PRICE FIVE CENTS

STEAMSHIPTRUST

INVESTIGATION

'FRIENDLY'' SUIT?

Vice-President Franklin so De scribes Complaint Filed by

Federal Government

Mr. Franklin Makes Interesting

Statement Wherein he De-

nies Unlawful Combine

NEW YORK, Jan. 5 .- In reply to

the complaint filed yesterday by the

federal government against 13 of the

lines and 12 of their officers, Vice

President P. A. S. Franklin, of the

International Mercantile Marino com-

pany, one of the defendants, inti-

mated that the suit was a friendly

one in the nature of an act in equity,

and brought to determine what rights

the companies had in co-operating to

"The suit speaks for itself," said

Mr. Franklin's statement follows

gan an investigation. The lines in-formed the United States, attorney

steamship lines were doing but it was determined to bring an

action which would raise the

question of the legality of the

"Looking at the matter as

sult is the result

tices and we understand that this

tical business men it seems to us that ocean carriers can never have a monopoly of their business, because

the ocean is free, and any pers

with capital can enter into the busi-ness with case. The railroad has a

comparative monopoly of the terri-tory it serves, while in the case of

"The lines have felt and still feel

that all they have been doing and that is being done is entirely legal

ests of the steerage passengers, but if it is determined in this suit that

any of the practices are in violation

of the law in any way, they shall be only too glad to cease such prac-

ocean carriers, all the territory

control the business.

trans-Atlantic steamship

SAYS HE'S SERIOUS

DISTRICT ATTORNEY

Both Branches Appoint Com- New Arrests on Many Charges Regulars Insist That all Conmittees to Attend Funeral on Saturday

NO PUBLIC SERVICES HELD IN WASHINGTON

Gloom Caused by Death of Distinguished Member

WASHINGTON, Jan. 5 .- Sadness and gloom marked the re-convening of congress today, after a fortnight's recess over the holidays, for senators returned to find the meat of Senator Stephen B. Elkins, of West Virginia, vacant. Immediately after the announcement of the death of Mr. Elkins had been made in broken tones Senator Scott, the senate adojurn-

The house was formally notified of the passage of the statesman by Representative Gaines, of West Virginia, and promptly adjourned. The senate was in session six minutes, the house a scant half hour,

Before adjournment both houses appointed committees to attend the funeral which will be held in Elkins. W. Va., at noon Safurday. The congressional mourners will leave here tomorrow night on a special train returning Sunday morning. There will be no public ceremonies of any haracter in the capital, but private rites will be performed at the Elkins residence here tomorrow afternoon

Chaplain Pierce in the senate and Chaplain Couden in the house, both referred feelingly to the death of Senator Elkins, the latter referring to him as one of the foremost legislators of his time.

In announcing to the senate th death of his colleague, Mr. Scott, who was almost overcome with emotion referred to Mr. Elkins' brave fight for his life after a long illness. said his course in this matter had been characteristic of him. He had always fought and contended manfully for principles he believed to be

The senate adopted a resolution expressing its "profound sorrow," and appointed the following committee to attend the late senator's funeral Messrs Scott, Hale, Frye, Wldrich Cullon, Gallinger, Lodge, Bacon, Till man, Kean, Baily, Foster, Stone

(Continued on Page Four.)

BEVEBIDGE WILL MAKE MINORITY REPORT ON SEATING OF LORIMER

Sweeping Vindication of Investigating Committee May Be Set Aside

DEBATE WILL BE LONG

WASHINGTON, Jan., 5 .- The adjournment of the senate until Monday on account of the death of Senator Elkins made material changes in the plans of those opposed to Senator Lorimer of Illinois, being permitted to retain his seat. It is expected that Senator Owen would speak today in criticism of the report of the committee on privileges and elections and that he would introduce a resolution to declare the election of Mr. Lorimer illegal. The adjournment until Monday, however, makes it possible for Senator Beveridge to complete a minority report and it is now believed that he will submit such a report Monday and make a speech upon it.

There is some question now wheth-Senator Owen or Senator Beveridge will fire the first gun in the fight against Mr. Lorimer.

Mr. Owen is understood to desire to speak against Mr. Lorimer because the show of corruption in the Illinois legislature seems to offer a good argument in support of the Owen resolution for a constitutional amendment to provide for the election of senators by direct vote.

When the senate investigating committee made its report there did not COUNTRY MAY BE be much opposition to it in spite of the fact that it contained what was termed a sweeping windi cation of the junior Illinois senator on all charges of corruption that providing for re-apportionment of Longworth bill was made tonight by were filed against him. Since that the country for representation in conwere filed against him. Since that the country for represented to the house National Tariff Commission associa-time, however, many senators have gross will be presented to the house National Tariff Commission associa-studied the testimony and several tomorrow by Chairman Crumpacket lion, of which he is president. have become outspoken in denunciation of the report made.

Every indication points to a long and heated debate before the Lorimer case is disposed of.

SAILOR KILLED BY DERRICK.

NEWPORT NEWS, Va., Jan., 5.— man for each 211,877 inhabitants, ROANGE, Va., Jan. 5.—Robbers one man was killed and another ser- making a total membership of 433 last night liew open the safe in the tously injured about the manual colin the house. Chairman Crumpacker
Troutville, Va., postoffice with nitrolier Hector here today when a heavy
will offer the two bills in order that
giveerine and stole \$210 and \$25 in
steel derrick crashed to the deck. The dead man was a sailor, the committee.

GLOOM CAST OVER RIVAL GYPSYKINGS TENN.LEGISLATURE CONGRESS BY DEATH CONTINUE TO CAUSE APPARENTLY ABOUT OFSENATORELKINS CONFLICTS IN CAMP

Made at Wades-

boro

BOTH KINGS CLAIM TO BE HIGH MASONS

Congress Reconvenes Amid Costs of Habeas Corpus Pro- Agreement is Signed to Receedings Paid and Men

Released

WADESBORO, N. C., Jan. 5 .- Thegypsies opened again today when warrants were issued Joan, Gregory Joan and four more of that clan at the instance of Emil Mitchelle who styles himself the "King" of all the Gypsy tribes in the United States, The warrants charge assault with deadly weapons. The ar rested men all gave bond for their ppearance for a preliminary hearing which will be held next Thursday. The local members of the Masonic lodge have been approached by Steohen Joan and son, Gregory, who both bear credentials from a Spanish Masonic lodge showing that they are in good standing. Members of the Mitchelle clan also claim to be regular Masons and several wore the Masonic emblem, but Stephen Joan states that they are members of clandestine lodges,

Another chapter in the story of the Gypsp troubles was written yesterday when Wassen Mitchelle paid one hundred and seventy cents as the proportionate part of the court costs in the habeas' corpus proceedings for the men of the Mitchelle tribes who were still in jail. After the payment of these costs, which was made under still in jail. protest, Sheriff Lowrey released the ten men on bonds in the sum of two hundred dollars each, signed by T. Bennett, jr., at d T. F. Jones.

"King" Mitchelle and one of the men arrested had been released be-fore Sheriff Lowrey realized his liability for the costs in the case and have refused to pay their part of the costs. The cases are set for trial at the January term of the Superior court, which convenes January 16. Both clans—those led by Emil Mithelle and Stephen Joan-have employed attorneys and the case ex its considerable interest. Joan will also bring charges of rob-

(Continued on Page Four.)

RESPONSIBLE FOR MANY

DIVORCES SAYS JUDGE

riage System as a

Help

COURT GRANTS 428

"High prices coupled with small

ncomes, resulting in an intense

gratify social ambition, are respon-

number of homes' said Judge Neff

the fact that women, now find it

easy to be financially independent of

"Perhaps if we adopt the pruden-

tial marriage system of Europe we should be better off. Courtship in

America is often a mere social mas-

merade. Lovers never see each oth-

er except when at their best and con-

equently the young woman marries

here and the young man an angel,

DONE OVER AGAIN

WASHINGTON, Jan., 5 .- Two bills

of the house committee on census.

man for every 234,000 people in the

United States. The other bill will fix a representation of one congress-man for each 211,877 inhabitants,

One of the bills will be based upon

only to be disillusioned shortly after

"What makes divorce frequent is

ahoga county.

heir husbands.

the wedding day".

HIGH COST OF LIVING IS

tests Must be Dropped

NO COMPROMISE SEEMS POSSIBLE

main Out of The House

NASHVILLE, Tenn., Jan. 5 .- The trouble between the rival clans of only statement the fusionists leaders will make tonight is that they will enter into no further negotiations with the regulars. The regulars, on the other hand, declare a determihave already gone. So far as car be learned at 11 p, m, both sides have stopped all negotiations. There are rumors that an effort will made or is being made to bring about peace.

At 8 o'clock tonight it was stated that 41 of the 46 regular democrats in the house find signed the agreement drawn up earlier in the day, to remain out of the house until the fusionists agree to dismiss the con-tests which they had instituted Monday involving eight or more seats held by regulars. One other regular who was out of the city, is ready to sign the agreement, and it is asserted that three of the remainder will sign as soon as they can be reached Many of the regulars are growing restive and say they will go home to

night or tomorrow The house held a session this afteroon and received the report of the appointed to ascertain committee what members have certificates election but have refused to be Thirty seven names were reported, but the house took no further action.

The situation is extremely acute and each side appears to be determined to stand its ground. Unless the fusionists agree to dismiss the contests the regulars say they will never help make a quorum, preferring t let the session go by default. The senate will meet again tomorrow, but probably adjourn until Monday

It is announced authoritatively to night that all efforts at comprohave been abandoned and that neith er side will make any further effort

TARIFF COMMISSION BILL INTRODUCED IN HOUSE

Suggests Prudential Mar. Five Commissioners to Be Appointed By the President

MAY PASS CONGRESS

CLEVELAND, O., Jan., 5.-The WASHINGTON, Jan. 5 .- The tar iff commission bill was introduced in high cost of living is biamed for the house today." It was framed by most divorces by Judge W. B. Neff, Representiive Longworth of Ohiwho, during the term of court just after conferences with President Taft ended, granted 428 separations, and with insurgent republicans, pro breaking the record for this, Cuyviding for a permanent tariff commis

Mr. Longworth said that he pur posed to push his measure and hopeto obtain a favorable report from th struggle to keep up appearances and ways and means committee promptly The Longworth bill confers on the sible for the wrecking of a large tariff commission the general power to subpoena witnesses and call fo books and papers from persons en gaged in producing, importing or dis tributing articles under tariff investi-gation. Much of the information which will prove most valuable to congress is expected to be acquired through confidential statements to the commission on the understanding that the names of persons giving the

information will not be made public The reports of the commission are to be made only when called for by the president or congress. provides for the appointment by the president of tive commissioners at \$7.500 annually, not more than three of them of the same party. The offices are to be in Washington but the commission may conduct its investigations annually anywhere in the world. Practical endorsement of the

"I most cordially endorse the bill presented by Mr. Longkorth," said a continuance of the present mem- Mr. Cobb after a conference with Mr bership of 381. This will fix the bad Longworth and other congressmen a sis of representation at one congress- the capitol.

POSTOFFICE ROBBED

lars were professionals.

But he Came Back.



GOVERNOR'S MESSAGE IS FILLED District Attorney Wise tonight when shown Mr. Franklin's reply, was brought by the government in all seriousness to obtain the relief asked WITH MANY RECOMMENDATIONS

seriousness to obtain the relief asked for in the petitian." In this petition the government seeks an order from the United States Circuit Court of Appeals restraining the defondants from entering at or clearing their vessels from any American port, while they continue to remain in an alloged illegal agreement to restrain trade known as the Atlantic conference, and entered into at London on February 5, 1908.

Mr. Franklin's statement follows Both Branches of Legislature Attentively Listen to Reading of Message Recommending Strengthening of Anti-Trust Law and Changes in Many Others.

RALEIGH, N. C., Jan. 5.-Read- towns,' and a member of the privi- that provision be made for gathering ing of the blennial message of Gov-rnor Kitchin in senate and house and the passage by the house of a bill by Ray of Macon prohibiting the sale of near beer, mail and beerine and nd any drink that contains any alcoind whatever, were the features of the general assembly today. The bill thocking out near beer saloons was prohibited. ind by general consent, put on its assage. There was quite a number f "Noes" on the final count, but the dil was clearly receiving a big ma-

crity support. It was ordered sent the senate The governor's message was listen d to with closest attention in both nouses and evidently created quite a favorable impression. In the house, Ewart of Henderson, offered resolu ions asking North Carolina congressmen to support the parcel post bill and endorsing New Orleans as the for holding the Panama cele-Also a resolution adopting federal constitution amendment

or the income tax. Officers of both houses are urging early in the session so that sinte wide durng the last weeks of the session.

In the appointment of the standing funcombe was made chairman of the

leges and elections committee, Governor's Message

Governor Kitchin's message says of prohibition that results already justify its adoption through advance of morality, industry and frugality. He orgen that railroad passenge

fares be made two cents and mileage pulled on train. He asks amendments to state anti trust law that will make acts to crush competition criminal and give private prosecutors and solicittors and associate counsel in prosecutions forty per cent of fines Fire insurance companies he would require to piedge not to charge high-er rates of pay less commissions than n other states under similar conditions and forbid compacts to destroy ompetition in rates. He would for old control of water power corpora tions for light and power and would have corporation commission to regulate charges to the public. He wants assessment of all property at near est money value claiming the state nembers to introduce their local bills has billion dollars property and only six hundred millions tax assessment.

ommittees of the senate. Martin of banks to become national banks. recommends appropriation to in counties, cities and the stateboard of health of \$25,000, million.

vital statistics in towns of 5,000 and more inhabitants.

that if any of the practices were il-legal they were perfectly willing to discontinue the same. The matter, we believe was referred to the affor-ncy governl, and it being thought that there was doubt as to the le-gality of certain ways in which the need of liberal bond lasue. The governor recommends properly safe-guarded primary election law,

He urges a constitutional amend

That the governor's salary be fixed it \$6,000; that the state be redisricted and two circuits added and an ncrease in the number of Supreme

ourt judges. Treating appropriations, the gov rnor calls attention to the \$309.000 shortage in the state treasury and urges that the council of state be empwered to borrow whatever money may be necessary to meet appropria ions and avoid possible serious financial embarrassment for the state. And he suggests steps to insure the capital stock of banks as this Usting of property at more nearly its would have the effect of forcing all real value. He estimates real value of property in state at billion dollars

Bond Issue for Education

He urges the most liberal suppor and extension of the state's educational institutions, and points out the

including representatives in congress and senators at state expense.

ment to curtail work,

and tax valuation is only six hundred

SOLDIERS LEFT SAWS FOR PRISONERS TO BREAK JAI

Murderer and Four Companions Escape But All Are Recaptured

ATLANTA, Ga., Jan. 5.—Three sol-dlers stationed at Fort McPherson, who visited the Fulton county jail ast Sunday, left the saws with which John Withrow, convicted wife mur-derer, and four companions, sawed their way out Monday night, according to Withrow. The saws, he said loday, were given to Harry Langdon, one of the jail breakers, who was

recaptured.
. According to the prisoner Langdon, under the allas of Glenn Allen, de-serted from the army and a number of men who served in his old com-pany, are not stationed at Fort Me Pherson. They learned of Langodn's presence in the jail and sought permission to inspect the fail on Sunday, when they left the saws.

A. R. Knox, the New Orleans man, known as the "drug store bandit," one of the recaptured prisoners, tolailers with a piece of water pipe which he had wrenched loose from the floor of his cell. He was hedly beaten before being subdued. The break in the pipe flooded the entire

REVOLUTION MOVES ON

PUERTO CORTEZ, Honduras, Jan. —,By wireless via New Orleans,
 Tan. 5) The Honduras revolutionary today arrived at Bay island and esuntilehed a base of operations on

RAINEY WANTS TEDDY'S TWO MASKED BANDITS ROB | PRESIDENT WANTS MUCH EXPENSES INVESTIGATED

Railroads, but Question Is, Did He Pay?

WASHINGTON, Jan. 5 .- Repreentative Rainey of Illinois, offered resolution in the house foday askng for the appointment of a committee of five to investigate the railelt, for travel shile he was prestdent. The resolution proposes to give the committee authority to exhe Southern rall say and the North ern Pacific rails, to ascertain what expenses of travil were paid by the former president and what propor tion was furnished by the railroads themselves.

MRS. WHITE DEAD.

FREDERICKS URG. Va., Jan., -Mrs. Helen Silvey White, widow of the late ex-Mayor W. Seymour White end daughter of the late Henry H. Sibley a Confederate com mander, died here today, nged



HOTEL SAFE IN DAYLIGHT Travelled Over Various Made Rich Haul in Cash

and Jewels But Left Much More

EL PASO, Tex., Jan. 5 .- Two nasked bandits entered the office of the Angelus hotel today and robbed gress shall pass as much legislation the sufe of about \$5,000 in cash and jewelry. The clerk and porter were interests of the country. It is known forced into the basement at the point of revolvers. Thirteen safety deposit oxes were extracted and carried share of this favorable legislation.

assement of the Angelus theatre adjoining the hotel. All had been broken

The bundits forced the night clerk of the safe before driving him into the basement. One man stood guard providing for increased prices to n the basement while the other opned and looted the safe. The cominution was not set,

About 25 hoxes containing several housand dollars in cash and dia-nonds were left untouched. The hod cash box yielded \$600. One box eft behind is said to have contained 16,000 in gold. No arrests have been

FLIGHTS POSTPONED

DALLAS, Texas, Jan. 5.—Because WASHINGTON, Jan. 5.—Forecast a sudden veering of the wind tilted north of Pass A'Loutre and sixteen for North Cafolina: Fair Friday and the planes and Hamilton tumbled, miles east of the mouth of the Missing temperature: Saturday fair, value of the was slightly damaged sissippi river. Tugs have been sent but the aviator was unburt, to her assistance.

LEGISLATION ENACTED Wants as Much as Possible Helpful to Business interests of Country

WASHINGTON, Jan., 5 .- President Tuft desires that the present conas possible helpful to the business that he is particularly anxious that the small business shall get his good

Among the measures therefore The boxes were found later in the which the administration hopes to see passed are tariff commission bill, to put at rest fehrs of sudden changes in the tariff; the Panama camil toll bill, so that shippers may know what o deliver the key to the inner door charges they must prepare to meet and to make the ship subvention bill vessels carrying mail to ports in South America below the equator, and a bill carrying at least a part of the monetary commission's report

These measures, the president believes, will extend the country commerce at home and abroad and add to the prestige of the United States in foreign markets,

STEAMER AGROUND

NEW ORLEANS, Jan. 5-The of a high wind today's aviation pro- British steamship Jaconb Bright, gram was postponed until Monday.

Against the advice of his fellowfor New Orleans to take on a cargo which left Mobile Sunday afternoon sirmen, Hameton attempted an as- for Mexican and Porto Rican ports, cension today. Twenty-five feet up was reported aground today five miles