

THE RALEIGH EVENING TIMES.

VOLUME 27.

RALEIGH, N. C., THURSDAY, JANUARY 3, 1907.

PRICE 6c.

GOVERNOR GLENN SAYS BLACKBURN'S STATEMENT IS NOT SATISFACTORY

Expects to Investigate Mat- ter Thoroughly and Flout Out Facts

SPENCER BLACKBURN GOES TO WASHINGTON

The Governor writes to Solicitor Brooks in regard to what course he desires pursued—States that if he finds Congressman Blackburn did not tell the truth in regard to the letter that he will be more in a mood to prosecute than ever and will not fail to do so—Way in which the Washington Correspondents Got the Letter.

The Blackburn episode is not a thing of the past by any means, nor is it yet settled. Asked this morning if there were any further developments in regard to the matter, Governor Glenn replied that there were not, that he would take no further action for the present but in the meantime would investigate the matter fully and see if Congressman Blackburn had made a truthful statement in regard to the letter which he denies having given out. "I am writing a letter to Solicitor Brooks now," the governor said, "in regard to the matter. If I find that Blackburn has not told the truth in regard to the statement, I will be more in a mood to prosecute him than ever, and will not fail to do so." The governor stated further that he was not satisfied with the statement made by Blackburn and that it was not going to prevent him from using every effort to find out the facts.

BLACKBURN LEFT STATE SUDDENLY

(By Southern Bell Telephone.)
Greensboro, N. C., Jan. 3.—Mr. John Crouch, former private secretary of Congressman Blackburn, but for several months past business manager and editor of his paper, the Tar Heel, was about the only man who this morning who was surprised to learn that Congressman Blackburn had left the city. Mr. Crouch was with him all day yesterday, and left him at 4 o'clock this morning in his room at the McAdoo Hotel, with several engagements during today to arrange some business matters with the Tar Heel Publishing Company. Mr. Blackburn's visit here was for this purpose, he being president of the company.

They had been expecting him for several days, but for some reason he had failed to come.
Congressman-elect R. N. Hackett, who has been sick in Wilkesboro for the past few days, reached here last night on a belated train from Wilkesboro, expecting to meet Governor Glenn and join in the prosecution. He had not known of Blackburn's denial nor anticipated it until he reached here. Mr. Gordon Hackett also arrived from Raleigh, and the fact that the brothers were here was communicated to Blackburn, who did not leave his room in the hotel during the night.

Speaking of the contest for a seat in Congress, Mr. Hackett says he has never received any notice whatever from Mr. Blackburn. Section 105 of the Revised Statutes, regulating the law of contests, requires that the notice of the contest, with certified copies of the letter to several other correspondents and made the statement that all were copies of a letter which Blackburn would mail that night to Mr. Hackett. He said it would be observed that the letter contained some mighty hot, sensational reading matter.

Said it Came From Capers' Office.
It was agreed that this was true, and the writer remarked that he supposed Blackburn had more sense than to make any such charge unless he had evidence to substantiate it, to which Perkins replied that Blackburn was well loaded, and that he could produce democratic evidence to prove all he had said. He said that the letter had just been prepared at the office of

Blackburn's attorney, Capt. John E. Capers, and Perkins added that it was the intention of Mr. Capers to call up the Associated Press and give them a copy of Blackburn's letter; and that they thought that the association would carry at least part of the statement. The writer tried to prevent this, thinking to keep the story from the papers in the Observer's territory, but Perkins explained that "they wanted the letter to get of the airing possible."

Capers Hasn't Denied.

More than one reporter has discussed this subject with Capt. Capers since Governor Glenn declared it to be his intention to bring suit against Blackburn, on the charge of criminal libel. He has not once intimated that any other person than Blackburn wrote the letter. The writer had a talk with him this afternoon. This was before the news came that Blackburn had denied the paternity of the new factious document, it was pointed out to Captain Capers that the letter was causing all sorts of a stir, and he was asked if he would make some statement regarding the proof which Blackburn expected to produce to make good his very serious accusation against Governor Glenn and Mr. Hackett. He replied that he did not care to make any formal statement about the case, as Blackburn had gone to the state to confer with Judge Byrum, and go over matters which he and Blackburn had already considered.

Time Is All That's Needed.
He then made this statement: "All you can say for me is that Capt. Capers says that Governor Glenn can hardly have Mr. Blackburn arrested while he is on his way to resume office in the house, and I can say for my client that we have given a little more time in which to make good his charges."

It will doubtless be noted that Captain Capers referred to the charges as Blackburn's charges. Tonight Capt. Capers had heard about Blackburn's denial. In fact, he said he had had a talk with Blackburn about the denial down the state and he was no longer communicative. He did not, however, support Blackburn in his disclaimer of responsibility for the letter.

STANDARD OIL HIT BY LANDIS

Judge Rules That Eight In- dictments Hold

ELKINS LAW VIOLATED

The Charge is That the Standard Oil Company Shipped Its Product Over Roads at Less Than the Published Rates of the Carriers That Transported It.

(By the Associated Press.)
Chicago, Jan. 3.—Judge Landis in the United States district court today overruled the demurrer of the Standard Oil Company to eight indictments pending against that corporation, but sustained the demurrer as to two other indictments because of technical defects.

"These prosecutions," said the court, "are for alleged violation of section 1 of the act approved February 19, 1903, known as the Elkins law. The charge is that the defendant obtained the transportation of its property by various railway companies at rates less than those named in the carriers' published schedules. The offenses are alleged to have been committed prior to the enactment of the law approved June 29, 1906, known as the rate law. The indictments were returned August 27, 1906."

The court ruled against the defendant's contention that the Elkins law was enacted really to prohibit the employment of indirect methods to obtain preferential rates, it being the defendant's contention that it was not a violation of the law, if a railway company dealing directly with a shipper gave that shipper a cut rate.

The court also ruled against the defendant's claim that the provisions of the Elkins law requiring shippers to adhere to a published rate was void as being against that provision of the constitution which required carriers to transport property for a reasonable rate, the court holding that carriers and shippers were both required to adhere to the published rate until such rate was prescribed by law. The court further ruled against the defendant's contention that the indictments were bad because the interstate commerce law did not require railway companies to publish rates beyond points beyond the carriers' own line of road.

The court ruled against the defendant's contention that the provision of the interstate commerce law requiring carriers to publish terminal charges was not operative upon consignees, holding that in respect to such terminal charges, inasmuch as the consignee would have only little if any interest in the question, the law plainly was intended to be binding on consignees.

When the Act Becomes Effective.
"It is contended in behalf of the United States," said the court, "that the act of June 29, 1903, did not go into effect until after these indictments were returned. It is urged that the postponement was effected by the adoption of the joint resolution by congress, approved June 30, 1906. That resolution provides that the rate law shall take effect and be in force after its approval by the president of the United States."

"Of course the purpose of this resolution is obvious. But it was wholly ineffective until approved by the president. This occurred June 30, and by its own terms the act became effective on its approval by the president one day before. Plainly, therefore, on June 30 the resolution was powerless to postpone that which had already occurred on June 29. While possibly on June 30 the resolution might operate to suspend the act for a period of time (and as to this I express no opinion), the questions presented by the demurrers to these indictments are to be determined as though a postponement or suspension of the act had not been completed."

SAYS SHIVELY WOULD BE VICE PRESIDENT

(By the Associated Press.)
La Porte, Ind., Jan. 3.—A close friend of Benjamin F. Shively of South Bend, formerly congressman from the Thirtieth Indiana district, is authority for the statement that when the proper time arrives Mr. Shively will formally announce his candidacy for the democratic nomination for vice president of the United States.

VIEWS OF FOLK IN HIS MESSAGE

Two Cent a Mile Fares on the Railroad

NO BETTING ON RACES

He Recommends Legislation to Suppress Bucket Shops, Rigid Child Labor Laws, Prison Punishment for Violation of Anti-Trust Laws, Penalties for Rebates.

(By the Associated Press.)
Jefferson City Mo., Jan. 3.—Governor Folk, in his message to the legislature today, recommends a number of acts relating to the insurance companies, among others a standard policy for all life companies, prohibiting discrimination and rebating, regulating the election of directors and requiring non-resident companies to keep at least 70 per cent of the premiums received from Missouri policy-holders invested within the state.

He also recommends the enactment of a law making it a crime for any one, for compensation, to lobby with the members of the legislature. The railroads, he said, should be required to carry passengers within the state for two cents a mile.

There should be a state primary law for the nomination of all elective officers, including United States senators. The election of senators by the people, he said, has long been demanded, but it cannot be obtained until the federal constitution is amended. Public opinion will ultimately force this reform, but in the meantime the next best thing can be done by having senatorial candidates voted for at a state primary.

Horse Racing and Betting.
As to horse racing and book-making, he recommended a law making it a felony to register a bet upon a horse race, either on a blackboard or any other substance, or to telephone a bet on a horse race to any other state, or to telegraph or use any device to accomplish the registration of bets.

He also recommended legislation to suppress "bucket shops," rigid child labor laws, prohibiting a concern or corporation from selling higher in one part of the state than in another, adding prison punishment for violation of the anti-trust laws, and making the penalty for the violation of the maximum freight law apply to persons, corporations and partnerships, also stating providing proper penalties for railroad corporations or the directors, employees or agents of any railroad giving rebates on shipments within the state.

Every corporation, he said, should be required to furnish each stockholder with a balance sheet of its business once a year. The state should regulate the charges of public service corporations in order to prevent extortion.

He recommended that the people of each city or town be authorized to purchase or own or operate any utility of any nature whenever they shall vote to do so, and to issue bonds in payment thereof.

He urged the adoption of a resolution for a constitutional amendment providing for the initiative and referendum in legislation, regarding this as of such importance in the final elimination of corrupting and the establishment of true representative government.

THE SUICIDE OF AN INSTRUCTOR.

(By the Associated Press.)
Cambridge, Mass., Jan. 3.—Walter Dana Swan, an instructor in architecture at Harvard University, died today, after having shot himself over the heart. No cause for the suicide is known. Swan was appointed assistant in architecture at Harvard in 1897 and instructor in 1901. He was 39 years old.

CULBERSON TO THE DEFENCE

Roused by Resolution Touch- ing Negro Troops

NO QUESTION OF COLOR

Culberson Declares That the Conduct of the Negro Troops at Brownsville Before Shooting Up the Town Had Been Most Creditable to the People There.

(By the Associated Press.)
Washington, Jan. 3.—The senate resumed the work of the session at noon today having been in holiday recess for two weeks. Public interest was manifested in the proceedings by the capacity of the galleries and senators evinced more than the ordinary interest in the opening ceremonies.

Senator Raynor gave notice today that he would ask the senate to consider resolutions commemorating the life and character of the late Senator Arthur Pue Gorman on Saturday January 26.

Senator Gearin gave notice that on Monday next he would call up his resolution advising that negotiations be entered into with the Japanese government with a view to securing a modification of the existing treaty with Japan.

The Foraker Resolution.
Soon after the senate met today Senator Foraker's resolution providing for an inquiry by the senate into the discharge of the negro troops of the Twenty-fifth Infantry on account of the Brownsville, Texas, episode was laid before the senate, and Senator Culberson made an address on the subject. He said that he would have kept quiet but for the fact that great injustice had been done the people of Brownsville.

Mr. Culberson said that the conduct of the negro soldiers had been very irritating to the Brownsville people and especially so to the women. He related that on August 4, last, the day before the "shooting up of the town," a criminal assault had been committed by one of the soldiers on the wife of a reputable citizen and said that no arrests had been made for the crime. Mr. Culberson defended Captain McDonald of the Texas Rangers, to whom Mr. Foraker had referred because of Major Blockson's reference to him as a man who was "so brave that he would at a hasty charge hold with a bucket of water."

Mr. Culberson said that there was a distinction between a "discharge without honor" and a "dishonorable discharge." In the former case the president could exercise his discretion as he had done in this instance, while a dishonorable discharge could only be made as the result of a court martial. He instanced several cases to sustain his position.

Finds the Motive.
To establish the motive actuating the negro soldiers in creating the alleged disturbance, Mr. Culberson read resolutions recently adopted by negro citizens of Boston which admitted that the soldiers "shot up the town" and said they "were determined to do for themselves what the uniform of their country would not do—protect them from insults and punish at the same time the authors of their misery."

Disclaiming any partnership for the president Mr. Culberson created a wave of sentiment by saying: "I have nothing to do with the president in this matter. I care nothing about him. My personal relations with him are about as cordial as those of the senator from Ohio." (Mr. Foraker.)

In all fairness Mr. Culberson said, the country ought to know that the report made to the president was reliable. He read much of the evidence in this report to sustain his contention that the soldiers and not civilians had been responsible for the shooting, remarking that senators might go to their luncheon if they did not want to hear it.

Mr. Culberson declared that the people of Texas would defend the honor of their women with their lives and advised strongly against any action that would lead to a conflict between the races.

BLOW AGAIN LEVELED BY AN ASSASSIN'S HAND

AT RUSSIAN TYRANNY

The Prefect of St. Petersburg's Police Shot in Brain, Drops Dead

HIS SLAYER CUT DOWN BY THE BLOW OF SABRE

The Activity of the Official, General Von Der Launitz, Upon Whom Had Been Conferred Extraordinary Powers Over the Liberties of the People, Led to His Assassination. Some of the Acts of the Man Murdered.

(By the Associated Press.)
St. Petersburg, Jan. 3.—Major General Von der Launitz, prefect of police of St. Petersburg, was shot and killed by a young man at the institute of experimental medicine this afternoon.

Von der Launitz at the invitation of Prince Peter Alexandrovitch, Duke of Oldenburg, brother-in-law of the emperor, was attending the consecration of the institute chapel. During the services and while mingling with several high officials the prefect of police was approached from behind by a young man who drew a revolver and shot him in the base of the brain. Von der Launitz fell forward and died in two minutes. As the assassin turned to flee one of the officers present drew his sabre, cut him down and killed him.

The identity of the assassin has not been established.
The assassination of the prefect of the police was preceded by an attempt to kill Dr. Dubrovnik, president of the reactionary league of the Russian people. A revolutionist attacked him on the street, while he was returning home last night, firing several shots without effect.

Gendarmes on duty at the Tsarskoe-Selo railroad station last night arrested a suspect who was disguised in a police uniform. The prisoner is thought to be a member of the organization which is responsible for the assassinations of General Alexie Ignatieff and Prefect Von der Launitz, and it is believed that he was going to Tsarskoe-Selo on a similar errand.

After the dissolution of the Russian parliament extraordinary powers were conferred upon Prefect of Police Von der Launitz. These included searches and arrests without process of law, suspension of newspapers and deportation without trial.

Some idea of the recent activity of the late prefect of police may be gathered from figures which he caused to be published recently announcing that the "flying section" of the secret police had made 588 arrests in St. Petersburg during the three days preceding December 25.

On November 23, last, Von der Launitz, acting, it was said, under a hint from a higher authority, dispersed a meeting of constitutional democrats in St. Petersburg which he himself had previously sanctioned.

The police authorities explained their action by saying that the speakers would not confine their remarks to answers to their political opponents. The leaders of the constitutional democrats counseled quiet submission to the police in order to avoid a premature clash, hoping that meetings of the party would be permitted later on, as was the case in 1905.

On November 14, last, Von der Launitz suppressed the Russa because of the publication of an article by M. Karavayev, a well-known journalist, declaring that the writer termed "the debasement of all moral obligations in Russia," instancing the executions of women and children.

IN MAGISTRATE'S COURT TODAY

A negro named Ed Person, but better known as Ed Hight, was before Justice of the Peace Sparks this morning on charge of beating his wife. This was a warrant against him issued in 1905 for assault and battery in that she kept his wife from him. The woman proved that her husband voluntarily to escape his wife's rough treatment. It was shown that the woman had been unfaithful to her husband, and the justice let Person go with the costs.

(By the Associated Press.)
London, Jan. 3.—All the British insurance companies have repudiated their liabilities arising from the earthquake at Valparaiso last year.

Amount Loaned by the State is Something Over \$11,000—Town of Franklinton to Have \$15,000 School House and Sanford \$14,000. Principally Rural School Houses.

The department of education has an arrangement whereby schools may borrow a certain amount of money from the state for the purpose of building school houses and during the past year many districts have taken advantage of this. As a general thing the districts have money enough to pay about two-thirds of the cost, it carrying to some extent, of course, thirteen counties have been granted loans and the notes are being made out and as soon as they are signed and returned the amounts which they ask for will be forwarded.