

THE RALEIGH EVENING TIMES.

VOLUME 30.

RALEIGH, N. C., WEDNESDAY, JULY 10, 1907.

PRICE 5c.

THE GOVERNMENT'S DUEL WITH THE TOBACCO TRUST

Suit Begun in New York District Court for Its Dissolution

THE COURT ASKED TO APPOINT A RECEIVER

The Petition Recites Unfair Trade Methods, Oppression, Ferocious Competition, Deception, Fraud and Conspiracies; Puts Its Assets at \$275,000,000, and Says That It Will Soon Absolutely Monopolize the Tobacco Business of the World Unless Relief is Speedily Forfeited—Among the Defendants Named in the Bill Are Several Operating Concerns in This State.

(By Leased Wire to The Times.) New York, July 9.—Suit was begun in the U. S. district court for the southern district of New York today for the dissolution of the American Tobacco Company, known as the tobacco trust. The court is also asked to appoint a receiver for the concern.

The government's searching investigation for several months reaches its climax in this suit. The petition declares the trust has monopolized the entire world, and says that through the acquisition of foreign interests and combinations it will absolutely monopolize the tobacco business of the world unless relief is at once granted.

The recital of unfair trade methods, oppression, ferocious competition, deception, fraud and conspiracies, by which it is charged that the trust has grown since 1890 from a capitalization of \$25,000,000 to a corporation whose total assets now exceed \$275,000,000, turns a new leaf in the history of American commercialism.

The defendants in the action. The action is against the American Tobacco Company, Imperial Tobacco Company, British-American Tobacco Company, American Snuff Company, American Cigar Company, United Cigar Stores Company and fifty-nine other corporations and twenty-nine individuals connected with them, and is brought under the Sherman anti-trust law.

The petition shows the original manipulation of scores of created, acquired and controlled corporations utilized as agencies to accomplish the general design; the progressive absorption and elimination of competitors and destruction of formidable opposition, and the entry by defendants into various departments of manufacture and trade, domestic and foreign, in tobacco products, with intent to monopolize, and the actual monopolies acquired.

It is declared that 75 per cent of the total annual production of 800,000,000 pounds of tobacco is purchased by the American Tobacco Company and its associates and allies, at prices unlawfully influenced by the combination against them; also that the trust manufactures, sells and distributes more than 80 per cent of the smoking and plug tobaccos, 95 per cent of the snuff, 80 per cent of the cigars, 75 per cent of the small cigars, 95 per cent of the licorice product, 80 per cent of the tin-foil products, and from 10 to 20 per cent of the cigars and stores, and that it is rapidly acquiring control of the ordinary agencies, wholesalers and retailers.

The general plan of monopolizing the different branches of the industry, it is stated in the petition, has been to acquire through one of the confederated companies the business of successful opponents; take from owners and managers an agreement not thereafter to engage in the business; to drive out other opponents by destructive competition; to deter any who might wish to engage in the trade, and finally to gain control of the agencies through which tobacco products are distributed. A favorite trade method was to cause a corporation secretly controlled to advertise itself as wholly independent and free from association with trusts and combinations, to offer its goods below cost, to imitate competing brands and in these ways to use the same for

the destruction of real independents. Acquiring the Foreign Field. Efforts of the Americans to enter the foreign field in 1901 resulted in the organization in Great Britain of the Imperial Tobacco Company and a fierce trade warfare. This was ended a year later by the organization of the British-American Company, one-third of the stock being held by the Imperial, and two-thirds by the American company. The Imperial agents refrain from doing business, except to purchase leaf in the United States and the American trust to confine its operations to the United States, their dependencies and Cuba. The British-American Company was given absolute control of the trade and commerce in other countries.

"This division has been strictly observed," says the petition, "and these with their allies and associates have all been operated in concert and harmony."

In 1904 the trust spread out in the retail field by secretly acquiring control of the United Cigar Stores Company.

The Summary Up. The petition summarizes the accomplishments of the trust as follows: "They (the defendants) have already defeated or nearly defeated their opponents, and have obtained such power in combination that the few established competitors must conduct their business in the well-guarded fear of swift destruction, or wholesale defendants may decide to eliminate them; and the mere withholding, or withdrawing of their numerous brands from any tobacco dealer, jobber or retailer—would probably render his success impossible. The opportunities for any new competitors are constantly being closed by defendants; the agencies for distribution are rapidly coming under their undivided control."

In its prayer for relief the government asks the court to appoint a receiver of the stock by any of the defendant corporations in any defendant corporation under the circumstances shown in the petition; to prevent the holding company from exercising any right or control over any such shares of stock; also that the Imperial and the British-American tobacco companies be enjoined from engaging in interstate or foreign commerce within the jurisdiction of the United States.

List of the Defendants. The defendants named in the bill, in addition to those already mentioned, include: Thomas F. Ryan, the Duke, Lorillard and P. A. B. Widener, and the following corporations, many of which are charged with advertising as independents: American Snuff Company; American Cigar Company; American Stogie Company; Havana Tobacco Company; Havana-American Company; P. Lorillard Company; H. J. Reynolds Tobacco Company; Sigaupe and Morick; H. A. Patterson Tobacco Company; Blackwell Durham Tobacco Company; Lurman & Wilburn Tobacco Company; John Boltman Company; F. F. Adams Tobacco Company; John W. Carroll Tobacco Company; Nall & Williamson Tobacco Company; Nashville Tobacco Works, Day & Night Tobacco Company, Pinkerton Tobacco Company, R. P. Richardson, Jr. & Company, R. P. Penn Tobacco Company, Wells-Whithead Tobacco Company, W. S. Mathews & Sons, T. C. Williams & Company, David Dunlop, W. E. Garrett & Sons, DeVoe Snuff Company, Standard Snuff Company, H. Hollander, Weiman & Brothers, The Porto Rican-American Tobacco Company, the United Cigar Stores Tobacco Company, Kentucky Tobacco Product Company, Amsterdam Supply Company; MacAndrews & Forbes Company; J. S. Young Company, The Conley Foli Company, Johnson Tinsell & Metal Company, Golden Belt Manufacturing Company, Mengel Box Company, Manhattan Briar Pipe Company, International Cigar Machinery Company, Garson Vending Machine Company, Crescent Cigar & Tobacco Company, Floradora Tag Company, Thomas Cusack Company, M. Backover Company, R. B. Barnett Company, Clifwell Cigar Company, J. & B. Moore, J. & B. Moore Company, Daniel Goodloe Company, J. J. Goswain Tobacco Company, Jordan, Gibson & Baum, Louisiana Tobacco Company, Smokers Paradise Company, Cuban Land & Leaf Company, Porto Rican Leaf Tobacco Company, Federal Cigar Company, and Federal Cigar Real Estate Company.

Investigating Rowland Case. The grand jury today is taking evidence in the Rowland case. The solicitor early this morning gave the jury the bill of indictment.

The bills against Rosa Johnson, white, and Elvira Powell, an old colored woman, charged with the murder of Rosa's babe in May, were also given to the grand jury this morning to investigate.

Unprecedented Showing by Bowery Savings Bank. New York, July 10.—At the close of business yesterday the deposits in the Bowery Savings Bank reached a total of \$100,000,000, a showing, it is said, unprecedented in the history of savings banks.

A STRUGGLE THAT ENDS IN KISSES

Cummings and Lovely Laura Mysteriously Elope

A SECOND HONEYMOON

Saccharine Sequel of One of the Most Sensational Cases That Ever Struck Even Chicago to Gaping—First Wife of Cummings Helped in Reconciliation With Wife No. 2.

(By Leased Wire to The Times.) Chicago, Ill., July 9.—Reconciliation is the latest development in the checkered married life of Norman P. Cummings, one of Chicago's richest real-estate men, and his wife, Laura C. Cummings, the southern beauty and well known in eastern society. Yesterday they began their second honeymoon, having mysteriously eloped.

The multiplicity of court proceedings which have arisen on the conjugal pathway, and by husband and wife since their marriage were summarily cleared away when attorneys for both appeared before Judge McEwen and asked that all bills for divorce, separate maintenance, injunction and writs of various titles and meanings be dismissed.

The unique feature of the reconciliation is that Anna Cummings, wife No. 1, is said to have acted as mediator between her former husband and the woman he is charged with having sought, married at the point of a gun, maltreated, then wooed with roses and automobiles.

The Cummings divorce suit was one of the greatest sensations ever brought in Chicago courts. Mr. Cummings was charged with having bought his wife from another man. He was accused of abusing her after he had gained possession of her, and after she had left him he spent thousands of dollars in efforts to win her back. The couple were married at Michigan City, December 12, 1905. Since that time, it is alleged, Mrs. Cummings had started ten different suits for divorce in addition to the action now dismissed.

Mrs. Cummings No. 1 gave bonds of \$10,000 for her former husband in one of the second wife's legal fights.

HOUSES MELT IN SHEETS OF FLAME

(By Leased Wire to The Times.) Pittsburg, Pa., July 10.—Forty girls had narrow escapes from death, one young woman was injured and the damage to the extent of \$100,000 was done by flames which broke out in the five-story brick structure of the Cream City Woven Wire Company this morning. Forty girls and ten men were at work at the time the fire started, and owing to the rapid spread of the flames to the Arbucks flats, three-story structures on the opposite side of Rebecca street. Several of these buildings were totally destroyed. A row of houses in Snowden street, a square away, are in flames also, but it is thought the fires among these buildings will be controlled.

SCHOOL GOES TO GREENVILLE

Greenville has secured the Training School for Eastern Carolina, decision having been rendered at four o'clock this afternoon.

UNPRECEDENTED SHOWING BY BOWERY SAVINGS BANK.

New York, July 10.—At the close of business yesterday the deposits in the Bowery Savings Bank reached a total of \$100,000,000, a showing, it is said, unprecedented in the history of savings banks.

Raisuli, a Famous Bandit of Morocco



MOYER RESISTS STATE'S EFFORTS

He Goes on the Stand for Haywood

THREATS BY ORCHARD

Disinterested Witnesses Testify That He Meant Stenumberg With Death, Corroborating the Contentions of the Defense That Orchard Struck the Blow of an Assassin for Personal Reasons.

(By Leased Wire to The Times.) Boise, Idaho, July 10.—The defense in the great Haywood trial spring a sensation today when it announced that the next witness for the accused would be Charles H. Moyer, thus bringing out clearly that the president of the Western Federation of Miners had once and for all refused to turn state's evidence and so purchase his own freedom.

It became known today that the strongest of all pressure had been brought to bear upon Moyer, but in spite of this temptation to secure his own immunity from trial as a co-conspirator with Haywood and Pettibone for the murder of former Governor Stenumberg, he steadfastly held to his loyalty.

Preceding the expected testimony of Moyer, the defense brought forward disinterested witnesses who swore that Orchard made threats to kill Stenumberg; and that he offered his interest in the Hercules mine for sale in 1899 and later. The defense has contended all along that Orchard assassinated Stenumberg out of personal hatred and revenge, and this testimony is in support of that contention.

An attempt was made by the defense to prove that Detective McPartland sought to manufacture testimony with which to connect Haywood with Orchard after the blowing up of the independence depot, but Judge Wood ruled against this proof at this time, informing the defense that the proper foundation had to be laid. The defense reserved this witness to be called after McPartland has testified, if he does.

The Denial by Moyer. Moyer is now testifying, denying that he conspired with Haywood and Orchard to assassinate Stenumberg. Mrs. Moyer and her sister are in court.

Fragmentary evidence was cleaned up by the defense at the opening of court this morning and then Moyer was brought in. His examination and cross-examination will take all day.

BUILDING GOES DOWN IN A ROAR OF RUIN AND DEATH

At Two O'Clock Fifteen Corpses Had Been Taken From Debris

BETWEEN THIRTY AND FORTY REPORTED DEAD

All the Ambulances and Patrols from the Hospitals and Police Stations Rushed to the Scene of the Catastrophe—The Collapsed Building Was the Bridgeman Brothers' Pipe Factory of Philadelphia.

(By Leased Wire to The Times.) Philadelphia, Pa., July 10.—Thirty to forty persons are reported killed in the collapse of Bridgeman Brothers' pipe factory, Fifteenth and Washington avenue, this afternoon. All the ambulances and patrols from the hospitals and police stations and four trucks from engine houses in the downtown section have been rushed to the scene. The work of recovering the dead was begun almost immediately and at 2 o'clock fifteen men were lying on the pavement on the Fifteenth street side of the building awaiting conveyances.

All sorts of conveyances were impressed into service to convey the injured men to the hospitals. The receiving wards of the Howard, Polyclinic, Methodist and other hospitals in the lower section of the city resembled a lot of shambles. Men bleeding and bruised lay on the floor, after cot and stretcher supplies had become exhausted and the ambulance under patrol wagons made trip after trip at breakneck speed, each journey bringing in additional victims.

Fifteen bodies had been recovered at 2:45.

Many Under Masses of Debris. The section of the factory which collapsed was a four-story concrete addition in course of erection. Nearly one hundred workmen, employed by the contracting firm having the work of erecting in charge were caught by the mass of falling bricks and mortar and all received injuries that in many cases proved mortal before they could be taken from the ruins. The number of dead cannot be estimated at this hour, as a condition of chaos prevails and there are two score workmen unaccounted for whose bodies are believed to lie under the masonry and twisted iron. None of the injured victims could give a coherent account of the tragedy. They only knew that they were working on the several floors of the factory when suddenly the roof collapsed. Without warning the front wall and side supports sagged and crumbled in.

Not one of the workmen had a chance for escape. They went down with the horrible mass of creaking joists and crumbling bricks and mortar.

LATER REPORT MAKES THE DEATH LIST LOWER. (By Leased Wire to The Times.) Philadelphia, Pa., July 10.—According to reports received at the Electrical Bureau at 3 o'clock this afternoon twenty persons were killed in the collapse of the building at 15th and Washington avenue.

The estimate of those instantly killed is based upon the reports of the police officials at the scene of the accident.

Their information is gotten from those who escaped injury in the crash. It is probable that their accounts of the accident are overdrawn. So far as the police actually know the death list does not exceed five. The police believe, however, that many bodies are still buried beneath the debris.

BULLETIN OF CROP CONDITIONS (By Leased Wire to The Times.) Washington, July 10.—Government report: Corn, 98,099,000 acres; Increase of 1.4 per cent. Condition, 80.2. Winter wheat condition, 78.3. Spring wheat condition, 87.2. Condition of winter and spring wheat combined, 81.6. Wheat, last year's crop, held by farmers, 54,853,000 bushels.



The picture at the top is a snapshot of the famous Admiral Raisuli, the terror of Morocco, and some of the Benentans. At the bottom is a reproduction of a miniature of a scene in the (Arabic) handwriting of Raisuli treating of a ransom, and a portrait of one of the robber's Benentans.

MERELY BABBLE OF THE FOOLISH WOMEN MEET IN FURIOUS FIGHT

Admiral Yamamoto Says We'll Leap From Carriages and Fly at Each Other

A BOND OF SYMPATHY THE HUSBANDS LOOK ON

With Fist, Nail and Teeth the Women Attempt to Demolish Each Other, Rolling Over and Over in Desperate Struggles—Attempts to Part Them Futile—Exhaustion.

(By Leased Wire to The Times.) Winchester, Va., July 10.—News has reached Winchester that a feud which had been in existence between Mrs. Laura Linberg, wife of Benjamin Linberg, and Mrs. Emma Stotler, wife of James Stotler, prosperous Frederick county farmers, for a number of years, was settled, at least in part, several miles north-west of this city. The women, driving with their husbands, met on a country road and, it is said, leaped from their carriages and engaged in a terrible fist fight.

Both women, it is stated, clinked in pugilistic fashion and used fists, finger nails, and teeth with much effect.

Mrs. Linberg, who is a delicate looking woman, is said to have blackened one of Mrs. Stotler's eyes, who is burly and attractive. Both rolled over and over in the road, the story goes, and fought desperately, while their husbands stood off and held the horses.

Walter Cooper and Jacob Streit, happening along, started to separate the combatants, but were unsuccessful, and the women only stopped when exhausted.

Family matters are alleged to have caused the fatal encounter, and when in town recently each woman is said to have threatened to "fix" the other. The authorities have not taken a hand in the matter.

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