# Solid Carload Sent From **New Hanover**

Cape Fear Golf Club Holds Washington's Birthday Tournament-Plans For Canning Factory at Wilmington-Other News of the City by the

Wilmington, N. C., Feb. 23.—A solid car-load of lettuce was shipped from the Wrightsville section of New lianover county this morning, the shipment being at least a month earthan usual in such large quanti

in the annual Washington's birth-day tournament on the links of the ope rear Golf Club yesterday, R. H. Gwaltney, winner of the recent tourkey at rinchurst, won the prize for gentlemen in the morning and after inneheon Major and Mrs. E. W. Van-Court Lucus won the prize in the mixed foursome. A new low record for lady and gentleman was established in a special match after the regular events scheduled for the day by Mr. Gwaltney and Miss Lucile Murchison, who made 47 for the course of nine holes.

A striking incident of the Washington birthday celebration in Wilmington was the joining of two large British steamers with the other harbor craft in "dressing ship" for the day. Ine revenue cutter Seminole, moore at the Custom House wharf, fired a Presidential salute of 21 guns at noon and a similar salute was fired at the some hour from the guns of the heavy artillery at Fort Caswell.

J. B. Mercer, D. McEachern, Wm., Springer and other prominent Wilmington men are endeavoring to organize a stock company of \$20,000 capital for the establishment of a canning factory in East Wilmington where much truck is raised and much of it goes to waste after the shipping season is over. S. M. Stancliff, of Phil-adelphia, an expert canning factory man, is here and will address a meeting of growers and others interested in the court house here tomorrow morning at 11 o'clock. The enter-prise seems to be well on its feet and the promoters nope to see it material

Architect H. E. Bonitz, of this city has had has plans for a new hospital to be established in Goldsboro accepted. The building will cost \$15,000 will be basement, two story and attic and will have accommodations for nine pay patients in separate rooms and ample arrangements for white and colored charity patients.

The city Democratic executive committee met yesterday noon and or-ganized by the election of Woodus Kellum chairman and B. C. Moore secretary It was decided to call the municipal primary for March 24th and poll-holders and registrars were named. The adoption of the Aus-tralian ballot was discussed at some length as a safeguard against the illegitimate use of money in elections but committee found itself without machinery for carrying this idea

## TRINITY ALUMNI BANQUET.

Wake County Alumni Give Spread at given at Giersch's last night by the Wake County Alumni Association of

The principal address was made by Dr. John C. Kilgo, President of Trin-College, in response to the toast. What Trinity Stands For." Mr. Jos. G. Brown officiated as

toastmaster in his usual happy and The following toasts jovial manner. were responded to: To Trinity—Dr. T. N. fvey. Old Trinity—Mr. C. P. Franklin.

New Trinity-Mr. Herbert Norris Trinity of Today-Dr. Albert Ander-What Trinity Stands For-Dr: John

The following members of the Wake county alumni were present: Dr. Albert Anderson, Mr. Jos. G. Brown, Dr. T. N. Ivey, Mr. B. C. Beckwith, Mr. I. C. Blair, Dr. Jno. C. Kilgo, burger, Rev. J. O. Guthrie, Rev. J. H Buffaloe, Senator Peele and Messrs. .B Koonce, Herbert F. Norris, F. Brown, B. H. Lambe, and J. M. Tem-

## WANTED IN KERNERSVILLE.

Washington, D. C., Feb. 23-Gaither Bodenhamer, 26 years old, who reached here today from New York under the name of "P. G. O'Brien."

State of Ohio, City of Toledo, Lucas County.

Frank J. Cheney makes oath that he is senior partner of the firm of F. J. Cheney & Co., doing business in the City of Toledo, County and State aforesaid, and that said firm will pay the sum of ONE HUNDRED BOLLARS for each and every case of Catarrh that cannot be cured by the use of Hall's Catarrh Cure. FRANK J. CHENEY. Sworn to before me and subscribed in my presence, this 6th day of December, A. D. 1886. A. W. GERASON.

Notary Public Hall's Catarrh Cure is taken internelly, and ts directly on the blood and mucous surfaces the system. Send for testimonials free. F. J. CHENEY & CO., Toledo, O. Sold by all Druggists, 75c.
Take Hall's Family Pills for constipation.

NORFOLK AND SOUTHERN RAIL. WAY. Fitzgerald, Wolcott and Kerr, Receivers. PRESIDENTIAL INAUGURATION,

Washington, D. C., THURSDAY, MARCH 4, 1909. Round Trip Tickets on Sale at Ex-ceedingly Low Fares, via Nortolk, Va., and the Nortolk and Washington Steamboat Company, from the

following Stations: From Raleigh, N. C., Wendell and Zebulon, N. C., for individuals, \$9.20; for parties of 25 or more, on one Ticket, \$6.90. From Wilson, N. C., Farmville, Greenville, Grimesland, Chocowinity and Washington, N. C., for individuals, \$8.60; for parties of 25 or more on one Ticket, \$6.90 per

See the Grand Military and Naval Parade and Points of Interest and Around the National Capitol.

Tickets on sale February 28th. March 1st, 2nd and 3rd, 1909. Final limit to leave Washington, D. C., re-March 8th, 1969, and to reach original starting point not later than midwight of March 19th, 1999.

## WHEN YOU PUT ON STOCKINGS

of the heavier sort, do your shoes pinch, and your feet swell and perspire? If you sprinkle Allen's Foot-Ease an antiseptic powder for the feet, into your shoes, it will give you rest and comfort, and instant relief When rubbers become necessary, and your shoes feet tight Allen's Footour shoes feel tight. Allen's Footcase is just the thing to use. Try it for Dancing Parties, Breaking in New Shoes and for patent leather shoes Sold Everywhere, 25c. Sample RREE. Address, Allen S. Olmsted, Le Roy, N. Y. Don't accept any substitute.

was arrested on a charge of having stolen about \$2,000 from the valuts of the Forsyth Bank and Trust Company of Kernersville, N. C.
The police allege that he made a written confession.

# IN THE SUPREME COURT

In the Supreme Court yesterday the following cases were brgued:
State vs. Robeson, from Martin, by
attorney general for the State; Morton and Winston and Everett for defend-

State vs. Williams, from Martin, attorney general for the State: Fountain for defendant. State vs. Cole, from Edgecombe, at-

orney general for the State; Granham for defendant. State vs. Hight, from Vance; attorney general and Hicks for the State; Pittman and Harris for defendant. Hedgepeth will case from Nash, by Chorne for appellee; Jacob Battle and B.Cheshire, Jr., for appellant. Mizzell vs. Mizzell, from Mari Gaylord for plaintiff; Winster an Everett for defendant.

### Lynching Story Untrue.

Culberson, N. C., Feb. 23.-Rumors hat three white men had been lynched near here are without foundation. There has been considerable excitement and some talk of lynching as the result of an alleged criminal assault upon the daughter of J. H. Robinson, on January 29, for which two young white men, Hill Londermilk and James Monday have been arrested. It is now certain that the law will be allowed to take its courre

## Pension for Mrs. Fitzhugh Lec.

Washington, D. C., Feb. 22.-On motion of Senator Daniel, of Virginia, the omnibus pension bill, passed by the Senate today, was amended to provide a pension of \$50 a month to Ellen B. Lee, widow of Brigadier General Fitzhugh Lee, U. S. A.

Richmond Journal Burned Out.

Richmond, Va., Feb. 23 .- Fire of unknown origin early today com-pletely wrecked the Evening Journal plant. The estimated loss is \$40,000; nsurance \$31.000.

The Bagley With the Fleet. At the great naval review at Nor-Monday, the escort wa led by "the North Carolina" into Hamp-ton Roads. The only torpedo boat with the fleet was "The Bagley," named for the late Ensign Worth Bagley of Raleigh.

CITY TO BAVE PARTLY PAID MEMBERS OF ITS ORGANI-ZATION.

Durham, N. C., Feb. 23.—Following up the idea recently determined upon by the board of city aldermen to have a paid fire department, or rather paid and partially paid, the aldermen last night held a lengthy session at which time various appointments were made. The new order of things will go into operation with the beginning of the first of next month.

The plan of the new department, it a concise form, is this: There is to be chief on full paid basis, D. C. Christian being appointed for the remainder of the term of the present board as chief of the department. The term of the present administration ends with the election the first Tuesday

Each station is equipped with three firemen and a driver and the steamer s placed in full commission. In addition there are seven runners for each company, these runners to be paid \$7:50 per month. The new department is to go into operation the first of next month

In the Recorder's court this morning there were not so many cases of interest but the recorder imposed fines and directed the issuing of capiases that will make tomorrow's court of interest. Two witnesses did not appear and they were each fined \$80. Those fined were Doney Stallings and J. J. Nunn. After the adjournment of the court they were arrested and gave

bond to answer the charge,

News reached here this afternoon of the death in Granville of W. W and registered at a down-town hotel Wheeler, who died suddenly this morning. He was in good health up to today and his death was a great surprise and shock. He was about 25 years of age and he left father and mother, one brother and three sisters. The only brother, V. N. Wheeler, is now extremely fil with pneumonia. The funeral will take place tomorrow Several Durham people have returned from Norfolk where they witnessed the return of the American fleet from the trip around the world Among those who came home today were: W. J. Griswold, C. C. Thomas and J. H. Mahler. Others returned but their names were not secured.

TOO MANY FARMERS AMONG VENTREMEN TO SUIT THE COURT.

Chicago, Feb. 23. The re-trial the Standard Oil company of Indiana was unexpectedly delayed today when Judge Anderson, in the United States district court, quashed the panel of 150 veniremen because of what he considered the singularly large proportion of farmers thereon. It was a so-called "farmers" jury which brought in the verdict making Judge Landis' fine of \$29,240,000 in

S. Miller, of the defense, was prompt in calling the court's attention to the fact that the panel presented for the new trial contained but three Chicagoans, although sixty per cent, of the population within the jurisdiction of the court lives within Cook county. "It looks like design, or if not de sign, it looks like a strange coinci dence," commented Judge Anderson whereupon T. McMullin and R. C with vigor that the latter was the case; that the panel had been drawn exactly as in other cases. This the court, later, admitted to be a fact.

# DAILY BALLOT

10 Votes For

Subject to rules of The News and Observer contest. Void after March 3.

# Cases Argued Yesterday From the AT THE T. P. A. MEETING A QUESTION OF

PRESIDENT B. H. MARSH TALKS AS TOUNDIAN AND ANGLO-SAXON OF THE EVENT.

Mileage Books Be Handled by The Conductors So As to Save Time in Checking Baggage and in Boarding the Trains.

Mr. Burrell H. Marsh, State President of the North Carolina Division and of color in the county of Scot-Traveler's Protective Association of America, has been in the city on business for his firm several days, and when interviewed had the following to say about the twentieth annual T. A. convention which will be held in Asheville the week of May 31st: "It is expected that at least five

thousand visitors will be present on the above occasion. Thirty-three States will be represented. The railroads comprising the Southeastern Passenger Association will give a rate of one fare for the round trip, extending the time limit for thirty days in order that the visitors may remain in Asheville or visit other sections of "The convention work has been

launched, and the different commitees appointed, and the entertainment will consist of a trip to Lake Toxaway, which is one of the most delightful spots to be visited anywhere; a trip to Biltmore over the Vanderbilt estate, where an early breakfast will be served complimentary to the delegates and their friends by Dr. C. A. Schenck, manager of the estate, also a trip to Overlook mountain, the high est point in Western North Carolina. The ladies will be entertained with card parties and dancing at the Battery Park Hotel, which will be headquarters; also automobile and carriage drives over the city.

"It is with pleasure that it is announced that Governor Kitchin has accepted an invitation to be present and deliver, on behalf of the State, the address of welcome. The State convention will be held in Charlotte on April 23rd, at 11 a. m., in the assembly room of the Selwyn Hotel. Recommittees will be read, election of Carolina division at the Asheville

convention. Post I, the haby post of the State, was organized last month at Wilson by Mr. W. A. Kirkchoff, National T P. A. representative, with a very nice membership, which gave North Carolina nine posts in the State with membership of some six hundred.
"You may say that one has no con-

ception what a National T. P. A. convention means, and in addition to the regular delegates elected in North Carolina there will be a large following of members in attendance upor the national convention, as it will held at the most delightful season of the year, and at a time before the usual summer visitors gather.

'In reply to the numerous ques tioned asked me about the Barringe mileage book bill you may say that while a majority of traveling men would prefer mileage books handled by the conductors in order that they may save time in checking baggage and boarding trains, the greatest ob-jection in which we have, I think, is the regular fare charged on entering the train without an exchange ticket, and additional fifteen cents which is required to be collected by the conductors. Again, should a passenger on arrival at Durham from Greensbore should wish to continue passage to Raleigh, the conductor would re quire him to pay the regular fare of two and a half cents per mile in addition to the fifteen cents charged for not securing a ticket. This, the traveling man, and I voice the sentiment of the majority, is unfair and unfust, and while personally speaking I would prefer an interchangeable mileage book good over all roads at two cents per mile which would be checking baggage and handled by the railroad conductors

for passage. "In conclusion let me say that I do not know of an organization who now before the General Assembly, and as the traveling man has always been reasonable in asking concessions from the railroad company, they realize that it does not always pay to be antagonistic, as the conditions could be worse.

TWO SUDDEN DEATHS

Wilson Man Drops Dead in South Carolina; New York Man Expires in

Wilson, N. C., Feb. 23.-E. G. Rawlings, a Wilson broker, received a telegram from Greenwood, S. C., last evening notifying him of the sudden leath of his brother, Louis P. Rawlings-who dropped dead on the streets of Greenwood yesterday afternoon of heart failure. Mr. and Mrs Rawlings left on the afternoon train oday for Richmond, Va., where the interment will take place tomorrow. Ed. Rawlings, Jr., will meet the remains in Raleigh tonight and relieve J. S. Bailey, who escorted the body

from Greenwood. Mr. John Dunn, who came to Wilson five years ago to accept a responsible position with Hackney Brothers. died here early this morning. The remains will be shipped to his former home this afternoon. His sister, who resides in Binghampton, N. Y., will meet the body in Washington City to-

If you are not satisfied with your ot, start a real estate boom and sell it. Department is likewise in need of

Ayer's Hair Vigor is composed of sulphur, glycerin, quinin, sodium chlorid, capsi-cum, sage, alcohol, water, and perfume. Not a single injurious ingredient in this list. Ask your doctor if this is not so. Follow his advice. A hair food, a hair tonic, a hair dressing. Promptly checks falling hair. Completely destroys all dandruff.

DOES NOT COLOR THE HAIR

IN SCOTLAND COUNTY.

Traveling Men Would Prefer That The Negro School Matters There Also Enter Into the Case Which Comes to Legislature to Provide for Separate Sets of Schools in the County.

> The General Assembly has before it the settling of a question of schools The question is brought up by land. circumstances which have arisen in the Spring Hill school district in that county.

> The bill now before the House provides that in Scotland county there shall be separate public schools for children of Anglo-Saxon birth, schools for negro children and schools for those of Indian blood, that children of negro er Indian blood, however re mote the strain, shall attend the school for the Anglo-Saxon ruce, The proposed act provides that there shall no discrimination as to schools either in favor of one race or prejudice against another, that the Board of Education is to provide separate public schools for children of Anglo-Saxon blood, for those of negro blood, and for those of Indian or other blood. The finding of facts as to blood by the County Board of Education is to be prima facie correct.

The trouble in Spring Hill township arose over these facts: Complaint was made to the teacher of the school that children of negro blood were in the The teacher dismissed school. students and was sustained by The question was sent up to State Superintendent Joyner who submitted it to the Attorney-General. who gave a ruling on the matter. In this ruling it was set out by At-torney-General Bickett that the Coun-

ty Board must determine whether or not the students have any negrot blood in them, or whether they are Indians or descendants of Indians to the third generation inclusive. is decided they have negra blood they must attend the negro schools and if they are Indians or are descendants of Indians to the third generation they must attend Indian schools, to be proports of the State president, State must attend Indian schools, to be pro-secretary, chairmen of the various vided, as required by the Constitution. it making no difference wether the officers for the ensuing year, next children are descendants of Croatan meeting place of the State convention, or other Indians. In his letter to the also delegates to represent the North Board State Superintendent Joyner advised that separate schools be estab-lished for the children in question, there being a half dozen or more of these in one section, possibly others,

The question in Spring Hill was to settled to suit the people of the chil-dren who were refused admission to the white schools. There was a statement made that these children were of Fortuguese blood and when the County Board of Education heard the case the parents and relatives of the children were put on the stand, prosecution holding after their dence that they were not of Anglo-Saxon or whiteblood. The Board of Education refused to allow the chil-dren in question to attend the public schools, holding them not to be white The parents of the chilchildren. dren thefeupon-sued out a writ of mandamus, to compet the Board to admit the children to the

schools. Now the question comes to the Legislature in the form of a bill to provide separate schools for children of Anglo-Saxon blood, for negro chil and for children neither of Angle-Saxon or negro blood, three sets of schools in Scotland county. The bill is before the Committee on Education and may be acted upon this af-It is a matter which has aroused much feeling in Scotland

The Senate Committee on Railroads vesterday voted to recommend to the Senate the pasage of the Pharr resolution providing for a correction of the freight rate discrimination evil, which has been denounced as the greatest curse to North Carolina com The preamble recites that there is and has been serious discrimination against the neople of Non Carolina by the railreads in the mattes of freight rates, and that efforts to adjust these rates, thereby securing refief to the people have not resulted in a correction of this discrimination The resolution directs and instructs the Corporation Commission to put into effect by a date to be inserted such rates per ton per mile from the ports of this State as will not be in excess of such rates per ton per mile harged by the railroads for through usiness from and through other ports, on that the commission take other steps as may be lawful in order of prevent that discrimination. It also authorizes and instructs the Attorney General to take such legal steps and stitute such actions and proceedings. h behalf of the State and against offending corporations, as he shall deem proper and advisable to prevent such discrimination.

The bill by Mr. Powell, of Vance, to rect a building building to be known "The Insurance and Educationa Huilding" states in its preamble: "That. Whereas since the formation the Insurance Department in 1899 here has been col ected through it and paid into the State Treasury the sum \$1,645,172.26, and whereas the apid increase of the supervisory work of said department and its great value the citizens of the State makes it inportant and necessary that every faflity be extended to this department and whereas, said department has ever had adequate help or been dwed sufficient or convenient quarters which to fransact to advantage its business, and whereas, the Educational

# Fisher, Ark., Wrecked by

(By the Associated Press.) Marked Tree, Ark., Feb. 23,-Six persons were killed, more than a score were injured, several seriously, and practically every building in the town of Risher was wrecked by a tornado which swept through the northwestern portion of this county, early today, according to meager advices received here late this afternoon. Wire communication with the devastated district is completely prostrated and the only information received was by a messenger who stated that in the town of Fisher but two buildings are standing while the damage in the surrounding country is also great.

Because of the flooded condition of the intervening territory a relief party which started from Marked Tree this afternoon was forced to abandon the effort for the day. Many of the dead and injured, it is stated, are burled beneath the wreckage of the demoiished buildings.

proper and adequate quarters, and whereas there is every need for a fireproof building in which to safely keep the records and other valuable papers of these departments and the State, be it enacted"—the provisions being as follows:

"A commission hereinafter named is constituted and authorized to use all or so much of the funds as shall be paid into the State Treasury during the year 1909 by the Insurance Commissioner, as may be necessary to locate, erect and equip a building h the city of Raleigh to be known as Insurance and Educational Building," to be occupied by the In surance Department, the Educational Department and for such other pur-poses as may be thought advisable by

"The Board of Public Buildings and Grounds and the Superintendent of Education and the Insurance Commissioner are to constitute the commission and shall have full power and authority to use any unocupied for now belonging to the State or to puri hase for this purpose any lot conveniently located to the Capitol."

The Senate Committee on Proposi ions and Grievances is unfavorable to the bill by Senator Starbuck, of Forsyth, to establish a medical depositor; in Winston. At the meeting of the committee yesterday afternoon the bill was given consideration for the second or third time. Dr. R. H. Jones, of Winston, president of the Law and Or-der League of Forsyth County, who was also chairman of Prohibition Executive Committee of the county, addressed the committee, speaking for the bill. The governing bodies at both the city of Winston and the county of Forsyth are desirous of having the law enacted, and Forsyth's Senator and Representatives are support ing the measure. But only a few ago a bearing was given on the bill to establish a medical depository in the town of Concord, which the committee reported unfavorably, and al-though there was opposition to a de-pository at Concord, and none approciable to a depository at Winston, yet the committee believes the friends of the movement at Concord advanced better reasons for the establis of such an institution there than have been presented for a depository There is also a sentiment Winston, that no more medical depositories should be established until a general law shall have been enacted for their government and regulation. When the discussion on the bill had ended yesterday Mr. Elliott moved to report the bill unfavorably.

There was no second. Mr. Gay moved to report it unfavor Again there was no second. Mr. Spence moved that action be

The motion carried, and Chairma Nimocks announced that a final determination upon the matter would be eached this morning at a meeting the committee before the Senate convenes.

House Committee on Public Service Corporations, Kitchin chairman, after nearing argument yesterday from Capt. E. F. Lovill and Prof. Dough erty of Watauga, unanimously report-ed in favor of the bill providing for the construction of the Watauga railroad. The bill specifies that when as the construction of the road, the State will furnish not less than 50 nor more than 100 convicts to help grade the taking stock for payment of the work of the convicts.

The House Judiciary Committee resterday reported favorably on the following Senate bills: Kluttz: To provide fire escapes or public buildings or places where peo-Kluttz: To make the giving of worthless checks, drafts and orders orima facie evidence of intent to heat and defraud.

Britt: To exempt certain persons Britt: To prevent frauds upon merhants and tradesmen. Nimocks: To amend the lating to escapes. Emple: To amend the law relating

Hanover county. The following House bills received favorable report: Turlington: To allow the Attorney General a law clerk. Braswell: To validate official

of George B. Cooper, a justice of the

to drawing special venires in New

pence in Nash county. Weaver: To all tors to sell lands. To allow foreign execu-Taylor: To amend the charter of the Trans-Continental Railway Com-Hinsdate: To give sheriff of Wake

until first Monday in June to sell real

estate for taxes. selling or giving away coupons, and presents in connection with the sale cigarettes, tobacco, etc., was reported unfavorably The bill by Senator Latham relative to fishing in Pamileo Sound makes

the fishing faw of 1907, chapter 948, apply only to that part of the year peginning January 15th and ending May 15th. E. M. Land, Esq., ex-Renreser

tive J. A. McDaniel, Editor D. T. Edwards, of the Free Press, and J. Frank Wooten, Esq., of Kinston, appeared before the Senate Judiciary Committee yesterday afternon to urge the passage of the House bills to establish a recorder's court in Kinston, and to permit the people to elect the recorder; and to permit the voters of Kinston to elect the chief of nolice and the superintendent of schools.

The House Committee on Public Service Corporations will, on Thurs-

# Serious Ailments

It really doesn't seem sensible for anyone to neglect digestive desange-ments until they develop into or lead to diseases that may be incurable. Kodol prevents dyspepsia and other serious ailments by giving the stomach effective aid in its processes of nigestion-thus making and keeping the stomach well, strong and active. And when you have a sound stomach, you need not worry about dyspepsia, or what it leads to. Kodol will mighty soon bring stomach-comfort.

Our Guarantee. Get a dollar bot you are not benefited—the druggist will at once return your money. Don't besitate; any druggist will sell you Kodol on these terms. The dollar bottle contains 25 times as much as the 50c bottle. Kodol is prepared in the laboratories, of E. C. De Witt & Co., Chicago.

gineers in North Carolina tried to have the bill introduced by Representative Carlton, heard yesterday, but Representative Morton, of New Hanover, urged that constituents of his in Wilmington, Atlantic Coast Line péople, should be heard. The committee finally agreed to let the matter go over till Thursday afternoon. similar bill is pending in the Senate.

The question raised in the Senate

l few days ago relative to qualifications of a member of the Senate for the office of President Pro Tempore has effectually been set at rest by an opinion forwarded to Secretary of State Grimes by Attorney General Bickett. It has devolped that any member of the Senate, no matter whether he is thirty years of age or not-that age being constitutionally required for Lieutenant-Governor or Governor-may become President Pro Tem of the Senate, and in case of the death or impeachment of the Gover when the Lieutenant-Governor would act as Governor, the Speaker Pro Tem would discharge the duties of and receive the emoluments of the Lieutenant-Governor; and, further, in such a case should the Lieutenant-Governor die or be impeached, the counties of the State. President Pro Tem of the Senate, who had under such circumstances been acting as Lieutenant-Governor, would occupy the position of Governor, performing all executive duties and receiving the Governor's salary. But the President Pro Tem would not be Governor any more than he had been Lieutenant-Governor, or any more than the Lieutenant-Governor had een Governor. He would have been elected to neither office, and would only discharge the duties, perform the acts of the office, until a new Gover-

"The Constitution, Article 2, Section 20, provides: The Senate shall choose its other officers and also a Speaker Pro Tempore in the absence of the Lieutenant-Governor, or when he shall exercise the office of Governor. "Section 23 provides: 'All bills an resolutions of a legislative nature shall be read three times in each house before they pass into laws, and shall be signed by the presiding officers of both houses. both houses."

"Article 3, Section 2, provides that no person shall be eligible as Governo unless he shall have attained the age of thirty years, and Section 12 provides that when the Lieutenant Governo shall be unable to preside over th Senate; the Senators shall elect on of their own members of their body. and the powers, duties and emolu-ments of the office shall devolve upon him whenever the Lieutenant-Governor shall, for any reason, be prevented rom discharging the duties of such office, as above provided, and he shall continue to act until such disabilitie are removed and until a new Governor or Lieutenant-Governor shall have

been elected and qualified. "Whenever, during the recess of th General Assembly it shall be necessary for the President of the Senate to administer the government, the Secreary of State shall convene the Sente that they may elect such presi

"It is my opinion that, by virtue these provisions of the constitution. any Senator is eligible to the office of Speaker Pro Tem, and that hills signed by him will be as valid as those igned by the Lleutenant-Governor. "I do not think that the possibility that such Speaker may some day be called upon to exercise the office of Governor or Lieutenant-Governor, in any way disqualifies him to act as Speaker Pro Tem. Indeed, it is by no means certain that, under Section 12, a Senator though under thirty years of age, would be disqualified to perform the duties of acting Governor. It will be observed that the President of the Senate is never made Governor or Lieutenant-Governor, but there simply devolves upon him the duty so to act as Governor until a new Governor or Lieutenant-Governor shall be Speaker Pro Tem. Indeed, it is by ernor or Lieutenant-Governor shall be

qualified to act as Governor, then the same. Senate can be called into extra session by the Secretary of State would proceed to elect 2 Presiden of the Senate over thirty years of age, if Section 2 of Article 3 applied to the President of the Senate acting as

The Senate Judiciary Committee will this morning report favorably to the Senate the Nimocks substitute for the Manning standard bill of lading bill. The two main features of the bill are: the negotiability of order bills of lading, and it prevents the plea of estop-pel where the bill of lading has been signed by the agent of the carrier, Under the present law, as held by several recent Supreme Court decisions, the of a common carrier can issue a bill of lading for goods purporting to have been received by the common carrier, and the carrier is afterwards permitted to show that in fact the goods were never received and thereby escape liability, the bank which has negotiated the bill of lading must suffer the loss. The Nimocks tute would prevent the of estoppel in the case mentioned above and would hold the carrier liahis for the value of all goods ourport-ing on the face of an order bill of laiing to have been received for shipment by the carrier.

Most of the penalties of the original bill have been eliminated, though the penalty for the fraudulent issuance of Service Corporations will, on Thursday afternoon take up the bill providing for electric headlights for all locomotives on main lines in North Carolina. The Legislative Board of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of Locomotive Enply only to those cases where such deliverable of the Brotherhood of the Brotherho

liveries are made with intent to de-

There was a discussion in the Senate resterday on a bill by Colonel Means, of Concord, to allow informants in certain cases one-half the fines. though during the same sitting a sim-dar oill was refused passage until the word "fine" was changed to "penalty,"
Colonel Means insisted on the bill as
it was. Mr. Gay, of Northampton,
was on the floor. He believed the bill was unconstitutional, and could not ease his conscience sufficiently to vote against the constitution. Colone beans importuned the objecting Senator to withdraw his opposition and permit the bill to go through its third and final reading. "No sir." answered Mr. Gay, "Fil just go out and let it pass." and as Mr. Gay deserted the theor the bill passed its final reading.

The House Committee on Prop tions and Grievances had an interesting and at times, heated discus yesterday afternoon on the bill by Sheppard, of Robeson, to allow certain territory in the county to be protected by a fence for purposes of pasturage. There was quite a delegation of citizens of Robeson present for and against the bill. Mr. Sheppard and others made an earnest and hard fight for the bill. It was opposed by Attorney Stephen McIntyre, of Lumberton, and representatives of the various lumber companies who own a large proportion of the land sought to be turned into a pasturage district. The committee after hearing all the arguments, held an executive session, and the vote resulted in a good majority to report the bill unfavorably,

Another important bill, which for the second time was reported without prejudice, was Graham's oill to create a State Topographic Survey Department under the State Geologist to co-operate with the United States Department of Agriculture in preparing topographic and soil maps of all the counties of the State. The bill pro-vides an appropriation of \$10,000, a year for six years for this purpose. Judge Graham and State Geologist and showed how this department would greatly facilitate the present

work of the government. Judge Graham explained that this work had been practically done for Granville county, and it was in consequence of seeing it, and realizing its great value to the agricultural interests in other counties, that he was induced to introduce the bill which would hasten the same work for other

The Judiciary Committee of the House yesterday heard Mr. T. W. Bickett, Attorney General, on the need of a law clerk in his department, and it gay a favorable report to the bill. The position will carry a salary of \$1,500.

The Connor mileage book will be heard this afternoon by the House Judiciary Committee. It is to rid travelers of the nulsance and annoyacts of the office, until a new Governor or Lieutenant-Governor should have been elected and qualihed. But while the discussion is interesting it is not probable that in times of peace any such contingency will ever arise. Attorney-General Bickett's opinion, written at the request of the Secretary of State, is as follows:

"You submit the question as to whether or not a Senator under thirty years of age is eligible to the office of Speaker Pro Tempore of the Senator under thirty att.

"Thursday," but this afternoon was Thursday, but this afternoon was finally agreed upon. The last the last

Schedule of Pamenger Teatre 2:35 4:30 9:15 Ar. ville Lv. 5:30 12:30

No. 54 will make connection at Raleigh with Southern Ry. train No. 21 for Durham, Greensboro, Oxford, Clarksville, Chase City, Richmond, Asheville and main line points; and with Seaboard Air Line for Henderson, Norlina, Nosfolk, Richmond and the North.

No. 55 will connect at Raleigh with Southern Ry. train No. 144 from Greensboro, Durham and the West; and with S. A. L. trains Nos. 38 and 66 from the South, and the "Shoofly" from Norlina and Henderson, Making connection at Payetteville with A. C. L. trains for Raeford, Wilmington, Red Springs, Maxton, Bengettsville,

Red Springs, Maxton, Bengettsville, Greensboro and the West, and S. A. L. trains from North and South. Making connection at Fayettsville with train for Sanford, and main line train for the North

No. 52 will connect at Fayetteville with A. C. L. trains from Wilmington, Raeford, Sayannah, Florence, Ben-

elected and qualified.

"Furthermore, if for any reason the President of the Senate should be dis-

J. A. MILLS. President.

Goldsboro, N. C., June 8, 1908. ransportation: Extension of trains 14 and 15 from Wilson to Greenville. 7:32 Lv.... Farmville ...Ar. 7:38 7:41 Lv.... Arthur ....Ar. 7:29 8:00 Ar.... Greenville ... Lv. T:10 R. E. L. BUNCH.

The Norfolk and Southern Railway give notice that commencing Monday June 8th, 1908, trains Nos. 14 and 15. now being operated beutween Raleigh and Wilson, will be extended and op-erated between Raleigh and Green-ville, on the following schedule: Train

6:16 Lv. Balley ..... Balley ..