

THE RALEIGH EVENING TIMES.

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BERTHA FOWLER

KILLED TODAY

Crushed to Death by Shifter in Freight Yards

NO WITNESSES SAW IT

While Dodging Passenger Train the Theory Is That She Got Frightened and Failed to See Other Engine—Had Been Repeatedly Warned to Keep Out of the Yards.

The body of Bertha Fowler, a fifteen-year-old white girl, was found on a side-track of the Southern freight yards here early this morning, mangled in a most revolting manner. Her limbs and body to the shoulders were crushed and horribly ground.

No one so far as has yet been ascertained, saw the accident in which the child met her death, but it is conceded that she was struck by a yard engine in charge of Engineer A. F. Fowler and Conductor Myers who came to Raleigh recently from Greensboro. The body was found by a trainman engaged in coupling cars for the shifter.

The statements of both Engineer Fowler and Conductor Myers of the shifter are to the effect that about 5:50 this morning as they were shifting cars on the network of eight or more tracks just above the freight depot and just south of the oil mill they saw passenger train No. 108, Greensboro to Goldsboro, coming down the track from the water tank, having already been into the union station and started on its run to Goldsboro; that the passenger train slowed down apparently for some one to cross the track in front of it. Conductor Myers of the shifter says he went around his cars to see what the trouble was, but could see nothing. The passenger train moved on and passed out of the yards on the run to Goldsboro, and the shifting train moved on down the siding. As they came back Conductor Myers and the trainman were adjusting a coupler when the trainman saw the body of the child and called the attention of the Conductor Myers to it.

The theory is that the child passed across the track in front of the passenger train, and being excited or "rattled" in her efforts to get out of the way of this train she ran right onto the track down which the shifter was passing. She dashed right between the moving cars, as no one of the train crew saw her.

Night Watchman Busbee was called up by Engineer Fowler and told of the accident. He made such investigation as he could. He said he had seen the child crossing the track early morning hours there often and had warned her time and again that it was dangerous and against the rules, but that he did not know what her name was, only that she worked at the Raleigh Knitting Mill. A Mr. Morris who lives nearby and also worked at this mill was sent for by the night watchman and identified the body as that of Bertha Fowler, daughter of Will Fowler, who lives in the field near the Boylan Spring.

A messenger was sent to notify the family, and the father and other relatives were soon on the scene. In fact, quite a crowd gathered before arrangements were made for the remains to be removed to the undertaking establishment of Mr. John Brown.

An aunt of the child told Mr. Murray, keeper of the city market, as the crowd gathered about the body of the child, that she was not surprised to hear of her death as she had been warned time and again not to go that way to her work and to keep off the side-tracks.

Damage Suit Preliminary.

Will Fowler, the unfortunate girl's father, was greatly distressed when informed of the death of his daughter and insisted that there must be some criminal carelessness on the part of somebody, and before 9 o'clock this morning he had retained Col. J. C. L. Harris as counsel, and the latter had visited the scene of the accident and made an investigation of the conditions with a view of instituting suit against the railroad company.

To a reporter of the Evening Times Col. Harris said that he was satisfied that the railroad company was negligent in that he could not find that there were any "look-outs" on the shifter to warn anyone who might be crossing the tracks. He said that the girl in order to cross the yards to reach the factory where she worked had to walk across a long line of freight cars on one siding, and just beyond this was a pile of wood which further obstructed her view of the tracks. The approach of the passenger train startled her and she rushed across the main line onto an adjacent siding where the shifter was approaching. Here, he said, is where the railroad company was negligent; that there should have been some one on the shifter and cars to look out for anyone crossing the yard, and so far as he could ascertain there was no one.

At the instance of Col. Harris Mr. (Continued on Page Seven.)

THE OHIO MINE RIOTS

Wild Rumors of Trouble Not Confirmed

Non-Union Men Returned to Work This Morning At Plum Run Mine Without a Clash With Strikers. No Killing Occurred Last Night.

(By the Associated Press.)
Smithfield, O., May 25.—A night of constant alarms and wild rumors at the Plum Run mine was followed by a day of apparent peace.

Reports after nightfall yesterday that 27 men had been shot at the Plum Run mine, that an attempt had been made to blow up the coal tipple, that a strike breaker was shot as he emerged from the pit entrance, that the strikers were drinking and gathering for an attack, have dwindled with the dawn of today to a bit of desultory shooting in the hills.

The source of these shots the union officials are trying to learn as they publicly discontinue all violence on the part of their men.

A volley was fired from the hollow east of the tipple about 9 o'clock last night. One of the big searchlights was turned that way, but the men with the guns were successfully concealed.

Work was resumed this morning without mishap. The non union men entered the pits early before the strikers were astir. A squad of 30 or so new miners and an equal number of guards were put to work. The force of guards will be rapidly increased and it is announced that the full working force of the mine will be recruited as rapidly as possible among non union men.

Sheriff Vorhees with three deputies was summoned to Plum Run last night by the company's officers in expectation of an attack. The camp was comparatively quiet and he returned over the twenty mile hill roads to Steubenville before morning.

INDICTMENTS AGAINST V. C. CO.

(By the Associated Press.)
Nashville, Tenn., May 25.—The grand jury of the United States circuit court which has been investigating the alleged fertilizer trust for the past four weeks, today returned an indictment against about eighty fertilizer manufacturers, including 6 number of local men. The indictment contains six counts, detailing in specific form alleged violations of the anti-trust laws and charging the defendants with conspiring to engage in a trust or combination. The defendants live in various parts of the country where fertilizers are manufactured and certified copies of the indictment will be sent to the various districts in which the defendants reside and there served. The defendants will be required to execute bonds for their appearance at the October term of the court in this city, when the cases are to be tried. The grand jury examined during the investigation 104 witnesses, and the indictment returned is a voluminous document.

REDUCED RATES IN REFRIGERATOR CARS

(By the Associated Press.)
San Francisco, Cal., May 25.—The Southern Pacific and Santa Fe and the Armour & Santa Fe Refrigerator cars lines have announced a considerable reduction in refrigerator or icing rates on green fruit shipments from California points to Chicago and New York for the deciduous fruit shipping season, which has just opened.

Orchardists and railroad fruit people state that the green fruit shipments east this season will be very large and give promise of amounting to 7,000 carloads including heavy consignments of grapes during the late summer and fall months they estimate the aggregate value of these shipments at something like \$12,000,000 or \$14,000,000. There are still five thousand cars of oranges to be shipped east, while the number already forwarded amount to \$25,000. These thirty thousand cars represent 10,500,000 boxes and the railroad people say these shipments will average three dollars a box, or a total of \$31,650,000 for the season.

BUSINESS OUTLOOK GOOD, SAYS DUN'S.

New York, May 25.—Dispatches to Dun's Review indicate that business activity is maintained and the outlook is most encouraging.

Bank exchanges this week at all leading cities in the United States are \$2,351,653,572, a decrease of 3.3 per cent compared with last year.

SENSATION IN SOUTH CAROLINA

Dispensary Folk Threaten to Shoot Witnesses

Members of Investigating Committee Say That Major Black and H. H. Evans Would Kill Persons Who Questioned Their Honesty.—"Go Arm Yourself" Says Black.

APPEAL TO GOVERNOR PREACHED MANY YEARS

(Special to The Evening Times.)
Columbia, S. C., May 25.—There was a sensation here this morning in the proceedings of the committee which is investigating the state dispensary. The sub-committee which has been doing all of the work consists of J. Fraser Lyon and Nells Christensen. They have proved petty grafts and nauseous scandals in local dispensaries and this morning had started on the directors of the state dispensary. Mr. Lyon while on his way to committee meeting, was accosted by Maj. John Black, a member of the new board who, in company with another, abused Mr. Lyon and threatened his life and told him to go arm himself.

Senator Christensen then arose and told that H. H. Evans, former chairman of the board had threatened to kill witnesses on the stand if they should testify against him.

The entire committee, after considering the matter in executive session, decided to place the matter in the hands of Governor Heyward that he alone can remove from office a dispensary official.

The investigation of the dispensary under direction of the general assembly began last summer and startling facts have come forth so rapidly that the public mind has been dulled so far as other and greater ones were concerned. Mr. Christensen, senator from Beaufort county, and Mr. Lyon of the lower house from Abbeville, have acted as quasi-prosecutors and it was through their efforts that the more sensational evidence was laid bare. There has been much bitter feeling and the culmination today will hardly create surprise.

At the last meeting of the legislature Evans was defeated and Black succeeded him on the board, which has charge of all liquor purchases for the state dispensary. However there have been many hints of graft, but no outspoken charges about one man or the other having profited by his position. The whole system, however, is honeycombed with graft and the revelations were so scandalous that more than a score of counties voted out the dispensary, thereby being forced to pay higher taxes in order to be free of the common evil.

Both Lyon and Christensen have been fearless in their work of unearthing scandal and fraud and at the first meeting last summer epithets were hurled and pistols were expected to flash in the court room. When the supreme court was recently called upon to decide the right of the committee to demand the papers of a dispenser, a special detail of police was placed in the chamber in order to prevent bloodshed.

Senator Tillman, who still fathers the dispensary, has declared that it must be purified or killed, but many counties have killed it, believing that it is too rotten to be cleaned.

PRES. CASSATT ON WAY HOME.

(By the Associated Press.)
Philadelphia, Pa., May 25.—Announcement was made at the Pennsylvania Railroad office in this city today that President Cassatt sailed for home from Cherbourg, France, this morning.

Mr. Cassatt went abroad for a holiday trip on May 9. It is believed that the revelations made before the interstate commerce commission are responsible for Mr. Cassatt's sudden change of plans. He is expected to reach this country Saturday, June 2.

PERSONALITIES IN THE HOUSE TODAY.

(By the Associated Press.)
Washington, May 25.—The express company amendment to the rate bill was the cause of personalities in the house today between Mr. Cooper (Wis.) and Mr. Hepburn (Iowa). Mr. Cooper alleged that he was informed that some of the conferees would vote to strike out the express company amendment to the rate bill. He refused to give his informant. Mr. Hepburn said he had no patience with these statements and that they were misstatements. Mr. Cooper intimated inferentially that Mr. Hepburn was one of those to whom his informant had referred. Mr. Hepburn characterized Mr. Cooper's statement as false.

DEATH CLAIMS

REV. T. J. GATTIS

End Came Early Today After a Lingered Illness

PREACHED MANY YEARS

Mr. Gattis was Plaintiff in the Sensational Damage Suit Against President Kilgo of Trinity College, Recently Decided By the Supreme Court—Had Relatives Here.

Rev. T. J. Gattis, the Methodist minister, who was the plaintiff in the sensational suit against Dr. John C. Kilgo, president of Trinity College, Durham, died today in Charlotte, where he had been residing for some time.

The death of Mr. Gattis occurred this morning at 8 o'clock. He had been in declining health for a year and for several months he had been exceedingly feeble. For more than thirty years Mr. Gattis was a member of the North Carolina Methodist Conference and was placed in charge of numerous circuits and country churches. He was later made editor and it was while he was engaged in this work that he opened a bookstore in Durham and there occurred the incidents which gave rise to his memorable suit against President Kilgo, Odell and Duke of the trustees of Trinity College. The suit was brought in Granville county at Oxford and twice the plaintiff won, but the supreme court gave the defendants a new trial. Then the case was moved to Wake county and tried here last June with the result that Judge Moore held that there was no evidence of malice to go before the jury. The supreme court sustained this decision of the lower court by a vote of two to two, the chief justice not sitting.

The deceased was a brother of the late William A. Gattis, a well known citizen of Raleigh and was an uncle of Maj. Charles H. Gattis of Raleigh. Mrs. W. A. Gattis will leave tonight for Charlotte to attend the funeral, which will be held tomorrow.

A MONGOLIAN QUAKE

Great Loss of Life and Property at Uniankani

The Walled City Almost Entirely Destroyed—A Chasm of Several Feet Created—Severe Earthquake Shocks Also Reported From Several Other Points.

(By the Associated Press.)
Victoria, B. C., May 25.—Mall advices from the Orient state that an earthquake causing great loss of life and considerable damage to property occurred at the beginning of May at Uniankani and vicinity in Mongolia. The Pekin Times reports that a chasm of several feet wide was caused by the earthquake. The walled city of Uniankani was almost completely destroyed, the loss of life being very heavy.

THE SEABOARD SELLS EQUIPMENT BONDS

(By the Associated Press.)
Norfolk, Va., May 25.—For the purpose of extensively increasing its rolling stock the Seaboard Air Line Railwayway has sold to S. D. Loring, of Boston, \$1,750,000 five per cent equipment bonds, dated June 1, 1906. The bonds will mature serially from one to ten years.

SPECIAL COURT FOR McDOWELL COUNTY.

Governor Glenn made an order today for a special term of McDowell county superior court to be convened by Judge Fred Moore, June 25, for the trial of civil cases. The court is ordered at the request of the McDowell commissioners on account of the congested condition of the docket.

THE COAL CAR HEARING TODAY

A Frozen-Out Operator Tells About that Process

CASES OF FAVORITISM

(By the Associated Press.)
Philadelphia, Pa., May 25.—R. S. Large, assistant coal freight agent of the Pennsylvania Railroad, was the first witness before the interstate commerce commission today. He was questioned concerning coal tariffs from the bituminous region to Harsimus pier at Jersey City.

Counsel for the commission read a clause in the tariff schedule to the effect that the railroad has no facilities at the pier and asked Mr. Large if that meant that the pier had been leased to the Berwind-White Coal Company. The witness said he understood the land had been leased to the Berwind-White Company and that the pier had been built by the coal company. He admitted that it was operated by the Berwind-White Company and any other company wishing to discharge coal at Harsimus would be compelled to secure the consent of the Berwind-White Company. He had no knowledge of any other company ever having used the pier.

Witness was then questioned concerning allowances made by the Pennsylvania Railroad to coal companies which operated spurs or branch lines from their mines to the main line of the railroad. He said an allowance of 10 cents a ton was given to the Millwood Coal Company for this service, the Latrobe-Conneville Coal & Coke Company received an allowance of 12 cents and the Glen White an allowance of 15 cents for similar service.

Attorney Glasgow asked the witness if it was not a fact that for twelve years prior to 1902 this allowance was made to the Latrobe-Conneville Company when that company had no engines of its own and the spur was operated by the railroad.

Mr. Large had no knowledge on the subject, but J. G. Seales, general coal freight agent, who was sitting close to the witness told the commission that such was the case and that it was after 1902 when the railroad learned the coal company had no engines.

F. A. Von Boyneburgh general manager for Reankir Brothers & Company, mine operators, testified that the business of the company had been practically ruined through inability to secure cars. From 4,100 cars in 1901, the supply was reduced gradually to 522 in 1905. The witness said that at one period his company was compelled to sell coal at cost \$1.48 to produce as low as \$1.05 in order to keep the miners at work.

The mines, he said, had been operated at a loss for the past two years and a half. He had complained, he said, to almost every official of the Pennsylvania Railroad but got no relief.

"I believe," said the witness, "that somebody high up gave orders to freeze me out and all of the others simply followed instructions. I believe A. J. Cassatt is responsible. I believe through the community of interest plan he controls most of the railroad systems and that plan has worked grievous harm to many shippers."

"Do you believe this policy has been adopted for the purpose of favoring certain operators?" asked Mr. Glasgow.

"Most assuredly. The Berwind-White Company, the Keystone Coal & Coke Company, D. E. Williams & Company, and others have been favored."

"Why were you not so favored?" "I suppose because I did not give the railroad officials shares of stock in our company."

The witness said there was no system of rating. "Any method the railroad saw fit to introduce it did so," he said. He had written 234 letters to the railroad company asking for relief.

D. E. Williams and G. Brinton Roberts of D. E. Williams & Company, testified that their company had suffered from car shortage. Mr. Williams said he had never participated in the rating.

(Continued on Page Two.)

GREAT ATHLETIC MEET

Begins this Afternoon in the Harvard Stadium

Largest Event of the Kind Ever Held in This Country—About 800 Students From All the Colleges and Universities of the East in Attendance—The Events to Be Pulled Off.

(By the Associated Press.)
Boston, Mass., May 25.—What is expected to prove the largest athletic meet ever held in this country will begin this afternoon in the stadium at Harvard, with the trial events in the thirtieth annual championship games of the intercollegiate association of amateur athletes of America. Nearly 800 students from almost all the universities and colleges in the east will compete in the thirteen events which constitute the meeting. The finals will be held tomorrow.

Speculation as to what institution would this year carry off the honor occupied the time of most of the contestants this morning as they gathered in the corridors of many of the hotels. That the chances of Pennsylvania, Cornell, Harvard and Yale were better than any of the other colleges, seemed to be generally acknowledged, but which of the four would be most affected by the strength of the other colleges in some single event was a debatable question. That second and third places, counting three and two points respectively would also have considerable bearing on the general result was another matter for consideration.

A number of the athletes went to Cambridge during the morning for a little exercise on the cinder track or in the field.

The first term of the public high school of Raleigh closed today with suitable exercises, under the direction of Superintendent Hugh Morson, in the Centennial school building. Judge Robert W. Winston of Durham delivered a splendid speech on "Thomas Jefferson," in which he sought to instill in the minds of the young an appreciation of this great American statesman.

The exercises consisted in patriotic and other songs by the girls, under direction of Miss Nina Green, teacher of music, the announcement of honors and distinctions, the presentation of medals and the examination of exhibits of the drawing done by the children under the instruction of Miss Slocumb. The other teachers in the high school with Mr. Morson this session were Prof. C. G. Keeble, Miss Eliza A. Pool, Mrs. J. M. Barbee, Miss Ada Womble and Miss Daisy Walt.

Mr. Morson announced that a scholarship was annually awarded by Peace Institute and St. Mary's to a graduate from the school and the fortunate winners of these scholarships this year are:

St. Mary's Scholarship, Miss Ethel Wynne.
Peace Institute Scholarship, Miss Margaret McKimmon.

The scholarship medal in the high school presented by Capital City Council of the Junior Order of United American Mechanics has been won by Miss Virginia Pickel. This medal will be presented, together with the other medal given by the order, at the school entertainment next Thursday evening.

The Daughters of the Revolution gold medal, given by these patriotic women to the girl pupil in the high school who wrote the best essay on some period of North Carolina colonial history, was awarded to Miss Leonita Denmark, daughter of Mr. and Mrs. J. W. Denmark. The medal was presented for the Daughters by Mr. W. J. Peele in a brief and exceedingly clever speech, which amused and entertained the young folks.

A silver medal for drawing was given to some student in each room of the high school as follows:
In Mr. Morson's room: Silver medal to McNeely DuBose; honorable mention, Alex. Field, Chas. Walton, W. H. Richardson.
Mrs. Barbee's room: Silver medal, Frank Smithurst; honorable mention, Sam Sanders, Walter Dawn.
Miss Pool's room: Silver medal, Leonita Denmark; honorable mention, Rachel Goodno, Virginia Pickel, Nelly Lewis, Sue Thackston, Elizabeth Bass, Laura Egerton.
Miss Womble's room: Silver medal, Marjory Terrell; honorable mention, Claudia Applewhite, Ruth Ivy.
Prof. Keeble's room: Silver medal, Ransom Gill; honorable mention, Anzie Ellington, Fleming Sherwood.

The address by Judge Winston held the close attention of this audience. He eulogized Jefferson for his destruction of the land monopoly in Virginia by abolishing entailing real estate and wiping out the right of primogeniture, also for his authorship of religious freedom and his earnest work for popular education. He described Jefferson as a silent man with a great mission to fulfill. Judge Winston combated the notion that Jefferson was an infidel and said that view had been encouraged and the false report circulated by clergymen of the established church because Jefferson forced a divorce of church and state. In closing the speaker mentioned briefly what Jefferson's attitude would be if he was alive now. He would oppose monopolies and corporation tyranny. Freight rates, Judge Winston declared, were not fair and equitable now and Lynchburg and Richmond had built up great wholesale trade over Charlotte, Greensboro, Durham and Raleigh because the first two cities were favorites with the railroads.

GOVERNOR ACCUSED OF WOMAN'S MURDER

(By the Associated Press.)
Warsaw, Russian Poland, May 25. Governor Jelinski of Kielec is suspected of the murder of a woman named Okoulina, who was found dead in a room with him yesterday. Two shots were heard by the neighbors. Jelinski declares that the woman committed suicide. The local papers have been forbidden to mention the occurrence, which has created a sensation.

HEPBURN RATE BILL IN THE HOUSE TODAY

(By the Associated Press.)
Washington, May 25.—The house committee on rules decided today to report the Hepburn rate bill resolution favorably. It provides for non-concurrence in the amendments made by the senate and sends the bill to conference.

The rate bill was sent to conference: yeas 144, nays 105, present 14.

HIGH SCHOOL CLOSED TODAY

Judge Winston on Thomas Jefferson

HONORS ANNOUNCED

Leonita Denmark Gett. D. R. Medal and Virginia Pickel the Jr. O. U. A. M. Medal.—Scholarships For Margaret McKimmon and Ethel Wynne.—The Closing Exercises.

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