

FOR THE RATE BILL

Seventeen Favorable Speeches

Made Yesterday

THE DEBATE ENDS TO-DAY

Railroads Came in for an Unusual Amount of Criticism

Mr. Gillespie Severe in His Criticism of the President's Answer to the Resolution Calling for Information on the Pennsylvania Railroad Combine. Another Resolution Will Ask Investigation of All the Charges—Mr. Stanley Upbraids Republicans and Has Words of Praise for Bryan.

Washington, February 6.—Having fixed the end of the general debate on the rate bill at 4:30 o'clock tomorrow, the recognition of the chair was passed around at a lively rate in the House today. Seventeen speeches were made, all of them for the measure. The railroads came in for an unusual amount of criticism.

Mr. Gillespie (Texas), author of the resolution regarding the alleged Pennsylvania railroad commission answered yesterday by the President, declared today that that answer was an insult; that with the great machinery at hand a complete investigation of actual condition should have been made. He said such an investigation would show that the railroads carrying bituminous coal to the Atlantic ports are the Pennsylvania, New York Central, Baltimore and Ohio, Chesapeake and Ohio, Norfolk and Western and the Reading. He recited the facts developed concerning the relations of four of these railroads which were named in his first resolution in regard to their having the same stockholders and directors. He asserted that an investigation would show that there had been an allotment to each coal carrying road of a certain territory, to prevent competition in markets by means of rate adjustments, agreements and combinations. Also that the Pennsylvania and New York Central, by means of their stock ownership arrangements, have prevented coal from the territory of the Norfolk and Western and Chesapeake and Ohio being offered anywhere above the Virginia capes; also that the Pennsylvania Company has the power to curtail shipments from territory served by the Baltimore and Ohio and Chesapeake and Ohio and Norfolk and Western, also that the Baltimore and Ohio declines to allot a fair proportion of cars to independent shippers, or to allow independent companies to open up new mines and become shippers on the line of the Baltimore and Ohio, also that an investigation would show that the Pennsylvania Railroad and its officers were interested in coal companies shipping over its lines.

Mr. Gillespie has prepared a resolution, which he will introduce, requesting the President to direct the interstate commerce commission to make an immediate investigation of all these charges.

That a commission controlled by the Pennsylvania Railroad existed to control the coal output of West Virginia, was stated by Mr. Gaines (Republican) of that state. In the spring of 1904, he introduced a resolution in the House on that point. It was not pressed, but Mr. Gaines said he was furnished with the information he had asked for the interstate commerce commission some time later. This information showed, he continued, that the Pennsylvania Company and its affiliated lines, controlled the Chesapeake and Ohio, the Baltimore and Ohio, and the Norfolk and Western roads, and exercised this control for the purpose of limiting the coal product of West Virginia and preventing it from entering into competition with the coal from the Pennsylvania mines in both eastern and western markets.

Mr. Gaines read two sections from the Southern Railway and Steamship Association agreement, dividing up the territory as follows:

"That a line from Buffalo, through Salamanca, Pittsburg, Wheeling and Parkersburg to Huntington, W. Va., be made the dividing line between eastern and western lines for the territory hereinafter outlined. That the western lines shall not make joint rates from points east of that line for any points east of a line drawn from Chattanooga through Birmingham, Selma and Montgomery to Pensacola.

"The eastern lines including the Richmond and Danville railroad via Strasburg, or points east of Strasburg and the East Tennessee, Virginia and Georgia Railway via Bristol shall not make joint rates on traffic from points west of that line (Buffalo, etc.) to any points on or west of a line drawn

from Chattanooga, through Athens, Augusta and Macon to Live Oak, Florida. The traffic from Buffalo, Augusta, and Macon to Live Oak, Florida, the traffic from Buffalo through Salamanca, Pittsburg, Wheeling and Parkersburg to Huntington, W. Va., and points on that line to and east of Chattanooga, Calers and Salem shall be carried by either the eastern or western lines only at such rates as may be agreed upon."

This agreement, he said, was signed by the proper officers of 29 railroad and steamship companies. It was these combinations to stifle competition that led to government action, said Mr. Gaines.

Declaring the rate bill supremely democratic and only adopted by the Republicans because the President had forced it, Mr. Stanley (Ky.) said:

"I have never been one of those who have gone into hysterics over the President and shall not do it now. He is your acknowledged master, and no matter how nauseous the dose, when he shows his teeth and cracks his whip, you squirm and cower and dare not resist him."

Mr. Stanley eulogized William Jennings Bryan, saying every unpenitented thief on Wall street shuddered at the mention of his name. In 1900 these private car contracts gave \$400,000 in three checks to keep him in private life.

Mr. Small (N. C.) objected to the implied disparagement of Congress through the laudation given the President as the one to whom credit was due. The House of Representatives, he believed as amenable to public opinion as any parliamentary body in the world.

Mr. Finley (S. C.) regretted what he considered the lack of adequate power conferred on the commission to take the initiative in rate making.

The day ended with a general laugh at Mr. Sulzer (N. Y.) who made his appearance as a humorist. He toasted the opponents of the bill, viewed with suspicion the unanimous report, and pointed out as the "African in the wood pile" the word "suspended," which he said would apply to every rate fixed until the poor shipper was financially suspended in trying to enforce it. However, he will vote for the bill.

The list of speakers included Burnett (Ala.), Lewis (Ga.), Gudger (N. C.), and Candler (Miss.). The House adjourned until tomorrow.

FOUND DEAD IN THE WOODS

Badly Decomposed Body Discovered on the Outskirts of Roanoke—Body Identified as That of Sturley Armstrong, a Missing Bank Cashier.

Pittsburg, Pa., February 6.—The badly decomposed body of a man with a bullet hole through his head, which was found in a thicket on the outskirts of Roanoke, Va., is that of Sturley C. Armstrong, the cashier of the Washington National Bank, who mysteriously disappeared from this city on January 2. The identification was made possible early today when the number 243,241 attached to a bunch of keys, which were found on the body, was identified as the number of the accident insurance policy carried by the missing cashier.

Mr. Armstrong's wife and four children were prostrated on hearing the news. Since his disappearance they have hoped he would come back safe, and the news of his death was a great shock to them.

Mr. Armstrong was well known in banking circles here, his accounts were found to be entirely correct.

Mrs. Armstrong, the cashier's wife, declared it was her belief that her husband's mind had become deranged from overwork and anxiety.

Roanoke, Va., February 6.—The body of Armstrong is being held here for the family.

A tag sewed on the inside of the waistcoat pocket, bears the name of a Pittsburg clothier together with that of "S. C. Armstrong" written in ink.

Armstrong was in Charleston, W. Va., January 4, and on that date bought a railroad ticket to Bristol, Tenn. It is not known when he arrived in Roanoke.

SHORT TO DEATH BY WHITE MEN

Mob Kills Jim Cotton, a Negro, Who Had Attempted to Shoot Jim Phillips.

Montgomery, Ala., February 6.—A special to The Advertiser from Ozark, Ala., says:

Jim Cotton, a negro, was shot to death Sunday at Elmaville, by a mob of white men.

Saturday, Cotton, who was drunk, cursed Jim Phillips, a guano salesman, and the white man administered a thrashing. That night as Phillips sat in his room, some one fired upon him with a shot gun loaded with small shot. Several window panes were broken, but Phillips was not injured.

There was evidence that Cotton had fired the shot, and Sunday morning a number of white men went to his home and shot his brains out.

So far no arrests have been made, but a searching investigation into the affair will be made by the authorities.

Negro Escapes From Convict Camp.

(Special to The Messenger.)

Raleigh, N. C., February 6.—The penitentiary authorities announce that John Allen, alias Walter Adams, colored, has escaped from the camp on the Raleigh and Pamlico Sound railroad. He is nineteen years old, and was sentenced from Onslow last July for five years. A \$25 reward is offered for recapture.

TRUSTEES OF THE UNIVERSITY

Interesting Annual Report Made by President Venable

652 STUDENTS ARE REGISTERED

Several Changes in the Faculty. Mr. DeRouillac Hamilton Elected Assistant Professor of History—Carnegie Offers \$50,000 for Library—Need of Enlarged Teaching Force.

(Special to The Messenger.)

Raleigh, N. C., February 6.—The annual meeting of the trustees of the University of North Carolina was held in the governor's office today, Governor Glenn presiding. The report of President Venable was submitted. Some changes have been made in the faculty during the year, the principal one being the resignation of Dr. Richard H. Whitehead, of the medical department, who went to the University of Virginia. The department was re-organized and enlarged. Dr. Isaac H. Manning was made dean, and several assistants added, with an increase of professors from three to five. Dr. Charles H. Herty took charge of the chemical department. Professor N. W. Walker took the chair of secondary education.

It will be imperatively necessary to enlarge the teaching force as the professional departments are every year adding more and more students. The class in freshmen mathematics has 185 students. Six full and associate professors, six instructors and five assistants is a comparative estimate of the additional force necessary. The new chemical laboratory is a great aid to the University. Upon it \$45,000 has been expended. It will be thoroughly equipped. The chemical building will be used by the medical school, and quarters will be provided for the department of biology.

This is the 11th session and the enrollment is larger than ever before and the outlook better. The number of students is 652. Ninety-two percent are from North Carolina. Mecklenburg has 30, Wake, 28, Orange, 35, New Hanover 13, Buncombe 19. There are 213 Methodists, 136 Baptists, 113 Presbyterians, 92 Episcopalians; 70 per cent are church members. Ten colleges and eighty-five schools are represented. Eighty-eight per cent passed three-fourths of all the examinations. Several scholarships have been established as gifts. Carnegie promises \$50,000 for a library if a like sum is raised. The General Education Board of New York promises \$2,500. About \$4,000 is needed to complete the Y. M. C. A. building. The annual appropriation to the University by the state is \$45,000. The total income is \$104,000, expenditures, \$103,000.

The trustees elected J. G. DeRouillac Hamilton assistant professor of history. He was born at Hillsboro, was a student at the University of the South, Sewanee, where the degree of master of arts was conferred. He was the Hill scholar there, and received the Richmond prize in political science. He was valedictorian of his class. He taught at Horner military school. Later he entered the graduate school of Columbia University, and was awarded a University scholarship and was alternate for fellowship. His work in residence was completed last May, and his examinations for degree of doctor of philosophy passed. His thesis for that degree, prepared since his return to North Carolina, has been accepted and the degree will be conferred at the next commencement. He took charge of the Wilmington High School, as principal and has succeeded admirably. He is a member of the American Historical Association and of the Southern Historical Association.

END OF THE BREESE CASE

One of the Jurors Was Not Qualified Lower Court in Error in Not Sustaining the Plea in Abatement and the Motion to Quash.

Richmond, Va., February 6.—A decision by the United States circuit court of appeals here today in the case of William E. Breese, charged with misappropriating funds of the National bank of Asheville, N. C., of which he was president, virtually disposed of the case, which has been in the courts of North Carolina for years. The Breese plea asserted that C. C. Phifer, one of the members of the grand jury, that returned the indictment, was not the owner of more than \$100 of personal property, and that he had not paid his taxes upon said property, which is required by the laws of North Carolina in order to be qualified to serve as a grand juror. The appellate court holds that the grand juror was not qualified to serve, and, therefore, the lower court was in error in not sustaining the plea in abatement and the motion to quash, and therefore, the judgment of the court is reversed.

The opinion practically ends the cases against Breese, Dickerson and others who were charged with misappropriating the funds of the bank above referred to, it is said, because it is now too late to have them reindicted by another grand jury.

FAVORED GREENE AND GAYNOR

Other Contractors Shut Out From Bidding on Work.

PRACTICE OF CAPTAIN CARTER

One Phase of the Method Was the Withholding of Specifications, Except From Engineers Who Were in the Conspiracy—Chief Clerk Sterley, of the Office Force of Carter, Was the Only Witness.

Savannah, Ga., February 6.—Evidence presented for the government in the Greene and Gaynor case today designed to show an alleged practice of Captain Carter to shut out other contractors than the defendants from river and harbor improvements made under the supervision of Carter, with whom Greene and Gaynor are charged with having conspired to defraud the government of some two million dollars.

One phase of the method alleged to have been followed by Carter was the withholding of specifications from contractors who were not in collusion with the engineer. Carter, it was shown, in most cases would enclose but one copy of specifications, whereas it was essential that the contractors should have these, as proposals with specifications attached had to be made in triplicate. By the time letters had been exchanged and the additional copies sent, it was alleged, the date for the opening of bids would have approached so closely as to preclude "outsiders" getting in their proposals in time.

Many letters were introduced. The authenticity of these was proven by Chief Clerk Sterley, of the office force of Carter and his successors. Mr. Sterley was the sole witness.

Interest was added to the proceedings by occasional sharp colloquies between opposing counsel.

Sterley testified that specifications were ready July 30, for the Savannah contract of 1892 upon which \$3,150,000 were to be expended. Bids were to be opened August 20. District Attorney Erwin explained to the court that though Carter had plenty of copies of specifications, he was accustomed to send but one, though he knew the bids had to be submitted in duplicate. By the replies of those who desired the other two copies, Mr. Erwin said, Carter and Greene and Gaynor were able to keep a careful check upon those who purposed to bid. Some of the letters, he declared, showed that these copies had been properly sent upon application but these went to Greene and Gaynor or their alleged confederates. In one case instead of specifications Carter had enclosed a copy of the ordinance officer's report from one of the harbor forts. To this Carter offered an apology by letter enclosed, as seemed his rule, one copy instead of three and this nine days before the date fixed for opening the bids.

Some of the letters received by Carter showed that he sent specifications as late as three days before the date fixed for opening the bids. One written by Carter enclosed specifications eighteen days after the receipt of the request for them. Several letters from letters from contractors who had been sent specifications were received by Carter. Some of these read in court, stated that owing to the short time left them the contractors had been unable to prepare bids.

CHARGED WITH GRAND LARCENY

George Coleman Causes Arrest of His Wife and a Former Employee.

New York, February 6.—George C. Coleman, said to be the president of a gold mining company in Goldfield, Nevada, today caused the arrest of his wife, Mrs. Mabel Coleman and Frank Stanley, a chauffeur and former employee on charges of grand larceny. Coleman alleges that he was deserted by his wife January 15 last, at which time his chauffeur left him and he discovered the loss of \$50,000 shares of a gold mining company with a par value of \$1 each. Mr. Coleman has been living in a hotel in this city for several months. When he came with his wife, who was Miss Mabel Zimmer, of Philadelphia, whom he married November 26 last, he leased an automobile and employed Stanley as chauffeur.

Stanley was arrested during the early afternoon after a lively chase which lasted for twenty blocks. He said he lived at 106 west 61st street. Tonight the police located Mrs. Coleman at that address. She and Stanley denied any knowledge of the missing bonds. Stanley was held in \$5,000 bail.

Mallory Quarantine Bill Approved.

Washington, February 6.—The Mallory national quarantine bill in amended form was approved tonight by a caucus of thirty southern representatives and one senator, the only negative votes being cast by the six Texas representatives. As amended Senator Mallory will re-introduce the bill in the senate and Representative John Sharp Williams will introduce it in the house and urge its passage as representing the views of the south on the extension of federal control of both maritime and interstate quarantine.

BAPTIST PREACHER SUICIDES

Rev. George H. Simons Found Dead in Bed—Serious Stories Affecting His Morals Recently Circulated—Was Manager of the Yates Senatorial Campaign.

Peoria, Ill., February 6.—Rev. Geo. H. Simons, pastor of the First Baptist church, president of the Interstate Savings Bank, and the Peoples Savings Bank, and recently appointed manager of the Yates senatorial campaign in Peoria county, was found dead in bed this morning. He has been the object of investigation at the hands of the state's attorney, the two banks, and his congregation on the gravest charges and it is presumed to be a case of suicide.

The body was found by his wife when she called him to breakfast. He remained down town until late last night, disposing of some business matters. A letter found beside him showed that death was premeditated. He said this was his last night on earth and wanted to leave a message of undying love to all. In part it said:

"Also no blame must attach to ex-Governor Yates nor his associates. He simply gave me an opportunity which, enemies have prevented my using."

The last line, "time fails me should I attempt to write personal messages," indicates he was dying as he brought the letter to a close.

Physicians are of opinion that death was caused by cyanide of potassium. Coroner Baker has taken charge of the body. The Peoples Savings Bank, of which Simons was president, did not open this morning. Cashier Look said the bank would remain closed until some plan of action could be determined. There was a run on the bank yesterday and today a large crowd surrounded the building. The Interstate Savings Bank, of which Simons was president up to yesterday when his resignation was accepted, was also the object of runs yesterday and today. Early this morning the bank building was crowded with depositors demanding their money. Cashier Anicker said they would be able to stand the drain.

Dr. Simons came to the First Baptist church five years ago from Terre Haute, Ind., and had been remarkably successful. He secured national publicity two years ago by advocating a dramatization of the life of Christ. He became local manager of the senatorial campaign of former Governor Yates a week ago, and shortly after serious stories affecting his morals were circulated. State's Attorney Scholes undertook an investigation yesterday and secured some sensational statements from boys of his congregation. Dr. Simons was 40 years old and leaves a widow. He held charges in Texas, in Jackson, Tenn., and in Louisville, Ky., before coming here.

WEED DIED AT THE SANITARIUM

And Mrs. Weed Was With Him, Say the Hospital Authorities.

New York, February 5.—E. B. Weed, of Fayetteville, N. C., on the advice of Dr. John A. Bodine, of No. 9 East 39th street, entered the private sanitarium at No. 22 West Sixth-street, on December 13th and died there on December 17th, after an operation was performed by Dr. Brodine for appendicitis. The deceased came to New York some time before the operation. Deceased according to Dr. Brodine and Mrs. Weed, arrived here just previous to the operation. She remained with her husband until he died, when she returned with the body to Fayetteville.

At the sanitarium absolutely no information regarding Mr. Weed could be obtained, those in charge saying that it was against the rules of the institution to discuss any of their patients unless on an order from some relative with authority to issue such order.

Dr. Brodine asserted that there was nothing unusual in Mr. Weed's death or the circumstances surrounding it.

The above information secured at the request of the News and Observer by the Central News Agency of New York, seems to dispose of the rumor once for all, that Mr. Weed did not die at the sanitarium there, but is now alive and in Europe. As the body being taken back to Fayetteville, the hospital authorities might easily have been mistaken in this; and they evidently were according to the reports received from Fayetteville.—Special to News and Observer.

Decision of Supreme Court in a Strange Case.

(Special to The Messenger.)

Raleigh, February 6.—The supreme court dismissed the first case called on its docket at this term, or the ground that it was unconstitutional. It was the state and town of Bath again Burbage, who was fined for violating an ordinance of this, the oldest North Carolina town, prohibiting a man from entering his place of business on Sunday except through the front door, and even then only during certain hours. It is one of the strangest cases ever brought before this court.

To Abolish State Dispensary.

Columbia, S. C., February 6.—The house of representatives today passed by 23 majority the Morgan bill to abolish the state dispensary. The bill already has passed the senate.

POWER OF SENATE

Its Prerogatives in the Framing of Treaties

BACON RAISES QUESTION

Resolution Asks Information on Algeciras Conference

Discussion of Mr. Patterson's Resolution Concerning the Action of the Democratic Caucus Was Not Brought Up—Mr. Bacon Made a Plea for the Right of the Senate—Two or Three Sharp Clashes Between Mr. Bacon and Mr. Spooner.

Washington, February 6.—The Senate did not have an opportunity today to hear the discussion of Mr. Patterson's resolution on action of the Democratic caucus as was partially promised yesterday, but gave the entire day to a review of the prerogatives of the Senate in the matter of framing treaties. The question was raised by Mr. Bacon, in a speech on his resolution requesting information concerning the Algeciras conference. He talked for almost three hours, and was followed by Mr. Spooner for considerably more than an hour. Both speeches were interspersed with debate, largely between Messrs. Bacon and Spooner, and there were two or three very sharp clashes between them.

Mr. Bacon's speech was in the main a plea for the right of the Senate to "advise and consent" in the matter of the negotiation of treaties, and was largely a reply to Mr. Spooner's recent speech on this question.

Mr. Bacon contended that Congress was in far greater danger of encroachment from the executive than was the executive from the Congress. "Who doesn't know," he asked, "that the most influential part of the legislative power is at the other end of Pennsylvania avenue, in the White House? I don't refer to the present occupant," he added, "but to all the occupants of the past generation." He added however, that the tendency had never been more pronounced than it was today.

Mr. Bacon contended that if the United States should establish the precedent of taking charge of Santo Domingo, but like calamities are liable to befall us in other countries," he asserted.

Mr. Bacon declared that not only the Senate had the right to participate in the negotiation of a treaty, but that it was perfectly competent for the Senate to formulate a treaty and send it to the President.

Mr. Spooner followed Mr. Bacon, declaring his conviction that it was the duty of the President to send treaties to Algeciras. "If anything on earth prevents war between two great powers, both friendly to us, it will be the assembling and the deliberations of this conference at Algeciras."

During a colloquy between Mr. Spooner and Mr. Bacon concerning the resolution which the latter had introduced asking for information concerning Morocco, some heat was displayed by both Senators. Mr. Spooner said the request for information should have been made in secret session and there would have been no opposition.

"It was in secret session and the Senator did object," retorted Mr. Bacon sharply.

Mr. Spooner said the introduction of the resolution in open session was "grossly unfair" and after a further exchange said:

"The intention was to bring the President to book before the people of the United States."

Mr. Bacon with evident feeling replied:

"I utterly and emphatically, and so far as I can do so, under parliamentary usage, I resent the imputation."

Mr. Spooner disavowed any intention to offend.

Mr. Spooner declared that in the exercise of his duties the President is "uncontrolled and uncontrollable, and not answerable to us or the other house."

Mr. Tillman interrupted to relate that a few days ago he had read in the newspapers an account of a visit by Mr. Spooner and his colleague, Mr. LaFollette, to the White House and told how they had come out arm in arm "parnoie fratrum," and that when asked by the newspaper men for a statement regarding the purpose of the interview, Mr. Spooner had replied that "it was only a little matter of an appointment."

"What I want to know," asked Mr. Tillman, "is what the Senators were doing in the White House if they were not 'advising' with the President?"

Mr. Spooner's reply was daring. He simply said "It is none of the Senator's business."

Mr. Tillman joined in the general laugh at his expense, but he lost no time in declaring that Mr. Spooner's reply showed that he (Mr. Tillman) "had him up a tree."

Mr. Tillman's resolution directing the committee on immigration to make an investigation of the Chinese boycott of American goods was adopted.

The Senate adjourned until tomorrow.