

# 2 JAIL SENTENCES IMPOSED

## Motion of the Five Men Convicted of Violating the Sherman Anti-Trust Law, for an Arrest of Judgment Refused—Shotter and Myers Sentenced to Jail.

Savannah, Ga., Special.—The hotly contested suit against what is known as the Terpentine Trust ended last Saturday night by finding certain heads of the combined interests guilty of violating the Sherman anti-trust law.

A Savannah dispatch of Friday says:

Overruling the motion in arrest of judgment, offered by the defense, Judge William Sheppard Friday afternoon, sentenced the five men found guilty of violating the Sherman anti-trust law, and for the first time, so far as is known, jail sentences, in two cases, were imposed.

The sentences follow:

Spencer P. Shotter, chairman of the directors of the American Naval Stores Company, three months in jail and a fine of \$5,000.

Edmund S. Nash, president of the company, \$3,000 fine.

J. F. Cooper Myers, vice president of the American company and president of the National Transportation and Terminal Company, three months in jail and a fine of \$2,500.

George Mead Boardman, of New York, treasurer of the American Naval Stores Company, \$2,000 fine.

Carl Moller, of Jacksonville, Fla., agent of the American and general manager of the National Transportation and Terminal Company in Jacksonville, \$5,000 fine.

Mr. Shotter and Mr. Myers were sentenced to terms in the Chatham county jail. Judge Sheppard imposing the punishment upon them, because they had been before the court two years ago, entering pleas of

guilty. At that time Judge Emory Speer, who was presiding, stated that a term in prison would be imposed if they should come before the court again. Mr. Nash was excused on the former occasion, when the grand jury returned a "no bill" against him, as he was a witness before the grand jury.

Mr. Moller's sentence was made heavy because of his connection with the terminal yards in Jacksonville, where re-grading and re-gauging were alleged to have taken place.

The case will be appealed to the United States Court of Appeals, just as soon as the bill of exceptions can be prepared, and certified to by the court. In the meantime, a motion for a new trial will not be made before Judge Sheppard. A writ of error citing fifty-three grounds were filed by the defense immediately after sentence was passed. Counsel attack nearly everything the court permitted to come before the jury, to which the defense entered protest. It begins with the court's failure to sustain the demurrer to the indictment and ends with an exception to the jury's verdict.

Bond in the sum of \$20,000 was given for all the defendants jointly and they were discharged, pending the determination of their appeal.

The costs they must pay, if the conviction and sentences stand, will, it is said, reach \$17,000, which will, in the event the sentences stand, be apportioned among the five convicted men. The defendants were sentenced separately. Judge Sheppard made no long address, but merely gave them an opportunity to say why sentence should not be pronounced, a privilege of which they took but small advantage, and then passed the sentences. Mr. Shotter was the last to be sentenced. Judge Sheppard made his longest speech then, probably a hundred words.

## THE DAVIS BROTHERS CHARGED WITH MUCH WRONG

Washington, Special.—John C. Davis and his brother, Martin T. Davis, whose alleged questionable financial practices have been the subject of a series of indictments in Alexandria, Va., and other cities were indicted by the grand jury here Thursday. The indictments charge embezzlement and misappropriation of vast sums of money, forgery and the uttering of the forged papers and false pretenses.

Five true bills, charging embezzlement and two charging forgery and utterance, were returned against John C. Davis. Embezzlement from the Potomac Building and Loan Association, of which he was secretary and treasurer, and forgery are alleged against Martin T. Davis. In addition to these, joint indictments charge the

brothers with forgery and false pretenses.

The embezzlement charges so far made up by the grand jury include \$32,000 from the Potomac Building and Loan Association, \$150,000 from the Alexandria, Va., and other cities.

In addition he knows of a case where \$25,000 was secured from a person, who has not made complaint up to this time. Other claimants, it is expected, desiring to avoid publicity, have not made complaint.

Including these claims, United States Attorney Baker estimated at \$150,000, the total amount secured by John Davis from investors.

Mr. Baker Thursday made a statement exonerating Thomas A. Owen who was arrested on a charge of conspiracy with the Davis brothers, and released on \$1,000 bond last Saturday.

## SERIES OF TORNADOES SWEEP THE SOUTH

Kansas City, Mo., Special.—A series of tornadoes in Kansas, Missouri and Oklahoma late Friday killed a dozen persons, injured about 100, devastated Hollis, Kan., wrecked a train and did great damage to property. Twenty-five were injured in suburbs of Kansas City.

At Hollis three men were killed and ten seriously injured. The Eckstrom family of five persons is missing and may be dead in the ruins of the home.

Near Great Bend, a tornado killed two and injured 20. All wires are down in that vicinity and it is feared that the death list may be greater.

William Ackerly, a Sante Fe engineer, was killed while working on a bridge gang between Great Bend and Kinsley. Frank Nicholson, a conductor, was also killed.

The storm spread over a wide farming area and laid waste many farm houses and barns. An estimate of the rural casualties could not be obtained.

At Hoisington, Kas., a tornado injured a number of persons and greatly damaged farm property.

At Pond Creek, Okla., a severe wind storm injured four persons and unroofed several houses.

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## KILLED WHILE TRYING TO SHOOT ANOTHER

Roanoke, Va., Special.—William Bailey and R. M. Young, two young men of prominent families of Lee county, this State, shot and killed each other while trying to kill another man Thursday night at a school entertainment at Dryden. Young and Bailey had an altercation with William Jesse over the matter of tickets of admission. Young and

Bailey abused Jesse and the latter struck one of them. Jesse and Young clinched and Bailey, in an effort to shoot Jesse, shot Young. As Young was falling he fired aimlessly, the ball killing his friend, Bailey. Jesse was shot in the side and another man was slightly wounded. Pandemonium reigned in the hall where the entertainment was held.

## STRICT PARTY LINES ARE BROKEN ON THE TARIFF

Washington, Special.—After a day devoted to discussing the duty on iron ore, the Senate, just before adjournment Thursday adopted by a vote of 61 to 24, the recommendation of the committee on finance for a duty of 25 cents per ton on iron ore. The House had placed that article on the free list while the present law levies a duty on it of 40 cents per ton. In this vote party lines were annihilated, as seventeen Democrats voted "aye" with the Republicans and twelve Republicans voted "no" with

the Democrats. During the day Senator Bailey, in announcing that he proposed to vote for the duty on iron ore as a revenue measure, declared that such action did not affect the prosperity of the United States Steel Corporation, and added that even if it did there was a better way to deal with that organization, which was an enforcement of the anti-trust law against it. He declared that he expected to see this law enforced and he expressed confidence that eventually the officers of the steel corporation would either be in the penitentiary or fugitives from justice.

## WASHINGTON NOTES

Razors were again used Monday in a hostile attack upon the rates of the Aldrich bill pending before the Senate. The committee on finance had increased the rates on razors in common use from about 55 to 100 per cent ad valorem, and as soon as the Senate took up the cutlery schedule, amendments offered by Mr. Simmons Saturday, cutting these rates down, were rejected. That had no sooner been done than Senator Stone offered amendments reducing the duties on razors to the rates of the Dingley bill.

The judiciary committee of the Senate referred the Connor appointment to a sub-committee composed of Borah, of Idaho; Brandegee, of Connecticut, and Overman, of North Carolina. This committee will consider the matter within the next few days.

Senator Dixon, of Montana, says that he is getting a number of letters from North Carolina Republicans protesting against the confirmation of Connor on the ground that his appointment is a political mistake, as they see it.

James T. Williams, Jr., who was appointed civil service commissioner by President Taft, has tendered his resignation and will go to New Mexico for his health. He has discovered within the last week that he has tuberculosis. This comes as a severe blow to Mr. Williams and his friends. Although he is under 30 years of age he has made an enviable record here.

After several hours spent in the Senate Wednesday in discussing the window glass schedule of the tariff bill, Senator Aldrich asked that that paragraph be passed over. Some other sections relating to glass manufactured articles, that previously had been passed over, were agreed to. The Senate proceeded to the consideration of passed over sections until the iron ore paragraph was reached, when Senator Crawford spoke at length upon the lack of wisdom of any tariff that encouraged the exhaustion of natural resources, which could not readily be reproduced. He insisted that there should be no tariff on iron ore, oil, lumber and coal.

Early in the session, Senator Paynter spoke at length in favor of the removal of the duty of six cents a pound upon leaf tobacco as a means for freeing the tobacco growers from the burden of the tariff.

Low those suggested by Senator Simmons in his amendment to the same paragraph Tuesday.

"The rates proposed by you are the rates of the Wilson bill, are they not?" inquired Mr. Aldrich, addressing the Senator from North Carolina.

"Well," replied Mr. Simmons, smiling and hesitating, "that should not be an argument against them. I think if that is the case it would rather be a commendation."

Substantial progress was made in the consideration of the tariff Tuesday, the amendments of the committee on finance being upheld by the Senate by substantial majorities.

A feature of the day's session was a general discussion concerning the great disparity between wholesale and retail prices of commodities. Republican Senators declared that this difference was so great as to demonstrate that the duty levied by a protective tariff had small effect on the price paid by the consumer.

On motion of Mr. Aldrich the section relating to soap was amended so as to place a duty of 50 per cent ad valorem on perfumed soap.

The House provision on sulphur was further amended so as to place crude sulphur on the free list and to provide for a duty of \$4 a ton on refined sulphur.

Speaking in favor of a reduction of the duties on stone and earthenware as a means of giving the people generally cheaper goods of that kind, Mr. Bacon offered an amendment reducing the rate from 60 to 35 per cent ad valorem.

Mr. Bacon's amendment was defeated by a vote of 25 to 54. Senator LaFollette being the only Republican who voted in the affirmative with the Democrats.

Almost the entire session of the Senate Friday was given up to a debate on the profits of the United States Steel Corporation and toward the end of the day, personalities were freely indulged in by Senators. This occurred after Senator Root had spoken in defense of the finance committee and in criticism of Senators who had complained of the failure of that committee to provide more ample information concerning various schedules. Mr. Money resented what he characterized as a lecture to the Senate, by Senator Root, and said if he desired less speaking in the body "he should do less of it himself."

## NORTH STATE NEWS NOTES

### Items of State Interest Gathered from Here and There and Told Briefly for Busy Readers.

#### THE WEATHER BUREAU AND ITS LATEST CHIEF.

Raleigh, Special.—The work that is being done by the U. S. Weather Bureau is perhaps better known to the majority of citizens than that of any other Bureau of the Government, and it hardly seems necessary to defend it from such attacks as for instance that which appeared in Everybody's Magazine for May. This attack was written by Mr. Emerson Hough, who makes specific charges, and these charges will be reviewed and answered in order.

First, he charges that the Weather Bureau is unduly expensive, but does not explain that the appropriation for this service is examined critically, item by item by a committee of Congress, and that this committee voluntarily increased the appropriation asked for by \$133,200.00, and that last year more than \$50,000.00 was returned to the U. S. Treasury. The Honorable Jas. R. Mann said that this service is the most economically administered service, with the work that has been done, in the Government service anywhere.

Second, that it does not progress. It would seem that progress is being made from the fact that representatives of weather organizations of Europe have visited this country for the express purpose of studying methods and forecasting under the Chief of the U. S. Weather Bureau. Researches of great value to the science of meteorology are being carried on by this Bureau, and the world's record for the greatest height reached by a kite carrying a meteorological instrument was attained by this Bureau at Mt. Weather, Va., the research observatory.

Third, that it is excessively explanatory. This is rather a virtue than a fault. The Weather Bureau has nothing that it wishes to keep secret. Its methods and results, however, must be made known, or the public would not have that sympathetic relation with this Bureau that it now holds.

Fourth, that the service is general and not specific. A knowledge of the problems involved in making a specific forecast is not a knowledge of the conditions which will warrant.

Fifth, that it is evasive and intentionally ambiguous. The forecasts are formulated with great care, and cannot have not in any sense a Delphic interpretation. They are made to cover a definite period and all forecasts are carefully examined to ascertain the percentage of accuracy which varies from 80 to 85 per cent.

Sixth, that it offers no well-founded hope of improvement in local forecasting. On the contrary every inducement is made to officials in the Weather Bureau to excel in local forecasting, and the practical test of merit of all experiments and all theoretical work is the measure of how much it will improve the forecasting of the weather.

In the cases of the Galveston storm and the storm in which the steamship Portland was wrecked, which Mr. Hough claims the Bureau failed to forecast, the records of marine associations, of the local press, and of the Weather Bureau bear unimpeachable testimony to the fact that the Bureau gave ample warning of the coming of the Galveston storm that the Gulf was practically cleared of vessels of commerce and no loss of property occurred in the open sea, and that the morning before the passage of the storm hurricane signals

were ordered for Wilmington and other Gulf ports.

In regard to the case of the Portland the New York Times of Dec. 1, 1896 said:

"In leaving Boston Saturday night the captain of the Portland took chances which no man in his position had a right to take. From a source that warranted implicit belief, he, like every other captain on the Atlantic coast, had received warning that a storm of exceptional severity would strike him as soon as he reached open water, and that he knew that his steamer, though well built and comparatively new, was of a type much better designed for entering shallow harbors than for encountering winter gales on as dangerous a coast as there is in the world. Despite all this and according to his employer, in defiance of implicit orders, he steamed out into the gathering tempest. Why? Perhaps he belonged to the class, once large, but now small and rapidly disappearing, the members of which sneer at the Government Weather Bureau, and prefer to rely upon old 'signs' instead of on new science as the basis of meteorological prophecy. Perhaps a score of things. Only this is certain, he should not have sailed, and he should not have been allowed to sail."

#### Odd Fellows Meet in Charlotte.

Charlotte, N. C., Special.—Charlotte was the property of the Odd Fellows of North Carolina Tuesday. Delegates to the meeting of the Grand Lodge were here by the hundreds and the streets of the city were aswarm with uniformed officers, representatives of every town in the State in which is located a lodge of this great order. Others arrived later. Arrangements were made by the local entertainment committee to care for not less than 500 visitors. The various lodges of the State sent not less than 300 accredited delegates and many more were present for the purpose of attending the meeting of the Grand Lodge which occupied three days.

#### Indian Badly Wounded.

Asheville, Special.—A serious shooting occurred Friday afternoon about 5:30 o'clock in what was formerly known as the Hill. Another "soft drink" place on south Lexington avenue, when it is alleged that Wade Wilson shot an Indian named Whippoorwill. Whippoorwill was drunk or near drunk and doesn't know much about it. At first he said that the shooting was an accident and later that he was ordered out of the place and that the shooting followed. The Indian was taken to the City Hall, his wounds dressed and he was then sent to a hospital. He was shot through the arm and the breast and is said to be bleeding internally.

#### Through Truck Train to New York.

Newbern, Special.—Monday at a meeting of the truckers, Superintendent Foster, of the Norfolk & Southern, and Superintendent Fountain, held here, it was decided for the new through truck train to leave here at 11 a. m., for Goldsboro, where it will be made a through train for New York on the Atlantic Coast Line. The train will at present run on Tuesdays, Thursdays and Saturdays and the Atlantic Coast Line will furnish as far as possible ventilated cars for the service. The schedule is satisfactory to all and means better prices for the truckers as the goods will reach the markets earlier and in better condition than as is the case with the present schedule.

#### Times Mercury Changes Hands.

Hickory, Special.—A stock company, with J. Y. Kilian as president, and R. G. Maco as business manager, has bought the Times-Mercury, and will continue its publication, but as a strictly Republican paper. Mr. Clegg is no longer connected with the paper, but will devote his time to the Nutshell, a semi-monthly, which he began publishing a few months ago.

#### Ex-Sheriff Drops Dead.

Salisbury, Special.—J. Hodges Krider, former sheriff of Rowan county, dropped dead at his home in Salisbury Friday from heart failure. He was called for breakfast, and when he failed to appear was found dead in his bed. He was 52 years old, a well known officer, and is survived by one son, seven daughters, two brothers and a sister. The funeral takes place with Masonic honors.

#### Dr. E. V. Yates Dies Suddenly.

Durham, Special.—Dr. E. V. Yates, veteran minister of the Methodist church, and for nearly nine years lecturer in the department of Biblical Literature at Trinity College, died sitting in a chair at his hotel Friday afternoon. He had been ailing since Sunday with a deep cold, but was up the street this morning. After eating his mid-day lunch, he went to the front porch and was sitting reading the paper when his head dropped forward and he was dead in a few minutes. Heart trouble, with which he had been afflicted for several years, was the cause of his death.

#### Bandits Hold Up Train.

Spokane, Wash., Special.—Following the hold-up of the Great Northern passenger train by six bandits between Colbert and Mead Saturday night, 12 persons were injured when the locomotive and the mail cars, cut off from the rest of the train, were run back wild by the bandits, after they had rifled the rest of the train. The conductor saw the wild cars coming back at 25 miles an hour. He and another trainman placed a tie on the track, but the cars, though partially stopped, plunged into the coaches, throwing passengers from their seats, cutting them with broken glass.