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CAPITAL CITY NEWS BUDGE?

Doings of The Legislature In Raleigh

Special to The Sun. Raleigh, N. C., Feb. 5.—Speaker Graham is back in the chair after an absence of three days. Especially notable is Governor Kitchin's message transmitting Superintendent Mann's letter as to the finances of the State's prison, and recommending that some sixty-eight thousand dollars be paid back to the penitentiary from the prison funds in the hands of the State treasury, being the money turned over for the liquidation of the prison bonds, and that the State provide other means for settling the bond issue. The message was placed in the hands of the committee of Senate and House on penal institutions.

Representative Doughton has introduced a bill providing for the employment of a typewriter to aid the Supreme court justices in their work, and a laborer to carry books to and from their homes. The Allegheny member explained that this work had been done for some twenty-five years, but by some oversight had not been provided for in the act of 1907, and consequently the auditing committee had reported some expenditures not warranted by the letter of the law.

A bill by Mr. Morton allows the Seaboard Air Line to condemn part of Brunswick street in Wilmington for use in addition to the present terminal yards of that road. That women might be appointed as notaries public is the object of a bill by Mr. Weaver, of Buncombe, who also introduced a bill amending the charter of Black Mountain.

A kick from Alexander county against the State prohibition law was registered in the shape of a bill by Mr. Laney to allow Alexander folks to make and sell brandy distilled from fruit grown on their own lands.

The present law against working on Sunday prohibits one from doing any work "of his ordinary calling" on that day, leaving it apparently so that one could work at something not his usual vocation. Representative Dowd introduced a bill to strike out the words quoted and also to make violation a misdemeanor instead of merely punishable by fine of one dollar.

To prevent a judge from granting an injunction to stop a sale under execution is the purpose of a bill by Representative Grant, of Davie.

Representative Murphy, of Guilford, introduced a bill for appropriations wanted for the State Sanatorium for tuberculous patients. The buildings and other improvements fifteen thousand dollars each year for the next two years is asked.

The present pilotage law for Wilmington harbor and Cape Fear has not been disturbed. The House Judiciary committee No. 2 voted unanimously to report Mr. Morton's bill unfavorably. The present law leaves it optional with the vessel entering or leaving Wilmington to take a pilot on the river, but compulsory to take one over the bar. The defeated bill did not disturb the compulsory feature over the bar, but provided that if any vessel determined to use the services of a pilot on the river, it must employ the one that spoke it first at sea and took it over the bar. Representative Taylor, of Brunswick made a vigorous fight against the bill before the committee, and he had to back him up a petition signed by every man, he said, who had a dollar invested in a pilot boat, the very men, who were supposed to be benefited by the Morton bill and the same men who had opposed the present law two years ago. Some of the pilots, it was pointed out, continued their work entirely to the river, Capt. Craig for instance, the veteran of them all, who was present, and consequently captains of vessels wanting to be piloted on the river preferred to use their services.

Mayor M. C. Galster, of Southport, member of the Board of Commissioners of navigation and pilotage, addressed the committee against the bill, and before he had concluded his remarks Chairman Smith said that as the witnesses was so overwhelming it was useless to hear more, and the bill was promptly passed. Captain Craig thanked the committee and said: "I hope you will pass a law so that if any vessel enters in another pilotage bill you will not be prejudicial."

On an application of an architect, the House committee on counties, counties and cities, has passed a bill for the purpose of amending the act of 1907, which authorized the State superintendent of the State Sanatorium to employ county commissioners.

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blocked yesterday by the Hamburg Act preventing the railroad companies from collecting the one cent and half cent per crate extra with freight to be paid over to the trucker's association. They have agreed on a substitute bill that provides an appropriation of not over \$5,000 from the State Department of Agriculture for the purposes of the association and imposes a license tax of \$10 per month on all buyers and solicitors of truck—this to be paid into the department of agriculture, accounted separately to cover the appropriation. In paying agents of the trucker's association the president of the association certifies the accounts to the commissioner of agriculture and he to the State treasurer for payment. This substitute was reported to the House yesterday, and is certain to pass.

The Senate committee on propositions and grievances, decides to recommend the passage of the Empire bill to protect forests of the State from fire by appointing township wardens who look after endorsement of forest protection laws, having power to press into service citizens for fighting fire who shall be paid ten cents per hour, no township to get more than fifty dollars in one year on this account. The wardens are to receive 20 cents per hour for time actually engaged in official duties.

This committee voted unfavorable report for a bill introduced by Empire by request to prohibit the exhibiting of moving pictures showing larceny, burglary, robbery, murder and felonies.

The Supreme Court announces 39 successful applicants for licenses to practice law out of the class of forty eight that stood the examination Monday. The following is the list:

Franklin M. Soper, New York; Delos E. Hamner, Guilford; Thos. G. Wood, Jr., Wake; Buford F. Williams, Polk; Laddin L. Tilley, Durham; Johnson J. Hayes, Wilkes; Irene R. Burleson, Stanley; Edgar H. Wrenn, Jr., Surry; Robert M. Dunn, Warren; Hardie H. DeW. Geiger, Florida; Thos. H. McDermid, Robeson; Joseph E. Johnson, Duplin; William A. Clark, Bladen; John G. Mills, Wake; Maurice V. Barnhill, Halifax; Cyrus C. Frazier, Guilford; Walter H. Grimes, Wake; Robert V. Howell, Montgomery; Jas. L. Morehead, Durham; James T. Morehead, Jr., Guilford; Jno. G. Tooley, Beaufort; Walter R. Johnson, Forsyth; Walter P. Byrd, Harnett; Marshall C. Stator, Edgecombe; Albert E. Burgess, Wake; T. F. Williams, Wake; James H. Glover, Granville; Porter Hufham, Columbus; Lloyd T. Everitt, Mecklenburg; Albert S. Guerd, Buncombe; Robert M. Mullikin, Buncombe; James E. Rection, Buncombe; Ernest Steele, Anson; Lawrence A. Thomlinson, Durham; Kirby C. Sildbury, Onslow; Samuel T. Stancill, Northampton; Jas. W. Chesborough, Buncombe.

Much interest attaches to the announcement by ex-governor Charles B. Aycock of his intention to move from Goldsboro to Raleigh for the practice of law. The decision has just been reached and he is expected here later in the week to complete his arrangements to open his law office here. The Raleigh bar has lost several of its most prominent members by death, notably Hon. F. H. Buebee and Col. T. M. Argo.

The companies composing the North Carolina National Guard will be inspected during February and March, by Inspector General Thomas Stringfield, the inspection tour beginning at Raleigh, February 15th and closing at Waynesville March 25th. The dates are: Raleigh, February 15; Lumber Bridge 16; Fayetteville 17; Wilson 18; Clinton 19; Goldsboro 20, 22; Kinston 23; Edenton 24; Washington 25; Tarboro 26; Weldon 27; Warrenton March 1; Oxford 2; Henderson 3; Lenoir 4; Franklin 5; Durham 6; Burlington 8; Reidsville 9; Winston-Salem 10; Mt. Aairy 11; High Point 12; Lexington 13; Concord 15; Charlotte 16 and 17; Wadesboro 18; Shelby 19; Statesville 20; Hickory 22; Asheville 23 and 24; Waynesville 25.

The much discussed bill by Representative Cox of Anson adding his county to the Pitt county law providing for the working on the roads or hiring out of prisoners awaiting trial for minor offenses if they so desire will be reported favorably by the House Judiciary committee No. 2. The vote was 4 to 4. Mr. Crumpler of Sampson has a bill like it, and so many counties desire to be added by amendments that it is almost a State bill. Mr. Grant opposed it in committee as he had done on the floor and Senator Lockhart helped Mr. Cox.

Representative Davis's bill to amend the law as to penalties for unreasonably delayed freight so that the party damaged may sue for the penalty, and not only the commodity and with favor of the heads of House Judiciary, Mr. Cox.

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BANK AMONG CONSUMED

Terrible Fire at Charlottesville Today

By Wire to The Sun. Charlottesville, Va., Feb. 5.—A destructive fire this morning threatened the destruction of the entire business section of the city. All efforts by the local fire companies to check it proved futile, and by six o'clock large buildings had been wiped out. Several cities were called on for help to fight the flames.

The Peoples Bank and several stores were destroyed. The vaults and books of the bank are said to have been saved. It was feared at one that the entire western part of the city would be destroyed.

Battle Creek, Feb. 5.—As result of a fire this morning in the Haskell home, Seventh Day Adventist Orphanage, three children are missing. There were many narrow escapes. Thirty-seven children were quartered in the building. The fire started about two o'clock, and spread rapidly. The loss is about \$50,000.

Worcester, Feb. 5.—Fire early this morning destroyed two great industries here. The loss is \$200,000; one was the stoneworks of George D Webb Construction Company and the Gray Elevator of E. A. Cowe. The cause of the fire is unknown. Damage to the stoneworks is \$750,000, insurance \$50,000.

Reporters Under Bond. By Wire to The Sun. New York, Feb. 5.—Magistrate Finn held in \$300 bond each, James J. Doyle, and Frederick M. Hall, reporters for the New York Press, for assaulting Oscar Hammerstein.

The magistrate criticized Hammerstein severely for writing the letter which provoked the assault.

PUPIL PROPERLY FLOGGED. Judge and Jury Sustain Teacher in His Discipline. By Wire to The Sun. Wilkes-Barre, Pa., Feb. 5.—Professor Wallace F. Ridge, principal of the schools at Centralia, near here, was today upheld by both the Judge and jury in flogging Edward Michaels, an unruly and disobedient pupil.

Professor Ridge had been arrested and prosecuted at the instance of the boy's mother, Mrs. Daniel Michaels. The evidence showed that the boy had been surlly and abusive and had left school without permission.

Upon his return Professor Ridge had made an example of him by calling him before his class and thrashing him with a strap. The Judges charged in his favor, the jury acquitting him and placed the costs of the case on the boy's mother.

Boy Dead of Lockjaw. By Wire to The Sun. Petersburg, Va., Feb. 5.—Forest Aiken, 14 years old, son of William Aiken, an employe of the Atlantic Coast Line in this city, died this morning at the Petersburg hospital from lockjaw caused from a wound in the leg by being shot with a trap gun.

by the bill to amend the charter of the town of Black Mountain in Buncombe county, the bond issue bill for Harnett county an dthe two hundred thousand dollar bond issue for Cabarrus to pay debt and build a new jail.

The joint committee of Senate and House on orders met with State Geologist Pratt and Oyster Commissioner Webb and decided to name a sub-committee to formulate a bill to be presented by the committee. It is understood that encouragement will be given to the private culture of the oyster.

The joint committee on penal institutions will report through Senator Daves a bill embodying the recommendations of Governor Kitchin as to the salaries of the State prison. It will provide for the return to the penitentiary of the sixty-eight thousand dollars balance from the three hundred and twenty-one thousand turned over to the State by that institution, representing its entire earnings for eight years, to meet the bonded indebtedness of the prison. The difference has been expended in various ways for the support of the institution, paying the wages of the convict guards and all other expenses of the institution.

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GIVES \$5,000 TO CHURCH

Miss Grace L. Gordon Proved Generous

By Wire to The Sun. Burlington, N. J., Feb. 5.—Miss Grace L. Gordon, of New York, principal beneficiary under the will of Mrs. Elizabeth A. Ellis, of this city, has refused to accept \$5,000 forfeited when St. Mary's Protestant Episcopal Church attacked her share in the rich Ellis estate. The rector, James F. Olmsted, and the wardens today acknowledged receipt of the cash, and declared they were led to sue to break the will by maliciously inclined and unreliable witnesses.

Mrs. Ellis left the major portion of her estate, valued at \$75,000 to Miss Gordon, and her mansion on High street to her executor, Reginald Branch, who two years prior to her death, had made their home with the aged woman and given her the kindest care. For fifty years Mrs. Ellis had been a large contributor to St. Mary's Church and to charity, and the church in attacking her will charged that she had been subjected to undue influence, because the will had left the church only \$5,000. They said a former will left the entire estate to the church. The court, after taking testimony, dismissed the charges as groundless. Under the terms of the will, any heir or legatee attempting to break the will forfeited his share, which was to go to the residuary legatee, Miss Gordon. There was general surprise today when it was made known that Miss Gordon refused to accept the \$5,000.

DUAL BALLOT, IF IT WINS. One Will Be for Presidential Electors, "Straight." By Wire to The Sun. Harrisburg, Pa., Feb. 5.—Representative Dearden's ballot reform bill, introduced today, would require two ballots at the Presidential election, one for the electoral candidates, and the other for the remaining nominees. The "straight-ticket" voting except on the presidential ticket, would be abolished, and it would be necessary to make an individual cross-mark for every candidate to be voted for except electors, for whom one mark would do.

No candidate's name could appear more than once upon the ballot, but there would be a little square for each party putting him up, and these party names would be arranged according to the sizes of the votes at the preceding general elections.

Widow of Judge Nicodemus Dead. By Wire to The Sun. Frederick, Md., Feb. 5.—Mrs. Nicodemus, wife of former Judge A. W. Nicodemus, died yesterday afternoon at her home at Buckeytown, this county, aged 73 years.

Among her surviving relatives, besides her husband, three sons and a daughter, are two sisters, Mrs. Fulton and Mrs. Lewis, living in Washington.

Weather Kiosk for Rockville. By Wire to The Sun. Rockville, Md., Feb. 5.—The United States weather bureau is arranging to erect a weather kiosk in the triangle in front of the courthouse in this town. Eighteen hundred dollars has been set aside for the purpose. Prof. Willis L. Moore, chief of the weather bureau, owns a summer residence near Rockville.

Superior Court. Judge C. M. Cook dispatched of the following business at the morning session of the criminal term of Craven Superior court.

State vs. Frank Gomez, charge, larceny, guilty; 7 months in jail, to be assigned to the county roads.

State vs. Harry Douglas, charge, forgery, guilty; sentenced to two years on the county roads.

State vs. Harry Douglas, charge, second account, larceny; guilty, six months in county jail to be assigned to the roads.

State vs. Geo. Shiver, charge, larceny; guilty; he was fined \$5 and cost, or 3 months in the county jail, to be assigned to the roads.

State vs. Geo. Shiver, second account, charge, larceny; guilty; sentenced to pay a fine of \$5 and cost, or 3 months in jail, to be assigned to the roads.

State vs. John Hudson, charge, larceny; jury verdict, not guilty.

State vs. Brown Coppess, charge, larceny; jury verdict, not guilty.

WAS A SON OF LATE SENATOR

Scene of Rear Admiral Cogswell's Death

By Wire to The Sun. Milwaukee, Feb. 5.—The mystery in the death of Rear-Admiral James K. Cogswell, who expired the night after a dinner with friends at Villa Alexandra, near Jacksonville, Fla., was recalled today when word was received of the shooting at the villa of David F. Mitchell, the eldest son of John Mitchell, of Milwaukee.

Mitchell was shot by a watchman, who says that the wounded man was a trespasser, and that Mitchell was threatening to shoot him when he, Rogers, the watchman, fired. Mitchell will probably lose one of his hands.

Mitchell says that he was trying to take possession of the villa which was his own property when he was shot. The ownership of the villa is said by others to be in doubt. The man who placed the watchman there says he bought it under a \$10,000 mortgage, which he foreclosed. Mitchell says the mortgage was not foreclosed.

The villa was the old winter residence of the Mitchell family. Admiral Cogswell was an uncle of young Mitchell, and it is understood was trying to buy the place to keep it in the family. He spent several weeks there before his death, which was so sudden as to shock his friends. He was well and dined with friends twelve hours before he died without word of previous sickness.

Doubles Marriage License Fee. By Wire to The Sun. Harrisburg, Feb. 5.—The Senate Judiciary committee reported out the Snyder bill to advance the price of marriage licenses from 50 cents to \$1. He originally wanted to charge \$2.

One Boy Stabs Another. By Wire to The Sun. Wheeling, W. Va., Feb. 5.—John Callahan, a boy of 15, was stabbed in a fight with Charles Fordan, aged 16. Both were employed at the Post-toria glass factory, at Moundsville. Fordan drew a long-bladed knife and stabbed Callahan in half a dozen places. Fordan has been arrested.

BIG EAGLE SEIZES A BABY. Parents' Cries Make Bird Drop Child, Who Falls Unhurt. By Wire to The Sun. Utica, N. Y., Feb. 5.—Josiah Olmtree, a farmer residing on the edge of the Adirondacks, in the town of Pitcairn, barely saved his 5-year-old daughter from being carried away by an eagle late yesterday. For several days a huge eagle has been hovering itself on food prepared for a herd of sheep. Several times Olmtree tried to get a shot at the bird, but without avail. His little girl was about the barnyard yesterday, when suddenly the father was attracted by the screams of the child. Hastening from the barn, Olmtree was horrified to see the girl in the clutches of the monster bird.

The outcries of both the parent and the child evidently frightened the eagle, and it dropped the child unhurt on the roof of a building near the barn. Quickly getting his gun, the father took a chance shot, but outside of the loss of a few feathers the bird flew away uninjured.

BITTEN BOY GOLDEN-TOOTH DOG. Distinction That a Pittsburg Boy Does Not Enjoy. By Wire to The Sun. Pittsburg, Pa., Feb. 5.—Not every person has the honor of being bitten by a dog having bridge work and gold teeth, said Alderman Means to Martin Griese, 12 years old, who preferred information against Dr. F. H. Murphy a dentist, of Penn avenue, charging him with keeping ferocious dogs. Dr. Murphy was held for court in \$300 bail.

The dog has a number of gold teeth in the front of his mouth and three teeth are bridge work.

Injured by Fall in Elevation. By Wire to The Sun. Lynchburg, Va., Feb. 5.—Last night while showing a friend the new building occupied by the Strother Drug Company Douglas H. Peacock, the president, tried to jump on the passing elevator and fall. He was caught before the casing of the second story. He was taken to a hospital, but it is thought to be critically injured.

LEAVES MITE IN EACH BANK

Late Call Nearly Drains Deposits

By Wire to The Sun. Washington, D. C., Feb. 5.—Secretary Cortelyou today announced that he has made a call on all temporary national bank depositories for about \$30,000,000 Government deposits to be paid on or before February 24th. There are over 1,000 temporary depository banks and the Secretary's call today will leave exactly \$10,000 in each, as the instructions will be to remit everything above that sum.

Calls hitherto made on the regular depository banks have practically exhausted their holdings above the amounts actually needed to meet disbursing officers' checks. These aggregating about \$55,000,000. The call for \$24,500,000 made by the Secretary early in January has been responded to by all of the banks except a few in the Far West, where remittances are ready on the way.

The working balances in the Treasury today were \$43,841,000.

ROANOKE'S NEW JUDGE. Career of Walter R. Staples, Who is to Preside Over Corporation Court. By Wire to The Sun. Roanoke, Va., Feb. 5.—Judge Walter R. Staples, who yesterday ascended the bench of the corporation court of Roanoke, was educated at Washington and Lee University and the Boston Institute of Technology as a civil engineer. His first work was in the engineer corps, United States army, on the Chicago and Mississippi River drainage canal. He was connected later with the coast and geodetic survey and appointed examiner of surveys in the United States land office.

In 1899 he was graduated in law at the National University, was admitted to the bar, and began practice at Lynchburg, Va. In 1904 he removed to Roanoke, and less than four years thereafter was elected by the legislature to succeed Judge J. W. Wood.

Judge Staples is a brother of Prof. A. P. Staples, of Washington and Lee University, a nephew of the late Judge Walter R. Staples, of the supreme court of Virginia, and a great-grandson of Maj. Samuel Granville Staples, of the Confederate army.

Flood of Bogus Silver Dollars. By Wire to The Sun. Pottsville, Pa., Feb. 5.—The circulation of 600 spurious silver dollar coins in Pottsville and vicinity has the local constabulary searching everywhere for a counterfeiters' plant.

Weds Despite Lunacy Proceedings. By Wire to The Sun. Fairmont, W. Va., Feb. 5.—Dr. Presley B. Ogden, aged 68 years, was married yesterday to Miss Alice Sapp aged 30, of near Shinnston, W. Va., matron of the local hospital. The ceremony was performed at the residence of Dr. C. F. Bowers by the Rev. W. J. Eddy, of First Baptist Church. Dr. Ogden is a very extensive property owner. Lunacy proceedings were pending against him by his children. It is alleged, with the view to prevent his marriage, but they may now be withdrawn.

SET WATCH FOR DEATH. Timed on Hour Wrong, Fatal Railroad Wreck Ensued. By Wire to The Sun. Spartansburg, S. C., Feb. 5.—Two freight trains collided on the Seaboard Air Line Railroad near Greenwood today, resulting in three men being killed and several injured.

The collision was head-on between the regular and extra freight trains, and is alleged to have been caused by the engineer on the extra setting his watch one hour wrong.

The engineer who made the mistake and his fireman jumped and saved their lives. Brakeman Tyrus was buried beneath the debris and Engineer Clyde Moore of Chester, and Fireman Nichols, of the local train, were both killed.

Sampson Murder Case. By Wire to The Sun. Rochester, N. Y., Feb. 5.—Wayne county grand jury this morning completed its investigation of the Sampson murder mystery. Relatives of the families involved in the homicide returned to their homes and Mrs. Geo. A. Sampson, charged with the murder of the nephew of the late Admiral, still seem happy for her.

Commission Report. By Wire to The Sun. Washington, D. C., Feb. 5.—The commission appointed by the President last May to codify laws relating to protection of lives at sea, made its first report to the President this morning. The findings are not made public.

MARKET REPORT. Cotton: By Wire to The Sun. New York, Feb. 5.—First prices cotton one point lower to two higher. Opening, Mar. 9.48; May 9.41; July 9.42; Aug. 9.28, bid.

Stocks: New York, Feb. 5.—Stocks opened firm tone, fairly active trading. Prices generally made fractional gains first few minutes, but later developed irregularly. Denver C. & C. & O. and several others made gains. Copper weak, declining 3-8.

Grain: Chicago, Feb. 5.—Wheat opened a little lower. Wheat, May 119 5-8; corn, May 63 3-4; oats, May 51 5-8; pork, July 16.97.

Goes to Matteawan. By Wire to The Sun. Arthur Trotter, who killed and decapitated his mother, Mrs. Anne Trotter on December 30th, was today sent to the asylum for criminal insane, at Matteawan by Supreme Court Justice Dowling.

Dr. Carlos P. McDonald alienist, reported to the court that Trotter's mental development had been arrested and that he was paranoiac and dangerous to the community.

Floods in Germany. By Cable to The Sun. Berlin, Feb. 5.—Ten persons are reported drowned and many bridges swept away by floods which have been more or less general throughout Germany. The streets of Muremburg are awash today. Other cities are reported heavy damage. Trains along the Rhine and confluents are at a standstill.

CARGO OF DEAD CHINESE. Steamer to Carry 5,000 Over Sea for Home Burial. By Wire to The Sun. New York, Feb. 5.—Five thousand Chinese corpses, bound for their final resting places in the Flower Kingdom, will leave Brooklyn next Wednesday on the steamer Shimosa. The bodies of the dead Celestials were disinterred from burying-grounds all over the United States and placed in sealed caskets, which in turn were inclosed in pine boxes, each labeled with the name and history of its silent occupant, and stored between decks on the ship. When the Shimosa reaches China the bodies will be sent to the localities from which the dead Chinaman came.

JUDGE HOLDS UP RATE LAW. Federal Injunction Quick to Follow State Legislation. By Wire to The Sun. Sioux Falls, S. D., Feb. 5.—Federal Judge John E. Carland today granted a restraining order preventing the two-cent passenger rate law, signed by the Governor today, from going into effect pending a hearing before him on March 1st for a temporary injunction.

The order was granted at the instance of the various railroads in South Dakota. The bill as finally passed by the legislature yesterday contained an emergency clause, making it effective immediately.

RAILROAD WILL MOVE TOWN. Regrading Rendered Change to Site Two Miles Away Necessary. Winnipeg, Manitoba, Feb. 5.—Cowley, in Southern Alberta, a small town on the Canadian Pacific Railway, will be moved bodily next week to a new site two miles south of its present location. Regrading on the Crow's Nest Pass line made the moving of the town necessary. The railroad will pay the entire expense of moving.

Lesser Ear in Terrific Whirl. By Wire to The Sun. Millville, N. J., Feb. 5.—Whirled around a shaft and expecting each minute to be killed, was the terrible experience which befel Henry Lober, of South Millville, at the Menantico Bleach and Dye Works. Lober's sweating caught in the machinery and he was whirled about at a terrific rate. A fellow-workman, who witnessed the accident, shut off the power.

One of Lober's ears was torn off and he sustained numerous lacerations of the head, face and body, but will recover.