# THE RALEIGH EVENING TIMES.

VOLUME 27.

SIXTEEN PAGES TODAY

RALEIGH, N. C., SATURDAY, MARCH 9, 1907.

SIXTEEN PAGES TODAY

EXTRA SESSION

PRICE S

#### THE COMMISSIONER OF **INSURANCE MUST NOW** BE ELECTED BY VOTE

for the Establishment of **Needy Consumptives** 

#### SENATE CAN'T ADJOURN BEFORE NEXT WEEK

session May Last Till Tuesday or Wednesday-Impossible to Get Through Tonight-Resolution of Thanks to Raleigh's Postmaster. Judges' Bill to Pay \$100 a Week for Extra Terms of Court Defeated-Many Important Bills Passed (Ame and Some Killed-Today's Procerdings of the State Senate.

more stringent the law of vagrancy, bringing down the age limit to six-teen years and changing the law of To prevent snatch-block fishing

30 years.

The bill to restore the old law whereby the superior court judges assigned
to hold extra and special sessions of
court be paid \$100 a week, was de-

feated by two majority.

The bill to change the method of electing the insurance commissioners provoked some discussion, the bill be ng up on a minority report.

Chairman Drewry stated that the committee had understood that no change was desired by the present oners, and in addition it was thought best on business principles to let the matter stand as it is, in the hands of the governor. All the insurthe United States are appointed by the governors of the states.

Mr. Drewry paid a tribute to Mr. Young's official career and private Young's official career and private character, and added that he thought the insurance commissioner would not object to the passage of the bill if the senate sees fit to do so. Passed and sent to the house.

The bill finally pased and the state convention will name the insurance commissioner next year, and not the

The bill providing for the establish mentiof a hospital and sanitarium for consumptives and sufferers from tuberculosis in Moore county was one manded the attention of the

Senator Buxton Introduced a joint resolution and it was passed unanimously thanking the governor and Postmaster Willis G. Briggs for their activity and good offices in securing a branch postoffice station in the capitol building during the session of the general assembly, which had been such a great convenience to the members

As to Adjournment. It is evident that the legislature can not get through its work tonight, and that both branches will be in ses-sion Monday, and possibly longer.

less than one and not more than thirty

Radical Vagrancy Bill Tabled. On motion of Mr. Pharr the bill re-lating to vagrancy and changing the law of evidence was tabled. It brought the age limit down to sixteen years and was so radical as to be objectionable to many senators. Mr. Pharr said he believed in punishing people for doing something wrong and violating the law, but he did not believe in punishing sixteen year old boys as vagrants for "doing nothing,"

Another bill tabled was that to make bribery and the selling or purchase of votes at an election a felony and to disfranchise all convicted under the act. It was believed to be unconstitutional. It was drawn so as to apply to Cherokee county only, but went to

Relating to the docketing of judgments. Concerning appeals in forma pau-

in towns to do their own plumbing and repairing on the premises. county.)

Mr. Pharr objected to the bill and cerdings of the State Senate.

Mr. Hicks advocated it.

Amended by Mr. Graham to apply only to towns of 3,000 or less and bill regarded as too radical to make passed.

that "to authorize and permit householders and occupants to do their own
repairing and plumbing on their own
premises was finally amended so as
to apply only to towns of 3,000 inhabitants and less and then passed.
Later it was reconsidered and killed.
Another bill of importance passed
was that changing the penalty in
the penalty i

ple was next taken up on a minor-report in its favor. The majority By report in its favor. The majority of the committee was adverse to it. Mr. Aycock said the majority of the versely because it had at that time occupant did not wish any change, Now, he understood, Mr. Young had no objection to the passage of the

Mr. Blair favored it and Mr. Odell opposed the bill, as did also Mr. How-

Mr. Drewry, chairman of the insurance committee, stated that what Mr. the committee were of the opinion, that on business grounds, it was best to let the matter stand where it now is. Every insurance commissioner of every state in the union, added Mr. Drewry, is now appointed by the governor of his state, Mr. Drewry paid a high compliment to Mr. Young as a man and official and stated that so far as his retention in the office was concerned, he would fare equally well either way in which he should be selected for the position which he has was created.

Mr. Pharr said that his desire was to provide as far as possible a guar-antee that this important office will always have a capable and suitabl head, and he therefore opposed the change contemplated in the bill. Other senators expressed their views pro and con. The bill, on roll call vote, was passed by the vote of 29 to

The bill providing for the incorpor ation and establishment of a saniand roung trouble and providing for ple. (House amendment excepts pany. It was also discovered that cumberiand and New Hangver countries.)

The company were waiting to question him about the affairs of the company. It was also discovered that the sympathy of a number of senators, and Messers McLean, Drewry, Hicks, Blair, Pharr and others. tarium and hospital for the treatment

12. Ordered enrolled.

Senator Brown of Yadkin led the state senate in prayer when that body was called to order at 2:30 o'clock this morning by the lieutenant governor. The calendar was immediately taken up and a lot of bills disposed of, roll call and otherwise. Many of them were of no general interest whatever, relating to some little township stock law, school house and the like.

The bills of any importance will be found reported in this account of the day's proceedings.

The bill passed to amend the revisal

The bill passed to amend the revisal ry, Hicks, Blair, Pharr, and others.

Mr. Hicks objected to putting a lot of doctors from all over the state on the board to pile up expenses of man-agement and maintenance. He advo-cated the passage of the bill without

Mr. Webb thought the bill too crudey drawn and should be perfected. Mr. McLean insisted that such a

(Continued to Page Two.)

## HOUSE REDUCES THAW CHAFING MEN BURIED BY WILL NOT CALL THE PENALTIES OVER THE DELAY FALL OF EARTH

**Counties Excepted** 

cipating Acquittal

Sewer Ditch

Poll Tax Limited to \$2. Some Feels Himself Robbed, Anti-Six Weet Instant Death in a Statement Made by Gover- Equalized at From \$3,000 to

nor Glenn Today

\$3,500 all Aroun

FOUND A SNEAK BILL THE PLANS OF JEROME THE BODIES RECOVERED WILL MEMBERS REMAIN? ALL FEES TO TREASURY

Section of Measure as to Fishing in Black Creek Would Have Repealed Johnston County Prohibition-Bill for Statue of Vance in Washington Passed-Fish Scrap.

The house met at 9:30. Speaker Justice presiding, prayer being offered by Senator Brown. Fish Scrap.

scrap, precipitated by a motion of bill establishing a fish commission. Messrs. Hooker and Jacobson spoke earnestly in favor of the motion to so many days. recall, and Messrs. Vann and Whitley against it. The motion to recall the bill was defeated.

Personal Privilege.

Another bill that was carted off to the logislative dead-house with scant ceremony was that which sought to disfranchise persons for giving or accepting "bribes," making it a felony, etc. The lawyers in the senate said the constitution was "agin" such a constructed instrument.

A bill of importance to union labor. played on him by the house, and inferentially by the reporter.

Bills Passed. For relief of the commissioners of the city of Concord.

To require attendance on public (Concurrence in senate

To amend the Revisal, relating to inheritance or deposit of trust funds by plerks of court. To protect game and fish in Bun-

combe county. The bill to amend the Revisal, relating to seizure of illicit distilleries, and to pay sheriffs \$10 and expenses for same, which passed the senate, was, on motion of Mr. Murphy of Rowan, laid on the table by a vote of

42 to 12. To amend the Gaston county road

to domestic fowls.

Mr. Turlington moved to recon-Aycock had said was true and that sider the vote by which the bill pay-he thought Mr. Young would have no ing officers for seizing illicit distilobjection to the passage of the bill, leries was tabled. The motion was But he (Drewry) and the majority of leries he a vote of 42 to 27 lost by a vote of 42 to 37.

A Sneak Bill Discovered.

ullify one section of a bill entitled To prevent fishing in Black creek, which had passed the general assem bly. He said there was a section in this bill which repealed the prohibition law for Johnston county.

Mr. Murphy said the Dowd bill ought to pass by a unanimous vote It was by just such indefensible filled so creditably ever since the office means that the anti-jug law was sneaked through four years ago. The bill passed unanimously.

Bills Passed. To limit the admission of white

dents of North Carolina. poration commission.

To amend the Revisal relative to

Joint resolution providing for the ernor Vance in statuary hall at Washington, appropriation to be available in January, 1911. (There being no limit to the expense to be incurred. several amendments were offered limfting expense to \$10,000, to \$25,000, cide, and there we to \$30,000, and to \$50,000, but all continue inquiries. amendments were lost, the bill being ordered enrolled for ratification as it ssed the senate. This is Mr. Bux ton's, senate bill and Mr. Dowd's house bill.)

To amend the dispensary law for loxboro.

Poll Tax Limit. oming up on its third reading was massed after exempting New Hanover, Halifax, Cleveland, Burke, Calawba, Randolph, Beaufort, Union, Orange, Edgecombe and Rowan countles.

It Is Believed That He Will Endeavor to Obtain From Evelyn Thaw Letters From White and Question Her About Posing for Unconventional Photographs.

(By the Associated Press.) New York, March 9.-Another week Mr. Hooker of Beaufort to recall the stand was a welcome relief to the jurbill establishing a fish commission. ors, lawyers and others who have had to wreatle with expert testimony for. The ditch was to have been dug to

The defendant growled a bit over the decision to adjourn, as he was teen feet when the disaster occurred. well pleased with the manner in which his case has been presented. and thinks every day of delay robs Mr. Douglass, arising to a question him of a day of freedom which he of personal privilege, said the papers feels will follow the verdict.

Jerome is preparing a plan of re-buttal. It geoms almost certain that he will recall Evelyn Thaw. He has caused her to be served with a sub-He wants her to bring into court certain letters which White and which he believes are, still in her possession. Jorome may confront her with the testimony of her brother. Howard Nesbit, and may ask her to explain how she for-

Thaw are Dr. McGuire, the Tombs physician; Drs. Flint, McDonald and Mahon, alienists; May MacKenzle, Wilkesboro road about a mile away Mrs. Caine and probably A. H. Humwere brought to help and these and the mel, Howard Nesbit and Charles volunteers, white and black, worked as Hartnutt. Jerome Studying Insanity Features

That Jerome intends to devote con- by the accident, lending a hand. siderable attention to the insanity feat-To amend the law of 1905 relating insanity experts new to the case had men having been caught as they stood a long conference with the district at shoveling. It is the opinion of the torney. ists for the defense was examined close- The cries of the women were pitiable. rection.

The statement credited to Howard about 6:15 a third body was found, has been conducted and their failure Nesbit to the effect that the countess Two others were taken out before to do anything has naturally creof Yarmouth hoped to bring about a eight o'clock, and the last one was Mr. Dowd sent forward a bill to separation between Thaw and his wife reached at midnight. was denied today by Mrs. Carnegie.

> PRESTON, A FORGER COMMITTED SUICIDE

> > (By the Associated Press.)

New York, March 9 .- That Leonidas M. Preston, secretary and manager of the Timken Roller Company. to notes aggregating \$57,000 to in the Southern Presbyterian min To enlarge the powers of the cor- \$100,000, was the substance of a istry. statement made to the coroner by the counsel for Mrs. Preston. Presfranchises for public utilities, and to ton died suddenly Thursday, after forbid towns and cities from selling drinking prussic acid while members or leasing water-works or electric of the company were waiting to ques-

coroner that Preston was betting on erection of a marble statue of Gov- horse races throughout his recent visit to New Orleans. She said she had supposed Preston was wealthy until two days before his death

The coroner said he was of the opinion that Preston committed suicide, and there was no occasion to

COUP OF THE MERCHANTS AND MINERS COMPANY.

New York, March 9.—The report that the Merchants and Miners Com-The bill limiting city poli tax to \$2 Company has effected a community James B. Turner, John R. Greene, pming up on its third reading was of interest by agreement with the Thomas Herman Beverly, Walter H. of interest by agreement with the Thomas Herman Beverly, Walter H. New York, New Haven & Hartford Westherspoon and John Burdet Company was confirmed today. It Seven other members of the sentor is understood that the New York, class will mask this strong and from

While Men Are Excavating for Laying Sewer Pipes at Statesville a Section of the Bank Gives Way Burying Them Beneath Masses of Falling Earth.

(Special to The Evening Times.) Statesville, N. C., March 9 .- Six ne end gap in the Thaw trial, brought groes were instantly killed here yesteron by the sydden determination of the day by the sudden caving-in of one of The session began with a small fish defense to end its case with a picture the banks of a sewer ditch in which of the grief-stricken mother on the they were working on Race street, in West Statesville

> a depth of twenty-eight feet and the men were working at a depth of seven City Engineer Herbert Clarke, and Street Commissioner J. L. Kimbal were directing the work, Kimbal being in immediate charge of the men. In the excavation, dirt was being thrown out on either side, but no weakening of the ground was observable, although the street commissioner was giving the

matter his careful attention A section of the earth about fifty feet long, five feet wide and ten fee deep slipped from the east bank of the old sewer across into the new ditch burying the six men. City Engineer Clarke and Millen Walker, a youth who got to mention posing for certain was assisting him, were over the ditch photographs and statues which are putting in braces. H. Clarke, father of said to be not so conventional as the engineer, was a bystander. All these those she spoke of in her previous went in with the dirt, but were on top the house differ very materially and of it and were unhurt. Some of them it is feared that the two houses can-powers of the corporation commi As an instance of the expense of the were caught in dirt up to their knees, defense, it may be mentioned that Dr. but were able to scramble out without

Evans is reported as receiving \$200 a day, Dr. Wagner \$150 a day, Hammond and Jeliffe \$100 a day each.

The probably \$1 nesses to be called by Jerome in rebuttal besides Mrs. They are Dr. McChies the men in the ditch, and while it was carried on as rapidly as possible there was scarcely any hope that any of the men would be found alive.

A squad of convicts at work on the rapidly as possible, business men, farmers, and others who had been attracted An hour and three quarters after the ures of the Thaw case in the rebuttal cave-in, the bodies of the two men evidence became aparent when Drs. who were on scaffolds were found. The Mahon, MacDonald, Flint and six other bodies were in an upright position, the

The testimony given by alien- doctors that death was instantaneous. The work of removing the dirt to nishing

DEDICATE CHURCH AT HIGH POINT SUNDAY

(Special to The Evening Times.) High Point, March 9.-The First Presbyterian church will be dedicated here tomorrow morning. The princi-pal feature will be the dedicatory sermon by Rev. Walter W. Moore, D. D., deaf children to the asylum to resi- had forged the name of E. R. Hewitt of Richmond, the acknowledged leader

The Ford and Johnson Company of this city will open up a large varnishing house here. Mr. C. A. Cline secretary and treasurer of the Lind say Chair Company, a branch of the Ford and Johnson people, wil be in charge, and the company expects to enter the High Point market in competition for all the varnish trade. The warehouse will be opened in the next

High Point has asked for the Union county law to be applied to this township wherein a gailon of whiskey is prima facie evidence of selling it. With this law the officials hope to run more of the bigger blind tigers out of business.

FIRST SENIOR SPEAKING OF YEAR AT WAKE FOREST.

(Special to The Evening Times.) Wake Forest College, March 2-The first senior speaking of the year, which was postponed from December 6, was held in the Wingate Memorial Hall pany by obtaining control of the class delivered orations. The speak-Boston and Philadelphia Steamship ers were: Hipps.

Andolph, Beaufort, Union, Orange, is understood that the New Tork, class will speak this spring, and from the faculty to represent the class as speak—

(Mr. Douglass of Wake said that ly acquired a large interest in the faculty to represent the class as speak—

(Continued on Page Seven.)

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(Continued on Page Seven.)

The Governor Says He Believes Members Have Patriotism Enough to Stay in Raleigh Until All Necessary Bills Are Passed-Exciting Times During the Closing Days.

It was generally reported las night that Governor Clenn was going that only one bill had not been uary 1, 1909. He stated further, that he believed don's motion. the members patriotic enough to re-

Raleigh Saturday night and Sunday its final reading. at the latest, so it is difficult to tell committee. The bill as passed by tion commissioners. the senate and the one favored by of one day.

There has certainly been no seshave been as exciting as they have as it stood was not so string for the past week. If some member against the railroads as the was not arising to a point of "par- passed by the house committee sonal privilege," it was fiery speeches on bills which were under considération, and along with it all the had yielded some points, and the 'judicial investigation" on the part present bill was the result. of the house in the vain effort to learn the name of the person or persens who furnished information in regard to the railroad rate bill conference committee. It has been generally considered that the real object of the investigation was to learn fore the investigating committee. the name of the party or parties furthe information and the find the other bodies continued, and manner in which the investigation ated much interest both in Raleigh and all over the state. So the legislature is not closing its days calmuly and peacefully but in a rather stormy mood and with a great deal of curiosity on the part of the members as well as the general public Some of the legislators have lived under a very great nervous strain these sixty days and a few days I shall then make reply." longer might cause some to suffer nervous collause.

### CHARGES THAT THE JUDGE WAS DRUNK

(By the Associated Press.) San Francisco, March, 9 .- At a meet ing of the San Francisco Bar Association to consider the action of Superior Judge Hosbard in granting a writ of machinery act. He said there were error to Abraham Ruef while the lat- very few differences between the two ter's trial was pending in a court of houses, and he explained the report. co-ordinate jurisdiction, District Attorney Henry declared that Judge Hebbard was under the influence of liquor. when he granted the writ. One of Huef' attorneys denied that Budge the order.

TAR HEEL TEACHERS TO THE EXPOSITION.

(Special to The Evening Times.) were notified that the North Carolina by Mr. Manning and which was reteachers' assembly will visit the exposition eight hundred strong immed- ing vote. Mr. Winborne declared lately after the adjournment at Dur- that Mr. Manning in the house had ham in June.

ARREST OF A WEALTHY JAPANESE AT 'FRISCO.

(By the Associated Press.) San Francisco, March 9.-F. Kurar and, known as one of the riches Japanese in California, was arrested passed the senate unanimously, today on the charge of taking more. Mr. Daughton dwell upon the inthan \$21,000 under false preten

Considerable Saving to State-Corpo ration Commission Bill Pas Judge Winborne May Reply to Rev. Plato Durham House Turns Down Senate Amendment to Anti-Trust Bill.

The first thing considered last to call a special term of the legisla- night in the house was the bill sent ture for the purpose of giving the forward by Mr. Gordon to equalize body time to pass certain bills and the salaries of the state officers and thus fulfill all the pledges of the turn over the fees into the state treasdemocratic party. This morning the ury. It puts the salaries at from governor was asked by an Evening \$3,000 to \$3,500, Mr. Gordon said Times reporter if the statement was it would save to the state \$2,000 a true, and he replied that it was not; year. The bill to go into effect Jan-

passed and he did not think it of The bill passed second reading. importance enough to put the state and Mr. Neal objected to third readto the expense of a special session. ing. Rules suspended on Mr. Gor-

Mr. Clifford sent up an amend main here until the bill was passed. to make the governor's salary \$5,000. Many of the members have been Amendment by Mr. Royster to make heard to say during the past few insurance commissioner's salary \$3,days that they intended to leave 500. Both lost, and the bill passed

The salaries are \$3,500 for se what is going to be done. The only tary of state and treasurer, \$3,000 important bill under consideration is for auditor, attorney general, superthe trust bill, and to reach an agree- intendent of public instruction, inment means through a conference surance commissioner and corpora-

Corporation Com The substitute bill enlarging the not get together in the short space sion, as passed by the cenate and amended by the house committee on corporation commission, was called sion of the general assembly in re-cent years when the closing days mittee: Mr. Lockhart said the bill

> Mr. Lockhart explained how in the conference committee both house

> The bill was passed and sent over to the senate for concurrence.

> Personal Privilege. Mr. Winborne arose to a question of personal privilege in regard to the evidence of Rev. Plato Durham bewas well known, he said, that he had othing to do with the

calling for an investigation. "If the report in The Evening Times of Mr. Durham's evidence is correct," said Mr. Winborne, "and after the present investigation is concluded, it may be that I will then reply to this man who calls himself a minister of the Gospel and uses these terms to give weight to his words. I will wait until I can see the official evidence as given before the committee, and if the official record is as reported in The Evening Times,

Freight Rate Bill. Speaker Justice called up the freight-rate bill and asked that the bill be put on its second reading. He said he thought the senate would pass the house bill, and therefore asked that the bill be made the special order for today at 12:30.

The bill was passed on second eading and made the special order for today at 12:30.

Revenue and Machinery Act. Mr. Doughton reported for the conference committee on the revenue and The tax on state banks was taken according to the action of the house.

Anti-Trust Bill. When the anti-trust bill came up Bebbard was intoxicated when he made as amended by Senator McLean, Mr. Winborne moved that the house do not concur, and Mr. Manning moved as a substitute that the house do con-

cur. Mr. Winborne explained that the Nerfolk, Va., March 9.—The James-twon Exposition management today jected by the house by an overwhelmdeserted his own substitute. He thought that there ought to be a con-

Mr. Manning did not agree that this was in substance his substitute It did seem to contain some of the provisions of his substitute. It had

(Continued on Page Eight.)