

ADVERTISING.
If You Can "Raise the Money for Advertising," the Advertising Will Raise the Money for Everything Else.

THE WEATHER.
Fair Thursday and Friday; light to moderate west to north-west winds becoming variable.

VOL. LXXXV—NO. 31. WHOLE NUMBER 13,137.

LEADER OF REBELS SURE OF VICTORY

Confident Zelaya Government Will be Overthrown in Nicaragua.

GEN. ESTRADA'S MESSAGE

Nicaraguan Minister to United States Had Resigned—Revolutionary Movement Gaining Control. The Situation.

Bluefields, Nicaragua, Oct. 27.—General Estrada, the leader of the revolutionists, has sent the following dispatch in response to telegrams received from President Zelaya's friends in the interior, condemning the action of the revolutionists.

"We are sure of victory. We fight not against Nicaraguans nor Liberalists. We seek solely the solution of a deplorable situation in the country. If Zelaya resigns the power we will lay down our arms at once. Not having honor or patriotism, he will not do this and we will arrive at Managua and force him from the presidency, which he so discretely at the point of bayonet. He destroys society and menaces civilization. We will fight against brothers and fathers if the welfare of the nation so requires. This is our irrevocable decision."

This message was signed by General Estrada and many other prominent liberal leaders who have joined him in the effort to overthrow the present administration in Nicaragua.

The majority of the troops which were defeated in the engagements at San Carlos have joined General Chamorro, who is guarding the coast from attack by way of San Juan valley.

Washington, Oct. 27.—Senator D. Don Espinosa, minister from Nicaragua to the United States, has resigned.

Dr. Espinosa originally tendered his resignation to President Zelaya on September 20th, but the latter delayed in accepting it, in view of the desirability of keeping the minister here during the present critical conditions in Nicaragua. Saturday last, the minister learned that his younger brother, Amelio, was acting in the capacity of General Minister of the Provisional Government set up by the revolutionists. As soon as he learned this the minister promptly accepted his resignation and accepted the post of minister in the Provisional Government set up by the revolutionists. As soon as he learned this the minister promptly accepted his resignation and accepted the post of minister in the Provisional Government set up by the revolutionists.

NEW YORK CITY CAMPAIGN

Three Mayoralty Candidates Are Bringing It to a Strenuous Close. Judge Gaynor to Foreigners. Hearst Democrat.

New York, Oct. 27.—A drizzling rain fell in New York tonight but despite the weather three mayoralty candidates delivered collectively fifteen speeches. Otto T. Bannard, the Republican nominee, led with nine curt, business issue addresses in Harlem and in the Bronx, William R. Hearst, who is running independently, spoke at Carnegie Hall, once in Harlem and once in the Bronx, and William J. Gaynor, Democratic and backed by Tammany Hall, spoke three times in the heart of Manhattan including an address to Italian Democrats at Cooper Union. Crows greeted the speakers everywhere.

The meeting which Hearst addressed at Carnegie Hall was announced as a Democratic mass meeting and the editor although he made an attack on Tammany, the principal part of his address, emphasized that he was for all time a Democrat, but an exponent of independence in politics.

Judge Gaynor's remarks tonight were largely addressed to foreigners and he consequently dwelt particularly on the "Personal Liberty" issue so dear to the continental mind.

At the Cooper Union meeting one of the speakers was Coroner Acriltell, who outlined the campaign conditions to his countrymen in their native tongue.

The "white slave" charge, as made by a writer in McClure's magazine was denounced by the judge as well as by other speakers who laid stress upon the charges as they related to the Italian people. The "cadets" referred to in the article were Italians in many instances, the writer said, and this declaration was branded by Gaynor and others as an injustice and a lie while the assemblies cheered in sympathy.

WATKINS' TRIAL AT ASHEVILLE

Defendant Had an Inning in The Testimony Yesterday.

BUNTING'S HIGH CHARACTER

Several Witnesses Testified to His Standing—Dying Declaration Admitted—Case Now Nearing a Conclusion.

(Special Star Telegram.) Asheville, N. C., Oct. 27.—Today's session of the trial of F. C. Watkins for the killing of John Hill Bunting, at Black Mountain August 7th, was featured by the production of evidence highly beneficial to the defendant.

C. E. Adams, of Atlanta, testified to hearing Bunting and Collins using profane and vulgar language and of his efforts to quiet them; his wife told of hearing the men using profane language and of being greatly frightened. Proprietor Manly of the hotel, testified that Clem Jones told him the men had Watkins down and he had to shoot. Watkins' sister, Mrs. Crawford, testified that Gowan told her the men had Watkins down and her husband said that Jones told him the men had Watkins down.

Leslie Hummel, clerk at the hotel, testified that Jones told him the men attacked Watkins. A number of witnesses testified to defendant's good character. The cross-examinations were rigorous and whatever matters contradictory were developed will be used in argument. The cross-examination by Judge Jones, of the defendant, was resumed when court met yesterday morning and witness was asked about statements he made to newspapers some hours after the tragedy with a view to showing that they did not correspond to some of those he made in the courtroom.

He denied that he had caused a statement he signed to be published with a view to influencing public sentiment and also denied that he had been to various sections of the county talking about the case to influence sentiment and that he had agents around seeking to influence people. He said he had no money to use for any such purpose, saying that while he had sold a place for some \$3,100 he had used \$3,000 of this money in a few hours to buy a farm. He had not furnished a cent to get witnesses here and no one had done this for him so far as he knew. He admitted that he was intoxicated once and denied that he had engaged in the sale of near beer, although he had kept his store open Sundays. On re-direct examination he said that he had killed the negro of whom he spoke the day before, because the negro had cut through his door with an axe and nearly struck his daughter with it.

C. E. Adams, a cotton broker of Atlanta, who said he had been at Black Mountain for his health, was called to the stand and when the ladies retired testified that he was awakened by talking and heard two intoxicated men using profane and lewd talk, which he detailed.

Mrs. C. E. Evans testified that she was awakened by cursing but she was so much shocked she did not know if there was vulgarity used. Her husband went to quiet the men, and then went a second time and said: "You ought to be ashamed of yourselves," and some one made a reply she did not hear.

On behalf of the State Miss H. Z. Eller testified that she was nurse at the Mission Hospital and half an hour before the operation Bunting said he was going to die. He said, "I am going to die." In view of Dr. Fletcher's testimony which the court considered might have held out to Bunting some possible hope of recovery, Judge Adams consulted authorities but then allowed Bunting's statement to stand as a dying declaration, this being that he was shot for nothing.

Walker Taylor, F. D. Meares, W. N. Harris, former Mayor of Wilmington, and Rev. W. H. Hogue, of Chapel Hill, testified that Bunting's character was good, as did Rufus Weaver and Harold E. Johnston, of this county.

GATTIS LANDS SOLICITORSHIP

Appointed to Succeed Jones Fuller in Ninth District—Supreme Court Opinions—Important Railroad Connection—Notes.

(Special Star Telegram.) Raleigh, N. C., Oct. 27.—Governor Kitchin issued a commission this afternoon to Hon. S. M. Gattis, of Hillsboro, as solicitor for the Ninth Judicial district, succeeding Jones Fuller, resigned, to become counsel for the Rex-all Company, of Boston. Mr. Gattis is ex-Speaker of the Lower House of the State Legislature, and is Grand Master of the North Carolina Grand Lodge of Masons.

The life of State Bank Examiner J. D. Doughton, who is ill of typhoid fever at Lenoir, is reported hanging in the balance. The hemorrhages that caused life to be despaired of have been stayed and it is now a question of vitality.

Eight opinions were delivered by the Supreme Court this evening as follows: State vs. Draughon, Sampson, new trial; Champion vs. S. A. L. Railway, Edgecombe, new trial; Lumber Company vs. A. C. L. Railway, Sampson, affirmed; State vs. Parrish, Wayne, new trial; State vs. Parry, Cumberland, affirmed; Kindley vs. Barrett, Union, affirmed; Bridge Company vs. Commissioners, Chatham, affirmed.

PRESIDENT'S BOAT LEFT BY FLEET

The Oleander With Taft Reached Memphis Two Hours Late.

DELATED ON RIVER TRIP

Will Not Reach Vicksburg Until Dark Tonight—In Memphis Speech He Again Urges Necessity of Waterways.

Helena, Ark., Oct. 27.—President Taft's river schedule went all to pieces today owing to the inability of the vessels following his flagship, the Oleander, to maintain the designated speed. The President tried to remain with the fleet as far as possible, and delayed his arrival in Memphis three hours this morning in order that the boats carrying the 26 Governors and the 17 Congressmen as well as other vessels carrying delegates to the waterway convention in New Orleans might dock at the same time.

Leaving Memphis an hour and a half late this afternoon the Oleander left by the tugboat vessels of the fleet in the storm.

Delays have wrought havoc in the schedule. In leaving Helena nearly three hours late tonight the President will not reach Vicksburg until after dark tomorrow night, that being his next stop. Even to make that city by 6 o'clock, the President will have to leave the other vessels behind. It has been Mr. Taft's desire to ride over the battlefields at Vicksburg and he may be unable to do that because of the delay. It had been intended that the President should be welcomed once more to Arkansas by Governor Donaghey, but the Governors' boat was an hour behind the President and the introductory speech was made by Mayor Martin.

The President spoke briefly from a stand erected in the center of the city. The night air and the bad condition of his voice did not offer favorable circumstances for a longer address.

Mr. Taft received a noisy welcome in Memphis today. As his boat drew up to the levee the place swarmed with people. The roofs of all buildings fronting the river also were crowded. The delay of the arrival caused much confusion and two Cabinet officers came near getting left on the return from the auditorium, the automobile plan having gone all away in the confusion.

The President spoke first at Memphis at the Y. M. C. A. and afterwards made a waterway speech in the auditorium in which he declared that such commercial advantages as the Mississippi river already afforded were not taken advantage of as they should be. He pointed out the hard work that would have to be done to start a system of commerce.

The trip down the river, according to the President, has amply demonstrated the inadequacy of present river traffic to compete with railroads and the need for deep waterways. Speaking of the occasion of the trip, the President said:

"Some will say that the trip is merely a free junket; but those who know understand that the time of the men who are making the trip is too valuable and they could not afford to spend it except to impress upon the country what is one of the most important issues of the time."

"Congress has the power to improve the riverways. They have spent much money, but have not entered into a general plan. We all realize that if we do anything effectively and economically it must be on a general plan. If it is proved practical I believe it ought to be done, and done quickly. We ought to treat it like we have treated the Panama canal issue, but not in piecemeal. Let us center on a general plan and issue bonds."

N. C. SYNOD AT RED SPRINGS

Second Day's Sessions Yesterday—Popular Meeting Last Night in Interest of Missions—Wilmington First Church.

(Special Star Telegram.) Red Springs, N. C., Oct. 27.—Synod held a popular meeting this evening in the interest of foreign missions. The speakers were Rev. Dr. S. H. Chester, secretary of the Assembly's Board of Foreign Missions; Dr. W. J. Martin, who spoke on the laymen's movement, and Rev. L. C. Vass, a missionary to Africa, who illustrated his address with stereopticon views.

Rev. Dr. R. F. Campbell, secretary of Synod's home mission committee, presided over the meeting and read the report of the committee. The report showed that this year the Synod has contributed to foreign missions \$58,418, as against \$38,061 last year, a per capita contribution of \$1.34 this year as against 91 cents per capita a year ago. The First Presbyterian church, Wilmington, is the banner church in this respect, having contributed \$1,433 to foreign missions, making \$11.26 per capita.

GOVERNMENT ACTS IN SUGAR CASES

Appeals From Decision Acquitting Kissel and Harned.

WILL URGE PROSECUTION

"Takes Graft to Catch Graft," in Words of William Loeb, Jr., in Comment—Contention of Attorney General.

Washington, Oct. 27.—"The Government will at once institute an appeal from this decision," announced Attorney General Wickham today in reference to the action of Judge Holt in the Circuit Court at New York sustaining the plea of the statute of limitations interposed by the defendants, Kissel and Harned, to the indictment against them jointly with the American Sugar Refining Company. The case involves violations of the conspiracy laws. The Attorney General said that Judge Holt's decision was of far-reaching consequence.

The Attorney General referred to Judge Holt's pointing out the decisions in the defendant judicial districts of the United States with respect to the application of the statute of limitations were at variance and that it was impossible to harmonize them.

Judge Holt concurred with those cases which held that the statute of limitations began to run after the first overt act in pursuance of the same conspiracy. In the Sherman anti-trust law according to the court, the word conspiracy has the same meaning as the word contract, and therefore Judge Holt applied to a conspiracy in restraint of trade the same law of limitation which is applicable to a contract in restraint of trade.

"The Department of Justice on the other hand," said the Attorney General, "has always entertained the view that Congress employed the different words advisedly, that a contract in restraint of trade is not the same thing as a conspiracy in restraint of trade. Where the law enacts that every person who engaged in a conspiracy to restrain trade is guilty of a misdemeanor, it means that so long as the conspirators are continuing in a course of conduct which restrains interstate trade or commerce, they are violating the act."

"Judge Holt's strictures against the increasing tendency of public prosecutors to indict for conspiracy when crimes have been committed is not understood as applicable to this prosecution in view of the fact that the only crime of which the defendants in this case could be accused was that created by the anti-trust act, namely, of engaging in a conspiracy in restraint of trade or commerce among the several States."

New York, Oct. 27.—United States District Attorney Wise, as well as counsel for the American Sugar Refining Company and its directors who were indicted last week, have today filed appeals on charges of conspiracy in restraint of trade, declined today to discuss the status of the case as it might be affected by the decision of Judge Holt yesterday in dismissing the indictments against Gustave E. Kissel and Thomas Harned, two of the co-defendants on the ground that the statute of limitations had run and precluded their prosecution. It is understood, however, that the remaining defendants will change their pleas of "not guilty" and plead the statute of limitations as Kissel and Harned did, with the prospect of the indictments being dismissed.

"It takes a grafter to catch a grafter in the United States Customs Service," says William Loeb, Jr., collector of the port of New York in an official statement issued tonight, and "Federal Judge Holt's opinions to the contrary notwithstanding, the four wretches who confessed and testified in the trial of Philip Musca and his elderly father, Antonio, cheese importers, which was concluded today, are to hold their jobs along with honest men."

Judge Holt, of the United States Circuit Court, before disposing of the case today which resulted in the elder man's acquittal and the son's incarceration in the toms for sentence, denounced the retention of the four wretches as a discredit to the government and an injustice to the honest men in the service.

Mr. Loeb quickly said in reply: "It is not a question of choice between having all honest men in the government service and leaving four men admittedly dishonest in the service, as the choice was between a keeping four dishonest men in the service, where they could be easily watched, or allowing a great many dishonest men to remain in the service and have them, and all the corrupt merchants, who had bribed them escape punishment at the hands of the criminal law. The administration decided on the former course, and its decision was based upon the highest motives."

"It is deemed only just to the administration that the public should have this statement when it reads Judge Holt's opinion."

CUMBERLAND FAIR

Brilliant Opening Yesterday—Prizes in Parade Awarded—River News. (Special Star Telegram.)

Fayetteville, N. C., Oct. 27.—The Cumberland Fair was formally opened today among the features being a brilliant and spectacular street parade consisting of decorative floats, carriages, automobiles, advertising floats, a hundred mounted marshals, etc. The exhibits in all departments are pronounced by prominent parties who have been visitors and exhibitors for many years, to be the best in 20 years, with the exception of live stock which is very good. The midway attractions are of the highest class ever seen here, while the racing is excellent. The varied class of agricultural exhibits indicates the great versatility of Cumberland soil products, and shows including almost everything grown in a temperate zone. The corn and fruit exhibits are especially notable. The first prize for decorative automobile float in the street parade was won by Dr. Seavy, Highsmith, while second prize went to Dr. J. V. McGonigan's machine. First prize for decorated buggy was won by Mrs. Bella Carson's turnout, driven by Miss Annie T. McMillan. The Manchester school float, which was artistically beautiful, won first award in its class. The attendance was very good today, but all records are expected to be broken tomorrow when it is believed there will be the largest crowd seen here since the centennial celebration in 1889.

Owing to rains up the country, the Cape Fear River rose to 5 feet this morning. The steamer Lisbon, which has been chartered by the Merchants and Farmers Steamboat Company, and the C. W. Lyon, was expected tonight.

ERWIN MILLS TO CURTAIL

Agreed to Shut Down One Day Each Week—New England Mills. (Special Star Telegram.)

Durham, N. C., Oct. 27.—The Erwin Cotton Mills, representing the largest number of spindles in the South, has agreed to shut down one day each week, following the action of Arkwrights of New England. The proposition to relieve the congestion in fabrics has been agreed upon in all the Durham mills, representing two hundred thousand spindles.

Lawrence, Mass., Oct. 27.—A number of cotton mills in this vicinity will curtail the curtailment plan decided upon by mills in Lowell, Manchester and elsewhere. The Pemberton and Everett mills of this city and the Methuen in Methuen will shorten their running time between November 1st and January 1st, 1910. They represent about 700,000 spindles and employ 3,000 operatives.

HAMPTON TRASURER INDICTED

Failed to Turn Over \$25,000 of County Funds—Shortage.

Hampton, S. C., Oct. 27.—Charged with failure to turn over \$25,000 of public funds to his successor, former Treasurer Langford, of Hampton county, was indicted here today. In its report the grand jury also asked the solicitor to submit a bill charging Langford with embezzlement. A bonding company's check for \$20,000 recently was accepted by the State in settlement for Langford's shortage.

MEXICO FLOOD WORSE

Water Still Rising in Some Sections. Loss \$5,000,000.

Mexico City, Oct. 27.—A special dispatch from San Juan Bautista says that the Griffla river at that point is still rising and the poor in that city and throughout the flood region are starving owing to the impossibility of sending out provisions. The total damage will exceed \$5,000,000. Reports from Huimulguro are that the Mesquippa river is slowly receding but the north part of town is still inundated.

Tenosique, Usumacinta, Estapilla, Cerro and Carmen are all flooded and the inhabitants have taken to high lands in boats. Crops are a total loss in this region. The maximum height of water in Cerro and Carmen is 32 inches, while in Pomocina the water stands six and a half feet in the main streets. Trees and driftwood are floating through villages, destroying adobe houses and forcing families in to the water. Petty thieves have taken advantage of the situation and many homes have been looted.

JAPAN'S TRAGEDY

Believed to Have Been Planned by Koreans—Country Mourns.

Tokio, Oct. 27.—The body of Prince Ito, the murdered elder statesman of Japan, will be taken aboard the Japanese warship Iwato, at Dalien, and will be brought to Japan accompanied by a full suite representing the entire Nation. The body lay today in a hotel at Dalien, the coffin covered by a simple white pall. Guests surrounded the hotel and only the Prince's personal staff was admitted.

Throughout the day telegrams poured into Tokio from every country of the world and the officials of the foreign office are busily engaged in answering them.

Those closest to the throne say that the Emperor is deeply affected by the assassination of the Prince. He has asked for every detail and apparently is unable to understand why the murder was committed, in view of the evident popularity of Prince Ito. But when informed of all the facts so far as they have been learned here, the Emperor ordered that there must be no change in the policy toward Korea.

SANDERS' WIFE A WITNESS

She Declares He Was at Home When Mayor Newberry Was Killed.

Beaufort, N. C., Oct. 27.—Testimony was introduced by the defense in the trial here today of S. J. Sanders, charged with the murder of Mayor H. J. Newberry, of Newport, this State, tending to show the good character of Sanders.

Mrs. Frank Sanders testified that the defendant came home early on the night of the killing and was asleep and snoring when she heard a gunshot. She did not see the murderer, but she saw the defendant.

Mrs. Buck, mother-in-law of Frank Sanders, testified that she heard the gunshot, went downstairs and opened the door to ascertain what the shooting was and where it had occurred. Returning she stopped and looked into S. J. Sanders' room where she saw him in bed asleep.

Two negro men on the stand said they had heard the gunshot and screaming. Then a cart passed in a hurry, leaving the town.

RAILROAD TELEPHONE SERVICE

Will Be Used by Several Lines Including Coast Line.

Richmond, Va., Oct. 27.—It is understood that the Atlantic Coast Line, Richmond, Fredericksburg & Potomac, Seaboard Air Line and Chesapeake & Ohio Railroads have signed an agreement to substitute the telephone for telegraphy in the operation of trains.

NOVEMBER 1ST.

Open an account at the People's Savings Bank now and you will receive interest from November 1st. This bank serves all classes, old, young, rich and poor.