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WILMINGTON, N.C., SATURDAY, AUGUST 21, 1909.

WHOLE NO. 13,079.

Mrs. Sutton's Lawyer Bring Charges Against Annapolis Court.

SCORES THE JUDGE ADVOCATE

Says Decision Was Rendered on Statements of the Accused Officers-Claims That Court Was Unfair in Many Respects.

(By Wire to the Morning Star.)

clearly, distinctly and beyond dispute 000 bales. or cavil," Henry E. Davis, counsel for

been absolutely obliged to exclude the several years of cautious buying.

wound-could be accepted."

not fired from the Colt revolver."

Touching upon that feature of the investigation relating to the ownerthat "comment upon the court's utter failure to deal with this pregnant inci-cotton. dent, would be superfluous."

Referring to the fifth opinion of the

(Continued on Page Eight.)

OUTLINES.

Henry E. Davis, the lawyer who appeared for Mrs. Sutton in the naval inquiry at Annapolis, investigating the death of Lieut. Sutton, yesterday brought accusations against the court cate—The steamer Fred Swain, with 25 passengers and 15 sailors aboard, caught fire yesterday in the Illinois river and to save the lives of the passengers, who narrowly escaped being burned to death, the boat was beached -In the automobile races at Indianapolis yesterday Lewis Strang won the 100 mile race by a margin of 10 miles in 1:32:48 5-10, a new world's connection with the \$1,000,000 counto 2 1-2 per cent., ruling rate and clos- Harp on her own recognizance. ing bid 2 1-4, offered at 2 1-2. Spot Both Roberts brothers are in dur-

Turpentine firm 56. Rosin steady.

Only Moderate Range During the Past Week-Bulls Insist on Crop of Only 11,000,000 to 12,000,000.

(By Wire to The Morning Star.) New York, Aug. 20.—See-sawing within a moderate range, cotton prices during the week have made no decided move, despite the issuance of several very bullish crop reports and the fact that temperatures in Texas have been extraordinarily high, up to 114 degrees. It has also been very hot elsewhere in the Southwest, Arkansas, Louisiana and even Mississippi and Alabama have not escaped. There are fears that the extraordinary heat Washington, Aug. 20.-Accusing the may spread to the eastward. Marked court of inquiry which recently re-in- crop deterioration is reported in Tex-Several statisticians have put the vestigated the death of Second Lieut. condition of the whole crop at only 68 James N. Sutton, U. S. M. C., of cul- to 70 per cent. One makes the total ling from mixed and contradictory tes. yield only 11,600,000 bales, even allowtimony certain statements almost, if ing 3,000,000 for Texas, which some others insist is too high. Some guess- after the flaming craft had been pilotnot exclusively, those of the accused, ed on the crop here given for what ed into four feet of water and the ocwhich the court finds "standing out they are worth, go as low as 11,000,-

Trade has improved across the water, especially at Manchester, where was bound when to caught fire. Mrs. Sutton, mother of the dead offi- the demand has suddenly increased. cer, in a statement issued today de- The New York stock decreases steaclares that the court conveniently re-dily. The consumption of American jected every statement whether of the cotton this season is expected by accused or of other witnesses in con- some experienced cotton men and close students of conditions in the Mr. Davis declares that the judge trade to be the largest ever known. advocate was derelict in his duty in They instance the fact that there is not confirming the two legal proposi- a more confident feeling among the tions submitted by Mr. Davis. "Had merchants of all the great trading nasel of the passengers, most of whom the exceptional time of 1:37:48 5-10. games before and after the league Park yesterday afternoon, the first by he done so and the court heeded him,' tions. Stocks of merchandise are bewere women and children, was excitAt first it was thought his was a new pact for the Philadelphia league team Mr. Davis continues, "it would have lieved to be comporatively low after

certainly to exclude the hypothesis of report on cotton is close at hand. It on the second deck panic reigned. a wound self-inflicted in any manner can hardly fail to be bullish. If it is as the legislation of the cause of 70 per cent. it will have to be compared with 76 a year ago, 72.7 two years and scores of row boats were seen finish the race. Of the two propositions referred to ago when the crop was only 11,375,000 hurriedly putting out to the rescue. Strang, however, beat Chevrolet's Mr. Davis states that of one of them bales, and 72.1 in 1905, when it was related to the "quality and extent of only 11,346,000 bales. Mr. Sully had evidence necessary to a verdict of sui-five short crops in succession to build cide, and the other respecting the his famous campaign of 1903-04 upon, another took off a load of passen than the 100 mile track record made on the Seaboard, from the North and in that garden; Kite then sacrificed conditions under which a phenomenal and in most of those years the Sep-explanation of a given situation—in tember condition was low, ranging had started for shore the gang plank bus, this condition was low, ranging had started for shore the gang plank bus, this, on July 3. though for an exception in 1903 the Mr. Davis takes up the sixth finding September condition was for some of the court which declared that Sut- reason put as high as \$1.2. It did not several women and children into the 3-10, and Stillman, in a Marmon, was cial attraction was the big double- two hits and two sacrifices during the ton "was killed by a revolver shot prevent the crop in that year from befrom a service Colt revolver held in ing another failure, 10,011,000 bales. and E. A. Caron, of Worcester, Mass., Marmon, was the only other of the Wilson and the lawn party tonight for Rocky Mount put the only man over in his own right hand and fired by him- The Sully era saw crops of only 9, who were on the plank when it fell, seven starters to finish. The Buick the benefit of the Raleigh league team. the ninth, when Murray, first up, was self, without intervention of any oth- 436,000 to 10,728,000 bales with an each saved the lives of two children, (Chevrolet), Marion (Monson) and The county has issued only 15 li- safe on four wide ones, going to secer hand" and after quoting extensive acreage ranging from 24,275,000 to half carrying and half swimming with Marien (Stutz) dropped out early in censes for near-beer, four-fifths of ond on wild pitch, being sacrificed by ly upon this point from the testimony 28,015,000 acres as contrasted with the tots on their back and shoulders the race. of Lieut. Adams both before the Board 32,000,000 and upward during the last to old tree stumps to await the arrival Strang never stopped once during \$20 each for the county and the State. ond to first: Thorne followed this of Inquest and the Court of Inquiry, four years. With a larger acreage to of rescuers. he declares that if Adams' statement reckon upon, but the conditions have The others who were thrown into ly all the way. His pace was uniform cipal tax of \$200. be frue, "obviously the fatal shot was been so bad according to many reports the water by the collarse of the gang throughout. He increased his lead ship of the pistol at the time of the would be practically a failure in view place farther from the flames which from the meet as its officials are satisfatal encounter, Mr. Davis declares of the increased acreage and largely were rapidly creeping over the boat. fied that the motor speedway owners augmented consumption of American

believe that present prices cannot be ed Pilot Martin Huston to beach the court, "that the charges of wilful mur- sustained in the teeth of an expected boat and instructed his crew to deal der and conspiracy to conceal it made big crop movement early in the season out life preservers. by the complainant, Mrs. Sutton, are about to open. Bull speculation has | Engineer Casrider, after attending "purely imaginary and unsupported by received several severe setbacks with- to the boilers to guard against an exeven a shadow of evidence, truth or in the last few months. There are plosion, went to the pumps, remaining reduced in a Stoddard-Dayton, with a and killed Williams, another insurance reason," Mr. Davis states that the av- those who think that the damage to there until the flames licked his face. 30 second handicap, was third. Thirerage civilian mind will have some the crop is exaggerated and even heat Severely burned and almost blind he teen cars started. difficulty in comprehending this state- privately reported as high as 118 de- turned to escape only to find that a ment and he declares that the court grees in some parts of the Southwest rowboat which had been left for him will compete in the 300 mile race towas not convened to try any supposed has been in some respects beneficial. had caught fire. charges of Mrs. Sutton but to inquire The minimum temperatures have in into and fix the responsibility of Lieut, many cases been as low as 68 to 70 heating the flames from him and row-creditable time of 9:26 6-10. Herbert Pointed reference is made to the largely on the size of the crop move to a hospital, action of Major Leonard, the judge ment and the attitude of the spinner. advocate of the Court of Inquiry, If he buys heavily bull speculation whom, Mr. Davis states, placed Mrs. may revive. Otherwise it is believed that prices may sag to a point which will encourage professional operators

(Continued on Page Eight.)

and sharply criticised the judge advo- Roberts Brothers, a Woman and a Printer Arrested in Connection With \$1,000,000 Deal-Fake Railroad Stock.

(By Wire to the Morning Star.) Louisville, Ky., Aug. 20.-Following the discovery yesterday of the coun- One Man Killed Another About His record, breaking Burman's former rec- terfeit "mint" at Harrod's Creek, this ord of 1:44—At Louisville John Rob- county, and the revelation to the poerts, Marion Roberts, Nannie Harp lice by W. G. Osborne, the broker of Will Koenig have been arrested J. M. Fetter & Co., of the million dol- this afternoon pending an investigaerieit scheme—At McKee's Rocks, lars counterfeit enterprise, Mr. Os- tion of the death of Will Brooks, of Pa, yesterday an alleged attempt was borne today issued a statement in Augusta, whose dead body was found belief him according to the ity will be reached and labor will be at made by strikers to burn the Pressed which he said that Marion Roberts in the side which evidently caused electrical scoring machine. Ailken a premium. Steel Car Company's works and many had tald him the head-named the side which evidently caused electrical scoring machine. Ailken a premium. Steel Car Company's works and many had told him the headquarters of the death. Duncan and Brooks had a light were fired at strike breakers of the death. Duncan and Brooks had a light was to be already in sight. shots were fired at strike breakers.

R. G. Dun & Co's, weekly Review

Police have put behind the bars all of Trade declares that reports from those supposed to be identified here the principal cities confirm the revival with the enterprise. John Roberts, of trade. Many industries are taxed who was in charge of the making of with orders and labor will soon be at the spurious Mexican money; Marion a premium—During the week the Roberts, John's brother, who handled fluctuations in the cotton market have the negotiable end of it; Nannie Harp, been of moderate range, but the bulls Marion's housekepeer, and Will Koeare confident that the price will go up hig, who confessed to having printed conducting an imaging the notes, were all arrested. Mrs. with imitation collateral. 11,000,000 to 12,000,000 bales.—New Harp and Koenig were released, Koe-

plated "faking" even stock certificates reputable business.

Ill-Fated Vessel Beached in Lewis Strang Pushed World's Illnois River te Save Passengers.

Record For 100 Miles.

THRILLING ESCAPES IN WATER BENGEL BEAT 10 MILE RECORD

Panic Reigned Among Passengers When Flames Were Discovered. Fire Started in State Room, Engineer Injured.

(By Wire to The Morning Star.)

Peoria, Ill., Aug. 20.-The steamer Fred Swain, Captain Verne Swain, of the Peoria and LaSalle Packet Company, with 25 passengers and 15 sailors aboard burned to the water today cupants had escaped to the bank of the Illinois river, up which the steamer

No lives were lost but Joseph Casrider the engineer was burned about the face and body and Charles Reichberger, of Peoria, suffered a broken arm. The loss is \$35,000. Several of the passengers lost their belongings.

The escapes from the burning vesing and at one time when flames were record for this country but the offi-

for some time past that some very ex- plank were taken in boats to safety. all the way. perienced people look for less than 11,- Those still aboard the steamer man- The American Automobile Associa-

spread rapidly. Captain Swain, realiz- the course safe. One explanation is that very many ing that the vessel was doomed order-

Miss Furbish a cabin girl, who dis- ford, in a Lozier, was third. engine room."

the Avery Manufacturing Company yesterday by him. plant at Averyville, a suburb of Peoria, near which the steamer caught fire he won a 10 mile race in 8:56 4-10 and he aided in rescuing the passen- and Zengel slashed this to 8:23 2-10 gers and crew. His son Verne, Cap- in the 10 miles free for all today tain of the vessel, was the last to leave while Aiken in a National finished sec the burning ship.

TRAGEDY IN SOUTH CAROLINA.

Wife. Aiken, S. C., Aug. 20.—Mark Duncan, 40 years old, was placed in jail the alleged relations between Brooks and Duncan's wife, in which fight Brooks was stabbed.

of railroads such as the Louisville & Nashville and Pennsylvania, issuing counterfeit money to pay for them and conducting an imaginary business

York markets: Money on call easy 2 nig under a \$1,500 bond, and Mrs. 000 in Mexican notes, is the most im- the Atlanta, Birmingham and Atlantic paid for prompt shipment.

Additional orders for showing the shipment of the Atlanta, Birmingham and Atlantic paid for prompt shipment.

portant capture. Cotton 15 points lower, closing at ance under \$15,000 Federal bond each in Wall Street mentioned in the Lou-were bound for their father's saw mill. facturers do not look for much business. Flour barely steady with a cond Point Street mentioned in the Lou-were bound for their father's saw mill. 12.65. Flour barely steady with a and John has already announced he isville dispatch is occupied by old and quiet trade. Wheat easy, No. 2 red will plead guilty in the Federal court. reputable business firms. The building the hand car, was badly cut in the ty fully employed, and have a good new 1.00 elevator and 1.12 1-8 f. o. b. The final details of the swindling ing is in the heart of the business and collision. afloat. Corn firm No. 2 mixed 80 1-2 plot exposed by the police and J. M. financial district and everything tends nominal elevator and 81 nominal de- Fetter & Co., the Louisville brokers, to the improbability that it was or livered, No. 2 mixed new 64 f.o.b. approached by Marion Roberts, show could be in any way connected with this A. M., in order to straighten stock news caused an advance in prices of the brothers of the brothers and straighten stock news caused an advance in prices of afloat. Oats steady, mixed 48 nominal, that the plans of the brothers contemplete the conduct of anything other than place new goods on sales tables at news caused an advance in prices of anything in the leading farm staples.

Gaylord's big 10-day sale.

Strang Ran Hundred Miles in 1:32:48-5-10, and Zengel Dashed Ten Miles in 8:23 2-10-Nineteen

Thousand Spectators.

(By Wire to the Morning Star.)

Indianapolis, Aug. 20.—Strang and Zengel shared the honors of the second day of the automobile race meet Raleigh Major London made arrangein the new Indianapolis motor speed-ments for the Confederate Drum established a new ten mile record. day's racing. The only injury reported was a bruised arm sustained by Bar- Johnson and W. B. Royster.

mobiles filled the parking spaces. The leigh's league baseball interests. The crowd was considerably larger than park now used is the A. & M. athletic vesterday.

ney Oldfield.

The feature of the day was the easy victory of Strang with a Buick in the 100 mile race, the star event of the been absolutely obliged to exclude the several years of cautious buying.

| cials announced that they had decid-would have to have an adequate park games for the Sailors and Ogara and ed the mark of 1:32:18 9-10 made by ed the mark of 1:32:18 9-10 made by separate from the college. There is a Chevrolet in the first 100 miles of the Fears were partly calmed as the 250 mile race of yesterday to stand, direction early in the Fall; also for the Railroaders.

> The gang plank was lowered to the records for nearly all the distances bewater's edge when the steamer had tween 20 and 100 miles. Strang's been beached and one row boat after time was more than 11 minutes better Louisburg and intermediate stations on Jayes' single to left and an error

> steamer, letting 15 persons, including to Strang in the long race in 1:41:32- largely patronized parties. The spe- was sacrificed by Brennan, who got water. Thomas Powers, of Peorla, third in 1:42:37 6-10. Marroun, in a header ball game between Raleigh and game, scoring on Kite's beauty to left.

The fire started in a state room and have done all in their power to make

Before Strang started on his wonderful race, the honors had gone to liams. Zengel who established a new ten mile record in his Chadwick. This is record has been broken. Chevrolet surance broker, who last June shot

The ten mile race for machines that He got into the boat, however, and for the National Ailken won in the nearly ten seconds behind Ailken. Mui-

covered the fire, said: "I was at The trial for a new mile record was work dusting and cleaning a state disappointing, as Walter Christie's followed and when Williams advanced room in which the fire started. The freak racer of which much has been whole room was in flames, the smoke expected refused to show any desire volver and shot him dead. The plea Wilmington000 101 00x-2 8 0 blinding me. I gave the alarm and to speed, and Christie finally gave up rushed to inform Captain Swain. I do after being unable to get the rakish not know how the fire started unless machine around the track once in it originated through sparks from the warming up. Oldfield carried off the honors of the trials as he covered the D. M. Swain, of Stillwater, Minn., mile in 0:43 2-10, only 1-10 of a second owner of the burned steamer was in slower than the world's record made

Oldfield's old mark of 9:12 3-5 when ond in 8:32 6-10.

The fifty mile race was a walkaway for Wright and Schwaitzer in the Stoddard-Dayton cars. They were the only drivers to finish out of the five start-

today near Bath, with a knife wound second behind him according to the ity will be reached and labor will be at right; Guerrant stole second but Sharp an allowance of 20 seconds.

ONE KILLED; TWO INJURED.

Brunswick, Ga.-Women Hurt. # (By Wire to the Morning Star.)

The brass-bound trunk with \$1,000, this city today when a freight train on some instances premiums are being going to second on the throw-in; Sex-Railway collided with a hand car on Additional orders for shoes are not New York, Aug. 20.—The location which were the young women who coming in very freely and shoe manu-D. T. O'Neal, also a passenger on ness until the close of this month.

Doors will not be open until 8:30 quiet.

Maj. London in Raleigh After Confederate Drum Corps-New Park for League Baseball-Near Beer Licenses.

(Special Star Correspondence.)

Raleigh, N. C., Aug. 20.-Major H. A. London, Pittsboro, adjutant general of the North Carolina Division, United Confederate Veterans, spent the day in Raleigh looking after matters pertaining to the approaching reunion at Charlotte.

He says the outlook is very good for quite a large attendance and that the splendid preparations on the part of Charlotte to take care of the old veterans is going a long way toward constraining veterans in all parts of the State who are not all too decrepit and way. Strang won the fastest 100 mile Corps, famed throughout the South as ever held in this country while Zengel the only remaining original drum corps of the Confederate army, to No serious accident marred the attend. This corps has three members remaining, J. J. Lewis, Wiley

A movement is started here for the Some 19,000 spectators crowded the establishment of an up-to-date athletic two big stands and hundreds of auto- park to be under the control of Ragrounds in which right many Raleigh people have stock. However, the regulations and necessities of the college seriously handicap the Raleigh league ball management especially in arrangday. Strang led all the way from the start and won by about ten miles in start and won by about ten miles in start and after the league before pect for the Philadelphia league team to come to Raleigh to Winter. They five to four. Sexton pitched both ration to support Raleigh's league team next season.

Nearly 1,500 excursionists spent the caught fire and fell away from the DeWitt, in a Buick, finished second Wilson as the starting points for two when Brodie led off with a single and the 100 miles, his car working perfect. Then the Raleigh shops pay a muni- up with his second hit for two bases in

BAIN ACQUITTED IN ATLANTA.

000,000 bales, which they consider aged to let out a new gangway at a tion will not withdraw its sanction Prominent Insufance Broker Freed Rocky Mount After Exciting Trial. Atlanta, Ga., Aug. 20.—Donald M. Rapp, 2b 3 0

Bain was acquitted at 10:30 tonight Murray, 3b2 by a jury in the Fulton county Super- Farrell, 1b 0 0 ior court for the murder of G. E. Wil- Conn, c 0

Georgia excited as much interest as Burke, ss 0 broker, with desk room in the same Wilmington office. There had been ill feeling be Nichols, 1b 2 0 1 15 tween Bain and Williams for several Guerrant, 3b4 0 months and it was claimed that sev-Sharp, ss4 0 0 3 liams, who was a much younger man Brennan, 2b 2 0 than Bain, slapped the latter's face. Jayes, If4 0

note left by Williams on his desk. Bain denied the charge, heated words toward the elder man, Bain drew a reof self-defense was sustained

Prindipal Cities Report Revival Trade-Labor Will Soon Be at Premium-Some Lines of Industry Now Taxed.

(By Wire to the Morning Star.) New York, Aug. 20.-R. G. Dun & Co.'s Weekly Review of Trade tomor-

row will say:

Reports from the principal cities Wilmington tallied one in the third the most closely contested race of unite in confirming the revival in when Lohr led off with a double to the day, resulted in a victory for trade. The prospect is that the volume left, was sacrificed by Sexton and af-Merz who drove a National. His team of business will before long attain

fight Wednesday night, it is said, over dicap was ten seconds while Merz had dition seems to be already in sight. Ball in both games, cut off a clean hit Railroads are enjoying such increase of Farrell's in the third by a beautiin earnings and such assurances of ful stab and in their half of the same, good crops that they are buying freely Wilmington put two more on coid of steel rails and other supplies.

Train Collided With Hand Car Near In the dry goods market jobbing houses report a much better business than a year ago. Orders for inron ed and stole second, going to third on Brunswick, Ga., Aug. 20.—Daniel and steel are increasing so rapidly Kite's infield hit; Kite stole second Hayes was killed, and Misses Addie that mills and furnaces experience and Lohr then pasted another to left and Ola Porcher were injured near difficulty in making deliveries, and in and both Jayes and Kite scored, Lohr

> ty fully employed, and have a good volume of business. Leather rules

Sailors Took Both Ends of Doubleheader With Railroaders Yesterday.

Fayetteville Wins From Goldsboro by Close Score-Fifteen Innings Necessary in Red Bird Game. Diamond Dust.

Results Yesterday. Wilmington 2, Rocky Mount 1. Wilmington 5, Rocky Mount 4. Raleigh 1, Wilson 2. Goldsboro 5, Fayetteville 7. Where They Play Today, Wilson at Raleigh.

Fayetteville at Goldsboro.

Rocky Mount at Wilmington. Wilmington 45 Fayetteville41 .513 .500 Rocky Mount29

Wilmington added two more to its string of victories from Rocky Mount a score of two to one and the second. Waymack did the sacrificial stunt for

The Sailors put the first man around the corners in the fourth when Brodie. first up, was hit by a pitched ball, was day in Raleigh, having come from sacrificed by Brennan and came home these being in Raleigh. This tax is Farrell and scoring on Conn's out secthe game but Ogara flew to right. The game was played in an hour and 15

The Tabulated Score.

Krebs, cf4 0 0 2 0 Not in years has a criminal trial in Ogara, p 0 Totals24 1 5 24 14 6 of having changed the wording of a Sexton, p 3 0 1 0 3 028 2 8 27 17 0

> Rocky Mount ...000 000 001-1 5 Summary: Two-base hits, Thorpe . Guerrant; double play, Thorpe to Rapp; sacrifice hits, Murray, Farrell, Conn 2, Thorpe, Ogara, Burke, Nichols 2, Brennan 2, and Kite; bases on balls, off Ogara 1, Sexton 3; struck out, by Ogara 3, Sexton 1; wild pitch, Sexton 1; hit by pitcher, by Ogara 1; time 1:15; umpire, Hatch.

Score by Innings.

The second game belonged to anybody until the ninth. The Railroaders put two over in the first when Krebs walked and was sacrificed by Rapp. pilfered third and came home on Sharp's indifferent throw to Kite, Farrell then flew to second, but Conn singled to right and Murray went to third, scoring on the throw to second to prevent Conn's stealing: Thorpe fanned. ter Nichols had fouled out to Conn. came home on Guerrant's single to

Guerrant, who played sensational storage after two were down. Brodie flew to third; Brennan singled to left but was caught at second; Jayes walkton flew to Thorp. Rocky Mount tied it up in the sixth when Rapp led with a single to left; Murray to right and Farrell to left, scoring Rapp; Conn forced Murray; Thorpe flew to Nichols and Ogara was out to first. Wilmington added another in its halfwhen, after Brodie was out pitcher to first, Brennan singled to centre and

(Continued on Page 5.)