

THE RALEIGH EVENING TIMES.

VOLUME 27.

RALEIGH, N. C., FRIDAY, MARCH 23, 1906.

PRICE 5c.

PRELIMINARY HEARING OF MR. M. T. NORRIS

Before Magistrate Separk on Charge of Arson by Insurance Commissioner

A NUMBER OF WITNESSES EXAMINED

Evidence of Walter B. Jones, who Resided Last Year at the W. H. Norris House; J. J. Thomas, who Passed the House on Evening of Fire; Mrs. Emily Womack, who Was at Neighboring House the Night It Burned; S. M. Uphurch, who Lived Half Mile From Norris House.

Mr. M. T. Norris, the Raleigh merchant, who was arrested on a warrant sworn out by the state insurance commissioner and placed under a \$1,000 bond on the charge of burning the Norris country place, which was insured for \$500 in the North Carolina Home Insurance Company, had his preliminary examination before a magistrate this afternoon.

The preliminary hearing was to have been held before Magistrate D. G. Conn, but upon affidavit by the defendant the trial was moved to Magistrate C. A. Separk.

Both sides had array of counsel. Representing the prosecution, the state, were Solicitor Armistead Jones, Col. John W. Hindsdale and Mr. F. S. Sprull of Louisville. The lawyers for the defendant were Mr. J. N. Holding, Mr. S. G. Ryan and Messrs. Harris & Harris. The attorneys for the North Carolina Home Insurance Company were not present and took no part in this proceeding which was instituted by the state.

Insurance Commissioner Young and his assistant, Captain Scott, were of course on hand, and the array of witnesses and spectators crowded the police court, where the hearing took place. Mrs. M. S. Calvert was sworn as stenographer to take the testimony.

The witnesses called and sworn for the state were E. G. Womble, Walter B. Jones, J. J. Thomas, Emily Womack, W. C. Booth, W. H. Cross, J. W. Womble, Chas. Root, Charles Briggs, Robt. Street (colored), T. Y. Mims, J. D. Melver, S. M. Uphurch, Jno. Collins, H. J. Cross, Alex. Webb, A. N. McLean.

The first witness was Walter B. Jones, now of Burlington, formerly of Lockville and New Hill. Last year he resided a while at the old W. H. Norris place. He moved from there October 1, but his household goods remained there until November 8. Mr. Jones is a first cousin of Mr. M. T. Norris, the defendant.

The witness described the Norris house as a six room two story house with kitchen annex on the southeast corner and faced north. He gave in detail the arrangements in the house. There was also an old smoke house about thirty feet from the house. When the witness moved away he left nothing in the house except an old lounge with a torn up, worn out mattress on it. It was left in the northeast corner of the kitchen. The house was old and in bad condition, which he described minutely. He had visited the place since the fire.

On cross examination he said the main body of the house was, he thought, about 16x30, and the two shed rooms about 12x14 feet. He gave his rough estimate of the lumber in the destroyed building and the prices of lumber of this character last November. He left the door to the kitchen latched but not locked.

On redirect examination the witness said the lumber in the house, in its condition last fall, was not worth much, probably some of it from one-third to one-half the price of new lumber.

J. J. Thomas was the second witness. He lives in Haywood, about seven miles from the W. H. Norris house. He owned a tract adjoining the Norris place, and for four years, until last fall, he leased the Norris land. It was not cultivated last year. He surrendered the lease November 1, last, and settled with Mr. M. T. Norris. He made Mr. Norris an offer of \$1,000 for the place, which embraced between 40 and 50 acres of land.

On the day the house was burned he was passing about 7 o'clock in the evening and he saw a light, looked like a candle light, in the

(Continued on Second Page.)

PARKER'S MAN NAMED Charlotte's Mayor Says Tompkins is the Man

In Interview With Charlotte News Reporter Mayor McNinch Declares Mr. Tompkins the Logical Candidate for the Presidency in 1908.

(Special to The Evening Times.)
Charlotte, March 23.—In an interview yesterday afternoon with a Charlotte News reporter, Mayor S. S. McNinch advocated Mr. D. A. Tompkins of this city for the democratic candidate for the presidency in 1908. The interview grew out of the recent utterances of Judge Alton B. Parker, who stated that the next democratic nominee should be a southerner.

Mayor McNinch says that Mr. Tompkins is the logical candidate. He is a country as a captain of industry, and he is well informed and practical far above the average man, being an easy match for the best brain and talent of the country.

DECLARE TRUCE WITH MR. ROCKEFELLER

(By the Associated Press.)
New York, March 23.—Fear of a subpoena which would compel him to testify in the proceedings brought by the state of Missouri against the Standard Oil Company, need not prevent John D. Rockefeller from visiting his youngest grandson, John D. Rockefeller III, if he chooses to do so, Attorney General Hadley of Missouri, who is here prosecuting the suit brought by his state, announced today that he is willing to declare a truce with Mr. Rockefeller, who wishes to return to New York to see his grandson.

"I don't think I will need the testimony of Mr. Rockefeller, anyway," Mr. Hadley continued. "If I can get the information I want from the other witnesses I expect to examine. The courts have ordered them to answer my questions, and I have no the slightest doubt they will do so."

STRANDED TRYING TO FLOAT SCHOONER

(By the Associated Press.)
Norfolk, Va., March 23.—The Norfolk tug Asher J. Hudson, working in an effort to float the schooner Fanatic Palmer, stranded at Little Island, fourteen miles south of Cape Henry, was at midnight herself driven ashore near the Palmer.

The Little Island life savers have set up their beach apparatus to rescue the crew, but the latter up to this time have refused to leave the Hudson.

NOTED WOMAN DOCTOR DEAD.

(By the Associated Press.)
Denver, Colo., March 23.—Dr. Jessie M. McGregor, a noted Scotch physician, died at her home in this city last night after a five days' illness of cerebro spinal meningitis.

GOV. PATTISON GROWS WEAKER.

(By the Associated Press.)
Columbus, O., March 23.—The physicians attending Governor Pattison refused this forenoon to say whether he was worse or better. His son has been summoned home from college. It was said that an official bulletin would be issued by the doctors early this afternoon.

At noon the following bulletin was issued: "Since midnight Governor Pattison has grown more restless and there has developed some oedema at the base of the lungs. He has sustained further loss of strength. Temperature 102; pulse 130; respiration 28."

(Signed)
"E. J. WILSON."
"OLIVER P. HOLLAND."

BURGLARS KILL THE WATCHMAN

Discovered Rifling Bank in New York

BATTLED WITH FIVE

A Fusillade of Shots Followed, and the Constable Was Killed.—Robbers Fled After the Shooting, Leaving the Drill in the Safe.

(By the Associated Press.)
Rochester, N. Y., March 23.—Edward Pullman, a constable and night watchman at Sodus, was murdered early today by burglars whom he discovered in the act of rifling the Knapp bank of that village.

The burglars first visited the Rome, Watertown & Ogdensburg Railway depot, where they blew open the large safe, stole a small safe and ransacked the express packages. They secured only a small amount of money. Then they went to the Knapp bank.

They were drilling a hole in the safe when discovered by Pullman. Although five men were engaged in the job Constable Pullman fearlessly entered the bank and gave battle. A fusillade of shots followed during which the constable was instantly killed by a bullet. After the shooting the robbers fled, leaving the drill in the safe. When Constable Pullman did not reach his home at the usual time the family became alarmed and a search was made but it was not until two hours later that a bank employe found the body.

The robbers were traced to Rochester where they separated. Detectives are on the trail.

3 FREIGHTS MIX UP Reports of Serious Wreck at Goshen, Ind.

Many Livestock Cars Smashed and Large Number of Hogs Killed. Five Employees Reported Injured.

(By the Associated Press.)
Cleveland, O., March 23.—Officials of the Lakesore and Michigan Southern Railroad have received reports of a serious freight wreck which occurred early today at Goshen, Ind.

Three freight trains were involved in the wreck. An eastbound freight train containing a number of cars of livestock stopped for water and was run into by a second train, demolishing many cars and killing a large number of hogs. Some of the wrecked cars were thrown over on to the westbound track, and were run into by a third freight train.

It is reported that five railroad employes were injured. The wreck is one of the most serious from a financial standpoint that the road has experienced in some time.

Officials here now state that only three men were injured. They were J. H. Simon, conductor, seriously bruised and internally injured, A. D. Merrick, engineer, badly bruised, and P. E. Hull, brakeman, leg injured, all of the train that stopped for water. Three engines and fifteen cars were wrecked.

STANDARD OIL MEN FAILED TO RESPOND

(By the Associated Press.)
New York, March 23.—Henry M. Tilford and J. C. Arnold, of the Standard Oil Company, were declared in default when they failed to appear today before Commissioner Frederick H. Sanborn in the action brought by Attorney General Herbert S. Hadley, of Missouri, to oust from Missouri the Standard Oil Company of Indiana and companies alleged to be controlled by it.

When the commissioner appeared to resume the hearing today, counsel for both the Standard Oil Company and Mr. Hadley came before him and announced that a stipulation has been signed between Mr. Hadley and counsel for the Standard Oil interests providing for a resumption for the hearing tomorrow morning.

MILLION & HALF FOR JAMESTOWN

Of This Sum \$250,000 is Direct Appropriation

\$400,000 FOR A PIER

For Government Buildings \$250,000, Government Exhibits \$200,000; Rendezvous For Army and Naval Officers \$80,000, For Enlisted Men \$100,000.

(By the Associated Press.)
Washington, March 23.—The house committee on industrial arts and expositions decided today to recommend a total appropriation of \$1,480,000 for the Jamestown exposition. Of this sum \$250,000 is a direct appropriation. The exposition sought a direct appropriation of \$1,000,000.

For the construction of a pier at the exposition grounds \$400,000 was approved and other items were agreed upon as follows: Government buildings \$250,000; government exhibits \$200,000; rendezvous for army and naval officers \$80,000; transportation for enlisted men \$100,000; transportation for soldiers and arms \$100,000; for an exhibit of negro development \$100,000.

The proposed appropriation of \$400,000 sought for building a pier at Jamestown Island and improving the island was referred to a subcommittee which will investigate what rights the government will have on the island, which is owned chiefly by private parties. In case the government can improve the island on satisfactory terms this appropriation doubtless will be agreed upon.

Under the head of government buildings as agreed upon there are to be the following: Main government building, colonies annex, aquarium, geological survey building and life-saving station.

The exhibits for which the government is to expend \$200,000 will include: Life saving, public health and marine hospital service, army, navy and light house, wireless telegraph, fisheries, Smithsonian Institute, national museum and library of congress.

ELEVEN BODIES FOUND Ten Miners Still Missing at Century

Mostly Foreigners—Bodies Torn and Emaced From Head to Foot, Making Identification Very Hard—Little Hope That the Others Escaped With Their Lives.

(By the Associated Press.)
Grafton, W. Va., March 23.—Twenty-one miners are believed to have lost their lives in yesterday's mine explosion at Century, W. Va.

Eleven bodies had been recovered at noon today and ten men are still missing. Those not yet accounted for are thought to be dead in the mine.

It is impossible to give the names of the dead, but they are known to be mostly foreigners, as very few Americans were employed in the mine. The bodies recovered were torn and mangled and in many cases work of identification very hard. From the fierce force of the explosion, as evidenced by the ruin wrought in the shaft, there is little hope that the missing ten escaped with their lives.

The explosion is supposed to have been caused by an accumulation of natural gas and occurred in the "A" lead of the second south main. None of the men in the "A" lead escaped. Rescuers are working heroically to reach the missing men, but the large amount of gas still in the mine makes the work dangerous and retards its progress.

The mine was equipped with all modern improvements, having everything which could be expected to contribute to the safety of the employes.

Many of the dead leave large families and the anguish and distress to be seen on all sides is pitiful in the extreme.

A PRIVATE CAR FOR PRESIDENT

Mr. Gaines Would Provide \$100,000 for It

FATAL POINT OF ORDER

Mr. Hardwick of Georgia Could Not See Why White House Were So High and Mighty That Requested Appropriations Must Not Be Questioned.

(By the Associated Press.)
Washington, March 23.—The legislative bill was taken up by the house today, and Mr. Gaines (Tenn.) offered an amendment providing \$100,000 for a private car for the president.

It made no difference whether the president was on an official trip or on a bear hunt, Mr. Gaines suggested, he ought to be made comfortable. A point of order by Mr. Litauner was fatal to the proposition, although he recognized its probable necessity.

Mr. Babcock (Wis.) asked Mr. Litauner if he did not think it wise for this congress to provide a private car for the president.

It might be, was the answer, but if so it ought to be properly considered.

Mr. Hardwick (Ga.) congratulated Mr. Litauner in making the point of order. He said the contingent fund for the president was increased in the bill, and if he did not think he would be overruled he would make a point of order against the increase. He admitted his bump of reverence might not be well developed, but he could not see why every one connected with the White House was so high and mighty that no questions could be asked regarding the need for requested appropriations.

RESCUED CREW ARRIVES Schooners Collide Off Sandy Hook

The Lejok Struck Below Water-Line in Collision With Unknown Four Master and Was Abandoned in Sinking Condition.

(By the Associated Press.)
Boston, Mass., March 23.—The Boston & Philadelphia Steamship Company's steamer Persia, which arrived here today from Philadelphia, had on board the captain and crew of six men of the schooner Lejok, which was in collision yesterday morning off Sandy Hook with an unknown four masted schooner. The Lejok was struck below the water line and all her head gear was carried away. She was in a sinking condition when abandoned by her crew, who were picked up later by the Persia.

Vineyard Haven, Mass., March 23.—With a big tide in her port bow, the big schooner Governor Aves put in here today and reported that she was in collision early yesterday morning with a three masted schooner about twenty-two miles southwest of Fire Island. It is believed here that the three masted was the Lejok, the crew of which were landed in Boston today by the steamer Persia, having abandoned their vessel after a collision with a large schooner yesterday morning off Sandy Hook.

DROPPED DEAD AT SISTERS FUNERAL

(By the Associated Press.)
Boston, Pa., March 23.—George Cyphers of New York, dropped dead today while attending the funeral of his sister. Mr. Cyphers appeared to be in good health when he reached here, but at the sight of his sister's corpse he fainted and fell. He was dead when his relatives reached his side.

Bel Improvements.
(Special to The Evening Times.)
Charlotte, N. C., March 23.—The Southern Bell Telephone Company will at an early date make extensive improvements in the Charlotte service. It is stated that \$40,000 will be expended in the extension of the aerial and underground connections. Already there are several subway cables, but they will be extended underground to the edges of the city, and the aerial lines will be very much improved.

GIVING INSURANCE MONEY TO CAMPAIGN LARCENY

PIRATES LOOT LAUNCH Of Standard Oil Company Near Canton

United States Gunboat Callao Proceeding to Scene of Piracy—Plunders Got Many Winchester Rifles and 1,000 Rounds of Ammunition.

(By the Associated Press.)
Hong Kong, March 23.—A launch owned by the Standard Oil Company was seized and looted by pirates near Canton yesterday. The pirates secured a number of Winchester rifles and a thousand rounds of ammunition.

The United States gunboat Callao is proceeding to the scene of the piracy.

The gunboat Callao is attached to the Asiatic squadron fleet and commanded by Lieutenant Robert W. Henderson. She is of steel, having a displacement of two hundred tons and carries six guns. She has a speed of ten knots an hour.

Canton, in the vicinity of which the launch was attacked, near the mouth of the West River in the province of Kwangtung, is the great seaport of southern China.

COLONIZE MEN WHO ARE PAST AGE LIMIT

(By the Associated Press.)
Chicago, March 23.—The anti-age limit league believes that it has solved the problem with men who are unable to obtain employment in Chicago because they have passed the "age limit." It plans now under way successful such men are to be sent in great numbers to colonies in Canada and Florida, where they will become the ministers, the school teachers or the business men of the newly created towns.

Negotiations are now being carried on by James F. Downey, president of the league, with the managers of three colonization projects, one of which owns land in northwestern Canada, another a tract three and a half miles from Tampa, and a third an acre on the eastern coast of Florida. Towns are to be created here by parties of colonists.

WEATHER SETS BACK THE SPRING TRADE

(By the Associated Press.)
New York, March 23.—Dispatches to Dun's Review indicate that there has been a setback in spring trade because of the unfavorable weather, but no decrease appears in manufacturing activity. Richmond reports business for the first quarter largely in excess of last year's, and building operations are heavy, but collections somewhat irregular.

Bank exchanges this week at all leading cities in the United States are \$2,278,615,659, an increase of 1.1 per cent over the corresponding week last year.

PROPOSED FIRE DEPARTMENT BILL.

(By the Associated Press.)
Asheville, N. C., March 23.—While here this week President J. D. McNell of the North Carolina Firemen's Association stated to your correspondent that when the next legislature convened he would urge that body to pass legislation similar to that recently passed by the South Carolina legislature, providing that 2 per cent of all premiums collected on fire insurance in North Carolina go to the fire organizations of the incorporated towns and cities in the state, the money to be apportioned according to the amount of money collected on premiums in the various towns and cities.

President McNell said that the fire companies of South Carolina would derive about \$400,000 annually by 25 cities of the law just placed on the statute books.

SOFT COAL PRICES RISE.
Chicago, March 23.—Soft coal prices are advancing daily in Chicago in view of the growing feeling among coal dealers that a strike in the bituminous regions at least is certain.

There was little western soft coal to be had in Chicago yesterday. The price has advanced from \$1.10 a ton to \$1.60 a ton within the last few days.

Opinion of O'Sullivan, Who Charges Grand Jury to Investigate

WOULD INVOLVE PERKINS, BLISS AND CORTELYOU

Jerome Does Not Agree With Judge, but Offered to Submit Affidavits as to Acts of Geo. W. Perkins and Ask for Warrant for His Arrest, and Retain Judge Parker as Special Counsel—Judge O'Sullivan Refused to Grant the Warrant.

(By the Associated Press.)
New York, March 23.—The officers of life insurance companies who contributed a portion of the campaign funds to political campaign committees committed larceny, in the opinion of Justice O'Sullivan of the court of general sessions.

Justice O'Sullivan expressed his opinion in court today in replying to the presentment submitted to him by the grand jury which is investigating some of the phases of the insurance business which were developed by the legislative insurance investigating committee. He held that larceny was committed by the officers who authorized such contributions, and charged the jury to investigate as to the responsibility for such crimes.

This opinion is directly opposite to the one on the same subject which was submitted to Justice O'Sullivan by District Attorney Jerome several days ago.

Replying to Justice O'Sullivan, District Attorney Jerome reiterated his opinion that the acts of the investigated insurance officials did not constitute larceny, and told the court that if he maintained his contrary opinion, then it was up to the grand jury to seek cause for indictments for larceny against George W. Perkins, former vice president of the New York Life Insurance Company, who admitted giving political contributions, and against George B. Cortelyou, chairman, and Cornelius N. Bliss, treasurer of the republican national committee, as receivers of stolen goods.

District Attorney Jerome said, addressing the court: "If your honor will sit as a magistrate in this case, I will submit affidavits as to the acts committed by George W. Perkins and will ask for the warrant for his arrest. A writ of habeas corpus will follow, and the case will be taken to the highest court, where I will retain Alton B. Parker as special counsel."

Justice O'Sullivan refused to grant the warrant.

TRIBUTE TO MISS TERRY FROM PROFESSION

(By the Associated Press.)
New York, March 23.—It was announced today that a movement has been begun among the members of the theatrical profession in America to contribute to an Anglo-American testimonial to Ellen Terry, the actress, on the occasion of a jubilee planned on the fiftieth anniversary of her career as an actress.

A banquet in honor of Miss Terry will be held in London on April 28, and a plan has been adopted in England of receiving subscriptions of a shilling each toward a testimonial. To make it of an international character Daniel Frohman of the Lyceum theatre, New York, has been appointed to receive subscriptions of twenty-five cents each. Members of every theatrical company in America have been given an opportunity to join in this tribute.

Buncombe Fruit Destroyed.
(Special to The Evening Times.)
Asheville, N. C., March 23.—The freeze of this week has practically destroyed the peach and small fruit in Buncombe county. Farmers say that the peach trees were well in blossom when the freeze came, and that the fruit has been killed.