

### Bill for Relief of State Treasurer Lacy Debated

It Was Strenuously Fought By Several and Referred to a Committee — Another Railroad Bill by Justice—Other Matters

The second move in the contest of M. Buckner for the seat of W. Griffith in the Carolina Senate took place yesterday when Senator Wellington Ashé gave formal notice of the contest to the members of that body. The written notice was referred to the committee on privileges and elections. To a reporter of the Post Senator Griffith reiterated his statement to the effect that this contest is giving him no concern and that he would hold his place.

Senator Spencer, of Moore county, made a good speech yesterday. It was the bill for the relief of State Treasurer Lacy came up. The bill is brief, very brief, but it was concise and a forceful argument. In fact there had been very little argument until the Senator from Moore opened up and then it came. Senator Spencer opposed the paying of the money and this is his reason:

"I am opposed to this bill. I think that it will set a bad precedent. It is a very dangerous law for the Democratic party to establish at this time. Why, in my campaign my opponent went all over the district charging that Mr. Lacy had not paid the money and I denied it and now you seek to make the Republican accusations turn out to be true. It is dangerous to the state to have any treasurer, either Democrat or Republican.

Senator Webb here queried the speaker: "Is it clear that this embroilment in question happened under Treasurer Lacy or under the former administration?" "Spence—if it happened in the latter he can recover it in the courts and should not ask that it be refunded by the Legislature. And then Senator Mann rallied to the support of the Moore statesman. He said that if this bill passed, however innocent Mr. Lacy is, it would be a very dangerous precedent.

During the course of the debate Senator Wellborn, Republican, asked for a "aye" and "no" vote on the bill but it had just passed its reading and Senator Henderson responded that you can't get it.

The general objection to the bill finally ended by its being referred to the judiciary committee for investigation.

President pro tem Brown called the Senate to order yesterday at 12 o'clock and Rev. J. P. Goode made the prayer. The reading of the Journal was called off and stands approved.

**First Reading Bills**  
Senator Holton—A bill to allow P. H. Holcomb to sell books without license in any part of the state.

A bill to incorporate the town of Lawrence, Cleveland county.

A bill authorizing the commissioners of Lenoir county to levy a special tax.

A bill to enlarge the limits of the town of Marion.

A bill authorizing the establishing of a graded school in the town of Fremont.

A bill authorizing the commissioners of Jackson county to levy a special tax.

A bill providing for the working of roads in Smithfield township.

A bill to incorporate the town of Stokes, Pitt county.

A bill amending the charter of the town of Red Springs.

A bill to protect certain birds in Lincoln county.

A bill prohibiting hunting on fenced in or enclosed land in certain counties—Hyde, Tyrrell and Dare.

A bill authorizing the levying of a special tax for the support of the poor and to pay the indebtedness caused by smallpox in Sampson county.

A bill to submit to the qualified voters of Greensboro the question of issuing bonds for the building of good roads.

The same old list of petitions that cause the reading clerk sorrow came up and were read and the president called the same old "referred to P. & G."—or meaning, propositions and grievances. The usual message from the House came in on time and was read for the enlightenment of the Senate. Adjourned until 11 today.

check, but if the charges are made and sustained the check is forfeited.  
**An Important Days Work**  
There were only a few bills that came up but several were of great importance. The hours from 11 until 2 were occupied by debate. The bill to appoint a prison parole commission passed all readings. This bill was introduced several days ago and provides that the governor and two outsiders be appointed as a commission before which cases may be brought to parole convicts. The parole is granted upon terms where the convict gets free on condition and has to report to the commission at specified times.

**On Second Reading**  
A bill for the relief of sheriffs and tax collectors. There was some debate on this bill. Senator Hicks said that this measure made it possible for sheriffs not to collect taxes for several years on property and thereby get a vote for re-election. Then when a man purchased the land that they were forced to pay the taxes that other man who owned the land owed. Senator Hicks added an amendment that reads: "Which shall not be collected from purchasers without actual notice of non-payment of taxes."

A bill to allow Clay county to issue bonds for the purpose of subscribing to the capital stock of the Hiwassee R. R. Co.  
A bill authorizing the town of Murphy, Cherokee county to subscribe to the capital stock of the same road.  
A bill to incorporate the Winston-Stuart Turnpike Company. Senator Wellborn objected to this bill as he said that the provisions of the charter were absolutely deficient. The rules were suspended and despite the objection the bill was passed. Senator Wellborn asked that his name be recorded as voting against the bill.

**Third Reading Bills**  
A bill allowing the Toxaway Hotel Company to furnish wines and liquors to its guests. This bill was from the House and was fully debated in that body several days ago. The plan of the hotel was that they had bought property and made it valuable and their northern guests would not come where they could not be served with liquors.  
A bill to repeal chapter 607 of the laws of 1901, making certain parts of Chowan and Perquimans counties stock law districts.

The bill amending chapter 351 of the Code making Saturday a half holiday for banks and banking institutions passed its third reading.  
A bill striking out the word "private" drunkenness and substituting "public" drunkenness for the bill regulating inebriates in Madison county. This makes drunkenness a punishable offense in that county.  
A bill to enable the commissioners of Cleveland county to issue bonds for the construction of roads and bridges.

A bill authorizing the commissioners of Tyrrell county to levy a special tax.  
A bill to incorporate the town of Lawrence, Cleveland county.  
A bill authorizing the commissioners of Lenoir county to levy a special tax.  
A bill to enlarge the limits of the town of Marion.

A bill authorizing the establishing of a graded school in the town of Fremont.  
A bill authorizing the commissioners of Jackson county to levy a special tax.  
A bill providing for the working of roads in Smithfield township.

A bill to incorporate the town of Stokes, Pitt county.  
A bill amending the charter of the town of Red Springs.  
A bill to protect certain birds in Lincoln county.  
A bill prohibiting hunting on fenced in or enclosed land in certain counties—Hyde, Tyrrell and Dare.

A bill authorizing the levying of a special tax for the support of the poor and to pay the indebtedness caused by smallpox in Sampson county.  
A bill to submit to the qualified voters of Greensboro the question of issuing bonds for the building of good roads.

The same old list of petitions that cause the reading clerk sorrow came up and were read and the president called the same old "referred to P. & G."—or meaning, propositions and grievances. The usual message from the House came in on time and was read for the enlightenment of the Senate. Adjourned until 11 today.

**THE OLD RELIABLE**  
**ROYAL**  
  
**BAKING POWDER**  
Absolutely Pure  
**THERE IS NO SUBSTITUTE**

### MAKE HOSPITAL OF PENITENTIARY

(Continued from first page.)

to settle with the state treasurer. To prevent the manufacture, sale or shipment of liquor in Robeson county.

For the relief of Jacob Williams. To provide for working the public roads of Cherokee county. To regulate elections in Littleton. To protect fish and birds in Burke.

To incorporate Siloh Institute. To pay Judge Geo. A. Jones for holding special term of court. To amend the law establishing wreck districts in Carteret county.

To authorize a bond issue in the town of Washington. For the relief of Evie Newman. To enable Elizabeth City to issue bonds.

To change boundary line of North and South Clinton townships in Sampson county. To protect fish in Watauga county. To authorize a special tax in Haywood county.

To amend laws compelling butchers to keep registration. To incorporate the town of Bladenboro. To amend the charter of the town of Jacksonville.

To authorize the commissioners of Haywood to levy a special tax. To authorize the town of Waynesville to issue bonds for water works and lights. The House adjourned at 1:45 until 10 o'clock Tuesday.

Within 20 years the South has increased its railway mileage 152 per cent., and its exports 95 per cent.

### BRIBERY AT ELECTIONS

#### Dobson of Surry Proposes to Make it a Felony

Mr. Dobson, Republican member of the House from Surry county, proposes to make bribery at elections a felony, and to that end has introduced the following bill:

A bill to be entitled an act to make bribery at elections a felony. The General Assembly of North Carolina do enact:

Section 1. That any person who shall at any time, before or after an election, give or promise to give any money, property or reward to any elector in order to secure his vote shall be guilty of a felony, and upon conviction shall be fined not less than one hundred dollars nor more than five hundred dollars, or be imprisoned in the penitentiary for not less one year nor more than five years, or both.

Sec. 2. That section 54 of chapter 89 of the public laws of 1901 and all other laws and clauses of laws in conflict with this act be and the same are hereby repealed.

Sec. 3. That this act shall be in force from and after its ratification.

### PENITENTIARY INVESTIGATING COMMITTEES

The special committee appointed by the Legislature to investigate the charges of cruelty to convicts near Marion some time ago, left yesterday afternoon. They will be absent probably six or seven days of the week. The committee consisted of Senators Warren and Pharr, and Representatives Blount, Newland and Geo. L. Morton, chairman. Mr. Thos. B. Heart of this city accompanied them and will take the proceedings of the investigation. A committee also left for Dover in Jones county, to inspect the convict camp No. 4. This committee consisted of Dr. G. B. Bullock, chairman, Representatives Bullard, Thomas and Crocker, and Senators Richardson and Aaron. This committee will return Wednesday.

**Colored Pastor Retires**  
Special exercises were held at Blount Street Baptist church, colored, Sunday. A member of the church said yesterday:

"The services were quite a success, both from a spiritual and financial point. At 11 o'clock President C. F. Meserve of Shaw University delivered a most able address on 'The Mission of the Church.' In the afternoon Rev. T. N. Ivey, D. D. preached on the subject, 'The Royalty of Service.' At night Rev. C. H. Williamson, the retiring pastor, preached his 'farewell sermon' from 2 Cor. 13: 11, 'Finally, brethren, farewell. Be perfect, be of good comfort, be of one mind, live in peace; and the God of love and peace shall be with you.'

"Rev. Williamson had successfully and ably led the church for two years and three months. He is an earnest and consecrated preacher. He is a graduate of Shaw University. He enjoys the respect and confidence of the good people of Raleigh. He enters the Sunday school missionary work in North Carolina. The 'grand rally' is continued till next Sunday, when a final and full report will be given."

### Durham Right-of-Way Suit Before Judge Purnell

Argument in Progress all Yesterday — Conclusion To-day—The Contentions of Counsel

The Durham right-of-way suit—city of Durham and Seaboard Air Line and Norfolk and Western Railroad Companies vs. the North Carolina Railroad and Southern Railway Companies, involving Peabody street—is now being heard before Judge Purnell in the United States court here, it having come up on an order removing it from the Superior court of Durham county. The argument by counsel was in progress all day yesterday and probably all of today will be consumed in concluding the hearing.

The argument was opened yesterday morning by Judge W. W. Winston for the plaintiffs. Mr. F. H. Busbee followed as counsel for the defendants. Then Mr. J. S. Manning of Durham spoke for the plaintiff. When court took a recess at 5 o'clock, Col. W. A. Henderson, general counsel for the Southern Railway Company, was in the midst of an argument for the defendants. This morning Col. Henderson will conclude his argument. Then Mr. J. Crawford Biggs will follow with an argument for the plaintiffs. Capt. W. H. Day, counsel for the Seaboard Air Line will also speak for the plaintiffs and argument for the defendants will be made by Capt. Charles Price of Salisbury.

Briefly stated the argument presented by Judge Winston and followed up by Mr. Manning in their speeches for the plaintiffs—city of Durham—was that the city is entitled to Peabody street as a street because she is in possession of it, and has been for many years, since about 1873; has spent several thousand dollars in grading, lighting and draining it; that the Southern Railway asserts their title under a deed from the North Carolina Railroad Company to the Oxford and Clarksville Railroad Company, made in March, 1890, when it purchased all rights of the Oxford and Clarksville, to the counsel for the city of Durham claim that this deed is ineffective to convey title because the North Carolina Railroad Company only held it as a right-of-way so long as it used it for its own purposes and no longer, and when it sold it the sale was an express voluntary declaration that the company no longer needed it for its own purposes, and in law was an abandonment of the street, and that the Oxford and Clarksville obtained nothing by its deed. Counsel for Durham also set up that the Southern Railway Company claims

that if they didn't acquire the right of way by deed it did by the lease of the North Carolina Railroad in 1895, but they—the city of Durham—claims that the North Carolina Railroad Company didn't own the right of way in 1895 and couldn't lease it and that the Southern Railway contended in the litigation growing out of the lease in 1895 was not a new contract, but an extension and modification of the lease of 1871 and that the lease of 1871 being burdened with the dedication of the strip of land in dispute, the burden continued under the law lease.

**CONTENTIONS OF DEFENDANTS**  
The contentions of the defendants—the Southern Railway Company and North Carolina Railroad Company—are brief: stated:  
That by the record in the former case between the town of Durham and the North Carolina Railroad and the Richmond and Danville Railroad it had been adjudged that the Richmond and Danville Railroad had dedicated a part of the right of way, during its lease held estate, lasting until 1901, to the town of Durham as a street, and it was equally as clearly adjudged that the North Carolina Railroad had not dedicated any part of its right of way, and that after September, 1901, the railroad company had an undisputed title to its right of way; that these judgments constituted an estoppel against the plaintiff; that the deed to the Oxford and Clarksville Railroad by the North Carolina Railroad was not a voluntary conveyance, but given after the beginning of proceedings to condemn, and because the amount of compensation had been agreed upon between the North Carolina Railroad the Oxford and Clarksville Railroad and even if the deed was null the right of way would belong to the North Carolina Railroad, borne by the lease to the Southern Railway; that in no aspect of the case could the deed Oxford and Clarksville be treated as an abandonment; that only the owner of the fee could derive any benefit or title from an abandonment, even if there had been one. That the town of Durham claimed no title in its pleadings except by dedication, and asserted no title by naked possession, nor could it assert such title in an action to remove a cloud from the title, the burden being upon it to establish its title before it could be entitled to relief.  
As to the lease it was claimed that the language of the lease of 1895 itself stated that the lease of 1871 should terminate in Dec. 31, 1895, and it could not be deemed an extension of the lease of 1871. But even if it was an extension this could not extend a dedication made of an estate lasting until 1901, into an dedication lasting until 1904. It was contended that an estoppel could only be good as between parties to the original action, and that the pleadings in he suit, concerning the lease, were only evidences, subject to explanation, and that the lease must speak for itself.

**RALEIGH CITIZENS WIN PRIZES**  
Several Raleigh citizens who contested for the cash prizes offered by the Continental Tobacco Company have been very successful. This company offered \$142,500 in cash prizes to persons guessing nearest to the number of revenue stamps sold during the month of December, 1902, for the sale of cigars, and the successful guessers were announced yesterday. The following Raleigh citizens received cash prizes:  
Mr. J. G. Ball, \$280.  
Mr. Ashby Lambert, \$85.  
Mr. John A. Duncan, \$15.  
Mr. Alex. Yurmakos, \$15.  
Mr. Robert Simpson, \$5.  
Several other persons received boxes of cigars and tobacco. It was reported yesterday that a gentleman of Durham received a prize of \$1,000. The largest prize obtainable was \$5,000. This cash prize offer of \$142,500 was the largest ever offered by any concern in the United States. It will be repeated next November.  
The number of revenue stamps sold for cigars during the month of December alone amounted to five hundred million seven hundred thousand and twenty-six. The prizes were contested for in all parts of the world.

### RALEIGH CITIZENS WIN PRIZES

Rev. Dr. I. S. McElroy, D. D., of Richmond, preached at the Presbyterian church Sunday morning and evening. Dr. McElroy is the secretary of the Southern Presbyterian Ministerial Relief Fund. He is now trying to raise a million dollars fund for the benefit of the aged ministers, their wives and orphan children and is meeting with much success.  
Old Graybeard—it's a pity to keep such a pretty bird in a cage. Mrs. De Style—Isn't it a shame! How perfectly exquisitely lovely it would look on a hat!—New York Weekly.

**Parlor Car Service**  
The Seaboard Air Line Railway has inaugurated Parlor Car service tri-weekly between Washington and Hamlet on trains Nos. 27 and 66, which pass Raleigh, southbound, at 6:55 p. m., northbound 11:50 a. m. Parlor Car operated south on Mondays, Wednesdays and Fridays; north Tuesdays, Thursdays and Saturdays. Seats in this car are 25 cents to Southern Pines, 50 cents to Hamlet, 50 cents to Henderson, 75 cents to Richmond, and \$1.00 to Washington, D. C.  
The buffet in this car is well equipped and excellent meals will be served at moderate prices.  
C. H. GATTIS, C. P. & T. A., Raleigh, N. C.  
H. S. LEARD, T. P. A., Raleigh, N. C.

### Colored Pastor Retires

Special exercises were held at Blount Street Baptist church, colored, Sunday. A member of the church said yesterday:

"The services were quite a success, both from a spiritual and financial point. At 11 o'clock President C. F. Meserve of Shaw University delivered a most able address on 'The Mission of the Church.' In the afternoon Rev. T. N. Ivey, D. D. preached on the subject, 'The Royalty of Service.' At night Rev. C. H. Williamson, the retiring pastor, preached his 'farewell sermon' from 2 Cor. 13: 11, 'Finally, brethren, farewell. Be perfect, be of good comfort, be of one mind, live in peace; and the God of love and peace shall be with you.'

"Rev. Williamson had successfully and ably led the church for two years and three months. He is an earnest and consecrated preacher. He is a graduate of Shaw University. He enjoys the respect and confidence of the good people of Raleigh. He enters the Sunday school missionary work in North Carolina. The 'grand rally' is continued till next Sunday, when a final and full report will be given."

### Parlor Car Service

The Seaboard Air Line Railway has inaugurated Parlor Car service tri-weekly between Washington and Hamlet on trains Nos. 27 and 66, which pass Raleigh, southbound, at 6:55 p. m., northbound 11:50 a. m. Parlor Car operated south on Mondays, Wednesdays and Fridays; north Tuesdays, Thursdays and Saturdays. Seats in this car are 25 cents to Southern Pines, 50 cents to Hamlet, 50 cents to Henderson, 75 cents to Richmond, and \$1.00 to Washington, D. C.  
The buffet in this car is well equipped and excellent meals will be served at moderate prices.  
C. H. GATTIS, C. P. & T. A., Raleigh, N. C.  
H. S. LEARD, T. P. A., Raleigh, N. C.

### RALEIGH MARBLE WORKS

COOPER BROS., Proprietors, Raleigh, N. C.  
**MONUMENTS**  
Write for catalogue. We pay the freight.



**CROSS & LINEHAN CO.**  
A DEEP CUT IN  
**CLOTHING.**  
WE MEAN THE STYLISH, UP-TO-DATE KIND.  
**OVERCOATS**--We have a few desirable ones. If they fit you get a bargain.  
**SPRING HATS**--Dunlap's soft. Stebson's soft and stiff. These are the new blocks for spring. Come and see them.  
**CROSS & LINEHAN CO**  
UP-TO-DATE CLOTHIERS AND FURNISHERS.

### RALEIGH AGENCY FOR ACID IRON MINERAL

### KING'S PINE TAR BALSAM

FOR COUGHS.  
Relieves the tickle, heals the throat, "stops that hack."  
PRICE, 25 CENTS.

**W. H. King Drug Company,**  
Wholesale Druggists, Raleigh, N. C.

### St. Mary's School, Raleigh, N. C.

The sixty-first annual session begins September 15th. The Eastern Term begins January 23. St. Mary's School offers instruction in the following departments: The Preparatory School, The College, The Art School, The Music School, The Business School. There are two hundred and forty-eight students representing nine Dioceses. Faculty of twenty-five. Much of the equipment is new; eight new pianos bought this year. St. Mary's Kindergarten is located in the center of the city under Miss Louise T. Busbee's charge. For catalogue address:  
**REV. T. D. BRATTON, D. D.**

**Institute for Young Women**  
Thorough instruction in all departments of Female Education.  
**PEACE**  
**Conservatory of MUSIC.**  
Using the Leschetizky System. Send for catalogue.  
**JAS. DINWIDDIE, M.A.,** Principal, RALEIGH, N. C.

### NEW BARBER SHOP.

Under Turner's Cafe.  
**Dr. Joseph Graham,** PHYSICIAN, Office in the Carolina Trust Building. Bell Phone—Interstate Phone—

### Gorham & Twigg.

**LADIES** DR. STEWART'S REMEDY FOR ALL AFFECTIONS OF THE THROAT, BRONCHITIS, ASTHMA, AND ALL AFFECTIONS OF THE LUNGS. Send Stamp for particulars. CROWN CHEMICAL CO., 202 W. 5TH AVE., MINNAPOLIS, MINN.

### Dobbin & Ferrall, Suit Department.

**Made-to-order Gowns.**  
Our Suit Department this week is taking special orders for Ladies' Tailor-made Suits—made to order by the best man-tailor-making for the trade. Prices for special order suits—\$15, \$18, \$20, \$25, \$30, \$35 and upwards. Separate Skirts, made to order, \$6.50, \$7.50, \$8.50, \$9.00, \$10.00, \$12.50 and upwards. Give your order this week.

**Rheumacide**  
Thoroughly eradicates the excess of Uric and Lactic Acids from the system, starts the kidneys into healthy action, cures constipation and indigestion.  
**THIS DONE, YOU ARE WELL OF RHEUMATISM,**  
AND ANY OTHER DISEASE CAUSED BY IMPURE BLOOD.  
Do not be discouraged if other remedies have failed. RHEUMACIDE has made its reputation by curing alleged incurable cases. Does not injure the organs of digestion.  
Goldsboro, N. C., Aug. 25, 1902.  
Gentlemen—Some six years ago I began to have sciatica, and also a chronic case of muscular rheumatism. At times I could not walk at all. My business being baggage master on Southern R. R. For days and weeks at a time I could not get on my feet. Physicians treated me, without permanent relief, however. Tried a number of advertised remedies without permanent benefit. Finally I tried "RHEUMACIDE." It did the work, and I have had excellent health for three years. I can cheerfully say that all rheumatic ailments are cured by "RHEUMACIDE," for it is by far the best remedy.  
**R. A. LOMAX,**  
Baltimore, Md., U. S. A.  
Bobbitt Chemical Co., Baltimore, Md., U. S. A.