

The Only Associated Press Newspaper in Western North Carolina

POSITIVE AGREEMENT ON ALLISON AMENDMENT FOR HEPBURN BILL NOW MADE

Data Exchanged to Make All Further Misunderstanding Impossble.

MAJORITY FACTIONS RATIFY PROVISIONS

Restrictions Placed on Injunctions—Appeal Will be To Supreme Court.

(By Associated Press.) WASHINGTON, May 8.—Conferees in the senate yesterday which resulted in positive agreements on six provisions to be incorporated in the Allison amendment to the railroad rate bill, were ratified today by additional conferences of Senate leaders representing all Republican factions. That there could be no further misunderstanding this data for the basis for agreement was prepared and exchanged.

"The Allison amendment is to comprise six propositions:

"First—The words 'fairly remunerative' in section four of the bill, are to be stricken out.

"Second—The words 'in its judgment' in the same section are to be retained.

"Third—Judicial review is vested in the United States circuit courts to hear and determine suits against the commission.

"Fourth—No preliminary injunction or interlocutory order is to be granted without a hearing after notice.

"Fifth—The application for preliminary injunction or interlocutory orders are to be heard by three judges.

"Sixth—A direct appeal from the interlocutor by decree is only with the Supreme court of the United States.

"Under the first and second clauses of the agreement the rate making section of the bill will authorize the rate made by the Interstate commerce commission, when after full hearing it shall decide that rates are unjust and unjustly discriminatory.

The third clause is the original Allison compromise amendment and simply provides that in any suit brought by the courts to hear and determine suits against the commission, the fourth, fifth and sixth clauses place certain restrictions upon the granting of injunctions and provide for the appeal from such orders direct to the Supreme court.

In the absence today of Senator Allison from the senate, Senator Cullum offered the Iowa senator's compromise amendments to the railroad rate bill. He said that Mr. Allison would himself have offered them, but for the fact that he was ill. He asked that the amendments be printed and lie over, saying that Mr. Allison would be in the Senate later and take charge of them himself.

CHINESE BOYCOTT MOVEMENT WANING

America Imports to Oriental Country Were Double in 1905 to Those of 1904.

(By Associated Press.) PEKIN, May 8.—The statements to the effect that there is an impression in the United States that the boycott of American goods is growing have caused surprise here. All the information obtainable shows that the movement is waning. The Chinese customs report for 1905, just issued shows that the American imports were 77,000,000 taels, compared with 28,000,000 in 1904. It appears that the importers have made enormous speculative purchases early in the year, chiefly in anticipation of war demands and a decrease in imports would be natural under any circumstances until these stocks are distributed.

LAYING OF TEMPLE CORNERSTONE BRINGS THOUSANDS OF PYTHIANS TO INDIANAPOLIS

(Citizen's Special Service.) INDIANAPOLIS, May 8.—Today has been a notable one in the history of Pythianism in this city, and, in fact, throughout Indiana. The city has been thronged with thousands of members of the order from points far and near, brought here by the ceremony of laying the cornerstone of the new Pythian temple, which is being erected at a cost of nearly a half million dollars.

The exercises of the day were preceded by a mammoth parade of the knights in full uniform. Arriving at the site of the new temple, at the corner of Pennsylvania street and Massachusetts avenue, the exercises attending the actual laying of the cornerstone were held. George W. Powell, president of the building commission, presided and the Rev. Alexander McFerran of Terre Haute delivered the invocation. Governor Handy delivered a welcome, after which the cornerstone was laid by Grand Chancellor Duntel, assisted by his fellow grand lodge officers. The supreme and grand lodge officers and other representatives of the order then adjourned to Tomlinson hall, where the address of the day was delivered by Congressman James E. Watson. Nearly all of the officers of the supreme lodge, together with the grand officers of Illinois and other neighboring states, were in attendance.

ARGUMENT IS BEGUN IN THE PERKINS CASE

Trial Before Appellate Division on Appeal From Greenbaum's Ruling.

COHN SAYS TRIAL SHOULD BE CIVIL

Counsel For Defense Argues No Proof Exists of Felonious Intent.

(By Associated Press.) NEW YORK, May 8.—Argument was begun today upon the George W. Perkins case in the appellate division of the Supreme court. Mr. Perkins was formerly vice-president of the New York Life Insurance company. He was brought before the court in March on a charge brought to test the question whether the making of political contributions from insurance companies' funds constitutes a crime.

The case now comes before the appellate division on an appeal from a ruling by Justice Greenbaum, that such contributions constitute larceny.

Judge Cohn, of counsel for Perkins, contended that there was not sufficient legal evidence to justify the magistrate's assuming jurisdiction in this case and that the property taken was contributed for the benefit of its true owners.

Judge Cohn said that if the court held that in campaigns the property was not taken for the benefit of the true owners then the proper course of action would be a civil suit to recover it.

"The chief question," said Judge Cohn, "is one of intent and there is absolutely no proof of felonious intent."

District Attorney Jerome made an appeal in support of Justice Greenbaum's decision. "Such an expenditure in support of Jerome made an appeal in support of Justice Greenbaum's decision," he said, "if brought to the attention of the courts, would no doubt have been prohibited by injunction. To take the property of those policy holders who are of an opposite political party; to take the money of persons whose families will have to rely upon it for support to advance the interests of a party to which they are opposed, is contrary to the whole fundamental ethical concepts of this community. I think that such a course must be opposed by any right-minded man." He added:

"As showing the criminal intent, a great deal of discretion resides in the courts. I maintain that it is sufficient to prove that there was a moral evil to prove that there was felonious intent."

The court reserved decision.

WITH HUGE KNIFE NEGRO CARVED HIM

(Special to The Citizen.) SALISBURY, N. C., May 8.—Mr. L. A. Parker, a labor agent of Charlotte, had a dangerous encounter with Tom Scott, colored, Saturday night in a passenger train of the Asheville division of the Southern near this city. The negro attempted the life of Mr. Parker and slashed him several times with a huge knife before the traveling man could get out of reach. Although under guard while at a station near the city, Scott jumped from the train window and made his escape.

"JIM CROW" LAW IS URGED FOR CAPITAL

(By Associated Press.) WASHINGTON, May 8.—Some days ago Representative Hefflin of Alabama, introduced a bill to require separate street cars in the District of Columbia, for the white and colored races. Today he received the official endorsement of the measure from a local citizen's association. He will urge the bill before the committee.

NORFOLK TO GET THE UNION DEPOT

(By Associated Press.) NORFOLK, Va., May 8.—A special to the Virginia-Pilot from Greensboro, N. C., says the state corporation commission settled the question of a union depot today by ordering the Atlantic Coast Line, Southern Railway and the Atlantic & North Carolina railroad, to build a union passenger station in this city.

The commission also orders the railroads to file in Raleigh within 30 days the plans and other specifications of the building. Greensboro was also mentioned as the place for the construction of the depot. What action the railroads will take, if any, cannot be learned.

HOBOKEN CITIZENS MOB UNPATRIOTIC "KING OF BUMS" COMING FROM "NOWHERE"

(By Associated Press.) NEW YORK, May 8.—An unkown man who walked down the main street of Hoboken today, kicking an American flag along in the dirt, was mobbed by indignant citizens, chased by a policeman, sent to bed by the court and put to work breaking stones in a penitentiary before the day was over. The man refused to disclose his identity when questioned by the court, but said he was the "King of Bums," and came from "Nowhere." When Recorder Stanton read a lecture to him in court for abusing the flag he interrupted, declaring "That is all its good for." The recorder imposed a sentence of seven months.

NORTH CAROLINA SUPREME COURT PASSES FOR FIRST TIME ON CHILD LABOR LAW

(Special to The Citizen.) RALEIGH, N. C., May 8.—The Supreme court this afternoon in Rollins vs. the R. J. Reynolds Tobacco company, passed for the first time on the North Carolina child labor law prohibiting the employment of children under twelve years of age in mills or factories. The Rollins child had been injured by its own carelessness in the R. J. Reynolds factory and the trial judge sustained the defendant's demurrer, putting the case out of court on the ground that the child's statement showed he was injured by his own carelessness. However, on appeal the Supreme court holds that where the contributory negligence cannot be made as the employment of such children is a violation of express statute and such child cannot be held to have contributed to the injury in any case.

HOUSE GIVES FULL SESSION TO NAVY BILL

Reported Exorbitant Price of Smokeless Powder Brought Up Again.

IT'S HARD TO GET SAILORS TO ENLIST

Army Appropriation Bill Sent To Conference With Full Disagreement.

(By Associated Press.) WASHINGTON, May 8.—The house of representatives today devoted its session to the naval appropriation bill and accomplished the reading for amendment of about five pages of the bill. During this time other matters incident to the bill were discussed, including the difficulty of obtaining enlisted men in the navy; the location of the naval training station on the great lakes; the cost of smokeless powder, and finally the unnecessary expenditure of \$100,000 a year for chains for ships. This last matter was under consideration when the house adjourned.

Representatives Lord of Michigan and Groveson of Ohio offered amendments providing that the purchase of such supplies as chains, anchors, cordage, etc., shall hereafter be by the competitive bid process. Representative Rixey of Virginia was unsuccessful in getting an amendment through limiting to 60 cents a pound the amount which may be expended for smokeless powder. He stated that the price now paid was 75 cents a pound, but that the inquiry made by the naval committee showed that it actually cost but 35 cents to manufacture this powder.

The army appropriation bill was sent to conference with all of the senate amendments disagreed to.

NEGRO SHOOTS HIS FORMER EMPLOYER

(Special to The Citizen.) SALISBURY, N. C., May 8.—J. H. Roach, superintendent of the Barfour quarry at Granite Quarry, Rowan county, was shot in the back this afternoon by a colored employe at the plant known as "Snake." The weapon used was a shotgun and Mr. Roach is desperately wounded. Immediately after the shooting the negro fled but was pursued by a posse of about one hundred infuriated citizens. The posse is being led by officers, but a lynching is feared before morning. The negro was discharged last week by the management and along that time has been lying in wait for Superintendent Roach, who, however, was not responsible for his losing his job. Excitement runs high at Granite Quarry tonight over the shooting.

JACKSON NEGRO IS LYNCHED BY MOB

(By Associated Press.) JACKSON, Miss., May 8.—Sam Sims, a negro, was lynched by a mob six miles from Jackson, last night. Reeling from an arrest Sunday, he killed a horse under Constable Hendricks, and friends of Hendricks captured the negro and lynched him, first tying the constable to a tree to prevent his interference.

CONFERENCE PASSES THE OPENING LAW

Unordained Preachers May Now Perform Marriage Baptismal Rites.

ITINERARY COMMITTEE FAILS IN CONCURRING

Committeemen Cannot Agree On Enlarging Functions Of Conference.

(By Associated Press.) BIRMINGHAM, Ala., May 8.—The general conference of the Methodist Episcopal church South passed its first law today when it concurred in the main report of the permanent committee on unordained preachers. Under the new law, preachers who have not been ordained may, upon the Gospel, perform the marriage and administer baptism, and in the absence of the presiding elder, or bishop, control the appointment of all services to be held in the church in his charge, with the understanding that no permanent orders of ordination are conferred until the same are granted by the laying on of hands after he shall have met the disciplinary requirements.

The committee on itinerary reported non-concurrence in a series of resolutions concerning the state constabulary and providing for the mine workers as an organization taking an active part in politics in the nomination and support of legislative candidates.

When President Mitchell entered the hall he was heartily applauded and called upon for a speech. He said: "This probably will be the last time that I shall address you and it might be well for me to say one or two things. Some are inclined to believe that because we have not secured an advance in wages or any improvement in the conditions of employment that we have not accomplished anything. I want to say that I believe you have taken the most advanced step in the history of this movement.

"You have secured what you have never before secured—a signed agreement with the operators. It is an agreement which is not entered into with the United Mine Workers, but with the officers of the organization; but they have signed an agreement with your national president and with your district officers. He closed with a plea for loyalty to the union.

The convention adjourned sine die. Mr. Mitchell will leave tomorrow for Indianapolis.

MINE WORKERS WILL RESUME WORK TODAY

Convention of Miners Formally Ratifies Agreement Already Made.

MITCHELL CALLS IT TREMENDOUS VICTORY

Securing Signed Agreement With Operators He Regards As Big Step.

(By Associated Press.) SCRANTON, Pa., May 8.—Work will be resumed by the mine workers throughout the anthracite field Thursday morning. The repair men and others necessary to prepare the collieries for general operations will report for work tomorrow morning. This was decided upon at the closing session of the convention this afternoon.

At the morning session the agreement entered into Monday in New York between the operators and sub-sect committee was formally ratified.

The committee adopted resolutions condemning the state constabulary and providing for the mine workers as an organization taking an active part in politics in the nomination and support of legislative candidates.

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PROVISION OF ELKINS HELD UP IN SENATE

Senate Devotes Nearly Entire Session to Ineffectual Discussion.

AMENDMENT BILLED TO COME UP TODAY

House Decides That Chair can Entertain Motion to Lay On Table.

(By Associated Press.) WASHINGTON, May 8.—Aside from a few minutes devoted to the reception of the Allison amendments to the railroad rate bill, and a half hour given to routine business, the Senate devoted its entire session today to the ineffectual consideration of the Elkins amendment prohibiting common carriers from engaging in mining coal or in the production of other commodities in competition with shippers, and adjourned at 5 p. m. in a state of great confusion as to the exact subject before it. The disorder was due to the fact that a number of substitutes for amendments to the original amendment were offered. During the day the Senate decided the heretofore disputed point that under the agreement the chair can entertain a motion to lay on the table. It refused, however, by a vote of 29 to 29 to lay the Elkins provision on the table. That amendment and the various modifications will therefore be in order when the rate bill is taken up tomorrow.

EVERY DAY IS A HOLIDAY IN STRICKEN CITY

Governor Pardee Prevents Foreclosure of Mortgages By Novel Method.

(By Associated Press.) SAN FRANCISCO, May 8.—Mayor Schmitz elicited applause by reading the following telegram at a meeting of the reconstruction committee today: "Toronto, Ont., May 8.—The Canadian Parliament voted \$100,000 for the relief of San Francisco, which was declined by President Roosevelt. It is still awaiting acceptance. Will you take it if offered direct? Please rush answer. 'TORONTO DAILY STAR'."

Reporting for the finance committee, Mr. Phelan announced that the subscriptions from all sources up to May 5, make a total of \$3,000,992. This does not include the \$500,000 now held by the New York Chamber of Commerce. The New York Chamber of Commerce, the Governor Pardee was present for the first time at the meeting of the reconstruction committee, and was questioned as to his intention concerning the continuance of legal holidays. In order to avoid official complications and to prevent individual distress, the governor, since April 13, has been daily declaring each succeeding day a legal holiday, thus preventing the foreclosure of mortgages and postponing the payments of other obligations that might fall due. The banks of the interior were fearful that a sudden cessation of his proclamation might cause a panic and it was on their behalf that the governor announced that he would give notice before the close of the holiday period. Among the recent shipments of freight received was a quantity of corrugated sheet iron, and many of the temporary structures for business purposes are being built of this material. This addition to the available supply has benefited the field of contractors, and in many blocks of the burned district dozens of small structures will this week contain the fresh stocks of merchandise.

(By Associated Press.) WASHINGTON, May 8.—Bernard N. Baker, of Baltimore, presided over and was made permanent chairman of the executive committee of the Mutual Life Insurance company Policy-Holders Association, which met here today. Other persons present were Calvin Tomkins, of New York; John Skelton Williams, of New York; Charles M. Thomas, Rhode Island; D. Henry D. Holton, Vermont; George E. Aymot, Quebec, Canada; R. J. MacLean, Delaware; and Robert E. Hull, Texas, and John Dewitt Warner, of New York.

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N. C. REFORMED GLASSES MEETING

(Special to The Citizen.) SALISBURY, N. C., May 8.—The classes of the Reformed Church of North Carolina met in annual session at Mitchell Springs, Stanley county, today, where a large gathering of church workers is assembled. The delegates present include a large number of lay as well as clerical workers. Mr. J. P. Leonard of Davidson county is treasurer and Rev. J. C. Leonard of Lexington is clerk of the organization. The last annual meeting was held in Lexington.

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The court declared in concluding the elaborate opinion that the life and development of the state are not only consistent with but promoted by the exclusion of young children from mills and factories. The child educated and developed before beginning work of this kind becomes not only more useful and efficient but in all respects a better citizen.



As the summer approaches you begin to hear about the summer girl and the bathing girl, the tennis girl and all that; but it's very little you hear about the girl than can cook a good meal.