

SHORT SESSION

But Important Bills Were Introduced and Others Passed

NEW ANTI-TRUST BILL

To Prohibit the Sale of Cigarettes—To Amend Jim Crow Car Law—\$300,000 in Public Schools

The Senate cleared its calendar early yesterday and adjourned after a one and one-half day session, the Senators leaving the afternoon looking after committee work industriously.

Nearly all the afternoon and started the committee machinery into operation. The usual sub-committees were appointed by several and a number of bills, some of them not of particular general interest were considered, and will be reported back to the Senate this morning.

The committee on Privileges and Elections took up the contested election case of Kennedy versus Currie and set a date for the hearing, viz., next Wednesday, 23rd instant. The contestant, Kennedy, is a Sampson county Populist of the Butler school. Mr. Currie, the sitting Senator, is an able young Democrat, who two years ago served in the House as the representative from Bladen county.

Senator Ward introduced his new anti-trust bill—the substitute for the one introduced and then withdrawn by that committee. He also presented a bill to amend the Jim Crow car law, which is explained below. The anti-trust bill will be found reproduced in full below.

Senator Brown offered a bill "to prevent the sale of cigarettes in North Carolina." Senator Smith of Johnston introduced a measure providing for an appropriation of \$300,000 to the public schools of North Carolina.

The 12-year-old law, the excuse for the enactment of which Senator Henderson declared he could not discover, preventing the incorporation under the general law of companies having a capital of \$100,000 or more, was observed, so far as the Senate could do. The House will doubtless concur and pass the bill this week.

Several other measures of interest were presented and others passed. The proceedings follow.

Proceedings in Detail

Senate called to order by Lieut. Gov. Timmer, prayer by Rev. Dr. M. M. Marshall, reader of Christ Church.

On motion, the following ex-Senators and distinguished gentlemen, whose presence in the lobby was observed, were accorded the privileges of the floor and invited to seats in the Senate: Hon. J. C. Buxton, Hon. Richmond Tenen, Hon. F. L. Osborne, Hon. J. K. King, Hon. Lee S. Overman, Hon. J. S. Cunningham, ex-Senator Smith of Stanley, ex-Senator Jones of Johnston, E. E. McLaee, ex-Senator Twitty, ex-Senator Smithers, ex-Senator Cheek, and a list of absence for one day to Senator Warren.

Petitions and Memorials

By Mr. Henderson: Memorial from Bar Association of North Carolina in relation to Code commission. Judiciary Committee.

By Mr. Robinson: Depositions in the contested election case of Kennedy, J. Currie, Privileges and Elections Committee.

By Mr. Vann: Petition from citizens of Camden county with regard to the removal of a ferry. Propositions and Grievances Committee.

By Mr. Justice: Memorial from members North Carolina Bar Association in relation to the increase in the number of judicial districts. Referred to Committee on Judicial Districts.

By Mr. Marshall: Petition from citizens of Surry county asking that J. L. Currie be placed on the pension roll. Committee on Pensions.

By Mr. McIntyre: Petition in relation to stock law of St. Paul's township, Robeson county; also for the incorporation of Bethany Baptist Church, Robeson county, and immunity from sale of liquor within certain distance; also for incorporation of Smith's Chapel, for same purpose. Propositions and Grievances Committee.

By Mr. Ward: Petition from citizens of Washington county in reference to Phillips Church of that county. Propositions and Grievances Committee.

No reports from standing committees. Reports from standing committees and reading of messages of inauguration day. But they got down to work yesterday afternoon and considered a large number of bills referred to them.

Governor Aycock's Reply

Senator Justice announced that the special committee to wait on the Governor and ascertain his pleasure had performed that duty and that Governor Aycock had no communication to make at present, but may have at an early date.

New Bills

New bills were then introduced, as follows: By Mr. Ward: To amend chapter 384, Acts 1899, in relation to the enforcement of the separate coach ("jim crow") train law. Judiciary Committee.

This bill is designed to prevent the present practice, as claimed, of some of the small railroads in eastern North Carolina of hitching a freight car in front of several passenger coaches and calling the train a "mixed" one. It is sought to strike out the word "passenger" and compel separation of races on such trains.

By Mr. Ward: Bill to "protect trade from trusts, monopolies and monopolies." Judiciary Committee. (This is the substitute anti-trust bill.)

By Mr. Webb: To allow H. Caviness to practice law, and providing for his appointment as justice of the peace. Referred.

By Mr. Speight: To repeal chapters 236 and 482 of the Acts of 1899, relative to the enforcement of the control and the jurisdiction of the Supreme Court building. Committee on Public Buildings and Grounds.

By Mr. Lindsay: To amend the charter of the town of Reidsville, extending the corporate limits. This bill and that by Mr. Ward in regard to trusts were ordered printed one hundred copies of each.

By Mr. Buchanan: In regard to fishing in the Neuse river. Committee on Fish and Fisheries.

By Mr. Miller: To amend chapter 435, Acts 1899, with regard to fishing in the Neuse river. Fish and Fisheries Committee.

By Mr. Henderson: Relative to the law of acknowledgments by husband and wife, affecting chapter 235, section 8, Acts 1899. Also to amend section 821 of the Code, relating to the law of justice of the peace. Also amending law in regard to settlement of partnerships. Also to amend section 696 of the Code, in regard to the tax on bills in relation to partnerships, etc. All referred to Judiciary Committee.

By Mr. Marshall: For the relief of J. L. McCreary of Surry county. Also for the relief of Joseph Richardson. Committee on Pensions.

By Mr. Brown: To prohibit the sale of cigarettes in North Carolina. Committee on Propositions and Grievances.

By Mr. James: Providing for the captions and indexing, etc., of the Acts of 1901. Committee on Printing.

By Mr. Smith: To appropriate \$300,000 for the maintenance and improvement of the public schools of North Carolina. Committee on Appropriations.

By Mr. Justice: To amend the charter of the town of Salvador, Polk county. Counties, Cities and Towns Committee.

By Mr. Henderson: To revise and codify laws relating to the corporate limits of the town of Reidsville, passed second and third readings and sent to House.

S. B. 63, giving the consent of the State to the United States authorities for the acquisition by the latter of land to establish a national forestry preserve; passed second and third readings and sent to House.

S. B. 75, H. B. 80, empowering the commissioners of Iredell county to levy a special tax to pay for a new courthouse; passed second reading and extended to the floor for third reading yesterday, as required of bills of this character. The bill allows the levying of a special tax not to exceed ten cents on the \$100 and thirty cents on the \$1000, and provides for two additional county commissioners in Alliance county, making five in all (as a number of counties now have) passed second and third readings and sent to House for ratification. (The term of the two new commissioners shall expire in December, 1902.)

S. B. 34, providing for cotton weighers in the town of Pollockville, Bladen county and Maxville, Jones county; passed second and third readings and sent to House.

S. B. 30, repealing chapter 170, Acts 1899, which prohibits the chartering, under the general law, of companies with capital exceeding \$1,000,000; passed second and third readings and sent to House. (Senator Henderson stated that he had been unable to understand why a law had ever been placed upon the statute books.)

The chair then announced that the calendar had been exhausted, whereupon the Senate adjourned to meet at 11 o'clock this (Thursday) morning.

Chat of the Lobbies

The first official act of Secretary of State Crimes was his signature for in relation to the Pittsboro Telegraph and Telephone Company. This was especially pleasant to Secretary Crimes because of the fact that the chief promoter of this enterprise is Gen. W. L. London.

Pittsboro, who was the adjutant general on the staff of Gen. Bryan Grimes, the father of Colonel Grimes, during the war for Southern independence.

The Reform School Bill

The Committee on Penal and Charitable Institutions, at their meeting last evening, examined into the bill to establish a reform school, introduced yesterday by Senator Broughton.

It was decided to hold a joint meeting of the Senate and House Committees on Penal and Charitable Institutions next Monday afternoon at 3 o'clock for the purpose of fully considering this reform school bill. It is the desire of the committee to secure all the light it can muster on the subject of reformatories and like institutions to which young degenerates can be committed, and to provide one in this State that will serve its purpose efficiently.

THE WARD ANTI-TRUST BILL

Text of the Measure Introduced Yesterday by Senator from Washington

Following is the full text of the bill introduced yesterday in the Senate by Senator Ward of Washington county: A BILL TO PROTECT TRADE, COMMERCE AND TRANSPORTATION FROM COMBINATION, MONOPOLY AND CONSPIRACY.

The General Assembly of North Carolina do enact: Section 1. That chapter 696 of the Public Laws of 1899 be repealed, and the following enacted in lieu thereof: A trust is a combination of capital, skill or acts by two or more persons,

firms, corporations or associations of persons, for either or more of them, for either, for any or for all of the following purposes: (1) To create or carry out restriction in trade or commerce or to restrict or to trade or free pursuit of any business authorized or permitted by the laws of this State.

(2) To increase or reduce the price of merchandise, produce or commodities.

(3) To prevent competition in manufacturing, making, transportation, sale or purchase of merchandise, produce or commodities, or to prevent competition in trade or commerce or trade.

(4) To fix at any standard or figure, whereby its price to the public shall be in any manner controlled or established, any article or commodity intended for sale, use or consumption in this State.

(5) To make or enter into or execute or carry out any contract, obligation or agreement of any kind or description by which they shall bind or have bound themselves not to sell, dispose of or transport any article or commodity or power of trade, use, merchandise, commerce or consumption below a common standard figure, or by which they shall agree in any manner to keep the price of such article, commodity or transportation at a fixed or standard figure, or by which they shall in any manner establish or settle the price of any article or commodity or transportation between them or themselves and others, or by which they shall agree to restrict or to trade or free pursuit of any business authorized or permitted by the laws of this State.

Sec. 2. Any corporation holding a charter under the laws of this State which shall violate any of the provisions of this chapter shall forfeit its charter and franchise and its corporate existence shall cease and determine.

Sec. 3. For any violation of any of the provisions of this act by any corporation mentioned herein it shall be the duty of the Attorney General, the solicitor of any district or either of them, upon his own motion and without leave or order of any court or judge, and as soon as possible upon receipt of information thereof, to institute suit in Wake county in any county of the State where such corporation exists, does business or may have a domicile, for the forfeiture of its charter, rights and franchises and the dissolution of its corporate existence, and the solicitor shall receive a fee as part of the costs recovered out of defendant as ordered by the court.

Sec. 4. Every foreign corporation violating any of the provisions of this chapter hereby denying the right and prohibited from doing any business in this State; and it shall be the duty of the Attorney General or other proper proceedings in the Superior Court of Wake county in the name of the State of North Carolina.

Sec. 5. Each and every firm, person, corporation or association of persons who shall in any manner violate any of the provisions of this chapter shall for each and every day that such violation shall continue or continue in the future, pay the sum of \$100 to the use of any person suing for the same.

Sec. 6. Any contract or agreement in violation of the provisions of this act shall be absolutely void and not enforceable in law or equity.

Sec. 7. The provisions hereof shall be held cumulative of each other and of all other laws in any way affecting the same. The provisions of this act shall apply to live-stock and agricultural products in the hands of the producer or raiser, nor shall it be understood to prohibit the organization of laborers for the purpose of maintaining any standard of wages.

Sec. 8. In any action brought under the provisions of this act the court before which the same shall be pending may compel any person or persons, partnership, company, association or corporation, trustee, agent or receiver, to appear in such suit or proceeding, and may compel the production of books and papers of any such person, partnership, company, association or corporation party to such proceeding.

Sec. 9. This act shall be in force from and after its ratification.

STOLE CHRISTMAS MONEY

Bank Teller Mason Made False Entries in His Books

New York, Jan. 16.—J. Everett Mason, a teller of the Continental National Bank, is a prisoner in Ludlow Street jail, charged with embezzlement. He was arrested at midnight at his home, 1131 Washington avenue, and taken to the Tombs. A warrant for his arrest was issued late yesterday by United States Commissioner Shields. It was served by United States Marshal John E. McCarney. Mason refused today to make a statement until he had consulted counsel.

The specific charge in the warrant concerns an embezzlement of \$5,000. The amount of the defalcation is said to be much larger. Experts are now working on Mason's books. His peculations, it has been discovered, were done through a system of false entries in his cash collection book. The embezzlement consisted of took place December 25.

The total amount of the Continental Bank's floating assets sold by the officers to be \$12,000.

Gold for Shipment to Europe

New York, Jan. 16.—It was announced this morning that Heidebach, Ickelheimer & Co. had engaged \$1,000,000 of gold in the form of gold bars at the assay office for export. It will be shipped to Paris on the steamship sailing Thursday. This is the first shipment announced this year, and it has been expected for some time. It is probable that a few other shipments will be made. The New York market is in good condition to spare the gold. From Australia gold is constantly coming to this country via San Francisco at the present time.

THE PROCEEDINGS YESTERDAY

A Number of Local Bills Passed All of Their Readings

The House was convened by Speaker Moore yesterday morning at 11 o'clock. Rev. L. L. Nash offered prayer.

Indefinite leave of absence was granted to Mr. Ward of Perquimans. Mr. Zachary of Transylvania, was also granted leave of absence.

Mr. Graham of Granville, on behalf of the joint committee that was appointed to wait on the governor to notify him of the readiness of the Assembly to receive communication from His Excellency, made its report. Mr. Graham stated that the committee had performed its duty and that the governor sent his congratulations to the members of the General Assembly. The governor informed the committee that he would have several communications to transmit to the General Assembly at a later day.

Mr. Ebbs of Madison, arose to a question of personal privilege. He said while the governor's salary bill was

A TAX ON GAINES

Would Raise \$100,000 for the Public Schools

A CORPORATION TAX

Bill to Put a Graduated License-Fee on All Charters Issued. To Issue Bonds for Fertilizer Manufactory

The dog tax bill is inevitable. At every recurring session of the Legislature, it makes its appearance in the House yesterday, and the author of the measure, Mr. Garrett, of Rockingham, is convinced that it will raise \$100,000 revenue for the public.

While this bill is on act to protect game, fowl and dogs in North Carolina, it is in reality a measure to tax dogs \$1.00 each. The said dogs are defined as personal property. In addition to raising a handsome fund for the public schools, the introducer claims that the bill will save the lives of thousands of turkeys, quail, sheep and deer. The debate on this measure is anticipated with interest.

An important bill was introduced by Mr. Daughtridge of Edgecombe, yesterday placing a graduated tax on corporations seeking charters from the State. The measure is now in the hands of the committee on corporations. It places a license tax on all corporations asking for charters, which is graduated all the way from \$25 to \$750. Corporations with more than a million dollars capital stock are required to pay a license of \$750.

The bill provides for the payment of fees for granting charters as follows: Companies with \$5,000 stock or more, a fee of \$25; \$10,000 and under, a fee of \$35; \$25,000 stock, a fee of \$40; \$50,000 stock, a fee of \$75; \$100,000 stock, a fee of \$100; \$300,000 stock, a fee of \$200; \$500,000 stock, a fee of \$300; \$800,000 stock, a fee of \$400; over \$1,000,000 a fee of \$750. For the purposes of the act, the amount to which the company is authorized by the terms of its charter to increase its capital stock shall be considered its maximum capital stock, but the fee is not to exceed \$750. No fee is required of companies organized for religious, benevolent or literary purposes.

The House passed a number of local bills yesterday, the majority of which were not deemed of sufficient importance to be referred to the respective committees. There were a large number of committee meetings yesterday and this morning there will be many reports on bills so that the calendar will be pretty well stocked. Yesterday the calendar was cleared before the House adjourned.

Speaker Moore named yesterday, the committee on Judiciary. Mr. Allen of Wayne is chairman of this very important committee, which will consider a greater number of bills of public interest than any other committee of the House. There are forty-one members of the committee. They are as follows: Allen of Wayne (chairman), Connor, Graham, Rountree, Gattis, Craig, Duls, Patterson, Green, Hayes, Mason, McCarney, Robinson, Roberson, Spahorn, Smith, Stewart, Stubbs, Simms, Thompson, Weston, Wright, Wilson, Yarborough, Baldwin, Bradsher, Brittain, Blount, Daniels of Warren, Carleton, Gaither, Hoey, Haines, Hood, Lawrence, Mann, MacGethan, Morgan, Seawell, Shannhouse, White of Jones, Whitaker of Guilford, Ebbs, Blythe, Bealwood.

The following additions to committees were announced by the speaker: McLean to Committee on Counties, Cities and Towns; Russell, to Committee on Education; Wright, to Committee on Constitutional Amendments; Lane, to Committee on Pensions.

The bill chartering the Whitney Reduction Company of Rowan, which created such a breeze in the Senate, was received in the House yesterday and the Committee on Corporations has already decided to report it favorably. The action of the committee was unanimous. The House meets again this morning at 11 o'clock.

NEW BILLS INTRODUCED

A Number of Important Measures of General Interest Proposed

H. B. 144, by Carr of Greene (introduced by request): An act to incorporate the town of Apple Tree in Greene county.

H. B. 145, by McLean of Scotland: An act for better employment of convict labor.

H. B. 146, by Hood of Wayne: An act to incorporate the Bank of Mt. Olive.

H. B. 147, by Parker of Halifax: An act to establish graded schools in Enfield.

H. B. 148, by Oliver of Robeson: An act to change the name of the town of Union City to Ashpole and to amend the charter thereof.

H. B. 149, by Blythe of Henderson: An act for the relief of ex-Sheriff Williams of Henderson county.

H. B. 150, by Simms of Wake: An act to place John H. Layton of Wake county on the pension roll.

H. B. 151, by Roberson of Guilford: An act to amend Chap. 392, Public Acts of 1899, relating to the graded schools of High Point.

H. B. 152, by Page of Montgomery: An act to incorporate the town of Biscoe.

H. B. 153, by Daughtridge of Edgecombe: An act regulating fees for charters of corporations.

H. B. 154, by Pitterson of Robeson: An act to incorporate the Robeson County Loan and Trust Company.

H. B. 155, by Rountree of New Hanover: An act to validate certain probate and registrations.

H. B. 156, by Rountree of New Hanover: An act to amend Chap. 180, Public Laws of 1891.

H. B. 157, by Rountree of New Hanover: An act to incorporate the United Sons and Daughters of Salem.

H. B. 158, by Rountree of New Hanover: An act to incorporate the Hilton Railroad and Logging Company.

H. B. 159, by Beddingfield of Wake: An act to pay the guards of the State prison and on the farms better wages.

H. B. 160, by Fagus of Cherokee: An act for the relief of Nancy Brittain.

H. B. 161, by Morris of Cabarrus: An act to authorize the commissioners of Concord to issue bonds.

H. B. 162, by Morris of Cabarrus: An act to amend the charter of the town of Concord.

H. B. 163, by Morris of Cabarrus: An act to amend the charter of the town of Coopers.

(Continued on Third Page.)

BIG BLUNDERBUS

Allen Shoots His Gun at the Army Bill

HIT HERE AND THERE

The Nebraska Senator Gives His Impressions of the Finished Material Turned Out at West Point

Washington, Jan. 16.—Mr. Pettigrew was on guard in the Senate today for the opponents of the Army Reorganization bill, while Mr. Allen occupied the time with a long speech against the measure. He latter refused to let a vote be taken tomorrow, and the outlook is that the bill cannot be disposed of before Monday.

Mr. Hawley called up the bill at 12:30 and Mr. Allen was immediately recognized. Mr. Teller was given the floor and moved that the following section be stricken from the bill: "That when in the opinion of the President the interests of the service will be benefited thereby, he is empowered to place upon the retired list, by executive order, any officer who has been suspended from duty, either by sentence of court martial or by virtue of an executive order in mitigation of sentence, for a period extending to or within one year of the time of his compulsory retirement for age."

The motion was agreed to. Mr. Carter then asked unanimous consent that a vote be taken on the bill at 4 o'clock tomorrow afternoon.

Mr. Allen objected and proceeded to talk against the measure. He said that the bill was wrong in everything and should never become a law. He promised that he would be aided to set up a government of their own in Cuba, since then the whole policy of the administration has changed and we are trying to keep them from enjoying the same government we have.

"There is a mamby-pamby style on the Republican side of styling every Senator who says a word for the Philippines as a traitor. Now there can be no traitors in a people who owe no allegiance to this government. They are foreigners and may be insurgents, but not rebels.

"I am opposed to putting an instrument into the hands of the President to strike these people down. This is legislation to promote efficiency of life saving, memorial of National Live Stock Exchange of Chicago against the Grout bill, resolution of Asheville Board of Trade for proper examination of the Piedmont plateau, also from the Asheville Board of Trade in favor of public highways, also a petition of nineteen citizens asking for the passage of the Grout bill.

Senator Butler today presented petitions from the Produce Exchange of Wilmington as follows: Favoring Appalachian Park bill, favoring appropriation to ascertain at what depth artesian water can be had along the Atlantic coast, favoring betterment of public highways, favoring mapping of forest regions in the South, also a petition from Walehead life saving crew for legislation to promote efficiency of life saving, memorial of National Live Stock Exchange of Chicago against the Grout bill, resolution of Asheville Board of Trade for proper examination of the Piedmont plateau, also from the Asheville Board of Trade in favor of public highways, also a petition of nineteen citizens asking for the passage of the Grout bill.

The News, one of the Aftersider Bond organs, is endeavoring to discredit the official report of the outrage on Boer peace envoys said to have been committed by order of General DeVet.

The general public here continues to await anxiously for definite tidings from South Africa, and there are many misgivings as to the actual situation. It is feared that the invaders are making progress with their military operations, despite the efforts of Kitchener's forces to break up the burgher army.

NO GOOD NEWS FROM THE WAR

London, Jan. 16.—There is no encouraging news from the field of war in South Africa. A dispatch from Cape Town says that the absence of information in the northwestern districts of Cape Colony is causing great anxiety, as the disloyal Dutch are very numerous in that section.

Preparations for the defence of Cape Town are still being carried on, and it is believed that the city is now in excellent shape to resist the invaders if they should put in an appearance.

An additional gun has been mounted in the blockhouse on Table Mountain.

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TEXTILE EDUCATION

Significant by the Factory Men's Association

Greensboro, N. C., Jan. 16.—(Special.)—The following resolution introduced by J. S. Wynne, was passed by the Factory Men's Association today: Resolved, That we appreciate fully the need of textile education in North Carolina and urge the present Legislature to provide suitable means for the erection, equipment and maintenance of a first-class textile school at the A. and M. College, Raleigh, N. C.

Mr. McCumber of North Dakota, defended the bill and condemned the hazy practice at West Point. That practice, he said, created the worst character of cowardice and the worst character of cowardice. And bully who was guilty of attempting to punish one who was physically unable to meet him was such a coward that he should be discharged from the service.

Mr. Teller discussed the bill on its relation to the Philippine Islands. The situation there, he said, had not improved in the slightest degree since the islands were held by Spain. The Spaniards had an army of 15,000 men there, and now the United States has an army of 70,000. Spain had held only a few places, and the United States now held some 400 places by force, not by the consent of the people. In places not held by the United States there was peace and quiet, and the people were taking care of themselves and showing themselves capable of self-government.

"I am not in favor of giving up the islands," said Mr. Teller. "I want to hold them, because I believe that would be better for the Filipinos and that the islands would be valuable to us, but if we can only hold them by force, there is no consideration, financial, commercial or other that would justify us in holding them in that way."

Mr. Butler of North Carolina, argued against the bill, first, because he did not think it well to have a regular instead of a volunteer army; second, because it was a radical departure from the policy of the government, to clothe an executive office with legislative power.

At the close of Mr. Butler's remarks an agreement was made by unanimous consent that on Friday at 4 o'clock the Senate shall without further debate proceed to vote on the bill and pending amendments.

At 5 p. m. the Senate went into executive session. At 5:50 the Senate adjourned until tomorrow.