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SENATE STILL ON RATE BILL

Mr. Hale Lectures His Brother Senators

THEY TALK TOO MUCH

Senator Daniel contends that the Teller provision striking out the words "in its judgment" is unnecessary, declaring they would not affect the measure one way or another.

(By the Associated Press.) Washington, May 18.—When the railroad rate bill was taken up today the senate resumed consideration of the Teller amendment striking out of the provision giving to the interstate commerce commission the power to prescribe rates the words "in its judgment." Before that order was reached, however, Senator Hale took advantage of the opportunity to admonish other senators against the violation of their own fifteen minute rule. He said in that connection that the rule had been pretty much of a failure and he added that half a dozen senators had so far done most of the talking on the bill. He would have the time distributed more evenly and he thought that if there were not so many interruptions by senators who had already spoken the amendments could be disposed of early today and the senate could have Saturday and Sunday for a much needed rest. He also said that under the terms of the agreement there would be no limitation to the debate after the amendments are out of the way.

Senator Daniel made the first speech on the Teller provision, taking the position that the presence of the words "in its judgment" would not have the effect of vitiating the bill as had been contended. He declared indeed that neither the presence nor the absence of the words could affect the measure. "If," he said, "the words are retained the commission will have explicit authority to do what it must necessarily do if they are omitted."

He said that as far back as 1824 Chief Justice Marshall had interpreted the right of congress to delegate its power and the rule that had since been followed in innumerable cases. He also referred to the recent opinion of Justice Brewer in the Michigan tax case, saying that in that case the justice had used words which his own sense of propriety had led him to withdraw. He added that a further consultation of Justice Brewer's decision would do much to set right the minds of those so fond of catching at such trifling details as an opinion that was never delivered.

The amendment was adopted 50 to 24.

At 1.50 the rate bill was completed and the bill was ready to pass when Mr. Rayner took the floor.

Senator LaFollette offered an amendment permitting railroad companies to grant passes to the officers of railroad employees' association. The amendment was adopted after only a brief delay.

Senator Tillingham proposed an amendment in the interest of small roads to the provision prescribing a penalty for false entries in the accounts of railroads. He proposed a strike out of this provision requiring railroads to keep only such books as prescribed by the commission. Senator Tillingham opposed the amendment as fatal to the prohibition against rebates.

Senator Tillingham said it was evident that unless the words prohibiting the keeping of private memoranda and books were retained the "rascality and thievery" shown by the reading of the disclosures against the Pennsylvania Railroad cannot be stopped. He charged that the interstate commerce commission's investigations shows that "the Pennsylvania is permeated with rottenness from Cassatt down. Bribes are given and rebates and discriminations have been shown to be practiced."

In the midst of the charge he was notified that his time had expired. Senator Carter's amendment was then rejected.

At 1.45 p. m. the reading of an amendment was concluded, and after announcing the third reading of the bill the chair asked:

"Shall the bill pass?" There were, however, some general speeches to be made, and the passage was deferred.

TO BUILD \$275,000 CHURCH AT CAPITAL

(By the Associated Press.) Birmingham, Ala., May 18.—The general conference of the Methodist Episcopal Church, South, today elected Dr. Gross Alexander, president, and Dr. Gross Alexander, president, book editor and editor of the Review.

before the conference was the report of the committee on church extension recommending the erection of a representative church at Washington, D. C., to cost \$275,000, of which the church at large is to pay \$200,000, and Mount Vernon church, Washington, \$75,000. After considerable debate the report of the committee was adopted.

GOLDSBORO GRADED SCHOOL EXERCISES.

(Special to The Evening Times.) Goldsboro, N. C., May 18.—Yesterday and today have witnessed the closing exercises of the Goldsboro graded school. Yesterday at the school there was a program of entertainment for the parents and guardians under the auspices of the domestic science department of the Woman's Club.

This afternoon at 4 o'clock in the opera house the graduating class had its exercises and there was a presentation of diplomas and prizes.

Tonight in the opera house will be celebrated the twenty-fifth annual commencement. Among the speakers are Prof. E. P. Moses, the first superintendent; State Auditor Dixon, Prof. J. J. Joyner, ex-Governor C. B. Aycock, and Prof. T. R. Foust. Mr. E. E. Borden is the only member of the board of trustees who has held his position continuously for twenty-five years, and Mrs. M. O. Humphrey is the only teacher on the faculty who has held her position for that length of time.

THE ICE MAN'S TURN HAS COME.

(By the Associated Press.) Cleveland, O., May 18.—The grand jury today returned indictments against President Harry Norvell and thirteen directors of the city ice delivery company, known locally as the ice trust, on the charge of violating the Valentine anti-trust law.

TORPEDO BOAT WAS CAPSIZED; 7 DROWNED

(By the Associated Press.) Port Said, Egypt, May 18.—The British torpedo boat No. 56 capsized off this port during the night. Seven of her crew were drowned.

The torpedo boat sank during a storm.

London, May 18.—The admiralty's dispatch confirming the press announcement of the loss of the British torpedo boat No. 56 says she was in tow of the cruiser Arrogant when she capsized and sank. She carried a crew of thirty officers and men, seven of whom are missing.

Dr. Swindell Hurt.

(Special to The Evening Times.) Goldsboro, N. C., May 18.—It is learned from his friends in this city that Dr. F. D. Swindell of the Methodist conference, who is known and universally loved throughout the eastern section of the state, sustained serious bruises in Wilson yesterday afternoon. He was out driving, when his horse became unmanageable and ran. The doctor was thrown out of the buggy, and when help reached him it was found that he could not stand up. His hip is thought to be dislocated and his shoulder is badly bruised.

MILES FULLER WAS HANGED TODAY.

(By the Associated Press.) Butte, Mont., May 18.—Miles Fuller was hanged in this city at 5.30 o'clock this morning for the murder of H. J. Gallahan on October 24, 1904.

ALLISON AGREEMENT HAS BEEN BROKEN

(By the Associated Press.) Washington, May 18.—In striking out of the rate bill the words "in its judgment" the senate defeated one of the Allison compromise propositions. It is true the words were in the bill as it came from the house and during all the discussion a great deal of opposition to them was developed. When the Allison court review and other compromise provisions were being considered the friends of the original Hepburn bill insisted that the words "in its judgment" should be retained in the bill, and they assert that they became a part of the compromise agreement.

In eliminating these words, it is asserted, the agreement has been broken, but this did not affect the other features of the bill, as the other Allison amendments have been retained.

Mrs. Davis Improved.

(By the Associated Press.) New York, May 18.—An encouraging improvement in the condition of Mrs. Jefferson Davis was reported by her physicians today.

TUBERCULOSIS IN CHILDREN

Danger of Infection Through Milk Slight

IS NOT HEREDITARY

But Child Should Be Taken From Tubercular Parent to Prevent Natural Contagion—Enforcement of Sanitary Precautions Depends on Amount of Money Public is Willing to Spend.

(By the Associated Press.) Washington, May 18.—The principal interest in the meeting today of the national association for the study and prevention of tuberculosis centered in the section on tuberculosis in children, the main address being delivered by Dr. David Bovard of New York, who talked on the sources of infection in children, and John Lovett Morse of Boston, whose subject was the protection of children against tuberculous infection.

Dr. Bovard maintained that the sources of possible infection almost could be disregarded, except that of breathing the germs and taking them into the body with food. As regards infection through tuberculous milk, he declared that as the result of a number of autopsies performed by him he had found it to be a negligible quantity.

He said further that there was a greater difference in the statistics as shown by English hospitals than by American, German and French hospitals as to tubercular infection of the abdominal tract. American experience had shown that infection of that sort was almost lacking, whereas it was very largely prominent in patients in English hospitals.

In his discussion Dr. Morse said it was practically agreed that hereditary tuberculosis was almost unknown, but, he said, a child should be taken from a tubercular parent at the earliest possible moment, so as to prevent natural contagion, which would be apt to follow if the parent had the child closely in charge. He recommended better sanitary precautions, but said that the extent to which these could be enforced depended entirely on the amount of money the public was willing to spend in helping the poorer classes.

Dr. Edward L. Trudeau of Saranac Lake, N. Y., in another section spoke on the use of tuberculin in the treatment of consumption cases, and expressed regret that there was not a standard of strength for the product, and that its use was largely in the experimental stage just now. He advised very careful use of tuberculin, as well as closely watching the patients' condition, in order that more evil than good might not result.

BLACKBURN SPEAKS

Orator at Dover High School Tonight

Republican Congressman Makes Literary Address at a Commencement in Craven County—Unusual Incident in This State Attracts Attention.

Congressman E. Spencer Blackburn, the republican representative from the eighth district, passed through Raleigh this morning on his way to Dover, in Craven county, where he will tonight deliver the commencement address before the Dover High School.

The congressman did not stop here but his friend, Maj. H. L. Grant, was at the depot and chatted with him the five minutes the train was under the shed.

The fact that a North Carolina republican congressman is to be high school orator at a high school in eastern Carolina is indeed an incident which will attract more than passing comment. A man from Kingston states that excursion parties from Greenville and Kingston were being organized to go to Dover and hear Mr. Blackburn's speech this evening.

Dover is a town of 1,200 inhabitants and is situated in a county which cast only 206 republican votes in 1904 against 1,614 democratic. The political sentiment of the county being so one sided makes the invitation to Mr. Blackburn the more unusual in eastern Carolina.

LIKENED TO A KALEIDOSCOPE

Expects President to Change Again

MR. RAYNER CAUSTIC

He Claimed the Allison Amendment Destroyed the Bill, and Deplored President's Interference—The Latter, He Said, Seemed Jealous of the Earthquake and Volcanoes.

(By the Associated Press.) Washington, May 18.—Mr. Rayner in the senate today said that he expected the president would change his opinion again before the bill was finally enacted, and get back to the long amendment.

There was no telling but what in a few days some new "Chandler of fortune" might get possession of the president and get him back to the original terms.

"The president resembled a kaleidoscope. This was a great era for natural disturbances, and the president seemed jealous of the earthquakes and volcanoes."

"He went tearing through space oblivious of where he came from and with no conception of where he was going."

The president, said Mr. Rayner, may have united his party in the senate, but he had divided the people. He claimed the Allison court review amendment destroyed the bill, and deplored the president's interference.

NO TELEPHONE CONSOLIDATION

Southern Bell Wants the Raleigh Co.

PROPOSITION DECLINED

At a Conference Last Night President Everett of Raleigh Company Told Southern Bell Officers That Local Company Would Not Accept Their Offer For Consolidation.

The officers of the Southern Bell Telephone Company at a conference last night made a proposition for a consolidation of the Raleigh Telephone Company with the Bell. The proposition was positively declined by the president of the Raleigh Company.

The last night conference was attended by Vice President W. T. Gentry and Assistant Vice President H. E. W. Palmer of the Southern Bell and Dr. D. E. Everett, president of the Raleigh Telephone Company. The definite proposition made by the Bell officers is not given out, but the offer was to consolidate the two.

Dr. Everett, when asked about the matter today, admitted that the offer was made to the Raleigh company and that it was positively declined. The Raleigh company, said Dr. Everett, was prospering, it was being well patronized by the people, was giving good service, and there was no reason to give the property away and create a telephone monopoly here.

It is understood that the president of the Raleigh company told the Southern Bell officers that the acquisition of the local company would give the Southern Bell the whole field and would mean increased rates and inferior service, as has resulted, he said, in other towns.

The report that a representative of the Raleigh Telephone Company attended the meeting held yesterday morning by the organizers of the Capital Telephone Company, which has for its object the consolidation of the systems of Raleigh, was authoritatively denied today by the officers in the Raleigh Company. The only persons at that meeting were Vice President Gentry, Assistant Vice President Palmer and General Counsel Chipley of the Southern Bell, and Gen. Julian S. Carr and Mr. L. A. Carr of the Interstate, which maintains a system here. No action was taken because of the absence of Mr. Geo. W. Watts of Durham.

Messrs. Gentry and Palmer left this morning at 4 o'clock for Atlanta their home.

MORE EVIDENCE OF STOCK GIFTS

Two More Witnesses Were Offered Coal Stock

SOME WAS DECLINED

Supt. F. J. Cleave of Cambria and Clearfield Division of Pennsylvania, and F. L. Sheppard, General Supt. United Railways of New Jersey, Testified Today.

(By the Associated Press.) Philadelphia, Pa., May 18.—Additional evidence of stock presentations by coal companies to railroad officials was adduced at today's session of the interstate commerce commission. E. J. Cleave of Cresson, Pa., superintendent of the Cambria and Clearfield division of the Pennsylvania Railroad, was the first witness. He was asked if he held stock in any coal companies. He said he had 250 shares in the Cochran Coal Company, which he received in partial payment for land sold to the company.

"Had you ever been offered stock in any coal companies?" inquired Attorney Glasgow.

"Is it necessary to answer that question?" asked the witness.

"It is."

"I was offered stock, but declined to accept it."

F. L. Sheppard of New Jersey, general superintendent of the United Railways of New Jersey, when questioned by Mr. Glasgow, said he owned stock in several mining companies. He could not recall the names of some of these companies. The stock in one, which is a subsidiary company of the Berwind-White Coal Company, the witness said he received from Edward Berwind. It was paying dividends, but he did not remember the amount. Mr. Sheppard said he owned 50 or 100 shares in the Pine Run Coal Company. He received this, he said, from Frank Patton. He had invested \$2,500 in another company which failed. This money was returned to him, and he was given the Pine Run Coal Company stock. He was also given, he said, 60 or 70 shares in the Pittsburgh Coal Company for his work in negotiating the sale of the stock.

"Have you ever declined to accept stock in any coal companies?" queried Mr. Glasgow.

"I have."

"Why?"

"Well, I thought I might be asked to do something that would not be proper in my official capacity."

"Who offered you the stock you refused?"

"I really can't remember."

"You were in a position to favor the coal companies?"

"To a certain extent, yes."

"Then, some you turned down and others you accepted?"

"That's correct."

"Why didn't you turn them all down?"

"I did not think there was any impropriety in accepting the stock I took."

VALUABLES ARE SAFE

San Francisco Vaults Stood the Test

Commercial Banks Will Open for Regular Business Next Wednesday—City No Longer in Danger of Water Famine—The Big Pipe Repaired.

(By the Associated Press.) San Francisco, Cal., May 18.—More than one thousand persons, each wearing an anxious and worried look and impatient to examine papers and valuables deposited in the vaults of the California Safe Deposit and Trust Company, stood in line yesterday awaiting the opening of the vaults when the brick and debris had been cleared away. The contents of the boxes were found intact, and most of the depositors left their valuables in the compartments. The Anglo-California Bank also opened its vault and found books, papers, currency and coin in perfect condition.

At a meeting of the clearing house committee yesterday it was decided that the commercial banks of this city will open for regular business next Wednesday. It is believed that the extended delay has insured the banks from any panic, that the confidence of depositors has been restored, and that the banks have had ample time to prepare for any run on them.

Health Officer Ragan reported to the board of health yesterday that San Francisco is no longer in danger of a water famine, and that within a few days the entire water supply will be in a normal condition again. According to Dr. Ragan's report the big 44-inch Crystal Springs pipe, which

was broken for three thousand feet, has been repaired, and there is flowing into San Francisco now about 25,000,000 gallons a day, which he considered amply sufficient, provided there is no waste.

STATEMENT BY VICE PRESIDENT OF PENNSYLVANIA R. R.

(By the Associated Press.) Philadelphia, Pa., May 18.—The following statement was issued today by Captain John P. Green, first vice-president of the Pennsylvania Railroad Company:

"The recent developments at the hearing in progress before the interstate commerce commission in this city in respect to the acquisition and ownership of the stocks of coal companies and the acceptance of gratuities by its employees are a surprise to the management. While it is not believed that these have caused injustice to the public or the company the facts with respect thereto, will be thoroughly investigated, and no ownership or practice calculated in any manner to affect the full and impartial discharge of the duty owed by the company, its officers and employees to the public will be tolerated."

HEARINGS BEFORE HOUSE COMMITTEE ON LABOR.

(By the Associated Press.) Washington, May 18.—The house committee on labor continued its hearings today on the eight hour bill. L. S. Payson, representing the Newport News Shipbuilding Company and the Southern and Union Pacific Railways, occupied the attention of the committee in a general argument, showing what he considered the new features of the bill, and in opposition to the general proposition. President Samuel Gompers and Secretary Morrison of the American Federation of Labor were present. They contend that the hearings are unnecessary and only a means employed by the enemies of the legislation to delay action and defeat the bill.

CHAIRMAN OF THE COMMITTEES NAMED

(By the Associated Press.) Greenville, S. C., May 18.—When the Southern Presbyterian General Assembly was called to order today the following assignments of chairmen of committees were announced:

Bills and overtures—Dr. J. W. Stagg, Charlotte, N. C.; foreign correspondence—Dr. J. W. Bachmann, Tennessee; foreign missions—Dr. Eugene Daniel, West Virginia; home missions—Dr. Joseph Johnson, Texas; publications and Sunday school—Dr. Harris F. Kirk, Maryland; ministerial education and relief—Dr. B. H. Fleming, Virginia; negro evangelization—Dr. W. M. McPheters, South Carolina; theological seminaries—Dr. William E. Thoggs, Florida; assembly home and school—Dr. J. H. Thornwell, South Carolina; women's societies—Dr. T. A. Wharton, Tennessee; systematic beneficence—H. H. Road, Texas; narrative of state of religion—Dr. B. Strickley, Virginia; Bible cause—Dr. J. E. Fogarty, Kentucky; church and Christian education—Dr. T. H. Rice, Georgia; Sabbath and family religion—Dr. E. M. Monroe, Texas; action committee—A. L. James, North Carolina; leave of absence—Dr. S. D. Boggs, Kentucky; devotional exercises—A. A. James, South Carolina; synodical records—A. H. Sunday, Dr. I. F. Wallace and George Battalora, Florida—Rev. R. D. Stinson and T. J. Jones; Georgia—Rev. H. M. Sweets and C. T. Neil; North Carolina—Dr. W. K. McKay and L. B. Dougherty; South Carolina—J. C. Cowan and R. E. Cochran; Virginia—Rev. R. L. Bell and P. A. Emanuel.

The constitutional democratic leaders, whose program would be upset by the dissolution of parliament, are quite as anxious as the emperor to avoid the precipitation of a conflict. They would regard the failure of the government to declare war as a big preliminary victory, of which they would take advantage by forcing through their agrarian project, upon which they count to strengthen themselves in the country before the final battle opens.

That the court reactionists, headed by General Treppoff, are seeking in every way possible to influence the emperor to fight is apparent by the discovery made by the Reich of a secret circular sent to the governors instructing them to have the "black hundred" organization immediately despatch to the emperor protests against amnesty and the abolition of death penalty. These have been floating into Peterhof from all directions, over fifty being printed in the Official Messenger today.

Dispatches from the interior report demonstrations in front of the prisons in all parts of Russia in favor of the release of the political prisoners. At Simferopol troops surrounded the prison, where the political prisoners were making a demonstration, and fired at them through the windows.

SHOT AT GIRL AND KILLED HIMSELF

(By the Associated Press.) Boston, Mass., May 18.—At the close early today of a reunion of the Cambridge Commercial School graduates, George M. DeWolfe, aged 18, fired a shot at Lillian Throughgood, aged 17, and then shot himself in the head. DeWolfe died an hour later. A locket worn by the girl saved her from being injured, although her clothing was set on fire. The two had quarreled.

RACING AT BELMONT.

(By the Associated Press.) Belmont Park, May 18.—First race: Handicap, 3 year olds and up, 6 furlongs; Main course: Pantoufle 6 to 1 and 2 to 1; first; Tiptoe 7 to 10, place, second; Aeronaut third. Time 1:13 4-5. Second race—5 furlongs—straight maiden colts, two year old—Saracinesca 9 to 1 and 1 to 3 first; Esnebio 10 to 1, place, second; Belcast, third. Time 1:00 2-5.

Postmistress at Vannoy.

(By the Associated Press.) Washington, May 18.—The following appointments of fourthclass postmistresses were announced today: North Carolina—Vannoy, Mary E. Vannoy.

BELIEVED CZAR WILL TEMPORIZE

With Partial Amnesty as the First Sop

FIRED ON PRISONERS

At Simferopol Troops Surrounded Prison, Where Political Prisoners Were Making Demonstration, and Fired Through Windows.—At St. Petersburg Red Flags Were Hung From Prison Windows.

(By the Associated Press.) St. Petersburg, May 18.—The critical moment which will decide whether there will be peace or war between the crown and the people apparently arrived with the adoption by the lower house of parliament last night of its reply to the speech from the throne. President Mourmsteff has gone to Peterhof to present the reply to the emperor, and his majesty's response is awaited with great anxiety. Popular opinion considers that the government has no option between surrender or war.

Nevertheless, while events during the past week followed each other with extreme rapidity, the issue now raised is not likely to be decided quickly. The Russians generally believe that the emperor, court and government undoubtedly have been dazed by the blunt, direct fashion with which parliament has spoken out, and their policy naturally will be to gain time. The emperor is in a beneficent frame of mind, and for the present will not listen to the counsels of those who advise him to dissolve parliament and flight. Nevertheless, he is resolved not to yield anything like all that parliament demands. It safely can be predicted therefore that he will pursue a temporizing policy with partial amnesty as the first sop thrown to the crew.

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In St. Petersburg the political prisoners awaiting transportation at the departing prison hung out red flags from the windows and sang the "Marseillaise" throughout the night, while crowds outside joined in the revolutionary song.

Portsmouth Memorial Day.

(By the Associated Press.) Norfolk, Va., May 18.—Today was observed as confederate memorial day in Portsmouth, Va., when the feature was a parade, in which civil war veterans of both the union and confederate sides marched together, and the grand army veterans wearing the blue assisted confederates wearing the gray in decorating the graves of their deceased comrades. Rear Admiral Harrington, commanding this naval station, and detachments of marines and sailors from the Norfolk navy yard also participated.

Illegal Signatures.

(By the Associated Press.) New York, May 18.—Thirty "John Doe" subpoenas, which were issued today at the request of District Attorney Jerome, were said to be for use in an investigation which the district attorney is planning into charges that many names were illegally signed to the petition by which he was nominated for district attorney in county election last fall.