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PRICE 5c.

GENERAL ASSEMBLY MET AT NOON TODAY TO TAKE UP IMPORTANT LEGISLATION

Members Present Certificates and are Sworn in by the Clerk

SPEAKER JUSTICE HITS THE TRUSTS

Mr. Doughton of Alleghany Warmly Applauded As He Takes the Chair While House Is Being Organized—Dr. Moment Offers Prayer—Machinery Being Put in Shape—The Speaker Urges Enlarging Powers of Attorney General, so That He May Prevent Violations of Law by Corporations.

At twelve o'clock today Principal Clerk Frank D. Hackett rapped the speaker's desk with his gavel, and as the chief clerk of the last house of representatives called to order the house of representatives of the general assembly of 1907.

The opening prayer was offered by Rev. Dr. Alfred H. Moment, pastor of the First Presbyterian Church of this city.

Then the roll of counties was called, and the members, as their counties were named, approached the bar of the house, showed their certificates of election, and took and subscribed to the oath of office, which was administered by Chief Justice Walter Clark of the supreme court of North Carolina.

Chief Clerk Hackett called Representative R. A. Doughton of Alleghany to occupy the chair during the organization of the house. Mr. Doughton, who is a former lieutenant governor of the state, was warmly applauded as he took the chair.

As usual several members had neglected to bring their certificates. By unanimous consent they were sworn in on condition that they present the certificates hereafter.

Principal Clerk Hackett of the house has made the following appointments on his office force: Alex. Lassiter of Lenoir, chief journal clerk; R. L. Huffman of Catawba, Thos. P. Bumgarner of Alexander, W. N. H. Smith of Wake, journal clerks; R. O. Fry of Montgomery, calendar clerk; Roy Leatherwood of Jackson, assistant calendar clerk; T. G. Cobb of Burke, pay clerk; Frank D. Hackett, Jr., messenger to principal clerk.

At the conclusion of the call of counties Speaker pro tem, Doughton announced that 120 members were present, the full membership, and that nominations for speaker were in order.

Speech of Mr. Dowd. When it came to the election of speaker Mr. W. C. Dowd of Mecklenburg was recognized, and said he occupied the rather anomalous position of being called upon to place in nomination for speaker a man who was not his choice for the position. He had read in history that sometimes the elector dragged the conqueror behind his chariot, but never had he read anywhere that the victor said he liked the loser. However, Mr. Dowd went on to say that such was his love for his commonwealth, her institutions, his party, that he almost felt pleasure in his task. He proceeded to speak of his opponent's fine qualities, personally and in public life, and of his friendship for his old college mate. He nominated E. J. Justice of Greensboro.

Mr. J. S. Manning of Durham arose to second the nomination of Mr. Justice, and expressed his gratification in seconding the nomination of his honored friend from the same congressional district.

Mr. A. T. Grant of Davis, republican, in behalf of the minority members of the house, placed in nomination Mr. M. N. Harshaw of Caldwell. Mr. W. C. Rector of Henderson seconded the nomination of Mr. Harshaw.

Mr. Davidson of Cherokee raised a bit of a laugh and lots of applause, when his name was called, by first saying Harshaw and then correcting it to Justice.

Messrs. Dowd of Mecklenburg and Harshaw of Caldwell were appointed a committee to escort Mr. Justice to the chair. Considerable applause greeted the newly elected speaker. He was sworn in by Chief Justice Clark.

Speaker Justice's Speech. Speaker Justice, in his speech of acceptance, said he could not adequately express the gratitude he felt, and trusted that he would be impartial in the fulfillment of his duties. This would be a session filled with important matters. The people had been exploited by trusts and corporations, and the solution of the resulting conditions called for courageous action. The law of supply and demand did not prevail in our state to regulate the price of products, which in some cases was fixed by the trusts. None dared enter the lines of business controlled by the trusts. The man who through the trust robbed others should be answerable to the criminal laws, and he who works through agents should be brought into the state by act of the executive. Profits should be made reasonable, and public service corporations compelled to regard the public first and their stockholders secondly. The attorney general should have power to send for and examine any papers of corporations. (Continued on Page Seven.)

HE FACED DEATH IN TWO SHAPES

And Saved His Flying Train From Destruction

HEROISM OF ENGINEER

Driven From Cab by Flying Steam, He Crawled and Staggered Bleeding Into Express Car to Confront Two Levelled Revolvers—But He Stopped the Train There.

Boone, Ia., Jan. 9.—After running wild for several miles at high speed with an engine out of control by the blowing out of a "stud" in its boiler, the Chicago & Northwestern fast mail train No. 10 was barely saved from destruction near here last night by the heroism of Engineer Louis Shull.

Shull was driven from his seat by the scalding vapor and boiling water. Dazed for the moment and knowing it was impossible to reach the throttle and bring the flying train to a stop, the plucky engineer climbed out onto the tender and drew himself over the coal to the express car beyond.

The express messenger, fearing robbers, refused him admission. Shull hammered at the door, and when it was suddenly opened by the messenger he stood in the way with a pair of revolvers aimed at the head of the engineer.

When Shull finally staggered in bleeding and half dead he just had enough strength left to reach up and pull the rope connecting the air-brake. The train came to a stop shortly after.

CANTON'S VICEROY CRUSHING BOYCOTT

(By the Associated Press.) Hong Kong, Jan. 9.—The second and subsequent meetings of the anti-American boycotts were frustrated by the action of the viceroy of Canton, who ordered the apprehension of the leaders. The police have been instructed to destroy all placards bearing on the proposed boycott and the newspapers have been prohibited from alluding to the boycott.

FIRST DAY IN THE NEW SENATE

Forty-Four Senators Who Were Not Here Two Years Ago

ONLY SIX CAME BACK

And It Is As Strong as Before—The Usual Formalities of the Opening Session—Assignment of Seats—Swearing In the Caucus Nominees. Incidents and Observations—Business Transacted.

When Lieutenant Governor Winston called the senate to order this morning and the fifty senators representing the thirty-nine senatorial districts, comprising the 58 counties of the state, were sworn in, only six names that appeared on the roll of the last senate were called as forming a part of the roll of the senate of 1907.

It is not often that such a sweeping change in the personnel of a legislative body occurs at one election, especially when there has been no revolution of political sentiment, so far as party ties go.

But among the new senators who have seen service before in this capital there are some very strong men and the present is probably as strong a body as a whole as the senate of 1905.

The senators returned at the recent election are: Mr. Long of Irwell, Mr. Mason of Gaston, Mr. Odell of Cabarrus, Mr. Stubbs of Martin, Mr. Thorne of Nash, Mr. Webb of Buncombe, who form a sextette that comprises less than one-eighth of the upper branch of the general assembly of North Carolina.

Another remarkable fact is furnished by the entire absence from the roll of the new senate of the three commonest—that is to say, the names that have the largest families in this section—for there is not a single Senator Smith or Senator Jones or Senator Williams this year. There was no Smith in the last senate, but we had Joneses and Williamses, and there were then two Senators Long and two Senators Mason, whereas in the present senate there is not the repetition of one name on the roll.

Among the strong men in the new senate who have seen service in the halls of legislation there are J. C. Buxton of Forsyth and John W. Graham of Orange, both of whom have been democratic nominees for congress, though unsuccessful; George H. Bolamy of New Hanover-Brunswick district, H. N. Pharr of Mecklenburg, John C. Drewry of Wake, A. A. Hicks of Granville, Reinhardt of Lincoln, Redwine of Union, and others.

On the other hand several of the strongest and most active and zealous members of the last senate have been transferred to the house this time. Vann of Chowan, London of Chatham, are among the pumber, while Dowd of Mecklenburg and Justice now of Guilford, and Morton of New Hanover, all in the present house, formed a trinity of the ablest senators here four years ago.

And there sits under the "Ben" Aycock (his friends love to call him "Ban.") He's been here before, too, called "Joe" Brown of Columbus, who filled that chair over there so many consecutive terms—general, companionable Joe Brown, who in some respects was the gamest senator on this floor for several years—if he was here again the chamber would look more familiar, despite the new bright carpet and general cleaning up it has received at the expense of that terror—the grip, this winter, it is hoped.

The Day's Proceedings. Like all first days of the session, the business transacted today chiefly comprised the administration of the oath of office to the senators, the formal election and swearing in of the nominees of the caucus and thus getting the machinery of legislation in motion. For however much we may joke, the office-holders and poke fun at the strenuous activity of candidates for legislative offices, there wouldn't be much legality attached to many of the acts "passed" and the machinery would run slow, so slow that sixty days would not suffice to do the trick were it not for the brain work (some of the clerks have more brains than some of the legislators) and painstaking care and activity of the clerks.

After invocation by Rev. Mr. Starling of the Brooklyn Methodist Church, the presiding officer announced that the oath of office would be administered and all senators appeared in groups of fours, and were sworn. Seats were then formally assigned to them. The alphabetical list will be found below, together with the number of the seat, the home county and the senatorial district represented by each.

The caucus nominees of senate officers and clerks were duly inducted into their respective positions and the senate is ready for business.

The senate officers are: President Pro Tem, C. H. Webb, of Buncombe; Chief Clerk, A. J. Maxwell, of Lenoir; Sergeant-at-Arms, L. Brown Pegram. (Continued on Second Page.)

BALES GINNED TO NEW YEAR'S

Counting Round as Half Bales, So Declares William Moore of Operator Dutrow

11,750,944

GOVERNMENT'S REPORT

There Were 28,800 Ginneries in Operation—Of the Total Number of Bales Ginned North Carolina Comes Forward With 572,142—Table of States—Sea Island Cotton.

(By the Associated Press.) Washington, Jan. 9.—The census bureau today issued a report on cotton ginning, showing that up to January 1st there were 28,800 ginneries in operation, and that 11,750,944 bales, counting round as half bales, were ginned.

By states the number of bales ginned and the number of ginneries in operation are given, as follows:

State	Bales	Ginneries
Alabama	1,199,740	3,628
Arkansas	732,261	2,299
Florida	59,062	273
Georgia	1,572,791	4,551
Indian Territory	359,383	536
Kentucky	1,362	3
Louisiana	836,646	2,046
Mississippi	1,288,697	3,727
Missouri	38,441	79
North Carolina	572,142	2,753
Oklahoma	349,677	381
South Carolina	868,328	3,128
Tennessee	242,419	695
Texas	3,626,269	4,182
Virginia	12,907	118

PASSING OF THE SHAH OF PERSIA

No Trouble for His Successor Feared

AN ACCORD REACHED

It Is Stated That Russia and Great Britain Will Not Attempt to Advance Their Interests in Persia During the Critical Period Following a Change of Rulers.

(By the Associated Press.) Teheran, Persia, Jan. 9.—Official announcement of the death of the shah at 11 o'clock last night, was made at 9 o'clock this morning from the office of the grand vizier. The news of the death of the shah was received quietly.

London, Jan. 9.—The Persian legation this morning received the official announcement of the death of the shah. Arrangements are in progress for holding a memorial service on the day of the late shah's funeral. The Persian legation today is the center of much activity, cabinet ministers and members of the diplomatic corps calling to present their condolences.

One of the leading Persian officials said to a representative of the Associated Press: "We do not credit the reports that trouble is likely to follow the death of the shah. Certainly there will be no internal trouble, as there are no pretenders to challenge their own prince's title to the throne. Moreover, the masses of the people are devoted to the present dynasty and had a particular attachment to the late shah, as well as to his eldest son and successor."

It can be definitely stated that Russia and Great Britain have had extended changes of views relative to the existing situation, and have reached an accord, under which during the critical period following a change of rulers neither power will seek to advance its interests, political.

(Continued on Page Five.)

INCOMPETENT AND RECKLESS

So Declares William Moore of Operator Dutrow

WORKED WITH DUTROW

Dutrow Himself is Called to the Stand and Tells of His Work—It Is Believed That the Case May Reach the Jury Possibly Late This Afternoon.

(By the Associated Press.) Washington, Jan. 9.—The responsibility for the disastrous wreck on the Baltimore & Ohio Railroad at Terra Cotta, D. C., Sunday night, December 30th, may be decided by the coroner's jury today. Coroner Nevitt has summoned several witnesses, but hopes to give the case to the jury in the early afternoon. Engineer Hildebrand, of the "dead" equipment train, insists that he was given a "double green" signal at Silver Spring, which, after 6 o'clock at night, means to proceed with caution to University Station, while W. L. Dutrow, the operator at Silver Spring, insists that the signal was "white."

Testimony of a somewhat sensational character was given today when William L. Moore, the operator at Kensington, in his testimony in connection with the letting of No. 18 in the block between Kensington and Silver Springs on the night of the wreck characterized Dutrow, the operator at Silver Springs "as incompetent, wild and reckless."

"How do you judge of his incompetency?" asked the coroner. "The manner of working is sufficient for another operator to tell. My experience with him has been very slight however. When it came to messages he did not seem to understand half what you said to him and sometimes did not get it at all. I did not get this information from him directly, but I heard it coming over the wire."

Mr. Moore testified that No. 18 entered his block at 9:23. He was asked why he gave a red target and said that his block was in use at that time and that there were a couple of engines there.

Dutrow on the Stand. Mr. Dutrow was called to the stand and asked when he was examined for a position on the Baltimore & Ohio. He said he was appointed by Mr. McCauley who examined him on the rules in October last year. Mr. Dutrow said he went on duty in the middle of October. "Did Mr. McCauley try you on the telegraph key?" "Not at that time, but he did previously."

"What rating did he give you?" "I should think it was about 25 or 30 words a minute."

Mr. Dutrow was asked if he passed the examination and said that Mr. McCauley did not tell him but "he told me to go back and post myself. That seemed to me that I was not capable of holding down the job."

"What experience did you have previous to working for the Baltimore & Ohio?" was asked the witness. He said he had had about fifteen months' experience together, mostly on a road in the south.

Coroner Nevitt asked, "Did you have an idea that you would be held more or less responsible for the accident?" "I did not," answered the witness. "Were you confused?" "No, I was not."

ARMY BILL CONSIDERED IN COMMITTEE OF WHOLE.

(By the Associated Press.) Washington, Jan. 9.—The house today went into committee of the whole for the further consideration of the army appropriation bill, two hours of general debate remaining before the bill will be taken up by sections.

When the paragraph abolishing the grade of lieutenant general of the army on the active list upon its becoming vacant was reached, Mr. Cooper of Wisconsin, made a point of order against it which was sustained by the chair. This leaves the grade of lieutenant general as it now is.

THE HARRIMAN SYSTEM INQUIRY.

(By the Associated Press.) Chicago, Jan. 9.—M. C. Markham, traffic manager of the Missouri Pacific, was the first witness called before the interstate commerce commission today when the investigation of the Harriman lines was resumed. Mr. Markham was questioned by C. A. Severance, of St. Paul, acting for the Commission. The witness was asked if the Union Pacific and Southern Pacific were,

E. J. JUSTICE CHOSEN FOR SPEAKER OF HOUSE ON THE SECOND BALLOT

Justice 45, Dowd 22, Murphy 18, Manning 4 Was Result of Vote

JUDGE WINBORNE CAUCUS MANAGER

The First Ballot Stood: Justice 44, Dowd 23, Murphy 20, Manning 6. There Were 90 Votes in the Caucus, But Representative Kitchin of Halifax Was Out of the Hall When the Second Ballot Was Taken. However, He Was Voting for Justice, so the Result Would Have Been the Same Had He Voted.

The caucus of democratic members of the house of representatives of the general assembly of 1907 last night nominated the following officers:

For speaker of the house, E. J. Justice of Greensboro. For chief clerk, Frank D. Hackett of Wilkesboro. For reading clerk, F. B. Areppoll of Raleigh. For engrossing clerk, M. D. Kinsland of Haywood. For doorkeeper, John A. Lisk of Montgomery. For assistant doorkeeper, D. H. James of Halifax.

It took two ballots to nominate the speaker. On the first ballot the candidates stood: Justice 41, Dowd 23, Murphy 20, Manning 6. On the second: Justice 45, Dowd 22, Murphy 18, Manning 4.

There were 90 votes cast on the first ballot and 89 on the second. Representative A. P. Kitchin of Halifax was out of the hall when the second ballot was taken. The result would have been the same had Mr. Kitchin voted, for he was a Justice man, and his vote would have given Mr. Justice 46 out of 90, a majority of the votes cast. As it was, it was 45 out of 89.

It is to be noticed that on the second ballot Mr. Justice got two votes apiece from Messrs. Murphy and Manning and one from Mr. Dowd.

When Chairman Winborne announced that Mr. Justice had been nominated, Representative John M. Julian of Rowan, who had made the speech placing Mr. Murphy's name before the caucus, was on his feet in a moment, saying:

"Speaking for a man who never sulks, and for a democracy that never pouts, I move that the nomination of Mr. Justice be made unanimous."

This was seconded at once by Representative Charles U. Harris of Wake, a Murphy man; J. J. Laughinghouse of Pitt, who had seconded Mr. Murphy's nomination, and H. M. London of Chatham, a Manning man. Mr. Julian's motion was carried without a dissenting voice.

How It Went. It was just ten minutes past eight o'clock when the caucus met. Representative Lockhart of Anson nominated Judge B. B. Winborne of Hertford for chairman of the caucus, an honor he received two years ago. Representative H. M. London of Chatham was chosen secretary. All democrats in good standing were permitted to remain in the hall. This was done upon the suggestion of Representative W. P. Wood of Randolph, and was received with loud cheering.

After a little breathing time, Chairman Winborne put the caucus to work by announcing the first business to be the nomination of a speaker.

The Nominations. Sol Gallert of Rutherford moved that nominating speeches be limited to two minutes. James M. Lockhart of Anson amended to five minutes, and Col. Gallert accepted the amendment. Then, by direction of Chairman Winborne, the roll of counties was called, each county having a candidate for speaker to nominate when that county was reached.

No one responded when Durham was reached; and when Franklin was called, T. W. Bickett of that county (Continued on Page 3.)

PAVLOFF GIVEN HIS DEATH SHOT

The Assassin Is Captured After a Struggle HE KILLS A POLIEMAN Pavloff Was Especially Active in Movements Against the Revolutionists—Among Other Things He Was Charged With Delaying Reprieves of Baltic Mutineers.

(By the Associated Press.) St. Petersburg, Jan. 9.—Lieutenant General Vladimir Pavloff, the military procurator or advocate general, generally known since the days of the late parliament as "hangman Pavloff" from the epithet constantly applied by the radical deputies who were shot and killed at 10 o'clock this morning while walking in the garden of the chief military court building, near the Moika Canal. The assassin, who was disguised as a workman, was captured after a long chase through the crowded city streets, during which he fired about forty shots from two revolvers which he carried, killing a policeman and wounding a small boy. Among other things with which Pavloff was charged was the delaying of reprieves for the Baltic mutineers until their execution. The crime was executed deliberately and showed evidence of the same careful preparation which was characteristic of the murder of General Ignatieff and Von Der Launitz and undoubtedly was carried out by the same organization which it is reported has sentenced Emperor Nicholas and several of the ministers to death. The assassin who wore the uniform of a military clerk attached to the court succeeded in obtaining an entrance to the garden under the pretext of submitting a report to (Continued on Page Five.)

PENSION SYSTEM FOR THE PROFESSORS

(By the Associated Press.) Chicago, Jan. 9.—University of Chicago authorities have declared the \$3,000,000 pension system to be installed at the university for the benefit of superannuated professors is the fulfillment of a plan made by the late President William Rainey Harper. Dr. Harper worked out a provisional plan and presented it to the trustees shortly before his death.