

SIMMONS MEN STOOD NO SHOW

Their Endorsements Seem to Have Had the Wrong Effect, Even When in Favor of a Friend of the Governor.

LITTLE INCIDENTS INDICATE FIGHT IS ON IN EARNEST

Judge Carter's Appointment Gives General Satisfaction, on Account of His Ability—A Survey of the State's News.

Gazette-News Bureau, Chamber of Commerce Rooms, Hollomon Building, Raleigh, April 10. GOVERNOR KITCHIN held to his original intention when he named Frank Carter to this much sought and highly honorable position of Judge of the Superior court.

The contest for this judgeship was one of the most spirited of any the governor has had before him. The only other candidate seriously considered was John Sneed Adams, a son of the late Judge, who only consented to enter the fight at the earnest solicitation of his many friends in Asheville.

Judge Carter is a man about 45 years of age, an eminent member of the Asheville bar, of strong personality, active mind, and far-reaching legal knowledge. It is believed that he will rank as one of the state's ablest jurists.

After getting his license he began the practice of his profession in Asheville, making a wide reputation as a criminal lawyer. Later he has turned his attention more to matters of a civil nature, in which field he has a fine reputation.

A Friend of the Governor's. It is interesting to note in this connection that Judge Carter is what has been designated in this fight as an "original Kitchin" man and, of course, the governor, following his general plan to appoint his friends when they were available, was naturally inclined to Judge Carter from the first.

Contest Is On in Earnest. The drift of things within the past week has shown very clearly that the contest between Simmons and Kitchin for the United States senate is on in earnest. This became evident when it was seen that an endorsement from Kitchin, or even one from Simmons' friends in the west, was clearly out of the running.

Had John Sneed Adams been appointed it would doubtless have been a long step towards breaking into the Simmons organization in Buncombe, and some of Governor Kitchin's closest friends in Buncombe came here to urge him to appoint Mr. Adams, but the governor doubtless thought along the line "a bird in the hand is worth two in the bush," and was wisely approved.

The selection of Judge Carter has met with strong approval in Raleigh. M. L. Reed, former chairman of the board of county commissioners, who came here to urge the appointment (Continued on page 3)

REORGANIZATION IS NEXT IN ORDER

Both Parties Will Get Down to It as Soon as Martin Names His Committee on Committees—Democrats to Hold Another Caucus on Tariff Proposals Before Any Important Business Comes up in the House.

WASHINGTON, D. C., April 10.—After three days of idleness, both branches of congress resumed work today. Most important in the schedule of the senate after noon were speeches by Senator Rorer of Maryland, discussing the Mexican situation, and Senator Young of Iowa, expounding the Dea Moines commission plan of government and commending it to other cities.

When Senator Martin, the new minority leader, names his committee of committees both democrats and republicans will begin the work of reorganization. Before any important business is taken up by the house this week, the democrats will hold another caucus and pass upon the tariff proposals to be submitted by Chairman Underwood of the ways and means committee. The caucus will take up the legislative program tentatively agreed upon by the democratic leaders, and determine what public measures are to be considered first and what tariff revision is to be attempted.

DEAD UNACCOUNTED FOR, ESTIMATED TO NUMBER 120

It Is Believed This Is Exact Number of Victims of the Alabama Mine Horror. Banner, Ala., April 10.—Forty-five bodies have been removed from the Banner mine of the Pratt Consolidated Coal company, where Saturday's underground disaster took place. Sixty more corpses have been piled up ready for the train cars to haul to open air. The announcement that 128 men were dead or unaccounted for was verified today.

With the precision of clockwork a trained corps of rescuers last night brought a steady stream of bodies from the Banner mine of the Pratt Consolidated Coal company in which a disastrous explosion occurred. It is believed that 128 is the exact number of victims.

This figure was obtained after making a careful check of all the men who entered the mine Saturday morning. There is no longer any hope of finding men alive underground. Of the 128 dead only 14 were whites. It was 2 o'clock Sunday afternoon when the rescuers were able to establish working conditions in the mine and at 3:20 o'clock the first three bodies were brought to the surface. They were all negroes. Within two hours ten more had been brought up including Lee Jones and O. W. Spradling, both whites.

State Mine Inspector James Hillhouse expressed the belief last night that the mine would be cleared today. The general belief is that powder caused the trouble, the opinion being expressed that damage was heaviest near the point where the day's supply of explosives was kept. When the rescuers asked for assistance Sunday afternoon company officials called for volunteers among the convicts stating that no man need go if he was afraid. Sixteen of the negroes in stripes stepped forward in response to the call and accompanied Inspector Hillhouse and six white men under guard.

There are practically no quarries at Banner, none of the convicts had relatives near, but a few curious negro women stood around the opening and would break into a low wailing dirge-like chant when bodies were brought up. Twenty convicts Sunday afternoon dug a long trench in the convict pen and out Simmons' friends had a narrow escape from death. An accident occurred to the boiler used for the fans and the air stopped for a few minutes. Within a few seconds a faint cry for help was heard from below and men with oxygen helmets hurried down. The entire party was overcome by the after blast and when they were brought to the surface physicians had to work over them for nearly an hour before they were able to be moved to the rescue car. Members of the first party give a harrowing account of the experience.

"We were going along all right until we got to the fourth entry" said Dr. R. H. Hamilton, "and in a few seconds nearly every man in the party was down. I attempted to carry one man over the jet but failed and fell myself. That is the last I remember until the surface was reached by the after blast and when they were brought to the surface physicians had to work over them for nearly an hour before they were able to be moved to the rescue car. Members of the first party give a harrowing account of the experience." (Continued on page 3)

Washington, April 10.—Winter wheat, April 1, showed an average condition of 83.3 per cent of normal against 80.8 a year ago; 82.2 in 1909 and 86.8, the ten year average, according to the April crop report of the department of agriculture, issued at noon today. The advance in condition from December 1, 1910, to April 1, is eight-tenths of a point as compared with a decline in the past ten years of 4.4 points. Rice showed an average condition on April 1 of 89.3 per cent of normal, against 92.3 a year ago; 87.2 in 1909 and 89.29 in ten years average. The condition by states is as follows: Virginia—Winter wheat 85, rice 88; North Carolina—Winter wheat 89, rice 88; South Carolina—Winter wheat 87, rice 85; Georgia—Winter wheat 90, rice 90.

HEAVIEST PRIMARY VOTE IS EXPECTED

Democratic Municipal Primary of Tomorrow Almost Sole Topic of Conversation.

CANDIDATES AND FRIENDS ALL WORKING INDUSTRIOUSLY. Polls Will Open at 8 O'clock, and Remain Open Until Eight O'clock in the Evening.

Indications are that the vote in the democratic primary election tomorrow will be the heaviest in the history of primary elections in Asheville. There is keener interest manifested among the democrats this year than for years past; there is a greater registration—old and new—than ever before, and, in the meantime, the friends of each and every candidate are on the alert and determined to induce to the polls just as many voters as possible.

Throughout the city today there has been little discussion save the primary election tomorrow. The candidates for nomination and the friends of the candidates have worked like bees all day, and, it is evident, this work will continue until the polls close at 8 o'clock tomorrow evening.

The polls will open at 1 o'clock tomorrow afternoon and remain open until 8 o'clock in the evening. Every democrat registered for the primary is entitled to vote and notwithstanding some talk of fraudulent registration and fraudulent voting during the past quarter of a century in the fifth precinct or any other precinct and that private detectives have been employed to watch the alleged fraudulent voters, the friends of the candidates remain unfettered and, it is expected, the full strength will be polled at practically all the voting places.

The primary ticket that will be presented to the voters tomorrow afternoon at 1 o'clock in the evening will contain the following names: Mayor—R. L. Fitzpatrick, J. Frazer Glenn, and J. E. Rankin. Alderman Third ward—E. W. Shuford and John W. Neely. Alderman First ward—A. B. Sites and M. M. Sullivan. Alderman Fifth ward—Charles W. Brown. Alderman at Large—R. L. Francis, W. G. Corpening and W. H. Hyatt. Police Judge—P. C. Cocks, Junius G. Adams and Walter R. Gudger. Tax-Collector—G. H. Barlett. City Treasurer—J. B. Erwin and W. W. Patton.

TRAVELING INDUSTRIAL AGENT HAS BEEN NAMED

Southern Railway Selects W. C. Olds—Will Give All His Time to Locating Industrial Plants.

Special to The Gazette-News. Washington, April 10.—As a further step in the direction of aiding in the development of the territory along the lines of the Southern Railway system, M. V. Richards, land and industrial agent, announces the appointment of W. C. Olds as traveling industrial agent of that system, with headquarters at Washington.

Mr. Olds is a man of large experience in manufacturing in the United States and foreign countries, and is to work for the development of industrial plants along the lines of the Southern Railway system. He is to be in charge of the industrial agents in the territory along the lines of the Southern Railway system, and is to be in charge of the industrial agents in the territory along the lines of the Southern Railway system.

DIES OF HYDROPHOBIA CAUGHT FROM PET DOG

Former Secretary of New York American League Club Succumbs to Disease Contracted in Nov. New York, April 10.—Abraham Nathan, former secretary of the New York American League Baseball club, died today in the Neurological institute from hydrophobia. He was suffering from an illness which later developed into rabies.

LATEST JAPANESE WAR SCARE STORY SQUELCHED

Emphatically Denies Report the Proposed Treaty Caused Movement of Troops to Texas. Washington, April 10.—The president has squelched the latest Japanese war scare story. Through Senator Burton President Taft made emphatic denial of the report from Mexico City that the proposed treaty between Japan and Mexico caused the movement of troops to Texas.

Madrid, April 11.—An embryo republic has been proclaimed at Gandia, in the province of Valencia. The populace rebelled against royal authority. Many persons were injured.

OPERA, "QUO VADIS" CAUSE OF SUICIDE?



Craige Lippincott, With His Wife, Witnessed the Piece the Night Before His Death.

JAY B. LIPPINCOTT, son of Craige Lippincott, the Philadelphia publisher who shot himself to death Thursday, is believed to have declared opinion that his father shot himself in his sleep. The coroner's jury found a verdict of suicide, following the recommendation of Coroner Ford, who said in his charge: "We have been unable to ascertain any temporary aberration of mind. There is no evidence at all to show that this man, at any time, was even slightly deranged."

One theory advanced by close friends of the family is that the publisher after seeing the suicide scene in the opera "Quo Vadis," which he and Mrs. Lippincott attended the previous night, went home so wrought up that he took his life. On the other hand Coroner Ford reported that Mr. Lippincott had sent crashing through his head a bullet from a new revolver "evidently purchased especially for the deed."

TRIAL AGAIN SUSPENDED BY THE PRESIDING JUDGE

This Is His Way of Dealing With Disturbances, and Camorrist Hearing Is Much Delayed. Viterbo, Italy, April 10.—President Bionchi's way of dealing with disturbances at the Camorrista untruncated trial is to suspend the court's sitting. So frequently is this procedure exercised that the proceedings are seriously delayed. The trial, consequently, promises to be long drawn out.

Today, the sound of a whistle from among the spectators started a commotion that ended only in adjournment. The Yoshiwari is conducted under government licenses, which provide for the establishment of hospitals and several of these institutions also were burned. The fire which began at 11:20 o'clock in the morning spread over a vast area. It was fanned by a strong southern wind and the flames were swept to the surrounding structures.

AND STILL NO DECISION IN DISSOLUTION CASES

Another Week at Least Before Oil and Tobacco Trusts Will Know What's What. Washington, April 10.—Another decision day has passed without the United States Supreme court announcing a decision on either the Standard Oil or Tobacco "dissolution suits."

MRS. BROOKS NOT GUILTY; INSANE, IS JURY'S VERDICT

Fort Worth Woman Who Slew Her Husband's Woman Friend Is Acquitted—Is Inmate. Fort Worth, Tex., April 10.—Not guilty, on the ground of insanity, was the verdict by which Mrs. Lennie Brooks was acquitted of the charge of murdering Mrs. Mary Binford, her rival for the affections of her husband. Mrs. Brooks, prostrated by the nervous strain caused by the jury's failure to reach a verdict last night, was not in court. There was only a small crowd—perhaps 150 persons—present, and there was no demonstration.

STEEL CORPORATION UNIFIED TONNAGE REPORT

New York, April 11.—The United States steel corporation announces that unified tonnage on its books March 31, was 7,417,761 tons; unified tonnage on hand at the end of February was 2,499,543 tons.

WALSER CASE; BUTLER IN IT?

Some Ascribe Lexington Man's Victory to Interposition of the Smooth One and Tom Carter—Some Possible Motives.

SENATOR DIXON OF MONTANA FINALLY GIVEN RECOGNITION

President's Intentions With Respect to North Carolina Wing of His Party Are not Altogether Plain.

Washington, April 10. SUPPORTERS of Postmaster Walser at Lexington have received confirmation of the report sent to the Gazette-News with reference to the opposition that has developed to the confirmation of that gentleman's appointment, and the battle may now be expected to rage some more. Seidman has a contest over a comparatively small office attracted more attention than that in progress over the Lexington office. Apparently in face of the opposition of almost all the political forces that might be expected to be in any wise concerned in the contest—and this opposition embraced, to all outward appearance, at least, the state organization—Mr. Walser nevertheless prevailed. Everybody was admittedly jarred when his appointment was transmitted to the senate after everybody had assumed Mr. Conrad that the place was his. Postoffice officials cheerfully admit a familiarity therewith, but they will not discuss the case. Mr. Walser's official record is good, but some people, in position to be advised, officially, smile when it is suggested that this consideration of a record alone led the president to make the appointment, and they smile in a way that somehow leads to the impression that the element of mystery in the appointment is not wholly lacking.

THREE MILLION DOLLARS LOSS BY FIRE IN TOKIO

Five Thousand Houses Burned in Licensed Hetaire District Burned, 6000 Women Homeless. TOKIO, April 10.—It is roughly estimated that three million dollars covers the property loss caused by fire which yesterday wiped out the Yoshiwari, that district where social license is permitted under municipal surveillance. According to official reports there were no fatalities. The flames swept rapidly through thousands of flimsy structures. About 5000 houses burned. Six thousand women residents were made homeless. The Yoshiwari was the principal quarter of Tokio, inhabited by the licensed hetaire. Many of these houses were almost palatial in appearance.

The Yoshiwari is conducted under government licenses, which provide for the establishment of hospitals and several of these institutions also were burned. The fire which began at 11:20 o'clock in the morning spread over a vast area. It was fanned by a strong southern wind and the flames were swept to the surrounding structures.

When the wind blew down on the clear night, the entire northern skies of Tokio were ablaze from the glowing embers.

Butler's Motives. As for Mr. Butler, that person might have had a dual purpose to serve. In the first place he would have been doing a friend a good turn, thus keeping some definite hold upon the party. The other motive, however, is that the appointment would serve as an object lesson which Mr. Morehead could hardly be expected to ignore.

For some time a number of the advisers of the republican chairman have urged the wisdom of less intimacy with the former populist senator, and the appointment of Mr. Butler's friend Walser would serve as a fresh reminder of the utter absurdity of such advice; it would be brought very close home to the chairman that Mr. Butler must in the future, as in the past, be reckoned with. In this connection it may be considered noteworthy, especially since the Walters were ardent supporters of Mr. Morehead in his fight for the chairmanship, that it was Mr. Morehead who filed the charges which today repulse in the office of the senate postoffice committee.

MICHAEL LINK'S BODY FOUND IN BATH TUB

He Was Illinois Legislator Who Turned State's Evidence in Investigation of Lorimer Election. ST. LOUIS, April 10.—Michael S. Link, former member of the Illinois state legislature, who was indicted by the Chicago grand jury for perjury and turned state's evidence in the investigation of Senator Lorimer's election, was found dead today in a bath-tub at his home at Mitchell, Ill.

Fifty Victims of Pancoast Mine Fire Buried. Scranton, Pa., April 10.—Fifty of the thorough victims of the Pancoast mine disaster were buried today, solemn and sad processions moving through the streets all day long, beginning early in the morning.

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