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FINAL STEPS IN REBATE CASES

Convicted Defendants Today
Perfect Appeals

US OF EXCEPTIONS

Cases of Thomas and Taggart and the Chicago, Burlington and Quincy Railroad—Next Step These Cases Will Be At St. Louis August 21.

(By the Associated Press.)
Kansas City, Mo., July 2.—The final steps in the United States district court here in the rebate cases were taken today when appeal bonds were perfected upon behalf of the seven convicted individuals and concerns, and when bills of exception were filed for the Chicago, Burlington & Quincy Railroad Company and George L. Thomas, the New York broker, and his chief clerk, L. E. Taggart.
Bills of exception had previously been presented in the cases of the Armour, Swift, Cudahy and Nelson Morris packing companies. The next step will be the filing of the bills of exceptions with the court of appeals, which will be done at St. Louis on August 21.
In the case of the Burlington railroad the exceptions taken apply particularly to the allegation of the defendant that the interstate commerce act does not apply to export rates, which question is involved, and that this district court lacks jurisdiction. Particular exception is taken to the following charge to the jury, made by Judge Smith McPherson, who presided at the trials:
"It is alleged that this carriage was by way of a concession to Armour & Company to the extent of twelve cents per hundred pounds for that part of the distance between East St. Louis or the Mississippi river and New York city, where it could be loaded upon the steamship. The allegation is that this was an unlawful concession, thereby subjecting the defendant to the penalties of the act of congress passed February 13, 1903, commonly called the Elkins Act."

"This part of the charge referred to a shipment of packing house products accepted by the railroad at a 25 cent rate when the tariff on file with the interstate commerce commission was 35 cents.
These exceptions in the cases of Thomas and Taggart are based principally upon the assertion that it was not shown that the defendants had entered into with George A. Barton, the Kansas City shoe merchant, to violate the Elkins act by securing rebates on shipments from New York, and that no overt act was committed.
The indictment charged Thomas and Taggart with conspiracy, alleging seven overt acts.

CANAL BONDS ON THE MARKET

(By the Associated Press.)
Washington, July 2.—Secretary Shaw today offered to the public \$30,000,000 of bonds of the Panama Canal loan authorized by the recent act of congress. The bonds will bear interest at the rate of 2 per cent, will be dated August 1, 1906 and interest will be payable quarterly. They will be redeemable at the pleasure of the government after ten years from date of issue and will be payable thirty years from date.
The bonds will be exempt from taxation or duties of the United States and will be available to national banks as security for circulation. The bonds will not be sold for less than par; all citizens will have equal opportunity to subscribe for them and the bids for them must be submitted to the department on or before July 20, 1906.

TRUNK MURDERER HAS BEEN CAUGHT.

(Special to the Evening Times.)
Elizabeth City, N. C., July 2.—Thurman, the notorious trunk murderer, whose crime some time ago horrified the whole country, has at last been captured. It will be remembered that in a Norfolk boarding house he killed his room-mate, hacked his body to pieces, concealed the remains in a trunk and coolly walked off, not to be heard from again until he was captured Saturday at Columbia, fifty miles southwest of here. Detective Cotton of Norfolk identified him. He is now in a Norfolk jail.
Mr. Pou declared that he would remain in this state throughout this campaign, and later he would make a thorough canvass. He predicted a democratic victory, for Governor Glenn has given the people a good, clean administration.
When Mr. Pou concluded the convention adjourned.

POU BEARS THE STANDARD

Unanimously Renominated
for Congress

SPEECH OF ACCEPTANCE

Congressman Tells His Constituents How the Democratic Congressional Minority Stood by the Interests of the Whole People—District Committee Named.

Congressman Edward W. Pou was today unanimously re-nominated for a fourth term in congress from the metropolitan district of North Carolina. In a splendid speech, discussing briefly the issues of the day and the work of congress, Mr. Pou accepted the nomination.
Chairman J. R. Young in calling the convention to order congratulated the democracy of the metropolitan district on the excellent party condition and unity and paid a brief and happy reference to Congressman Edward W. Pou as the standard bearer. Hon. Thomas M. Pittman of Vance, was called to the chair as temporary chairman. Roll call showed all the counties, Franklin, Johnston, Nash, Vance, Wake and Chatham, to be represented. The temporary organization was made permanent.
Mr. A. C. Zollieffer saw no necessity of committees since there are no contests, and the platform will be adopted at Greensboro tomorrow. The committees were dispensed with.
The following executive committee was elected:
Chairman: F. C. Poe.
Franklin: J. A. Thomas.
Johnston: W. M. Sanders.
Nash: B. H. Bunn.
Vance: Andrew J. Harris.
Wake: W. S. Turner.
Mr. Pou Renominated.
Senator A. C. Zollieffer of Henderson, when the nomination of a candidate for congress was in order, placed in nomination Hon. Edward W. Pou. Senator Zollieffer declared that if he spoke until sunset he could not add to the endorsement Congressman Pou already had. As presidential elector, as solicitor and as congressman no public officer had discharged his duty more fearlessly, courageously and faithfully than had Hon. E. W. Pou. The senator spoke with special appreciation of Mr. Pou's successful effort in securing the appropriation for a public building at Henderson. The south has no superior in congress to E. W. Pou and he is the match for any congressman from the north. Mr. Pou richly merits the unanimous endorsement he will receive today. (Applause.)
Mr. F. B. Arendell for Wake seconded the nomination and pledged that Wake will give 3,000 majority to Pou against any man that has the gall to run against him. Sheriff Ellington for Johnston also seconded the nomination and expressed satisfaction that North Carolina had learned that it is wise to keep a man in congress long enough for him to become efficient and learn how to serve the people. He praised the courage and honesty of the candidate. Mr. Pou was then nominated by acclamation.
The congressman was then escorted into the hall by a committee composed of J. A. Thomas, F. B. Arendell and Geo. Kittrell.
Mr. Pou's Speech of Acceptance.
Congressman Pou in accepting the nomination expressed appreciation of the fact that every county in the district had endorsed him prior to the convention. Mr. Pou said that the past session of congress had been most memorable and every measure for the good of the people had received the hearty support of all the democrats. This was true of the railroad rate legislation; the democrats would have passed a better bill in seven days than the one the republicans took seven months to pass. Mr. Pou had supported President Roosevelt gladly when he was right, when he was democratic, and he regretted when Mr. Roosevelt deserted Bailey and Tillman and went over to Aldrich and the railroad senators. But the president has at least raised the issue before the American people. The bill just passed is a stepping stone only to something better. Mr. Pou discussed fully and ably this point. President Roosevelt was forced to use the big stick, the democratic minority, in order to secure rate legislation and add another star to the American flag.
Today a great crisis faces this nation. Through new methods and agencies immense and menacing fortunes have been accumulated by the few. They fix prices and wages. American goods are sold cheaper abroad than at home. The people will never stop trusting that violating the law by simply imposing a fine; the men behind these corporations must be criminally prosecuted. This is a trust-ridden, trust-cursed country. While the people are prosperous let them prepare for the evil day that may come.
Mr. Pou declared that he would re-

PREPARING PLANS FOR NAVAL PARTICIPATION.

(By the Associated Press.)
Washington, July 2.—The naval board composed of Admiral Harrington, Captain Potter and Captain Pillsbury, charged with the preparation of plans for the naval participation in the Jamestown Exposition, have held a preliminary meeting at New York, navy yard, and outlined the work to be undertaken. The representatives of several foreign countries have shown much interest in the plans, as the extent of the American naval display will in a measure guide their government in sending ships or fleets to Hampton Roads during the exposition. The board of course wishes to make as good a showing as possible, and it is now considering the list of ships available for the demonstration.

AUSTRALIAN SCULLER DEFEATS AMERICAN.

(By the Associated Press.)
Honey, Eng., July 2.—In the preliminary heat for the diamond sculls today Roy Adam, of Australia, beat W. B. West, of Philadelphia, by 2 1-4 lengths.

MEAT INSPECTION LAW Sec. Wilson Looking After Its Enforcement

He Will At Once Address Himself To
Completing the Organization Necessary
To Putting New Law In
Operation.
(By the Associated Press.)
Washington, July 2.—Secretary Wilson of the department of agriculture has decided not to enter upon his annual vacation until he has completed the organization necessary to put into operation the new meat inspection law. He will give practically his entire time to this work for the next two months. The new pure food law also will require attention, but he intends to leave this almost wholly to Dr. H. W. Wiley, chief of the bureau of chemistry.
By direction of the president Secretary Wilson today issued the following statement:
"American live stock are the healthiest in the world. The great ranges of the west produce herds of cattle in which the percentage of disease is remarkably small, and the federal government is steadily reducing, by approved scientific methods, this small percentage. The inspection of the animals before and at the time of slaughter has always been thorough. It is true that the department of agriculture has heretofore lacked the power and the money to provide for an efficient supervision of sanitation and the methods of preparation of canned meat food products.
"The legislation which has just become effective provides the department of agriculture with an adequate law and with ample money to carry it into effect. Supervision and inspection will be extended from the pasture to the package. The federal stamp upon the healthfulness of the animal, but also that the product, and with the addition of no deleterious chemical or preservative—any meat food product bearing the government stamp will be fit for food.
"With this law in operation it may be accepted as a fact that for healthfulness and purity the prepared or canned product will compare favorably with the fresh meat of the United States, which is and always has been the finest in the world.
"The new law is comprehensive, the means for its enforcement are ample and its execution will be thorough. People at home and abroad may use our meats in confidence."

LIVED A WEEK ON TALLOW CANDLES

(By the Associated Press.)
London, July 2.—After being imprisoned for six days in the flooded Caradocvale (Wales) Colliery, two miners of the six originally imprisoned and three bodies were brought out by the rescue parties. The search was kept up, although the hope of finding the missing man has been abandoned. The two men rescued were discovered in the old workings, having subsisted for a week on a few candles. One of them was still able to walk and the other was delirious during the last part of his imprisonment.

JEROME TAKES UP THAW CASE

His Return Gives Impetus
to Investigation

PRISONER'S CONDITION

Slayer of Stanford White Passed a Comfortable Night and Today Is in Better Condition Than At Any Time Since Arrest—Jerome Giving Case Personal Attention.

(By the Associated Press.)
New York, July 2.—With the return of District Attorney Jerome from his vacation in the country the investigation into the Thaw-White tragedy was given renewed impetus today. Attaches of the district attorney's office had been engaged in whipping into shape the information concerning the case already at hand and everything was in preparation to be submitted to the chief upon his arrival.
Thaw passed a very comfortable night in his cell in the Tombs and today appeared to be in better condition than at any time since he was arrested for shooting Stanford White a week ago today. The prisoner's wife called at the usual hour today and spent some time with him.
New York, July 2.—It was announced yesterday that today a conference would be held between District Attorney William T. Jerome, who has just returned from a vacation in Canada, and William V. Everts, the lawyer for the family of Stanford White, who was shot by Harry Kendall Thaw. Mr. Everts will give Mr. Jerome all the private papers left by Stanford White which have any bearing on his acquaintance with Mrs. Thaw and her husband.
The conference will mark the first move by the family of the slain architect to cooperate with the authorities in the prosecution of the man who caused his death. Until the conference is over, no statement will be made by the family. With the arrival here yesterday of Richard Mansfield White of Seattle, Wash., the brother of the dead architect, it was believed that the rule of silence would be broken, but the brother, going at once to the White home in East Twenty-first street, went into retirement and refused to see visitors.
Those who called were referred to lawyer Everts. Lawrence White, the son of the dead man, said that Mr. Everts was the only one qualified to discuss the case. His uncle, who had not seen Stanford White for eight years, was not sufficiently posted to talk. Ex-Judge Oleott, leading counsel for Thaw, had expected to spend Sunday out of the city, but there were developments late Saturday night which necessitated his staying over for the forenoon. Several witnesses were found on Saturday night, and the lawyer was unwilling to delay seeing them. None of the witnesses threw any particularly new light upon the case.
Contrary to expectations, Mrs. Thaw did not visit her husband yesterday. Instead she spent a very quiet day in her hotel. It was reported that she expected to be joined by her mother, Mrs. Holman of Pittsburg, but this was denied. The denial was later strengthened by advices from Pittsburg.
The John Doe proceedings started by the district attorney's office to examine into the ramifications of the Thaw case will be continued today. Those witnesses who of their own volition told the district attorney what they know of the case will not be taken before the grand jury. It will be only in cases where persons subpoenaed show signs of being recalcitrant that they will be taken into the grand jury room. A new grand jury will be impaneled today.
Thaw's Sunday in prison was a quiet one. He was greatly disappointed when he learned from a telegram from his wife she could not visit him.
When Mrs. Thaw left the prison she said that she found her husband in better spirits and more cheerful than at any time since the tragedy. "He is as cheerful as anyone in his position could be expected to be," she said. From the prison she went to the office of her husband's attorneys.
Allen W. Everts, counsel for the White family, called at the district attorney's office today and had a ten minutes talk with Mr. Jerome. This is the first occasion on which the White family has been in touch with the district attorney's office in connection with the murder.
Another caller at the district attorney's office was F. L. Bergoff, a private detective, who says he was employed by Stanford White for many months before the tragedy. Bergoff was accompanied by three of his assistants, who he says were actively engaged in watching both Mr. White and a corps of detectives who had been employed by Thaw.
District Attorney Jerome said today that there would be no speedy trial of Thaw. During the summer vacation

NEW ISTHMIAN CANAL COM'RS.

Appointed by President Roosevelt Today

STEPHENS VICE ERNEST

Shouts Chairman of the New Commission—Salaries Remain Same As heretofore—Failure of Senate To Confirm Names Necessitated the New Appointments.

(By the Associated Press.)
Washington, July 2.—Because of the failure of the senate to confirm the Isthmian Canal Commission President Roosevelt has named a new commission, consisting of Theodore P. Shonts, chairman; John P. Stevens, Governor Charles E. Magoon, Brigadier General Peter C. Hains, U. S. A. (retired), Major-General Endicott, civil engineer U. S. N., and Benjamin M. Harrod, members.
Mr. Stevens replaces Brigadier General Oswald H. Ernest, who retired from the active service of the army last week and will hereafter devote practically his entire time to the international waterways commission. Joseph Bucklin Bishop, who was secretary to the old commission, will be secretary to the new body, but not one of its members.
The salaries of the members will continue the same as heretofore. Mr. Stevens will continue as chief engineer of the commission, but will not receive any extra compensation for his services as a member of the commission.
The report of sale of controlling interest in the Raleigh & Southport Railroad had bought a controlling interest in the Raleigh & Southport Railroad is denied by a prominent Coast Line official. Today the Coast Line began to operate the Conway Coast and Western Railroad extending from Ayner, S. C., Myrtle Beach, S. C., via Conway. At the next meeting of the board of directors of the South Carolina road it is probable that a consolidation with the Coast Line will be ordered.

RALEIGH & SOUTHPORT Not Sold to the Atlantic Coast Line

Report of Sale of Controlling Interest Denied Today by a Coast Line Official—New Branch Line Opened to Traffic Today.
(Special to the Evening Times.)
Wilmington, N. C., July 2.—The report that the Atlantic Coast Line Railroad had bought a controlling interest in the Raleigh & Southport Railroad is denied by a prominent Coast Line official. Today the Coast Line began to operate the Conway Coast and Western Railroad extending from Ayner, S. C., Myrtle Beach, S. C., via Conway. At the next meeting of the board of directors of the South Carolina road it is probable that a consolidation with the Coast Line will be ordered.

CORONA WINS THE OCEAN RACE.

(By the Associated Press.)
Marblehead, Mass., July 2.—The schooner Corona, owned by A. F. Luke, crossed the finish line of the Eastern Yacht Club's 180-mile ocean race from New London to this port at 3:28.01 a. m. today, thus winning the principal cup in the event. She made the run in 33 hours, 48 minutes and one second. Nearly five hours later none of the other boats was in sight.
Francis Skinner's schooner Constellation finished second at 8:25, and an hour afterward Vice Commodore E. Lewis Clark's schooner Emerald came in. On the way they lay in Hyannis Harbor for ten hours during a gale. The other boats which made up the fleet of nine which started from New London either abandoned the race or were compelled to withdraw because of accidents.
Thomas S. Toler Dead.
(Special to the Evening Times.)
Wilmington, N. C., July 2.—A sad sequel to the recent disgrace and punishment of John Toler for vile conduct at Wrightsville Beach is the death at 11 o'clock this morning of his father, Thomas S. Toler. Young Toler two weeks ago was sentenced to the county roads for ninety days for insulting two ladies who were in the surf. An effort was made to bring Toler to the bedside of his father before the end came, but death overtook the father before the son could reach the home. The elder Toler was well thought of.

LOSSES BY FIRE AT NEW BERN.

(Special to the Evening Times.)
New Bern, N. C., July 2.—Fire broke out in the grocery store of L. H. Ervin about 12 o'clock last night and damaged the building to the extent of about \$1,500. The goods in the store were entirely destroyed, entailing a loss of \$2,000. The furniture stock of John Sutton, next door, was damaged to extent of \$1,500. The fire originated from rats and matches.

KNOCKED SENSELESS BY THE LIGHTNING

(Special to the Evening Times.)
Wilson, N. C., July 2.—Yesterday, near Saratoga, Wilson county, lightning struck a residence of Mr. R. H. Proctor, knocking John Owens, Allen Webb and Miss Nettie Proctor senseless. Mr. Owens and Miss Proctor under medical treatment have regained consciousness, but Mr. Webb is in a very precarious condition. A heavy hail storm yesterday east of here badly damaged crops.

DETAILS OF AWFUL DISASTER

Inquest Over Dead Held this
Afternoon

AMERICAN LIVES LOST

Passengers on New York Steamer Killed in Wreck of Railroad Special From Plymouth, England—Identification of the Dead By Ship's Surgeon and Purser.

(By the Associated Press.)
Salisbury, Eng., July 2.—The scene of yesterday's disaster to the American line special from Plymouth, having on board the passengers who were landed there from the steamer New York, presents little evidence today of the havoc wrought by the wreck of the express train, all the wreckage having been cleared away. The engineering staff of the railroad company are still seeking an explanation for the immediate cause of the derailment, but thus far have been unable to do so, or are not ready to say to what the catastrophe is attributable.
Every independent effort to discover the cause of the accident has thus far failed and the officials this afternoon said they were in the dark. Railroad engineers, experts and representatives of the coroner and board of trade examined, inch by inch, the rails on which the disaster occurred, but apparently with no result. The confusion was accentuated by the death of the engine driver and stoker and the cause of the derailment will be enveloped in doubt despite all theories, until the board of trade inquiry and the coroner's inquest are concluded.
No further deaths have been recorded, but Robert S. Critchell of Chicago and Miss L. S. Griswold of Heath, near Epsom, passed a bad night. Miss Margaret Rusk of Norfolk street, Park Lane, London, whose legs have been amputated, and E. W. Sentell of Brooklyn, N. Y., are in a dangerous condition at the infirmary. Mrs. Frank W. Koch of Allentown, Pa., and Miss May Hitchcock of New York, passed a fairly good night, and are resting well.
The inquest will begin at 3:30 this afternoon. Only formal evidence will be taken, and the inquiry will then be adjourned.
The bodies of the dead are still in the waiting rooms of the railroad station. Where no relatives are available the identification of the dead will be made by the doctor and purser of the New York.
The bodies of the American victims are being embalmed for conveyance home.
E. W. Sentell rallied somewhat as the day advanced, and after consultation with the doctors, the chaplain of the infirmary was allowed to convey to him the news of the death of his wife, son and two daughters. The heart-rending tidings overcame the old gentleman, and a serious relapse followed, but restoratives were successfully administered. Replying to the sympathetic condolence of the American consul, Mr. Swain, Mr. Sentell said:
"I will try to show you that I am a man, although I have seventy years to bear."
The mayor of Salisbury, in reply to his message of sympathy to the American ambassador, has received the following:
"Acknowledging your dispatch I hasten to express the appreciation of my government and of the American people for the sympathy and aid shown at Salisbury in the terrible accident to the American boat train."
(Signed) "WHITELEW REID."
The inquest on the bodies of the victims of the railroad disaster of yesterday was this afternoon adjourned for a fortnight.
The coroner, mayor and the officials of the railroad and of the American line expressed the deepest sympathy with the relatives and friends of the killed and injured.

PLAYED "ALWAYS IN THE WAY" AT FUNERAL.

(By the Associated Press.)
Washington, July 2.—"Always in the Way" is the title of a piece of music played at the funeral of Private C. W. J. Anderson of the marine corps, at Olongapo, Philippine Islands, and it resulted in severe newspaper criticism and finally an investigation by officers of the corps. The report of the board has been received at the department, and its findings say that the music played, while having an inappropriate name, was suited to the occasion and the best the band could play, "their repertoire being limited."
Thomas S. Toler Dead.
(Special to the Evening Times.)
Wilmington, N. C., July 2.—A sad sequel to the recent disgrace and punishment of John Toler for vile conduct at Wrightsville Beach is the death at 11 o'clock this morning of his father, Thomas S. Toler. Young Toler two weeks ago was sentenced to the county roads for ninety days for insulting two ladies who were in the surf. An effort was made to bring Toler to the bedside of his father before the end came, but death overtook the father before the son could reach the home. The elder Toler was well thought of.

EXPLOSION OF FIREWORKS CRIPPLES SIX FIREMEN.

Cleveland, O., July 2.—Six firemen were injured by an explosion of fireworks in the wholesale cigar and confectionery establishment of J. Kraus & Sons on West Ninth street today. The firemen had been called to extinguish a slight blaze in the building. The building was gutted.
Lieutenant Patrick McGinty and Fireman John O'Brien and John Cassidy were nearest to where the explosion occurred and were the most seriously injured. They were rendered unconscious and would have been burned to death had not other firemen rushed to their rescue. The firemen were slightly injured.
The pecuniary loss is small.
An Associated Press dispatch from Salisbury, Eng., last night gave this account of the disaster:
Driving at a mad pace over the London Southwestern Railway, the American Line Express, carrying 43 of the steamer New York's passengers from Plymouth to London, plunged from the track just after passing the station here at 1:57 o'clock Sunday morning and mangled to death in its wreckage 23 passengers who sailed from New York, June 23, and four of the trainmen. Besides those to whom death came speedily, a dozen persons were injured, some of them seriously.
Following is the list of the first cabin passengers dead:
Dead.
Barwick, Walter, of Toronto, Ont. (Continued on Page Seven.)