

Weather.

Washington, D. C., Feb. 13—Forecast for North Carolina for tonight and Sunday: Rain tonight; colder in western and central portions.

The Evening Times

SECOND EDITION

ESTABLISHED 1876.

RALEIGH, N. C., SATURDAY, FEBRUARY 13, 1909.

PRICE 5 CENTS

MEDICAL BILL SPECIAL ORDER IN HOUSE TODAY

Bill as to the Qualifications of Practitioners Causes Warm Debate

NEW BILLS INTRODUCED

Thirty-fourth Day's Session of the House Gets Through With the Usual Amount of Work—Rev. Mc. C. White Conducts the Religious Services—County Bills Reported Unfavorably—Resolution to Appoint a Commission to Investigate Fish Industry—Lively Debate on Medical Bill.

The thirty-fourth day of the house of representatives of the North Carolina general assembly was called to order at 9:30 this morning by Speaker Graham and the religious services were conducted by Dr. McC. White, pastor First Presbyterian church, this city.

The journal of yesterday was by the committee reported as correctly recording the proceedings of yesterday, and the same stood approved. Under the call for petitions, memorials, and communications, the following were sent forward and read: From citizens of Hyde, asking that Scales Creek be changed to Scales River, and drag net fishing be prevented.

Petition from Swain county asking for abolishment of homestead law. The usual call of committees brought out the usual batch of bills reported favorably or unfavorably. Three life insurance bills, to fix the liabilities of assessment companies; to prevent forfeiture in life policies without notice; and to limit liabilities of fidelity companies were all reported favorably.

The report on the bill to make Hoke county was unfavorable, as was also the county of North Roberson, ending the present contention. A resolution by Burlington to appoint a commission of three from the house and two from the senate to meet this year in Washington for a period of 10 days and hear evidence as to fish industry and report to the next general assembly, and to appoint men out of fish influence. He asked immediate action, but Taylor objected, and several got into the discussion. It was finally sent to committee on fish and fisheries.

Mr. Currie rose to personal privilege on the spelling of "stuffs" as "stumps" as appearing in yesterday's "Men and Measures" column, saying he did not object to pleasantries, but the spelling was not his, nor the clerk's, but came from the senate, and if there was going to be a spelling class organized, he had no objection to the reporters joining too.

Bills Introduced. By Barnes of Hertford: To relieve T. W. Hayes of Hertford. By Henderson (two): To fix compensation of officers of Caswell. To allow convicts to work poor house farm in Caswell. By Shepperd: To make a stock law district in Robeson.

By Perry of Vance: To appoint justices for Vance county. By Cox of Wake: To provide employes for the insurance department. By Morgan: To incorporate the Elizabeth City and Albemarle Railroad. By Coxe of Anson: To prevent adulterations of paints, oils, and pigments.

By McWilliams: To change name of Slade Creek to Slade River. By Smith of Harnett: To allow Harnett to put license tax on peddlers. By Morton: To correct grant No. 134. By Lovelace: To relieve ex-sheriff of Cleveland.

By Kendrick: To amend law as to drainage of Indian Creek in Lincoln and Gaston counties. By Weaver: To appoint a police commission for the city of Asheville. By Gibbs (two): To amend law as to giving intoxicating liquors to minors. To relieve J. L. Thomason, pensioner.

By Rhodes: To allow commissioners of Hendersonville to levy special tax. By Burlington: Resolution to appoint a legislative commission to investigate the fish industry. By Dowd: Resolution as to 1907

for committee help. By Dowd: To charter North State Agency Company. By Braswell: To amend charter of Nashville. By McNoely (two): To change court in Union. To incorporate church in Goose Creek township. By Warlick: To amend the general insurance law. Leave of absence was granted to Coxe, Underwood, Gavin, Lemmond, Braswell, Carver, Wooten, and Clerk Phillips.

Medical Bill Up. The special order having arrived the amendment to the law as to practicing medicine was taken up. The clerk read the bill and the question recurred on the Doughton amendment to allow a first grade school certificate to be sufficient educational qualification. Mr. Dowd spoke against this, as it put more on the applicant than did the bill itself. Mr. Dowd spoke eloquently for giving the aspiring young man, and referred feelingly to the sparsely settled districts of the state.

Mr. Doughton spoke for his amendment, and read section five, which requires graduation from high school of four year course, or be prepared to enter freshman class at University, and it was this four year course that he wanted to get clear of. Mr. Doughton said his amendment did exactly what Mr. Dowd wanted, as any man with the ambition described by Mr. Dowd could get a certificate of first grade.

Referring to the man in the back counts, he said this body had already taken care of them by allowing the state board to give restricted license. Mr. Turner asked about the \$50 fee, and got a satisfactory answer. Mr. Harshaw asked if the limited license bill did not conflict with this. Dr. Gordon said he could answer, in that the bill did not go into effect until 1912. Mr. Dowd said he wanted to know more. Who does it apply to? Not to those Mr. Dowd had in mind, was the reply.

Continuing Mr. Doughton said he insisted on the amendment. Mr. Dowd asked if he thought a lawyer ought to have a first-class certificate. Mr. Doughton replied the lawyers were keeping up, and he was surprised that the laymen knew more than the doctors. He appealed for the men in the back counts. Mr. Dowd said his opposition to the Doughton amendment was withdrawn, since he had heard it explained, but at the same time he hoped the house would also eliminate section five, saying while there would be less cases four or six years from now, there would be cases still to which four years in high school or

(Continued on Page Seven.)

SEVERE CUTTING AFFAIR

J. E. Russ Badly Cut This Morning

John E. Crow, a Young Man of This City, Cuts a Railroad Man—Russ Taken to Hospital and Crow to Station House—Origin of Trouble Cannot be Learned.

Mr. J. E. Russ was badly cut this morning by Mr. John E. Crow, a prominent young man of this city. It seems that the affair occurred this morning about seven o'clock in the room of Mr. Will Ball on south Wilmington street, over Mr. W. R. Dorsett's store. Just what caused the affair could not be ascertained, as no one could be found who was present.

Dr. Horton and Abernathy were immediately summoned and sewed up the wounds, three in number. While these wounds are of a serious nature, it was stated that they will not prove fatal. The wound across Mr. Russ' head is said to be about a foot in length and considerably deep. He was also very badly cut across the stomach and has a slight cut across the back. Mr. Russ walked from the place where the affair occurred to Dr. Horton's office about 9:30 o'clock. From there he was taken to the hospital and was taken to Rex hospital by a friend. It was stated that when he reached the hospital the stitches taken by Dr. Horton were taken out and the wounds re-dressed and sewed up again. When the Times reporter phoned to the hospital to inquire as to the condition of Mr. Russ, he was informed that he was resting very well, and that his wounds were certainly not fatal and probably not serious.

Mr. Crow was taken to the station house shortly after twelve o'clock. He offered no resistance. He is of a good family and, as yet, it has not been learned what prompted him to commit the deed. The facts in the case will be learned at the hearing, which has not yet been set.

It was learned that Mr. Russ has been in the city about two weeks. He lost his job on the railroad because he let some cars get loose from the train of which he was in charge. It was stated by one who knew him that he is in the habit of taking a drink occasionally.

DARING HOLDUP ON THE DENVER AND RIO GRANDE

Robbers Board Train and Reciever of Seaboard Air Line Rifle Mail Car of the Registered Packages

MANY SHOTS ARE FIRED

One of the Most Daring Holdups Ever Perpetrated in the West—Robbers Climb Aboard Train While it is Going Up Steep Grade and Compel Engineer and Fireman to Stop Train and Accompany Them to Mail Train—One Robber Stands Guard Over Passengers and Crew and Other Goes Through the Registered Mail.

(By Leased Wire to The Times.)

Denver, Col., Feb. 13.—In one of the most daring hold-ups ever perpetrated in the west two masked men stopped the Denver and Rio Grande train No. 4 at Military Junction between Fort Logan and Denver this morning at 3:15 o'clock, looted the mail car and registered mail and made their escape. Chief of Police Armstrong of Fort Logan has dispatched a police automobile with a squad of men in pursuit.

The robbers boarded the train as it was running slowly on a heavy grade. One climbed into the cab and with revolver in each hand, threatened the engineer and fireman with death unless his commands were obeyed. The train was stopped and the engineer and fireman were compelled to accompany the bandit to where his accomplice was waiting at the side of the mail car. The two then walked the entire length of the train, bringing their revolvers to intimidate the passengers. Next the fireman was forced to enter the mail car and point out the registered mail, which one desperado rifled while his companion stood guard over the passengers and train crew with his ready revolver.

After securing their plunder, the amount of which is not yet known, the bandits drove the passengers and crew back into the cars and ordered the engineer to proceed to Denver at full speed. The robbers, when last seen, were proceeding in the direction of Logan.

MRS. M'COOK KILLED

Run Down By Big Black Touring Car

Victim Widow of the Famous "Fighting McCooks," and Cousin of General McCook—Nine Thousand Policemen and Detectives Looking For Chauffeur.

(By Leased Wire to The Times) New York, Feb. 13.—By special orders of Police Commissioner Blingham, every policeman and detective in New York, comprising more than 9,000 men was today making a careful search for an unidentified chauffeur in a big black touring car, who ran down and killed Mrs. Edwin S. McCook, widow of one of the famous "fighting McCooks" and a cousin of General Anson G. McCook.

So far the police have failed to obtain the slightest clue to the machine and its driver or to learn the location of the accident. It is known that a man and a woman were in the car with the chauffeur. Mrs. McCook was taken to the home of General McCook at 33 West Fifty-fourth street in the automobile which ran her down and then the machine whizzed away after the chauffeur has left a fictitious name and address.

ALL FOOLS AIN'T DEAD.

American Tourists Pass "Confed." Money in Mexico.

(By Leased Wire to The Times) Salina Cruz, Mex., Feb. 15.—Merchants of the town of Palomares have made complaint to the authorities that a party of American tourists, who recently visited that place, passed large sums of Confederate money on them for genuine United States currency. Confederate bills of large denomination were changed into Mexican money by the accommodating and unsuspecting merchants, who did not learn of the fraud that had been practiced upon them until after the tourists had departed from the country.

MR. WARFIELD TELLS OF TRIP DOWN SOUTH

Much Impressed With South's Possibilities

GREAT ADVANCEMENT

Visited Atlanta, Birmingham, Tallahassee, Fernandina, Savannah, and Other Southern Cities—He is Enthusiastic Over the Possibilities and Future Outlook of the Southern Country—Advancement, Compared With Conditions a Few Years Ago is Remarkable—Southern People Alive to Their Present Opportunities.

(By Leased Wire to The Times)

Baltimore, Md., Feb. 13.—Mr. S. Davies Warfield, president of the Continental Trust Company, and one of the receivers of the Seaboard Air Line, has returned from an inspection trip of the entire system. He has visited Atlanta, Birmingham, Tallahassee, Fernandina, Jacksonville, Tampa, Savannah and other points touched by the system. He returned enthusiastic over the possibilities of the future outlook for the southern country. In discussing the trip he said:

"It is impossible to judge of the advancement of the south without such a personal visit to the various sections covered by the Seaboard and a comparison of the situation there today with what it was a few years ago. This advancement is remarkable and I might well say universal in this section. At Atlanta the commercial development is striking to almost every eye of enterprise. As a result of this the Seaboard requires additional freight facilities in that city and it will be necessary to take steps to care for the increasing demand upon us."

"At Birmingham the magnitude of the industrial development is impressive. We have in the Atlanta and Birmingham railroad, the stock of which is owned by the Seaboard, one of the best constructed roads in the south. This road should be put in closer touch with the contiguous mineral sections, which is essential to the development of this property. This will involve capital outlay, and the receivers of the Atlanta and Birmingham will take up the solution of this problem."

"The industrial development at Birmingham and its widespread influence upon many sections of the south impressed me so forcibly that I telegraphed the two senators from Maryland, Senators Raynor and Smith, urging them to assist in allaying the agitation in connection with the acquisition of the Tennessee Coal and Iron Company by the United States Steel Corporation. I found that this agitation was calculated to halt vast expenditures of capital in the improvement of the plants of this company at Birmingham. Such a halt in the development means much to Birmingham and to the south, the seriousness of which may be partially measured when it is stated that this particular property, when it gets in full operation, would furnish work for some 15,000 employes."

"The steel corporation is now dismantling one of its steel producing plants at Birmingham to rebuild it with the most modern equipment, involving about \$2,500,000. "This indicates the upbuilding policy with which this corporation has entered the south, but which cannot be continued by this or any other corporation if the agitator's view is to obtain in place of the business man's policy of development."

"The people of the south generally, and of Birmingham particularly, demonstrate though they be, are opposed to this agitation, although advocated by some southern senators, it being well recognized that from any standpoint it can only retard the industrial development of the south."

"As Atlanta enjoys the closest business alliance with this section of our country, I feel that there was no impropriety in a Baltimorean to ask our senators to assist the southern people in the direction suggested in my telegram. "From the industrial development at Birmingham to the activities found in Florida is another story, but equally impressive and greatly important to the Seaboard system."

"Tampa, with a population of from 50,000 to 60,000, pays out to labor approximately \$15,000,000 a year, \$9,999,999 of which goes to the workers in the 190 tobacco factories, and this development has taken place within the last fifteen years, which is practically the life-time of this city."

"Savannah, which is of great importance to the Seaboard system, presents another vivid picture of improvement and development. Its progress may be seen in many directions and one of these is in the splendid buildings of the banking institutions."

(Continued on Page Five.)

MANY MEASURES ARE CONSIDERED BY THE SENATE

Committees Report a Number of Bills and New Bills are Introduced

THE WORK IN DETAIL

Senate Met at 10 O'clock and Was Led in Prayer by Dr. W. C. Tyree. Many New Bills Introduced—Bill by Johnson to Extend the Time For the Construction of a Drawbridge Over the Pasquotank River. Senator Dockery to Amend the Charter of Aberdeen and Asheboro Railroad Company.

The only bill of any striking interest in the senate this morning was one introduced by Senator Spence. It deals with a provision commonly inserted in accident insurance policies that in case of death where the deceased is a holder of two or more policies, in different companies, that the loss shall be pro-rated among the companies. The bill provides that each company shall pay the full face value of the policy.

It reads as follows: "A bill to be entitled an act to protect holders of accident insurance policies. "The general assembly of North Carolina do enact: Section 1. That where any holder of an accident insurance policy meets death by accident during the running or existing of such policy, the accident insurance company, who has insured such holder against death by accident, shall pay to the personal representative or other proper person the full amount of insurance covered by such policy. And no accident insurance company shall be allowed to pro-rate such insurance with any other accident insurance company; provided that no person shall take from the same accident insurance company more than one ticket or accident policy on one and the same day."

Sec. 2. That any clause or contract in any accident insurance policy, inconsistent with the provisions of the foregoing section shall be void. Sec. 3. This act shall be in force and effect from and after its ratification.

The bill meets the approval of a large number of people, and Senator Spence will not be alone in his fight for the measure. The senate was led in prayer at 10 o'clock by Dr. W. C. Tyree, of the First Baptist Church. The journal committee reported no corrections to be made in the journal. The roll of committees was called and various bills were reported.

New Bills Today. New bills were introduced today as follows: S. B. 756. Senator Johnson. To extend the time for the erection of a drawbridge over Pasquotank river by Camden Ferry Company. Propositions and Grievances.

S. B. 757. Senator Dockery. To amend the charter of Aberdeen and Asheboro Railroad Company. Railroads. S. B. 758. Senator Nimocks. To authorize the commissioners of Cumberland county to issue bonds to build a bridge over the Cape Fear river. Judiciary. S. B. 759. Senator Nimocks. To amend law relative to Raeford school district. Calendar.

S. B. 760. Senator Matthews. To amend law relative to the holding of superior courts in Johnston county. Judicial Districts. S. B. 761. Senator Shaw. An act to incorporate St. Paul's in Robeson county. Calendar. S. B. 762. Senator Long of Iredell. To amend charter of Statesville, conferring certain powers on aldermen. Calendar.

S. B. 763. Senator Johnson. To establish stock law in certain parts of Randolph county. Calendar. S. B. 764. Senator Spence. To protect the holders of accident insurance policies. Insurance. Passed Third Reading. To incorporate the town of Bear Grass in Martin county. To amend charter of Virginia-Carolina Southern Railroad Co. To authorize Wake Forest to issue bonds for electric light plant. To improve public roads in Manning township, Vance county. To change boundaries of Stokes

sale. To establish a special tax district in Wake and Chatham counties. To amend and consolidate charter of Farmville. To establish a special tax district in Wilkes county. To allow certain townships in Bladen county to issue township improvement bonds. To establish a stock law in certain parts of Randolph county. To allow the commissioners of Hyde county to issue bonds and levy a special tax. To fix pay of special veniremen in Richmond county. To incorporate the town of Atkinson in Pender county. To provide an efficient stenographer for the courts of Forsyth. To extend power and authority of the building committee of town of Marshall. To increase the pay of Julian Timberlake, chief page of the senate. To amend charter of Bank of Lenoir.

To amend charter of Robeson Loan and Trust Company. To authorize New Bern to release sidewalk improvement assessment. To validate the acts of justice of the peace in Sampson county. To correct calls in certain grants in Ashe county. To extend time for registering grants. To prevent persons from hiring horses on false representations. This bill brought out a sharp debate, participated in by Senators Holding, Spence, Dockery, and Klutz, in opposition, while Pharr and Gay favored the bill. The bill was lost by an overwhelming vote.

For relief of prisoners in jail awaiting trial in Bertie county. To amend 1128 revisal relative to the powers of corporations. To fix time of holding superior court in Pitt. To validate certain probates of G. L. Liverman, ex-clerk of Tyrrell county. To amend law relating to bonds of tax collectors in Northampton and Hertford county. To amend law relative to the settlement of certain western railroad construction bonds.

To supply certain records in Duplin county. To appoint a justice of the peace in Henderson county. To confer police powers on deputy sheriffs in certain townships in Richmond county. To amend law relative to term of superior court in Martin county. To establish and fix duties of board of internal improvements of Marshall.

To confer police powers on deputy sheriffs at Glenraven, Alamance county. An act relative to the property of insane persons discharged from hospitals for insane. Senator Clark introduced out of order a bill to allow the board of commissioners of Bladen county to establish a changang, which was placed on calendar. Passed Third Reading.

To fix number and compensation of board of commissioners of Northampton. To allow the board of county commissioners of Bladen to establish a changang. Water Analysis Bill. The bill to amend section 3057 of revisal relative to the state laboratory of hygiene was discussed. The bill provides for inspection and chemical analysis of water sold at mineral springs and all waters sold to the people by any company every month during the season where the waters are sold. The bill calls for an analysis fee of \$5.00. Senator Manning advocated the bill, declaring that it was essential for the protection of the health of the buyers of the water. Senator Dockery offered an amendment, changing the number of analysis required by the bill to two per year. Senator Pharr offered an amendment changing fee for analysis to \$2.00 per month. After a consensus

(Continued on Page Five.)

A SHIP GOES TO PIECES ON ROCKS OFF TERAWHITE

Sixty-Seven Lives Are Lost in Great Disaster at Sea

SHIP A TOTAL LOSS

Steamship Penguin Wrecked Off Cape Terawhite—Some of the Passengers and Number of Crew Took to Small Boats and Raft and Were Saved But Others Did Not Reach Shore—Twenty-six Out of One Hundred Were Saved—Twenty-six Dead Bodies Have Already Washed Ashore.

(By Cable to The Times)

Wellington, N. Z., Feb. 13.—Sixty-seven lives were lost when the steamship Penguin, of the Union Steamship Company of Wellington was wrecked off Cape Terawhite. Some of the passengers and a number of the members of the crew were saved but the remainder of the ship's company, numbering sixty-seven are missing and are supposed to have perished. The Penguin is a total loss. The Penguin struck the rocks in a gale. The passengers and crew, numbering nearly one hundred, boarded rafts and small boats.

The other small boats had been smashed when the steamer was wrecked. Twenty-six persons reached the shore, and the remainder are believed to have drowned. The captain was the last person to leave the vessel. He got on an upturned boat and was saved. Twenty-six bodies have been washed ashore. One woman passenger lost her husband and four children.

3,900 MILE WALK TO NEW YORK

Two Men and a Woman Will Make the Trip.

(By Leased Wire to The Times) Seattle, Wash., Feb. 13.—Five hundred men, women and children witnessed yesterday the departure of Mr. and Mrs. Frederick Hildebrandt of this city and Mrs. Hildebrandt's brother, Frederick Lange, of Oymyple, on their thirty-eight hundred mile walk to New York City by way of the Southwest. The route will be through Portland to San Francisco, then through northern Texas, etc. It will take at least a year to reach New York.

MURDER TRIAL POSTPONED.

Will Take Place on March 15th—Mrs. George Sampson, Defendant. (By Leased Wire to The Times) Rochester, N. Y., Feb. 13.—The trial of Mrs. George Sampson, indicted for the murder of her husband, Harry Sampson, a nephew of the late Rear Admiral Sampson, has been set for March 15.

The prosecution has recently suffered a blow in the death of George Sampson, father of the murdered man, and an important witness for the state.

Forest Fires Destroy Houses.

(By Leased Wire to The Times) Waycross, Ga., Feb. 12.—The forest fires, which have been burning near here, reached Newton, a suburb of this city last night and destroyed five unoccupied houses. This morning the fire is creeping toward the city with a brisk wind. The fire fighters are doing everything in their power to check the flames.

EVERYBODY WANTS A WATCH.

IT'S EASY TO GET ONE.

Just get in line with those other fellows and send or bring \$5.00 for a year's subscription in advance to The Times.

REMEMBER!

These Watches are guaranteed to keep correct time longer than any Watch that will cost three times as much. See them at

THE EVENING TIMES CIRCULATION DEPARTMENT.