

OUTLINES.

At Honda, California, yesterday afternoon, there was a terrible wreck on the Southern Pacific Railroad, resulting in the death of 25 or more and the injury of 25 to 30 people.—The volcanoes of Stromboli and Mount Aetna, in the Sicilian group, off the coast of Italy, are exceedingly violent and are terrifying the inhabitants as far away as Italy; the sea is greatly agitated and it is believed that there is a submarine crater, the sky is darkened with clouds of ashes and ashes are falling as far away as Naples, Italy.—Franc H. Jones, defaulting teller of the First National Bank at Charlotte, returned yesterday and surrendered himself.—President Roosevelt gave a brilliant function at the White House last night in honor of the Nation's guests, the occasion being a dinner in honor of General Kuroki, the distinguished Japanese commander, and staff, Duke Abruzzi, and other distinguished foreigners; the party yesterday visited the tomb of Washington.—In the case of the Augusta, Ga., cotton mills, the Interstate Commerce Commission yesterday decided that the freight rates on cotton goods to Pacific points are not unreasonable; the New England rate for a greater distance is less than the Southern rate but the Commission holds that New England is entitled to a cheaper rate because the Southern mills have the advantage of being where the cotton is produced.—Attorney Jesuit in court of Lexington, Ky., yesterday declared that he would prove that Judge Harkis, of Breathitt, Ky., had James Cockrill killed because he interfered with his ambitions.—New York markets: Money on call, nominal, time loans, firmer; spot cotton, quiet, 11.90; flour, strong but quiet; wheat, firm, No. 2 red, 85 3/8 elevator; corn, firm, No. 2, 60 elevator; oats, firm, mixed, natural white, 30 to 33; white, 46 to 47 1/2, clipped white, 36 to 40; turpentine, quiet, 67 to 67 1/2; rosin, firm, strained common to good, 4.90 to 4.95.

Friday is not so very unlucky. The fact is, it is next to the most lucky day of the week. It is next to payday.

While there is so much talk of prosperity people will actually refrain from borrowing needed money for fear people will think they are not prosperous.

A boating tragedy in Central Park, New York, thus early in the season, shows that the boat-rocking fool is as irrepresible as the idiot who puts a gum for fun.

Secretary Wilson says he is determined that men shall know whether they are drinking good liquor or not. How does he know that men care to be so particular as that?

It is stated by a government statistician that the Indians are actually on the increase again. This shows what Indians can do if they will let the white men have all the land and quit trying to take it back.

A New Jersey doctor, called to see a rich patient, pronounced his case an "acute and irradicable abnormality of the mind." If he had been a charity patient the diagnosis would have been "incurable insanity."

Says the Chicago News: "Don't cast your pearls before swine or a woman who is a chronic kicker." Same advice was given as far back as Solomon's time, but it is necessary to repeat it for the benefit of people who have pearls to throw around.

A few towns in the State elected local tickets without opposition, and all was unity and harmony. If every neighbor were to keep his chickens tied up so they couldn't scratch up their neighbors' gardens we would have more harmony, or words to that effect.

Republican leaders in Ohio are pretending that they are going to have a harmony meeting at Columbus next Wednesday, when everybody with a good political eye knows that it will merely be a conclave to ratify Boss Cox's deal—Taft for President, Foraker for Senator and Harris for Governor.

John L. Sullivan declares that he never expects to marry again and that he intends to remain on the water wagon. If we hear after this that John L. has entered into any entangling matrimonial alliance, it will be a good sign that he first fell from his seat on the water wagon.

The Raleigh News and Observer remarks: "Senator Simmons evidently had an advance tip when he said three or four weeks ago that there would be four or five candidates for Governor." We are surprised that there are not a hundred. It is something to be Governor of North Carolina and no man can be blamed for ambition to get in the push.

THE OIL MILL SUITS

Fines Aggregating \$15,000 on Lumberton and Laurinburg Corporations.

CASES WERE SUBMITTED

With Single Exception, Officers and Directors Were Found Not Guilty of Culpability in the Matter. Compromise Effected.

In the United States District Court here yesterday, acting under authority of their respective boards of directors and by advice of counsel who have been in conference with agents and examiners of the Interstate Commerce Commission in this city, the Lumberton Cotton Oil and Ginning Company, and the Laurinburg Oil Company indicted earlier in the week by the grand jury for violation of Section 10 of the Interstate Commerce Act, submitted their cases as corporations and were fined \$5,000 and \$10,000 respectively, together with the costs of the actions. In view of these submissions, at the suggestion of Col. Harry Skinner, United States District Attorney, the cases against the officers and stockholders of these mills as individuals were not pressed with the single exception of R. E. L. Correll, superintendent and manager of the Lumberton plant, who was not represented by counsel and was not taken into account in the negotiations for a settlement of the cases. A capias was ordered in the judgment to issue for Mr. Correll, and he will be given a hearing later at the October term.

It will be recalled that \$50,000 was the aggregate of penalties in these suits against the corporations, each count in the bill of indictment being for obtaining transportation at less than the existing rate on the common carrier serving them by making false certification of weight as to freight loaded on board cars of the transportation companies. The compromise effected is regarded as a very favorable one for the mills, and in a statement to the court at the hearing yesterday morning, Col. Skinner excused the individuals for the most part of any criminal knowledge of the methods that obtained in connection with the plants. The companies are given until September 1st to pay into court the fines assessed against them. Col. Skinner in accepting the compromise offered by the mills stated that he did so at the suggestion of the Interstate Commerce Commission, which was represented here both by Mr. S. H. Smith, the special agent and examiner, and Mr. Luther Walters, special counsel for the Commission and the course pursued was after consultation and instruction from them. He said further that on account of the high character and prominence of most of the men involved that he took the action he did in the cases not of his own volition, but because of the instructions of the Commission and its agents. As to the Lumberton mill, he said he had made a careful investigation and was convinced that no criminality attached to the directors in any way, and outside of the corporation, there was no one he could ask judgment against individually with the possible exception of Correll. He said still further that he was satisfied that the directors named in the bill of indictment had not in any way consented to or had any knowledge of what had been carried on.

Present at the hearing yesterday were John G. McCormick, Esq., of McLean, McLean & McCormick and ex-Sheriff Geo. B. McLeod, of the Lumberton mills, and A. A. James, Hon. G. B. Patterson and Mr. John F. McNair, representing the Laurinburg corporation. The officers and directors of the corporations are as follows: Laurinburg Oil Company—J. A. Jones, president, treasurer and director; John F. McNair, A. L. James, L. D. McKimmon and Jas. L. McNair. Lumberton Oil and Ginning Company—W. J. Prevatt, president and director; R. E. L. Correll, superintendent and manager; G. M. Whitfield, treasurer; J. D. McMillan, R. D. Caldwell, L. H. Caldwell, W. P. McAllister, Thos. Kinlaw and A. A. James.

Mr. D. T. McMillan Dead.

Mr. Daniel Teachey McMillan, a prominent and highly respected citizen of Duplin county, died at his home near Magnolia yesterday morning, aged about 73 years. He had been in poor health for several months. He was an expert surveyor, and was well known throughout Eastern North Carolina. He was at one time county surveyor. He is survived by a widow and two daughters, Mrs. D. S. Boney, of Magnolia, and Mrs. Thad. Malone, of Teachey's, and a brother, Capt. J. C. McMillan, of Teachey's. The burial will be near Teachey's at 3 o'clock this afternoon.

Crowds to the Beach.

Although there was a decided drop in the temperature yesterday, a large crowd went to the beach last night for the week-end dance at Lumina, which was enjoyed by all present. The crowd was not so large as last Saturday night but several cars were required to transport the people. This afternoon the usual concert will be given at Lumina and the public is invited.

The Steamer Wilmington will make double trips to Carolina Beach and Southport today, leaving here at 9:30 A. M. and 2:30 P. M.

MASS MEETING IS CALLED

Revival of Project to Provide Playground for Children in This City. To Assemble in Court House Monday Night.

The Star has received with a request to publish the following call for a meeting of citizens tomorrow evening in the Court House for the purpose of devising some means of providing in the city a playground for children:

"It is time that something should be done by the people of Wilmington in a matter of serious concern and vital importance which we have been too slow to recognize. The whole community was shocked on yesterday by the news of a distressing event which was the undoubted result of our failure to solve a situation which has faced us year after year and which each day becomes more and more serious. A healthy, bright and active young boy is killed by falling to the pavement while playing an ordinary game indulged in each day by hundreds of our young boys. It is not enough that our sympathy should go to the parents of the little fellow, suddenly taken from the activity of joyous youth to the silence of the cemetery. It is not enough for us to seek to shift all responsibility by a passing reference to such accidents happening elsewhere. Is it not a marvel that more accidents and fatalities do not occur, when the right recreations of hundreds of children have no place save on the pavements which furnish the thoroughfare for pedestrians, vehicles, baby carriages, bicycles, carts and automobiles? Is it any wonder that with absolutely no available playground our young boys are learning to loaf around public corners and to frequent forbidden places? Those who are in touch with boy life in the community are gravely apprehensive of the results of the present situation, which is fraught with a danger more far-reaching than the mere cramping of abnormal and rightful recreations of the youth. Never did a city need a playground and park more than Wilmington does today. It is a cowardly subterfuge to say there is no place to be received among people capable of serious thought and genuine feeling a recognized necessity always brings a solution.

"There are two ways of solving the present situation. The first is, for two or three large-hearted citizens of means to donate—if necessary to purchase—two or three suitable places. They could contribute no more permanent and valuable memorial to some child of theirs in whose memory they seek to bless and benefit other children.

"The other method is for the Board of Aldermen to face the issue as the boards of other cities have done and are doing.

"There could be no more fitting tribute to the child whose life has just been sacrificed and no more of a fitting method for solving the situation before us, than for those who are interested to meet together now just after the burial of the little lad, who was killed on the pavement playground of our city. Let the Board of Aldermen come to this meeting as citizens and more especially as sworn guardians of the interests of every class of the community. Let the ministers announce the meeting from their pulpits. Let the Y. M. C. bring its full membership and let every mother and father and every liberal-minded, public-spirited citizen come tomorrow night to the Court House at half past 8 o'clock."

Funeral of Murdered Woman.

The remains of the late Mrs. Henry Hamilton, the second of the victims of the tragedy at Fort Caswell Thursday, were brought up to the city yesterday morning and laid to rest by the side of her late husband, who in a fit of anger so horribly murdered her after wounding another who came to aid of the defenseless woman. The remains were accompanied to Wilmington by a party of about 60 from the fort, including a number of ladies and a little son of the deceased couple who is yet too young to realize the great cloud that has come over his life. The funeral services were conducted by Rev. G. D. Langston, pastor of the Methodist Church at Southport.

Mrs. Chas. N. Evans Won the Cup.

In the handicap match for ladies on the links of the Cape Fear Golf Club yesterday afternoon, Mrs. Chas. N. Evans was the winner of the very handsome Tiffany cup given the club by Mr. Douglas Nash, of New York. Mrs. Evans' score was 46 without handicap. The cup is a very handsome one and is one of three presented by Mr. Nash, one each for ladies and gentlemen and one for award in a tennis tournament to be played later. The cup for gentlemen was won by Mr. George Rountree on Friday afternoon.

Garrell Store For Rent.

Elsewhere in today's paper Mr. Jos. D. Smith, agent, offers for rent the handsome store in the Garrell Building, at southwest corner of Second and Princess streets. This is the store that was leased to Mr. E. A. Nelson, who thought that he would be able to get some one to conduct the business he had planned for himself, but who finally decided to give up the lease. It is one of the prettiest and most desirable stores in the city.

COURT IS ADJOURNED

United States District Court Completed Business of Spring Term Yesterday Afternoon.

NELSON ON TO ATLANTA

Marshal Dockery Will Leave With Prisoners This Afternoon—Much Work Accomplished During Week—Cases Yesterday.

The docket for the Spring term of the United States District Court in this city was completed yesterday afternoon shortly before 5 o'clock and an adjournment was taken sine die. During the week a large number of cases were disposed of and the court officers were hard worked all the week. There is probably a larger number of sentences from the term of court just ended than before at any Spring term in several years. Then, too, there have been many bills before the grand jury and that body has put in a very busy season, sessions sometimes being held both mornings and afternoons. This devolved extra work on the district attorney's office and Col. Skinner and his able assistant, Mr. Giles, have had little time for recreation during the term. The case against Nelson, the indictments against the oil companies instituted by the Interstate Commerce Commission and kindred matters have kept these officials working night and day.

United States Marshal Dockery will leave this afternoon on the Seaboard Air Line train with the prisoners sentenced at this term of court to terms in the Atlanta prison. These are: Edward A. Nelson, 18 months for robbing the mails; L. D. H. Jones, one year for robbing the mails at Fayetteville of packages of trifling value, and Ed. Smith, the negro convicted and sentenced for five years for raising money orders and passing them upon Wilmington merchants a few years ago. Mr. Dockery will accompany the prisoners personally to Hamlet and there they will be joined by other officers with two prisoners from Raleigh, also for the Atlanta prison. Deputy marshals will take them from Hamlet and Mr. Dockery will return to his office in Raleigh to look after some important matters there.

The matters disposed of in court yesterday were as follows:

Mary Belle Oxendine, Robeson, retailing; case continued; verdict guilty; judgment suspended.

Bizell McPhatter, Robeson, retailing; case continued; bond to be given in ten days.

The grand jury came into court at 11 o'clock and was discharged with the thanks of His Honor.

Ed. Burns, Cumberland, retailing; defendant surrendered by bondsman; pleaded guilty; judgment 60 days in jail, \$100 fine and costs.

Oliver Cobb, Robeson, retailing; verdict guilty; 60 days in jail, \$100 fine and costs.

Hossiah Locklear, Robeson, retailing; 60 days in jail, \$100 fine and costs.

A. L. Terry, Robeson, retailing; not guilty.

Jno. R. Locklear, Robeson, retailing; 30 days in jail, \$100 fine and costs.

Harker Gains, Robeson, retailing; not guilty.

Disturbance on an Excursion.

James Register, an electrician, was before Justice Bornefmann yesterday on three charges of assault and one of disturbing an excursion party, the alleged offences having occurred Friday night at Carolina Beach when the trades unionists had their annual excursion to that point. The assaults alleged to have been committed were upon a lady friend or relative, whom he pushed aside when she was remonstrating with him about his conduct. Capt. J. W. Harper, who was likewise engaged, and G. T. Hansley, a young white man with whom Register had the initial disturbance. In the cases for assault judgment was suspended on payment of costs aggregating \$17.95 and in the case of raising a general disturbance, he was bound to the higher court, bond of \$200 having been given with Policeman W. R. Smith as surety. During the melee at the beach Capt. Harper received a blow in the eye and Register thrust his hand through a window in the car, cutting himself severely. Walter P. Gafford prosecuted the cases against Register.

DEMURRER OVERRULED

Penalty Suits Against Atlantic Coast Line For Safety Appliance Act Violations Taken Up to Circuit Court of Appeals.

Forty-five cases against the Atlantic Coast Line Railroad Company, charged by the Interstate Commerce Commission with violation of the safety appliance act of Congress, and involving penalties of \$4,500, the largest number of counts ever brought at a single time by the Commission, were argued yesterday morning before Judge Thos. R. Purnell in the United States District Court here on a demurrer by the attorneys for the railroad, Assistant General Counsel Geo. B. Elliot and Mr. Junius Davis, Division Counsel. Representing the government were District Attorney Skinner and Assistant District Attorney Giles. After a hearing lasting more than two hours, Judge Purnell overruled the demurrer and the defendant company took the case up to the Circuit Court of Appeals and they will be argued in Richmond later. The whole question involved in included in the demurrer and upon this point the suits will be decided without reference to the lower court again. Mr. Luther Walters, a special attorney of the Commission, was here and assisted the District Attorney's office with the argument of the cases. The argument to the court for the railroads was by Mr. Davis.

In the demurrer the Coast Line contended that the bill of indictment was not specific enough as to dates and as to the precise nature of the violation; that the prosecution was alleging a violation when it was not set forth whether the repairing of the couplings of the cars could have had attention before its inspector arrived and whether or not the defendant could have had the knowledge of the deficiency; also that the act in its application was unconstitutional as it comes under the head of Interstate Commerce regulation and the violation was only one of the many instrumentality classes of Interstate commerce.

MRS. SARAH E. HEDRICK DEAD.

Good Woman Entered into Rest at Ripe Old Age Yesterday

Mrs. Sarah Elizabeth Hedrick, relict of the late John J. Hedrick, of Wilmington, and a woman held in the highest esteem by all in the circle of her acquaintance, passed away yesterday afternoon at 3:45 o'clock at the home of her daughter-in-law, Mrs. Mary Hedrick, in this city. Mrs. Hedrick was in the 74th year of her age, and was a devoted communicant of St. Paul's Episcopal Church, taking an active interest in the affairs of the parish and being greatly endeared to everyone with whom she came in contact. She was also prominent in the Daughters of the Confederacy and the Ladies' Memorial Association, which was later merged with the U. D. C. She is survived by three sons, Mr. James D. Hedrick, of this city; Mr. John J. Hedrick, of Florida, and Ike Hedrick.

The funeral of Mrs. Hedrick will be conducted at 6 o'clock this evening from St. Paul's Episcopal Church and the interment will be in Oakdale Cemetery.

FUNERAL OF MRS. PITTMAN.

Services This Morning from Residence of Mrs. Mercer.

The funeral of Mrs. Minnie W. Pittman, wife of Mr. W. H. Pittman and a young woman held in the highest esteem by all in the circle of her acquaintance, will be conducted this morning at 10 o'clock from the residence of her sister, Mrs. W. T. Mercer, No. 212 South Second street, and the interment will be in Bellevue cemetery. The services will be by Rev. A. G. Martin, of Southside Baptist Church, of which Mrs. Pittman was a devoted member.

The death of Mrs. Pittman was only briefly announced in yesterday's paper. She was a daughter of Mr. and Mrs. J. S. Canady, of this city, and passed away yesterday morning at 12:50 o'clock at the home of her sister after a lingering illness. She is survived by her young husband, an infant child, her parents, two sisters and two brothers, Mrs. Mercer, Miss Ruth Canady and Messrs. W. A. and J. S. Canady, Jr. They have the sympathy of many friends in this, their hour of sorrow.

Stokely Back From Richmond.

Mr. R. J. Stokely, who represented the Wilmington Gun Club at the great Interstate shoot at Richmond the past week, returned yesterday and was enthusiastically received by the local sportsmen. As previously noted Mr. Stokely won the handsome cup and quite a bunch of money for the handicap shoot Thursday, bringing these laurels home with him yesterday. The cup will be displayed in a few days in the window of the Wilmington Cigar Company's store, on Princess street. Mr. Stokely also showed up well in the shoot on Friday according to yesterday's Richmond papers.

The Wilmington Furniture Co., 129 Market street, is selling everything, including a car of porch rockers just received; a shipment of 122 baby carriages and go-carts just received; 75 iron beds, at cost for cash, may 11-21. The Wilmington Furniture Co., 129

The Steamer Wilmington will make double trips to Carolina Beach and Southport today, leaving here at 9:30 A. M. and 2:30 P. M.

SCORES THE JUDGE

Ex-Governor Russell Authorized Interview in Which He Denounces Official Conduct.

CALLOQUY IN HOTEL LOBBY

Controversy Grew Out of Misunderstanding of Hour as to Hearing of Case in Admiralty—Caustic Criticism Passed

Following a hot colloquy yesterday morning between Judge Thos. R. Purnell and ex-Governor D. L. Russell in the lobby of The Orton, where Judge Purnell was a guest this week while holding the United States District Court here, the ex-Governor yesterday afternoon gave to the press an authorized interview in which he roundly denounces the official conduct of the Federal judge and suggests action in the premises by the State Bar Association. The differences between the ex-Governor and the judge are reported to have grown out of the judge's absence on afternoon this week at an alleged appointed hour for the hearing of an admiralty case in which ex-Governor Russell was one of the counsel. A reporter for this paper in the ordinary rounds of news gathering about the court room and the hotel, heard of the latter incident and the following morning treated the story in a jocular manner, with the best of feeling towards Judge Purnell and with no suggestion of dereliction on his part. Really the reporter thought the joke was quite as much on the attorneys and on Mr. Meares in particular, as it was on the judge. Mr. Meares on a previous occasion having had a tilt with His Honor in the now famous slow watch episode. According to reports the judge and ex-Governor Russell met in the lobby yesterday morning and the ex-Governor said to Judge Purnell that he understood that he (Judge Purnell) had said that Russell gave the item to the paper. Judge Purnell replied that he had not said so; that he said Fredell Meares had given it to the paper. The ex-Governor is then reported to have passed some criticisms upon the judge for his having treated the lawyers and the litigants in the admiralty case in the manner that he did. He then disclaimed knowing anything about the publication in the paper or having known anything about it until it appeared. The judge replied that he did not understand that it was settled that he was to hear the case the afternoon in question at the hour stated. Governor Russell is reported to have replied heatedly "The Devil you didn't!" and to have told the judge that he told him that he would hear it and he (Governor Russell) had volunteered to notify counsel to be present at the hour stated. Judge Purnell, it is then stated, walked off and replied, "Well, what are you going to do about it?" The ex-Governor is reported to have then threatened to "expose" the judge from one end of the State to the other, and his authorized interview furnished to the press yesterday afternoon in typewritten form is presumed to be the first step in the so-called "expose." The interview of the Governor follows:

"If there be such a thing possible under this government as the impeachment and conviction of a Federal judge for official misconduct and delinquencies and for incapacity, then Judge Purnell should be removed from office by the impeaching House and the trial Senate. Perhaps you cannot convict them for anything short of indictable crimes, but you can expose them and hold them for trial before the Bar of the State, and the intelligent part of the public. What is the Bar Association for, unless it be to look after the delinquencies, wrongs and misbehaviors of lawyers and judges?"

"1st: With ignorant audacity, he seized the Atlantic Railroad by ex parte orders; appointed receivers and took charge of the property upon a bill of complaint that did not set out a cause of action. His misbehavior was so gross that the parties whose property he took, the State of North Carolina and others, could only get relief by getting correction from Chief Justice Fuller, and then by getting Judge Simonton to go to Raleigh and undo Purnell's doings.

"2nd: He issued a contempt ruling and adjudged a man guilty of contempt for criticizing his official conduct. This man was deprived of his liberty,—made a prisoner—for doing what any American citizen has a constitutional right to do, a right without which this government would degenerate into an out and out despotism.

"3rd: Having a spite against a certain lawyer, a spite which he expressed frequently to many men (this lawyer representing the plaintiff in an important case), the judge stepped up on the Bench on a certain morning at ten o'clock. Seeing that the lawyers for the plaintiffs were not in Court, the judge called the case by its name. He said: 'Is the plaintiff ready for trial?' The plaintiff's lawyers not being, at that moment, in court, there was no response. 'Is the defendant ready?' said the judge. The defendants lawyers happening to be present,—answered that they were ready. Then the judge said to the Clerk, 'Enter up a judgment against the plaintiff.' Before he got the words out of his mouth the plaintiff's