

Generally fair Tuesday and Wednesday.

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STAR BUSINESS LOCALS
Bring together buyer and seller, landlord and tenant, employer and employee, loser and finder. They do an enormous amount of work at a ridiculously small price. They reach thousands daily. Everybody needs them.

ACQUIT JEROME ON GAMBLING CHARGE

Court Apologizes for Humiliation Caused the Defendant.

THAW PLEASD WITH VERDICT

Magistrate Mulvena Honorably Discharges Thaw's Nemesis—Jerome Thanks the Court and Praises Canada.

Cootick, Que., Sept. 8.—William Travers Jerome was acquitted tonight on the charge of having gambled on Thursday last on the station property of the Grand Trunk Railway here, while waiting for the immigration authorities to pass on the case of Harry K. Thaw. In discharging him the court apologized for the humiliation to which he had been subjected.

A country lawyer, Joseph Beaulne, and an 80-year-old justice of the peace, James McKee, so mixed up the hearing in the case against Jerome this afternoon that District Magistrate Henry Mulvena, who had come from Sherbrooke by automobile 23 miles for the purpose, refused to preside, and adjournment was taken until tonight. For 45 minutes counsel wrangled and hurled suggestions of crooked work. Jerome smiled, the crowd in the court room alternately stamped and hissed and Magistrate Mulvena declared he had been brought here under false pretenses. Jerome had come to Cootick from Montreal on an understanding that his case, set for hearing on Thursday, September 11th, had been advanced to today, and that the justice of the peace, McKee, who signed the original complaint, had agreed that Magistrate Mulvena should preside.

Accompanying Jerome was Samuel Jacobs, one of the most eminent lawyers of the Dominion, who had been retained by the State of New York in the Thaw case. When the crowd jammed its way into the little court room about 4:30 o'clock neither side was able to produce any formal statement from Justice McKee that he had authorized Magistrate Mulvena to sit, the complainant, Milford Aldrich, could not be found. John Andrews, the constable who arrested Jerome, was missing.

Complications arose as soon as Magistrate Mulvena asked whether Justice McKee had formally authorized the magistrate to preside. "No, not formally," said A. C. Hanson, joint prosecutor, last night he said he would today he said he would not.

Here Beaulne arose: "This case cannot proceed," he said emphatically. "I represent the State of New York and he is not here. I also represent justice and the criminal code."

Attorney Jacobs, for Jerome, urged that the trial should proceed notwithstanding that the missing constable and complainant be held in contempt of court. "The case cannot be done," replied Magistrate Mulvena, "for the court is not sitting."

As Beaulne and Hanson could not agree as to who was in charge for the prosecution the magistrate adjourned the hearing until 7 o'clock, urging the lawyers to settle their differences in the meantime.

Jerome Thanks the Court. The hearing before Magistrate Henry Mulvena, of Sherbrooke, lasted less than an hour. It began at 7:35 o'clock and at 8:20 the court said: "Sir, you are honorably discharged."

When acquitted, Mr. Jerome thanked the court, spoke flatteringly of his reception in Canada, and added that he did not attribute his arrest and brief imprisonment last week to the thinking people of the Dominion. He took a late train from Cootick to Montreal in order to be in New York Tuesday, and went to Montreal for the arguments on the latest Thaw habeas corpus writ to be held before the King's bench at Montreal September 15th.

Court Room Crowded. Townspeople packed the court room when the hearing was opened tonight. Jerome looked straight at the court and did not once glance at the throng which in looks, grimace and subdued remarks was plainly hostile.

C. Hanson, joint crown prosecutor, opened the case with the reading of the complaint of Milford Aldrich, a mill hand, who swore he had seen the defendant playing cards for money at the railway station. Statutes were quoted to show that this was an indictable offense punishable with a year's imprisonment.

Investigating the Wreck.

CHAIRMAN WALTERS TESTIFIES

Coast Line Official Tells of Sale of Cape Fear & Yadkin Valley to His Road and the Southern—Hearing Continued.



(Special Star Correspondence.) Raleigh, N. C., Sept. 8.—Chairman Harry Walters, of the board of directors of the Atlantic Coast Line Railroad Co., was the first witness examined today before the Corporation Commission in the investigation by the commission into the receivership sale of the old Cape Fear and Yadkin Valley Railroad and its partition between the Atlantic Coast Line and the Southern, the examination being under a special resolution of the last Legislature, gotten through by Representative Woodus Kellum, of New Hanover.

The purpose of the investigation is to get at all the facts bearing on the violation of the Southern and Atlantic Coast Line and have the attorney general examine this for any grounds to proceed against the two companies for either violation of the laws or the Federal anti-trust law.

Railroad Men Present. Here for the hearing began this morning were Chairman Walters, Michael Jenkins, of Baltimore, also of the Atlantic Coast Line board of directors; Alexander Hamilton, vice president and general counsel of the Atlantic Coast Line; George Elliott, assistant general counsel of the Coast Line, and General Counsel A. P. Thom, of the Southern.

Mr. Walters' testimony was a general review of the receivership of the Cape Fear and Yadkin Valley and of agreement between himself and President Spencer of the Southern, for Mr. Walters to attend the sale and bid as high as \$3,000,000 for the road with out any definite understanding except that there should be some equitable division of the road between the two big railroad corporations. He said Mr. Spencer also attended the sale, that he (Walters) bid as high as \$3,000,000, and that he was surprised at his consternation; that while he was conferring with Mr. Elliott, of the Coast Line, Spencer made a bid. Then he bid again for the Coast Line, not understanding Spencer's action. Spencer bid again and then Walters bid again. About that time Spencer passed over to where he stood and said, "I suppose your bid is for both of us."

Mr. Walters replied "It is." He testified that the Coast Line was seeking solely to conserve the Cape Fear and Yadkin Valley road business that the Coast Line had for a long time enjoyed and could ill-afford to lose.

Price Was \$3,125,000. The purchase price was \$3,125,000. He considers the Fayetteville-Bentley branch of the A. & Y. (old C. F. & Y. V.) as much the best section of the property and the Fayetteville-Wilmington division as the least desirable from the viewpoint of railroad business. He expressed the view that it was the building of this division that really landed the old corporation in receivership.

Mr. Walters was examined by A. L. Brooks, of Greensboro, who worked especially for the passage of the resolution for investigation in the last Legislature. Asked by Mr. Brooks if he would be willing to accept service by a North Carolina court, being a non-resident, in the event there should be litigation involving the partition of the road, Mr. Walters replied that he would, the understanding being that the State courts could not take exclusive jurisdiction.

Act Not Rushed Through. Mr. Walters was asked about the passage of the act by the 1899 Legislature. (Continued on Page Eight.)

FINAL TARIFF WAR NOW ON IN SENATE

Democrats Stood Solid Last Night Against Onslaught of Minority of Minority

VOTE TODAY AT FOUR O'CLOCK

Senators Agreed to Adjourn at Late Hour Last Night and Will Continue Fight on Underwood-Simmons Measure

Washington, Sept. 8.—The Senate will vote finally on the Democratic tariff bill tomorrow afternoon at 4 o'clock. This agreement was reached tonight at 11:45 o'clock when it became apparent that it would be impossible to pass the measure before adjournment tonight.

The party leaders agreed to keep the Senate in session well into the morning to dispose of as many of the amendments still pending as possible and then to adjourn until 9 o'clock tomorrow morning.

Washington, Sept. 8.—Democratic lines stood solidly tonight against final onslaught of the opposition in the tariff fight. With party leaders urging their colleagues on to approval of the bill, the ranks closed up against the anti-free wool and anti-free sugar forces and defeated all amendments to the bill as fast as they came to the vote.

Attempts to restore to the bill a duty on raw wool, and to raise the duty on woolen manufactured goods made in successive amendments by Senators LaFollette, Catron and Penrose were defeated without the loss of a party vote.

A last stand by the anti-free sugar forces led by Senator Ransdell, of Louisiana, Democrat, held the attention of the Senate throughout the evening, but the votes of Senators Ransdell and Thornton had been long conceded to the Republicans on the sugar issue.

Repeated efforts were made to secure a general agreement for a final vote on the bill at some definite hour tomorrow afternoon. Democratic leaders were willing to adjourn at midnight if such an agreement could be reached, but while negotiations were under way they insisted the Senate should remain open with the prospect of an all-night session if the attempt at the agreement failed.

Among the amendments, defeated was that of Senator Norris for a heavy tax on inheritances. This was beaten 58 to 12.

Two attempts by LaFollette to secure the adoption of his substitute for the Democratic wool tariff schedule failed by strict party votes. There remained the prospect of a final wool fight when the single item of free wool was reached in the free list of the bill.

Senator Ransdell in beginning his fight against free wool also and would to give any attempt to have a small duty put on that product.

Senator Stone questioned Senator Ransdell's right to ignore the agreement reached by the Democratic caucus to support the bill. Senator Ransdell insisted he had reserved the right to vote as he pleased on any section of the tariff bill.

With the hope of passing the Underwood-Simmons tariff bill before another sunrise, the Senate settled down to a night session after working away on the measure throughout today. Democratic leaders had done their utmost to suppress general speeches and force progress, and before the evening session was well under way voting on the final important amendments had begun.

HUERTA IS PAYING FARE OF AMERICANS

Furnishes First Class Passage to Those Who Accept His Offer

PROTESTS AGAINST CONSUL

Mexican Administration Making Good Promise of Provisional President to Aid Refugees—Protection Assured

Vera Cruz, Sept. 8.—When the steamer Tamalipas sails tomorrow morning for New Orleans there will be aboard a few Americans, part of whose passage has been paid by the Mexican government.

If other Americans wishing to leave the country, whether destitute or not, apply to the local authorities, they are promised first-class transportation to any American port to which they may wish to go.

Until today there had been received at Vera Cruz no intimation that President Huerta expected to fulfill the offer made by the government to Americans last week, but such instructions to the port authorities followed a request telegraphed to Mexico City yesterday by a group of Americans who were dissatisfied with the accommodations Consul Canada was able to supply.

After a favorable answer had come from the capital some of those who had been refused to accept assistance on the grounds that as Americans they did not feel like accepting charity from the Mexican government.

The latest advices from the State Department to Consul Canada are not regarded as altering materially the previous instructions, and most of transportation provided for the export of the United States, and first-class at that.

Under his discretionary power he has been providing sick women with better accommodations, but no one else. If an applicant for free passage admits having in possession sufficient money he receives no aid. Among the applicants it is not uncommon to find those known to be well-to-do and in a few instances wealthy.

The difficulties of obtaining first-class transportation have greatly checked the rush out of the republic. The number of Americans here still is large. There are only 30 on the Tamalipas whose passage has been paid by the United States. John Lind, President Wilson's representative, is not inclined to think that General Huerta's persistence in his plan to finance American refugees will be rewarded at Washington. Acting under instructions from the American capital he and Mrs. Lind continue their sight-seeing.

An American, W. J. Stickle, on arriving here with his family, asked the consul for transportation to the United States. Consul Canada offered first-class passage to New Orleans on the steamer Tamalipas for the woman but \$100 a day for the man. Mr. Stickle refused to accept this and sent a telegram to General Huerta accepting the offer of his government. Senator Gamba, minister of foreign affairs, immediately instructed the collector of customs to issue first-class passage to Mr. Stickle and his family to their home town.

The Tamalipas will take a large number of refugees to New Orleans. Many of these are farmers from the Oaxaca district, who leave behind their small properties now deserted. They were offered full protection by the Mexican authorities if there was room, but they thought it advisable to obey their government's instructions.

SENTENCED TO DEATH.

Negro Who Criminally Assaulted a White Girl—Life Penalty. Norfolk, Va., Sept. 8.—Lee Archer, the negro charged with criminally assaulting Miss Cora Whitehurst, 19 years old, daughter of Henry Tom Whitehurst, a farmer of Bayside Princess Anne on September 2nd, was convicted late today and given the extreme penalty of death.

OUTLINES

William Travers Jerome was acquitted on the charge of having gambled on station property of the Grand Trunk Railway, at Cootick, Canada, last Thursday.

Members of the more radical element in Japan are greatly agitated over the killing of Japanese at Nanking by Chinese troops, and as a result unsubstantiated rumors of war are afloat.

The Senate will vote finally on the Democratic tariff bill this afternoon at 4 o'clock. The agreement was reached at a late hour tonight when it became apparent that it would be impossible to pass the measure before adjournment was taken.

Wanted Son to Be Natural Born American.

MRS HERMAN H. HARRIS.



New York, Sept. 8.—Their friends are lauding the patriotism of Mr. and Mrs. Herman H. Harris, who came across the Atlantic ocean from Paris that their son might be born on American soil, and thus be recognized as a natural born citizen of the United States. The mother of the latest addition to the Harris family is an American by birth. She was Miss Frederica Berwind, of Philadelphia. Her husband, Mr. Harris, who is a member of the Paris branch of the Morgan banking system, was born in France of American parents and was forced to become naturalized before he could become an American citizen. The parents didn't want this to be the case for the child, and as the child drew near, the young patriots determined that it should be born on American soil. So they sailed on the Kronprinzessin Cecilie and arrived in New York just six hours before Mr. Harris was informed by the nurse that it was a boy. Mother and son are doing very well, thank you, at the St. Regis Hotel, here.

JAP WANTS WAR WITH CHINA M'DOWELL, ROGERS AND WEBB

Great Agitation Over Killing of Japanese at Nanking by Chinese. China Apologizes and Wants Peaceful Adjustment.

Tokio, Sept. 8.—Anarchistic expression in connection with the agitation over the killing of the Japanese at Nanking led to the suppression today of the Niroku Shimbu, an independent newspaper. The journal asserted that the punishment of the spies of Yuan Shi Kai, the Chinese President, had just commenced, that the murder of Director Abe, of the Japanese office, was a "heavenly judgment" and that other assassinations would follow.

The members of the Japanese Cabinet are being constantly protected by detectives. The police arrested the ring leaders of the mobs, which were assembling to hold another mass meeting here today, and the meeting was not held. Premier Yamamoto received the organizers of yesterday's meetings and informed them that there was no necessity of sending armed forces to China at present.

According to another version the premier declared that the sending of troops to China might bring about the partition of that country by the powers.

Rumors Unsubstantiated. This city is filled with unsubstantiated rumors that the occupation of Chinese territory is impending. Gen. Viscount Yoshishichi Hasegawa, chief of the general staff, and Gen. Viscount Kageaki Wawamura, commander of the Tokyo garrison, conferred today with Emperor Yoshihito at Nikko.

The Chinese government has apologized to Japan for the murder of several Japanese at Nanking, and has ordered an investigation. The Chinese note voiced the desire that a peaceful solution of the affair be reached through diplomatic channels.

Chinese Government Concerned. Peking, Sept. 8.—The Chinese government is much concerned over the agitation in Japan in connection with the killing of several Japanese during the fighting at Nanking, and desiring to make reparation, has instructed the Chinese charge d'affaires at Tokio to express regrets to the Japanese foreign office. The Chinese foreign (Continued on Page Two.)

COAL MINE STRIKE RESULT OF GREED

Bishop Donahue Blames Both the Operators and Miners

REPORTS TO INVESTIGATORS

Eminent Churchman Tells Senate Probe Committee of Conditions in Mining Regions of West Virginia.

Washington, Sept. 8.—Greed of the coal operators, as well as the miners, Bishop J. P. Donahue, of the Catholic Church, told the Senate investigating committee today, was the fundamental cause of the Western Virginia strike. Exorbitant prices in company stores from 15 to 25 per cent in advance of the market, he gave as one instance on the part of present operators.

The Bishop was on a commission which investigated conditions in Pain and Cabin creeks. He was aggressively surprised by the living conditions of the miners.

"Of course we found no Turkish rugs, but we do find fairly comfortable workmen's homes," said the prelate.

"Were the men contented?" asked Senator Keaton.

"I can best answer in the words of witness Griffith, who said the men would not be satisfied until they owned the mines."

Cause of the Disturbances. Coming to the cause of the strike, the Bishop quoted a line from the Psalms: "The rich man flaunts his wealth, and sets the poor man on fire," and declared that the situation in West Virginia. He added that idleness had been taught to the miners; that they had been taught the saying, "Toys we have with us always" was a farce, and that the miners had just as much a right to automobiles, and to live in Kanawha street as the coal operators.

Senator Borah contended that if laboring men were not ambitious, they would become industrial slaves.

"Ah, but not so, if property owners are not filled with greed," returned the Bishop. "I believe men should hold property not as their own, but as trustees for others, and that trusteeship should be shown by acts."

Attorney Monnet, also for the miners, asked if the Bishop thought gatling guns, armored cars and bloodhounds were some of the things that set the souls of the miners on fire.

The Bishop responded that he considered the use of these weapons best governed by the common law which allowed the use of guns when the user was "backed to the wall."

The Bishop denied having come to Washington at the request of the coal operators to protest against former Immigration Commissioner O'Keefe stopping immigrants applying to West Virginia mines because the mines were not unionized. The Bishop declared he came on his own volition.

He said the immigrants were possibly Catholics, but they were not working at it hard.

"Well, they pay up, and that is what you want," suggested the attorney.

"Oh, paying money does not make a man religious. He must go to church and live his religion. Take away a man's religion, and you make him little more than an animal. Get some of these horrible ideas of idleness, barned and socialism worked out of the miners' minds, much as you work beer out at Carlsbad, and nurture a wholesome religious view of life, and conditions will be better."

INSTANTLY KILLED BY SHERIFF

Deputy Barnes Slays Man Who Committed Murder Last Sunday. Asheville, N. C., Sept. 8.—After cutting and fatally wounding George Kuykendoll with a razor near Marshall yesterday, T. B. Curry was shot and instantly killed by Deputy Sheriff H. B. Barnes, while advancing on the officer with the same bloody weapon used on Kuykendoll. Barnes was in the Sandy Bottom district on special business for a lumber company when he heard of the cutting of Kuykendoll. He immediately tried to place Curry under arrest. Approaching Curry with a drawn razor the latter fired four shots, all of which took effect fatally.

Barnes was given a preliminary hearing at Marshall today and placed under bond of \$2,500 for his appearance at court. He made the bond.

POPE RECEIVES ATHLETES.

Gives Private Audience to Heads of Foreign Teams Now in Rome. Rome, Sept. 8.—Pope Pius today received in private audience the heads of the foreign teams of athletes now competing in Rome under auspices of the Catholic Athletic League. The pontiff thanked the athletes for coming from distant countries to take part in the meet and expressed a wish that they further would spread the international federation of Catholic athletes.

The pope made no reference to the incidents of yesterday when the police prevented a great parade of athletes and pilgrims because of threatened reprisals by anti-clericals.

Constantinople, Sept. 8.—The Turco-Bulgarian peace conference, called to negotiate a settlement of the questions in dispute between the two nations, opened here today.