

DEFYING DEATH AN 18 YEAR-OLD YOUTH FLIES OVER OCEAN

"Jimmy" Ward Wins \$5,000 Prize By Daring In a Curtiss Aeroplane

CROSSES TWO RIVERS AND FORTIFICATIONS

Boy Hitherto Unknown Startles Spectators By Covering 25 Miles in 54 Minutes

CHARLESTON, S. C., Jan. 6.—Jimmy Ward, the 18 year old aviator, in a Curtiss 20 horse power aeroplane today made a daring flight across two rivers, the harbor and out over the Atlantic ocean, breaking the world's altitude record for low power machines, winning a prize of \$5,000 by circling over two of the strongest fortifications on the Atlantic coast, demonstrating the efficacy of the aeroplane as a scout in time of war.

Very few people saw Ward begin his flight from the aviation field, but many roofs in the city were packed when he made his return flight. Leaving the aviation grounds he flew first to the navy yard on Cooper river, then down that river about five miles to the city. Turning eastward he crossed the Cooper and Wando rivers and the harbor at a height of about 1,000 feet.

It was on his return trip that he broke the world's altitude record for small machines. At a point directly over Mt. Pleasant a village on the coast.

INITIAL GUN IN THE DISSOLUTION OF THE TOBACCO TRUST

Opening Argument in Famous Suit Was Heard Yesterday in Supreme Court of The United States.

WASHINGTON, Jan. 6.—Oral arguments directed at the proposed dissolution of the so-called "Tobacco trust" were begun today in the Supreme court of the United States. As a year ago, when the dissolution suit was argued for the first time before the court, so today, J. C. Reynolds, special assistant of the attorney general in charge of the tobacco fight for the government, made the opening address to the court. He had not concluded his remarks when the court adjourned until Monday. Mr. Reynolds surprised some members of the court by stating that the dissolution was asked not only under the Sherman anti-trust law, but under the Wilson tariff act of 1894.

Mr. Reynolds told the court that this was the first case that had ever been brought under the Wilson act. The act, he explained, applied to instances of restraint of trade where an importer was a party. "Restraint of Trade."

Much discussion had taken place in the "trust" cases as to whether or not the phrase "restraint of trade" as used in the Sherman anti-trust law was equivalent to "restraint of free competition." Mr. Reynolds pointed to the Wilson act as the congressional interpretation of the Sherman act, passed four years previous, in which all doubt as to the meaning had been removed by using the phrase "restraint of free competition."

Nearly the entire time that Mr. Reynolds spoke was devoted to the history of the so-called "tobacco trust" from the time of the first American Tobacco company was organized in 1890 for the alleged purpose of effecting a monopoly in the cigarette trade, and thus avoiding competition of independent corporations, down to the incorporation in 1904 of the new American Tobacco company as a holding company, controlling sixty-five companies interested in various branches of the tobacco business.

than sixty corporations and a number of individual defendants headed by James B. Duke.

The process of organization of the combination alleged to be unlawful, spread over many years. It began in January 1890. Then the first American Tobacco company was incorporated for the purpose, it is alleged, of taking over the business of five independent cigarette plants.

In 1898 the Continental Tobacco company was incorporated for the alleged purpose of taking over the plug tobacco business of the American company and the business of five other plug tobacco concerns.

In 1904 the American Tobacco company, the Continental Tobacco company and the Consolidated Tobacco company were merged into the present American Tobacco company. It is alleged that in addition to this organization the American companies in 1902 entered into a contract with a British company, the Imperial Tobacco company, whereby the American companies were limited in their business to America and the British to Great Britain, except that the latter could buy leaf tobacco in the United States. It was alleged that the British-American Tobacco company was organized to take over the export business of both the British and American companies.

Testimony was presented to prove that the defendants produced 70 per cent of the tobacco consumed in the United States.

Holding His Last Court.



STUBBS, OF MARTIN, INTRODUCES BILL FOR CONSTITUTIONAL AMENDMENT

Declares That as at Present Existing Constitution of North Carolina is "Unsuited to The Wants and Conditions of Our People."

RALEIGH, N. C., Jan. 6.—Representative Stubbs, of Martin gave to the house proceedings the legislative feature of the day by the introduction of a bill providing a constitutional convention of North Carolina, composed as is house of representatives, to change the constitution which is, the bill declares, "in many particulars unsuited to the wants and condition of our people."

Immediate passage of his bill to enable Trinity college to own more property, especially so that it can receive aid in building the administration building burned this week.

Appropriations—Long, chairman; Bassett, Martin of Washington, Reinhardt, Hobgood, Gardner, Sigman, Cotton, Lemmond, Hawkins, Ivis, Sikes, Harbour, Hartzell, Thorne, Carpenter, Machburn, Hyatt. Insurance—Pharr, chairman; Bassett, Cotton, Gardner, Hawkins, McLaughlin, Thorne, Hobgood, Cox, Starbuck, Pinnix. Finance—Brown, chairman; Thorne, Reinhardt, Bascoe, Hartzell, Bassett, Cotton, Hawkins, Cobb, Boyd, Pharr, Bellamy, McDonald, Bennett, Starbuck, Hyatt. Corporation commission—Thorne, chairman; Holden, Johnson, Hicks, Hurdle, Sigman, Fisher, Reinhardt, Cox, McDonald, Hyatt. Judiciary—Graham, chairman; Pharr, Thorne, Barnes, Barham, Bassett, Martin of Buncombe, Green, Gardner, Holden, Kitchin, Hobgood, Long, Ivis, Hicks, Hartzell, Martin of Washington, Starbuck. Revision of judiciary No. 2—Bassett, chairman; Barber, Baggett, Carpenter, Pharr, Hyatt.

FAVORS THE INCREASED REPRESENTATION OF THE STATES IN U.S. CONGRESS

House Committee at Meeting Yesterday Recommends Reapportionment

MEMBERSHIP TO BE 443

WASHINGTON, Jan. 6.—Congressional reapportionment under the new census figures so as to increase the membership of the house to 443, was the plan tentatively favored by the house committee on census at a meeting today. This figure would protect each state from diminished numerical representation and is exclusive of Arizona and New Mexico.

The reapportionment bill introduced by Chairman Crumpacker today fixes the membership of the house at 443. The bill was referred immediately to the census committee, where the entire subject will be taken up.

SENATOR BROWN WILL LOOK INTO METHODS OF OUR TAX ASSESSMENTS

He Wants An Act to Create A Separate Tax Commission

OUTLINES HIS PLAN

RALEIGH, N. C., Jan. 6.—Senator Brown, of Columbia, who is named by President Newland, of the senate, as chairman of the finance committee, declares his intention to go in for a material reform in the North Carolina method of tax assessment with a view to equalizing taxation among the counties and ridding the state of the forty-eight "pauper counties," so called because they receive from the state for schools and other purposes more money than they pay into the state treasury in taxes. He proposes to undertake getting through the legislature an act that will create a separate state tax commission, relieving the corporation commission of this duty, and requiring of this commission that it equalize taxation by counties. He would have the commission completely removed from politics, possibly appointed by the governor. He has thought of having it named by the governor, the president of the senate and the speaker of the house. Any way he would have no strings tied to it that would hamper it in its dealing out absolute equity in equalization of tax assessments. He would have these commissioners confer at the beginning of each assessment period with the county authorities, meeting the officers of the groups of counties in convenient railroad centers, and explain just what is expected of them in the light of existing conditions. And he would clothe them with final authority to say just what the assessments must be. Where there are differences between the property owners and the local assessors he would have appeals go to an intermediate board composed of say five men, one from each of a group of five counties. In this way no one county could be left alone to "juggle" its assessments so as to deprive the state of its equitable share of revenue. After this board has passed on the

INDIANAPOLIS IN DARK AS RESULT OF EXPLOSION AT ELECTRIC LIGHT PLANT

Three Men Injured and Loss of \$750,000 Sustained at The Hoosier Capital

POLICE WATCHFUL

INDIANAPOLIS, Ind., Jan. 6.—An explosion and fire which almost destroyed the main plant of the General Electric company early today injuring three men, caused an estimated loss of \$750,000 and seriously interfered with business throughout the city during the day, tonight left the city almost in total darkness. Street lamps were dark all evening and all save the main section of the city was without electric light all night. Fearing that the darkness of the city may induce lawlessness, the entire police and detective force is held in reserve with waiting automobiles. The plant was wrecked and a tangled mass of wire, machinery and lumber thrown in every direction by the force of the explosion. Fire followed and completed the demolition of the building. The cables bearing 12,000 volts of electric energy broke and added to the terrible force which caused the destruction. There is nothing left of the power plant beyond the charred wreckage, level with the water in the river. A short circuit in a cable, caused either by misplacement of some metal conductor, a weak spot in the insulation or the sudden burning out of a fuse is thought to have caused the explosion. RISER HANGED. CAMDEN, S. C., Jan. 6.—Milton Kiser, alias Henry Hunter, was hanged here today for the murder of John Cook, jailer of Kershaw county. Mrs. Cook, widow of Kiser's victim, watched the execution. She said she was ready to spring the trap. Kiser, who was a prisoner, killed the jailer with a cuspidor.

MORE INDICTMENTS ARE FOUND AGAINST ROBIN

Fallen Banker Finds the Law's Meshes Growing Tighter Each Day

NEW YORK, Jan. 6.—Eight new indictments, one of them superseding the original indictment, were found today against Joseph G. Robin, the fallen banker and promoter. The eight new indictments all charge the theft of funds aggregating \$267,000 from the Washington Savings bank. A batch of letters signed "your loving Louise" and "your son Joseph" were found by Mrs. Elosser, the mother of the dead girl, seated on a sofa in the parlor of the Elosser home. The tragedy occurred less than thirty hours prior to the time that had been set for the marriage of the two victims. The coroner's jury gathered in a little mortuary chapel belonging to a local undertaker, more than a dozen witnesses were heard but little was developed that was not already known to the public. One of the points brought out was that May Elosser, one of Grace's sisters, had, after helping her mother carry Grace's body from the parlor to a bed room in the rear, herself being seized with illness which showed symptoms of hydrocyanic acid.

JURY UNABLE TO FATHOM DEATHS OF GIRL AND LOVER

Return Verdict to That Effect and Double Tragedy Is Shrouded in Mystery

CUMBERLAND, Md., Jan. 6.—Came to their death by means unknown to the jury. This was the conclusion reached by the twelve men who for nearly five hours tonight heard testimony relative to the deaths last Saturday of Grace Elosser and Charles T. Telge, whose dead bodies were found by Mrs. Elosser, the mother of the dead girl, seated on a sofa in the parlor of the Elosser home. The tragedy occurred less than thirty hours prior to the time that had been set for the marriage of the two victims. The coroner's jury gathered in a little mortuary chapel belonging to a local undertaker, more than a dozen witnesses were heard but little was developed that was not already known to the public. One of the points brought out was that May Elosser, one of Grace's sisters, had, after helping her mother carry Grace's body from the parlor to a bed room in the rear, herself being seized with illness which showed symptoms of hydrocyanic acid.

SIMPLE PRAYERS MARK SERVICES FOR SEN. ELKINS

Body of Late Senator Is Shipped to His Old Home at Elkins, W. Va.

WASHINGTON, Jan. 6.—A simple prayer constituted the funeral services over the body of Senator Stephen B. Elkins, of West Virginia, in his late home here. President Taft, Vice President Sherman, Chief Justice White, members of the cabinet and Supreme court, as well as many members of the diplomatic corps, the senate and house gathered at the Elkins home at 5 o'clock this afternoon and listened to an impressive prayer by Rev. Dr. Wallace Radcliffe, preparatory to the removal of the body to Elkins, W. Va., where final services will be held tomorrow morning. Seven cars composed the funeral train which left at 10 o'clock tonight, two of which were reserved for the Elkins family and the remainder for the congressional committee and other friends of the dead senator. Secretary of War Dickinson issued a general order today that flags of all military posts throughout the country be displayed at half staff tomorrow out of respect for Senator Elkins, who was secretary of war during President Harrison's administration.

OPENING OF FIRST LINK OF WATERWAY DULY CELEBRATED

Beaufort Rejoices In Completion of "Opening Wedge" of Future Prosperity

NOTABLES GATHER FROM FAR AND NEAR

Senator Simmons Is Master of Ceremonies.—Naval Parade One of Features

WILMINGTON, Jan. 6.—Twenty-five hundred people, including many men prominent in state and nation, attended today a public celebration of the completion of the first link of the proposed inland waterway canal from Maine to Florida, on the banks of the waterway near Beaufort, N. C. The celebration was preceded by a parade of naval and government boats, headed by the revenue cutter Pamlico. Senator F. M. Simmons, of North Carolina, master of ceremonies, welcomed the visitors and paid tribute to Capt. Earle I. Brown, corps of United States engineers in charge of the work, who declared the waterway officially open. Representations of the towns of Beaufort, Morehead City, New Bern and Oriental, under the auspices of which the celebration was held, were the first speakers, these being followed by Representatives J. Hampton Moore, of Pennsylvania, president of the Atlantic Deepwaterways association; E. H. Sparkman, of Florida; F. C. Stevens, of Minnesota; Joseph B. Jansdell, of Louisiana; John H. Small, of North Carolina, and H. K. Walcott, representing the mayor of Norfolk. Forerunner of Prosperity. The canal has been under construction since 1897 and was completed last December. It shortens the distance from Oriental, New Bern and other points to Beaufort and Southern points about ninety miles and gives depth to water. The canal is 90 to 250 feet wide and ten feet deep at mean low water, which at high tide will give about twelve feet. The length is twenty miles, five of which were cut through dry land, the remainder by dredging and straightening Adams and Caren creeks. It connects 2,100 square miles of navigable sound waters, as well as giving an inside route to coastwise vessels, enabling them to avoid treacherous Hatteras and Cape Lookout.

TELEGRAPH MANAGER'S WIFE IS ASPHYXIATED

Also Loses Son At Same Time. Escaping Gas from Heater Kills Both

RALEIGH, N. C., Jan. 6.—Mrs. Bannister, wife of H. O. Bannister, manager of the local office of the Western Union, and seventeen months old son were asphyxiated this afternoon. The mother entered the bath room followed by her child to use an instantaneous gas heater. Later a servant was horrified to find the lifeless body of Mrs. Bannister on the floor and that of the child across a chair. Mrs. Bannister evidently turned on the gas without properly lighting the heater and was overcome. Physicians were summoned but life was extinct in both mother and child when they arrived. Mr. Bannister has been manager of the Western Union's local office four years, coming here from Richmond, Va. Five years ago he married Miss Barbara Littrage of Saters, S. C.

TRAINMEN KILLED

LOGANSPORT, Ind., Jan. 6.—In the wreck of a freight train at a crossing of the Big Four and the Pennsylvania railroads at New Madison, Ohio tonight it is reported that several trainmen were killed. Wrecking trains were sent from here, from Bradford, Ohio, and Richmond, Ind.

TO FIGHT RICHMOND

NEWARK, N. J., Jan. 6.—The opponents of James Smith, Jr., of this city in his senatorial aspirations plan to carry the fight to his very doors in a mass meeting in Newark on January 14, at which Governor-elect Woodrow Wilson will speak. Arrangements were made today for the gathering. HIT WITH A BRICK. DURHAM, N. C., Jan. 6.—Phillip Jones, former sheriff of Wake county, was perhaps fatally wounded today three miles from Durham, when Pink Johnson, a "cropper," renewing a bitter quarrel over a settlement, struck him with a brick and fractured his skull in eleven places. Johnson has not been caught.

