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ASHEVILLE, N. C., SUNDAY MORNING, DECEMBER 25, 1910.

PRICE FIVE CENTS

BANKS HELD LIABLE ON COTTON BILLS

Decision first Important one Went to Church to Drive Minin Extensive Forgeries of bills.

SOUTHERN FIRMS ARE HELD RESPONSIBLE

held to Gurantee Their Genuineness.

NEW YORK, Dec., 24.-The effect of a decision in the cotton bilis of lading cases rendered here by the Supreme court Justice Newburger, is being discussed today among the interests involved, including cotton exporting firms, bankers and representatives of big foreign mercantile houses. The case is the first one growing out of the cotton bills of lading frauds to be decided, and realized by others than the parties immediately involved when the case was first decided on Wednesday last, the mercantile would today seems to have awakened to the possibilties involved in it.

The judgment found by the court cotton exchange firm of Springs & company.

Started In Frauds. The rise of the litigation was Ir the big cotton bills of lading forgerics perpetrated last spring in the name of two firms, Knight, Yancey & company of Decatur, Ala., and Steele, Miller & company, of Corinth, Miss. Drafts through New York banks were negotiated with attached bills of lading purporting to show large amounts of cotton had been delivered to railroads in Alabama for shipment to foreign pur-It subsequently was dis-It was claimed in case, just decided that endorsement by the First National Bank of Decatur, Ala., which first

(Continued on Page Four.)

AT DAGGER'S POINT WITH

Commanding Provincials

To Cease Agitation

PRINCE DENOUNCED

PEKIN, Dec. 24.-The government

In the lengthy edict, the throne

vincial leaders who are now in Pe-

and the national assembly issued

ordered the return home of the pro-

kin agitating for the immediate con-

vocation of a general parliament

and instructed the viceroys to em-

ploy arms to prevent further assem-

blings in the provinces, and to treat

the agitators as revolutionaries, pun-

ishing them in the severest man-

The assembly's counterblast took

the form of a memorial to the

throne which recites in scathing terms the the actions of Prince

Ching, whose office is that of advisor to the naval department, but

who is of such influence in the gov-ernment that he has borne a great

share of the attack of the progres-sives, and that of his associates in

the grand council, by whom it is

asserted the country has been steadl-

ly impaired Arguing that a con-stitutional regime has been begun

already, and that therefore the gov-

ernment is no longer vested in its

that the throne does not have the right assumed in the edict of De-

cember 18, in which the memorial

for the creation of a constitutional

The memorial calls for the imme

diate establishment of a ministry responsible to the people. It is re-

ported that the government is mov-

ing troops with the purpose of sup-

LARNED CHAMPION

counter-defiances today.

NATIONAL ASSEMBLY

CHINESE GOVERNMENT

MINISTER KILLS MOONSHINER WHO BROKEUPMEETING

ister From His Pulpit During Conference.

WHEN EJECTED OPENED FIRE ON ASSEMBLAGE

ing His Still While he Was Away.

JASPER, Ala., Dec. 24.-Carl Lingerfelt, an alleged moonshiner and s well known character of this section was shot and instantly killed this afternoon at Mount Pizzah Baptist church, Gilmer county, by Rev. W. J. Kimmon. It is alleged that Lingerfelt went to the church during a session of the church conference, broke down the door when denied admittance, and attempted to drive Mr. while its import was apparently not Kimmon from his pulpit. Lingerfelt was ejected from the church. In the church yard he opened fire on the minister and the minister's two brothers J. H. and G. H. Kimmon who are armed and returned the fire. Lingerfelt fell from the first bullet fired by was one for \$39,000 against the Han-over National bank in favor of the W. J. Kimmen. J. R. Kimmen was shot by Lingerfelt, but not seriously wounded.

tion with the tragedy is that at the same time the duel in the church yard was taking place, Deputy Colcetor Hopkins, of this place, was destroying a large lilicit distillery within half a mile of the church, Lingerfelt being the alleged operator of the The tragedy is said to have resulted from a crusade the Kimmons had waged on lilicit distilling.

SECRET SOCIETIES RICH.

Properties of the various secret so-cieties at Yale are valued at nearly discounted the draft, vested title in one million dollars according to the the Hanover National bank of this new tax list of the city assessors. In city, and that when the Hanover all 47 pieces of realty are held, the National bank collected the money richest society being the Cloister, oth-it was considered to have warranted erwise Book and Snake of the scientific school, with realty appraised at \$90,000.

ENGINEERS ACCEPT TEN

PER CENT INCREASE IN

Per Year for 33,000 Em-

ployes of Various Lines

OTHER CONCESSIONS

CHICAGO, Dec. 2 .- The wage dis-

omotive Engineers and the sixty one

Chicago was settled here today.

There will be no strike. Instead, the

engineers get an average increase in

wages of 10 1-3 per cent of their 1910

wage scale, giving them a Christmas

promise of an average of approxi-

mately \$192 for each of the 33,000

year. Specifically the agreement pro-

rides for a raise of forty cents a day

n addition of 25 cents for 215,000

ound engines an added differential

of 75 cents a day for the smaller Mal-

et engines and a differential of \$1 a

In a letter to United States Com-

Numerous specific working condi-

signed formally late today, and en-

lineers are given control of electric

and gasoline motor cars used as lo

ents a day in present wages . Host-

lers under the protection of the en-

gineers get an increase of 25 cents a

day. The new rate is effective with the signature of the agreement today.

AUDITOR OF VIRGINIA

RICHMOND, VA .- H. F. Donohue,

of Fairfax, county court house, for-

at present editor of The Pairfax Her-

late Colonel Morton Marye.

comotives, with an increase of

Prince for all engineers, with a differential

day for the heaviest Mallets.

general western strike

FOUR MAIL CLERKS KILLED IN WRECK OF EXPRESS TRAIN

Cars Piled up at Mouth of Tunnell of Norfork and Westtern Stop Traffic.

PASSENGERS ALL **ESCAPED INJURY**

Bank Discounting the bills Deputy Collector Was Destroy-Mail Car With Its Load of Christmas Presants Was Badly Smashed.

> ROANOKE, Va., Dec. 24.-Fout mail clerks and beloers were killed and several men were injured in the wreck of passenger train number 16 of the Norfolk and Western railway in tunnel number 6 near William son, W Va., at 5 o'clock this af The train left Columbus Ohio, at 8.10 o'clock this morning en route to this city and Norfolk, Va. Just what caused the wreck has not been ascertained.

The locomotive, tender and the baggage and mail cars were thrown from the tracks. The mail car was badly wrecked. At work in the mail ear on the heavy Christmas mails, the clerks had no chance of escape Four of them were killed and one seriously hurt. Engineer Robinson and his fireman, whose name is not known; were both slightly injured Baggagemaster R. H. Edwards of this city sustained serious injuries and Charles N Davidson, of Columbus, O., was badly hurt. The wreckage choked up the tunnel and it will be some time before the debris can be cleared away and traffic re sumed. None of the passengers on the train is reported injured,

The dead, employes of the railway service, are: James R. Herndon, of Roanoke, Ya.; Carl C. Goode, McDowell, W Va.; Howard K. Hell. of Franklin, Ohio; Lama W. Dowdy, of Pearisburg, Va.

The train was being drawn by two ngines which left the track at the entrance to the tunnel

Mail Clerks Dowdy and Herndon have families and had anticipated (Continued on page four)

FREEDOM PRESENTED BY LENIENT GOVERNORS TO WAGES AND STRIKE IS OFF CONVICTS IN PRISON

Government Issues Edict Means an Increase of \$192 Scores Pardoned by Various Executives Throughout The South

MINOR OFFENDERS

LITTLE BOCK, Ark., Dec. 24 .pute between the Brotherhood of Lo- Eleven convicts were freed from the Arkansas penitentiary today, their railroads west, north, and south of pardons coming as Christmas presents from Governor George Donoghey. The crimes ranged from larceny to criminal assault.

ELEVEN IN MISSISSIPPI JACKSON, Miss., Dec. 24.—Gover nor E. F. Noel, with the issuance of three pardons today, announced that extending of elemency for this men involved, for each subsequent year as complete. In all eleven prisoners were given their freedom as Christmas gifts.

TWENTY IN LOUISIANA BATON ROUGE, A.a., Dec. 24.— Twenty prisoners at the state peni were given pardons today by Governor Sanders. Each man on being released was presented with a new suit of clothes and \$5.

alssioner Charles P. Neill, who, as mediator under the Erdman act brought the settlement out of what TEXAS FREES SEVENTY-FIVE AUSTIN, Tex., Dec. 24.—Seventy e convicts of the state peniten scemed a su e disagreement, Grand thief Engineer Warren 8, Stone, of will walk out tomorfow free the Brotherhood, gave as the reason men, having executive demency be-stowed upon them by Governor ('ampbell, it is probable that the holiday pardons will total a hunentirety in the person of Prince the Brotherhood, gave as the reason for accepting the terms offered, the Chun, the regent, the memorial states suffering and loss which would attend dred before New Years. tions are improved by the agreement

SIXTY IN ALABAMA MONTGOMERY, Ala., Dec. 24.

overnor Comer has granted pardons sixty prisoners serving sentences for crime in this state as his Christ-mas presents to them. Among them were a few in for serious offenses. most of those pardoned were convicted of minor crimes.

SIX KILLED BY GAS.

KENTON. Ohlo, Dec. 24 .- Monox de is supposed to have caused the mer member of the state senate and deaths of two women and four men whose bodies were found today in ald, was appointed state auditor by der in the doubles. The basis of ald, was appointed state anditor of two rooms, negted by a gas store ranking is practically the same as in Governor Mann today to succeed the which was burning when the building to northeast winds, two rooms, heated by a gas stove was entered.

Home Again



Did ever you think of the picture At dawn of the Christmas day, When Santa Claus, tried by his giftbearing ride Steps out of his wonderful sleigh?

His reindeer all stabled and feeding. He hastens to kiss his good frow And at her behest sits down for a rest.

And dear Mrs. Santa Claus, tool in trim

She takes care of him so he's always

DUCHESS WITHDRAWS FROM THE PROSECUTION

Production of Her Letters Leads to Settlement of Her part in Suit

TOURS, FRANCE, Dec. 24 .- The ries of sensations that has enlivened the trial of "Count" and "Countess' D'Aulby de Gatigny reached a climax today when the Duchess of Choiseut-Prising formerly Mrs. Churies Hamil Patte, of Boston, chandoned her accusations that D'Auby and his wife had conspired to swindle her out of \$709,000 in the ale of spurious paintings.

M. Bernard, for the defence, asked the public prosecutor, to stop the proceedings, but this was refused and the trial continued. The evidence was oncluded and an adjournment was

lestroy the foundation for the proseit is understood that she was ctuated to the conclusion by a priition of the letters in the possession of D'Aulby and alleged to have been written by Mrs. Paine.

who had possession of the Duchem alleged letters, testified that an attempt had been made to break into and rob his office. Se added that he had seen a litter very by Paine in which the American confirmed picture contract with D'Aulby. As the ourt adjourned there were ries of "long live D'Aulby."

DISASTEROUS WRECK ON AN ENGLISH RAILROAD

Eight Passengers Killed and and Many Others Seriously Injured

KIRBY STEPHEN, Eng., Dec. 24: -Eight passengers were killed, some them instantly and the others ed at sea and gave Captain Foxwell urned to shorth, and 25 more injured the wreek of the Scotch express teach Tybes Island, where his schoonear Hawes Jonetion today.

The express carried 500 persons ound for their homes in Scotland to pend Christmas. It was running at its ordinary speed when near the junction it shided with a pilot engine and a derailed. Fire broke out in the wreckage and the whole train with the exception of the locomotive and a rear basistic car was reduced to ashes.

The scen- of the accident was high up in the Pennine Hills, the loftlest section traversed by railway in Eng-

WEATHER-FAIR



WASHINGTON, Dec. 24.—Forecast down with the El Paso and North-for North Carolina: Fair Sunday, western train on its trip south today, colder in eastern portion; Monday reports that the revolutionists blew unsettled; probably rain by night; up at least six bridges, and probably warmer in interior; moderate north more, after stealing a train Thursday

SPECIAL TERM ORDERED FOR GRANVILLE MURDER

Governor Kitchin Complies With Request of Prominent Residents of County

RALEIGH, N. C., Dec 24,—At the request of the commissioners of Granville county, Governor Kitchin today ordered a special term of Superior court in Oxford to try Nathan Montague, the negro who out-raged, murdered and burned Miss Mailie Sanders and murdered her father, J. L. Sanders, and his lit. sents as proofs of his having reached the granddaughter, Irene Overton, the North pole together with other burning all three bodies in the Santestimony on that point may be passderg residence, which he set on fire to hide his crime. The court is to converse January 16, with Judge Geo. W. Ward presiding.

The withdrawni of the Duchess CREW REFUSED TO OBEY CAPTAIN'S ORDER IN STORM

and Seamen Became Sul len and Intractable

SAVANNAH, Ga., Dec. 24 -- An nouncing his intention of bringing harges of muting against his crew, 'aptain Foxwell, commanding the schooper Grace Seymour today told of a buttle with a storm at sea which threatened to swamp his vessel. The chooser left Owens Ferry on the Sultilla River November 22, with a argo of lumber for New York. A day or two after entering the Atlantic storm was encountered, resulting in serious damage to the schooner and blowing her a thousand miles out of her course. The food finally gave out and the water supply ran so low that the crew of seven men was limited to a few cupfuls a day. Several days ago the schooner Jennie B, was hallfood and equipment, enabling him to er was picked up yesterday by the pilot boat Estill, reaching this port Captain Foxwell says the crew re

fused to obey his orders. No state-ment could be obtained from the members of the crew

KILLED WAITER AND THEN APOLOGIZED

ST. LOUIS, Dec. 24.-Enraged beuse a steak he had ordered in estaurant was not served promptly John Bennett, aged 18 years, a newsboy, this afternoon drew a revolver and killed James Coatas, an em-ploye of the restaurant. Bennett then excused himself to the other diners for the disturbance and walked out. He was arrested two blocks from the restaurant.

FOLLOW DIA% PREPARES-P J

BRIDGES DESTROYED.

EL PASO, Texas, Dec. 24 .- A telephone message from Superintend-ent George Ruttledge, who went

SCIENTISTS WILL PASS **UPON PEARY'S PROOFS**

May Get Rear-Admiralship If His Claims are Properly Supported

WASHINGTON, Dec. 24 .- Another hase of the proposed honoring of Captain Robert E. Peary, with a rear dmiralship in recognition of his Arctic achievementa developed today when it was said that what he sents as proofs of his having reached

ed upon by other scientists at the instance of the house naval affairs committee.

When they are submitted at an early meeting of the committee, it is uggested, several scientists should be asked by the committee to express their opinion of his collateral evidence, the scientists to be selected on the basis of not having figured in the previous discussion of the question and of unprejudiced views Both Food and Water Gave Out Representatives Macon, of Arkansas and Roberts, o' Massachusetts, who are most conspicuous among those against the pending bill will devote considerable attention to " details of the question during the holidays

LICKED HOLD-UY MAN IN **COURT FOR ILLUSTRATION**

When Judge Asked Witness What Happened He said, "I'm an awful mess." Showed Him Literally

CHICAGO, Dec. 24.—Dr. Patrick H. Hays, who is 60 years old, but athletic, soundly pummelled a man in Municipal Judge Hiles' court today, and was unrebuked for the surpris-ing attack. It came about in this

When Dr. Hayes was attacked by Edward Heyers, an alleged pickpocket and hold-up man last night, the physician punched Meyers until the latter cried "quits." Dr. Hayes called policeman and had Meyers taken

"What did you do, doctor, when this man tried to rob you," asked the court today when Meyers was arraigned for trial. Wishout making reply Dr. Hayes Jumped at Meyers with the agility of a young man, selzed the prisoner by the collar of his coat, threw him against a bench, struck him repeated blows with his elenched fists and wound up by hurlng Meyers to the floor of the court room and sitting upon him.

hold on the frightened prisoner. Meyers, who is 34 years old, was held to the grand jury on bond of 11個問題 \$1,000.

CAN NOW "HOLD DOWN JOB"

DUBLIN, Ga., Dec. 24.-Marshal Erastus Raffield, living near here, this afternoon shot and killed Thal this afternoon shot and killed Thal and J. A. Thispen, brothers, and tally wounded the third, Claud the card Monday a handicap race by tally wounded the third, Claud Tingpen, Raffield was appointed Raffield was appointed tween a man runner, a ma marshal last Thursday and this af-ternoon the Thispen brothers noti-cross the wire at appre fled him that he, like his predeces same time. Simon sor, would have to leave the country by Hopgrass out of the pride of the

DIAZ PREPARING TO CRUSH REBELS AT ONE FELL BLOV

Insurrectos Have so Far Bee Able to Drive Federal Troops Back.

NOW ON DEFENSIVE AND AWAIT REINFORCEMENT

Rebellion in Chihuahua Wi Probably be Put Down in Month or so.

CHIHUAHUA, Mex., Dec. via El Paso, Tex., Dec. 24.-A spe representative of The Associa Press, who has been with the ins rectos for two weeks returned day by mule team. His judgm of the situation in this state be summarized in the statement t General Navarro has been for back from the offensive to the fensive, but that the reinforceme now at hand will crush the rebelli

within a month or two. Today was spent by the fede troops in loading food on the c and in making other preparation the campaign. It is their prothe campaign. It is their progret to take Mai Paso, the present releastronshold. This ones taken, a justion will be formed with Navarro us der the troops which have converland from Sonora.

Diaz Sending Many
The insurrectos lost one chan of creating a nation-wide revolt which there is the conversal of the control of the

of creating a nation-wide revolt withey failed to crush Navarro at C ro Perieto. He is now strictly the defensive at Pedernagtes. When is under orders not to take offensive, he is in a defensive sitton which the insurrectors can attack without disaster. Na original force was scarcely than a police force which a guided government considered ficient. Diaz is now sending an

Arrivals from the front brought confirmation of the ment that Navarro executed a

a hamlet nearby. The story told here today in convincing Last Saturday the revolutionist en at Guerrero three or four wee ago. They were given triar of rough sort and convicted of treac ery while being allowed eration of neutrals,

TALKED OVER TELEPH**one** AFTER SHOOTING HI**msel**

Young in His Club An nounced His Intention and Tried to Execute them

NEW YORK Dec. 34.-After firin 38-calibre bullet into his head, Joh Rice propped himself on his elbow of the floor and, calling for the tele phone receiver, calmly resumed with a young woman at the other en of the line.

This little episode took place in the Chatham Club early today. Rice wa sitting with several friends when sud denly he jumped up and went to th

telephone. "Is that you, Ray?" he inquired then after he had the reply said "Pe then the ring was answered. going to do it." With that he pulled a revolve

from his pocket, and placing the muz zle at his right ear fired twice, drop ped to the floor and resumed his tel ephone conversation.

It was said at the hospital that he has an even chance for his life. He would not say why he tried to kill has an even chance for his life. vould not say why he tried to himself.

FIREMEN WANT TO GIVE TOO LIBERALLY

AUGUSTA, Ga., Dec. 24.—Chie Frank G. Reynolds, a personal frien of the late Fire Marshal Horan, o Chicago, was today forced to insi-that the men of his department scal down their voluntary contribution the widows and orphan members "There, judge, that's what I did," the Chicago fire department, who lose and Dr. Hayes as he loosened his their lives in the Morris plant fire

to one day's pay.

Every man of the departmen
rank and file, wanted to give tw
days pay from the current weel Mayor Busse was notified this a ternoon by wire of the action.

FOUR-CORNERED BACT

NEW YORK, Dec. 24 -The annual

government are rejected

pressing any outbreak.

report of the ranking committees o the United States national lawn tennis association issued today again puts Wm. A. Larned at the top of the singles list and Hackett and Alexander in the doubles. The basis