

Washington, D. C., Feb. 23—Forecast for North Carolina for tonight and Wednesday: Rain tonight and Wednesday; colder Wednesday.

ESTABLISHED 1876.

RALEIGH, N. C., TUESDAY, FEBRUARY 23, 1909.

PRICE 5 CENTS

EXTENDS TIME OF EDUCATIONAL QUALIFICATIONS

Bill Extending Time of Educational Qualifications to 1916 Reported Favorably

DOG LAW UNFAVORABLE

Bill to Repeal the Homestead Law Reported Without Prejudice by the Judiciary Committee

The forty-second day's session of the house of representatives, North Carolina general assembly, was called to order at 10 o'clock this morning by Speaker Pro-tem Morton, who presented, to conduct the religious services of the day, Representative John F. Latham, of Beaufort.

The journal of the preceding day was reported as correctly recorded and the same went on record, and the speaker called for petitions and such bringing out the following:

By Koonce: Petition from citizens of Onslow to be allowed to sell small quantities of wine.

Against the stock law in Pitt. The call of the standing committee brought forth the usual shower from the busy committees.

The constitutional amendment committee reported favorably the Haymore bill to extend the time of the educational qualification as to the voter from 1908 to 1916, and the bill to repeal the homestead law was reported without prejudice.

The committee on game reported the bill to prevent bird dogs from running at large in the quail breeding season unfavorably.

By Bowles: To allow a railroad merger in Ashe.

By Cox of Anson: To amend charter of Wadesboro.

By Hayes: To allow Pittsboro to issue bonds.

By Lemmond: To amend charter of Piedmont Railway Company.

By Graham: To require Western Union and others to pay arrears of taxes 1903 and 1904.

By Graham: To allow Stovall to issue bonds.

By Latham: To prohibit fishing in certain water of Beaufort.

By Williams of Cabarrus: To amend charter of Concord.

By Shepherd: To allow Lumberton school trustees to sell school property.

By Barnes of Johnston: Create a stock law in Onslow and other townships.

By Sigmom: To allow Burke county to fund its debt.

By Rascoe: To amend law as to bank stock.

By Carlton: To require electric headlights on certain trains.

By Everett: To amend the charter of Laurinburg.

By Morgan: To appoint Charles Munda a justice in Pamlico.

By Hoffer: To establish Reynolds high school in Gates. To incorporate Sunbury High School.

By Wallace: To regulate sale of soft drinks. To establish police regulation on Murry Island beach.

RICHMOND PAPER PLANT GOES UP IN FIRE AND SMOKE

Evening Journal Plant Completely Destroyed by Fire Early This Morning

A SPECTACULAR BLAZE

Blow Falls Heavily But is by No Means a Death Blow to the Enterprising Paper—Journal Will be Issued Today From the Plant of The Times-Dispatch—Damage is About \$40,000, Practically Covered by Insurance—Five Linotype Machines and Stereotyping Department Destroyed—Fire Made Rapid Headway.

(By Leased Wire to The Times.) Richmond, Va., Feb. 23—Misfortune, terrible, unexpected and spectacular, came to the Richmond Evening Journal this morning at 3:45 o'clock, when the plant of the paper was completely destroyed by fire and reduced to an almost unrecognizable mass of debris.

The paper will print today from the plant of the Times-Dispatch and a new plant will be installed immediately.

school district No. 6.

By Wooten: To allow Kinross to issue bonds.

By Gavin: To create a criminal court for Duplin.

By Latham: To amend the fish law.

Mr. Haymore asked that H. B. 349 as to extending time of application of educational qualification be set for hearing Wednesday night.

Mr. Dowd wanted the bill sent to judiciary committee.

Mr. Connor asked the same thing. So did Mr. Rascoe.

Mr. Grant said reference meant death of bill.

Mr. Henderson approved reference. Mr. Dowd still opposed the bill, and Mr. Grant asked question and was answered. Majette said he voted against the bill in committee. Grant asked if the bill had not been in committee all session, and why at this late day coming out. Majette said he was not chairman. Haymore plead for special order.

Mr. Kitchin wanted reference. Haymore said it meant death of bill.

Murphy said reference was nothing new.

Mr. Grant asked for ayes and noes. The call was lost, and on a division the reference was made, and the bill goes back to the committee.

The special orders, the game bill and the medical bill were displaced and the house resolved itself into the committee of the whole, Mr. Koonce in the chair.

Section 33 was taken up and it passed over.

Section 34 was taken up and Mr. McCrary amended so as not to apply "to cabinet makers who make coffins to order." Mr. Dowd said some were dodging behind this very provision in old law. Mr. McCrary referred to the countryman who makes a coffin for a dead neighbor. Mr. Turner hoped the amendment would be adopted. Mr. Dowd said the section was not intended to apply to any

LOCKHART ABLY SUPPORTS HIS ANTI-TRUST BILL

Others Oppose the Measure in Equally Able and Emphatic Speeches

A LIVELY DISCUSSION

Hon. Whitehead Klutz, President Pro Tem, Called Senate to Order at 10 O'clock and Senator Ormond Led the Prayer—Many New Bills, Bill Introduced to Fix the Time of Advertisement of Public Sales—Bill to Change the County Line Between Vance and Franklin—The Raleigh Auditorium Bill—Anti-Trust Bill Comes Up.

Hon. Whitehead Klutz, president pro tem, called the senate to order at 10 o'clock. Senator Ormond led in prayer. The journal was reported correct and the roll of committees was called.

New Bills Today.

S. B. 1145. Senator Burton. To establish a graded school in Beaufort. Calendar.

S. B. 1146. Senator Ormond. To allow Kinross to vote bonds for improvements of Kinross graded school. Education.

S. B. 1147. Senator Jones. (By request.) To amend chapter 457, laws of 1907, to prevent cumulative voting of stock. Judiciary.

S. B. 1148. Senator Jones. An act for the relief of the Soldiers' Home. Pensions.

S. B. 1149. Senator Jones. To appoint R. N. Goodwin a justice of the peace in New Light township. Justice of the Peace.

S. B. 1150. Senator Jones. To fix time of advertisement of public sales. Judiciary.

S. B. 1151. Senator Jones. An act to pension all ex-Confederate soldiers. Pensions.

S. B. 1152. Senator Jones. An act to validate certain probates. Judiciary.

S. B. 1153. Senator Jones. To appoint Justice of the peace in Wake county. Justice of the Peace.

S. B. 1154. Senator Blount. To amend law relative to titles against the state. Judiciary.

S. B. 1155. Senator Blount. To amend 1146 of revisal relative to trespass. Judiciary.

S. B. 1156. Senator Bassett. To amend charter of Tarboro. Counties, Cities and Towns.

S. B. 1158. Senator Bassett. To allow Tarboro to issue bonds. Judiciary.

S. B. 1159. Senator Lockhart. To give the North Carolina Corporation Commission control over hydro electric company. Corporation Commission.

S. B. 1160. Senator Barringer. To establish a recorder's court for Greensboro. Judiciary.

S. B. 1161. Senator Powell. An act relative to the nomination of candidates. Judiciary.

S. B. 1162. Senator Powell. To amend law relative to filling vacancies on board of commissioners of Vance county. Counties, Cities and Towns.

S. B. 1163. Senator Powell. To change county line between Vance and Franklin. Counties, Cities and Towns.

S. B. 1164. Senator Barringer. For the relief of Morehead special tax district. Education.

Passed Third Reading. The following passed their final reading:

H. B. To allow Cross Creek graded school to issue bonds.

H. B. To authorize New Bern to issue bonds.

H. B. To amend law relative to electing commissioners of Jones county.

S. B. To amend charter of China Grove.

H. B. To amend law relative to civil dockets in Rowan county.

S. B. To amend law relative to highways, bridges and ferries in Mecklenburg county.

S. B. To change time for holding superior courts in Person and Orange.

monument for Confederate soldiers in Henderson.

H. B. To protect fish in Haw river.

H. B. To provide more lights in the corridors and rotunda of the capitol.

H. B. To protect fish in Haw river.

H. B. To fix time for settlement of state taxes by sheriff of Granville county.

H. B. Relative to Western Power and Transportation Co.

H. B. To allow Raleigh to lease a public auditorium.

S. B. To authorize town of Rockingham to appropriate \$250 for completion of a Confederate monument.

S. B. To authorize Richmond county commissioners to appropriate \$500 for a Confederate monument.

S. B. To authorize the purchase of uniforms for old soldiers at the Soldiers' Home.

S. B. To exempt from jury service funeral directors and embalmers.

H. B. To incorporate Elizabeth City and Albemarle Railroad Co.

H. B. To regulate hunting in Warren county.

H. B. To prevent miners from throwing tailings into Silver Creek, Burke county.

H. B. To change time for holding court in Onslow.

S. B. To amend 136 of laws of 1907 relative to Cabarrus county.

The Anti-trust Bill.

At 12 o'clock today President Klutz announced that the hour had arrived for the consideration of the Lockhart anti-trust bill and the committee substitute.

Senator Lockhart took the floor and opened the discussion. He began by showing the demand for legislation in line with his bill. He reviewed the history of the democratic party from Jefferson down, showing the position of "Old Hickory," Samuel J. Tilden, Grover Cleveland and William J. Bryan—all of whom were against private monopolies. He reviewed the history of the bill in the legislature of 1907, where it passed the house of representatives by a practically unanimous vote and was defeated in the senate by a majority of one vote. He showed the democratic party's position on the trust question, quoting Ashley Horne, Locke Craig and W. W. Kitchin. The democratic convention nominated Kitchin on a platform declaring in unequivocal terms for the destruction of private industrial monopolies. The republican party accused the democratic party of insincerity because of their action in 1907, and it behooves the party to live up to its pledges now.

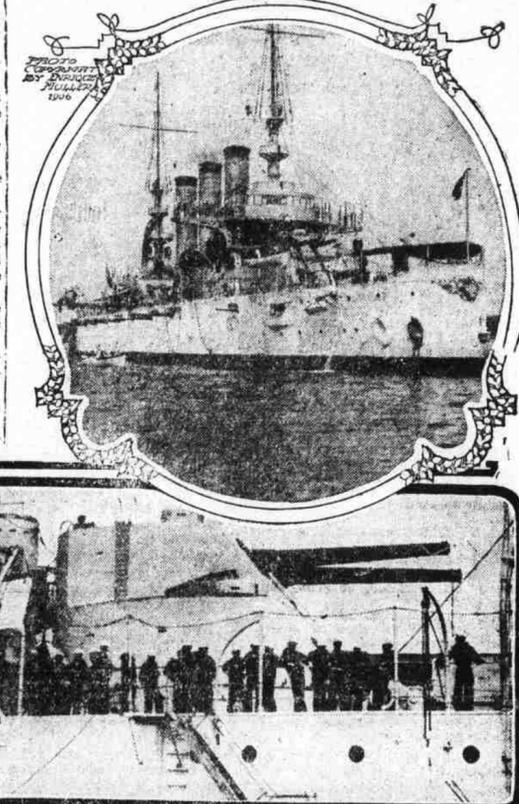
He showed the advantages of his bill over the committee substitute. He declared that the famous sub-section A of his bill is an exact copy of the Texas law, which has been upheld by the supreme court of the United States. The best thing claimed for sub-section F, the substitute, is that it is the "same as sub-section A." Sub-section F is broad and general. It lacks in machinery for enforcement and would be practically harmless. On the other hand, the original bill with sub-section A is worth something. It will do just what it claims to do.

He took up the question as to the state's right to regulate these law-defying corporations and showed the state's unquestioned right to regulate these artificial citizens when they are infringing on the rights of God-made man and other state-made beings. We must have the same right to punish these corporations as we have to punish men. There is no "preferred stock" in the law.

He showed the dangers that menace the people of the state by the encroachments of the fertilizer trust. That trust has not yet reached the perfection of organization attained by some of the others, but it is coming. The United States Steel Company and the Tennessee Iron & Coal Company, the corporations controlling the manufacture of sulphuric acid, an essential in fertilizer-making.

(Continued on Page Four)

The U. S. Battleship Georgia.



In This Picture is Given a View of the U. S. Battleship Georgia, as She Appears on Her Return From Her Voyage Around the World. Below is a Deck Scene on This Powerful Fighting Machine.

SYLVIA GREEN MARRIED AT NOON

(By Leased Wire to The Times.) New York, Feb. 23—Sylvia, only daughter of Mrs. Hetty Green, the richest woman in the world, was married at Morristown, N. J., at high noon today to Matthew Astor Wilkes, a grandson of the late John Jacob Astor. The bride is just past 30 years of age and will inherit half her mother's estate, \$50,000,000. The bridegroom is about 35.

Strange and ludicrous scenes preceded the ceremony because of Mrs. Green's efforts to have it performed with comparative secrecy. When the bridal party started for Mrs. Green's home at 1309 Bloomfield street, Hoboken, in a one-horse cab, to board the special car which awaited them at the Lackawanna depot, they were followed by a motley procession of delivery wagons and vehicles of every description which were filled with curious persons and newspaper men.

FOUND HANGING FROM THE DOOR

(By Leased Wire to The Times.) Boston, Feb. 23—Flora Fullerton Heath, aged 29, of Potsdam, N. Y., a student at the Leland Powers Education School, committed suicide by hanging in her apartments occupied by herself and mother, Mrs. Julia Heath, Huntington avenue. Mrs. Heath found the body of her daughter hanging from a door in their rooms today. She had been dead several hours. She had just chosen her graduation dress and no reason is known for her rash act.

WOULD RELIEVE THE PRESIDENT OF POWER

(By Leased Wire to The Times.) Washington, Feb. 23—There is an amendment in the diplomatic and consular bill which, if agreed to, will take from the president the power of creating new ambassadorships. The amendment reads thus:

"Hereafter no new ambassadorship shall be created unless the same shall be provided by an act of congress."

This same amendment was placed in the bill last year and passed but was thrown out in conference. Whether it will meet with the same fate this year is uncertain but it is probable the committee will make a strong fight to have it agreed to.

WILLIAM VISITS BROTHER HENRY

(By Leased Wire to The Times.) New York, Feb. 23—President-elect William H. Taft is a guest today of his brother, Henry W. Taft, 36 west Forty-eighth street, and, besides a visit from Senator Knox, the president-elect is expected to make known his selection of a secretary of the treasury while in New York.

Tonight the president-elect and Booker T. Washington will be the principal speakers at a meeting in Carnegie hall in the interest of the movement for industrial education among southern negroes and it is expected that Mr. Taft will outline some policies to be pursued during his administration, which it is said will be radically different from some of those of President Roosevelt.

Mr. Taft came here today from Philadelphia, where he spent yesterday making a round of holiday functions. He yesterday spoke at the exercises of the University of Pennsylvania.

When Mr. Taft returned to the home of Dr. S. Weir Mitchell in the afternoon he was met by George Wickesham, of New York, who will be his attorney-general. After his nap Mr. Taft went over his inaugural address with Mr. Wickesham, and later it was given to the printer and to the press associations.

The president-elect said that the place of secretary of the treasury is still open. The most likely nominee is Franklin McVehly, of Chicago. Otto T. Barnard, of the New York Trust Company, is an old-time friend of Mr. Taft. Mr. Barnard was in Yale at the time Mr. Taft was there.

MINISTER RUSSELL TO RETURN TO HIS POST

(By Leased Wire to The Times.) Washington, Feb. 23—The navy department was today advised that the Marletta, with Commissioner W. J. Buchanan on board, has sailed from Guantanamo for Washington. Mr. Buchanan is returning from Venezuela, where he framed the protocol between that country and the United States. He was taken from Laguayra to Guantanamo on the Des Moines. Upon his arrival in Washington he will confer with the president and Secretary of State Haroon, after which Minister W. W. Russell, who represented the United States in Venezuela before the diplomatic relations between the two countries were discontinued, will return to his post. The collier Brutus, which has been coaling for the Pacific fleet at Willemstad, has sailed from Curacao for Hampton Roads. The relief ship Celtic, which has been placed at the disposal of United States Minister Grismont, has sailed from Naples for Messina with more supplies for the earthquake sufferers.

COLONEL DUNCAN BROWN COOPER TELLS HIS STORY

Central Figure in the Tennessee Murder Trial Chief Witness Today

A DRAMATIC RECITAL

The Defense Sprang a Surprise in Calling Colonel Cooper to the Stand This Morning—It Was Expected That the State Would Further Examine John D. Sharp, But Mr. Garner Announced at Opening of Court That He Was Through With Sharp—Colonel Cooper Tells of His Relations With Carmack.

(By Leased Wire to The Times.) Criminal Court Room, Nashville, Tenn., Feb. 23—The latest surprise to be sprung in the Scooper-Sharp case was that of this morning, when, following the retirement of John D. Sharp, Colonel Duncan Brown Cooper took the witness chair at 9:30. When court adjourned yesterday afternoon, following damaging cross-examination of John D. Sharp by General Garner, the latter indicated that he was not done with Sharp. This morning, however, Garner announced that he had nothing further to ask him. Sharp's counsel, General Meeks, asked a few questions in re-direct examination and Sharp was excused from the stand.

"Colonel Duncan B. Cooper will take the stand," said General Washington, in a dramatic manner, and the old white-haired man took the chair just vacated by his co-defendant. A murmur of excitement and a shuffling of feet ensued in the courtroom. Colonel Cooper was questioned by Colonel Washington. He is 64 years old, born in Maury county and came to Nashville 27 years ago. He was in the war four years, entering the Confederate army at the age of 17. He was married twice, last time to Miss Jones, the sister of Robin Jones. He has six children, two of them girls.

Colonel Cooper said he had known Senator Carmack since the latter was a young lawyer at Columbia; that he brought Carmack to Nashville and put him on The American as editor, which paper Colonel Cooper then controlled. Witness said his relations with Carmack were always pleasant until the Taylor-Carmack senatorial race.

The attorneys for Colonel Cooper then took up the examination along the lines of showing when the parting of ways began between Colonel Cooper and Senator Carmack. Colonel Cooper said the relations between them had been quite pleasant until Senator Carmack's race against Bob Taylor for the United States senate. In that race Colonel Cooper said he was exercising his right of citizenship, and supported Senator Taylor. Later in the race for governor between Senator Carmack and Governor Patterson, the witness supported Governor Patterson. Then Senator Carmack quit speaking to him. Colonel Cooper said the first uncomplimentary thing Senator Carmack said about him was in an editorial appearing in The News Scimitar of Memphis in 1908. He was informed that Senator Carmack wrote the editorial. A long wrangle ensued here, counsel for the state insisting that the defense should first show that Carmack really wrote the article. The court finally admitted that portion tending to show the condition or effect on the mind of defendant Cooper produced by reading the editorial. Colonel Cooper said Senator Carmack used his name in nearly every speech in joint debate with Governor Patterson, first in a spirit of ridicule and later with veiled insinuations. The first thing Carmack called him was "a little old fat-headed angel called Dunc. Cooper," and later Carmack said "the wings of the angel have been soiled with sulphurous smoke," insinuating that "the angel came from below."

The counsel for the defense then introduced the editorials from The Nashville Tennessean containing sarcastic reference to Colonel Cooper after Carmack became editor of the paper. Colonel Cooper identified the editorials and himself as the one referred to in them.