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JUDGE WINBORNE WITHDRAWS REFLECTIONS UPON THE EDITOR IN A MANLY STATEMENT TODAY

Does so as Result of Friendly Conference on Sunday.

INCIDENT DUE TO MISUNDERSTANDING

Judge Winborne Appreciated Position of Newspaper Man Who Could Not Give Name of His Informant, and Mutual Explanations End a Delicate Matter Satisfactorily to All Concerned—Times Readily Accepted the Word of Member and Latter Says That Editor "Acted the Part of An Honorable Gentleman"—Mr. Manning Refers to 60 Mile Provision in Bill.

Mr. Winborne, on the floor of the house, said today: "On Saturday night I arose to a question of personal privilege in relation to an article in The Evening Times. I knew that the informant of that paper was absolutely mistaken and I knew the editor would find out that he was mistaken. Last night a friend of that editor and myself came to me and stated that he had had a long talk with the editor and that he was satisfied the information was unfounded and that he was anxious to make amends. This friend arranged a meeting between the editor and myself, I telling my friend that the editor could approach me as if nothing had occurred between us.

"The meeting was arranged, and in a few minutes the matter was settled to my complete satisfaction. The editor will make a statement in this evening's paper. I am now satisfied that he had no malice against me and no intention to do me wrong, and regrets the occurrence. He will not disclose the names of his informants for reasons which he explained to my satisfaction. I saw no reason in view of what he stated why those names should be printed. It would do no good and place two reputable men in a very embarrassing position.

"The editor of The Evening Times has acted the part of an honorable gentleman in this matter and I am glad to say so to this house, and I gladly retract everything I have said as to that editor and The Evening Times."

Mr. Manning, as chairman of the joint conference committee on the railroad bills, then stated for the benefit of the house why the 60-mile limit was passed. He said it was unnecessary to say that no such undecision as any enmity between Mr. Josephus Daniels and Mr. Henry Page actuated the committee in including the Aberdeen & Asheboro Railroad.

It was at the suggestion of Mr. Manning himself, he said, that the 60-mile limit was placed. The committee adopted it, knowing it would include the Aberdeen & Asheboro in the 2 1/2 c. limit; that road was 80 1/2 miles long according to the sworn statement in the report of the corporation commission. It also included the A. & N. C. road, 94 and a fraction miles, the N. & W., 87 and a fraction, and the N. & S., 82 and a fraction. The reason the committee knowingly included the A. & A. in the 2 1/2 c. rate was that the manager of that road had stated that his road for 15 years had been selling 500 mile mileage books for 2c. a mile. Consequently 2 1/2 c. had not been deemed any hardship for that road.

Said Mr. Manning: "I would have considered it no less than an outrage if the committee had excluded the A. & N. C. from the 2 1/2 c. limit, a road in which the state itself owns the controlling interest. And that not inadvertently to the fact that the state had leased that road."

The Vatterland Proceeds.

(By the Associated Press.)
London, March 4.—Advices from Dover state that the steamer Vatterland which grounded on Goodwin Sands got off and has proceeded on her voyage.

Roosevelt's Son Improves.

(By the Associated Press.)
Washington, March 4.—Considerable improvement is shown today in the condition of Archie Roosevelt, son of the president, who has been ill with diphtheria.

THE GOVERNOR ON PROHIBITION

Regrets That He Pursued the Wrong Way

WOULD NOT DO SO NOW

Large Crowd Heard Gov. Glenn at Edenton Street Church Last Night. Pointed Out to Parents Their Duty—Declared He Acted Coward in Not Advocating Prohibition.

Governor Robert B. Glenn spoke at the Edenton Street Methodist Church last night, his subject being "North Carolina's Need of Christian Young Men." He made a splendid talk along this line and then branched off on prohibition. He said that in not advocating state prohibition when the Anti-Solomon League met here a short time ago, that he acted the coward, but that he would never do so again. The speaker declared that he had favored state prohibition all along, and would have advocated it but certain leaders begged him not to do so at the present time, and he desisted. He deplored some of the customs pursued in the legislature. He thought that a man should be governed by his own conscience instead of being governed by senatorial courtesy.

In this connection the governor referred to the fight in various counties in regard to prohibition, there being a tendency on the part of the house and also the senate, not only this session, but it has always been so, to pay special attention to the wishes of the representatives from the section that a certain bill will affect and not effect other sections of the state, such as county or city measures.

The governor was heard by a very large audience, and in the crowd was quite a number of legislators. The remarks of the governor were highly complimented. It was such a talk as to do young men good, and also placed before the parents their duty in making their sons what they should be.

MAY MUSICAL FESTIVAL

To be Given Under Auspices Raleigh Choral Society

Will Be Most Elaborate Musical Event Ever Presented in Raleigh. There Will Be About Four Hundred Voices—To Be Held on May Second and Third.

The executive committee of the Raleigh Choral Society have the plans of the great music festival to be held here May 2nd and 3rd nearly completed, and this festival without doubt will be the greatest musical event ever held in North Carolina.

The business side of the festival is entirely in the hands of the executive committee of the Choral Society, a body of five representative business men of Raleigh. They will have the entire business management of the festival. The artistic side of the festival is entirely in the hands of Mr. Wade Brown, director of the Choral Society. It is felt that this will make the festival an assured financial as well as artistic success.

The festival will consist of three concerts, two nights and a matinee.

The festival forces will include The Choral Society of 100 selected voices, the best in Raleigh; a children's chorus of 200 voices from the city schools; the Raleigh orchestra of 25 players, with Mr. Gustav Hagedorn, conductor; the New York Symphony Orchestra of 50 players, with Walter Damrosch, conductor; and a celebrated festival orchestra as fine as can be secured, and Mr. Wade Brown, as director of the festival and conductor of the choral work.

The soloists and full particulars as to season tickets and manner of securing same will be announced in a few days.

Telephone Company Gets Charter.

The charter of the Iredell Telephone Company, Statesville, was amended today, increasing the authorized capital stock of the company to \$65,000, \$50,000 of which is to be common stock, and \$15,000 preferred.

THAW'S MOTHER TO TAKE STAND

Dramatic Feature of Trial This Week

THE PLEA OF INSANITY

Dr. Britton Evans Again to Go On Stand and Jerome Continue His Cross-Examination—The Question of Prenatal Influence on Harry Thaw to Come Up.

(By the Associated Press.)
New York, March 4.—When the trial of Harry Thaw resumed today Dr. Evans will take the witness chair so that Jerome can finish the cross-examination. The question as to whether the district attorney may read into the evidence extracts from books on insanity will be ruled on by Justice Fitzgerald. Then, if these extracts are admitted Jerome will try to show by them that Thaw's symptoms as described by witnesses indicated that the prisoner was suffering from paranoia.

A dramatic feature of the trial this week will occur with the appearance in the witness chair of Mrs. William Thaw, the prisoner's mother. It is said to be the wish of the defense to impress upon the jury the steadfast devotion of the mother and the wife of the prisoner in his hour of need. Mrs. Thaw's testimony, it is said will be in line of pre-natal influence which made of Harry Thaw the nervous, headstrong child described by the family physicians.

SWETTENHAM IS REALLY OUT OF IT.

(By the Associated Press.)
London, March 4.—The resignation of Governor Swettenham of Jamaica has become an accomplished fact. He will leave the island as soon as his affairs can be arranged.

DOWN WITH BOSSISM

And Ring Rule in the Old North State

Rev. Plato Durham Declares If the Commonwealth is to Succeed Submission to the Crack of the Party Whip Must Cease.

Charlotte, N. C., March 4.—"The time has come when ring rule and bossism should come to an end in North Carolina, and if our state is to succeed, we must not submit to the crack of the party whip over any man's head."

These words were spoken in a rather sensational sermon last night by Rev. Plato Durham, a leading Methodist minister of the city. The expressions grew out of a newspaper article along the same line, it is presumed, and which the preacher is considered to be endorsing.

SURPLUS OF FUNDS IN THE TREASURY

(By the Associated Press.)

Washington, March 4.—Representative Tawney, chairman of the committee on appropriations, announced today that instead of facing a deficit in the treasury at the close of the fiscal year 1908, there would be a surplus of \$20,000,000. The total appropriations made at the present session of congress, he said, would aggregate approximately \$219,948,875.

Senator Allison, chairman of the senate committee on appropriations, also made a statement along the same line.

Moving Picture Show.

The moving picture exhibition under the tent on Fayetteville street is furnishing an amount of amusement to the women and children there bright March afternoons. The pictures are also shown at night.

TOLD DOGS THAT I WOULD SHOOT

Statement Made by Murderer After His Arrest

IN THE STATE PRISON

One of the Most Horrible Crimes in History of State Enacted at Fayetteville—One Officer Killed, Two Are Mortally Wounded—Governor Says He Will Call Special Term of Court.

One of the most horrible crimes in the history of the state was enacted Saturday night in Fayetteville, when a negro by the name of Tom Walker, who conducted a blind tiger, shot three policemen. One died instantly, having been shot through the heart; the other was shot in the head and the third was shot through the left lung and both are in a critical condition. It occurred about 7 o'clock Saturday night. Policeman Lockamy was killed instantly, and Chief of Police J. A. Chasen was reported dead, but he still lives. Policeman Fred Buckingham is dangerously wounded.

Negro Caught at Dunn.

In a very short time after the crime was committed, officers and men began to scour the country in every direction for the murderer. A reward aggregating \$800 was offered for Walker, dead or alive. Messrs. Howard Smith, D. K. Taylor and Henry Lamb boarded the northbound train which reaches Dunn between 11 and 12 o'clock for the purpose of going to Dunn. They had learned that, after the shooting, Walker was seen running in the direction of the railroad track, and it was known that a few minutes after that a freight passenger train reached Dunn, the three Fayetteville men, all of whom were armed to the teeth, got off and made inquiries of the station agent if he had seen anything of a suspicious-looking negro. They learned that a negro had bought a ticket to Washington, D. C. Just as the train was preparing to pull out, they boarded it, and upon entering the second-class car Mr. Howard Smith recognized Walker, who was sitting in a seat by another negro. He at once covered him with a Springfield rifle and ordered him to throw up his hands. The negro lost no time in obeying the order. He was then placed under arrest, his pistol having been turned over to Mr. Taylor. In the seat was another negro, as stated above, and he said that he knew Walker when he saw him, but did not know his name. Walker expressed no regret at his horrible act, but when the officers asked him what he meant by acting in such a manner he said: "I said I would shoot the dogs if they tried to arrest me, and I am satisfied. If you had tried to arrest me without having any gun I would not have resisted you." He did not seem much excited, but regarded with flinching eyes his horrible crime.

The three men who made the arrest took the negro off the train, and with the assistance of the Dunn police, stood guard over him during the night. Sheriff Watson, who was in Fayetteville, was notified by wire, and he and Mr. John Tillinghast drove from Fayetteville through the country to Dunn, a distance of about twenty-five miles. It was decided not to take the man to Fayetteville, for it was well known that the people in their excitement would never wait for the law to take its course. Solicitor Sinclair was at Selma, having stopped over there on his way home from attending court in Columbus county. He gave instructions to bring the negro to Raleigh, so yesterday morning he was placed on the Durham & Southern train and brought to Apex, and from there to Raleigh on the Seaboard. The sheriff and Mr. Tillinghast were accompanied by D. K. Taylor. Not once did the negro express the slightest regret.

Escape From Fayetteville.

Walker said that after the shooting he ran towards the railroad, and a freight was passing, going north, and he found no trouble in getting on it. He remained on the platform at Dunn, sitting on a trunk, until the northbound train was due, and then purchased a ticket to Washington, as above stated. It is said that two negroes were seen in Fayetteville making towards the railroad, and it

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CHILD LABOR PASSED HOUSE

No More Night Work by Children in Mills

BILLS KILLED TODAY

Measure Giving Fire Escapes for Buildings Three Stories With More Than Thirty People and Act for Appeals Where Verdict Set Aside Were Tabled.

The first day of the last week of the session of the house of 1907 was called to order at 9:30 by Speaker Justice, and Rev. J. C. Massee, pastor of the Tabernacle Baptist Church, this city, pronounced the invocation.

Bills Introduced.

Secure enforcement of laws against liquor in Goldsboro township, Wayne county. Edgerton, by request.

Amend charter of town of South Mills, in Camden. Tillet.

Allow Randolph county to issue bonds for Trinity township, and levy special tax. Wood.

Allow Randolph county to levy special tax for court-house and jail. Wood.

Authorize town of Wadesboro to collect certain taxes. Lockhart.

Allow ex-Confederate soldiers of 75 years or more pension, regardless of property. Wells.

Protect fish in Gates. Simpson, by request.

Authorize school district No. 1, Franklin township, Macon county, to levy special tax. Burnett.

Prevent fishing in Black creek, in Elevation township, Johnston county. Johnston.

Fix salaries for Pitt county officers. Laughinghouse.

Prevent frauds on boarding-houses and hotels. Price of Union.

Relative to stock law in certain territory of Columbus. McLackan.

Incorporate Pine Town, in Beaufort. Jacobson.

Protect oysters and clams in Carteret. Davis.

Amend charter of town of Marshall and declare void election held thereunder. Bailey.

Authorize Dr. T. C. Hurley to practice medicine in No. 2 township, Madison. Bailey.

Divide profits of Griffon dispensary in Pitt. Laughinghouse.

Authorize treasurer of Haywood to pay school claims. Boyd.

Authorize Wilson county to issue bonds for roads of Wilson township. Washington.

Establish dispensary at Black Creek, in Wilson. Washington.

Fix salaries of Cumberland county officers.

Passed Final Reading.

Amend charter of Lower Creek & Linville Transportation Company.

Incorporate Ladies' Aid Society of Fayetteville.

Extend time for organization of Graham County Railroad Company.

Incorporate Weldon & Roanoke Rapids Railroad Company.

Amend charter of town of Walnut Cove, in Stokes.

Amend charter of city of Durham.

Authorize certain citizens to erect stock gates across roads in Richland township, Beaufort.

Relief of sheriff and tax collector of Lincoln.

Establish stock-law boundary in Haywood.

Regulate fishing in Ceel and Cataloochee townships, in Haywood.

Amend act of 1905, relative to road law of Haywood county.

Amend act of 1901, relative to school district No. 3 of Chadbourn township, Columbus county.

Amend act of 1903, relative to road improvement in Waynesville township.

Incorporate Charitable Brotherhood.

Amend act of 1903, charter of Presbyterian Hospital of Charlotte.

SUDDEN DEATH OF BILL FOR THE SEPARATION OF RACES IN STREET CARS

THAW ON NIGHT OF THE TRAGEDY

Dr. Evans on Defendant's Mental Condition

QUESTIONS BY JEROME

The Doctor Still Holds Firmly to His Belief That Thaw Was of Unsound Mind at the Time When He Shot White on the Roof Garden.

(By the Associated Press.)

New York, March 4.—When court opened this morning for the resumption of the trial of Harry Thaw, District Attorney Jerome at once continued his cross-examination of Dr. Evans, the alienist. He said:

"Doctor, reverting to the night of the shooting of White, does the fact that the defendant walked deliberately away without excitement after shooting appear to you to be an important fact in determining whether or not the defendant was insane?"

"Yes, it leads me to believe he was of unsound mind; that is when taken in connection with other incidents."

The fact at that time Thaw's step was slow and measured and his manner somewhat dramatic, and he manifested no agitation; that he walked deliberately away without any effort to escape, taken in connection with other facts, indicated to the witness that Thaw didn't know he had done anything wrong, didn't know that he was anything that would make him shrink from his fellow men or from officers of the law.

"Then his attitude was one of satisfaction with his deed?"

"I would hardly go as far as that."

"When he walked toward his wife, did he know in what direction he was going?"

"In view of fact that he walked toward his wife, it seems to me he did."

"The fact," said Jerome, "that Thaw told the fireman, who seized him, 'He ruined my wife,' does not indicate to you that this defendant knew he had killed White?"

"It indicates to me," replied Evans, "that this one thought which had weighed down upon him, which had been devouring his soul was still with him, this idea of his wife being ruined by White was still in the forefront of his thought."

"When mental condition in the defendant is conveyed to your mind by his stating on the roof garden after his arrest when told at the elevator that an officer had been sent for: 'I've got to go down some time, you might just as well take me down the elevator now. I don't want to cause any annoyance.'"

"As to whether he was sane or insane," replied Evans, "the remark conveys nothing, it may simply have meant that there was a crowd at the elevator and he did not want to annoy anybody by obstructing the way."

In the moments immediately following the shooting of White, the witness said, Thaw might have had insane appreciation of all the incidents. There was, said Evans, nothing in the evidence to show Thaw knew he had been arrested for killing White, and the only thing tending to show he did know it was his statement that it was an act of providence.

"When on the elevator did he know what he had done?"

"There had been by that time reorganization of his mental forces and by then he knew that he had done something."

"Therefore if there had been brain storm he had recovered in this short time sufficiently to know what he had done?"

Characteristics of Brain Storm.

"That is one of the characteristics of brain storm; but I can't say whether or not he knew at that time what he had done."

The witness believed that in brain storm the defendant had an insane knowledge of what he did, not the knowledge of a sound mind. Dr. Evans, in explaining his answer, declared that if Thaw had been walking in delirium following fever he would unconsciously have been directed in the way he took, for his mind was so saturated with the one idea of his wife's ruin. Evans also said he thought Thaw realized that he was under arrest when he asked that his wife be taken to a hotel and that George Carnegie, his brother-in-law, be sent for. The witness declared that the fact that the defendant did not ask why he was under arrest

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Bill Enabling Raleigh to Vote Auditorium Bonds Etc Is Enrolled

LENGTHLY DISCUSSION ON IMMIGRATION BILL

Joint Resolution Pending Further Removal of the Old Arsenal Building From Capitol Square Passed and Enrolled—Bill Regarding at Least One Incorporator of Companies Chartered to Be a Citizen of North Carolina—Substitute Immigration Bill Passed—Large Number of Calendar Bills Passed. Many New Bills—Today's Proceedings of the State Senate.

Removal of the Old Arsenal Building From Capitol Square Passed and Enrolled—Bill Regarding at Least One Incorporator of Companies Chartered to Be a Citizen of North Carolina—Substitute Immigration Bill Passed—Large Number of Calendar Bills Passed. Many New Bills—Today's Proceedings of the State Senate.

The principal work of the state senate today was the passage on its second reading of the immigration bill, after a long argument and the adoption of a number of amendments, by the vote of 23 to 14.

The opposition is very determined and another effort will be made to defeat the measure on third reading.

The bill providing for the separation of races on street cars probably got its finish when Mr. Buxton moved its recommitment—unless some senators interest themselves in the bill and resurrect it. It is now in the hands of the committee on railroads, fast asleep.

One of the good things accomplished was the passage of a bill "requiring" the removal of that old eye-sore, the arsenal building from capitol square.

The bills passed two and four years ago made no provision for the expense of removal and so were of no effect. The senate meets again at 8 o'clock tonight.

Senate Proceedings in Detail.

Rev. Dr. Bumpas, pastor of the Edenton Street Methodist Episcopal Church, Raleigh, offered the invocation in the state senate this morning, when at 10:30 o'clock that body was called to order by the lieutenant governor.

Among the bills passed upon final reading in the senate today was one relating to the issue of bonds for an auditorium by the city of Raleigh and an enabling Apex, Wake county, to issue bonds. The other bill to enable Raleigh to issue bonds to fund a \$25,000 indebtedness passed second reading and was returned to the calendar to be read a third time tomorrow.

The general street railway bill that passed the house, providing for separation of races, etc., was sent to the committee on railroads. In other words it was put to sleep.

Roll-Call Bills on Final Reading.

The following house roll call bills were put upon their third reading in the senate and ordered enrolled for ratification.

Authorizing city of Fayetteville to issue bonds for street paving and sewerage.

Incorporating Piedmont Railroad company.

Amending charter of Hertford.

Establishing Samona graded school district.

Enabling town of Washington to issue bonds.

Incorporating towns of Garysburg, Northampton county.

Amending charter of Franklin, Macon county.

Authorizing court of Beaufort to issue bonds for new court house.

Authorizing city of Raleigh to issue bonds.

Enabling Apex to issue bonds.

Incorporating Vass, Moore county.

Incorporating Broadway, Moore county.

Authorizing election on question of bonds in Salisbury.

Authorizing Madison county to issue bonds to build bridges.

Authorizing Haywood county to build certain bridges.

Incorporating Cherry, Washington county.

Relating to working Rutherford county roads.

Enabling Mecklenburg to vote on bond issue.

Authorizing King's Mountain to issue bonds.

Incorporating Monroe Southern Railroad Company.

S. B. authorizing Buncombe county to issue township bonds when voted. (Sent to house.)

Amending charter of Mountain Retreat Association.

Authorizing Moore county to issue bonds.

Incorporating special tax graded school district of King's Mountain.

Incorporating town of Pollocksville.

Enabling Tarboro school board to issue bonds.

Incorporating town of Pateman, Wayne county.

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