

# The Prodigal Judge

Illustrations by D. S. S. Vaughan Kester

## CHAPTER XXXIII.

### A Crisis at the Court-House.

Just at daybreak Yancy was roused by the pressure of a hand on his shoulder, and opening his eyes saw that the judge was bending over him. "Dress!" he said briefly. "There's every prospect of trouble—get your rifle and come with me!"

Yancy noted that this prospect of trouble seemed to afford the judge a pleasurable sensation; indeed, he had quite lost his former air of somber and suppressed melancholy.

"I let you sleep, thinking you needed the rest," the judge went on. "But ever since midnight we've been on the verge of riot and possible bloodshed. They've arrested John Murrell—it's claimed he's planned a servile rebellion! A man named Hues, who had wormed his way into his confidence, made the arrest. He carried Murrell into Memphis, but the local magistrate, intimidated, most likely, declined to have anything to do with holding him. In spite of this, Hues managed to get his prisoner lodged in jail, but along about midnight the situation began to look serious. Folks were swarming into town armed to the teeth, and Hues fetched Murrell across country to Raleigh."

"Yes," said Yancy.

"Well, the sheriff has refused to take Murrell into custody. Hues has him down at the court-house, but whether or not he is going to be able to hold him is another matter!"

Yancy and Hannibal had dressed by this time, and the judge led the way from the house. The Sheriff Miller looked about him. Across the street a group of men, the greater number of whom were armed, stood in front of Peglow's tavern. Glancing in the direction of the court-house, he observed that the square before it held other groups. But what impressed him more was the cautious silence that was everywhere. At his elbow, the judge was breathing deep.

"We are face to face with a very deplorable condition, Mr. Yancy. Court was to sit here today, but Judge Morrow and the public prosecutor have left town, and as you see, Murrell's friends have gathered for a rescue. There's a sprinkling of the better element—but only a sprinkling. I saw Judge Morrow this morning at four o'clock—I told him I would oblige myself to present for his consideration evidence of a striking and sensational character, evidence which would show conclusively that Murrell should be held to await the action of the next grand jury—this was after a conference with Hues—I guaranteed his safety. Sir, the man refused to listen to me! He showed himself utterly devoid of any feeling of public duty." The bitter sense of failure and futility was leaving the judge. The situation made its demands on that basic faith in his own powers which remained imbedded in his character.

They had entered the court-house square. On the steps of the building Hues was arguing loudly with Hues, who stood in the doorway, rifle in hand.

"Maybe you don't know this is county property?" the sheriff was saying. "And that you have taken unlawful possession of it for an unlawful purpose? I am going to open them doors—a passel of strangers can't keep folks out of a building their own money has bought and paid for!" While he was speaking, the judge had pushed his way through the crowd to the foot of the steps.

"That was very nicely said, Mr. Hues," observed the judge. He smiled widely and sweetly. The sheriff gave him a hostile glare. "Do you know that Morrow has left town?" the judge went on.

"I ain't got nothin' to do with Judge Morrow. It's my duty to see that this building is ready for him when he's a mind to open court in it."

"You are willing to assume the responsibility of throwing open these doors?" inquired the judge affably.

"I shorley am," said Hues. "Why, some of these folks are our leading people!"

The judge turned to the crowd, and spoke in a tone of excessive civility. "Just a word, gentlemen!—the sheriff is right; it is your court-house and you should not be kept out of it. No doubt there are some of you whose presence in this building will sooner or later be urgently desired. We are going to let all who wish to enter, but I beg you to remember that there will

be five men inside whose prejudices are all in favor of law and order." He pushed past Hues and entered the court-house, followed by Yancy and Hannibal. "We'll let 'em in where I can talk to 'em," he said almost gaily. "Besides, they'll come in anyhow when they get ready, so there's no sense in exciting them."

In the court-house, Murrell, bound hand and foot, was seated between Carrington and the Earl of Lambeth in the little railed-off space below the judge's bench. Fear and suffering had blanched his unshaven cheeks and given a wild light to his deeply sunken eyes. At sight of Yancy a smothered exclamation broke from his lips; he had supposed this man dead these many months!

Hues had abandoned his post, and the crowd, suddenly grown clamorous, stormed the narrow entrance. One of the doors, borne from its hinges, went down with a crash. The judge, a fierce light flashing from his eyes, turned to Yancy.

"No matter what happens, this fellow Murrell is not to escape—if he calls on his friends to rescue him he is to be shot!"

The hall was filling with swearing, struggling men, the floor shook beneath their heavy tread; then they burst into the court-room and saluted Murrell with a great shout. But Murrell, bound, in rags, and silent, his lips frozen in a wolfish grin, was a depressing sight, and the boldest felt something of his unrestrained lawlessness go from him.

Less noisy now, the crowd spread itself out among the benches or swarmed up into the tiny gallery at the back of the building. Man after man had hurried forward, intent on passing beyond the railing, but each had encountered the judge, formidable and forbidding, and had turned aside. Gradually the many pairs of eyes roving over the little group surrounding the outlaw focused themselves on Slocum Price. It was in unconscious recognition of that moral force which was his, a tribute to the grim dignity of his unshaken courage; what he would do seemed worth considering.

He was charmed to hear his name pass in a whisper from lip to lip. Well, it was time they knew him! He squared his ponderous shoulder and made a gesture commanding silence. Hattered, shabby and debauched, he was like some old war horse who sniffs the odor of battle that the wind incontinently brings to his nostrils.

"Don't let him speak!" cried a voice, and a tumult succeeded.

Cool and indomitable the judge waited for it to subside. He saw that the color was stealing back into Murrell's face. The outlaw was feeling that he was a leader not overthrown; these were his friends and followers, his safety was their safety, too. In a lull in the storm of sound the judge attempted to make himself heard, but his words were lost in the angry roar that descended on him.

"Don't let him speak! Kill him! Kill him!"

A score of men sprang to their feet and from all sides came the click of rifle and pistol hammers as they were drawn to the full cock. The judge's fate seemed to rest on a breath. He swung about on his heel and gave a curt nod to Yancy and Cavendish, who, falling back a step, tossed their guns to their shoulders and covered Murrell. A sudden hush grew up out of the tumult; the cries, angry and jeering, dwindled to a murmur, and a dead pall of silence rested on the crowded room.

The very taste of triumph was in

"Gentleman, it is a serious matter forcibly to seize a man without authority from the courts and expose him to the danger of mob violence—Mr. Hues will learn this before we have done with him."

Instantly there was a noisy demonstration that swelled into a burst of applause, which quickly spent itself. The struggle seemed to have narrowed to an individual contest for supremacy between Pentress and the judge. On the edge of the railed-off space they confronted each other: the colonel, a tall, well-cared for presence; the judge, shabby and unkempt. For a moment their eyes met, while the judge's face purpled and paled, and purpled again. The silence deepened. Pentress' thin lips opened, twitched, but no sound came from them; then his glance wavered and fell. He turned away.

"Mr. Sheriff!" he called sharply. "All right, colonel!"

"Take your man into custody," ordered Pentress. As he spoke he handed the warrant toward Betts, who looked at it, grimaced, and stepped toward Hues. He would have pushed the judge aside had not that gentleman, bowing civilly, made way for him.

"In my profound respect for the law and properly constituted authority I yield to no man, not even to Colonel Pentress," he said, with a gracious gesture. "I would not place the slightest obstacle in the way of its sanctioned manifestation. Colonel Pentress comes here with that high sanction. He bowed again ceremoniously to the colonel. "I respect, I respect his dependence upon the law!" He whirled suddenly. "Cavendish—Yancy—Carrington—I call upon you to arrest John Murrell! I do this by virtue of the authority vested in me as a judge of the United States federal court. His crime—a mere trifle, my friends—passing counterfeited money! Colonel Pentress will inform you that this is a violation of the law which falls within my jurisdiction," and he beamed blandly on Pentress.

"It's a lie!" cried the colonel.

"You'll answer for that later!" said the judge, with abrupt austerity of tone.

"For all we know you may be some fugitive from justice!—Why, your name isn't Price!"

"Are you sure of that?" asked the judge quickly.

"You're an impostor! Your name is Turberville!"

"Permit me to relieve your apprehensions. It is Turberville who has received the appointment. Would you like to examine my credentials?—I have them by me—no? I am obliged for your introduction. It could not have come at a more timely moment." The judge seemed to dismiss Pentress contemptuously. Once more he faced the packed benches. "Put down your weapons!" he commanded. "This man Murrell will not be released. At the first effort at rescue he will be shot where he sits—we have sworn it—his plotting is at an end." He stalked nearer the benches. "Not one chance in a thousand remains to him. Either he dies here or he lives to be taken before every judge in the state, if necessary, until we find one with courage to try him! Make no mistake—it will best conserve the ends of justice to allow the state court's jurisdiction in this case; and I pledge myself to furnish evidence which will start him well on his road to the gallows!" The judge, a tremendous presence, stalked still nearer the benches. Outraged the crowd, a sense of the splendor of the part he was being called upon to play flowed through him like some elixir; he felt that he was transcending himself, that his inspiration was drawn from the hidden springs of the spirit, and that he could neither falter nor go astray. "You don't know what you are meddling with! This man has plotted to lay the south in ruins—he has been arming the negroes—it is incredible that you should all know this—to such I say, go home and thank God for your escape! For the others—his shaggy brows met in a menacing frown—"If they force our hand we will toss them John Murrell's dead carcass—that's our answer to their challenge!"

He strode out among the gun muzzles which wavered where they still covered him. He was thinking of Mahaffy—Mahaffy, who had said he was still a man to be reckoned with. For the comfort of his own soul he was proving it.

"Do you know what a servile insurrection means?—you men who have wives and daughters, have you thought of their fate? Of the monstrous savagery to which they would be exposed? Do you believe he could limit and control it? Look at him! Why, he has never had a consideration outside of his own safety, and yet he expects you to risk your necks to save him! He would have left the state before the first blow was struck—his business was all down river—but we are going to keep him here to answer for his crimes! The law, as implacable as it is impartial, has put its mark on him—the shadow in which he sits is the shadow of the gallows!"

The judge paused, but the only sound in that expectant silence was the heavy breathing of men. He drew his unwieldy form erect, while his voice rumbled on, aggressive and threatening in its every intonation.

"You are here to defend something that no longer exists. Your organization is wrecked, your signals and passwords are known, your secrets have become public property—I can even produce a list of your members; there are none of you who do not stand in imminent peril—yet understand, I have no wish to strike at those who have been misled or coerced into joining Murrell's band!"

"Draw, Damn You!" He roared at Pentress.

eyes and his right hand was stealing toward the frayed tails of his coat. "Look out—he's getting ready to shoot!" cried a frightened voice.

Instantly by doors and windows the crowd, seized with inexplicable panic, emptied itself into the court-house yard. Pentress was caught up in the rush and borne from the room and from the building. When he reached the graveled space below the steps he turned. The judge was in the doorway, the center of a struggling group; Mr. Bowen, the minister, Mr. Saul and Mr. Wesley were vainly seeking to pinion his arm.

"Draw—damn you!" he roared at Pentress, as he wrenched himself free, and the crowd swayed to right and left as Pentress was seen to reach for his pistol.

Mr. Saul made a last frantic effort to restrain his friend; he seized the judge's arm just as the latter's finger pressed the trigger, and an instant later Pentress staggered back with the judge's bullet in his shoulder.

(TO BE CONTINUED)



"Don't Let Him Speak. Kill Him! Kill Him!"

the judge's mouth. Then came a commotion at the back of the building.

A ripple of comment, and Colonel Pentress elbowed his way through the crowd. At sight of his enemy the judge's face went from white to red, while his eyes blazed; but for the moment the force of his emotions left him speechless. Here and there, as he advanced, Pentress recognized a friend and bowed coolly to the right and left.

"What does this ridiculous mockery mean?" he demanded harshly. "Mr. Sheriff, as a member of the bar, I protest! Why don't you clear the building?" He did not wait for Betts to answer him, but continued. "Where is this man Hues?"

"Yonder, colonel, by the captain," said Letts.

"I have a warrant for his arrest. You will take him into custody."

"Wait!" cried the judge. "I represent Mr. Hues. I desire to see that warrant!"

But Pentress ignored him. He addressed the crowded benches.

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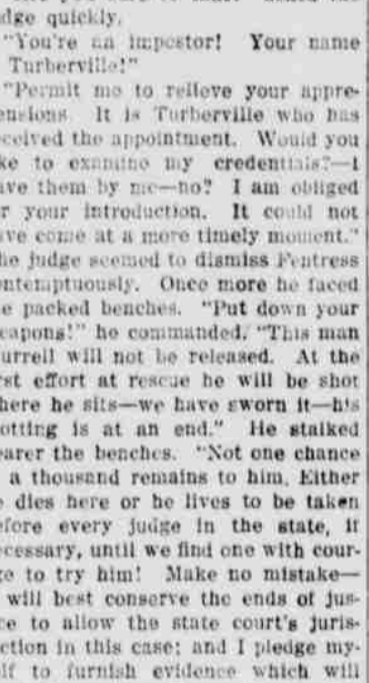
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The judge's sudden old face glowed now with the magnanimity of his sentiments. "But I have no feeling of mercy for your leaders, none for Murrell himself. Put down your guns!—you can only kill us after we have killed Murrell—but you can't kill the law! If the arch conspirator dies in this room and hour, on whose head will the punishment fall? He swung round his ponderous arm in a sweeping gesture and shook a fat but expressive fore-finger in the faces of those nearest him. "On yours—and yours—and yours!"

Across the space that separated them the judge grinned his triumph at his enemy. He had known when Pentress entered the room that a word or a sign from him would precipitate a riot, but he knew now that neither this word nor this sign would be given. Then quite suddenly he strode down the aisle, and foot by foot Pentress yielded ground before his advance. A murderous light flashed from the judge's bloodshot



"Draw, Damn You!" He roared at Pentress.

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## A Very Wise Young Man

Fred Somers and his widowed mother were having a family talk in the library. Fred was still in college, but he was a very wise young man. He was so wise that had attempted to dictate to his sister, Edith, as to how her smiles were to be distributed. There had been rebellion and defiance on her part and hence the family council.

"I wish Edith were more tractable," sighed the mother.

"Can you argue with a girl who has her fists doubled up? Now let's go over the list again. There is Waters, who is a perfect snuff. There is Thompson, who hasn't got a dollar. There is Rush, who is a perfect sissy. There is Alvord, who sings passably well, but will never earn \$25 a week. There is Clingham, who is living on his poor old mother's bounty. The whole five rolled into one wouldn't make a man and yet she keeps them dangling around her."

Edith Somers had at least the five callers named at the family council. Two or three of them had escorted her to the theater. Another had taken her to the horse show. She had bowed to them on the avenue or in the park and she had chatted and smiled at home. What of it? Can't a girl do that and much more without being in love?

In his class were three different young men Fred liked exceedingly well. He invited them by turns to run down home with him and of course Sister Edith met them. While he was trying to conspire further the sister added two more to her string, making seven "regulars" and three "substitutes."

Another family council was called. "I throw up my hands!" announced Fred in tones of despair.

"What's she done now?" meaning Edith.

"Got two more! One has been in an insane asylum, I believe, and the other will soon get there. I started to say something to her an hour ago, but she elevated her nose and walked off."

"I—I had five beaux at one time myself," replied the mother, who thought the case had not yet arrived at the danger point.

"But she's got ten and more coming every minute!"

"But I don't believe Edith is in love."

"Girls are deceivers, mother—sly deceivers. The first we know she'll announce that she is going to marry this or that brainless ape. Here and now I wash my hands of the whole affair. Let Edith go to her garret and her crusts. I have said my last word."

Edith Somers added two more to that famous "string," so as to make an even dozen, but she heard nothing from Fred in regard to it. He was keeping his word.

Summer opened; he came home on his vacation and the trio went to a lake resort. At the end of a fortnight a new face appeared at the Somers' table. Fred sized up the stranger and said to himself:

"Homely enough to stop a clock. No fear of Edith taking to him."

And after several futile glances across the table Edith said to herself: "Strong, sensible, unromantic. I might like him."

After three or four days there were introductions. The stranger was George French, mining engineer.

Mr. French was invited to go out in a sail boat with the trio. Mr. Fred was twenty-four years old and he took charge of the boat. There was no great call for wisdom in the managing of a sail boat in a gusty day. All that is needed is about five years' experience.

Ten minutes of exhilaration and then a gust struck her and she went over. The wise Fred was tangled up with the sail and the two ladies were ready to go to the bottom when Mr. French got clear of the rope tangled about his legs and began work. He reached out an arm for all and gathered them to the overturned boat and directed and chided and encouraged until the rescuer came.

It was three months later that Fred Somers said to his sister:

"Eddie, what's become of that civil engineer?"

"Out west, I believe," was the answer.

"Say now, I was in hopes—"

"He hasn't quite asked me to yet, but I expect he will in his next letter. Oh, run along. You are twenty-four years old and a very, very wise young man!"

Where He Saw It.

"Did you ever see a leopard skin?" asked the teacher.

"Yeessum," replied Willie.

"Where?"

"In a cage, when the lady leopard got after him."

A Good School.

"I don't see any sense in referring to the wisdom of Solomon," said the man smartly. "He had 1,000 wives."

"Yes," answered the woman tartly; "he learned his wisdom from them."

Free and Clear.

"A man ought to be able to read his title clear."

"He certainly ought, if he expects an American girl to pay a million of her papa's dollars for it."—Judge.



"Draw, Damn You!" He roared at Pentress.

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Notice.

North Carolina—Union County.

Having qualified as administrator of Sam'l Givens, late of Union county, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned on or before the 30th day of July, 1913 or this notice will be pleaded in bar of their recovery.

All persons indebted to said estate will please make immediate payment.

LORENZO MEDLIN,  
Administrator.

This the 26th day of July, 1912.

Notice of Administration.

Having this day qualified as administrator of the estate of Lonnie Stegall, deceased, notice is hereby given to all parties holding claims against said estate to present their claims to the undersigned at Monroe, N. C., on or before the 31st day of July, A. D., 1913, or this notice will be pleaded in bar of their recovery.

All persons indebted to said estate will please make prompt settlement.

This 30th day of July, 1912.

The Savings, Loan & Trust Co.,  
Adm. of Lonnie Stegall, deceased  
Redwine & Sikes, Attys.

Notice of Administration.

Having on the 20th day of July, A. D. 1912, qualified as administrator of the estate of Cliff Griffin, deceased, notice is hereby given to all parties holding claims against said estate to present them to the undersigned at Wingate, N. C., on or before the 7th day of August, 1913, or this notice will be pleaded in bar of their right of recovery.

All persons indebted to said estate will please make prompt settlement.

This the 3rd day of Aug., 1912.

B. D. AUSTIN, Administrator  
Cliff Griffin, Deceased.  
Redwine & Sikes, Attys.

## Dr. E. D. Puett, Optometrist,

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Arrivals.

No. 40, Charlotte to Wilmington..... 5:45 a.m.  
No. 88, Birmingham-Atlanta to Portsmouth-New York..... 6:10 a.m.  
No. 48, Charlotte to Monroe..... 8:30 a.m.  
No. 89, New York to Birmingham..... 9:30 a.m.  
No. 46, Wilmington to Charlotte..... 11:15 a.m.  
No. 52, Atlanta to Monroe (local)..... 5:45 p.m.  
No. 44, Charlotte to Wilmington..... 5:00 p.m.  
No. 102, Rutherfordton to Monroe..... 8:40 p.m.  
No. 39, Wilmington to Charlotte..... 9:35 p.m.  
No. 41, New York-Portsmouth to Atlanta-Birmingham..... 10:05 p.m.  
No. 37, Birmingham to New York..... 9:50 p.m.

Departures.

No. 40, Charlotte to Wilmington..... 5:50 a.m.  
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No. 48, New York to Birmingham..... 9:35 a.m.  
No. 103, Monroe to Rutherfordton..... 9:35 a.m.  
No. 45, Wilmington to Charlotte..... 11:20 a.m.  
No. 50, Monroe to Atlanta (local)..... 5:00 p.m.  
No. 44, Charlotte to Wilmington..... 5:00 p.m.  
No. 49, Monroe to Charlotte..... 6:25 p.m.  
No. 32, Birmingham to New York..... 9:25 p.m.  
No. 39, Wilmington to Charlotte..... 10:05 p.m.  
No. 41, New York-Portsmouth to Atlanta-Birmingham..... 11:00 p.m.

Specials.

No. 25 and 26, Atlanta-Birmingham Special: Steel, electric lighted Pullman Drawing Room Sleeper between Atlanta and Birmingham.

Steel, electric lighted Pullman Observation Sleeper between New York and Birmingham. Electric lighted Pullman Drawing Room Sleeper Charlotte to Portsmouth.

Trains Nos. 41 and 28, steel, electric lighted Pullman Drawing Room Sleeper between New York and Atlanta. Pullman Roller Parlor between Atlanta and Birmingham.

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Local Ticket Agent.

Dr. E. D. Puett, Optometrist,  
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