

THE TIMES-VISITOR.

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RALEIGH, N. C., TUESDAY EVENING MARCH 7 1919.

25 CENTS A MONTH

RESOLUTION INTRODUCED CHARGING ROBT. JONES WITH CONTEMPT

HOUSE POSTPONED CONSIDERATION

Sewerage for A. & M. College—Vance Statue a Certainty—Conferees Appointed on Taxing Gross Earnings of Railroads

The House met at 9:30 o'clock. A bill was introduced by Hart, by request, to protect witnesses from abuse by lawyers, making the offense a misdemeanor, punishable by \$200 fine.

A resolution was introduced by Reinhardt to reduce all appropriations 10 per cent. It was defeated, getting only 4 or 5 votes.

Bills passed to incorporate State Council of Junior Order of United American Mechanics. To make it a misdemeanor to kill a fox in Alleghany county for two years. To protect meridian monuments at the various county seats and regulate their use.

An amendment to the school law was agreed on by a conference committee, by which in case a holder of a teachers' certificate for the normal schools, Peabody school, etc., fails to teach schools for three consecutive years it shall be void.

Holman introduced a bill to allow the Railroad Commission or the Corporation Commission to assess property which has escaped taxation. A bill passed yesterday which gave the Railroad Commission this power, but which did not give it to the Corporation Commission.

Bill to give Wilkes county a tax commission was tabled, on motion of Davis, of Haywood.

Holland, of Wake, introduced resolution No. 2,043, that Robert H. Jones, of Raleigh, be summoned before the bar of the House and show cause why he is not guilty of contempt in assaulting Representative Gaston Powell. McLean, of Harnett, said that such an offense to be contempt had to be committed in the presence of the House. Boushall said that the member was attacked in the entrance of the House. He said that it was an abuse of the privilege of a member and of his privilege of voting. Clarkson said he agreed with McLean. Overman said there was not time to take up the matter; that at all events it ought not to be taken up in the shape of specific charges, and that Jones was entitled to counsel. He cited the McAden and Pearson case a few years ago. Powell said he declared himself innocent of any attempt to do wrong; that he had done as much as he could; that he had never had a fight before; that he left the matter in the hands of the House. Overman said that he deeply sympathized with Powell, but thought the courts should attend to the matter. The Speaker asked Overman if a member passing from one hall to another was not within the verge of the House; that this was his view. Overman said that this view was correct. McLean said he wanted the House to show its opinion that Powell was guilty of no offense but that he had most properly defended himself and successfully. Allen, of Wayne, said that it must be understood that the privileges of members should not be infringed upon, and that they must be fully protected for any vote they might take. Clarkson's motion to indefinitely postpone was then adopted.

Foushee's bill appropriating \$50,000 for this year and a like sum next year for the maintenance of the penitentiary came up. Foushee said the executive committee said this was the sum which the executive committee of the board said it must have; that it was the least amount on which it could get along. Foushee agreed that the bill could go over, and he would get the figures.

Bills passed: To provide for marking the graves of Confederate soldiers. To provide for an investigation of the penitentiary and Agricultural Department.

Resolution to pay the principal clerk, reading clerk and journal clerk of the House \$75 extra for services, was introduced by Julian; antagonized by Williams, of Iredell, and was finally withdrawn.

On Boushall's motion leave of absence was granted Powell and Holland to attend as witnesses the Mayor's court.

Resolution to pay W. W. Davis \$50 for services as "volunteer clerk" in the

engrossing clerk's office failed to pass.

Resolution to appropriate \$5,000 towards a statue of Zeb. B. Vance in the ed by the President of the Senate and Capitol Square, the contract to be awarded the Speaker of the House, was taken up. Ray said he had introduced the resolution two years ago to purchase the Vance portrait in the House, and that despite statements to the contrary that portrait was paid for and nothing was due on it. He said he revered the memory of Vance but thought the next generation should erect the statue. Winston, paying a tribute to Vance, said he knew of no more propitious hour than this to erect a monument to the man who had made North Carolina honored throughout the Union. Craig said there ought also to be monuments in the Capitol Square of Mangum and Badger and other great men. Council said no man in North Carolina would criticize a vote for this resolution. McLean expressed his gratification at being able to vote for this monument to the memory of North Carolina's greatest citizen. Ray, of Macon, sent up an amendment to appropriate \$5,000 for a monument to Thomas L. Clingman, whom he termed the greatest man North Carolina had ever produced. Not a vote was cast for this and only three against it.

The bill to appropriate money at the rate of \$200 a year for pupils in excess of 200 at the blind and deaf-mute institutions here, came up as amended by the Senate, with the appropriation of \$10,500 for improvements, boilers and repairs reduced to \$15,000. He said that in forty years only \$5,000 had been appropriated for repairs, save that of two years ago, and that only \$52,500 was allowed by the Senate for maintenance, the Senate having reduced the amount; that it to \$40,000 for 200 students and \$1,250 for any who may be in excess of 200. Holman moved to concur in the Senate amendments. Ray opposed. McLean said that a number of children would have to be sent home. After debate Holman's motion that the House concur in the Senate amendments (\$52,500 for maintenance and \$15,000 for improvements for the two years, 800-1900), was adopted.

The House concurred in the Senate amendments to the bills making appropriations to the school for deaf mutes at Morganton (\$40,000 for maintenance and \$7,500 for an addition to the buildings.)

The bill making appropriations to the three hospitals for the insane was taken up. It appropriates \$90,000 for maintenance and \$20,000 for new buildings for female patients; \$40,000 for maintenance and \$40,000 for two buildings for male and female patients at the Eastern Hospital at Goldsboro; \$55,000 for maintenance, \$12,049 for debts and \$5,500 for repairs and additions to buildings. The bill passed without debate.

Bill passed allowing the State Treasurer to lend the Agricultural and Mechanical College at Raleigh \$2,500 for a sewerage system.

Moore said he rose to perform a very pleasant duty, delegated to him by the House in the presentation of a cane to Reading Clerk Wilson for his promptness and courtesy and ability. Wilson made a speech in reply and was heartily applauded. Council presented gold sleeve links to Journal Clerk Cowan.

Bill to establish dispensary at Battleboro was tabled.

Bills passed: Amending act fixing terms of court in the Second District. To give Halifax additional justices of the peace.

The Revenue Act came over from the Senate, with many amendments, the principal one being that to strike out the tax on gross earnings of railroads. Holman moved non-concurrence. A conference committee was appointed.

SENATE PROCEEDINGS.

The Senate met at 10 o'clock, and prayer was offered by Rev. Mr. Levi.

The bill to appropriate \$67,500 for the next two years to the school for the deaf, dumb and blind came up. This bill provides that the further sum of \$200 per capita for each and every pupil

in excess of 200 in actual attendance upon the institution.

A letter from Superintendent John P. Ray to each Senator stated, among other things, that unless the appropriation for the institution is increased it would be necessary to send home 50 or 60 pupils already in the institution. This was objected to by Senator Brown, who looked upon the clause as a threat; and Senator Glenn said that the information should have come from the committee. After some discussion a substitute was adopted for the bill, which provides that \$12,500 be added to the standing appropriation of \$70,000 and that \$15,000 be appropriated for improvements.

The bill to make appropriations for the State Hospitals came up. The bill, which had passed the House, was amended so as to give the State Hospital at Raleigh \$55,000 instead of \$50,500; to give the State Hospital at Morganton \$90,000 instead of \$100,000. Section 6, which provides that the sum of \$20,000 for the year and \$20,000 for the year 1900 for the erection and furnishing of two buildings, for the State Hospital at Goldsboro, be stricken out. The other sections of the bill, which remain unchanged, appropriate \$10,000 annually for a building for female patients at the Morganton Hospital and for a building to colonize male patients. For the support of the State Hospital at Goldsboro \$45,000 is appropriated annually.

The conference committee on the school law reported that they had come to a conclusion as to section 30 of the law. This section provides that no person shall be allowed to teach in public schools without a certificate from the county examiners. But it was found that there were acts allowing graduates from the Normal and Industrial College at Greensboro and from the Asheville Female College to teach without this certificate, and the committee compromised the matter by offering the amendment that graduates from these two institutions shall continue to have license to teach by virtue of their diplomas, but should lose it in case they failed to teach for any three consecutive years. The amendment was adopted.

The Revenue Act came up as a special order. That part of section 20, which provides that all persons or firms who buy and sell horses or mules as a business shall pay an annual tax of \$25,000 to the State and no tax to the county was stricken out. An amendment to section 23, offered by Senator Butler, was adopted, which provides that individuals, firms, or associations conducting the business of buying or selling merchandise or produce, or manufacturers of any kind, shall not be required to pay tax as commission merchants or brokers. An amendment to section 35 was also adopted. It provides that when the capital stock of any land company or corporation shall not amount in actual value to more than \$70,000, the tax imposed by this section shall be \$25,000 and no more. Provided, that only capital stock subscribed for shall be taxed here. The Revenue Act, as amended, then passed final reading.

The Machinery Act was taken up and passed second reading.

Senator Glenn stated that he wanted all business to give way to the Stevens anti-trust bill. Without any further deliberation being made, it was at once put upon its passage, and passed by a vote of 35 to 2.

Senators Osborne, Jerome and Fields were appointed members of a conference committee to consider, with the members of the House, the amendments to the Revenue Act adopted by the Senate.

Bills passed to allow Mitchell county to levy a special tax; to incorporate the town of Waco, Cleveland county; to supplement the act incorporating the Extension Railway Company; to amend the act changing the terms of court in Bertie and Craven counties.

The bill to authorize the corporation commissioners to assess railroad, telegraph, canal, steamboat, express, sleeping car, car lines or any other transportation company that have escaped taxation, passed final reading.

GREAT VICTORY

By Cable to The Times-Visitor.
Manila, March 7.—The Seventh insurgent force at San Juan Delmonte, numbering several thousand, were today driven from their position with great loss. Sales brigade, which held the water works against the repeated attacks of the rebels, advanced on San Juan Delmonte at 6:30 this morning. The attack was decided upon at a conference of regimental brigade commanders at daybreak in order that the entire rebel force might be encompassed and driven to retreat in a body. Hales' lines swept forward in form V, open ends toward Pasig river. As soon as the lines were formed, the Wyoming regiment closed in, firing rapidly and effectively. Suddenly Company B sprang from line with a cheer, with an officer at the head, and dashed toward the insurgent trenches. This action electrified the American lines. The entire line swept down upon the Filipinos. After a short fire the Filipinos leaped from their earthworks and fled, closely pressed toward the river, the only direction not cut off. The loss of the insurgents was very heavy. The accurate firing from the gunboat created a panic. Private Speech, of the Nebraska regiment, was the only one wounded.

THE LINCOLN CHAIR BRINGS \$270

A chair which Lincoln used in his home and which has been a drawing card during the Whitney-Tieman auction sale at 8 West Twenty-Eighth street, was disposed of yesterday for \$270. A man who refused to give his name, but who is believed to have bought it for the Lincoln Club, of Chicago, was the highest bidder. He paid for it. The chair is said to be one of the two presented by the Illinois Central Railroad to Mr. Lincoln and to Governor Wentworth—New York Times, March 5th.

A disastrous tornado passed through the Rhamkate section Friday night and played havoc with barns, houses, and fences. Watt's Chapel was wrecked and Otho Wilson's house was damaged greatly. Mr. Jeff Upchurch lost his barn.

BLOOD WILL TELL

Father of the Store Robbers a Thief 40 Years Ago.

It is all told. Forty years ago when Mr. A. L. Morning was conducting a store he was troubled by thieves. He set a trap to catch the rascal. The trap was successful, but the rascal escaped and was not caught. How he was tracked down by the law and caught and the thief proved to be none other than Wiley Whinnery, father of the men who are now in jail for robbing Mr. Lumsden's store and Denton and Dixon's bar-room. The old man himself is also in jail for being implicated in the same crime.

HEARING POSTPONED

Mr. Robt. Jones Was Afraid to Come Out Today in the Wind.

Representative Gaston Powell and Mr. Robert H. Jones were to have been arraigned before Mayor Powell at 11 o'clock this morning, charged with affray. The difficulty occurred in the rotunda of the Capitol late yesterday afternoon. The case was reported to the Mayor by Mr. Jones and a warrant was then issued for both of them. The hour of 11 instead of 10 was set for the trial at Mr. Jones' request. Mr. Powell arrived promptly, but Mr. Jones did not put in an appearance. The crowd waited impatiently. When 11:15 arrived still no Mr. Jones. Telephone messages were sent and Chief Norwood finally sent an officer out to find him. At 11:42 the officer returned and stated that Mr. Jones said he was afraid to come out in the wind, that he might get erysipelas in his face.

Mayor Powell then postponed the case until 11 o'clock to-morrow.

Messrs. J. B. Smith, Melvin Andrews, W. H. Holland, George Kennedy, J. A. Lowry, Thomas E. Landis, J. Douglas Shaw and J. S. Mangum were the witnesses summoned in the case.

The difficulty is said to have originated from the fact that Mr. Powell did not favor Mr. Jones for a place on the Board of Agriculture, to which he was elected.

GEN. CLAY'S REASON SHAKEN.

Poor Old Man Sends a Wild Message to Senator Lindsay.

Lexington, Ky., March 6.—Many strange things have happened at Whitehall during the past week, and the friends of General Cassius Marcellus Clay fear the old man lost his reason grieving over his misfortunes. Today General Clay sent a messenger to Valley View, the former home of his late wife, Dora Richardson, from where he wired Senator Lindsay at Washington the following message:

"I and my former wife, Dora Brook, have been prisoners for about five years, deprived of life, liberty, property, and pursuit of happiness by lawless persons called the 'vendetta' violating all our State and national laws and rights, committed against us all the crimes possible, closing the United States mails and telegraph offices outside and inside the State. About the time of the granting J. M. Palmer a pension the 'vendetta' in the town of Richmond, Ky., where I put a petition of mine in the Federal postoffice and took receipt for same, cruelly destroyed it, and they violated my constitutional right of petition and protest and the penal law of the United States. 'Finally Dora's mind and reason became shaken, and my eyes have been put out, so I can't see only as in a thick fog and can never read print any more. I pray Congress to send a committee here and save my life, and me from dying blind and alone in my own castle with starvation, without crime, or reward for a lifetime service in cause of justice and humanity, in which I received seventeen scars, more than all the Major Generals from Washington to the present time.

"CASSIUS MARCELLUS CLAY.

"Whitehall, Ky., March 4, 1899.

"William Lindsay will immediately give a copy of this to the President, the Speaker of the Senate, and the House of Representatives, U. S. A."

The actions of General Clay have been so at variance with what they were prior to his marriage with his child-wife, Dora Richardson, five years ago, that his neighbors have been afraid to call on him for some time past, and the old man has been living almost in seclusion in his mansion.

The city paid for lights during the month of February \$199.72, and deducted \$242.55 for lights failing to burn.

WILL OTHO HOLD ON ?

His Attorney Claims that He is Still Railroad Commissioner

Chairman J. W. Wilson Recognizes Commissioner Rogers and Does NOT Believe Otho Will Contest for the Place —Mr. Pogers Sworn in

Mr. J. C. L. Harris caused a genuine sensation to-day when he appeared before the Railroad Commission as attorney for S. Otho Wilson, who is out of town, and stated that Otho Wilson did not waive his rights as Railroad Commissioner. However, Mr. Harris said that he acted without Otho's knowledge. When the news reached the Capitol it caused a general stir among the members, since some construed this to mean that there would be a contest for the place to which Mr. S. L. Rogers has been chosen and has duly qualified.

The Railroad Commission met this morning, Chairman J. W. Wilson presiding. Dr. Abbott and Mr. S. L. Rogers, who had previously taken the oath before Justice Douglas, being present.

The following was entered upon the record:

"Mr. S. Otho Wilson through counsel, J. C. L. Harris, protests against the assumption of duties of Railroad Commissioner by Mr. S. L. Rogers as successor in said office of said S. Otho Wilson on the ground that said Wilson is, according to the law of the land, Railroad Commissioner under and by virtue of act, chapter 320, Laws of 1891, and the fact that the said S. Otho Wilson, being not present in person to make this protest and the time of assumption of these duties by Mr. Rogers is not to be taken as an abandonment by said Wilson to the title of office, and he does not abandon the same but claims he is still Railroad Commissioner by provision of said act.

"The above statement was made by J. C. L. Harris, attorney for said S. Otho Wilson, said Wilson not being present, and the statement is made by Harris without the knowledge of said Wilson as stated by his attorney.

"The chairman of the Commission

ATTENTION VETERANS.

The regular monthly meeting of L. O. B. Branch Camp, 515 U. V. C., will be held this evening at 8 o'clock in the Mayor's office. It is expected that the committee on transportation of Camp at the Annual Reunion at Charleston, S. C., will make their report on the rates, etc. Every member requested to be present. Visiting veterans in the city are invited to attend.

A. B. STRONACH, Commander, J. C. BIRDSONG, Adjutant.

FAIR AND COLDER.

For Raleigh and vicinity: Fair, colder tonight; fair Wednesday, rising temperature.

The slight depression yesterday central over eastern Tennessee developed into a severe storm, now off the North Atlantic. Very dangerous gales prevail along the coast from Norfolk with a velocity of 48 miles to Boston with 50 miles.

The cold wave has developed exceptional severity in the central valley. The barometer has risen to 30.90 at Memphis and St. Louis with unusually low temperature for March. Atlanta reported 10 degrees at 8 o'clock, St. Louis 4 degrees, Cincinnati 6 degrees, and Memphis 14 degrees. Fine, clear weather prevails throughout the West.

Snow is falling over the entire Lake region and New England.

DEATH OF MRS. CLARK.

The Remains Will Be Carried to Halifax.

Mrs. Anna M. Clark died this morning at her residence on Polk street. She has been in declining health some years, and her condition has been critical for several days. Yesterday, however, she was considered better, but grew worse during the night.

Mrs. Clark before marriage was Miss Anna M. Thorne, of Halifax. She was in her 76th year. She was a noble Christian woman, a devout member of the Methodist church, and beloved by all.

Mrs. Clark leaves nine children: Justice Walter Clark, Mr. E. T. Clark, Mr. Henry Clark, Mrs. Arnold, Mrs. Patterson, Mrs. Bellard, Mrs. Nicholson, Misses Lucy and Sallie Clark. The remains will be taken to Halifax for interment to-morrow at 11:15.

states that he was repeatedly told by S. Otho Wilson that his resignation as written was done in good faith and he believes the same now, and as chairman he will recognize Mr. Rogers as the duly elected and qualified Commissioner."

R. H. Battle, Esq., who was one of the counsel before the Legislature for S. Otho Wilson, said that he was assured repeatedly by said Wilson that his resignation was in good faith and without any reservation whatever, and Mr. Battle does not believe that the fact is otherwise. He is surprised to learn of the notice and he is informed by Mr. Harris that the protest was made in view of the possible decision by the court that the act of the Legislature changing the Commission is invalid, and that the Governor may have the appointment of his successor and it is with a view to prevent such appointment in the possible contingency of the law being declared invalid, that he (Mr. Harris) made the protest in Wilson's name and with a view to contesting the right of a successor elected by the Legislature.

Mr. Battle added that he would have declined to appear for Mr. Wilson had he not believed that the resignation to the Legislature was in good faith.

Mr. Battle made the above statement to a Times-Visitor reporter and Mr. Harris said that he was correctly represented in the same.

The Commission passed the following resolution:

"Resolved that circular 78 be amended to read car load 15 tons and 4 tons instead of 15 tons minimum.

Exception of any 325 tons to be made April 6th.

Contract for the Carolina Central and Raleigh and Augusta Ave. line were received as to make them correspond with other parts of the Seaboard Air line system, Cape Fear and Yadkin Valley Railroad and other larger systems.

BRIEFS.

Mr. Thomas Partin has returned from a trip North.

Mr. Sherwood Higgs is North on a business trip.

Judge Purnell is now holding court in Asheville, and the famous bank cases will be heard there.

The next attraction at the Academy of Music will be Lieut. Dan Godfrey and his British Guards Band, March 17th.

Mr. George Moseley, of Greenville, who has spent several days with his brother, Mr. T. B. Moseley, returned home.

We are sorry to learn that W. H. Lancaster was taken quite sick last night and is confined to his bed, and is not much better to-day.

The Isaac Pitman Shorthand Club will meet this (Tuesday) evening in the office of Misses Ellington and Robinson at 7:45 o'clock. A full attendance of the members is requested as business of importance will be transacted.

Bessie and Mary Crowder, negro girls, were arraigned before Mayor Powell at noon to-day on the charge of larceny of some clothing from the residence of Mr. John Whitelan, corner of Martin and Dawson streets. The articles were found in the house of the girls' mother.

ST. LOUIS' SUNDAY CLOSING LAW.

St. Louis, March 5.—The order of the Board of Police Commissioners that all saloons be closed at midnight Saturday night and remain so until midnight to-morrow, under the provisions of the law, was carried out to the letter. Only a few straggling keepers made any effort to keep their places open, and arrests were made in every instance as soon as the violators were discovered. Saloons in East St. Louis and the suburbs did a rushing business all day.

SOLICITOR APPOINTED.

Judge Stevens Selected Charles A. Webb.

Judge Henry B. Stevens has appointed Mr. Charles A. Webb, of Buncombe, as Solicitor of the Western Criminal Court, and Governor Russell to-day issued the commission to Mr. Webb.