

# THE RALEIGH EVENING TIMES.

VOLUME 27.

RALEIGH, N. C., TUESDAY, MARCH 20, 1906.

PRICE 5c.

## OVERMAN HAS AN AMENDMENT

### No Injunction Without 5 Days Notice

## FORTIFICATION BILL

Discussion Over Amendment Prohibiting Use At Subig Bay of Any of the Appropriation for Fortifications in the Philippine Islands. \$600,000 Not Enough to Do Good Service At the Bay.

(By the Associated Press.)  
Washington, March 20.—When the senate convened today Mr. Overman presented an amendment to the railroad rate bill providing that in cases of review of the findings of the interstate commerce commission by the courts "no writ of injunction or interlocutory order shall be granted by any district or circuit court without first giving five days notice to the adverse party nor until petition and answer are filed and hearing thereon had."

The fortification appropriation bill was then taken up for consideration. The first discussion in connection with the bill arose over the amendment prohibiting the use at Subig Bay of any of the appropriation for fortifications in the Philippine islands.

Mr. Perkins, in charge of the bill, said the only reason the committee had for eliminating Subig Bay was found in the fact that the appropriation of \$600,000 for the Philippines was not sufficient to do appreciable service at the bay. He spoke of the drydock Dewey saying that if it had been built in California it would now be at its destination. He declared the distance to be five thousand miles less and said the cost was incalculably greater by the route taken. One item of cost mentioned was that of \$5,000 for toll through Suez Canal.

## SCORES ROCKEFELLER

### Attorney General Moody Grows Sarcastic

Much Laughter in Court Room, and Bailiffs Had Trouble in Restoring Quiet.—Moody Says There Was No Actual Compulsion in Acts of Mr. Garfield.

(By the Associated Press.)  
Chicago, March 20.—Attorney General Moody resumed his argument in the packers case today. Concerning the compulsion said by the packers to have been exercised by Commissioner Garfield, the attorney general said:

"There is no longer any contention here that there was any actual compulsion in the acts of Mr. Garfield other than the powers invested in him. The claims are made that the information furnished to a government entitled to have it, was furnished under compulsion of law, and under the act of 1903 entitles the defendants to immunity. That, and nothing else, is the issue in this case."

"These people were not compelled by Commissioner Garfield," he declared. "It was not that he compelled them, but that his power in this case forced them."

General Moody referred sharply by name to Rockefeller and made allusion to the avoidance of subpoenas.

The sarcasm of the attorney general brought out much laughter. Bailiffs had trouble in restoring quiet in the court room.

## SEVEN ITALIANS KILLED TODAY

(By the Associated Press.)  
Bristol, Tenn., March 20.—Information received here today from Marion, N. C., is to the effect that in a fight between a foreman and Italian laborers on the South & Western Railroad, the foreman in defending himself clubbed seven of the men to death with a crow bar.

## AND NOW COMES GEN. KUROPATKIN

### His Opinion Like Unto that of Rojestvensky

## EXPOSURE OF DEFEATS

Due To Lack of Preparation and Equipment and Oppression of Bureaucratic Rule, Which Dispirited the Army and Drove Good Officers from Service.

(By the Associated Press.)  
St. Petersburg, March 20.—General Kuropatkin's last order-of-the-day to the first Manchurian army, printed in the Russian Invalid (the military organ) today, is a remarkable exposure of the Russian defeats, showing that they were due to lack of preparation and equipment, and to the fact that there were no explosive shells for the mountain artillery, etc., in the early stages of the war.

He does not shrink his own responsibility as minister of war, (before the war broke out) but points out that the causes of the defeats were deeper, namely, the morals of the troops and of the officers, who did not display initiative, independence or enthusiasm, in spite of the iron nerves and heroism of the soldiers.

All this the general boldly announces is attributable to the oppression of bureaucratic rule during the last fifty years, which in the case of the officers drove men of independence from the service, leaving only worthless drones. He congratulates the troops on the advent of liberty and hope for the regeneration of the people.

## THE 1905 COTTON CROP

### Census Bureau Puts it at 10,697,013 Bales

Compared With 13,697,310 For 1904 and 10,015,721 For 1903.—Average Gross Weight of Bales 503.8 Pounds.—Estimated Not Ginned 40,112.

(By the Associated Press.)  
Washington, March 20.—A bulletin issued today by the census bureau shows the complete crop of cotton for 1905, including linters and counting round bales as half bales, to be 10,697,013, compared with 13,697,310 for 1904 and 10,015,721 for 1903.

The average gross weight of the bales this season is shown to have been 503.8 pounds, and the equivalent 500 pound bales to have been 10,777,510. The items entering the totals for the crop of 1905 are 10,214,059 square bales, 279,836 round bales, 112,339 sea island bales and 230,497 linters. The number of bales estimated by the ginner as remaining to be ginned and included in the report is 40,112.

## President Cox College.

Brunswick, Ga., March 20.—Rev. A. J. Moncrief, pastor of the First Baptist church of this city, has tendered his resignation to the congregation, effective June 1, to accept the presidency of the Southern Female College, better known as Cox College, at College Park, Ga., made vacant by the death of President Charles A. Cox.

## TWO KILLED IN BAD ACCIDENT

(By the Associated Press.)  
Dayton, O., March 20.—A Dayton and Troy car with snowplow attached ran into a horse in a culvert at Chambersburg early today. The snow plow was hurled from the track and totally wrecked. William Humphrey, Bert Hoover and August Nicoll, section men of Tippecanoe City, who were operating the plow, were killed instantly.

## SCHOOL BOYS STRUCK

### To Compel Offering of Prayer for Schmidt's Soul

The Lieutenant Shot Yesterday as Leader of Naval Revolt Is Being Made a Hero and a Martyr By the Revolutionists.

(By the Associated Press.)  
St. Petersburg, March 20.—Lieutenant Schmidt, leader of the naval revolt at Sebastopol in November last, who was tried by court martial and shot near Oichakoff, south Russia, yesterday, with three sailors sentenced to death for mutiny, is being made a hero and a martyr by the revolutionists. The boys of the St. Petersburg gymnasium struck today in order to compel the offering of prayers in school for the repose of the soul of the lieutenant.

The Russ prints a detailed account of the execution from which it appears that when Schmidt received the news that the authorities had refused to commute the death penalty he wept for the three sailors, his companions, saying they were so young and honest and he would prefer to die alone. The condemned men were taken to the small deserted island of Borizan and were shot at sunrise. Schmidt addressed his executioners, sixty sailors of the cruiser Toretz, saying:

"I die for the Russian people and the fatherland and many of you doubtless will hereafter share my death for the same cause."

Schmidt refused to accept the sacrament and asked not to be blindfolded. He met his death with head up and eyes open. The firing party was stationed at a distance of fifty paces. Two of the sailors were killed at the first volley and one more at the third. Schmidt did not fall until the fourth volley.

## IDE SAYS REPORTS ESSENTIALLY FALSE

(By the Associated Press.)  
Washington, March 20.—Secretary Taft has received the following telegram from Governor General Ide at Manila, dated today relative to the Mount Dajo light.

"Newspaper reports from Manila announcing wanton slaughter of women and children at Mount Dajo extremely sensational and in all essentials details false. The situation occupied by the Moro outlaws on the crater of the volcano 2,100 feet high was exceedingly difficult and required great display of heroism on the part of the army, navy and Filipino and Moro constabulary, who rendered most valuable service. Some women and children were killed or wounded by preliminary shelling at a distance. Moros were outlaws and fanatics and refused to surrender to the last, attempting repeatedly to murder our forces who were treating wounded Moros."

## NO SESSION AT MOROCCO TODAY

(By the Associated Press.)  
Algeiras, Spain, March 20.—The Moroccan conference did not hold a session today, but the committee discussed the French and Austrian police projects. A conciliatory spirit prevailed, but no definite conclusion was reached, and the discussion went over until tomorrow.

The feeling among the delegates has improved owing to the resumption of the deliberations, although no new, tangible developments have occurred.

## THE STATEHOOD BILL TOMORROW

(By the Associated Press.)  
Washington, March 20.—The statehood bill will be taken up in the house tomorrow under the protection of a special rule, the adoption of which will be the necessary step on the part of the house to get the bill into the hands of a conference committee of the senate and house. Forty minutes debate will be divided between the friends and opponents of the rule, when a vote will be taken.

## Dr. Grandreth Dead.

(Special to The Evening Times.)  
Sallsbury, N. C., March 20.—There died in New York Sunday a great man who was known here. He was Dr. William Grandreth, who did an extensive business in the state and kept money on deposit in Sallsbury, where he employed many workmen.

## WALLACE URGES SEA LEVEL PLAN

### Straight, of Ample Width and Depth

### \$300,000,000 JUSTIFIED

Reiterated That Increased Efficiency Could Be Secured If the Work Were Handled by a Single Contracting Firm, Unhindered by Government Methods.

(By the Associated Press.)  
Washington, March 20.—John F. Wallace, formerly chief engineer of the isthmian canal commission today testified before the senate committee concerning the type of canal to be constructed across the isthmus of Panama. He was asked to state his views and prefaced his examination with a general statement, which in part follows:

Mr. Wallace in advocating an approximately straight sea level canal, of ample width and depth as the best type, urged that any other plan which places restrictions upon the probable permanency of the canal itself as well as upon the speed and the size and number of vessels passing it, must render the canal far less valuable; that the only deterrent factors in this connection are relative time and cost and that in approaching the discussion the question of how much money the American people supposedly are willing to invest in the canal and how much time they are willing to wait for its proper accomplishment should be considered. He said that judged by the capitalization and dividends now paid upon the stock of the Suez Canal it is apparent that the rates charged for transit through it are excessive and that thus a material saving would be offered commerce by the Panama route.

"Assuming that the present tonnage through Suez of 20,000,000 tons per year would pass through the Panama Canal even at a dollar a ton there would be," he said, "an approximate income of \$20,000,000 which is sufficient to justify an expenditure of \$300,000,000. The latter figure he deemed ample to construct the sea level canal. As to the additional time involved Mr. Wallace predicted that upon a basis "of reasonable energy and the use of proper business methods of administration a sea level canal can be fully completed in ten, or to be entirely safe, say twelve years and a lock canal, even if only sixty feet above sea level would require only three years less."

He reiterated that increased efficiency could be secured if the work were handled by a single contracting firm, unhampered by government methods and with every incentive to early completion with possibly utilization of two shifts instead of one shift of ten hours.

Mr. Wallace contended, if it was not too much to hope that the committee will decline to recommend any form of canal which is not capable of being in the future transformed into a sea level canal without undue interference with the world's traffic or undue additional cost, that this fact alone should take the recommendations of the minority of the board of consulting engineers and the recommendations of the majority of the isthmian canal commission out of really serious consideration.

Mr. Wallace questioned whether congress would feel justified in endorsing the construction of any dam of large dimensions, retaining a head of water of say eighty-five feet, the foundation of which does not extend to bed rock or to some equally impermeable and reliable strata. "Is it either safe or wise?" he asked. "to authorize the building of a dam one and one-half miles long to retain a head of water of eighty-five feet across an alluvial valley similar to the valley of the Chagres at Gatun, in which exists already two subgroups, one of which alone is a thousand feet across and 250 feet deep, which has evidently been refilled with a heterogeneous mass of gravel, sand, etc., brought down by mountain streams?" With this situation in view, he said, it is greatly to be feared that the dam of Gatun proposed by a minority of the board of consulting engineers and endorsed by a majority of the isthmian canal commission might after some years be found incapable of withstanding the strain upon it. He pointed out reasons for apprehension on this point and said his remarks on this subject applied, though in a lesser degree to the series of dams and barrages holding back a head of fifty-five feet of water which it is proposed by the minority report to construct across the alluvial valley of the Rio Grande on the Pacific side of the canal. If it is decided to build a lock canal Mr. Wallace said, then it is to be earnestly hoped only such form of lock canal will be authorized as will be admissible in connection with the construction of a dam at Gamboa, where it is positively known that the primary rock foundation exists at no greater depth than sea level, rather

## PILLAGED MOSCOW BANK FOR \$25,000

(By the Associated Press.)  
Moscow, March 20.—As the officials were closing the Mutual Credit Societies Bank this afternoon twenty armed men surrounded the building, which is near the Bourse, and covering the employees of the bank with pistols, they pillaged the place, getting away with \$25,000, and made good their escape in spite of the efforts of the bank guards to arrest them.

## SERIOUS DAMAGE TO TRUCKING FEARED

(Special to The Evening Times.)  
Wilmington, N. C., March 20.—Forecasting weather in the trucking belt is forecasted for tonight. The truckers fear that serious damage will be done.

## ALL FIVE ASPHYXIATED

### Entire Family Found Unconscious

### Father, Mother and Three Children Near Death from Fumes of Escaping Gas—Took Two Hours' Work to Restore Them to Consciousness.

(By the Associated Press.)  
Pittsburg, Pa., March 20.—The entire family of John H. Williamson, postmaster and station agent at Glen Osborne, Pa., on the Fort Wayne Railroad, were found unconscious from asphyxiation at about 8:20 o'clock this morning.

The family consisted of the father, mother and three children, and when found they were supposed to be in a moribund condition. The discovery was made by some persons who had gone to the station to take a train for Pittsburg. Owing to the fact that the station was not open, they suspected something was wrong and made an investigation. Forcing the doors and going inside they found the entire family still in their beds unconscious. The air was filled with fumes of gas. After the windows had been thrown open the physicians were summoned and heroic efforts made to resuscitate the victims of the accident.

The physicians worked over the stricken family for two hours, and finally succeeded in restoring them to consciousness. Mr. Williamson said the entire family were sick during the night from having partaken of canned peaches, and he had been up several times. The last time was about 4 o'clock this morning, when he thought he smelled sulphur or gas, but was too sleepy and tired to bother much about it. He remembered nothing after that. Dr. DeWitt Nettleton, one of the attending physicians, said there appeared to be no doubt that the family was overcome by gas fumes arising from the furnace. All will recover.

## MINERS FLEE FOR SAFETY FROM STORM

(By the Associated Press.)  
Denver, Colo., March 20.—Owing to the fear of snow slides all miners in the neighborhood of Everlo, Colo., have been evicted and three thousand miners have fled to Steamboat for safety. Sixteen men have been crushed and suffocated to death by the violence of the storm in the last few days.

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## BATTLEFIELD PARK FOR PETERSBURG, VA.

(By the Associated Press.)  
Washington, March 20.—The house committee on military affairs decided today to report favorably a joint resolution authorizing a commission to examine the battlefields around Petersburg, Va., and report whether it is advisable to establish a battlefield park there. Representative Hay of Virginia, will make the report.

## KILLED HIS DIVORCED WIFE AND HIMSELF

(By the Associated Press.)  
Memphis, Tenn., March 20.—Leon Croft, a night watchman, shot and mortally wounded his divorced wife, Mrs. Lena Croft, late last night at the residence of his brother-in-law, G. E. Murray, and then committed suicide. Croft had called to see his little daughter. Mrs. Croft died at the city hospital today.

## TWO OVERCOME BY ESCAPING GAS

(By the Associated Press.)  
Lorraine, O., March 20.—William Tellorow of Cleveland and Raymond Westley of this city were overcome by gas in the office of the J. M. Basden livery last night. When found early today Tellorow was dead. Westley is in a dying condition at a hospital.

## SUGAR UP 10 PER CENT.

(By the Associated Press.)  
New York, March 20.—All grades of refined sugars were advanced 10 cents a hundred pounds today.

## DEMANDED THAT HE PAY \$2,000

### For Alleged Malpractice on Norfolk Woman

### TRIAL OF DR. MORGAN

Mrs. Josephine Davis on Stand This Afternoon Admits Writing Letter Demanding \$2,000 of Dr. Morgan or She Would Sue for \$10,000—Case Fought Hard on Both Sides.

(By the Associated Press.)  
Norfolk, Va., March 20.—The trial of Dr. Francis M. Morgan of Berkeley for alleged criminal malpractice on Mrs. Josephine Davis of Norfolk was begun here today. Dr. Morgan, when arraigned, entered a plea of not guilty, and counsel for the defense, in making an opening statement to the court, declared that blackmail or an effort to extort money from Dr. Morgan by the prosecutrix would be alleged.

The case is being vigorously prosecuted for the state, and a defense equally as vigorous is being conducted for the accused. The punishment in the event of conviction is from two to ten years in the penitentiary.

Mrs. Josephine Davis, the prosecutrix, while on the stand as a witness for the state this afternoon, admitted having written a letter to Dr. Morgan demanding that he pay to her \$2,000 or she would sue him for \$10,000. The letter was produced and read to the jury. It said the writer had suffered greatly as the result of Dr. Morgan's alleged practice on her, and that she had been put to heavy expense by reason of the employment of other physicians and hospital bills. She declared that several persons had demanded to know who the guilty physician was, but that up to that time she held the name secret.

The letter created a sensation. Mrs. Davis was on the witness stand for some time, and was under severe cross examination by counsel for the defense. She maintained most remarkable composure, and answered every question put to her without hesitation.

## 154 WORDS A MINUTE ON THE TYPEWRITER

(By the Associated Press.)  
Chicago, March 20.—In the speed contests on typewriters at the National Business Show last night, a woman made the record for the smallest number of mistakes in her copy. She was Miss Elizabeth Thacker, and in half an hour she wrote 4,625 words, making mistakes in only fifty-two of them.

This was sufficient to place her in fourth place, the first prize being carried off by Charles H. McCormick, of Kalamazoo, Mich., who defends his title of champion "typist" of America by writing 4,627 words in thirty minutes, an average of 154 words a minute.

H. Otis Blandell of Chicago won second place with a record of 4,228 words. Third place went to Emil A. Tretzger, of Peoria, who last year won the championship of Illinois.

## NO SEAMEN DROWNED.

(By the Associated Press.)  
Norfolk, Va., March 20.—A special to the Public Ledger from Old Point Comfort today says:

The report that three seamen aboard the cruiser Denver were drowned yesterday is erroneous. The report originated from the fact that one of the cutters suspended from the davits slipped and fell about three feet. No one was in the cutter and there was no damage.

## THE BANK OF SPENCER.

(Special to The Evening Times.)  
Sallsbury, N. C., March 20.—The Bank of Spencer at its third annual meeting recently declared an annual dividend of 12 per cent. This is gratifying increase over the former two years, though the rate has been a steady growth. John K. Dorsett is cashier and B. F. Lively is president. The bank is contemplating an early increase of stock.

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## CLARK SKIPS; CAUGHT TODAY

### His Capture Was Reported This Afternoon

### CUT THROUGH A FLOOR

Sensational Escape of Prisoner Who Tried Recently to Bribe Guard. Old Sleuths on the Trail and County Authorities Hint at Startling Facts Which May Come Out Later.

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It is learned at 4 o'clock this afternoon that Clark has been arrested at Youngsville and will be brought here this evening. He was identified at Youngsville by the witness Shadrick who testified against him in the trial. When arrested he had on citizens' clothes over his convict stripes. \*\*\*\*\*

Harry Clark, who was sentenced to eighteen months on the county roads for participating in the shooting in the union depot last October which resulted in the killing of Chas. G. Smith of Petersburg, and who figured in a sensational unearthing a few weeks ago of a plot to bring about his escape from the convict camp through the paying of a bribe to Guard Howard A. Griffin, succeeded in getting away from the camp about midnight last night, and the best efforts of the county officials have not as yet brought to light any trace of the fugitive.

Superintendent Holding came to the city this morning and had a conference with County Attorney H. E. Norris who made the statement later that it had been decided that it was wisest not to give out any of the details regarding Clark's escape, at least for the present. Superintendent Holding is of the opinion that there are several matters connected with the escape which need to be investigated closely but quietly.

Mr. Norris said that all he felt warranted in saying to the public at this time was that the escape was made along the lines indicated in the sensational letter which was intercepted some weeks ago and first brought to the attention of the officials to the fact that there was a scheme on foot to effect Clark's escape. Clark's exit from the stockade in which he was confined was through the floor. Other than this the county attorney and Superintendent Holding will not talk. They say they are using every effort possible to recapture Clark. Thus far, however, there is not the slightest degree of success.

Mr. Norris, in discussing the situation, said that it is a fact that this county is now, and has been for some time, burdened with what seems to be a systematic organized force of some sort for aiding in the escape of any prisoner who may be sent to the roads and who can raise the money. He says Clark's is not the first case which has come to the attention of the authorities. He intimated, too, that something is going to be done to put an end to such conditions, but that about the only way to do this was to expose and bring under the power of the law prominent parties whom investigation might show to be interested one way and another.

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