

SENTENCE OF BYNUM 15 YEARS

Slayer of J. H. Alford Gets a Long Term

TENDER APPEAL MADE

Numerous Witnesses Swore That the Man Appeared Deranged from Excessive Drinking—Mrs. Ida Garden Heard the Deceased Say "I'll Beat You to Death"

Raymond D. Bynum, aged 40 years, the slayer of his business partner, James H. Alford, senior deacon in the First Baptist church, on the morning of Thursday, December 29th last, was yesterday, after the testimony of numerous witnesses to show that he was mentally irresponsible on account of excessive use of whiskey and an earnest appeal from his counsel, sentenced by Judge W. R. Allen to fifteen years at hard labor in the state penitentiary.

The condemned man received his doom with stoic calmness, while his faithful wife, seated at his side, buried her face in her handkerchief and wept silently. Never once during the hearing of the evidence before Judge Allen did the prisoner show any emotion, he exercised a wonderful self control. His noble little woman at his side and their two small sons, who accompanied her, could not keep back the tears as they sat in the court room to hear the solemn words pronounced upon their father and husband in this fatal hour.

The counsel for Bynum had previously waived the right of a trial by jury and submitted to murder in the second degree. The state had accepted the plea and the whole responsibility rested upon Judge Allen. He realized fully this fact for the judge, when he imposed upon the prisoner a sentence which will make him a man of fifty-five years when he emerges from the prison doors, observed that he had less weight upon his shoulders when he was commanded, in obedience to the mandates of a jury, a man to die upon this when it was left absolutely to him whether the defendant should spend two or thirty years in prison.

The state had little to say in prosecution of the unfortunate man. Solicitor Armistead Jones simply brought out all the evidence at his command as to the homicide. The defense, however, not only had a star witness in the person of Mrs. Etta Carden, who swore that before the shooting she heard Mr. Alford say in a loud tone: "I'll beat you to death," but also numerous witnesses to testify that Bynum was such a mental and physical wreck from the excessive use of liquor that he was hardly responsible for what he did. Then Col. T. M. Argo, Mr. H. E. Norris and Mr. James H. Poy made tender speeches in behalf of Bynum. Mr. Poy closed with an urgent appeal to his honor to err on the side of mercy, if he erred at all, to give the man a chance to emerge from prison still strong in his manhood and unshackled from the chains of the demon of strong drink and ready to prove himself the faithful, energetic husband he had been before his illness from typhoid fever three years ago. The counsel and the prisoner himself were sadly disappointed in Judge Allen's sentence.

The testimony brought out little that the public has not already heard. Mr. Charles D. Christophers, a member of the firm of Alford, Bynum and Christophers, said that the company business in May, 1898, in describing the incidents of the fatal Thursday he said that when Bynum came in Mr. Alford spoke to him about collecting a bill from A. E. S. Lindsay. The witness turned to look up a form and the next thing he heard was the deceased say: "Don't you hit me, sir," and the prisoner say: "You or I must fall." The witness thought Bynum was talking about the business affairs. He turned and saw Mr. Alford and Mr. Bynum clinched and heard two pistol shots. He helped Mr. Alford get the defendant down on the floor and a third shot was fired. Mr. Alford was about seventy years old. He had never heard of his having any words with Bynum, except when he reproved Bynum for neglecting business.

On cross examination by Col. Argo, the witness said that since Mr. Bynum had been ill from fever in Rex Hospital he had been using whiskey as a stimulant and the habit had steadily grown upon him.

Mr. John King, a printer in the establishment, said that he heard some words between the two men, but he did not see the shooting when it took place. He paid a tribute to Mr. Alford and said that he observed nothing unusual about Mr. Bynum on the morning of the shooting.

Mrs. Etta Carden proved the most

notable witness of the day. She declared that Mr. Bynum was flushed and seemed excited when he came into the office that morning. He lit a cigar and took a seat near the stove. She was in the folding compartment, which adjoined the composing room. Presently she heard Mr. Alford say in a loud tone: "I'll beat you to death," and she saw the two men rush together and heard shots. Mr. Alford tried to get Bynum's pistol from him. Bynum shot three times before they fell to the floor. She was so excited that she jumped over a table and ran from the building. She went home and told her mother that either Mr. Alford or Mr. Bynum was shot dead. The witness had since told Mr. Christophers and several others what she heard Mr. Alford say.

Tom Pierce, a pressman, was in the press room at the time. He did not hear what took place between the two men. He could not say whether Mrs. Carden could have heard or not, but he did not hear it. She was a little nearer than he was and the window in the partition between her and the next room was up. One of the presses at the time was running.

Mr. W. S. Sherman testified as to the building and the partitions. Dr. T. M. Jordan and Dr. R. S. McGeachy told of the two wounds the deceased had, both on the right side of his body.

Witnesses for the Defense

Dr. P. E. Hines testified that he treated Bynum in the hospital for a severe attack of typhoid fever in 1902 and it left him in a weak, run down condition. He was advised to use a small quantity of whiskey, but to stop it as soon as he could.

Sheriff R. O. Riddick of Gates county said he saw Bynum on the first Sunday in January. He regarded Bynum as a mental and physical wreck. Bynum got off the train and took a conveyance to go to the country. After Bynum left it occurred to the sheriff that the man might be Bynum. Monday he went to Mr. Jno. J. Gatlings, then to Bynum's mother's. When there arrested Bynum was hardly able to walk and the sheriff assisted him into the buggy. He kept Bynum a night at Sunbury, then carried him to Gatesville. He considered Bynum a crazy man. Several people who saw him remarked that he was crazy. His eyes had the wild glare of an insane person. (Continued on page 6.)

WAYS THAT ARE DARK

Investigating a Big Loan to the Equitable Society

Large Fund That Enabled Officials to Use Money Without Having the Expenditures Appear on the Books—Dewey Loan to Be Repaid

New York, July 17.—The Equitable Life Assurance Society's loan of \$685,000 from the Mercantile Trust Company, which was mentioned in State Superintendent of Insurance Hendrick's statement, published today, is learned, is receiving the most earnest attention of the state superintendent, and furthermore it being looked into by Chairman Paul Morton of the Equitable and by Attorney General Mayer.

There is a growing suspicion in a good many quarters that this standing loan covered expenditures by the Equitable Society, which the officers did not wish to have appear on the society's books. It is known that an investigation is being carried on by at least one of the persons mentioned above on that assumption. By means of this loan, it was said today, the Equitable officers would have been able to pay money for influencing legislation, or for other improper things that have been charged against them, without the entries appearing on the society's books. This loan, according to the testimony of H. C. Deming, president of the Mercantile Trust Company, before Mr. Hendricks, was carried in the names of President James W. Alexander and T. B. Jordan, comptroller, as trustees. It did not appear in the society's statement. It was learned today that the loan has now been placed in the name of the Equitable Society.

It was learned today also that negotiations have been passed for the payment of the \$250,000 loan, which the Dewey Improvement Company obtained from the Equitable after Senator Dewey had voted for it as a member of the executive committee.

Who the person is that is stepping forward now with an offer to carry out Senator Dewey's guarantee against loss at the time the loan was made the senator denies he gave, was not learned, but it was said that the prospects are good for a repayment of the loan in a few days.

Sued Express Company

Asheville, N. C., July 17.—Special. Horace Graham, a young white man of this city, who was arrested last year charged with the embezzlement of \$500 from the Southern Express Company, and who at a subsequent criminal term of superior court was acquitted of the charge, has brought two suits against the express company in the sum of \$2,000 each for malicious prosecution and abusive use of process.

TREPOFF ORDERS SEVERE MEASURE

All Delegates to Zemstvos Congress to Be Arrested

MOST DANGEROUS MOVE

The Belief Is Expressed That the Order Will Not Be Carried Out Because It Would Defeat the Purpose for Which It Is Intended. Violence a Mistaken Policy

London, July 17.—The Moscow correspondent of the Standard says that Governor General Trepoft has sent orders to all the delegates to the zemstvos congress before their meeting, but this will not be done for two reasons, one being that it appears that the order was issued under the misapprehension that the congress would proclaim an ad interim government on constitutional lines, and the other that the authorities now recognize that the arrest of the three hundred leading men of Russia, even if practicable, would not for a moment arrest the movement, as the zemstvos and municipalities would immediately elect other delegates who would find means to hold the congress elsewhere. Moreover, any mistaken act of violence against the delegates would inevitably bring the present party of order nearer to the revolutionary bodies, a rapprochement which even the bureaucracy can hardly desire.

Delegates Arriving in Moscow

Moscow, July 17.—The delegates to the zemstvos and dumas congress are continually arriving. The session will open Wednesday afternoon at Prince Dolgorouki's residence. The zemstvos are sending 172 delegates and the dumas 112. It is not believed that the congress will be forcibly repressed, and nothing short of force will prevent its being held.

Public Interests Discussed

Moscow, July 17.—Representatives of Russian trade and industry met this afternoon to discuss the political situation. M. Kouvalovsky, ex-assistant minister of finance, and one of M. Witte's most prominent lieutenants, presided. Strange to say, the authorities permitted the meeting although it was summoned for exactly the same purpose as the zemstvos and dumas congress. The preliminary speeches largely centered on the effect of M. Boutyguine's scheme on the labor question. The total exclusion of the labor vote would, it was declared, certainly disastrously affect Russian industry. Many of the speakers urged that constitutional reforms would alone save the country from the calamity to which the bureaucratic and police regime was hurrying it. They drew the gloomiest pictures of the internal condition of Russia. They said that many provinces were doomed to famine, others promised magnificent harvests, but they would probably be left to rot in the fields as the peasants everywhere were refusing to work.

Rioting at Cronstadt

London, July 17.—Desperate rioting occurred today in Cronstadt, according to a dispatch received by a news agency here. It is stated that mutinous sailors attacked and looted nine public buildings despite the efforts of the police. Many were killed and wounded, but the exact number is unknown.

A Grand Duke Exiled

Berlin, July 17.—Newspapers here state that the czar has banished his cousin, Grand Duke Nicholas Constantinovitch, to the Caucasus, owing to his friendly relations with the revolutionists. The grand duke arrived at Stavropol under the escort of gendarmes, whose commander has been ordered to closely watch him and to oversee all his correspondence.

Russians in Saghalien Will Surrender

London, July 18.—A dispatch to the Telegraph from Tokyo says that the surrender of the Russians in the island of Saghalien is hourly expected. They are now in a hopeless plight.

St. Petersburg, July 17.—General Linievitch reports that the Japanese were bombarding Naibuchi, on the southeast coast of Saghalien, on the night of July 14.

A Husband's Heartless Crime

Birmingham, Ala., July 17.—The lifeless and badly mutilated body of Mrs. Emmet Parham, aged 21 years, was

found by an old negro one mile east of Hillsborough and indications point to the woman having been murdered and then laid on the railroad track to be mutilated. The woman's husband is being held pending an investigation, and rumors have it that trouble is feared. Parham and his wife had been separated for six months, the two living in different parts of the city. The two met at Trinity and quarreled. Parham claims that he left his wife before she met her death. There was no blood where the woman was found.

ALEXANDER IN SECLUSION

Late President of the Equitable at a Private Sanitarium

Hempstead, L. I., July 17.—Regardless of the efforts to keep the resting place of James Alexander, late president of the Equitable Life Assurance Society, a secret it became known in Babylon today that he was spending some time at the farm of Frederick R. Townsend, a broker of Manhattan. The estate is known as the Unkeway farm and is located about a mile and a half north of Babylon village. Some time ago Mr. Townsend received an offer to lease the farm as a sanitarium, and it is now used for that purpose. There are several other patients at the place besides Mr. Alexander, but all information as to who they are and other information is refused at the place, and several denials have been made by the people in the neighborhood that the late president of the Equitable is even near Babylon at all. In order to keep the arrival of Mr. Alexander a secret, he and his friends who came with him to the sanitarium alleged from the Long Island Railway train at Deer Park, on the main line of the railroad, and then drove across country to Unkeway farm, some miles away.

It was stated by one of the employees of the place that, although Mr. Alexander is a very sick man, he is able to walk up and down stairs. Nothing further would be admitted.

INJURED IN AN ELEVATOR

Prominent Philadelphia Lawyers Hurt by a High Turbulence

Philadelphia, July 17.—Let Attorney John C. Bell, Asst. City Solicitor Harry T. Wagoner and William Born of Collins and N. J., were seriously injured today when all of an elevator in the City Building, the highest building in the city.

Mr. Bell sustained a compound fracture of a leg. Mr. Kingston had both legs fractured and Mr. Born was injured about the body and received lacerations of the scalp.

Bell and Kingston had been in conference in Mr. Bell's private office on the thirteenth floor of the building and were on their way to their offices in the city hall, a block distant. The elevator operator, the only other occupant of the car, escaped with slight injuries. The elevator dropped from the sixth floor of the building to the basement. The cause of the accident is unknown.

The news of the accident to Bell and Kingston created a sensation. Bell is one of the legal, political and social leaders of the city, and Kingston is almost equally prominent. Bell has been prominently before the public since the political upheaval began in this city some weeks ago. Recently he declined to assume the initiative in the arrest of political leaders who were also large city contractors, and the mayor and his advisers as well as the citizens' reform organization have criticized him for his attitude. Bell has repeatedly declared that he will vigorously prosecute all persons brought for trial, but as those already indicted for offenses against the municipality are expected to be tried in September, it is probable that another prosecutor will have to be appointed by the governor.

RAILROAD ACCIDENTS

Official Statistics Published for First Three Months of the Year

Washington, July 17.—Accident bulletin No. 15, just issued by the interstate commerce commission, giving an account of railroad accidents in the United States during the months of January, February and March, 1905, shows that during the quarter there were 28 passengers and 204 employees killed and 1,651 passengers and 2,062 employees injured in train accidents, making in all 222 persons killed and 3,713 injured in train accidents.

Other accidents to passengers and employees not the result of collisions or derailments, bring the total number of casualties up to 15,806 (809 killed and 14,987 injured).

There was a decrease of 42 in the total number of persons killed, as compared with the quarter ending December 31, 1904.

The total number of collisions and derailments was 3,108, 1,737 collisions and 1,321 derailments, of which 284 collisions and 177 derailments affected passenger trains.

China Opening Her Eyes

Pekin, July 17.—An edict has been issued appointing four progressive Chinese officials to constitute an embassy which will start soon upon a tour of inspection of the countries of the leading powers, for the purpose of studying economic and political questions. It is an important step.

MAY BE END OF CROP REPORTING

Possible Outcome of the Cotton Crop Scandal

LEAKS HARD TO STOP

Government Officials Anxious to Find a Method That Will Leave No Possibility of Juggling With the Figures—Investigation of the Department Expected

Washington, July 17.—The existence of the division of statistics and of the government system of crop reporting is threatened by the cotton scandal in the department of agriculture. The present plan of carrying on the work is admitted by every one who has any connection with it as having proven a failure, and every effort is being made to devise some scheme that will prove invulnerable against manipulation or leaks. The speculative end of cotton would be glad to see the government go out of the crop reporting business. The growers' associations want the government reports continued, and Secretary Wilson is so inclined, but he is also determined that if the work cannot be so done as to inspire and hold public confidence it would be better by far to do away with it altogether. He is now seeking advice on the subject from his aides and recognized statisticians, and is hopeful of evolving some method which will make it impossible for officials to juggle or manipulate figures for their own selfish ends.

As an incident of the inquiry into the cotton scandal, Secretary Wilson is looking into charges that have been made in the press that a certain employee of the division of statistics has been guilty some years ago of giving out advance information relative to questions prepared for civil service examinations of experts who were described as eligibles for appointment in the department. An investigation was made at the time and the employee in question was recommended for dismissal, but was saved by influence within the department. The case has been reopened by Secretary Wilson, it was said today, because of the recent publicity given the facts. All the evidence in the case is said to be on file with the civil service commission.

There was a report here today that by the direct orders of President Roosevelt the Keep Investigating commission would make a general inquiry in the department of agriculture with a view of disclosing alleged crookedness there. This was denied by the members of the commission. "We have not heard a word from the president on the subject," said one of them. "It is our purpose to examine the business methods in the department of agriculture and every other department. The commission was created for that purpose. A special investigation of the statistical bureau of the department of agriculture has not been ordered, and certainly we have not received no instructions from the president to make such an inquiry."

Morgan H. Beach, United States attorney for this district, who has charge of one phase of the investigation into the cotton-crop scandal, has gone either to New York or Boston in search of evidence on which former Associate Statistician Holmes and his accomplices may be criminally prosecuted. Mr. Beach made no announcement of what he intended to do in New York or Boston, but it is understood that while in the former city he will confer with the brokers who were mentioned in Secretary Wilson's report announcing the dismissal of Holmes and his connection with speculators in New York. It is generally believed that two or three specialists in New York could tell a good deal about the leaks in the department, but it is not known if they could be induced to talk freely.

FIRE IN FORTS

Midnight Spectacle That Illuminated New York Harbor

New York, July 17.—There were two fires in two forts tonight. One fire was at Fort Wadsworth, the other at Fort Hamilton. The latter fire was the larger and harder to extinguish. Both made fine spectacles for persons who happened to be on the water at the time.

Six hundred of Uncle Sam's soldiers were turned out of bed at 11:30 o'clock to fight a fire at Fort Hamilton. The fire started in a stable where the horses of the Eleventh battery were housed. The stables are 300 feet long and two stories high. Colonel Greenough, commander of Fort Hamilton, was notified and he saw that the fire would need professional firemen to extinguish it. The first alarm was sounded from the

fort at 11:35. The firemen sent in the second and the third alarms. The two long wooden stables were at that time in a blaze that lighted up the lower bay and made Fort Hamilton territory look almost as bright as day. The fire was kept confined to the stables, which burned for over an hour, and at the end of that time the firemen announced that they had the fire under control. The estimated damage is \$30,000.

Fire broke out about 10 o'clock tonight in an abandoned stable at Fort Wadsworth. It was a small affair and was easily put out by the local fire department.

HOT WAVE ROLLING ON

The Heat Was Severe Monday With Much Suffering

Washington, July 17.—An official temperature of 93 degrees here today marks what the weather bureau terms the beginning of a well marked heated term for the Atlantic slope. The weather conditions in the far west are such that Prof. Henry, the official forecaster, does not look for any diminution in the hot wave for several days at least. The high temperature extends from the middle west to New England, and the reports show 85 to 95 degrees were recorded all over the eastern half of the United States except in the south.

Five cases of heat prostration, none of them fatal, were reported by the police, and there was considerable suffering among horses.

New York, July 17.—It was a blistering day today, the hottest of the summer by five degrees, and although the breeze sometimes sent the bunting flying out to horizontal, there was no relief in it. It came out of the arid west and was like a blast from a furnace. The actual temperature as measured on top of the lofty building where the signal office is was 95 degrees at 4 p. m., and then the breeze was at top notch.

Philadelphia registered 96 degrees and was the holder of the day's record for the country.

At 8 o'clock tonight in this city the temperature registered 90 degrees by the official thermometer.

Below Washington it was not so warm as in the west and hereabouts.

SAN JUAN HILL FIGHT

New York Policemen Attacked by Negroes

An Officer Struck With a Brick—His Companions Charge the Mob, Raid a Dance Hall, and Make a Number of Captures

New York, July 17.—Trouble broke out in the San Juan Hill district at midnight tonight. As Policeman Roche and three other officers were coming through West Sixty-second street on their way to report at the station house, they were attacked by a crowd of negroes, who had gathered in front of Duke Foster's dance hall and saloon, at 238 West Sixty-seventh street. Roche was hit on the head by a brick and fell unconscious on the sidewalk. His companions, Pagan, Connors and McNigh, charged the mob, driving them through the saloon into the dance hall. All the lights were extinguished and there was a general fusillade as the police fought their way in. Policemen Connors followed Arthur Moody of 238 West Sixty-second street to the roof and arrested him, after an exchange of shots. Moody is said to be the man who threw the brick which hit Roche. The reserves of the West Forty-seventh street station were called out and patrol wagons were sent to the scene. The riot spread to a dance hall at 24 West Sixty-first street, from which the police were attacked as they passed.

At Foster's place the police arrested twelve men and a woman and at the other dance hall four men and three women.

Policeman Roche was taken to Roosevelt Hospital and placed on the operating table. It is feared his skull is fractured.

Atchison Contempt Case

Washington, July 17.—Assistant Attorney General Milton D. Purdy, in whose hands the government's case against the Atchison, Topeka and Santa Fe Railroad was placed after the retirement of Messrs. Harmon and Judson, special commissioners for the department of justice, returned to Washington today. Mr. Purdy went to Kansas City to file in the federal court there the government's information alleging contempt of court on the part of the railroad company in refusing to obey the order against freight rebates. He said this afternoon that he did not know when the case would be set for a hearing but when the time comes Mr. Purdy will represent the government in court.

Weldon Votes for Schools

Weldon, N. C., July 17.—Special.—The election here today for graded schools resulted in a vote of 117 for schools and only five against schools.

USED A GUN TO GUARD HIS HOME

Dr. Stockard Emphasizes His Objection to Powell

BUT MISSES HIS MARK

Powell Fools With Fire After Warning and Has a Run for His Life. His Bondsmen Surrender Him and He Is Now in Jail for Alienating a Wife's Affections

Goldboro, N. C., July 17.—Special. The second chapter in the Stockard-Powell drama was enacted today when Dr. J. R. Stockard caught Dr. Powell talking to his wife and fired three shots at him with a Winchester rifle. Dr. Powell's bondsmen went in and surrendered him to the authorities and carried off his bond. Dr. Powell could not give another bond and he was locked up in jail.

Last Saturday, when Dr. Dan Powell was sued for \$10,000 by Dr. J. R. Stockard for alienating the affections of the latter's wife, Powell gave bond in the sum of \$5,000 with J. R. Handley and J. A. Stevens as sureties, but when the shooting took place this morning the bondsmen lost no time in hunting up Powell and surrendering him to the authorities. The shooting occurred in front of Stockard's residence.

About 11 o'clock Dr. Stockard, who was at work in his dental office downtown, received an unsigned note stating that Powell was then at the residence of Stockard talking to his wife. Stockard had warned Powell several times before the climax of Saturday to stay away from his house, and when he received the message this morning he picked up his Winchester and put out for home. When he turned the corner near his residence he saw Powell talking to his wife. When he got close enough he began firing, and Powell jumped in his buggy and rode off. None of the shots struck Powell.

A nephew who was in the buggy with Dr. Powell jumped out when the first shot was fired, and also escaped injury. After getting to give a new bond, Powell was locked up in jail this afternoon.

GIRL HELD FOR MURDER

Berthe Claihe Shot the Man Who Was Cause of Her Ruin

New York, July 17.—Berthe Claihe, on trial by a coroner's jury for killing Emil Gerdon, July 9, was today held responsible for his death and was committed to the Tombs prison without bail.

The jury rendered a split verdict, seven merely finding the girl responsible for Gerdon's death and the remaining jurors declaring that she acted in self defense.

After enticing Berthe to America from France under a false promise of marriage, Gerdon forced the girl to go in the streets and earn a living for him at the sacrifice of her own good name. His excessive cruelty led the girl to have Gerdon arrested July 9, and then, frightened by his threatening attitude, she shot him while the police were in the act of making the arrest.

The young woman was later indicted by the grand jury today after the coroner's jury had returned a verdict finding that Gerdon came to his death at her hands.

The case probably will not be brought to trial before autumn.

Editor Criswell Gives Bail

New York, July 17.—Robert Criswell, publisher of the New Yorker, who is charged by Congressman Joseph R. Rusk with libeling him in an article published on June 21, headed "An Insult to Miss Roosevelt," was arraigned in the center street court today before Magistrate McAvoy. He waived examination and was held in \$1,000 bail for special sessions. Bail was furnished.

Japanese Loan Over-subscribed

New York, July 17.—Subscribers to the latest Japanese loan in this country will be notified of the share allotted to them Wednesday. The amount offered here, \$50,000,000, was several times oversubscribed. Only small investors will receive their full share. The larger subscribers will be scaled to from 50 to 75 per cent. on the amount asked.

Dived to His Death

Norfolk, Va., July 17.—Fayette Sweet, aged twenty-seven years, dived from the pier at Pine Beach, a neighboring summer resort, in three feet of water last night and fractured his skull. He was dead when taken from the water. He was seven feet tall. His wife is now dying in a Norfolk hospital.