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ASHEVILLE, N. C., FRIDAY MORNING, AUGUST 20, 1909.

# HEAVY SUITS ARE FILED AGAINST 65 **INSURANCE** CO'S

Prosecuting Attorney of Arkansas Asks Penaltles to \$65,000,000

CLAIMS TRUST LAW HAS BEEN VIOLATED

All Insurance Concerns In State Will Have a Rocky Road

(By Associated Press.)

LITTLE ROCK, Ark., August 19 .-Alleging that sixty-five insurance companies, representing a combined capital of \$156,000,000, doing busimess in the state of Arkansas, entered into a rate combination on December 16, 1908, prosecuting Attorney R. E. Jeffrey, of the Third judi-cial circuit, filed suit against these companies today for penalties aggregating \$65,000,000 under the state anti-trust statute. The suit was brought at Newport, Arkansas, in the Jackson county Circuit court.

All of the companies sued are rep resented at Newport. It is alleged by the state that a combination was effected before the law was passed and that subsequent to the enactment of the anti-trust statute, the combination dominated insurance companies organized here. The agreement, according to the charges brought by Prosecuting Attorney Jeffrey, existed 224 days, expiring on August 17,

#### **FOUND \$1000 IN** PILE OF RUBBISH

(By Associated Press.) CHICAGO, August 19.—Postoffice inspectors today discovered a letter containing a check for \$1,000 payable to the Mary Thompson hospital, in a pile of rubbish beneath the flooring of station U., a depot sub-station of the postoffice, With this letter were a number of others, each containing one of the employes at the sub-sta-

The postoffice authorities declarthat many letters have been riflled by the prisoner and that those found by him to contain checks and no money were not forwarded to the owwners, but were hidden.

THE SEQUEL TO BOXING

Mess Attendant on Vermont

Subject of Court Martial

on High Seas.

SKULL FRACTURED.

WASHINGTON, August 19 - David

A naval inquest was held over his

The civil authorities of Massachu-

ion made application to the naval au-

thorities for the surrender of Williams

the surrender- of Williams and an

application of a similar character was

of Georgia, but in case of conviction

ne will not be surrendered to Georgia

until he has suffered his punishment.

nade by the authorities of the state

the Atlantic fleet.

hours later.

was to blame.

thorough investigation.

MATCH ON BATTLESHIP

MANSLAUGHTER TRIAL

## **DEATH SAT AT THE** WHEEL IN MOTOR RACES IN INDIANA

Opening of The Hoosier State's Speedway Marked by Tragic Deaths of Two Contestants.

Two lives were lost and two records a few minutes longer. broken during the inauguration of the Indianapolis motor speedway to

William A. Bourque, driver of the Knox car in the 250-mile race, and Harry Holcomb, his mechanician, were killed in the frenzied carnival of speed.

Barney Oldfield, driving a highpowered Benz, covered a mile in . 43 1-10, breaking De Palmals mark of 51, and Louis Chevrolet, in a Buick, negotiated ten miles in the marvelous time of 8.56 4-10, cutting Oldfield's time of 9.12. Both of these are now American track marks. Buick Wins.

Robert Burman, in a Buick car won the 250-mile race, the feature of the day, and the contest which cost Bourque and Holcomb their lives. The winner's time was 4.38.57 4-10slow because of the many accidents that marred the race. The Stoddart-Dayton (Clements) was second in 4.46.01, and the National (Merz) finshed third in 4.52,39 7-10. Another National with Kincaid at the wheel was the only other car of ten starters o finish the long grind.

The death of the two men caused the American Automobile association to issue an ultimatum to the owners of the big track that certain changes must be made by tomorrow, or the sanction for the races will be withdrawn. The association demands that gerous ruts which are claimed to be unavoidable in a new track, and that and tarred. Today only a short portion in front of the grand stand was oited and the dust on the other parts is blamed for the collapsing of two drivers in the long race, Louis Chey rolt and Fred Ellis-who were blinded by the dense white dust that covered the major portion of the track.

Knox car driven by Bourque was in second place with Burman in his Buick leading. It had covered missing mail followed the arrest of when the crash came. Coming down the home stretch, the car suddenly swerved and tore into the fence at left of the track, turning completely over and pinning its two occupants beneath it. Both men were alive when taken from under the ill-

OLD SOL RELEASES GRIP

ON DIXIE AND HUMANITY

HAS CHANGE TO BREATHE

INDIANAPOLIS, Ind., August 19. Emergency hospital. Holcomb fived

Theories as to the cause of the acident vary, and no one will ever know what really caused the car to

According to the story told by Private Frank Brandoer, company H. Second Regiment, Indiana national guard, who was nearest the scone of men to suddenly turn and look be hind. As they did so the steering and he threw his arms helplessly in the air. Then came the crash.

Loose Axie Nuts.

One of the rear wheels was found few hundred feet from the scene of the accident and this has led to the axic nuts on it had not been proprly tightened when the machine had aken on a new tire shortly before The men probably felt that wheel dipping off and after they looked beaind they realized their helpt-ssness to prevent an accident

Bourgue was twenty-six years old and Holcomb twenty-two. Both were

Albert Den'son, the racing partner of Fourque, collapsed after the accident and the services of a physicism were required. The sight of the two nen lying dead was too much for the friends of both.

Louis Chevrolet, the French Triver of the Unick, was led into the hospital almost clinded with the tar and dust from the track shortly after the two men bad died. The Frenchman she led during the early part of the long race was forced to give up.

As the result of the two deaths, the Knox company has withdrawn all !ta entries for the next two days and, it is said, it will probably never again enter its cars in a race.

The following cars started in the Knox, Bourque; National, Kincard; National, Merz; Stoddard-Dayton, Mil-

ler; Buick, Burman; Buick, Stranz Buick, Chevrolet; Jackson, Ellis, an-Stuffart-Dayton, Clements.

#### Strang was the first to comfated machine, but Bourque died in girfus his car caught the ambulance on the way to the that completed one lap. grief as his car caught fire before t WOMAN DRAGGED FROM HER HOME AND BRUTALL

Robbery Is Said to Be the Believed That Torrid Wave Has Now Spent Its Force in Georgia. on the Southland.

BULLY BREEZES BLOW

(By Associated Press.)

NUW OFLIEARS, August 19 - The Williams, a mess attendant on the hot wave which has held the Southbattleship Vermont is now being tried by court martial at sea on the charge west in its grip for the past four days. of manslaughter, according to a wireless message received here today from those sections which have sweltered Rear-Admiral Schroeder, commanding under the teerid heat, in many places This is the sequel to a boxing match unprecedented in its intensity, were which occurred on the battleship Vervisited by cooling breezes. In some

mont off Provincetown, Mass., beparts of Lousiana and Mississippi, the tween Williams and another mess atwind resumed almost the proportions tendant named Harrison H. Foster of a rate, it many instances accomseveral weeks ago. The latter went to paracid by electrical storms his quarters, however and did not ap-Today the heat wave was central ply for medical attention until the next day, when it was found that his

over Mesissippi and a portion of skull was fractured. He died a few Louislana. There was a decided drop in temperature in Texas and Arkansas. In mone rous towns in Massissipbody and a verdict was rendered that pi and some in Lembana the merenry seared above one hundred dehis death was the result of his head grees. Baton Rouge, La., reported a striking the floor and that no one maximum temperature of 110 degrees! and the thermometer reached 105 desphotily band in company with the corsetts, not satisfied with that conclus-

grees at Hattiesburg, Miss. Both man and beast have gine own before the torrid andaught and to the state authorities for trial on the charge of mansiaughter, whereupvegetation in many sections has with ered under the scorehing sun and hot

on Rear-Admiral Schroeder appointed blasts. a regular court of inquiry to make a only one death was reported New Orleans today as a result of the The state of Massachusetts in the heat, William Schillenkamp, There meantime withdrew its application for webs a number of prestrations.

## EFFORT MADE TO

LYNCHBURG, Aug 12.-An effort cas made today to enter the Southern Harrill. unnel which was partially destroyed he filled with carbolic gas. Several workmen at one end of the tunnel were overcome by the gas and one of them nearly lost his life. There seems two miles an hour, causing vessels in to be no doubt but the fire is out, the harbor to drag their anchors, but the tunnel cannot be entered before tomorrow. The deadly gases are house and caused an interruption in being forced out tonight by compress- dale, of the passenger train were

# MURDERED IN THE WOODS

Motive of Midnight Crime

HER SKULL CRUSHED

BROXTON, Ga., August 19.-New has just reached here of the murde of Muse Mattle Graham which occur ted some time during last night near her home two miles north of Hokes has apparently been broken. Tonight born in Coffee county. The woman was dragged to a branch half a mila desperate struggle ensued. The body was beaten and the skull crush-

> The above of the number was set dentis robbery as she was a rich wo An autopsy, however, may reyear evidence of a more serious crime like was prominent and highly con

Miss Graham was one of two maid an risters who occupied their home The other sister was away from home at the time of the murdeand there is no clue to the perpetra

Sheriff Dave Ricketson was at once oner went to the scene of the crime.

HORRIBLE DEATH.

MOBILE, Ala., August 19.-News seached here today of the horrible death of J. W. Harrill of the Lowens Lumber company one mile east of Ellisville, Miss, Wednesday evening. Th Miss. Wednesday The logging train on which Harrit was riding went into a burning tresthe engine falling throun. ENTER TUNNEL rill was scalded and burned to death Engineer Robert Strickland was se verely burned in trying to rescu-

#### HEAD-ON COLLISION.

BIRMINGHAM. Aug. 19 -Fas auth-bound 'Frisco passenger train 193, ran head-on into freigh train No. 136 this morning at Hil-liards. Engineers J. M. Horn, Fireman Bailey and Baggagemaster Ragspossibly fatally injuured.



NEW MINISTER TO ARGENTINA.

York lawyer and was born in Washington, D. C., in 1867. He is a graduate of Yale where he was a famous athlete. During his course at the university he wos seven intercollegiate championships.

#### CADETS ARE DISMISSED FOR HAZING 'ROL' SUTTON

Brother of Lieut. Sutton, Whose Death at Annapolis Has Just Been Investigated, Figures in New Sensation. Ordered by President.

Relando Sutton, a brother of Lieu-temant James N. Spiton, jr., of the death at Annaponardo years ago has just been investigated, moven West cadets were dismissed from life at the academy. he United States reflitary academy oday by direction of President Taff.

The cadeta ordered to be dismissed are John II, Pooker, Jr., of West Point, Ga., first stage: Richard W. Hocker, Kamas City, Mo., third class Sarle W. Dummore, Utlea, N. V., third. lass; Chaunces C. Devore, Wheeling, W. Va., third class, Gordan Lefebyre Richmond, Va. third class; Athert E. Crane, Howarden, Iowa, third class

Backing Scott. Sceretary Dickstoon in the dismissal of the cadets is accepted by

the officers of the army and the civil WEST POINT, N. Y. August 19 - officials of that department, as a clear for being involved in the hazing of indication of the purpose of the administration to fully support Colonel Scott, the superintendent of the United States military academy, in his seen the imported men beaten back provide or conficate the practice of by clubs hazing in all its phases from student

has not yet been made public, but it known who the cadets are.

The offense charged in hazing, or article twelve of the regulations of the military academy.
On the morning of June 14 last

actet Relando Sutton, of the fourth or phase show, reported wick and was ordered to the asspital, badly Jucob S. Fortner, Dothan, Ala., third bruised and suffering great pain. He did not report for duty again until twenty-three days later and his case The action of President Taft and immediately became a matter of con-

(Continued on page five.)

## WRIGHT BROTHERS ENTER SUIT FOR INFRINGEMEN

Claim That Aeronautic Society of New York Stole Their Patent for Machine.

(By Associated Press.) LEW YORK August 19 - Willow day entered suc in the United States aeroplane in .. com the He-

Reult court here against the Acros Hotel Tarrymore, The Wrights or Curtise company and from Ohen. If Curtise flying n.a. times affected a millinge the Wright and Curtise to give - bun senemu description was etc. -g-1.

#### THREE YEARS ON SEDUCTION CHARGE

(Special to The Citizen.) CHARLOTT the name appear ing in both for a the warrant, was found guilty genterday mon paction: brought be the charge Miss Fay Bingham the relatives the victim, m or straightway = norm of three years in the state ntlary at Raleigh by Judge Well



WASHINGTON, August 19 .- Foremoderate north winds.

STATE NURSES CONVENE AT WRIGHTSVILLE BEACH

Arbiters of Life and Death Hear Good Papers at their Annual Meeting.

WILMINGTON, Aug. 12 - The sey-

enth annual meeting of the North and theyide Wright the aeronauts, to- Carolina State. Nurses' association convened sexterday morning at the nactic goods, of this city, charging Boach, with a goodly number of nursinfringement is patent rights on their es in attendance. The first session was preceded by a meeting of the secrety presured board of directors at a a. m., and the enrollment of new members and the payment of dues. The first session of the convention proper opened at If o'clock with a greeting by the public exhibitions for which an adspresident. Miss C. E. Pfohl, of Wine on-Salem, after which prayer was offered and Miss Henderson, secremany pro term, resof the minutes of the revious meeting and called the refiof members. The report of the diertors was made through Miss Lillie Cowan, of Inrham, and the re conder of the forehoon session was taken up with the appointment of "The Propagatory Churw," Miss Mary L. Wyche of Ducham. Inputation of Nursen," by Miss Cow or of Incharm, and a report on 'The Minnenpolis," by Monthles at Wyche, of Durham. At 5 o'clock this the visitors were enteraftermoon. tamed at an afternoon tea and recepion at ito James Walker Memorial

TROUBLE BREWING.

hospital, this vers

MEXICO CITY, August 19,-Tele today indicate a state the borders of Conhulla con which is giving considerable : big to the federal govral Rernardo Reves governor of the state of Neuvo Leon, ho is prominently named as a vice-Galeana for the ranch of a friend.

# FUSILADE OF SHOT IS WELCOME GIVEN STRIKE BREAKERS

ed River Banks When Nonunionists Made Landing

STEEL STRIKE NOW AT CRITICAL POINT

Makes Charge And "Regulars" Are Scattered

(By Associated Press.)

PITTSBURG, August 19 .- Three housand strikers lined the banks of the Ohio river and men in the crowd ired more than one hundred shots from pistols when the Pressed Steel 'ar company at McKees Rocks, landd fifty more imported men from the steamer P M. Pfeil today.

A detail of ten troopers of the state onstabulary in command of a sergrant, all mounted, sailled from the plant as the boat pulled near the landing place and held the strikers in check and dispersed them. No one was injured.

Deputy sheriffs today arrested an imported workman form Philadelphia on a charge of breaking windows inthe plant of the car company. After his arrest the working man in-formed the sheriff that his reason for fbreaking the windows was simply to get out of the plant as every request he had made of superintendents to be permitted to go outside had been refused. The arrested man niso said he, with two hunded other men, had been hired in Philadelphia as well as about seven hundred in New York and had been told they were toand heaters,

On the strength of the charge made by the man. Sheriff Gumbert of Alleghancy county offically investigated the justness of the complaint.

The strikers say that they have witnessed the efforts of the imported workingmen to pass guards stationed at the gates of the car plant and have

The sheriff stated tonight that his deputies were at the plant for no other purpose than to protect property.

The shoriff also claims that his inwestigations of the charge of the arrested man proved to be without foundation in fact.

# CROWDS CHEER HIM FOR CLEVER FEAT WITH AEROPLANE

Three Thousand Strikers Lin- American Aviator, Curtiss, Adds Dramatic Feature to Trial Flight

> HE WAS IN DANGER OF BAD COLLISION The designment of the

Mounted State Constabulary Inventor Kept Cool And Gulded Machine With Unusual Skill And Daring

> (By Associated Press.) RHEIMS, August 19.-The Amerian avlator Glenn H. Curtis, at sunlown today, added a dramatic feature to the trial flights of the aeroplanes entered for the contests of aviation rock by skillfully guiding his machine above another aeroplane and everting a collision in the air that semed imminent.

The feat was accomplished when, for the first time in history, three heavier-than-air craft were manuaering at the same time. All were flying bapidly when suddenly Curtiss saw H. Dumanset, in an Antoinette monoplane approaching at right ungles and on the same level with him. As quick as a flash Curtiss realized the danger and, elevating his planes, his machine instantly shot upward and soared eafely over the Frenchman. The thousands of space tators who lined the aerodrome watched the maneuver with hated breath, but when they saw it successfully and brilliantly carried out they applanded the American wildly. The third machine in the air at the time was that of M. Tissandier.

The wind which had been master work in an open plant as riveters of the aeroplanes for two days, suddenly died out at sundown and the aviators rushed to the sheds and dragged out their machines.

Count De Lambert, on a Wright model, was the first of the aviators to start and made a complete cir-cuit of the acresiroms. M. Timan-dier, also on a Wright bi-plane, fol-

Then the Curtiss on Deck.

Then the Curtiss machine, feeding smaller and more compact than the others, was placed to position for a flight. Curtiss was still limping and used in walking a gnarled stick but, like M. Bleriot, who defere crossing the English channel in his monoplane,

(Continued on page four.)

# SHOT BY DEPUTY SHERIFF

Partnership in Operation of Illicit Still.

(Special to The Citizen.)

GREENVILLE, N. C., Aug. 19 -Sheriff L. W. Tucker and three deputies went out last night to hunt for a meanshine still near Shelmerdine, about which he had received informa-

with a negro who was employed by

Sutton and the negro were arrestd, but Brinson, armed with a shotgun, defed the officers and one of the deputies shot him in welf-defense, as he was in the act of firing, the that proving fatal.

Brinson was an old offender and had the reputation of being a desper-State and Federal courts for violation and once escaped prison while serv-

Sutton and the negro were brought here and placed in jail this afternoon. Several kees of peach brandy and whiskey were destroyed and the still demolished.

Sheriff Tucker is making every effort to bring the moonshiners in the county to Justice

BURGED ALIVE.

ALEXANDRIA, Va., August 19. Rusself Wise, nincteen years of and James Dean, twenty-one yard old, were buried alive beneath a teep embankment which caved near this city today. They had no arning and were smothered to death inder many tona of earth. Several hours were required to dig them out,

WELLMAN STILL GOING.

PARIS. August 19 -- A special de-Trieste, saying that according to a presidential candidate in opposition Hammerfest, Norway, Walter Well- Mr. W. A. Guy, in settlement of when the start was made.

# FOUGHT IN PRISON CELL

White Men and Negro Had Feud of Long Standing Results in Serious Injury to One of Them.

(By Associated Press.)

PITTSHURG, August 19 .- Battling desperately, one to kill, and the other er to save his life, two convicts of the Western penitentlary in a cell on Monday afternoon, furnished a thrilling aftermath of the daring attempt The officers found the still about at jail delivery discovered at the big sixteen miles from Greenville, and prison last Thursday afternoon. As two white men named John Brinson the result of the fight, the terminaand Frank Sutton were running it tion of a long standing feud, convict A4977 is in the prison hospital with several stab wounds in the stomach, and his assailant, convict 6642 is in editory confinement, along with two short term prisoners accused of digging the recently discovered tunnel. The wounded man probably will re-

The battle, unseen by any of the guards, occurred in the victim's cell on the south block of the prison. Both men, Germans, are said to have orne hatred for each other for many years. Number 6642 noticing that he doors of both his cell and that of nis enemy were open and no grard in sight, stole quietly to the neighlairing cell with a table knife in his fingers.

Convict A4977 was prepared for he attack. The men struggled for ten minutes sefore guards reached the cells and separated them.

#### RAILROAD PAYS FOR FATAL INJURY

FAYETTEVILLE, Aug. 19.—On April 30th Mr. A. L. Guy, son of Mr. W. A. Guy, while in charge of an A. C. L. work train near Dillion, S. .. was killed by a chain attached to steam shovel, breaking and striking him in the stomach. Yesterday the L. through their counsel, Honpatch has been received here from G. M. Rese, handed Maj. A. A. Mo-Kethan, clerk of the Superior Court. elegram received from the captain a check for \$5,000, to be turned over of the Italian steamer Thalia now at to the administrator of the estate of WASHINGTON, August 19.—Fore- to Ramon Corral the incumbent and man left Spitzbergen August 16 in claim set forth by the estate of the ast for North Carolina: Generally administration candidate for re-elecfair Friday and Saturday; light to tion, has left the mountain resort of north pole. He had a favorable wind time, denying the liability under the

HEAP MUCH WIND. PENSACOLA, Fla., August 19 -A severe electrical and wind storm passed over this city this afternoon, the wind attaining a velocity of sixty while lightning struck the city power traffic of two hours.