

Washington, D. C., Jan. 27—Forecast for North Carolina for tonight and Thursday: Fair tonight and Thursday; warmer tonight.

The Evening Times

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MESSAGE FROM THE GOVERNOR AS TO TRUSTEES

Vacancies in the Board of Trustees of the State University

SALARY BILL AGAIN

Twentieth Day's Session of the House—Representative Latham of Beaufort Conducted the Religious Services—Petition to Put Negro on Pension Roll, the First Request of the Kind Ever Made—Communication as to Tuberculosis Patients in Insane Asylum—Communication From Insurance Commissioner Young as to the Number of His Employees.

Speaker Graham called the twentieth day's session of the house of representatives of the North Carolina general assembly to order this morning at 11 o'clock, the religious exercises being conducted by Representative John F. Yatham, of Beaufort county.

Clerk Lassiter, for the journal committee, read report, saying the proceedings of yesterday were correctly recorded and the same stood approved.

Under the usual call for petitions, memorials and communications, the following were sent to the desk:

Mr. Koonce, from soldiers and citizens of Onslow, for putting James Sanders, colored, on pension roll. This is first negro asking such.

From Onslow as to appointing Col. S. B. Taylor a Justice.

A communication presented by Mr. Underwood as to tuberculosis patients in the insane asylum, some one having applied to the Central Hospital here.

A communication from St. Mary's school inviting the House to the reception to the governor and general assembly.

A letter from Miss Denson, secretary of the board of public charities, was also read. A communication from Insurance Commissioner Young as to number of his employees and pay of same. This was spread upon the journal.

Engrossed Bills.

To amend charter Scotland Neck; to amend 237, 1907 to allow Canton to issue bonds; to allow Chatham county to issue bonds and to amend charter of the town of Littleton.

Enrolled Bills.

The following bills were enrolled and sent to secretary of state: To appoint justices of Duplin county; to fix boundary lines in Robeson county; to amend road law of Bertie county; to validate election of justices in Alleghany; to empower commissioners of Richmond to hire convicts; to establish stock law in Moore; to amend 612, laws of 1907; to amend 2028, laws of 1905; to authorize Mooresville to issue bonds; to appoint two justices in Gates; for regraded schools of Lumberton; as to sympathy for Italy.

Bills Introduced.

By Rodwell: To amend Warren county road law.

By Morgan: To define duty of railroads and to incorporate a lodge of Odd Fellows.

By Pool: To improve roads in Montgomery, and to relieve the clerk of Montgomery county.

By Pickett: To protect foxes in Alamance county.

By Turner: To punish public drunkenness in Mitchell.

By Cotten: To tax coupons on cigars and cigarettes.

By Green: To pay certain rentals for local naval reserves at New Bern.

By Mitchell: To amend law as to estrays.

By Cox, of Anson: To appoint justice, J. W. Meacham.

By Gaston: To refund Buncombe county's debt and consolidate road laws.

By Bowie: To correct cause of certain land grants, and to authorize sale of Ashe county poor house and home.

By Grant: To place Christine Smith and G. H. Rubecor on pension roll.

By Davis: To tax dogs.

By Perry, of Bladen: To better the public schools and the training of children.

By Kitchin: To protect game in Halifax.

Gov. Kitchin sent a message to the house showing vacancies on the board of trustees of the University to

be elected by this assembly, which message was read in full, telling whose terms had expired, who had died, and who had forfeited by not attending in two years.

Two local bills amended in the senate were concurred in.

The floor privileges were extended to ex-Representative D. C. Bullard.

Morton gave notice of an amendment to rules on tomorrow.

Mr. Taylor rose to a point of personal privilege to present a statement in the News and Observer today, and to say if any chairman had stated that all the republican members attended committee meetings, and that bills of doubtful propriety came up and there was danger of their being reported favorably by democrats not being there. He asked if any chairman said such he wanted him to get up and say so. No one rose, and Mr. Taylor said he did not think any one had said such and was glad to know it was not true.

The bill to put Catawba county officers on salary was called up, and Dowd asked if there was any politics in this. Killian said no. Dowd said that the senator was against it and he reserved the right to vote against it. It developed that the committee had amended the bill. A division was called for and on a rising vote it passed by a vote of 52 to 18.

The privileges of the floor were extended to ex-members Parson, H. A. Gilliam, M. Holt.

The bill to increase the salary of commissioner of labor, M. L. Shipman. There was an amendment making the salary \$2,500 instead of \$2,000, as fixed by the house and on a viva voce vote by the house and on carried, but on a call for a division, it was lost 51 to 32.

Mr. Dowd sent forward an amendment to make the salary \$2,400 and said it had passed the senate and had the unanimous vote of two or three committees. Mr. Grant interrupted to ask if the state auditor did not get a salary of \$1,500? The answer was no, and Doughton and Gordon came in to say the auditor received \$2,000. Mr. Dowd said further that the office ought to be put out or pay more. He pointed out the good it had done, the saving in printing alone was enough to pay the whole cost of the office of labor commissioner. He further stated how it gathered statistics that were valuable, and proposed to go further and gather farm statistics and enlighten the west as to the assets of the state, its truck, its fish and other things. He hoped it would pass. Mr. Julian rose to endorse all Mr. Dowd had said and to say he represented more skilled labor, and they were unanimous for the retaining of the office in question.

Mr. Henderson endorsed what Dowd and Julian had said, and now he wanted to vote for this increase. While he did not work himself, he knew what it was and he wanted labor dignified.

Mr. Cotten said he thought perhaps new light would come by reference, but he was not there, and did not know. Here was a man who seemed to be running for the laboring man alone; but the tax payers were to be considered; that the present commissioner ran the office as assistant last year on \$1,200, and now he wants \$2,500 and all the help, two stenographers and clerks. Mr. Turlington rose to say that the commissioner came to his town and inspected cotton mills.

Mr. Cotton continued, saying it was a bad example. What kind of headlines would the morning paper have, if by any chance the minority party came into power and raised salary next day? We have a deficit in the treasury now, with all the insane and others wanting help.

Mr. Cox, of Anson, sent forward an amendment to make salary \$2,750 and abolish the assistant.

Mr. Harrison sent forward an amendment to make it take effect 1913.

Mr. Killian sent forward an amendment to make it \$2,500 and abolish the chief clerk.

Mr. Connor said he occupied a different position from others. He came here with the idea none should have an increase, but he had changed. The agricultural commissioner received \$3,000, and why not recognize this one; that the bill has come to be known as the Shipman salary bill, which he did not think right, as the state had fixed the office before this body met. He read from the law the duties of the commissioner. He further stated that some state clerks received more than this head of a department.

Mr. Perry was recognized, and Mr. Stubbs asked if the original bill had not been reported unfavorably.

The chair (Mr. Morton) ruled that a favorable report on a substitute was same as original bill.

Mr. Perry said he differed with Mooklenburg, Rowan and Wilson, and that he, Mr. Shipman, knew the salary and what was to be done, and he had heard of no additional duties. He favored labor, but he wanted to know if the job was worth more. Mr. Perry thought it was up to the Com-

(Continued on Page Three.)

A SENSATION SPRUNG IN THE FAMOUS TRIAL

Juror Jim Leigh Thrown Out of Jury Box By Judge Hart

DRUNKENNESS CHARGED

Judge Hart said the Juror Had Refused the Charge of Being Drunk on the Day Before He Was Chosen a Juror and on the Morning on Which He Was Chosen—The Decision in the Matter Left to Judge Hart.

(By Leased Wire to The Times) Criminal Court Room, Nashville, Tenn., Jan. 28—The third sensation of the Carmack-Cooper trial was sprung this morning when Juror Jim Leigh was thrown out of the jury by Judge Hart, this being the court's decision in the investigation of the charges of drunkenness and previously expressed opinion preferred against Leigh by the attorneys for the prosecution.

The attorney-general requested that the deposed juror be held, announcing his intention of swearing out a warrant against him. This will make the second juror against whom the perjury charge will have been brought. The decision in the matter was left to Judge Hart without argument.

Judge Hart said the juror had refused the charge of being drunk on the day before he was chosen a juror and on the morning on which he was chosen. He said the juror had denied having used language of a vile nature concerning Senator Carmack, but that he had not disproved the charge that he had expressed an opinion concerning the guilt or innocence of the defendants. Judge Hart said if this feature of the case had been properly brought to the attention of the court on Leigh's original examination for jury service, he would not have been accepted.

The defense took exception to the discharge of Leigh, insisting that the man had not unfitted himself for jury service.

Leigh was arrested and bound over under \$1,500 bond. Another juror, S. P. Jackson, was put off the jury by the consent of counsel, two witnesses testifying against him as to life-long drunkenness. The dismissal of another juror, James S. Whitworth, a prominent farmer, was asked after it was ascertained from the certificates of his physicians that service on the jury would be very deleterious to his health. Whitworth's application comes up tomorrow. An adjournment was taken at 11:15 today.

FATHER OF GOV. CAMPBELL DEAD

DEPUTY MARSHAL RESIGNS.

On Account of Injuries Received—Mr. J. W. Sloan Appointed.

United States Deputy Marshal Reese, who was shot while on duty last summer, has tendered his resignation on account of his disabilities, caused by wounds received.

Mr. W. J. Sloan, of Jonesboro, has been appointed to succeed Mr. Reese, of Sanford.

CUBAN REPUBLIC TAKES CHARGE OF THE GOVERNMENT

Governor Magoon Sailed Away Today and Left the Islanders in Charge

A PRETTY SENTIMENT

President Gomez Inaugurated Today. Festivities Commenced Last Evening With a Brilliant Banquet to Governor Magoon and President as the Guests of Honor—Band Played Cuban Airs as the Governor Sailed Away—Municipal Reception Last Night Most Brilliant Ever Held in Havana—8,000 People Partook of Hospitality of the City.

(By Cable to The Times) Havana, Jan. 28—Governor Magoon practically ended the American regime in Cuba today. With his departure Cuba libre is now a fact and President Gomez, the Cuban president, is the executive. The festivities attending the inauguration of the new government were commenced last evening with a brilliant banquet with Governor Magoon and President Gomez as the two honor guests. A pretty piece of sentiment was brought out today when Governor Magoon departed. He had requested that the band play Cuban airs instead of American, and all the way to the steamship dock the route was lined with cheering people and the band played the Cuban national hymn.

"Please continue that music until the ship is out of sight of land, for I leave this island not an American, but a Cuban," said Governor Magoon just before the ship sailed away.

The municipality's reception last night surpassed anything ever held before in this city. The ball was held in the clerk's club and the apartment was brilliant with beautiful women and men in uniforms. Two thousand invitations had been issued, but it is estimated today that at least 8,000 people partook of the hospitality of the city.

Governor Magoon led the quadrille and all through the evening an orchestra, hidden behind a screen of palms and other plants, played Cuban music.

MME GIACHETTI IS IN NEW YORK

NEW LOCOMOTIVES ORDERED BY C. & O.

Weddings in Wake.

Licenses to wed have been issued to Mr. Samuel Beal and Miss Sallie Chambliss, of Raleigh; and to Mr. Martin Bennett and Miss Della Watkins, of Raleigh.

SWAMP DRAINAGE THE SUBJECT FOR A SENATE DEBATE

Bill is Made a Special Order for Tomorrow at 12 O'clock

AS TO CHILD LABOR

Senate Met at Eleven O'clock This Morning and Was Led in Prayer by Mr. Cole—Ducks and Squirrels in Guilford Want Protection—Memorial From North Carolina Teachers' Association Asking for the Erection of a Fire-proof Building—Another Petition as to Homestead Law—Petition as to Child Labor Introduced.

The senate met at 11 o'clock and was led in prayer by Rev. Mr. Cole. The journal committee reported no corrections in the journal.

Standing committees reported bills which were placed on the calendar.

Introduction of New Bills. New bills and resolutions were introduced as follows:

S. B. 304, Senator Barringer: An act to protect ducks and squirrels in Guilford county. Committee on Game Laws.

Senator Hankins introduced a memorial from the North Carolina Teachers' Association asking for the erection of a fire-proof state library building. Committee on Buildings and Grounds.

Senator Ormond presented a petition from citizens asking to be allowed to vote on a constitutional amendment to change the state home- and personal property exemption law. Committee on Constitutional Amendments.

A petition was presented from citizens of Cabarrus county relating to child labor law. Committee on Manufacturing.

S. B. 305, Senator Spence: An act relating to the validity of grants. Committee on Judiciary.

S. B. 306, Senator Jones: An act to provide adequate equipment and maintenance of the North Carolina Agricultural and Mechanical College. Committee on Education.

Senator Barringer presented a petition from citizens of Guilford county concerning the appointment of a justice of the peace. Committee on Justices of the Peace.

S. B. 307, Senator Fry: An act relating to the Cullowhee High School. Committee on Education.

Bills on Passage.

Bills were taken up on their passage and disposed of as follows:

S. B. 273: To authorize Marshall to issue bonds. Passed its third reading.

S. B. 128: Relative to laborers and mechanics liens in Buncombe county. Passed third reading.

S. B. 112: An act to provide for the drainage of swamp and overflow lands.

Senator Blow offered an amendment allowing the present law to stand and making the proposed law supplemental to it. This was discussed by Senators Pharr, Bassett, and Blow, and Senator Blow, on request, withdrew his amendment for the present.

Senator Fry offered an amendment but agreed to let it go over till tomorrow.

Senator Spence offered an amendment which also went over for tomorrow, and the bill passed its second reading by a vote of 34 to 0.

It was made a special order for tomorrow at 12 o'clock.

Senator Peele asked that the bill be given close consideration by the senators before passing the bill.

Message From Governor.

A message was received from the governor transmitting a letter from Hon. R. H. Battle, secretary of the board of trustees of the State University, giving the number of vacancies on the board of trustees to be filled by the present general assembly.

S. B. 36: An act relating to the extension of a street in Pikeville. Passed.

S. B. 69: To provide for the inspection of meters in towns of North Carolina. This bill was reported unfavorably and a substitute was presented by the committee, making the adoption of the provisions of the bill by the towns and cities of the state optional with them.

A lively debate was brought out,

Senators Barringer, Manning, Blow, Peele, and others, making speeches. Senator Klutz moved that the bill be re-referred to the committee. Motion lost.

Senator Barringer offered as an amendment that any person or firm who installed a meter without first having it tested should be guilty of a misdemeanor and punished as such.

Senator Pharr objected to this provision. Senator Barringer spoke in support of it, declaring that some provision to enforce the law is absolutely necessary. Senator Barringer's amendment was lost and the substitute bill passed.

S. B. 72: To increase the salary of the assistant state librarian from \$300 to \$900. Passed its second and third readings.

S. B. 79: Relating to dumping saw-dust in the streams of Macon county. Passed.

S. B. 87: To incorporate the Union Power and Transportation Company, with principal office at Raleigh. Passed.

Emple's Game Law.

On motion of Senator Klutz S. B. 173, prohibiting the sale of grouse and quail for a period of two years, was taken up. Senator Burton's amendment prohibiting the killing by any one person of more than 50 birds in one year was lost.

Senator Godwin's amendment, prohibiting the killing of birds for two years, as well as the selling of birds for two years, was lost.

Senator Mills' amendment prohibiting the killing of more than 15 birds in a day was also lost.

A roll-call was asked for and the bill passed its second reading by a vote of 31 to 16.

The bill was then taken up on its third reading, but on objection by Senator Spence the bill went over to tomorrow.

S. B. 94: To authorize Macon county commissioners to establish a chalmaz. Passed its readings.

S. B. 109: To pay jurors in Stokes county. Passed.

S. B. 127: To prevent depredations of turkeys and geese in Swain and Jackson counties.

Senator Fry offered an amendment limiting the territory covered by the bill to two townships in the counties aforesaid.

S. B. 141: To punish public drunkenness in Northampton county. Postponed indefinitely by request of Senator Gay.

S. B. 165: Relating to public drunkenness—a general law—was made a special order for next Wednesday, on motion of Senator Gay.

S. B. 146: To place public officers of Henderson county on salaries. Postponed by request of Senator Britt.

S. B. 173: To prevent dumping saw-dust in Nash county streams. Passed.

S. B. 202: For the relief of J. C. Spicer, et al, commissioners of the town of Stovall. Bill passed its several readings.

S. B. 254: An act to amend the charter of the United Brethren of Salem. Passed.

S. B. 256: To amend charter of Claremont College. Passed.

S. B. 261: To amend charter of Carolina College. Passed.

S. B. 265: To amend charter of Masonic Temple Association, of Charlotte. Passed.

S. B. 270: To incorporate trustees of the Atlantic Mission Conference of the M. E. church. Passed.

S. B. 272: To amend law relating to tenants in Bertie county. Passed.

S. B. 285: To prohibit the sending of public documents with the compliments of state officers.

The bill was reported "without prejudice". Senator Klutz, who introduced the bill, spoke in its favor. He said the practice of allowing public officials to send state property with their personal compliments was wrong, as it carried with it a misrepresentation of fact.

Senator Pharr could see no wrong in the sending of reports "with the compliments" of state officials, and that it was getting down to small things for the state to pass laws of this kind.

Senator Fry spoke in favor of the bill, as did Senator Britt, the minority leader.

The bill passed its second reading by a vote of 16 to 22.

New Bills.

S. B. 308, Senator Burton: To validate a bond issue in Beaufort. Placed on calendar.

S. B. 309, Klutz: A bill to provide fire escapes. Committee on Insurance.

S. B. 310, Senator Britt: An act to appoint a non-partisan jury commission for Buncombe county. Committee on Counties, Cities and Towns.

S. B. 311: A bill to relieve blind peddlers of peddlers tax. Committee on Propositions and Grievances.

S. B. 312: Senator Barham: To appoint justices of the peace in Wayne county. Committee on Justices of the Peace.

S. B. 313, Senator Shaw: To fix compensation of county commis-

(Continued on Page Three.)

FOUNDERS DAY CELEBRATED AT BAPTIST SCHOOL

An Interesting Program Rendered at the Baptist University Today

SEVERAL ADDRESSES

The Baptist University For Women Celebrated Founders' Day Today in a Very Appropriate Manner—Historical Address by Dr. R. T. Vann. Address by Dr. Louis Smith, President of Davidson College, on Higher Education as a Field For Christian Philanthropy—The Musical Program.

Today, as "Founders' Day" at the Baptist University for Women, was only another red letter day in the history of this school, which is the pride and subject of the love and thought of the Baptist people of the whole state. It is a day that marks the great progress and advance of this institution.

There was gathered in the auditorium of the school this morning at 10 o'clock a great crowd of people, trustees and friends of the school, and the public generally to attend the exercises and to hear the address of Dr. Henry Louis Smith, Ph. D., LL. D., president of Davidson College.

The exercises were interesting and inspiring, Mr. W. N. Jones, president of the board of ceremonies.

Dr. Vann's Sketch of School.

Dr. R. T. Vann, president of the University, gave a short and interesting sketch of the history of the school, from away back in the year 1838, when the subject of a school for the Baptist women of the state was first thought of, down to the present day, the school's progress was recited step by step, all through the days of its tribulations, when all looked dark and unpromising, and its days of triumph, when all were bright and clear and sunny skies smiled above.

In 1867 the legislature granted the charter of the school. Four other cities offered tempting inducements for the site of the school, but the capital city was chosen as its true home. Mr. J. C. Blassegame was chosen as the first president of the school, which was opened in September, 1869. At the end of the first session Mr. Blassegame resigned and its present president, was chosen. The growth of the school has been rapid. Dr. Vann went into detail telling something of the need for and the building of each new dormitory, and at the present time the school boasts of six buildings, 390 students, 35 officers and teachers, 2,000 volumes in the library, and an endowment of \$37,000. Dr. Vann closed his interesting sketch with the prediction that "the best is yet to be."

Address by Dr. Smith.

The principal address of the morning was made by Dr. Henry Louis Smith, president of Davidson College. It was such an address as might have been expected from such a man and was a masterly effort, creating many expressions of admiration and interest on every side. It was not so much an address of oratory as one of plain facts, a sensible and convincing argument and Dr. Smith chose as his subject "Higher Education as a Field for Christian Philanthropy." An investment of talents and money in the field of Christian education is the most fruitful and wisest investment today in the south that money can buy.

There is a mistaken idea as to Christian education. It is not the teaching of church theology, and beliefs. The Christian education believes that man is made of three parts.

First, he takes the body and exhorts it and dignifies it and makes it a shrine for the indwelling of the spirit.

Second, he believes that the mind can follow in the footsteps of the wisest and deepest cultivation of human intellect.

And it is just here that the Christian education parts company with the broader education.

Third, over the mind of man there is the mind of God. Even here the chambers of the soul can be opened to let the sunshine in.

Liberality toward higher education is the most unselfish. Man takes the product of his toil and dedicates it to the use of other people. Thousands of hearts feel the desire to do something to uplift and bring nearer to the heart of the Eternal and this divine fire has striven colleges, orphanages, and charitable institutions all over the land.

There are two forms of benevolent appeals.

First pity. The care of the poor, incurable, deaf, dumb, blind, etc. The office of the nurse on the battlefield.

(Continued on Page Three.)