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The News and Observer.

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VOTE TODAY ON IMMIGRATION BILL

Vigorous Opposition by Bacon and Tillman.

AFFECTS THE SOUTH

Interests of This Section Ignored at the Behest of the White House—Strenuous Methods Applied to Legislating for the Country.

(By the Associated Press.)

Washington, Feb. 15.—An agreement to vote tomorrow on the conference report on the immigration bill, which includes the provision intended to settle the California-Japanese question, was reached in the Senate today 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 regard 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 should move that the discussion proceed behind closed doors. International references were not made afterwards by Senator Tillman.

Senator Gallinger expressed surprise that the conferees should contend that they had not injected "new" matter into the conference report and Senator Carter said he should vote against the report entirely on that ground and predicted its defeat.

Both Messrs. Bacon and Tillman disclaimed any intention to conduct a filibuster, and many other Democratic senators stated that even if the eGorgia and the South Carolina senators did entertain such a purpose they would not follow them.

During the debate a member of the cabinet who was on the floor told the Senators that the subject of State immigration had received the attention of the cabinet at its meeting today and that there had been a general conclusion that the terms of the bill would not require a new ruling in the South Carolina case.

Recent Ruling Vitiated.

Explaining the precise point of his objection to the report, Mr. Bacon said that under the ruling of the Department of Commerce and Labor, the contract labor clause of the immigration laws has been so construed as to permit the State immigration agent of South Carolina to receive contributions of funds from private individuals and use the money to encourage and assist immigration. Extended preparations were being made by other Southern States to take advantage of this construction of the law. All that was asked, he said, was that the law be allowed to remain as it now is. The conference report would prevent any action by a State.

Mr. Lodge said there had not been the slightest intention on the part of the conferees to modify in any way the clause which gives power to a State to take steps to induce immigration. "There was," he said, "no intention on the part of the conferees to limit the power of the State. If thoes clauses which limit contract labor have been strengthened, it has been without any reference to the States."

Referring to the South Carolina system, Mr. Lodge maintained that if that system was to be extended there was not a State which could not under the guise of a State agency, with funds proivded by railroads and manufacturers introduce any number of contract laborers. Mr. Lodge had no doubt that many States would be quick to take advantage of the South Carolina ruling. This ruling of the Department he regarded as a "close case" and believed it might have been presented differently and with a different result. If the present bill strengthened the contract law, he was glad of it.

Mr. Bacon again expressed regret that the Pacific coast provision was coupled with the immigration amendments. It was not necessary to have resorted to this expedient. He believed a separate measure could have received a unanimous vote in the Senate.

Senator Gallinger expressed sympathy for the situation in the South, and sustained Mr. Bacon's contention that the situation was one of embarrassment, as he should feel compelled to vote for the report because of the Pacific coast provision.

Mr. Bacon then entered upon a detailed discussion of the amendment to which he objected, saying it utterly nullified 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.

Strenuous Methods.

"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 and last June by 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.

"Why? Speaking in plain terms, to keep the Japanese out of California. But there is a two fold objection involved in the measure. The first of will vote for an exclusion act tomorrow which will keep the Japanese out. I do not see why there 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, "we are 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 who have got orders from the White House that this report has got to go through. 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 these is intended to keep Japanese laborers off the Pacific coast and from getting into this country; and the conference 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 dribble of immigrants who have started to go southward.

"And these two provisions linked together are to be driven t hrough Congress. The South's interests are as usual ignored; the Pacific coast of course, is taken care of."

Tillman Himself Strenuous.

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

(Continued on Page Five.)

BOY'S BURNS FATAL

Little One Was Playing in the Fire.

Durham Negroes Will Set Up a Savings Bank—Y. M. C. A. Conference for Students Begins Sessions at Trinity College.

(Special to News and Observer.)

Durham, N. C., Feb. 15.—A son of S. R. McBrown, of West Durham, was fatally burned this morning. The boy was between three and four years old and was wearing dresses. While playing in the fire during the temporary absence of his mother the clothing of the little fellow caught on fire and he was burned all over the body. The cries of the child attracted the attention of the mother, but when she arrived most of the clothing had been burned from his body. The child was still living late this evening, but it is not thought possible that he can survive the terrible burns. This is the second child to burn to death in that section since the beginning of the new year.

With four more days in which to work, the Young Men's Christian Association building fund needs $6,668. The reports up to this morning showed that since the beginning of the campaign on the 7th instant, a total of $28,332 had been secured for this fund. The goal is $35,000.

Bridge on Chapel Hill Road.

A new steel bridge has just been completed across New Hope creek, between here and Chapel Hill. This road is being macadamized from Durham to the Orange county line. This bridge is twelve feet wide, the steel span is seventy feet in length and the wooden approaches, built on steel columns, are fifty-three feet. The bridge was raised above high water level and some of the concrete pillars are twenty-five feet in the ground, this being to get a solid foundation. This is the fourth steel bridge that Durham has erected in a comparatively short while. The work of macadamizing this road is being done by two forces of convicts. The road has been graded the entire length. This will make a fine drive three-fourths of the distance from here to Chapel Hill. There is some talk that probably Chapel Hill township, Orange county, may complete the good work to Chapel Hill.

The bill introduced in the legislature a few days ago for a charter for the People's Savings Bank of Durham, is for a banking house to be owned by colored people. If the charter is granted the colored citizens will put in $10,000 as paid in capital with authorized capital of $50,000. Back of this move are several wealthy colored men here, among whom are Robert Fitzgerald, one of the wealthiest colored citizens in the State; John Merrick, Drs. Warren, Moore and Shepard, James E. Shepard, J. A. Dodson and others. As soon as the charter is granted the bank will be organized.

Students' Conference Opened.

The students' conference of the North Carolina college and preparatory schools convened this evening at 7:30 o'clock. The first session was held in Craven Memorial hall at Trinity, which the public, as well as the students and educators, attended. This conference is held under the auspices of the interstate committee of the Carolinas in Y. M. C. A. work.

The opening session of this unique gathering of students and college men was largely attended. President Venable of the State University, was present and made a twenty minute talk on "The Young Men's Christian Association as a moulder of the colleges spirit."

Among the leaders of this movement here are as follows: Dr. H. F. LaFlamme, of Toronto, Canada; Mr. R. H. Legate, of Clemson, S. C.; Dr. A. L. Phillips, of Richmond Va.; Mr. G. C. Huntington, Charlotte; Messrs. Ralph M. Harper, of New York; C. D. Daniels, of Charlotte; Drs. Edwin Mims and W. P. Few, of Trinity. There are other educators here from the various colleges. The student attendance is very large.

THAW UP AGAINST NEW PROPOSITION

Jerome May Ask for Commission of Lunacy.

PRISONER IS WORRIED

Would Prefer Sing Sing and the Electric Chair to Life in an insane Asylum—New Move Will be Resisted Strenuously

(By the Associated Press.)

New oYrk, Feb. 15.—Close observers of the Thaw trial, which has been postponed for several days becaus of the death of a juror's wife, believe the present trend of the trial, as shown in the last two days is toward a commission in lunacy to determine officially Harry Thaw's condition of mind. This belief is suggested by District Attorney Jerome's apparent willingness to admit part of the will, by his readiness to with hold technical objections to the testimony of the Thaw family physicians tending to throw light upon the defendant's mental status, and by his policy of yesterday in admitting without opposition the conversation between Thaw and Dr. Evans when the latter was examining the prisoner in the Tombs.

Counsel for Thaw have reached the opinion that the trial may be terminated abruptly any day next week from this cause. So fully convinced are they that Jerome will make this move that they are planning to fight him on this line. Thaw himself is credited with having declared that he would not face the asylum in preference to Sing Sing and the death chamber, so it can be seen with what feeling this expected move of Mr. Jerome's is creating in the camp of the defense.

One of Thaw's lawyers in speaking of the probable plan for a lunacy commission said yesterday:

"As the case has progressed from day to day we have become more and more convinced by the District Attorney and his experts who are observing the defendant fo him that it has been and is his purpose to lead the case to the point where he can apply properly for a commission in lunacy."

Jerome Gives a Hint.

Teh following statement as to District Attorney Jerome's position with regard to the sanity or insanity of Harry Thaw was made today:

"Mr. Jerome does not know whether or not Thaw is insane. None of his assistants knows. None of the experts retained for the prosecution knows. These experts have not had an opportunity to examine. Thaw either as to his physical condition or his mental calibre. They are present in court at the trial with an open mind. They would like to know.

"If any experts retained for the defense, some of whom have already testified, will say authoritatively, that in their opinion Thaw is now insane the District Attorney will join with them in the request to the court for an appointment of a commission in lunacy t odecide on the question of the defendant's sanity."

Harry McPike, of counsel for Thaw said today:

"When the trial is esumed 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, after Mr. Thaw's will has been introduced as evidence, it is probable that the family physicians of the Thaw family will complete their testimony. The alienists will be asekd a few final questions in order to round out the case, and then, unless something new develops, teh defense probably will rest."

Another Thaw Freak.

Dr. Josiah Strong, president of the American Institute for Social Service, said today that Harry K. Thaw consulted him more than two years ago about breaking up a "den of vice" in this city whics 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.

Death has again invaded Harry Thaw's environment. Close on the passing of the wife of Jseph Bolton, one of the jurors who have to decide the questin of his guilt or innocence f the murder of Stanford White, came the announcement today 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 "murderer's row".

Downey had been a keeper in the Tombs for more than twenty-eight years. When Harry Thaw first came to the Tombs Downey did not look with favor on the new prisoner, but during the long watches of the night when Thaw paced up [illegible] narrow confines [illegible] friendship [illegible] keeper a[illegible] ney is b[illegible] bearing [illegible] casket, [illegible] flowers t[illegible] he heare[illegible]

(S[illegible] R[illegible] tie[illegible]

Mill Creek, N. C., was born July 31st, 1847, and passed into rest on February 8th, 1907. She was the daughter of Dr. John and Anna Goeghegan. Her life till young womanhood was spent in her native town of Clarksville. On November 18, 1868, she was married to Mr. T. H. Street. Seven children were born to this union, three girls and four boys. One while an infant passed on to the beautiful shore, while six, with the husband, survive her.

ROPE BROKE TWICE.

Ghastly Scene at An Execution in Virginia.

(By the Associated Press.)

Richmond, Va., Feb. 15.—There was a harrowing scene at the hanging at Farmville this morning of Moses Hill and William Ruffin, two negroes convicted of the murder of Postmaster John Grubb, sometime ago. Hill weighed 275 pounds. The rope broke; he walked calmly back to the scaffold; when it broke a second time, he died in agony on the ground.

ALFRED WALTER BURIED.

Interment at Baltimore in the Presence of a Number of Friends.

(By the Associated Press.)

Baltimore, Md., Feb. 15.—The body of Alfred Walter, president of the Seaboard Air Line Railway, who died last Tuesday in New York, was brought to Baltimore today and interred in Green Mount Cemetery. A party of Mr. Walter's friends were waiting in the Union station. With the body were several of the deceased's relatives.

STOCKS RUN DOWN

Cold Spell Made Winter Goods Sell.

Normal Conditions Prevail Since the Weather Moderated—Mills and Factories Continue Well Employed.

(By the Associated Press.)

New York, Feb. 15.—R. G. Dunn & Company's weekly review of trade tomorrow will say:

Despite holiday and weather interruptions the volume of business is well maintained. In most sections of the country the movement of merchandise has resumed normal proportions, snow blockades being removed, but tardy deliveries still cause much complaint, especially in regard to grain. Retail stocks of winter goods were most satisfactorily depleted during the period of low temperature and the new season will open under favorable auspices. Wholesale and jobbing houses report a liberal spring demand, particularly in dry goods, while at the interior there is a vigorous movement of agricultural implements and other farm supplies. A gratifying feature of many reports is the greater promptness of mercantile collections. Mills and factories have so much forward business that new contracts are not taken except at full figures, and there is dissatisfaction because shipments are not more prompt. Wakes have been advanced in several important concerns and there are no serious labor controversies.

Iron and steel producers are receiving much new business. Textile mills continue well employed, with especial pressure for prompt delivery of cotton goods. Prices are fully maintained, the moderate reaction in raw cotton having no more effect than the preceding advance. There is less indifference in the export division, manufacturers evincing a spirit to consider bids and a few small sales to India and China were effected, while more business is expected after the Chinese new year holiday. A further advance in prices of outing cotton is noted and the relatively greater strength of best grades of raw cotton has supporting influence on the more expensive finished products. In the woolen goods section of textile markets there is no change to report.

GOOD RIDDANCE.

Scott Phifer Sent to State Prison for Fifteen Years.

(Special to News and Observer.)

Salisbury, N. C., Feb. 15.—Scott Phifer was today sentenced by Judge Fred Moore, now holding court, to fifteen years in the penitentiary for killing Hill McHenry, at Cleveland, last October. Phifer was to [illegible] tried for his life, but through his attorneys submitted to murder in the second degree, though he claimed self-defense which could not be proved. Phifer was a notorious moonshiner and retailed in upper Rowan. The community is glad to get rid of him.

COTTON SEED PRODUCTS.

A Georgia Man to Investigate Home and Foreign Markets.

(By the Associated Press.)

Washington, Feb. 15.—The Bureau of Manufactures of the Department of Commerce and Labor probably will appoint J. L. Benton, of Georgia, a special agent to investigate the market for cotton seed products both in [illegible]

POU VOTES FOR TWO BIG SHIPS

Kitchin Leads Opposition Forces.

OUR GAIT TOO FAST

Fifth District Representative Says Our Navy is Superior to That of France, Germany or Japan—He Commands Attention.

By THOMAS J. PENCE.

Washington, D. C., Feb. 15.—The provision for two twenty thousand ton battleships in the naval appropriation bill was saved by Democratic votes today. Representative Pou was among the twenty odd Democrats who supported the battleship program.

The other North Carolina Democrats voted to strike out one of the monster fighters. Representative W. W. Kitchin led in the opposition, making the closing speech for his side. The Congressman from the Fifth sustained his reputation as one of the first speakers in the House. He was at his best and had the finest kind of attention. Mr. Kitchin declared that this country is plunging too deep in its naval program. Next to England, he said, America had the second best navy. France, he said, had the greater tonnoge, but hasn't the effective ships. He minimized the war scare with Japan. America, Mr. Kitchin said, has now a sixty per cent. greater navy than Japan. The speaker went on to say that talk of war with Germany was indulged in a few years ago. But now that the United States navy has so outgrown that of Germany, this war bugaboo had been shifted to Japan. He concluded by saying that this country has forty thousand more tonnage in battleships under construction than any other power in the world.

The supervising architect of the treasury has selected the Ross property for the site of the new public building at Concord. The price is ten thousand dollars.

Pou Not a Candidate.

Representative Pou will not be a candidate for the Democratic nomination for Governor. Formal announcement tothis effect was made today by Mr. Pou, when shown a newspaper story mentioning his name among others in a list of possible candidates for the honor. The Congressman from the Fourth has been persistently urged by admirers and friends in the State to enter the bubernatorial race and the opinion has prevailed that he would be a formidable candidate for the nomination. As late as today he had letters from the State—and a number of them at that—pledging support.

Mr. Pou has sought by choice a Congressional career, and he believes that he can be more useful to his State by a continuance of his service in the field of national legislation. The Representative from the metropolitan district has rapidly advanced to the front among national legislators. He will in all probability be made a member of the Ways and Means Committee in the netx Congress, for assurances given him by leaders in Congress justify this statement.

Mr. Pou's statement with regard to the nomination for Governor follows:

"I appreciate keenly the 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 be a candidate. For months I have been saying this in private conversation. I would not make any statement for the press now were it not for the fact that some of our State papers continue to print my name in the list of candidtes."

Brooks a Looker-on.

Representative Kitchin has burned the bridge behind him so far as a Congressional career is concerned, and is an avowed candidate for Governor. That he will be a very formidable candidate is conceded. Looking on the proceedings in the House today was a man who expects to be Mr. Kitchin's successor. This was Solicitor A. L. Brooks. Although here on proessional business, the charge was made against him that he was here to pick out his seat as a member of the sixty-first Congress.

Overman Draws Out Information.

The filibuster on the immigration bill which several Southern Senators thought might restrict the opportunities for inducing immigration to the Southern States, was so serious at one time today that there was talk of an extra session of Congress. Senator Overman was one of Senators to secure from the administration information that allayed the fears of Southern Senators. He was informed by a Cabinet officers that the objections of Southern Senators to the bill was discussed at a cabinet meeting this morning. At this meeting both Secretaries Root and Taft expressed the opinion that the immigration bill [illegible] would affect the decision of [illegible] coast and to meet the present acute Japanese situation.

The amendment providing for a bureau of information at Ellis Island, where States can exhibit their resources and maintain immigration agencies remains in the bill. It was knocked out in the House, but its author, Senator Simmons, was successful in having it re-inserted in the Seinate.

The bill provides for a commission of nine, six to be appointed by Congress and three by the President, to consider the whole immigration question. The commission, which will make its report to Congress, will undoubtedly consider Senator Simmons' educational test clause.

A FLYING TRIP.

No Stops on the President's Coming Visit to His Sons in College.

(By the Associated Press.)

Washington, Feb. 15.—It was announced today at the White House that there will be no stops made in either direction by the President on his trip to Massachuseets next Friday, when he goes to visit his sons at college. The President expects to reach Washington in time to resume business at the White House on the following Monday. Mrs. Roosevelt, Mrs. Longworth and Miss Ethel will accompany the President.

Will Get a Gatling Gun.

(Special to News and Observer.)

Washington, N. C., Feb. 15.—The Washington military company is to have a Gatling gun. Capt. W. C. Rodman, while in Raleigh a few days ago put in a personal application.

POWERLESS TO AID

Pleadings of Mother Are All in Vain.

Mrs. Sledge Tries to Get Her Boy Released from Marine Corps—He Ran Away from School and Enlisted in the Service.

(Special to News and Observer.)

Norfolk, Va., Feb. 15.—Lured by a promise of good pay, pleasant associations and a chance to see the world, Walter Ernest Sledge, an 18-year-old boy, son of Mr. and Mrs. E. D. Sledge, of Louisburg, N. C., enlisted in the United States Marine corps and came to the barracks at the Navy Yard at Portsmouth. The boy was sent to school in Raleigh, but left there and went to Rocky Mount, N. C., where he enlisted. His parents only learned of the fact a few days ago and today his mother arrived here. She called on Mayor Reed, but that official could render no material aid, although he did send Police Detective Land with her to the barracks as an escort.

Mrs. Sledge told the mayor that Walter was her son and that she had come for him and would take him back with her. She said the boy's father was seriously ill and she feared fatal results on account of his continual worry over his boy having enlisted. Mrs. Sledge saw Col. L. W. T. Fuller, commander of the corps here, but he could not comply with her request that her son be discharged. The matter will be taken up in Washington.

PICKED HOLE IN WALL.

Charles R. Jones Breaks Out of Franklin County Jail.

(Special to News and Observer.)

Louisburg, N. C., Feb. 15.—At the last term of Franklin Superior Court, Charles R. Jones, a white man about twenty-seven years of age, was sentenced to one year on the roads for an assault upon young Jackson, in Allen Brothers store. It was said at the time that although young he was a hardened criminal, having been in court before charged with various offenses. Since his incarceration the Superintendent has kept a close watch on him, but some time during Wednesday night he picked a hole through the inside brick wall and made his escape through the ventilator in the gable end of the jail—using blankets as a rope to let himself down to the ground.

DIED FROM BURNS.

Young Woman Lingers in Suffering From Monday Until Thursday Night.

(Special to News and Observer.)

Statesville, N. C., Feb. 15.—Mrs. Robert Beard, who was seriously burned last Monday while assisting in the family washing by her dress catching from the wash pot fire, died last night from the effects of her injuries. She was about 28 years old. She was a daughter of Mr. Amos Arthurs, of Gastonia, and was married to Mr. Beard in Gastonia last September. She was well known as a leader of the Wesleyan Methodist church.

LAW SUIT OVER A DOG.

Two Years of Litigation Over a Hound Valued at Five Dollars.

ONE VOTE DEFEATS LEE COUNTY BILL

Madison Prohibition Bill Passed the Senate.

MEDICAL PROFESSION

Whirlwind of Protest Against a Bill to Make Literary Acquirements a requisite to Securing License to Practice Medicine—Railroad Rate Bill a Special Order.

By one vote the Lee county movement was buried—for two years. The bill to establish the new county was lost in the House yesterday by a vote of 48 to 49, and as a two-thirds vote is necessary for a motion to reconsider to carry, it is improbable that any further effort in behalf of the movement at this session of the Legislature will be made. There was intense interest which became excitement as the speeches neared a close, and the time for voting drew nigh. Opponents of the bill left their seats and made personal appeals to representatives to cast their votes against it. Finally, when the calling of the roll began, the noise and confusion of heated debate had given way to a deep stillness, and it was impossible to tell which side had won until the last name had been called. The promoters of Lee county

HON. W. T. FOUSHEE.
Member of the House of Representatives from Randolph County.

were sorely disappointed, and left the House immediately after the roll call.

The bill had just opposite fortune in the Senate, having passed that body with only one vote in opposition to it. The leaders in the movement are not discouraged, however, by yesterday's decision, but declare they will return home and prepare for another effort to be made before the next General Assembly.

The Senate did not discuss the Graham rate bill yesterday, but made it a special order for next Wednesday at 11:30 o'clock. The substitute bill fixing the salaries of the State officers and departmental clerks was made a special order for Friday, at 12 o'clock. It is stated that this bill, if passed, will cause an increase in the salaries to the enormous amount of $30,000—the sum asked by the East for establishing the Eastern Carolina Training School.

There were two breezy discussions in the Senate, one on the bill of Mr. Ormond, to allow sheriffs $10 and expenses for the capture of illicit distilleries and placing them into the hands of revenue officers for confiscation, the bill passing; and the other on the House bill to require applicants for medical license to have literary qualifications, this bill going back to the committee. One of the Senators called this "a bill to be entitled an act to prevent poor men from practicing medicine." The bill is without favor in the Senate.

The bill to permit the town of Dunn to vote on the question of dispensary, which was reported unfavorably, and was placed on the calendar by a minority report, after a brief discussion passed the Senate unanimously.

THE SENATE.

The Senate was convened at 10 o'clock by President Winston, and Senator Brown led in prayer. No corrections were reported on the daily journal and it stood approved. Reports of standing committees on bills were submitted.

Bills and Petitions.

New bills and petitions were introduced as follows:

Webb: [illegible]