

Weather.

Washington, D. C., Feb. 2—Forecast for North Carolina for tonight and Wednesday: Fair, slightly warmer tonight. Wednesday, fair.

The Evening Times

SECOND EDITION

ESTABLISHED 1876.

RALEIGH, N. C., TUESDAY, FEBRUARY 2, 1909.

PRICE 5 CENTS

ELLIOTT HAS ANOTHER BILL URGING HASTE

Would Require the Finance Committee to Report By February 12.

NO BILLS AFTER 15TH.

Rev. A. J. Moncrief Conducted the Prayer Service at the Opening This Morning—Senator Bassett Presented Petition From Citizens of Wilson Objecting to His Bill Giving Railroad Employees the Benefit of the State's Exemption Laws. Also Introduced Petition From Railroad Employees Asking for the Passage of the Bill.

The senate was led in prayer at 11 o'clock by Rev. A. J. Moncrief, of the Tabernacle Baptist church. The journal committee reported no corrections to be made in the journal. The roll of committees was called and various reports were filed and bills placed upon the calendar.

New Bills Today. New bills, resolutions, etc., were introduced and referred to committees as follows:

Senator Bassett presented to the senate a petition from citizens of Wilson objecting to his bill giving railroad employees the benefit of the state's exemption laws. He also introduced a petition signed by 485 railroad employees asking for the passage of the bill.

S. B. 420. Senator Manning. To amend section 3073 of revisal. Committee on Judiciary.

S. B. 421. Senator Starbuck. An act relating to the graded school of Kernersville. Committee on Education.

S. B. 422. An act to amend the charter of Elon College. Committee on Corporations.

S. B. 423. Senator Elliott. A resolution providing that the finance committee be required to make its report by February 12th, and that no bills be introduced after February 15th. Committee on Rules.

S. B. 425. Senator Starbuck. An act to amend the charter of Winston. Committee on Counties, Cities and Towns.

S. B. 426. Senator Turner. An act for the relief of prisoners in jail awaiting trial. Committee on Judiciary.

S. B. 427. Senator Holding. An act relating to chapter 200, public laws of 1905, as to a burial ground in Louisburg. Committee on Counties, Cities and Towns.

S. B. 428. Senator Ray. An act to authorize the payment of certain bonds in Hendersonville. Committee on Judiciary.

S. B. 429. Senator Fry. An act to fix the limit for the introduction of bills. Committee on Rules.

S. B. 430. Senator Mill. An act to authorize the appointment of special policemen in Rutherford county. Counties, Cities and Towns.

S. B. 431. Senator Shaw. An act to fix the time for the holding of superior court terms in Robeson county. Counties, Cities and Towns.

Bills were taken up and disposed of as follows:

S. B. 372. An act to levy a tax on automobiles in New Hanover county. Passed its second reading 29 to 0.

S. B. To amend the charter of Wilson and allow that city to issue electric light bonds. Passed second reading 29 to 0.

To amend section 2619 of revisal, relating to separate accommodations for the races. On objection of Senator Bassett the bill went over after its second reading.

S. B. 378. A resolution to pay the expenses of the inauguration committee, amounting to \$1,050. Passed its readings.

S. B. 295. To amend 2727 revisal regulating the use of traction engines in Randolph county. Passed second and third readings.

S. B. 744. To amend 2721 of revisal relating to public roads in Yadkin county. Passed.

S. B. 98 relative to the time of advertising of real estate sold under mortgage. Passed its third reading. A Bill Recalled.

S. B. 237, relative to the appointment of G. W. Dpehurch and another justice of the peace for Wilkes county was recalled from the office of the enrolling clerk on motion of Senator Travis, the vote reconsidered and the bill transferred to the committee on

Friends Claim Police Conspiracy.



justice of peace in order that the Wilkes county democratic executive committee might be heard in opposition to the appointments. Senator Manning presented a resolution providing that the senate invite Dr. J. M. McCormick, of the American Medical Association, to address the senate; and also Surgeon C. P. Wurtenbaker, of United States Public Health and Marine Hospital, to deliver a lecture on February 4th.

Interest Bill Discussed.

A bill allowing 8 per cent to be made the legal rate of interest by private contract between the parties, introduced by Senator Ray and reported unfavorably by the committee, was taken from the table and discussed. Mr. Ray favored the bill. Senator Fry declared that the banks of his county charge 8 per cent by indirect methods and thereby violate the law. He declared that the legislature had no more right to fix the hire of his horse or wagon than it had to fix the price of hire for his money. Both were property. Senator Doughton made his first speech, declaring that the bill is "loaded" and would endanger the business interests of North Carolina. The optional provision, allowing 8 per cent where private agreement to that rate is made and written into the contract, would amount to making 8 per cent the legal rate of interest.

FOUNDERED VESSEL PROBABLY SAN MARCOS

(By Leased Wire to The Times) New York, Feb. 2.—The Mallory Line steamship San Marcos, which left here on Wednesday for Galveston with ten passengers and a crew of fifty, was reported today to be missing and there are grave fears that she is the vessel which went down off Elizabeth City, N. C., on Saturday.

HELEN MALONEY MARRIED AGAIN

(By Leased Wire to The Times.) Spring Lake, N. J., Feb. 2.—With the full consent of her father and with the sanction of the Catholic church, Helen Maloney was married this morning to Arthur Herbery Osborne, the young New York broker, with whom she went through a marriage ceremony before a Mamaroneck justice of the peace, while he was a student at Princeton University. This ceremony was later annulled by the New York courts after Miss Maloney was reported to have wedded Samuel Clarkson, an English army officer, with whom she was reported to have traveled abroad.

RAILWAY MEN MEET EMPLOYES

(By Leased Wire to The Times.) Washington, Feb. 2.—Officers of the Southern Railway and a committee of employees of the road representing the various branches of the service, throughout the south, met this morning and it is thought the conference may perhaps continue tomorrow. The company is represented by General Manager Copman and Superintendent of Motive Power Stewart. While the men insist that wages of certain classes of employees be increased and the working hours adjusted, officers of the company express themselves as confident that an amicable arrangement will be reached.

THE BATTLESHIP FLEET IS READY FOR HOME RUN

Renjenzousing Off Coast of Gibraltar in Preparation for Voyage Across Atlantic

MEN HAVE SHORE LEAVE

Battleship Fleet is Touching its Last Port in its Remarkable Tour Around the World and Preparations for the Final Leg of the Journey Are Rapidly Being Made. Visit to Gibraltar Entirely Unofficial But Both Officers and Men Are Being Entertained by Their English Cousins—Run Home Will be Made in Quick Time.

(By Cable to The Times)

Gibraltar, Feb. 2.—The American battleship fleet which lay in formation off the rocky coast of Gibraltar when the sun rose this morning, is touching the last part of its remarkable world-circling tour. Preparations are rapidly being completed for its voyage home. While the visit to the English stronghold is entirely unofficial, the British have prepared a program of entertainment, both for the officers and sailors of the American ships. Shore leave was given those not engaged in the coaling work and athletic exercises were held in which the Yankees competed with their English brethren. The best of good feeling prevails.

The following ships were at anchor: The flagship Connecticut, Georgia, Nebraska, Rhode Island, New Jersey, Wisconsin, Illinois, Kearsarge, Kentucky, Ohio, Louisiana, Missouri and Virginia.

The home run across the Atlantic will be made in record time and by Washington's birthday the sailors ought to see the shores of their native land.

GOOD OFFICES OF TAFT SUCCESS

(By Cable to The Times)

Panama, Feb. 2.—President-elect W. H. Taft, of the United States, President Obaldia, of Panama, and the latter's late rival for office, Senator Arlos, today met at a dinner and reception tendered at Columbia by American Minister Herbert V. Squires. Mr. Taft took a respite from his labors as investigator of canal conditions today to attend the function and there exhibited those amiable qualities which have made him famous the world over. One of his efforts was to reconcile President Obaldia and his recent political rival. Those who attended the reception declare that his labors were successful.

WHITWORTH CASE TAKEN BACK TO CLINTON TODAY

IS NOT TAKEN UP

Went Over Until Tomorrow Preparations Were Made for New Panel

Further Investigation into the Competency of Juror Whitworth, Because He Had Expressed an Opinion—Quite a Stir Was Caused in the Court Room by a Statement of Personal Privilege by Judge Anderson, Leading Counsel For Defense, on Account of Certain Headlines in the Tennessean.

(By Leased Wire to The Times)

Criminal Court Room, Nashville, Tenn., Feb. 2.—Further investigation of competency of Juror Whitworth on grounds that he expressed an opinion was not taken up this morning, owing to the fact that the court room was full of jurors summoned on the fourth venire, and waiting to be called.

Quite a stir in the court room was caused by the statement of personal privilege by Judge J. M. Anderson, the leading counsel for the defense. He took exceptions to the head lines in this morning's issue of the Tennessean, in which it was stated that the defense had preferred charges of perjury against Juror Whitworth. Judge Anderson said the headlines did Whitworth a great injustice and prejudiced the case of the defendants as well. He said they had made no charge against the juror. They had simply pointed out certain matters to the court, and that possibly the juror had forgotten having made the statements.

The state made no reply to the statement of Judge Anderson. The attorneys retired to look over the first panel in the fourth venire. It contains sixty-five names. This is the eleventh panel drafted in the case thus far.

Whitworth's investigation will go over until tomorrow. Sensations are expected and possible trouble before this investigation is concluded.

Court adjourned at 1 o'clock in the Cooper-Sharp murder trial, the first panel of the fourth venire having been exhausted. During the examination of veniremen in this panel today quite a number of them qualified. The defense challenged three talesmen, the state none. Quite a lengthy argument ensued over Venireman T. M. Morton, who said he had known John D. Sharp for years and that it would take more evidence to convict him than the others. The court finally ruled that the venireman was incompetent. The defendant (Continued on Page Seven.)

2 Unfortunate Republic Passengers



T. W. Mooney, who was killed on the Republic, and Mrs. M. J. Murphy, who was badly injured.

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MORTON GUIDING THE AFFAIRS OF LOWER BRANCH

New Hanover Representative Presides Over Session of House Today

COMMITTEE REPORTS

Bill to Incorporate Masonic Temple in Charlotte Favorably Reported. Bill to Incorporate Asheville & East Tennessee Railroad Also Reported Favorably. Also Union Power and Transmission Company Reported Favorably—Many Local Bills Introduced—Bill to Authorize Kings Mountain Graded School to Issue Bonds.

The session of the twenty-fourth day of the house of representatives was called to order this morning at 11 o'clock by Speaker Protem Geo. L. Morton, of New Hanover, and the religious exercises were conducted by Representative J. F. Latham, of Beaufort county.

The proceedings of the previous day were reported as correctly recorded by the journal committee, through Clerk Alex. Lassiter, and the same stood approved.

The usual call for petitions, memorials, and communications brought forth the following:

Coxe of Anson: A letter inviting to the industrial rally by the children of Anson county.

Standing Committee Reports. The following:

Incorporate the Masonic Temple in Charlotte, favorably; to incorporate Carolina-Tennessee Power Company, favorably; to incorporate Asheville & East Tennessee Railroad Company, favorably; to incorporate Union Power and Transmission Company, favorably; to empower Reidsville to move obstructions, favorably; to amend charter Greensboro, favorably; to allow Asheville to purchase auditorium, favorably; to aid Asheville in development, favorably; to allow Hot Springs to issue bonds, favorably; to validate bonds in Bunford, favorably; to incorporate Hiddenite, favorably; to repair bridges in Warren, favorably; to amend law of 1905 as to fences in Northampton, favorably; to authorize Wake board education to borrow money, favorably; to incorporate the Western Carolina Power Co., favorably.

Roll Call Bills. The following roll-call bills on second or third reading, as indicated below:

To amend the charter of the city of Burlington; third. To establish a graded school in Laurinburg; third. To establish a Franklin special school district; third. To authorize Lincoln county to build a new county home; third. To allow Sanford to issue bonds and other favors; third. To enlarge the town of Winterville; third.

To better work roads in Chatham and to issue bonds; third.

To authorize Robeson to issue bonds; third.

To authorize McDowell county to issue bonds; third.

To incorporate town of Bule in Robeson county; third.

To authorize Buncombe county to refund its indebtedness; third.

To permit Wakelton graded school to issue bonds; third.

To establish Elm City graded school; third.

Bills Introduced. By Barnes of Hertford: As to courts in Hertford county.

By Doughton: To prevent dumping saw-dust in certain creek in Wilkes county.

By Warlick: To appoint M. C. Padgett a justice in Lincoln county.

By McDonald of Moore: To appoint justices in Moore county.

By Lovelace: To authorize Kings Mountain graded school to issue bonds.

By Fagg: To promote education in Stokes county.

By McWilliams: To appoint justices in Hyde county.

By Mitchell, by request: To compensate J. W. Baker for services for the state.

By McDevitt: To promote education in Madison; to collect back taxes.

By Roscoe: To validate election of justices in Bertie. (Continued on Page Seven.)



Captain Inman Sealby, the hero commander of the Republic.