

Weather.

Washington, D. C., Feb. 20—Forecast for North Carolina for tonight and Sunday: Fair tonight, Sunday, fair; warmer; variable winds.

The Evening Times

SECOND EDITION

ESTABLISHED 1876.

RALEIGH, N. C., SATURDAY, FEBRUARY 20, 1909

PRICE 5 CENTS

AVERY COUNTY BILL IS SET FOR SPECIAL ORDER

Committee on Counties, Cities and Towns Report This Bill "Without Prejudice"

FEW BILLS OF INTEREST

Senator Klutz Introduces Bill Prohibiting Sale of Drugs and Narcotics to Habitual Users of Such Drugs and Narcotics—It is Designed to More Effectually Control the Sale of Opium, Morphine, Cocaine, and Other Strong Drugs—Bill Requiring Fire Insurance Companies to Deposit Bonds.

Few bills of interest were considered in the senate today.

Senator Klutz introduced a bill of some general interest, prohibiting the sale of drugs and narcotics. It is designed to more effectually control the sale of opium, morphine, cocaine and other deleterious drugs. The committee on counties, cities and towns backed down slightly in its position on the Avery county bill, which was re-referred to Thursday, after a favorable report. This morning it was reported "without prejudice". The bill was set as a special order for today at noon. Another bill of general interest was one requiring all fire insurance companies to deposit bonds with the North Carolina insurance department for the protection of their contracts.

The senate was called to order at 10:30 this morning with Hon. Whitehead Klutz, president pro tem, in the chair. Dr. McC. White led in prayer. The journal was reported to be correct. Various bills were reported from standing committees.

New Bills Today.

New bills were introduced today as follows:

- S. B. 1066, Senator Powell: To provide for the erection of a Confederate monument in Henderson, Counties, Cities and Towns.
S. B. 1067, Senator Elliott: An act to provide compensation for vacant land granted by state. Judiciary.
S. B. 1068, Senator Elliott: To appoint justices of the peace in Catawba. Justices of the Peace.
S. B. 1069, Senator Doughton: To amend chapter 55, relative notaries. Revisal.
S. B. 1070, Senator Love: To establish and provide for maintenance of graded school district in Bessemer City, Gaston county. Education.
S. B. 1071, Senator Peele: To provide for tax-collections after levies on real estate. Judiciary.
S. B. 1072, Senator Travis: To amend law creating the Salisbury and Fayetteville Coast Line Railway Company. Corporations.
S. B. 1073, Senator Klutz: To forbid the sale of drugs and narcotics to habitual users. Judiciary.
S. B. 1074, Senator Love: To authorize commissioners of Gaston to issue bonds for erection of jail and court house. Counties, Cities and Towns.
S. B. 1075, Senator McCall: To allow domestic bonding companies to issue their own bonds. Judiciary.
S. B. 1076, Senator Doughton: To remove the county seat of Mitchell to the geographical centre of county. Counties, Cities and Towns.
Passed Third Reading.
S. B. To allow commissioners of Richmond to issue bonds.
S. B. To allow Greenville to issue bonds.
S. B. To amend charter of Aberdeen & Asheboro Railway Company.
S. B. To enable Charlotte to fund its floating indebtedness.
H. B. To allow Sanford to issue bonds.
H. B. To provide method to condemn lands for mills in Ashe, Alleghany and Watauga.
H. B. To amend 268, of Revisal, relative to road law in Yadkin county.
S. B. To authorize building of macadam roads by county commissioners of Mecklenburg in incorporated towns.
H. B. To amend charter of Morganton.
H. B. To relieve J. M. Davis, ex-sheriff of Surry county.
H. B. To validate acts of a certain justice of the peace in Bertie.
H. B. To relieve T. N. Bates, ex-sheriff of Cherokee.
H. B. To encourage destruction of hawks and owls.

S. B. To require fire and casualty insurance companies to make deposits with the insurance commissioner.
H. B. To appoint J. H. Nowell a justice of the peace and allow him to practice law.
H. B. To prevent dumping sawdust in Jackson county streams.
H. B. To provide for better working of roads in Currituck.
S. B. To change Phillip's Gap road, in Wilkes.
S. B. To establish a special court for Rowan county, with civil and criminal jurisdiction.

Avery County Bill.

The Avery county bill, which was set for noon today, was postponed till Monday, at 12 o'clock, on motion of Senator Doughton.

Passed Third Reading.

- H. B. To authorize building of a stock law fence in certain townships of Harnett.
H. B. To prohibit public drunkenness in Yadkin county.
S. B. To allow Gastonia to condemn land for cemetery purposes.
H. B. To amend law relative to the duties of clerk of superior court of Yadkin.
S. B. To authorize New Bern to appropriate money to celebrate the bi-centennial of the founding of the city.
H. B. To authorize bondsmen of W. B. Cooper, ex-sheriff of Tyrrell, to collect taxes.
H. B. To allow sale of county home of Yancey and purchase of another.
H. B. To relieve an ex-sheriff of Cleveland.
H. B. To release certain part of McDowell from stock law.
H. B. To prohibit throwing sawdust in streams of Nash.
H. B. To repeal law relating to stock law in No. 7 township, Craven.
H. B. To prohibit public drunkenness in Brunswick.
S. B. To compel express companies to make prompt settlement on C. O. D. shipments.
H. B. To provide for election of cotton-weigher for Union.
H. B. To prevent depredations or mischievous live stock in Tyrrell.
H. B. To prevent obstruction of certain streams in Bladen.
H. B. To prevent horses and mules from running at large in Pitt.
H. B. To allow D. R. Noland, ex-sheriff of Haywood, to collect back taxes.

An Inquiry.

A large number of bills were ratified by President (pro tem) Klutz. In the midst of these Senator Nimocks arose to a question of inquiry and raised the point that the president pro tem could not, under the law, properly ratify bills. Mr. Klutz was ready with information that the point had been thoroughly investigated, and that the power of the president pro tem to ratify bills was unquestioned.

The Solicitor Bill.

On the suggestion of Senator Pharr the solicitor salary bill was made a special order for Thursday, at 12 o'clock.

Passed Final Reading.

- H. B. To appoint a cotton-weigher for Smithfield, Johnston county.
S. B. To relieve sheriff of Moore.
H. B. To prevent throwing of sawdust in certain streams in Graham county.
H. B. To allow sheriff of Madison to collect back taxes.
H. B. To appoint cotton-weigher for Red Springs township, Robeson county.
S. B. To prohibit the manufacture and sale of intoxicants in certain parts of Randolph.
H. B. To regulate stock in stock-law territory, Lenoir and Swain counties.
Bills Out of Order.
Bills were introduced out of order as follows:
S. B. 1095, Senator Elliott: To provide for a uniform ballot, known as the Australian ballot. Judiciary.
S. B. 1096, Senator Pharr: An act for the relief of the commissioners of Mecklenburg county. Judiciary.
S. B. 1097, Senator Clark: To regulate trapping in Bladen. Calendar.
S. B. 1098, Senator Clark: To improve public roads in Holly township, Bladen county. Calendar.
On motion of Senator Emple the senate adjourned to meet Monday at 12 o'clock.

MOORE DIED BEFORE HE GOT HIS FREEDOM

News was received in the governor's office today of the death of Walter Moore, of McDowell county, to whom a pardon was granted yesterday. He died before the pardon reached him. Moore was serving a four year sentence for manslaughter. The pardon was granted on account of the prisoner's extreme physical weakness and ill health.

CROWD LISTENS TO EVERY WORD WITH INTEREST

Greatest Crush Since Cooper-Sharp Case Began Was Witnessed This Morning

SCENE SHIFTED TODAY

The Frail Figure in Black and Little Golden-haired Boy—Senator Carmack's Widow and Son—Were Again Centre of Attraction on State's Side of Room, But Today the White-haired Man Across the Room Also Attracted the Attention of the Spectators.

(By Leased Wire to The Times) Criminal Court Room, Nashville, Tenn., Feb. 20—The greatest crush since the celebrated Cooper-Sharp case began on January 20, was witnessed this morning when the defense opened its case. As early as 6 o'clock, three hours before court was to have convened the crowd began to gather in the gallery and soon all the choice seats had been located. At 7 o'clock the gallery was packed and the downpour to the lower floor began. By 8 o'clock not a seat was empty and standing room was at a premium. Hundreds of men and women, many of them having come miles to gain admission to the court room, were turned away.

The frail figure in black and the little golden-haired boy, Senator Carmack's widow and son, were again the center of attraction on the state's side of the room, but today the scene had shifted somewhat and the white-haired man across the room also attracted the attention of the spectators.

It had become generally understood that Colonel Duncan Brown Cooper would go on the stand first and for the first time since the day of the tragedy, would the lips of the defendants be unsealed and the world would know the Cooper version of the controversy which plunged the whole state into the throes of partisanship. Each of the spectators leaned and listened, with the keenest interest to every word uttered by the witness and his counsel. All were curious to see how this noted defendant would meet the supreme test of his long and eventful career.

At 9:30 o'clock two of the counsel for the defense entered the court room and asked the indulgence of the court for further conference of thirty minutes. This was granted. Robin Cooper Takes Stand Contrary to expectations, the first witness put on the stand was Robin J. Cooper, the man who fired the shots that killed Senator Carmack. Every one had been expecting Colonel Cooper to be the next witness. Robin Cooper took the stand shortly before 11 o'clock. Prior to that time a flutter of excitement went through the court room when it became noised (Continued on Page Two.)

ELIOT MAY SUCCEED AMBASSADOR REID

(By Leased Wire to The Times) Memphis, Tenn., Feb. 20—The fact that ex-President Eliot, of Harvard University, would say nothing one way or another about a report that he is to succeed Whiteley Reid as ambassador to the court of St. James was taken here as a strong indication that the educator either entertained a partially founded hope that he is to get the assignment or that he is actual the Taft selection. Dr. Eliot came to Memphis to deliver a lecture at Goodwin Institute.

JAPANESE EMIGRATION HERE WILL SOON CEASE

(By Cable to The Times) Victoria, B. C., Feb. 20—News that the emigration from Japan to the Pacific coast is to be totally forbidden by the Japanese government as the result of recent agitation at Tokio, was revealed on the arrival of the steamer Tangu Maru. Count Komura, minister of foreign affairs, is quoted as stating that the government would not in future dispatch emigrants to the Pacific coast.

BANK OF NEWBERN SAFE

Bank Officials Replace Every Dollar of Shortage

J. R. B. Carraway, the Alleged Defaulter, Given a Preliminary Hearing Yesterday and Bound Over to Court Under \$8,000 Bond.—Carraway Caught Accidentally.

(Special to The Times) New Bern, N. C., Feb. 20—The preliminary hearing before United States Commissioner Chas. B. Hill of the case of J. R. B. Carraway, charged with defaulting while in the employ of the Bank of New Bern, as teller, was heard yesterday and the defendant put under a bond of \$8,000 for his appearance at the next term of United States court here.

National Bank Examiner Fred A. Hill was the only witness today, who said, on the stand, that he had found evidence sufficient to make the charge of defaulting, embezzling, misappropriating and making false entries on the books of the bank. Mr. Hill said that the defendant had admitted to him that he was short, that the amount stated in his admission was \$116,000 which he had taken from time to time in a space of about ten years. The defendant, said the witness, said he had successfully carried on this shortage by not turning in the deposit tickets to be filed. District Attorney Harry Skinner represented the government and Wm. Dunn, Jr., represented the defense. The defense endeavored to bring out on cross-examination that Carraway had connected others with the case in some way. Mr. Hill refused to say either way in replying to the questions. He said he could not tell how much had been taken from the bank during any one year since the defaulting had been going on.

It is stated by some of the bank officials that almost a month will be required to get through with the books and a correct statement cannot be made until the work has been finished.

The catching up with Carraway was by a mere accident, the utmost confidence having been placed in Carraway by the officials. As was stated in court today by the cashier, Mr. George Roberts, Carraway had been teller of the bank for more than twenty odd years and his honesty was never disputed or anything suspicious wrong with his accounts. In looking over the books, for some other reason, the cashier, Mr. Roberts, discovered an embezzlement. This, it seems he had discovered on various other times, but in each of the other instances Carraway had made an acceptable excuse. This time Mr. Roberts took interest in his actions and went into questioning Carraway. Finally Mr. Roberts told Carraway that there was something wrong and that he (Roberts) must know what it was. Mr. Roberts had cornered him so close that Carraway broke down and told what he termed to be the facts in the matter.

The explanations of Carraway were to the effect that he had allowed certain friends in New Bern to overdraw to such an extent that he was afraid to stop them for fear that they would expose him and only shorten the time before he was caught up with; that he had made the entries in the beginning and the people would not come up with the money.

\$21,000,000 BOND ISSUE BY SOUTHERN

New York, Feb. 20—The Southern Railway is expected to announce an issue of \$21,000,000 in development and general four per cent bonds shortly. The bonds will be issued to meet the \$16,000,000 of 5 per cent notes of the company now outstanding, which mature April 1, and to finance improvements which are contemplated.

THE ATTORNEY GENERAL TO GET A LAW CLERK

Bill to This Effect, By Mr. Turlington, is Ratified in the House

ELECTROCUTION BILL

The Bill For Changing the Manner of Execution From Hanging to Electrocutation Was Taken Up and Read in Full—Bowie Wanted Bill Set For Next Wednesday as Special Order—Mr. Hayes Hoped That the Matter May be Considered Today, Bill Went Upon Immediate Consideration—Many Local Bills Introduced.

The fortieth day of the house of representatives of the North Carolina General Assembly was called to order at 10:30 o'clock today by Speaker Graham and the morning devotions were conducted by Dr. W. C. Tyree, pastor of the First Baptist church.

The journal of yesterday was stated by the committee to be correctly recorded, and the same stood approved.

Calling for petitions, memorials and communications, the following were sent forward and read:

- By Koonce: As to oyster law; by Cox, of Pitt, against stock law territory; by Morton as to oysters in Pamlico.
The call of the committees brought forth the usual number of reports.
By McDonald, of Moore: To allow Southern Pines to issue bonds.
By Gordon: To issue bonds to finish work for insane.
By Gordon: To prevent advertising and sale of concoctions to prevent conception.
By Koonce: As to use of state lands for experiments.
By Hampton: To protect muskrats in Currituck county.
By Majette: For relief of certain live stock districts in Tyrrell.
By Morgan: To amend law as to roads in Pasquotank.
By Crawford: For relief of W. H. Hogshead, a pensioner.
By Everett: To amend the law as to cotton weigher at Laurinburg.
By Parker: To allow dispensary fund to go to school fund.
By Parker: To amend road law in Jones.
By Lovelace: To regulate salaries of officers in Cleveland.
By Lovelace: As to graded school in Shaunnon.
By Smith, of Harnett: As to tax in Hector township.
By McNeely: To change line of school district in Union.
By McLeod: To increase pension tax to six cents.
By Bryan: To establish a recorder's court for Edgecombe.
By Fagg: To promote good roads in Sauratown township in Stokes.
By Bowie: To correct a call in grant.
By Taylor (by request): To make a new charter for Southport.
By Cook: As to good roads.
By Crumpler: To amend the law as to Sampson counties.
Bills Ratified.
The following bills have been ratified and sent to the secretary of state and are now the law:
To establish graded schools in Elkin.
To amend the charter of Black Mountain.
To supplement Smithville township roads fund in Brunswick county.
To allow bond issue and tax levy in Carteret.
To amend revision as to licensing physicians.
To allow Brevard to issue water bonds.
To amend the law as to courts in Onslow.
Message from the senate was read and referred to the proper authorities.
Leave of absence was granted to Killian, Snell, McLeod, Parker, Albritton, Underwood, Barnes of Harnett, Pickett, Cotton, Smith of Durham, Lemmond.
The privileges of the floor were granted to General Royster.
The morning hour having expired the bill for changing the manner of execution from hanging to electrocution was taken up and read in full. Mr. Bowie moved to have five hundred copies printed and set for next Wednesday as special order.

Mr. Hayes hoped the matter would be finished now. Mr. Underwood hoped the bill would be considered now. The bill to allow prisoners in jail to work on the roads, applying to Anson, Edgecombe Scotland and Harnett, was called up and Mr. Kitchen moved to adjourn till 11:00 Monday. Mr. McNeely amended by making it 2:30 today. Mr. Graham begged for the motion of Mr. McNeely to be voted for.

Mr. Kitchen withdrew his motion and McNeely's motion prevailed. The bill was then put upon its third reading and Mr. Smith sent an amendment withdrawing Harnett. The amendment to add Cumberland was, on division, carried by a vote of 12 to 45. Mr. Morton made the point that there was not a quorum voting. The chair ruled that the point was raised too late (a quorum was present).

Mr. Morton proceeded to discuss the bill. Mr. Bryan asked if the law did not make it optional with the prisoner? Yes, said Mr. Morton, but the law does not allow a man to even plead guilty before grand jury acted.

Mr. Grant asked what would become of the prisoner if he wanted to go home? Mr. Morton said he thought he could go, and a guard that would shoot him ought to be convicted of murder if he fired on such.

Mr. Morton said it was wrong in principle, even if it did pass. Mr. Smith, of Randolph, withdrew his county; so did Swain. Mr. Henderson said the principle of a man serving time on roads be (Continued on Page Two.)

BURIED BLADE IN GIRL'S NECK

(By Leased Wire to The Times) Chicago, Feb. 20—In the presence of throngs on their way to work today, a young man stabbed an unidentified girl, apparently seventeen years old, in the face and neck. The attack took place at Oak and Larrabee streets. The girl, who was a pretty brunette, was passing the corner on her way to a street car when the youth leaped out, brandishing a knife. Many others were close at hand but before they could interfere the assailant had rushed forward and buried the blade in the girl's neck. The crowd pursued and captured the assailant, who was taken to the Chicago avenue station.

SILVER LOVING CUP FOR FORAKER

(By Leased Wire to The Times) Washington, Feb. 20—Senator Foraker, of Ohio, will be given a testimonial by the negroes of the United States at the African Methodist Episcopal church in Washington on March 6. A silver loving cup, which has been purchased by popular subscription from negroes will be presented to him.

TWO AND A HALF CENT RATE IS ELIMINATED

(By Leased Wire to The Times) Columbia, S. C., Feb. 20—Considerably amended, the Graydon-Smith rate bill today passed the senate and was ratified, a motion to postpone indefinitely being voted down, 2 to 1. The provisions making 2 1/2 cents the maximum passenger rate was eliminated. The bill provides that conductors must accept on trains mileage from books sold for 2 1/2 cents or less per mile. The traditional forty days session ends tonight, but there will be another week to this session, the prohibitionists having refused to permit the supply bills to be taken up until their state-wide prohibition bills should have received consideration.

STATE EXAMINER CLOSES THE BANK OF CARTARET

The corporation commission has received information that Mr. J. Kemp Doughton, state bank examiner, has taken charge of the Bank of Cartaret, at Morehead. No particulars have been learned as yet.

TERRIFIC GALE PLAYS HAVOC WITH STEAMER

Strikes Rock With Such Force That Side Was Caved in Like Paper

CREW FINALLY RESCUED

Whether the Steamer Got Out of Channel Through a Mistake of Pilot or Was Blown on Rocks Has Not Been Determined—Wind So High and Seas So Dirty That Relief Boats Could Not Reach Her Side—Rescuers Eventually Won Out.

(By Leased Wire to The Times) Bridgeport, Conn., Feb. 20—After pounding about on the rocks off the outer breakwater here for more than three hours last night, the steamboat John H. Starin, of the Starin Line, which ran aground at 11:30 o'clock, went to the bottom at 2:30 this morning and it is believed she is a total wreck.

The Starin, which was commanded by Captain Dampley, and which carried a crew of twenty-two men, left New Haven last night for New York with a cargo valued at about \$10,000. A number of passengers were booked to sail on the Starin but because of the storm of yesterday they cancelled their passage. The Starin encountered a terrific gale and high seas early in the night. At times the wind blew sixty miles an hour and the boat was tossed about until the cargo was disarranged and men in the crew became sick.

Passing the breakwater here waves were rolling over the Starin's decks and the vessel was tilted by the gale.

Whether the Starin got out of the channel through a mistake of her pilot, or was blown on the rocks, has not been determined. She struck the rock with such force that her side was caved in as if it had been so much paper. Water rushed in like a torrent.

Alice Bouton, the stewardess, and the only woman on board, was lying on the floor of the women's cabin. She was seasick and hardly able to care for herself, when water covered her body. She regained her feet and reached the upper deck. There all was confusion.

So high was the wind and so dirty the seas that relief boats could not reach the side of the Starin. The crew of the Sarah McWilliams volunteered to attempt the rescue by dories. Many times they were beaten by the gale and sea in their fight to gain the Starin, but eventually won out. They found the Starin's hold half full of water and waves breaking high over her.

The stewardess and the crew were transferred to the small boats and then the officers were taken off and landed on the breakwater, from which they were finally rescued by the Royal and taken ashore, where it was found the stewardess was in a state of collapse from cold and exposure. She was hurried to Bridgeport Hospital.

THE CALHOUN SOCIETY DEBATE.

Will be Held at Academy February 22nd.—Oyster Supper. (Special to The Times) Cary, N. C., Feb. 20—The Calhoun Society will offer a public debate at the Academy Monday night, February 22nd. County Superintendent Judd will also speak and the music and elocution classes will entertain free, after which oysters and refreshments will be sold, the proceeds to go to school improvements. A big crowd is expected and everybody is invited. Mr. J. B. Jordan says Mrs. Jordan writes that their son, George, who has been very ill with typhoid fever for two months in Memphis, Tenn., is now out of danger and improving fast.

LABOR LEADERS INDICTED.

Charged With Conspiracy in Calling Off Strike. Chicago, Feb. 20—Martin B. (Skinny) Madden, president of the Association Building Trades, and M. J. Doyle, business agent of the electrical workers' union, have been indicted by the Cook county grand jury. The indictments charge Madden and Doyle with conspiracy to stir up and settle of strikes.