

THE RALEIGH EVENING TIMES.

ALABAMA HAS OUTLAWED THE SOUTHERN RAILWAY

The Secretary of State Revokes The Franchise Under Which The Road Has Operated.

A COMPROMISE OF THE MATTER NOW IMPOSSIBLE

A Direct Issue Between State and Federal Authorities is Created by the Act of Secretary Julian of Alabama, Who on Receiving a Certificate That the Southern Had Removed a Case from the Circuit Court of Talladega County to the Federal Court, Immediately Cancelled the License Under Which the Southern Was Doing Business in That State.

(By Leased Wire to The Times.) Montgomery, Ala., Aug. 2.—For the removal of a civil case from the court of this state to the federal court, the license of the Southern Railway to do business in Alabama was cancelled by Secretary of State Julian Thursday evening, the formal announcement being made this forenoon.

Although the action is productive of a condition similar to that existing in North Carolina, it differs in that it brings the matter to a direct issue between state and federal authorities, and is impossible of compromise as the case in the "Tar Heel" state.

When Secretary Julian received a formal certificate from the clerk of the circuit court for Talladega county, which declared that the Southern Railway had removed a case from that court to the United States court for the northern district of Alabama, he immediately cancelled the license of the Southern.

The penalty for the violation of the act which declares against the transfer of suits from state to federal courts is a fine of not less than \$100, nor more than \$1,000, and imprisonment in the county jail, or hard labor for the county for not more than twelve months, provided that it is not intended to interfere with or prohibit the transaction of interstate business.

All Employees Liable to Arrest. Thus, every employe of the Southern Railway in Alabama is now subject to arrest under this section of the new law. At just what point the administration will aim its first blow cannot be ascertained at this time, but it is said on good authority that an arrest of several of Southern ticket agents will bring the matter to a focus.

Governor Comer is much interested in the outcome of the case. To the Hearst News Service Friday morning he expressed his views in the following language: "I am a firm believer in a state's right to manage its internal affairs. It is my opinion that the laws of the legislature governing these affairs should be tested by the highest tribunal of the land, after having gone through our own state courts and not swept easily aside by a subsidiary federal court.

"It was for the executive of a state to maintain the dignity of the state, and I shall maintain the provisions of the recent legislation to the fullest extent of my power."

Authorized by Legislature. Secretary of State Frank N. Julian said Friday morning that his only object in the cancellation of the Southern's license Thursday was the performance of his duty as defined in senate bill No. 76.

"I shall continue immediately to cancel licenses of any corporations reported to have removed a cause

from a state to federal court, unless prevented from doing so by the court's injunction. This action is authorized by the legislature of Alabama."

There was much speculation among railroad officials of the city as to why the first attack of the administration was aimed at the Southern Railway, but it was learned that in no other instance had a violation of this law, which went into effect July 1, had been reported to the secretary of state. As far as the knowledge of that official goes, no other violations have been made, although the docket of the local federal court was crowded with railroad litigation, all of which was filed prior to the time the act became effective.

Exclusive of the trackage of all had railroad corporations, the Southern possesses in its own name about 1,500 miles of track in Alabama and millions of dollars worth of property.

IF HE SAID IT, HE LIES, SAID FISH

(By Leased Wire to The Times.)

New York, Aug. 2.—The E. H. Harriman-Stuyvesant Fish fight, which has been smouldering since Mr. Harriman got the upper hand in November, 1906, and put his own man in as president of the Illinois Central in place of Mr. Fish, has blazed up in fine style. It promises to be almost as prominently before the public eye from now on until the meeting of the stockholders of the Illinois Central in October as it was in the period between the insurance investigation which broke up the close friendship formerly existing between the two men, and the directors' meeting at which Mr. Fish was deposed.

Mr. Fish first sent out a statement about the Illinois Central, in which he called attention to the smallness of Mr. Harriman's stockholdings in comparison with his own and said that while he did not intend to enter into an active campaign for re-election to the presidency, he had received from stockholders a large number of unsolicited proxies and would be on hand at the meeting to vote them in addition to his own stock and the stock of his close associates in the company.

When Mr. Harriman was shown this statement, he said: "I am the largest stockholder in Illinois Central and I always have been ever since I went into it. I own more shares than Mr. Fish several times over, and he knows it."

"Mr. Fish says you own only 139 shares." "He has said a lot of things lately that weren't—well, that are not just right."

At Mr. Fish's office in the National Park Bank Building the statement of Mr. Harriman was repeated to him.

Mr. Fish grew scarlet. He leaned forward in his chair and said: "If he said that he lies and you can print that I said so."

INGLORIOUS END FOR A FAMOUS ENGINE. (By Leased Wire to The Times.) Atlanta, Ga., Aug. 2.—The famous locomotive Texas, which carried the party that overhauled and captured the Andrews Raiders in the civil war, seven of whom were hanged, is to have an inglorious end here. It will be broken up into scrap iron and sold.

MRS. ELIZABETH AYERS.



Photograph of Mrs. Elizabeth F. Ayers, who was cheered when she passed through West Point for the first time since she was ordered barred from the reservation by the war department. Lower picture is of the commandant at West Point.

CONDUCTOR'S FATAL MISTAKE ADMITTED

(By Leased Wire to The Times.)

Northville, Mich., Aug. 2.—The features of the Salem train wreck inquest, which closed yesterday, were the testimony of Engineer Rogers and that of Conductor Hamilton. A verdict is expected today.

Conductor Hamilton admitted that he made a mistake in reading his orders on the fatal day. Prosecutor Robinson asked: "Are you willing to state to this jury whether you made a mistake in reading that order, realizing fully what your answer may mean to you later?"

"Yes, sir. I made a mistake in reading my orders," replied Hamilton without hesitation. Engineer Rogers testified that he did not think there was one man in a hundred who would not have been confused by the train order on which the freight ran into the passenger, but he was positive in his preference for the double order system now in use on the Pere Marquette, over the displaced single order system of dispatching trains, which the prosecutor endeavored to have him concede was safer.

TWO SISTERS DEAD; ATE ROUGH ON RATS

(By Leased Wire to The Times.)

Norfolk, Va., Aug. 2.—Lucy Parker is dead and her sister, Sarah Parker, and a small girl are critically ill from the effects of Rough on Rats eaten in their supper last night. The poison is supposed to have been put in their food with malicious intent. All are colored.

EVIDENCE OF THE BLACK HAND'S WORK

(By Leased Wire to The Times.)

New York, Aug. 2.—Additional evidence that Steeplechase Park was set on fire by the Black Hand Society was gained by the police this morning, when they arrested Tony Maglio, 18 years old, of Coney Island, on suspicion of having sent Black Hand letters to his employer, Raphael Penza, who conducts a restaurant at the resort on West Fifteenth street.

The prisoner was a waiter in Penza's place, opposite Steeplechase Park, and there is a strong suspicion that he is the youth who sent blackmailing letters to George C. Tilyon, owner of the burned park. The waiter was delivered to Penza by Maglio. The waiter came to his employer, weeping bitterly, and declared he had been ordered to deliver the letter on threat of death.

When questioned concerning the \$1,400,000 fire in Steeplechase Park, Maglio refused to speak.

MAGILL AND HIS WIFE INDICTED

(By Leased Wire to The Times.)

Chicago, Ill., Aug. 2.—Although the findings of the DeWitt county special grand jury, which adjourned yesterday afternoon, are supposed to be secret, it is stated that indictments were voted against Fred H. Magill and his girl wife, Faye Graham Magill, on the charge of the murder of Mrs. Pet Magill. The official findings of the grand jury will be announced by Judge Cochran today.

JAPAN'S IRON HAND FIRES SEOUL TO RIOTOUS RAGE

AS A WALL FOR STATES RIGHTS

Johnson of Alabama Says He'll Stand Firm

A MOST VITAL ISSUE

The Preservation of Rights of the States to Legislate on Questions Within Their Own Jurisdiction and Territory is Pressing Hard to the Front, He Declares.

(By Leased Wire to The Times.)

Montgomery, Ala., Aug. 2.—Former Governor Joseph F. Johnston, who will succeed to the vacancy in the senate of the United States occasioned by the death of Senator Edmund W. Pettus, in the course of an address to the general assembly here said in regard to his position on states' rights:

"So far as I am concerned, I shall stand in the senate for the rights of the states to legislate in respect to their local affairs, and I shall stand firm against the nullifying of the acts of our legislatures until they shall have been pronounced contrary to the constitution by the highest tribunal in the land."

Continuing Senator Johnston said: "The preservation of the constitutional rights of the states to legislate on questions purely within their own jurisdiction and territory is pressing to the front as a most vital issue. Our fathers warned us that the growing tendency would be to concentrate all power and jurisdiction in the central government, and its agencies. How prophetic these warnings!"

"It is our pride, recognized more and more by our brethren of the north that the purest Anglo-Saxon stock is here in the south and that our people stand with unshaken front for the traditions of our fathers, hold fast to the old standards, preserve faith in our fathers' God, and that here under our sunny skies will be found the strongest and most unconquerable defenders of the constitution as framed by our revolutionary sires."

"In the senate I shall stand by the faith of the fathers and the fundamental principles of our party. I shall stand for curbing the trusts, reducing an oppressive tariff, for the just control and regulation of public service corporations, for the improvement of our rivers, harbors and highways, for equality of opportunity and burdens, for local self-government, and I shall be found eternally opposed to government by injunction."

"As I approach the performance of the duties of that high position, overshadowed by the memory of the illustrious man I am to succeed, his faithful and glorious service to this state in war and peace, his unshaken fidelity to conviction and to the principles of our party, and his courageous march on every field of endeavor, I am assailed with grave doubt and apprehension. I cannot hope to fill his place, but I will endeavor to make one for myself by calling zeal to supply other deficiencies."

LAW CONCERNING CIGARETTES SALE

Richmond, Va., Aug. 2.—The revised regulations of the treasury department governing the sale of cigarettes went into effect yesterday. Manufacturers are required to make oath that they have not "entered into and will not enter into any written or oral agreement with any person or persons or firms by which they will have exclusive sale of such cigarettes."

The cashier of the Allen & Ginter branch of the American Tobacco Company said that the internal revenue office had not notified the company of the new regulations. "We see so many things in the papers about the trusts and regulations, and we pay no heed whatever to them," he said. R. W. Blair, head of the local internal revenue office, says the law is now in effect, and that he proposes to enforce it to the letter.

PITEOUS STORY OF KATIE'S FATE

Lured to a Doom That Wrings the Heart

DETAILS OF HORROR

Story of How the Child Was Enticed Away by a Man Supposed to be Guilty of Three Revolting Murders That Recall the Crimes of Jack the Ripper.

By CHARLES SOMERVILLE.

New York, Aug. 2.—The name of Katie Tietzschler is added to those of Amelia Staffeldt and Viola Boylan as a little child whom the big city of New York could not protect and who have been lured to the most dreadful death that a little girl could suffer.

Again a mother and father have been stricken with a terrible grief; again have seared women and children and frowning men stood in a New York street to watch the somber removal of a little torn body from a dark and grimy cellar, again the police blotter shows the record of a heinous crime, and again a shock of horror felt in every home, and again does it seem probable that the monstrous criminal is to escape all punishment for his foul and heinous deed.

It is now eight days since she disappeared. She was marked as a fowl's victim. Her death chamber was to be a black cellar with damp, dripping walls. She was to be thrust into the foul trap reeling from a great blow that had crushed her skull and her tender, pure child's body was to be shamefully misused and terribly mutilated.

And while her body rotted in this dark hall, her mother and her father were vainly offering their prayers for her safety and return to their home; were daily visiting the police station and police headquarters and the children's society in the hope that some trace of their little girl had been found.

Exactly the injuries put upon the child the autopsy report will reveal. But even disclosed as the little body was by decomposition observation disclosed that a hard blow with a heavy weapon had crushed the back of her skull and that the hair ribbon had been in all probability tied about her neck. Afterward, the murderer taking no chance that the child might make a moan or cry. There were finger marks upon the throat, too. He had choked her.

The Crime Was Easy. For the man to lure the child into the doorway and hallway was not an effort that rendered him easily open to detection. It would have attracted no attention. The doorway entering the house from the street is never closed. The hallway runs beside a butcher shop where the sizzle of fat, the noise of the chopper, the pushing about of boxes is always going on.

The street outside is always crowded. Besides the busy shops, the curb is lined with push cart vendors. They cry out their wares, and this, too, made an added din in which little Katie's last earthly cry, as she was thrust into the cave-like cellar might have been drowned. These dark hallways and cellars, easy of access, are in themselves horrid traps that something should be done to obliterate.

The police have taken Gaetano Ripollini into custody and have placed his partner, Giuseppe Bonfante under rigid examination and they are looking for a third man, who is believed to have worked with them in a little cobble shop at No. 239 east 13th street, which is on the ground floor of the house where the little girl herself lived.

They say that Ripollini and Bonfante knew a woman who has been variously named as orothy Meszer and Annie Messer and Laura Epstein. This woman rented a room for a time in the Tietzschler household, but it is said she was asked to leave. Police Off the Scout. In the flow of wild talk concerning the crime it was suggested that the woman may have urged the men on to commit a horrible offense against the child in order to be revenged on her parents, who had refused to permit her to remain as a lodger in their household. (Continued on Page Seven.)

Night of Slaughter Followed by Day of Armed Collisions

ATTACKS ON JAPANESE BY DISBANDED ARMY

The Machine Guns of the Japanese Regulars Reap Down the Mobs That Rush to the Attack—Sixty Koreans Were Slain Yesterday and the Losses of the Japanese Were Forty or More—The Imperial Household of Korea is Being Decimated by Arrests—The City is a Volcano of Insurrectionary Rage.

(Special Cable to The Times.)

Seoul, Korea, Aug. 2.—The night in the city and on the outskirts was one of terror, outbreaks occurring one after another. The disbanded army, aroused to fury by the killing of sixty Japanese, continues to attack the Japanese, and the members are being repulsed with still further loss. The Japanese are quick to turn the machine guns on any mob that shows violence.

Fighting was resumed this morning, and it is feared that the scenes of yesterday, with even more disastrous results, will be repeated. Many arrests have been made and the prisons are filled. The whole army is being made to suffer for the deeds of those Koreans who would not submit to disbandment. The Imperial household also is being decimated by arrests, the officials being charged with conspiracy. Japanese officials are expelling every one from the palace whose presence is inimical to the peaceful working out of Japan's plans. Resistance is not tolerated in the slightest degree. Iron-handed measures are employed for insignificant as well as significant movements on the part of the Koreans. Machine guns are the answers to all arguments.

The Resentment Intensified. The bitter resentment of the Koreans has been further provoked by the departure of Prince Euwha for Tokio, the suspicion that he is on an apologetic mission becoming more prevalent. If the present excitement is not allayed a fearful slaughter will surely result. The Japanese are proceeding with coolness, using the most extreme measures to blot out insurrection.

Forty Japanese were killed yesterday and today the deaths will probably be as many more. A number of Korean soldiers were killed today and their bodies quickly removed from the streets. The outskirts of the city are in a state of war. There is danger that the majority of the 3,000 Korean soldiers who willingly disbanded will join the insubordinates, as indeed many are now doing. The gratuities they received yesterday are being spent riotously, with consequent recklessness.

Washington, Aug. 2.—The United States government is holding aloof from the disturbances in Korea. An agreement was reached with Japan some time ago whereby the United States expressed itself as being agreeable to any measures Japan saw fit to enforce order and insure its interests in Korea.

SHE WAS SO UGLY HE KILLED HER

Vienna, Aug. 2.—A Hungarian peasant at Neusandec, charged with murdering his 18-year-old daughter, admitted the crime, but pleaded justification. He declared she was so ugly he had no chance of getting her married.

The jury decided that the plea established extenuating circumstances and brought in a verdict of manslaughter.

ONE OF THE SOUTH'S RICHEST WOMEN DEAD.

Augusta, Ga., Aug. 2.—A special from Harlem, Ga., tells of the death at 6 o'clock this morning of Miss Sarah Jane Crawford, one of the south's richest and most prominent women. She will be buried there tomorrow at 10 o'clock. It is expected that Senator Culberson and Rem Crawford will attend the funeral if they can reach Harlem in time.