# THE RALEIGH EVENING TIMES.

RALEIGH, N. C., WEDNESDAY, NOVEMBER 22, 1906.

# SUPREME COURT WON'T

Dispensary Must Remain TO AVOID in Raleigh for the Time Being

## CLARK WROTE DECREE: TWO JUSTICES DISSENT

According to Chief Justice Clark the Watts Low is Misheading in Its Language-Must Pay Poli-Tax to Sign Petition.

No election will be held in Raleigh on the question of "saloons" or "dis-

The Supreme Court this afternoon nissed the mandamus issued by Judge Justice in the Superior Court der this election in obedience to the body by citizens.

The opinion of the court was written by Chief Justice Clark. Justice Brown York and saw service in Cuba and Mr. Walisce's trip is completed, he still filed a dissenting opinion and Justice the Philippines. 'He has a wife and has before him a winter of travel by Walker concurred in the opinion of dis-

The verdict means that the dispensary will remain in the city of Raleigh, for the time being, at least, All along the dispensary advocates have claimed that even in the event of an Company amounting to \$75,000, and start mouthward toward Quebec on the injured two seven-story buildings on frozen revers, travelling with dog sleds election they would be able to defent the re-opening of saloons, and while many predicted that the Supreme Court would reverse the decision of Judge Justice of the Superior Court. the general opinion was that an election would be ordered.

The whole question turned on what was meant by a registered voter. PORTUGAL'S KING whether a voter who had faffed to pay his poll tax prior to last May and was registered on the lists, could sign an election potition or not.

The Watts law governing the calling of these elections says that the board of aldermen shall at the proper time, not oftener than once in two years, upon the petition of one-third of the registered voters, who were registered at the last municipal election, call an A number of voters "registered at the

words of the statute, who had fatled to pay poll-tax prior to last May, had signed the petition for the election. Striking these off, there would not be left sufficient to make up the one-third, The decision of the court is based on the ground that a "registered" voter in the meaning of the law is not only a here this evening in conjunction with ceeding before the aldermen the advocates of the election presented to the evening trains.

#### Judge Brown's Dissent.

Supreme Court upholds.

In his dissenting opinion, Justice Brown, with the concurrence of Justice Walker, declares that his convictions are strong that the board of aldermen illegally struck from the petition the amen growing, no open of those to had the legal right to sign it. who had the legal right to sign it. overdue scaling schooner Fawn, beThat the bearst had no right, first, lieved to have foundered en route
to strike the unine of for the non-payment of poll tax; scould, no authority
were six white men and 21 Indians ment of poll tax; second, no authority to pass on such fact; third, if they had such authority they exercised it in an illegal manner and based their findings

upon utterly incompetent evidence.

The dissenting opinion consists of nine typewritten pages and is an elaborate argument and citation of authority for the positions he laid down

# Officer. Short in Accounts

E. Teath Infantry, in Hospital and Under Arrest at Fort Wright-Shouage

Tried Suicide

of \$440.

(By the Associated Frees.) Spokane, Wask, Nov. 22 .- First Lieutenan't Donald C. McClelland, of fantry, is under arrest at Fort contained the news that he had suc Wright, charged with conduct unbe-Calng an officer.

An investigation of the company's accounts yesterday disclosed a shortnatained the position of a majority age of \$440. The funds were deof the Board of Addermen and dis- posited in a Spokane bank to the credit, of Lieutenant McClelland.

Yesterday an investigation was conducted in the post hospital, where to compel the "City Fathers" to or the lieutenant has been since Wedneeday, suffering from self-inflicted wounds made while he was shaving. Labrador, lost his life from starvation, petitions presented to the municipal One of the slashes in the neck sovered a small artery.

Lieutenant McClelland rose from ed in the snow. the ranks. He enlisted from New one child here.

#### \$100,000 FIRE IN

INDIANAPOLIS (By the Associated Press.) Indianapolis, Ind., Nov. 22.—Fire to-day caused damage to the stock and trade of the Badger Furniture Washington street occupied by the and snow shoes. Mr. Wallace said he company to the extent of \$16,000: expected to reach Quebec in April.

The Columbia National Bank which occupied an adjoining building, was damaged by water. During PLOTTERS CAUGHT which occupied an adjoining buildthe progress of the fire securities to the amount of \$600,000 were removed from the bank for safety.

## VISITS PARIS.

(By the Associated Press.) Parts, Nov. 22.-King Charles, of Por-King was met at the Dauphine Railroad station by M. Loubet and Premier ing military honors to the foreign office, where the royal quarters have been es-

The King will remain here three days and will be entertained with State dinners a gala pereformance at the opera, last municipal election," to quote the streets and public buildings are claborately decorated.

#### EDUCATORS MEET AT NASHVILLE

(By the Associated Press.) Nashville, Tenn., Nov. 22.—The 16th annual session of the Southern Educational Association will convene man who is "registered," but who has the Association of Colleges and Pre-

Addresses of welcome on behalf of aldermen petitions signed by one-third the city and State will be made by the aldermen took this list and purged ent S. A. Minders. Responses will be with successful results. it of all names in which the "regis- made by President Craighead, of Tutered" voters poll tax had not been lane University, New Orleans, and paid, or reduced the list of those who by Chancellor Fulton, of the Univer- ing forward to the edge of the ditch could actually vote. This action the sity of Mississippi.

#### THE FATE OF A SEALING SCHOONER.

22.—The Indians of Neuchatalitz are holding a sorrow dance, in which the women scratch their cheeks and breasts until blood is drawn, to mourn for the Indian hunters of the in the sealing vessel.

#### C. G. LANIER, OF WINSTON, DEAD.

G. Lanier, proprietor of the Lanier Printing House, died to-day after several weeks' filness, aged 55 years. Deceased was an excellent citizen. The United States mails to derrada file. The Concention was made by Prof. J. Rendel Harris, of England, one of the foremost scholars in Syriac which was wound up some time ago.

# NEW YORK MAN CALL LIQUOR ELECTION IN FROZEN NORTH Preacher of that Doctrine

HISTIRACE Wallace Has Succeeded in John Michael, Wiles Had Traveled Nurse Crossing Labrado

Letters From Dillon Wallace Tell of Specresful Trip of Easton and Himself-Still Have a Wisfor of Travel by Snow

Shoes.

(By the Associated Press.)

St. Johns, N. P., Nov. II.-Letters today from Dillon Wallace, the Labra-Company at Tenth United States in | dor explorer and New York lawyer. who has ever crossed Labrador withresufully crossed Labrador.

Mr. Wallace is the first white man out either guides of Indian assistants. Mr. Wallace has one companion named

had plenty of provisions when they reached the province of Ungava on October 16.

In 1864 Mr. Wallace went with Leoniins Hubbard's ill-fated expedition. Mr. Hubbard, whose purpose was to cross and Mr. Wallace was found by the rescuing party after he had allen exhaust-

Although the most perilous part tion. He and Mr. Easton, at the time planning to start westward through Ungava for George's River Post, and thence to reach Port Chimo, which is one of the most northely points on the mainland of North America. Here the or license fees of railroads, and to protwo will walt until the coast waterways vide for their collection are frozen over. Then they intend to

(By the Associated Press.) President Loubet's visit to Lisbon. The last night in a raid on a house near note. San Juan De Martinez, province of Rouvier, and was escorted with impos- Pinar Del Rio, in which fifty anticovernment plotters were meeting.

A dozen of the latter were captured. Col. Julian Cruz, a prominent citigen of Pinar Del Rio, and at present in Hayana, has been arrested in connection with the anti-government movement and will be taken to Pinar Del Rio for trial.

#### NARROW ESCAPE FROM A BEAR.

(Special to The Evening Times.) New Bern, N. C., Nov. 22 .- Farmers living within a radius of ten or welve miles from New Bern complain of the depredations of bear, lively little adventure with a bear a day afternoon. day or two since. It seems that Mr.

He found the bear in a nearby ditch with the trap and chain. Rushto secure aim at the bear, Mr. Ipoch suddenly felt the ground give way bengath his feet and the next instant he was in the ditch with the enraged bear. Happily, however, Mr. Ipoch's son put in appearance about this Victoria, British columbia, Nov. time and sent a speedy bullet to the

#### WARRANTS OUT IN BIG SWINDLE CASE.

(By the Associated Press.) Chicago, Nov. 22 .- Warrants have

All Over the Country On Fact, Enting Roots and Herbs. and Clad in Thinness

and Charried

ala newrichment, due to long periods of fasting, John Kleiner, the "back o nature" preacher, is dead

Kleinst, who was it years old. had traveled all over the country on foot, wearing only mandals and clad in the thinnest and coarsest of garments. When he did not fast he lived on roots and herbs.

One of his beliefs was the day of

judgment was at hand, and frequently he would slop persons on the street and with multitled fingers warn. them to prepare for the last day.

friend in Pourla, Illa., it is said, pro- was dying. cured his release and took him to that city. He walked to Chicago, and arrived here two works ago in claim will be of material assistance

#### LA FOLLETTE CALLS SPECIAL SESSION.

(By the Associated Press.)
Madison, Wis., Nov. 22 Governor La
Foliette to-day issued a call for a special session of the Legislature to convene December 4th. Among sub-

To amend the ea-called railroad rate

To alter primary election law.

To provide a modern ballot, To enact laws against business of insurance companies, retroads and other public service corporations.

# CAVALRY OFFICER

(By the Associated Press.)
Manila, Nov. 22,—Lieutenant Hugh Kirkman, of the Eighth Cavalry, has been arrested at Fort Mc-Kinley on the charge of forgery.

It is alleged that Lieutenant Kirkman was short of troop funds to the Havana, Nov. 22.—Sixty Reming- amount of \$500, and that he raised tugal, arrived here to-day to return ton rifles were seized by the police the money by forging names to a partment to-day received a cablegram

#### Money to the Orient.

(By the Associated Press.) San Francisco, Cal., Nov. taken out for the Orient by the Pacific Mail liner China, sailing on Saturday next. Three-fourths of this, consisting of fifty tons of Mexican dollars, and valued at \$1,500,000, is already aboard the China and under a strong guard. Such a big shipment of coin has not been sent in a liner for many months. Most of this silver is consigned to Shanghai. The China is also to take a full cargo of freight and many passengers.

#### Gilliland 'Case Begun,

(Special to The Evening Times.) Asheville, Nov. 22.-The Robert the amendment to the constitution. It States. Already there are a number which have recently been making inwill be remembered that in the proceeding before the aldermen the advo-Gilliland mandamus suit to compel called in Superior Court late yester-

The issue was that of negro blood. of the resistered voters of the city and Governor Cox and State Superintend- look had set a steel trap for bruin The school authorities allege that surance to the benefit certificates of Gilliland's children have negro blood fraternal oredrs and practically inin their veins and for this reason they are not allowed to attend the white schools.

#### Auto Boat Contest. (By the Associated Press.)

Rome, Nov. 22.-King Victor Emanuel, the ministry of marine, and several public institutions, have them. It will probably be some promised important prizes for auto- weeks before a decision will be handboats if the next contest for the ed down. Mediterranean cup takes place as proposed between Palermo and Toulon, in which case important Italian firms will participate.

#### Syriac Manuscripts. (By the Associated Press.)

Cambridge, Mass., Nov. 22 .- The been issued for the arrest of George Semitic Museum has acquired a col-R. Neville in connection with the lection of about 125 Syriac manuilleged awindling operations for scripts, some of them old manuwhich A. Levy, a broker, was arrest-These manuscripts are said to date secial to The Eveniar Times.)

ed yesterday on the charge of using back to the twelfth century or ear-Winston-Salem, Nov. 22.—Mr. C. the United States mails to defraud. Her. The collection was made by G. Lanier, proprietor of the Lanier the United States mails to defraud. Her. The collection was made by

# TEST INJUNCTION LAWS GAGE

### MATERIAL STATEMENTS

Surah Elizabeth Griffiths the Nurw's

Name-Pulice Say She Will

He of Great Assistance in Case Against Dr. Mr-Leod, Hunt and Crawford. (By the Associated Press.) Hoston, Mass., Nov. 22 -- A new and important witness who will ap-

He wore no underclothing, and pear against the three men under for a few months he was a familiar indictment in connection with the bor figure in the down town streets, in death of Susanna Geary, the suit case to which he sold pumphiets advocating victim, has been found, the police against which an injunction has been his ideas of getting bark to nature, say, in Miss Sarah Elizabeth Grif-He was committed to the Dunning fiths, a nurse, who it is alleged at-Insane, Asylum three months ago. A tended the Geary girl while the latter

This nurse has made statements to the police, which the authorities an emaciated condition from fasting to the prosecution in the trial of the cases against Dr. Percy D. Me- auxiliary of the Federation. Leod, William Hunt and Lewis Crawford, the accused men.

The police say that Miss Griffiths has satisfied them that she is in no way criminally liable in the case, having been called in as nurse after a second operation, intended to save when the letters were written, were jects to be considered are the follow- the Geary woman's life, had been introduced in Congress, and also to performed.

#### Sailor Washed Overboard." (By the Associated Press.)

Ferrol, Sp.:in. Nov. 22.-The British steamer Balmoral, from Calcutta for London, put in here to-day seriously damaged by a storm. One of her crew was washed overboard.

The Hallan torpedo boat sagittario has also put in here badly damaged.

# ALLEGED FORGER. PEASANTS WILL

(By the Associated Press.) Washington, Nov. 22.-The State Defrom Mr. Eddy, the charge d'affaires of the American embassy at St. Petersburg, bringing this information:

"The imperial proclamation to-day will be diminished by one half, and will cease entirely on January 1, 1907, the peasants then becoming owners of land. For peasants who have not taken up land, the Emperor will afford increased facilities to his Peasants' Bank to advance them money so that they may profit by the new arrangement."

#### FRATERNAL ORDER'S LIFE THREATENED.

(By the Associated Press.)

This case involves the application MANY OPINIONS o fthe principle of "extended" involves in its determination the life of fraternal organizations in this

The contention of the counsel for the fraternal orders is that the application of the extended insurance principle to the business of the organizations they represent will ruin

#### Say It Is a Bluff.

(By the Associated Press.)

Paris, Nov. 22.-Inquiry at the Foreign Office to-day brought out the statement that the report that France ccedes to President Castro's request to indicate what portions of the Venezuelan note to M Taigny, the French charge d'affaires, are offensive, is in-

The officials say the President has heretofore been completely informed regarding the offensive features of the ote, and therefore the report that France will give further explanations is characterized as "a bluff intended to delay and confuse the situation."

Organization Against Which Injunction Has Been Granted and Chary Case to Su-

(By the Associated Press )

Pittsburg Pa. Not II - At effort I American Pederation of Labor to more plete the work of the convention by tomarrow evening but there are many questions pet to be considered, and the that adjournment may not reme until the end of the week

President Company' report was again before the convention at this morning's session, and the following resolutions were unanimously adopted

Recommending the exclusion of Chiness. Japanese and Korean labor from this country and its possessions prohibiting the employment of child ininstructing the executive council Alect one labor organisation granted, employ competent legal talent and carry the case to the United States Supreme Court to test the constitutionality of the injunction laws now in orce, pledging support to the striking printers and recommending the calling of a meeting of the International Women's abor League to adjust differences said to exist in that beneficial

Under a special order of business the grievance committee report on the dispute of the brewry workers' Union against the engineers and firemen, which was under consideration yesterday, was again taken up.

It was unanimously decided to have the eight-hour work day measure rehave bills presented to all the State legislatures prohibiting the employment of child labor.

#### Townsend On Rates,

(By the Associated Press.) Chleago, Nov. 22.—Congressman Chas. E. Townsend, of Jackson, Michigan, joint father of the Esch-Townsend Bill, addressed the members of the Hamil ton Club last night on the subject of railroad rates and the need of revised legislation to prevent discrimination be-

tween shippers. His principal suggestion was that there should be provided a uniform system for handling railroad accounts, and that this should be done with such publicity that it would remove the opportunities for evading the law.

#### EX-ALDERMAN FINED FOR BRIBERY.

(By the Associated Press.) Milwaukee, Wis., Nov. 22.—Ex- was written through a general "The imperial proclamation to-day Alderman Arthur A. McCormack to-states that during the year 1906 the day pleaded guilty before Judge out by Mr. Tarbell himself Tarrant in the Circuit Court on the became an office

McCormack was indicted on the regular maximum commi charge of having accepted a bribe in receiving the renewal con connection with a coal deal. The paid the premium to the alternative offered him was a sen- clety and received the tence of six months in the House of

#### FATAL EXPLOSION OF AMMONIA.

(By the Associated Press.)

Houston, Texas, Nov. 22.—An senger and freight steamer Patr ammonia pipe at the plant of the plying between Mobile and JeffersonCity, Mo., Nov. 22.—In Houston Packing Company, near this shore resorts, was burned to the Supreme Court to-day the case city, exploded to-day. Steve John- waters edge to-day while lying at the of Mary L. Westerman and others son, colored, was instantly killed and Fairhope wharf. No one was inju seven other workmen were injured. The Fairhope was owned some of them fatally. The explosion single tax colony at Fairhope.

# BY COURT TO DAY.

The following decisions were- ren dered this afternoon by the Supreme Court:

Caviness vs. Fidelity Company, from Randolph, affirmed. In re Stewart, from Stokes, affirmed.

State vs. Johnston, from Mecklenburg, reversed. Caldwell vs. Insurance

rom Mecklenburg, affirmed.

Alexander, appeal dismissed as being

lenburg, no error. Lowery vs. School Trustees, from TWO MINERS

Lyles vs. Brannon Carbonating Company, frem Mecklenburg, affirmed, Edwards vs. Rallway, from Lincoln,

#### EX-MEMBER OF ASSEMBLY ARRESTED.

(By the Associated Press.) New York, Nov. 22.-Joseph J. Cahill formerly a member of the assembly from a Brooklyn district, was arrested to-day on an indictment charging fraud in registration for the last election and held in \$15,000 bail for trial.

Cahill pleaded not guilty when arraigned in court to-day. Ball was fur-

Had Rarshed Ston Matry Pa

(By the Associated Press.) New York, Nov. III-Ga bett accord vice-president of the able Life Assurance Society, to up the witness stand when the ance investigation cous ed last night, to-day recurses mony regarding the agency the Equitable. He subgitts men of contracts made we which was offered in eviden-were latters which accom-

tracts explanatory of the affect Mr. Turbelleald the erstam ing" premiums was originally the ability of companies to contingency of claim or exp said that precident are place than is necessary for mistr, excess "loading" is returned to holders in dividends. Of \$55,500 holders in dividends. Of \$80, plus of the Equitable Societ end of 1884 Mr. Turbell said 500,000 is set unide for defidends, but the company does nize any right of the policy the \$70,000,000 until the policy tured or reached the boint I has corned its dividend. The

has carried its dividend. This to could be used to defray any gency that may arise.

Mr. Tarbell said that an extrainession of 18 per cent, was allowerst agents on hosiness written.

July 15, and December 11, per was done, witness said, to an agents to make a compensation which they could liet, because difficulty of getting people to Manning, of Albary, returned to terday's session of the inpurantigation as "Mr. Dependa rambufriend who gets around since a and who gave out an interview

and who gave out an intervie asking Mr. Hughes to put him stand, has been subposensed to before the insurance committee

York to-morrow. Mr. Tarbell said he and his were insured for about \$500,000 Equitable society. He said he ed the agent's commissions on surance and also received the commissions, although the I charge of bribery and was fined \$350. ciety, and on this, too, he through the general agency. has insurance of \$50,000 in York Life.

## Steamer Burn (By the Associated Pre Mobile, Ala., Nov. 22,-

was no insurance.

#### BIG COTTON FIRE AT ROBBINS' PLACE

A telephone message late this a ternoon from the home of Mr. Robbins, who lives on the Holls road two miles east of Ral Chemical Company vs. Lackey, from stated that fire had just by in Mr. Robbins' cotton. bales stored in one place, and w information was not definite feared here that the loss will rious. The fire was Wilson vs. Cotton Mills, from Meck- shortly after 3 o'clock.

# KILLED BY ROCK

Wilkes-Barre, Pan Nov. Joseph Bulhack and John Pinis miners, were killed to-day by of rock in the mineral spring

### Death of Judge Weins.

(By the Associated Press.) Harrisburg, Pa., Nov. 22,-H. Weiss, present judge of Da county, died to-day. Judge was stricken with pa vember 16 and never ra the shock.