

Leads all North Carolina Dailies in News and Circulation

SHOOTING STRAWS AT TRUST CYCLONE

Roosevelt's Program Ridiculed by Democrats.

EX-SLAVE PENSION BILL

Adventurers Imposing on the Credulity of Ignorant Negroes—Mr. Cannon Says no Such Bill is Likely to Pass Congress.

(By the Associated Press.)

Washington, D. C., Feb. 10.—The House today adopted the conference report on the Department of Commerce Bill by a vote of 215 to 10. One Republican (Mr. Littlefield, of Maine), and nine Democrats voted against this action. Several Democrats took the position that "the Nelson amendment" to the Bureau of Corporations was a weak and ineffectual attempt to provide the machinery for corruption publicity. Mr. Mann, of Illinois, on behalf of the Republicans contended, on the contrary, that it was a better measure of publicity than had been presented in any other bill.

After this conference report was disposed of the remainder of the day was devoted to the Sundry Civil Appropriation Bill. Mr. Cannon, chairman of the Appropriation Committee, gave notice that at the proper time he would move two amendments, one to provide for the purchase of a site and the erection of a three-story 400-room office building for members, to be connected with the capital by a subway and to cost \$3,500,000, and the other an appropriation of \$2,500,000 to carry out the original plans for enlarging the main wing of the capitol.

The notable feature of the general debate on the bill was a speech by Mr. DeArmond, of Missouri, on the Hanna bill to pension ex-slaves. He spoke in a sarcastic vein but the subject assumed a serious phase when Mr. Richardson, of Tennessee, stated that adventurers in the South were using the bill to impose on ignorant, credulous negroes and called upon Mr. Cannon to give assurance that the passage of such a measure was not contemplated. This assurance Mr. Cannon gave.

Mr. DeArmond, of Missouri, denominated the bill recently introduced by Senator Hanna to pension the ex-slaves a "curious evidence of the prevailing trend of politics," which was "more valuable as a piece of political maneuvering than as a piece of prospective legislation." The introducer of the bill, he said, announced that he was not a candidate for the Presidency, but from good authority came the announcement that there were no trusts. The exact facts could not be balanced in the public mind after a study of both statements. The negro delegate, he said, was an important factor in Republican national conventions and there was nothing like making preparations in good time. It was an interesting game and those not concerned could watch it with equanimity. It was a farce, he said, but still farces had their solemn aspects. And it was sobering to think of the old negroes in their cabins in the South giving up their earnings and the time came when they would turn for relief to their natural protectors—the white people of the South. (Democratic applause.)

Mr. Cannon in reply treated Mr. DeArmond's remarks lightly, calling attention to the fact that Senator Hanna's bill had been introduced "by request." But Mr. Richardson, of Tennessee, put a different view on the matter. He stated seriously that companies were already being formed and circulars were being sent out to ignorant colored people by unscrupulous adventurers and he thought both sides should join in assurance to them not to invest their quarters and dimes in this chimerical scheme.

Mr. Cannon responded that all should understand, rich and poor, were the black, cultured and ignorant, that the government promised to all alike equality before the law and equality of opportunity and under it each must work out his own salvation.

Mr. DeArmond was not satisfied with this statement, but asked for a more specific assurance and in reply Mr. Cannon stated with emphasis that if the ignorant were being imposed upon they should be undeceived—that in his judgment no such bill could or would pass.

When the conference report on the Department of Commerce Bill was presented Mr. Richardson, of Alabama, said he did not believe the Nelson amendment was aimed at the trusts.

He said it was a travesty upon what it claimed to be. It was, he said, an ultra diluted dose. "Its purpose, he declared, was not to authorize the President to proceed against the trusts, but simply to secure information upon which he could base recommendations. This he said, was a puerile response to the bold threats which were heralded abroad that an extra session would be called unless effective legislation were enacted. It was "a pretext and a subterfuge."

Mr. Ball, of Texas, who followed Mr. Richardson, ridiculed the program of the administration regarding anti-trust legislation. The administration, he said, was represented as anxious to secure the passage of the Nelson and Elkins bills and it was pretended that the Standard Oil Company was sending telegrams to prominent Senators against their passage. He did not believe it. "I do not believe," he said, "that John D. Rockefeller or any other trust magnate has

raised a protest against the homopathic doses in those bills. They are no more harmful to trusts than would be Mrs. Winslow's Soothing Syrup.

Mr. Adamson, of Georgia, said that while he realized the Nelson amendment was a "delusion and a snare, thinner than thin air," yet as notice had been served that it was the only measure on the programme of the only trust busters, it would receive his vote. The previous question then was ordered and the roll was called on the adoption of the conference report.

He called attention to the language of the amendment that the information obtained by the Bureau of Corporations "or so much thereof as the President shall direct, shall be made public." Was that the vacant publicity, he asked. He did not doubt the honesty of the present executive, he said, but suppose another man more friendly to trusts should be elected. Then, what would the Nelson amendment amount to? He concluded with the statement that the amendment was artistically framed to defeat what the people wanted—proper regular of the trusts.

The report was adopted 251 to 10. Those voting in the negative were: Ball, (Dem.), of Texas; DeArmond, (Dem.), of Missouri; Fleming, (Dem.), of Georgia; Lester, (Dem.), of Georgia; Littlefield, (Rep.), of Maine; Little, (Dem.), of Arkansas; Reid, (Dem.), of Arkansas; Robertson, (Dem.), of Louisiana; Shackelford, (Dem.), of Missouri; and Van Diver, (Dem.), of Missouri.

It was agreed that at the session on Sunday, February 22, eulogies to the (Continued on Second Page.)

SIFTING THE CHARGE

An Inquiry Begun Into Alleged Inhumanity to the Convicts.

(Special to News and Observer.)

Marion, N. C., Feb. 10.—The investigating committee appointed to inquire into alleged cruelties in regard to the convicts is now in session. The prosecution conducted by Attorney Bird so far shows that the roads over which the convicts passed were in a bad condition on January 21st. The defense, conducted by Attorney Hudgins, has just opened. Superintendent Allen took the stand at 7:20 tonight.

ASSAULTED AND LEFT FOR DEAD.

Brutal Crime of a Negro Near Tryon—The Criminal Makes His Escape.

(Special to News and Observer.)

Asheville, N. C., Feb. 10.—About 10 o'clock Sunday morning a negro raped Miss Nellie Carlisle, a young white girl, living about two miles from Tryon. The deed was committed in the forest some distance from the unfortunate girl's home, and the outrage was consummated by means of murderous violence, the negro inflicting several ghastly wounds in his victim's head, which it is feared will prove fatal.

The girl was found in an unconscious condition several hours later and taken to her home, where she now lies at the point of death.

The people of Tryon quickly organized and a party made a thorough search for the negro. This proved ineffectual. Last night several persons saw a negro attempt to board a train of the Southern at Tryon, and opened fire, but the negro made his escape. It is thought that he was the culprit. Nellie Carlisle is 15 years of age, and her parents are honest hardworking people.

Temperance Mass Meeting.

(Special to News and Observer.)

Greenville, N. C., Feb. 10.—At a meeting of the Anti-Saloon League held here on the 8th instant, resolutions were adopted declaring that the Watts' Bill, while making some advance, fell far short of the legislation needed for the suppression of the open saloon and the uncontrolled liquor traffic. It was, therefore, resolved, that the League endorse the London Bill; especially that feature which requires a person applying for a retail license to file with his application a petition signed by a majority of the qualified voters of the city, town or county in which he proposes to retail liquor.

A Temperance Mass Meeting.

(Special to News and Observer.)

Kinston, N. C., Feb. 10.—A large mass meeting was held in the court house here tonight when strong speeches were made in favor of the London bill, and Senators and Representatives were requested by resolution to support that measure. A resolution was adopted endorsing the News and Observer for its great fight for temperance reform.

Mr. N. J. Rouse was chairman of the meeting and Mr. L. E. Barsar was secretary. Strong speeches were made by Y. T. Ormond, George N. Cowan, N. J. Rouse and others.

Leopold's Assailant Sentenced for Life.

(By the Associated Press.)

Brussels, Feb. 10.—Genaro Rubino, the Italian anarchist, who has been on trial here since February 6, charged with attempting to assassinate King Leopold November 15, by firing three shots at the King while he was returning from the cathedral after attending a Te Deum in memory of the late Queen Henrietta, was found guilty today and sentenced to imprisonment for life at penal servitude.

BUCKNER CONTEST SHORT ON THE LAW

Thirty Days Notice Stands in the Way.

IT CAN NOT BE AVOIDED

Senator Griffith's Attorneys Simply Adhere to the Law of Elections and Griffith Holds His Seat.

The contest of W. M. Buckner for the seat in the Senate held by W. E. Griffith, of the Thirty-sixth Senatorial District, was scheduled to start yesterday.

But the contest did not move, as it was a stonewall right at the start that it met with. The Committee on Privileges and Elections of the Senate, over which Chairman McLaughlin presides, met to hear what was to be said, found no law under which to take up the matter and postponed a further hearing of the case subject to the call of the chairman, and the production of some law under which the case could be heard.

In opening the meeting Chairman McLaughlin read section 250 of the Code, the provisions of which set forth that the seat of no member of the Senate shall be contested without that member having notice of thirty days of such contest. Chairman McLaughlin stated that from the notice before the committee it appeared that Senator Griffith had only been served with a notice from W. M. Buckner, the contestant, on February 7th, and that thirty days had not elapsed since that time.

Both Senator Griffith and Mr. Buckner were present in person and by attorney. Judge Francis D. Winston, of Bertie, and Mr. W. W. Zachary, of Transylvania, representing Senator Griffith, and Mr. Ellis Gardner, of Yancey, representing Mr. Buckner.

Judge Winston, for himself and Mr. Zachary, entered notice of appearance with the right to answer, was given no right by their appearance at this time. He stated that at the proper time as set forth by the law that a proper answer could be given and proper proof produced in support of the contention of the election of Senator Griffith.

Mr. Gardner was next heard. He said that if the matter of special elections had been considered he did not think that the law on the books, as the time for notice would take away many rights from the contestant. He declared that his client was not present, begging for anything but only wanted his rights, which could not be obtained by holding to the law quoted.

Judge Winston replied that the notice showed that the contestant intended to base his contest on highly technical grounds, this being that his client was not the man voted for, the assertion being that the ballots were cast for E. E. Griffith and not W. E. Griffith. In this view of the case he asked the committee to take the law as they found it, for it technically was to enter the case it must be so from start to finish.

Senator Webb here said that he did not think the committee had the right to change the law and take away from Mr. Griffith his rights.

Mr. Gardner declared that while the contestant, Mr. Buckner was E. E. and not W. E. Griffith, who was voted for, yet the thirty-six votes from Mitchell would have defeated Griffith by three votes. He said that his client did not want to sneak in on a technicality, but to come in by a majority.

Senator Hoey declared that he had never heard of a contest being served on an representative, National or State, after he had been sworn in, and that as this had been done in the Griffith case, it thought Mr. Buckner had lost any right he had by his own delay and ought not to come to the Legislature for relief.

Senator Marshall, (Rep.), said that he saw no law to fit the case and asked Mr. Gardner if he knew any. Mr. Gardner said none except for the case of a contest in a general election.

Following this up he set forth the grievance Mr. Buckner stated in his protest, said Griffith had been sworn in eight days after the election, that the returning board had never met, and that Mr. Buckner had no more idea that Mr. Griffith was in Raleigh on the 28th to be sworn in than he had of flying to Raleigh. Chairman McLaughlin said that as the contestant was standing on his legal rights, guaranteed in a code printed twenty years ago, that he did not see how the committee could get behind it at its pleasure. He asked Mr. Gardner if he knew of any way and Mr. Gardner said: "No."

Senator Webb suggested that Mr. Gardner might get a special law through the General Assembly to regulate it. Mr. Gardner asked Mr. Webb if he would be willing to help shove it through. To this Mr. Webb replied that he could not say that he would, as he did not know what Mr. Gardner would have in his bill and would like to see it first. As to the legality of Griffith's election he knew that he had in his hand a certificate properly made out.

A motion to go into executive session was passed over and Senator Mann said that the law on the Statute books could not be expected to meet every case, and that somebody had to suffer. Senator Marshall said he understood there was no other law under which to hear the case, but that there ought to be a way in which such a case could be heard.

TO PROTECT LIFE OF THE EMPLOYEE

A Companion Bill to the "Fellow Servant Act."

BODIES FOR DISSECTION

Senator Burton's Quick Attack on the Reidsville Future Market and the Bucket Shop Wins in the Senate.

Lieutenant-Governor Turner was back in the chair of the Senate yesterday after an absence of a week on legal business.

There was much important business transacted, though the debate on the various bills was brief, even the special order of the day bringing on little oratory.

The "Prison Parole Commission" bill was recalled from the Engraving Clerk's office, and will be heard again later on its third reading. This is because Senator Pharr, who has the bill in charge, desires to examine into it further.

The Appalachian Park resolution came over from the House, and was put on its readings. This asks that North Carolina Representatives in Congress urge its passage, and was done at the instance of the Water-Works Association Memorial. Another House resolution received was that concerning the distribution of the George Peabody Fund.

The special order of the day was the consideration of bills regulating the proper tagging and branding of cotton seed for fertilizers, and of concentrated commercial feeding stuffs. These bills passed second readings and went over in order that amendments might be considered. The purpose of these bills is to prevent fraud being practiced on the buyers in North Carolina.

There was a little tilt when the bill providing for the incorporation of the Hiwassee Valley Railroad Company came up. Senator Wilborn (Rep.), spoke up and asked if the clause allowing tax to be paid on the capital at the start and not on the authorized capital was not for the purpose of an avoidance of a just tax. Senator Mann thought this a reflection on the committee and explained that it was simply taxing them on their present position with a proviso that as it was increased the extra tax he paid the State Treasurer, so that by this means a company might start that otherwise might not. Senator Wilborn here sent forward a minority report, but quickly withdrew it when he found that the bill being considered was not the one he was after.

Of course the Senators laughed. Senator Burton rushed a bill through in splendid shape. This affects only Reidsville, but it prohibits dealing in futures and the operation of bucket shops in his town. It went on the calendar, straight through the hopper, and has gone to the House.

The substitute bill giving medical schools for dissection the bodies of certain people who die or are executed in North Carolina passed. It now provides that only the bodies of executed criminals or of felons who die while in prison, shall be used, though even these can be secured by blood kin to the second degree, or by husband or wife. The bill is imperative in that the body of no Confederate soldier or his wife be used under any circumstances, nor does it permit white bodies to go to colored schools. All bodies are to be embalmed, there is to be no expense to the State, and the professors of anatomy in the medical schools of North Carolina are created a Board for the disposition of the bodies.

Senator Pollock in urging the passage of the bill, spoke earnestly for it. He said: "This bill comes up before you again shorn of all of its former offenses. It is a very important bill, of goodly form and covered only with proper legal stipulations. It means progress for North Carolina in its medical means relative to the body. Look northward, Virginia has it; look westward, Tennessee has it; look Southward and South Carolina has had it for a half century. When will North Carolina measure up to the standard of medical college excellence? It is a measure that must come—why not today? I have on all occasions listened with due respect to my legal brethren, have bowed in admiration to their trained insight, and followed in favor their forensic leadership. But, now sir, when I am on my own ground, in determining what course is best to pursue to further the interests of medical science in North Carolina, I can but turn in confidence to you all and ask that you give this bill your favorable approval. To have to leave your own State to obtain knowledge is not pleasing to one's State pride, to have to face Northern snobs is costly in health and an unnecessary outlay of expenditures. It is a wrong to force our young men to cross over the border, it is an encroachment of your State, which does not only wind here in our own ground, our commonwealth they can be equipped to win victories in the great world of life."

The bill for the better protection of mechanics, laborers and material men, introduced by Senator Webb, amends chapter 66 of the Laws of 1887, by requiring all contractors to furnish an itemized sworn statement of the amounts due mechanics, laborers and material men before receiving payment of any money due such contractor, and it also requires the owner to demand such itemized sworn statement. A failure on the owners part to make such demand ren-

THE TWO RUNAWAYS FOUND.

(Special to News and Observer.)

Vance and Samuel Massey of Durham Located in Norfolk.

Norfolk, Va., Feb. 10.—Their half-crazed parents in Durham, N. C., who put all the machinery of the law into operation in an effort to discover the whereabouts of two boys who ran away from home will be relieved to learn that the boys have been found and will be sent back home as soon as the Portsmouth police have the proper authority.

The lads are Vance Massey, aged fifteen years and Samuel Massey, aged fourteen years. They were picked up Monday morning on their way to the Navy Yard, by Police Officer Anderton. They said they were going there in search of employment.

They have a cousin, a Mr. Eugene Massey, at Newport News and went there in search of him. The boys failed to find him, but applied to the shipyard for employment. They were told that they would have to get their parents' consent first.

Thinking that they would be glad to learn that the runaways had the opportunity of making their way home, the boys sent the necessary blanks home. Instead of receiving the parental permission to go to work, however, they heard nothing and meantime Deputy Sheriff John Haywood, of Durham was on his way to this city to look for the boys.

He went to Newport News and sought out the boys' parents. Together they searched the three cities of Norfolk, Portsmouth and Newport News. No trace of the boys was found, but the searchers gone to the Union Mission, in Norfolk, they would have located the runaways. They had been sheltered there for many days.

The lads say that they left home in search of amusement and work. Sam says his father gave him permission to go. The runaway lads have home with \$20 between them. They have not gotten to work yet and are consequently nearly broke. Mr. R. B. Proctor, of Durham, who happens to be in the city, however, called on them and told the chief of police that if it was his desire, he would take the boys home with him.

BE READY, SAYS THE ZAR.

(By the Associated Press.)

London, Feb. 10.—It is announced in a dispatch to a news agency from St. Petersburg that all the officers of the Russian army reserves have been notified to assemble themselves in twenty-four hours, in the event of mobilization orders being issued. The measure, it is added, appears to be connected with fears of trouble in the Balkans.

Beacon Project for Diamond Shoals.

(By the Associated Press.)

Washington, Feb. 10.—The House Committee on Inter-State and Foreign Commerce Committee today referred to a sub-committee yet to be named by Chairman Hepburn, the bill providing for the construction of a light house and fog signal at the outer Diamond Shoals, Cape Hatteras. Authority is given the sub-committee to make favorable report.

Anniversary Special Train.

(By the Associated Press.)

The Seaboard Air Line will run a special train to Wake Forest on Friday night on account of the anniversary. The fare will be 35 cents for the round trip. The train will leave the Union Station at 6 p. m., and returning will leave Wake Forest at 12 o'clock midnight.

Representative Uzzell Sick.

Representative A. T. Uzzell, of Wayne, is quite sick at the Mansion House. He had been home on a week's sick leave and returned to Raleigh Sunday, since which time he suffered a relapse. He has a very severe throat trouble, but he is not dangerously sick.

THE BOND ISSUE BILL HAS COME

Introduced by Doughton. Calls for \$400,000.

NEW BANK FOR RALEIGH

The Citizens Savings and Trust Company, \$15,000 Capital—Many Roll-Call Bills Passed 23 Reading—Audubon Bill Today.

The Bond Issue Bill has come. It was introduced in the House yesterday morning by Governor Doughton, and calls for an issue of State bonds to the amount of \$400,000 at 3 1/2 per cent, payable fifty years after January 1st, 1903.

The bonds are to be of the denominations of \$100, \$500 and \$1,000. A bill to incorporate the Citizens Savings and Trust Company, of Raleigh, introduced by Mr. Drewry, names R. H. Battle, S. C. Vann, I. M. Crocker, W. F. Utley, J. S. Wynne, A. B. Andrews, W. A. May Jr., R. N. Page, J. C. Drewry, J. R. Rogers, J. D. Ballentine and Joseph G. Brown, as the incorporators. The capital stock is \$15,000, which may be increased to \$100,000.

It is said that this bank will be a big thing for Raleigh, and the names of its incorporators would confirm that report. Few bills of any general importance were passed, but a large number of roll-call bills passed second reading, and many local bills passed final reading.

The bill providing for the incorporation of Street Railway Companies under the general law passed second and third readings without discussion.

Altogether yesterday was a day of routine work.

Today two important bills will come up. At eleven o'clock the bill to incorporate the North Carolina Farmers Protective Association is the special order, and at 12 o'clock the Audubon Society bill.

THE DAY IN DETAIL.

At 10 o'clock Speaker Gattis called the House to order, and prayer was offered by Rev. M. M. Marshall, of Christ Episcopal Church, this city.

PETITIONS.

Carson, of Alexander: For temperance legislation.
Scott, of Alamance: From Citizens of Elon College for London bill.
Pegram, of Wilkes: To allow commissioners of Wilkes county, to levy a special tax to build a bridge over the Yadkin River.
Bryan, of Wilkes: To place Henry Jennings on pension roll.
Whitaker, of Wake: For temperance legislation.
Anderson, of Clay: For temperance legislation.

BILLS INTRODUCED.

Scott, of Alamance: To consolidate and amend the charter of the town of Burlington.
Moore, of Cumberland: To authorize the county commissioners of Cumberland county to issue bonds for the improvement of the public roads.
Warren, of Person: For the relief of J. E. Smith, of Person, an ex-Confederate soldier.
McNeill, of Scotland: To provide for the payment of a school claim by Miss Lee McNeil.
Etheridge, of Dare: To appoint Justices of the Peace for Dare county.
Gay, of Northampton: To regulate the killing of game in Northampton county.
Gay: To prohibit the manufacture and sale of liquor within two miles of certain Baptist churches in Northampton county.
Uzzell, of Wayne: To protect landlords and tenants.
McCall, of Davidson: To enlarge the corporate boundaries of Lexington.
Phillips, of Brunswick: To promote the oyster industry in Brunswick county.
Wooten, of Lenoir: To allow stock to run at large from November 15 to February 1st in Mosely Hall and Institute townships.
Drewry, of Wake: To incorporate the Citizens Savings and Trust Company, of Raleigh.
Jarrett, of Macon: For the relief of Public School District No. 5, in Franklin township, Macon county.
Self, of Catawba: To prevent the destruction of birds in Catawba county.
Self: To increase the punishment in cases of conviction of simple assault or indictment of assault with criminal intent.
Doughton, of Alleghany: To authorize and direct an issue of State bonds to pay off appropriations made by the State and for other purposes.
Ray, of Yancey: To amend chapter 49, Laws of 1901, regarding the manufacture and sale of liquor in Yancey county.
Quicket, of Lincoln: For the appointment of Justices of the Peace in Lincoln county.
Brittain, of Randolph: To amend chapter 584, Laws of 1901, changing the name of East Brower township to Brush Creek.

Canadian Steamer Wrecked.

(By the Associated Press.)

Hamilton, Bermuda, Feb. 10.—The Quebec Steamship Company's steamer Madiana, Captain Fraser, which sailed from New York on Saturday last, for a cruise among the Caribbean Islands, was wrecked by a party of excursionists went ashore early this morning on the reefs of this island and will prove a total loss.

The passengers and crew were landed and there was no loss of life.

A Temperance Mass Meeting.

(Special to News and Observer.)

Henderson, N. C., Feb. 10.—There was a grand temperance mass-meeting here at the Methodist Protestant church last night. The town was united. There were many able addresses and much enthusiasm.

Trigg Plan of Payment Accepted.

(By the Associated Press.)

Richmond, Va., Feb. 9.—At a meeting of the creditors of the William R. Trigg Ship-building Company today the following plan of settlement was accepted by practically all of the local creditors: To pay all creditors whose claims are over \$100 23 1/3 or cent, cash and the balance in common stock in a new company to be organized immediately upon the approval of the settlement by out-of-town creditors.

Tiburn T. Myers stated authoritatively that the American Ship-building Company has nothing to do with the new company. The name of the company backing the new one is not given out.

Episcopalians Buy Church Site.

(Special to News and Observer.)

Winston-Salem, N. C., Feb. 10.—The Episcopalians here have bought a four thousand dollar lot on which they will erect a handsome stone church.

The trouble with the average man at fifty is that he's only about half as smart as he thought he was at twenty-five.

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