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GODWIN NOMINATED FOR CONGRESS IN THE SIXTH DISTRICT TODAY

Harnett Man Won Out this Morning After an All Night Convention

CAPTURED PRIZE ON 354 BALLOT

Cook's Name Was Withdrawn On the 318th Ballot and the Balloting This Morning Began With Brown Leading and Patterson a Close Second—Brown Delegates Went to Godwin—Incidents of a Red-hot Convention.

(Special to the Evening Times.) Fayetteville, N. C., July 27.—H. L. Godwin of Harnett county was, at 10:30 o'clock today, nominated for congress by the sixth district democratic convention here on the 354th ballot.

The convention was the most spirited and the largest attended ever held in this district and the contest for the nomination was hotly contested by the four candidates—G. B. Patterson of Robeson, (the present congressman), former State Senator Joseph A. Brown of Columbus, H. L. Cook of Cumberland, and H. L. Godwin of Harnett.

An All-night Session. The convention was in session all night, adjournment being taken at 6 o'clock this morning till 9 o'clock. The name of H. L. Cook was withdrawn after the 318th ballot. Brown was then about eight votes in the lead, with Patterson a close second. At the break after the 318th ballot it was thought Patterson would carry the convention. Godwin carried Brunswick and Harnett solid. There were at least a thousand people in the armory all night long and the spirit of the convention ran high till the recess was taken.

Story of Today's Session. The armory here began to fill up at nine o'clock this morning after the three hours of recess, causing all the delegates to feel more refreshed, and it was thought for a long time that the convention would be prolonged indefinitely.

The convention was called to order at 9:45. Hon. John G. Shaw spoke in favor of Patterson and said "We will stick by him; if he goes down we will go down with him. We support him not for what he has done, but for what he will do."

Mr. W. A. Stewart of Dunn then spoke in favor of Godwin, saying that Godwin will be nominated. After several caucuses and challenges in different counties, the 354th ballot was taken, resulting in Hon. H. L. Godwin being nominated. A committee was appointed to notify Mr. Godwin of his nomination and escort him to the hall.

Mr. Godwin took the platform, after being introduced by the chairman, saying it was a pleasure to be there, and feelingly expressed his appreciation of the honor.

John G. Shaw then introduced Mr. Patterson who made an appropriate address in good spirits, breathing loyalty to party.

"I come to thank you for your loyal support," said he. "If I can't get what I like I like what I get. I have no bitterness against any one."

Senator Brown was then called for. He said that few men can be as great in defeat as in victory. If there is such a man here I hope I am the man. He thanked the delegates who supported him and made a fine, manly speech.

HARTJE CASE DRAGGING ON

(By the Associated Press.) Pittsburgh, Pa., July 27.—From the indications today the Hartje divorce case will not be concluded before the latter part of next week. It is expected that the plaintiff will go on the stand before the case and deny certain allegations made against him.

The eighteenth actual day of the trial began by placing Mrs. Mary Hudinsky on the stand. The witness was called for the purpose of showing that Susie Wagner had received exhibit No. 6 in the case. This is the letter which Mrs. Hartje at first said she had written, and then repudiated. While admitting that she wrote to Susie Wagner, Mrs. Hartje maintains the missive in evidence is a forgery.

The witness told of receiving the letter which Mrs. Hartje had sent in her care, not knowing Susie Wagner's address. Susie Wagner was then recalled and testified that she gave the letter to Edward Hartje, brother of the plaintiff.

Hanche Rowland, the next witness said she had lived at Number 240 Second avenue for three years and she declared that during the period of her residence in the place she had never seen Augustus Hartje with a woman in the house.

NEW PLAN TO KILL MOSQUITO.

(By the Associated Press.) New Orleans, July 27.—A proposition to use top minnows in stagnant pools in place of oil to destroy yellow fever mosquitoes and to prevent their breeding was advocated today by Dr. Quintman Kohmke, city health officer of New Orleans in an interview. He said he has contemplated asking the United States government to establish at New Orleans a breeding pond for top minnows to be used for stocking the stagnant water about the city.

OLD DOMINION TROOPS

Three Special Trains Pass Raleigh Today

Seventy-first Infantry En Route To Chickamauga—Soldiers Travel in Fine Style And Col. Vaughan Talks Of The Trip And The Plan—Our Men Next.

Three special trains, carrying more than five hundred soldiers from Virginia passed through Raleigh today over the Seaboard Air Line for Chickamauga, where they will represent the Old Dominion in the national camp of instruction. The soldiers were traveling in fine style. The first section steamed into the union depot for a supply of ice, and the horses got a bite to eat which they relished after the tedious run from Portsmouth.

The troops constituted the 71st Virginia infantry, commanded by Col. C. Vaughan, Jr., who was accompanied by his full regimental staff. The regiment included companies from Norfolk, Portsmouth, Newport News, Hampton, Smithfield, Suffolk, Franklin and Emporia. The trains left Portsmouth this morning and will arrive at the camp ground tomorrow afternoon.

To a reporter for The Evening Times Col. Vaughan, who was aboard the first section, said that the trip from Portsmouth was without incident. "Our men," he said, "are as comfortable as possible in the Pullmans and I doubt if they will feel any fatigue before reaching Chickamauga. Indeed, they are not that kind. We will be in camp for eight days, after which the troops will return to Virginia."

There were many people around the station and they were impressed with the magnificent appearance of the soldiers. The Seaboard had made special arrangements for the movement and the trains were being operated with the least practicable delay.

Two companies from Raleigh will leave here in about two weeks for Chickamauga.

STRANGE ACT OF LABOR UNION

Expelled Member Who Favored Hanging Rapists

BRANDED AS A TRAITOR

Introduced Resolution At Meeting of Labor Union Requesting Legislature to Inflict Death Penalty For Assaults On Women—Meeting Wanted "Asylums" for Them.

(By the Associated Press.) Chicago, July 27.—Alderman Daniel Herlihy of the 28th ward was a member in good standing of the steam engineers' union until last night. Now he is an outcast from that organization and for a strange reason.

He was expelled from the union because a few weeks ago he introduced into the city council a resolution calling upon the state legislature to make assaults upon women and girls punishable by death.

The union, through the medium of a series of sharp resolutions "deplored the outrages upon women and children," but declared that insane asylums and hospitals are the proper places for the weak-minded persons who commit such assaults.

Alderman Herlihy at one of the last counsel meetings before summer adjournment introduced the resolution seeking capital punishment. His action followed the many brutal attacks on women reported throughout the spring.

Nothing was done with the resolution, except to refer it to the state legislature committee, where it now reposes. Herlihy's expulsion last night was unexpected. The resolution providing for it was introduced by Arthur McCadden, secretary of the union, and was adopted unanimously after spirited discussion in which the offending alderman was berated roundly as a traitor to the trades union movement.

WILLIS BRIGGS MAY GET PLUM

Said to Be Slated for the Raleigh Postoffice

ADAMS ENDORSES HIM

That, At Least, Is The Report From Washington, But No Definite Announcement Has Been Made By The Department—Expected, However, At Any Moment.

According to a newspaper dispatch sent out from Washington last night, Chairman Spencer B. Adams, of the state republican organization, has recommended the appointment of Mr. Willis G. Briggs as postmaster at Raleigh.

At noon today the Associated Press advised The Evening Times from Washington there was nothing definite, so far as the actual appointment was concerned. It is generally understood, however, in political circles that Mr. Briggs will succeed Mr. Bailey.

Mr. Briggs was out of the city today and none of his friends had received word of a definite nature. There were many candidates in the field, but Mr. Briggs had strong and powerful endorsements, and it was not surprising when it became known that he had the endorsement of the state chairman.

Mr. Bailey has been postmaster at Raleigh for two terms, eight years. Recently he left Raleigh for a vacation, his health being poor, and the office has been in charge of his assistants. He made a good postmaster, but declined not to apply for a third term.

It is understood and believed here that the formal appointment will be announced within a few days, and if Mr. Briggs secures it he will qualify at once.

DECISION IN THE DOWIE CASE

The Court Traces Church Career of the "Apostle"

TRUST ESTATE DEFINED

The Court's Contempt For Granger's Oath—The Old Man To Be Provided For, Because Of Enhanced Value Of Estate Under His Management—Points of Decision.

(By the Associated Press.) Chicago, July 27.—Judge Landis of the United States district court gave his decision today in the controversy between the adherents of John Alexander Dowie and William C. Voliva over the property at Zion City.

The court holds that Zion City and its industries do not belong to Dowie, but that the contributors intend that the funds should be devoted to charitable or religious uses. If for any other purpose than the purely personal benefit of Dowie, the estate is a trust. It is the duty of the court to get at the substance of the thing and in ascertaining the purpose of the gift, the court is not limited to an inspection of documents or other specific declarations of the parties made at the time.

If the relation is one of confidence, or if the donor provides the money in a position of influence over him who gives the money as for instance if the donor is a religious faith and by word and attitude and environment induces a conviction in the minds of large numbers of people, that as an instrumentality of divine authority, he can relieve his physical ills, and is clothed with power to exert an influence upon the spiritual welfare of men and women who thereupon give him of their lands and goods, rarely by the motive of such gift ought not to remain a matter of doubt in the minds of rational men. The fact that such contributions come to him in the form of checks and currency through the mail and express, the contributor omitting to require the execution of a formal declaration of trust, does not tend to divest the trust of its real character. It is just as if the contributor sitting in a church had placed the funds on a collection plate passed to him by a deacon. Surely in such case the court would not decree that the person might put the money in his pocket on the alleged basis of an agreement to the contrary, merely because the contributor had failed to arise in his place and exact a pledge of trusteeship from the pulpit.

It would be difficult to conceive of anything more inherently inconsistent.

(Continued on Second Page.)

THE GOVERNOR MAKES DENIAL

Glenn Says Atlantic City Special Is Incorrect

DECLINED INTERVIEW

Told New York Newspaper Man His Statement Did Not Give Facts, But He Printed It All the Same—Tammany Was In No Way To Blame.

Governor Glenn's attention was directed this morning to a special sent from Atlantic City to the New York American regarding an interview purporting to have been had with him as to an attempt alleged to have been made to force him to sign a pardon for the gold brick convict, Hawley on the occasion of the governor's visit to New York some months ago as the guest of Tammany.

Commenting on the Atlantic City special Governor Glenn said he positively refused to give an interview to the representative of the New York Journal when he called on him at Atlantic City recently. The newspaper man showed him a statement that he had secured from some other source and that he, (the governor) told him that this statement was incorrect, that there was no force used toward him at Coney Island, but without going into details he would say that a party of men approached him at Coney Island to urge a pardon for Hawley and that on his declining to grant the pardon the men became very rude and so offensive that he left in company with Lieutenant Governor Sanders of Louisiana and others of the party who accompanied him to Coney Island.

Governor Glenn said he reported the facts to Tammany officials and received a letter from Mr. Smith, Tammany secretary and other leading members regretting the occurrence and declaring that Tammany was in no way connected with the incident, that outside parties had taken advantage of an invitation to him to make the application for Hawley's pardon.

Since Hawley's death some months ago the governor has learned, so he stated this morning, through Hawley's attorney at Raleigh, Mrs. Hawley had requested the parties who spoke to the governor at Coney Island to make application with the governor in New York. That she asked them to show the governor every courtesy and get him into a pardoning frame of mind. But she stated that they got full and did more harm than good by their conduct.

The governor says that at first he was indignant, fearing a job had been put up on him but that in the light of subsequent events he is satisfied that the Tammany officials had nothing to do with the matter and that it was the instigation of friends of Hawley.

THE REPORT A DOGFALL

The Virginia Military Institute Inquiry

Special Legislative Committee Makes Report That Students Had Grounds For Complaint, But Faculty's Action Is Sustained.

(By the Associated Press.) Richmond, Va., July 27.—The report of the special legislative committee which investigated the affairs of the Virginia Military Institute, Lexington, was submitted to Governor Swanson today.

It says the students had grounds for complaint against the food conditions last fall, but holds that the superintendent properly dismissed those who had signed the petition for the third class, and that the college should have been disciplined for leaving the campus without permission, thus disagreeing with the superintendent.

It says the barracks are crowded, the beds badly constructed and poorly ventilated, the kitchen and mess halls improperly equipped and badly arranged, and the electric lights are insufficient. Food conditions are declared to be ample at this time and that there is, say the committee, no cause for complaint. The committee commends the board for the improvements now being made and which will be completed before the next session.

EIGHT HOUR DAY FOR RAILWAY MEN

(By the Associated Press.) Oakland, Cal., July 27.—The freight conductors and brakemen on the Southern Pacific system will present a new pay and working schedule to the officials of the road within a few days, which provides for an advance in pay and an eight-hour day.

The new schedule provides that 12½ miles shall constitute an hour and eight hours constitute a working day. One of the principal grievances which the freight conductors and brakemen have under existing conditions is that they have to work excessively long hours and virtually have no time to spend with their families.

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OCEAN STEAMER LIMPS TO PORT.

(By the Associated Press.) Boston, Mass., July 27.—Slightly damaged on her starboard side as a result of a collision with the steamer City of Memphis of the Ocean Steamship Company in the Savannah river last Monday, the steamer Chattahoochee of the same line, arrived here today from Savannah with fifteen passengers. The report of the accident filed by Captain Burroughs of the Chattahoochee coincided with that made by the captain of the City of Memphis when the latter steamer arrived at New York yesterday. The damage to the Chattahoochee was confined to the denting of several plates on the starboard side above the water line. Temporary repairs will be made and the Chattahoochee will leave tomorrow on her regular trip to the south.

Death of H. G. Miller.

(Special to the Evening Times.) Salisbury, N. C., July 27.—H. G. Miller, one of the best known citizens of the county, died this morning at his home in the country, four miles from Salisbury. Death was from pneumonia.

Mr. Miller was the father of Chief of Police Frank Miller, and leaves a family of eleven children. He was the uncle of W. T. Bost, and was 69 years old. He had lived all his life near here.

Mr. Miller was a fine soldier and cavalry officer under General Paul Barringer of Charlottetown, and was wounded in the army, in which he fought the entire four years.

Sugar Rebate Indictments.

New York, July 27.—The federal grand jury today returned to the United States court three indictments which are reported to have been found as the result of an investigation of alleged rebating on sugar from the American Sugar Refining Company.