

SEN. C. H. DULS' BILL FOR COMMISSION

COMMISSIONERS NAMED FOR POLICE FIRE AND HEALTH

The Bill Drawn by Senator C. H. Dulis for the Establishment of a Board of Commissioners for Police, Fire and Health Departments of the City.

- THE COMMISSIONERS. (Terms Expire on Dates Given.) A. L. SMITH, June 1, 1906. W. I. HENDERSON, June 1, 1907. J. P. WILSON, June 8, 1908. JOHN J. WILLIAMS, June 1, 1909. J. A. DURHAM, June 1, 1910. HUGH W. HARRIS, June 1, 1911.

The News today gives the full text of the bill which provides for the establishment of a board of police, fire and health commissioners for the city of Charlotte.

The names of the citizens who are to compose the board are as follows: A. L. Smith, W. I. Henderson, J. P. Wilson, John J. Williams, J. A. Durham, and Hugh W. Harris.

A Bill to be Entitled an Act to Establish a Board of Police, Fire and Health Commissioners for the City of Charlotte—The General Assembly of North Carolina do Enact:

Section 1: That the police and fire and health departments of the city of Charlotte shall be under the general control of a board of police and fire commissioners thereof, hereby created, and which shall consist of the mayor as ex-officio chairman, and six other citizens of said city, and four other citizens (exclusive of the mayor) shall constitute a quorum; that A. L. Smith, W. I. Henderson, J. P. Wilson, John J. Williams, J. A. Durham, and Hugh W. Harris be and they are hereby constituted a board of police and fire commissioners for the city of Charlotte, of which the mayor of Charlotte shall be ex-officio chairman.

Section 2: That the said commissioners named above shall hold office and serve for the following periods, respectively, to wit: A. L. Smith until the first Monday in June, 1906, or until his successor shall be appointed or elected; W. I. Henderson until the first Monday in June, 1907, and until his successor is elected; J. P. Wilson until the first Monday in June, 1908, and until his successor is elected; John J. Williams until the first Monday in June, 1909, and until his successor is elected; J. A. Durham until the first Monday in June, 1910, and until his successor is elected; Hugh W. Harris until the first Monday in June, 1911, and until his successor is elected, and as the said terms expire, the vacancies in the board thus created, shall be filled by election by the board of aldermen of the city of Charlotte in the month of June of each of said years as hereinafter prescribed.

Section 3: The board of aldermen of the city of Charlotte at their regular meetings in the month of June of each year shall elect one commissioner to succeed the commissioner whose term has that year expired; and, as the terms of the commissioners chosen under this act respectively, expire, the vacancies in the board thus made shall be filled by selecting members for six years, whereby all will serve and hold office six years, and one be elected in June of each year in the manner herebefore provided. That the members of said board of commissioners may be removed at any time, by vote of two-

thirds of all the members of the board of aldermen of the city of Charlotte in meeting assembled, for good cause, upon proper charges and specifications made and proved. If any member (commissioner) shall refuse to qualify, or after qualifying shall become physically or mentally disqualified to serve, resign, cease to be a qualified voter of the city of Charlotte, or be a candidate for any office, Federal, State or municipal (same to be found as a fact by board of aldermen and spreads upon its minutes) there shall be at once a vacancy in said board of commissioners, which vacancy, as well as one caused by removal for cause, shall be filled by the board of aldermen of the city of Charlotte at their next regular meeting after such vacancy occurs; and when any member of the police and fire commission is named as an applicant or candidate, or as proper to be supported as a candidate for any office, or a proper person to receive such office, the chairman shall, on any member of said board of police and fire commission may notify him in writing that his name is mentioned in connection with such office; and if said member does not within ten days after receipt of said notice file with the chairman or said board of police and fire commissioners his statement in writing that he is neither a candidate nor applicant for such office, and that he will not serve, nor accept if elected or appointed, the said board of police and fire commissioners shall declare vacant his place, which shall be filled in the manner herebefore prescribed for filling other vacancies. When vacancies are filled for any cause other than expiration of term they shall be filled only by the board of aldermen for the unexpired term.

Section Four: That each commissioner appointed by this act, and his successors in office, shall before entering on the duties of his office, take this oath, to be administered by the mayor, or in his absence, the mayor pro tem. of the city of Charlotte: "I swear that I will faithfully and impartially demean myself as a member of the board of Charlotte police and fire commissioners, during my continuance in office. I have not, in order to influence my election to this office of commissioner, directly or indirectly, expressly or impliedly, promised my vote or support to any person for any office in the city of Charlotte nor for any other office. I will not knowingly permit my vote, in the election or appointment of any person to position on the police or fire department, or other forces of the city, to be influenced by fear, favor or affection, reward, or the hope thereof, but in all things pertaining to my said office I will be governed by my conviction of the public good. The oath shall be administered to the commissioner at the proceedings of the board, and the original shall be filed in the office of the city clerk and treasurer.

That on or before the first day of May, 1905, the commissioners herein appointed shall assemble at the city hall in the city of Charlotte, and after taking the oath of office, organize elect a secretary from among their number for the ensuing year, and fix his compensation, which shall not exceed \$100 per annum, and shall be paid him in quarterly instalments by the clerk and treasurer of the city upon the warrant of the mayor of the city. That said board of commissioners, when so organized, shall be known as the "Charlotte Police and Fire Commissioners." Each member of said board of commissioners shall be entitled to one vote on every question or subject before the board, and the board may determine the manner in which any vote may be taken on any subject brought before it.

The said board shall adopt rules and regulations for the government thereof; it may establish, promulgate, and enforce proper rules, regulations and orders for the good government of the police force and the fire alarm departments; and in an investigation pertaining to their duties, shall have power to send for persons and papers and by their presiding officer to administer an oath, provided that such rules and regulations shall not in any way conflict with an ordinance of the board of aldermen.

Section 5: The force of the fire department of the city of Charlotte shall be appointed by the said board of police and fire commissioners as herein provided. The said force shall consist of a chief, engineer, such assistant engineers, and as many foremen, station men, hose men and ladder men as from time to time may be required, in the opinion of said board, except that the total number of the force shall not be increased, without the consent of the board of aldermen of said city, above its present number. The chief, the engineer and other members of the department shall be appointed for a period of three years. The said officers and members of the fire department may be removed at any time, or such fines or suspensions may be imposed for cause, as the board may deem proper, as hereinafter provided. In any investigation pertaining to their duties the board shall have power to send for persons and papers, and by their presiding officer administer an oath, and their findings and judgment shall be final. The board of police and fire commissioners are hereby empowered to prescribe the duties of the chief engineer, assistant engineer, as well as appoint other members or employees of the fire department, assigning to them such duties in the department as the board shall deem proper.

Section 6: The board of police and fire commissioners shall have and exercise fully and exclusively, all powers and authority which are now or hereafter may be conferred upon them by any act of the board of aldermen of the city of Charlotte.

MOTHER AND CHILD FATALLY BURNED AT LOWELL TODAY

Mrs. A. J. Clemmer it is Thought Will Die. Little Edith Died of Her Injuries at 12:30 O'clock. Two Other Daughters Were Seriously but not Fatally Burned.

The Accident Was Caused by a Bursting Oil Can at 8:30 O'clock This Morning. The Old Story of Trying to Start a Fire With Kerosine Oil

By the bursting of an oil can at Lowell this morning, little Edith Clemmer was burned to death and her mother, Mrs. A. J. Clemmer, was, it is thought, fatally injured. Two other daughters, Ella May and Gertie Clemmer, were seriously, but not fatally burned.

It is the same sad, but old story—making a fire by pouring on kerosene oil. This morning at 8:30 o'clock the fire in the sitting room of the Clemmer home had about gone out and one of the children was instructed to get the oil can in order to start the fire quickly. One of the older children got the can and was in the act of pouring the oil on the wood when the can exploded, throwing the flaming oil in every direction.

The mother and three daughters were all in the room. Little Edith was sitting nearest her sister, who had the can of oil. The flames completely enveloped the child, and seeing the peril she was in Mrs. Clemmer and the two older daughters rushed to the little one's assistance. Their clothing caught on fire and the scene that followed was heart rending—mother and three children all with their clothing in a blaze and the least one, little Edith, being consumed by the angry flames.

The screams attracted the attention of the neighbors who rushed in and succeeded, after trying efforts, to put out the blaze. On the floor of the little home lay the prostrate form of the younger child writhing in pain. The mother and two older daughters were suffering so from their own injuries as to be unable to render help. This was the situation that confronted the friends and neighbors as they reached the Clemmer home.

As soon as possible a physician was summoned, Dr. Robertson responding, and worked heroically to save the injured. He succeeded in relieving the sufferings of two of the children, but could do nothing for little Edith. The child died in great pain at 12:30 o'clock.

Dr. Robertson telephoned The News at 2:30 this afternoon that Mrs. Clemmer's injuries are more serious than was at first thought. He fears that she cannot recover.

The Clemmer family live near the center of the little village of Lowell, just eighteen miles from Charlotte. The great sorrow that has come to them will be shared in by all who learn of the terrible accident.

DEFENDING SWAYNE.

Thurston Wants to Introduce the Mantle of Charity. By Associated Press. Washington, Feb. 25.—The statehood bill was sent to conference when the Senate convened this morning. Senator Morgan, whose objections held up the bill, last night yielded. The Senate also sent to conference the bill for the government of the Panama Canal zone.

When the Swayne trial was resumed Mr. Thurston began his argument in Judge Swayne's behalf. "I stand here," he said, "to raise the last voice ever to be heard between this time and the time when the judgment of God shall be pronounced in support of personal honor and official integrity of Charles Swayne, the respondent at this bar." He contended that a Judge cannot be impeached for crime against a state law disconnected with his official duties, and referring to the first seven articles of impeachment, he declared that in ordinary court they would be barred by the statutes of limitation and should be here. Referring to the charge of using private cars, he said: "There are reasons why the mantle of charity should be drawn about transactions of that kind by public men."

FIGHT BEGINS AT MUKDEN.

Siege Guns in Center. Field Guns Throughout the Day. By Associated Press. Mukden, Feb. 25.—Action in the center opened this morning with siege guns. Firing of field guns continued throughout the day.

Apparently Uninjured.

Norfolk, Va., Feb. 25.—The steamship Bangor was floated by wrecking steamer and proceeded to this port, apparently uninjured. The Bangor, Captain Brown, was bound from Pensacola, Fla., to Hamburg with a cargo of turpentine.

Postmasters For Carolinas.

Washington, Feb. 25.—The following postmasters were appointed today for North Carolina: Gatewood, E. W. Carter; Sandy Grove, Hiram Wells. South Carolina—Conway, William B. Sauterfeit.

THE INQUIRY COURT LETS THE RUSSIAN ADMIRAL DOWN EASY

Decision Field in the Case of Admiral Rojestvensky's Firing on British Trawlers in the North Sea Does Little Else Than Regret.

The Admiral Had Reason to be on His Guad but as the Trawlers Had Given no Offence He Should not Have Fired, Though Personally He is all Right

By Associated Press. Paris, Feb. 25.—The decision of the International Commission of Inquiry into the North Sea incident has been rendered.

The decision says that the delay of the Russian transport Kamschatka, following a breakdown of machinery, was, perhaps, the cause of the incident. The commander of the Kamschatka signalled Admiral Rojestvensky that he had been attacked by torpedo boats. A majority of the Commission considered that Admiral Rojestvensky's orders for strict vigilance against a possible approach of torpedo boats were not excessive in time of war, particularly under those circumstances and he had every reason to consider the situation very alarming.

"The Commissioners," the decision says, "recognize unanimously that the fishing fleet committed no hostile act and the majority of the Commissioners held the opinion that there was not either among the fishing boats or in their vicinity any torpedo boats, the opening of fire by Admiral Rojestvensky was not justified."

Continuing, the decision says the Commissioners recognize unanimously that Admiral Rojestvensky personally did all he could to prevent the Trawlers from being the object of fire, by the Russian squadron. And concerning the squadrons proceeding without assisting the damaged Trawlers, the decision says there was such uncertainty concerning the danger to the squadron as to warrant Admiral Rojestvensky in continuing his route. "However, the majority regrets," the decision continues, "that the Admiral did not inform the neighboring maritime powers of what had occurred."

The decision concludes: "The commissioners declare their views as formulated are not of the nature to cast upon the military valor or upon the sentiments of humanity of Admiral Rojestvensky and the personnel of his squadron."

EXCITEMENT OVER CAPTURE.

By Associated Press. Montgomery, Feb. 25.—A special to the Journal from Huntsville, Ala., says that Richard Young, a negro suspected of the murder of Miss Belle Bloodworth, of Decatur, was captured at Huntsville today. Great excitement prevails among the citizens there. Threats have been made to burn the negro at the stake. The governor may call out troops for whom a reward of \$2,000 had been offered, made a desperate resistance.

MRS. DUKE'S PAL NOT FREE.

Texas Court Refuses to Set Chas. F. Taylor Free. By Associated Press. Chicago, Ill., Feb. 25.—Judge Chetlain refused to free Charles F. Taylor, indicted with Mrs. Alice Webb Duke by the grand jury of Nacogdoches county, Texas, today on the charge of obtaining \$5,000 under false pretenses. The case came before Judge Chetlain on a writ of habeas corpus obtained by Taylor's attorneys through the representation that the Texas indictment was faulty. The court held indictment good.

Texas in Statuary Hall.

By Associated Press. Washington, Feb. 25.—Exercises of acceptance of the statues of Sam Houston and Stephen F. Austin, presented by Texas to represent that state in statuary hall, began at 3 o'clock today.

Chicago Democrats Name Dunne.

By Associated Press. Chicago, Feb. 25.—Judge Edward F. Dunne, of the Circuit Court, was unanimously nominated by the Democratic city convention as candidate for mayor of Chicago today.

REVOLUTION AND TERROR ARE SEETHING IN SOUTH RUSSIA

By Associated Press. Constantinople, Feb. 25.—Advices from Batoum says the prefect of police and several leading merchants of that city have been assassinated and numbers of Ottoman subjects have been murdered by Georgian strikers. Revolution manifests in favor of a republic are being circulated broadcast in Batoum. The whole Caucasus is said to be seething with dis-

HOUSE PASSES ANTI-BUCKET SHOP AND FREE PASS BILLS

Newspapers Can Make Their Own Contracts. Bucket Shops Must Quit Business Unless Senate Kills the Bill. Amendments Killed.

Wilmington Pilotage Bill Finally Disposed of and Wilmington Made the Only Absolutely Free Port on Atlantic Coast South of Maine.

By Associated Press. Raleigh, N. C., Feb. 25.—The bill allowing newspapers to contract with railroads for transportation in return for advertising, known as the "free pass" bill asked for by the North Carolina Press Association passed the house today and was ordered enrolled for ratification.

The Woodruff bill to prevent dealing futures passed, knocking out all bucket shops in North Carolina. An amendment to the effect that the act shall not debar dealers in spot cotton and other market products from executing orders through brokers who are their regular customers was voted down. The bill now goes to the senate.

The bill abolishing all laws regarding pilotage in Wilmington, passed the house and was ordered enrolled for ratification. The senate voted down the bill authorizing the issuance of \$100,000 bonds for the hall of records. The building and loan bill passed as did the Webb bill to purify elections by requiring sheriffs to post in May lists of all those who have paid the poll tax. A bill was introduced by Eller providing for a fifty thousand dollar appropriation for a State building and exhibit for the Jamestown exposition.

Secretary of State issued the following charters: Brannon Carbonating Co., Charlotte, capital twenty-five thousand dollars, incorporated, N. J. Bussey, J. D. Belevan, R. M. Brannon; Gastonia Commercial Club of Gastonia, with sixty charter members.

The fight over the Wilmington pilotage bill that has been waged vigorously in committees and among the members of the legislature generally in the lobby for the past several weeks, came to a dramatic and for the business interests of Wilmington, a very gratifying termination yesterday. All laws and clauses of laws relating to pilotage at Wilmington and on the bar below Southport are to be repealed and the port made absolutely free to the world. This includes the abolition of the recent board of navigation and pilotage and the compulsory pilotage fees, making Wilmington the only absolutely free port of the Atlantic coast south of Maine.

Emple's bill regarding coroner's provides that in cases where the county coroner is a physician he can without waiting for the request of a juror determine upon the necessity of holding an autopsy and hold the same, the county commissioners being empowered to pay him for the same.

Favorable to A. & N. R. R. The Senate committee on railroads decided last evening, after a lengthy hearing, to report unfavorably Aaron's bill to extend the charter of the Atlantic and North Carolina railroad, this conclusion being especially on the ground that thirty days notice had not been given of the purpose to apply for this change in the charter.

During the night session of the House the Gulon bill to prevent boisterousness and disorderly conduct on the public roads was passed. There were 74 roll call yeas, 167 new roll call yeas, and 167 yeas in total. The bill was reported from committees. The bill as to boisterousness on public roads being the only one of general interest.

Pittsburg Phil's Mother Robbed.

By Associated Press. Allegheny, Pa., Feb. 25.—When Mrs. Elizabeth Downing, mother of the late "Pittsburg Phil," returned late last night from New York, she found her residence, No. 1700 Irwin avenue, had been looted by burglars during her absence.

The house was turned topsy turvy from top to bottom, and much silver plate and small stuff easily carried is missing. The way in which the house is upturned leads the police to think that those who came had an idea that some of the wealth of the late plunger had been secreted in the house.

A TERRIFIC FIRE IN HOT SPRINGS

13 LAWYERS FOR DEFENSE.

Noted Case of H. Clay Grubb to Begin at Lexington Monday.

Special to The News. Lexington, N. C., Feb. 25.—Court convenes here Monday for the trial of civil and criminal cases. Judge H. R. Bryan will preside. Interest is centered in the noted case of H. Clay Grubb, the wealthy distiller, who will be tried for his life for the killing last October of his brother-in-law, O. L. Davis. Mr. Grubb is a man of wealth and a leader in his section in and around Boone township. Davis's family are also wealthy and will push the case to the limit. An effort was made shortly after the killing to liberate Grubb on bail, but his application was refused by Judge O. H. Allen and he has spent the time in Davidson county jail. He is a handsome man of commanding appearance, over six feet in height and weighing about two hundred pounds. Ordinarily he is a quiet and clever man, but when roused he is dangerous and is an adept at gun play, and the gun generally is of large calibre. One notable thing for the superstitious is that he has employed thirteen lawyers, including some of the most brilliant in the state. The trial will probably draw immense crowds to the town next week. A remarkable fight took place near the cotton mill this evening. Six women were engaged in it and it is said to have waxed furious for a time with shovels, plank and other weapons. The whole crowd were taken before the mayor.

The engagement of W. E. Holt, Jr., and Miss Amanda Caldwell, of Pine Bluff, Ark., is announced. Mr. Holt is a son of Col. W. E. Holt and well known throughout the State. Miss Caldwell has visited here several times and is a beautiful and accomplished young lady.

SOCIETY ANNIVERSARY.

A Delightful Occasion at Hickory. Other Notes.

Special to The News. Hickory, Feb. 25.—The anniversary of the Crestonian Literary Society at Lenoir College Wednesday night was a decided success and was well attended by our people. Those who attended are loud in their praises of a splendid evening. The pantomime "Nearer My God to Thee" was especially enjoyable.

The infant child of Mr. and Mrs. Lee Barger died and was buried yesterday. Lumber is about ready for the house to be built by Mrs. Laura McFall, of Hickory, near Lenoir College. Work will begin at an early date.

Mrs. Frances Dixon will entertain this evening committees of Christian Endeavor Society of the Presbyterian Church.

While many other places are suffering from fires we have been extremely fortunate. It is hoped that our city fathers will be ready at an early date to give us the benefit of water works as the fearful winds of the coming month make us fearful of what fire may do.

Mr. J. P. Finger, of Lincolnton, was here today on business. Mr. Finger runs a big mill and is a wide awake man.

Abernethy, Lyerly & Co., of Bridge-water, expect to put in a steam brick plant at that place. This firm is made up of some of our business men here and they are moving along nicely.

Rev. Mr. Van Ness, a returned missionary from Africa, lectured in the Presbyterian Church Wednesday night and completely won the hearts of his listeners by the account of the work in the Congo Free State.

Our people are thankful for a couple of days of sunshine such as we have had and thoroughly enjoyed them. George Washington's birthday was not observed here except by our postmaster and his assistants. They got a rest.

Master John Winston Holbrook is in our city making his stay with his parents, Mr. and Mrs. W. E. Holbrook, on Claremont Heights.

Miss Condoce Huffman and Mr. Clarence Poovey were married a few days ago and are now staying with Mr. Poovey's family near the city. Our best wishes go to this young couple.

Mrs. L. G. Hay has returned from an extended visit to her daughter, Mrs. Dr. Lowry, in Luxora, Ark.

Work is going on rapidly on the new ice factory and the company hopes to be able to begin operations by the middle of April.

CARNEGIE OFFERS \$500,000.

But the Condition is That a Similar Sum Be Raised. Washington, Feb. 25.—The Post today says: "It was reliably reported in Washington last night that Andrew Carnegie had offered to give \$500,000 to the University of Virginia on the condition that the authorities would raise a similar amount from other sources.

SEVERAL LIVES AND A MILLION DOLLARS OF PROPERTY LOST

Many Important Public and Private Buildings are Destroyed. 20 Prisoners in Jail Have Narrow Escape. Records Destroyed in Court House.

Water Pressure Gives Out and Men Form Bucket Brigade. But Fire Rages From 3:30 Till 9:30 This Morning Before it is Under Control.

THE LATEST. By Associated Press. Hot Springs, Ark., Feb. 25.—Two more bodies have been found making a total of five known to be dead. Many residents say two million dollars will not cover damage.

Hot Springs, Ark., Feb. 25.—A disastrous conflagration here today entailed the loss estimated at one million dollars.

Fire started at 3:30 this morning in the Grand Central Hotel. A high wind blowing, the flames quickly spread. Plateau Hotel, Hotel Moody, Garnier flats and several lodging houses were quickly destroyed. The water pressure gave out and the threatened area was left to the mercy of the flames. Duffie's general store, one of the largest in the city, is a total loss.

About one hundred houses were destroyed before the flames were checked. More than two thousand people are homeless.

After the water pressure gave out bucket brigades were formed and hundreds of citizens and visitors volunteered their services. The fire was still burning at 9 a. m., but was pronounced under control.

The county court house and jail were consumed, valuable records being burned. Twenty prisoners in jail were rescued with difficulty.

In South Hot Springs, a cottage district, which was consumed, several are missing, but it is not known that any loss of life occurred there. Great confusion prevails in all parts of the city.

The Jewish synagogue, Central Methodist church and the residences of Mayor Belding and Sheriff Williams were among those destroyed.

All business has practically been abandoned for the day.

N. Y. N. C. DINNER.

Governor Heyward of South Carolina is the Guest of Honor. By Associated Press. New York, Feb. 25.—The fifth annual dinner of the North Carolina Society was held at the Hotel Stergis last night. Governor Duncan H. Heyward, of South Carolina, devoted part of his speech to the negro problem, saying, among other things:

"As the negro is becoming more educated you will find that he is voluntarily abandoning work and congregating in the cities; that his tendency is to go North, East and West. Today Pennsylvania, for instance, has a population of 156,845 negroes; New York, 100,000; Missouri, 101,000; Massachusetts, 31,974; the District of Columbia, 36,702, and New Jersey, 69,844.

"Our movement, therefore, in its last analysis, means the offering of a solution of this great problem, in which, from its very nature and relation to the other problems of immigration, we will have the aid of the thinking people of those sections politically opposed to the South. We offer a peaceful solution, and with it the bringing about of a development of resources that cannot but mean much in the commerce and growth of the entire United States."

Mr. Uchida, the Japanese consul general in New York, spoke extemporaneously.

General Lee Makes Appeal.

By Associated Press. Washington, Feb. 25.—Gen. Fitzhugh Lee, president of the Jamestown Exposition, called on the President to urge him further to exert his influence in behalf of pending congressional legislation for the government's participation in the exposition. Virginia members of the House of Representatives have been informed by the House leaders that favorable action on the measure will not be taken at this session, but they yet entertain hope that the measure may be enacted into law.

American Runner Wins.

By Associated Press. Melbourne, Feb. 25.—Arthur F. Duffy, the American runner, has won the hundred yards invitation handicap from scratch; time, 10 1-5 seconds.