

WITNESS

He Gets a Pardon and to Give Testimony.

THE DEFENSE IS IN A PANIC

Appears Unexpectedly at the Trial of Helke as a Witness for the Government—It Was Thought He Was in the Atlanta Prison—No Hinting of His Pardon Given Out.

New York, May 23.—Oliver Spitzer, former superintendent of docks for the American Sugar Refining Co., who was convicted of defrauding the government by the false weighing of sugar imports appeared unexpectedly at the trial today of former Secretary and Treasurer Charles E. Helke, of the sugar trust, this morning as a witness for the government with the announcement that he had a pardon from President Taft in his pocket.

The defense was taken completely by surprise. No hinting of Spitzer's pardon had been given out. Spitzer took the stand and testified that he was ready to tell all he knew of the defrauding government. This announcement threw the attorneys of Helke and the other five defendants into a state of confusion.

Spitzer was sentenced to two years imprisonment last February. No sooner had he been called today than objection after objection was raised by the defense, but each was overruled. Special Attorney General Henry L. Stimson then began the questioning as to the witness' knowledge of false weights used to defraud the government of duties on sugar.

Before being sent to the Atlanta penitentiary, Spitzer gave out a statement in which he said he knew of no frauds having been committed at the Williamsburg docks. Today he gave testimony directly accusing two of Helke's five co-defendants of aiding him in fixing scales so that the shipments of sugar would be under-weighed and he freely confessed that he had helped to invent some of the schemes whereby the trust was enabled to steal vast sums.

He told of a trick which heretofore has not been mentioned—sticking paper under the doors of the scales to affect the weight. When Deputy Surveyor of Customs Vail took office, he said, these devices were abandoned and the steel cones spring adopted.

It developed from his story that he had received unconditional pardon on May 23. He said he had been unable to testify otherwise.

The history of the alleged cheating at Williamsburg as far back as 1894 and 1895 was gone into by the witness, under questioning by Stimson. He declared that he found the cheating the weights by placing bags of lead on the scale beams.

The defense lost in a struggle to have this testimony stricken out. John B. Stanfield, chief counsel for Helke, objecting that the American Sugar Refining Company was not at that time organized. Helke being then employed as a shipping clerk by the Havenmeyer & Elder Company. This contention was overruled, the testimony standing.

Spitzer did not directly connect Helke with the corrupt methods in his direct testimony but asserted that the tricks of the dock were well known at the company's office in Wall street.

Pointing to Voelker and Halligan, two of the co-defendants, he identified them as men who used the spring in 1907, when the frauds were discovered.

RECENT RAINS

The Farmers in Different Sections of the County are Complaining of too Much Rain.

The recent heavy rains throughout the county is detrimental to the farmers, so they state. Unless the rain is abated very soon the damage to the crops will be considerable.

TWO CARS OF POTATOES

The Atlantic Coast Line shipped two solid cars of Irish potatoes last Saturday to Northern markets.

REHEARING

At its session on Monday last the Supreme Court of the United States began the rehearing of the Tobacco and Standard Oil cases. No decision was announced in the corporation tax cases and no intimation was given as to when such a decision is likely to be rendered. The court declared constitutional the Kentucky statute of March, 1906, levying a license tax on liquors and held the law applicable to "double stamped spirits." It also declined to hold unconstitutional the statute passed in Georgia in 1853 requiring engineers of railroad trains to blow whistles and check the speed of their engines for a distance of 400 yards before reaching crossings.

THE HOUSE OF NO REPEATERS

The Gaiety offers a big program to-night. The Unchanging Sex, a Biograph, suggested by Charles Kingsley's poem "The Three Fishers." This picture was released March 5, and in only three weeks old.

ATTEND SHOW

Quite a party left here yesterday afternoon for New Bern where on last evening they witnessed the performance, "The Mummy and the Humming Bird." The party returned this morning on the regular Norfolk and Southern train.

A PRESSING OBLIGATION

"Putting on advertising," says a writer in Printers' Ink, "is putting on a debt that you owe to your business. Every day the interest mounts. Every day, because of added competition, the debt becomes harder to meet." Many non-advertisers no doubt postpone the settlement of this obligation because they do not realize how easy it is to discharge it in small installments. The little "ad" in the daily newspaper leads by gradual and convenient stages to the half-page and the full-page spread, paying its own way as it grows. The big advertisers of today sang small at the beginning. The success they have achieved is open to merchants of every moderate capital who back up brains and energy with regular advertising in the leading newspaper.

PLACED ON TRIAL

Man Accused of Murder of Jane Adams.

MUCH INTEREST IN CASE

Defendant Guarded to Prevent Any Attempt at Violence Against Him—Big Crowds in Attendance and There is Much Interest in the Case—History of the Crime.

May's Landing, N. J., May 23.—About the picturesque little court house of May's Landing, a heavy cordon of special guards was placed today to frustrate any attempt at violence against William Seyler, the defendant in the Million Dollar plea mystery accused of murdering his sweetheart, Jane Adams, last February.

Brought by special train automobile and horse vehicles of every type, hundreds of persons came here today from Atlantic City and the surrounding country to attend the trial. The day was made a holiday, most of the visitors bringing their luncheons as if for a picnic. So great was the influx that but a portion of the crowds could squeeze into the courthouse.

Sheriff Johnson had ruled that no favoritism be shown, the first comers securing the coveted places, all requests for cards of admission being turned down.

While Prosecutor Goldenburg today declined to outline in advance the prosecution's case it was learned that the story on which the State relies for the conviction of Seyler is to be told by Orvis, his younger brother, and 14-year-old Alice Adams, youngest sister of the victim.

The prisoner began to day with a conference with his attorney, Edmund C. Gaskill, and his parents.

In the crowd of officials, witnesses and the curious about the court room today there were two women pathetic in their positions. They were Seyler's young wife and Mrs. Charles Adams, mother of the girl whose body was washed ashore nearly four months ago. Since Seyler and his brother were brought back from Petersburg, Va., after a wide search, soon after the tragedy, the defendant's wife has never answered in her defense of the accused man. Nor has the victim's mother been less insistent in proclaiming his guilt. Seyler is accused of having beaten pretty Jane Adams to death and throwing her body into the Atlantic from the end of the great pier at the height of a storm on February 5. They had gone to a dance at the pier with young Orvis and Alice Adams.

Leaving the hall the four walked down the pier. The gale drove the younger couple back. William Seyler later returned alone, a few days later he disappeared with his brother. A week after the night of the dance, Jane Adams' body was found on the beach.

In the head was a gash, which, according to physicians, caused her death before the body entered the water.

FINDS FOUNTAIN OF YOUTH

Sen. Robert L. Taylor, of Tennessee, says he has found the fountain of eternal youth. He says that he has discovered how he may live 100 or more years.

"I am absolutely certain that with the aid and consent of my constituents in Tennessee I can live to be 100 years old," said the Senator.

"It is just this way. Time flies so fast here in Washington that the century mark is reached, or could be reached, I should say, without a fellow knowing it. I have been here three years and it does not seem like three weeks.

"Campaign for reelection come with the most astounding rapidity. They say the term of a Senator is six years, but I think it is a mistake. I think the terms last from about October until May and then another campaign.

"If my constituents just keep on sending me back here to Washington I shall never die. A senatorship is the fountain of eternal youth. Old Ponce de Leon came along too soon with his quest. He should have been elected to the Senate and re-elected continuously so long as he wanted to keep on coming to Washington, and he would have located the fountain of youth."—Washington Times.

SEND FOR A POLICEMAN

That is the name of the typical English music hall song which George Leachwood, the famous English comedian, is now singing in vaudeville over here. The song is humorous and catchy, and every one will be singing it soon. The complete words and music of "Send for a Policeman" will be published in next Sunday's New York World.

MAYOR'S COURT

Several Cases Were Tried Before the Mayor This Morning at the City Hall.

The following cases were disposed of by the mayor, the Mayor, this morning:

State vs. John Terria, Riding wheel on sidewalk. Fined \$1 and cost.

State vs. Arthur Watson, Riding wheel on sidewalk. Fined \$1 and cost.

State vs. Roseanna and Minnie Gibbs, Afray. Fined \$3 each and cost.

State vs. Thomas Manning and Van Cook, Drunk and disorderly. Fined \$2 each and cost.

State vs. John A. Phillips and Archie Douglas, Drunk and disorderly. Phillips fined \$1 and cost. Not guilty as to Douglas.

UNIVERSITY NOTES

Commencement at the University of North Carolina is a great occasion. It is the greatest season of the University's year calendar. University day and Junior prom week do not approach commencement season in its interest and significance. It is intense with interest to the four score young men who are to receive their alma mater's diploma, as a recognition of four years of hard work, training and study. It is significant to the life of the State as a time when this band of men pass from the training camp of the University into the working life of the State.

Commencement begins Saturday and continues through Tuesday. Saturday is class day and the class exercises are held in Gerard Hall Saturday morning, consisting of the class president's address by Pres. A. H. Wolfe, class history by Joseph R. Nixon, the last will and testament by Roke Ramasse, and the class property by John M. Reeves. At noon Saturday the Phi Beta Kappa address will be delivered by Dr. Wm. Lyon Phelps, of Yale. The class exercises are concluded in the afternoon under the old Davis Poplar on the college campus. The seniors form a circle Indian fashion and smoke the pipe of peace, having all the differences of campus life. The class statistics will be read by D. R. Kramer. The seniors then after singing the college songs turn over the senior privileges as symbolized by the Davis Poplar precinct to the junior class. Saturday night the annual inter-society banquet is held in commons hall. D. B. Teague is toastmaster. V. L. Stephenson, of the Charlotte Observer, and E. S. W. Dammeron, of Burlington, are the alumni speakers. H. E. Stacy and J. A. Highsmith speak for the students. Sunday Dr. James V. Fair, of Richmond, preaches the baccalaureate sermon and at night Rev. Plato Durham, of Concord, speaks before the Y. M. C. A.

Monday is alumni day. Mr. Junius Parker, one of the foremost lawyers of the New York bar, will speak for the alumni. Class reunions will be held by the classes of 1860, 1870, 1885, 1890 and 1896. These reunions bring back to the State men from all over the country. In the afternoon the Student Dramatic Club will present "London Assurance." The board of trustees hold their annual meeting. At night the annual debate between the Di and Phi Societies will be held. G. W. Thompson and C. L. Williams represent the Di and E. W. Turlington and W. F. Taylor represent the Phi. The president and faculty reception follows the debate.

Tuesday is commencement day proper. L. C. Kerr, J. H. Bourhall, H. E. Stacy and J. H. Johnson are the class orators. The commencement address will be delivered by Dr. Chas. Foster Smith, of the University of Chicago. President Vanable makes announcements. Gov. W. W. Kitchener will award the diplomas—and commencement is over.

Chief Marshall J. S. Cowles is making every preparation for marching the crowds. Chief Ball Manager Avery is expecting a legion of the fair visitors.

Manager E. F. McCulloch is hard at work on his baseball schedule and with high aim has under consideration games with Yale and Princeton.

It is an interesting fact that half of the student body of the University during the past year earned a part or a whole of their way through. About two hundred earned their way through by such things as waiting on the table, washing dishes, cutting wood, milking cows, sweeping rooms, setting type, clerking, typewriting, and a score of other ways. It is a fine tribute to the democracy of North Carolina that the men who work with their hands are among the leaders in university life. Merit, worth, character, and achievement count at Chapel Hill. It is truly a place "where riches are not a prejudice and poverty is not a shame."

Pollara is now reported to result from the bite of a poisonous gnat, and thus is cornbread fully vindicated.

ACT OF CLEMENCY

King George Commences Reign With Royal Act.

ISSUES A TOUCHING LETTER

The New Sovereign Grants Remission of All Past Sentences and Fines—'Men of Others—James Touching Letter to His Subjects, in Which He Expresses His Appreciation.

London, May 23.—King George has commenced his reign with an act of clemency, granting remission of short sentences and restitution of others throughout the Kingdom, these including the army and navy. He has also issued a touching letter "to my people" expressing his appreciation of the affection and loving devotion the nation has shown in the face of "a sorrow as sudden and unlooked for that it might well have been overwhelming."

"But the sentiment it has invoked," continues the King, "has made me realize that it is a less common to me and my people. They share it with me; I do not stand alone. With such thoughts I take courage and hopefully look to the future, strong in my faith in God, trusting my people and cherishing the laws and constitution of my beloved country."

LIST OF LETTERS

The following list of letters remain uncalled for in this postoffice for the week ending May 21, 1910:

Gentlemen—W. W. Andrews, J. S. Amla, William Anderson, B. H. Ange; John Adkins, John Bishop, Jones Clark, Bill Clark, E. W. Davis, C. Guiseppie, Lella Gray, Ori Knight, W. J. Langley, Mr. Masters, Chas. A. Oliver, William Spencer, Danie Sammons, M. C. Watters.

KILLS CONVICT

State's Prison Guards Shoot Prisoner to Prevent Escape.

Raleigh, May 23.—State prison guards found it necessary this morning to shoot to death a convict in order to prevent the escape of a number of convicts who had evidently conspired to break away from their squad even at the cost of killing a guard or so. The convict killed was J. L. Fox, who was serving a 12-year sentence for manslaughter from Anson county. He escaped from the prison nearly a year ago by making up a dummy that he left in his cell to fool the guards while he made good his escape over night. The dummy was tucked away snugly in the cell cot. Very recently Fox was recaptured in New London, Conn., and brought back. He was a comparatively young man and nice looking when dressed in citizen's clothes. He is said to have killed two men and was regarded as a desperate convict. He was one of a dozen convicts assigned with three guards to do some grading work out at the rifle range that is being constructed northwest of the city for the North Carolina National Guard. They drove out to the range in a wagon and as Fox started to get off the wagon he seized Guard Honeycutt's gun, at the same time showing him off the wagon and cutting at him with an ugly looking double-edge knife that he was secretly carrying. At the same time a negro convict, McIntosh, from Scotland county, sent up recently for manslaughter, seized Guard Hayes in an attempt to get his gun. The third guard, Smith, fired at Fox, inflicting a fatal wound. Hayes was equal to the assault by McIntosh, and order was quickly restored, some of the convicts coming to the aid of the guards in the stirring experience. Guard Smith wounded Fox twice and Hayes once, three shots being fired.

THREE REELS AT THE GEM TONIGHT

The Gem program last night was another pleasing attraction, and tonight the bill advertised, if anything, will far surpass that of last evening. The Duchess DuBerry in a film d'art of great beauty. The staging and costuming being perfection. The story is well known to all readers of English and needs no repeating. The Bandit, melodrama, "The Two Raffles," comedy, and A Tragic Adventure are all good pictures. While The Sleeper and A Convent Lamp Post are both comedies that are very amusing. Be sure and see these if you want a good laugh. The entire program will be well worth your money.

Louisiana will storm Washington this week in the interest of an expedition for New Orleans—and if they choose they'll walk on the grass.

LEAGUE OPENS

The Clubs in the Eastern Carolina League Started the Season Yesterday—Home Teams Lost.

At Fayetteville—Rocky Mount 7, Goldsboro 1.

At Wilson—Wilmington 3, Wilson 2.

Quite a number of sports from Washington went on a special train to Wilson yesterday to witness the conclusion between Wilson and Wilmington. They saw a grand game and were enthusiastic over their trip. If there is a town in North Carolina where the old-fashioned, unadorned rosters reside, 'tis Washington. From all reports they were in evidence in Wilson. Now as to which side they leaned in their enthusiasm, the News man is not able to say, suffice it to say they are home again, feeling good and longing for the opportunity again of seeing Wilmington and Wilson strive for the mastery on the diamond.

Washington is very much interested in the success of the Raleigh club this season, from the fact that one of its players, Lester Simmons, is a Washington boy. He gave a good account of himself in the contest yesterday, making the hit that scored the winning runs. In the exhibition game in Raleigh with Chapel Hill it was this same Simmons that saved the reputation of the "Red Birds" and he will do the trick again if the Daily News is a true prophet. Added to this is the fact that "King Kelly" is managing the boys from the Capital City this year. "The King" served in this capacity several years ago right here in Washington. He has many friends down in this section that are squeezing their rabbit's foot for him good and hard. May luck be all his through the season.

The Eastern Carolina League has never started under more auspicious circumstances. The interest in the contest bids fair to be more exciting and thrilling than ever before in the history of baseball in this section of the State.

The boys from Washington who saw the game in Wilson state that the game was snappy, full of ginger, and clean throughout. The umpiring was as impartial and fair as could be, and the fact there was no kicking or wrangling during the game shows that both sides were satisfied. A large crowd was present from all the surrounding towns.

The game was opened by two of Wilson's most attractive and popular little ladies tossing the first ball over the plate, and the Eastern Carolina League opening became a reality in Wilson. From now until the close of the season interest will not lag in the outcome.

RIVER ROAD STATION NEWS

The comet has been observed here several mornings by many persons who are habitual early risers, and was seen quite plainly last Saturday evening, but there has been no fear or excitement exhibited, and we think there has been no sleepless nights on account of it.

We observed the eclipse of the moon Monday night, but it was occasionally obscured by passing clouds.

Verona, the little child of Mr. and Mrs. L. M. Sheppard, who has been very sick is better.

Mrs. Lewis Alligood spent last Thursday at Broad Creek with her daughter, Mrs. J. B. Respass.

Mrs. O. W. Woolard and child, of Broad Creek, are visiting her mother and sisters at Belhaven and Pantego.

Rev. Mr. Dixon conducted services at Asbury church last Sunday.

Mrs. A. B. Alligood, of Red Hill road, was a guest of Mrs. L. Carmer Alligood last Thursday.

Mrs. H. A. Alligood, of Red Hill road, was a guest of Mrs. John Congleton, last Thursday.

Mr. L. M. Sheppard shipped another lot of beets from this station last week.

Mr. Ira Congleton and family of Washington visited Mr. and Mrs. Lewis Alligood and Mr. and Mrs. L. Carmer Alligood last Sunday.

Mr. Nelson Sheppard, of Bunyan, has been very ill for the last week.

OVERHAULES RATES

Interstate Commerce Commission's Important Decision.

A CONFLICT OF AUTHORITY

The Principle Enunciated by the Commission is of Country-wide Application and Unless New Cases Arise—No Ground For State Rate Opinions.

Washington, May 23.—Regulation of railroad freight rates ordinarily is a complicated question, involving intricate matters of law, but it becomes even a more serious problem when two regulating authorities clash on a proposition of the reasonableness of rates. Thoughtful observers of freight rate regulation have anticipated that, sooner or later, a conflict of authority would arise between the Interstate Commerce Commission and one or more of the State Railroad Commissions concerning the fixing of rates.

Precisely such a conflict has developed over a comparatively insignificant case that recently was brought before the Interstate Commerce Commission. It was that of E. E. Saunders & Co., of Pensacola, Fla., against the Southern Express Company. The complaints are fish dealers and shippers at Pensacola. In the ordinary course of their business, they operate largely in the State of Alabama, shipping fish in quantities from Pensacola to points of destination in that State by express.

Recently the Railroad Commission of Alabama fixed an express rate on fish from Mobile, Ala., to other interstate points that was far below the express rate from Pensacola to the same point of destination. This rate the express company was forced to put in effect, although it protested against it. Mobile fish shippers, by reason of this rate, were given an advantage over the fish shippers of Pensacola to points within Alabama, although in many instances the distance from Pensacola to points of destination was less than from Mobile.

The Southern Express Company refused to make the same rates from Pensacola to points in Alabama as it was required to make from Mobile, its refusal resulting in a complaint filed against it with the Interstate Commerce Commission.

The commission's opinion in the case was handed down today. It was prepared by Commissioner Harlan and is the unanimous judgment of the commission. It indicates clearly the lines of conflict between the national commission and the various State commissions, in the regulation of freight and express rates; and, in that sense, in one of the most important decisions rendered by the commission for many months. While the case directly involved may be considered as inconsequential, comparatively, the principle enunciated by the commission is of country-wide application, as it opens, at once, the question whether the national or the State regulating authority is to be paramount in the fixing of freight rates.

The commission states its position in these terms:

"Upon general principles of comity the action of a State commission in fixing rates on State traffic must be treated with all due respect, but this commission has never felt itself bound to accept a State-made rate as a necessary measure of an interstate rate. Without criticizing the State commission rates from Mobile, this commission, in the light of the record and its own investigations, finds itself unable to accept the Alabama rates as a fair and reasonable basis for fixing the defendant's rates to the same points from Pensacola."

The situation and the testimony are discussed thoroughly in the opinion.

MRS. HINTON DEAD

News reaches this city of the death of Mrs. W. H. Hinton, wife of Prof. W. M. Hinton, superintendent of the public schools at Belhaven. The end came yesterday afternoon.

Mrs. Hinton was taken suddenly ill Saturday night with spinal meningitis and never rallied. The deceased was an active member of the Methodist Church and was noted for Christian virtues and circumspectness of walk. The remains will be taken to Elizabeth City today for interment. The Daily News extends sympathy to the bereaved.

ANNUAL PICNIC

The Sunday school of the First Presbyterian Church are having their annual picnic at the Miah Villa today. The fat left Fowle's wharf promptly at 9 o'clock. A large number went and the day promises to be one of pleasure and enjoyment.

NEW ADVERTISEMENTS: Gem Theater, Gaiety Theater, McKee-Richardson Hardware Co.—Screen Doors, Etc., Washington Horse Exchange Co., Burgles and Harness, Doan's Kidney Pills, Mather Gray Powder.

LADIES' SHEER HOSE. The Sheerest and Finest Hose at 25c, 39c. and 50c. They are the famous "Gordon Dye" brand—the acknowledged best. Men's All Pure Silk Sox, 50c. James C. Clark Co. THE HIGH-ART CLOTHIERS.