

"A dividend of 1 1-2 per cent. was determined by the supreme court of the declared on the preferred stock out of United States, were rejected today by accummulated surplus, making a tocounsel for the Southern railway. The plan of the governor as outlined by tal dividend distribution of 4 per cent. special counsel for the state, was to for the year.

suspend the present inquiry because "For this purpose there was approof the expense attached to it, but the priated a portion of the surplus income

The plan is new to the financial world and one which the secretary believes would prove more efficacious that the old method of the treasury department in waiting until the country

was severely shaken financially and then coming relief at the ast moment Southern railway argued that in order carried forward from the year ended by placing a large deposit of governto expedite the adjustment of the con- June 30, 1906, after payment of the di- ment funds in New York banks. Second three was enabled to pass Cortelyou did not say how much month three weeks there and be visited by the he would deposit each week, though he indicated that it would equal the

tion, expects to complete his cure in two weeks more He is well on the road to recovery and all reason for apprehension about his health seems to have disappeared.

'On the quiet farm among the Westchester Hills, so secluded that the sechis whereabouts were discovered by the public. Mr. Root has fleshened up, put on a healthy coat of flesh, lost the drawn worried look of the summer and will be back to Washington, as Mr. Muldoon phrases it, "the strongest member of the cabinet, not even barring Mr. Taft." 'During the first two weeks of hi stay he gained a pound a day, acquiring therewith such a stock of energy that he was today able to ride eighteen miles, walk three miles and in addition took the usual course of exercise with the big medicine ball, and boxed 15 vigorous minutes with Muldoon When visited today on the veranda of the Muldoon residence, his face showed good color, his eyes were clear and his hand steady. He looks a triffe tired but otherwise well.

1812, Mexican, Civil and Spanish- One party was sent out by Revenue American. It is now a battalion, Maj. Agent Surber whose office is at Greens-J. C. Vann commandant, composed of boro, these men going out from Dur-Company A. Captain A. G. Haigh, a ham, while the other party, composed reserve corps in gray uniform, and Co. of Deputy Marshal Jordan and Officers F., Captain N. H. McGeachy, 2nd regi- Hendricks and Banks left Raleigh. ment of National State Guard. In trib- The object of both was to raid some dis ute to its age and long service, the tiljeries in Chatham county, about 8 General Assembly of North Carolina, miles from Chapel Hill. In uncertain by special enactment in 1888, conferred tain light last night the two parties the brevet major on its captains, and came near together and each demanded tha tof captain on its lieutenants, and tha tthe other should halt and throw this act is still in force. The grading of the street railway not being done firing began and was has reached Blount street. The new street bridge over Lock's creek, one hundred feet long and sixty feet high, will be turned over by injuries are considered fatal. Possethe New York contractors to the county man Banks was wounded, Deputy Colcommissioners on Monday. The superior court for the Durham office was shot and one other trial of criminal docket only, will con- man also. vene on Monday, Judge Jones on the bench and Mr. N. A. Sinclair, solici- Henry is not serious. A messenger tor. The cases are numerous with the went to Durham and took the news jail full of prisoners but none is of spe- of the affair and carried a doctor out cial importance. Mr.C. Gresham an experienced hotel was at Panacea Springs, near Littleman of Charlotte, has bought one half ton, and Revenue Duncan telegraphed of the hotel LaFayette property in this her the news so that she could go at city from Mr. C. J. Cooper. The lumber mill of H. C. Best at Jud- so she has been taken there by Dr. Adwas burned last night, with a loss of occurred. \$3,000 and insurance \$1500. In accordance with the recommendation of the state chemist, the city will R. Jordan, the worst wounded officer, install a filter at the waerworks as soon as possible.

troversy necessary facts in relation to the cost of doing busines in North Carolina should be gathered pending the

settlement of the jurisdiction of the Had the Southern railway agreed to dinary conditions as may not reasoncourts,--

Judge Walter A. Montgomery, who was been postponed today indefinitely. As it is, the hearing was ordered to procored and the indications are that it will tranferred the hearing from New York, company at least until permanent ef-Judge Montgomery started taking testimony today in the office of the first vice president of the Southern railway.

H. B. Spencer, vice president of the Southern, was the only witness heard, and he had not concluded when adjournment was taken.

During the forenoon he answered many questions concerning the cost of operating in North Carolina, and the earnings on all classes of business. At the afternoon session Speaker Justice ro at Confederate reunion yesterday wil of the North Carolina legislature, took have the effect of bringing about prohicharge of the cross examination and bition in that county, which now has inquired closely into the actual cost eight barrooms. of earning a dollar on all classes of Ex-Governor Aycock is added to business in the state.

curately the cost of earning a dollar on the Southern Railway, which was on intrastate business and said that in a fatal collision at Auburn August it cost about 65 cents on all business 6th. in North Carolina to earn a dollar for the year ended June 30, 1906.

as figured by the interstate commerce thousand dollars for charging over two commission and do not include taxes, and one-quarter cents per mile passeninterest on bonds or indebtedness of ger fare was made up by Clerk Russ any kind, or expenditures from net to be docketed in the supreme court available funl produced sharp relief earnings for betterments. Mr. Spencer to be heard at the term which begins said that the average earnings per next week. It can be argured in 30 sible by the very violence of the reactrain mile on the Southern system on days at the furtherest.

passenger business are about \$1.03 or \$1.04 and the freigh earnings in North Carolina, including mail and express business, are about \$1.25. The average "Choke" through which the business Roosevit. of the entire system is "funnelled." -

The witness gave the gross earnings the president and representatives of the drinking. Both are white. on North Carolina business as \$12,043,- navy department. It follows: the same period at \$7,778,793, but could President Roosevelt, Assistant Secreta-

"In taking this action the directors were influenced by the consideration that the income account for the year situation. reflects such abnormal and extraor-

the plan the present hearing before ably be expected to recur. "At the time the directors considerappointed master to take evidence and ed that under existing conditions of report to Judge Pritchard, would have high prices for supplies, material and labor of increasing taxes and legislative reduction of revenues it was te part of conservative prudence to limit continue for a week or more. Having the distribution of the profits of the fects of such conditions can be fair-

ly measured."

## READY FOR SUPREME COURT

Appeal of Southern Against Fine Imposed by Judge Long.

(Special to The Messenger) Raleigh, N. C., Aug. 23 .- State Auditor Dixon expressed the opinion that shooting by drungen men at Wadesbo-

counsel for Conductor Oakley and En-Mr. Spencer could not estimate ac- gineer Rippey of the passenger train be deposited he will prevent specula-

Today case of state against Southern railway, in which Superior Court These figures apply to net earnings Judge Long fined that road thirty tion of gold to Europe. In previous,

## FOR THE PACIFIC.

Oyster Bay, Aug. 28 .- The Atlantic earnings on all business in North Car- battleship fleet will start for the Paciolina are larger than the average for fic next December, according to an orthe entire system, said Mr. Spencer, ficial statement tonight by Secretary for the reason that North Carolina is a Loeb at the direction of President

The statement was made following a conference this afternoon between

727; the gross operating expenses for "A conference this afternoon between

Beginning next week, the treasury department wil imake each week for period of not less than five weeks, de posits in national banks at New York Boston and other points, the security required to be approved state, municipal and railroad bonds acceptable under the existing requirements of the department, with the understanding that if called for, such deposits shall be returned after January 1, next in installments to be fixed by the secreta-

ry of the treasury.

This action is believed to be preferal ble to waiting until a time of acut stringency, when the ony alternation would be a large deposit.

The latter policy, the secretary de sires to supersede by one which shall have as its ultimate object the adjustment of the operations of the treasur department as rapidly as may be prac ticable under existing law, in such manner as shall preclude their being in any sense a distributing factor in the business world.

Secretary Cortelyou believes by not announcing in advance the amounts to uation and obtaining money which he believes should go into other channels. In adopting this plan the secretary gave careful consideration to the quesfrom the national treasury when a crop moving stringency was absorbing all

## FATAL SHOOTING AFFRAY

Champion Kills Brother in Law and is Himself Mortally Wounded.

Raleigh, N. C., Aug. 23.-Near Spring Hope, in Nash county, yesterday Henry Wheeless was shot to death by his sible from mental work.

One Killed and 12 Injured

Mr. Root asked to be excused from talking about his health but his appearance was sufficient contradiction of the exaggerated reports of a comlete break down.

His physician visited him today but left without making any arrangement for his return.

According to Mr Muldoon, Secretary Root, when he arrived was suffering from nervous exhaustion, the result of overwork and strain.

"He was very nervous." said the exthlete, "more so than I ordinarily care to see patients. His brain was tired, he was anxious and worried about things which never happened and never could happen. He was very weak then, but when he goes back he will be the strongest member of the cabinet. He is taking a course of exercise suited to his age and strength, and goes to his work with the energy you would expect from a man who has come to the front as he has. He

knows something about boxing, too, seems to have learned it as a boy and never forgotten."

During his stay at White Plains, Mr. Root has been resting as much as pos-It was part of the agreement with

At the time Champion was mortally Muldoon that no one should see him wounded. The fight was the result of except his secretary, his physician and Mrs. Root, and until today this rule

had been violated only once-in favor of President Roosevelt, who during

Birmingham, Ala., Aug 23 .- One pas- the first week of Mr. Root's stay mo-Bear Admir- senger dead and 12 severely injured tored over with his family to pay a

IN THE BUSINESS WORLD

Interior Merchants Buying With Great Freedom- Preparations for Fall and Winter Trade Indicate Confidence i nthe Future.

New Yok Aug. 23 .- R. G. Dun and Company's weekly Review of Trade tomorrow will say:

Jobbing markets are well attended by interior buyers and country merchants, who operate with great freedom considering the financial stringency, which has compelled the postponement of much contemplated construction work.

Yet many western and southern cities report building operations in excess of last year's and the harvest progress there is more disposition to increase preparations for future needs. Retail stocks have been depleted by the customary bargain sales and the preparations for fall and winter trade indicate confidence in the continued activity.

complaint regarding collections, but burning but a short time when the reports from Canada indicate many re- boiler exploded. quests for renewals.

Leading industrial plants are well boiler was low.

up their hands and surrender. This quick and accurate.

Deputy Marshal Jordan was shot in the thigh and near the spine and his lector Henry, who was sent from the

Banks' wound is in the leg; that of to see the injured men. Jordan's wife once to Durham to meet her husband son, a few miles from the city, ams, who went to where the shooting

> A good many years ago there was a similar occurrence in this state. James lives at Carey in this county and is a member of a well known family there He has been in the service some time and is doing good work, Collector Duncan said today.

> Later information is that John Banks is very badly wounded. He is a native of this county and was a policeman here several years.

> The bulet which struck Jordan followed a rib and did not enter the cavity of the body.

> > SIX MEN KILLED

Were Testing Boller of Engine When It Exploded.

New York, Aug. 23 .- Six men were testing the boiler of a donkey engine in the hole of the coal barge Patterson were instantly killed today by the explosion of a boiler. A seventh man was seriously injured.

The barge, which belongs to the Erie railroad company, was being overhauled when Captain Hopkins, his engineer, and deck hand and the other four machinists went into the engine roo mto test the boiler. A fire was At most domestic points there is no started in the boiler and it had been

It is supposed that the water in the

brother-in-law, named Champion

	tion of the property. Mr. Spencer admitted that there is a considerably volume of interstate business handled on North Carolina local trains and in fact practically all of such interstate freight except that originating at division points or des- tined for such points. It was conceded that this to some ex- tent tended to increase the cost of carrying local freight. The reason given by Mr. Spencer for the high cost of handling local freight was that there is less tonnage on local trains, more wear on the equippment, and mare labor required in the hand-	<ul> <li>vigation, and frear frammer of the Atlantic fleet, was held to decide some of the details in connection with the fleet's going to the Pacific.</li> <li>"The fleet will consist of 13 battle-ships and will start some time in December, going through the straits of Magellan and up to San Francisco, and will probably also visit Puget sound.</li> <li>"The question of the route by which it will return has not yet been decided.</li> <li>"The destroyer Flotilla will leave for the Pacific about the same time as the fleet, but will not accompany it."</li> <li>A suit or, overcoat bought now means a saving of from 25 per cent. to 33 1-3 per cent. J. M. Solky &amp;</li> </ul>	of the ouisville and Nashville railroad at Johns station today. The wreck was caused by spreading rails. Washington, Aug 23.—The Norfolk and Washington company's steamer Norfolk, which ran aground several days ago near Maryland Point, about fifty miles down the Potomac river during a fog, was floated uninjured to- day and proceeded to Norfolk. We do not allow ill fitting garments to leave the store, satisfaction the motto of this great clothing house. J. M. Solky & Co.	made at secrecy, Mr. Root's presence had been quite unnoticed. He had ridden almost daily with the other pa- tients over the roads about White Plains several times, passing through the town and had received his private secretary for the transaction of nec- essary state department business. His presence at the sanitarium be- came known through the filing at the local t legraph office of dispatches for the state department. The visit of the president to the Mul- doon farm was known only to a few persons. Even Secretary Leob, who keeps almost in constant touch with his chief, did not learn until today of the president's trip. In fact, when told of it he was still positive that the president had not	In most sections of the steer and from industry conditions are normally more quiet at this time than any other month of the year, and the moderate decrease in new business of late has received more attention than the cir- cumstances warranted because of the phenomenally active period proceed- ing. Conditions in the cotton goods indus- try continue satisfactory, some mills having contracts covering production through most of next year. GAY LUMINA TONIGHT Week-end dance at Gay Lumina tonight. Express Trains at 8.00 and 8.39.	Lack of Funds Causes Laving off of Large Number of Employees.         Panama, August 23.—Lack of funds is checking the canal work. Four thousand men have been laid off on the new line of the Panama railroad and it is stated that the department of mu- nicipal engineering has been ordered to lay off one thousand more.         Market and the clear of the panama railroad and it is stated that the department of mu- nicipal engineering has been ordered to lay off one thousand more.         Market and the clear of the panama railroad and it is stated that the department of mu- nicipal engineering has been ordered to lay off one thousand more.         Market and the clear of the panama railroad and is looked for.         Market and the clear of the panama rail onight. Express Trains at Stop and stop.         Market be about the panama railroad and to lay off one thousand more.
--	--	---	---	---	--	--