PRICE FIVE CENTS

## NO BLAZED TRAIL TO FROZEN NORTH WAS LEFT BY PEARY

Says That he Has no Data by Graft Case Which Caused Po- Mrs. Schenk on Trial For Ad-Which Another Could Follow his Footsteps

WAS TOO SELFISH TO DIVIDE HONOR

Committee Asks Explorer Lot Criminal Action Against Those Accetate of Lead and Arsenic of Embarrassing Questions in Course of Hearing

WASHINGTON, Jan. 10 .- Admitting that the North Pole is just as much lost as ever and that all future attempts to find it must be independ ent enterprises unaided by his own work, Captain Robert E. Peary, the Arctic explorer, answered a cross fire of questions at a hearing before the house committee on naval affairs to-He told how he wanted the glory of the polar achievement for himself, declining to let any member of his expedition, other than the ne-gro Henson, go on the last dash with him; or his publishing contracts had precluded him from testifying before the committee last spring and how members of his expedition had been prohibited from writing about

Committee Wants to Know. Captain Peary was asked to throw light on why, as a naval officer, he made no report to the navy department. Mr. Roberts asked him if it was not customary for an officer to report on matters for which he was detailed. Captain Peary said he had made some report to the coast of geodetic survey and had advised the navy department of that fact. It was his impression that the superintend-ent of the survey had made a report to the navy. Pressed by Mr. Rob-orts, Captain Peary said there was a letter of his on file somewhere asking secrecy for his written report to the survey, as to soundings, etc.

Why, being detailed to get certain information for the government did you ask the government not to use this information until later?" insisted Mr. Roberts. "I would rather not give the infor-

mation except to the committee" re-plied Captain Peary who objected to testifying in the presence of news-paper representatives. He was given ssion to file his reasons in writ-"Why did you not take white mem

CAPTURE A SEAPORT CITY

Become Actual President

of Little Country.

CONSUL IGNORANT

of the Hornet."

commandant of that port.

REBELS OF HONDURAS

(Continued on Page Five)

PENNSYLVANIA'S CAPITOL SCANDAL FINALLY HUSHED

litical Upheaval is at Length Ended

RESTITUTION IS MADE TO STATE

Implicated Dropped and Money Returned

HARRISBURG, Pa., Jan. 10 .- Res titution to the amount of \$1,300,000 and the surrender of warrants aggregating \$200,000 upon which pay ment had been stopped were made in the Dauphin county court today by the men convicted or otherwise im-plicated by the state of Pennsylvania n the capitol frauds. In conisderation of the return of this money and the surrender of the warrants the commonwealth agreed to drop all further criminal action against the defendants indicted; and with the exception of the case of Joseph M Houston of Philadelphia who is un-der an indeterminate of from six months to two years and who has an appeal to the Superior court, the capitol fraud cases a.e declared to be ended and the state satisfied. Thus ends one of the most important criminal prosecutions ever brought by the state and which has stirred Pennsylvania from end to end. The new state capitol, a magnificent

structure, with its rich furnishings, cost approximately \$13,000,000. Of ost approximately \$13,000,000. this sum the state alleged that it had been defrauded out of about \$5,000,-000 Attorney General M. Hampton Todd, who conducted the prosecuions, in a statement after the settle ment was announced, said that the otal amount received by the state today and through restitution heretefore made by certain of the defendants was \$1,595,740. Up to date the state has expended \$107,961 in prosecuting the cases.

Defendants in Case Among the defendants who particlpated in the settlement today were

the following: Estate of John H. Sanderson Philadelphia, contractor for the wooden finishings, etc., who died in New York after he had been convicted and bers of your party with you on the sentenced and was out on ball pending

(Continued on page six.)

## HYSTERICAL WOMEN OVERPOWER POLICE TO ENTER COURT

ministering Poison to Husband

EXPERT PHYSICIANS **TELL OF POISONS** 

Were Both Given Doomed Man

WHEELING, W. Va., Excitement within and without the court house marked the first day of taking testimony in the trial of Mrs. Laura Farnsworth Schenk, charged with poisoning her husband With with poisoning her husband in the courtroom the almost irre-sponsible crowd of women spectators had to be constantly rapped to order by Judge Jordan when startling bits of testimony caused a mur-mur that interferred with the proceedings, and without when the same crowd of spectators stamped in their efforts to crowd within the court coom when the doors were opened Twice today the police without the court house were carried before the onslaught of the women. In the afternoon the rush into the building was so sudden that several womer were knocked down and trampled upon and the police had to best the crowd back.

The disorder within the court root started at the testimony of William Wolfe, who had traveled in Europe with John O. Schenk, the alleged poisoned victim. Wolfe testified to Schenke's good health during the European trip and there were guspe from the spectators that brought sharp rebukes from the bench when the witness in detailing a conversation with Mrs, Schenk quoted her as

Billy, I don't think John will live Mrs. Schenk made the declaration according to Wolfe, after the return from Europe, when Schenke was stricken with the strange illness.

Experts Testify.
Dr. Gregory Ackerman was called and testified that Schenke was suffer-ing with lead poisoning before Dr. F. I., Hupp was brought into the from a local hospital, after remain-ing there but a few days. He advised the patient while in the hospital first not to eat anything brough

(Continued on Page Six.)



He "Came Back."

#### STANDARD OIL DISSOLUTION SUIT WILL NOW OCCUPY SUPREME COURT

Argued That The Amalgamation of The Stocks of Competing Companies in Standard Oil Company of New Jersey Resulted in a Nation-Wide

Monopoly.

WASHINGTON, Jan. 10 .- The sey as a holding company suppressing Standard Oil dissolution suit will ad- competition. ance to the center of the stage in the Supreme court of the United States temorrow immediately after arguments are concluded in the tomainder of the week at least, the court will give its attention to a conideration of this second problem un-ler the Sherman and trust law. For the government there will appear At-torney General Wickersham, Frank

3. Kellog and possibly C. A. Sever ince. Opposed to them and defendng the Standard Oil will be John G. Johnson, John G. Milburn and D. T. Watson.

The government's chief object is to he Standard Oil of New Jersey with ts increased capitalization exchanged malgamation of the stocks of all ness and has eliminated every compe-these companies in the Standard Gil titor. empany of New Jersey resulted in a ombination more closely and effecsubsidiary corporations is said to contitute a monopoly. the Sherman anti-trust law.

In support of its case the govern-

In urging upon the court the proposition that the Standard Oil is monopolizing, the government will argue that evidence must be considered by the court of price cutting to drive competitors out of business, rebating, and preying on competitors by secret organization.

What is Monopoly? "If the Sherman act means any

thing in this country," says counse for the government in their brief, "it means a monopoly acquired by such methods of competition as this. less it is enforced the small corporation or individual who wishes to engage in business will have absolutely ave the court declare void the cor- no opportunity at all. This testimony orate organization of 1899, whereby is valuable as showing the intention of the Standard Oil company to monopolize the commerce throughout its stock for stock of nineteen other the United States. In many districts or foreign commerce nor direct it oil corporations, which controlled in it has an absolute monopoly. We turn a great many more such cor-It is claimed that this those districts it does all of the busi-

ively held than before in restraint of try' and most of the Pacific coast sense a contract conspiracy or comtrade. The control of oil through the states. The percentage of independent business throughout the entire south-Both results the ern states is very small. Moreover. covernment contends are in violation where there is competition the com- there was no suppression of compe petitors are usually strictly under the tition in the organization of 1899. In control of the Standard in that they stead of growth by unfair competiment will claim that following the must, in order to be allowed to do tion ripening into a monopoly it will action of the court in the cases of business, sell oil at the price the Stanthe Northern Securities it must dis- dard dictates and confine themselves lawful business and continues to this solve the Standard Oil of New Jer- to a small percentage of trade."

Combinations affected by purcha ecording to the contention of the government are just as much within the law as combination affected by trust agreements or pooling.

Replying to these accusations and will argue that the Sherman law does not prohibit the method of holding property by stock ownership.

"All methods are lawful." Mr
Watson will argue, "if not used to re
strict trade or gain an unlawful mo

nopoly."
"The Sherman act has no applica tion to the transfer to, or acqu by the Standard Oil company of Nev Jersey of the stocks of the various manufacturing and producing corpo rations," it is argued in the brief o Messrs, Johnson and Milburn, "for the reason that such transfer and acquisition were not acts of interstate commerce, nor within the power of congress to regulate interstate or for

eign commerce." Following out this line of argumen "Practically this is the case throughout the Rock mountain coun-

The attorneys for the Standard Oll company will unite in arguing that

## SEVENTEEN PERISH AS VESSELS BREAK ON GRIM CAPE COD

Three Coal Barges go Ashore in Terrific Gale Off Cape Cod

**GUARDS WATCHED** UNABLE TO HELP

Desperate Sailors Fight For Life in Boiling Surf and Lose

HIGHLAND LIGHT, Mass., Jan. 10.—The worst disaster the grim Cape Cod had seen in more than a dozen years occurred today on the treacherous sand bars that make off from the peaked hills. They stood on the beach with their life boats and other apparatus un-able to render assistance, while three ablé to render assistance, while three stout coal carrying barges were hurled to destruction and all out board,—seventeen men—lost their lives in the boiling surf. The barges were the Treverton, Corbin and Pine Forest, valued together at \$115,000. With the exception of Captain F. I. Brown of the Treverton, who beinged in Lincolnville, Maine, and Captain M. W. Hall of the Fine Forest, a Provincetown man, all were drowned, including Captain Charles N. Smith, of Philadelphis, of the Corbin. As two of the barges, the Corbin. As two of the barge Treverton and Corbin, broke up quickly it is believed that twelve lives were lost within an hour after the barges broke away from the tug Lykens about 3 o'clock this morning and went into the breakers. Five of the searcen were seen clinging desperately to the Pine Porest uni reach shore in their own little

The tug Lykens of the Coal company, started from phin last week with the for Portland, the Corbin

The Lykens with her tow was off Nausett late in the evening and could be seen in the moonlight from the shore as she was hugging the cape for a lee. She finally met the full force of the gale at the bend in the arm of the same

the arm of the cape.

Life Guards Watched.

The life saving patrol saw standing off shore to avoid the pe ed hill bars but darkness blotte out four hours before dawn.

(Continued on page four.)

### CINCINNATI CHAMBER OF COMMERCE BUILDING IS DESTROYED BY NIGHT FIRE

Second Great Fire Within Short Space of Three Weeks Time

MANY INJURED

CINCINNATI, O., Jan. 10 .- Entailing a loss of more than one mill-ion dollars, this city suffered its second fire within three weeks, when the Chamber of Commerce building at Fourth and Vine streets was destroyed tonight, adjacent property damaged, a dozen fremen injured and possibly lives lost. While several fremen still are un-

accounted for up to a late hour, re-ports of fatalities among firemen and spectators who were caught in the wreckage of the collapsed roof have not been confirmed. Whether there are bodies still in the wreckage can-not be definitely ascertained tonight. it is known that there were a large number of employees at work when the fire started.

The Cincinnati Stock exchange and the Louisville & Nashville railroad offices, both of which contained rec ords almost invaluable were consum-

ords almost invaluable were consumed in the conflagration.

Only the bare walls of what was conflagration of the conflagration.

Only the bare walls of what was conflagration most magnificient architectural building remains. The building had a valuation of \$1,000.

While the fixtures in the various offices were valued at \$50,000.

The stocks of several business houses in the block were damaged, but the fire was confined to the Chamber of Commerce building.

Fully five thousand persons were crowded directly outside the fire lines when the roof collapsed, finake and flying sparks filled the streets for two squares and a panic followed. and flying sparks filled the streets two squares and a panic follow. Mon and women fought to es-and many were trampled in the r Many sustained bruises and cuts no one was reported seriously jured.

## EWART STRONGLY SCORES BUTLER'S ACTION IN TRYING OF FIGHT AGAINST TRUSTS AND MARGH ON ANOTHER TO FORCE BOND PAYMENTS

Been "Pernicious and Perfidious."

#### OFFERS RESOLUTION

RALEIGH, N. C., Jan. 10 .-- A PUERTO CORTEZ, Honduras, Jan. 10.—(By wireless) "An attack upon Ceiba by revolutionists is exhouse of representatives today when pected at any momnet." This terse message was received today direct from Cetba indicates the near approach to that city of the revolutionary forces of General Bonilla, who on Sunday captured Tela, a port city 50 miles east of Puerto Cortez and an equal distance from Celba. ex-United States Senator Marion But- Judge Speer said in part: CONSUL IN IGNORANCE NEW ORLEANS, Jan. 10.-Senor ler was guilty in harassing the state Jesus Ulios, consul general of Hon-

duras, said today that he had received no advices confirmatory of the reports that the revolutionists the house republicans for speaker. had captured the Bay Islands and Ewart also offered bills to amend state constitution so that three the port of Tela. additional justices of the Supreme "I signed the manifests today of ourt will be elected together with two steamers which cleared for Tela. three other Superior court judges for miding special terms of court, to Ruitan and Puerto Cortez," said create a pardon board and to greatly Senor Ulloa. "I would not have done this if I had been advised that volving on the general assembly by the elimination of purely local mat-ters. Still another bill by Ewart rerevolutionists had seized the ports. "I have been informed that the

forces of President Davilla are bewhere railroads refuse to allow coning in readiness to resist Bonilla and ductors to pull mileage on trains, that the feeling generally in Hondu-Battle, of Wake presented his bill ras is strongly in favor of the adto enable any city to vote commission form of government. Spainhour, "Grom the commandant at Puerof Burke introduced bills to make four Superior court fudicial circuits to Cortez I have just received a let-ter, informing me that nothing is increase the number of judges so known there about the movements there will be judges for special terms, Marshall, of Surry, republi-Senor Ulloa said he had received can, presented a bill providing for

official advices that the Guatemalan school books. government would oppose the rev-olutionists if they attempted to en-ter Henduras through Guatemala. The Greensboro bill for a commission form of government passed second reading without opposition. He also denied the published reports In joint session, with representa-tive Doughton presiding, the vote for that Americans had not been allowed to give proper burial to their state officers was canvassed and Coldead in Puerto Cortez, basing his denial on a letter received from the tor and H. C. Brown and W. T. Lee corporation commissioners,

## INTERESTING ANALYSIS BY JUDGE EMORY SPEER

General Bonilla May Soon Characterizes It as Having Compares Modern Trust Makers to Attila the Hun

#### SOUTH HAS AIDED

ATLANTA Ga. Jan. 10 -- An an storm of applause swept over the alysis of the attempts to control monopolies from ancient time down Representative Ewart of Henderson to the decision last week by the Sucounty, the organized leader of the preme court of the United States it republicans on the floor, sent forward favor of the Carmack amendment joint resolution thanking Governor to the Hepburn rate law was deliver-Pothler, of Rhode Island, for refus- ed before the Atlanta freight bu ing to accept the gift of North Caro- reau at their annual banquet tolina repudiated bonds from the New night by Judge Emory Speer of the York syndicates and declaring that United States district court for the conduct such as that of which the southern district of Georgia

"It is the duty of every American for their collection is, "pernicious and to see that our national patrimons shall be used, not exploited for the Ewart was unanimous nominee of exclusive benefit of those mighty mighty masters in the art of combinations in restraint of trade, those lawless captains of Industry who bear to the people the relation which Attila, Alaric and Gengis Kahn bore to the broad lands they ravag-

> The originator of the first American anti-trust law was John Sherman, said Judge Speer, and then

duces railroad fare to two cents added: "It will be observed that to this great measure the very first atterstate and foreign commerce there was literally no opposition from a southern state. It will be demonstrable, I think, that its most vigorous enforcement may be found in the investigation of and the findings of juries in this sec

> Summing up, Judge Speer said: There is no intention on the part of the government to do injustice to the common carriers. Neither toward lawfully conducted railroad or other corporations or toward any righteous accreation or use of the capital and wealth has the American government exhibited the slightest hostility."

## OPERATOR HEARS LAST "30;" | SAVANNAH EXPERIENCES DROPS DEAD BY MACHINE MUCH TROUBLE IN ELECTION

Roanoke Succumbs to Heart Disease in Office

ROANOKE Va. Jan. 10 .- Chas. C. Boyd, associated press operator in arrests for alleged vote grafting, anthe office of The Boanoke Times rose from his typewriter at 11.45 tonight stood on his feet a moment and with a smothered "Good God" fell on his face to the floor. He was dead in ten minutes. He had been supposed his heart was attacked suddenly, otherwise he was in full health. He leaves a widow and five

He had been in The Times office weive years and was regarded as neof the best operators on the cirmit. He as 15 years old and came here from Columbia, S. C. He was a native of North Carolina.



WASHINGTON, Jan. 10.-Fore-cast: North Carolina: fair and warmer Wednesday; Thursday fair in east detailed to guard each negro until of the prohibition bills, the Fuller ansettled in west portions; moderate his vote was safely cast. Ninety nine law, which allows search and seiz-south winds.

Associated Press Man at Negroes Marched to The At Least the Legislature Polls and Voted in Bunches of Five

> SAVANNAH, Ga., Jan. 19 .- Seven nouncement that detectives have re- rennial session at noon today comceived evidence that will result in pleted the work of organization day struggle for votes marked Savan- elected speaker of the house over nah's municipal election today which was one of the closest in the city's row of Birmingham was elected pres-

> elected mayor by 340 votes. L. P. Corrish, clerk of city counell and secretary of the South Atlanformer city official; Dr. N. A. Morris, a veterinary: J. R. Caine, a well known Savannahian and three negroes were arrested today. Caine is will recommend the building of a govsecretary of the Clean Election committee that brought detectives to Mill veto the bill introduced today to Savannah to suppress vote buying. He increase the salary of the incoming is charged with being accessory before governor.

> the fact of vote buying. Colonel Sigo Myers, of Governor managed the anti-prohibition cam-Brown's staff, president of the Natio-paign when the amendment fight was the Clean Election committee said to-day that he was satisfied there had Brooks Lawrence, the prohibition been a great deal of vote buying, leader and other men on that side are but that he had not received full reports from the detectives.

> Captain R. J. Davant, former alderman and candidate for mayor Alabama for O'Neall and against against Mayor Geo. W. Tideman, had the amendment the prohibitionists bunches of five and a white man was This is taken to mean that only one

# SEEMS LIKELY IN ALABAMI

REPEAL OF PROHIBITION

Will Greatly Amend the Present Law

MONTGOMERY, Ala., Jan. 10 .- The Alabama legislature in regular quadnany more arrests and a hard all Judge A. B. Almen of Tuscombia was Lee Long of Greenville. Hugh Morcomplaining of neuralgia and it is history. Geo. W. Tideman was re- ident pro tem of the senate without opposition.

> Governer Comer's message was no read for the reason that both houses tic Ruseball league; J. J. Garrity, a were not in session during the afternoon. It will go to the legislature tomorrow,

Among other things the governor ernor's mansion and the appropriation of a fund to maintain it. He

With the defeat of Lee Long , who hal bank of Savannah and head of up a year ago the attack on the prohere managing the campaign for the maintenance bills.

Although Judge Almond stumped negroes brought to the polls in with two exceptions voted for him