

A COMMISSION IN LUNACY

JEROME DOES NOT OPPOSE THIS

Jerome Statement Saying He Will Join With Thaw Counsel in Requesting Appointment of Such a Commission to Examine Defendant if Any of Experts Retained Will Testify Authoritatively That in Their Opinion Thaw is Now Insane—Dr. Evans to Catch a Lot of the Young Fellows in Allison's Saloon and Massacre Them—On Night of "Shooting Up" He Heard Shouts to the Soldiers to Come On.

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"Well, it is a good thing it happened as it did. It was out in town last night and the crowd came in front of me—the plan was to catch a lot of young fellows in Allison's saloon and massacre them."

EVANS TO RESUME STAND. Harry McPike, of counsel for Thaw, said to-day:

"When the trial resumed next week Dr. Evans will conclude his testimony and Dr. Wagner will be recalled to tell of his conversations with Thaw—conversations which were ruled out last week. Then Mr. Thaw's wife will finish her story and his mother will be called as a witness for the first time. Finally, Dr. Thaw's will be called and introduced as evidence it is probable that the family physicians of the Thaw family will complete their testimony. The alienists will be asked a few final questions in order to round out the case and then, unless something new develops, the defense probably will rest."

Dr. Josiah Strong, president of the American Institution of Social Service, said to-day that Harry K. Thaw consulted him more than two years ago about breaking up a "den of vice" in this city, which was protected by a wealthy and influential man. Thaw did not say where it was located, but Dr. Strong said the young man told him such a story that it "made his blood boil."

Dr. Strong added that he referred Thaw to Anthony Comstock.

THAW'S NIGHT-KEEPER DEAD.

Death has again invaded Harry Thaw's environments. Close on the heels of the wife of Joseph Bolton, one of the jurors, who had to face the question of his guilt or innocence of the murder of Stanford White, came the announcement to-day of the death last night in a hospital of Michael D. Downey, who for months had been Thaw's night-keeper on the second tier of cells in the Tombs, which is known as "Murderers' Row."

SEVENTEEN HORSES CREMATED.

Large Livery Stable and Three Adjoining Houses at Cape Charles, Va., Burned—Loss \$150,000. Norfolk, Va., Feb. 15.—Fire of unknown origin, which started at 1:12 this morning in J. Gladstone's livery stable at Cape Charles, Va., destroyed the stables and three adjoining houses. Seventeen fine horses in the Gladstone stables were cremated. Citizens extinguished the fire after much difficulty by the use of four streams from town plugs and bucket brigades. There was a high wind and sparks fell all over the place, destroying many buildings and small blazes were soon extinguished. The burned property belonged to J. W. Jones, L. E. Mumford and others. The total loss is between \$12,000 and \$15,000, with partial insurance.

Rocketeer Called Home on Account of Illness of Wife.

Augusta, Ga., Feb. 15.—John D. Rockefeller, who has been here for a month, left suddenly for New York last night on receipt of a telegram announcing the illness of his wife. He was not accompanied by any of his family. He had expected to remain until after the winter had passed.

Lakeview, N. J., Feb. 15.—Miss Lucy Spellman, sister of Mrs. John D. Rockefeller, said to-day that Mrs. Rockefeller was suffering only from a slight cold.

Congregational Churches to Join in Series of Meetings.

New York, Feb. 15.—A series of meetings in congregational churches in New York, New Jersey and Connecticut and extending over a period of several weeks, will be opened in this city to-morrow under the auspices of the American Missionary Association. The speakers at to-day's meetings will discuss negro education and the work the association has done and expects to do among the people in the mountainous sections of Kentucky, Tennessee and North Carolina.

Kills Himself Rather Than be Taken by Officers.

New Orleans, Feb. 15.—When a posse overtook Joseph Corbin to-day, he shot and killed himself. Corbin was suspected of being the man who shot up a Shreveport saloon two nights ago, killing one man and wounding three others. He was caught near Litchfield, La.

Georgia May Get Appointment.

Washington, Feb. 15.—The bureau of manufacturers of the Department of Commerce and Labor probably will appoint J. A. Benton, of Georgia, a special agent to investigate the market for cotton seed products, both in this country and abroad.

HAD PLANNED MASSACRE?

BROWNVILLE TESTIMONY WARM

Negro Ex-Soldiers Tell of Alleged Plans of Citizens of the Town to Do Violence to the Troops—William Mapp Declares He Heard Citizens Tell Another That They Were Agreed to Catch a Lot of the Young Fellows in Allison's Saloon and Massacre Them—On Night of "Shooting Up" He Heard Shouts to the Soldiers to Come On.

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SHOTS OVER THE BARRACKS.

Before giving his testimony Mapp said that on the night of the shooting he had been awakened by the firing and had gone to the window of his quarters, from there he saw several gun flashes and the shots seemed to be directed over the barracks. A man with a deep voice, he said, shouted: "Come out, you black ———" (using an opprobrious epithet and making it applicable to the troops) and said this challenge was repeated several times during the firing, but the call to arms was then sounded and he hurried to get dressed and fall in with his company.

Thomas Jefferson, who was the room orderly in Company C barracks, said that he heard the shooting and thought there were 10 or 12 men firing. The shots, he said, came from the rear and near the end of B barracks, but he could not say whether the men were within the walls or not. He said he saw the flashes from guns and thought the garrison was under attack.

Solomon P. O'Neil, also a former member of Company C, testified that the shooting of August 13 was from near the wall at the end of Company B's quarters, and that the shots were apparently over the barracks. He said he heard a man shoot and then yell: "Come out, you black ———." This occurred several times, said O'Neil.

"BREAK OPEN THE RACKS."

Former sergeant Darby W. O. Brawner, who had charge of Company C quarters, Twenty-fifth Infantry, on the night of the affray and whose absence is said to have resulted in the order to break open the Company B racks, said that he slept in a room at one end of "C" quarters and that he was awakened by Corporal O'Neil. O'Neil told Brawner that there had been firing and a call to arms, and also told him to break open the gun racks. Brawner said he dressed and rushed out to see his commanding officer. He said he met First Sergeant Harley and asked him what to do, and Harley said "wait for orders." The witness said that when he went back to quarters he heard O'Neil say: "If you can't find the officer in charge of quarters break open the gun racks and get down as soon as you can and fall in."

Brawner then proceeded to open the gun racks and unloaded three of them, but found that the fourth had been broken open.

The only ammunition Company C men had, according to Brawner, was lead bullet guard ammunition, or what is known as the reduced range cartridge.

Brawner was one of the 13 men arrested on a charge of having participated in the "shooting up" of the town.

GRANTED 3 MONTHS' LEAVE.

Brig. Gen. Barry to Relieve Brig. Gen. Whit, in Command of Army of Cuban Pacification.

Washington, Feb. 15.—Because of physical disability, Brig. Gen. Theodore J. Whit, in command of the army of Cuban pacification, has asked for and been granted three months' leave by the appointment of Brig. Gen. William P. Duvall, in command of the Department of the Gulf, who consequently becomes principal assistant to Major General Bell, chief of general staff. General Duvall will be succeeded in command of the Department of the Gulf by Brig. Gen. Winfield S. Egerly.

Sensation in Lower House of West Virginia Legislature.

Charleston, W. Va., Feb. 15.—After scoring lobbyists generally from the chair, Speaker Seaman, in the lower house of the Legislature, to-day said, apparently addressing some individual named:

"And to you, sir, who offered to furnish means to secure votes for your bill, I will say I know you and now see you are on the floor, and will say you must not again insult the intelligence and manhood of the members of the House."

Speaker Seaman's remarks created a sensation.

New General Manager for the Georgia, Florida & Alabama.

Savannah, Ga., Feb. 15.—The appointment of J. C. O'Connell, formerly trainmaster of the Department of the Central of Georgia Railway, to the position of general manager of the Georgia, Florida & Alabama Railroad, is announced. His office will be at Tallahassee, Fla.

A VOTE TO BE HAD TO-DAY

AN ENTIRE DAY OF DISCUSSION

Conference Report on Immigration Bill, Including Provision to Settle California-Japanese Question, Goes Over—Bacon and Tillman Principal Speakers in Opposition to What They Regarded as an Effort to Prevent the South's Getting a Desirable Class of Immigrants—Lodge Warned Tillman That Unless He Desisted He Would Move for Continued Discussion Behind Closed Doors.

Washington, Feb. 15.—An agreement to vote to-morrow on the conference report on the immigration bill, which includes the provision intended to settle the California-Japanese question, was reached in the Senate to-day as the result of an entire day of discussion on that measure.

The principal speeches were delivered by Senators Bacon and Tillman, in opposition to what they regarded as an effort to prevent the South from getting a desirable class of immigrants. Senator Tillman's remarks on the Japanese situation brought a warning from Senator Lodge that if continued he would move that the discussion proceed behind closed doors. International references were not made afterwards by Senator Tillman.

Senator Gallinger expressed surprise that the conference should contain the warning from Senator Lodge that if continued he would move that the discussion proceed behind closed doors. International references were not made afterwards by Senator Tillman.

"Does it mean that a State agent cannot go abroad and secure immigrants?" asked Mr. Tillman.

"It means that he cannot use other than State funds for that purpose," answered Mr. Lodge.

"Suppose the State should pay the passage of an immigrant and that some one should come along and reimburse the State," asked Mr. Tillman.

"That might be one way," answered Mr. Lodge, "but he did not intend to do that."

Mr. Tillman then turned his attention to the Japanese provision and maintained that in placing the provision in the report the conferees had exceeded their authority.

The abolition of the Oriental school applies only to the Japanese. Their maintenance for the Chinese will be continued.

Mr. Tillman continued: "I want to know why it is, he said, that the president of the United States should be permitted—if this bill becomes a law, and I know it will—dicker with labor unions, to make a deal with labor on the Pacific coast make it possible for the President to issue an Executive order for the exclusion of a certain class of immigrants? We ought to have a law to regulate such a thing, but it ought not to be done by the president. There ought not to be any bargaining here for political purposes."

"We have all heard this kind of thing before," said Mr. Lodge, "but the last year we reached by those who had charge of the campaign that if the Mormon question was not settled in the conference report it would be carried over to the next session. I am sick and disgusted with this disposition on the part of the Senate and feel that we are surrendering everything into the keeping of the executive."

SENATOR CARTER INTERRUPTS. Senator Carter, of Montana, interrupted Senator Tillman and said that the conferees had exceeded their authority. "A vote taken upon this question," continued Mr. Carter, "will be a precedent for the future."

Japan Has Agreed to No Motion of School Problem.

London, Feb. 15.—In a dispatch from Tokio the correspondent of The Times says:

"It is denied here upon good authority that Japan has agreed to submit to the present construction of the law."

When Mr. Bacon concluded, Mr. Tillman began a discussion of the South Carolina system, but indicated that his main purpose was to review another part of the conference report.

Every one supposed that this immigration bill was dead," continued Mr. Tillman. "But lo and behold, an exigency has arisen on the Pacific coast! Strenuous individuals are at work to accomplish a certain end. The able man who presides over the State Department drafts an amendment to a law passed last May by the Senate by a vote of 75 to 15. The House and which has been in conference ever since. The conferees take that distinguished gentleman into their confidence, or rather he takes them into his confidence, and the Senate is notified that this bill must go through."

TWO-FOLD OBJECT INVOLVED. "Why? Speaking in plain terms, to keep the Japanese out of California. But there is a two-fold object involved in the measure. The first of these is intended to keep just laborers off the Pacific coast and from getting into this country, and the justice in furtherance of a policy which looks to sectional advantage, have incorporated a provision which changes the law in regard to contract labor, which will keep out the little drive of immigrants who have started to go Southward."

"And these two provisions linked together are to be driven through Congress. The South's interests are as usual ignored; the Pacific coast, of course, is taken care of."

Mr. Tillman contended that this procedure must be in pursuance of a settled policy and made strenuous objection to it.

Continuing Mr. Tillman said: "I will vote for an adjournment to-morrow which will keep the Japanese out. I do not see why these should be a prejudice against them, yet I am willing to keep them out if it brings war."

Senator Lodge arose at the last remark. "If," he said, in a low tone, "I were going to discuss that question, I think we ought to do so behind closed doors."

"I am perfectly willing to go behind closed doors," Mr. Tillman responded promptly. "Perhaps I can get a heart-to-heart talk with some people who will not stay here and listen, but we have got orders from the White House that this report has got to go through."

LAYS BLAME TO PRESIDENT. "If the man at the White House had not taken it upon himself to meddle with everything in the United States we would not have this issue here," said Mr. Tillman.

Stating his opposition to any system of contract labor to be as strong as that of any one, Mr. Tillman said he would favor the proper encouragement of desirable white immigrants to the South, and he believed the government would do well to spend one hundred million dollars for that purpose. The South was to be discriminated against, he maintained, because the Senator from Massachusetts had a large number of highly respected constituents who were opposed to the Southern States getting the immigrants unless they got them from the slums of the Northern cities. The South did not want this sort of "scum and raffia."

Mr. Lodge was questioned closely to ascertain just what he construed to be the effect of the change.

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INCREASE OF THE NAVY

BURTON'S MOTION DEFEATED

Ohio Representative, in Opening Debate, Attempted to Have One of the Big Vessels Eliminated, Making Speech in Support of the Motion—United States Should Take Lead in Move for Limitation of Armaments—Kitchen Offered Amendment as to Armor Plate, but It Was Lost—Bill Finally Passed, Carrying an Appropriation of \$95,000,000.

Washington, Feb. 15.—The proceedings of the House to-day on the naval appropriation bill were devoted largely to the consideration of the question of the increase of the navy, with especial reference to the necessity of two battleships of the Dreadnaught type. The effort to reduce the number was defeated after a long debate. The proceedings were opened by a motion made by Mr. Burton, of Ohio, to eliminate one of the big vessels, and he made a speech in support of his motion in which he took occasion to contrast the American navy with the Japanese navy, and the belief of the latter, that with ships now under construction the navy of the United States would be nearly two-thirds larger than that of Japan and was at present a half larger. He referred to the number of ships under construction, some of which would not be completed until 1912, or even later, and maintained that there was no immediate occasion for further construction even of the one battleship now contemplated.

Finally he said that the United States of all nations of the world should take the lead in the move for a limitation of armaments, looking hopefully forward to the time when peace and amity should exist among the whole human race.

Continuing, Mr. Burton said no nation on the globe is threatening us. "No nation will think lightly of engaging in war with us," said Mr. Burton. He declared that in England to-day King, prime minister, Parliament and the great majority of the people are ready and anxious to stand with us in a movement for the limitation of armament, and concluded with the declaration that greatness does not consist in the strength of government, but in the happiness and the opportunity of each individual citizen, a thing far more preferable, far more to be desired than the triumphs of war or the empty glories of imperial dominion. The speech was loudly applauded.

MUCH INTEREST IN DEBATE. Mr. Burton was followed by Mr. Crumpacker and Mr. Longworth, who favored the two ships, and by Mr. Slayden and Mr. Underwood, who opposed that provision. The galleries were crowded and much interest was manifested in the debate.

Mr. Hull, of Iowa, took a pronounced stand against the amendment of Mr. Burton. Referring to a contention by Mr. Burton that the isolation of the United States is the best protection, Mr. Hull said that he seemed to have forgotten the question of the school fund, when our splendid isolation was left behind with the result that our flag now touches the interests of the world at so many points that we are no longer an isolated nation. He said that preparedness was the best argument for peace and that he was in favor of fighting for peace if necessary.

Mr. Kitchin, of North Carolina, favored the amendment of Mr. Burton, and Representative Grosvenor, of Ohio, spoke in favor of an increased navy.

After further discussion, Mr. Burton's amendment to reduce the number of battleships was defeated by a vote of 114 to 166.

KITCHIN OFFERS AMENDMENT. There ensued the old fight on the question of armor plate. Mr. W. W. Kitchin, of North Carolina, offered an amendment that in securing the armor of best quality for the two battleships mentioned in the bill, the Secretary of the Navy shall not contract to pay greater prices per ton than the prices contracted for and paid for the battleships South Carolina, Michigan. He explained that unless this was adopted the Midvale, Bethlehem and Carnegie factories might undertake to raise the price. The amendment was defeated, 88 to 124.

With these perplexing problems out of the way, the vote was then completed and the committee of the whole rose.

When the bill was reported to the House, Mr. Watson, of Indiana, demanded a separate roll-call on the provision appropriating \$100,000 for an addition to the iron and brass foundry at the Washington navy yard. The provision was defeated, 108 yeas and 122 nays. Then the bill was passed. It carries an appropriation of \$95,000,000.

ATTEMPTS TO SHOOT DETECTIVE. Captain of Chicago Bureau Has Narrow Escape From a Lariat.

Chicago, Feb. 15.—A well-dressed man, evidently of unusual mind, entered the central police station in the city hall to-day and attempted to shoot Capt. P. D. O'Brien, of the detective bureau.

The man placed a revolver close to his head, saying, "You're Roosevelt, ain't you?"

Capt. O'Brien sprang up, knocked the man down, and took the revolver away. He was at once struck by the man's blows. With the assistance of other officers the man was placed in a cell, where he became extremely violent. It being necessary for several officers to hold him on the floor to prevent him from dashing his head against the wall. Later he was removed to the hospital for detention of the insane. Nothing found on the man indicated his identity.

Two White Men Handed for Criminal Assault.

Russellville, Ky., Feb. 15.—Guy Lyon and Polk Fletcher, white men, were handed here to-day for an assault upon Mary Gladier, a young German girl, two years ago. Lyon attempted to commit suicide last night by opening a blood vessel in his left arm with a tin spoon which he had sharpened. Physicians inflicted nearly a gallon of artificial blood into Lyon, which revived him, but he was so weak this morning he had to be supported to the scaffold.

HOPE FOR A REFORMATORY

MANY MEASURES DISCUSSED

Senator Drewry Introduces Two Bills Relating to Insurance Companies—Substitute for Preston Reformatory Receives Favorable Attention—Long Discussion of Lee County Matter in House—Senate Passes Bill Giving Dunn a Dispensary—Crawham Receives Order for Tuesday—Ormon Bill to Reward Sheriff for Destroying Stills Passes Senate.

Observer Bureau, The Holloman Building, Raleigh, Feb. 15.

Mr. Drewry introduced a bill in the Senate to-day to make it the duty of the insurance commissioner in ascertaining the financial condition of any company or manner of its business to employ independent actuary or skilled accountant. In case of insolvency of any company, the reserve or outstanding policies (with consent of insurance commissioner, be used to reinsure policies to extent of their pro rata part thereof.

Another Drewry bill would make it unlawful for any insurance company, association, order or society doing business in North Carolina contract or certificate for less than \$500 or use applications in connection therewith, forms of which have not been submitted to and approved by the insurance commissioner.

The House committee on penal institutions, on Feb. 14, reported favorably the substitute for Preston's reformatory bill, this substitute bill having been adopted by a joint sub-committee of the Senate and House. The bill does not carry an appropriation, but the House has passed an appropriation of \$7,500 to be made by the State. The Governor should appoint trustees to co-operate with the private trustees. The institution is incorporated under the name of the Stonevill Jackson Industrial and Manual Training School, the incorporators being Mrs. Stonewall Jackson, Miss Fanny Heck, Mrs. W. H. S. Burgwyn, Miss Edale Shaw and eight others whom they may name.

It is understood that a bill to establish the county of Lee will be introduced in the House to-morrow. The bill killed to-day was a Senate bill.

THE HOUSE. The House met at 10:30 o'clock, Rev. Livingston Johnson offering prayer. McRae presented a petition from citizens of Robeson for a law regulating running of automobiles on highways. Unfavorable reports were made on bills providing for primary elections in Madison and Henderson counties. An unfavorable report was made on the bills of Parsons and McNeill regulating labor in factories, and a favorable report was made on Dilling's bill, allowing 60 hours as a week's work in cotton mills, with amendment by Parsons that mills shall not run later than 8 o'clock at night to make up for lost time. Dilling's bill having made the hour 10 o'clock, and the arrangement being a compromise.

BILLS INTRODUCED. Bills were introduced as follows: Gordon. To authorize the State Board of Health to provide preventive treatment for hydrophobia; to protect game in Gullford.

Hankins. To allow Thomasville to issue bonds for public improvement.

Harris. To give magistrates jurisdiction of cases arising out of the sale of property for taxation.

McRacken. To incorporate Evergreen, in Columbus.

Lockhart. To allow the corporation commission to require railroads to build a union station in towns of 2,000 people.

Beseman. To prevent sawdust being thrown in Mitchell county streams, also to give that county the good road law.

Jackson. To allow Bellhaven to issue bonds for a graded school.

Wells. To allow Fender county to appropriate money to the Society for the Betterment of School Houses.

Kennedy. To put Sampson under the anti-liquor law and prevent soliciting orders for whiskey there.

Bryan. To give Wilkes county the good roads law.

Boyd. To amend the act of 1901 regarding wood pulp mills in Haywood county, Michigan.

Manning. To allow Durham county to issue \$300,000 in bonds for good roads; to increase pay of Durham county commissioners; to allow that county to buy additional land for county workhouse and home and to buy site for new court house.

Bolton. To make an appropriation to pay the expenses of the Confederate veterans to the Richmond reunion next summer.

Yount. To incorporate Brickford, Catawba county.

Brewer. To incorporate Linfield, Craven county.

Taylor, of Vance. To require express companies to pay for loss or damage to property.

Mull. To make it unlawful to keep liquor for sale in Cleveland; also for relief of ex-Confederate soldiers.

Griffin. To incorporate the Castalia Lumber Company.

McDaniel. To change the time of holding courts in Lenoir.

Parks. To change the time for holding courts in Ashe.

Gibbs. To provide for payment of damages where persons haul logs over public highways.

Koonce. To supply certain lost records to Galois.

Winnburns. To amend the revival regarding mortgages by corporation.

DISCUSSION OF LEE COUNTY MATTER. The House took up as a special order the bill creating the county of Lee, the minority report of the committee coming up for consideration. The majority of the committee reported the bill unfavorably; the minority recommending that it pass.

London, of Chatham, said he represented almost every Republican and Democrat in that county in protesting against this proposition to almost ruin that grand old county. He made a detailed statement of the damage in many ways which the creation of a new county would do to Moore and Chatham, and without practical benefit to citizens of the new county.

He said only three counties in the State had been created with less population than Lee and that was done already a pauper county, and to cut off \$400,000 of taxable property would make it a still heavier burden on the State. He concluded with an appeal to members to stand by the Republic.

Partial Shooting at Dance. Washington, Ga., Feb. 15.—De Garret was shot and killed at a dance in the western part of this county last night by Douglas Harden. It is believed the man because involved in a difficulty and Harden shot at Garret. Harden has been arrested. Both men were prominently mentioned.

MR. POU WILL NOT RUN

DEMOCRATS HELP PRESIDENT

Congressman, in Statement to the Observer's Correspondent, Says He Will Not be gubernatorial Candidate—Naval Appropriation Bill, President's Measure, Goes Through House by Aid of Democrats—Webb Amendment Lost by Close Vote—Southern Senators Will Allow the Passage to-Day of the Immigration Bill, With the Provision to Exclude Japanese Coolies.

W. A. HILDEBRAND.

Observer Bureau, 1417 G. Street, N. W., Washington, Feb. 15.

There were developments of a political nature here to-day of interest to North Carolina. Congressman Poulsen who has recently been mentioned among the probably candidates for nomination for Governor, to-day definitely removed his name from the list of possibilities. He said, "I appreciate fully compliment which some of my friends have paid me in suggesting my name for the high office of Governor, but for several reasons I have decided not to candidate. For months I have been saying this in private conversation. I would not make any public statement for the press now were it not for the fact that some of our State papers continue to print my name in lists of candidates."

The politically inclined are now speculating on the probable course of Mr. Craig. Up to the present writing nothing but conflicting statements have been heard relative to the probable future actions of the Asheville man, but the belief obtains in advised quarters that he has not burned the bridges behind him, and has not committed himself one way or the other. He is in all probability simply awaiting developments.

Mr. Pou joined about 15 or 20 Democrats to-day in voting on the amendment to the naval appropriation bill and as a consequence the House carried out the President's programme of building up the navy by authorizing the construction of two additional battleships. The administration programme could hardly have been carried out without this Democratic assistance, as the Republicans were pretty well divided on the policy favored by the President.

Mr. Pou took the position that