

# The Wilmington Messenger.

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FIVE CENTS

## SIMMONS ON RATES

### Only Speech of the Day on the Railway Bill.

### FAVORS HOUSE MEASURE

### Will Not, However, Oppose Reasonable Modifications

Senator Simmons Contended That Congress Has the Right to Confer on the Interstate Commission the Right to Fix Rates—He Contravened the Contention That Profits on Railroad Investments are Small—He Does Not Object to a Modified Form of Review by the Courts—No Doubt Exists, He Declared, as to the Constitutionality of the Proposed Law.

Washington, March 13.—Before taking up the railroad questions today the senate passed a number of bills, some of which were of considerable importance. One of them provides for the punishment of government officials for the premature divulgence of secret information of government bureaus in such matters as the crop reports; another grants executive authority in the matter of the construction of bridges over navigable streams, and still another gives congressional sanction to the effort on the part of Delaware and New Jersey, to adjust their long pending boundary dispute.

Mr. Simmons made the only speech of the day on the railroad rate question. He announced his support of the house measure, but said he would not oppose reasonable modifications.

Mr. Tillman announced that after tomorrow he would seek to have the rate bill taken up for consideration each day immediately after the disposing of the routine business of the senate, instead of waiting until 2 o'clock.

Among the bills passed were the following:

Authorizing the construction of a bridge across Perdido river, in Baldwin county, Alabama.

Authorizing the Mobile railway company to construct bridges across Dog and Fowl rivers in Alabama.

In his address Mr. Simmons gave practically all his attention to the right of congress to confer upon the interstate-commerce commission the power to fix rates, contending that such a right exists beyond question. He asserted, contrary to the contentions of Mr. Lodge, Mr. Foraker and other opponents of the pending bill, that "existing transportation rates are in many instances unjust and unreasonably high and that unfair and ruinous discriminations are practiced against individuals and localities."

He reached the conclusion that "if the high grade commodities on which high rates are charged are mixed indiscriminately with lower grade commodities upon which lower rates are charged, the average cost per ton mile will be influenced to a far greater extent by the amount of tonnage hauled than by the rate charged."

"It is a fact of common knowledge shown by statistics and verified by the reports of the interstate-commerce commission," he asserted, "that during the period of our great prosperity and business activity, there has been an increase in the volume of low grade freights altogether out of proportion to the increase in volume of high grade freights altogether out of proportion to the increase in the average rate per ton mile."

He declared that the result was a decidedly large increase in the average rate per ton.

Mr. Simmons also contravened the contention that the profits on railroad investments are small. "As a matter of fact," he said, "legitimate railroad profits have greatly increased in recent years."

After giving illustrations and asserting that the 800 independent railway lines of the country had been reorganized into six or eight groups he said: "Notwithstanding this false and fictitious capitalization on account of the enormous earning capacity of our railroads, the percentage of railroad stocks paying dividends and the earning capacity of railroads has materially increased in recent years and is still increasing."

He hoped that the capacity of both the railroads and the big shippers would be restrained.

He did not believe, he said, that the supervision of rates by the government would result in injury to the roads.

He defended the interstate-commerce commission against the charge of incompetency and, coming abruptly to the question of the power that should be given the courts, said:

"We had as well look the fact in the face. The plain truth in this contest

between these corporations and the people is that the railroads want the laws affecting them administered by tribunals composed of men appointed for life, and whose amenability to the people is therefore remote. They are not opposed to trusting the powers conferred by this legislation in the commerce commission, because they do not believe competent and impartial men will at all times compose that commission, but because they fear that the power of the people to quickly call them to account for any forgetfulness of their interest will lead them to put the public weal above that of special privilege."

He announced, however, that he had "no objection to such right of review by the courts as does not in effect either interfere with the rightful authority of congress in the discharge of these powers through its commission as to defeat or render ineffective in whole or in part its lawful purposes with respect to this subject. He added:

"Within these limitations the right of review by the courts ought not be denied and if it does not already exist, it ought to be conferred."

Mr. Simmons concluded with an argument in support of the constitutionality of the proposed law, on which point he declared he had no doubts.

## THE JAMESTOWN EXPOSITION

### Contracts Awarded for the Erection of Two Buildings—Preliminary Surface and Sub-surface Work Completed.

Norfolk, Va., March 13.—The Jamestown Exposition Company has just awarded contracts for erecting its two main exhibit buildings. Each of these buildings will be over six hundred feet in length and two hundred and fifty feet in width, and will have approximately one hundred and sixty thousand feet of floor space exclusive of galleries. There is a penalty clause in the contract for any delay in delivery of the buildings after the first of September, 1906.

The administration building in which all of the principal offices will be lodged, will be ready for occupancy by the company on the first day of July and the seven structures in the arts and crafts sections, will also be completed by the same date.

The preliminary surface and sub-surface work has been completed and accepted by the company. The preparations made by the management have been extremely thorough. They have so arranged their streets and laid their pipes, that none of these will have to be disturbed during building operations; only connections will have to be made.

The subsurface consists of five miles of iron water piping with hydrants at street intersections, both pipes and hydrants conforming with the specifications of the insurance underwriters.

There are over eight miles of sewers and drains and the boulevards and streets already completed total twelve miles in length. A great many of the streets are planted with double rows of shade trees and all of the main boulevards have planting spaces in the center already filled and shaded paths on either side.

The architects of the exposition announce that they will have plans for two additional buildings ready this week and that plans for all the main exhibition halls will be finished within the current month.

It is estimated by the chief engineer of the company that all the exposition preparatory work will be ready six months before the date set for the opening of the celebration, April 26, 1907.

## THREE VILLAGES DESTROYED

### Eruption of Volcano on the Island of Savali Continues.

Honolulu, March 13.—The officers of the steamer Sierra which has arrived here from Sydney, N. S. W., via Samoa, reports that the eruptions of the volcano on the island of Savali, of the Samoan group, continues on a large scale. Three villages have been completely destroyed, including Malaeloa, where was located the finest cocoa plantation on the island. The residences of A. King, and G. Barley, have been reduced to ruins and are a total loss. The lava from the volcano is flowing into the ocean in a stream three quarters of a mile wide and twenty feet deep, at the rate of twenty feet an hour. At night a solid wall of molten lava five miles long can be seen reaching far out into the sea. For some distance the sea water is boiling and the surf breaking over the fiery stream. The government recently chartered the steamer Maori to remove women and children from the zone of danger.

Assistant Attorney General of Virginia, Richmond, Va., March 13.—Colonel Robert Catlett formerly of Charlotte county and more recently of Rockbridge has been appointed to the position of assistant attorney general, a place paying \$2,500 a year, and was created by the present legislature.

Glenn Declines to Pardon Bishop. Raleigh, N. C., March 13.—Governor Glenn today declined to grant a pardon to A. L. Bishop, the Virginia traveling man who was convicted of manslaughter at Charlotte in 1903 and sentenced to the penitentiary for five years. Bishop was calling on the daughter of Thomas Wilson, when Wilson appeared and ordered him to leave the house. Instead of leaving, there was a fight in which Wilson was killed. The wife of the prisoner presented the application for the pardon.

Monument to Gen Nathaniel Greene. Washington, March 13.—Senator Hansbrough today reported favorably from the committee on library, a bill providing for the erection of a statue of General Nathaniel Greene, on the battlefield of Guilford Court house, North Carolina.

## HELP OF BANKS IN CAMPAIGNS

### Committee Considering Bill to Prohibit Contributions

### TILLMAN BEHIND THIS ACTION

### Members Think it Unwise to Enter Upon a General Investigation of the Campaigns, but They Agree on the Necessity of Preventing Such Contributions in the Future

Washington, March 13.—The senate committee on privileges and elections today instructed a sub-committee consisting of Senators Foraker, Knox and Bailey to examine the several bills before the senate to prohibit national banks from contributing money for campaign purposes and report whether, in their opinion, any of these measures if enacted into law would prevent such evils in the future. The committee was instructed to draft a bill if the pending measures are not satisfactory. The action taken is the result of a hearing given to Senator Tillman today in support of his resolution directing an inquiry whether, since March 4, 1893, any payments have been made by national banks to carry on any political campaign. Mr. Tillman stated to the committee that he had positive evidence that certain national banks had made such payments but he declined to disclose his evidence. It was the opinion of the committee that such contributions should be effectually prohibited and that there should be a law making it a felony for any officer of a bank to contribute funds of the bank to aid any campaign.

Several members of the committee declared that there had been an understanding that banks have been contributing to campaign funds but that it would be unwise to enter upon a general investigation. The best policy, it was argued, would be to prevent such contribution in the future and with that end in view the sub-committee was appointed.

## TO FIX AGE LIMIT FOR CLERKS

### Discussion of Reorganizing the Government Service Comes Up During General Debate on the Legislative Appropriation Bill.

Washington, March 13.—The house devoted itself today to general debate on legislative appropriation bill. First there was discussed the question of eliminating aged clerks from the employ of the government; then came a discussion of free alcohol for the arts, the restriction of Japanese immigration, and finally a defense of New York city.

Mr. Littaer, of New York, and Mr. Livingston, of Georgia, representing the republican and democratic views, concurred on the question that something must be done in the way of reorganizing the government service.

Mr. Livingston, the ranking minority member of the appropriations committee, gave notice that he should offer a substitute for the age limit provision by putting on the civil service commission the duty of annually reporting on the efficiency of every government clerk 65 years or older. "Why not let these people go out the same door they came in?" asked Mr. Livingston.

"Civil service means civil pensions and all the powers of heaven and earth or hell cannot stop it—whether we can or not remains to be seen." (Laughter.)

The civil service board has time to burn," declared Mr. Livingston. "Everybody works but the board—let it shoulder this work."

## YOUNG ACTOR KILLS HIMSELF

### Member of the "Wonderland" Company Commits Suicide Because a Chorus Girl Would Not Reciprocate His Love

Washington, D. C., March 13.—Williams Thomas, of Saginaw, Mich., a member of the chorus of the "Wonderland" company, performing at the Columbia theatre here, committed suicide tonight by drinking carbolic acid while the play was in progress. Thomas was an admirer of Ida Gordon, a 16-year-old girl, also a member of the company, and who is said to live in New York. The suicide was caused by disappointment because she would not reciprocate his attentions.

After the show was over Miss Gordon went to the hospital to which Thomas had been removed and on seeing his body said:

"I did not know he thought so much of me. I did not mean to break his heart. He misjudged me."

Thomas was 22 years old. The couple were in the property room of the theatre at 8:45 tonight. Thomas sat at the side of a table with a goblet in one hand and a bottle in the other. Pouring out the poison, he accused her of playing with his affections and saying "Good bye, old girl," drank the poison before she could stop him.

The play continued uninterruptedly, the audience not being aware of what had transpired.

Destroyer Searching for Six Derelicts. Norfolk, Va., March 13.—The United States derelict destroyer Lebanon has put to sea from Hampton Roads with orders to search for six derelicts which are reported a danger to navigation between Cape Henry and Delaware Breakwater. The Lebanon is now especially fitted out as a derelict destroyer fitted out as a derelict searchlight and wireless telegraph apparatus by which means she can communicate with shore stations or passing vessels and get more exact information as to where wrecks have been seen.

## ACCEPT OFFERED WAGE SCALE

### Telegraphers and Station Agents of the Southern Agree

### PRaise FOR ROAD'S OFFICIALS

### The New Scale Does Not Fix a Minimum or Maximum Wage, but Contemplates a General Readjustment of Wages Along the Entire Lines.

Washington, March 13.—The committee of five representing the telegraphers and station agents of the Southern Railway last night agreed to accept the wage scale of that road. The wage scale, as agreed upon, does not contemplate a minimum or maximum wage, but has been adjusted with a view of fitting each individual case.

In announcing the fact that a settlement had been effected, H. B. Perham, president of the Order of Railway Telegraphers said:

"The committee representing the telegraphers and station agents are very well satisfied with the scale agreed upon. While some of the employees have grown a little impatient since the negotiations were opened with the Southern on December 7, those having direct charge of the matters, knowing the immense amount of work necessary before an acceptable scale could be agreed on, have nothing but words of praise for the officials of the Southern."

"This is the first schedule that has ever been put in effect on the Southern, and it was necessary for conferences to begin at the bottom."

H. B. Spencer, general manager of the Southern Railway, when informed the committee had accepted his proposals stated that the schedule submitted by the company had for its object the general re-adjustment of wages along the entire Southern Railway lines.

## SEARCH FOR INDIAN OUTLAWS

### Posses Continue Their Hunt for the Wickliffe Boys—News From the Section is Meagre.

Vinita, I. T., March 13.—Marshal Darrough and his posses continued today to search for the Wickliffe Indian outlaws. It may be several days before the outlaws can be located, owing to the good start they have, and the fact that the country affords many means of escape and places of concealment.

News from the section where the posses and outlaws are maneuvering is meagre and slow in coming in, as there are no telephone or telegraph wires in that region.

The three Wickliffe boys are not horse thieves, nor robbers in any sense has been stated. They began their career by resisting arrest, and now are charged with several murders committed mostly in their attempts to escape.

The body of Deputy Gilstrap was brought in this morning accompanied by his widow, who had driven through the hills forty miles with it. Richard Carey, the other deputy, who was shot through the chest, is still alive, but it is believed he cannot recover. Otis Tuttle, the deputy at first reported killed, is at the head of the posses chasing the outlaws.

Up to 9 o'clock tonight no word had been received from United States Marshal Darrough, or any of his posses who are pursuing the Wickliffe gang of Cherokee outlaws. The night is dark and rain is falling and a courier would not be able to make his way from the Night Hawk country. The chase may last several days before the Indians are overtaken.

## MONEY FOR THE EXPOSITION

### Representative Gardner Opposed to Any Appropriation by the Government.

Washington, March 13.—Representative Gardner, of Massachusetts, chairman of the committee on industrial arts and exhibitions, conferred with the president today regarding an appropriation for the Jamestown Exposition. Mr. Gardner expresses his opposition to an appropriation for the exposition or for any similar exposition. The president is inclined to favor reasonable treatment of the Jamestown Exposition by congress, so that this country may make good.

The representatives of foreign nations which have promised to participate in the exhibition, and he so informed Mr. Gardner. As he left the White house, Mr. Gardner expressed the opinion that the committee would approve of an appropriation for the Jamestown exposition, notwithstanding his opposition.

Destroyer Searching for Six Derelicts. Norfolk, Va., March 13.—The United States derelict destroyer Lebanon has put to sea from Hampton Roads with orders to search for six derelicts which are reported a danger to navigation between Cape Henry and Delaware Breakwater. The Lebanon is now especially fitted out as a derelict destroyer fitted out as a derelict searchlight and wireless telegraph apparatus by which means she can communicate with shore stations or passing vessels and get more exact information as to where wrecks have been seen.

## TERRIBLE EXPERIENCE AT SEA

### French Line Steamer Hudson in Severe Storm

### PASSENGERS PANIC STRICKEN

### Those in the Steerage Tried to Fight Their Way to the Decks and Were Quieted Only After Being Threatened by Officers of the Ship With Revolver and Knife.

New York, March 13.—A terrifying experience at sea was reported by the officers of the French Line steamer Hudson, which arrived here today. During the storm which swept the Atlantic last Friday afternoon and evening, the 336 steerage passengers on the steamer became panic stricken and were quieted only after the captain and first officer had threatened them with a revolver and knife.

Both the barometer and thermometer fell rapidly and a terrific gale rolled up great seas. When the storm was at its worst the steerage passengers became panic stricken and sought to go on deck, insisting that if they must die they wanted to meet death in the open. The stewards and minor officers lost control of the passengers, and appealed to the captain for assistance. Captain Juham and First Officer Mehauss, who were on the bridge, hurried to the steerage quarters and attempted to pacify the terrorized passengers. First they assured them that there was no danger, then threatened them, and finally drew revolvers and knives and threatened to use them unless the passengers became quiet. Order finally was restored. Soon afterwards the storm abated.

Captain Juham said that the storm, while it lasted was the most severe he ever saw in his thirty years experience at sea.

## SUPREME COURT OPINIONS

### Decisions Handed Down Yesterday. Old North Carolina Bonds Burned. Educational Campaign Committee Meets.

(Special to The Messenger.) Raleigh, N. C., March 13.—In the presence of Governor Glenn in his executive office and witnessed by the attorney general, state treasurer, secretary of state, and superintendent of instruction, old North Carolina bonds, to the amount of many thousand dollars, were burned, as by the law in such matters. Among the number were many of the famous South Dakota class, taken up under provisions of act passed by the last legislature authorizing settlement of such outstanding obligations.

The supreme court of North Carolina handed down opinions this afternoon: Mast vs. Sapp, from Forsythe, new trial; Thornton vs. Harris, from Warren, no error; Fisher vs. New Bern, from Craven, affirmed; Sewing Machine company vs. Owens, from Craven, error; Boyle vs. Stalling, from Martin, affirmed; Griffin vs. Lumber company, from Martin, affirmed; State vs. Worley, from Lenoir, no error; State vs. Hill, from Onslow, new trial; State vs. Piner from Pender, no error; Chaabour vs. Durham, from Pender, affirmed; Isler vs. Dixon, from Lenoir, affirmed; Mathis vs. Manufacturing company, from Duplin, new trial; Quinberry vs. Tull, from Lenoir, per curiam, affirmed; Batchelor vs. James, from Duplin, per curiam, affirmed; Richardson vs. McLamb, from Harnett, dismissed under rule 17.

Appeals from seventh district will be called next Tuesday, March 20th, State vs. Powell; Porter vs. Telegraph company; Mayers vs. McRimmon; Bullard vs. Edwards; West vs. Railroad; Bullard vs. Hollingsworth; Davis vs. Kerr.

Two of the most interesting cases stated were State vs. Worley, from Lenoir no error, and State vs. Minor, Pender county, no error, involving right of grape producer to sell wine home manufactured.

A special meeting of the educational campaign committee was held tonight in Governor Glenn's office, to confer regarding matters of detailed work.

### Expert Accountant Johnson Still on the Stand.

Savannah, Ga., March 13.—Morning and afternoon sessions were held in the United States court today in order to finish as soon as possible the testimony of E. J. Johnson, expert accountant, who is testifying relative to the division of the alleged spoils by Greene, Gaynor and Carter. It is probable that this testimony will be finished tomorrow when District Attorney Erwin and United States Marshal White are expected to take the stand to testify to the defendants having absconded to Canada. The efforts made to secure their extradition and their eventual return to Savannah for trial.

### Paterson Boys in Trouble.

(Special to The Messenger.) Fayetteville, March 13.—Two white boys, who claim to be from Paterson, N. J., and gave their names as Sam Cole and Gus Daydientto, were tried before the mayor today, having been arrested for cutting the air brakes on a through freight train on the Atlantic Coast Line railroad. They were bound over to the next term of superior court in the sum of \$100, and, not being able to give bond, went to jail.

Sam Cole exhibited what purported to be a card as a member of the iron moulder's union.

## REPORT ON HAZING

### Graduated, Punishment Urged by the Committee

### PRESENT SYSTEM VICIOUS

### 281 Members of Three Upper Classes Could Be Expelled

### Cadet Officers Mainly Responsible for Hazing—The Code of Honor Which Exists at Annapolis Denounced. Changes in the Law Suggested. Which Will Make it Possible to Punish Each Case as it Deserves. Present Laws are Denounced and Congressional Interference is Declared to be Injurious to the Academy.

Washington, March 13.—The sub-committee named by the house committee on naval affairs to investigate hazing at Annapolis, made its report to the whole committee this morning through Representative Vreeland, of New York, chairman of the investigating committee.

Rear Admiral Brownson is censured in the report for exacting a pledge from midshipmen not to engage in hazing and for allowing the boys to think the pledge was personal to him and did not hold after Rear Admiral Sands became superintendent at Annapolis. Lieutenant C. P. Snyder is also censured mildly for having countenanced hazing.

Graduated punishment for hazing is recommended by the sub-committee which is firmly of the opinion that the present system of expelling all midshipmen found guilty of hazing is vicious. Rear Admiral Sands and other officers now at the academy are praised for the discipline they are maintaining and the report shows that cadet officers have been chiefly responsible for hazing.

As a result of its examination of witnesses, and records, the subcommittee found that 281 members of three upper classes at the academy, including the class which was recently graduated, have been guilty of hazing and on trial could be expelled from the academy. The result would be a great and unnecessary loss to the government, in the opinion of the members of the committee, who found that many of the offenses were trivial.

The report reviews at length the conditions which existed at the academy when Admiral Sands became superintendent in July, 1905, and says nearly all the disciplinary officers were then new. When the upper classmen returned from their practice cruise in September hazing broke out, and continued until November, when it culminated in the brutal treatment of young Kimbrough. The committee is of the opinion that practically all upper classmen were implicated in hazing then, although the affairs of academy seemed to be moving smoothly until the Kimbrough case. The report says hazing doubtless existed under Admiral Brownson's superintendency. It was not physical hazing, but of a character more demoralizing to discipline and clearly within the attorney general's definition of hazing.

The report makes it clear that a failure of cadet officers to perform their duties makes it impossible for naval officers in charge to maintain discipline and denounces the code of honor which permits cadet officers to shun their duties.

According to surgeons records in sick quarters only seven fights have been recorded there since October 1, 1904, and the report says it is impossible to find that the number of fights was larger. It is suggested that surgeons should report more fully on injuries, even though slight, which seem to be caused by fighting.

With the exception of Lieutenant Snyder, disciplinary officers are exonerated from connivance at hazing. He is charged with having indicated to upper classmen that fourth classmen might be disciplined by upper classmen for laughing at an order.

The report deprecates the tendency of midshipmen to follow the tradition of the academy and says the opinion of the midshipmen as a body on the subject of hazing is not satisfactory. The present senior class is especially commended, however, for its action against hazing.

Present hazing laws are frankly denounced as a hindrance to discipline and congressional interference is declared to be injurious to the academy. Changes in the laws are suggested which will make it possible to punish each case as it deserves.

Another rough rider has been appointed to a federal office at Omaha. The real number of rough riders will never be known until their wives begin to apply for pensions.—Durham Sun.