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## ALLISON PLAN WAS ADOPTED

### Words Fairly Remunerative Stricken Out

## TWO YEAR LIMITATION

Senator La Follette Objected to the Provision Limiting to Two Years the Continuance of the Commission's Orders, but His Motion Was Voted Down.

(By the Associated Press.) Washington, May 11.—Notwithstanding the anxiety professed by senators to expedite the consideration of the railroad rate bill there were not a dozen present today when at 11 o'clock, an hour in advance of the usual time, the vice president rapped for order. The absentees came in in rapid succession, however, so that when the rate bill was taken up at 11:40 o'clock there was an average attendance.

Senator Allison was prompt in presenting the first of his compromise amendments, but the consideration of them was delayed for some minutes while various senators gave their views on the pass question. This first amendment strikes out the words "fairly remunerative" from the fourth section of the bill as descriptive of the rates which the interstate commerce commission may prescribe. The amendment was adopted without debate or division.

Senator LaFollette made objection to the second amendment limiting to two years the continuance of the commission's orders. He moved to strike out the limitation and spoke for the provision. In his response to this objection Senator Knox said that the interstate commerce commission had recommended a limitation to one year because of the rapidly changing situation in this country. That the Wisconsin senator was not convinced, and he proceeded by declaring his conviction to be that if the provision is to stand the public would receive little benefit. Mr. LaFollette's motion was voted down and the Allison amendment was then adopted.

After two of the Allison amendments to the rate bill had been adopted Senator Bailey presented his amendment prohibiting inferior United States courts from issuing temporary injunctions against the orders of the interstate commission.

Speaking in support of his amendment, Mr. Bailey quoted the message of the president of 1904 and his Raleigh, N. C., speech in support of the idea contained in his (Mr. Bailey's) amendment. He said he recognized that the only way that the power of the commission could be made effective was to keep it in effect until finally reversed by a competent court.

The amendment was defeated, and was also one by Senator Culberson requiring that injunctions should not be granted without hearings and imposing other conditions.

The senate also rejected an amendment by Mr. Bacon requiring hearings on injunction proceedings and requiring also the presence of two judges, one of whom shall be a circuit judge, at such proceedings.

## SULTAN WAS VERY GRACIOUS

(By the Associated Press.) Berlin, May 11.—Ambassador and Mrs. Charlemagne Tower returned here today from a vacation trip in southern Europe, including Constantinople. Upon learning of the arrival at the Turkish capital the sultan sent for Mr. and Mrs. Tower, met them at the door, offered his arm to Mrs. Tower, escorted her to a seat and spent half an hour talking with them about American affairs in which Mr. Tower found his majesty to be surprisingly well informed. The sultan spoke especially of the United States government statistics, which interested him greatly. He referred sympathetically to the San Francisco earthquake, and said he had already sent President Roosevelt officially an expression of his sympathy, but he commissioned Mr. Tower to repeat the same to the president, and conferred on Mrs. Tower the grand cross of the Shefakat, which is an order for women meaning "devotion to duty."

## FATAL QUARREL OVER BIRD'S NEST

(By the Associated Press.) Lockhaven, Pa., May 11.—During a quarrel yesterday over a bird's nest Clark Dunberman, aged 17 years, killed Thos. Berry, aged 20 years, by stabbing him in the heart. Berry expressed a wish that nothing be done to Dunberman as he (Berry) was responsible for the quarrel. Dunberman has not been arrested.

## FISHING BOATS SEIZED State Department Will Begin Negotiations

Canadian Cruisers Seized Smacks From Boston and Gloucester—This Case, However, Seems to Differ From That of a Month Ago Off the Newfoundland Coast.

(By the Associated Press.) Washington, May 11.—The seizure by Canadian cruisers of the fishing smacks Raymah of Boston and Parthia of Gloucester adds another to the many vexatious cases of this kind regarding which the state department is now preparing to negotiate directly with the British government through Ambassador Durand upon his return to the country from England. It is pointed out, however, that from the press reports these new cases appear to differ essentially from those of the Gloucester boats seized a month ago off Newfoundland coast and brought into St. Johns.

While it is a debatable question as to whether the Newfoundland authorities were within their rights in arresting the Gloucester fishermen who were there under the terms of the treaty of 1818, granting them equal privileges with British subjects in the shore waters, no such claim is made by the state department here as to the waters of New Brunswick or Nova Scotia, and no American fisherman has the right to trawl therein without the consent of the authorities. It is conjectured that this case, however, may involve a construction of the old and long disputed "headland" claim, and that within an imaginary line drawn from headland to headland on the Nova Scotia coast Cape North, were actually more than a marine length distant from the nearest shore, and so were within their rights. This is a question to be determined by the court before which the captives of the seized vessels will appear, and these facts must be awaited by the state department before it undertakes to make any representations in the case.

## CROMWELL ON STOCK BUYING

(By the Associated Press.) Washington, May 11.—William Nelson Cromwell of New York counsel for the Panama Railroad Company again was before the senate committee on interoceanic canals today. He explained in detail his work in buying the minority stock of the railroad for the government but declined to answer any questions relating to the affairs of the Panama Canal Company during the time he acted as counsel for that corporation. Senator Morgan was the examiner and he and the witness indulged in heated arguments over the right of the committee to compel answers. Before the subject was abandoned Senator Morgan said he would find a way to test the issue, and the witness replied:

"I hope you shall for you will learn more law than you know now." The investigation will be postponed until after the passage of the railroad rate bill.

## MUCH DAMAGE IN MOUNTAINS.

(Special to The Evening Times.) Asheville, N. C., May 11.—Reports of much damage by the recent cold weather are received here. It is said that all early vegetables have been killed, and that in portions of the county the fruit crop is practically wiped out. There has been frost in numerous portions of the county this week, and ice in other portions. A prominent farmer from Flat Creek said today that all fruit in his section was killed. There was a light snow fall in the Craggy mountains Wednesday and also on the Murphy branch.

## Funeral Drivers Strike.

(By the Associated Press.) New York, May 11.—Several hundred funeral drivers in the boroughs of Manhattan and the Bronx went on strike today in support of a demand that their wages be increased from \$12 to \$14 a week, that no union men be employed and that their hours be shortened.

## AMERICAN GOODS ONLY FOR CANAL

### Taft Won't be Responsible for that Order

## THE CEMENT PURCHASE

Commission Bought 20,000 Barrels of English Cement, and It Is Likely Resolution Will Be Introduced in Congress Limiting Purchases to American Markets.

(By the Associated Press.) Washington, May 11.—Secretary Taft has refused to assume the responsibility for an order requiring the canal commission to buy only American goods, and as a result of his stand it is likely resolutions will be introduced in congress limiting the purchases of the commission to American markets. Senator Dick and Ankeney and a number of other prominent republicans in the senate have urged the commission to abandon the idea of buying in the open market, but Secretary Taft and the members of the commission have not felt that they could read any such restriction on purchases into the present law regulating the commission, and suggested that congress should specifically limit buying to American goods if any such provision is desired for the protection of the interests of United States corporations.

Since the purchase of 20,000 barrels of English cement by the commission there has been much agitation for the protection of American manufacturers. The cement was purchased for 37 cents less per barrel than American manufacturers offered to supply it for, but it was maintained by American cement interests that the shipping conditions stipulated by the commission were responsible for the higher price stipulated by American mills. Because of lack of storage facilities on the isthmus the commission stated in its specifications that the cement was to be delivered in small quantities as needed.

Ohio cement manufacturers have interested Senator Dick in their movement to protect American commercial interests against European competition, and many of the "stand pat" tariff men in congress are said to be ready to support resolutions which will absolutely shut out European competition. Members of the commission are anxious to avoid conditions which might enable American manufacturers to combine in such a way that extortionate prices can be charged and frequent conferences are being held for the purpose of agreeing upon resolutions which will afford American interests protection without placing the commission wholly at the mercy of manufacturers who may attempt to corner the market in commodities most required for use in canal work.

## Jockey McCue Dead.

(By the Associated Press.) Washington, May 11.—Jockey "Pat" McCue, who has been ill in Providence Hospital, this city, for several months, suffering from consumption and a general breakdown, died last night. His body will be sent to New York tonight.

## WHOLE TOWN REPORTED TO BE BURNING UP

(By the Associated Press.) Pittsburg, Pa., May 11.—Suterville, a mining town on the Baltimore and Ohio railroad, twenty miles east of Pittsburg, is threatened with destruction by fire, and help has been requested from this city, Conneville, McKeesport and Bradock. The fire started in the general merchandise store of Kelly Brothers, on Main street, at 8:20 o'clock. At 10 o'clock the Kelly building, First National Bank block, Francessi's fruit store, the residence of John Keegan and Dr. W. F. Pears had been burned, entailing a loss of \$20,000. The buildings destroyed are in the heart of the town, and the fire is beyond the control of the local fire department.

## Srs. Davis Better Today.

(By the Associated Press.) New York, May 11.—Mrs. Jefferson Davis, who has been ill with the grippe for several days in her apartment in the hotel Gerard, was reported as much improved today.

## CERTAIN MEDICAL ADS Resolution by Physicians of Alabama

Presented to General Conference Opposing Their Insertion in Religious Papers—The Venerable Bishop Granberry of Richmond Made An Address Today.

(By the Associated Press.) Birmingham, Ala., May 11.—The venerable Bishop John C. Granberry of Richmond, Va., occupied a seat in the forum today when the eighth day's session of the general conference of the Methodist Episcopal Church, South, began. Dr. John S. Hattenstein of the Baltimore conference conducted the opening devotional services. After the approval of the minutes Bishop Granberry was introduced and spoke briefly. He was given a cordial reception. A motion was unanimously adopted to send a telegram of greeting to the Southern Baptist convention which met at Chattanooga today. The telegram reads:

"The general conference of the Methodist Episcopal Church, South, sends greetings to the Southern Baptist convention. The grace of our Lord Jesus Christ be with you." A committee of physicians submitted to the conference a resolution adopted by the medical association of Alabama opposing the insertion of certain medical advertisements in religious papers. The itineracy committee made a non-committal report on several memorials asking the removal of the time limit from the pastorate of a church. However, it approved a memorial recommending that six years be the time limit and reported an amendment to that effect. A non-concurrent report was made on a memorial from Virginia requesting bishops to appoint no preachers as presiding elders more than eight years consecutively unless there are extraordinary conditions requiring such appointment.

## BRYAN IS RECEPTIVE Do Nothing to Secure Another Nomination

Writes a Personal Friend He Does Not Want It Unless Circumstances Seem to Demand It—Time Alone Can Determine That, He Adds.

(By the Associated Press.) Chicago, May 11.—A dispatch to the Tribune from St. Louis says: M. C. Wetmore of this city, a personal friend of W. J. Bryan, has received from Mr. Bryan, who is in Egypt, a letter in which he says: "I am satisfied that the things I have been fighting for are growing, but who will be most available in 1908 is a question that cannot be answered now. I shall not do anything to secure another nomination and do not want it, unless circumstances seem to demand it—time alone can determine that." This is the first authoritative statement of Mr. Bryan's attitude toward the presidency in 1908. The letter is personal, and his comment on the national situation is the more interesting to the public from the fact that it is the frank utterance of a party leader to a confidential friend.

## SHOT DEAD IN ROW OVER SOME WHISKEY

(Special to The Evening Times.) Wilson, N. C., May 11.—Charles Foster, who was shot yesterday about seven miles from Wilson by another negro, John King, died last night. Foster and King quarreled over the division of some whiskey, and according to reports King went to his home for five cents to make satisfactory settlement. Returning to the field where they were working together he brought his double barrel shot gun, and at close range emptied both barrels into Foster. Foster was given medical attention by Dr. E. J. Moore of Elm City, but his wounds were such that there was no hope for him. King was arrested yesterday and is now in jail here. Court is now in session, but King will not be tried this term. The coroner holds an inquest today.

## TRAIN HIT CAR AND KILLED TWO

(By the Associated Press.) Chattanooga, Tenn., May 11.—An incoming train on the Chattanooga Southern Railroad struck a car on the Chattanooga electric line today. Two men were killed and a third received probably fatal injuries.

## THE DELINQUENT GIRL THE TOPIC

### The Problem for Juvenile Court Judges

## PROTECT THE HOMES

At the Conference of Charities and Corrections Mrs. Francis of Philadelphia Urges Judges Not to Send Girls Actually Morally Tainted Into Homes.

(By the Associated Press.) Philadelphia, Pa., May 11.—"The delinquent girl" was discussed at the morning session meeting of the thirty-third national conference of charities and corrections. The topic was presented by Mrs. Vida H. Francis of this city, who said in part: "The radical difference in proportion between boy and girl delinquents and in ratio of the nature of crime committed by each will serve to illustrate the point which I most desire to emphasize, that the problem of the one is not the problem of the other."

"The recent wonderful strides of biological psychology make it seem incredible that our juvenile courts are still applying the same methods of reform to boys and girls. The judge of a juvenile court has three courses open to him: First, to send the girl back to her same environment under the care of a probationer; second, to place her in a good home through the probationer or some child placing agency; third, to send her to a training school.

"A girl morally tainted should obviously not be returned to the scene of her infection, and only in cases of trivial misdemeanor or in the exceptional case of a good moral home can a girl be safely so returned. For her misdemeanor has proven that the home is unable to exert proper influence or power. "In placing girls uninfected by the social evil, but of criminal tendencies and guilty of trivial misdemeanors, the danger is that they will not receive an adequate special training. The place for the normal child is in the normal home, but every delinquent needs a special additional care and a heavy responsibility rests on judges to examine the reputation of the families in which the delinquents are placed, and on probationers to see that they live up to their reputations and responsibilities.

"No words can be strong enough to urge judges not to send girls who are actually morally tainted into homes. If it is a crime against the home and community to harbor a person afflicted with small-pox, is it not a greater crime to keep in the home a person capable of infecting others with a moral evil more hideous than physical disease? And it is not only a crime against others, but against the girl whom we are claiming to help."

## FREIGHTS HEAD-ON NEAR ASHEVILLE

(Special to The Evening Times.) Asheville, N. C., May 11.—Two freight trains, No. 72 eastbound and second section of No. 73 westbound hit head-on this morning at 4 o'clock near Olivette, seven miles from Asheville on the Knoxville division. While No. 72 was just running fast, while No. 73 was just coming out of the switch at Olivette. One fireman, a negro, was injured. Both engines were considerably battered, and nearly a dozen cars torn up. The crew of both trains remained at their posts. It is said that the wreck was due to train No. 72 falling to obey orders.

## Baptists in Session.

(By the Associated Press.) Chattanooga, Tenn., May 11.—The Southern Baptist Convention met here today for its fifty-fourth annual session. About 5,000 delegates and visitors are present.

## ANTI-PASS AMENDMENT Senator Foraker Will Propose a Substitute

### It Will Prohibit the Issuance of Free Transportation and Special Privileges to Officials and Employees of the Government—Meets With Favor.

(By the Associated Press.) Washington, May 11.—When Senator Culberson moves to reconsider the vote by which his anti-pass amendment was adopted to the railroad rate bill, in compliance with notice given by him yesterday, Senator Foraker will propose a substitute which will prohibit the issuance of passes or special passenger privileges to officials and employees of the United States. Conferences on this subject have been numerous since the Culberson amendment was adopted and it has been the conclusion of a large number of senators, including its author that the provision is too stringent. The Foraker proposition, as outlined by the Ohio senator has met with favor and is likely to be adopted when the bill passes from the committee of the whole to the senate.

## Mrs. Tewbury Was Acquitted.

(By the Associated Press.) London, May 11.—Mrs. Violet Tewbury, who was extradited from Paris, March 30, charged with passing fraudulent checks at the instigation of her husband, Lewis Green Tewbury of New York, was acquitted in the session court today after three days trial. "Thank God," she exclaimed as the foreman of the jury announced that she was not guilty.

Mrs. Tewbury was immediately handed over to friends who hurried her off to rejoin her baby, born shortly before her arrest in Paris. New Dormitory for Weaverville. (Special to The Evening Times.) Asheville, N. C., May 11.—The trustees and executive committee of Weaverville College have accepted plans for the erection of a 60-room dormitory for this institution of learning situated eight miles from Asheville. Work on the new building will be commenced at once and it is hoped to have the work completed by the opening of the fall term in September.

## \$26,000,000 FOR CANAL NEXT YEAR

(By the Associated Press.) Washington, May 11.—Demand being made by the house committee on appropriations for the estimates for work on the Panama Canal to carry on the work during the next fiscal year. Secretary Taft has explained to the committee that it will be impossible to submit detailed estimates until the arrival here of Chief Engineer Stevens, who is now on his way from the isthmus.

The total to be asked for is said to aggregate \$26,000,000, but owing to the lack of knowledge here as to the amounts to be asked for to pay skilled and unskilled labor, the figures cannot be submitted. The committee is to include this appropriation in the sundry civil appropriation bill which is now being compiled. It is understood that the estimate will be made the subject of extended hearings before the committee, that the members may be in position to give the house detailed information regarding the necessity for each item included.

This will cause some delay in the finishing of the sundry civil bill, which it had been hoped to get into the house next week. More Money for Rivers and Harbors.

(By the Associated Press.) Washington, May 11.—Messrs. Lorimer (Ills.), Davidson (Wis.), Ransdell (La.) and Ellis (Mo.), members of the rivers and harbors committee of the house, leave this afternoon for Kansas City, St. Louis and Chicago on a campaign of education for larger appropriations for rivers and harbors. Mr. Ransdell is chairman of the executive committee of the International Rivers and Harbors Congress, the purpose of which is to stimulate sentiment and for a larger policy of waterway development in this country. The slogan of the congress is "fifty millions a year for rivers and harbors," instead of about nineteen millions, as has been the appropriation every two years heretofore.

## Man Shot Wife and Self.

(By the Associated Press.) Philadelphia, Pa., May 11.—J. L. Yarnault, aged 80 years, today shot his wife, who is 72 years old, and afterward killed himself. The woman's condition is critical. The shooting occurred at the home of his daughter, Mrs. Joseph K. Winn, at Ardmore, a suburb. The motive is not known.

## STANDARD OIL MAN ON RACK

### Had Hundreds of Letters of Rival Company

## PASSES ON RAILROADS

Witness Said He Got Letters in Same Way That for Years He Got Information for the Standard Oil Company—Let Garfield Copy Them.

(By the Associated Press.) Chicago, May 11.—Nearly every railroad running south, north and west from Chicago was represented today before the interstate commerce commission when the investigation into the relations of the Standard Oil Company with the railroads was resumed. Attorney C. C. Laforge, representing the Standard Oil Company of Kentucky, opened the proceedings by a cross-examination of Maywood Maxon of Illinois, who was the last witness at the opening hearing yesterday.

The attorney read a number of letters written by Maxon, in which he threatened to make trouble for the Standard Oil Company because he had been refused a year's leave of absence. Maxon admitted being the writer of the letters.

"Is it not true that you have about fifteen hundred documents and letters in your possession belonging to the Standard Oil Company of Kentucky?" asked Mr. Laforge. "I have a large number of letters and papers addressed to officers of the company and letters written by them to their agents," replied the witness. "How did you get them?"

"In the same way that for years I got information for the Standard Oil Company." Attorney Laforge then read a letter written by Maxon to C. M. Pratt, an officer of the Standard Oil Company in New York, in which he said that he had obtained 600 letters from one of the company's agents in Ohio, and had allowed Commissioner Garfield to copy them for use in prosecuting the company.

In answer to questions of the attorney regarding passes Maxon said that he had passes on nearly every road in his territory, and used them in traveling on the company's business. He obtained the passes, he said, from Treasurer Holmes and other officials of the Standard Oil Company.

## MAKE MR. SULLOWAY GET UP 320 TIMES.

(By the Associated Press.) Washington, May 11.—Representative Williams of Mississippi, the minority leader, is persistent in his opposition to the transaction of business with out proper presentation of bills on their passage to the house. When the lower branch of congress today decided to take up bills on the private calendar (pension bills) Mr. Williams insisted that Mr. Sulloway (N. H.), the chairman of the invalid pensions committee, should rise and properly move the passage of each bill. As there are 320 private bills to be voted on, 125 of which are senate bills, this will require Mr. Sulloway to rise 320 times. As the gentleman from New Hampshire is six feet seven inches tall, Mr. Williams said he believed that this exercise on the part of the "tall pine of the Merrimac" would add something to his stature.

## WEATHER DELAYS RETAIL TRADE.

(By the Associated Press.) New York, May 11.—Dispatches to Dun's Review indicate good progress in manufacturing departments, but some delay to retail trade on account of unseasonable weather, while there is more or less complaint regarding collections. Bank exchanges continue larger in volume, the total for this week at all leading cities in the United States being \$2,871,977,998, an increase of 19.7 per cent over the corresponding week last year.

## Carl Schurz Better.

(By the Associated Press.) New York, May 11.—Carl Schurz, the publicist, and former secretary of the interior, who has been critically ill at his home here with stomach trouble, was reported by his physician as being much better today. Mr. Schurz's condition took a serious turn for the worse this afternoon. Dr. A. Jacobi, the patient's physician, was summoned by phone to the bedside.