

COURT HOUSE IS BURNED

A BIG LOSS TO RUTHERFORD. Another Serious Conflagration at Rutherford, the County Court House, With Many Valuable Documents and Records, Being Destroyed. The Cause of the Conflagration, It is Believed, Was the Ignition of a Fighting Apparatus in the Court House. The County Court House at Rutherford, N. J., was destroyed by fire this morning. The loss to the county is reckoned at about \$60,000, so far as money goes, but the loss in papers and documents is irreparable.

VALUABLE RECORDS CONSUMED

The offices of the sheriff, the county treasurer, the board of commissioners and the board of education, together with all records, were destroyed. The offices of the register of deeds and clerk of the court were not so unfortunate as they were some two years ago fitted up with fireproof vaults and it is thought that these will be found intact, with the contents preserved.

NO FIRE DEPARTMENT

There is no town of its size within the State that has had more fires than Rutherford and yet it is absolutely without means of fighting fire, having no waterworks or fire department. After the conflagration there is a sharp agitation for such facilities, but in a few weeks enthusiasm dies out and nothing is done. However, it seems likely that this state of affairs is no longer to exist, the fire this morning having shown so many officials that a system of protection to life and property that waterworks will be installed and a fire department equipped.

TAPT RETURNS HOME

Back From His Trip to Cincinnati and Will Spend Christmas With All of His Family Present—Much Work Ahead of Him. Washington, Dec. 24.—Secretary Tatt returned to Washington to-day from Cincinnati, O., where he went to settle some matters connected with the estate of his mother.

SENATOR MALLORY'S FUNERAL

According to His Expressed Wish, Simple Services Were Held Over Body of Late Senator—All Business Ceased During Services. Pensacola, Fla., Dec. 24.—According to his expressed wish, simple funeral services were held to-day over the body of the late United States Senator, Stephen B. Mallory. At 10 o'clock all business in the city ceased and hundreds filled St. Michael's church, where Rev. Father Fullerton said requiem mass.

Will People Refuse to Accept Christmas Charity?

Montgomery, Ala., Dec. 24.—The people of the cotton mill district of Union Springs, Ala., have indignantly refused to accept Christmas charity. A number of baskets were posted about the town in which the people were to drop presents for the "poor people of the cotton mill district." In a short time notices were given that the poor people of the cotton mill district neither needed nor desired such aid.

SHOT AT FROM AMBUSH

Two Hoveam Men While Hunting For a Moonshiner Still in Yadkin County Are Specially With Shot, But Not Wounded—The Fire Returned With Fists and the Ambushers Flee. Special to The Observer. Statesville, Dec. 24.—While making a raid on a moonshiner's still in Yadkin county late Saturday evening, Deputy Collector J. M. Davis, of Statesville, and Deputy Sheriff J. R. Albee, of Harmony, were fired on by moonshiners from an ambush. Fortunately neither of the officers was injured.

The officers left the home of Mr. Albee, 15 miles north of Statesville, Saturday morning in search of illicit distilleries. They first searched the moonshiner districts of Bagley Mills township and then crossed over into Davie county. In the northwestern part of Davie they found and destroyed a new plant, which had evidently just begun business. Along with the plant 700 gallons of beer were destroyed. From this plant they went over into Yadkin county and found another distillery on a branch near Lone Hickory.

OKLAHOMA'S FIRST LYING-IN

Negro Who Killed White Man Taken From Jail and Buried With Bells—Negroes Terrorized and Fears of a New Lynching are Heightened. Muskogee, Okla., Dec. 24.—Riddled with bullets, the body of James Garden, a negro, is dangling from a telegraph pole to-night in Henrietta, Okla., a coal mining town 30 miles southwest of here as the result of the first lynching in the new State. Garden was killed today and killed Albert Bates, a white man, because Bates, who is a well-known liveryman, refused to rent a rig to the negro. Garden said Bates was discriminating against him because of his color, and going across the bridge in Henrietta, he returned and killed Bates.

POLICE GUARD GRAVE

Precautions Being Taken to Prevent Tampering With Grave of Dr. Druce, Which Will Be Opened to-day. Whether It Contains Druce's Body or a Roll of Lead. London, Dec. 4.—Extraordinary precautions are being taken to prevent tampering with the grave of T. C. Druce, which will be opened in the course of the next few days to prove whether or not it contains the body of Dr. Druce, who was terrorized by a force of police was sent to Highgate Cemetery this morning and took up positions on all the approaches to the grave. A special cordon was drawn up around the vault, which is being rapidly shut in with a high board fence. This structure will be roofed over so that unauthorized persons will have no chance of witnessing the exhumation. Only officials and those directly concerned in the litigation involving the question of the identity of Druce with the Duke of Portland, will be permitted to see the opening of the coffin.

BLOWN FROM TRACK

Heavy Gale Blows Baggage Car and Passenger Coach From Track on Colorado & Southern Railroad—Six Persons Seriously Injured. Denver, Col., Dec. 24.—The baggage car and first passenger coach of train No. 25 northbound on the Colorado & Southern Railroad, which left Denver at 10 o'clock this morning, was blown from the track and overturned in the ditch a quarter of a mile north of Marshall, a coal camp about noon to-day. Six persons were seriously injured and a number of others slightly hurt.

DINNER FOR POOR

Salvation Army Will Feed Over 125,000 People in New York—Work Being Done in Many Thousands. New York, Dec. 24.—More than 125,000 people will eat Christmas dinners to-morrow furnished by the Salvation Army. The dinners are being put up in baskets for families of five and will be distributed on Christmas morning. Each basket will contain a five-pound chicken in addition to vegetables, coffee, tea and bread, as well as plum pudding. In addition to its great Christmas dinner the Salvation Army is collecting money for its regular winter relief work.

Closing Law Unconstitutional

Mobile, Ala., Dec. 24.—City Attorney J. W. H. Kinnear, in an opinion declaring unconstitutional the 9 o'clock closing law enacted by the recent Legislature. He bases the declaration upon the fact that while the title of the act embraces but one subject, the body covers several. The act in its title refers to the closing of the saloons in Mobile but ignores the law.

JAMES HOWARD TESTIFIES

KNOWS NOTHING OF KILLING. Court Room Packed to Hear James Howard, Chief Witness For Defense. —Taylor in His Deposition Makes Denial of Charges Made by Youtsey, Golden and Noakes—Youtsey Filed Of Key to Powers' Office The Day Goebel Was Shot—Disfranchisement Sharp Testifies That He Had Information Before the Killing That the Democrats Had Ordered Guns and Ammunition—Howard Denies That He Was on State House Square Before the Shooting, But Came Up in Afternoon. Georgetown, Ky., Dec. 24.—In the expectation that James Howard, chief witness for the defense, would take the stand, a large crowd was in attendance at the opening of the Powers trial to-day. The reading of Governor W. S. Taylor's deposition which was begun late yesterday, was concluded to-day. Taylor, in his deposition made a general denial of the charges that he had any knowledge or participated in a plot to murder Goebel, as made by Youtsey, Golden and Noakes.

SAW YOUTSEY EMERGE FROM OFFICE

Hargrove stated he saw Youtsey emerge from Powers' private office directly after the shooting, hatless and coatless, with a pistol in his hand, and apparently very much excited. Hargrove said he put the Commonwealth in possession of these facts before Powers' trial, but that he was not called to testify as a witness. Captain Stephen G. Sharp, United States district marshal and former State treasurer, testified that directly after the shooting of Goebel he went to Governor Taylor and offered his services to defend him. Governor Taylor directed him to take charge of the defense, which he did, not allowing anybody to enter. He said he thought the protection of the highest officer in the State more important than anything else. Captain Sharp started the court and spectators by stating that three days before Goebel was shot he (Sharp) was given reliable information by a prominent Democrat that the Democrats had ordered two thousand guns and ammunition for the same, and that men would be on hand to man the guns and that Taylor and other Republican State officials would be arrested and taken to the State penitentiary. He said, when he asked Republican State officials why State troops had been notified in readiness to move as he had communicated these facts to both Governor Taylor and Adjutant General Collier.

HOWARD TESTIFIES

James Howard took the stand this afternoon. He said that at the time Goebel was shot he (Howard) was in the public room of the Board of Trade Hotel at Frankfort. A man named Robinson stepped out from the hotel and brought back the information that Goebel was shot. Howard and others in the room jumped up and ran to the door, horrified at the news. After the shooting Howard went with the others to the Capitol Hotel but he did not see Goebel there, and in fact never saw him before to know him. Howard denied emphatically that he ever received a letter from Taylor or Youtsey asking him to come to Frankfort. He did not know Taylor and had never seen him. The witness further said he did not know Youtsey and never saw him until both he and Robinson were arrested and were in jail at Frankfort. He then was introduced to Youtsey in the Frankfort jail by Mrs. Howard, his wife. Bull and others.

FIVE MEN KILLED

Is Mississippi and Louisiana's Record For Christmas Fights During Past 24 Hours. —New Orleans, La., Dec. 24.—Five men killed by pistols or knife in Louisiana and Mississippi during the last 24 hours is the record up to today of Christmas week fights in this section. At Covington, La., Henry Route, a negro, butted the front yard of Mr. Bradley, white, inviting the latter to settle a money matter by "coming out to shoot it out." Bradley killed the negro. At New Albany, Miss., Ed F. Hill, a white, a section foreman, shot and killed Martin Arnold, also a section man. Both are white. Valden, Miss., was the scene of a terrible fight which cost the lives of both parties, Maury Davis, white, and William Spink, colored. Love, Miss., a negro, killed a white, caused Ed Smith, negro, to seek and kill Jim English, another negro.

THREE KILLED IN FIGHT

White Man Attempts to Separate Fighting Negroes and is Shot Down—Before Dying He Shoots and Instantly Kills Two of the Negroes. Waycross, Ga., Dec. 24.—To-day shortly before noon Wallace Dyal, a woodman employed by W. L. Hinson & Co. at a turpentine still about eight miles from Waycross, was shot down by a crowd of negroes who were fighting among themselves. Before dying he shot and killed instantly two negroes. The report reached Waycross with a request for the sheriff and deputies to start out at once. At 1 o'clock, and since that time nothing further has been received, though arrests are expected to-night. The negroes, so it appears, were drinking and a fight started among them. Mr. Dyal was nearby and went to separate the fighters. They or others around did not like the interference and fired on him. He fell, but was able to use his pistol with telling effect. The names of the negroes killed could not be learned.

RECEIVERS FOR ADLER & CO.

Big Wholesale Grocery Firm in Hands of Receivers—Members of Firm Say Both Assets and Liabilities Are Large. New Orleans, Dec. 24.—Temporary receivers were to-day appointed for the wholesale grocery firm of A. Adler & Co. The receivership resulted from a petition filed by creditors, who included the New York firm of E. Naumburg & Co. Members of the firm declared that both assets and liabilities will be found large and that the firm can probably meet all obligations and resume business. William Adler, head of the firm and until last Sunday president of the State National Bank here, is not in the city. He announced last week that he was going to New York.

NEGRO'S SLAYER CAPTURED.

Perpetrator of a Heinous Crime Landed in Surrey Jail—Worker Mission Gives a Splendid Entertainment—Other Mount Airy Matters. Special to The Observer. Mount Airy, Dec. 24.—Montgomery, the man who assassinated Robert Snow, the lieutenant of the day, was captured five weeks ago, near this city, was arrested Sunday and lodged in jail. He will spend the holiday with relatives, but it is known that no more heinous crime was ever committed in this county. The man Willis, who was with Montgomery at the time of the shooting, was captured at the same time. Rain fell in torrents all night Sunday night and yesterday the creek in the vicinity of the shooting place was very much swollen. The creek was in a very muddy condition, and the water was very high. The creek was in a very muddy condition, and the water was very high.

CHIEF BROWNSON RESIGNS

FROM BUREAU OF NAVIGATION. President Receives and Accepts Resignation of Rear Admiral Brownsong as Chief of Bureau of Navigation—No Reason is Given at the White House, But It is Rumored That It Was on Account of the Admiral Being Unable to Agree With the Ideas of the President—Another Rumor is That the Senate Would Not Confirm His Appointment Because of His Being on Retired List—Captain Cameron Winslow Appointed to Succeed the Admiral. Washington, Dec. 24.—President Roosevelt to-day received and accepted the resignation of Rear Admiral Willard H. Brownsong, as chief of the bureau of navigation. The resignation takes effect immediately and Captain Cameron Winslow has been appointed to succeed the admiral. No reason for the resignation is given at the White House. Diligent inquiry from Rear Admiral Brownsong, from Secretary Metcalf and at the White House, failed to reveal the reason for the seemingly sudden retirement of the rear admiral from the navigation bureau. Admiral Brownsong takes the position that the subject is one for the discussion of his superior officer, Secretary Metcalf from it will belong to him. President S. P. Reid, of the Memphis Clearing House Association, said to-day that the suspension of the Memphis Savings Bank would not affect any other institution in the city. Reid said he felt certain that all depositors in the Memphis Savings Bank would be paid in full. Later a statement was issued by the directors of the bank announcing that the institution was solvent and that creditors would not lose a cent. The statement adds that because of the financial stringency it was deemed wise to close the bank, ask for a receiver and liquidate its affairs.

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TWO THEORIES

Two theories have been advanced as being sufficient in themselves to bring forth the letter of resignation. One of these reasons is that the admiral finds himself unable to agree with the ideas of the President regarding certain important policies to be pursued by the bureau of navigation. Such a disagreement, honestly entertained, would leave the admiral but one course, and that to take his place on the retired list and relinquish the active management of the bureau. The other reason is that the rear admiral being not legally confirmed by the Senate to his appointment to active duty. It is known that the judge advocate's department of the navy has been wrestling with this legal question, with special reference to the case of Admiral Brownsong, for several weeks past. It is also known that an opinion on the question has recently been rendered by the judge advocate, and that the effect of his opinion is, can only be surmised. Those who believe that it is the reason for his resignation, say that the opinion set forth the law to be that his confirmation could not be legally executed by the Senate.

PREVENTS DISCRIMINATION

Inter-State Commission Decides in Favor of Complainant in Holcomb-Hayes Case—Decision Was Rendered December 9th—New Rule Embodied in Decision. Washington, Dec. 24.—The case of the Holcomb-Hayes Company against the Illinois Central Railroad Company and the Southern Railway Company, before the Inter-State Commerce Commission, and has decided in favor of the complainant. The defendant roads are required to publish their rates for a definite period of time and to reimburse the complainant in the sum of \$3,071 as representing alleged unjust and unreasonable charges for the transportation of crockeries. Although just announced to-day the decision was rendered December 9th, and embodies a new rule in such cases to prevent discriminations, requiring rates to remain in effect for a definite period of time to be designated in the order. The following comment is made: "The commission does not approve the practice whereby carriers put in rates with a clause under which they expect to be able to change the rates at any time, and to the purpose of enabling the commission to do justice in a particular case." In the present case the defendants are required to publish and charge on or before January 15th, 1908, and during a period of at least one year thereafter, a rate of 191-2 cents per cask.

INTERNAL MACHINE FOUND

Box Containing High Explosive Discovered by Postoffice Employees—Season's Greetings Found Inside When Policeman Opens Package. Erie, Pa., Dec. 24.—While distributing Christmas boxes in Erie, Pa., an employe became suspicious of a package, the end of which had broken open and upon making an investigation the package was found to contain an internal machine so constructed that the opening of the box would cause an explosion that would undoubtedly killed all persons near it, and set fire to everything in the vicinity. The package was addressed to Archie Carr, 25 Cherry street, and was mailed in Erie, Pa. The box was turned over to Postmaster Sobel who called in Chief of Police Wagner. The chief cut out the side of the box, and exposed a bottle and contrivances so arranged that the opening of the lid would pull the contents of the box into the air. The following inscription was on the inside wrapper: "You may perhaps find the cover will catch a little when you open the box, but pray no attention to it. Merry Christmas." Dr. J. W. Light, health officer and chemist, after examination of the bottle, said it contains a high explosive.

SUCCEEDED BY WINSLOW

Commander Winslow who has been designated to act as the head of the navigation bureau, has for some time past been assistant to Admiral Brownsong. Commander Winslow is anxious to obtain command of the new battleship New Hampshire, so it is believed that his present designation is intended to bridge over an interval during the absence of Admiral Brownsong. Among the names mentioned in that connection is that of Captain Richardson Clover, at present head of the board of inspection and survey. Another name which is known has been considered in connection with the vacancy is that of Lieutenant Commander William B. Sims, who is one of the President's naval aides.

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COURT CLOSES BANK

Memphis Savings Bank, One of the City's Oldest Institutions, Closed by Order of Chancery Court—Suspension Will Not Affect Other Banks and Statements Made That All Depositors Will Be Paid in Full. Memphis, Tenn., Dec. 24.—"This bank is closed by order of the Chancery Court. E. L. McHenry has been appointed receiver." The above notice was posted on the doors of the Memphis Savings Bank, one of the oldest institutions in the city at opening time to-day. G. W. McRae, a well-known local capitalist, is president and E. L. McHenry, cashier. The bank carries deposits of over a million and half dollars. Several weeks ago a statement was published that the bank had been heavily loaded with paper of a certain concern upon which it could not realize. This set many rumors afloat and the bank inserted the following explanation in the daily papers: "A misapprehension seems to exist in regard to a supposed loss made by this bank. The facts are that an unpaid maturity was incorrectly made good to the bank by certain of its officers and directors, and the bank sustained no loss whatever. The claim was bought at its face value by said officers and directors and is their property. Whatever is realized from it will belong to them."

RAILROAD CONSTRUCTION

Railway Age's Statistics Show That Railroad Construction Was Nearly as Heavy This Year as Last—Orders for Cars Smallest in Seven Years. Chicago, Dec. 24.—According to the statistics compiled by The Railway Age, railroad construction in the United States has been nearly as heavy in 1907 as in 1906, which was the heaviest year since 1888. The total number of miles of new track laid this year has been 5,370, of which 422 miles were in Louisiana, 341 in Florida, 385 in South Dakota, 214 in Texas and 311 in Washington. In Canada during the same time 723 miles were built, and in Mexico 349 miles.

THREE MADISON WEDDINGS

Miss Florence Meador Becomes Bride of Mr. H. L. Morrison, Miss Essie Knight of Mr. Charles Wilson and Miss Lillie Heggie of Mr. John Martin. Madison, Dec. 24.—Three marriages of interest took place in Madison to-day. The bridegrooms were Mr. H. L. Morrison, of Reidsville, and Miss Florence Meador, of Madison, were united in the holy bonds of matrimony, the ceremony being performed by Rev. W. H. Wilson, pastor of the Baptist church. Mr. Morrison is a printer, having worked in the Herald office here for some time. He now has a position with The Reidsville Review. Mrs. Morrison is the daughter of Mr. and Mrs. H. Meador, who reside near Madison. Mrs. Meador has made her home with her sister, Mrs. J. Bart Webster, at Hotel Madison. In addition, Miss Essie Knight, of Reidsville, and Miss Lillie Heggie, of Reidsville, were also married to-day. The bridegrooms were Mr. Charles Wilson and Miss Lillie Heggie. Mr. Wilson is one of Rockingham's best and most progressive young farmers and Miss Knight was installed as the new daughter of ex-Deputy Sheriff and Mrs. T. B. Knight. Both have a host of friends, who wish them well.

SUPREME COURT TO HEAR CASE

N. Glenn Williams' Petition For an Appeal to United States Highest Court Granted. H. E. C. BRYANT. Observer Bureau, Congress Hall Hotel, Washington, Dec. 24. Mr. N. Glenn Williams, who was tried before Judge Boyd, of the Federal Court of the western district of North Carolina for violating the revenue laws, was acquitted on fourteen charges but convicted of the intent to defraud the government of taxes in one case. On account of the failure of Judge Boyd to grant an appeal in the case provided, Mr. Williams petitioned the Supreme Court of the United States for a hearing here. It has been granted. This means that the case will be heard by the Supreme Court. Mr. Williams' attorneys are Messrs. Burwell & Candler, of Charlotte, W. P. Bynum, Jr., of Greensboro, and Moore & Rollins, of Asheville.

CIRCUIT COURT'S MANDATE

Sentence of Lower Court in Greene-Gaynor Case Will Be Carried Out—Mandate Sent to United States District Attorney Edwin. New Orleans, Dec. 24.—The United States Circuit Court of Appeals here to-day issued its mandate for the carrying out of the sentence of the lower court in the Greene-Gaynor case following the denial of a writ of certiorari by the Supreme Court of the United States yesterday. Benjamin D. Greene and John P. Gaynor were each sentenced in the United States Circuit for the Southern district of Georgia to pay a fine of \$572,748 and serve four years of imprisonment after being convicted of embezzlement and conspiracy with Captain O. B. Carter, to defraud the United States government in connection with harbor improvements at San Juan, P. R. The case was brought here on an appeal and the verdict of the trial was affirmed. The mandate was to-day sent to United States District Attorney Edwin Green, of the Southern district of Georgia.

WARM WELCOME BY CITIZENS

Battleship Squadron Arrives at Trinidad a Day Ahead of Time, Completing First Leg of Journey to the Pacific—People Crowd Water Front to View Impending Arrival and Numerous Small Craft and Harbor Boats Carry Sightseers Out to Meet—Admiral Evans and Staff Engage Their Respects to Governor Jackson—Crews Granted Shore Liberty—Slight Accident to the Whipple—Short Sketch of Port-of-Spain—A Clean, Attractive and Comfortable Town. Port-of-Spain, Trinidad, E. W. I., Dec. 24.—Although not due here until to-day, the American battleship fleet arrived in port yesterday, completing the first leg of the 14,000-mile journey to the Pacific. Daylight to-day showed the warships anchored in four columns' formation about four miles from the wharf. The people crowded the water front to view the imposing array of white ships of war, entertainment committees completed their final arrangements, and the town rapidly took on its best holiday attire. Port-of-Spain has prepared to welcome the fleet with hospitality and good fellowship.

MANY VISIT SHIPS

Numberless launches, row boats, small yachts and harboring craft of all sorts began putting out at an early hour to take sightseers over to the American vessels. They clustered and cruised about between the anchored warships, glistening in the sunlight of a warm, perfect day, while the crowd voiced its admiration. Rear Admiral Evans, accompanied by his staff, called on the governor of Trinidad, Sir Henry Moore Jackson, this morning. They were received on landing by a guard of honor from the local militia. A party of officers from the fleet came ashore this afternoon. The warships this morning took coal from the colliers. All on board the vessels are well. The tender Yankton arrived during the night, several hours later than the fleet. She was unable to keep up with the other vessels. Two thousand of the men of the battleship fleet were granted liberty this afternoon and were warmly welcomed by the populace when they landed. They gave themselves up to the enjoyment of sightseeing and playing baseball at other games. The town presents a lively appearance.

ACCIDENT TO WHIPPLE

During the movements of the torpedo boat flotilla preparatory to leaving the harbor this morning, the destroyer Whipple's propeller fouled the anchor chain of the collier Fortuna. This accident delayed the departure of the flotilla a second time. The torpedo boats returned Sunday because of damage to the machinery of the Lawrence. The Whipple was at once hoisted, and divers were sent down to clear the propeller. The accident was not serious. The City of Port-of-Spain lies on a curve in the Gulf of Paria, on the west side of the island of Trinidad. It is one of the cleanest, most attractive and comfortable towns in the West Indies. From the bay the view of the port is bright and beautiful; white walled houses capped with red roofs nestle among luxuriant and tropical foliage. In the foreground strike the blue waters of the Gulf, while behind the town the encircling hills make a frame of changing hues. It is an English town. English is the tongue of the blacks, Christmas is observed in the English way, and the men of our fleet will get an English welcome. It is a modern town, with well paved streets, good street car service, good stores and hotels, attractive tropical parks and extensive gardens. There are several clubs, some in the city and others in the nearby country. The famous Trinidad Asphalt lake is 60 miles from Port-of-Spain. It supplies, under lease to an American company, raw material for American pavements. The waters of the bay are shallow and vessels of deep draft have to anchor some distance out. The climate at this season is warm and pleasant.

METCALF SENDS GREETING

Safe Arrival of Fleet Reported to Department and Secretary Metcalf Wire Greeting to Evans and Men. Washington, Dec. 24.—Admiral Evans has reported to the Navy Department the safe arrival of the battleship fleet at Trinidad yesterday. Secretary Metcalf to-day sent the following Christmas greeting to the officers and men of the Atlantic battleship fleet and the torpedo destroyers: "Evans, Port-of-Spain, Trinidad. (Signed) "METCALF." This message will be read to the men to-morrow aboard the various ships of the fleet and flotilla or will be posted in a conspicuous place, where it may be readily seen by them. Over 14,000 officers and men are now at Port-of-Spain so that the Secretary's message will be a greeting to them all. The message was sent by wireless telegraph via San Juan.