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## HOUSE PASSES BILL FOR TWO CENT RATES BY A MAJORITY OF 55

Amended by Striking out the Newspaper Transportation Section

THE VOTE ON SECOND READING 83 TO 28

It was After 3 O'Clock Before the Vote was Taken—Doyd Amendment for 2 1/2-cent Rate and Turbington Substitute Voted Down. Bill as Passed Makes 2-cent Rate for Southern and Atlantic Coast Line and Allows Seaboard Air Line to Charge 2 1/2 Cents.

By a vote of 83 to 28 the house this afternoon at five minutes after three o'clock passed on its second reading the bill making a two-cent rate for all roads earning more than \$1,550 per mile, allowing two and a half cents for those earning between \$1,550 and \$1,000, and three cents for those earning less than \$1,000.

This would put the Southern Railway and the Atlantic Coast Line in the two-cent class and allow the Seaboard Air Line to charge two and a half cents.

The amendment by Mr. Royster of Granville to strike out the section regarding newspaper transportation, thus leaving the law as it is, was adopted.

At 10:30 this morning the house was called to order by Speaker Justice, and Rev. R. T. Vann, president of the Baptist University for Women, in this city, made the opening prayer.

The bill to amend the charter of Scotland Neck so as to get a vote on the question of prohibition or dispensary came from the committee, reported by Mr. Harshaw. The old unfavorable report was read by the clerk; the one on the bill before it was re-referred. Mr. Winborne at once stated that the result of the committee's action yesterday afternoon was that the report was without prejudice, there having been a tie. Dr. McNeill declared the final decision had been to report the bill unfavorably. Mr. Hankins and other members had the facts as Mr. Winborne had.

**Bills Introduced.**  
Create highway commission in Vance and prescribe its duties. Taylor.

Authorize removal of certain graves in town of Yadkinville. Hanes.

Provide for digest of decisions of supreme court. Manning.

Authorize clerk of court of Richmond to turn over certain funds to school fund. Parsons.

Establish chain-gang in Richmond. Parsons.

Appoint justices of peace in Pender. Wells.

Establish school district in Yancey. Byrd.

Regulate sale of liquor in Hickory. Yount.

Prevent killing of deer in Caswell. Johnson.

Amend act of 1903 so as to allow citizens of Johnston to sell in gallon packages brandy as well as manufacture it. Johnston.

Amend charter of Salem. Carter.

Amend act of 1899, amending charter of town of Graham. Pleckett.

Amend act of 1903, establishing graded school in Columbia. Tyrrell. Leverman.

Authorize commissioners of Davis to sell present court-house and jail and issue bonds to buy new ones. Grant.

Authorize board of education of Guilford to place management of schools in townships where special tax is voted under one committee. Gordon.

Allow J. L. Lance of Transylvania a fourth-class pension. Galloway.

Amend charter of Manteo. Pugh. Relative to catching of oysters in North Carolina. Ehringhaus.

made points of order as to this being a different legal day. Mr. Morton further said that those opposed to the bill had not risen to points of order when gentlemen in favor of it had exceeded the half-hour limit.

Mr. Manning insisted on his motion, and Mr. Harris, further opposing it, said the house would do as well to spend time on this matter as a whole day on a liquor question affecting one county.

The vote on the motion was 52 to 30, but it did not prevail, requiring a two-thirds vote.

Mr. Parsons of Richmond was the first speaker. He said he should vote for the substitute of the gentleman from Iredell because he did not believe the second class should be abolished and because he thought the committee's bill put the rates too low. The democratic platform had declared for a reduction of rates and there was a popular demand for it. However, the platform did not fix any rates, and he felt he had the right to exercise his judgment in construing the platform, which had not declared for abolishing the second class.

He was opposed to compelling the Seaboard through competition into the two-cent rate. The explanation on this subject of the gentlemen from Durham and Guilford might be satisfactory to themselves, but it was not to him. When talk was heard of turning money over into the state treasury, it was getting dangerously near the confiscation point. He would rather let the railroads make a little more profit than approach the confiscation of property. The committee had admitted that it had no information as to a basis for rates except the opinion of one railroad man—Mr. Gannon.

Mr. Mangum of Gaston spoke for the committee, saying it had to reach its conclusions on the facts before it. There was a remarkable lack of facts on the part of those opposed to the bill. The nearest approach was when the gentleman fromutherford read from the New York Sun. Why had he fought shy of the sworn facts in the report of the corporation commission?

Mr. Peele asked if Mr. Mangum had not heard Mr. Gallert say that these figures were on the months subsequent to the commission's report. Moreover, they were sworn figures as well.

Mr. Mangum went on to say that the gentleman from New Hanover had not brought out any facts.

Mr. Morton asked about the testimony of Superintendent Anderson of the Coast Line.

Mr. Mangum wanted to know why the questions had not been asked.

Mr. Morton: "Does the gentleman think those questions could be answered in three days?"

Mr. Mangum: "They might have answered some of them."

Mr. Mangum had not proceeded much further when his colleague from Gaston, (Mr. Dilling) asked him if ever during the campaign a single man had publicly said a word about reduction of passenger rates.

Mr. Mangum admitted that nothing had been said in public, and asked Mr. Dilling if he did not oppose any regulation of railroads.

Mr. Dilling heatedly declared that he had never said any such thing, and that he favored the substitute of the gentleman from Iredell.

The two members from Gaston then entertained the house in a more or less violent colloquy until called to order.

Mr. Bickett of Franklin was next recognized, and expressed his regret that he could not support the bill of the committee. The substitute coincided better with his ideas of justice, and he should support it.

The cut proposed in the bill was 33 1/3 per cent, and unless it could be shown that the profits exceeded 33 1/3 per cent it would be confiscation without due process of law. He believed in a reduction, but the reduction of the substitute was a very substantial one, and was sufficient. He believed in doing things, but he did not believe in overdoing them.

There had not been a subject in years in North Carolina whose importance had been so much exaggerated. We would not all go to heaven on flowery beds of ease on a two-cent rate. Who would it benefit? Principally the traveling men and other business men and lawyers who spent much time on the trains. The bulk of the democratic party was not found on the trains. He would venture to say that the average farmer would not benefit over ten cents a year by the two-cent rate.

Mr. Harris asked if there was any proposed. Messrs. Morton and Murphy

## GRAHAM FLINGS OUT CHALLENGE

Passenger Rate Can Not Go Lower Than Two-and-Half

THAT OR NO REDUCTION

Author of Senate Bill Declares That Personally He Is Now Persuaded His Rate Is Too Low—That 2 1/2 Would Be Nearer Right—Other Business in State Senate Today.

The chief matter of interest in the senate today, and which consumed most of the day's session was the Graham railway passenger rate bill. It will be continued as the special order at tomorrow's session, beginning at 11:30 o'clock. The senate will meet at 10 o'clock tomorrow.

The speeches of Chairman Graham and Senator McLean of Robeson were particularly able and interesting, as well as the others—all of which will be found outlined in the account of the day's proceedings below.

Mr. Kluttz introduced a bill to place statutes of Vance and C. D. Melver in the statutory hall at Washington.

Mr. Reid sent forward a bill to make general election day a legal holiday.

Mr. Mitchell (by request) has again introduced a bill to make it unlawful for tenants to leave the premises of landlords till all bills are paid and, unlawful for other landlords to contract with such tenants. A similar bill was killed in the senate a few weeks ago.

**Senate Proceedings in Detail.**

Rev. Dr. M. Marshall, rector of Christ Episcopal Church, opened the day's session with prayer after the lieutenant governor had called that body to order at 10:30 o'clock.

The Journal of Wednesday stood approved on the certification of the committee on the Journal.

The standing committee reported several bills, including the bill to pay the claim of Mrs. M. A. Bledsoe of Raleigh, favorably.

**To the Dead House.**

H. B. 15, S. B. 278 was reported unfavorably by the committee on the judiciary. This was a bill entitled "An act to allow jurors to be drawn from other counties in certain cases," and was introduced in the house by Mr. Bickett; also the bill to allow prisoners the benefit of time spent pending appeals to supreme court was reported unfavorably by the judiciary committee.

H. B. 511, S. B. 569—Authorizing the town of Dunn to establish a dispensary was also reported unfavorably by the committee on propositions and grievances.

**New Bills Introduced.**

By Mr. Pharr: To authorize street and interurban railway companies to build and operate water plants. Committee on Railroads.

By Mr. Kluttz: To honor the memory of Z. B. Vance and C. D. Melver, by placing statues of them in statutory hall at Washington.

By Mr. Reinhardt: For the benefit of certain Confederate soldiers and sailors. Judiciary Committee.

By Mr. Howard: To amend chapter 10, acts 1903, relative to charter of West Tarboro. Counties, Cities and Towns Committee.

By Mr. Kluttz: To charter Nazareth Orphans' Home in Rowan county. Corporation Committee.

By Mr. Mitchell (by request): To make it unlawful for tenants to leave landlord till all debts paid, etc. Committee on Agriculture.

By Mr. Ballinger: To amend chapter 10, acts 1901, relating to road law of Polk county. Calendar Committee.

By Mr. Auney: To appoint Zenril Kessler a justice of the peace in Cleveland county. Committee on Justices of Peace.

By Mr. Harrington: To increase the number of commissioners of Sampson county. Counties, Cities and Towns Committee.

By Mr. Buxton: To secure better drainage of Bellow's Creek, Forayth county. Propositions and Grievances Committee.

By Mr. Buxton: To secure better drainage of Abbott's Creek and tributaries in Forayth and Davidson counties. Propositions and Grievances Committee.

By Mr. Mason: To amend charter of Belmont, Gaston county. Counties, Cities and Towns Committee.

By Mr. Reid: To amend section 2338 of the revised and make general election day a holiday. Banking and Commerce Committee.

The chair laid before the committee's communication from Maj. E. J. Hale of Fayetteville relating to improvement of the upper Cape Fear river waterways. Committee on Federal Relations.

## TRAMP, TRAMP IT MAY RESULT IN A MISTRIAL

Temperance Speech Impressively Punctuated

WEBBER IS SPEAKING

Address in Support of the Bill to Rtd. the District of Columbia of the Liquor Traffic While a Thousand Temperance Advocates Marched Through the Capitol.

(By the Associated Press.)  
Washington, Feb. 14.—Temperance advocates one thousand strong marched through the national capitol in support of the bill introduced by Representative Webber of Ohio to rid the District of Columbia of the liquor traffic. Mr. Webber and children representing a score of total abstinence orders and the leading churches of the district formed the procession, which moved through the capitol for more than two hours while Representative Webber and other prohibition advocates were speaking before the house committee on the District of Columbia in an effort to secure a favorable report on the bill.

Only fifty of the temperance advocates were able to get into the small committee room, but the army of prohibitionists moved unostentatiously past the open doors of the room and lent support to the arguments against the sale of liquor. Repeatedly the crusaders moved about the rotunda under the great dome of the capitol, and again and again the leaders of the movement remarked: "We're moving just as they moved around the walls of Jericho and the barriers of the demon rum will fall."

"Surrender" was the watchword of the crusaders, and any of them pointed to the great oil painting in the rotunda representing the surrender of Cornwall and Burgoyne and announcing confidently that right and justice always triumph declared that perseverance will inevitably bring triumph to the temperance army.

The white ribbons of the Women's Christian Temperance Union predominated in the long line of crusaders. Women made up three-fourths of the army, and practically all of them wore the white badge. There were many dressed women of all ages, an women dressed in the height of fashion walked with those wearing a plain uniform of the Methodist deaconess. Many mothers carried children in their arms and led their families. Among the men in the procession clergymen seemed to predominate. The Rev. Carl G. Doney and Rev. E. C. Dinwiddie of the Anti-Saloon League were among the prominent leaders in the movement. Mrs. Clinton Smith, president of the District Women's Christian Temperance Union, headed a company composed of prominent members of the Rechabites, the Independent Ore of Good Templars, the Prohibition Crusaders, the Catholic Total Abstinence Union, the Christian Envoys, and other reform organizations.

Representative Webber was in charge of the prohibition speakers before the house committee and Robert Crane of the argument against the Webber bill. In his opening speech, Webber stated that liquor is responsible for the condition of 20 per cent of the persons in the work house and insane hospital of the district, and after reviewing the income from liquor licenses, stated that it falls more than \$500,000 short every year of maintaining the institutions which he said he makes necessary.

In support of a declaration that prohibition had failed where ever it was tried, Robert Crane quoted from statements Bishop Henry C. Potter the Protestant Episcopal bishop of New York. Mention of Bishop Potter's name elicited derisive laughter, followed by hissing from the temperance advocates in the committee room.

Mr. Crane said south was mistaken in its movement for prohibition and that the regulating liquor selling in Tennessee and Kentucky have been a failure. He stated that the "old tigers" of houses have caused an increase of crime and crime in that state. This light an emphatic denial from Representative Sims of Tennessee, a member of the house committee on the District of Columbia, who said the speaker's no knowledge of what he was talking about and declared that the state of Tennessee has found its prohibition legislation an unqualified success.

## IT MAY RESULT IN A MISTRIAL

Illness of Juror Bolton's Wife Ends in Death

ADJOURN TILL MONDAY

Dr. Evans' Testimony Lays Foundation for Introduction of Evelyn Thaw's Testimony as to What She Says Thaw Told Her of Other Alleged Victims of White.

(By the Associated Press.)  
New York, Feb. 14.—Following the death of Mrs. Joseph B. Bolton, wife of the eleventh juror in the Thaw case, who reached Mrs. Bolton's bedside today just as she expired, a conference was held between Justice Fitzgerald and counsel for defendant and state as to the disposition to be made of the case. This conference ended at a little after 2 o'clock, and announcement was made that on account of the death of Mrs. Bolton the trial was adjourned until Monday. The remaining eleven jurors were then released from confinement.

**Thaw Was Depressed.**

Thaw was much cast down yesterday when he learned that Juror Bolton's wife was so ill that a long delay in a dismissal of the present jury might follow. Lawyer Besbody, who has been his close personal adviser all during the trial, had a hard time calming him. Thaw was told that at the worst there would be only a delay of a few days, and then after a chat with his wife in the Tombs he regained his composure and sat down to his evening meal with a fairly good appetite.

**Jerome Has Thaw's Will.**

After court adjourned yesterday the will was turned over to District Attorney Jerome that he might study it and make a decision of what he would object to its admission. If he does object today's session will be largely devoted to agreement as to the admissibility of the document; if he does not, Evelyn Nesbit Thaw will be called to the stand to continue her testimony, which was interrupted for the purpose of allowing the experts to tell of Thaw's mental condition.

From the present indications District Attorney Jerome will practically close the case for the defense. He has allowed three cross-examinations to be passed, those of Evelyn Nesbit Thaw, Dr. Charles C. Wagner and Dr. Patton D. Evans. He will wait until the last minute to cross-examine the witnesses, and then will add to what he succeeds in getting from them the evidence of his own experts and other witnesses in rebuttal. Just what the nature of this rebuttal will be it is now impossible to say. If the defense does, he will without doubt attempt to show that the story which Evelyn Nesbit Thaw told and will tell on the stand, is not true in all its details. That he will try to discredit the testimony of Mrs. Thaw there seems to be no question. Unless the defense lets down the bars Mr. Jerome will not be able to get this testimony before the jury.

**A Talk With Witnesses.**

Mr. Jerome talked last night with the witnesses for the defense who have been called to testify as to alleged insanity in the collateral branches of the Thaw family. This was done with the object of saving time to the jury. Mr. Jerome, having no knowledge of what those witnesses would tell when called to the stand, would, he said, be obliged to interpose all the technical objections possible. For this reason he, with representatives of Thaw's counsel, last night examined those witnesses and it was the opinion of both sides that there would be an agreement as to what they might say on the stand, which would prevent objections and long arguments.

The testimony of Dr. Evans, concluded yesterday afternoon, has laid the foundation for the introduction of Evelyn Nesbit Thaw's testimony as to what she says Thaw told her regarding other girls whose fate at the hands of Stanford White was similar to hers.

The report is again current that Mrs. Charles J. Holman, mother of Evelyn Nesbit Thaw will be called as a witness for the state. It is stated that Mrs. Holman has expressed a desire to be called in order that she may deny certain portions of her daughter's testimony.

Mr. Bolton passed a restless, sleepless night and her condition today was described by the attending physician as extremely critical. He said that she had no better than an even chance to recover.

**The Trial Again Stayed.**

All twelve of the Thaw jurors, however, were on hand at the opening of court this morning.

When Thaw came into court he seemed to take a special interest in Juror No. 11, looking at him fixedly.

(Continued on Third Page.)

## BROTHER'S PLEA PUT HER IN CELL

Miss Dixon Gave Him Church Society Money

HE WILL PAY, SHE SAYS

But the Sister's Faith in the Man Who Wheelled Her Out of Funds Devoted to Religious Purposes is Not Shared by Those Who Charge Her With Embezzlement.

(By the Associated Press.)  
Bloomington, Ill., Feb. 14.—Miss Helen Dixon is an occupant of a cell in the city jail awaiting trial on the charge of embezzlement. She was a leading church worker, looked up to and respected by all, and intrusted with large sums of money raised for religious purposes.

Wandering somewhere in the country in her brother, who by his conditional plea for money, first drew from her her savings and later the church funds intrusted to her care. "He will pay them back if they will give me time," is the girl's lament. Her faith in him is unshaken, though others have ceased to believe that she ever again will see the money she advanced to him.

Miss Dixon is accused of embezzling \$1,300 belonging to the Cleaners Society of the Second Christian Church of which she had been treasurer for two years. The money intrusted to her care had been raised during four years of laborious effort on the part of the members of the society. Two weeks ago Miss Dixon was asked to turn over the money, but she amazed the members by saying that she did not have a cent in her possession. She also was out of employment. She was coaxed and threatened, but refused to make any statement as to the disposition of the money other than that it was gone.

After two weeks of effort it was decided as a last resort to place her under arrest. When arrested last night Miss Dixon told of sending the money to her brother, who never returned it. Her parents are dead.

**Explanation of McVeoy.**

Captain McVeoy explained that while his boat may have been the first in the water it was because he had a good crew, and that he remained by his ship until she went down. He said that he made no move to get into his boat until he had given orders to his men to lower all boats and clear away the rafts. While his boat was in the water it was fastened to the ship by a rope in the running gear that had become caught and this was cut by Boat-swain Andrew Tobeson, who saw that with the ship settling rapidly the boat and its occupants would be caught in the whirlpool and sucked beneath the surface. The captain's boat was on the windward side and he said he called to the passengers to jump into his boat, which would hold about 22 people in all; but the electric lights had been extinguished, and in the darkness and confusion no one heeded his summons. Everybody was on the leeward side of the ship, and he ordered his men to row around there, he asserts; but the gale balked this plan, and as the boat was driven away from the bottom of the boat out of the way of the piercing wind.

## INDICTED FOR THAW DETAILS

(By the Associated Press.)  
Louisville, Ky., Feb. 14.—A special from Lebanon, Ky., says:

The county grand jury last night returned indictments against the Cincinnati Equipter, Louisville Herald, Louisville Times, and Evening Post for printing and circulating in this county "the offensive and indecent" proceedings of the Thaw trial.

## IMMIGRATION BILL IN SENATE

(By the Associated Press.)  
Washington, Feb. 14.—Opposition to the immediate passage of the conference report on the immigration bill developed in the senate today when Senator Dillingham made an effort to secure a vote on the report. Senators Bacon and Tillman objected to fixing a time for the vote and the latter made a point of order against the passage of the amendment.

## KILLS RABID DOG THAT BITES HIM.

(Special to The Evening Times.)  
New Bern, N. C., Feb. 14.—Eugene Land, a salesman in a grocery store here, was attacked by an apparently rabid dog, and sustained severe injuries. The animal fastened his fangs in the man's hand and was with difficulty shaken off. The dog attacked another dog and nearly killed it. The rabid dog was killed by Mr. Land, who jumped on it and kicked it to death.

## DECREE OF DIVORCE GRANTED TO BASSETT.

Washington, Feb. 14.—Justice Gould today signed a decree of absolute divorce in favor of Charles C. Bassett against his wife, Fannie Rice Bassett. The decree provides that Bassett, who gave bond for the costs of the suit, shall have the opportunity to recover the costs either from his former wife or the co-respondent, the Rev. E. Lawrence Hunt.

## CAPTAIN FIRST TO LEAVE SHIP

Passengers Left to Shift for Themselves

CHARGE BY NIERGSELL

In Reply to the Accusation of This Eighteen Year Old Boy, the Larchmont's Captain Says He Remained by His Ship Until She Went to the Bottom.

(By the Associated Press.)  
Providence, R. I., Feb. 14.—A new element was injected into the horror attending the loss of the steamer Larchmont in Block Island Sound Monday night through a collision with the schooner Harry Knowlton when Captain McVeoy of the steamer early today admitted that his life boat was one of the first, if not the first to leave the sinking ship. This statement was made in reply to charges by Fred Niergsell, an 18 year old lad of Brooklyn, one of the survivors, that the passengers were left to shift for themselves; that the ship's crew crowded the boats without attempting to provide for the passengers, and that Captain McVeoy was the first to desert the ship.

The statement of young Niergsell created a sensation in view of the fact that ten of the nineteen survivors were employes on the ship, or in other words that while approximately twenty per cent of the vessel's crew were saved, only eight per cent of the passengers survived.

**Explanation of McVeoy.**

Captain McVeoy explained that while his boat may have been the first in the water it was because he had a good crew, and that he remained by his ship until she went down. He said that he made no move to get into his boat until he had given orders to his men to lower all boats and clear away the rafts. While his boat was in the water it was fastened to the ship by a rope in the running gear that had become caught and this was cut by Boat-swain Andrew Tobeson, who saw that with the ship settling rapidly the boat and its occupants would be caught in the whirlpool and sucked beneath the surface. The captain's boat was on the windward side and he said he called to the passengers to jump into his boat, which would hold about 22 people in all; but the electric lights had been extinguished, and in the darkness and confusion no one heeded his summons. Everybody was on the leeward side of the ship, and he ordered his men to row around there, he asserts; but the gale balked this plan, and as the boat was driven away from the bottom of the boat out of the way of the piercing wind.

**The Number of Known Lost.**

At 8 o'clock this morning the number of known lost in the frightful calamity stood at 138. At least 157 persons were known to be on the steamer and there is every indication that the number was nearer 200. Seventy-one bodies had been recovered up to 8 o'clock. Forty-nine lie in the morgue in this city awaiting identification. The stream of persons that passed through the morgue looking for missing relatives or friends did not cease until after midnight, and at that time thirty-eight of the dead had been identified. Many persons were early on hand to file once more between the long lines of the dead and every train brought more people on the mournful quest.

The survivors at Block Island are reported to be "as well as could be expected."

The weather has moderated and this morning was clear and mild. The sea had gone down, and there was scarcely a breeze to ripple the surface of the water. Under these conditions there was little expectation of any more bodies coming ashore today on the island, and the tired patrols were able to relax from their vigils.

Passing ships may pick up bodies, and at other shore points along the sound a few corpses may be cast up; but the life savers do not anticipate that the list of recovered bodies will be much lengthened until the hull of the Larchmont is blown up; for it is known that many passengers and some of the crew perished below deck.

**Captain Asked for Report.**

Captain McVeoy, who is but 28 years (Continued on Page Five.)