

ESTABLISHED 1888

CHARLOTTE, N. C., SATURDAY EVENING, JANUARY 12, 1907.

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LEGISLATURE WILL ADJOURN IN HONOR OF LEE'S BIRTHDAY

Joint Resolution Adopted in Senate to Adjourn Jan. 19th. in Honor of Gen. Lee. Bill to Reduce Passenger Fares.

To Require Inter-Changeable Mileage Books. Bill to Change Uniform of Prisoners Convicted of Misdemeanors.

By Bell Telephone. Raleigh, N. C., January 12.—The Senate this morning adopted a joint resolution to adjourn January 19th in honor of General Robert E. Lee's birthday and to invite General R. F. Hoke, of Raleigh, to be present at the joint celebration.

Blair, of Montgomery, introduced a bill to regulate and reduce railroad passenger fares and to require an inter-changeable mileage book; also a bill to change the uniform of prisoners convicted of misdemeanors.

Of the bills passed, there was one to create a highway commission and to levy a special road tax in Buncombe county, and one to incorporate the Tryon Electric Light and Power Company; also one to change the name of the Salem Female Academy to the Academy and College.

In the House, Winborne, of Hertford, introduced a joint resolution to appropriate \$25,000 additional to the Jamestown Exposition fund. A large number of bills of purely local character were also passed. A number of committees also reported bills which were placed on the calendar to come up in regular order.

The Williams resolution, to create a special commission to examine offices of public service corporations, etc., came up as a regular order of business this morning and is now under discussion.

Of the three bills designed to regulate railroads just introduced in the House by Speaker Justice, one relating to public service corporations prescribes that adequate service shall be maintained, also forbids discrimination against persons or shipping points similarly situated, the penalty being \$500 to those suffering the discrimination and \$500 to the state. Also fine and imprisonment for officers permitting discrimination. Further, still, it makes it unlawful for railroad employees to work more than eight hours in 24 except where trains are belated with the crew. Violation is made a misdemeanor for officers permitting it.

Another bill by Justice prescribes a two cent rate on the Southern, Seaboard Air Line and the Atlantic Coast Line with the smaller roads on a two and one-half cent basis.

Still another bill by Justice confers on the corporation commission plenary power to control and regulate public service corporations in the state. A bill by Graham in the Senate is designed to reduce passenger fares to 2 1/2 cents first and 2 cents second class effective April 1, provided the corporation commission finds such would be fair to the railroads. He also presented a bill prohibiting free passes except to families of employees and some specified exceptions, including ministers, objects of charity and others.

All these bills are in the hands of committees and lively fights over them are impending.

Williams Resolution. After the liveliest discussion of the hour, lasting for more than two hours, the Williams resolution was, on motion of Mr. Gillert, of Rutherford county, referred to the committee on public service corporations. Gallert's motion was supported on the floor by W. C. Dowd and others. The sentiment of the majority seems to be that this committee can look after the matters specified in the Williams resolution without the appointing of a special committee.

INDIANS MAY MAKE TROUBLE.

Abandonment of Fort May Stir Indians To Make Trouble—Head of Council Murdered.

By Associated Press. Lando, Wyoming, January 12.—Geo. Terry, head of the Shoshone Indian council was murdered Thursday as he came out of the council lodge on the Indian reservation.

He was first knocked down with a war club and his body then cut to pieces. Murder is supposed to be the outcome of a family feud.

The proposed abandonment of Fort Waskie, will, it is believed by the leading citizens, result in grave disturbances among the Indians, who have been held in restraint by awe of the soldiers.

25,000 McCabees Going.

By Associated Press. Norfolk, Va., Jan. 12.—August the fourteenth has been named as "McCabe Day," at the exposition at which it is expected 25,000 McCabees will be present.

Hickory to Have Freight Depot

The Corporation Commission To-day Ordered the Southern Railway to Build a Freight Depot at Hickory.

By Bell Telephone. Raleigh, N. C., January 12.—The corporation commission this morning issued an order for the Southern railway to erect a new freight depot at Hickory. This matter, of a depot for Hickory, has been under discussion for some time, those interested being unable to decide on the location for the new depot. The commission ordered that the depot be located on Marshall and Bruns streets, not nearer to Marshall street than the east end of the warehouse, and that the track of the C. and N. W. railway be moved to the south side of station and that the yard be so arranged that the shifting could be done on Marshall street.

SOUTHERN'S WATER SUPPLY.

Has Trouble in Boring Well at Rock Hill—Meeting of Eueppian Club. Special to The News.

Rock Hill, Jan. 12.—The officials of the Southern Railway have had a force of hands at work for some time boring a well on their premises in this city. The undertaking has been a difficult one. The well now is 412 feet deep and since starting the well the drill has only gone through 48 feet of dirt. The remaining 364 feet is solid granite. The granite is drawn from the top three and four feet. Some of the granite is very fine material, being well grained. At present the water supply is not sufficient for the demand.

Mr. and Mrs. W. B. Wilson and Miss Minnie, left yesterday for a trip to Cuba.

The Eueppian Club met yesterday well in round slabs of from six inches afternoon with Miss Mary Marshall. The following program was carried out: Sketch of Napoleon's Life by Mrs. A. S. Rogers; Life and Character of Empress Josephine, by Mrs. C. B. Haynes; Current Events, by the members of the club. Refreshments were served in a most unique manner. A most enjoyable evening was spent by all.

PRESIDENT DECLINES.

Already Having Two Engagements to Speak at Jamestown He Declines Third.

By Associated Press. Washington, D. C., Jan. 12.—The President declined the invitation to attend the celebration of the first permanent settlement in the United States at Jamestown on May 13th, which is to be a feature of the exposition.

This affair is to be held under the auspices of the Association for the Preservation of Virginia Antiquities. The President expressed regret that he could not attend, but explained to the committee of the association that he already had two engagements to speak at the exposition.

The committee included Thomas Nelson Page, of this city; Wyndham R. Meredith and R. A. Lancaster, Jr., of Richmond.

They were accompanied to the White House by Senator Daniel and Representative Jones.

ALL QUIET AT JACKSON, KY.

Feudists Return Home, But Will Come Again for Trial.

By Associated Press. Jackson, Ky., Jan. 12.—The situation is quiet today. Many of the feudists left town to remain until Tuesday, when the case against Judge James Hargis and the others, charged with the assassination of Dr. D. B. Cox, will be reopened unless Judge Barnes is permanently enjoined from trying the case.

It is almost certain troops will be sent there to preserve the peace when the trial begins.

Workmen and Police Fight

Desperate Fight Occurred in Which Two District Inspectors and Two Policemen Were Killed and Three Injured.

St. Petersburg, Russia, January 12.—Desperate fighting between the police and workmen occurred in the Okha quarter of the city last night, during a domestic search.

When the police appeared three workmen who were in the building extinguished all the lights and opened fire on the police.

The latter responded and a fusillade was continued for some time in total darkness.

The workmen retreated after killing two district inspectors and two policemen and wounding three policemen.

DR. JUDSON'S CONDITION.

Death is Momentarily Expected—Condition Little Changed.

Special to The News. Greenville, S. C., January 12.—Dr. Judson seemed to gain strength during the night, though this morning he appears to be in a similar condition as yesterday.

His death is momentarily expected.



Senator Tillman Delivers Fiery Discourse on Race Question in the Senate This Morning

STATE CAPITAL NEWS.

Corporation Commission Retains Attorneys—Freeman Jones Must Hang—Pardons Granted. Special to The News.

Raleigh, Jan. 12.—Chairman McNeill of the Corporation commission announces that the commission has retained Winston and Bryant of Durham and F. A. Woodard of Wilson as counsel for what ever suits or other proceedings the commission may institute against the Southern Railway company in the matter of requiring the Southern to reinstate the "Selma connection". Months ago the commission required the Atlantic Coast Line to put on a special train between Rocky Mount and Selma to connect at Selma with the Southern train for Raleigh and Greensboro. A week ago the Southern changed schedule in such a way as to break the connection.

The commission is preparing to take steps against the Southern. A petition has been filed with the commission protesting against the breaking of connection between the Atlantic Coast Line and the Southern trains on the Atlantic and Yaikin and at Sanford between Wilmington and Mt. Airy. The chairman of the commission and Governor Glenn held a conference relative to the matter to-day and some action as to this case is impending.

Governor Glenn refuses to further relieve or commute the death sentence of Freeman Jones the negro who is under sentence to be hanged in Durham February 8th, for criminal assault on Mrs. Jack Baker. The principal plea for commutation was that the negro was drunk and did not realize what he was doing. The governor regards this as no excuse.

The governor also declines to interfere with the execution of the death sentence in the case of Sylvester Barrett, convicted in Pitt county for murder in that he shot and killed Walter Lovie, constable of Pitt county while he was attempting to arrest Barrett for fighting.

Pardons granted by the governor to-day are to Wiley Lucas serving twelve years sentence from Harnett county for murder in the second degree, pardoned because it seems now that Lucas was not connected with the crime. Alex McMillen serving eighteen months for carrying concealed weapon and disturbing public worship in Robeson county.

George Vickers serving five years in Durham county for larceny.

The North Carolina delegation in Congress are designated by Governor Glenn as delegates to the National convention for extension of foreign commerce of the United States at Washington, January 14th. It is notable that Congressman-elect R. H. Hackett is named by the governor in their place of Congressman E. Spencer Blackburn.

Fire in the store of W. C. Stronach's Sons, grocers, the handsome grocery in the city, gutted the second story and necessitated the flooding of the fancy grocery stock on the first floor with water. The damage will be \$10,000 or more mostly by water. The loss is covered by insurance.

AUDITORIUM CO. CHARTERED.

Secretary of State To-day Granted Charter for Charlotte Auditorium Company.

By Bell Telephone. Raleigh, N. C., January 12.—The Charlotte Auditorium Company was chartered this morning at a capital of \$100,000 and \$4,000 subscribed by W. F. Dowd, and F. D. Lethco and others.

Steamer Probably Wrecked.

By Associated Press. Seattle, Washington, Jan. 12.—The report reached here that the schooner Alice Gertrude has been wrecked off Ciallam on the straits of Fuca.

The "Pitchfork" Senator Delivers Sensational Speech To-day, in Connection With Brownsville Embroglio.

Declares Mr. Roosevelt Partially Responsible for Serious Conditions of To-day. Declares White Men Must Rule.

By Associated Press.

Washington, D. C., Jan. 12.—Senator Tillman addressed the Senate on the Brownsville incident. He characterized the President's action in the matter, "as nothing more nor less than lynching."

He declared that men should be considered innocent until proved guilty. He said, no doubt, the soldiers were responsible for the outrage at Brownsville. He declared negro troops should not have been sent to Brownsville.

Mr. Tillman declared Mr. Foraker had belittled himself by attacking Maj. Blockson, as a man whose father was a copperhead.

"Are we never to have an end of war and its bitterness," he exclaimed. "Are the people of the North and South never to understand each other and to recognize the rights of both sections?" It is useless to deny that the race question lies at the bottom of all this. Continuing he said: "The whole issue involved is one of the races and the President is primarily more responsible than any other man for the position the negroes in the South have taken on the question of negro rights. He gave recognition to Booker Washington in a social way. He did this knowing he was flying in the face of caste feeling among 17,000,000 of Southern white men."

"It is well known the attitude of the administration on social question, has been the cause of a great and noticeable change in the demeanor and action of the negroes throughout the South."

After predicting, in the near future, a race conflict to determine whether the negro is the equal of the Caucasian.

He continued: "In six Southern States (South Carolina, Georgia, Florida, Alabama, Mississippi and Louisiana) in the aggregate the negroes outnumber the whites and in two of them (South Carolina and Mississippi) the negro preponderance is very heavy."

Mr. Tillman added: "In Cuba the color line has been obliterated and miscegenation is in full blast. At the North the same conditions exist and the large number of mulattoes and quadroons, with white blood in their veins, who have migrated there, are leaders of the doctrine of absolute social equality, encouraged as they have been and are now by the President."

Mr. Tillman asked, "Is the President ready to act up to his own theory and have his children marry men and women of other races? Would he accept as a daughter-in-law a Chinese, Malay, Indian or Negro? In accord with the doctrine laid down in his message, which I have quoted, we all know he would not."

"Southern white men and women who have for 40 years resisted in every possible way this doctrine of equality of the races, are just as resolved now as they have always

been not to submit to it or its results."

"They are resolved to maintain control of their State governments and to prevent, in every way possible, social and political equality with the inevitable destruction of their civilization, which would follow if they yielded. Conditions are growing more and more aggravated every day. The things to drift until the direful tragedies multiply on ever hand and blood shall flow like water?"

He said that 40 years after the civil war we found conditions more threatening in some of their aspects than in 1861.

In concluding, he said it was time to settle this question in some practicable and sensible way. He said he was ready to go to battle under the slogan "America for Americans." And that this is the white man's country and white men must govern it.

Many Heard Him.

The announcement that Senator Ben Tillman would speak on the race question in connection with the proposed investigation of the Brownsville affair had the effect of attracting to the capitol an exceptionally large number of people.

A Hot Retort.

Reading from the order issued by the War Department and signed by the President in which the State uniform is the badge of honor and entitled enlisted men to peculiar consideration, Mr. Tillman said it was that sort of stuff that put into the heads of the negro soldiers that they were entitled to demand social equality.

"Why should not the colored soldier, if he conducts himself as a soldier, have the same considerations," asked Senator Nelson.

"For the simple reason that God Almighty made him colored. He did not make him white," retorted Mr. Tillman.

Broiled Negro Breakfast.

Mr. Tillman prefaced his discussion with the characterization that it resembled a case in court. He said: "The President of the United States is the prosecutor as well as executioner. The array of counsel of the defense and prosecution is not yet complete. So far as their names have appeared on the record there is an element of incongruity and of the ridiculous. For instance, as the attorneys aiding the prosecution we have the distinguished Senator from Texas (Mr. Culbertson) Democrat; the distinguished Senator from Massachusetts, (Mr. Lodge), Republican; the distinguished Senator from Virginia (Mr. Daniels), Democrat."

"And for the defense if it shall be considered, when I get through I will be put in record as aiding the distinguished Senator from Ohio (Mr. Foraker)."

"But the ridiculousness of the situation is again apparent when one considers that the Senator from the North, who, by reason of his radical and aggressive utterances and probably actions in the past, once gave the name of 'fire alarm.'"

"That Senator finds himself aligned with that Senator from the South, (Mr. Tillman himself) who is usually supposed to have broiled negro for breakfast; (laughter) who is known to justify the lynching for rape, and whose attitude, if not that of hatred to the negro is feeling akin to it, in the belief that white men are made of better clay and that white men alone are entitled to participate in the government."

End of Their Hopes.

Paris, Jan. 12.—The Encyclical issued by Pope Pius, seemingly puts an end to the hopes of the moderates of all shades of opinion that the church eventually would accommodate itself to the new conditions in France.

Dr. Davidson Bound Over

Charlotte Physician Did not Go on Stand Before Acting Recorder Hilton to Answer Alleged Violation of Watt's Law

For alleged violation of the Watts law, which prohibits a physician from writing a prescription for any person who is not a bona fide patient, Dr. W. S. Davidson was this morning bound over to the Superior Court before Acting Recorder Hilton in the sum of \$200. Dr. Davidson was represented by Messrs. W. C. Maxwell and J. E. Little, who refused to put their client on the stand. The city's attorneys were not present.

Mr. R. E. Henderson was the first witness called. "Dr. Davidson took me into a little room shortly after I went to see him, and said, 'You want a script, don't you?' began the witness. He asked me how much I wanted, what kind of whiskey I wanted, looked at my tongue and felt my pulse, but did not ask me if I was sick."

"Were you sick?" asked the court. "No, sir."

Cross-examined by Mr. Maxwell, Henderson swore that he hadn't been sick in twenty years, and that he had no notion of making that plea in order to get the whiskey.

"Did the bottle have any directions on it?" asked the defendant's counsel.

"I never looked to see. We got the liquor to drink and we didn't care anything about directions."

Mr. C. W. Blackwelder was the second witness, practically corroborating the evidence submitted by Henderson. He strongly asserted the fact that neither he nor his partner was sick. "We were all well as common," said he. He testified that he, Henderson and Kimball, the third witness, had made an agreement before coming up town Thursday afternoon that they would secure a script.

E. H. Kimball was the third witness for the State, but no new points were brought out in his evidence. When he had finished telling his story, the court asked the counsel for the defendant for their evidence, but none was submitted.

"We rest here," said Mr. Maxwell. "I'll hear from you all," invited the court.

"We have nothing to say," was the response, in consequence of which "Squire Hilton read the statute and found the defendant over to the Superior Court."

Dr. Davidson's Side.

Dr. W. S. Davidson thinks that "The News" story yesterday did not fairly represent him in regard to the charges against him writing a prescription for liquor for an applicant, Mr. R. E. Henderson. The News would not misrepresent anyone knowingly and therefore presents Dr. Davidson's version, which is this:

"I examined Mr. Henderson, who did tell me that he was sick, though 'The News' report stated otherwise. He told me he had rheumatism and malaria and I prescribed quinine and whiskey for the malaria. I told him he didn't show any signs of rheumatism but I gave him a prescription of arsenic and quinine, which he seems not to have had filled. I told him to come back in a day or two and I would give him a rheumatic treatment. I did not write a prescription on the Charlotte Drug Co. and did not tell him where to get the prescription filled, which I wrote for him."

CHARLOTTE PARTIES WILL SUE.

Special to The News.

Chattanooga, Tenn., Jan. 12.—Five of the Charlotte party who were brought to Lock and Dam have sued Oliver Gunter Company and James Cheatham for \$500 damages, following criminal action, and they assert that although they are stranded, they will remain here until the cases are settled. Suit has been entered by the following:

E. P. Holman, G. D. Williamson, Hamilton and Jas. McIlwaine and E. W. Sizer. Other members of the party who remain here as witnesses are: T. C. Crump, Ben McCorkle, Sam McCall, L. C. and Oscar Donaldson, J. O. Smith, A. L. Nash, A. L. Tarlton and L. M. Moore.

Mrs. Helton, who came here from Charlotte with the expectation of finding her husband at Lock and Dam, has been sent back home by the authorities at Lock and Dam.

The Grand Jury will take up the criminal cases Monday and the civil cases will be tried Friday. Plea has been made by members of the party asking that Charlotte citizens raise funds for their support until the cases are settled. The Oliver Gunter company refuse to give up baggage, tool chests, etc., attached for transportation charges.

The men claim that they were enticed to Tennessee by one James Cheatham, who promised them higher pay than they were receiving here, alleging further that when they arrived at the place of operation they were treated inhumanly and the promises made not kept. Solicitor Clarkson, in response to a telegram from the city attorney at Chattanooga, has wired for one of the men to come back and make a written complaint and will take out requisition papers against Cheatham.

PROHIBITION BEEN DECIDED SUCCESS IN CITY OF DURHAM

A Strong Article on True Situation in Durham Since Abolition of Saloons. Has Been an Era of a Remarkable Prosperity.

Criminality has Decreased Near 50 Per Cent. Business Activity More Flourishing. Absolutely no Need for Dispensary.

Special to The News. Durham, N. C., Jan. 12.—The following article on the situation in Durham since the abolition of saloons was prepared by Mr. J. H. Southgate and others:

In some of the papers of recent date appears a communication from Durham which makes the statement that "there is a strong sentiment that Durham should have a dispensary," and the writer goes on to call attention to the jug trade carried on here and then says further: "This being the condition, there are those who are opposed to whiskey in every form who say that if Durham is to get on a jag, then why not get the jug from Durham and assist in bearing the burden of taxation. The sentiment is strong now and getting stronger."

Now, there is no doubt that those who drink liquor would rather be able to get it from a dispensary in Durham than go to the trouble and expense of sending to South Boston, or other points in Virginia for it, but certainly no one can claim that the representative people of Durham want a dispensary. The saloons were voted out three years ago by a majority of about two to one, and when the friends of the dispensary circulated a petition a year ago, after two years of prohibition, the people were so well satisfied with the present situation that the dispensary advocates failed to get the requisite one-third of the qualified voters to sign their petition calling an election. Then the advocates of the saloon took up the matter and they also failed to get enough signers to their petition to call an election.

Durham is a prohibition county, and for three years no liquor has been sold legally in the county, except in the drug stores on the prescription of a physician. Grants that liquor is sold illegally, yet every body knows that through the efficient faithful prosecution of the violators of the prohibition law by the able Solicitor of this district, Mr. A. L. Brooks, particularly within the last few months, violations of the law are being steadily reduced and many of its violators are working on the public roads.

Much emphasis is placed upon the heavy jug trade of Durham by your correspondent, and the conditions just before Christmas are described as horrible. We grant that this heavy jug trade is one of the greatest hindrances to the temperance cause in Durham, yet with all the liquor that was shipped in here, and with all that was sold by all the law-breakers in and around the city, the police records show that there were eleven fewer arrests for drunkenness during the last ten days of December, 1906, than there in the same period of 1903 when the bar-rooms were open, and in this spite of the fact that there are now several thousand more people in Durham than there were in December, 1903.

The sober and quiet Christmas of Durham this year, as compared with former years when the bar-rooms were in operation was the subject of comment on all sides; and not only is this true of the Christmas holidays of 1906, but it is true of the whole period of the three years under prohibition. During the year 1903, the last year in which bar-rooms were allowed to exist in our town, there were, according to the report of the chief of police, 1,635 arrests for all causes, and 674 of them for drunkenness. During the year 1904, the first year under prohibition, there were only 72 crimes of all kinds under prohibition to 100 when bar-rooms were open, and only 29 arrests for drunkenness under prohibition to 100 when we had bar-rooms.

This is a comparative statement of one year only under each administration. Taking the whole period of prohibition in Durham, three years, the were 1,010 arrests for all causes, and 200 of them for drunkenness. That is, under prohibition in Durham, crimes of all kinds were reduced from 1,635 to 1,010 for the first year; arrests for drunkenness were reduced from 674 to 200 for the same time.

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"An Out-Witted Detective," is a bright, snappy story, written for The News, by a talented North Carolina woman and appearing in the supplement to-day.