

Townsend Report in Harvester "Trust" Severely Roasted

Edgar Bancroft, Counsel For International Harvester Company Says the Report is Based upon Clearly Erroneous Statements.

Makes General Denial of Statements Made by Townsend and Picks Many Flaws in Report Filed With Investigating Committee.

By Associated Press. Washington, Aug. 12.—That the arguments and conclusions of the so-called Townsend report are based upon clearly erroneous statements of well known facts is the opening assertion in a reply by Edgar Bancroft, counsel for the International Harvester Company, filed today with the House select "trust" investigating committee in answer to charges made by Burnette D. Townsend, special agent of the department of justice in 1905. The Townsend report was filed with the committee a short time ago.

Nearly every important statement of fact relating to the purpose of the investigation, the reply continues, is either grossly inaccurate or entirely untrue. The general impression of the report is shown by misstatement even of the names of the president and chairman of the board of the International Harvester Company and the names of the voting trustees, although they were all widely known and a matter of public record for four years prior to the making of the report.

The fundamental charge of a combination to create a monopoly is based by the report on the charge that the knitter in the self binder is protected by patents and that the International owns the patents on all best types of knotters. The truth is that there is no patent whatever on the essential part of any type of knitter and there has not been any such patent in force since 1896 when the American patent expired. The fact that only appears on the records of the patent office, but is known to every manufacturer of self-binders and to every principal dealer in them. Neither are there any existing patents upon any essential part of the grain binding machine. The man's best patents had expired in 1896 and there have been no substantial patented improvements since 1896—20 years ago—while the life of a patent, as is well known, is only seventeen years.

The statement of the Townsend report that of the nine different types of grain binders purchased by the International since 1896 have been patented and that repairs are not furnished for any others is branded by Attorney Bancroft as "notoriously and absolutely false." He further says that "repairs for every type of binder at the time of the report" were and have ever since been furnished by the International and the reports charge of a "binder trust" is without any foundation whatever, declared the reply, which also states that the International has the vigorous competition of one large and six smaller twine manufacturers in addition to the seven state penitentiary twine mills.

As to the charge that competition has been largely suppressed, Bancroft cites the names of eight firms which he declares are all active competitors. As to the charge that the International receives rebates from railroads and special commissions from the United States Steel Corporation, the reply declares that the Harvester Company's "re-bate" to the United States Steel Corporation is not from its relations with the competitors of the steel corporation and that during the last seven years it has brought down its total needs, while it purchases thirty per cent from competitors of the United States Steel Corporation, the rest of its needs being supplied by the International subsidiary corporation, the Wisconsin Steel Company.

As to the charge of increasing prices, the International asserts that it has been to prevent increases. On the subject of foreign prices, the International denies "that the usual falsehood that agricultural implements are sold abroad cheaper than at home," and declares that the governments own investigation published in the daily consular and trade reports of February, March and April, 1905, refutes such assertions.

As to the charge that the International is a trust the reply says it was not a merger of existing corporations, but a new one in which \$20,000,000 was invested by persons not competitors in the harvester business. Finally the international denies that the plants purchased by it were based or abandoned.

DISCRIPTIVE ADJECTIVES BY ADMIRAL TOGO

By Associated Press. New York, Aug. 12.—President Taft is "ideal." Congress is "grand." The naval academy is "magnificent" and American battleships are "excellent." These are some of Admiral Togo's "impressions" of what he has seen during his week in America, as given to a newspaper interviewer in response to a series of interrogations.

The admiral always insists that his interviewers submit their questions in writing. Then he goes over them carefully and answers characteristically in his own cramped writing. Here are some of the answers which he has submitted since coming back to New York: What are your impressions of: The president? "Ideal." The navy academy? "Magnificent." Congress? "Grand." Mount Vernon? "Beautiful." American battleships? "Excellent." The new naval 14-inch guns? "Powerful." The navy yards? "Very good." American railroads? "Comfortable." American hotels? "Tip to date." Recreation in America? "Very warm, for which I am grateful." American newspaper photographers? "Very enterprising." The effect in Japan of President Taft's complimentary reference to the Mikado? "Very good."

Will it further cement the friendship of the two nations? "Cannot be otherwise."

Story of Murder Told in Confession

By Associated Press. Golden, Colo., Aug. 12.—In a confession alleged by the police to have been secured yesterday from Mrs. Conceit Foriognes, an Italian woman of Denver, is told the story of the murder of Mrs. Maria LaGuardia, a well to do member of Denver's Italian colony whose dismembered body was found in the mountain side where it had lain for nearly a year, was found a week ago in a lonely arroyo near here.

The alleged confession, which is said to have been corroborated by the woman's 19 year old daughter Stella, throws light on several mysterious disappearances among Denver's Italian colony and accuses Angelina Garamone, the "queen" of Denver's Italian colony, now serving a term for forgery in the state penitentiary of the crime.

According to Mrs. Foriognes alleged confession, Mrs. LaGuardia, who was Mrs. Garamone's godmother, was lured to this place under pretext that Mrs. Garamone would lead her to her husband who had left Denver when an indictment was found against him.

Mrs. Garamone took a long butcher knife, cut Mrs. LaGuardia's throat, pushed the body into the arroyo, kicking down enough earth from above to cover it. A trip to the scene of the murder yesterday caused a breakdown on the part of Mrs. Foriognes who, with her daughter and four other Italians, had been charged with the crime.

Condition Of Pope Pius

By Associated Press. Rome, Aug. 12.—At noon today the general condition of Pope Pius was described by his physicians as "relatively satisfactory."

The pontiff appeared somewhat stronger. His temperature remained slightly above normal and the depression had not been entirely overcome.

This afternoon the Pope in a conversation more prolonged than usual during the past several days, urged Cardinal Merry del Val, the papal secretary of state to go as he had planned to his villa at Montemario tomorrow.

Dr. Pettaci and Prof. Marchisava were at the bedside for more than an hour this forenoon. The kidneys were examined but nothing unfavorable in this respect being discovered except of insignificant cases of calculi.

The Pope did not get up this morning, asserting that he felt better in bed than in the chair which he had occupied at times yesterday.

The pains in his knee continued slightly. The swelling which appeared yesterday has since remained stationary. Last evening the physicians were optimistic, saying that the patient showed marked improvement and predicted a marked recovery, barring unforeseen complications within ten days.



TAKE 'EM OFF; THEY HURT.

SENATOR FLINT ALSO RESIGNS COMMISSION

By Associated Press. Washington, Aug. 12.—A vote will be taken by the senate at 1:45 p. m. Monday next on the Cummins bill providing that the national monetary commission make its final report December 4 next and then be dissolved.

Washington, D. C., Aug. 12.—Following Senator Bailey's resignation from the national monetary commission, Vice-President Sherman today received a telegram from former Senator Flint, of California, announcing his resignation from the commission. No reason was given for his decision.

Stock Market Again Demoralized

By Associated Press. New York, Aug. 12.—Conditions apparently demoralizing again overtook the stock market today. Opening prices were substantially lower with pronounced weakness in Union Pacific which has been the central figure of the past fortnight's liquidating movement.

Declines spread throughout the list, being especially marked in the higher class stocks. In fact it is assumed that other securities of less known merit have not fallen proportionately because of their probably being fractionally unmarketable at this juncture.

There was no news to account for the continuance of the liquidation which before the end of the first hour extended to 4 points in Union Pacific, that stock selling at 170, later yielding some more.

The market if surface conditions may be taken as a criterion, was entirely lacking in support, there apparently being no material change at the apparent recessions which now extend from 15 to 20 points since the early part of last week.

Gaynor Favors Law Winking

New York, Aug. 12.—Five boys, the oldest 12 years, who can not play ball in the street because of the game, nor in the park because of the injury to the grass, learned from Mayor Gaynor that it is entirely within the province of a bluecoat "to wink so hard with both eyes as to not see you when you are doing no harm and the street is not crowded."

The quintet sent a plaintive letter to the mayor, asking him to ponder on their lot. In his reply he says: "What is too hard for you cannot play ball somewhere in peace. Of course, the police can not let you always play in the streets. In the parks you may only play on the places assigned to baseball playing. I wish we had grounds for you all to play, but, unfortunately, we have not. So, boys, do the best you can, and I will help you now and then, if you send me word."

AGITATION AGAINST THE SPANISH GOV.

Madrid, Aug. 12.—Recent events, including the mutiny on the Spanish battleship Numancia indicate the political unrest and the serious difficulties to maintain order. Although the present liberal ministry has done much to meet the democratic opinion of the country, the agitation against the ministry and the monarchy increases.

ADMIRAL TOGO TO GO TO WEST POINT TO - DAY

By Associated Press. New York, Aug. 12.—Admiral Count Togo and his party left here early today on the Mayflower, the president's yacht, for West Point, where the cadets of the Military Academy were scheduled to drill and parade especially for the Japanese visitor.

The admiral, famous as a disciplinarian, looked forward eagerly to the drills of the future army officers, as on his recent visit to the Naval Academy three classes of midshipmen were cruising aboard and the commandant did not care to show the admiral the six-week-old "plebes" or first-year men—the only members of the academy on hand.

At West Point General Thomas H. Barry's program included a formal reception to the distinguished sea fighter and his party, a luncheon, then the special parade followed by an afternoon tea at which for the first time the naval hero was to meet some American women.

The Mayflower will return here tonight.

Storm Warning Bulletin Issued

By Associated Press. New Orleans, Aug. 12.—The local weather bureau issued the following storm warning this morning: "Advisory warning for Louisiana coast. 'Disturbance' over Southern Mississippi moving northward will probably cause squalls this afternoon and tonight. Small vessels should be cautious."

Heavy Rain in Mobile. Mobile, Ala., Aug. 12.—The rainfall in Mobile up to 10:30 o'clock this morning was 4.34 inches according to official figures. Rain is still falling but shows signs of letting up.

Women Seek for Highballs

Cincinnati, Ohio, Aug. 12.—"What is a highball?" is the question puzzling the minds of a committee of the central body of the Woman's Christian Temperance Union of this city. At a meeting of the union recently it was reported that the various drug stores in the city were selling "highballs" to women, contrary to law. A committee was appointed to investigate the report but immediately wanted to know, "What is a highball?" A sub-committee will furnish the desired information in a few days, when the original investigation will be started.

Priests Saved From Surf

Rockport, Mass., Aug. 12.—Seven Redemptorist fathers from the Mission church, Boston, were rescued by the life-savers from the Gap Cove station after their power boat Diana had run on the end of the Sandy Bar breakwater.

The boat was almost at the point of sinking when the life-savers arrived and took them to the shore. Rev. Thomas V. Twohey, Rev. James Clark, Rev. Frank Passinaicht, Rev. William Prager, Rev. Michael Gannon, Rev. Simon Grogan and Rev. Henry Berman.

"BEST IN THE STATE"

Jonesboro, N. C., Aug. 10. Editor Charlotte News, Charlotte, N. C. Dear Sirs: My brother at Aberdeen wanted a daily paper. I told him to take The News, the best paper in the state. Enclosed find check (\$1.50). Send the paper to E. F. Liles, Aberdeen, N. C. Respectfully, S. N. LILES.

DETECTIVES ARE KILLED BY AN OFFICER

By Associated Press. Detroit, Aug. 12.—Frank J. Cook and Daniel Vreeland, special detectives for the Lake Shore Railroad, who were killed last night by Special Officer William Burnett, of the Michigan Central Railroad, met death as the result of a joke they attempted to play on Burnett. Knowing that he had had trouble with two car breakers, they decided to hide behind a car and spring out on him as he passed. Burnett, not recognizing either, shot four times at them. When he later learned whom he had killed he broke down. Burnett is under arrest.

Use The Broom And the Cuspidor

Sanitary Policeman Roberts asks The News to request the merchants not to put trash on the streets after the street cleaners have made their rounds. Saturday night; he also requests each merchant or uptown business man to have the sidewalks swept on the closing of the store Saturday night so the city will present a cleaner appearance on Sunday. As it is the sidewalks are as dirty as they can be on Sundays. Surely the men who have business places have civic pride enough, even if the law does not compel them, to keep their sidewalks clean—especially on Sunday. Why should he if the citizens will take interest enough in it to keep the sidewalks clean. Another thing Mr. Roberts calls attention to by order of the mayor, is the spitting ordinance. This, mayor Bland has given imperative orders to be enforced.

London Itself Again To-day

By Associated Press. London, Aug. 12.—London is almost itself again today. The official announcement that the strike had been settled last night sufficed to release the flood of traffic which had been held up for two or three days and supplies were rushed out to replenish the empty markets and stores.

It is estimated that the week's strike of the dock men and carriers has cost the metropolis at least \$7,500,000. Car men employed by two railroad companies claim to have private grievances and refused to return to work under the general settlement.

TO PAY TEACHERS.

Atlanta, Ga., Aug. 12.—Two bills have been passed in the senate which will be of inestimable importance to the teachers of the state, though neither teachers nor schools are mentioned in either measure. One increasing the borrowing power of the governor from \$200,000 to \$500,000, and the other sets forward the date for the payment of state taxes by corporations to September 1st, whereas under the old law they had not been paying until the end of the year.

Prominent Man Dead.

Montgomery, Ala., Aug. 12.—Robert J. Chambers, for many years one of the foremost electric light experts of the South, died here suddenly this morning.

Three Disastrous Train Wrecks Were Reported To-day

SENATE COMMITTEE ACTS ON PEACE TREATIES

By Associated Press. Washington, D. C., Aug. 12.—The senate committee on foreign relations today agreed to recommend the ratification of the arbitration treaties with Great Britain and France, so amended as to eliminate the paragraph conferring upon the joint commission of inquiry the right to determine what international questions are justifiable under the terms of the treaties. The president has informed members of the committee however, that he will exert himself to the utmost to insure inclusion of this paragraph in the ultimate action by the senate.

TO INVESTIGATE STEPHENSON ELECTION.

By Associated Press. Washington, Aug. 12.—An investigation of the election of United States Senator Isaac Stephenson, was directed in a resolution passed in the senate today. The resolution was reported to the senate by chairman Dillingham of the elections committee which at a meeting today approved the recommendation of a sub-committee, granting the Wisconsin legislature's request for an investigation. The committee was authorized to sit during the recess of congress to subpoena witnesses and to call for all the necessary papers.

CHAUFFEUR'S AWFUL DILEMMA.

Haines Falls, N. Y., Aug. 12.—Rather than plunge an automobile with Mr. and Mrs. C. W. Lawton, of New York, in it over the 90-foot ledge of the Palenville Hill, Ivory James, their colored chauffeur, struck the wagon of Edward Lane, a local green grocer, killed the horse, broke both of Lane's legs, but stopped his machine.

In rounding the second turn of the steep hill the brakes failed to work. Lane was seen ahead and the party yelled to him to get out of the way. As the road was narrow James had to choose between dashing his party over the precipice or plunging into Lane. Lane is suffering from internal injuries and may not live.

CONGRESSIONAL DELEGATES TO GORDON FUNERAL ARRIVES.

By Associated Press. Memphis, Tenn., Aug. 12.—The congressional delegation appointed by Speaker Champ Clark to attend the funeral of General George W. Gordon, commander-in-chief of the United Confederate veterans and member of congress from the tenth Tennessee district, who died in this city Wednesday, arrived early today. The funeral will take place at 3 o'clock.

Funeral This Afternoon Of James Sheppard

The funeral services of James O. Sheppard, the seven-year-old son of Mr. and Mrs. J. W. Sheppard, will be conducted this afternoon at 4:30 at the residence, by Rev. Dr. McGeachy, pastor of the Presbyterian church, of the Second Presbyterian church, of the bereaved family. The pall bearers will be: Messrs. Treloar Wearn, John Irwin, John Bryhill, George Wearn, Neal Yates Paarr and James Pharr.

Hog Cholera still Raging.

Pennsboro, N. J., Aug. 12.—There seems to be very little abatement in the spread of hog cholera, and most of the pens of this immediate vicinity have been affected. It is claimed that there have been about 200 cases, but only a few deaths. The board of health has taken up the matter.

Congressman Loudenslager Dead.

Pauisboro, N. J., Aug. 12.—Congressman Henry C. Loudenslager, of New Jersey, died at his residence here this morning.

THE FUNERAL OF J. W. GATES HELD TO - DAY

By Associated Press. Paris, Aug. 12.—The funeral of John W. Gates was held today at the interdenominational church in the Rue de Berli.

The service was conducted by the Rev. James Lee, pastor of St. John's Methodist Episcopal church, South, assisted by Dr. Hyatt, pastor of the American church. In his discourse the latter said that Mr. Gates and he had played together as boys but had never met in later life.

Some 200 American friends and acquaintances from all parts of the United States were present. Nearly all entered their names on the register in the vestibule of the church. Beautiful floral pieces filled the chancel. The body will be taken to Cherbourg Tuesday and placed on board the Kaiser Wilhelm der Grosse which will sail on the following day for New York. Mrs. Gates and Charles Gates will accompany the body, going to Cherbourg in a special car attached to the boat train Wednesday.

Engineer Killed When His Train Ran Into Open Switch

Near Americus, Ga., Early in Day—Passengers Miraculously Escape.

Conductor Finch, Injured in Accident Yesterday Near Raleigh, Died From Burns—Two Others Scalded—Train Derailed in Illinois.

By Associated Press. Macon, Ga., Aug. 12.—When train No. 11 of the Central of Georgia Railroad, bound from Macon to Montgomery, ran into an open switch, one mile west of Americus, at 6 o'clock this morning, Engineer Edward F. Adams, of this city, was killed, the engine demolished, and the express and baggage cars derailed. The fireman jumped and was not hurt. None of the passengers was injured, though all were badly shocked. The train was going at 45 miles an hour and it is considered miraculous that the passenger coaches remained on the track.

Serious Train Wreck in Illinois

By Associated Press. Chicago, Ill., Aug. 12.—A report received by officials of the Chicago, Rock Island and Pacific railway says that an eastbound local passenger train ran into a stretch of washed-out track between Wyanett and Tiskilwa, Ill., and was derailed this morning. Engineer Slater is said to have been severely scalded and John Scyborn, baggage-man, was bruised and injured internally.

CONDUCTOR FINCH DIES.

Special to The News. Raleigh, N. C., Aug. 12.—Conductor Walter Finch was terribly scalded when the crown-sheet blew out of engine No. 904 on the Seaboard Air Line last evening, five miles west of Raleigh, died this morning at 7 o'clock.

News from Engineer Stephen Stogner and Fireman John Maxey, colored, is that both are recovering nicely. Their scalds were not nearly so severe as those of Mr. Finch, whose whole body was almost a mass of scalds. The cause of the explosion is still unaccounted for. It was steam that poured from the firebox into the cab where the three victims were that did terrible injury to the men. Conductor Finch was 36 years old and made headquarters at amet.

He leaves a wife but no children. His parents reside five miles out from Raleigh.

MAY TAKE RECESS IN STEEL HEARING.

By Associated Press. Washington, Aug. 12.—When the house committee inquiring into the so-called steel trust affairs resumed its hearings today it was with the expectation that a recess would be taken late this afternoon until autumn.

At the outset of today's session Chairman Stanley of the committee, read a telegram from Melville E. Stone, general manager of The Associated Press, requesting a hearing. He will be heard when the committee resumes after the recess. Mr. Stone's telegram to Mr. Stanley read:

"Albany, N. Y., Aug. 1. 'Hon. A. O. Stanley, Washington: 'Have just learned that a personal letter of mine to Oakleigh Thorne was introduced into evidence today. It is only fair to say that this letter was written under no new promise to have been a misapprehension of the facts and its use before your committee without explanation is unjust. I therefore request a hearing at your hands. 'Melville E. Stone.' (Signed) 'The chairman,' announced Mr. Stanley, 'will be very glad to hear Mr. Stone.'"

"I received a telegram from Mr. Stone this morning," said Mr. Littleton. "I do not happen to have it with me, but in it he requested that his telegram to Mr. Stanley be introduced in the record of the proceedings."

All the members of the committee expressed the opinion that Mr. Stone should be given an opportunity to appear. K. C. Bolling, one of counsel for the United States Steel Corporation, declared that "on behalf of Mr. Perkins, I would suggest to the committee that Mr. Stone be subpoenaed."

Mr. Littleton moved that when the committee resumed after recess, Mr. Stone be heard. This was agreed to.