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MARZONI ON TRIAL

Evidence in Case Against the Midshipman

DENIED THAT HE HAD HAZED

Decatur Acquitted, at Once Rearrested and Will be Tried Again

It is Announced That Decatur Will Fight Against Charges That Will be Held Against Him—Unofficially, it is Stated, That Coffin Has Been Convicted of Hazing and Dismissed—Interesting Testimony Develops in the Trial of Midshipman Marzoni.

Annapolis, Md., January 6.—The developments today at the naval academy were important. Stephen Decatur Jr., the first of the member of the first class to be put on trial, was declared acquitted, and restored to duty, but was rearrested shortly after and will be tried under other charges of hazing under the act of 1874, and of encouraging or countenancing hazing under the act of 1903. It is authoritatively stated that he will fight these charges. Announcement was made unofficially that Midshipman Tremnor Coffin, Jr., of the third class from Carson City, Nevada, has been convicted of hazing Midshipman Kimbrough and dismissed.

During the trial of Midshipman Marzoni, it developed that a fagging system exists at the academy, under classmen being expected to bring food from the breakfast table to upper classmen when they miss the formation.

It was also made clear that since the hazing investigation began, upper classmen have been subjecting each other to the practices generally visited upon fourth classmen, so as to be able to testify that certain things were not done to under classmen only, and consequently, do not constitute hazing. An intimation of this has been gained by previous testimony, but it remained for Midshipman Robert W. Cushman, a first classman from Birmingham, Ala., to finally let the cat out of the bag, when he stated that since the session of the court of inquiry begun the first class midshipmen and others at his table had been required to reject dessert.

This was only required of fourth classmen up to a few weeks ago. In the Marzoni trial, Chester S. Roberts testified that he was ordered to Marzoni's room, where he had to do "Number 16."

Roberts said that he had been told to go to the room and say to Marzoni, "If she had been a dog, do you think she would have taken it?"

Fourth Classman Benjamin W. Tye of Atlanta, said that he had brought Marzoni's breakfast to him. "I did not mind it a bit," he said. He had done it about six times. Tye said that there was friendly feeling between himself and Marzoni and that they were on adjoining southern states. This fact, he said, made him perfectly willing to do the service for Marzoni.

On cross examination Tye said that he did not consider the services he performed for Marzoni as menial nor did they annoy him or harass him. He said that he had seen Nagle, Marzoni's room mate, bring Marzoni's breakfast.

Midshipman Albert C. Bryant, testified that he had carried milk to Marzoni on several occasions. Marzoni came to his room and made him stand on his head he said.

Bryant was cross examined by Marzoni's counsel to show that the bringing of food from the breakfast table was a courtesy and not a humiliation. Bryant said southern midshipmen usually performed courtesies for each other and declared that he was not harassed or annoyed in any way by bringing the food. He said he understood it to be a request rather than an order.

Bryant also said that Marzoni had helped him with his Spanish voluntarily. He sat at Marzoni's table and was treated well in every respect.

Midshipman Marzoni was called to the stand by his counsel. He absolutely denied that he had hazed Roberts or ever knew him. He said that Tye had brought him food by request. He had thanked him for so doing and Tye did not appear to make any objection to this. He only knew of two occasions when Tye had brought him food. Bryant had also brought him food and a glass of milk. It had been done under the circumstances as in Tye's case.

Marzoni then absolutely denied that he had compelled Bryant to stand on his head as alleged in the specifications. He said that he had never stood a fourth classman on his head and did not believe it a proper thing to do. On

cross examination he said that he had never in any way caused a fourth classman to stand on his head.

When asked for explanations of Bryant's testimony, Marzoni said he could not explain it, except to say Bryant was mistaken. The accused midshipman was then asked in regard to Tye and Bryant. He said that both boys were from the same section of country as himself and that it was the custom among southern midshipmen to be on friendlier footing than others. He had requested the youths, not ordered them to bring his breakfast when he was not down and they had done so.

The defense contended strongly that the under classmen had done these things as a courtesy to Marzoni and an act of friendship and not under compulsion.

Marzoni was followed on the stand by Charles A. Woodruff, his room mate who testified to Marzoni's fondness for a little morning sleep and that he missed breakfast formation frequently in consequence.

Several other midshipmen said they had carried rolls and milk to Marzoni. John Dixon, of Fayetteville, Ala., a member of the second class, said that he considered Marzoni was very nice to Bryant.

SHOT AND PLACED IN BED

New Evidence in the Edwards Case, Which Causes Police to Start on Different Theory.

New Haven, Conn., January 6.—The announcement of the discovery of evidence pointing to the belief that Charles A. Edwards of New York, the victim of the mysterious murder at the Hiller homestead was not shot in the bed where he was found, was the most interesting development in the case today. This evidence came to light when an examination was made of the clothing on the body. On one of the stockings, the left one, a blood clot as large as the end of a man's thumb, was discovered, and blood had soaked through the stocking and spread over the top of the instep. This is considered to leave little doubt that the body was placed in the guest chamber bed after the shooting, and the theory that the man was shot while standing or in some other position where the blood from the wound in left side of his head, would fall upon his foot. The fact that on the left stocking also there was a collection of lint or carpet dirt, is believed to lend color to the theory that he was dragged in an unconscious condition to the bed. There was no lint on the stocking which covered the right foot. It was said today that two bullets have been found imbedded in one of the walls of the guest chamber.

The search for the pistol went on today without result. At the coroner's office, it was said that his report on the question would not be given out tonight, though the investigation is about complete.

NATIONAL HOTEL ON FIRE

Flames Threatened to Destroy One of Washington's Oldest Resorts.

Washington, January 7.—The National Hotel, one of the oldest hostleries in the city, was threatened with destruction at an early hour this morning. The flames started from a defective flue under the roof on the fourth floor, and soon worked their way to the kitchen, on the first floor, which was pretty well gutted. The 165 guests in the hotel were aroused from their sleep, and scantily clad, made their way to the ground floor. The fire, however, did not reach any part of the hotel in which the guests were domiciled.

Three women were rescued by the fire escape, one of them being partly overcome by smoke.

While the excitement was at its height, one of the guests went into the parlor and played a lively air on the piano. This had the effect of quieting the excitement. One of the guests, while the fire was in progress, paid a porter ten dollars to bring his trunk from his room. The loss is estimated at between \$7,000 and \$8,000.

Chorus Union Strike Ends

New York, January 6.—The strike of the Metropolitan opera house chorus was ended today. The chorus returned to the stage this afternoon, singing in the matinee performance of Gounod's "Faust." Director Heinrich Conzel agreed to pay the members of the chorus \$20 a week instead of the \$15 wages paid them formerly, and they relinquished their demand for the recognition of their union.

Charged With Murder

Milledgeville, Ga., January 6.—Ras Saunders, a young man, has been arrested and is in jail for killing O. W. Meadows, a prominent farmer and merchant who was found murdered in his buggy. Saunders admits he did the killing but says it was accidental. The evidence shows that Meadows was killed, and then put in his buggy and carried on the road towards his home for about one mile and the horse turned loose to carry Meadows the rest of the way home.

Struck by a Train and Killed

Scranton, Pa., January 6.—W. T. Roe, of Lynchburg, Va., traveling representative of the Modern Woodmen of America, was struck by a train on the Central Railroad of New Jersey at Moosic station, near here and instantly killed.

THE PHILIPPINE TARIFF BILL

Representative Hill Talks on Tobacco Feature of the Measure

HE HAS VISITED THE ISLANDS

Industry There, He Said, Would Never Injure American Industries—Mild Form of Slavery Said to Exist Among the Moros—Representative Mondell Speaks Against the Policy of Helping the Filipino People by Granting Them Open Markets in the United States.

Washington, January 6.—In a session of five hours today the House placed on record a speech in favor of the Philippine tariff bill, one against it and a twenty minute talk for tariff revision according to the Republican demand of Massachusetts. Mr. Hill, of Connecticut, occupied three hours, and was listened to with the greatest interest in detailing the knowledge he gained from two visits to the Philippines, the last one as a member of the party of Secretary Taft last summer. He paid particular attention to the tobacco feature of the measure.

Mr. Mondell, of Wyoming, who has led the fight against the bill in the interest of the beet sugar industry of this country, spoke vigorously against the measure and against the policy of helping the Filipino people by granting them open markets in the United States. He said the passage of this bill would be the death knell of the beet sugar industry in the United States.

The abolition of the tariff on hides was pleaded for by Mr. Lawrence of Massachusetts, who presented the position taken by the Republicans of that state.

Mr. Hill said the agricultural land of the Philippines was but nine and a half per cent. of the total area. He said that a mild form of slavery existed among the Moros.

Substantially all of the export tobacco of the islands comes, he said, from a single valley in the island of Luzon. The valley is two miles wide and about fifty miles long. It was the wildest imagination to suppose that at any time would Philippine industry ever be disastrous to American industries. Reverting to Mr. Hill's statement about slavery, Mr. Clayton (Ala.) asked: "Is it true, did I understand the gentleman to say that slavery still exists among the Moros; the traffic in human beings, where men and women are sold for \$50 to \$100?"

"I did not see any of this traffic," replied Mr. Hill, "but I believe slavery exists."

"Five years ago the great Republican party has been in power and these conditions still exist?"

"It is true."

"I would like the gentleman to tell us why this great Republican assimilation has not eradicated this condition," continued Mr. Clayton.

"Oh, yes," replied Mr. Hill, "and we would have slavery in this country today if it had not been for that great Republican party."

Mr. Hill reviewed at length the tobacco industry in the Philippines, explaining the primitive methods of tobacco culture and the limited manufacture of smoking and chewing tobacco and cigars. He said single factories in the United States make more than the entire output of manufactured tobacco in the Philippines.

Mr. Hill said a careful study of tobacco production in the islands and the export tobacco trade had persuaded him that the United States has nothing to fear from competition with Philippine tobacco because of its inferiority and the impossibility of extensive tobacco culture in the islands.

Speaking of the argument that the cheap labor of the Orient would be brought in direct competition with American tobacco workers by a reduction of the duty on Philippine tobacco. Mr. Hill called attention to the fact that American exclusion laws keep Chinese out of the islands and contract labor cannot be employed. He said practically all the cigar and cigarette makers are Filipinos, few of them are now employed. As all work of this sort is piece work he said a man's earnings increase as his ability increases. Mr. Hill said the manufacture of a first class hand made cigar in Manila is almost as expensive as in the United States.

The House adjourned until Monday.

Raleigh and Pamlico Sound Railroad to Enter Raleigh.

(Special to The Messenger.)

Raleigh, N. C., January 6.—The city engineer is making a survey for entry of the Raleigh and Pamlico Sound Railway into the city. The depot will be within a few yards of the power house of the Raleigh Electric Company. Work on the road is now to be pushed very rapidly.

C. M. Wille and Company, Washington, have filed petition in bankruptcy, liabilities \$1,948, assets \$970.

Reconciliation Between Bob Fitzsimmons and Wife.

Siox Falls, S. D., January 8.—It was announced today that a reconciliation had been effected between Bob Fitzsimmons, and his wife and that Mrs. Fitzsimmons would abandon her action for divorce. It is expected that the two will leave tomorrow evening for New York.

THREE KILLED AND 20 INJURED

Fatal Head on Collision Between Passenger and Freight Trains.

PHILADELPHIA AND ERIE ROAD

Impact of the Trains Was Terrific, and Smoker and First Day Coach Were Telescoped—Accident Happened About Ten Miles East of Carry, Pa. Cause of the Wreck Has Not Yet Been Determined.

Corry, Pa., January 6.—As the result of a head-on collision tonight between fast passenger train number 4, of the Philadelphia and Erie railroad, and a freight engine moving light, three trainmen were killed and twenty passengers more or less seriously injured. The accident happened during a severe snow storm at Horn's siding, ten miles east of this city.

The dead: Thomas Finn, Erie, Pa., engineer passenger train.

Frederick Herman, Erie, Pa., fireman passenger train.

A. Niell, Kane, Pa., fireman freight engine.

The passenger train left this city 15 minutes late, and was running at 45 miles an hour when it met the freight engine head-on. The impact was terrific, and the smoker and first day coach were telescoped. Almost every one in these two cars were buried in the wreckage and sustained engines and when taken out were dead, more or less serious wounds. The trainmen were caught beneath their

As quickly as conditions would permit the injured were removed from the ruins and placed on relief trains, where first medical aid was given. Quick runs were then made to Erie, Kane, Warren and this city, where ambulances were in waiting to carry them to the hospitals.

Major I. B. Brown, secretary of internal affairs of Pennsylvania and Conductor Morgan, of the passenger train worked heroically with axes and rescued many of the injured from perilous positions among the debris.

The cause of the wreck has not yet been determined.

A SCARLET FEVER CURE

Big Success Claimed for Remedy by Dr. Luhn.

A new treatment for scarlet fever which, he says, has had a long series of victories and no failures in its struggle with the disease for nearly eight years, is now offered as a free scientific contribution to the medical profession by Dr. J. F. C. Luhn, of No. 220 East Seventy-second street. Noticing that most deaths from the disease were the result of paralysis of the heart, he devised a treatment for the blood and for the kidneys which prevents anaemia—or destruction of the red blood corpuscles—and also prevents kidney complications.

The physician, in speaking of his treatment, said:

"As my treatment. The germs of scarlet fever diminish the red blood corpuscles and produce an excess of white blood corpuscles. Anaemia next sets in through the poverty of the blood, and paralysis of the heart follows. My treatment is curative and eliminative. In the first four days of the disease, prescription No. 1 increases the iron in the red corpuscles, and brings oxygen into the blood without impairing the function of the kidneys. In the next four days prescription No. 2, which contains all the ingredients of No. 1, and also another substance, acts on the kidneys in such a way as to cause the red corpuscles which have been destroyed by the disease germs to be eliminated from the blood. Often these dead corpuscles cause congestion in the interior mechanism of the kidneys, which turns into Bright's disease. The extra oxygen in the blood prevents paralysis of the heart, which is due to the presence in the blood of carbon monoxide.

"I always insist that as soon as evidences of the disease appear, the patient—usually the patient is a child—be bathed in warm water, and then placed in the lightest and best ventilated room of its home. The medicine must be purchased only of reliable druggists, as it must be perfectly pure and contain no chemical likely to depress the heart action. It must be kept in an amber colored bottle, as it is affected by the light. While there are no poisons used in the preparations, the medicine should be thrown away after the patient is well and renewed when needed again."

Death of Prominent Craven County Man.

Ex-Sheriff William B. Lane, of Craven county, died of heart disease at his home Wednesday morning, very suddenly, while dressing. He was one of the best and most prominent citizens of Craven, and besides being sheriff of the county, had represented it in the legislature. He was 71 years old—Kinston Free Press.

Roosevelt Will Attend Gridiron Club Dinner.

Washington, January 6.—President Roosevelt today accepted an invitation to attend the annual dinner of the Gridiron Club, which will be given on Saturday night, January 27.

FORGED N. AND W. CERTIFICATES

Many Fraudulent Certificates, of the Norfolk and Western Common Stock, are in Circulation.

Philadelphia, Pa., January 6.—A number of forged certificates of the common stock of the Norfolk and Western railroad have recently been detected. It is not known how many of these fraudulent certificates are in circulation, but eight certificates of 100 shares each have been discovered.

Detectives have been at work on the case for several days, and they are reported to have learned that a New York brokerage firm is involved.

E. H. Alden, secretary and assistant treasurer of the Norfolk and Western railroad today went to New York to make a personal investigation of the matter.

New York, January 6.—More than \$77,000 worth of forged Norfolk and Western stock certificates have been offered to the public. The New York stock exchange has already found and it is such certificate for 900 shares of this stock have already been found and it is not known how many more may be in existence. Shares of Norfolk and Western were quoted at \$86 each on the stock exchange today. The forgery was discovered only a few days ago. Detection was made through a mistake in printing an inch and a quarter long picture of a locomotive on the certificate. In the genuine certificates this engine appears headed towards the left, whereas on the forgeries it is headed to the right. It was announced that the Norfolk and Western Railway Company is not liable for any loss sustained by brokers by whom the certificates are passed.

CALLS IT NATIONAL DISGRACE

Dr. Minor Morris Expresses Himself Concerning the Forcible Removal of His Wife From the White House.

Washington, January 6.—"This White House outrage is a burning shame and a national disgrace!"

So said Dr. Minor Morris, husband of Mrs. Morris, who was forcibly removed from the executive offices on Thursday last, and taken to the house of detention. Dr. Morris arrived here early today.

Mrs. Morris received newspaper men in her room, where she and Dr. Morris discussed with them the story of her father's will, which had brought on an estrangement between Mrs. Morris and her brother, Representative Hull, and which has led to much personal bitterness.

According to Dr. Morris he was removed from the surgeon general's office on charges filed by Representative Hull at a time when Mrs. Morris was about to proceed to Pueblo, Colo., to get at certain facts pertaining to the will which she alleged had not been made to appear in the case. It was these charges, Dr. Morris said, that Mrs. Morris desired the President to have investigated.

Representative Hull made a statement today denying the charges that he had violated the provisions of his father's will or had failed to file a codicil to that will or forged a part of the will.

Dr. Morris tonight said that Mr. Hull's statement evaded the issue which was the cause of the "outrage" perpetrated on Mrs. Morris at the White House.

A MYSTERIOUS MURDER

For an Unknown Reason, W. J. Constantine Stabs and Kills Mrs. A. W. Gentry.

Chicago, Ill., January 6.—Mrs. A. W. Gentry, 26 years old, wife of the president of the Universal Trading and Supply Company, was murdered today for some unknown reason by a man whom the police declare is W. J. Constantine, a boarder in the Gentry home. Mrs. Gentry died before she could make a statement, and Constantine fled from the building without hat or coat. He is now being sought by the police. At the time of the murder Mrs. Gentry and Constantine were alone in the apartments where the Gentry family lived. Mrs. Gentry was about to go down town, when the murderer attacked her with a razor, and after cutting her throat from ear to ear, pushed her out into the hall and threw her down a flight of stairs. She fell against the door of the apartments occupied by Dr. David J. Goherty on the floor below. The physician took Mrs. Gentry into his office, and endeavored to save her life, but she died within a few minutes. A razor belonging to Constantine was found on the floor of the room in which the crime was committed.

Constantine is the son of a wealthy man living in New York city. It is reported that he is a member of the firm of John Constantine & Son, whose place of business is situated in Harlem. So far as known he had no employment, but was living on money sent to him from New York.

Reduction in Staple Cotton Acreage Advocated.

Lake City, Fla., January 6.—The Association of Long Staple Cotton Growers which met here today adopted resolutions strongly advocating the reduction in staple cotton acreage next year of 25 per cent. The resolutions also favored the establishment of warehouses in county seats, and insisted on changing the day of paying fertilizer bills to December 1, instead of October 1. The farmers were urged to borrow money from banks, rather than mortgage the cotton crop, and also to sell no cotton in the seed. The association here holds nearly \$100,000 worth of long staple cotton.

AFTER STANDARD OIL SECRETS

Purpose of Questions Asked by Attorney General Hadley

ROGERS DECLINES TO ANSWER

Matter Will be Certified to the New York Supreme Court for a Determination as to Whether Rogers Must Answer or be Adjudged for Contempt—Suits to Exclude Certain Companies From Doing Business in Missouri.

New York, January 6.—Developed from the questions asked by Attorney General Herbert S. Hadley, of Missouri, of Henry H. Rogers, vice president and director of the Standard Oil Company, of New Jersey, that one of Mr. Hadley's chief purposes in conducting an examination of officers of that company in this city, is to find out whether that company owns a controlling interest in the Standard Oil Company of Indiana, the Waters-Pierce Oil Company, of Missouri, and the Republic Oil Company. This Mr. Hadley said tonight, he regards as a step in the direction of excluding the three latter companies from doing business in Missouri. To most of the important questions asked by Mr. Hadley bearing directly on the question of stock ownership, Mr. Rogers declined to give an answer, "on the advice of counsel," and Mr. Hadley requested Commissioner Frederick H. Sanborn, to certify the questions and Mr. Rogers' refusal to the supreme court of this state for a determination as to whether or not Mr. Rogers must answer them or be adjudged in contempt.

Mr. Rogers declined to reply to questions as to whether he controls any stock in the Waters-Pierce Oil Company, whether Mr. Van Buren, of New York, holds a controlling interest in that company for the Standard Oil Company of New Jersey, whether the Standard Oil Company of Indiana, or the Waters-Pierce Company, and whether two-thirds of the dividends of the Waters-Pierce Company are not paid to H. M. Tilford, who, Mr. Rogers said, has an office at 26 Broadway, this city.

Mr. Hadley tonight declared that he would take all these questions to the supreme court of New York state to secure an order for Mr. Rogers to show cause why he shall not answer them.

Mr. Rogers did say, however, that he never heard of an agreement between the Standard Oil Company, of Indiana, and the Waters-Pierce company to divide the trade of Missouri, and that he did not believe it was ever made.

Mr. Hadley said afterward that he had an injunction against such a division, but that he was unable in Missouri to show from the officers of the oil companies that they are owned by the same party. This is what he is aiming to show in the New York hearing. Mr. Rogers today declined to answer the question whether he had a transaction with H. Clay Pierce in 1904 by which Mr. Rogers secured all or part of the Waters-Pierce Oil Company's stock for the Standard Oil Company, of New Jersey or for the Indiana company.

Mr. Rogers was still on the stand when the hearing was adjourned until Monday.

TON OF DYNAMITE EXPLODES

Five Men Instantly Killed, Four Fatally Hurt and Seven Seriously Injured.

Chicago, January 6.—Five men were instantly killed, four others fatally hurt, and seven seriously injured by the explosion of a ton of dynamite at the quarries of the DeLoe and Shepard Company at Gary, Illinois, today. All of the men killed and injured were foreigners who were laboring in the quarries.

The cause of the explosion is not known, but it is supposed that a box containing 100 pounds of the explosive fell from the top of another case while it was warming prior to use for blasting purposes, and that the explosion of this amount set off the rest of the 2,000 pounds.

The building in which the dynamite was stored, was at one end of a quarry in which about forty men were working. Three men of them who were instantly killed were at work in a trench about 150 feet from the building in which the dynamite was stored. Pieces of the wrecked building were showered upon them, crushing them to the earth. The other two men killed by the air concussion, while working in a blacksmith shop close by. The total loss to property is \$25,000. The force of the explosion was felt for 20 miles around, and many windows were broken in houses standing three or four miles from the quarry.

Fatal Shooting at Lancaster.

Charlotte, N. C., January 6.—Dr. E. S. McDow today shot and perhaps fatally injured J. H. Witherspoon, a merchant, at Lancaster, S. C., and also shot W. M. Brown, a clerk in the store. The shooting was the outcome of a quarrel over a business transaction. Dr. McDow is in jail. Two pistols were found on his person which arrested. It is said no weapon was found on either Witherspoon or Brown.