

NEWSPAPER ARTICLES

INCREASE OF JUDGES.

The Atlanta Constitution; Aug 19, 1894; pg. 18, 1

The Supreme Court Constitutional Amendment.

MARTIN V CALVIN; The Atlanta Constitution; Aug 26, 1894; pg. 17, 1

GEORGIA'S JUDGES.

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VOTE FOR THE AMENDMENT.

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PHOTO OF JUDGE NASH BROYLES

The Atlanta Constitution; Aug 2, 1902

PARKER TO MEET GEORGIA SOLONS

The Atlanta Constitution; Feb 28, 1903; pg. 7, 1

LAWYERS PLAN THEIR MEETING

The Atlanta Constitution; Jun 6, 1903; pg. 12, 1

**BAR ASSOCIATION MEETING WAS HIGHLY SUCCESSFUL**

The Atlanta Constitution; Jul 12, 1903; pg. B2, 1

**NEW COURT PROVIDED FOR**

Jos. Ohl; The Atlanta Constitution; Jan 16, 1904; pg. 5, 1

**LAWYERS TO ASK FOR NEW COURT**

The Atlanta Constitution; Jun 19, 1904; pg. 4, 1

### The World.

The world keeps growin' brighter,  
No matter what they say;  
And hearts are growing lighter  
As they beat along the way.

And sweeter, rarer roses  
Are opening to the dew;  
And every sunset closes  
On a starry sky of blue!

A Georgia exchange that persistently takes a gloomy view of the situation, declares that "the country is going to the dogs." Well, if it does, we'll simply take the bark off, roll up its sleeves and make it get down to business.

### He Did His Best.

"You are charged here," said the judge, "with voting twice this morning?"

"I know it, your honor; but it was the best I could do. Sence I got the rheumatism I can't vote more'n twice ter save my life!"

Nearly every town in Georgia now is trying to get up a chautauqua. The surplus of campaign orators is so great, they have got to be accommodated in some way.

Don't growl about the weather. Ice is very much cheaper than coal, and thermometers are not as high as they might be.

### How It Went.

"How's Jones's new book selling now?"

"First-class. I heard some one saying yesterday that it was a regular sell!"

There are more candidates than privates in this campaign, but the beauty of it is, the candidates can do the running and the voting, too.

### It Worked.

Poet—Can you make anything out of this poem?

Editor—I guess so. John! hit her a lick with that mucilage and see how she works for fly paper!

The benefit to Mr. Montgomery M. Folsom at the Edgewood Avenue theater next week, will be a notable affair, and it goes without saying that the house will be packed. It will be one of the best entertainments of the kind ever given in Atlanta.

### Never Mind.

Never mind how fortune goes—  
Summertime or fall;  
Keep on lookin' for a rose—  
But don't you pull 'em all!

When the sun, with golden bars,  
Leaves the western wall,  
Keep on countin' of the stars—  
But don't you count 'em all!

Both the democrats and populists of Henry having nominated candidates for representative and county officers, the campaign may be appropriately declared under headway in Henry county, with the democrats in the lead.

The Rochelle Solid South makes this note: Gwinnett county, in her primary for county officers, polled 1,547 democratic votes. Her voting strength is 2,500, yet the third party claims Gwinnett. They claim the state on the same basis."

### INCREASE OF JUDGES.

The Hawkinsville Dispatch says editorially:

"No one familiar with the actual condition of legal matters in this state can seriously question the actual necessity for the increase in the number of judges on our supreme court. The security of life and property demand an increase for, as the court is now constituted, it is a physical impossibility for the three judges to give the requisite time and examination to the causes submitted were each one to work for full ten hours per day from the first to the last day of each year. It is the interest and welfare of the people that is at stake."

The Hartwell Sun says of Judge Richard H. Clark:

"Judge Richard H. Clark is being spoken of as chief justice of the supreme court, should a vacancy ever occur on that august tribunal. Judge Clark is as thoroughly versed in all laws, state and federal, as any superior court judge in Georgia. He is as familiar with the superior court decisions rendered both before and since the war as a bright school boy is with his alphabet. No judge of any court is more just in his rulings and in all of his official conduct than Judge Clark is. He is the most deservedly and universally popular judge in Atlanta."

Says the Atlanta correspondent of The Hartwell Sun:

"Hon. W. C. Glenn, of Atlanta, has many friends all over Georgia who would like to see him a member of the supreme court. Colonel Glenn, Judge Tompkins and ex-Congressman Nat Hammond are a trio of the able lawyers of the Atlanta bar. In the preparation of his cases Colonel Glenn reminds me of the late illustrious Governor Stephens and General Toombs, in the presentation of his cases to the court and the jury he reminds me of the late ex-justice of the supreme court, Hon. Linton Stephens, of whom the late renowned Chief Justice Hiram Warren said: I consider Judge Linton Stephens one of the ablest lawyers in the whole union."

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... on the grounds, after which the companies will change uniforms to state ... and dress parade held, and prizes awarded. Cars will then be taken for the ... where the exercises will be concluded ... parade through the principal streets.

Each organization will enter all the military contests, and each commander is earnestly requested to have entries in each of the athletic contests.

Approved as the programme for field day of Fifth regiment infantry, Georgia volunteers, and the adjutant of regiment will issue a copy of the same to the commanding officer of each organization composing said regiment.

JOHN S. CANDLER,  
Colonel Commanding Fifth Regiment Infantry, Georgia Volunteers."

### The Supreme Court Constitutional Amendment.

Editor Constitution—As a layman I beg permission to say a few things as to the constitutional amendment which proposes to add two associate justices to the supreme bench of this state.

I believe that if the amendment is brought to the attention of the people of the state in a clean-cut manner, it will receive their cordial endorsement and support. The masses of the people are seldom, if ever, wrong. Give them the facts, show them the necessity for any proposed reform, and they are pretty certain to vote it.

Right here I would call attention to an error in the manner of presenting this amendment to the voters of the state. I refer to the discussion now in progress in the columns of the press of the state of

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tion that an unnecessary debt will help  
him, or that it is safe for him to contract  
a debt when he cannot see his way clear  
to paying it. Such a debt is a curse, and  
it has destroyed and damned many a  
man.

### More Supreme Court Judges Needed.

The brief communication from our  
supreme court judges printed in another  
column should convince even the most  
doubtful that we should add two more  
justices to our supreme bench.

Many state supreme courts have five,  
seven and even nine judges. Our court  
is overworked. It has an immense  
amount of business, and it is impossible  
to dispose of it unless the judges work  
day and night and slight their work, or  
do it too hastily.

There is nothing of more vital im-  
portance to our citizens than a strong  
and well-organized supreme court, and  
it would be a wise and an economical  
step to adopt the pending constitutional  
amendment providing for an increase in  
the number of judges. There is danger  
in an overworked court.

By the time the people buy all the rail-  
roads and get through paying for them the  
republicans will need a rest.

The circus season comes at the heels of  
the political campaign. The public will  
need some kind of diversion.

The defeat of Mr. Breckinridge in Ken-  
tucky seems to have been an unexpected  
event to his friends.

Mr. Benjamin Harrison's anxiety to make  
a few remarks during the campaign is  
due to his desire to keep his name before  
the public. He refuses to envy the obscuri-  
ty into which ex-presidents invariably fall.

If an after dinner speaker could ever hope  
to be president, Dr. Depew would have  
some show.

In a special from Ellaville, Ga., published  
in Sunday's Constitution, the type said that  
Mr. Albert Cox "opposed" the repeal of  
the purchasing clause of the Sherman law.  
The word as written in editing the dis-  
patch was "approved." The context show-  
ed to intelligent readers that "opposed"  
was a typographical error.

### EDITORIAL COMMENT.

Governor Flower took pains to talk about

Every hive is full o' honey.

Don't you fret!

Some day we'll get

Every pocket full o' money!

The Dalton Argus is one of the progres-  
sive weeklies of the state. It is frequently  
twelve pages on short notice.

### Some Georgia Nuggets.

Better spend \$2 in hay for the cow than  
sit down and grieve over spilt milk.

A man who wants to rise in the world  
has got to foot the bill for the dynamite.

One pint of happiness beats ten bushels  
of misery; but most people are still after  
the bushel measure.

The man who says this world is a howling  
wilderness ought to shoot the dogs and  
get happy.

Make hay when the sun shines and pota-  
toes when it rains. But some folks can't  
stand hot or rainy weather.

This old world is so full of beauty that a  
man has to shut his eyes and walk in the  
nighttime not to see it.

### MORE JUDGES NEEDED.

Columbus Herald: At the October election  
the people of Georgia, by their votes, will  
have an opportunity to increase the num-  
ber of judges to five. This should be done,  
in our humble opinion. And we believe any  
sensible, fair-minded man who will read  
the article referred to in the beginning of  
this editorial will fully concur in this opin-  
ion.

Griffin Call: The number of judges of the  
supreme court has not been increased since  
its formation. The number of county and  
superior courts in that time has increased  
47 per cent, the number of city courts has  
increased 66 per cent and the population of  
the state has increased 335 per cent. Isn't  
it about time to do something for the su-  
preme court? It is the highest tribunal we  
have, and the people should see that its  
efficiency is not impaired by a lack of  
working force.

Columbus Enquirer-Sun: It is the duty  
of the people to examine carefully and  
patiently the facts and arguments that have  
been submitted in favor of the amendment  
to increase the number of judges of the su-  
preme court from three to five. There is  
nothing partisan or anyways political in the  
proposed amendment. There is no reason  
why any intelligent, fair-minded, third  
party man should not cast his vote for it,  
just as the democrats will do. The pros-  
perity, the liberty or the life of the third  
party man, or those who are near and dear  
to him, may at some time be involved in the  
courts, and this is the supreme and final  
tribunal. Overcrowded dockets make over-  
crowded judges, prolong their necessary in-  
vestigations and result in snail-pace justice.  
All the people as well as the lawyers are  
interested in having the smoothest and  
most perfect machinery for the mill of jus-  
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Says The Darien Gazette:

"It goes without saying that in the first congressional district Hon. Rufus E. Lester will be elected by an overwhelming majority."

Says The Valdosta Times:

"The populists, or some of them, from Berrien and Lowndes county met here last Saturday and nominated Mr. George Knight for senator. He won't color the liquor."

Hon. Hamilton McWhorter will address the people of Madison county at Danielsville on Saturday, the 29th instand, and invites joint discussion with the populists.

### VOTE FOR THE AMENDMENT.

Columbus Enquirer-Sun: The remaining amendment, to increase the number of judges of the supreme court from three to five, has been urged upon the people with much more earnestness than either of the others. Its claims for adoption are numerous and unanswerable. Its adoption now rests upon the good judgment and the conservatism of the people. No fair-minded man, after fully considering the reasons and necessity for the increase, will let his personal prejudices or narrow notions of public economy prevent him from freeing the highest court of his state from the onerous burden under which it rests and equip it for a better dispatch of business and a higher usefulness in the realm of jurisprudence.

Bainbridge Democrat: By all means let the people of Georgia vote for the constitutional amendment increasing the number of supreme court judges. The people should not be submitted to tardy justice and longer.

Augusta Herald: The papers of Georgia are all taking a hand in the race of the amendment to add two more judges to the supreme bench. Up to date it looks as if the amendment is leading by a couple of lengths.

### GOOD STORIES.

A short time ago a young lady was troubled with a boil on her knee which grow so bad that she thought it necessary to call in a physician, says The Courier-Journal. She had formed a dislike for the

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### CAMPAIGN

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The city was filled with politicians from all parts of the state, who had come to take part in the executive committee con-



**CHIEF JUSTICE LOGAN E. BLECKLEY.**

sultation. They were crowded in the corridors of the hotels when the rumor of Judge Bleckley's resignation was passed from mouth to mouth.

"He will be remembered as one of the grandest figures in the judiciary of Georgia," said Hon. W. H. Fleming, when he had been assured of the truth of the rumor. "A more just judge, one breathing more the spirit of the law, never lived."

To this statement Hon. A. S. Clay, Judge Bartlett, Judge Branham and the other distinguished gentlemen present, at once assented.

"Judge Bleckley's peculiar justice," said Hon. W. C. Glenn, "was that he was be-

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not, indeed, as requiring, but as indicating, my retirement forever from public office. I am upwards of sixty-seven years of age and have had more than my due share of official opportunity and emolument, having been an office holder under the state in sundry positions for a third part of my whole life. Surely I ought to be satisfied with what the state has done for me, and if I have been faithful and efficient the state ought to be satisfied with what I have done for it. If, on the other hand, I have failed either in fidelity or efficiency, it ought to part with me now with no regret save that my exit was so long delayed.

"I beg to add, in conclusion, that in private life I shall not the less cherish sentiments of grateful affection towards all those, the living and the dead, by whose favor and confidence I have been trusted, promoted and honored.

"I desire this resignation to take effect on Monday, the 29th day of October, instant.

"With high respect and consideration, personal and official, I am your obedient servant,  
L. E. BLECKLEY."

Twice Governor Northen read over the letter.

"I never felt so keenly the pain of the loss of a public servant before," said the governor. "Chief Justice Bleckley was so eminently the man for the place, he stands so close to the hearts of all Georgians, he has done so much toward giving help, and character to our supreme bench, that I could not bring myself to accept the resignation without a protest, which I felt sure would find an echo in all parts of the state."

Walking up to the supreme courtroom Governor Northen found the chief justice sitting in his accustomed chair.

"Good morning, governor," said the chief justice, arising and grasping the hand of the chief executive.

"Judge," said the governor, in a voice full of feeling. "I beg you to withdraw this letter. I know that I speak for the people of Georgia. The bench, the bar, the whole people will be shocked if you persist in this resignation."

"All of which I heartily appreciate," replied the chief justice, "and the more because so kindly spoken by you."

"Let the letter remain in abeyance for a day or two," urged the governor.

"Governor," answered the chief justice, "I am sure you will pardon me, but that paper contains the truth, and my action thereunder must stand."

This colloquy was the first intimation the other gentlemen in the room had that the matter had gone so far, though some of

the case may be. I am conscious that I am young enough, strong enough, capable of work enough, to warrant my acceptance if the office was tendered me, but I do not say I have learning enough to fill it. But this is a question I am not capable of deciding. I have been on the trial bench some years and my mental characteristics are tolerably well known. What impression has been formed on minds capable of judging, I am in no very good position to know."

#### A Talk with Judge Bleckley.

Seated in the parlor of the Hotel Macon was found Judge Bleckley last night. Hon. William H. Fleming and Hon. W. Glenn entered the room the chief justice saluting both gentlemen, addressed Fleming as "Mr. Speaker."

"I feel that you will be elected," said "and I must congratulate you in advance."

"Yea," said the chief justice, "for reasons stated in my letter I have resigned. The desire for completeness is with me a passion. In all that I do I want it complete. I can never be satisfied anything short of that. The inharmonious incompleteness wrecks my nerves. I am for truth, and so ardent is the search I am in doubt during all stages until a decision is reached. Then reaching the precipice at which doubt ends, I throw myself into the arena of certainty with a firmness and confidence that cannot be shaken."

"I do not withdraw from the supreme court through choice. I love the work, and would sooner be engaged in it than in anything else. To me the study of the law, the elucidation of truth, the balancing of justice, is the dream of life. I find everything I do is hard work. I am a hard man. I write and rewrite; I think and consider until I am satisfied that I have exhausted the subject. Then, with the confidence of a man who has pursued a line of investigation, I declare my work well done. The court will go on and decisions will be rendered by those who are more expeditious than I am."

Asked about some of the crowning peaks of his life, the chief justice said:

"My first idea of law was gained by helping my father, who was clerk of the superior court of Rabun county. This was in my eleventh year, in 1833. Previously I had attended school taught by my grandfather, who stimulated me with the ro-

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"It may be thought that as my brethren  
concern of their posts and struggle on, I  
should likewise, and that if for loss of  
the constitutional amendment should any  
why I should resign, the same reason ap-  
plies with equal force to them. One of  
them is ten, the other twenty years my  
junior and it is reasonable to suppose that  
both can hold out better and longer against  
the wear and tear of overwork than I can.  
If I remained with them and did my full  
part, I could not hope to rival them in  
endurance. I should have to drop out soon,  
and I might as well do it now. Besides,  
they work faster than I do or can, and I  
sincerely believe their onerous task would  
be somewhat lightened if they could have,  
in my stead, some one more expeditious  
than I am, in deciding cases. Being a  
slow and cautious judge, unless I have am-  
ple time for research and study, I can de-  
cide nothing difficult with any absolute as-  
surance that my conclusions are correct.  
I am quite too slow to co-operate with them  
on equal terms in the exercise of this most  
important judicial function. They can well  
spare me for a less timid and hesitating  
mind, especially if their new colleague, as  
he easily might, should excel me in legal  
learning.

"I frankly confess that I withdraw from  
the court with much reluctance. At this  
period of my life judicial work is that for  
which I am best fitted, and I would rather  
do it for nothing than be idle on full pay.  
I have no wish to retire from active life or  
to shun moderate labor.

"My health is good, and both by mental  
constitution and long habit, occupation is  
essential to my happiness. No feeling that  
I am superannuated troubles or oppresses  
me. Gladly would I serve out the four re-  
maining years of the term for which I was  
last elected if I could do so with justice to  
myself or with real advantage to the state.

"Finally, to those, if any, who may be  
disposed to criticise my present conduct ad-  
versely, I would urge this consideration,  
not, indeed, as requiring, but as indicating,  
my retirement forever from public office. I  
am upwards of sixty-seven years of age and  
have had more than my due share of official  
opportunity and emolument, having been an  
office holder under the state in sundry  
positions for a third part of my whole life.  
Surely I ought to be satisfied with what  
the state has done for me, and if I have  
been faithful and efficient the state ought  
to be satisfied with what I have done for  
it. If, on the other hand, I have failed  
either in fidelity or efficiency, it ought to

with assistance and will make a  
race before the legislature.

Judge Spencer, of Atlanta, of Georgia  
also found friends who urged his  
nomination. I. E. Shumate, of Dallas,  
Franklin, of Florida, Judge Howard  
Epps, of Fulton, Hon. Robert L. B.  
of Macon, Hon. A. J. Cobb, Hon.  
Glanville, of Richmond, and Hon. Warren  
were all spoken of as possible rivals  
for the succession. Of course there were  
many others suggested during the  
that intervenes between now and the  
tion. Last night there was quite a  
ment hinted for the promotion of  
Henry Lumpkin, of the Atlanta circuit.

Judge Van Epps, in answer to a  
question whether he would be a candi-  
date, said:

"I think Associate Justice Simmons  
seniority, the character of his past  
vices and his ability, deserves to be  
placed to the seat of the chief justice. It  
scarcely be expected that a lawyer  
trial judge would be promoted over  
head. In reference to the seat made  
vacant, I am in no sense a candidate. I  
not solicit the governor or a member of  
legislature to cast their choice for me. I  
result of my self-seeking was to secure  
office. The office is one of vast resp  
bility. Those charged with the dut  
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"A more just judge, one breathing more the spirit of the law, never lived."

To this statement Hon. A. S. Clay, Judge Bartlett, Judge Branham and the other distinguished gentlemen present, at once assented.

"Judge Bleckley's peculiar justice," said Hon. W. C. Glenn, "was that he was beloved by the entire bar because of his personality as well as by his rare gifts as an able judge."

"We looked up to him more as a father or an oracle than as an associate," said Associate Justice Lumpkin. "There was neither feeling of rivalry nor of jealousy. We looked upon him as a chief by nature, and were warmly attached to him."

"With that sentiment, I freely agree," said Associate Justice Simmons, who was standing by. "Georgia has had many noble sons, and her bench has been adorned by many great men, but Judge Bleckley holds his place easily among them."

**How the Resignation Was Tendered.**

It has been known for some time that Chief Justice Bleckley felt keenly the need of an enlargement of the court. He was a man who believed in thorough work. He could never school himself up to the idea of dismissing work half done, or of failing to freely consider the minutest points of every case. All cases were of the first importance to him.

It was in order that the work of the supreme court might be thus completely done that he advocated the increase of the court from a membership of three to five. Five judges, he held, could give the proper attention to the business of the court, while he was equally convinced that three could not.

When, therefore, it became evident that the amendment for an increase in the number of judges had been defeated, the question presented to his mind was this:

"Shall I continue on the bench and dismiss my work half done, or shall I refuse to be a party to such a course?"

His decision was soon taken, and the result was that when Governor Northen reached his office yesterday, he found the following typewritten letter upon his table:

**Judge Bleckley's Letter.**

"Atlanta, Ga., October 15, 1894. His Ex-

"Judge," said the governor, in a full of feeling. "I beg you to withdraw your letter. I know that I speak for the people of Georgia. The bench, the bar, the people will be shocked if you persist in your resignation."

"All of which I heartily appreciate," replied the chief justice, "and the more cause so kindly spoken by you."

"Let the letter remain in abeyance for a day or two," urged the governor.

"Governor," answered the chief justice, "I am sure you will pardon me, but my paper contains the truth, and my conscience thereunder must stand."

This colloquy was the first intimation that other gentlemen in the room had the matter had gone so far, though some of them had anticipated it.

**And Now for the Succession.**

No sooner was it made certain that Bleckley had resigned than the discussion of the successor began. Judge Bleckley had timed his resignation for the 25th of October, out of consideration for Governor Northen. The governor, several days before, had intimated his desire that he should be called upon to make no appointments would have to go before the next legislature. His wish is to close up the business of his administration and to leave to Governor Atkinson the origination of all that will enter into his administration. Chief Justice Bleckley had resigned to effect at once the governor would have been harassed to make an appointment order to effect the regular election. The 29th of October will be devoted to the election of judges by the legislature, and the day upon which his resignation should take effect, the chief justice that he would cause the least possible

Associate Justice T. J. Simmons has announced himself for the chief justice. The announcement was well received by the members of the bar now in the city.

"I felt," said Associate Justice Simmons, "that as I stood next in the order of seniority that it was proper for me to announce for the succession. My own term ends this year, and in declining a re-election for a six-year term, I offer for the four-year term of Chief Justice Bleckley's

Attorneys in the city from middle class, which mention the associate justice

# COURT OF APPEALS

## A Movement on Foot To Create One In Georgia.

### RELIEVE THE SUPREME COURT

#### It May Be Called a Supreme Court Commission.

### THE JURISDICTION OF THE PROPOSED COURT

#### It Will Not Render Final Decisions but Will Greatly Aid the Highest Tribunal.

A movement is on foot to create a court of appeals or supreme court commission in Georgia.

The calendar just published by the clerk of the supreme court shows that there will be before that body for consideration during the coming term a greater number of cases than ever before. This means an amount of work upon the members of the supreme court which is practically a mental and physical impossibility.

The need for an increase in the number of justices of the supreme court has been apparent to everybody for several years, but the different efforts to secure, by means of an amendment to the constitution, this necessary relief have failed. The legislature each time has been favorable to the increase, but for a variety of reasons the people have declined to ratify such an amendment.

The plan proposed is one which will furnish relief. It has been tried in several other states of the union, and has been uniformly successful.

A bill is being drawn by a prominent member of the bar of south Georgia providing for a commission of three judges to be known either as the supreme court commission or as the court of appeals. The province of this court is very much like that of a master in chancery. It does not make the final decisions, but hears the argument, passes upon the case and presents it to the supreme court, which does make the decisions.

Some relief, it is argued, must be rendered the supreme court. Without an amendment to the constitution, there can be no increase in the number of justices, and, therefore, whatever change is made must be made on the line of preserving the jurisdiction of the present court. The legislature can create such a court without waiting for a vote of the people.

Of course it is impossible to say what the legislature will do, but the temper of that body is to render to the court the assistance of the supreme court which is so necessary, and it is probable that a bill on this line will go through.

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where the people are providing suitable schoolhouses and adequate pay for the teachers.

"If you will study the question as I have done you will come to the same conclusion that I have reached, that there is no question in Georgia today of such paramount importance as the question of providing suitable schoolhouses and better paid teachers for our rural districts. Yours very truly,

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State School Commissioner.

There is one recommendation of the teachers which I imagine will raise something of a howl—that the county school commissioners be required to stand the same examination that the teachers have to stand. As the county school commissioner is supposed to be a man capable of instructing the teachers, there seems on the surface to be no reason why such a change should not be made. But the fact is that a good many county school commissioners in Georgia could not stand such an examination, and as they are men of influence in their communities, we are sure to hear from that recommendation.

Hon. Hope Pophill, of Bibb, spent a few hours in the city yesterday and had something to say about matters which would come before the legislature.

"I have a bill," said he, "which a number of friends of the public school system believe will solve the difficulties to a great extent. It is, in brief, the extension to the rest of the state of the Bibb county system of local taxation for the support of the country schools. Under this system the people of the county, on the recommendation of two successive grand juries approved by a two-thirds vote of the people, can be taxed directly for the support of the schools. The result of its operations in Bibb have been most beneficial. There is not a child in the county who has to go more than three miles to reach a good school, conducted in a substantial building by a capable teacher. Bibb's schools are very fine. I believe that should it be extended many counties will take advantage of it, and a greatly improved system of schools in those counties will result. I do not believe that the legislature will increase the appropriation because the state cannot afford it."

Mr. Pophill has another bill which will create discussion. It is to make dogs property in the opinion of the owner.

As it stands in Georgia a dog is not property and no matter how valuable he may be the owner cannot secure damages or has he any redress in the courts should the dog be killed. That was decided in a case in the ninety-third Georgia, in which, I believe, Fletcher Johnson was one of the counsel.

The plan of the bill proposed by the representative from Bibb is to let each individual owner elect whether his dog shall be regarded as property or not. If he does so decide he is to register it with the ordinary and pay a tax on a valuation of not less than \$25. This, it will be seen, is not the old dog law of blessed memory, but is an entirely new idea, and it seems a good one.

I understand that Flem duBignon is to announce his candidacy for the senate some time before long and that he will open his campaign at Waycross. He will make the race largely on the lines now being urged by Secretary Smith, but he will not swallow all that the administration

was able to travel, reclining on a couch, and he and his mother returned to their home in the far northwest.

The incident impressed me deeply. The days of the siege, and I often wondered how the captain had fared on his journey home and afterwards.

My curiosity was unexpectedly gratified a few years ago by a paragraph in a newspaper copied from an Iowa contemporary.

I don't remember its exact words now, but it called attention to the remarkable case of Captain Johnson, who had been wounded in the spine and captured by the confederates in the Atlanta campaign. The article spoke of the prisoner's kind treatment, told the story of his mother's trip through the lines and went on to say that the sufferer had been confined to his bed for twenty-five years, during which time his mother had been his constant and devoted nurse.

I laid the paper down and rubbed the moisture from my eyes. How one touch of nature makes us all kin!

That was six years ago, and since then I have heard nothing. It is possible that the captain and his mother are still living, but if the latter survives she must be now quite an old woman, at least seventy-five or more.

The chivalric tenderness of the confederates toward their helpless enemy, and the consecrated task of that noble mother through a baptism of fire, and year after year, for a quarter of a century or more, will never be forgotten by those who are familiar with the story.

I have given only the plain facts without the slightest embellishment or exaggeration, and I regret that I have forgotten Captain Johnson's full name and the name of the town in Iowa where he lived, and where he may still reside. I have no doubt however, that this will reach the eye of some veteran or some friend who will be able to furnish the missing links and the conclusion of the narrative which must break off here.

Such incidents deserve a place in history. They show that even in war times our people were inclined to be humane, and that the brotherly feeling was ready to come uppermost when it had a fair chance.

The captain must have been a gentleman and a good soldier to have drawn about him so many friends in the enemy's camp, and if Iowa has many such mothers as Mrs. Johnson she should be one of the proudest states in the union.

WALLACE P. RIED.

## IRISHMEN TO COME.

### A Day Set Aside for the Gathering of the Irishmen at the Exposition.

A day has been set aside for the gathering of the Irishmen at the exposition.

On Tuesday, November 6th, the Sons of the Emerald Isle and their descendants will storm Atlanta. They will be here from the east, west, north and south and Atlanta will probably see the largest gathering then of any day during the exposition.

The day has been decided on as "Irish Day," and the attendance will be large. On last Sunday a committee was appointed from the home division of the Ancient Order of Hibernians of America to take in hand the question of a day when all their friends should be entertained by the Irishmen of Atlanta. The committee has met the officials of the exposition and secured a date to be known as "Irish Day." The American Order of Hibernians only "start the ball" and all Hibernians in the city will share alike in its success. The following call was issued by the committee





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body is to render to the court the assistance to the supreme court which is so necessary, and it is probable that a bill on this line will go through.

The indications point to a very interesting and perhaps a decidedly lively session of the legislature for the establishment of a court of appeals is not the only important matter which will come before Georgia's law makers during the fifty days beginning the third week in October. Several notable fights will come up and they are of a nature calculated to develop interest throughout the state.

In many respects the most prominent of these will be an effort to engraft on Georgia the dispensary system, the beautiful workings of which South Carolina has seen. The bill providing for such a step was introduced in the last legislature, and while it was finally indefinitely postponed by the senate, it is evident that it had enough life to warrant the prediction that it will be revived during the early days of the session and a great effort will be made to saddle it upon the state. A bill similar to that introduced in the senate was introduced in the house and has strong supporters there. During the vacation the temperance people have been making a concentrated effort on this line of the prohibition idea, and when I see such men as my friend Ed Jones, of Dougherty county, declaring unequivocally for the passage of such a measure I do not hesitate to predict that there will be some surprise.

That there will be some efforts at anti-railroad legislation there can be little doubt. A bill has been drawn providing for the taxation of railroad companies on their capital stock, and from all I can hear there is a strong sentiment at its back. Then the Southern railway combination may have trouble on its hands. The old fight on suppression of competition idea will be revived and I hear of several bills that may lead to a state of affairs very much akin to the Olive bill fight several years ago.

A schoolbook fight is a certainty. In the last house the contest on that line was only avoided by constant postponement. I am told that Mr. West, who championed the bill to which the schoolbook monopoly took exception, will be on deck with his war paint on and I have heard it said that strong efforts will be made to pass a bill on the line of that one attempted in Tennessee. I do not know exactly what that is, but I do know that the schoolbook men who are on the inside are not pleased with them and they do not relish the possibility of a fight on this line in Georgia. However, it is almost certain to come on some such line, and when it does come it will add spice to the proceedings.

The suggestions made by the Teachers' Association for improvement in the school laws have been circulated among the members of the legislature and efforts will be made to change the existing laws in some respects. State School Commissioner Glenn has sent out to the members of both houses a personal letter which indicates that he will have some bills on the line of his recent interview for their consideration. The letter is as follows:

"My Dear Sir—As the consideration of some important matters affecting our country school will be brought before the legislature, it behooves each of you to make a personal visit to all the schoolhouses in your country. You will see the importance of this request later on. I have visited, so far, more than half of the counties in the state. In all of these counties, and that the people have erected costly courthouses and expensive jails, and that nothing has been done for the country schools. The courthouses and jails cost anywhere from \$20,000 to \$50,000. From the reports of the county school commissioners to me as to the value of the country schoolhouses, and that in most cases the country schoolhouses, about \$100 in all county, are worth less than \$100 in all told. What is standing between our children in the country unprovided with proper schoolhouses and competent teachers and these fine costly jails, the only recourse to you that we are providing our houses for our criminals than for the children? With all the schoolhouses and the courthouses and jails erected at a cost of \$5,000,000 in this high time, we are standing up the educational question and studying it seriously. The best talent among the country teachers is leaving the country and going to the towns and cities,

I understand that from  
announced his candidacy for the senate some time before long and that he will open his campaign at Waycross. He will make the race largely on the lines now being urged by Secretary Smith, but he will not swallow all that the administration has done or will do, as the secretary will. His friends believe that personal popularity will be a great factor in this fight and that their man has an equally good showing with any other man in the race.

### A STORY FOR THE VETERANS.

The blue and gray veterans in Atlanta during the past week showed in many ways their patriotism and good fellowship. To see these brave men, as they walked arm in arm over the old battlefields, it was difficult to realize that a generation ago they had faced one another in many a deadly fight on those same red hills.

But even when the struggle for Atlanta was at its height the soldiers in the two armies sometimes showed a brotherly spirit.

Months before the siege a gallant young federal officer, Captain Johnson, of Iowa, was seriously wounded in an engagement in north Georgia. He was brought to Atlanta by the confederates and sent to a hospital, where he received the best of care. The confederate surgeons were not long in finding out that the poor fellow was not likely to recover, and his condition excited their sympathy. His spine was injured and it was impossible for him to leave his bed.

A number of officers talked with the captain, and he was so bright and brave and patient, that they took a strong liking to him. But what was to be his fate? It would have been cruel to send him to Andersonville, and he could not get the proper comforts in a military hospital. He could not be exchanged and in fact could not stand a long journey.

The confederate officers put their heads together and under a flag of truce a consultation was held with some of the federal officers. Finally, arrangements were made to pass Captain Johnson's mother through the lines, and in a few days a sweet-faced, middle-aged woman left her home in Iowa and was safely passed through the armies of Sherman and Johnston.

She was cordially received in Atlanta by the confederate officers, and many citizens immediately took an active interest in her plans. She was well provided with money, and after she had rented a little cottage her wounded son was turned over to her to die or be nursed back to health if possible.

The devoted little woman took charge of the wreck of a once strong man, and all through the spring and summer she gave him her tenderest care. Everybody took an interest in Mrs. Johnson and the captain, and the strangers were made to feel that they were surrounded by friends.

In the meantime Sherman was within cannon shot of the city and his big guns and bursting shells made the days and nights hideous and dangerous.

The little cottage escaped the flaming bombs, and the mother and her son waited for their, knew not what.

Mrs. Johnson and the captain had been treated with such kindness by the confederates and the citizens that they looked forward almost sadly to the inevitable capture of Atlanta by the federals.

One sultry September evening an officer called at the Johnson cottage.

"I have only a moment to spare," he said, "but I thought you would like to know that Sherman's troops will garrison the city tomorrow."

Mrs. Johnson and the invalid expressed their surprise, but they hardly knew whether they were glad or disappointed by the news.

"So I will tell you both goodby," continued the visitor, "and I hope that the captain will speedily recover and let me hear from him."

They shook hands and the officer departed with heartfelt blessings from his two friends, who watched him with tearful eyes.

It was a night of tumult and thunderous explosions, but the Johnsons knew the meaning of it all, and in the morning it soon became evident that the confederates had evacuated the town.

A few more hours of waiting and General Sherman's corps marched in, and in a short time Atlanta was a union city under martial law.

Mrs. Johnson sent a message to headquarters, and during the day several Iowa officers called at the cottage. After that the two were supplied with everything they needed, including the services of a surgeon.

In the course of a month the captain

men of Atlanta. The committee has met the officials of the exposition and secured a date to be known as "Irish Day." The American Order of Hibernians only "start the ball" and all Hibernians in the city will share alike in its success. The following call was issued by the committee and a large attendance is anticipated:

Atlanta, Ga., September 19, 1895.—Dear Sir: You are invited to attend a meeting of the Irishmen of the city to discuss the advisability of having an Irish day during our exposition. In our opinion such a day is proper when we consider our many friends who contemplate visiting the fair. We believe it the duty of every true Irishman to lend his aid in making such a day a success.

We have assurance from a number of Irishmen that such a day would be a success and we therefore request you to be present in Hibernian hall Sunday, 22d instant, at 3:30 p. m., to express your views on such an undertaking. Yours respectfully, James Gillespie, E. C. O'Donnell, P. G. Keeney, M. N. Blount, Joseph S. Cronin, John J. Kelley, D. Bowden, H. G. Keeney, John Breslin, P. J. Kenny, J. J. Duffy.

Mr. James Gillespie, chairman of the committee, on being asked as to the programme said: "That will be determined by the meeting Sunday afternoon. Of course we in Atlanta will not be able to entertain except in a general way the number that will come. We expect at least 10,000 present. The Ancient Order of Hibernians with over 150,000 members in the United States and Canada will all be notified through the various divisions. In each town and city we will request the officers of divisions to have printed in their local papers a notice notifying all Hibernians that November 28th will be set aside as 'Irish Day' in Atlanta exposition. Then the local branch of the Catholic Knights, an insurance organization with over 60,000 members, I understand, will invite all their brothers to Atlanta on the same day."

### KAPPA ALPHA HEBE.

They Gather in Reunion for Three Days This Week.

The regular biennial congress of the Kappa Alpha fraternity of the southern order will convene on the 25th, 26th and 27th of this month. Mr. Clifford L. Anderson is president of the local alumni association, Mr. Hunter P. Cooper is vice president and Mr. R. A. Redding is secretary.

Mr. S. V. Amman, of The Baltimore Sun, a prominent member of the order, will be present at the meeting.

A large representation will be here.

### TO COMRADES OF G. A. B.

An Opportunity for Them To Learn About Georgia.

Would you or friends at home like to know about farm, fruit and timber lands in Georgia or Alabama? If so write to us.

We gladly reply to any inquiries and send maps and reading matter. We live in the best county in Georgia. Our town has splendid free schools, and churches. Almost half the population are northern people.

G. A. B. comrades welcomed by a flourishing local post. Four daily trains from Atlanta over the Southern railway.

Come and see for yourselves, that's the best way. Address:

J. H. RIMARD & CO.  
Tallahassee, Ga.

### BROAD STREET'S IMPORTANCE.

It Is a Street of Enterprise—A New One Has Just Been Added.

When the old Broad street bridge was torn away to make room for the present magnificent structure of steel, the importance of the thoroughfare was for the first time fully comprehended. Since the completion of the new bridge the passing throng has increased wonderfully until now it is probably second to none other in the city.

Realizing the full truth of this and the necessity of having a first-class restaurant located in this most important avenue of trade, Mr. J. B. Smith has established a restaurant at 14 North Broad, midway between the bridge and Marietta street. It will be conducted under the experienced direction of Mr. R. G. Thompson, a gentleman who is widely known from his connection with restaurants of the better class.

The restaurant is well appointed and a thoroughly capable corps of attendants have been secured. Everything will be first-class and you are assured of the best and most prompt attention.

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There is one recommendation of the teachers which I imagine will raise something of a howl—about the county school commissioners be required to stand the same examination that the teachers have to stand. As the county school commissioner is supposed to be a man capable of instructing the teachers there seems on the surface to be no reason why such a change should not be made. But the fact is that a good many county school commissioners in Georgia could not stand such an examination, and as they are men of influence in their communities, we are sure to hear from that recommendation.

Hon. Hope Pophill, of Bibb, spent a few hours in the city yesterday and had something to say about matters which would come before the legislature.

"I have a bill," said he, "which a number of friends of the public school system believe will solve the difficulties to a great extent. It is, in brief, the extension to the rest of the state of the Bibb county system of local taxation for the support of the country schools. Under this system the people of the county, on the recommendation of two successive grand juries approved by a two-thirds vote of the people, can be taxed directly for the support of the schools. The result of its operations in Bibb have been most beneficial. There is not a child in the county who has to go more than three miles to reach a good school, conducted in a substantial building by a capable teacher. Bibb's schools are very fine. I believe that should it be extended many counties will take advantage of it and a greatly improved system of schools in those counties will result. I do not believe that the legislature will increase the appropriation because the state cannot afford it."

Mr. Pophill has another bill which will create discussion. It is to make dogs property in the opinion of the owner.

As it stands in Georgia a dog is not property and no matter how valuable he may be the owner cannot secure damages or has he any redress in the courts should the dog be killed. That was decided in a case in the ninety-third Georgia, in which, I believe, Fletcher Johnson was one of the counsel.

The plan of the bill proposed by the representative from Bibb is to let each individual owner elect whether his dog shall be regarded as property or not. If he does so decide he is to register it with the ordinary and pay a tax on a valuation of not less than \$25. This, it will be seen, is not the old dog law of blessed memory, but is an entirely new idea, and it seems a good one.

I understand that Fiem duBignon is to announce his candidacy for the senate some time before long and that he will open his campaign at Waycross. He will make the race largely on the lines now being urged by Secretary Smith, but he will not swallow all that the administration has done or will do, as the secretary will. His friends believe that personal popularity will be a great factor in this fight and that their man has an equally good showing with any other man in the race.

### A STORY FOR THE VETERANS.

The blue and gray veterans in Atlanta during the past week showed in many ways their patriotism and good fellowship. To see these brave men, as they walked arm in arm over the old battlefields, it was difficult to realize that a generation ago they had faced one another in many a deadly fight on those same red hills.

But even when the struggle for Atlanta was at its height the soldiers in the two armies sometimes showed a brotherly spirit.

Months before the siege a gallant young

man, whose name was forgotten, was killed and his mother returned to that home in the far northwest.

The incident impressed me deeply in the days of the siege, and I often wondered how the captain had fared on his journey home and afterwards. My curiosity was unexpectedly gratified a few years ago by a paragraph in a newspaper copied from an Iowa contemporary.

I don't remember its exact words now, but it called attention to the remarkable case of Captain Johnson, who had been wounded in the spine and captured by the confederates in the Atlanta campaign. The article spoke of the prisoner's kind treatment, told the story of his mother's trip through the lines and went on to say that the sufferer had been confined to his bed for twenty-five years, during which time his mother had been his constant and devoted nurse.

I laid the paper down and rubbed the moisture from my eyes. How one touch of nature makes us all kind!

That was six years ago, and since then I have heard nothing. It is possible that the captain and his mother are still living, but if the latter survives she must be now quite an old woman, at least seventy-five or more.

The chivalric tenderness of the confederates toward their helpless enemy, and the consecrated task of that noble mother through a baptism of fire, and year after year, for a quarter of a century or more, will never be forgotten by those who are familiar with the story.

I have given only the plain facts without the slightest embellishment or exaggeration, and I regret that I have forgotten Captain Johnson's full name and the name of the town in Iowa where he lived, and where he may still reside. I have no doubt however, that this will reach the eye of some veteran or some friend who will be able to furnish the missing links and the conclusion of the narrative which must break off here.

Such incidents deserve a place in history. They show that even in war times our people were inclined to be humane, and that the brotherly feeling was ready to come uppermost when it had a fair chance. The captain must have been a gentleman and a good soldier to have drawn about him so many friends in the enemy's camp, and if Iowa has many such mothers as Mrs. Johnson she should be one of the proudest states in the union.

WALLACE P. REED.

### IRISHMEN TO COME

#### A Day Set Aside for the Gathering of the Irishmen at the Exposition.

A day has been set aside for the gathering of the Irishmen at the exposition.

On Tuesday, November 6th, the Sons of the Emerald Isle and their descendants will storm Atlanta. They will be here from the east, west, north and south and Atlanta will probably see the largest gathering then of any day during the exposition.

The day was been decided on as "Irish Day," and the attendance will be large. On last Sunday a committee was appointed from the home division of the Ancient Order of Hibernians of America to take in hand the question of a day when all their friends should be entertained by the Irishmen of Atlanta. The committee has met the officials of the exposition and secured a date to be known as "Irish Day." The American Order of Hibernians only "start the ball" and all Hibernians in the city will share alike in its success. The following call was issued by the committee and a large attendance is anticipated:

Atlanta, Ga., September 19, 1895.—Dear Sir: You are invited to attend a meeting of the Irishmen of the city to discuss the advisability of having an Irish day during our exposition. In our opinion such a day is proper when we consider our many friends who contemplate visiting the fair. We believe it the duty of every true Irishman to lend his aid in making such a day a success.

We have assurance from a number of Irishmen that such a day would be a success and we therefore request you to be present in Hibernian hall Sunday, 22d instant, at 3:30 p. m., to express your views on such an undertaking. Yours respectfully, James Gillespie, E. C. O'Donnell, P. G. Keeney, M. N. Blount, Joseph S. Cronin, John J. Kelley, D. Bowden, H. G. Keeney, John Breslin, P. J. Kenny, J. J. Duffy.

### ASTOR AT THE EXHIBITION

#### The Young Millionaire Takes in Expedition, Midway and All.

### AFTERNOON AT THE TROAD

#### He Enjoyed the Exhibit and a I at the Club.

### AFTERWARDS HE TOOK IN THE MI

#### He Is Delighted with Atlanta's and Amazed at the Progress Shows—He Saw It All.

A tall young man of slight athletic clad in the close-fitting blue and of the New York colonels was a star at the exposition grounds yesterday.

He was a rather modest looking man, firm of feature, straight and pendent looking. His face was brown that rich brown which seems deeper the skin, and his mustache was of same hue. His nose was long and his was cropped close.

During the day he saw a little of everything there is to see at the exposition grounds and did a little of every thing there is to be done at the grounds was in the buildings, on the walks, a club and on the Midway.

The young man was Colonel John Astor, heir to a great American



and about \$200,000,000 of American money. Colonel Astor was in Atlanta with Governor Morton's party. He is a member of Morton's staff. He arrived town Friday evening about 7 o'clock. Other members of the party were and many of them went to bed, but Astor was not ready to turn in. He went to the theater, where he had an enjoyable evening. Not a half-dozen persons at the theater knew that the quiet young man in the military uniform was Jack Astor, who has \$200,000,000 in his own name.

Colonel Astor enjoyed the performers and like a quiet American citizen, went his hotel and to bed when the show over.

He was up early yesterday morning, took an early morning stroll on Peach and at 9 o'clock joined Governor Morton's staff and drove out to the exposition grounds.

Colonel Astor is a popular member of the party. He is an appreciative traveler and a close observer. He is of a clear turn of mind and he found much at the exposition yesterday morning to interest him. He has written a scientific which has been highly spoken of. He enjoyed the exposition immensely and pressed himself so after he had met

# MEN OF LEGAL GENIUS TO BANQUET TONIGHT

The Georgia Bar-Association To Meet, in Atlanta Next Week.

## JUDGE HORNBLOWER TO SPEAK

Splendid Programme Arranged for the Entire Week—Papers by Able Attorneys.

The brilliant minds of the Georgia lawyers will add to the glory of the exposition next week.

The Georgia Bar Association, with a galaxy of talent that can scarcely be equaled in any other state, will hold its annual session at the exposition grounds and the programme that has been prepared is one of the finest in the history of the association.

Hon. W. B. Hornblower, of New York, one of the most distinguished lawyers of the state, will be the principal orator of the occasion. He was selected about a year ago during the annual meeting of the association held here. Mr. Hornblower is the New York lawyer who was appointed by President Cleveland to a seat on the United States supreme court bench and was turned down by the senate. The matter created a great deal of newspaper comment at the time.

The programme for the convention is a job one throughout and is such as will delight the legal mind. It is full of excellent lectures and the papers that are to be read will be from the ablest men at the Georgia bar.

Among those who will read papers are Hon. J. R. Lamar, of Augusta; Judge Nicholas H. Clarke, Washington D.C.; Alex C. Hall, W. S. Basinger, W. A. Wimbush, J. E. Blount, P. W. Meldrim, H. H. Perry, Max W. Smith and others.

The officers of the association, elected at the last meeting held in this city, are:

President, William H. Fleming; secretary, John W. Akin; treasurer, Z. D. Harrison.

Secretary Akin has sent out the following letter to members of the association:

The next annual meeting of our association will be held in the auditorium building of the Cotton States and International Exposition, in Atlanta, beginning at 10 o'clock on the morning of October 2, 1895, and continuing three days. The annual orator is Hon. W. B. Hornblower, of New York city, whose fame as a lawyer promises a surpassing address.

Papers will be contributed as follows: 'The Making of a Code,' by Hon. J. R. Lamar, one of the three codifiers engaged in

Kappa Alphas Begin Their Three Day Session in Atlanta.

## ABOUT SEVENTY-FIVE PRESENT

All the Principal Colleges and Universities of the South Are Represented—Yesterday's Meeting.

The Kappa Alpha fraternity of the south convened at the Young Men's Christian Association hall yesterday morning at 10 o'clock in biennial session.

There were about seventy-five representatives in attendance, embracing nearly all of the southern colleges. The attendance is very flattering. In fact, it is the largest convention the Kappa Alpha has held in some years.

Two sessions were held yesterday. In the forenoon, on assembling, the body was called to order by Senior Delegate Green D. Letcher, of Washington-Lee university, Lexington, Va. Rev. Mr. McCormick opened the session with a fervent invocation. Organization was then effected as follows:

President and grand pursuer, August Berners, Birmingham, Ala.; E. C. K. Atlanta, vice president; F. M. K. Smith, Washington city, secretary; John B. Eble, Nashville, editor of The Journal, fraternity paper.

The officers were duly installed and the convention proceeded with the business which came up for disposition, which business of a secret character. Reports from the various officers were read and passed upon.

The delegates to the convention are as follows:

George D. Letcher, Alpha chapter, Washington Lee university, Lexington, Va.; P. Hall, University of Georgia, Athens, Ga.; Paul Hardin, Wofford college, Spartanburg, S. C.; C. E. Wilkins, Turley university, Greenville, S. C.; M. P. Wheeler, Mercer university, Macon, Ga.; H. Dorsey, University of Virginia; F. P. Connell, Agricultural and Mechanical university, Auburn, Ala.; J. M. Ramap Davidson college, North Carolina; W. Carmichael, University of North Carolina, Chapel Hill, N. C.; J. Granberry Jack Vauderhilt university, Nashville, Tenn.; John Rodd, Tulane university, New Orleans, La.; H. L. Moorehouse, Georgia Glass and T. Constant, University of South, Sewanee, Tenn.; A. Northrup University of Alabama, Tuscaloosa; Charles B. Mays, University of Kentucky.

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Each of these symposia will consist of a leading paper followed by other shorter papers, at the conclusion of which a general discussion of the subject will be indulged in by all who desire to participate, speeches being limited to five minutes each. You will show cause instantly, or so soon as counsel can be heard, why you should not profit all who hear you by engaging in the discussion.

Alex W. Smith, chairman of the executive committee, is chief of the bureau of public comfort of the Cotton States and International exposition. We lawyers need no doubt that we will be taken care of in our bustling Atlanta. In a personal interview last Saturday, Mr. Smith assures me that there will be no trouble in all lawyers who attend obtaining comfortable quarters at quite reasonable rates. A letter addressed to "Bureau of Public Comfort, Alexander W. Smith, Chief, Atlanta, Ga.," or a personal call upon this bureau while in Atlanta, will assist applicants to secure comfortable lodgings. At either hotels, boarding houses, or elsewhere, rooms can be secured at so much per day for lodging. One can eat there and as much and as often as he pleases at any of the numerous hotels, restaurants and luncheon counters in the city and on the exposition grounds.

There will be one session daily—from 10 o'clock. 'Before and after taking,' we can spend the morning and afternoon in viewing the serious side of the exposition. The evenings can be spent in seeing fireworks, electric fountains, etc., and in the nameless but delightful attractions of Midway Heights, at the end of which all who wish can be carried to their lodgings; that a street care, herdics and busses will run all hours of the night.

Remember, the meeting occurs during the week beginning the fifth Monday in September. Few, if any, courts in Georgia begin on the fifth Monday in the month. We meet, therefore, during an 'off' week. It is believed this, combined with the many attractions the exposition affords, to say nothing of the communion of kindred spirits, will make the approaching meeting our largest in point of attendance and most fruitful in interest and profit. Railroad rates will be cheap; the city will not be crowded at that time (Mr. Smith tells me that accommodations for 25,321 people at a time have already been registered in the bureau of public comfort, to say nothing of these hotels, etc., which are not registered); and altogether we are promised an unusually fine meeting. I hope to see you there in person. Come by all means. With great respect, yours truly.

"JOHN W. AKIN, Secretary."

### DEATH OF A LITTLE GIRL.

The Daughter of Mr. and Mrs. Paul Died Yesterday Morning.

Little Lillian Paul, the infant daughter of Mr. and Mrs. D. S. Paul, of Paul & Callatt, died yesterday morning after an illness of several days.

The death of the child was the result of an attack of scarlet fever. The interment will be this afternoon.

Another of the family is very ill from the same disease and was thought to be in a precarious condition.

delegates reached the city to attend the deliberations of the fraternity. Most prominent among its rivals was S. Z. Ammen, of Blacksburg, of the fraternity. He has been associated with the Kappa Alphas for many years. In fact, he is regarded as the order in the south and is looked upon as the father of the members of its father.

"It has been stated," said Ammen, "that we would consider attention the question of uniting the northern Kappa Alphas. That matter will not be taken for the reason that we do not have the unanimous feeling of the two divisions. The north has only six chapters, yet it was organized in 1825. The Kappa Alphas number thirty-two active chapters, though it was not organized until 1865, at the Washington Lee University, Lexington, Va. This fraternity is itself strictly to the southern and except one college in California has a chapter in every college of any standing, with possibilities, one of which is the University of Mississippi. I can't recall the name of those where fraternities are organized, but I say all the colleges I mean those where fraternities are organized do not allow secret societies. We have a membership of 4,000, including both the alumni and the living. The Kappa Alphas are more numerous in Georgia than possibly any other state. It is said we have the best organization of any college fraternity in the south."

This morning's session will begin at 10 o'clock. The local Kappa Alphas will entertain the visitors with an entertainment tonight at the Kimball. The delegates and others will be in the city and to the exposition grounds. The boys will "do" the big show in shape. The convention will last three days in all. Everything by the local fraternity men (visitors) guests have a pleasant stay.

It is very probable the next convention will be held in Nashville. Mr. Ammen, editor of the fraternity Journal, which position he has held for many years, will invite the convention there next time. Most favor that city for the next year. The last session was held in

### HE MADE THEM E

Judge J. H. Lumpkin and First Couple Yeste

One of the most solemn and important duties that devolve upon the judge was gracefully performed by Judge Lumpkin yesterday afternoon.

# POPE BARROW'S BILL

Lawyers Are Discussing the Necessity  
of a Court of Appeals.

A VERY IMPORTANT TOPIC

Will There Be a Radical Change in  
Georgia's Judicial System?—The  
Proposition Is Presented.

One of the live questions which the members of the Georgia Bar Association are discussing while they are in Atlanta attending the annual convention of the association is the proposition to establish in the state a three-circuit court of appeals.

This is something new and the lawyers are all very much interested in the movement, by which it is sought to establish such a tribunal to act in accord with the other courts already established.

It is understood that ex-United States Senator Pope Barrow, of Savannah, has drawn a bill to be introduced at the next session of the legislature providing for the establishment of such a court.

Owing to the significance of such a measure, The Constitution having succeeded in procuring a copy of the bill presents it in full below:

"Section 1. Be it enacted by the general assembly of the state of Georgia, that three judicial districts be and the same are hereby created in this state.

"The first district shall be composed of the counties comprising the Eastern, the Brunswick, the Southern, the Albany, the Middle, the Pataula and the Southwestern circuits.

"The second district shall be composed of the counties comprising the Augusta, the Northern, the Ocmulgee, the Oconee, the Macon, the Chattahoochee and the Flint circuits.

"The third district shall be composed of the counties comprising the Western, the Northeastern, the Blue Ridge, the Stone Mountain, the Atlanta, the Cherokee, the Rome, the Tallapoosa and the Coweta circuits.

"Sec. 2. Be it further enacted by the authority aforesaid, that a district court of appeals be and the same is hereby created in each of said districts, which shall consist of three judges, of whom two shall constitute a quorum, and which shall be a court of record, with appellate jurisdiction, as is hereinafter limited and established. The judges of the superior court and of the city courts in each of said districts shall constitute the judges of the district courts of appeals therein, and three of the same shall be assigned to hold said courts by such rule and in such order as may be determined by the judges of that district as hereinafter provided, but in a case of failure of one to attend, two shall constitute a quorum with full power and authority of the court. The judge of the superior court, oldest in commission of those present at any term shall be the presiding judge. No judge shall sit in the district court of appeals in any case tried before him in the court below.

"Sec. 3. Be it further enacted by the authority aforesaid, that one term of said district court of appeals for the first district shall be held in each year in each of the cities of Savannah, Brunswick, Thomasville and Albany.

"That one term of said district court of

authority aforesaid, that whenever any party in any case in the superior or city courts, jurisdiction of which by appeal is conferred upon the district court of appeals, shall desire to appeal to said court, it shall only be necessary for his counsel to file in writing within ten days after the decision or judgment complained of was rendered, whether in term or vacation, that he desires an appeal to the district court of appeals, stating the term of which it is to be returnable, and present it to the judge of said court, and file it with the clerk, whereupon it shall be the duty of said judge to order the clerk to transmit all the papers in the case to the next term of the district court of appeals for that district, which shall be held next after the expiration of twenty days from the date when said application for an appeal is filed in the clerk's office of said superior or city court, or to the next term succeeding that one, if the place is nearer or more convenient, at the option of the appellant. Within five days after such order is signed the opposite party or his attorney shall be served with a copy of the petition for appeal and order of the judge. All cases in the district court of appeals shall be heard and determined upon the original papers, and a brief of the testimony adduced upon the trial in said superior or city court, approved by the judge who tried the case. When the decision complained of in said superior court or city court is the granting or refusing of a motion for a new trial, the brief of testimony used on the hearing of said motion shall be sent up without any other or further testimony or brief thereof. In all cases the appellant shall be allowed to file and present for approval his brief of the evidence, at any time prior to the first day of the term of the district court of appeals to which the appeal is returnable.

"Sec. 3. Be it further enacted by the authority aforesaid, that no writ of error shall lie to the supreme court of this state from the superior court or city courts thereof, in any case jurisdiction of which is conferred upon the district court of appeals, but any party shall be entitled to an appeal to the supreme court from the decision of the district court of appeals as approved in this act, in the cases hereinafter mentioned.

"The right of exception pendente lite is not affected by anything herein contained, but when any case in which such exceptions are filed, shall be appealed to the district court of appeals, they shall be subject to review therein, and if such case shall be appealed to the supreme court from the district court of appeals, error may be assigned upon the ruling and decision of the district court of appeals upon such exceptions.

"In cases in which a new trial is granted by the district court of appeals, but any other ruling or decision is also made affecting the rights of any party, exceptions to such other ruling or decision may be filed in said district court of appeals pendente lite within twenty days, and if said case should at any time thereafter be appealed to the supreme court, error may be assigned upon said exceptions.

"Sec. 9. Be it further enacted by the authority aforesaid, that an appeal shall lie from the decision of the district court of appeals to the supreme court of this state, in all cases of refusal of a new trial by the district court of appeals.

"Such appeals to the supreme court may be allowed during the term or in vacation, by any judge who took part in the decision, within ten days after the decision is made. The application need only state the case and pray that an appeal be allowed. Within five days after an appeal is allowed the appellant shall present an assignment of errors which shall set out separately and particularly each error asserted and intended to be urged, and shall specify such parts of the record as are deemed necessary for the elucidation of the errors assigned.

"If the recitals of fact in the said assignment of errors are true, the judge who allowed the appeal shall approve the same, and order the clerk to send up such parts of the record as are therein specified, and such other parts as said judge may consider necessary to elucidate the errors assigned.

## THE CONSTITUTION

the judgment below be affirmed or reversed.

"Sec. 14. Be it further enacted by the authority aforesaid, that each judge attending and sitting in said district court of appeals shall be paid 3 cents per mile, by the nearest practicable route from his home to the place where the term is held and the same returning, and shall also be paid the sum of \$5 per day for each day court session and he is sitting. These sums shall be paid at the end of each term from the treasury of this state upon the warrant of the governor, which shall be issued upon receipt of the certificate of the presiding judge at any term of said district court of appeals, under the seal of said court.

"Sec. 15. Be it further enacted by the authority aforesaid, that all laws and parts of laws in conflict with this act be and the same are hereby repealed."

## EVERYBODY WAS ENTHUSED

The Engagement of Signorina Moreska  
Last Evening.

Perhaps the finest musical entertainment ever given in the city, from a critical and appreciative point of view, occurred at the Young Men's Christian Association last evening.

It was the engagement of Signorina Moreska, one of the most celebrated of European sopranos, and her selected company of artists.

The audience was completely carried away with enthusiasm and a more pronounced ovation was never witnessed at musical entertainment. Each member of the company came in for a liberal share of the honors and each in turn was the favorite of the audience. Signorina Moreska was assisted by Signor Gore and Signor Valerga. The selections were happily chosen and brought out the marvelous entertaining qualities of the company. It is not excessive praise of these talented people to say that a higher mark was reached by them in their performance last night than has ever been made by a similar company of artists in this city.

The following programme was rendered:

### PART FIRST.

"Angel's Serenade," Braga—Signor Valerga.

"Il Trovatore Fantasia," Gottschalk Signor Gore.

Cavatina of "Barber of Seville," Rossini Signorina Moreska.

"Tell Her I Love Her So," song—Signor Valerga.

Variations on the "Carnival of Venice" Gore—Signor Gore.

### PART II.

Grand Aria from "La Traviata" Signorina Moreska.

"Last Hope," Gottschalk.

"Vorrei Morir," Tosti—Signor Valerga.

Selected Solo—Signorina Moreska.

"Spanish Caprice," Zabalza—Signor Gore.

Tonight the company will be reinforced by the arrival of Miss Charlotte Samuel, the celebrated violinist from New York. This will be the first appearance of Miss Samuels outside the metropolis.

The entertainment in every respect deserves the patronage of Atlanta people and the concert hall tonight will no doubt be filled.

## THREE ON SUSPICION.

Three Suspected Men Found Lodging  
in the Station House Last Night.

William E. Stone and John Gustlin were arrested last night and locked up on suspicion. Both are young men and claim to be from the north.

tried before him in the court below.

"Sec. 3. Be it further enacted by the aforesaid, that one term of said district court of appeals for the first district shall be held in each year in each of the cities of Savannah, Brunswick, Thomasville and Albany.

"That one term of said district court of appeals for the second district shall be held in each year in each of the cities of Augusta, Columbus and Griffin.

"That one term of said district court of appeals for the third district shall be held in each year in each of the cities of Atlanta, Atlanta, Rome and Newnan.

"Sec. 4. Be it further enacted by the authority aforesaid, that within ten days after the passage of this act it shall be the duty of the governor to call a convention of the judges of the superior and city courts of this state, at the statehouse at Atlanta, at such time within thirty days after the passage of this act as he may designate, and said convention shall make rules of practice in said court, prescribe the form and style of its seals, and the form of writs and other processes and procedures as may be conformable to the exercise of such jurisdiction as shall be conferred upon it by law.

"The judges from each district in this convention shall fix the dates of the terms of said district court of appeals in their respective districts at the places hereinbefore referred to, and report the same to the convention, by whom it shall be confirmed and entered upon its minutes, and the terms thus fixed shall be the lawful regular terms of said courts until changed by law, and shall designate the three judges who shall hold the first term of said court, after which the court itself shall, before the adjournment of each term, designate three judges who shall hold the next term at the place which shall come next in order according to the regulations of the judges as aforesaid. The minutes of the proceedings of the convention of judges shall be signed by the presiding judge, and upon the adjournment shall be filed in the office of the secretary of state.

"Sec. 5. Be it further enacted by the authority aforesaid, that the clerk of said district court of appeals in each district shall be elected by the judges of the superior and city courts thereof, and the person receiving the highest number of votes shall be the clerk. The first election shall be held at the time of the convention of the judges herein provided for. Subsequent elections shall be held by a convention of the judges of the said superior and city court of each district, to be held in their districts upon the call of the judge of the superior court oldest in commission at the time therein, at such time and place in said district as he may fix, provided that the same shall be held not less than thirty days before the expiration of the current term. In case of a vacancy the judges presiding at any term shall have power to fill said vacancy until a special convention of the judges of the superior and city courts can be called by the superior court judge who is oldest in commission in said district. In case of a vacancy it shall be his duty to call a convention of said judges at such time and place, within thirty days after the vacancy shall have happened, as he may designate. The regular term of said clerk shall be six years. He shall give a bond for the faithful discharge of his duties in such sum as may be required by the rules of the general convention of judges hereinbefore provided for.

"The sheriff of the superior court of the county in which each of the cities herein named are situated shall be ex-officio the sheriff of said district court of appeals, and it shall be his duty to attend the session of said court, and he shall have power to appoint such deputies and bailiffs as may be provided for by the rules of the judges established for said court.

"Sec. 6. Be it further enacted by the authority aforesaid, that the said district court of appeals established by this act shall have and exercise appellate jurisdiction, to review by appeal all final decisions in the superior courts and in the city courts within their respective districts: Granting or refusing a new trial; granting or refusing an application for an injunction or a receiver, dissolving or refusing to dissolve an injunction, or discharging or refusing to discharge a receiver; in all cases

the elucidation of the errors assigned.

"If the recitals of fact in the said assignment of errors are true, the judge who allowed the appeal shall approve the same, and order the clerk to send up such parts of the record as are therein specified, and such other parts as said judge may consider necessary to elucidate the errors assigned. All such assignments of error and specification of record shall be served upon the opposite party, or his counsel, and filed within five days after the same are approved. The appellee may, at any time within ten days after the assignment of errors and specification of record is filed, apply to any judge who took part in the decision, and specify additional parts of the record, and said judge shall order the clerk to send up such parts as are thus specified. Both parties may appeal and assign error, and in such cases only one copy of any part of the record need be sent up. If the judge should decide that the recitals of fact in the assignment of errors are true only in part, he shall, in his order of approval, designate such parts as are true, and they only shall be considered in the supreme court. The clerk shall transmit to the supreme court a certified copy of the assignment of errors and specifications of record and order and approval, together with a certified copy of such parts of the record as are specified, within fifteen days after the said assignment of errors and specifications is filed in his office.

"In all cases finally determined in the district court of appeals a mandate, or other proper process in the nature of a precedend, shall be issued on the order of the district court of appeals to the court below, for the purpose of informing such court of the proceedings and judgments in the district court of appeals, so that further proceedings may be had in such lower court as to law and justice may appertain.

"Sec. 10. Be it further enacted by the authority aforesaid, that in cases of appeals to or from the district court of appeals, where a supersedeas is desired by the appellant, the costs must be paid, and a bond taken in the court from which the appeal is taken, with good and sufficient security that the appellant shall prosecute his appeal to effect and answer all damages and costs if he fail to make his plea good. Such indemnity, where the judgment or decree is for the recovery of money, not otherwise secured, must be for the whole amount of the judgment or decree, including just damages for delay and costs and interests on the appeal. But in all suits where the property in controversy necessarily follows the suit as in real actions and trover and in suits on mortgages, or where the property is in the custody of the sheriff, or where the proceeds thereof, or a bond for the value thereof is in the custody of the court, indemnity in all such cases will be required only in an amount sufficient to secure the sum recovered for the use and detention of the property, the costs of the suit, just damages for delay and costs and interests on the appeal. Judgments may be entered upon the said bonds as under existing laws. If the appellant shall file an affidavit that he is unable, from poverty, to pay the costs or give the bond and that his counsel has advised him that he has good cause for an appeal, this shall operate as a supersedeas.

"Sec. 11. Be it further enacted by the authority aforesaid, in case only one judge shall appear at the time and place for holding any term of the district court of appeals, he may adjourn the court to any day prior to the opening of the next regular term of the district court of appeals for that district, and if on said last mentioned day two judges shall not be in attendance, the court shall stand adjourned until the next regular term wherever that may be, and the clerk shall carry all the cases to such place and term, and such cases shall be then and there in order to be heard and determined before the cases returnable to that court. In case no judge shall appear at the time and place for holding any term, the clerk shall adjourn the court from day to day not exceeding two adjournments, and shall put an order upon the minutes to this effect. If at the end of said two adjournments no judge shall have appeared, the court shall stand adjourned until the next regular term, wherever that may be, and the clerk shall carry all the cases to such place and term, and such cases shall be then and there in order to be heard and determined before the cases returnable to that term.

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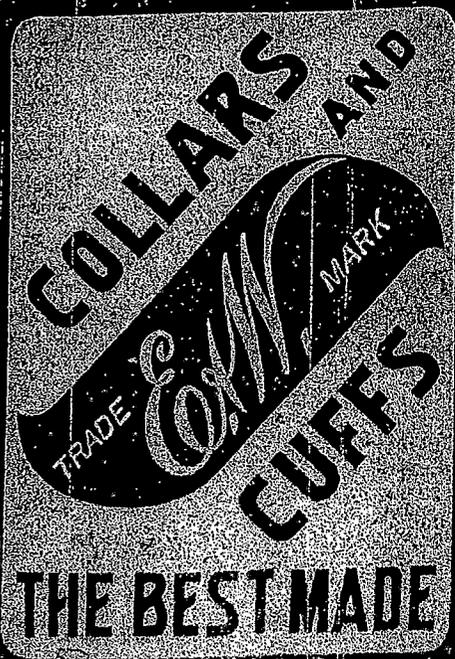
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call a convention of judges at such  
time and place, with thirty days after  
the vacancy shall have happened as he  
may designate. The regular term of said  
clerk shall be six years. He shall give a  
bond for the faithful discharge of his duties  
in such sum as may be required by the  
rules of the general convention of judges  
hereinbefore provided for.

"The sheriff of the superior court of the  
county in which each of the cities herein  
named are situated shall be ex-officio the  
sheriff of said district court of appeals, and  
it shall be his duty to attend the session of  
said court, and he shall have power to ap-  
point such deputies and bailiffs as may be  
provided for by the rules of the judges es-  
tablished for said court.

"Sec. 6. Be it further enacted by the au-  
thority aforesaid, that the said district  
court of appeals established by this act  
shall have and exercise appellate jurisdic-  
tion, to review by appeal all final decisions  
in the superior courts and in the city  
courts within their respective districts;  
granting or refusing a new trial; granting  
or refusing an application for an injunction  
or a receiver, dissolving or refusing to dis-  
solve an injunction, or discharging or re-  
fusing to discharge a receiver; in all cases  
of certiorari.

"Sec. 7. Be it further enacted by the au-



advised him that he has good cause for an  
appeal, this shall operate as a supersedeas.

"Sec. 11. Be it further enacted by the au-  
thority aforesaid, in case only one judge  
shall appear at the time and place for  
holding any term of the district court of  
appeals, he may adjourn the court to any  
day prior to the opening of the next regular  
term of the district court of appeals for  
that district, and if on said last mentioned  
day two judges shall not be in attendance,  
the court shall stand adjourned until the  
next regular term wherever that may be,  
and the clerk shall carry all the cases to  
such place and term, and such cases shall  
be then and there in order to be heard and  
determined before the cases returnable to  
that court. In case no judge shall appear  
at the time and place for holding any term,  
the clerk shall adjourn the court from day  
to day not exceeding two adjournments,  
and shall put an order upon the minutes  
to this effect. If at the end of said two  
adjournments no judge shall have appeared,  
the court shall stand adjourned until the  
next regular term, wherever that may be,  
and the clerk shall carry all the cases to  
such place and term, and such cases shall  
be then and there in order to be heard and  
determined before the cases returnable to  
that term.

"Sec. 12. Be it further enacted by the  
authority aforesaid, that said district court  
of appeals shall have power, either in af-  
firming or reversing a judgment, to so  
mold and frame its judgment as to give  
equitable relief in the case and do sub-  
stantial justice between the parties in ac-  
cordance with the principles of law. In  
all cases resting in the discretion of the  
judge below; it shall be the duty of the  
judges in said court of appeals to review  
that discretion and exercise their own.

"No continuance shall be granted in said  
district court of appeals except for provid-  
ential cause.

"Sec. 13. Be it further enacted by the au-  
thority aforesaid, that the clerk of said  
court shall be entitled to \$2 for each case  
which shall be docketed in said court,  
which shall be taxed in the bill of costs.  
And the sheriff shall in like manner be  
entitled to \$1 in each case which shall be  
so docketed. The additional costs allowed  
the clerk shall be the same as those allowed  
by law to the clerks of the superior court  
for like services.

"There shall also be taxed in the bill of  
costs in each case in said court the sum  
of \$4, which shall be collected and remitted  
by the clerk to the treasurer of this state  
to be covered into the public treasury. This  
\$4 shall be paid in each case to the clerk  
by counsel for the appellant before the  
case is argued in said district court of ap-  
peals; and the counsel for the appellant  
as well as his client shall be liable for  
said \$4.

"It shall be in the power of said district  
court of appeals to cast the costs upon  
either or both parties in any case, whether

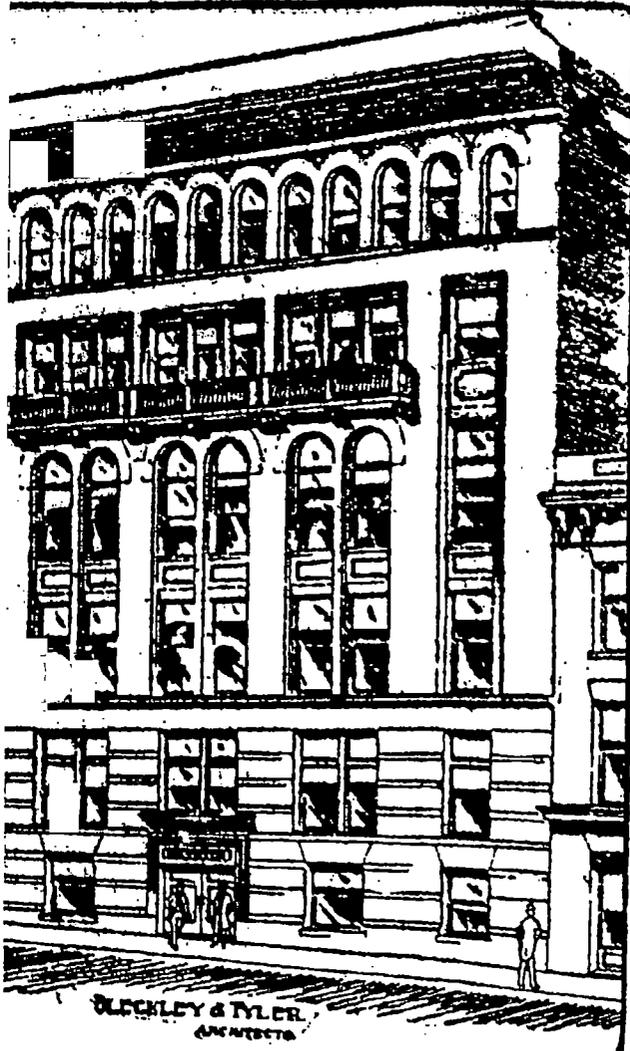
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# ICE BUILDING TELEPHONE COMPANY



Bell Telephone Building on Mitchell Street, on Which Work Has Started.

Work on the new six-story building to be erected by the Bell Telephone and Telegraph Company. The building is to be located in the rear of the present building, with a frontage of 80 feet and a floor space of one floor, the

office building and will be occupied by the general officers of the company. The company has given up the idea of erecting a south exchange in West End, but will use the third floor of the new building to give additional needed space for the local exchange. Room will be made to accommodate 30,000 additional subscribers and fifty additional operators. Work on the new building will be rushed as rapidly as possible, as the additional office space is badly needed.

## ITEMS CONCERNING AND PUBLIC AFFAIRS

# FOR RELIEF OF SUPREME COURT

Lawyers Draft Bill Which Legislature Will Be Asked To Pass.

WOULD GREATLY REDUCE THE CASES APPEALED

Proposed Bill Cuts Off Appeal in All Cases Where Amount Is Under \$500, Except Where Nature of the Case Demands It.

The committee of prominent Georgia lawyers appointed at the recent meeting of the Georgia Bar Association at Warm Springs for the purpose of devising means for relieving the burden on the supreme court of the state, held a meeting at the capitol yesterday, and as the result of an interesting discussion decided upon one measure which the legislature will be asked to pass at its coming session.

The bill decided upon by the committee provides that no right of appeal to the supreme court shall be in cases where amounts involved is under \$500, except in certain classes of cases which are enumerated. Exception, of course, is made of criminal cases, habeas corpus, divorce, equity and other cases of a like character; still it is calculated that such an amendment to the constitution would relieve the supreme court of nearly one-third of the business it now has to consider and pass upon.

All of the members of the committee were present with the exception of Hon. Hoke Smith, who is away for the summer. The other members of the committee are as follows: Burton Smith, of Atlanta, president of the Georgia Bar Association, is ex-officio chairman, and Orville A. Park, of Macon, secretary of the bar association, is secretary. Other members of the committee present were: Washington Deaneau, chairman from the state at large, and J. Hansell Merrill, of Thomasville, from the state at large; Samuel B. Adams, first congressional district; Arthur Gray Powell, second district; E. A. Hawkins, third district; Thomas J. Chappell, fourth district; Marcus W. Beck, sixth district; A. L. Bartlett, seventh district; J. B. Park, Jr., eighth district; W. A. Carters, ninth district; W. K. Miller, tenth district, and John W. Bennett, eleventh district.

### To Reduce Number of Cases.

Several plans looking to the relief of the supreme court were discussed by the lawyers, and among other things a court of appeals was talked of. An effort was made at the last session of the general assembly to secure an amendment

# LIPS SEALED; CARTER

Believed Another Named to the Riot Death List

NEGRO DIES FROM A GUNSHOT

Death Occurred at Carrollton Gave His Name as Bob C. He Refused To Tell Who He Was Shot.

The death of Bob Carter, a Carrollton yesterday caused it to be believed that another death to the list of those who were the Pittsburg riot of May 17.

It was always known that a few negroes were at first in the list of Will Richardson, the leader of the outlaws, and that some got away.

Yesterday the news came from Carrollton, this state, that Bob Carter, a negro, died from a wound inflicted two months ago. The bullet had entered entirely through his body, into his abdomen. The wound never healed and finally caused the death.

Carter declined to say at what time he was shot, merely saying that he received the wound in Carrollton. It was reported that he was some of his negro friends that were shot in the Pittsburg riot.

The Constitution received the news special from Carrollton yesterday about the death of Carter.

### Story of Carter's Death

Carrollton, Ga., August 1.—(S. P.) Last night Bob Carter, a negro who came here a month or more ago from Atlanta, died in this city. Dr. D. W. Harris, a surgeon of the city who attended him, was called to his arrival a month ago and found him suffering from an unhealed hole in his abdomen, the hole being apparently made by a 44-caliber pistol and passed entirely through his body. Carter refused to tell who he received the shot, further saying that it was done about Atlanta. He had lived here before and had been in jail several times and was convicted in the courts and was regarded as a bad character. The wound would not heal and after lingering two months from the infliction of the wound he died last night disclosing who shot him. It was believed here that he was shot in the Pittsburg riot.

The police have no recollection of a negro named Carter having been up in the riot, but the officer learned any of the names of those of Richardson and the negro who were captured as he tried to escape, the excitement and before dawn.





**WILLIAMS AND SCOTT,**

Aug 2, 1902 AC

o Competed for the Club Cup, Scott Winning in a Close Finish.

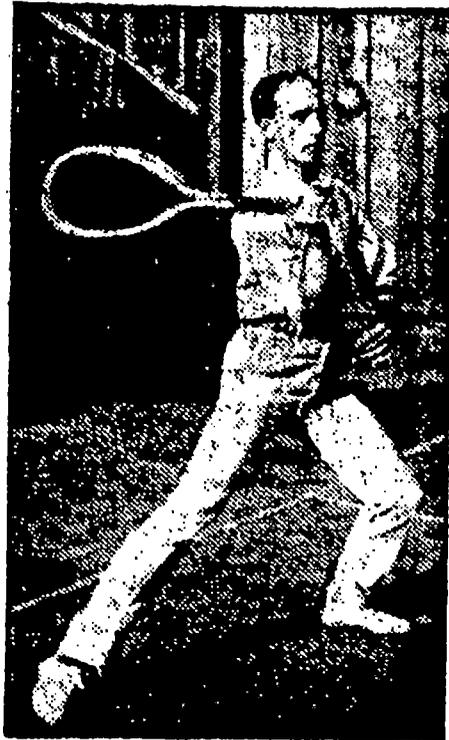
ED with tennis racquets, more than a score of lusty young men from Virginia, Georgia, Tennessee, and Louisiana will take possession of the Atlanta Athletic Club tomorrow for the biggest tournament of the fall to be on.

South Atlantic championship tournaments the second meet ever held south of the Mason-Dixon line that has received the sanction of the National Lawn Tennis Association. The tournaments under the auspices of the Atlanta Athletic Club in 1901 were not vested with the sanction of the national organization, but were called "championship meets" for publicity only. But the official recognition of the present meeting of the Atlanta Athletic Club experts gives the winners of the tournament the undisputed title of South Atlantic champion-

after of sanction, apparently the sanction is in reality of the greatest importance, and the action of the board of directors of the national association in authorizing this meet has about the same effect as the government stamp on a

committee of the Atlanta Athletic Club in charge of the tournament consists of J. T. Tichenor, chairman; Sam C. Ormond and Walter Ormond. This committee has been working on the details of the meet for some weeks, and all arrangements will be in perfect order for

the tournament will be begun tomorrow afternoon, and will continue for the week. Two courts will be in use during the six days, and the matches



**JUDGE NASH BROYLES,**  
One of the Athletic Club Tennis Players Who Will Appear in the Big Tournament.

The entry list will not be closed till noon tomorrow, but about twenty players from other cities have sent in their names.

M. A. Agelasto, of Norfolk, considered the best player in the south, will compete, and is the favorite for the honors in the singles. Charles and Cowan Rodgers, of Knoxville, who have been among the leaders at the last two tournaments, will again be in evidence. The Rodgers form a strong team in the doubles. Fred

the repeal, according to a state issued by Chairman B. W. Gr was appointed a member of the committee to agitate the subject. The prospects for the session are very meager, and there is little likelihood whatever that the committee will succeed in arousing enough interest to induce the governor to issue the general insurance companies are making arrangements to adopt the old form of cotton risks by marks, we numbers.

**Governor To Rough It**

Governor Longino is making preparations to spend ten days roughing it with the soldier boys at the campment of the national guard which will commence at Biloxi on the 1st of August. The governor and his staff of fourteen members will spend the entire period with the troops in the campment city, live on army rations, occupy tents adjoining those of the enlisted men. This is the first in the history of the state militia that the commander-in-chief of the forces has to remain with the troops and share the actual experience of their routine and it is expected to have a good effect in maintaining the esprit de corps of the organization.

**Had a Home Primary**

A unique way of settling a political controversy was adopted in Claiborne a few days since. A vacancy in one of the county offices and two aspirants for the office were Mr. Clark and G. W. Robertson. Both from the same district of the county was decided to refer the matter to the neighbors as to which should be accordingly a district primary was held and Robertson received a majority of votes. Mr. Clark then withdrew from the race and voted for his former

**Convicts Transferred**

Warden Parohman, of the penitentiary, assisted by a force of sergeants, completed the work of moving 120 convicts from the cotton farms in the department of new state farm in Sunflower where they will be kept at work for the next six weeks clearing land prior to planting new ground next season. The removal was accomplished with no attempted escape.

The Sunflower farm was purchased years ago at a cost of \$30,000 and its value is now placed at \$250,000. The clearing of the tillable acreage completed two years hence it is worth fully \$500,000, and it is considered a business investment that has been profitable by the state in recent years.

**Confederate Reunions**

Several of Mississippi's most

## ICE AT HEAD EXCHANGE

Successful Session of Three Days Ended Yesterday.

### EXPRESSION OF THANKS FOR ATLANTA PEOPLE

Those Appointed on Plans for Session of the Exchange in Ice and Refrigerating Exhibit at St. Louis Exposition.

Those members characterize as the successful and enjoyable annual of the Southern ice exchange came to an end yesterday, after of three days at the Kimball such business of importance to attention and to ice manufacturers was attended to, many new were received, and in a social of the local reception nothing undone which to the comfort and enjoyment of visitors.

**Officers Elected.**  
Those to serve for the next year were as follows: President, W. M. Nashville, Tenn.; vice president, Mayfield, Richmond, Va.; secretary, W. E. Worth, Wilkes, N. C.; executive committee, L. Chattanooga; E. Woodruff, Atlanta; H. Reike, Paducah, Ky.; M. P. Greensboro, N. C.; J. H. Asheville, Tenn.; J. R. Keller, Fla.; J. F. Rushton, Birmingham; C. E. Livingston, Greenville; George B. Townsend, Anderson, S. C.; Moore, Montgomery, Ala. Plans for the cooperation of the in the ice and refrigerating exhibit the Louisiana Purchase exposition discussed at length, and, on committee, consisting of Messrs. G. Rushton, Ware, Rettig and appointed to act in the mat-

tion of mutual insurance was brought up for discussion and Mr. Boston, a member of the State Ice Association, delivered a favoring the mutual scheme, that means rates could be re-

duction of the next meeting place; executive committee. The discussion are Birmingham, Savannah.

Thanks for Atlanta. A resolution was passed extending courtesies to the newspapers, the Atlanta Ice Company, the brewing and ice Company, the option committee, proprietor of

## PARKER TO MEET GEORGIA SOLONS

Legislature to Attend Georgia Bar Convention.

Meeting Will Be Held at Tallulah Falls on July 2, as Decided by Executive Committee Yesterday—Programme Is Being Prepared.

The coming annual convention of the Georgia Bar Association will be held at Tallulah Falls on July 2, 3 and 4. This was decided yesterday at the meeting of the executive committee of the association held in the state library at the capitol.

Those were present at the meeting Judge Marcus W. Beck, of Griffin, chairman; Orville A. Park, of Macon, secretary; Hurton Smith, president of the association; Judge Lloyd Cleveland, of Griffin; Z. D. Harrison, clerk of the supreme court, and Reuben R. Arnold.

The question of date and place of meeting was practically the only one of importance that the committee had before it. Among the places discussed were Atlanta, Warm Springs, Lithia, Cumberland, Indian Springs and several others, but it was stated that the hotel management at Tallulah Falls offered the best inducements and it was decided that the convention should go there.

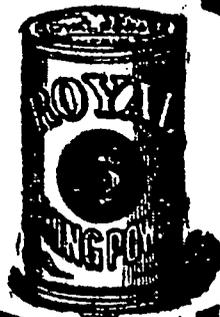
The executive committee opposed the holding of the convention in Atlanta or any other large city of the state on account of the fact that it is impossible for the lawyers to get together as well as they do at a summer resort, where they can all be together in the same hotel. This was the primary reason that induced the committee to the selection of a resort, and Tallulah Falls was selected because of the advantages offered. Hotel men were here from all of the resorts of the state named with a view to inducing the committee to decide in their favor.

### Legislature May Attend.

Plans are on foot to have the Georgia legislature go to Tallulah Falls to be present on the occasion of the address of Judge Alton B. Parker, chief judge of the court of appeals of New York, who is so prominently mentioned in connection with the democratic nomination for the presidency. The general assembly will be then at the beginning of its first summer session under the new act, there

## THE OLD RELIABLE

# ROYAL



# BAKING POWDER

Absolutely Pure

## THERE IS NO SUBSTITUTE

is little doubt that its members will be glad to go in a body to be present on that occasion. Manager W. S. Irvin, of the Tallulah Falls railroad, was here yesterday, and he will look after working up the legislative trip for the occasion.

Judge Parker will be the honored guest of the occasion. It was suggested that it might be better to hold the convention in Atlanta so that more people would have opportunity of hearing him, but as it is he will have better opportunity, it is said, of meeting the lawyers of the state as well as members of the general assembly. Judge Parker, it is said, will not make a political speech, nor will he talk politics, his policy being to let political subjects alone and become acquainted with the people.

The programme for the convention has already been outlined and Secretary Park is in correspondence with a number of prominent attorneys and others who have been invited to read papers or deliver addresses. It will probably be a month or two before the programme is completed. It is expected that the coming convention will be one of the largest and most satisfactory held in years.

**J.P.** Those suffering from weaknesses which sap the pleasures of life should take **Juvenalia**. One bottle will tell a story of marvelous results.

This medicine has more rejuvenating, vitalizing force than has ever been offered. Sent by mail in plain package only on receipt of this adv. and \$1. Made by its originators, C. I. Hood Co., preps. Hood's Sarsaparilla, Lowell, Mass.

## THEY WANT

Friends of Negro Take Up Post

Friends of Robert mail wagon driver \$100 by Recorder driving, are making fine remitted and up with Postmaster endeavor to secure postmaster.

Several of these Colonel Blodgett. The postmaster they would obtain giving all of the extenuating circumstances he would take the recorder Broyles, yet been taken. The fine and is set city stockade.

## Mysterious

One was pale and fresh and rosy. One who is blue Dr. King's New. By gently and they compel good constipation. Try druggists.

Hawkes' prescription more than other where and in proof the satisfaction of standard of optician hall street, on the

# RAILROAD MEN IN CONFERENCE

Representatives of Southern Railroads Met Yesterday.

The traffic men of the leading southern railroads held a meeting at the Piedmont hotel yesterday and again went into the matter of lumber rates.

As stated in press dispatches yesterday, Judge Niles, of the United States court of Mississippi, has reopened the injunction case brought by the lumber men against the 2-cent increase in rates on lumber, and has withdrawn his former decision, in which he held that his court had no jurisdiction. He has now decided that he has jurisdiction, and this change brings the whole matter up for hearing again. In addition to the traffic men, there were a number of the leading counsel of the roads present yesterday, and a long consultation was held. Those present were J. M. Culp, fourth vice president and general traffic manager of the Southern; E. F. Cost, general traffic manager of the Seaboard Air Line; James Menzies, of Savannah; C. B. Compton, of Louisville; Walker D. Hines, first vice president of the Louisville and Nashville; S. F. Par-chairman of the Southeastern Association; T. M. Emerson, vice president of the Coast Line; H. M. Emerson, of the Coast Line; W. A. Winburn, vice president and traffic manager of the Central; W. E. Estes, general freight agent of the Central; J. M. Cutler, of Macon, and M. V. Mahoney, of the Wrightsville and Tennille. There were several lawyers present also.

At this conference matters of interest to the roads represented were gone over with care. It is understood that there are several phases of the traffic business of the lines that are not in a satisfactory condition, and views were exchanged as to the best methods of remedying this state of affairs. The principal topic was the lumber rate case, as stated above, but many other subjects came up and were looked into. There was no formal meeting, but a general understanding brought all the representatives together at this place, as conditions demanded their attention. They adjourned yesterday afternoon, to meet again in Milwaukee within a few days. If any decisions were arrived at those at the meeting yesterday refused to make them public.

### This Deal a Mystery.

Local officials of the Seaboard state that they have no knowledge of the reported deal between the Chattahoochee Terminal Company and H. M. Atkinson, in which it has been stated that this company has bought or is about to buy the right of way from Peters street to Howell station, at a cost of \$800,000. Mr. Atkinson was asked as to the matter, he said that he had heard nothing ever about it, and did not know that such company as the Chattahoochee Terminal Company was in existence. He laughingly stated that if any one had bought the land mentioned he had not been spoken to about the trade and had no information at all about the matter.

# LAWYERS PLAN THEIR MEETING

State Bar Association Meets This Afternoon at Tallulah.

The Georgia Bar Association meets this year at Tallulah Falls. The meeting is to be held at the Lodge and will convene at 10 o'clock on the morning of July 2, the session lasting three days. It will be opened by an address by the Hon. Burton Smith, of Atlanta, the president of the association.

The feature of the association will be the address by Judge A. B. Parker, of the New York court of appeals. Mr. Smith has just heard again from Judge Parker to the effect that he will certainly be on hand to make the address. Anything which Judge Parker may say at the present time is of especial interest on account of the possibility of his becoming a candidate for the presidency. His address will probably be delivered on July 3, the second day of the meeting.

Among other speakers may be mentioned Hon. L. F. Garrard, of Columbus; Judge George F. Gober, of the Blue Ridge circuit; Colonel P. W. Meldrim, of Savannah.

Papers will also be read by Hon. John M. Slaton, of Atlanta; Solicitor General W. A. Charters, of Dalton; Arthur G. Powell, of Blakely; R. D. Meader, of Brunswick, and the secretary, Orville H. Park, of Macon.

More time will be devoted this year to the discussion of various measures which the association is endeavoring to carry through. Among these may be mentioned a bill creating a court of appeals which was prepared by a special committee appointed at the last meeting of the association, the court being considered necessary by the lawyers in order to relieve the congested condition of the supreme court docket. The Australian system of registering titles commonly known as the Torrens system, will also be discussed.

Reports will be made by the following standing committees: On jurisprudence and law reform, Judge John W. Akin, chairman; on judicial administration and remedial procedure, Judge W. H. Griffin, chairman; on legal education and admission to the bar, Hon. H. Warner Hill, chairman; on grievance, Hon. Roland Ellis, chairman; on memorials, Judge W. D. Nottingham, chairman; on federal legislation, Judge Hamilton McWhorter, chairman; on interstate law, Hon. W. M. Toomer, chairman; on legal education, Captain W. D. Ellis, chairman.

The social feature of the meeting will be in the hands of the committee on reception, of which Hon. T. B. Felder, of Atlanta, is the chairman. This is the first time in several years that the association has met north of Atlanta, and the lawyers in north Georgia will attend the session much more generally than has been the custom heretofore.

Atlanta is always well represented at these meetings and as Tallulah is very conveniently located, the Atlanta bar will probably attend in unusual numbers. Governor Terrell has always been a very active member of the association, and he and Attorney General Hart and the members of the supreme court will be among those who will attend.

"Time and tide wait for no man," but if you can hang on until the tide turns, you may succeed in extracting yourself from an embarrassing position. With time it is different. Time never turns. Therefore, get your assurance now, and get in the Equitable—

"The Strongest in the World."

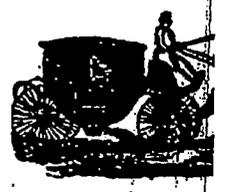
**ROBERT L. FOREMAN & CO.,**  
MANAGERS,  
Equitable Bldg., Atlanta, Ga.



A North  
Those who have  
side are hard to find  
The property in qu  
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only 3.7 per cent, rep  
yesterday. This cap  
the opening, led by th  
who are supposed to be

stock, bringing the capital up to \$200,000,000 and this was congrued as extremely bearish, as was also the reported private sale of 10,000 shares of stocks last night after a close at 61. The market continued quite feverish throughout the day. Sentiment, however, was kept disturbed by the establishment of new low record prices for certain stocks. Many of the inactive issues declined from 2 1/2 to 5 points, and such developments all added to the apparent discomfiture of bull interests. The late news was without special feature. On the close the feeling continued mixed. Outside stocks today were dull and easy with a small demand and scant offerings. Bonds were rather weak and irregular with a small speculative business.

Cotton Seed Oil and Meal

around all the time and do my house-  
**\$5000** FORFEIT if we cannot forthwith produce the original letters and signatures of  
 above testimonials, which will prove their absolute genuineness.  
 Lydia E. Pinkham Medicine Co., Lynn, Mass.

## BAR ASSOCIATION MEETING WAS HIGHLY SUCCESSFUL

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Speaking of the meeting and of the work of the association during the past year, ex-President Smith said yesterday:

"The executive committee in charge of the meeting of the bar association just passed, is to be congratulated upon a most successful session of the association. Under the constitution the executive committee provides the place of meeting and prepares the programme. Judge Beck, chairman, and the other members of the committee, are entitled to all credit for the meeting. The committee reports and the various papers read were of very remarkable interest. Franchise tax, Sunday laws, the Torrens system of land registration, trial by jury, and the evolution of the fourteenth amendment were all handled with great ability. The special committee on relief of the supreme court, after an enormous amount of arduous work, prepared a report worthy of the very able lawyers discharging that duty.

"The lodge where the meeting was held was a delightful place, and the management were unremitting in their efforts to please the members.

"Of course, the striking feature of the association was the address of Judge Parker, of New York. His paper was one of great ability, and received most profound attention from a large audience. Probably no such gathering of distinguished lawyers has been seen before in Georgia. In addition to the regular attendance of the association there were a number of the leading members of the general assembly. Judge Parker's personality and the cordial grace with which he mingled with the members of the bar added much to the pleasure of the meeting.

"It is sometimes suggested that bar associations should more frequently advocate the passage of particular acts before the general assembly, but this is answered by the fact that one complaint frequently made against legislative bodies is; that they pass too many acts. Legal development and legislation is necessarily of slow growth. Hasty legislation in reference to laws and practice most frequently is dangerous, and the bar association believes that the wiser course for it is to propose modification in laws, discuss them thoroughly and patiently for a long time until the need of legislation is publicly recognized and the proposed legislation thoroughly understood. When this is done, wiser and safer legislation will re-



MR. BURTON SMITH.

sult, than if on account of present need, immature remedies were enacted. Changes and development in law are necessary, but they should come by conservative development. The bar association has brought before the lawyers and the people of the state very important questions for consideration, and the effect, we believe, is good.

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"Peter W. Meltrim, first vice president, a very able and accomplished lawyer, was elected president. Under the constitution of the association, the president can hold office only one year, and it thus happens that a larger number of lawyers receive this honor and give their attention to the discharge of these duties than were it otherwise.

"The next place of meeting is unknown, as that will be selected by the new executive committee, of which Reuben Arnold is chairman. A. P. Persons, of Tallabottom, was elected first vice president, and it may be said in conclusion that all of the new officers elected gave entire satisfaction to the association and to the bar."

### One of Baldwin's Buoy.

Copenhagen, July 11.—A buoy thrown out by Baldwin June 11, 1902, at Francis Joseph's land was just fished up at Bopnafjord, 85 degrees north latitude, 16 degrees western lon.

nd colonial history  
 Bulbosh—To amend  
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 the seventh line of said  
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### COURT

#### KILL BIRD BABY

One of the rare  
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 This went on for  
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 He has not shown up  
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### ENCOURAGE

#### TO RUIN SHOES

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### Patriot Priest.

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### Money To Fly.

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publishing of the con-  
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**COURT**

**KILL BIRD BABY**

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 the farm of a man named  
 . Two months ago Toth ex-  
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 gosling was hatched out in  
 f this the supposed mother  
 roud, but papa "had his  
 brought many other storks  
 intruder. This went on for  
 n all of a sudden a whole  
 ks descended upon the barn  
 ildings. Toth counted 100  
 his own birds. The storks  
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 ook at the baby. Then they  
 once more, an old papa  
 to the highest point, the  
 where he delivered a speech  
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**One of Baldwin's Buys**

Copenhagen, July 11.—A new...  
 out by Baldwin...  
 Joseph's...  
 parties...  
 business...

the postmasters of to describe what office routine, as ap- Wynne said that routine for him but who had made the

irely honest," no interest would be routine. he would follow that the contract of the service."

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was used only for t had not been his er stamp on doc- he expenditure of t without his at- larly called to a hen's division, he manner.

r saw either ne came into the hat he did not re- attached his sig- nber stamp to the questions. He then cumlocation of an also explained that hief clerk of the ster general would postmaster gener- e.

a bill for fast- hen and marked e was governed in hereon, in approval voucher seemed in - Initiated.

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gnificance of dent upon the ede them. It o said, to confuse and of the court. e government now f conspiracy to de- Machen with spe- c transactions re.

Call Officer Luck in a barn in the rear of 42 West Pine street. When Officer Luck entered the barn, the negro was found with a pistol in his hand and the officer quickly covered him with his revolver. The negro then threw down his

yesterday afternoon at the Soldiers' home from rheumatism of the heart. He was a member of Company D, of the Sixth Georgia, and had been at the home since December 31, 1902. He leaves a brother in Forsyth. The funeral arrangements have not yet been completed.

is her purpose to ask the vat stitute an apostolic prefectur territory covered by her son's Jacques, in return, to appoint ic representative to the vatican

## TO INVESTIGATE IS THE OBJECT

### Chamberlain on the Attitude of the Tariff Commission.

London, January 15.—Joseph Chamberlain presided at the first meeting of the tariff commission, which assembled here this afternoon with a large attendance of members, including Henry Chaplin, formerly president of the board of agriculture and formerly president of the local government board; Sir Robert Herbert, formerly under secretary of state for the colonies; Sir Alfred Jones, president of the Liverpool chamber of commerce; C. A. Pearson, the well known newspaper proprietor, and Alfred Mosely.

Mr. Chamberlain in opening the proceedings made an eloquent and inspiring speech, during which he drew a parallel from what the United States and Germany had accomplished under protective tariffs and denied that any tariff could be framed here which, as its opponents allege, would make the rich richer and the poor poorer. The United States under protection had reaped prosperity unexcelled in the world.

"In no other country was wealth so evenly distributed, while there was no country in the world where such a large proportion of the population was on the verge of hunger and distress as in Great Britain."

Mr. Chamberlain said the object of the commission was not to formulate tariff laws, but to investigate and inquire with open mind. All that has thus far been decided was that the policy adopted so many years ago required reform.

Mrs. J. A. Babb, Carnesville, Ga. Carnesville, Ga., January 15.—(Special.) Mrs. J. A. Babb died at her home near this place, last night of consumption. She was about thirty-five years old, and leaves a husband and seven children.

time before he came into the office the Groff fastener had been regarded as standard. He admitted that on the face of some of the documents shown him the reduction in the price of the fasteners from \$1.50 to \$1.25 each was a voluntary and spontaneous act of Machen's.

Regarding the number of boxes needed Mr. Heath said it would be a matter of calculation by some cler- in the free delivery division and not necessarily by the superintendent. He explained the rapid growth of the free rural delivery service and said he regarded Machen as a competent man.

"He was a very father of the system, was he not?" Mr. Douglass asked.

"At least one of them," the witness replied.

Mr. Heath admitted that in view of the various duties of Machen that officer had the same right to rely on his subordinates as did the first assistant postmaster

## NEW COURT PROVIDED FOR

### Bate's Bill for Court of Appeals To Meet at Atlanta.

By Jos. Ohl.

Washington, January 15.—(Special.)—A new federal judicial circuit, to consist of Georgia, Florida and Tennessee, is provided for in a bill which has been introduced in the senate by General Bate, of Tennessee.

The bill provides that two additional circuit judges shall be appointed for this new judicial circuit who shall have the same qualifications and the same powers and jurisdiction that other circuit judges now have, and that these, with the circuit judge now residing at Nashville, shall constitute the three circuit judges for the circuit, these to make up a circuit court of appeals for the tenth district.

This court, according to the provisions of the Bate bill, would sit at Atlanta, beginning its annual term on the first Monday in October, "to hear all appeals and writs of error prosecuted from the United States circuit and district courts held in and for the states aforesaid."

This circuit court of appeals shall have and exercise all of the power and jurisdiction now possessed and exercised by like courts under existing law; and said court of appeals may, in its discretion, at any time order any case or cases pending by appeal or writ of error at either of the places designated for holding a term of said court transferred to any other place within said circuit for hearing and final disposition.

In case this bill becomes a law, provision is made for the appointment of an additional judge for the third circuit to take the place now held by the circuit judge at Nashville, who, as indicated, would be one of the three judges of the new tenth district.

## MACON TO HAVE NEW PLAY HOUSE

### Theater Modelled After Atlanta's Grand To Be

## TERROR CREA BY SICK NI

### Delirious with Bad ( Smallpox, He Atta Several People

An unknown negro, delirio smallpox, late yesterday afternoon rorized the community in th of Hill street and Glenwood.

The negro attacked several chased them, and finally re house, badly frightening the in running them out into the st police station was notified tha was crazy and Call Officers Tit lin and Doyle hurried to the s officers discovered that the smallpox and he was later pla smallpox hospital.

A young white man, who wa by the negro, pulled his knife ed to cut him, but on gettin the negro saw that he had and he then turned and fled scene.

The negro refused to tell his name and nothing could tained as to where he came where he had been staying.

## TWO MASKED MEN BOB Held Up the Cashier and C with \$1,000.

El Paso, Tex., January 15.— National bank at Belen, N. M. below Alberquerque, on the railroad, was robbed at noon two masked men, who held up t as he stood at the window and with \$1,000 which was on the The bulk of the bank's funds w vault, which had been locke noon hour suspension of busine bandits made no effort to open

The bank is a branch of National bank of Alberquerqu gram to the sheriff's office say rode up just at noon, wearir They were mounted on large t and rode direct to the door of where they dismounted, rush held up the cashier, secured the counter, which they dump bag and rushed out, mounted th and rode away before the ca time to give the alarm. A stron out from Belen and the sheriff' now sending reinforcements.

## WAS BAD BLC TO CHAMBER

### Safe Conservative So rled by the Frei

is, of Iowa; W. H. Barnes, of  
a, and John C. Bickford, of  
npsbire.  
tobson, of Texas, arranged a big  
for the delegates on Lookout

attanooga chamber of commerce  
the visitors over Missionary  
Chickamauga battle fields  
memorial service will be held  
Southern Methodist  
by the supreme lodge.

phie Kloeckler could not swim,  
they had never known of her  
bath. They were questioned  
to whether their sister Sophie  
talked of committing suicide,  
or one else committing suicide,  
and that they had never heard  
of anything of that kind, but  
admit that she and they used  
Lakewood park prior to their  
death, which took place a year  
that she had not been there  
that they knew of.

sa Wilson, the married sister  
Kloeckler, stated that on May  
her husband was sick in the  
she came from her residence,  
r street, Atlanta, Ga., and re-  
her mother's, and that evening  
Sophie, told her that she was  
to be married to W. D. Benson,  
the day was not set for the  
also that she cautioned her  
in any way but her husband,  
son, about it, and not to men-  
her mother in law, or any of  
nd's relatives; also that they  
going to Savannah, Ga., but  
Mrs. Wilson thought she had  
er mind about it, and spoke  
in her wedding trip with Mr.  
September when the firemen's  
went to St. Louis, Mo. Mrs.  
o stated that she never knew  
to be defected in any way, and  
heard of her having dis-

the Kloeckler family all  
highest terms of Mrs.  
and her daughters.

**Neighbors Saw Her.**

K. Taylor, of 374 East Geor-  
ia, which is about 400 yards  
Kloeckler residence, stated that  
ning of May 24, 1904, at 7:18  
was seeing her husband off  
and remained out on her porch  
or fully fifteen minutes after-  
she noticed Sophie Kloeckler  
a Georgia avenue toward the  
the direction in which she  
boarded a car for Lakewood;  
did not look across the street,  
it account Miss Kloeckler did  
to speak to; that it was Miss  
custom to board the car at  
of East Georgia avenue and  
et, but that in the direction  
ing she would be going away  
car that would take her to  
ntinuing, Mrs. Taylor stated  
id not note anything unusual  
but that she was dressed in  
is and dark hat. She further  
she has known the Kloeckler  
since they have lived in the  
od, and that she has always  
a to be a hard-working and  
family.

at Georgia avenue Miss Willie  
ed that on the morning of  
04, she did not go to work,  
ut on the porch of her resi-  
that it was about fifteen  
8 o'clock in the morning when  
as Sophie Kloeckler pass down  
ell of the street. Con-  
ed that she did not  
Miss Kloeckler did not  
she seemed to be going  
natural gait and not paying  
on to any one. Miss Nealy  
that the Kloeckler girls have  
a good name in the neigh-  
id are a hard-working set of

# LAWYERS TO ASK FOR NEW COURT

## Association Will Urge Establish- ing Appeal Division.

**Excellent List of Speakers and Sub-  
jects Is Arranged for the Gath-  
ering of Georgia Attorneys  
at Warm Springs,  
June 30.**

Warm Springs, Ga., June 18.—(Special.)  
The Georgia Bar Association meets at  
Warm Springs June 30 and will be in  
session three days. Several matters of  
general interest will be discussed at this  
meeting. Among them will be the ques-  
tion of restricting the elective franchise.  
A number of the southern states have  
recently passed constitutional amend-  
ments or adopted new constitutions which  
greatly restrict the right of suffrage.  
Educational qualifications have been pro-  
vided which have practically eliminated  
the negro. These state constitutions have  
been upheld by the supreme court of  
the United States, though vigorously as-  
saulted as repugnant to the fifteenth  
amendment to the federal constitution.  
Should Georgia adopt an amendment to  
her constitution similar to those of Vir-  
ginia, Alabama, Mississippi and South  
Carolina or should we continue to rely  
on the poll tax requirement which works  
very well as long as the white people are  
practically united, but which proves but  
a poor protection against the colored  
brother when there is a division? This  
question is to be discussed at the Warm  
Springs meeting.

It is understood also that the com-  
mittee on judicial administration and  
remedial procedure, of which Judge  
George Hillyer is chairman, will recom-  
mend the adoption of the Australian bal-  
lot system in primary elections, especially  
those in which judges and solicitors are  
chosen. And also that the superior court  
judges, rotate among the different cir-  
cuits so as to be removed from local in-  
fluences as much as possible. This plan  
is in operation in North Carolina, where  
it is said to work very satisfactorily.

**Want Court of Appeals.**

Another matter which will be discussed  
is the bill, prepared under the direction  
of the association, to create a court of  
appeals. This measure has been urged  
for some time by the bar association.  
At the last session of the legislature the  
bill passed; the senate and received a  
favorable report from the judiciary com-  
mittee of the house, but failed to reach  
a vote in that body. The lawyers are  
very much in earnest in advocating this  
bill, as it is designed for the relief of  
the overworked supreme court. As the  
legislature will be in session at the time  
the association meets it is expected that  
action will be taken with a view to get-  
ting the bill passed at this session.

One session of the bar association will  
be devoted to a memorial service for the  
members who have died since the last  
meeting. There is an unusually long list  
of these and it embraces some of the  
most distinguished men in the state.

# NO PILSEN BEER FOR PRINCESS

## Noble Woman Cannot Use the Brand on Her Brew- ery's Output.

**Special Cable.**

Vienna, June 18.—(Special.)—The su-  
preme court has decided that Princess  
Kunigunde Lobkowitz has no right to  
call her beer Pilsen, inasmuch as it is  
made in Krimitz. This settles a long dis-  
pute between her highness and a number  
of untitled Pilsen brewers.

Among these are Presiding Justice Sam-  
uel Lumpkin and ex-Justices Henry T.  
Lewis and Henry G. Turner, of the su-  
preme court; Judges Pope Barrow, J.  
B. Estes, W. T. Gary and Thomas A. At-  
kinson, of the superior courts, and sev-  
eral others. Hon. J. H. Merrill, of  
Thomasville, is chairman of the memorial  
committee, and the memorial meeting will  
be under his direction.

**List of Addresses.**

The list of addresses and papers which  
will be delivered is as follows:  
President's Address—Peter W. Meldrim,  
of Savannah.

Special Address—J. H. Lumpkin, of At-  
lanta.

Papers—William R. Hammond, Atlanta;  
T. M. Cunningham, Jr., Savannah; B. F.  
Abbott, Atlanta; Irwin Alexander, Au-  
gusta; John R. L. Smith, Macon; Albert  
H. Russell, Bainbridge; Shepard Bryan,  
Atlanta; Eugene Ray, Columbus.

The association is in a most prosperous  
condition. The membership is larger  
than ever before and the attendance at  
the meetings continues to grow each year.  
The following is a list of the officers  
for the present year:

President, Peter W. Meldrim, Savannah;  
vice presidents, first, A. P. Parsons, Tal-  
botton; second, John J. Strickland,  
Athens; third, Marcus W. Beck, Griffin;  
fourth, W. M. Hammond, Thomasville;  
fifth, W. K. Fielder, Cedartown; secre-  
tary, Orville A. Park, Macon; treasurer,  
Z. D. Harrison, Atlanta.  
Ruben R. Arnold, chairman executive  
committee.

# THIS CAMERA SORT OF WONDER

## With "Giant's Eye" You May Photograph Things Above Your Head.

**Special Cable.**

Paris, June 18.—(Special.)—"The Giant's  
Eye" is the name of a new fangled cam-  
era located in the handle of a walking  
stick or umbrella. If you want to pho-  
tograph a picture above your head; a  
scene at an upper window for instance,  
you need but raise your stick to get your  
films acted upon as soon as you press  
the button.

## HOPE FOR ASTHMATICS.

**The Latest Scientific Discovery  
Achieves Marvelous  
Results.**

NEW YORK, March 18.—The thou-  
sands who suffer from asthma and hay  
fever will hail with genuine delight the  
news that a remedy has at last been dis-  
covered which not only relieves the dis-  
tress that attends these ailments, but  
completely and permanently cures in a  
month or six weeks.

The new discovery, known as permaneo,  
has been unusually successful in the most  
obstinate cases, some of them of twenty  
years' standing.

In order that permaneo may become  
more widely known and relief given to  
sufferers throughout the country, the  
National Research Society, located at  
2217 American Tract Building, New York,  
is now supplying permaneo free of  
charge, to every one who writes to them  
for it.

## MURINE AS AN EYE TONIC

Has won a prominent place on the dressing  
table of the elite; restores normal conditions,  
and natural brilliancy to a Faded Eye, gives  
comfort to the Tired and Inflamed Eye.



**DR. CHARLES FLESH FOOD**

should be used by every woman who has the  
least desire to be attractive. It is the only  
preparation that will round out hollowed,  
thin cheeks or scrawny neck with FIRM,  
HEALTHY FLESH and REMOVE WRIN-  
KLES from the face and hands, no matter  
how deep the furrow.

**For Developing the Immature Bust.**  
To make the breast firm, large and beau-  
tiful, nothing can equal it. To prevent the  
breast from shrinking, mothers should always  
use Dr. Charles Flesh Food after weaning baby. It will also restore a bosom to its  
natural contour and beauty lost through this cause.

**ON SALE AT JACOBS' PHARMACY,  
AND OTHER DRUGGISTS AND DEPARTMENT STORES.**

**SPECIAL OFFER.**—The regular price of Dr. Charles Flesh Food is \$1.00 a box, but  
to introduce it into thousands of new homes we have decided to send two (2) boxes to  
all who answer this advertisement and send us \$1.00. All packages are sent in plain  
wrapper, postage prepaid.

**FREE.**—A sample box—just enough to convince you of the great merit of Dr. Charles  
Flesh Food—will be sent free for 10 cents, which pays for cost of mailing. We will  
also send you our illustrated book, "Art of Massage," which contains all the proper  
movements for massaging the face, neck and arms, and full directions for developing  
the bust. Address

**DR. CHARLES CO., 19 Park Place, New York.**