

"One paper in the home is worth a thousand on the highway."—Marshall Field.

# The Evening Times

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## MR. JAMES E. SHEPHERD, JURIST, DEAD

### Ex-Chief Justice Died In Baltimore Where He Had Gone For Treatment

## FUNERAL TOMORROW

Raleigh and North Carolina Shocked at the News of the Death of Ex-Chief Justice James Edward Shepherd Which Occurred Suddenly at the Presbyterian Hospital in Baltimore Last Night—Had Gone There For Treatment For Some Throat Trouble—Body Will Arrive Here Tonight—Funeral Will Probably Take Place Tomorrow Afternoon at 3:30 O'clock.

The news of the sudden death of Hon. James Edward Shepherd which occurred in Baltimore last night, about one o'clock cast a gloom not only over Raleigh but the entire state, for North Carolina loses one of her greatest jurists and citizens. Judge Shepherd was in that period of life where great men accomplish the most.

### His Death.

Only meagre details of his death were obtainable this morning, but so far as can be learned, Judge Shepherd was suffering from some bronchial trouble, and was advised to go to Baltimore and be treated by a specialist. He left here last Saturday accompanied by Dr. K. P. Battle, and was taken to the Presbyterian hospital.

A message was received here yesterday saying that there was some slight trouble with his throat. Last night another telegram was received announcing his death. Further than this no information was obtainable this morning.

It was reported this morning that while eating quail a few days ago a piece of bone lodged in his throat. An examination by local physicians failed to find the bone, and upon their advice Judge Shepherd went to Baltimore to consult specialists.

An examination at the Presbyterian hospital failed to locate any obstruction. The next news received here announced the death. This report could not be verified.

### Funeral Tomorrow.

The body will be met in Richmond today by Mr. S. Brown Shepherd and Judge George H. Brown, who will accompany it here, arriving tonight at 12:30.

The funeral will be conducted from the Church of the Good Shepherd tomorrow afternoon at 4 o'clock.

### Sixty-two Years Old.

Judge Shepherd was sixty-two years of age. He leaves a widow and one son, Mr. S. Brown Shepherd who was his law partner. Another son, James E. Jr., died before reaching manhood. Associate Justice George H. Brown was a brother-in-law.

### Sketch of His Life.

James Edward Shepherd, son of Thomas E. and Eliza Ann Shepherd, was born near Suffolk, Virginia, July 26, 1847. His great grandfather, Solomon Shepherd, was a member of the Virginia convention when the constitution of the United States was adopted, and was one of the great men of Virginia.

He lost his mother when he was only two years old and his father ten years later, after which he made his home with his older brother, William. In 1859 the Shepherds moved to Martinsboro, Hertford county, where William opened up a drug business. Fortunately (Continued on Page Five.)

## MINIMUM TARIFF FOR GERMANY

(By Leased Wire to The Times) Washington, Feb. 7.—President Taft today signed a proclamation giving to Germany the minimum tariff. The proclamation does not apply to the German colonies, as there is not now sufficient information to show if the colonies discriminate against American goods.

General Wood to be Re-operated On. (By Leased Wire to The Times) Baltimore, Feb. 7.—General Leonard Wood is at Hopkins Hospital under the care of Dr. Harvey M. Cushing, who will operate upon him for an injury to the army officer's head. General Wood fell from his horse while riding in New York recently, was thrown, landing on his head.

MRS. FRANK JAY GOULD.



Mrs. Frank Jay Gould, former wife of the son of the great financier Jay Gould, who is about to marry Ralph Thomas, nephew of Washington B. Thomas, president of the Sugar Trust. Mrs. Gould was Miss Margaret Kelly. She secured a divorce from her husband some time ago and was awarded a generous sum as alimony. She has two children, whose time, by order of the court, is divided between the parents.

## NEW REPRESENTATIVE FROM MISSOURI

(By Leased Wire to The Times) Washington, Feb. 7.—Immediately after the chaplain delivered the prayer this morning in the house the credentials of Representative Clement C. Dickinson, of Missouri, successor to the late Representative DeArmond, were presented. Mr. Dickinson took the oath of office.

Representative Parker, of New Jersey, chairman of the committee on judiciary, introduced the administration federal incorporation bill. It was referred to the judiciary committee.

Representative Finley, of South Carolina, rising to a question of privilege, said that the Valley Paper Company, of Holyoke, Mass., has entered suit against the joint congressional committee on printing and that the District of Columbia supreme court has issued a rule against the members of the committee directing them to show cause why a mandamus should not issue against the committee and a contract for paper for the government printing office in dispute should not be awarded to the company. It was referred to the judiciary committee.

The house took up consideration of bills on the unanimous consent calendar.

### REPORT ON PATENTS.

Commissioner Submits His Annual Report for 1909.

(By Leased Wire to The Times) Washington, Feb. 7.—Commissioner of Patents Moore has submitted to congress his annual report for 1909. The total amount of money received from all sources was \$2,042,824.14 and the expenditure was \$1,555,151.14, leaving a surplus for the year of \$487,673.00.

During 1909, 61,408 applications for the issue of patents were received and 1,234 applications for patents for design. Of these 37,261 letters patent were issued. The number of applications awaiting investigation and action by the office is 19,679. New York is the leader in the number of inventors, with 5,232, the nearest competitor being Pennsylvania with 3,641 patents granted. Of the patents granted to citizens

of foreign countries, Germany is in the lead with 1,189, England being second with 879. The commissioner recommends the passage of a bill for the creation of a board of patent appeals.

The declaration of a patent bar is another feature of the recommended legislation.

The repeal of the law relating to caveats is recommended.

The commissioner forcibly repeats his previous recommendations for a new building for the patent office.

### WOMAN STRANGLED TO DEATH.

Body Hid Under Floor—Husband Has Disappeared. (By Leased Wire to The Times) New York, Feb. 7.—Mrs. Agnes Anderson, a pretty young woman, was found strangled to death today beneath the flooring of an apartment house at 174, 94th street. Her husband moved from that place last Friday.

In the rooms the Anderson's had occupied there was no sign of crime, but about the woman's neck was a tightly-wound cord.

According to neighbors Anderson left the place saying that his wife had quit him forever.

## PAULHAN PLEASED WITH NEW ORLEANS

(By Leased Wire to The Times) New Orleans, Feb. 7.—Louis Paulhan's reception to New Orleans has been marked by such vehement welcome that the daring French aviator has determined to extend his stay to next Monday and during that time he will attempt to set a complete new set of records in aerial navigation. He is confident he will set new records for distance and height before the end of the carnival. The distance record will be attempted by a flight either to the Gulf of Mexico or to Baton Rouge. The latter trip would take him over the most thickly populated French section of the United States. The French people here are honoring M. Paulhan and wife.

In the French quarters yesterday M. Paulhan passed the French Opera House and exclaimed: "Why, it's Paris!"

## MUCH ZERO WEATHER

### Coldest of The Year In New York

The Entire East, From Hatteras to Eastport, Me., Gripped by Storm. One Death Directly Attributable to The Cold—Charitable Lodging Houses Full.

(By Leased Wire to The Times)

New York, Feb. 7.—With the thermometer 2 degrees above zero, New York's coldest day of the year today brought suffering to thousands. The cold snap came all the way from Alaska, gripping the entire east, and storm-warnings were ordered out by the weather bureau from Cape Hatteras to Eastport, Me.

In New York the death of one woman was directly attributed to the high wind which, driving at a 40-mile clip, added to the horror of the piercing cold.

Blinded by dust and entangled in her wind-snarled skirts, Mrs. Mary O'Connor walked directly in front of a United States mail automobile at Third avenue and 84th street, and was killed. Her clothing became entangled in the spoke of a wheel and she was dragged for yards, her head being crushed.

The river was choked with ice and traffic was greatly hampered. The ferry services were disrupted and thousands of commuters were delayed in reaching the city.

Every charitable lodging-house was crowded last night, the municipal lodging house alone giving shelter to 480 men, 20 women and three children, breaking all records. Throughout the city every secluded nook of warmth was occupied by derelicts and homeless.

So intense was the cold that it pervaded the usually air-tight subway and the station employees were forced to swing their arms like cabsmen to keep warm.

Three early morning fires added to the suffering, each driving fully 100 persons in their night clothes into the bitter air. These fires were at 351 Madison street, 709 East Fifth street, and 189 Rivington street. Several of the people were frost-bitten.

From the middle of the night on the hospitals began to fill with sufferers. Overcome on the streets many were taken in suffering from exposure and the police made special efforts to prevent death from claiming the unfortunates who were compelled to rest in the open.

John Walsh, a Pennsylvania Railroad watchman, was benumbed while on duty and fell, his head striking a rail. He was taken to a hospital in a serious condition.

August Schannarschiper, an aged engineer on Blackwells Island, was taken to Flower Hospital with hands and feet frozen. He was overcome while on duty.

At the big zoological gardens in the Bronx Park, where there is one of the most famous collections of animals in the world, fires were lighted in the cages to keep the exhibits from perishing. Even the polar bears huddled up to the warmest spots. Today was the coldest February 7 ever recorded by the weather bureau.

On February 7, 1875, and 20 years later the thermometer fell to three degrees, one degree higher than it did today. This was also the coldest day of the year and of the winter, the previous record being five degrees.

It also came near to the record figures of the last few years—1 degree on February 5, 1898, and February 12, 1907. The coldest February day recorded was the 11th in 1899, when the thermometer was 6 below zero.

Frozen To Death At Buffalo. Buffalo, N. Y., Feb. 7.—All cold weather records for the season have been broken in Buffalo. Some thermometers registered as low as fifteen degrees below zero.

Herman Snyder, thirty-seven years old, was frozen to death while fishing four miles out on the ice of Lake Erie.

Cold in Upper New York. Watertown, N. Y., Feb. 7.—It was 35 below zero in Watertown early this morning, the coldest in several years.

Ogdensburg, N. Y., Feb. 7.—At Saranac Lake the thermometer registered 45 below zero this morning.

Eight Above In Washington. Washington, Feb. 7.—The thermometer showed eight degrees above zero today.

In Philadelphia. Philadelphia, Pa., Feb. 7.—The winter's weather records were broken for cold today when the temperature fell to one degree above zero.

Eight Below At Boston. Boston, Mass., Feb. 7.—Boston and New England are in the grip of a cold wave that is sweeping practically all sections east of the Mississippi and in

LADY MICHELHAM.



Lady Michelham, wife of an Englishman just created a peer, who is being sued by Arthur Cohn, a rich stock broker of London, because of an alleged attempt made by the lady to disrupt his domestic happiness, so that he would turn to her for consolation. It is charged that Lady Michelham sent a telegram to Cohn signed with the name of a French dancer in which the most erratic kind of love was expressed. Cohn's wife received the telegram. There was a storm. The dancer was notified. She sued Lady Michelham and got \$2,000 to settle out of court. This convinced Cohn that Lady Michelham was guilty, and so he has likewise brought suit in order that the attempt on his domestic happiness may be exposed.

## THE GOVERNMENT FORCE TRAPPED

(By Cable to The Times) Managua, Feb. 7.—(By Mexican cable)—By the battle of Santa Tomas the insurgent army under General Mena was led into a carefully planned ambush. This explains why the government forces suffered such an insubstantial loss, one man killed and a few wounded.

The victory has recently stimulated the insurgent troops which had lost confidence after they were defeated at Rana.

According to official dispatches from General Vasquez every sixth man among the insurgents was either killed or wounded. Among those in the casualty list on the government side are Captain Parrill, killed, and Colonel Michel and Captain Navarro, wounded. Navarro was formerly governor of Managua penitentiary and it was he who executed Zelaya's orders for the flogging, shooting and torturing of political prisoners.

General Mena was in command of the insurgents at the battle.

Toward the close of the fight he was reinforced by Colonel Zelenon, with 300 men and this prevented the insurgents from being cut off entirely.

General Vasquez in his advice, says he is still pursuing the enemy.

The report that Nicaragua and Honduras are preparing a revolution against Guatemala is a pure invention doubtless for the purpose of discrediting the Madrid government.

Norwegian Novelist Dying. (By Cable to The Times) Paris, Feb. 7.—Bjornstjerne Bjornson, the Norwegian novelist, is rapidly sinking. A bulletin issued by a physician in noon today said the patient was then in a coma and all hope had been abandoned. His family is at his bedside.

The Payne Resolution. (By Leased Wire to The Times) Washington, Feb. 7.—The house committee on rules today considered the Payne resolution calling for an investigation into the causes of the high prices to foodstuffs. Only an informal discussion took place.

First Returns Indicate Strike. (By Leased Wire to The Times) Chicago, Feb. 7.—The first returns in the strike vote being taken by Chicago switchmen under the auspices of the Brotherhood of Railroad Trainmen were 100 from the Randolph street yards of the Illinois Central Railroad. They were unanimous for a strike.

MRS. RUSSELL SAGE SCATTERS MONEY. (By Leased Wire to The Times) New Orleans, Feb. 7.—Mrs. Russell Sage, one of the world's richest women, who is here for the carnival season, upset all precedents yesterday by scattering money to the winds. The winds did not get the money, however. It was grabbed up by scores of waifs who followed her carriage on the tour through the French quarters. Mrs. Sage left the hotel early in the afternoon and after she had passed through Rue Royale and made her way through the narrow streets of the quarters, news of her identity quickly spread. Soon scores of gamblers pressed about the carriage crying for gifts. In order to rid herself of the escort, Mrs. Sage dug up all the nickels she could find, even melting the coachman and the money was thrown to the little nomads, who scampered away, begging their saints to bless the aged Lady Bountiful.

## INCORPORATION BILL IN THE HOUSE TODAY

### Administration Bill Introduced By Senator Clark of Wyoming

## THE POSTAL BANKS

Corporation Bill Tabled Until Tomorrow When It Will be Referred to the Committee on Commerce—Senator Rayner of Maryland, Vigorously Assailed the Postal Savings Bank Bill Which is One of the President's Pet Measures—Based Objections Wholly Upon Constitutional Grounds.

(By Leased Wire to The Times)

Washington, Feb. 7.—The administration corporation bill was introduced in the senate today by Senator Clark, of Nevada, objected to its second reading and its reference to the committee on judiciary. The effect of this was to have the bill tabled until tomorrow. Senator Newlands announced that tomorrow he would move to refer the measure to the committee on commerce.

Senator Rayner, of Maryland, vigorously assailed the postal savings bank bill, which is one of President Taft's pet measures, and consideration of which he has forced upon the senate leaders. The Maryland senator's objections were based wholly upon constitutional grounds. He contended that there was no warrant anywhere in the fundamental law for such legislation. He quoted liberally from court decisions and from writers on the constitution, sustaining his own view of the constitutionality of the measure.

"I know the constitution under the last administration was in a state of collapse," he said. "Upon a number of occasions it received blow after blow until it was almost sent staggering to its grave. The predecessor of our present president, whatever else may have been, was not a student of the constitution; he did not care for its restrictions, and did not consider himself bound by its limitations."

Mr. Taft, he declared, is familiar with the landmarks of his power and possessed of judicial poise, but in his message to congress on the subject of postal savings banks he had not stated under what grant of power in the constitution such legislation could be enacted. Senator Rayner predicted that the enactment under the "general welfare" clause of the constitution would be disastrous.

The main features of the incorporation bill as made over, provide for the formation of a corporation by five persons; the commissioner of corporations is to pass on stocks and bonds, whose actual value must be represented on appraisal. The commissioner has the right to appoint a receiver if a corporation becomes insolvent, and an appeal may be taken. Violation of the Sherman law is punishable by annulment of the charter by congress or action in the courts brought by the attorney-general. The bill does not relieve the registered organizations from state taxation, in-

(Continued on Page Five.)

CARNIVAL KING HAS ARRIVED. New Orleans, Feb. 7.—Rex, the carnival king, with an escort of a hundred ships, arrived from the mythical Isle De Luzon at noon today. His majesty was greeted by thousands, and the great cavalcade marched through the streets with Louis Paulhan, the French aviator, flying overhead. The carnival this year is breaking all records.

SENT TO THE ROADS. For Killing Man in Game of Craps. (Special to The Times.)

Louisburg, N. C., Feb. 7.—Judge C. M. Cooke adjourned the two weeks' term of court here Saturday. The case of most importance during the court was that against M. Holden for the killing of Walter Hawkins in a game of craps. He was sentenced to two and a half years on the roads. The judge will hold Sampson county court next week.