# THE RALEIGH EVENING TIMES

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RALEIGH, N. C., MONDAY, MARCH 11, 1907.

### SENATOR MCLEAN ANTI-TRUST BILL ENACTED TODAY IN BOTH HOUSES

Justice Amendment Stricken which he used concerning certain sen-ators, and Mr. Fleming withdrew the first part of the language of his res-Out and the McLean Provision Adopted

### GENERAL ASSEMBLY **ADJOURNED SINE DIE**

Magnificent Silver Service Presented to Lieut. Gov. and Testimonial to Sergeant-at-Arrs-Everybody Was Thanked for Everything-Some Bills of Importance Passed and a Number Killed-Interesting Proceedings and Incidents in the State Senate on the Closing Day of the

The general assembly of 1907 is thing of the past. According to the legislative clock, it adjourned today at

cept the Justice amendment to the anti-trust bill, as amended by Senator McLean of Robeson, and which was unanimously passed by the sen-ate last week, after the motion to substitute the house bill for it had been

posed of trust legislation so far as the senate was concerned, but later in the day a bill came over from the house which that body had passed today on which that body had passed today on the same subject. It was practically the bill which the sensite had pre-viously refused to endorse, containing some of the features most objection-able to the senate, including the Jus-tice amendment, which sought to vitlate the Senator McLean amend, ment and restore the radical section

Mr. McLean sent forward an amendment to this latest house bill, to the same effect of his amendment to the bill of Saturday and striking out the Justice section. It was adopted by the vote of 19 to 15, the vote being as

For the McLean amendment; Senators Bellamy, Blair, Burleson, Carter, Dawes, Drewry, Efird, Etheridge Fleming, Graham, Howard, Long Lovill, Mason, Mauney, McLean, Odell, Perrett, Stubis—18.

Against: Senators Aycock, Breese Burton, Daniel, Greer, Hicks, Holt McLauchlin, Pharr, Redwine, Reid Webb, Wilson, Wood-15. (Mr. Ormond later stater that had

he been present when the vote was

The house bill, as amended by Sena-tor McLean was then passed unant-rnously, thirty-eight senators voting e, as follows: Senators Aycock llamy, Blair, Breese, Burleson, Burton, Buxton, Carter, Daniel, Dawes Dickey, Drewry, Efird, Etheridge Fleming, Greer, Graham, Hicks, Holt Howard, Kluttz, Long, Lovill, Mason Mauney, McLauchlin, McLean, Odell Ormond, Perrett, Pharr, Polk, Redine. Reid, Reinhardt, Stubbs, Webb Wilson, Wood.

Senator McLean then put clincher" on it and it was sent back

"clincher" on it and it was sent back to the house.

It was then up to the house to pass the bill, with the McLean amendment or defeat all trust legislation at this session of the general assembly. In voting for the bill senators Reid and Holt had asked and secured consent to file written explanations of their affirmative votes and that the same be placed on the journal of the senate.

e Passes Senate Trust BIII. message from the house received or the close of the session an-inced the concurrence of that body this morning, the Justice

Bill Tabled by Senate.

The bill known as the "Justice supplemental" bill, relating to trusts and "uniswful combinations of capital," ste, came over from the house.

Senator McLean took the floor and said that within an hour certain remarks had been made in the house by the member of that body who presides over it as its speaker, which he then proceeded to denounce in severe

Mr. Holt, after the killing of the Justice bill, introduced another "sup-plemental bill" of a different character to the anti-trust bill, and a mopromise was given that there would be no amendments concurred in by the senate, if made by the house, the bill passed by unanimous vote.—It mere-ly protects witnesses from prosecution who testify in cases against trusts under the trust bill just passed. The senate then at 1:50 o'clock ad-journed till 3:30 p. m., while the state

nymn was sung, led by the president of the senate. Silver Service for the President of the

Sennte. Senator Redwine arose, and address ing the chair, presented on behalf of senators, a magnificent chest of silver to the president of the senate, Lieutenant Governor Winston, had with courage, ability, and in every instance, with an eye single to the best interests of North Carolina, faithfully presided over the deliberations of the senate."

In accepting the gift Lieutenant Governor Winston said: "Custom permits me to speak and

oon, sine die.

The principal feature of the last of your confidence and esteem. If I day's proceedings of the state senate felt that any act of mine as your pre-was the refusal of that body to ac-siding officer had made me undeserving of this presentation, I would not accept your generous gift. "I shall take it to my home, where

any senator in this chamber may knock and receive glad welcome, to The conference committee appointed that they were unable to come to any argement with the house conferees. That report was accepted, and then placed on the calendar. For the time being that disposed of trust legislation so far as the fenate was concerned.

and deserved tribute.

Senator McLesn accepted the gift for Mr. Pegram in a graceful reply, in which he added to the enconiums for Mr. Pegram as a man and official. The Sad Fatt of the Holt Anti-Trust Bill.

Senator McLean of Robeson, in the state senate today introduced the following feeling obituary on the crue death of the bill introduced by Sena tor Holt of Guilford for the suppres sion of trusts, and which never got upon the calendar, the judiciary committee reporting the amended Reid bill as a substitute:

Once there was a little bill-A little prave it now doth fill. Ah me! Ah me!

It was thought that it would "bust The American Tobacco

And on this trust it had a "Holt" Yes, sir ree! Yes, sir ree!

Rut on it fell a sudden blight The day its father left that night. Great pity. Great pity.

It soon became a fatal "case," And "worked" its ruin fast apace.
Oh, misery! Oh, misery!

It died-was buried in the night, Far, far from fond paternal sight, So heedlessly, so heedlessly.

And knows he not until this day Who came and bore his child away So secretly, so secretly. Senator Holt submitted the follow ng "amendment" to the poetical tribute of Senator McLean appearing

L'Envoi. Who killed little Anti-Trust, So young, so beautiful, so gay? Who laid his little form away, To rest among the just? The committee, the committee.

Senator McLean, in behalf of the as istants to the chief clerk, presented to Chief Clerk A. J. Maxwell a to monial of their esteem, and for Maxwell the president of the senate responded, both paying high tributes dency and popularity of the

ator Holt of Guilford offered the ollowing resolution,

hanks of the senate are hereby ten-lered to the newspaper reporters of his body for their full and complete

"This resolution shall be in force om and after its ratification."

Senate Proceedings in Detail. Senator Howard led the state se

er at 9:30 o'clock. 'Wo bills were introduced and pur on their passinge at once, as fol-

Mr. Daniel: To receive t (Continued on Page 3.)

### INVESTIGATING COMMITTEE FAILS TO MAKE ANY REC-**IENDATION TO HOUSE**

Thinks it Best to Leave the Matter of Refusal to Answer Questions of Committee to be Dealt With by the Courts in Whatever Proceedings May Hereafter be Instituted

In the house today the investigating committee submitted the following report:

Mr. Spenker:-We, the under- own signed committee appointed by you, by virtue of a resolution adopted by the house of representatives, to investigate the charges made in the Raleigh Evening Times, of Raleigh, N. C., of March 1st, 1907, against the the house of representatives and the senate on the railroad rate bill, beg leave to submit the following report: First. We held an investigation on March 7th and 8th, and examined, conference committee, to-wit, J. S. Manning, Judge Winborne, R.-L. Ste-

Aycock, and Messra H. E. C. Bryant, R. W. Simpson, Jr., Representative Peele and Rev. Plato Durham; and the evidence taken is herewith trans- coun otherwise, influence any member of tend to incriminate me, or which the conference committee in fixing the might disclose any circumstance or sixty-mile exception named in the source from which any possible con-

mittee in its deliberations. committee, were not made at the instigation of any person or persons outside of the members of the conference committee, or for the purpose ing questions with reference to the of punishing any person or persons, accurate of his information, to which the standard of the line and the large mind telling us. but were determined upon by the committee in the spirit of justice and fairness to all persons and roads concerned.

Fourth. We further find that Mr. R. W. Simpson's refusal to disclose to your committee any foundation for his said editorial concerning the con- discourse that this committee desired ference committee, on the ground that to gratify that wrath of Mr. Daniels? it might tend to incriminate him and subject him to a criminal prosecu- ject at all. tion, is a subterfuge to which he has

false charge made by him. appearing in the Raleigh Times, of the wrath of Mr. Daniels. Raleigh, were repeated in a signed foundation than the slanderous, un- ing Mr. Daniels' wrath? founded and false publication appearing in the Raleigh Evening Times, all. How far Mr. Daniels' influence and Mr. Bryant stated in substance that he did not intend to make any know." charge against the committee on his Eighth. In the Raleigh Evening own responsibility, but only to give Times of March 5, 1907, there apthe story as rumored around Raleigh peared an editorial retracting the after the publication of the charges charges made against the joint comin the Raleigh Evening Times,

Times were repeated by Rev. Plate herewith quote: Durham, a minister, from his pulpit in Charlotte, N. C., and that he did The Times of yesterday was not satisthis without any investigation as to factory to Judge Winborne and the the truth of the matters charged in conference committee. We promised charges. Mr. Durham stated that of last week, as we learned afterward declined to state who had told him of this paper was conditioned upon utterly false, and if he had been duly Our information was erroneous, and careful and considerate of the characwas that the charges were utterly without in making this acknowledgment, and foundation, and he should have refrained from repeating these false

Seventh. We set out herein below some of the testimony which was given before us, which led us to ar-rive at the conclusion stated above. Among the questions put to Mr. Simpson, under the direction of the mmittee, and to which he was diected and ordered to answer by the committee, were the following, to-gether with his answers thereto:

"Q. The statements in this edito-finl are true? (Counsel referring to ditorial in Raisigh Evening Times.) "A. I decline to answer the ques

mi aro true?

I decline to answer. Are the statements in that editorial true? I decline to answer that,

"A, that I conference committee appointed by man to withhold the name of an informant who has grossly slandered

I decline to answer." At the beginning of the examina tion of Mr. Simpson he filed a writunder oath, all the members of the ton statement, which accompanies this report, setting forth his reasons for refusing to answer the questions the committee with reference to his vens, W. E. Daniel, C. A. Webb, B. F. propounded to him by the committee, or under their direction, the concluding sentence of which is as follows: "I, therefore, under the advice of sel, decline to give testimony mitted and made a part of this report. against myself, or make answer to Second. That we find from the evi-dence that Mr. Josephus Daniels did against me in a criminal prosecution, not in any way, either in person or or which might, directly or indirectly

railroad rate bill, or in any manner nection of myself with the publicahave anything to do with the com- tion might be obtained." With this statement as a shield Third. We further find that the Mr. Simpson declined to state whether provisions contained in the railroad his editorial was true, or who, if any rate bill, as settled by the conference one, had given him any information

Q: Would you mind telling us, Mr. Durham, who that man was that

gave you the fact? "A. I desire to answer no question that will allow you to find out.

"Q. Did you mean to state in this "A. I did not speak upon that sub-

"Q. You say it was put in order resorted to conceal a slanderous and to gratify the wrath of Mr. Daniels? "A. No. sir; I did not. I said by Fifth. We find that the matters butting it is there this man was made

'O. I will ask you, Mr. Durham. article in the Charlotte Observer, do you mean to charge and did you which was written by Mr. H. E. C. mean to charge that this committee Bryant, and was based upon no other did that for the purpose of gratify-

"A. I haven't said such a thing at went with that committee I don't

mittee of the house and senate, which Sixth. We find that the said false is in accord with the findings of your charges made in the Raleigh Evening committee, and which editorial we "We regret that our statement in

called upon to testify before the com- the committee and withdraw the resome person had told him of the mat- our information was without foundaters charged and which reflected upon tion. Judge Winborne's withdrawal the members of the committee, but of his severe criticism of the editor this. We did not find whether or not our acknowledgment of the injustice Mr. Durham was ever told this, but done him and the committee in The we do find that, if he was, it was Times of March 1st and of March 2d. we owe Judge Winborne and his asso ter and reputation of the members of clates on the committee a profound the committee, he would have learned apology, and we take great pleasure we will cheerfully do whatever else is honorable and necessary to repair the wrong we have done. The Times has always endeavored to be fair and truthful in giving the news, and if we have ever done any one an injus tice or a wrong we don't know it Whenever it comes to our knowledge

> done, we gladly make the amende honorable." Above that editorial appeared the following statement:

that any injustice or wrong has been

"The article appearing below is not mine. It was au printed as an editorial, and I most emphatically declined to do so, but the paper insists, and I take this oportunity to say, by way of protest,

that it is not my utterance, that you decline to answer as to decline to apologize, and therefore publish this as my resignation as edifor of The Evening Times, the same taking effect today.

"(Signed) R. W. SIMPSON, JR. "March 5."

Ninth. Mr. Simpson was given a Do you think, Mr. Simpson, full, fair and impartial investigation, is the duty of a newspaper and it is incumbent upon him to make good his charge-if he could-and disclose the name of his informantif any he had; but the result is as we have above declared.

As to what course should be taken with reference to the refusal of Mr. Simpson to answer the questions put to him during the investigation by informant, and his failure to make good his charge, your committee think best not to make any recommendations, but simply leave the mutter to be dealt with by the courts in whatever proceedings may hereafter be instituted.

Respectfully submitted H. D. WILLIAMS, Ch'm'n. M. H. YOUNT, GARLAND E. MIDYETTE.

The Locomotive Was Drawing a Train of Freight Cars Through the Town When the Disaster Occurred-Several People Were Injured and Town Terribly Shaken.

(By the Associated Press.) Metuchen, N. J., March 11.-Three men were killed and a number of others hurt, and Metuchen was shaken and threatened with many fires when the boiler of a locomotive on the Pennsylvania Railroad exploded this morning. The engine was passing through the drawing a line of freight cars when the accident occurred.

DEATH OF EX-SENATOR J. L. PUGH OF ALABAMA.

(By the Associated Press.)

Washington, Mach 11.-After an illness of a little over a week James L. formerly a senator of United States from Alabama, died in his city Saturday night, aged 87 years. Mr. Pugh caught a severe cold, which turned into pneumonia and his condition grew steadily worse until Satursaid publication, and that, when to fully satisfy Judge Winborne and day night when he passed away. He was a native of Burke county, Georgia, mittee, he was unable to justify or flections on them in the issues of The and when four years of age was taken excuse his conduct in making said Times of March 1st and March 2d to Alabama. In 1861 he was elected to the Confederate congress and re-elected in 1863. He was a member of the convention that framed the state constitution for Alabama in 1875, and for 16 years was a member of the senate of the United States, being succeeded in that body in 1897 by Edmund Winston

> A POLITICAL STRIKE IS NOW ON AT ISPAHAN.

(By the Associated Press.) Teheran, March 11 .- As a protes

reginat the extortion and reactionary methods of the son and staff of the governor general of Ispahan, a general strike is in full progress at Ispahan.

INDICTMENT OF YOUNG FAIRBANKS QUASHED.

(By the Associated Press.) Steubenville, Ohio, March 11 .- The indictment against Frederick C. Fair banks, son of the vice president, in conection with his marriage was quashed by Judge Richards today.

Strike of Machinists Settled. (By the Associated Press.) Toledo, Ohio, March 11.—The Pope Motor strike of machinists involving over 1,000 men was settled today.

## SPEAKER OF THE HOUSE SCORES THE SENATE ON TRUST QUEST

# TO PROVE THAT THAW WAS SANE

Jerome Presents Evidence SILVER SERVICE TO in Rebuttal

Frederick Longfellow, One of the Thaw Family's Counsel, Called to the Stand to Identify a Letter Given Him by Evelyn Thaw on Her Arrival From Europe.

(By the Associated Press.)

New York, March 11 .- District Attorney Jerome began the presentation of evidence in rebuttal in the trial of Harry Thaw this morning, His object is to combat the conten- all others at \$3,000, gives the at tion that Thaw was insane at the time he shot and killed Stanford go into effect at once, as well as il White. Since the adjournment Fri-day afternoon the district attorney Judge Winborne introduced a bi and his assistants have worked night and day getting the case together. Their work was carried on all through Sunday, and when night came Jerome said he was ready to

Mrs. William Thaw will be constantly present at the trial until the adopted. verdiet is returned. She has taken

was Frederick W. Longfellow, one of the Thaw family attorneys, who was called by defense some time ago to identify letters which Harry Thaw wrote to him in 1903. Jerome wanted him to identify a letter handed him by Evelyn Thaw upon her arrival from Europe late in 1903. Longfellow met Mrs. Thaw at the ship October 24. Mrs. Thaw on the witness stand said she could not fix the date or the name o fthe steamer. Longfellow said he had acted as Thaws attorney for some years prior

to June 25, 1906. Did you represent this defendant in the suit of Ethel Thomas against Harry Thaw?" asked Jerome.

"My firm handled the case," said Longfellow. "Were the papers served on this

defendant?" asked Jerome. Delmas objected to this question. Justice Fitzgerald sustained the objection.

Longfellow said he thought he could recognize Evelyn Nesbit's handwriting, though he was not very familiar with it.

"Did she ever deliver a paper to you which she had subscribed to?'5 asked Jerome.

"Yes, but you must understand that I am not referring to the paper you handed me."

When the witness said he had da ivered that paper to present counsel in th cas Jerome dmanded that Thaw's lawyers produce it Delmas Gets Warm.

fellow had delivered to counsel no paper in any way similar to the documents submitted to the witness by the district attornsy.

"I prefer to take the statement the witness," said Jerome." "H is in 200 feet of a church or school. He undr oath."

emark." said Delmas. any such paper to us."

The Story of Ethel Thomas. In arguing on his objection, Delmas reading by a division rote. quoted rom Jerome's statement when Mr. Morton explained that the or

"Now you do object," snapped Je-rome, "I am not trying to show that Ethel Thomas' accusations were true."
That would be a collateral fact. Any way, this room will be a collateral fact. The county way, this room will be a collateral fact.

way, this poor girl is dead."

Delmas objected to reference to

(Continued on Page Seven.)

Threatens to Read Out State Convent

MR. SPEAKER JUSTIC

Presentation Speech Made by Ger eral Royster-Handsome Gifts Doorkeeper Lisk, Rending Clerk Arendell, Chief Laborer Linebett and Others.

The house met at 10 o'clock, Speaker Justice presiding. Dr. Gordon, chairman of the co mittee on conference with the on the salaries of state officers. ported an agreement on the which was adopted. This fixes so ries of insurance commissioner, tr urer and secretary of state at \$3.50 ney general an assistant at \$1,500.

giving all the judges \$3,500; pla them on equality with other sta

officers. Dr. Gordon called attention to th fact that this senate amendment we cut out by the conference committee and the report to this effect had be

Judge Winborne said it wa Mejuchen'is Shaken and Mengreater assumption of authority than that they should be paid less the flas shown before.

The First Witness.

The First Witness.

The First Witness called by Jerome get \$3,500 and plenty of high-pr clerks, while a judge who has to rid all over the state to hold courts ; is supposed to have spent his iif in becoming equipped for the pe tion, only gets \$3,000, with an allow-

ance of \$250 for traveling expe Other speeches favoring the bill were made by Messrs, Laughing of Pitt, Carter of Forsyth, Dowd Mecklenburg.

an outrage to the old Confederate soldiers to be continually increasing salaries, when their pensions had not been increased ten cents a day. Il the state had plenty of money, he should favor increasing salaries o judges.

Major Neal of Halifax said the Confederate soldiers' camps had only asked for an increase of \$100,000 and the legislature had appropriat \$125,000. The old soldiers wanted the judges paid salaries commensurate with their dignity and labors. Mr. Laughinghouse moved to

amend by providing that judges of the supreme court be paid \$4,000. Lost. The bill then passed its several readings and was ordered sent to the senate.

be immediately available. Liquor Bill. Senate bill to repeal an act, for merly ratified, prohibiting the sale of liquor in 200 feet of a school house

The bill provides that the increase

or church, as it applies to the counties of New Hanover, Pitt, Beaufort, Delmas hotly retorted that Long- Washington and Martin counties, came up for consideration. Mr. Dowd said it seemed to him that saloons in Wilmington and other cities of the state could find pi of room to sell liquor elsewhere than

thought the law should apply to the "That is an unnecessarily insulting whole state. Mr. Blount of Washington protest-

"You will find out by interrogating ed against having Washington exthe witness that he did not deliver cused from the law, and sent an amendment to that effect. The bill then passed its second

Evelyn Thaw was on the stand that her testimony was permissible only as sideration was to continue the old

showing the state of Thaw's minu, and that he would not be allowed to contradict it. Delmas said: "We tion of the county commissioners only told him we would have no objection in the counties named.

A motion to table the bill was lost.

Amendment of Mr. Blount striking