

THE RALEIGH EVENING TIMES.

VOLUME 27.

RALEIGH, N. C., FRIDAY, JANUARY 11, 1907.

PRICE 5c.

THE SENATE BUCKLED DOWN TO BUSINESS WITH IMPORTANT NEW BILLS

Senator Graham's Three Bills Affecting Railways and Transportation

ONE PROVIDES WHO MAY RIDE ON 'FREE PASSES'

Newspaper Men Not Named in the List and Are Presumably Barred Out—As They Never Rode On a "Free" Pass This Is Probably Correct—Balance of Senate Committees Announced—Name of Old Salem Academy to Have Word "Female" Stricken From Its Corporate Name—The Day's Proceedings.

The Lieutenant Governor at 11 o'clock this morning called the state senate to order, and Rev. J. N. Cole, superintendent of the Methodist Orphanage offered prayer.

Mr. Pharr, from the committee on counties, cities and towns, favorably reported Mr. Webb's bill to amend chapter 618, acts 1905, in regard to public roads and creation of a highway commission in Buncombe county.

Mr. Daniel of Halifax, from the judiciary committee, reported a substitute for Senator Reinhardt's bill to amend the landlord and tenant act.

New Bills Introduced.
By Senator Graham—Three bills concerning railroads and transportation, etc., as follows:—To define the rights of passengers on entering and leaving railroad trains; a bill to establish rates in North Carolina for passenger traffic; a bill in relation to free passes on railroads, etc. All referred to committee on railroads.

By Senator Mason.—To incorporate Whitcomb Lodge, No. 7, A. F. & A. M. Committee on corporations.

By Senator Thorne.—To amend section 2008 of the revisal. Committee on Revisal.

By Senator Reinhardt.—To repeal chapter 42, acts 1905, and reenact chapter 551, acts 1890, as amended by chapter 406, acts 1905. Judiciary.

By Senator Buxton.—To provide for better public roads in Forsyth, a bill to amend the charter and change the corporate name of the Salem Female Academy by striking out the word "female." Corporations.

By Senator Thorne.—To amend section 3522 of the revisal as to the transportation of freight within a reasonable time by railroads. Railroads.

By Senator Turner.—Authorizing municipality of Elizabeth City to issue bonds to build market houses, etc.

By Senator Pharr.—To amend section 2750 revisal, fixing the salary and residence of the adjutant general of the state. Military Affairs.

By Senator Sewell.—To prevent the exhibition of indecent shows, pictures, devices, etc.

Bills Passed.
The only bill on the calendar which went through its third and final reading, namely, senate bill No. 3, amending the landlord and tenant act, introduced by Senator Reinhardt and amended by the judiciary committee, which simply changed the word code to revisal and inserted the chapter of latter affected. It adds the word "Lincoln" after the word Washington in line 20.

Senate bill No. 8, being Senator Webb's bill providing for a bond issue by Buncombe county, amending chapter 618, acts 1905, for good roads purposes, etc., passed second reading, but necessarily took its place on the calendar for final reading on separate day.

Senate Committees.
President of the senate Winston announced the appointment of the following senate committees, a number having been made yesterday afternoon, as printed in yesterday's Evening Times:

Agriculture.—Mitchell, chairman.
Congressional Appointment.—Turner, chairman.
Banks and Currency.—Fleming, chairman.
Sensatory Expenses.—Greer, chairman.
Immigration.—Reid, chairman.
Education.—Holt, chairman.
Constitutional Amendment.—Sewell, chairman.
Institution for Deaf and Dumb.—Hicks, chairman.
Institution for Blind.—Blair, chairman.
Engraved Bills.—Burton, chairman.
Insane Asylum.—Webb, chairman.
Manufacturing.—Lovell, chairman.
Military Affairs.—Holt, chairman.
Penal Institutions.—Aycock, chairman.

Privileges and Elections.—Goodwin, chairman.

Game Laws.—Howard, chairman. Propositions and Grievances.—Long, chairman.
Public Roads.—Dawes, chairman.
Shell Fish.—Etheridge, chairman. (Senators Fleming and Carter are added to the committee on judicial districts.)
Joint Committee on Library.—Reid, chairman.
Joint Committee on Justice of the Peace.—Harrington, chairman.
Joint Committee on University of North Carolina.—Graham, chairman.
Joint Committee on Enrolled Bills.—Parett, chairman.
Joint Committee on Printing.—Wilson, chairman.
Joint Committee on Health.—King, chairman.
Joint Committee on Salaries and Fees.—Harrington, chairman.
Joint Committee on Public Buildings and Grounds.—Ormond, chairman.
Joint Committee on Commerce.—Mauney, chairman.

Graham's Railroad Bills.
Senator Graham's bill (introduced today) to establish rates for passenger traffic in North Carolina:
Section 1. That the passenger rates fixed by the corporation commission for travel on railroads be reduced, for first class, from 24 cents per mile to (Continued on Page 2.)

HEAVY SHOCK TO STOCK MARKET

Enormous Unloading of the —Pennsylvania Stocks

DROP OF FOUR POINTS

Other Issues Were Acutely Affected, the Moving Cause Being the Announcement of an Intended Issue of \$100,000,000 in Stock and \$100,000,000 in Bonds by the Pennsylvania.

(By the Associated Press.)
New York, Jan. 11.—The announcement of an intended issue of additional capital by the Pennsylvania Railroad Company to the extent of \$100,000,000 in bonds and \$100,000,000 in stock served to shock speculative sentiment in the stock market today. Pennsylvania shares sold down 4 points from yesterday's close under enormous unloading, beginning with 15,000 shares at the opening and selling in individual blocks later up to 8,000 shares.

St. Paul, Atchison, Northern Pacific and Baltimore & Ohio were most acutely affected of the stocks in the general list, but declines of between 1 and 2 points were quite general. The sharpness and the break invited profit-taking by bears, and supporting orders were put into the market also as a protective measure by inside interests. The result was a substantial rally in the course of the first hours, in which the principal active stocks recovered one to one and one-half points. Trading then became quieter.

**Overwhelmed
BY TIDAL WAVE**
(By the Associated Press.)
The Hague, Jan. 11.—A tidal wave has devastated some of the Dutch East Indian islands south of Achin. The loss is very great. According to a brief official dispatch three hundred persons perished on the island of Tana, while forty are known to have been drowned at the island of Simulu.

OVERWHELMED BY TIDAL WAVE

(By the Associated Press.)
The Hague, Jan. 11.—A tidal wave has devastated some of the Dutch East Indian islands south of Achin. The loss is very great. According to a brief official dispatch three hundred persons perished on the island of Tana, while forty are known to have been drowned at the island of Simulu.

SCHOONER ON BAR IN THE CAPE FEAR.

(Special to The Evening Times.)
Wilmington, N. C., Jan. 11.—While crossing the Cape Fear bar this morning the schooner John J. Hanson, 323 tons, Woodstock, went aground and is now held fast on a sand bar. The Hanson cleared of this port yesterday for New York.

HOUSE FLOODED WITH NEW BILLS

Many Introduced at the Morning Session

MR. GALLOWAY ANGRY AN EIGHT HOUR DAY

Chair Removed, But He Takes Situation Gracefully—Mr. Dowd Reports for Committee and Rules Are Adopted—Two Committees on Public Service Corporations.

The third day's session of the house was called to order at eleven o'clock this morning by Mr. Speaker Justice, and prayer was offered by Rev. Dr. W. C. Tyree, pastor of the First Baptist Church of Raleigh.

The chair of Mr. Galloway of Greensboro was not in its place this morning, and that representative, in his most dignified and impressive manner, which is saying a good deal, arose and addressed the speaker, saying that he claimed to be a regularly elected member of this body, but he found that without motion or reason he had been deprived of his seat. He solemnly protested against this species of summary ejection. Amid the laughter of the house, the speaker suggested that a motion was in order referring the matter to the committee on privileges and elections. In the meantime an attendant had placed a chair at Mr. Galloway's desk.

Mr. Dowd submitted the report of the committee on rules, recommending the adoption of the rules that governed the house of 1905, with some amendments, among which was one that each Monday the speaker should appoint a committee of three members whose duty it shall be to examine daily the journal of the house before the hour of opening and report to the house whether or not it is correct; that the speaker take the chair at eleven every day, but this may be changed whenever desired; that in no case the speaker be allowed to vote twice on the same question; that no person except members or officers be allowed on floor of house or in lobby in rear of speaker's desk, save those specially invited by the speaker; that smoking be allowed when the house is not in session; that the committee on judiciary be divided into two sections, the committee on congressional apportionment be abolished, instead of the committee on railroad and railroad commission that there be a committee on public service corporations and one on the corporation commission.

The rules as amended were adopted.

Resolutions Introduced.
Morton of New Hanover.—To print the journal of the house daily.
McNeill of Cumberland.—With reference to heating and ventilating the capitol.

The speaker announced the ratification of the resolution for the joint session of the general assembly for the hearing of the governor's message.

Bills Introduced.
Stevens of Union.—Amend section 2634 of Revisal, requiring common carriers to tender payment within the time specified, and if a greater amount should be recovered in action than the amount tendered, the carrier shall be liable to the penalty provided in said section.
Gibbs of Swain.—Regarding county commissioners of Swain county; modify law relative to qual in Swain; levy special tax in Swain.
Young of Catawba.—Amend section 2748 of Revisal.
Farthing of Watauga.—Promote cause of education in Watauga.
Gilliam of Bertie.—Conferring on court of Bertie to try both civil and criminal actions.
Midyette of Northampton.—Authorizing trial judges in cases of rape to exclude all but court officers.
McNeill of Cumberland.—Confirm and enlarge powers of Fayetteville Banking and Trust Company.
Harshaw of Caldwell.—To punish for simple assault where the charge is assault with intent to commit rape.
Bryant of Wilkes.—Repeal chapter 370, Private Laws of 1905, incorporating town of Roaring River in Wilkes.
Cowles of Wilkes.—Promote cause of education in Wilkes.
Leverman of Tyrrell.—Repeal act (Continued on Page Seven.)

JUSTICE BILL ON RAILROADS

Would Fix Rate On Three Roads at Two Cents

AN EIGHT HOUR DAY

Makes It Unlawful to Permit Trainmen or Telegraph Operators to Work Longer Than Eight Hours Out of 24—Greater Powers to Corporation Commission.

This morning Speaker Justice requested that Mr. Murphy of Rowan take the chair, and he then introduced several bills, one relating to public service corporations, one as to railroad rates, and the third giving greater powers to the corporation commission.

The bill relating to public service corporations provides that adequate service shall be maintained, and forbids discrimination in favor of persons or places against other persons or places similarly situated, and for violation of the same, imposes a penalty against the corporation in favor of the person discriminated against of \$500 for each act of discrimination, and makes the corporation so discriminating guilty of a crime and subject to a fine of not less than \$500, and the officers or individuals connected with the corporations who permit or assent to such discrimination guilty of a misdemeanor, and the offense is made punishable by fine or imprisonment, or both, at the discretion of the court.

It makes it unlawful for any railroad company to permit any member of a train crew, or any telegraph operator or person entrusted with the movement of trains to work more than eight hours in any twenty-four hours, and the train crew may work more than eight hours in twenty-four hours in order to bring their train to its destination when the train is on a run scheduled to be made and which is ordinarily made in eight hours.

It is made unlawful for any person to accept any free pass, transportation or frank, or accept any service from any corporation transporting passengers or transmitting messages, unless such person pays cash for service, and the same corporation charges all other persons under like circumstances.

The corporation or the officers of it causing or permitting any such employee in the classes named to work for more than eight hours per day, except as permitted in order to bring train to destination, shall be adjudged guilty of a misdemeanor and subject to fine and imprisonment.

The railroad rate bill provides for a two cent rate on certain roads and a two and a half cent rate on other roads. The Southern, Seaboard Air Line and the Atlantic Coast Line are in the two cent class and the small roads are on a two and a half and three cent basis, according to the total passenger earnings of each road per mile, as reported to the corporation commission for the year 1905.

The third bill confers on the corporation commission plenary power to control and regulate the public service corporations in the state.

TWENTY LIVES LOST IN FIRE

(By the Associated Press.)
Strassburg, Germany, Jan. 11.—Twenty persons perished today in a fire which destroyed the book bindery of Hudert & Co., an English firm, at Gelspolsheim, near this city. A vat of boiling celluloid exploded, and the flaming liquid caused such instantaneous ignition of everything with which it came in contact that all exits were cut off in a very short time. Some of those who escaped from the burning rooms were dreadfully scalded.

STILL SEARCHING FOR THE MISSING BODIES.

(By the Associated Press.)
Pittsburg, Pa., Jan. 11.—The victims of the Eliza Furness disaster were reported to have passed an unfavorable night and two more deaths are expected during the day. Assistant Fire Chief Peter Snyder, who fell into an ore hopper the night of the explosion, is in a serious condition. As a result of his exposure to the cold pneumonia has developed.
The search for additional bodies is still in progress, but none has been found since last evening.

NOTICE SERVED ON SOUTHERN

In Regard to Breaking Con- nection at Sanford

THE SELMA CONNECTION

Chairman McNeill Stated This Morning That Corporation Commission Had This Matter Under Consideration and He Had a Conference With the Governor.

Chairman McNeill of the corporation commission had a conference with Governor Glenn this morning in regard to the Selma connection which the Southern Railway has broken by a change in the schedule of the train which formerly reached here at 3:30 in the afternoon but now arrives at 2:50. When asked today by a reporter of The Evening Times if any thing had been done, Chairman McNeill stated that the corporation commission had the matter under consideration and would take it up as soon as it could be reached. For several days during the present week the Southern put on a special train to make connection but that has been discontinued, or at least it was not operated yesterday afternoon, so Mr. McNeill stated today.

There is now a case in the United States supreme court in which the Atlantic Coast Line was ordered to make an important connection at Selma. A petition has been filed with the commission asking that the Southern be required to make connection at Sanford on what is known as the W. F. & Y. V. road in the piedmont and western section of the state, and in the east as the A. & Y. Since the road was built and until the sixth of the present month the train was run through solid from Wilmington to Mt. Airy and a similar train made the trip east. It is now run as an independent train from Wilmington to Sanford and from Mt. Airy, the eastern end being controlled by the Coast Line and western by the Southern. It is claimed that the trains now break the connection every day, causing passengers to have to remain in Sanford for twenty-four hours, as there is not but one train per day. The notice of the petition has been filed on the Southern Railway.

When the towns along the road issued bonds to help build it, there was an understanding that it was always to be operated as a through line from east to the western terminals, but this agreement was never put in writing. Some years since the road was sold to the Southern and the Atlantic Coast Line, the former road taking that portion from Sanford to the west—the roads runs west to Mt. Airy—and the Coast Line from Sanford to Wilmington. An agreement was made by which passenger trains were to be operated as formerly, there being no change at Sanford other than the engines. This system remained in effect until last Sunday.

SUBMARINE SANK AT HER MOORINGS.

(By the Associated Press.)
Cherbourg, France, Jan. 11.—The submarine boat Algerian sank at her moorings here during the night. There was no one on board the vessel when she went down. Divers found the boat lying on her starboard side at the bottom of the harbor.

MAKE DESERTION OF WIFE PENAL OFFENSE.

(By the Associated Press.)
Concord, N. H., Jan. 11.—Wife desertion is alleged to be a growing evil in the state of New Hampshire, and to check the practice the state board of charities in its report for the period ending September 30, 1906, which is just made public, recommends that the statutes be amended so as to make the act a penal offense.

RIGGSBEE CASE THIS AFTERNOON.

(Special to The Evening Times.)
Durham, N. C., Jan. 11.—The contempt case against W. T. Riggsbee and the case of illegal voting against the same defendant had not been called at 3 o'clock this afternoon. These cases will be disposed of, it is thought, at this term, being called probably near night.

TRADE REPORTED AS SATISFACTORY.

(By the Associated Press.)
New York, Jan. 11.—Dispatches to Dun's Review indicate that opening trade in the new year thus far shows a satisfactory result in the aggregate, although reports are somewhat con-

GOVERNOR WILL NOT INTERFERE

Sylvester Barrett and Freeman Jones Must Hang REASONS ARE GIVEN

Barrett Was Found Guilty of Murder in the First Degree and Jones of Burglary in the First Degree—One From Durham and the Other From Pitt County.

Several pardons were granted by Governor Glenn today and he also refuses to interfere in the case of Sylvester Barrett, of Pitt county, convicted of murder in the first degree, and Freeman Jones, of Durham, convicted of burglary in the first degree. Both men are to be hanged, in refusing the application for the commutation of sentence, the governor says: "Sylvester Barrett was convicted January term 1906, Pitt county, of murder in the first degree, and on appeal to the supreme court the judgment of the lower court was confirmed. "I have carefully read the testimony in this case, as well as the opinion of the supreme court, and am satisfied that the defendant was legally and rightly convicted of the murder of Walter Lovitt, who was then the officer of Pitt county. Petitions have been filed asking for the commutation of the sentence of the defendant, and counter-petitions have been filed protesting against it. After carefully reading the evidence, and the decision of the supreme court, and taking into consideration the fact that the judge and solicitor refuse to recommend a commutation, I cannot in the interest of justice overturn what the court has done, and I therefore refuse the application for commutation and direct the sheriff to proceed in accordance with law."

THE PENNSYLVANIA'S JAMESTOWN EXHIBIT.

Norfolk, Va., Jan. 11.—The Pennsylvania Railroad has engaged 2,000 square feet of space in the manufactures and liberal arts building at the Jamestown Exposition and will display a section of the tunnel under the North River from Jersey City to New York, in which the first steel passenger car ever constructed will stand. A topographical map of the new Pennsylvania station in New York will also be shown with the tracks from the tunnel running up to it. The exhibit will be lighted at night.

A LOST STEAMER HAS BEEN FOUND

The Ponce Towed Into Port of Hamilton

PICKED UP—DISABLED

This Steamer, From Ponce, Porto Rico, to New York, Had Practically Been Given Up When the News Came That She Was Coming Into a Port of Bermuda.

(By the Associated Press.)
New York, Jan. 11.—The missing steamer Ponce, eleven days overdue from Ponce, Porto Rico, to New York, was sighted today off Hamilton, Bermuda, in tow of another steamer, according to two cablegrams received by the New York and Porto Rico Steamship Company of this city, the owners of the Ponce. The cablegrams were dated at Hamilton, Bermuda, and read as follows:
"Steamer Ponce in tow of Bermuda, a tramp steamer, disabled."
(Signed) "JOHN S. DARRELL."
"Ponce in tow of a German steamer off Bermuda."
(Signed) "MEYER."

Hamilton, Bermuda, Jan. 11.—The overdue steamship Ponce, of the New York and Porto Rico Steamship Company, which left Porto Rico December 26 for New York, was towed in here by a steamer which picked her up disabled.

New York, Jan. 11.—The Ponce sailed from Ponce, Porto Rico, for New York on December 26. The greatest apprehension has been felt for the safety of the ship and when the Trinidad steamer Maracas arrived today no news of the missing steamer hope that she never would reach was practically abandoned. However it was only a few hours after the report from the Maracas was received news Ponce's safety was flashed over the cable.

The uncertainty felt for the safety of the Ponce when her arrival was prolonged two or three days beyond the usual time was increased when on Thursday a dispatch from Governor Winthrop of Porto Rico stated that the steamer Caracas arriving at San Juan reported having sighted a dangerous derelict about forty miles north of where the Ponce was last spoken of by the Shenandoah December 28.

For nearly a week several revenue cutters have been searching for the missing steamer. Practically the last hope was based upon the probability that her machinery had been disabled and that she was floating helplessly waiting for assistance. This was fed by the fact that the steamer Maracas of the Trinidad Line was several days overdue and the theory was held that was delayed by having taken the Ponce in tow. Those hopes have however were dashed when the Maracas limped in early today having herself been the victim of an accident. Her captain reported that he not only had not seen the Ponce but had not sighted a vessel.

(Continued on page seven.)

GOVERNOR WILL NOT INTERFERE

Sylvester Barrett and Freeman Jones Must Hang REASONS ARE GIVEN

Barrett Was Found Guilty of Murder in the First Degree and Jones of Burglary in the First Degree—One From Durham and the Other From Pitt County.

Several pardons were granted by Governor Glenn today and he also refuses to interfere in the case of Sylvester Barrett, of Pitt county, convicted of murder in the first degree, and Freeman Jones, of Durham, convicted of burglary in the first degree. Both men are to be hanged, in refusing the application for the commutation of sentence, the governor says: "Sylvester Barrett was convicted January term 1906, Pitt county, of murder in the first degree, and on appeal to the supreme court the judgment of the lower court was confirmed. "I have carefully read the testimony in this case, as well as the opinion of the supreme court, and am satisfied that the defendant was legally and rightly convicted of the murder of Walter Lovitt, who was then the officer of Pitt county. Petitions have been filed asking for the commutation of the sentence of the defendant, and counter-petitions have been filed protesting against it. After carefully reading the evidence, and the decision of the supreme court, and taking into consideration the fact that the judge and solicitor refuse to recommend a commutation, I cannot in the interest of justice overturn what the court has done, and I therefore refuse the application for commutation and direct the sheriff to proceed in accordance with law."

THE PENNSYLVANIA'S JAMESTOWN EXHIBIT.

Norfolk, Va., Jan. 11.—The Pennsylvania Railroad has engaged 2,000 square feet of space in the manufactures and liberal arts building at the Jamestown Exposition and will display a section of the tunnel under the North River from Jersey City to New York, in which the first steel passenger car ever constructed will stand. A topographical map of the new Pennsylvania station in New York will also be shown with the tracks from the tunnel running up to it. The exhibit will be lighted at night.

A LOST STEAMER HAS BEEN FOUND

The Ponce Towed Into Port of Hamilton

PICKED UP—DISABLED

This Steamer, From Ponce, Porto Rico, to New York, Had Practically Been Given Up When the News Came That She Was Coming Into a Port of Bermuda.

(By the Associated Press.)
New York, Jan. 11.—The missing steamer Ponce, eleven days overdue from Ponce, Porto Rico, to New York, was sighted today off Hamilton, Bermuda, in tow of another steamer, according to two cablegrams received by the New York and Porto Rico Steamship Company of this city, the owners of the Ponce. The cablegrams were dated at Hamilton, Bermuda, and read as follows:
"Steamer Ponce in tow of Bermuda, a tramp steamer, disabled."
(Signed) "JOHN S. DARRELL."
"Ponce in tow of a German steamer off Bermuda."
(Signed) "MEYER."

Hamilton, Bermuda, Jan. 11.—The overdue steamship Ponce, of the New York and Porto Rico Steamship Company, which left Porto Rico December 26 for New York, was towed in here by a steamer which picked her up disabled.

New York, Jan. 11.—The Ponce sailed from Ponce, Porto Rico, for New York on December 26. The greatest apprehension has been felt for the safety of the ship and when the Trinidad steamer Maracas arrived today no news of the missing steamer hope that she never would reach was practically abandoned. However it was only a few hours after the report from the Maracas was received news Ponce's safety was flashed over the cable.

The uncertainty felt for the safety of the Ponce when her arrival was prolonged two or three days beyond the usual time was increased when on Thursday a dispatch from Governor Winthrop of Porto Rico stated that the steamer Caracas arriving at San Juan reported having sighted a dangerous derelict about forty miles north of where the Ponce was last spoken of by the Shenandoah December 28.

For nearly a week several revenue cutters have been searching for the missing steamer. Practically the last hope was based upon the probability that her machinery had been disabled and that she was floating helplessly waiting for assistance. This was fed by the fact that the steamer Maracas of the Trinidad Line was several days overdue and the theory was held that was delayed by having taken the Ponce in tow. Those hopes have however were dashed when the Maracas limped in early today having herself been the victim of an accident. Her captain reported that he not only had not seen the Ponce but had not sighted a vessel.

(Continued on page seven.)