

ADJOURNED SESSION OF LEGISLATURE

Will Adjourn Sine Die Today Provided Bills Are Ratified.

YESTERDAY'S SESSION

Only Eleven Representatives and Four Senators Present

SEVERAL BILLS PASSED

No Bills Could Be Ratified Owing to Absence of Both Lieutenant Governor Turner and President Pro Tem London

Senator London to Arrive Today—Bills Will Then Be Ratified and Final Adjournment Taken—Resolution Passed Providing that All Argument by Counsel in Impeachment Trial Be Published—Other Business Transacted

The General Assembly met yesterday according to the adjournment taken March 15th, but owing to the fact that neither Lieutenant Governor Turner nor President Pro Tem London, of the Senate, were here and no bills could therefore be ratified, adjournment sine die was postponed until today. The recess taken by both branches of the assembly yesterday was until noon today, when it is expected that Senator London will be here and sign the several bills yet to be ratified, as president pro tem.

There were eleven members in attendance upon the session of the House of Representatives yesterday. The session of the Senate was attended by only four members and Senator Glenn was called to the chair as presiding officer, so that there were only three Senators on the floor voting. However, despite the small attendance some business of importance and public interest was transacted, the most important being the adoption of a resolution providing for the publication of all the speeches by counsel in the impeachment trial instead of just the opening and closing argument for prosecution and defense, as at first ordered, and the taking of a bill from the Senate calendar and putting it upon its final reading. It was the one providing for the payment of \$100 to Judge T. B. Womack for services rendered the General Assembly in the drafting of the bill dividing the State into sixteen judicial districts. There were other bills of more or less importance passed, all of which are given below in the detailed report of the proceedings.

Proceedings of the Senate

Two Short Sessions Held Yesterday—Will Adjourn Today

The Senate was called to order at 12:40 o'clock by Principal Clerk Maxwell in the absence of both Lieutenant Governor Turner and President Pro Tem London, the delay being with the hope that Senator London would arrive. Senator Glenn, of Guilford, was called to the chair.

Prayer was offered by Dr. Eugene E. Daniel, pastor of the First Presbyterian church. There were four Senators present. They were Arrington of Nash; Broughton of Wake, Woodard of Wilson, and Glenn of Guilford.

Senator Broughton sent forward a bill providing that Wake county be stricken from the Foshhee legalized primary law, and asked that it be placed upon its immediate passage. In introducing the bill Senator Broughton explained that since the passage of the Foshhee primary law State opposition to its application to Wake county had developed. The bill passed the House without engrossment. It is Senate bill No. 1675 and the caption: "A bill amendatory to an act entitled an act to regulate primary elections, ratified March 1st."

The following bills from the House were received, passed and ordered enrolled: Senate bill No. 1671, H. B. 2267—Bill supplemental to an act to appoint members of the State board of education.

S. B. 1642, H. B. 2266—Bill supplemental to an act entitled an act to provide for the division of the State into judicial districts and to provide for hold-

ing the courts therein, ratified March 11, 1901.

S. B. 1673, H. B. 2230—Bill supplemental to an act amendatory of an act to establish a stock law in certain portions of Wayne county.

S. B. 1676, H. B. 2261—Resolution to pay clerks and other employees mileage for their attendance upon the present session of the General Assembly.

S. B. 1678, H. B. 2245—Bill to amend chapter 203, private laws of 1899.

S. B. 1681, H. B. 2268—Bill supplemental to an act entitled an act relating to fees of witnesses in certain cases, ratified March 14, 1901.

Senator Arrington introduced a bill appointing three additional justices of the peace in Wayne county and asked that it be put upon its immediate passage. This was done and the bill as passed sent to House without engrossment. The justices of the peace appointed are J. E. Peterson, G. W. Lancaoler and W. H. Collins.

Senator Woodard introduced a resolution providing that the clerk of the judiciary committee, Mr. McCull, be allowed mileage, as were other employees of the Assembly. A discussion of the matter developed the fact that clerks of none of the other committees drew mileage and Mr. Woodard withdrew his resolution.

At the request of Senator Broughton the resolution providing for the payment of \$100 to Judge T. B. Womack for services in preparing the bill for the division of the State into sixteen judicial districts, was taken from the calendar and put upon its final reading. The objection was by Senator Aycock.

Senator Arrington said in stating his reasons for desiring the passage of the bill yesterday that it had passed the House without opposition and he did not believe the objection in the Senate was intended by Senator Aycock to defeat the bill. The debt, he said, was one honorably owed to Judge Womack by the General Assembly and should be paid. The bill was passed and will be ratified this morning.

Recommended to Calendar

Senator Broughton today offered a motion to take from the Senate calendar House resolution to pay W. W. Willson, reading clerk of the House \$50 for extra work. He said it was a regular practice to vote this extra pay to the clerk and the bill had passed the House unanimously so that now the Senate should certainly pass the bill. Senator Woodard feared its passage now would not be just to other clerks who were equally entitled to extra pay. On motion of Senator Arrington the bill was put back on the calendar.

On motion of Senator Arrington a recess was taken until 1:45 o'clock in the hope that in the meantime Senator London would arrive so that the bills could be ratified and the final adjournment taken. However, when the Senate reassembled there was still no news of Senator London, and it was ascertained that the S. A. L. train on which he was thought to have been delayed had arrived and he was not on board. So Sergeant-at-Arms Smith was instructed to telegraph for him to come on the first train tomorrow.

Mr. Gattis: "A mandamus could be issued ordering the commander of the Lilly to sink her a deep water."

At 1:20 p. m. the House adjourned until 3 p. m. in anticipation of the arrival of President Pro Tem London, of the Senate, whose presence is necessary to ratify bills.

At the third session of the day, which convened at 3 p. m., adjournment was again taken until noon today in order to have the bills passed yesterday ratified.

FREIGHTS IN THE SOUTH

New York Merchants Complain of Recent Increase

Washington, April 3.—Mr. J. M. Langley, representing the New York Merchants' Association, was today before the Industrial Commission and testified concerning railroad rates in the South, which he complained, had been raised in many instances since January, 1900. The association represented by Mr. Langley has 1,300 direct members and 3,000 associate members. Mr. Langley said the giving of lower rates on part-car loads than on car loads frequently caused an injustice to shippers. He recognized the business reason for making a railroad rate less than the rate for part-car load, but complained that the difference between these two classes of transportation was not established under different conditions. He said that life insurance companies are able to establish rates providing for various risks and contingencies, and he thought railroad companies should establish a system of difference in charges which should guide them, instead of arbitrarily fixing such rates in each case.

He thought the difference in the cost of hauling car load and part-car loads of goods was not so great as provided for in the freight rates. He promised later to furnish the commission evidence to demonstrate the justice of his contention.

to the bill providing for compulsory education in Mitchell county. He said Representative Brinson of Mitchell was anxious to have this bill ratified.

Mr. Watts of Iredell, first objected but later withdrew his objection and the measure was concurred in.

Mr. Allen of Wayne introduced H. B. 2262, which was an act amendatory of the bill relating to the stock law in a certain township in Wayne. "I think I have lobbied sufficiently to get this bill through," Mr. Allen declared amidst laughter. The bill passed its readings.

Mr. Winston introduced resolution 2261, authorizing the payment of mileage to clerks and employees. The resolution was adopted.

Mr. Watts of Iredell introduced H. B. 2262, which made the act relating to the fees of witnesses in certain cases applicable to Iredell and Bertie counties. The bill passed its readings.

H. B. 2263 was introduced by Mr. Hood of Wayne, and it passed without opposition. This bill corrects an error increasing the capital stock of the Goldsboro Lumber Company from \$100,000 to \$200,000.

Mr. Winston of Bertie introduced resolution 2264, providing that the Legislature should adjourn at 2 p. m., and it was adopted.

Mr. Beddingfield of Wake next presented H. B. 2265. It amends chapter 203 of the laws of 1899, correcting an error in the charter of the Raleigh Banking and Trust Company, fixing the liability of stockholders. The bill passed its readings.

H. B. 2266, amending the act which provides for the division of the State into judicial districts, was introduced by Mr. Allen of Wayne. Judge Allen explained that the Governor had some doubts as to his authority to make appointments prior to July 1st. As the judges assumed their duties July 1st, he stated that the appointments should be made prior to that time. The bill passed its readings though it was never read.

H. B. 2267, which was introduced by Mr. Watts, substituted the name of James A. Shearin for that of John A. Shearin, who was elected a justice of the peace at the regular session. The bill passed its readings.

This bill was responsible for a number of humorous remarks.

Judge Allen wanted to know whether this bill would be constitutional in the light of the doctrine of Hoke vs. Henderson.

Mr. Watts—I would not know Hoke vs. Henderson if I should meet it in the road.

Speaker Moore—I will say for the benefit of the gentleman that Hoke vs. Henderson can be applied to most anything you desire.

At 12:20 the House took a recess until 1 p. m. There were ten members present when the House reassembled.

A bill came from the Senate amending the legalized primary act, so as to exempt Wake from its operations. The bill was amended and received two votes while one vote was cast against it.

Mr. Simms said the senator from Wake had asked that Wake be excluded from the operations of the bill because the sentiment of the people did not demand it.

Mr. Gattis: "The Representative from Wake gave the views of the Senator from Wake, but we want to hear from him."

Mr. Simms: "I yield differentially to the senior Representative from Wake."

Mr. Beddingfield, "I have always favored primary elections. I yielded, however, to the Senator and certain citizens of the county."

The bill then passed all its readings.

Mr. Allen of Wayne arrived with a message from the Senate. It was a bill appointing certain justices of the peace for Wayne. It went in the hopper with the other bills.

STILL IN PRISON

Aguinaldo Not Yet Given His Liberty.

EXPECT TO USE HIM

It is Hoped that He Will Call on His Followers to Surrender and Accept American Sovereignty

Manila, April 3.—The American authorities are of the opinion that Aguinaldo will now do all in his power to help restore peace in the Philippines, and it is said on the best of authority that the Filipino leader is engaged in preparing a manifesto to be issued to the natives of the archipelago. This manifesto, it is said, will declare the revolution ended, and urge the Filipinos to become citizens loyal to the United States and to assist in the full industrial development of the islands.

Washington, April 3.—It is said by War Department officials that the question of disposing of Aguinaldo has not been settled by reason of his taking the oath of allegiance to the United States government. In his cablegram to the United States, General MacArthur has said that he would not recommend the release of Aguinaldo until he had secured the cooperation of the insurgents. General MacArthur also made certain recommendations in regard to the future treatment of his prisoner.

It is known that General MacArthur did not recommend his immediate and unconditional release. This cannot be accomplished until Aguinaldo has secured the cooperation of the insurgents against him in violating the rules of war are untrue. Pending an investigation of these reports, therefore, Aguinaldo will be detained until the release of which will be kept in close confinement.

Secretary Root has, by direction of the President, instructed General MacArthur to accord to Aguinaldo every consideration and treat him with proper courtesy. It is certain that General MacArthur will, through Chief Justice Arellano, endeavor to persuade Aguinaldo to accept the terms of the amnesty proclamation before his expiration, May 1. The present intention of the administration, it is said, is to retain control over Aguinaldo and to keep themselves themselves acknowledge the termination of hostilities.

Aguinaldo can secure such acknowledgment from the few leaders who are now refusing to surrender. He is to be given perfect freedom in consulting with his former followers, and it is hoped that it will be but a few days before he will issue an address urging Sandico and the insurgents to the same.

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It is held that Aguinaldo, having announced his allegiance to American authority, cannot offer any excuse for not refusing to surrender to the United States. It is believed he will accede to Chief Justice Arellano's further advice. It is not fully determined, however, how closely Aguinaldo will be held in custody pending the further development of the military situation.

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COCK FIGHTERS IN COURT

Let Off this Time with Fines of \$20 Each

Richmond, Va., April 3.—Sports of all kinds were in the police court today for being mixed up in a cock fight yesterday.

Agent Taylor, of the Society for the Prevention of Cruelty to Animals, with two police officers, arrested B. W. Steinburg and E. King last night, charged with carrying on the fight, and Thomas Vial for assisting it in his place. The society has been making a test of the cock-fighting business. The attorney for the accused pleaded guilty and the judge sentenced the defendants to pay a fine of \$20 each and six months in jail. The justice says he is determined to break up cock-fighting in this city as a nuisance and demoralizing to the young.

Nothing to Speak Of

Washington, April 3.—General MacArthur has replied regarding alleged frauds in the inquiry regarding alleged frauds in the commissary department at Manila. In a dispatch received today he said: "Commissary frauds being investigated; not sufficient gravity to cause concern; apparently due to irregularities in sales. Press reports inexact and misleading."

China's Foreign Trade

Pekin, April 3.—Sir Robert Hart, director of the imperial maritime customs,

has sent to the various legations the trade returns for five years. They show a great increase in the imports of American goods, especially flannels, sheetings and jeans, and a corresponding decrease in British goods of this description. There was a great decrease in the imports of American kerosene, it being replaced by Russian oil. Merchants generally fear Russian competition. They fear that the door will be closed in Manchuria and its market lost to international trade.

Another Purchase of Bonds

Washington, April 3.—The Secretary of the Treasury this afternoon announced another purchase of bonds, amounting this time to \$672,000. The only definite statement obtainable from Mr. Gage was that the class of bonds was the same as that of yesterday's purchase (that is, the short-term securities maturing in 1907), and that the price paid was about the same.

Workmen Laid Off

Wilkesbarre, Pa., April 3.—Thirty car men at the Ashley shops of the Central Railroad of New Jersey were suspended this morning. Most of them were old employees, and among the thirty were three men who formed the grievance committee which recently waited on the officials. No reason was given for the suspension. The other workers wanted to strike, but the suspended men induced them to wait until a meeting could be held.

BAER GETS THERE

Railroad President Once a Clerk in a Store

Philadelphia, April 3.—The board of directors of the Reading Company, at a meeting this afternoon, accepted the resignation of President Harris, and elected George F. Baer to succeed him. President Harris will remain with the company in an executive position. Mr. Baer was also elected president of the Philadelphia & Reading Company and of the Reading Coal and Iron Company. Mr. Harris was chosen a member of the executive committee of the Reading Company and elected a member of the board of directors.

George Baer began life as a clerk in a mercantile house near Johnstown.

GUNS AND ROPES

Citizens Take a Hand in Public Affairs

BREAK UP A MEETING

Attempt to Extend an Obnoxious Franchise Meets with Determined and Effectual Resistance

Kansas, City, Mo., April 3.—A mob of angry citizens, heavily armed and displaying ropes fitted with suggestive nooses, stormed last night's meeting of the city council of Kansas City, Kan., and compelled adjournment. For a time bloodshed seemed inevitable.

The council was undertaking to extend for another thirty years the franchise of the Metropolitan Street Railway Company, which controls all the lines in Kansas City, Kan., just as it owns all but one short line in Kansas City, Mo. The people have opposed the extension, demanding many concessions in compensation, and a story that the mayor and all but one of the council had been bought up aroused indignation.

An injunction to prevent the passage of the ordinance was secured from the city court, and for a week or so the council had respected it in spite of rumors that its members had been legally advised that no court can enforce a legislative body.

Yesterday brought the municipal election. The franchise election was the issue. The Republicans have for thirty years had a majority of from 3,000 to 5,000, but this spring public opinion filed the Republican ticket up with the street.

The result was that Craddock (Democrat) was elected mayor by 1,200 plurality, and the whole Democratic ticket with him.

Last night after the voting was over, but before the result could be more than guessed at, the old council met and started at once to pass the franchise extension bills. Hand-bills giving warning of what would be done had been distributed in the afternoon, and five hundred armed men were at the city hall, led by E. S. McAnany, president of the Mercantile Club and the Kansas City, Kan., Chamber of Commerce.

The mob tore down the railing of the council chamber and became so menacing when Mayor Marshall undertook to put the objectionable franchise question to vote that the aldermen finally gave in and adjourned till this afternoon, and before they were allowed to leave the city hall each had to give his word of honor that no effort to pass the franchise bill would be made before tonight.

Acquired by Hanover Bank

New York, April 3.—The Hanover National Bank has obtained control of the Continental Bank, its neighbors, which occupies a building on Nassau street, just north of Wall street.

STORY OF JONES

More Light on the Rice Murder Mystery

DODGING DETECTIVES

The Two Wills—Attempted Suicide—Talks with Patrick—His Former Confession Fictitious

New York, April 3.—Charles F. Jones, the valet and secretary of William Marsh Rice, the rich Texan, resumed the giving of testimony today in the proceedings against Albert T. Patrick, who is charged with causing Rice's death in order to obtain his property by means of a will, deeds and checks, which it is alleged were forged.

Jones began today by relating that on Monday, the day following Rice's death, four men who represented themselves to be lawyers called at the flat and asked questions concerning the circumstances surrounding the death. Jones told Patrick he thought these men were detectives. The next morning Jones went to police headquarters. When he returned he found a number of detectives in the place. Tuesday afternoon he was taken to police headquarters, where he was questioned. He found Patrick also at police headquarters.

Patrick told Jones he had destroyed the will witnessed in his (Patrick's) office and a number of bogus letters written on the will matter. On this occasion, Jones testified, Patrick asked when Rice had last been given mercury.

"I told him Thursday," Jones said. "Patrick then told me that there would be any trace of that left in the system at the time of the autopsy, and the embalming fluid would kill all traces of the exaltic acid, which was a vegetable poison."

Witness then told of Dr. Curry having come to the apartments Tuesday, where he met Patrick. The two had a long talk, which Jones did not hear.

The so-called Patrick will was then brought up. Jones said he carried Patrick that the provisions for Rice's relatives in the will which was destroyed the day following Rice's death were too small, and that it would be impossible to get it probated. Patrick, Jones said, had the so-called Patrick will drawn.

The witness related at length the incidents of the day when the body of Rice was cremated.

While the testimony about the will was being given Captain Baker of Texas, who was an executor of the 1896 will, entered the trial room. He carried a number of papers and some typewritten matter and said he called as a witness.

From the events of the day on which the body was re-examined, Jones passed over to the happenings of October 4, the evening of the day he was arrested.

Jones said he was taken to police headquarters at about 10 o'clock in the evening and was taken down stairs and locked up an hour later. He said he was locked up he made a statement which was entirely fictitious and of which he could not recall even the most important features.

Jones then told how Mr. House has been appointed lawyer for both Patrick and himself and the events surrounding their commitment to the Tombs at 10 o'clock in the afternoon, his attempt to commit suicide.

"Some time before I tried to commit suicide Mr. House came to me in the Tombs and wanted to know if I had had been committed. I told him that there had been no murder."

Lawyer Moore objected. He said that it was not a question of privilege, but that when a defendant tells the court a confession what went on between one defendant and the counsel could not, under the laws of evidence, be permitted.

Mr. Osborne said he did not want any confession, and asked the former to confine himself exclusively to any conversation that had taken place between himself and Patrick.

Mr. Osborne allowed the evidence already given to stand.

"On the day before the attempt was made," said Jones, "Patrick and I had a talk. Patrick told me his means were exhausted and that they were in desperate straits. Patrick wanted me to shoulder the responsibility for the crime. I told him I would not confess unless I could tell a straight story. I said I would rather kill myself on account of the disgrace of the thing."

"Patrick said this might be the best thing for us both, and said he would kill himself too. He said he had a small knife in his cell. The knife would do for one, and he would try to get some carbolic acid from Mr. Potts."

"He gave me the knife. I put it in my shoe and took it to my cell. Later Potts called. Patrick told me Potts would not get him the poison. I told him I would not confess unless I had gotten the knife. I sat in my cell writing some letters and preparing for the end. Just then I was called to the district attorney's office. While there I made a confession. I was brought back to my cell in the evening, and at about 4 o'clock in the morning I tried to cut my throat."

Jones then told of being taken to Bellevue, and there making a new confession. The new confession is the one on which his present testimony is based. Jones explained today what he meant yesterday when he said that Patrick did not wish Rice to live until Monday, as that day a draft would be payable. The witness said that a week or so before the death of Rice certain oil wells in Texas in which he was interested were destroyed by fire. Rice resolved to rebuild them and bound himself to provide nearly \$200,000 for the rebuilding. On the strength of this oil-well people were for \$25,000, the draft being payable Monday, September 24. Jones

testified again today that Patrick wished to avoid the payment of this money.

"I said," witness continued, "Saturday that the old man would probably drop off. Patrick said we could not rely on that; the old man would probably drop away the next day."

A number of telegrams sent by Jones notifying relatives of Rice's death were placed in evidence.

After recess Mr. Moore began his cross-examination of the witness Jones. He first attracted Jones on the basis of the statement made to Captain McClusky. He had a copy of that statement and he insisted that the witness tell the court everything he had told McClusky. Jones declared that he could not do it.

Moore kept insisting and, after a great deal of sparring, he succeeded in getting Jones to tell a little of what he had told McClusky, but always with the declaration that he was lying at the time.

Having finished with this, the lawyer turned his attention to the motive which led Jones to change his testimony to its present complexion. He asked specifically about an interview which Jones had with Captain Baker in the district attorney's office in October. He was trying to prove by statements from Jones that Baker had made a deal to help Jones out of trouble if Jones would give certain testimony when would help Baker, but Jones did not give much satisfaction.

Moore then jumped to the statement which Jones gave to Assistant District Attorney Osborne in the Tombs two nights after his interview with Baker. This was the statement in which Jones alleged that Patrick had suffocated Rice with chloroform. Jones could not remember very much about it as it was chiefly made up of his imagination. Moore kept asking Jones if he understood that his confession would send him to the electric chair or to the gallows, and the witness replied that he knew it might. In the end, however, it became apparent through the haze of many words, that George Gordon Battle, Jones' attorney, and District Attorney Osborne had conferred together about Jones and that Battle had told Jones that if he would tell the truth his punishment would be greatly lessened. There was nothing brought out to show, however, that Osborne had promised Jones direct, Jones said furthermore that his conscience had troubled him so that he was anxious to tell the truth.

"You had an idea that you would escape death if you told the truth?"

"Yes, I did," admitted the witness. That ended for the day the examination.

Tonight in the House of Detention a policeman was detailed to sit with Jones all night and see that he did not try to kill himself.

BODY RECOVERED

Call and Linney Have Dissolved Political Partnership

Winston-Salem, N. C., April 3.—Special.—The body of Mr. Ruben East, a wealthy and prominent farmer of Stokes county, who was drowned in a creek near his home Tuesday evening, was found this morning near the place where it went down. Mr. East and his son were on their return home in a buggy from Walnut Cove. The son and horse swam out, but the father, who was fifty years old, was unable to save himself.

It is announced today that ex-Sheriff Clarence Call, of Wilkes county, has decided to run for Congress next year in the Eighth district, if he can secure the Republican nomination. It is reported that he and his former staunch friend, ex-Congressman Linney, have had a falling out and decided to go it alone in politics hereafter.

HOSPITAL CLOSED

Outcome of a Scandal in a Benevolent Institution

Iron Mountain, Mich., April 3.—Mercy Hospital, better known here as EmerGENCY Hospital, closed its doors today by order of Bishop Eis, and the nuns have been ordered to leave the diocese. This is the result of an ecclesiastical scandal which occurred January, when Ellen Hogan, a novice in the hospital, was arrested on an insanity charge preferred by the mother superior. Miss Hogan was adjudged sane by the probate court. The mother superior also charged her with theft. After being released from custody by order of Judge Bergeson, Miss Hogan made serious charges against the mother superior, one of which was drunkenness. An investigation by Bishop Eis resulted in the order to close the institution.

EXPOSITION COMMISSION

Five Members Take the Oath and Elect a Chairman

Washington, April 3.—Ex-Senators Thurston, McBride and Lindsay, ex-Representative Allen of Mississippi and Mr. John F. Miller of Indiana, members of the recently appointed St. Louis Exposition Commission, called upon the President today. Mr. Allen remarked humorously after the interview that the commission had simply called to thank the President on behalf of the country for the wise selections he had made.

Five members of the commission took the oath of office at the State Department and received their commissions. There was some discussion as to the date upon which the commission should meet, but no agreement was reached. Mr. Thurston was elected chairman.