VOL. XXII, NO. 55.

VACANT ROOM. TRY ONE.

## The Only Associated Press Newspaper in Western North Carolina

## ASSEMBLY GETS POPE ISSUES DOWN TO WORK ON THIRD DAY

Bill Porbidding Discriminations by Railroads.

BUNCOMBE CO. MEN **GET ASSIGNMENTS** 

Commission Power to Control Public Service Co's.

(Special to The Citizen.)

RALEIGH, Jan. 11 .- A large number of bills were introduced in both houses of the general assembly today, some of them being of considerable The calendars were cleared by bills passed and standing committees for both house and senwere completed. It may be said that in three days the machinery of the legislature is fairly well organ-

In the house there were introduced three very important bills. Speaker Justice offered one relating to public service corporations, which prescribes that adequate railroad service shall be maintained. It forbids discrimination against persons or shipping points similarly situated, the penalty being \$500 to those suffering the discrimina tion and \$500 to the state. Also fine and imprisonment for officers per-It makes it mitting discrimination. unlawful for railroad employes to work more than eight hours in twenty-four, except where trains are belated with the crew. Violation is made a misdemeanor for officers permitting it.

Another bill by Mr. Justice prescribes a two-cent rate on the South-Coast Line, with smaller roads on a two and one-half cent basis.

Still another bill by Mr. Justice confers on the corporation commission plenary power to control and regulate public service corporations in the

A bill by Mr. Graham in the senate is designed to reduce passenger fare to two and one-half first class and two cents second class, effective April 1, provided the corporation commission finds such would be fair to the rail-He also presented a bill prohibiting free passes except to families of employes and some specified exlively fights are expected.

by Speaker Justice today, Weaver of Buncombe is assigned to two of the institution. The church could not premost important, public service corporation and judiciary. Gaston of Buncombe is on the committee on institu-

House-Second Day's Session. House—Second Day's Session.

RALEIGH, N. C., Jan. 11.—For the opening of the house for the second day's session prayer was offered by Rev. E. Y. Pool of the Fayetteville Street Raptist church.

the message.

ward a protest against the governor's COMMITTEE IS appearing before the assembly to read his message and demanding his constitutional right to have it entered on the journal which was allowed. Morton specified in the protest as his reasright to read or speak on the floor during the official sessions.

# HIS ENCYLICAL **ON SEPARATION**

on the New Law of French Authorities.

ORDERS FROM ROME MUST BE FOLLOWED

ligious War Involving Violent Persecutions.

(By Associated Press.)

PARIS, Jan. 11.-The eagerly awaited papal encyclical in which the pope explains his reasons for forbidding the faithful to make declarations under the law of 1881 and defining his attitude towards the amended church and state separation law, was published here this afternoon.

This formally places the seal of official condemnation on the new law, and will constrain the bishops at their meetin to be held here January 15, to range themselves against the law on

The French bishops must follow the orders of Rome, no matter what individual ideas may be held.

#### AS SEEN BY VATICAN ORGAN

(By Associated Press.) ROME, Jan. 11 .- The Observatore Romano, official organ of the Vatican, today published the text of an encyclical addressed by the pope, "Our Venerable Brothers, the Cardinal Bishops and Clergy, and of the French People." In this document the pontiff said his chief object in addressing the faithful in France was to comfort them in their sufferings, which he There deeply. great consolation in the fact that the Catholics of France were united. The French government's declaration of war was not only against the Christian faith, but against all spiritual ideas. The French Catholics must be prepared for all sorts of trials, but they were certain of final victory. This meant the maintenance of their union with the Holy See, which was of the greatest importance, as shown by the efforts of the enemies of the church to

dissolve this union. Contrary to the statements made or the subject, the church did not desire ceptions including ministers, objects of charity and others. All these bills a religious war involving violent perof charity and others. All these bills secutions. The French government are in the hands of committees and lively fights are expected. church was unable to accept without

tions for blind. In the senate, Webb of Buncombe is made chairman of the committee on insane asylums in addition to his previous assignments. addition to his previous assignments. ment, but defended with all its strength the work of the Divine foun-

Street Baptist church.

A message was received from Gov.
Glenn officially transmitting his biennial message and recommendations and thanking the assembly for the courtesy extended in permitting him to appear before a joint session and read the message.

#### NOT TO CONSIDER THE LIQUOR BILL up disabled.

(By Associated Press.) WASHINGTON, Jan. 10 .- The house ons for the action, that it is a vio-lation of the constitution in that it fails to keep separate the legislative by a vote of 9 to 7 not to consider the and executive departments of govern-Hepburn-Dolliver bill, making liquor ment and that no one but members carried in interstate commerce subject or clerks of the general assembly have to the laws of any state it enters. The members who voted against

considering the bill were Representa-Representatives Galloway of Green tives Parker of New Jersey, Alexander and Lockhardt of Anson gave notice of New York, Nevin of Ohlo, Sterling that they would later file similar pro-(CONTINUED ON PAGE TWO) of Georgia, Jenkins of Wisconsin,

#### LARGE COTTON MILL FAILURES CAUSE STIR IN MONEY CIRCLES

CHALOTTE, N. C., Jan. 11.—A flurry was created in local financial cirry was created in local financial
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cirry was created in local here had gone to the wall. The plants and 96 looms D. A. Garrison, of Beswere closed down Thursday night and semer City, is president. J. A. Bailey
it is understood that immediate applide Company of New York, and Philatable as a second of the Ponce, and soon afterward began to tow her towards Bermuda.

Barring the disconform and anxiety the passengers suffered no inconvent deliphia were the sales agents.

No details no account inchise the food supply being ample. All the passengers is a few to be the food supply being ample. All the passengers is a few to be the food supply being ample. All the passengers is a few to the food supply being ample. All the passengers is a few to the food supply being ample. All the passengers is a few to the food supply being ample. All the passengers is a few to the food supply being ample. All the passengers is a few to the food supply being ample. All the passengers is a few to the food supply being ample. It is understood that summediate age to be made by creditors to delphia were the sales agents.

No details are ascertainable as to have Caesos Cone, the Greensboro mill the cause of, or the extent of the fail-solicitude of the officers of the Ponce.

CHALOTTE, N. C. Jan. 11.-A flur-jed in 1895, and has 15,000 spindles and night was dark and the weather

## THAW'S TRIAL TO BE CALLED AS SCHEDULED

Speaker Justice Introduces Official Condemnation Placed District Attorney Will Not Postpone Hearing in Favor of Any Other Case.

> JUSTICE FITZGERALD WILL SIT ON CASE

Measure Presented to Give Church Does Not Desire Re- Feared That Justice Greenbaum Would Contend the Jan. Term Illegal.

(By Associated Press.)

NEW YORK, Jan. 11 .- The trial of begin on January 21, according to announcement by representatives of the district attorney. The statement was W. Hartridge, who had been disturbed for some time by rumors that the trial would not be permitted to proceed on the date originally fixed

"The district attorney is not going to move any case to trial to the prejudice of the Thaw trial" said Mr Smthe. There is nothing that will b permit'ed to interfere with that trial." It was announced at the district at-

torney's office tonight that Justice Fitzgerald would preside as the Thaw trial which will begin on January 21. For some time there has been uncer tainty as to whether Justice Fitzgerald or Justice Greenhaum would sit. Justice Fitzgeraid will be in the criminal branch of the supreme court on January 21, but the November term in which Justice Greenbaum is presiding, was recently extended to include the date set for the opening of the Thaw

The district abtorney's office is under the impression, it was explained, that if Justice Greenbaum should hear the case there might be a question raised as to the legality of the Novem er term of court being held over into January. It was added that although Justice Greenbaum might hold the count, it was thought better to avoid any chance of technical objections being raised when Thaw is brought to trial.

PICKED UP AT SEA

For Eight Days.

(By Associated Press.)

TOWED TO BERMUDA

STEAMSHIP PONCE



Prince August Wilhelm is the fourth son of the Eemperor of Germany, and is 19 years old. He is engaged to be married to the Princess Alexandra Victoria of Chleswig-Holstein-Sonderburg-Glucksburg, but before he settles down his father wants him to know something, and so he is coming to the United States at an early date.

### INVESTIGATION DEMANDED **AS TO BAILEY'S ACTIONS**

AUSTIN, Texas, Jan. 11 .- The introduction of a resolution in the Senate of the Texas Legislature, signed by 14 members out of 30 composing

Senator Bailey and Attorney General Davidson, and their connection with the re-admission of the Waters-Pierce Monday next upon which occasion both Senator Balley and Attorney General Davidson are invited to be present and the settling of a special placement of the house resolution de manding a Balley investigation were the special features of the day in the matter of the investigation of fenator church were to be charged with all half by the Texas legislature pend- of the crimes that have been commit-

Bailey investigation matter considered INCREASE ON PIG by the house this morning, but failed. The opposition to Senaton Baley, howto set as a special order without displacement consideration of the Bailey investigation resolution for tomorrow

#### FLAMES DESTROY LARGE WAREHOUSE AND ALL CONTENTS

Shaft Breaks and the Vessel Floats at Mercy of Winds Pa. Is Heavily Damaged. Loss \$1,000,000.

(By Associated Press.)

UHAMILTON, Bermuda, Jan. 1.-The overdue steamship Ponce, of the New which started to the tobucco ware York and Porto Rico Steamship com- house of S. R. Moss and Company here pany, which left Porto Rico, December today, spread to adjoining property 26, for New York, was towed in here 000. The structure was a tour-stor today by a steamen which picked her brick, and was filled with tobasen The flames communicated to Mose The Ponce has anchored at the en-cigar factory alloining a five-story rance to St. Georges harbor St. brick building which was also destroyed. The

trance to St. Georges harbor. St. Georges is at he northeastern end of the Bermuda Islands and its entrance factory at \$200.000. also marks the entrance to the long ship channel leading inside the northern coral reefs to Hamilton harbon At 4 o'clock in the afternoon of De-

the Ponce broke and she drifted at the mercy of the wind and current until of Morris, the night of January 7, when she was berg, and John sighted by the German steamer Eliza- being licked by beth Rickmers, Captain Walsen, from them caught were damaged Philadelphia for Japan. At 6:30 p. m. smoke, and with the Moss and Amerthe Ponce sent up a nocket and a few lcan Cigar minutes later the German yessel a). the damage to ered her course and heahed for the an electric an light, disabled steamer. The Rickmers reached the Ponce at 7 p. m. but as the Barring the discomfore and anxiety.

Sunday North Carolina: Rain 

Barring the discomfore and anxiety.

Baturday and Sunday voider the passengers suffered no inconven-

Tobacco District of Lancaster, Confessions of John Smith

PASSENGERS FARE WELL FLAMES SPREAD RAPIDLY STATEMENTS ARE DENIED

LANCASTER, Pa., Jan. 11 - A fire Hargis and ins supporters are alarmed

oss on the wardons is placed at \$300 000, and on the egar

of the The warehou to the north of the Moss building - aught fire but was not It is feared bear greatly damage At 4 o'clock in the afternoon of De-cember 30, the tall end of the shaft of be very heavy from water and smoke on on the content- will The fire department turned almost its entire attention to the warehouse

Brimmer, which were them caught tre, but their contents company's lose, will run million dollars, The fire is as ribed to the falling of

RAIN TODAY; COLDER TOMORROW

(By Associated Press) WASHINGTON, Jan orecast for Saturday the passengers suffered no inconven-lence, the food supply being ample. All to brisk --uih to south west

#### HARGIS AND HIS SUPPORTERS ARE MUCH DISMAYED

Causes Man Charged With Murder Anxlety.

LEXINGTON, Ky Jan. 11.-Jame. me of the men under indiament, con feering participation in assassinating Harges and Sheriff Callahan Smith story told by Ashrey Spicer. aware to being employed by Hargis and Callaban to kill Cox. Spicer's confession was undo line June.

Smith fears for his life and is begging Hargis and Calinhan Hargis remains State Inspector Hines has just ar lived to be from Jackson and says the situation does not watrant sending troops to Jackson and he will recommend - Peasing Beaman that non-

is new in the bands of Attorney Jonett, representing the commonwealth. In gis and Edward Caffahan induced his you making townsies to see that h was arguitted, and to give him work He wills about the murder in detail James Harger had sent the money. Judge Carnes was closely guarded in

## SEN. HOPKINS OF ILLINOIS **FAVORS SMOOT**

Senators Are Not Federal Officers and Cannot Punish Men For Crime.

CASE OF BLOUNT OF TENN. IS CITED

Oath Which Could Deprive HIm From Seat.

(By Associated Press.)
WASHINGTON, D. C., Jan. 11-The irst speech in defense of the right of Reed Smoot to a seat in the Senate was delivered today by Senator Hopkins of Illinois. Mr. Hopkins took the position that Senators were not federal officers to the extent that the senate could pass upon their qualifications and eligibility, or could imeach them for high crimes and misdemeanors. Only federal officers, he were impeachable, and this impeachment must be for acts committed as such federal officers.

The precedent cited was the unsue cessful effort to impeach Senator Blount of Tennessee, charged with treasonable correspondence with a foreign nation, more than one hundred years ago. The conclusion then, Mr. Hopkins said, had never been reversed and that was that the senate had no right to try the case, as Senator Blount was not an officer of the United

"Never before in the history of the government," he declared, with great emphasis, "has the previous life or career of a senator been called into question to determine whether he should remain in the senate or not.

gentleman in this body who would be safe in his seat?"

## IS RECONSIDERED

(By Associated Press.)

BIRMINGHAM, Ala., Jan. 11.—The Southern Iron Committee, which has been in session here, has declined to econsider the 25 cents a ton advance in pig iron rates, which were ordered ome time ago to go into effect Feb-

The increase in rate means an in-

## TWELVE HURT

(By Associated Press.)

WILMINGTON, III., Jan. 11 .- F. H. Pope and Edward Scheibner were killed and twelve other persons were ingas plant in Woodmen's Hall while card party was in progress. The gas had been leaking, and Pope and Jones for hauling pipe, Adopted, Schelbner went into a rear room to. The committee also recommen

ATTEMPT MADE TO BLOW UP SCHOOL

(By Associated Press.)

ROANOKE, Va., Jan. 11-A Wytheday attempted to blow up the graded be made without remacadamizing, remite but their plans were discovered notion was taken. before any damage was done and they were arrested.

YOUNG MEN FIGHT DUEL.

(By Associated Press.)

oung men, fought with revolvers at street corner today until Brigham H. M. White demanded \$5,000 damwas killed and Scaly wounded four ages for being falsely imprisoned last The cause of the quarret is times.

## FRANCHISE IS **GRANTED THE NEW RAILWAY**

Asheville Rapid Transit Company Permitted to Build By Aldermen.

WORK MUST BEGIN BY AUGUST 1, 1907.

Claims Mormon Has Not Made New Building Inspector Elect ed-Change in Numbers is Assured.

reading an ordinance granting a franchise to the Asheville Rapid Transit company, elected J. D. Whitesides building inspector and passed a reso-Jution authorizing Mr. Lee to do the work necessary to ascertain the proper

atreet numbers under the new law.

The franchise authorises a five-cent face within the city limits and a face of fifteen cents from any place in the city to Overlood Park or vice versa. A round trip ticket will be sold at 25 cents. The Rapid Transit company will received 3 1-2 cents for each transfer

from another line. The company must deposit a check of \$1,000 as a guarantee of good faith before the law is passed on its third reading. Work must be begun on or perfore August 1, 1907, and the line must be ready for operation within six months from that date, unless stopp by an injunction issued by the courts All other provisions are

that granted the Electric company. The line suns as follows: at the corner of North Main and West College streets, runnning slong West College, north along Lexington to North Main atreet, down Merrimon avenue to Chestnut street, through to Holland street, to Hillside screet, to Julia screet, through private property to Murdock street, to a street in Grove Park to Charlotte street, through the Geo. W. Pack estate to the terminal station at the Golf Links.

Law Regulating Undertakers. Immediately following the reading he minutes, the board went into a joint meeting with the board of health Dr. Reynolds, Dr. Sawyer and Mr. B. M. Lee of the latter board being pres-

The ordinance restricting and regulating the undertaking business was placed on its second reading and unancreased revenue to the railroads in thously passed, the words "sworn to" the Birmingham district of about \$40,- in section 1 being first struck out. On were suspended and the passed on its third reading, becoming a law and going into effect immediate-

> The joint board of health then ad-Joined.

> A colored citizen of the East End asked for another light on (Hildebrand street. Refered to light committee, The Water Committee.

> The water committee recommended the acceptance of the bid of White & The committee also recommended the acceptance of the bid of white & Fry for painting stand pipe at a cost of \$14 be accepted. Adopted. Merrimon Avenue.

Chairman Stikeleather of the street enched as to the Clayton Cuivert, He also said that the committee had inille, Va , secial to The Times says two specied Merrimon avenue and found oys named Lawson and Hartley to- h in good condition, as good as could school building at Ivanhoe with dyna- commending that this be required, No

Mr. famel called attention to city work being done on Blanton street, saying that the sewer was being placed higher than his house, which could

A similar complaint from another NEW IBERIA, La., an. 11.—George Blanton street resident was read, Res. H. Brigham and Hoscoe Scaly, both ferrest to committees.

Demand Damages. (CONTINUED ON PAGE FOUR)

#### NORTH CAROLINA MEN CHARGE LABOR AGENT WITH PEONAGE

(Special to The Citizen.) CHATTANOOGA, Tenn., Jan. 11 - per day. They were to pay \$4.56 for

they found an old building for board- morning.

James Cheatham, labor agent, repre-the trip, but before they reached Chat-senting W. J. Oliver and Company, tanooga they were assessed \$7.50. his resen in the imperial Hotel before and many other concerns, has been When they reached camp they rebell-arrested here on a charge of misrep- ed and attempted to leave, they say, Adjusted tieneral Henry Lawrence resenting price of wages, carrying a but Cheatham had warrants sworn out left here this morning for pistol, etc., at the instance of E. P. against them on a charge of defrauder on the control of the ernor Beckham regarding the situation McIlwaine, also of North Carolina.

In Breathin county The representatives of the commonwealth fold the sented to them that they would earn Beed, of Charlotte; E. W. Sizer, G. D. adjutant general that show believe a at the lock and dam near this city Williamson, Wade Hamilton and other company of exhibers could not pre-vented a rice had Judge Carnes pro-quarters in a fine hotel, but instead at the magistrate's hearing Monday