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SENATE FIXES A NEW DATE FOR PRO. ELECTION

The 26th Day of May is the Time Now Settled on for the Voting.

COMMISSION TO DIGEST S. C. DECISIONS DEFEATED

Bill Concerning Railroad Mergers and Combinations of Competing Lines, Referred to Committee on Railroads and Will be Taken Up This Evening—Bills Affecting Wills of Married Women and Legalizing Marriages in Certain Cases Passed. Many Local Bills Enacted—Notes and Incidents of Today's Proceedings in the State Senate.

Nearly all the senators were in the senate chamber today a half hour before the hour of meeting and the general subject of conversation with them was the passage of the senate railway rate bill late last night (as amended by Mr. Buxton, inserting the corporation commission feature, whereby that body is given jurisdiction in the hearing and settlement of railway rate and hundred matters arising on or after January 10, 1909) and it was a noteworthy fact that they were almost unanimously highly pleased with the action of the senate.

It appears to be evident that a large majority of the senate intend to stand by the position taken, and if the house attempts to again force the senate to recede from the main points of its bill (as at the last session) there is going to be a hard fight in the conference committee within the next few days.

When the state election on prohibition bill came up in the senate today from the house (as amended by the house), it was amended on motion of Mr. Long, so as to change again the date for holding the election.

The date now fixed is the twenty-sixth (26) day of May, 1908, to take effect January 1, 1909. An amendment was also made, by which there is no limitation fixed on the amount of elder that a person may make and sell out of fruit grown on his own premises.

The statement was made that both these amendments would be acceptable to the house, and the bill was then returned to the house for concurrence in those amendments. One of the reasons given for changing the date of election was the matter of payment of poll-tax, thus giving more opportune time for some voters qualifying themselves in time for this election.

lengthy discussion followed. The amendment of Senator Webb was lost. The bill was then put upon its second reading and defeated, by the vote of 13 to 33. The railroad merger bill came up from the house and was referred to committee on railroad. It will be considered by the committee this evening.

Special Wake County School Tax. Among the bills which became the law and were ratified at noon today was Senator Drewry's bill empowering the school committee of Raleigh township, Wake county, to levy a special tax and authorizing the county commissioners of Wake county to collect the same, etc.

Anti-Trust Bill Tabled. Just before the senate adjourned for the day (till eleven o'clock tomorrow) the Reid bill was taken up, "denouncing conduct in North Carolina which interferes with trade and commerce" (the same "anti-trust bill" which he introduced one year ago and which was defeated).

After a brief statement by Senator Reid, Messrs. Graham and Dawes moved to lay the bill on the table. Carried. Vote: 22 to 15. Mr. Graham stated that the tobacco farmers of his section had particularly requested him that this matter be not further agitated. That they feared it would effect badly the prices of tobacco, which are now very satisfactory to them.

Mr. Graham added that, aside from the important fact that the tobacco growers of North Carolina were not (Continued on Page Two)

MR. JUSTICE ON RATE QUESTION

Makes Speech on Question of State's Rights

MR. DOUGLASS A STAR

Wake's Representative Preaches the Funeral of Many Members and Receives Ovation—His Retort to Mr. Manning—Mr. Justice Would Favor Weaver Bill With Certain Amendments—Richmond Representative Other Speaker.

The two most interesting things in the house today were the two speeches on the rate bills by Messrs. Douglass and Justice. Mr. Douglass, in the course of his debate for the Weaver bill, declared that the seats of many members in the house would be vacated next year on account of the passage of the 2 1/2 cent rate. Mr. Douglass was easily the star of all the actors who so far have been on the floor and he won a deal of applause.

Mr. Justice favored the Weaver bill, with certain amendments, his opposition to the compromise being based on the principle of state's rights. He spoke for over an hour, was interrupted frequently, and concluded his debate at 1:35, when the house adjourned until 3 o'clock.

At exactly 10 o'clock this morning the house was opened by prayer by Dr. W. C. Tyree, pastor of the First Baptist church. No sooner had the house been opened than Mr. Cowles, of Wilkes, asked unanimous consent to introduce a resolution calling on the governor for correspondence, etc., relating to the compromise with the railroads. He did not get unanimous consent.

Mr. Harris introduced a resolution as to the pages, allowing them actual railway fare to and from their homes. It was passed. Mr. Cowles offered a resolution that the \$17,500 be not accepted. It was tabled. Mr. Gordon introduced a resolution that the laws of the present session be put in a separate volume. It carried. The calendar committee reported unfavorably on the proposition to repeal the passenger rate law. Special Order—Weaver Bill. Mr. Preston for the committee gave an outline of the reasons of the committee for accepting this bill. Of the three bills up, which do we want to pass? He took up Mr. Manning's bill—the stand-pat measure—and in regard to this he denied there was any question of eating crow. He was frank to say that the legislature last spring would (Continued on Page Seven.)

BANKS THAT CANNOT OPEN

New Amsterdam and Mechanics and Traders Bank.

CONFIDENCE IS NEEDED

The Morse-Thomas Interest in Them the Cause of the Lack of Confidence—One a State and the Other a National Institution—Both Banks Are Declared Solvent—Depositors to Be Paid in Full.

(By Leased Wire to The Times.) New York, Jan. 30.—Unable to remain confident of depositors because of the association of the Morse-Thomas interests in them, the New Amsterdam National Bank, at Broadway and 59th street, and the Mechanics & Traders Bank, a state institution at 56 Broadway, which had ten branches in Brooklyn, did not open their doors today. Both banks, it is declared positively by the directors, are solvent and not only will all depositors be paid out of assets, but there will be a substantial dividend for stockholders.

Comptroller of the Currency Ridgely is in possession of the New Amsterdam Bank and Charles A. Hanna, a national bank examiner, is in charge of the other. The closing of the Bank of North America, another Morse institution, was the direct cause of the Amsterdam's closing. Depositors ever since last Thursday have been quietly withdrawing funds and out of town banks which were warned by correspondents have reduced their balances. The bank was closed to prevent a run and to give all depositors an equal chance. F. W. Kinsman, Jr., president of the bank, issued this statement: "The bank had recovered fully from the effects of the panic and had retired its clearing house certificates from \$1,750,000 down to \$300,000, and the bank was on an upward and successful money movement.

"No loss will be sustained by the depositors and stockholders will receive a substantial dividend. (Signed) F. W. KINSMAN, JR." The assets amount to \$4,482,016.20. The individual depositors are \$2,055,272.40. The closing of the bank is a severe blow to many theatrical firms, managers of theatres, actors, actresses, hotels and restaurant owners, gamblers, bookmakers and the sporting element in the Tenderloin. Owing to its location at 29th street and Broadway the bank was heavily patronized by many of the most important concertina in the Tenderloin, including many chorus girls. The Mechanics and Traders closed because of the demand of the clearing house that it settle for \$1,900,000 certificates still outstanding. The bank has ample collateral, but it is unable to get cash at this time. Against the \$1,900,000 certificates the clearing house holds, according to the directors, \$6,000,000 of approved collateral. The directors also declare the bank is solvent and that its closing is due only to the fact that they desired to avoid preferential payments. The Thomas interests were in control of the bank previous to the October burglary and had accommodated F. A. Heinz for a large amount.

N. Y. DOG QUAD DOING BUSINESS

(By Leased Wire to The Times.) New York, Jan. 30.—Max, one of the canine cops, "made good" last night. About 11 o'clock Captain Funston heard a patter of feet on the front stoop and a pawing at the door. He opened it, and in rushed Max. The dog barked loudly and pulled at the captain's coat. Captain Funston and three patrolmen fell in behind and followed the dog out into the night. He led them to a vacant lot at Thirty-seventh street and Thirteenth avenue. There they found an intoxicated man. The mercury was just above the zero mark, and he was in danger of freezing to death. He was locked up and the arrest was credited to Max.

Sugar Market Steady. (By Leased Wire to The Times.) New York, Jan. 30.—The domestic refined sugar market is steady and unchanged. Local raw sugar market is steady. London beet sugar market steady.

TROOPS TO THE PACIFIC COAST

Infantry, Artillery and Cavalry To Be Ordered There

SIGNIFICANCE OF ORDER AGAINST ROOSEVELT

Will Arrive There at Same Time as Evans' Fleet of Warships—The Fifth Artillery at Fort Russell Will Go to Seattle—Railroads to Submit Bids to Move the Troops.

(By Leased Wire to The Times.) Omaha, Neb., Jan. 30.—Added significance to the theory that the sending of the battleship fleet to the Pacific may be for possible protection has been given by the fact looking out here that plans for the mobilization of troops on the Pacific coast this winter are being made. The information comes through an employe of the Burlington Railroad who states that the Burlington and Union Pacific roads have been requested to submit bids for the removal of infantry, artillery and cavalry corps from western points to the coast.

Troops will be sent from Fort Crook, Fort Leavenworth and Fort Russell, Wyo., to Seattle and San Francisco about April 1, according to advices received by the railroad officials. The fifth artillery, at Fort Russell will go to Seattle while many companies will be sent from Fort Leavenworth to the Presidio. The army troops will reach the Pacific coast at the same time the fleet under Admiral Evans is due there.

BIG SCARE AND BOLD BURGLAR IN STATESVILLE

(Special to The Times.) Statesville, N. C., Jan. 30.—Between midnight and day this morning burglars entered the homes of Messrs. W. H. Anison and J. K. Morrison and Dr. Carimott, all in East Statesville.

At Mr. Allison's a ladies' gold watch and purse containing a two dollar bill and two half dollars was taken, and at Dr. Mott's a double-barrel sixteen-gauge Parker gun was taken.

Officers have been unable to get any clue as to the guilty parties. The burglars were very bold. About 2:30 o'clock Mr. Morrison was awakened by some one walking about in the room. He called to know who it was and a man dashed from the room into the hall and out of a window of the parlor. Mr. Morrison aroused other members of the family and made a thorough investigation of the premises. Nothing was being missing from the house.

About 3 o'clock Messrs. Bell Mott and Florence Cowles, who were sleeping in a rear room at Dr. Mott's were awakened by some one putting their hand on the bed. The young ladies were of course badly frightened and did not move. They saw a man go from their room into an adjoining room with a flash light lantern and finally heard him leave the house by the front door. As he left the house he was asked by a man of the outside if he did any good. The ladies were so badly frightened that they did not arouse Dr. Mott, who was in a front room, until daylight. Then it was found that the front and back doors and a kitchen window were open. The gun was taken from the hall, which was all that was missed.

Mr. Allison did not know that his home had been entered until this morning. He found that his clothes had been taken from his room to the hall and that his purses were taken from the pants pockets and a gold watch was taken from his vest pocket. A thorough search of the premises was made but no trace of the burglar could be found. How he got in and out of the house is a mystery. Police headquarters were notified of the burglaries early this morning and they have been at work on the case since. So far there is no clue of the guilty parties.

SE'Y TAFT CAN'T CARRY THE SOUTH

Says Washington Post this Morning

REDUCING THEIR RISKS

(By Leased Wire to The Times.) New York, Jan. 30.—With the hope that the city authorities will be forced to reorganize and equip the fire department properly, and to protect their stockholders, prominent insurance companies are reducing their risks in the district between Chambers and Fourteenth streets by tens of millions of dollars. Most of them are refusing to accept new risks in this district.

Merchants have pleaded for permission to increase the amounts of their insurance, and some have engaged brokers to plead for them, but in nearly every insurance office the answer is: "We fear a conflagration that will cripple us." This is most emphatically denied by several southern republicans of prominence who have been interviewed. One of them, former Congressman Dudley Coleman, of Louisiana, whose knowledge of politics in the gulf states is particularly thorough, makes the startling statement that the rank and file of the old republicans, especially in the gulf states, both white and colored, are bitterly opposed to the administration. In support of this assertion this gentleman furnishes the Post the following statement revealing a surprising state of affairs in some of the southern states. The Post has taken pains also to verify, by former United States Senator William Pitt Kellogg, of Louisiana, the substantial facts contained herein.

It is alleged that the administration has abandoned all pretense of recognizing colored voters in the south; that the ill white movement has been supported and certain ill white leaders have been enabled to conduct their business operations with great success on account of the political advantages granted to them by the administration. One of the business enterprises that has flourished under the new regime is the lumber trust of Louisiana and Mississippi, which is now under legal fire in the latter state. The mysterious selection of Pearl Wight, of Louisiana, as commissioner of internal revenue and his equally mysterious failure to take the office, are discussed by the above mentioned congressman.

"The acts and political attitude of the administration has alienated the solid old republican vote, white and colored, and there is now only a remnant of the party left in some states," said Mr. Coleman. "The republican party in the gulf states especially is demoralized. With the exception of a few federal officeholders there is no support for the administration. The reason for this is that the administration has done everything it could, apparently, to break down the loyalty of southern republicans. If the administration had been bent upon the destruction of the party it could not have wrought greater havoc."

DOWN TO ZERO OUT IN CHICAGO

(By Leased Wire to The Times.) Chicago, Ill., Jan. 30.—Yesterday brought the coldest weather of the season to Chicago. The lowest point reached in the city was at 8:30 a. m. when the government thermometer registered two-tenths of a degree above zero. In the suburbs lower temperatures were reported.

Superior, Wis., was the coldest point on the weather map yesterday, thermometers there registering 32 below zero.

ADAM WAS THE FIRST HOBO

(By Leased Wire to The Times.) Chicago, Jan. 30.—Adam was the first hobo. Dr. Benjamin Reitman, self-styled "King of Tramps" is the authority for the above statement. The assertion was made by the "bum" lecturer to an audience of women in Handel Hall. The address was under the auspices of the Henry George Association.

"Adam got the wanderlust," said the hobo leader, "hit the first 'rat-ter' and left the Garden of Eden. But I forgot. They did not have railroads in those days. Anyhow Adam was a tramp." The doctor announced he often has earned money dishonestly by practicing medicine. The following three concessions, he said, would settle the tramp question: Pay tramp prisoners 50 cents a day when in jail. Have a government work-colony for hobos. Fine the railroads \$100 every time a tramp rides on a train. "Tramps who won't work are insane," he concluded, "and should always be released on such a plea as 'stuporous lassitude' or 'paranoia.'"

JEROME FACES THE THAW JURY

He Made Impassioned Appeal For Justice.

DECLARES THAW SANE

When He Shot Stanford White, and Demands That He Suffer the Death Penalty the Same as Would an Ordinary Humble Citizen of Less Wealth at Their Command—Evelyn Exhibited No Emotion Whatever.

(By Leased Wire to The Times.) New York, Jan. 30.—District Attorney Jerome began an impassioned appeal for what he termed justice, the sending of Harry Thaw to the electric chair, when Justice Dowling took his seat at the famous trial today, the last but one of the young millionaire's second ordeal. In his usual hammer and tonge direct style the prosecutor started the summing up and review of the evidence, asserting that the defendant was rational and sane when he shot Stanford White and demanding that he suffer the death penalty even as slayers of more humble position and less wealth at their command.

Mr. Jerome, however, failed to shake the confidence of the members of the Thaw family that Harry will be free tomorrow. Mrs. William Thaw, the mother, who wept when Mr. Littleton drew his eloquent picture of her sacrifice for her son, sat unmoved under the bitter review of the district attorney.

Evelyn Nesbit Thaw exhibited no emotion whatever. Once she smiled at her husband. Harry himself was impassive and did not flicker an eye lash as the district attorney painted him a cold-blooded murderer. Mrs. George Lauder Carnegie, the sister, also showed satisfaction at the inability of the prosecutor to erase the impression left by Littleton on the jury.

Justice Dowling is expected to charge the jury late today or tomorrow morning. The case should be in its hands not later than noon tomorrow, and Harry Thaw may know his fate before sundown. It is considered significant about the criminal courts building that his fate should be in the hands of the jury on Friday, the unlucky day.

In a powerful plea in behalf of the defense, Martin W. Littleton, the prisoner's chief of counsel, insisted that there could be no middle ground for the jury and argued it was plainly shown that Thaw was insane when he killed Stanford White. "I feel that Harry's liberty is now assured," said Evelyn Nesbit Thaw as she came into the court this morning. Mr. Littleton's talk was very forcible. He presented all the facts clearly and without color and it seemed to me he took good care of Abe Hummel. It seems to me," she added with a smile, "that the only thing left for Jerome is to talk about my eton collar."

Great Crowds in Attendance. New York, Jan. 30.—There was a great crowd at the door of Judge Dowling's court long before the hour for opening and the police had their hands full to prevent a panic. In the Thaw row were seated Evelyn Nesbit Thaw and Josiah Thaw. The defendant's mother and sister, Mrs. George Lauder Carnegie remained away from the court building.

Josiah Thaw was among the early comers and sat alone for some time until Mrs. Evelyn Thaw came in and sat beside him. He greeted her with a chilly "good morning" and at once turned his attention to the jury and Mr. Jerome, whom he watched intently. Young Mrs. Thaw chatted continually with Dr. Smith Ely Jelliffe, the alienist. She seemed in good spirits and gave no indication of worry over the verbal castigation it was expected that Jerome would give her.

As the morning grew the crowd in and about the court building increased in thousands. All were eager to get into the trial chamber, but very few succeeded in getting through the police lines.

Jerome Begins Summing Up. Jerome after complimenting the members of the jury because of the attention they had given the case, began his summing up as follows: "If I have lacked in the courtesy that every counsel should have, it is because of the many outside matters that I have had on hand during the long days of the three weeks' trial. "Any sneers that may have been made are not evidence and lack of deferential courtesy to the woman in the case. It makes no difference if my character is not demanding respect. Neither she nor I is being tried here. Harry Thaw is the defendant. His defense is that he was insane—not that he was insane at all times but only at one time—the night of the shooting. "The question therefore is, was he (Continued on Page Two.)"

Littleton Made Able Address. As Fine as Ever Heard At the New York Bar. BUT NO PYROTECHNICS. His Address Was to the Heads of the Jury, Instead of Their Hearts. Not a Coat of Whitewash for Evelyn, But a Layer of Gold Plating. Littleton's Speech Was a Fine Repression.

(By DOROTHY DIX.) New York, Jan. 30.—The speech of Martin W. Littleton was probably as masterly a summing up of a case as any bar has ever heard. There were no pyrotechnics about it, no hysteria, scarcely an appeal to the emotions. It was just a clear, concise, connected review of the evidence that had been adduced to show that Harry Thaw was a weakling from his birth, mentally incompetent, and irresponsible for his acts to either the law of God or man. Patient and carefully as a skillful craftsman may, Mr. Littleton welded together the testimony that has been brought from the four corners of the earth and he made of it an almost impenetrable mass. There was something strong in the simple way in which he put oratory or eloquence to one side and addressed his argument to the heads of the jury instead of to their hearts. Only once, and that was the weak point in the speech, did he break through this rule and that was where he administered not only a coat of whitewash to Evelyn Thaw, but a lawyer probably warranted this. A jury that was going to take the damning Hummel affidavit into their deliberations needed something strong and warm to offset it. For the rest, however, Littleton's speech was what actors call fine repression. Almost five solid hours he stood up before the jury, and with the endless thud of a steam trip hammer, pounded them with the fact that Harry Thaw was crazy—crazy—crazy; that he was born crazy; that he had been a crazy child; a crazy youth; a crazy man. Everything began with the assertion and ended with it. Every bit of evidence led up to it. And the refrain of it all was that if the district attorney did not know that Thaw was crazy why had he not summoned witnesses from Pittsburgh or found them here in New York who would testify to the prisoner's sanity? This constant intimation that Thaw had always been crazy was enormous-ly effective. It was like the chorus of a Greek tragedy, always crying out woe. It obsessed your imagination until you almost looked to see the jury raise opinion and wage their acquiescence in the opinion that Thaw was crazy as the children do when Maud Adams asks them if they won't please believe in fairies.