the church will be considered. Not only the officers of the church are expected but all Presbyterian men.

Mills And Banks In Gastonia Section Are In Fine Shape

(BY LEAKE CARRAWAY.)

Gastonia, Feb. 17.—The feeling of the bankers and mill men of Gastonia in that the situation in this section is most excellent, and that this year's business will far exceed that of last year.

The clearings through the Gastonia banks last year amounted to slightly more than \$15,000,000 and the belief is that this year's clearings will show a total of nearer \$18,000,000, and this, taken with the statement that the 175,000 spindles of the 15 mills in this city are now operating at profit every day against the loss which showed last year, is an indication that the situation in Gastonia county is much better than it has been since the early part of 1907 directly preceding the panic, from which the entire country is just now recovering.

S. N. BOYCE TALKS.

S. N. Boyce, cashier of the First National Bank, the oldest financial institution in Gastonia, feels that the outlook is brighter than in the history of the city. He points out that every mill is operating on full time and those which are equipped for night work are running both day and night, and that the takings of yarn are much better than for some time past. The growth of Gastonia is shown by the growth of the business of this bank. In 1900, when the capital stock was \$50,000 the deposits amounted to \$145,000. In 1911 it had increased to \$450,000. The capital stock had been increased to \$100,000 and the surplus was \$50,000.

During 1911 the clearings of the First National Bank amounted to \$8,500,000. Mr. Boyce expects this to show a material increase, in the neighborhood of \$1,000,000 during the present year.

"The outlook is most satisfactory to us," said Mr. Boyce while discussing Gastonia county as a whole. "I am looking for fine prospects throughout the year. The feeling of the people is better. All the mills are running full time and the prospect is that they will continue to run, with no short time and no stop-downs through the summer, as came last year."

"We farmers are feeling better, also," he said, "and the outlook is bright but are diversifying crops and this must result in better conditions."

CASHIER A. G. MYERS.

Cashier A. G. Myers, of the Citizens National Bank, is under the impression that the year 1912 in Gastonia will far exceed 1911 in all lines. He figures that the increase in business which has been noted since 1908 will continue this year. The prosperity of the mills must result in bettering the general contentions, he thinks, and the outlook is exceedingly bright.

"The mill people look at the situation with more satisfaction," says Mr. Myers. The general merchants bought more closely last fall than usual, and the result is that there is not much stock carried over.

"The mill men are now having a good stiff demand for yarns at better prices than for some time past. This is true in the domestic and export lines. The market is bare of yarn stocks and they are being taken up very closely. The outlook for Gastonia is facing a good year along all lines, in my opinion."

The figures of the Citizens National Bank for the past few years show a large increase in business from year to year. In January, 1905, the deposits totaled \$71,000, while the resources amounted to \$105,000.

In 1906 the deposits reached \$137,700 and the resources showed \$307,000.

In the deposits had risen to \$175,000 and the resources to \$359,000 and the next year, that immediately following the panic, the deposits showed \$192,000 and the resources \$327,000, regardless of the previous depression.

In 1909 the deposits had reached \$334,000 and the resources had risen to \$449,000, while last year the deposits were \$421,000 and the resources totaled \$608,587.

The earnings during the past year amounted to \$7,000,000 and Mr. Myers figures that this year will increase not less than \$1,000,000 this year.

THE SAVINGS BANK.

The Gaston Loan & Trust Company is the only savings bank in the county. The bank was organized in 1904 and at the end of the first year's business the deposits reached \$10,000 at the close of business on April 1, 1911, nearly a year ago, the deposits amounted to slightly more than \$50,000.

The Gastonia Building & Loan Association has offices in this bank also and in 1911 paid out a total of \$64,000 and made loans totaling \$38,000. The receipts from fees during the year amounted to \$40,000 and from loans paid \$55,000.

Cashier McLurd looks for a slight increase in the business done by the Savings Bank this year. He believes that the outlook is better than it has been for years past and that the feeling of the people that times are going to be better work more plentiful and wages some better will have a most satisfactory effect on general business.

POSTAL RECEIPTS.

The postal receipts at the Gastonia postoffice show an increase of more than 250 per cent within the past decade and the increase over last year was among the largest within this period.

Within this time the free delivery system in Gastonia has been established and a number of rural free delivery routes have been put in operation. The government has purchased the property known as the Square, in the center of the city and congress has made an appropriation for a postoffice building, the construction of which will be started within the present year.

THE MILL SITUATION.

There is at this time \$4,000,000 invested in the 15 cotton mills in this city. Like mills all over the country the average mill here has made but little money within the past few years. They have been operated or

short time in some instances. This has been true all over the country with the result that the hard yarn market is bare of stocks and the demand for this product is exceptionally good. The price is going up by leaps and bounds, as much as a cent and a half increase being noted within the space of two days.

In some instances Gastonia mills are shipping yarns to their customers by express, so great is the demand at this time.

It is stated by a man in a position to know that each of the 175,000 spindles in operation in this city is now making a profit for its owner and that the mill men are delighted with the outlook. There is no uneasiness in the minds of the mill men of this city and plans are made for operating their plants on full time continuously. Those mills which are equipped to operate at night are running full time and will continue to do so, in order to keep up with the demand.

A business man, not a spinner, today said:

"The Gastonia mills at this time have enough orders on their books to keep them running full time for the next four months. Orders are coming in every day, in increasing volume, I am informed, and the mill men are delighted with the prospect of a full year's operation. The export business from Gastonia is in as good condition as the domestic trade. The one mill that is spinning for export has its hands full and is running full time to keep up with its orders."

"The cloths situation is as good as could be asked and there is no doubt in the minds of Gastonia business people that the year 1912 will far exceed last year and that general conditions will be materially bettered during the present twelve month."

NORTH CAROLINA PLAN DISCUSSED BY THE FARMERS

The North Carolina plan for the reduction of cotton acreage was enthusiastically endorsed at the Farmers' meeting at the court house and plans were devised to begin at once the carrying out of a campaign to have every farmer in the county sign the reduction pledge.

The meeting yesterday was called to order by Mr. J. M. Walker, president of the county union, who asked Mr. E. B. Moore to preside over the meeting. Dr. H. Q. Alexander of Providence, who is president of the state union, was called upon to explain the plan of reduction favored by the state union at its recent meeting at Wilson. The plan is similar to the Rock Hill "Plan" now being adopted in many cotton states. It is briefly:

1.—That every farmer pledge himself to plant one acre of cultivated crops (not including grains for every acre of cotton planted).

2.—That every farmer pledge himself to reduce the amount of commercial fertilizers used by 25 per cent.

3.—That every farmer pledge himself to conduct his business as nearly as possible on a cash basis.

Campaign Launched.

Mrs. J. E. Walker, of Sharon, and H. M. Victor and Clarence Kuester of Charlotte were named as a special committee to raise funds for the carrying out of the reduction campaign. These funds will be used to pay a canvasser in each township of the county, who will take the pledge to each farmer for his signature. Each of these township canvassers will appoint two men in each township to assist him. The canvassing is to begin within 30 days if possible.

The canvassers for each township appointed at yesterday's meeting, are as follows: Providence, L. S. Knox; Crab Orchard, Walter Pence; Mallard Creek, Fred Gibson; Morning Star, R. J. Harkey; Charlotte township, Charles Clark; Sharon township, W. R. Alexander; Huntersville township, John B. Cross; Paw Creek township, Thomas Sadler; Long Creek, C. A. Elliott; Steele Creek, Frank F. Jackson; Pineville, W. C. Barnett; Clear Creek, W. A. Whitley; Dewese, Frank Sherrill; Lenoir, W. A. Cashion; Berryhill, J. W. Soder.

Mr. E. B. Moore, who presided at the meeting explained that the county Fair Association was a thing of the past and that if there was to be a fair in 1912, with its undoubted benefit to the agricultural interests of the county, it would be necessary to have a new fair ground and all accessories. He advised that the farmers would find it to their advantage to buy stock in the fair association in order that the agricultural and live stock interests should be stressed. The idea was approved as a good one by several farmers present.

—New telephone directory issued yesterday—3,900 names in it.

—Mr. J. R. Dunn, who has long been connected with the shoe business in Charlotte and who is one of the popular men in this line, has taken a position with the De Lane Shoe Co.

\$100 Reward, \$100. The readers of this paper will be pleased to learn that there is at least one dreaded disease that science has been able to cure in all its stages, and that is Catarrh. Hall's Catarrh Cure is the only positive cure now known to the medical fraternity. Catarrh being a constitutional disease, requires a constitutional treatment. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system, thereby destroying the foundation of the disease, and giving the patient strength by building up the constitution and assisting nature in doing its work. The proprietors have so much faith in its curative powers that they offer one hundred dollars for any case that it fails to cure. Send for list of testimonials.

Take Hall's Family Pills for constipation. Sold by all Druggists, 75c.

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Lincolnton

Lincolnton, Feb. 17.—Fassifern school has been very fortunate in securing Mr. Van Hoose to sing for them on the 22nd of February. This is an unusual piece of good fortune as Mr. Van Hoose ranks as the finest tenor born in America. He has sung in all the opera houses of note in the world and Lincolnton people are to have the privilege of having this man sing for them in their auditorium.

Lincolnton has been full of small parties for some weeks. There have been innumerable afternoon teas. Every one seem to be paying their social obligations before Lent and its work begins.

Mrs. J. L. Lineberger entertained the Anna Jackson Book Club on Thursday. This meeting was unusually interesting as each member of the Book club helped to make the "English Scrap Book" entertaining. Each woman represented some English novelist, the sketches being short and unusually attractive. The reading of the afternoon was from the "Idyls of the King."

After the delightful literary programme was completed the club was invited to the dining room where the hostess had arranged an elaborate valentine luncheon.

The Anna Jackson Book club is the oldest club in town, having as its honorary members, Mrs. Stonewall Jackson. The members of the club are: Mesdames R. S. Abernethy, W. H. Hoke, May Estley Anderson, H. H. Hopkins, B. C. Cobb, H. E. Reid, R. E. Costner, R. S. Rhinehardt, Miss Kate Curtis, Mrs. John Rees, Miss Florence Finch, Mrs. W. C. Quickel, Mrs. W. E. Grigg, Mrs. J. W. Saine, Mrs. Mrs. Herron, Mrs. J. S. Wise, Mrs. J. L. Lineberger.

Mrs. R. E. Costner gave a luncheon in honor of two of the Fassifern young ladies, Miss Evelyn Graham of McPeck, and Miss Highsmith, from Fayetteville. Four of Mrs. Costner's young friends, Misses Mary Rees, Jennie Saine and Corinne and Mary B. Crowell who are also students at Fassifern, were invited to meet them.

The Magazine Club met with Mrs. Bonner Southerland on Friday afternoon.

On Tuesday afternoon Mrs. W. R. Dye entertained the members of the Guild and Auxiliary of St. Luke's church at a very pretty afternoon tea.

The Bridge Club will meet with Mrs. J. L. Lineberger this afternoon.

On Tuesday, February 13th, a party of young women returned some of the many courtesies of the Lincolnton Cotton Club by giving them a Leap Year dance. The young ladies anticipated St. Valentine's day and Rhinehardt hall was gay with the festive decorations. Hearts were in evidence everywhere even in the shape of the sandwiches, which were served with the fruit punch. Red scarfs made many of the German figures very beautiful. The Gastonia orchestra furnished the music and seemed to do their best for the merry party. There were visitors from Shelby, Gaffney, Bessemer City, Mt. Holly, Gastonia and

Charlotte. All pronounced the German the loveliest entertainment of the season, and it was a tired but happy party who repeatedly echoed the "Home Sweet Home."

Grand Jury Makes Report To Judge

The grand jury of Mecklenburg county which has been in session since court opened last Monday morning handed in its report to Judge C. C. Lyon yesterday afternoon. It follows:

"We have passed on all bills sent to us by the solicitor, finding 24 true bills and two not true bills. We visited the county jail in a body and found it in good condition. The jury recommended that some additional bedding be furnished the prisoners when the jail is as full as it has been all week. There was no complaint of harsh treatment or lack of food. We examined the court house by committee and found the inside of the house in good condition. The offices of the different county officials we found in good condition. We found the wood work on the outside of the court house in great need of painting and recommend that all the woodwork be painted as soon as possible.

"We visited the county home by committee. We found 71 inmates, 33 white, 38 colored, 2 white insane and 9 colored insane. We found the home in good condition and the inmates are well fed and clothed on good, wholesome food and humanely treated. We also found five mules in good condition and five wagons in good condition. We also visited the convict camps by committee.

"At Owen's camp we found 33 convicts, 2 white and 31 colored. Condition of convicts good, clothing good, clothing good. Convicts received good food. No complaint of excessive punishment. No complaint of mistreatment. We also found mules in good condition and nine wagons in addition to the usual road-building tools in good repair.

"At Little's camp we found 38 convicts, 3 white and 35 colored. Condition of convicts good. They are well clothed and fed. No complaint of over-work or harsh treatment. The condition of the quarters is good. We found 18 mules in good condition. We also found 10 wagons and the usual road-building machinery in good repair.

"At McLaughlin's camp we found 36 convicts, 1 white and 35 colored. Condition of convicts good. They are well clothed and fed. No complaint of over-work or harsh treatment. The condition of the quarters is good. We found 20 mules in fine condition and 10 wagons in addition to the usual machinery in good repair.

D. HENRY WHITE, Foreman."

Rev. Dr. Harding To be The Speaker

The speaker to men at the meeting this afternoon at the Young Men's Christian Association will be the Rev. Dr. C. R. Harding, of Davidson College. Dr. Harding comes instead of Rev. Byron Clark, of Salisbury, who was unable to be present.



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