

CIVIL WAR HERO'S DEATH RECALLS AN EXPLOIT BRAVE

Foiled Plot of Federal Secret Service to Cut Line of Communication

CAPTURED STOLEN ENGINE IN MAD RACE

Left Peniless by War But Had Amassed Half Million at His Death

ATLANTA, Ga., Dec. 28.—Anthony Murphy, aged eighty, a pioneer citizen of the South and one of the two men who pursued and captured the famous engine "General" when the latter had been seized and carried off from Marietta, Ga., by federal raiders during the Civil war, died here today.

Murphy was born in Ireland and came to this country when twenty years old. He became one of the constructors of the Western and Atlantic railroad, but when the war broke out, entered the Confederate service and because of his skill in mechanics was assigned by Governor Brown, father of the present governor, to assemble men to make guns.

On April 12, 1862, the federal secret service arranged to seize a train at Marietta, cut off the engine, run it from Big Shanty, Ga., to Chattanooga, Tenn., burning bridges and cutting wires between the two places and thus cutting the Confederate line of communications. The plan was carried out almost successfully. The federal officers boarded the train at Marietta, Ga., and while the passengers and crew were at breakfast at Big Shanty, seven miles north of Marietta, cut off the engine and started on a mad race of destruction.

Pursued on Foot. The action of the federal party, who posed as Southern refugees anxious to join the Confederate army, aroused the suspicion of Mr. Murphy who was then foreman of the Western and Atlantic round house at Big Shanty. When the "General" started on its wild race, Murphy and two others started on foot in pursuit, seized a hand car later, ran it to Etowah, Ga., where the engine "Texas" was impressed. For fifty-one miles the race continued to Ringgold, Ga.

CONFERENCE OF EDUCATORS OPENS ANNUAL SESSION

Gathering of Distinguished Men and Women From all Parts of South

SUPT. TIGHE MAKES RESPONSE TO WELCOME

Interesting Program Prepared For Sessions of Today and Tomorrow

CHARLOTTE, N. C., Dec. 28.—The Southern Educational association convened in its initial session in Charlotte this morning about 10:30 o'clock. Although the attendance at the preliminary exercises was rather meager, the numbers of visitors increased rapidly with the passing of the hours.

Addresses considerably above the average in content and in expression were delivered, morning and evening, in the auditorium of the Presbyterian college. Proceedings are now in full swing and everything is in readiness for two succeeding days which will culminate even today.

Addresses of welcome by State Superintendent J. Y. Joyner, Mayor T. W. Hawkins and City Superintendent Alexander Graham, a response by Mr. R. J. Tighe, superintendent of the Asheville schools and formerly secretary of the association and reports from several state superintendents of education were conspicuous features of the morning session.

HUSBAND DRAGS THE RIVER FOR HER BODY

ATLANTA, Ga., Dec. 28.—Fearing that his wife wandered away from home while mentally deranged last Thursday afternoon and that she may have committed suicide by drowning in the Chattahoochee river, F. M. Jackson, special agent for the Southern railway, prepared to drag the river for her body. According to Jackson's story, his wife left home to visit her brother and has not been seen since. She has been subject to occasional periods of aberration.

FOOTBALL MAY BE REFORMED BY THE ATHLETIC ASSO'N

Stagg of Chicago University Gets up to Make a Funny Motion

HE WOULD CUT OFF NEWSPAPER MEN

Leland Stanford University Has Adopted The English Rugby Style

NEW YORK, Dec. 28.—The intercollegiate Athletic association voted tonight to leave to the rules committee the revision of present football rules so as to eliminate as far as possible fatalities and serious accidents.

Professor Alonzo A. Stagg of the University of Chicago, made a motion which would prohibit all officials of a football game, including umpires, referees, and all other participants, from talking to newspaper men after the game. Stagg made a strong appeal for this motion saying that he had been grossly misquoted at times, but the convention defeated the motion by an overwhelming vote.

The revision of the game was ordered, it is understood, with due consideration of the association of Yale, Princeton, Pennsylvania, Cornell and a few other institutions which are not members of the intercollegiate organization. Harvard has joined the association, but its representative let it be known that his intention would not be bound by the new football rules of the association although it would recognize its regulation of other minor sports.

TAKES SEVEN OR EIGHT DRINKS A DAY TO MAKE BROKAW DRINKING MAN

Defendant in Famous Divorce Case Has Had Day Under Lawyer's Prodding

SUSPECTED HIS WIFE

NEW YORK, Dec. 28.—W. Gould Brokaw had a bad day of it on the stand at Mineola, L. I., today. He had previously testified of his attitude of fairness toward his wife who is suing for separation with alimony of \$80,000 a year; but today under skillful cross-examination by her lawyer, he was forced to admit that he had accused her in a letter to his mother-in-law of loving another man, of drinking too much port wine and of smoking cigarettes. He also admitted that his secretary, Byford, had assisted him in breaking down the door of his wife's bedroom on one occasion.

Brokaw was in an irritable mood and forgetful of details. The pretty plaintiff, however, was in as light humor as her husband's was dark. It became known today that Mrs. Frank J. Gould, Lieutenant Governor and Mrs. Horace White, of Syracuse, and other friends of Mrs. Brokaw had offered to appear as witnesses in her behalf, but counsel for Mrs. Brokaw said that he considered his client's case sufficiently strong and declined the offer. These friends were nearly all members of a house party to which Brokaw had strongly objected, and it is said they are willing to give their version of the affair.

Brokaw gave his definition of a drinking man. He has testified before that he does not drink. "Can you recall any time when you were in what has been called the 'trivially exhilarated state?'" asked Mrs. Brokaw's lawyer. "I cannot," replied the witness. "When do you think a man qualifies as a drinking man?" was asked. "Well," said Brokaw, "I would not call any one a 'drinking man' who takes less than seven or eight drinks a day."

PATTEN AGAIN TO THE FRONT IN WILD EFFORT TO TURN RISING MARKET

Short Many Million Bushels of Corn He Seeks to Save Himself

BATTLE OF FORCES

CHICAGO, Dec. 28.—James A. Patten, whose recent "corner" in wheat has made him a dominant figure, is entering upon the most desperate speculative battle of his career. Surrounded by enemies and facing a rising market, he is fighting heroically to keep down the price of corn. In spite of his most strenuous efforts, the price has risen from 19 to 12 cents above that at which he held it. He is known to be between 100,000,000 and 20,000,000 bushels of corn short. Unless there is a radical change soon, his enemies say, he will be out \$2,000,000 or more.

Meanwhile a group of corn "bulls" composed of a large extent of cotton men whom Patten squeezed severely recently, have organized to keep the price of corn up. For delivery on or before December 31, conservative estimates of Patten's sales are from 5,000,000 to 7,000,000 bushels. Of this he has lost on an average of about five cents a bushel. Part of this is an actual cash loss. The rest of his debts have by mutual consent, been transferred over to the May delivery. Most of the speculators, however, have an eye on the huge pile of profits which the Pattens made in the recent wheat and cotton "corners" and have readily consented to advance the time for delivery from December to May in the hope of getting a larger share of that pile. Mr. Patten when seen last night said: "I decline to go into the details of my corn transactions, but the story that I stand to lose several millions is all bosh. My paper losses so far have only been \$200,000, and even if corn should go up ten cents between now and the time of May delivery, I would lose only about \$500,000."

NOW IT'S FRANK GOULD WHO FIGURES IN SLANDER SUIT FOR COOL \$100,000

Dancer With an Eye to Advertising Advantages Jumps into Prominence

FILES SECOND SUIT

NEW YORK, Dec. 28.—Hessie DeVole, in private life Bessie Van Dorn, the little dancer who is suing Frank Jay Gould for \$250,000 for alleged fraud in connection with a promise she says was made to marry her, has supplemented that action with a suit for \$100,000 for slander against Mrs. Edna T. Slayback of No. 36 East Seventy-fourth street. Mrs. Slayback is the wife of W. A. Slayback, Jr., junior member of the firm of Slayback & Co., brokers, No. 32 Broad way.

In the new action Miss DeVole swears that statements derogatory to her were made by Mrs. Slayback to her friends of the dance during the days when it was expected she would become Mrs. Frank Jay Gould. Among these papers are letters alleged to have been written by Mrs. Slayback inviting Miss DeVole to her home, and telling her, among other things, she is "cray about the Easter bonnet" she sent her. Last Christmas Mrs. Slayback, it is said, assisted Mr. Gould in selecting a present for Miss DeVole. This present was a string of pearls. Miss DeVole's lawyers say she was sent to Philadelphia when Mrs. F. J. Gould's suit for divorce was pending here, but that during that time she

And Santa Claus Gets All The Credit.



ZELAYA DECLARES HE IS STILL HEAD OF NICARAGUAN GOVERNMENT

Is Leaving Country in Hope That Trouble Will Quiet Down. Is Not Prisoner in Mexico, Nor is He Wealthy He Says. English Ship Refused to Permit Him on Board.

CORDOBA, Mexico, Dec. 28.—Jose Santos Zelaya denied today that he was a prisoner in the hands of the Mexican officials in any sense of the word. He stated emphatically that such was not the case and that he was free to go where he chose. Zelaya declared that he favored friendly intervention on the part of Mexican and United States governments, to the end that a consolidation of all the Central American republics might be brought about. He said that he believed Secretary Knox was now realizing the injustice of his attitude toward him and declared he never understood why the secretary should have molested him. He might go to Belgium to live, he said. In any event, he would not return to Nicaragua until peace is restored. It was his opinion that the war would end within two months, but he would not venture an opinion as to which of the combatants would be finally successful.

Nicaraguan flag at her masthead in addition to the Mexican flag. Not Very Rich. The reports concerning his wealth, Zelaya said, were grossly exaggerated. His fortune is not over \$2,000,000 gold, and is invested mostly in Nicaraguan government bonds. He claimed to have advanced the \$50,000 paid on the Emery claim as a personal loan out of his own funds, there having been no money in the government treasury at that time. This amount, he said, had never been refunded to him. He strongly denied that he had wrongfully obtained any part of his fortune through concessions of which he had the disposal. Asked about the conditions imposed by the British government in reply to his request for asylum aboard the British cruiser Shearwater, Zelaya admitted he was told he could board her only with the understanding that he was to agree to leave Nicaragua forever. These conditions, he said, he declined to accept. Mexico, on the other hand, he declared, made no reservations in granting him permission to board the Guerrera.

ESTRADA DECLINES TERMS. WASHINGTON, Dec. 28.—General Estrada the revolutionary leader in Nicaragua, will not accept the extraordinary terms proposed by the new President Madriz, as a basis for peace. A telegram from Bluefields received late last night states that on the twenty-second instant Madriz had proposed in a telegram to Estrada, a suspension of hostilities, pending the arrival of a committee which he was sending to Estrada to discuss an amicable and equitable settlement of the present strife. Madriz begged the revolutionary leader not to obstruct his efforts for peace. General Estrada in his reply expressed his willingness to meet the Madriz commissioners, but said that the revolutionists would not recognize the action of the legislative assembly in placing power in the hands of Madriz. He denied most emphatically the assembly's right to deal with the election of a president and stated that he saw in Madriz the usurper of the rights of the Nicaraguan people. The Terms Offered. The terms upon which Madriz is willing to make peace, it is believed, are shown in a letter which purports to have been signed by him and addressed to a friend. He says further that the revolutionists should recognize his government and that after such recognition both armies should be disbanded, all arms and ammunition being turned over to him. He states that he would recognize the debts and contracts of the revolutionists and that within six months he would look for the holding of an election, he guaranteeing free voting. He adds that he would turn over such power as he had imparted to the person elected president and that he would accept any other proper conditions. It is not doubted here that Estrada's known astuteness will prevent him from accepting terms of peace predicted upon the prior surrender by him of his army, arms and ammunition to his enemy. Therefore, it is not believed that the conference between Estrada and the Madriz commissioners will result in any particular change in the present status.

FORTY PER CENT OF PUBLIC'S MONEY IS WASTED IN GRAFT

Judge Voices Severe Arraignment of American People and Institutions

RAKE-OFF COMPUTED AS PART OF EXPENSE

No Public Enterprise, he Says, Can be Undertaken Without Computing Graft

TROY, N. Y., Dec. 29.—"The age of patriotism has yielded to the age of commercialism. Uppermost in the human mind today is not the Stars and Stripes, but the dollar mark." Such was the declaration of Supreme Court Justice Wesley O. Howard in an opinion today reducing the compensation of members of a commission appointed to appraise damages to property resulting from the construction of the Ashokan reservoir in Ulster county, which is to furnish a water supply for New York city.

"While the commission furnishes avenues for the reckless escape of many dollars, there are other channels of leakage and wastefully as appalling," said Justice Howard. Graft Everywhere. "It is greatly to be regretted that no public enterprise can be projected and consummated without this appalling loss, called 'graft.' Graft is not necessarily an illegal expenditure of money, but it is that unnecessary wasteful use which characterizes the construction of every public venture. At least forty per cent of all money appropriated for public use is lost in graft. All things could be possible if this frightful leak could be stopped—roads, canals, libraries, asylums and hospitals. People Indifferent. "Graft is a product of our times and institutions. It is the people who are responsible. They expect graft, and even spoil and booty to defile their resources whenever any great undertaking is ventured by them, and they look with complacency and tolerance and indifference at savages upon their property. Graft is as much an element to be reckoned with in computing the cost of a public structure as is cement or lumber. It has come to be a matter of course—this rake-off—a loss recognized by all who make estimates of cost in such cases. A public structure built honestly would be a freak. Justice Howard declares that the "whole project of the condemnation of land in the Ashokan Valley" is characterized by waste, disorder and confusion."

WOMEN'S HATS, NICKELS AND PENNIES NOT WANTED BY A BROOKLYN PASTOR

Gorgeous Headgear Faded Before the Mandate of Rev. W. I. Southerton

SILVER ONLY FOR HIM

NEW YORK, Dec. 28.—The Rev. W. I. Southerton, acting pastor of the Baptist Tabernacle at Third avenue and Schermerhorn street, Brooklyn, not only attempted Sunday night to carry out an order of the former pastor, the Rev. Cortland Myers, with regard to women removing their hats in church, but he issued a notice that only silver and gold coins would be acceptable in the contribution boxes. In a circular he had distributed last Friday in the homes of the members of the congregation Mr. Southerton explained that he believed millinery displays not only obstructed the view of those who might desire to see the pulpit, but that some extreme creations in head dress even distracted attention from the service. He also called attention to the fact that the contribution boxes had been filled of late with a various assortment of mining products, including much nickel and copper. "At a special musical service on Sunday evening," the notice ran, "ladies will be expected to remove their hats. Also nothing less than silver coins will be accepted."

ICE PACK BLOCKS OHIO RIVER TRANSPORTATION

PITTSBURGH, Dec. 28.—With tons upon tons of ice piled high against the piers of bridges spanning the Ohio river here and at points below Pittsburg, river traffic has been entirely abandoned and river men are preparing to cope with one of the worst ice packs ever experienced in the local harbor. An estimated ten million bushels of coal has been diverted from its usual river transportation to southern points and cars are being asked for from all railroads by coal operators who realize that it may be weeks before the packet owners can again take up the work of transporting the coal fleets down the Ohio. At Pittsburg river navigation ceased Christmas day. At Wheeling, W. Va., river men report danger to craft in that harbor. Precautions have been taken to avoid loss of property along the water front where many packets and empty coal fleets lie tied up. From Wheeling to New Martinsville, W. Va., a distance of thirty-five miles, a solid sheet of ice marks the course of the Ohio river. Weather conditions at all points do not indicate any marked change in the weather and it is the prediction of river men that the present severe conditions will prevail for at least a week if not for weeks.

HER CIGARETTE WHIFF WAS SMOKE OF DEATH

While Courting Princess Nicotine Morphens Overtook her with Fatal Result

NEW YORK, Dec. 28.—Bella Morris, twenty-three, went to the Irvington hotel, Irving place and 104th street, early yesterday morning and retiring, smoked a cigarette. She fell asleep and her cigarette set fire to the bed clothes. The flames awoke her and she screamed. She tried to jump from bed, but was choked by the smoke. Her cries were heard by Thomas Pittman, who broke into the room and extinguished the flames with buckets of water. He was slightly burned. Miss Morris was unconscious when taken from the bed and Dr. Taylor was summoned from Bellevue hospital. She was taken there and died in the afternoon from her burns.

LIGHTED OWN PYRE. LAUREL HILLS, Fla., Dec. 28.—Jonathan Nichols, an aged white man employed as fireman at a sawmill here, started a fire in the furnace at a late hour last night, and being cold, fell asleep in front of the fire. When he awoke his clothes were aflame and before the flames could be extinguished he had been burned so badly that he died shortly afterwards.

READING OFFICIAL VIOLENTLY INSANE

Becomes Raving Maniac While Working at Desk in His Private Office

PHILADELPHIA, Dec. 28.—Bernard H. Ball, second vice president and traffic manager of the Philadelphia and Reading railroad company, became violently insane today in his office in the Reading terminal, after a struggle was removed to a hospital for the insane. Policemen hastily summoned, found Mr. Ball on the floor handcuffed and held down by several officials of the railroad. It is believed that overwork was the cause of Mr. Ball's breakdown. Mr. Ball was recently appointed second vice president. He was considered one of the greatest experts on freight traffic in the country. For a week Mr. Ball's associates noticed that something was wrong with him. He was incoherent in speech and purposeless of action. Mr. Ball is sixty-one years old and is a native of Oneida county, New York.

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WASHINGTON, Dec. 28.—Forecast for North Carolina: Generally fair Wednesday and Thursday night moderate to west winds.