

CAROLINA SPECIAL MARKS HISTORIC RAILROAD EVENT

Southern Railway Celebrates First Trip From The Sea to Queen City

NEWSPAPER MEN AND OFFICIALS HOBNOB

Cities Along The Way Turn Out To Give New Train Royal Welcome

CINCINNATI, O., Jan. 3.—Linking in one night the balmy breath of the blooming magnolias with the frozen field of snow and ice, "the Carolina special," the Southern railway's new fast train between Charleston and Cincinnati arrived here this morning, bearing high officials of the Southern and newspaper representatives from the larger cities enroute.

S. H. Hardwick, passenger traffic manager, responding for the Southern, gave in brief detail the events which led up to the inauguration of the Carolina special, which, he said, was planned one hundred years ago.

The progress of the train through the smaller towns of North and South Carolina was featured by as much interest as is usually accorded the first train over a new railroad. The visiting railroad officials and newspaper men were entertained at luncheon by the Business Men's club of Cincinnati, and the balance of the afternoon was spent in sightseeing.

At Danville, Ky., this morning the entire party was met and welcomed by W. A. Beckler, G. P. A. of the Queen and Crescent, and were later

Depositors Prompt to Avail Themselves of Privileges Offered

OLYMPIA, Wash., Jan. 3.—The first postal savings bank in Washington was opened in the Olympia post-office today. Eight men presented themselves within as many minutes to make deposits, each putting in one dollar. Within an hour, 25 persons, including one woman, had presented themselves, had made deposits. There was a steady run all day.

MIDDLEBORO, Ky., Jan. 3.—The first postal savings bank in Kentucky opened at the Middleboro post office today. Twelve deposits amounting to \$50, were made shortly after the opening.

BOY BUYS FIRST CARD

INDIANAPOLIS, Ind., Jan. 3.—Lively interest attended the opening of Indiana's only postal savings bank in this city this morning and many made deposits during the day. John Brennan, 15 years old was the first person to buy a savings card, and one stamp representing a total of twenty cents.

IN MASSACHUSETTS

ROOSEVELT LIBEL CASE THROWN OUT BY SUPREME COURT

Indictments Instigated by the Colonel While President Against New York World, Quashed for Lack of Jurisdiction.

WASHINGTON, Jan. 3.—By unanimous decision the Supreme Court of the United States today decided that the federal government could just maintain the so-called "Panama libel suit" against the Press Publishing company, of New York. In the Federal courts of New York. In so holding, the court affirmed the decision of the Circuit court of the United States for the southern district of New York which had quashed the famous indictment.

In effect the decision was that the Federal court had no jurisdiction over the alleged offense, because the case might have been brought in a state court.

Instigated by Roosevelt. The Press Publishing company, publisher of The New York World, was indicted in March, 1909, in the Circuit Court of the United States for the southern district of New York on a charge of libel. In effect the alleged libel was the publication of articles, stating that "Chas. P. Taft, Douglas Robinson and Wm. Nelson Cromwell, with J. P. Morgan and others, obtained control of the Panama canal route for about \$3,000,000 and by the co-operation of Theodore Roosevelt, then president of the United States, and brother-in-law of Mr. Robinson and Wm. H. Taft, then secretary of war, and brother of Mr. Taft, were enabled to effect the sale of the Panama canal to the United States at a profit of \$36,000,000.

The United States claimed jurisdiction to punish the alleged libel on the theory that the publisher had committed a crime upon federal territory at West Point, N. Y., and in the postoffice building in New York city.

It was argued that wherever the papers containing the alleged libelous articles might have been printed they were technically "published" upon these federal reservations, and that the federal government had the power to punish such publishing.

Indictment Quashed. The indictment was quashed on the ground that the court was without jurisdiction of the crime of libel charged in the indictment. The United States appealed from this construction of the statute under which it claimed the indictment was authorized.

The decision of the court today dealt entirely with the act of Congress in 1898, under which the in-

dictment was brought. The effect of this act was to incorporate the criminal laws of the several states in force on July 1, 1898, into the federal statutes and to make them applicable to federal reservations within the various states. Among these statutes was a New York libel law.

The court, through Chief Justice White, stated that, while the statute left no doubt where acts were done on reservations which were expressly prohibited and punished as crimes by a law of the United States, that law was dominant and controlling, yet, on the other hand, where no law of the United States had expressly provided for the punishment of offenses committed on reservations, all acts done on such reservations which were made criminal by the laws of the several states were left to be punished under the applicable state statutes.

For State Courts. Chief Justice White said that the investigation plainly established: "First, that adequate means were afforded for punishing the circulation of a libel on a United States reservation by the state law, and in the state courts, without the necessity of resorting to the courts of the United States for redress. "Second, that resort could not be had to the courts of the United States to punish the act of publishing a newspaper libel by circulating a copy of the newspaper on the reservation upon the theory that such publication was an independent offense, separate and distinct from the primary printing and publishing of the libelous article within the state of New York without disregarding the laws of that state and frustrating the plain purpose of such law, which was that there should be but a single prosecution and conviction. "These propositions being true, it follows in the light of the construction which we have given the act of 1898 that the court was right in quashing the indictment as not authorized by that act. No other conclusion, we think, was possible as the court could not sustain the indictment without giving to the statute a meaning directly conflicting with the construction which we have affixed to it."

Open Season For "Ducks."



POLICE AND MILITARY OF LONDON FIERCELY BATTLE WITH ANARCHISTS

Thousands of Spectators Watch Stronghold Finally Burn Over Heads of Desperadoes Who Withstood For Hours a Steady Stream of Bullets.

LONDON, Jan. 3.—All London has been stirred by a terrific battle waged today between anarchists on the one side, and hundreds of police, infantry from the tower, and artillerymen on the other. How many of the anarchists took part in the engagement, which was fought in and around a barricade house in Sidney street in the east end, is not definitely known, but so far, as a result of a search of the debris of the burned structure, portions of only two bodies have been discovered. The remains consist of the trunk and part of the head of one man, and a few charred bones of another.

It is the opinion of some that the two desperadoes alone for many hours held the police and military at bay. Thousands flocking from all parts of London, witnessed the thrilling spectacle—a steady rain of bullets, dashes of fire, smoke pouring from the windows, the house in flames, and finally men on the roof, shouting defiance and falling into the seething mass below.

Artillery Called Out. A police sergeant, searching for the burglars who only a few nights ago killed four policemen, was reconnoitering around the Sidney street den in the early hours of the morning. Suddenly a shot was fired and the sergeant fell with a bullet through the lungs. A call for police was sounded and the entire neighborhood was cordoned; people were driven from their homes, and a pitched battle began between those fortified in the house and hundreds of policemen. The Scotts guards from the tower were hastily dispatched to the scene and later a battery of artillery with a gatling gun, arrived at double quick. Their pieces were placed in position but they did not open fire.

A steady stream of bullets between the contending forces, and the guardsmen took up sheltered positions, firing volley after volley into the house. Straws were cast in all directions and lighted in the hope that the desperadoes would be smoked out. At last sparks were observed shooting from the windows, accompanied by clouds of smoke and here and there a jet of flame. A detachment of firemen stretched their hose and threw water on the adjoining structures. Soon they directed their streams against the strong hold of the desperadoes, which was now burning fiercely. Driven from the lower floors the anarchists made their way to the roof where, it seemed to the watching thousands, several forms could be perceived amidst the driving smoke.

Stronghold Burned. Then the roof crashed and with it the men. Not since the news of the British disasters at the opening of the South African campaign has the country been so aroused as by today's scene at Stepney. The newspapers call loudly for a more effective means of dealing with the growing terrors of alien emigration, no doubt being held that the desperadoes who fell today were anarchists. A search of the wreckage of the house after the ruins had cooled a little revealed in a cupboard a large number of what appeared to be metal dynamite bombs in an unfinished state. At present there is no evidence that the house had any other occupants than the two whose charred bodies were found.

Immense crowds of sightseers surrounded the neighborhood until a late hour tonight but a strict guard was maintained and it was impossible for those without authority to get close to the ill wrecked building. Two families who occupied the lower floors of this building were withdrawn by the police before the fighting began and they profess to know nothing of how the desperadoes gained access to the house. The latter appear to have been in rooms rented by a Russian woman, Beanie Gershon, who is now under arrest with other suspects but against whom no charges have been preferred.

CARMACK AMENDMENT HELD CONSTITUTIONAL BY THE SUPREME COURT

Judge Lurton in Announcing Decision Says it Does Not Affect Contracts

WASHINGTON, Jan. 3.—The new policy of law making an initial carrier of interstate commerce liable for loss to shipments while in transportation not only on its lines, but the lines of connecting carriers, was today declared unconstitutional by the Supreme court of the United States. The policy was incorporated in the so-called "Carmack amendment" to the Hepburn rate law enacted by Congress in 1906.

Justice Lurton announced the opinion of the court. Strangely enough Justice Lamar, who today took his place as a member of the court, argued the case before the court on behalf of the railroads.

One objection to the law was that it interfered with the freedom of contract. Justice Lurton replied that there was no such thing as absolute freedom of contract. "Contracts which contravene public policy," said Justice Lurton, "cannot be lawful at all, and the power to make contracts may in all cases be regulated as to form, evidence and validity as to third persons. The power of government extends to the denial of liberty of contract to the extent of forbidding or regulating every contract which is reasonably calculated to injuriously affect the public interest."

BLIZZARDY WEATHER PREVAILS THROUGHOUT THE SOUTHERN STATES

Snow In Central and Northern Parts of The Gulf States

ATLANTA, Ga., Jan. 3.—Blizzard weather which has been riding into the South for the past two days reached the Gulf and South Atlantic states today. Freezing temperatures, following heavy rains were reported from various points in Mississippi, Alabama and Georgia, ice forming as far south as Mobile. Snow was general throughout the northern and central parts of the Gulf states. General heavy rains in all the South Atlantic states today were followed by falling temperatures tonight and the full strength of the cold wave is expected tomorrow.

CENTERVILLE, Ala., Jan. 3.—After a continuous rain lasting for 48 hours it began snowing here at an early hour this morning and the ground is now white with snow and the wind is blowing at a high rate. The weather is bitter cold. On account of heavy rains in this section the Alabama river is higher than it has been in a year.

FROZE TO DEATH

ROUTED BURGLARS WITH HER HAT PIN

NATIONAL LEAGUES WILL OPEN SEASON APRIL 12

Two Big Leagues This Year Will Play Series of 154 Games

CINCINNATI, O., Jan. 3.—For the eighth successive time August Herrmann of this city was selected chairman of the National Baseball commission at its annual session this afternoon. John E. Bruce, one of the principal owners of the St. Louis American league club, was likewise re-elected secretary of the commission.

SEVENTEEN PERISHED IN NEW YEAR'S CELEBRATION

MEXICO CITY, Mex., Jan. 3.—Fire and panic broke up a New Year's religious celebration in progress in a church on a hacienda near San Luis, Potosi, and cost the lives of seventeen and serious injury of more than eighty, chiefly women and children today. News of the disaster reached this city today.

CHURCH ON MEXICAN HACIENDA BURNS WHILE CONGREGATION WORSHIPPED

The victims were workmen employed on the hacienda and members of their families. The church, which was a small affair, was packed to its utmost capacity. A candle fell from its socket and ignited a quantity of dry moss with which the building was decorated.

AVIATOR HOXSEY IS LAID TO REST

PASADENA, Calif., Jan. 3.—The funeral of Arch Hoxsey, the aviator who was killed last Saturday on Dominguez field was held here today. In deference to the wishes of Mrs. Hoxsey, his mother, the attendance at the funeral was restricted to Hoxsey's personal friends among the aviators and his former associates in his home city. The service was held in a small mortuary chapel.

COSTLY PAINTING DESTROYED BY FIRE

LITTLE ROCK, Ark., Jan. 3.—Property comprising an entire business block and valued at one million dollars was destroyed by fire here today which originated in the Holtenberg Musical company's building. Two paintings valued at \$60,000, "The Wagonsmith" and "Venus da Milo" also were destroyed.

BANK GUARANTEE PLAN OF OKLAHOMA IS UPHELD

WASHINGTON, Jan. 3.—The bank guaranty laws of Oklahoma, Nebraska and Kansas were declared today constitutional by the Supreme court of the United States and thus the fight over the establishment of the policy of guaranteeing through the state of deposits in banks was won by the advocates of such a policy.

The opinion of the court in the cases was announced by Justice Holmes, he said the main objection to the laws was that the assessment of banks by the state in order to create a fund to guarantee the deposits in other banks within the state took private property of one bank for the private use of another without compensation.

WASHINGTON, D. C., Jan. 3.—Forecast: North Carolina, rain, followed by clearing and much colder with a cold wave Wednesday, Thursday fair and continued cold brisk west and northwest winds.

DOWD IS CHOSEN SPEAKER OF HOUSE BY ACCLAMATION

All Opposition Withdrawn In Favor of Man From Mocklenburg

PHARR PRESIDENT PRO TEM OF SENATE

Democratic Caucuses Held Last Night Were Harmonious Meetings

W. C. Dowd, of Mocklenburg, was chosen tonight by acclamation in the caucus of democratic members as the democratic nominee for speaker, which means that he will receive the unanimous vote of the 103 democratic members of the house tomorrow when the organization for the impending sixty days' session of the legislature takes place. There had been strenuous contest between Dowd and Keocoe during the day in campaigning among members, but it became known early in the evening before the caucus assembled that Keocoe had withdrawn and Dowd would have no opposition.

After the convening of the caucus at 8 o'clock and the selection of Harry Stubbs, of Martin, as permanent chairman, the selection of the speaker was first in order. Keocoe, of Onslow, was recognized, and applause, and said that he had never been confronted, with a greater opportunity to apply the Golden rule than in the act of naming some one else for the high office of which he had aspired. He proposed Dowd for speaker as "gifted editor, loyal democrat and gracious churchman."

By Acclamation. A motion for selection by acclamation was made by Representative Doughton of Allegheny. This was quickly carried and Doughton, Turlington and Keocoe directed, as a special committee, to bring the new speaker into the house. Mr. Dowd was visibly affected. "I know my heart," he said, "is with the other speaker I desire. I care nothing for this except as it represents, as I believe, an expression of your confidence and esteem. And with that added, I cannot find words to express my appreciation." He appealed for co-operation in making this session historic in its fostering care of the educational, industrial and agricultural interests.

Other Officers. The caucus then proceeded with the selection of other officers for the house. On motion of Representative Spainhour of Burke, T. Geo. Cobb was re-elected principal clerk, F. H. Arndt, of Wake, and D. Scott Pool, of Cumberland, were proposed for reading clerk and Pool won 68 to 50. He is editor of Facts and Figures, published at Raeford. For enrolling clerk, G. E. Gardner, of Mitchell; Bob D. Howell, of Montgomery, and M. D. Kinsland were proposed. The vote was Kinsland 61, Gardner 45 and Howell 9, Kinsland being re-elected. George L. Kilpatrick was re-elected sergeant-at-arms, receiving 75 votes, against 23 for J. H. Kerr, of Caswell.

For assistant sergeant-at-arms there were eight names proposed—H. D. James of Halifax, Fisher of Robeson, T. C. Ray of Wake, J. H. Rogers of Greenville, J. R. Bates of Johnston, W. H. Blalock of Durham, J. H. Winchester and J. R. Smith of Lenoir. James of Halifax was chosen, receiving 48 votes in the first ballot.

KING OF GYPSIES LEAVES HIS SUBJECTS IN JAIL

Refuses to Pay Costs in Habeas Corpus Proceedings and They Languish

WADESBORO, N. C., Jan. 3.—The troubles of the Gypsies continue. When "King" Emil Mitchell gave his bond Saturday night and was released, he did not pay the costs in the habeas corpus proceedings which had been taxed against him by Judge Adams when the decision was given. The bonds for the other ten Gypsies were made today and Sheriff Lowery, acting under the advice of his attorneys, refused to release the men until the costs, amounting to \$125, were paid. "King" Mitchell refuses to pay that amount and said that the men could stay in jail until court met. The January term of the Superior court has a very heavy docket and the addition of these cases makes it still worse. It is understood here today that the Stephen John clan will take out warrants charging robbery in addition to the assault case.