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COMMITTEE FOR SIMMONS' PLAN

Postmaster-General Must Use Judgment.

MAIL APPROPRIATION

Senator Simmons' Provision Provides That If Extra Service is Found Necessary the Government Should Pay a Reasonable Price and No More.

By THOMAS J. FENCE.

Washington, May 9.—The Senate committee today adopted the amendment offered by Senator Simmons requiring the Postmaster-General to find as a fact whether he considers necessary the extra appropriation given the Southern Railway for carrying the mail between Washington and New Orleans before authorizing its expenditure.

Only two members of the committee voted against the Simmons provision, they being Clay, of Georgia, and Scott, of West Virginia.

Senator Simmons stated to the committee that in view of the statement of the Postmaster-General to the effect that he did not know whether the appropriation was needed or not in order to secure proper service of the mail in that section, he having made no investigation of that question because under the present provisions of the law he did not consider it his duty and discretion in the matter, he felt compelled to oppose this item and would vote against it unless the appropriation was so conditioned as to make it the duty of the Postmaster-General to put the transaction upon a pure business basis, in case he should find it necessary to use any part of the appropriation in order to give the section of the country in question necessary mail service.

The Senator said to the committee that unless it was understood that the provision was to have the support of the Senate conferees on the disagreement with respect to the mail route, he would not introduce it at all, and he declared that if his proviso was stricken out by the Senate, leaving the appropriation without effect, he would vote for it, and that he would oppose the item.

The Simmons proviso argued upon follows: "Provided that no part of the appropriation made by this paragraph shall be expended until the Postmaster-General shall consider and so find that such expenditure is necessary to secure needed expedition of the mails; and that no greater compensation be paid for such facilities than is in the judgment of the Postmaster-General a fair compensation for the service to be rendered by said trunk line or lines."

George H. Murphy, of North Carolina, was today appointed a consultant on the subject of the mail route. This position is created by the Senator bill. Five such appointments were made today. The North Carolina delegate selected is at present consular agent at St. Catharines, Canada. The duties of these consular agents who receive \$5,000 salary, is to conduct business on American consulates, which they are required to visit.

Senator Simmons and Representative Leach, who had just returned from receiving the unanimous endorsement of the Chatham Democratic convention.

"It" is the Whole Thing. The Senate became alarmed over the proposition to confine business and the result was that a milk and elder amendment was adopted which makes it unlawful for railroads to transport any commodities manufactured or produced by it after May 1, 1908. The loop hole in the word "it" which has no reference to individuals, who may at the same time own a railroad and manufacture and produce commodities for shipment.

Cole, John R. Cunningham has been elected to the position of pension bureau, broke away yesterday from the leadership of Minority Leader Williams, who wanted the Democrats to oppose the order by which the immigration and pure food bills to come before the House for consideration.

All of the Tar Heel members favor the immigration bill and several of them are very much interested in the Pure Food bill, so that there was not much significance in the break with the party's spokesman in the House, A. C. Johnston, who voted with the Republicans.

Johnson Leaves Pension Office. Levi E. Johnson, of Guilford county, N. C., who has for twenty-three years held a position in the pension bureau, tendered his resignation to enter business here. Mr. Johnson, who was chief of a division, held a \$1,600 position. He was the best of his kind in the pension bureau.

tinged today. Mr. Johnson, who is well along in life, has had an interesting career. In 1867 he held a commission under General Canby authorizing him to administer the oath of allegiance to North Carolinians. He later was elected clerk of the superior court and judge of the probate court, which position he held for six years. He subsequently held positions of importance in the internal revenue service until appointed to the pension bureau in 1901. He has been in the pension bureau since that time, managing an electric supply and construction company, and to oversee valuable real estate which he possesses before entering the government service in Washington.

Mrs. Knight, of Chicago, formerly Miss Helen Kewic, of Raleigh, and Miss Mary H. Powell, of New York, Mrs. Knight leaves in a few days for Europe.

STANDARD LAUNDRY CO.

Its Affairs to be Settled Up by W. R. Kiker for Benefit of Creditors. (Special to News and Observer.) Durham, N. C., May 9.—Papers in assignment of the Standard Laundry Company were filed with the register this morning. The Standard Laundry Company being turned into the hands of W. R. Kiker, trustee, who will settle-up the affairs of the company for the benefit of the creditors. This company was incorporated some six or seven months ago and continued business until two or three weeks ago. The liabilities of the company will amount to more than six or seven hundred dollars, and it is thought that there will be enough to pay out and save the stockholders from loss.

In Justice Owens court this morning Zeb Edwards, a white man, being held in prison by a Durham man on four charges of selling whiskey without license. He waived examination and went over to court, his bonds being \$2,000. He could not give the security and was committed to jail. It is charged that Edwards has been selling whiskey for several months in the "scout" to keep out of the way of officers.

TWO DEATHS REPORTED.

Those of Mrs. J. M. Wolfe and Mrs. R. W. Burton.

(Special to News and Observer.) Concord, N. C., May 9.—Mrs. J. M. Wolfe, wife of United States Commissioner J. M. Wolfe, died here early this morning, aged 72. She had been invalid for the last few weeks her condition had become critical, and her life had been despaired of several days. Her husband, J. M. Wolfe, two sons, Mrs. R. M. Reed, Mrs. W. H. Reed, and Mrs. O. F. Pearce, all of Greensboro, are the survivors.

The funeral was held from the residence of Mrs. Wolfe at 10:45 yesterday at the home of her sister, Mrs. A. T. Vernon, aged 30 years. The remains were carried to Greensboro this afternoon for interment. Buried and received by a husband and two children.

The board of county commissioners yesterday elected the following board of directors to supervise the new county building to be erected on the corner of Walker, G. A. Garrett, C. A. Trickle, and J. H. Mills.

Yesterday the board visited the County Home and the House of Correction. Both institutions were reported to be in excellent condition. The House of Correction, a new institution, now contains twelve inmates, all of them being women and children.

The spinning department of the Pomona Cotton Manufacturing Company was put in operation yesterday. The mill, which has 10,000 spindles and 130 looms, all of which will be started within the next few days. Mr. Lee H. Battle, the cashier of the City National Bank, is the president and treasurer of the new enterprise. As his new duties will compel him to devote a good deal of his time to this work, Mr. Cline has been promoted to the position of assistant cashier of the City National. Mr. Cline will continue to discharge his duties as usual.

The McClamrock Mantel Company, of Greensboro, has been authorized by the Secretary of State to increase its common stock from \$25,000 to \$50,000 and to issue \$25,000 cumulative 8 per cent. bonds.

DEATH OF ABANDONED CHILD.

Sad Story of Parents' Neglect—Body Tenderly Cared for by a Stranger. (Special to News and Observer.)

Concord, N. C., May 9.—The death of an abandoned child, which took place in life, but in the case of one such that died last night near the York Furniture Factory there is a pathetic story of parental neglect on the one side and devoted kindness not seen every day.

Some time ago a husband and wife came to Concord with a five-week-old baby. They secured board with Mr. Horace Russell, but did not remain longer than when the character of the parents was discovered. The mother went to work in the mill, and one morning she piled bedding over her child and left, the suspicion being that she wanted to dispose of the child. Out of the kindness of his heart Mr. Henry Petrea told the mother that he would take the child if she would remain and care for it until the natural mother could be disposed with. This she did not do, but soon after she and her husband left the city, leaving the child with Mr. Petrea, who cared for it kindly.

The child, cast off by its parents died last night at the home of its benefactor.

TO DIVORCE COAL AND ITS CARRIER

The Senate Adopts the Elkins' Amendment.

TAKE A SQUINT AT IT

Would it Start the Sweat on the Brow of Any Legal Athlete Who Should Develop Suddenly an Itch to Jump Through It? Would.

(By the Associated Press.) Washington, May 9.—The Senate spent the greater part of the day again in the consideration of the question of divorcing the production of coal and other commodities from their transportation and closed that branch of its work by adopting a modified provision formally offered by Senator Elkins but originally suggested by Senator McLaurin.

The vote on the Elkins amendments stood 67 to 5, the six negative votes being cast by Messrs. Ankeny, Bulkeley, Clark (Wyo.), Millard, Pettus, and Warren. The original McLaurin substitute, and is as follows: "From and after May 1, 1906, it shall be unlawful for any common carrier to transport from any State, Territory, or District of the United States to any foreign country, any article or commodity manufactured, mined, or produced by it, or in whole or in part, or in which it may have any interest direct or indirect, except such articles or commodities in the conduct of its business as a common carrier."

There was again much sparring over parliamentary points, but there was at the time as much confusion as yesterday, and when the coal question was finally closed, the progress was so rapid that the first section was enacted before the Senate had adjourned. Other amendments were also adopted, but a long and short haul provision suggested by Mr. Latham, of the Senate, was not reported.

When the Senate adjourned there was a general feeling, on the part of the members of the latter part of the session, of the early final disposition of the bill. None of the Allison compromise amendments were considered today.

THE DAY IN THE HOUSE.

Washington, May 9.—Nearly the entire time of the House today was taken up by two propositions, first, whether the navy department should go into the open market and purchase anchors, chains and cordage or continue to manufacture these articles in the government navy yards as is now done, and second whether to limit the transportation of coal from the Atlantic and Gulf ports to the Philippine Islands, a American bottoms, should be limited to 25,000 or 15,000 tons.

On the first proposition one of the prettiest legislative combats of the session occurred, the debate extending over the major portion of the session. Representative Loud (Mich.), insisted that there could be a saving of \$250,000 a year to the government if the navy department was permitted to go into these markets and purchase anchors, chains and cordage, under regulations of the department. General Grosvenor (Ohio) and members of the Michigan and Pennsylvania delegation aided Mr. Loud in his fight, the opposition being represented by Mr. Roberts (Mass.), Mr. Bingham (N. Y.), Mr. McClary (Mass.), and Mr. Rixey (Va.).

Mr. Grosvenor offered a substitute to Mr. Loud's amendment giving the Secretary of the Navy the right to purchase the articles above referred to in free markets should it be demonstrated that they could be purchased cheaper than they could be made at government navy yards. This substitute was adopted 55 to 46.

As to the second proposition, limiting the cost of transportation of coal to \$5.00 or \$6.00 per ton, the efforts put forth by Mr. Fitzgerald (N. Y.) and Mr. Slayden (Tex.) were of no avail although votes were had on both amendments limiting the cost.

After these propositions were disposed of, the reading of the naval bill was continued until the hour of adjournment without exciting debate.

BELOW COST OF PRODUCTION.

Gloomy View of Strawberry Situation, Moving For Good Roads in Duplin. (Special to News and Observer.)

Wallace, N. C., May 9.—Last week saw a lively one with the commission merchants and strawberry growers. The price went down Saturday and they were selling at \$1.25 per crate. This is the lowest price for a number of years in that locality, and it is said have caused great loss by killing lambs. Last year after systematic hunting and trapping about a half-dozen were killed.

The cold weather of yesterday and Monday night, when a heavy frost fell, has done much to injure the crop in that locality and today, there was no frost last night, however, owing to the prevalence of a high wind. Reports from the country are to the effect that vegetables are considerably damaged by the frost and cold, but that fruit which has previously escaped is all right. It is feared, however, that there will be a chilling wet tonight. It is turning decidedly colder this evening.

A CHALLENGE TO THE DRUG TRUST

Uncle Sam Prepares for a Legal Battle.

CONTROL OF PRICES

It is Contended That the Parties Defendant Gained This by Entering into a Conspiracy in Violation of the Anti-Trust Law.

(By the Associated Press.) Washington, May 9.—The Attorney General today made public the following statement: "The government has today filed in the Circuit court of the United States for the District of Indianapolis a petition for an injunction against certain associations, corporations and individuals, comprising what is commonly known as the Drug Trust of the United States. The parties defendant specifically named in the bill have voluntarily combined together to control the prices at which proprietary medicines and drugs shall be sold to the consumer through the retail druggist in violation of the Sherman anti-trust law."

The parties to the combination include the Proprietary Association of America, the National Wholesale Druggists Association, and the National Association of Retail Druggists.

"An injunction is prayed for prohibiting these associations from acting in concert for the purpose of maintaining prices and the individuals, firms, and corporations who are members of the respective associations from acting together for the purpose of maintaining uniform prices to the consumers throughout the United States."

"The bill charges in substance that these associations, their officers, delegates and members are all engaged in a common undertaking, to wit: the business of manufacturing, buying and selling patent medicines and drugs and proprietary articles throughout the United States; that these associations and the members thereof arbitrarily fix and regulate the price at which such articles shall be sold to the consumer, and that they have established rules and regulations to enforce such an unlawful agreement by restricting the purchase sale of such commodities to those members of the several associations who shall observe the rules and regulations thus arbitrarily prescribed by the respective associations."

"There is but one ultimate object of the conspiracy, viz., to fix the price of patent medicines and drugs at such a level as to enable druggists in selling to the consumer the various commodities manufactured by the several members of the proprietary association. The plan by which such object is effected is in brief as follows: No retail druggist can obtain goods from a wholesale druggist, but first he must agree to observe the established price at which such proprietary medicines shall be sold to the consumer, and in order to become a member of the National Association of Retail Druggists, cuts price at which such articles are sold to the consumer, he is immediately placed upon the list of what is known as aggressive cutters, and thereafter each retail druggist is notified out of any manufacturer who is a member of the proprietary association, or from any other wholesale druggist who is a member of the Wholesale Druggists Association, any of the commodities which may be manufactured and sold by them, or any of their agents."

"Henry W. Lador, of Philadelphia, recently brought suit in the United States Circuit Court for the Eastern District of Pennsylvania, under section seven of the Sherman anti-trust act, against these associations. The plaintiff obtained a substantial verdict in the case, and it is contended that the evidence showed a conspiracy between several manufacturers to fix prices of their manufactured articles to wholesalers, and a conspiracy among the wholesalers interests and with the manufacturers to fix the price at which they should sell to retail dealers and to the general public—that is, to the consumers."

OFFICERS AND DEBATORS. Choice Made at Last Meeting of Eta and Phi at Wake Forest. (Special to News and Observer.) Wake Forest College, May 9.—At the last meeting of the Eta and Phi Phiomathesian Literary societies officers and debators at the next anniversary celebration of the societies and editors and managers of the Wake Forest Student, and the college were chosen for next session.

In the Euethian Society, Mr. T. Herman Beverly, of Robeson county, was chosen president of anniversary debate. Mr. A. H. Nannery, of Rutherford county, was chosen orator, and Messrs. William P. Spence, of Yadkin county, and Clifford Newell, of Cabarrus county, were elected first and second debators, respectively. Mr. James Turner, of Wake county, was chosen secretary of the debate; James W.

VERNON, OF PERSON COUNTY, ORATOR, AND MESSRS. T. N. HAYES, OF WILKES COUNTY, AND HERMAN T. STEVENS, OF JOHNSTON COUNTY, WERE CHOSEN FIRST AND SECOND DEBATORS RESPECTIVELY TO REPRESENT THE PHI SOCIETY IN THE ANNIVERSARY DEBATE.

The business manager of the Wake Forest Student, Mr. B. Y. Tyler, of Robeson county, representing the Phi Society, and the editor-in-chief will be Mr. Harvey Vann, of Wake county. The other editors for next session are Mr. Ralph Ferrell, of Wake county, senior and Messrs. Ashby W. Dunn, of Halifax county, and Paul G. Bryan, of Halifax county, associate editors. Mr. Manning, of Durham county, editor-in-chief, and T. N. Hayes, of Wilkes county, associate editor. The business manager of the Student this year comes from Phi. His name is Mr. C. S. Weather-

BANQUET OF PATHIANS.

Knights and Their Fair Guests Enjoy An Evening of Exquisite Pleasure. (Special to News and Observer.) Clayton, N. C., May 8.—One of the liveliest and most brilliant social affairs in Clayton society is the occasional banquet of this splendid order.

The banquet of the Pathians held at the Hotel Roberton Hotel were opened to the knights and their invited guests. More than thirty guests assembled to enjoy the banquet which proved to be one of the most superb occasions in the history of the lodge. The parlors of the hotel were literally packed with knights and their invited fair friends. Besides the ordinary social pleasures were highly entertained by the Pitman band of stringed instruments, led by the Pathians. The banquet was given by Mrs. J. B. Robertson, the hostess of the banquet.

The Messrs. McCullers Bros. gave us some of the finest added and guitar music that carried us back in memory to other days. Miss Blanche Barnes, one of Clayton's most estimable young ladies, was the soloist in the Southern Conservatory of Music at Durham, was present and rendered some fine piano music.

The dining-room was filled with exquisite and taste. The tables were laden with tempting delicacies. The decorations were of roses, carnations, and pansies. The service rendered by a professional caterer.

Much of the success and pleasure of the occasion was due to the warm and friendly reception of the Pathians by the host and hostess of the banquet.

IS THIS MAN ED DAVIS.

Negro Captured at Concord May Possibly Be Man Wanted For Conductor Wiggins' Murder. (Special to News and Observer.) Concord, N. C., May 9.—Considerable interest was excited this morning by the capture of a negro who is suspected as being Ed. Davis, the slayer of Conductor Wiggins at Salisbury.

The man was arrested by a patrolman at the Southern Railway yards here last night and locked up at police headquarters. The negro fills the description of Davis well. Concord officers are doubtful, however, that he is the man who was the description on nearly every point given.

This man was reported to the railroad man by another negro, who said he had seen Davis at the residence of his wife to Forest City where his mother lives. He is slightly lame, and says this was the result of injuries received in a railway accident that he has been laid up for a long time at Kings Mountain.

Chief Boger advised the Salisbury officers of the arrest of this suspect and requested to hold the man, which will be done.

The Sheriff of Rowan is in Greensboro, where he went to see a negro held there on suspicion.

SOCIETY OF COLONIAL DAMES.

Mrs. James Sprunt Elected President. Other Officers Chosen. Wilmington, N. C., May 9.—The annual meeting of the North Carolina Society of Colonial Dames was held yesterday morning at the home of the president-elect of the society, Mrs. James Sprunt, Wilmington; vice-president, Mrs. Caroline G. Moore, of Wilmington; Mrs. P. M. Wilson, of Washington, D. C.; and Miss Julia Robertson, of Charlotte; recording secretary, Mrs. Alfred Moore Waddell, of Wilmington; corresponding secretary, Mrs. M. F. H. Gouverneur, Wilmington; treasurer, Mrs. E. P. Bailey, of Wilmington; Registrar, Mrs. White Lettner, Wilmington; and Mrs. Emma Martin Maffit, of New York.

Mrs. Gaston Menros, the beloved record-keeper, who declined the election on account of her declining health, was unanimously elected an honorary president of the society for life. With the addition of Mrs. W. N. Harris, the former board of managers was re-elected as follows: Mrs. J. Hal Boatwright, Mrs. George G. Thomas, Mrs. Carolina G. Moore, Mrs. George P. Kiddle, Mrs. Henry B. Short, Mrs. James Sprunt, Mrs. Robert Strange and Mrs. Horace Pearce.

Jackson, Miss. May 8.—Sam Sims, a negro, was lynched by a mob six days from Jackson last night. Resisting arrest, he killed a horse owned by Constable Hendricks and friends of Hendricks captured the negro and lynched him, first tying the constable to a tree to prevent his interference.

FEDERATION OF THE METHODIST EPISCOPAL CHURCH, SOUTH.

Plan Offered in Resolution by Jas. Anderson. THE MATTER REFERRED TO THIS PLAN CONTEMPLATES SUCH A FEDERATION AS SHALL DIVIDE ALL AMERICAN EPISCOPAL METHODISM INTO NOT LESS THAN THREE ADMINISTRATIVE BODIES.

(By the Associated Press.) Birmingham, Ala., May 9.—At today's session of the General Conference of the Methodist Episcopal Church, South, a plan of federation was introduced in a resolution offered by James A. Anderson and others. It proposes that the Southern conference appoint commissioners with a view to forming a federal council, to be composed of like commissioners from the Methodist Episcopal Church, the purpose of which council shall be to prepare and submit to the ensuing general conference of the two churches, respectively, such a plan of federation as shall divide all American Episcopal Methodism into not less than three administrative bodies. The resolution was referred.

The conference adopted that portion of the report of the committee on boundaries giving the North Georgia conference four years more in which to clear the matter of changing its boundaries. The request of the pastors of Knoxville that the boundaries of the Holston conference be better defined was concurred in. The committee on literary reports by non-concurrence in memorials from various conferences asking that authority not be given to the members of the conference to visit the district to the quarterly conference.

The special committee, named in the report, has also reported on the plan of federation proposed by the undersigned, which is a plan of federation in which the matter of changing its boundaries will be undertaken by the commission only when such co-operation of other representative bodies of Methodists shall have been secured. The plan shall not be an impression of world-wide Methodism.

Asheville Wants the Conference. The Birmingham Age Herald of yesterday says: "Already some talk is heard among the delegates about where the next conference will be held. The representatives of Asheville, N. C., are urging their claims, and thus far there seems to be a marked unanimity of sentiment in favor of the city. It is expected that the next quadrennial conference will be held there."

Blackburn Republican in Greensboro are Sick, Pessimistic, Dyspeptic. (Special to News and Observer.) Greensboro, N. C., May 9.—Those who voiced here by Congressmen Blackburn's case was taken from the jury by Judge Goff, and his complete indication was heralded by the four members of the Union League, who expected that President Roosevelt, of the Senate committee, would immediately order action favorably on the Congressional appointment of Blackburn as minister at Goldsboro and Greensboro. It was an open secret at the time, that outside of the applause in the court room given Blackburn, the Blackburns' vindication would also mean Frazier's. Blackburn's appointment was of course, a victory for the Blackburns, but since weeks have passed, and neither he nor Grant has had anything done for them. Blackburn's feeling here that somehow the Congressman's vindication has had a miscarriage, so far as the President was concerned. It is now understood that inactivity is to be the deadly pest of Washington, and that when Congress adjourns without action on the appointments, the President will name a new man for postmaster at Greensboro, and rename Grant at Goldsboro. There is no kick here at the present postmaster, except from the Blackburns. Those who have been appointed to the terms, and those earnestly desiring the job for themselves.

Since the placing of the Congressmen in the hands of the Blackburns, Frazier, the widely distributed press dispatches from Washington that the President's action had been a victory for the Blackburns' hand when he found he had been in the receiving line at Uncle Jones' birthday frolic brought so joy to the insurgents here, because they say they hope have been defeated so long and so often they are chronically sick, dyspeptic, pessimistic and disgusted.

HOY ACCIDENTALLY SHOT.

Concord, N. C., May 9.—A few days ago two boys of Tom Caldwell, a well-known colored man of this city, were playing on the bank of the Croatan River. The rifle was fired while being handled by one of the boys and the ball struck the other. The ball was embedded in the boy's body and he was yet a first examination failing to locate it.