

Washington, D. C., Jan. 7.—Forecast for North Carolina for tonight and Friday: Probably threatening weather tonight and Friday; colder.

ESTABLISHED 1876.

RALEIGH, N. C., THURSDAY, JANUARY 7, 1909.

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PROCEEDINGS IN THE SENATE INTERESTING

Question as to Reading of Message Discussed by Manning and Doughton

RESOLUTION AS TO "REST AND PEACE"

Senate Engages in a Warm Discussion Over the Reading of the Governor's Message—Manning Favored Allowing the Governor to Read the Message and Pharr Opposed—Senator Elliott Introduced a "Rest and Peace" Measure, Providing for Adjournment in Four Weeks—Trustees of the State University Named.

Senate met at 11 o'clock. Senator Manning offered the report of the committee appointed to wait upon the governor, informing him that the senate was ready for his message.

A bill was introduced by Senator Manning providing that the University be allowed to comply with the requirements of the Carnegie fund.

An act amending jury law in Pitt county was introduced by Senator Blow. Judiciary.

Senator Elliott then introduced what he called a "Rest and Peace" resolution, asking that there be but little legislative reform and that senate adjourn four weeks from today, or might soon after.

Senator Manning then introduced resolution as to election of corporation directors. Judiciary.

Resolution providing for inauguration day exercises passed its second reading. It was then read for the third time and passed.

Act to amend Sec. 1645, Revised, referred to judiciary committee, introduced by Senator Scott.

Secretary Arrington presented a message from the governor asking that he be allowed to read his message at 11:30 to the legislature in joint session.

Senator Manning then introduced resolution asking that the senate acquiesce in the governor's request.

An act relating to justices of peace in Wayne county, by Senator from Wayne. Judiciary.

Senator Manning introduced an act relating to dissolution of a corporation. Judiciary.

A warm debate on the question of allowing the governor to read his message. Senator Pharr, of Mecklenburg, objected to it on the ground that the three branches of the government—legislative, judicial and executive—should be kept separate. Senator Manning took the other side, making an earnest plea for allowing the governor to read his message.

Senator Pharr introduced an amendment to the resolution a provision that the senate be not understood as establishing a precedent. Resolution was lost by a vote of 25 to 20.

Committee on trustees of the State University was named as follows: Means, chairman; Dockery, Dawes, Klutz, Lockhart, Pharr, Manning, Spence, Starbuck, and Nimock.

Other senate committees were named.

A short recess was then taken, after which the clerk read a message from the house concurring in senate resolution No. 8, and the house awaited the coming of the senate.

S. B. 3. Bill to be entitled an act to revise the jury law in Pitt county was called and passed second and third reading. Sent to house without engrossment.

A messenger was sent to ascertain when the house would be ready to receive the senate. At 12:20 it was announced that the house was ready and the senate formed in line, two by two, and marched into the hall of the house of representatives.

After the hearing of the governor's message the senate met again at 1:30. A messenger from the house was announced, bringing house bill 8, an act to pay J. A. Lisk for two days' services as door-keeper.

On motion of Senator Long, the senate adjourned to meet tomorrow morning at 11 o'clock.

The senate met again yesterday afternoon at 3 o'clock. A messenger from the house was announced bringing the information that the house had perfected its organization and ready to receive any message the senate wished to send it.

A joint resolution was announced in which a committee was named which should act with a similar committee from the senate to wait upon the governor and inform him that the legislature is organized and ready

to receive a message from him. As members of the senate committee, Senators Manning, Klutz and Britt were named.

Senator Manning then introduced the following resolution:

Resolved by the senate:

1. That the senate and house of representatives meet in joint session in the hall of the house of representatives at noon on Tuesday, January 12, 1909, and there proceed to open and publish the returns for Governor, lieutenant governor, secretary of state, and treasurer, and other state officers.

2. That the persons so ascertained to be elected shall be inducted into office on Tuesday, January 12, 1909, at 1 o'clock.

3. That the joint committee of three on part of senate and five on part of the house shall be appointed, whose duty it shall be to provide suitable arrangements and regulations for the inauguration and report the expenditures incurred by the committee.

MOVING PICTURE TRUST

Fifteen Million Dollar Trust Formed

Seven Leading Moving Picture Makers Combine and Form Gigantic Trust to Control of Films and Machines—Attitude of the New Trust.

(By Leased Wire to The Times.)

New York, Jan. 7.—The moving picture trust is the latest.

It was learned today that the seven leading moving picture machine manufacturers, including the Edison, the Paur, the Lubin, the Vitagraph and the Biograph Companies, have combined into one huge corporation. The new concern will henceforth control the moving picture business of the country.

The new combination includes the film-makers and that part of the business is now held hard and fast within the hands of 100 specially appointed selling agents. This makes it possible, according to one of the prominent members of the trust, to prevent the placing of any series of pictures before the public until approved by the combination.

The attitude of the new trust was fully explained today by S. Lubin, one of the largest stockholders and head of the Lubin moving picture manufacturing concern of Philadelphia.

"We have bought up all the patents," he said, "and will control absolutely the making and output of machines. We will not sell a machine to an exhibitor who does not first prove to our satisfaction the absolute fire-proof character of his place of exhibition."

"The merger also controls the latest and one of the greatest inventions yet made in the moving picture business. This is a film made of a composition that will not burn, instead of celluloid."

FRAUD ORDER AGAINST RASCAL

(By Leased Wire to The Times.)

Washington, Jan. 7.—The postoffice department has issued a fraud order against C. K. Con Neda, manager of the Pacific Apron Company, of Portland, Ore., for exploiting through the mails a scheme to defraud women of fees of \$1 each by falsely pretending to furnish them with employment at home in the manufacture of aprons.

A fraud order has also been issued against L. F. Nell, doing business under the name of the Industrial Securities Company, at Denver, Col., for making fraudulent offers to dispose of patents and charging fees of \$13.75 for worthless literatures.

MRS. ERB GAINS HER FREEDOM THROUGH JURY

Not Guilty of the Charges of Murder is the Verdict

THE WOMAN SOBBED FOR SUFFERING

Tears Stood in the Eyes of Most of the Jurymen As Mrs. Erb and Her Sister Thanked Each One of Them For the Verdict—A Pathetic Scene and Women Wept as They Looked On—Verdict Received Without Any Demonstration From the Small Crowd in the Court-Room.

(By Leased Wire to The Times.)

Media, Pa., Jan. 7.—The jury in the Erb murder trial at 10:25 this morning, through Foreman Dickinson, announced that they found the defendants not guilty.

There was a second's pause, a dead silence, then with a half scream, the sisters fell into each other's arms. In an instant they were surrounded by friends, their attorneys, and overwhelmed with congratulations.

The verdict was received without demonstration by the small crowd in the court room, though there was a great scuffling to get out and be the first to tell the news on the street. The jury was not polled, and after Judge Johnson had thanked them Mrs. Erb hurried from her seat to Dickinson, the foreman, and wrung his hand. Mrs. Beisel did likewise and they went down the line of the 12 men. Tears stood in the eyes of most of them and the thanks of the women were sobbed out in broken syllables.

Everybody in the court-room was on his or her feet and women wept as they looked at the pathetic scene.

"I was innocent and knew I would be acquitted," said Mrs. Erb, after the jury had gone.

"I was only fearful for my sister. I did not know what they might do to her for doing what she did to save my life."

Mrs. Beisel said:

"I thank God it is all over. No; I have not been confident of acquittal, for you never know what 12 men will do. I was sure of my sister's freedom, but not of my own, although I knew I was innocent of any crime."

Mr. Fronfield, counsel for the defense, said:

"Of course we are satisfied. We were a little bit worried when the jury stayed out all night, but I felt that acquittal must come."

District Attorney McDade said:

"We have prosecuted the case honestly and fearlessly and fulfilled our duty to the commonwealth."

WANTS ABSOLUTE DIVORCE.

Mrs. Roberts Charges Her Husband With Cruelty.

(By Leased Wire to The Times.)

Atlanta, Ga., Jan. 7.—Charging that she discovered a compromising letter and that when he found it out, knocked her down, Mrs. Charles M. Roberts has filed suit for absolute divorce and for the custody of her child. Roberts is alderman from the aristocratic eighth ward and Atlanta's mayor pro tem. Mrs. Roberts declares that on various occasions her husband treated her brutally. Five months after their marriage she says he tore her clothes and struck her, and that he repeatedly attacked her afterward. While in a hotel in Los Angeles, she asserts he struck and choked her and caused her and her daughter "grievous embarrassment" at Chick Springs, S. C., when, after beating her he locked her in a room.

Roberts was one of the leaders in the recent purity campaign successfully waged by Robert F. Maddox against James G. Woodward for the mayoralty.

Russian Loan Issued.

(By Cable to The Times.)

St. Petersburg, Jan. 7.—The Russian loan of \$235,000,000 authorized by the Douma will be issued here and in Paris simultaneously on the 23rd instant. The rate of interest upon the bonds will be 4 1/2 per cent and the price will be about 89 or 90.

THE AMERICAN RELIEF SHIPS START SOUTH

to Southern Italy With Food and Raiment

THE WOMAN SOBBED FOR SUFFERING

The American Relief Armada, Planned by Lloyd Griscom, the Ambassador from the United States, Started South Today to Carry Food and Raiment to Earthquake and Tidal Wave Sufferers in Sicily—Red Cross Physicians and Nurses to Care for the Wounded.

(By Cable to The Times.)

Rome, Jan. 7.—The American relief armada, planned by Lloyd Griscom, the ambassador from the United States, started south today to bring food and raiment to the sufferers in the earthquake and tidal wave zones.

Red Cross nurses and physicians to care for the wounded, willing volunteers to assist in the rescues and hard headed captains of mercy made up the personnel and the stores on the ships were composed of clothing, food-stuffs and medicines.

Mr. Griscom today has received nearly half a million dollars which is being applied as rapidly as received for the relief of the suffering. A new committee has been formulated to assist Mrs. Griscom, wife of the ambassador. Among its members are Mrs. Francis Marion Crawford and Mrs. Winthrop Chanler.

"The office of the committee," said Mr. Griscom, "is to raise money and to induce our compatriots to contribute generously. I shall be aboard the Bayern and if my business permits I shall be going to Massina on Saturday, hoping to welcome the squadron from the American battleship fleet.

The fleet of mercy is made up of the ships of various nationalities chartered for the expedition. The Bayern will be the flagship and carries 100,000 lbs in cash and \$500,000 of tobacco. The expedition will continue fourteen days and will cost nearly \$100,000.

The chamber of deputies will be in session tomorrow when a resolution will be advanced, asking that an appropriation of thirty million lbs for relief work be made. The greater portion of this sum will be used in reconstructing government buildings which were destroyed.

An increase of 25 per cent in direct taxes will also be proposed either tomorrow or Saturday.

Official List of Dead.

The following is the official mortality report of the dead in fifty devastated Italian cities and towns, not including the wounded quake victims in hospitals who may die from their injuries: Messina, 108,000; Reggio, 31,000; Palmi, 4,500; Miloto, 2,300; Bagnara, 800; Villa San Giovanni, 3,700; Pallaro, 3,300; Scylla, 2,800; Gallico, 800; Cannitello, 950; Gazi, 248; Bova, 380; Villa San Giuseppe, 520; Torre Di Faro, 300; Pellegrino, 310; Salano, 280; Seminara, 300; Contessa, 167; Sambatello, 250; Santa Teresa, 300; Novara, Santa Lucia and Nizza, 800; Castroreale, 80; Canneto, 200; Zianfrillina Vesola, Cumia, Cremoniti, Mumisio, Giardina, Tripodo, Mill and San Michele Bordonaro, 650; Cerimitta, 330; San Procopio, 105; Pistorino, Tremestieri, Gualberi and Spadafora, 611; Callina, Lazzaro, Caloma and Rosali, 575; San Roberto, 200; Podogonni, Salice and San Gregorio, 200; Montella, Ionico, Motta, San Giovanni and Mellina, 270; Scrozzina and Solano, 74 Total, 164,850.

EPIDEMIC OF FIRES.

One Hundred Alarms in Chicago Yesterday—Big Damage.

(By Leased Wire to The Times.)

Chicago, Jan. 7.—Besides breaking a record for cold which has stood through three winters, the zero weather prevailing has been responsible for a record-breaking number of fire alarms. For the twenty-four hours ended at 3 o'clock this morning over 100 alarms of fire were turned in.

Many of the fires are thought to have been of incendiary origin and a general alarm has been sent out by the police for the arrest of the incendiary or incendiaries.

While many of the fires were trivial affairs, the losses for the twenty-four hours will aggregate over \$1,000,000.

London Bar Silver.

(By Cable to The Times.)

London, Jan. 7.—Bar silver, firm at 23 1/2-64; advance, 7 1/2-64.

THE HOUSE HAS BUSY SESSION THIS MORNING

Also Has Warm Discussion as to the Reading of the Message

COMMITTEES NAMED

Resolution Allowing the Governor to Read His Own Message Warmly Discussed in the House—Mr. Morton, of New Hanover, Opposed the Resolution, and Mr. Doughton Favored It—Mr. Stubbs, of Martin Also Opposes—Report From State Treasurer As to Salaries Paid State Officials.

The second day's session of the North Carolina legislature was called to order this morning at 10 o'clock by Speaker Graham, who presented Rev. W. C. Tyre, of the First Baptist church, who asked divine guidance on the deliberations of the body for the day and the future.

The sergeant-at-arms announced committee from the senate which the speaker asked to come forward.

The proceedings of yesterday were read by Journal Clerk Lassiter and after minor corrections were approved.

The sergeant-at-arms announced a messenger from the governor, who approached the speaker.

The speaker announced the following communications and memorials:

Communication from senate announcing its readiness.

The papers in the contest election case from Dare county.

Mr. Doughton presented the report of the committee to wait on the governor, in the shape of a resolution inviting the governor to read his message at 11:30 a. m. On the presentation of which Morton, of New Hanover, disclaiming any disrespect to his excellency, said from his point of view it was contrary to the constitution, and defined the difference between the words transmit to and appear before this body. Mr. Morton argued further that the allowing of the governor to read was an opening of the way for other things, and an encroachment upon the rights of the legislature, which, he said, had already, in the last session, in the presentation and the passage of a bill drawn by the governor and introduced by no member of the house.

In closing he said he would put this protest in the journal if the house saw it differently from what he saw it.

Mr. Doughton took issue with Mr. Morton, who said the message was here in writing, and that fulfilled the constitutional provision, and he saw no violation if the governor came and read the message. Mr. Morton interrupted and asked if it was lawful for any one to read from the desk, save a sworn clerk? Mr. Doughton warmed up, taking the ground that the governor had made good and he did not want him refused the privilege of appearing. Messrs. Turlington and Harshaw said they opposed such a course last year, but they would vote for the report. Mr. Morton still contended for his point and said further that if session would adjourn while the reading was done he would withdraw the objection. Mr. Harshaw moved that Mr. Morton be allowed leave of absence while the reading was done. Mr. Morton retorted that he had the right to retire at will.

Mr. Stubbs of Martin said he disliked to oppose anything coming from the source this resolution did, yet he was against it, and that there was no precedent for it and he disliked the innovation because the law was against it; not that he thought the body lacking in moral stamina to withstand any influence, or that he had anything against the retiring governor, for he was proud of him.

Mr. Currie of Cumberland was in favor of the committee's report, saying the house could not be influenced and the danger came in refusing the floor to a faithful retiring governor.

The clerk read a communication from the governor asking to be allowed the privilege of reading his message.

Mr. Haymore of Surry opposed the resolution briefly. The clerk re-read the resolution, and Mr. Morton asked that it be amended by adding that the body be in recess while it was read. Mr. Doughton raised the point that there could be no joint session

MESSAGE OF GOV. GLENN SENT TO LEGISLATURE

General Assembly Hears Message From Governor Glenn as to Needs of State

GOOD SHOWING MADE IN PAST FOUR YEARS

Governor Advocates Three Constitutional Amendments, Increase in Governor's Salary—Equalization of Taxes, Legalized Primary, a New Administration Building, Putting All Convicts Under Management of State Authorities, Amendment to Criminal Procedure, Aid to Reformatory, Laws to Protect Forests and Bonds for Necessary Public Improvements.

Governor Glenn today sent to the general assembly his biennial message. Its recommendations are as follows:

To the Honorable The General Assembly of North Carolina:

Two years have elapsed since the general assembly of the state met in regular session, and since that time many important matters have taken place. I doubt if in any administration during times of profound peace more impressive events have transpired than have during the last four years. Never in its history has the state been so prosperous, and truly can it be said that its progress and upbuilding along all useful lines have been so unparalleled that its name and fame have extended to the uttermost parts of the earth. Even though a severe panic, crippling business, turning men and women out of employment and casting its shadow over all who toiled and had money invested, has prevailed throughout the country, its blighting effects fall comparatively lightly on our people, and seemingly they have prospered while others suffered. In order that you may see the necessity of allowing nothing to be done to retard our advancing prosperity, but should pass all laws needed to encourage, not hinder, future development, it may not be amiss, not in a spirit of boasting, but of thankfulness to God for untold mercies, to recount some of our many achievements during these four years of plenty.

Cotton mills have been built in every section, and while we raise over 600,000 bales of cotton, we manufacture more in our own mills than we raise, until the rattle of 53,446 looms and the hum of 2,578,138 spindles make sweet music to our ears and have caused our state to take the second place in the nation's output of cotton goods. We have likewise reached the first place in the manufacture of plug and smoking tobacco, second place in the manufacture of furniture, and first place in the number of chairs produced, while the largest pulp factory in the world is established in western North Carolina.

Marvelous as was our educational advancement under the prior administration, during this administration, under the direction of our present able and conscientious superintendent and his efficient assistants, this progress has been even more wonderful. During the last two years there has been raised for educational purposes from county and local taxation \$490,342.15—more than in the two previous years—and by donation and bonds \$749,671.81. There was also an increase in the value of rural school property, amounting to \$598,717, and \$593,641 in the value of city school property. In these two years 779 new rural school-houses, at an average cost of \$985, have been built. The school terms have been lengthened, the teachers paid more and are of a higher class and the attendance of pupils greatly increased.

The last general assembly appropriated \$45,000 for high schools in the various counties. During the year 1908 of these schools were established and 2,949 pupils enrolled, thus giving every deserving boy and girl a chance for a higher education, which never could have been possible for them except for this appropriation. You will be asked to give \$5,000 more, so that those counties not now having these schools may likewise have this added educational blessing, and I trust that you, like the last assembly, will cheerfully vote it. These are but a few statistics from many intensely interesting facts given in the superintendent's report, but they are enough to show the deep interest the people are now taking in educating their children, and account in a large measure for the rapid growth of the state, proving verily the truth of the old adage: "Knowledge is power, and power wealth."

Morals have greatly improved; vice, rancor, drunkenness and crime been greatly lessened, while industry, sobriety and patriotism have increased; the trend being upward, and the people never more wide awake to doing all things that make for man's upbuilding and God's glory. As I said

FORESTRY MEETING

(By Leased Wire to The Times.)

Washington, Jan. 7.—The twenty-sixth meeting of the American Forestry Association is to be held here January 13 and 14. Secretary of Agriculture Wilson is to preside. Among the speakers are to be Gifford Pinchot, chief forester, and J. E. Ramsdell, president of the National Rivers and Harbors Congress.

One of the most important discussions scheduled is that on the work necessary for the control of forest fires, and the proposed Appalachian-White Mountain national forest. The commission is to report on the acquisition and management of state forests.

COFFEE LOBBY GETS SET BACK

(By Leased Wire to The Times.)

Washington, Jan. 7.—The plan of certain coffee speculators here and in New York, where for some time a powerful lobby has been at work for the purpose of getting a duty of five cents a pound on coffee in the new tariff schedule, has received a setback on account of the publicity recently given the scheme. If the import tax were put on coffee the speculators, it is said, planned to rush to this country from Brazil some five million bags now stored there, thus evading the tariff, but the price of the staple would have been immediately raised five cents a pound. The government would have lost about \$77,000,000 as the result of the scheme if it could have been carried into effect, and the speculators would have made an immense fortune within a month.