

THE MOUNTAIN SCOUT

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NORTH STATE NEWS

Items of Interest Gleaned From Various Sections

FROM MOUNTAIN TO SEASHORE

Minor Occurrences of the Week of Interest to Tar Heels Told in Paragraphs.

Case Falls Through.

Charlotte, Special.—The case against Della Dillingham, Henry Gillespie and George Irvin, the first named a woman, charged with the brutal murder of the Lyerly family at Barber Junction last July, was called in Iredell superior court at Statesville. The State found itself at a standstill before the trial had more than started. When the mob of whites lynched the other three negroes implicated in this crime at Salisbury last summer all the evidence in the case for prosecution perished. There was no evidence against the survivors of the mob's vengeance other than that the Dillingham woman was the wife of one of the mob's victims and Gillespie the brother of another. Judge Moore ordered the witnesses discharged and ordered the jury to bring in a verdict of not guilty.

Epidemic of Barn Burning.

Charlotte, Special.—Another barn burning, believed to be of incendiary origin, this time in Clear Creek township and the fourth fire of this kind reported during the present month, occurred Wednesday between 8 and 9 o'clock. Mrs. Green, wife of the tenant who rents lands from Mr. John Glessen, was so badly prostrated by the fire that she has been unable to utter a word since, and a physician who was called in to make an examination of the woman's condition. The excitement in the neighborhood is said to be very great as the fire was, it is thought, started by a criminal of the worst sort, and happening so close after three other incendiary fires in the county, it appears certain that there is reason for the people of the county to be on the lookout on account of the danger which threatens them.

Threatened to Storm Jail.

Wilmington, Special.—John Gudgeon, a negro fifty years of age, was brought to Wilmington from Whiteville and lodged in the New Hanover county jail. Gudgeon is charged with rape. It is alleged that the negro committed the crime several months since. Tuesday he was arrested on a warrant sworn out by a Mrs. Williamson, of Cero Gorda, Columbus county. It was owing to rumors that the Whiteville jail was to be stormed and the negro lynched that Sheriff Richardson hastily left with his prisoner.

Paper Pulp Plant.

New Bern, Special.—It is learned that the plant of the Gray Manufacturing Company, opposite this city, is to be converted into a paper pulp factory. The Carolina Pulp Company, which controls the plant, owns a process for making high grade paper from cotton stalks, a material that is a waste product, and an embarrassment to the ground after the staple is gathered. It is estimated that the company will be able to produce twenty tons of pulp daily.

Horseford Shoals Water Power.

Newton, Special.—Messrs. J. M. and W. R. Odell, of Concord, have decided to Mr. G. H. Geitner, of Hickory, the Horseford Shoals water power. The deed was given some time ago, but only recently recorded. Rumors are rife as to Mr. Geitner's plans in this regard.

New Monroe Cotton Mill Soon to Begin Operations.

Monroe, Special.—The new cotton mill company, which has taken over the Crow Knitting Mill property, has been organized and expects to have the new cotton mill started within 2 months. The plant will be known as the Everett Mills, and the company has an authorized capital of \$100,000. The officers are: Charles Legman, president and general manager; W. S. Lee, vice president, and J. Locke Everett, secretary and treasurer.

Negroes Beat Engineer.

Asheville, Special.—Two negroes jumped on Engineer Guy Ralph and beat him up in a frightful manner. Both negroes are in jail. They will be held without bond pending the result of the Engineer's injuries. The negroes attacked Ralph with a heavy iron pin. It is said that the trouble grew out of a headlight. The engineer is badly hurt, though his injuries are not, however, fatal.

THE N. C. LEGISLATURE

What Our State Lawmakers are Doing Raleigh.

Dillingham's Bill.

Dillingham's bill, introduced, is one of the most important before the Legislature, and 300 copies of it are being printed. It is understood that this bill is recommended by the Senate and House committees on education after a long and careful consideration, and it carries out the views of the State Superintendent of Public Instruction as expressed in his report; also the views of the State Labor Commission; the North Carolina Teachers' Assembly and other organizations. It provides that qualified voters in any district, township or county may petition the board of school or schools and the board of education as to whether or not it orders the compulsory attendance. The board may, upon such petition, hold an election in such district, township or county the question of such compulsory attendance, designating the time, appointing election officers and advertising the fact 30 days before such election, which would be held mainly under the general law governing elections, the expense to be paid out of the school funds, and if the majority is in favor of compulsory the board shall order it upon the school or schools named. It provides that the enrollment in any school in any district for the preceding year has been less than 60 per cent, or that the average daily attendance has been less than 85 per cent, of the school census, the board of education in the county shall have the power in its discretion, without petition or election to order compulsory attendance upon such schools.

Every parent or person having control of the child over 8 and under 14 years of age, shall cause such child to attend the public schools in its district for 10 weeks in each school year, such year beginning July 1st and ending June 30th, unless the parent or person having control shows that the child has received elsewhere during the year regular instruction for 16 weeks in the studies taught in the public school. Children over 12 shall not be subject to this employment when fully employed at labor at any time in a misdemeanor, punishable by a fine not less than \$5 or more than \$25.

Winborne introduced a bill to amend the constitution by extending the operation of the "Grandfather Clause" to 1918. (The Republican State platform demanded an extension only to 1912.)

The Legislature is going to be even more liberal than was expected to the Confederate veterans. The committees on pensions will, it is learned Saturday, recommend a bill carrying \$450,000 annually, this being an increase of \$175,000 over the present annual appropriation. The committees from the first manifested a very liberal spirit.

A favorable report is made on the Senate bill making 10 years' separation a cause for absolute divorce. Several lawyers appeared in favor of the bill, which covers only a few cases, one or two being perhaps notable. Many of this kind have been introduced in past years to cover a particular case, and only a few years ago there were some notable instances of this.

The following bills passed third reading:

To revise the charter of Lexington To appropriate \$20,000 additional to the Jamestown Exposition, making the total \$50,000.

To amend the charter of the South & Western Railway, so as to give it the power to condemn land on the right of way of other railways which would be necessary for the use of the latter.

Acting Chairman Yount, of the House committee on public service corporations; propounds 27 questions to the Southern, Seaboard Air Line and Atlantic Coast Line railways, requesting verified answers by Wednesday, and saying that such answers will greatly aid the railway committees in fixing fair, reasonable and just rates, with due regard to the interests of all parties concerned. The questions are as to the actual cash value of all real or personal property and particularly that in North Carolina; the amount of all salaries exceeding \$2,000; the amounts charged to the private cars of officers and other persons; the names of persons given free transportation; the number of special trains not run for regular passengers; the number of through trains operated; the number of local trains operated; the proportion of State and inter-State passenger traffic; the amount charged last year as terminal expenditures; the amounts paid other amounts than those regularly employed; the amounts paid for appearing before the Legislature; the amounts paid to any newspapers; the

amount raised by the sale of stocks and bonds in the past five years; the other side of the earnings; the amount received from the operation of trains; how much the company spent during the past five years in operating trains, maintaining, etc.; whether the company has charged to operating expenses, rolling stock or the maintenance of way, any money which it placed to the surplus account; the amount allowed for expenses during the past five years which was not used, but was reported as used; what proportion of money has been expended in improvements and how much for new lines. Some other questions regarding stocks and bonds are asked. Twenty-four are important—whether the surplus is in money and if not, how below its real value, what percentage of this amount is set earnings; what amount would the net earnings pay 4 per cent. The company's books of last year are called for and the proper persons to explain their contents.

A plan is on foot to have a garnishment law enacted by the present Legislature, and looking to this end the Retail Merchants' Association throughout the State have decided to have introduced a measure on the following lines:

Be it enacted by the General Assembly of North Carolina and it is hereby enacted by authority of the same that on and after the passage of this act, the salary, wages or income due laborer, clerk or other employee of any individual, firm or corporation within this State, shall be subject to seizure upon the following manner: Fifteen per cent. of the monthly wages, salaries, or income of from \$15 to \$20, or in the same ratio of daily or weekly service; 25 per cent. of the wages, salary or income from \$20 to \$50; 35 per cent. of wages, salary or income of \$50 or upwards, and in no event will there be a greater amount exempted than \$50. The balance of weekly or monthly wages, salary or income can be claimed as exempt by either defendant, as set forth in answer of garnishee. Provided, however, that any debtor within the meaning of this statute may waive his right to claim any part of his wages, salary or income due by signing an instrument to that effect.

In the Senate, bills were introduced to support one or more public schools; to promote immigration of trained and industrious farmers and laborers from Saxony; Ormond's bill to save expense to counties by directing clerks not to issue subpoenas for witnesses not wanted, the first day of court, came up with an unfavorable report but passed second reading, as did bills regulating pay of jurors in Union, Onslow and Rowan.

There was another long discussion on the bill making ten years' separation and no issue, cause for divorce, and it passed second reading.

Buxton offered an amendment that it apply only to existing cases, saying this would limit its operations, and making it apply to only a very few.

Mitchell declared that he believed there were mercenary motives behind the bill.

The judiciary committee reported unfavorably the joint resolution to pay stock certificates of the old Cape Fear and Deep River Navigation Company.

Petitions were presented by Preston for a reformatory and one from the American Congress on Divorce for a uniform divorce law in all States.

Bills were introduced to give the Agricultural and Mechanical College at Raleigh \$50,000 annually for support, \$25,000 annually for sewerage and water plant and \$25,000 for a mechanical and engineering building; to provide for paying election officers; to require registration of conditional sales of railway equipment and rolling stock; to prevent the escape of dangerous criminals; to exempt the graded schools of Rockingham from using the prescribed text books; to protect forests in western North Carolina and the State's interests in public lands; to regulate labor in cotton mills; to prevent fraud in packing and selling flour.

By a vote of 89 to 31, the House Thursday passed the Kershaw bill, providing for a board of examiners to pass upon the fitness of railroad telegraphers. The bill is a radical one, prohibiting any one of less than two years' experience to work as a railroad telegrapher in handling trains, without a license from the board, which is to examine the applicants as to mental, moral and physical fitness as well as ability. No license may be under 18 years old. The House killed Mr. Kershaw's other two bills, one requiring the block system on all roads and the other forbidding keeping a railroad telegrapher on duty more than 8 hours in 24.

New Bills. Among the new bills introduced in the Senate were the following of gen-

eral interest: Authorizing the State to purchase of the property on the south side of Pennsylvania avenue between the United States Treasury and Capitol buildings, and south to the Mall, in Washington, was ordered favorably reported by the Senate committee on public buildings and ground. It is proposed to use the ground for site for buildings for the executive departments and to park the portier not needed.

Repealing chapter 22, acts 1906, regarding Sampson county. Extending for two years the time for settling the State debt.

To prevent manufacture and sale of adulterated paint.

To provide for uniform stamping of gold and silver articles of merchandise.

Halle: To require every county to levy a special tax to support one or more public schools.

McNair: Regarding the Croatan Normal Schools in Robeson.

Buxton: To promote and encourage immigration of trained farmers and laborers from Saxony in Germany to North Carolina.

Turner: To pass the Normal & Industrial Institute of Elizabeth City an urban appropriation.

The following general bills were introduced in the House on Thursday.

Blount: For the support of the Agricultural and Mechanical College at Raleigh; also to stimulate high school instruction in the high schools of the State. The bill for the college gives \$50,000 annually for support; \$25,000 for a mechanical and engineering building.

Harris: To provide for registration of conditional sales of railway equipment and rolling stock.

McNicker: Regarding tender and reception of freight shipments.

Parsons: To exempt the graded schools of Rockingham from using text books ordered by the State board of education; amending the charter of Rockingham; amending the law regarding railway policemen.

Doughton: To protect the forests in western North Carolina and also the State's interests in public lands.

McNeill: To regulate labor in cotton mills.

Stephens: To prevent fraud in packing and selling flour.

The immigration bill was made special order for noon next Tuesday.

The following bill passed final reading Thursday:

Georgian Kills Wife and Wounds Baby.

Waycross, Ga., Special.—H. E. Giles, proprietor of a local barber shop, was charged with killing the side of her head off as she held their four-year-old baby in her arms. The baby fell to the floor. Giles aimed his gun at it and fired, the charge cutting off one of the baby's arms. The child will probably die. Giles was arrested. A coroner's jury is considering the case. Giles had been drinking during the day and threatened his wife.

Moore's Appeal Sustained.

Cincinnati, O., Special.—The Birmingham, Ala., club in the Southern league owes Player Moore salary from April 10, 1906, when the season opened until his release on April 26, 1906, according to a decision announced by the national baseball commission. The player had appealed to the commission from an adverse decision by the National Board of Minor Leagues and his appeal is sustained, the commission declaring him entitled to 15 days' pay.

The Rural Guard of Cuba to be Increased.

Washington, Special.—As a result of a conference at the White House between the President, Secretary Taft and General Bell, chief of staff, an order has been issued directing an increase of the rural guard of Cuba from 6,000 to 10,000 men. The purpose is to avoid increasing the number of American troops in the island as originally intended, the native guards being more acceptable to the people.

Land by Uncle Sam.

Washington, Special.—A bill appropriating \$10,000,000 to purchase all of the property on the south side of Pennsylvania avenue between the United States Treasury and Capitol buildings, and south to the Mall, in Washington, was ordered favorably reported by the Senate committee on public buildings and ground. It is proposed to use the ground for site for buildings for the executive departments and to park the portier not needed.

Diaz Warmly Received.

Mexico City, Special.—President Diaz and the party of invited guests, which left this city on Jan. 21 to witness the inaugural ceremonies of the Tehuantepec National railroad, arrived here Monday. The president passed along the gaily decorated streets through files of troops extending from the station to the national palace, a distance of one mile. The large crowds warmly greeted the chief executive.

THAW JURY FILLED

Twelve Men Secured After Much Delay

INSANITY MAY BE THE PLEA

Length and Breadth of the Ground to Be Covered by Mr. Jerome in His Opening Address for the Prosecution Not Disclosed, but a Dramatic Recital is Expected.

New York, Special.—The trial of Harry K. Thaw for the killing of Stanford White began last week and promises to run for a great length of time.

There was but a single vacant chair in the Thaw jury box when court adjourned and it is expected that District Attorney Jerome will begin his opening address to a completed jury. Then the defendant, his wife and the members of his family who are able to be in court must listen to the story of the roof garden tragedy, told in all its dramatic detail and as impressively as lies with the power of the prosecuting officer to portray it.

The length and breadth of the ground has not been disclosed. Just how far back he will delve into the history of the principles in the famous case no one but Mr. Jerome knows. He has not related the plan of his opening address to any one, though it has been intimated authoritatively that the direct evidence of the prosecution will be of the briefest possible character, dealing only with the incidents leading up to the killing and the story of the tragedy itself as seen by eye-witnesses. One or two witnesses may be heard as to the alleged motive for the crime. It remains for the defense to open the way to testimony which has to do with any relations which may have existed between Stanford White and Evelyn Nesbit prior to the slaying of the arch-itect.

A Plea of Insanity.

The manner in which Thaw's attorneys continued to dwell upon the subject of insanity in their examination of various points of compulsory insanity, which would be a legal defense, will eventually be entered. In developing the claim that Thaw was insane at the time of the tragedy, the defendant's attorneys may bring in such details as they and the prisoner believe will influence the sympathy of the men who may have an undefined belief in the so-called "unwritten law."

There is much speculation as to what course Mr. Jerome will pursue if Thaw's counsel began to develop their plea of temporary insanity. He is prepared to combat their alienists, but there is a possibility that he may bring the proceedings to an abrupt halt and apply for the appointment of a commission to decide whether or not the defendant is insane at the present time. Or he may let the matter be fought out in open court, except for expert. In that event the trial will drag out to a great length.

Suit Against the Thaws.

New York, Special.—Suit has been begun by Dr. Charles Dana, alienist called into the Thaw case when the defense was in the hands of Wm. K. Oloott, against Harry Thaw and his mother, for \$1,000 for professional service, which he says he has been unable to collect. Dana's lawyer, who says the services consisted of consultation as an expert for the defense, and an examination of Thaw in the Tombs, will move to have the case called at an early date. Thaw's present lawyers contest the claim.

The Jury Completed.

The Thaw jury was completed at 4:37 p. m. by the acceptance of Bernard Gerstman, 36 years old, married, from the jury, however, all talesman not yet examined have been ordered to report in court Monday morning.

The jury, as completed follows: Foreman, Deming B. Smith, 55, retired manufacturer, married.

No. 2, George Pfaff, 34, hardware, married.

No. 3, Charles H. Feicke, 45, shipping agent, married.

No. 4, Oscar A. Pink, 46, salesman, married.

No. 5, Henry C. Harney, 50, pianos, married.

No. 6, Harry C. Brearley, 35, advertising agent, married.

No. 7, Malcolm Fraser, 40, salesman, married.

No. 8, Charles D. Newton, 65, retired railway official, married.

No. 9, Wilbur S. Steele, 60, manufacturer, married.

No. 10, John S. Dennee, 33, railway freight agent, married.

No. 11, Joseph B. Bolton, 57, clerk, married.

No. 12, Bernard Grestman, 36, manufacturer's agent, married.

DOINGS OF CONGRESS

What Our National Lawmakers are Doing From Day to Day

Mr. Lever Warm Up.

Representative Lever, of South Carolina, started up a hornet's nest in the house when he offered to the agricultural appropriation bill an amendment appropriating \$3,000,000 for the purchase of the Appalachian and White Mountain forest reserves. He said twelve States were interested in the movement, and many errors had personally solicited. Speaker of the house to permit the bill to come before the body on its merits, but through mysterious influences, he said, the Speaker, continuing to hold the bill up and wanted the country to know the facts about the measure.

Mr. Tawney objected to the personal attack on the Speaker, and said he would object to further consideration.

Wants People to Know It.

"Oh, it's not a personal attack on the Speaker," replied Mr. Lever. "It's an outspoken statement as to where the objection to the bill is. Personally I have profound regard for the Speaker, but he and some of his movement are blocking consideration of this bill and by the gods I propose that the people shall know it."

Mr. Tawney replied that he would not question the motives of a gentleman from South Carolina, but he was questioning the language used.

Mr. Lever tried to make it appear that the agricultural committee was unanimously in favor of the bill, but Mr. Haugen, of Iowa, with considerable warmth, replied that he had voted in favor of the measure and he gave notice that he would vote against it if the bill should ever reach the House.

"You vote against four-fifths the good propositions that come before this House," hotly replied Mr. Lever.

Mr. Wadsworth made a point order against the amendment, which was sustained, but not until Mr. I had been heard.

To Abolish Pension Agencies.

The House voted to abolish pension agencies throughout the country, 18 in number, and the city of Washington. This action was taken on the pension appropriation bill after spirited opposition on the part of those having pension agencies in their States.

By a vote of 58 to 114 an amendment offered by Mr. Dalzell, of Pennsylvania, restoring the number of agencies to 18 as at present, was defeated, and then an amendment offered by Mr. Gardner, of Michigan, consolidating all the agencies in one was adopted without division.

The pension appropriation bill carrying \$138,000,000 in round numbers was passed.

A message from the President read relative to the meeting at 2:30, out of respect to the memory of the late Senator Alger, of Michigan, the House adjourned.

A Brief Session.

The Senate was in session Saturday only for a little more than an hour, the early adjournment being taken to permit attendance on the funeral of the late Senator Alger. A few bills of minor importance were passed, but most of the time of the sitting was devoted to the further discussion of Senator Hale's resolution providing for an inquiry into the personal interest manifested by naval officers in the navy personnel bill. The resolution was ultimately referred to the committee on naval affairs.

The Chald Labor Law.

Senator Beveridge occupied the attention of the Senate throughout the day with a continuation of his statement in behalf of his child labor bill. He had but reached the legal and constitutional phases of the bill when speaking for more than an hour and arrangement whereby he will continue the position that as to progress could exercise any fit on inter-State commerce might meet a fustled argument was slow. The power to regulate the policy would always hurtful regulations.

Mr. Beveridge stated fourth of the cotton in South were opposing the railroads of the South and that the railroads of the South were the railroads of the South. He presented an illustration showing the location of the railroads, and said that the railroads of the South were the railroads of the South. He should devote the majority of his speech to setting forth the deplorable condition of the railroads. This evidence was all sworn to and in the affidavits.