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## BEGS RAILROADS TO SUBMIT NOW

### Senator Rayner Says Worse Laws May be Framed

## MAKE A TRUCE, HE ADDS

### Addressing the Senate On the Rate Bill He Shows Wherein Changes Are Needed and Predicts That Powerful Party Will Arise if Present Bill is Defeated.

(By the Associated Press.)  
Washington, March 14.—At the beginning of its session today the senate passed a bill authorizing Rear Admiral C. H. Davis, U. S. N., to accept gifts tendered him by the British and Russian governments.  
Mr. Rayner addressed the senate in support of the railroad rate bill.  
Mr. Rayner announced his adherence to the rate bill as it passed the house. After stating that the power to regulate commerce among the states is the great power conferred upon congress by the constitution, Mr. Rayner entered immediately upon the consideration of the various branches of his subject.  
Discussing what he declared to be the impotency of the interstate commerce commission under the present law to enforce rate making decrees, Mr. Rayner said:  
"We may scheme and forge and fashion," he said, "but it is not within the realm of human ingenuity to formulate any plan except the rate making power that will remedy the defect and supply the omission."  
He contended that there is no doubt of the power of congress to vest a commission with the power to establish rates, basing his conclusion upon decisions of the supreme court. "We settle the standard here that the rates are to be reasonable and not discriminative, and a commission in pursuance of an authority which we confer upon it in each case decides the proper rate to be established, in accordance with the legislative standard that we here enact." He said:  
Referring to Mr. Foraker's contentions that the holdings of the courts are against this power, he declares the contrary to be true.  
In reply to the contention that congress has not the power to blend the judicial and legislative powers in a body like the interstate commerce commission, Mr. Rayner argued that there is no such blending. He continued:  
"I will not for a moment admit, as the senator from Ohio claims that the commission is fixing rates is either exercising a judicial or a legislative power. I will admit that when upon complaint and answer and testimony taken it declares a rate to be unreasonable it is in the exercise of a judicial function; but this is by no means investing it with the powers of a court, because it can pass no order and execute no process that is effective to carry its ruling into execution. So far as the exercise of a legislative function is concerned, when it fixes a new rate in place of the rate that I have examined upon the subject, including each of the cases cited by the senator from Ohio, this function is spoken of as an administrative and not a legislative function."  
Mr. Rayner replied to Mr. Foraker's argument that the rate-making power applies to differentials under the constitutional provision that no preference shall be given to the ports of one state over those of another. Asserting that the terms "discriminations" and "differentials" have been confused, he added:  
"I know that the senator from Ohio claims and has argued that this bill confers the right upon the commission to adjust differentials. I say that it gives the commission no such power."  
"I deny that upon any construction that can be put this language there is any power whatever in the commission to adjust relative rates and strike the proper proportions between them. The ports of the United States, therefore, are not within the jurisdiction of the Hepburn act. If there is a differential between different ports upon different lines of railroads, there is no provision of this measure that invests the commission with the right to change it."  
He declared his satisfaction with the bill as it passed the house, and added:  
"It may require some slight changes in its phrasing, but its substantial provisions meet with my approval. I have no fear or anxiety, not the slightest, that the commission will perpetuate any act of injustice under this measure, and I believe that the power of the courts under the fifth amendment is ample to protect the property of the carriers. If the senate, however, should take a different view and invest the courts, in addition to the inherent power that they now possess to protect the railroads from confiscation, with the further power to review the proceedings of the commission as to the reasonableness or justice of its orders, then I shall in proper time offer an amendment."  
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## MASS MEETING CALLED

### Salisbury Discusses N. & W. Proposition

## To Extend Line from Winston to Salisbury and Beyond

(Special to The Evening Times.)  
Salisbury, N. C., March 14.—Tomorrow night a mass meeting will be held for the purpose of discussing a proposition to the Norfolk & Western Railway to extend its line from Winston to Salisbury and beyond. The Southern is now the only company doing business in this section, and the Norfolk & Western does not seem hostile to the proposed coming. Salisbury is going to make a proposition of \$100,000 in bonds for the road through this township, and it is almost certain that the railway people will look favorably upon the matter. Hon. John S. Henderson, E. C. Gregory, Esq., and others will be present at this meeting and speak for the proposed line.  
The Southern has had its engineers here laying off the sidetracks for the Fred Brenner Lumber Company of Knoxville, Tenn. This company is preparing to erect its largest branch house here and expects to be ready for business April 1. It has leased a site of ten acres for two years, purposes the erection of ten mills, whose capacity is large enough for all Piedmont furniture factories. This company will have a payroll of \$120,000 yearly and will require six cars daily to do its shipping. The site is on the Western road, about one mile from the station.

## HAMMOND MET TRAGIC DEATH

### Killed While at Work on Hotel Raleigh Today

## THREE OTHERS HURT

(By the Associated Press.)  
Washington, March 14.—By the falling of a derrick used in the construction of an addition which is being made to the Raleigh Hotel, David Hammond was killed outright, W. Schlob, died later and two other men were injured. Schlob later died at the hospital.  
The boom of the derrick which was suspended from the side of the main building at a distance of about seventy-five feet from the ground, broke loose from its fastenings in some manner, and in its descent struck a scaffolding suspended from the side of the building about fifty feet from the ground, wrecking it and precipitating Hammond and a man named W. Schlob, who were at work on it to the pavement below. Hammond was instantly killed. Schlob was taken to his hospital, where it was found that his back, collar bone and a number of ribs were broken.  
Thomas Haddock, who was working on another scaffold about twenty-five feet from the ground, jumped into the excavation below. At the hospital it was found that he received a broken leg. A young man by the name of Newell who was passing at the moment the boom fell was struck on the head, but received only a scalp wound. He went to his home after the wound was dressed at the hospital.  
A number of men were working in the excavation but the boom did not go below the street level.

## STATEHOOD IN HOUSE AGAIN

### Babcock of Wisconsin Spoke for Senate Amendment

## CIVIL SERVICE WASTE

(By the Associated Press.)  
Washington, March 14.—The legislative bill was laid before the house today, and Mr. Babcock (Wis.) took the floor for a speech on statehood. He said the house bill was one of the greatest legislative outrages ever enacted; that the senate had properly amended the bill and he favored the senate amendment.  
Announcing that he wished to discuss the civil service of the government, Mr. Grosvenor (Ohio) remarked that he did not wish to say "I told you so." One half the money that is squandered annually to support the civil service of the government, he said, would supply needed public buildings and provide for a ship subsidy, which after two years, he maintained, would put more money into the treasury than it took out. While the efforts of the committee were honest, he thought they were on the wrong track. He reviewed the history of the merit system, enacted in a crude way in 1883. Since then a hundred bills had been introduced to perfect that law, but not one bill has ever come from the committee, he said. It had not dared entrust the American congress to legislate on that question.

## WHITBECK HELD FOR HIGH COURT

### He Must Answer for the Killing of Henry Kobre

## PRELIMINARY IS OVER

(Special to The Evening Times.)  
Winston-Salem, N. C., March 14.—Upon the conclusion of the taking of evidence for the state this morning in the preliminary hearing of J. E. Whitbeck, charged with being implicated in the murder of Henry Kobre, the defendant was committed to jail without bail to await the May term of the superior court. Counsel for the defense did not introduce any testimony.  
The hearing, which was begun at 5.30 o'clock yesterday afternoon, was adjourned last night at 10.20 o'clock. Sallie Stewart, the girl who up to this time has refused to make a statement under oath, went on the stand and told a story that was not shaken during a rigid cross examination. She said she was told by Whitbeck that he planned the crime and Sam Kobre, half brother of Henry Kobre, admitted to her a gay or two afterwards, that he and William Pleam killed and robbed Henry in his room; that a man who gave his name as "Finger," stood guard at one of the saloon doors down stairs during the perpetration of the crime and that the money taken from Henry Kobre was divided between the three men named and Whitbeck. On account of the girl's alleged bad character, many who heard her testify refuse to believe her story. On the other hand, there are others who say that her department on the stand proved that she told the truth.

## TRIAL OF BLACKBURN

### Special Term at Greensboro Called for April 15

## ADJUSTING THE ODELL HARROWAY CO. FIRE LOSS.

(Special to The Evening Times.)  
Greensboro, N. C., March 14.—A large number of prominent fire insurance representatives spent yesterday and last night here in conference over the estimated damage to the Odell Hardware Company stock by the fire in the office building last week. Among those who were here were Messrs. W. S. Primrose of Raleigh, George C. McGilvery, Charlotte; Walter A. Holland and B. A. Hamlin, Danville; H. M. Murphy, Atlanta; Col. L. R. Warren and J. M. Syrick of Richmond. It is now said that the loss will be much greater than was at first estimated and will possibly reach \$25,000.

## DENOUNCE ANTI-INJUNCTION BILL

### Gompers and Furuseth Caused a Furor

## PRESIDENT'S POSITION

(By the Associated Press.)  
Washington, March 14.—President Gompers of the American Federation of Labor and A. Furuseth, president of the Seamens Union, caused a furor today before the house committee on judiciary during the hearing on anti-injunction bills by denouncing the Gilbert anti-injunction bill, which is said to have been drawn by Mr. Garfield, chief of the bureau of corporations, and to have the endorsement of President Roosevelt.  
Of the president's reported endorsement of the Gilbert bill Mr. Furuseth said:  
"If he understands this bill and then gives it his endorsement, he is an enemy to honest labor struggling under adverse conditions for a better life, nay, he would be an enemy to human liberty. We do not believe, will not believe it."  
The Gilbert bill grants courts sitting in equity absolute jurisdiction in all cases growing out of labor troubles. The equity process in labor suits is violently opposed by the labor leaders.  
**LUMBER MEN IN NORFOLK.**  
(By the Associated Press.)  
Norfolk, Va., March 14.—The North Carolina Pine Association, embracing interests in Virginia, North and South Carolina that represent \$20,000,000 and have an output of 1,200,000,000 feet annually, opened its annual convention this morning at the Monticello Hotel, with about 200 operators and a number of lumber men from distant states in attendance.  
The morning session was devoted to reports of officers, and this afternoon the regular and special committees met. Tonight there will be a banquet at the hotel. Tomorrow business will take up the morning session, and in the afternoon a trip around the harbor will be made.  
Among the speakers at the convention will be Gifford Pinchot, head forester of the national department of forestry, who will arrive from Washington in the morning.  
**STRIKE AT WILSON NOT IMPORTANT.**  
(Special to The Evening Times.)  
Wilson, N. C., March 14.—The brick masons' strike, caused by the contractors demanding a ten hour day work instead of nine, as insisted on by the union, seems to amount to little consequence. The contractors owing to the large amount of work on hand held out for a ten hour day and many from other cities are expected this week. It is thought that the union men will try to induce the non-union men to quit work.

## TOMPKINS ON CHINESE

### Questioned by Committee on Foreign Affairs

## Charlotte Man, Representing National Association of Manufacturers, Appeared With Men of Other Commercial Interests in Support of Amendment to Let High Class Chinese In.

(By the Associated Press.)  
Washington, March 14.—John Ford, secretary of the American Association and representatives of commercial interests in prominent cities of the United States appeared before the house committee on foreign affairs in support of the Foster bill to amend the Chinese exclusion act in such a manner that high class Chinese may be admitted with less inconvenience.  
D. A. Tompkins of Charlotte, N. C., representing the national association of manufacturers, said his association had no desire to admit Chinese coolies. He said class distinctions were made in China and must be recognized by the United States. The coolie was so easily recognized that it was desirable for this country to say that all Chinese but the coolies may enter our ports. He urged that there was no desire among manufacturers to bring Chinese laborers here to compete with American labor, for he said intelligent labor using improved machinery could do cheap labor.  
In response to questions as to the effect of the Chinese boycott on the machinery and cotton trade, in which he is interested, Mr. Tompkins said the effect has been very injurious and threatens to grow if conditions are not relieved at once.

## KIDS FIGHT TONIGHT

### Battling Nelson and Terry McGovern to Meet

Tremendous Demand for Seats, Which Indicates That Philadelphia Bout Will Be a Real Contest for Honors—Both Youngsters in Peak of Condition.

(By the Associated Press.)  
Philadelphia, Pa., March 14.—"Battling" Nelson and Terry McGovern will meet tonight in a six round bout before the National Athletic Club, this city. Not in the history of the prize ring, it is said, has the receipts for a six round fight equalled the sum which has been received for the privilege of witnessing tonight's bout. President Edwards, of the club, said today that more than \$20,000 had been realized and not a seat remained to be disposed of. A few in the hands of scalpers are commanding \$25 each.  
The boys are to weigh in at 137 pounds ringside but both are well within the weight limit. Nelson tipped the beam at 131 pounds yesterday and said he would probably enter the ring at 130½ pounds. The Daze is in the pink of condition. He can see nothing but victory, and reports from McGovern's campers are to the effect that he is equally confident of success. The fighters are to receive 75 per cent. of the gross receipts. Nelson's share will be forty-five per cent. of this sum, win or lose.  
The fight is scheduled to commence at 8 o'clock.  
"Jack" McGuigan, of the National Club, will act as referee.

## DEADLOCK ON DETAILS

### Moroccan Conference in Peculiar Stage

Sessions Are Temporarily Suspended Without Knowledge When They Will Be Resumed.—French and German Delegates Bound By Instructions, Can't Make Further Concessions.

(By the Associated Press.)  
Algiers, Spain, March 14.—The Moroccan conference has reached a peculiar stage. It is completely helpless to solve the deadlock which has arisen over the remaining details of the peace and back questions. The sessions are temporarily suspended without knowing when they will be resumed.  
The French and German delegates are bound by their instructions and therefore are unable to make any further concessions and the conference not having judicial or legislative powers cannot settle the differences by a majority. Therefore the neutral delegates who have heretofore sought to secure an agreement between the parties which the conference could unanimously confirm now recognize that if the conference is left to itself it is incapable of getting out of the present difficulty and that therefore it remains for the governments themselves to intervene for the purpose of reaching an agreement.

## SUICIDE IN HIS CELL

### Louis Brown, Who Threw Lamp at Woman

Cut His Throat With Sharp Penknife—Prisoner Below Spattered With Blood—Brown Had Been Prominent, But Became Victim to Morphine and Cocaine.

(By the Associated Press.)  
Norfolk, Va., March 14.—Louis Brown, 29 years old, awaiting trial Friday for the murder of Flossie Reese, at whom he threw a lighted lamp which exploded, fatally burning the woman, committed suicide in his cell in the Norfolk jail early this morning by cutting his throat from ear to ear with a sharp penknife which he had in some unknown manner smuggled into the jail. Brown's act was not discovered until a prisoner occupying a cell below heard a gurgling noise above and jumping from his cot found himself bespattered with blood which had run through the floor of the cell above. When Brown's cell was opened the suicide was lifeless with the knife clutched tightly in his hand. Brown was formerly prominent in Portsmouth, Va.  
Brown was without friends or money, his family having abandoned him, and grew despondent as the day of his trial approached.  
During the recent jail fire here he escaped, but surrendered a few hours later.

## LOTS OF COOL NERVE

### Operation on Woman With Hospital Afire

## Umbrellas Held Over Table Kept Off Water That Leaked Into Operating Room From Upper Part of Building—The Patient Successfully Removed.

(By the Associated Press.)  
Biddleford, Mass., March 14.—Seventeen patients at Trull Hospital in this city were removed from their beds today during a fire which destroyed a portion of the building, and the surgeons at the hospital completed an operation upon a female patient while the firemen were at work and while umbrellas were held over the operating table to ward off the water which was leaking into the operating room from the upper part of the building.  
When the surgeons, who had begun the operation before the fire was discovered, had completed their work successfully, the patient was removed to another part of the building. No ill effects were expected to follow to any of the patients. The fire loss was fifteen thousand dollars.

## Lexington Public Building.

(Special to The Evening Times.)  
Lexington, N. C., March 14.—Lexington people are enthusiastically talking public building now and their committee, Messrs. H. B. Varner and Z. V. Walser, is in the capital city, praying an appropriation of \$75,000 for a federal building. There is strong hope of securing it, and the town undoubtedly has strong claims.

## WANT REPORT ON FEAT OF ARMS

(By the Associated Press.)  
Washington, March 14.—The senate passed a resolution calling upon the secretary of war to send to the senate copies of all reports on the recent attack by United States troops on Mount Dajo, Jolo Islands.

## W. L. RANKIN PASSED AWAY.

(Special to The Evening Times.)  
Salisbury, N. C., March 14.—W. L. Rankin, whose relatives were summoned to Morganton yesterday, died this morning at 2.30. He was 55 years old and leaves a wife and four children. The funeral services will be held tomorrow at the Episcopal church. The body will be shipped tonight. He was one of the city's most popular business men and prominent socially. His death was long expected.

## OPERATION ON WOMAN WITH HOSPITAL AFIRE

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## OFFICERS RESIGN IN A BODY.

(By the Associated Press.)  
St. Petersburg, March 14.—The rumor that the officers of a regiment of the guards had met and resigned in a body upon receiving orders recently to go to the Baltic provinces and participate in the pacification of the country was confirmed today. The officers belonged to the first regiment of artillery of the guard.

## World's Christian Endeavor Societies

(By the Associated Press.)  
Boston, Mass., March 14.—The total number of Christian Endeavor Societies throughout the world is 67,512, according to reports of officers of the World's Christian Endeavor Union, made public here today. Of these, 45,350 are in the United States, 10,772 in Great Britain and Ireland, 4,295 in Canada, 613 in India, and lesser numbers in other countries.  
The total receipts of the world's union for the year were \$9,241, and balance in the treasury is one hundred and forty-six dollars.

## DR. PARKHURST

(By the Associated Press.)  
New York, March 14.—The report of an alleged plot to kill Rev. Dr. Charles H. Parkhurst, was made public today. Dr. Parkhurst has been prominent for years as a police reformer. It is understood that the district attorney's office has prepared to summon several witnesses in connection with this plot which is said to have originated because of a raid made upon a disorderly house by agents of the Parkhurst Society some time ago.  
District Attorney Jerome, when asked about this report today refused to discuss it. Police Magistrate Wahl said that Assistant District Attorney Hart yesterday obtained from him several blank subpoenas, which, he added, might have been for use in uncovering the alleged plot. According to the report a man had been hired to club Dr. Parkhurst at the first opportunity presenting itself. Dr. Parkhurst today refused either to confirm or deny the report.

## PLOT TO KILL DR. PARKHURST

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## MAYOR BOYDEN IS PRESIDENT.

Salisbury, N. C., March 14.—The chamber of commerce took tangible and permanent form here last night, when it was organized with the city's best men behind it. Mayor Boyden was made president by a unanimous vote, and a well-paid secretary is to be chosen. The large membership hitherto pledged, was supplemented last night by 40 enterprising merchants and citizens, who will pay the yearly dues of \$50. The whole organization has not been completed, but the secretary is to be given a good compensation for his services, and Salisbury is to be well advertised.

## ANOTHER BAD SEA DISASTER

(By the Associated Press.)  
Boston, Mass., March 14.—The Phoenix line steamer British King foundered at sea last Sunday and only twenty-eight out of the fifty-six on board are known to have been saved. News of the disaster was brought to this port today by the Leyland line steamer Bostonian from Manchester. The British King was bound from Antwerp to New York.

## DEVELOP GOLD KNOB & ROCKWELL.

(Special to The Evening Times.)  
Salisbury, N. C., March 14.—The Sapphire Mining Company, a corporation of gentlemen coming from Joliet and Chicago, have taken hold of the Gold Knob and Rockwell mines, put \$75,000 behind it and are going to develop something of it. This mining property has always encouraged capitalists and with the new organization, it will go if there is to go to it.  
New Postmaster.  
(By the Associated Press.)  
Washington, March 14.—North M. McPherson has been appointed fourth class postmaster at Gertie, Va.