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GAMBLER PUT OUT OF THE WAY

Had Made Charges Involving New York Police Department, Following Raid

SHOT DOWN TODAY

Louis Libby, Arrested, Charged With the Crime—Rosenthal Was Shot From Automobile and Witnesses Say There Were One or More Policemen in the Automobile—Rosenthal Had Charged That the Police Were Grafting on the Gamblers and His Charges Were to Have Been Investigated This Morning.

New York, July 16.—Herman Rosenthal, the gambling house proprietor, whose sensational charges that the police were guilty of grafting and oppression, were to be investigated today by the grand jury, was shot down and killed in front of the Hotel Metropole, early this morning, by five men, who escaped in a large touring car. Within three hours after the murder the police visited a garage on Washington Square, known to the police as the headquarters of the taxicab robbers, and captured a man who described himself as Louis Libby, whom they made a prisoner on the charge of homicide. The police recovered an automobile that they say figured in the murder. Rosenthal was shot five times in the head.

Rosenthal was killed in Times Square about 2 o'clock. The witnesses agreed that one or more of the men in a high power car, that dashed away after killing him, were policemen.

Rosenthal sprang into public notice last Friday, when he hurled a bomb into police circles by filing affidavits charging that the police were in league with the gamblers throughout New York, and that every gambling house was being assessed a fixed sum for police protection. Rosenthal was for some time proprietor of a gambling establishment on West 45th street, which was closed April 15, after a raid by Police Lieutenant Becker, at the head of a strong armed squad. The raid followed a misunderstanding between himself and Becker. Rosenthal declared. Rosenthal alleged that Becker was his partner in the profits of the establishment. Rosenthal charged that Becker's share of profit amounted to twenty-five per cent. Police Commissioner Waldo and District Attorney Whitman cut their vacations short to start an inquiry. Police Commissioner Dougherty said this morning that the car was number 41,313, and was positively identified as a car bought by Libby last October, and the one used by the assassins and that Libby was positively identified as the chauffeur and as one of the men who fired at Rosenthal.

Police Lieutenant Becker joined District Attorney Whitman after he heard of the murder. He said the killing was regrettable, but that he knew of no motive. The police efforts to run down the five men who assassinated Rosenthal, resulted in the arrest of three men. The only one whose identity was established was Libby. The theory was brought forward that Rosenthal was the victim of the "gambling fraternity" who took the opportunity afforded by Rosenthal's activity against the police to seek revenge for "squalling."

WARN AMERICANS TO LEAVE MEXICO

Juarez, Mexico, July 16.—Over five hundred Americans, together with their wives and families in towns along the Mexican Northwestern Railroad, are threatened with isolation far from the American border, with scant means of escaping the depredations of Mexican rebels. Sufficient facts became known today of the real situation along the Mexican Northwestern to warrant the statement that it would cause no surprise if Americans in all towns along the line were warned to leave Mexico immediately.

Guarded Jefferson Davis. Wilkesbarre, July 16.—Michael O'Brien, the last survivor of the squad that stood guard over Jefferson Davis while the latter was a prisoner, is dead, in his 73rd year.

TILLMAN'S PLAN THROUGH THE SENATE

Washington, July 16.—The senate passed today without discussion the "terror battleship" resolution by Senator Tillman of South Carolina, proposing that the United States build the greatest warship possible under modern naval conditions to put an end to the "race for supremacy." Tillman's resolution directs the naval affairs committee to determine how far shipbuilders can go to "build the very best battleship or cruiser the world has ever seen or ever will see," and proposes to name the new ship "Terror" and make her the "peacemaker of the world."

BELMONT GAVE LARGE SUM

Said He Gave Quarter of a Million To Democratic Campaign Fund in 1904.

Washington, July 16.—August Belmont testified before the senate committee investigating campaign contributions, that he personally contributed a quarter of a million dollars to the democratic national campaign fund in 1904.

Belmont, estimating his contribution at a quarter of a million dollars to the democratic campaign fund, said he was not sure that was the sum, but was "satisfied to let it go at that." "My habit has been that if I feel responsible for anything," Belmont said, "my obligation is not measured in dollars and cents."

Belmont was a member of the executive committee.

Belmont could not give the committee an accurate estimate of the total funds at the democratic national committee's disposal in 1904. When Senator Clapp asked if there were a million dollars he "guessed" it was over six or seven hundred thousand.

AGRICULTURAL TRAIN

Will Visit Scotland Neck July 24—Mr. Bryan Goes to Oxford.

(Special to The Times.)

Scotland Neck, July 16.—The agricultural train operated by the Atlantic Coast Line, will reach Scotland Neck Wednesday, July 24, at 5 p. m., and remain here until the following morning at 10:30. This is the only point in Halifax county at which this train will stop, and no doubt many of the farmers in this section will avail themselves of the opportunity to witness the demonstrations by the experts who will accompany the train.

Mr. Paul G. Bryan, one of Scotland Neck's most promising young men, has gone to Oxford, where he will engage in the practice of law. Mr. Bryan was recently granted license, and his friends at home feel sure that he will make good in his adopted home.

RIGHT OF MIDDLE MAN.

Will Figure in Suit Against the Lumber Trust.

Washington, July 16.—Rights of the "middle man" in business will be fought out and determined by courts, it is expected, in the government's pending suits against the "lumber trust." Testimony is now being taken against the eastern states retail lumber dealers' association forecasts that the issue will go to the courts largely, on undisputed facts, revolving about the local scope of the middle man's operation. It will be the first time the middle man's problem will be presented to a court of justice.

Democratic Committee Visits Governor Marshall.

Indianapolis, July 16.—The democratic national committee members after the Chicago meeting came here today to confer with Governor Marshall, the vice-presidential candidate. The conference with Marshall was held at the state house at 10 o'clock this morning. The subject of Marshall's ideas for the approaching campaign were discussed.

Darrow Trial Will Not End This Month.

Los Angeles, Cal., July 16.—The hope of completing the bribery trial of Clarence S. Darrow, this month practically has been abandoned by the prosecution and defense. It is believed at least a month or six weeks more will be required.

Hilles Goes to New York.

Washington, July 16.—Charles D. Hilles, chairman of the republican national committee, left for New York to organize the campaign for Taft's re-election. It is believed Hilles will resume his post as the campaign's secretary soon as the campaign is over.

Dramatic Plea for Thaw.

White Plains, N. Y., July 16.—Harry Thaw's lawyer made a dramatic plea for the release of Stanford White's slayer from Matteawan, in summing up his client's case before Judge Keogh. Thaw's mother and sisters were in court. The decision is expected by the end of this month.

West Virginia Democrats.

Huntington, W. Va. July 16.—The democratic state convention convened here today. A complete state ticket will be named. The nomination of William R. Thompson, for governor, will be made without a contest.



"GET THAT DEVIL FIRST."

STATE LAW AND THIRD PARTY

What the Statute Provides in Order For Third Party to Qualify in Elections

(Special to The Times.)

Charlotte, July 16.—The political wisecracks in this neck of the woods have topped it out according to statute law that the Third Termer's progressive party will not be recognized in North Carolina this year, the members of the party will have no representation on the state board of elections, nor on the county board of election, nor by judges or clerks at the various voting places. The statute cited is an act of the North Carolina legislature specifying that a party within the meaning of the act of the legislature dealing with elections held within the state shall mean "every political party or organization whose candidate for governor received as many as 50,000 votes in the election held August 2, 1900."

The state board of elections is appointed by the governor and it is provided by law that he shall not appoint more than three members from the same political party. The state board in turn appoints the various county boards. It will be seen therefore, that unless the governor appoint a member of the third party on the state board of elections the third party will have no representation in the election.

"The republican organization in North Carolina is regular," said one of the delegates from Mecklenburg county to the state republican convention which met in Raleigh, "and therefore, will support President Taft." Chairman John M. Morehead and National Committeeman E. Carl Duncan are both for President Taft, and a canvass of the present state republican committee shows a majority of four in favor of President Taft, according to a poll made by Marion Butler at the meeting of the Roosevelt men at Greensboro recently.

FATHER TOLD SON TO COMMIT SUICIDE

New York, July 16.—Samuel Swartz, the father of Nathan Swartz, the young man wanted by the police in connection with the murder of the child, Julia Connors in the Bronx last week, acknowledged in a statement to the authorities that his son confessed to him that he killed the child, and he told the son to go out and commit suicide. The father stated that he believed the boy had killed himself.

Heavy Rain at Jacksonville.

Jacksonville, July 16.—Heavy rainfall without damage was the only evidence here of a storm which threatened the Atlantic coast. Several ships due to sail today were held in port. The forecaster's advice were more assuring this morning, promising clearing weather by night at large.

HELP THE ICE FUND

We desire to set before the generous Raleigh public, which never fails to respond to proper calls, the necessity for prompt contributions to the ice fund of the associated charities. This fund, has been very small this season, and is now practically exhausted and at the time when the hottest weather of the year is upon us and when the ice is most needed by the sick poor, for whom it ought to be provided liberally, because it adds so much to their comfort. The very careful district nurse, Miss Eva Palmer reports daily a number of cases in which there is pressing need for ice. Will not the reader contribute to this fund? Contributions may be given or sent to R. S. STEPHENSON JOHN T. PULLEN, FRED A. OLDS.

WAKE FOREST TAX MATTER

Judge Ferguson Hears Argument of Advocates and Opponents

Judge G. S. Ferguson today began hearing the matter of the Wake Forest special tax election and when court adjourned at 1 o'clock, the pleadings had been read and counsel were ready for the argument. This will be made this afternoon after a blind trial case is disposed of.

To one not familiar with the Wake Forest matter the situation as presented to Judge Ferguson was puzzling. Judge Ferguson requested counsel to separate and tabulate for his benefit the matters about which both sides differed.

It was alleged in the complaint that the election was carried contrary to law, so the allegations being that not one-fourth of the freeholders signed the petition, that a majority of the registered vote was not cast for the election, and that persons were voted who had no right to vote. These were denied by the advocates of the school, who pointed out in their answer that the plaintiffs made use of names of persons dead, removed and not to be found.

The Wyoming Anchored Near Philadelphia.

Philadelphia, July 16.—The new battleship Wyoming, which left yesterday for her official trial off the Maine coast was anchored this morning off Deep Water point, 25 miles south of her. It was reported last night that the warship was aground but this was denied by the Cramp Company. The Wyoming will probably proceed to sea on the next high tide.

HUBERT LATHAM KILLED BY BUFFALO

Paris, July 16.—Hubert Latham, the famous Anglo-French aviator, one of the pioneers of the heavier than air aviators, was killed by a wild buffalo yesterday, during a hunt in the French Congo. Telegraphic advices say Latham was out with several natives in the forest when he shot and wounded a buffalo which charged him and gored him to death.

Temperatures Continue High.

Washington, July 16.—Temperatures continue high in the heat wave zone, especially in the middle Atlantic and in the southwest. Unsettled with showers weather continues tonight in the Atlantic and west gulf states, with lower temperatures in the north. The Georgia coast storm has moved into the extreme northwest of Florida with diminished energy.

UNDERWOOD THE GUEST OF WILSON

Trenton, July 16.—Gov. Wilson motored here to devote the day to state affairs, and to take luncheon with Democratic Leader Underwood of the house. Wilson kept an appointment this morning with Perry Belmont. The luncheon with Underwood was at one o'clock this afternoon. Among Wilson's guests were Thomas J. Ryan and P. Donnelly, democratic leader, Philadelphia.

The meeting between Wilson and Underwood was extremely cordial. The governor rose from the chair when Underwood appeared in the doorway and met him half way, with outstretched hands. There was a hearty handshake, the governor saying: "I feel almost as if I had known you a long time. We both went to the University of Virginia, and although you entered a year after I left it seems strange, our trains were so close together that they did not collide, but now that we have come together without accident, I trust we will run along on parallel tracks."

Underwood smiled, saying he quite agreed with the governor.

CITY WAS NEGLIGENT

Woman Shot, Was Confined in Police Station Without Competent Medical Attention.

(Special to The Times.) Charlotte, July 16.—An act of criminal negligence on the part of the city officials has seemingly been disclosed in connection with the shooting Saturday night on the streets of a negro woman in a quarrel with a negro man who escaped. Today the woman is at the Good Samaritan Hospital where she was taken Sunday afternoon after having been confined in the police station over Saturday night without competent medical attention. An operation revealed her intestines perforated by the bullet in nine places, and the development of peritonitis. Her condition is desperate and her death is expected at any moment.

When the woman was taken to the police station Saturday night two doctors attended her but no operation was performed or suggested. Sunday her mother called and begged to be allowed to take her home. The injured woman walked out and got into a hack. Later she was taken to a hospital but was refused admittance because no one would be responsible for the cost. Finally one of the physicians volunteered to be responsible for the woman's admittance, and the operation was then performed after a delay of almost twenty-four hours, too late to save the woman's life.

It is expected that the matter will be prosecuted vigorously to fix the blame for the inexcusable delay and indifference. The city appropriates annually a sum of \$1500 for charity cases of the nature of this one, and why this fund was not employed at the outset has not been explained.

BAILY ATTACKS TAFT

Says He Was "Officious and Meddlesome" in the Lorimer Case.

Washington, July 16.—Senator Bailey attacked President Taft roundly today on the senate floor for his attitude on Lorimer case which he characterized as "officious and meddlesome." He was referring to the president's expressions on the case in pre-convention speeches and letters to Roosevelt. Bailey was speaking to his resolution declaring any attempted interference in senatorial contests by the president constituted "a violation of the spirit, if not the letter of the constitution and ought to be severely condemned." Bailey charged the president with using his influences in the Lorimer case.

TWO WERE KILLED

In Denver Flood—Eight Were Injured and Several Are Missing.

Denver, Col., July 16.—The cloudburst and flood in Cherry creek Sunday night left great heaps of debris, the ruins of wrecked homes. The fatalities number two, the injured eight. The mayor's relief committee continued searching the ruins. It is believed a score reported missing are flood victims. Five hundred refugees from the flood districts are being disposed of at less than half price because of the water damage.

HEYBURN BREAKS OUT

Thomas Jefferson This Time the Object of His Attack.

Washington, July 16.—"Thomas Jefferson was not the author of the declaration of independence," declared Senator Heyburn as he blockaded adoption of a joint resolution proposing the purchase of Monticello by the government. Heyburn spoke of Jefferson as the democratic party's idol. "He is about as well bronzed and moss-covered as any other statesman," Heyburn said, "and I do not think he should be deified."

Excursion Steamer Sank.

New York, July 16.—The excursion steamer Rosedale, plying between New York and Rockaway beach, reported sunk. All aboard are reported saved.

The way a girl wants to help her mother is getting money out of father.

OFFICERS DID SOME WORK

Last Scene at Camp Pettus When Officers Took Privates Places and Cleaned Camp

TWO DAYS HIKE

Third North Carolina Regiment Left Behind it a Good Report—Two Days' Hike Over Rought Ground, Carrying Equipment, a Trying One for the Boys—Enormous Amount of Ground Covered in the Two Days—The Breaking of Camp Officers Volunteer to Clean Up.

(S. L. Rotter.)

Camp Pettus, Anniston, Ala., July 16.—The first tour of the Anniston maneuvers of the national guard with the regulars is over, and the Third North Carolina regiment has struck tents, packed its belongings and gone, leaving behind it a good report among all who noticed its behavior.

One real test of the regiment came with the difficulties encountered upon arrival, and how these were met has been told in these letters already. From a more spectacular standpoint another test was in the two days' hike, including sham battles and bivouac and the long march. Then finally the trying time of breaking camp and leaving everything in such shape that the camp site should pass muster before the searching eye of the chief sanitary inspecting officer, who has to be satisfied before a body of troops is permitted to quit the grounds in these latter days under army regulations.

Early Friday morning, July 12, the boys started on the long hike, fully equipped for the field, carrying haversack, canteen, mess kit, blanket roll shelter half, thirty rounds of cartridges besides rifle and bayonet, the sum total weighing close to forty pounds per man. Each battalion had its wagon carrying the field rations and daversack rations that had been issued to the various companies the night before.

The troops in camp had been divided into the Browns and the Reds. North Carolina was honored by having Col. J. N. Craig, of the Third, put in command of the Brown forces. This threw the responsibility of the command of the Third regiment upon the shoulders of Lieut.-Col. S. W. Minor. Composing the Brown force were the Third North Carolina regiment, the Third South Carolina regiment and the Second Alabama regiment and a troop of the Eleventh cavalry of the First Tennessee regiment, Third Tennessee regiment, Machine Gun Company of Tennessee, Chattanooga troop of cavalry and the First battalion of the Seventeenth infantry, U. S. A., made up the Red forces, commanded by Brigadier-General Maloney, of Tennessee. They were distinguished from the Browns by a band of red about the hat.

The Reds were supposed to be harrying the country to the northwest of the camp site, and the Browns were out on a forced march to intercept and drive them back.

A word about the country; for without it one would not appreciate what the boys were up against. We have all heard of hilly country, but this is all hills, steep ones, contains germane to mountains. In fact we are in the foothills of the Appalachians. And there is no open country; it is all woods and heavy undergrowth, exhausting to walk through, much less to scamper, rush and charge through with blanket roll and all the forty-pound accoutrements. And the weather was intensely hot and humid, the sun blinding.

(Continued on Page Seven.)

DAVID STARR JORDAN WILL LECTURE HERE

Mr. David Starr Jordan, of Leland Stanford University, California, will deliver a lecture in the First Baptist church Sunday night, to which the public is invited. Prof. F. M. Harper, superintendent of the public schools, secured Dr. Jordan. The noted educator is one of the famous lecturers of the world and his message here Sunday will be received by a large congregation.

McClung Handled Over Four Billion Dollars.

Washington, July 16.—The cash transaction of Lee McClung, United States treasurer with the business world, during the fiscal year, 1912, climbed to the enormous total of four and two-thirds billions dollars. It represented the combined income and expenditures of the government.