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CONGRESS RECEIVES A SPECIAL MESSAGE ON ISTHMIAN CANAL

The President Gives a Detailed Description of the Work Done There

DECLARES CRITICISM OF OFFICIALS UNJUST

He Thinks a Seven-Headed Commission a Clumsy Executive Instrument, and Recommends That One Man be Put at the Head of the Whole—He Notes Wonderful Improvement in Health Following the Sanitary Work Done—Finally He Declares Himself Confident of the Ultimate Success of the Gigantic Undertaking.

(By the Associated Press.)
Washington, Dec. 17.—The expected special message from the president on the Panama canal reached congress today, and its reading was one of the features of the day.

In his message President Roosevelt explains the result of his examination on the isthmus, giving a detailed description of the work, and expressing much satisfaction over the successful sanitation which has improved the health situation, which he says is remarkably good. The death rate has been greatly reduced, principally because of the killing of mosquitoes by special brigades appointed for that mission. The improvements at Panama and Colon are noted. He takes up the charge made against the water supply of Colon, which he says is ample and excellent. The reservoir, he contends, is equal to that of most American cities. He deals with complaints which he says are not well founded, and resents the "unjust criticism" of the canal management. There are too many saloons in the zone, but the new high-license law, which becomes effective in January, will reduce the number four-fifths. He shows that the employees are well cared for, the quarters are good and eminently satisfactory. In the government hotel he found first-rate food, the meal served for thirty cents being sufficient for any man. He believes the complaints about the food supply are unwarranted.

Concerning the labor employed, the president says that the small number of Spaniards give good results, and he takes the point that the American workman has no concern whatever in the question as to whether the rough work on the isthmus "is done by aliens from one country with a black skin or by aliens from another country with yellow skins." He has arranged to try several thousand Chinese laborers. The West India laborers, he says, are fairly, but only fairly, satisfactory. He tells of the work by negroes, of their satisfaction, and is generally pleased with what they do.

Recreation and Amusement.

Continuing, he says:
One of the greatest needs at present is to provide amusement both for the white men and the black. The Young Men's Christian Association is trying to do good work and should be in every way encouraged. But the government should do the main work. I have specifically called the attention of the commission to this matter, and something has been accomplished already. Anything done for the welfare of the men adds to their efficiency, and money devoted to that purpose is therefore properly to be considered as spent in building the canal. It is imperatively necessary to provide ample recreation and amusement for the men who are to be kept well and healthy. I call the special attention of congress to this need.

This gathering, distributing and caring for the great force of laborers is one of the giant features of the work. That friction will from time to time occur in connection therewith is inevitable. The astonishing thing is that the work has been performed so well and that the machinery runs so smoothly. From my own experience I am able to say that more care had been exercised in housing, feeding and generally paying heed to the needs of the skilled mechanics and ordinary laborers in the work on this canal than is the case in the con-

struction of new railroads or in any other similar private or public work in the United States proper; and it is the testimony of all people competent to speak that on no other similar work anywhere in the tropics—indeed, as far as I know, anywhere else—has there been such forethought and such success achieved in providing for the needs of the men who do the work.

I have now dealt with the hygienic conditions which make it possible to employ a great force of laborers, and with the task of gathering, housing and feeding these laborers. There remains to consider the actual work which has to be done—the work because of which these laborers are gathered together—the work of constructing the canal. This is under the direct control of the chief engineer, Mr. Stevens, who has already shown admirable results, and whom we can safely trust to achieve similar results in the future.

Our people found on the isthmus a certain amount of old French material and equipment which could be used. Some of it, in addition, could be sold as scrap iron. Some could be used for furnishing the foundation for filling in. For much no possible use could be devised that would not cost more than it would bring in.

Work of Construction.

The work is now going on with a vigor and efficiency pleasant to witness. The three big problems of the canal are the La Boca dams, the Gatun dam and the Culebra cut. The Culebra cut must be made, anyhow; but of course changes as to the dams, or at least as to the locks adjacent to the dams, may still occur. The La Boca dams offer no particular problem, the bottom material being so good that there is a practical certainty, not merely as to what can be achieved, but as to the time of achievement. The Gatun dam offers the most serious problem which we have to solve; and yet the ablest men on the isthmus believe that this problem is certain of solution along the lines proposed; although, of course, it necessitates great toll, energy and intelligence, and although equally, of course, there will be some little risk in connection with the work. If the huge earth dam now contemplated is thrown across from one foothill to the other we will have what is practically a low, broad mountain ridge, behind which will rise the inland lake. This artificial mountain will probably show less seepage—that is, will have greater restraining capacity—than the average natural mountain range. The exact locality of the locks at this dam—as at the other dams—is now being determined. In April next, Secretary Taft, with three of the ablest engineers of the country—Messrs. Noble, Stearns and Ripley—will visit the isthmus, and the three engineers will make the final and conclusive examinations as to the exact site for each lock. Meanwhile the work is going ahead without a break.

The Culebra cut does not offer such great risks—that is, the damage liable to occur from occasional landslides will not represent what may be called major disasters. The work will merely call for intelligence, perseverance and executive capacity. It is, however, the work upon which most labor will have to be spent. The dam will be composed of the earth taken out of the cut, and very possibly the building of the locks and dams will take even longer than the cutting in Culebra itself.

The main work is now being done in the Culebra cut. It was striking and impressive to see the huge steam shovels in full play, the dumping trains carrying away the rock and earth they dislodged. The implements of French excavating machinery, which often stand a little way from the line of work, though of excellent construction, look like the veriest toys when compared with these new steam shovels, just as the French dumping cars seem like toy cars when compared with the long trains of huge cars, dumped by steam power, which are now in use. This represents the enormous advance that has been made in machinery during the past quarter of a century. No doubt a quarter of a century hence this new machinery, of which we are now so proud, will similarly seem out of date, but it is certainly serving its purpose well now. The old French cars had to be entirely discarded. We still have in use a few of the more modern, but not most modern, cars, which hold but twelve
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CIRCUIT COURT CONVENED TODAY

American Locomotive Company Case Taken Up

NO RALEIGH ATTORNEY

Has Tampered With the Government Witnesses, so Judge Purnell Stated from the Bench—Col. J. C. L. Harris Made a Statement Today in Regard to His Connection in the Riggsbee Case.

When the United States court was opened this morning for the disposal of a number of civil and government libel cases, Judge Purnell stated from the bench that as he had made some remarks on Saturday in reference to lawyers tampering with government witnesses, he wanted to say that he was satisfied from information that had come to him since then that those remarks were not based upon information that was true; that he was satisfied that nothing of the kind that he had reference to had been done.

Col. J. C. L. Harris stated in court this morning that he should have made a statement on Saturday concerning his connection with the Riggsbee case but for the fact that he had been summoned by the United States district attorney as a witness in that case, and, being a witness, had no right to state publicly what he knew until put on the witness stand. He said that was also the reason why he made no statement this morning.

Locomotive Works Case.

The case of the American Locomotive Company, a Richmond corporation, against the Weldon Lumber Company, was taken up today. This is a suit involving \$5,339.76, which is claimed by the above-named locomotive company for work done on two engines belonging to the Weldon Lumber Company during the summer of 1904. On one engine the cost was something over \$3,000, and on the other about \$2,000. It seems that the lumber company sent the engines to Richmond to have certain repairs made, and it is contended by them that the charges were exorbitant and unreasonable, and hence they refused to pay the bill as submitted, but, it is alleged in the answer, they are willing to pay a reasonable amount for the work done on the engines. It is contended that on one of the engines the cost should have been not more than \$2,000, while on the other it was not to exceed five or six hundred dollars, as the engine was not worth expending a large amount of money on.

The locomotive company sets forth that the engines were sent them with instructions to have certain repairs made, which was done and the engines shipped to Weldon, and soon afterwards a bill forwarded showing just what the work had cost.

There are a number of witnesses here from Richmond who were summoned by the locomotive company.

Messrs. Murray M. McGuire of Richmond and J. Crawford Biggs of Durham are attorneys for the American Locomotive Company, and Col. Harry Skinner of Greenville, Mr. W. E. Daniel of Weldon and Messrs. Poul & Fuller of this city for the Weldon Lumber Company.

WOMAN BURNED IN THE BARREL?

(By the Associated Press.)
Hazleton, Pa., Dec. 17.—The charred remains of a young woman were found today on the mountain between here and Ebervale by a man who was in the woods with his dog. A slipper, hair combs and the fragments of a woman's hat were picked up near the spot where the remains lay. Under the body were three wire hoops such as are used on barrels. It is the belief of the police that the woman was murdered and then placed in the barrel and burned. This theory is strengthened by the odor of kerosene near the place. The identity of the woman, who was about 18 or 20 years of age, has not been established.
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TO THE TOP BUT TO BE SHELVED

Special Message by Roosevelt to Congress

PERSONNEL OF NAVY IS NOT PRACTICABLE

He Calls Attention to the Fact That Our System of Promotion Gives Men Little Opportunities in High Places Until Age Impairs Their Efficiency.

(By the Associated Press.)
Washington, Dec. 17.—The following special message of the president on the personnel of the navy was read in congress today:

To the Senate and House of Representatives:
In the last three annual messages I have invited the attention of the congress to the urgent necessity of such legislation as will cause officers of the line of the navy to reach the grades of captains and rear admirals at less advanced ages and will give them more opportunities and training in the important duties of those grades. Under the present archaic system of promotion, without parallel in the navy of any other first class power, captains are commissioned at the average age of fifty-six and rear admirals at the average of sixty. This system is the result of long continuous service in favor of promotion by which all lieutenants in order of seniority pass through the several grades until they actually become rear admirals; a method which sacrifices the good of the service to the interest of individual mediocrity. As a direct consequence of the existing method, naval officers obtain more than ample service in subordinate positions, but have admitted inadequate experience as captains in command of battle-destroyed by admirals in charge of fleets and squadrons; that is in the very positions of greatest responsibility, where experience, skill and initiative are essential to efficiency. Moreover, they attain the position of a flag officer but a few months before they reach the retiring age and have no opportunity to perfect themselves in the important duties of the high commands.

History of modern and ancient, has invariably shown that an efficient personnel is the greatest factor toward an effective navy. No matter how well equipped in other respects a navy may be; its fleet may be composed of powerful high speed battleships, maneuvered by complicated tactics based upon the latest development of naval science, yet it is grievously handicapped if directed by admirals and captains who lack experience in their duties and who are hampered by long experience of independent action and responsibility. To possess such a fleet to one equally good, led by officers more active and more experienced in their duties is to invite disaster.

Behind Other Nations.

The following tables give the ages of the youngest captains and flag officers with the average years in grade in the navies of Great Britain, France, Germany, Japan and in the United States:

Average Years	
Captains.	Age in grade.
Great Britain	35
France	47
Germany	42
Japan	38
United States	55

Sea-going flag officers:	
Age.	Average years in grade.
Great Britain	45
France	53
Germany	51
Japan	44
United States	59

The facts shown in this table are startling and earnest attention is invited to them.

Bill to Change Conditions.

The secretary of the navy several months ago convened a board of six representative line officers with the assistant secretary of the navy as president, to consider and recommend such changes in existing law relative to the commissioned personnel of the line of the navy as would tend to promote efficiency and economy. The essential recommendations of the board have been cordially approved by the secretary. The bill, herewith transmitted to the congress, has been formulated by the secretary and is based, except in a few details, upon the recommendation of the board. I earnestly recommend its early consideration. Should it be enacted into law it will cause officers on the sea-going list to reach the grade of captain at forty-eight and rear admiral at fifty-five, and will assure their serving seven years in the grade of captain and seven years in the grade of rear admiral, thus enabling them to be in these grades.

Grade of Vice Admiral.

The accompanying bill also establishes the grade of vice admiral. This grade has long existed in all other principal navies of the world in order
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THE COAST LINE FILES EXCEPTION

Will Not Obey Orders of Corporation Commission

CLAIMS THAT TO OBEY ORDER AS TO TRAINS ON PLYMOUTH & KINSTON BRANCH IT WOULD BE NECESSARY TO PUT ON ADDITIONAL PASSENGER TRAIN AND COMPANY HAS NOT THE MOTIVE POWER—OTHER REASONS GIVEN.

In the matter of the schedules and connections of the trains of the Atlantic Coast Line Railroad Company on its Plymouth branch and its Scotland Neck or Kinston branch, exceptions have been filed to the order of the commission made about ten days since.

First exception is upon the ground that the commission has not the power or authority under the law of North Carolina to make such order or regulate time and manner in which passengers and property shall be transported.

Secondly, that it would not be practicable to carry out the order of the commission without an extra passenger train, which it is contended the commission has not the power to require.

Third, that the order of the commission is unreasonable, in that the company is already furnishing sufficient accommodations for passengers.

Fourth, that in order to comply with the order it would be necessary to put on an additional passenger train, which it is contended, the company has not at the present time sufficient motive power or locomotive engines to do. That an order which placed ten months ago for engines, but up to the present time have not been able to get a single engine.

Fifth, that it deprives the company of its property without due process of law, and, therefore, is contrary to the constitution of the United States.

The sixth exception sets forth that to obey the order would necessitate an additional passenger train, which would have to be operated at a loss, and hence the company would have to perform service without compensation.

LACKING ENGINES THE CARS LIE IDLE.

(By the Associated Press.)
Kansas City, Mo., Dec. 17.—The Journal today says:
A systematic inspection of the terminal railroad yards shows that there are three thousand empty freight cars standing idle in the Kansas City yards because the railroads have not sufficient motive power to move them.

DON'T SELL COAL LANDS The President Suggests That Government Hold Them

(By the Associated Press.)
Washington, Dec. 17.—E. E. Clark, of the interstate commerce commission, appeared before the house committee on public lands today to support the suggestion made in President Roosevelt's message that the government cease to sell coal lands and hold them under lease.

The suggestion referred to, contained in a message on public land laws, follows:
"The law should give individuals and corporations, under proper government regulation and control (the details of which I shall not at present discuss), the right to work bodies of coal land large enough for profitable development. My own belief is that there should be provision for leasing coal, oil and gas rights under proper restrictions. If the additional force of special agents and mining experts I recommend is provided and well used, the result will be not only to stop the land frauds, but to prevent delays in patenting valid land claims and to conserve the indispensable fuel resources of the nation."

THE SCHOOL AND FEDERAL POWER

Efforts to Check Widening of Centralization

MADE BY RAYNER, WHITE

They Introduce Resolutions Into the Senate, the Object of Which Primarily is to Give California Free Rein in the Conduct of Her Public Schools.

(By the Associated Press.)
Washington, Dec. 17.—Senators White and Rayner of Maryland, each presented resolutions in the senate today touching the state's rights on the question involved in the Japanese controversy. The resolution of Mr. White resolves that there shall be no increase in federal power by a strained construction of the constitution, at the expense of the rights of the states.

The Rayner resolution provides that the functions of the executive shall be limited to the performance of the duties as assigned to him by the constitution and the legislation enacted thereunder and that there shall be no interference by the executive in the legislative or judicial branches of the government or with the rights of the states. It also resolves that the states have no authority to surrender any of their reserved rights under the constitution. Both resolutions were laid on the table for future action.

Memorial From Cattle Raisers.

In presenting to the senate today a memorial from the cattle raisers of the western states, Mr. Cuthbertson said the cattle raisers were suffering more extensive damage at this time from shortage of cars and had service from transportation companies than from disease of cattle, limited markets and all other speedy consideration looking to relief.

The senate today agreed to the holiday adjournment resolution, which provides that when adjournment is had next Thursday it shall be until January third, next.

The senate agreed to a resolution today presented by Senator Hansbrough, directing the department of commerce and labor to make an investigation of the "combination or trust organization known as the International Harvester Company" engaged in the production and sale of farm machinery. The investigation is to ascertain if a combination in restraint of trade exists.

The bill validating certain certificates of naturalization was defeated in the house today, two-thirds having failed to vote in its favor. The bill will be called up under committee call later.

The senate agreed to a resolution today requesting the judiciary committee of the senate to inform the senate if congress can prohibit interstate commerce in child-labor-made goods under the commerce clause of the constitution.

QUESTION IN THE AIR

What the Supreme Court Didn't Touch

Whether Telegraph Company Was Liable Under State Law for Failure to Deliver Message Under the Peculiar Conditions Named.

(By the Associated Press.)
Washington, Dec. 17.—Whether a telegraph company can be held responsible under state laws for the non-delivery of telegrams when sent from one point in a state to another point in the same state, but through another state was involved in the case of the Western Union Telegraph Company vs. E. Hughes, which was decided today by the supreme court of the United States, but as the court dismissed the case on a technicality it did not discuss the point.

The case came to the supreme court from the Virginia court of appeals and grew out of the failure of the telegraph company to deliver a message sent from Danville by Mr. Hughes to a Miss Malone, in Pocahontas, informing her of her mother's illness. Both points are in Virginia but it was necessary that the message should go through West Virginia, where it was lost. Hughes brought suit in the corporation court at Danville under the state law and that court awarded damages to the extent of one hundred dollars. The temporary effect of the decision at least is favorable to Hughes.

Governor Glenn went to Chapel Hill this morning, where he will spend the day and will return on the evening train.

STRAUS TAKES REINS OF OFFICE

Moody Goes to the Supreme Court Bench

AN ASSOCIATE JUSTICE

Bonaparte Takes the Oath of Office as Attorney General of the United States, and Metcalf Enters as Secretary of the Navy—Ceremonies of Induction Into Office.

(By the Associated Press.)
Washington, Dec. 17.—Oscar S. Straus of New York today was inducted into the office of secretary of the department of commerce and labor in pursuance of the rearrangement of the cabinet recently made by President Roosevelt.

The ceremony incident to the retirement of Secretary Metcalf who has been at the head of the department since July 1, 1904, and the induction into office of Secretary Straus took place shortly after 9 o'clock this morning in the secretary's offices at the department.

Secretary Metcalf in relinquishing the duties of the office formally expressed to those about him his great personal regret at the severance of relations which always had been so pleasant. He assured them, however, that with the coming of Mr. Straus the cordial relations which he had with the people of the department would be maintained by Secretary Straus.

Secretary Straus in a brief address expressed the desire to continue the present relations that existed between Secretary Metcalf and the officials of the department and said that it would be his purpose so far as might be possible to continue the policies of his predecessor. He said he would take his cue from the president, one feature of whose great strength lies in the fact that he could depend upon and enlist the hearty co-operation of those about him.

Hon. William H. Moody, formerly attorney general, today entered upon his duties as an associate justice of the supreme court of the United States, thus bringing the court up to its full membership. He was inducted into office at the beginning of today's sitting of the court.

Having, as is customary in such cases, taken the regular oath of office in the robing room before entering the court chamber, he was presented into the latter apartment by all the other members of the tribunal.

As soon as the opening of the session of the court had been announced by the court clerk, Chief Justice Fuller proclaimed the presence of the new associate, saying that it gave him pleasure to present him to the members of the bar. The clerk then read Mr. Moody's commission and administered to him a second oath, commonly known as the judicial oath. He was then escorted by Marshal Wright to his seat on the extreme left of the bench when the court proceeded with the business of the day.

Former Secretary Bonaparte was then introduced to the court as the new attorney general, by the solicitor general, succeeding Mr. Moody in that capacity.

Secretary Metcalf arrived at the navy department in company with Secretary Bonaparte at 10:15 o'clock.

Secretary Bonaparte in a brief address congratulated the new secretary upon the compliment implied upon his choice for the office of the secretary of the navy.

Secretary Metcalf briefly responded, declaring that he always had taken interest in the American navy.

At 11 o'clock Charles J. Bonaparte, the retiring secretary of the navy, took the prescribed oath as attorney general of the United States and immediately entered upon his new duties.

COMMISSION'S RIGHT TO FIX RATE UPHELD

(By the Associated Press.)
Washington, Dec. 17.—In the case of the Alabama & Mississippi Railroad Company vs. The Mississippi Railroad Commission the supreme court of the United States rendered a decision today in support of the contentions of the state. The case involved the right of the commission to fix a flat rate of 3 1/2 cents per mile per hundred pounds on car load lots of grain from Vicksburg to Meridian, both in Mississippi. The water rate to Vicksburg figured in the case, but the action of the commission in making the rate was based upon the allegation that the Vicksburg Railroad was in the habit of giving that figure to patrons who also gave their business to the Shreveport & Pacific Road, an allied concern, while the rate to other patrons was ten cents per hundred. The Mississippi supreme court sustained the action of the commission, and that finding was upheld by today's decision.