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THE RALEIGH EVENING TIMES.

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RALEIGH, N. C., TUESDAY, SEPTEMBER 17, 1907.

THE BIG SUIT AGAINST \$30,000 PENALTY SUIT HEAD OF STANDARD OIL DYING; **ROGERS CAN NOT ATTEND COURT AGAINST THE SOUTHERN** THE OIL TRUST BEGINS (By Leased Wire to The Times.) the reason for this he said, 'Because closeness of the court I'm about done.' " Boston, Mass., Sept. 17 .- Henry Rogers were compelled to testify

Mr. Rogers' private physician, Dr. for an immediate trial.

physically nor mentally able to ap- ent condition."

"The strain and excitement and sume business.

pear in person to defend the suit for

wrong with his head," he swore.

'He is still suffering from that at-

tack. It might be from apoplexy or

SWASHBUCKLER

Big Reward

Chief Octopus Enters Upon the Decisive Fight for Its Life

UNCLE SAM'S COUNSEL STRIKES FOR THE HEART

The Department of Justice at Last Forces the Standard Oil Company to Trial at New York-Object is to Put That Concern Out of Business for Violating the Sherman Anti-Trust Law-Aims at Individual Members of Cie Company Also, and Some of Ther, May Get Inside of Jail When the Fight is Finished-Benedict and Pratt on the Stand Today and What They Swear To.

(By Leased Wire to The Times.) New York, Sept. 17 .- At the opening of the hearing in the Standard dard Oil, the witness said, had furn-Oil case before Examiner Ferris in ished oil gas to the gas companies the federal building this morning there was every indication that a lively session was to be expected. Frank B. Kellogg, special counsel for the government, had subpoenaed over twenty witnesses from the ranks Jersey was next called. Pratt de-of well known men of affairs, includ- clared he had been an officer since ing nearly the whole directorate of the Standard Oil Company and it was evident that he intended to waste no time in preliminary investigation but would go straight to the point of getting the information he wanted. Those who remembered his examination of witnesses in the Harriman inquisition looked forward with uncommon interest to the questions he would ask of Archbold and Pratt and William G. Rockefeller. There was an air of great expectation in the badly lighted court room when the examiner took his seat and announced that the hearing was

open Mr. Kellogg, the government's chief counsel in the suit to dissolve the Standard Oil Company, proposes to strike straight at the heart of the trust.

Mr. Kellogg will attempt to show at once the ownership and control of other corporations by the Standard

I. Rogers, the virtual head of the Standard Oil Company, was reported that the oil magnate was neither of Mr. Rogers, considering his presthat Anthony N. Brady was also a lage stockholder in the company. He declared he could not remember the "His face is distorted; his speed "His face is distorted; his speech

amount of the stock. He knew, however, that his comnormal. signed only three papers and one of leged conversion of royalties in con- evidence of Mr. Rogers' serious IIpany had a pipe line in Ohio. He said that in 1898 he sold 5,175 them was a power of attorney. He nection with the petroleum produc- ness from the lips of his own famcannot transact any business or even tion. shares of the company's stock at discuss ordinary affairs." \$100 a share, which was delivered This was the startling testimony Pratt, added even more startling to the Central Trust Company.

given by his son, Henry H. Rogers, testimony. Mr. Benedict declared that he had Jr., and his brother-in-law, Urban forgotten the name of the purchaser H. Broughton, under oath before of the stock. He received, all told, Justice Hammond in the Massachuhe said, the sum of \$889,342 for his property. setts supreme court. To this Mr. Broughton added:

UP ITS SLEEVE

a Technicality

Mr. Benedict positively stated that "He told me to take care of his it might be from other causes. his company had had no dealings entire interests and when I asked with the Standard Oil.

Mr. Benedict said that he would pay cash for his property. Questionoed by Mr. Kellogg:

HASIA NEW CARD WANTS IRISH Willing Victim of the Trust. Q. Did you object to the Standard Oll Company getting possession of your property?

A. Idid not. Q. Then why did you inquire whether the Standard Oil Company was the purchaser?

A. Out of curiosity. The witness admitted that the Man-

hattan Oil Company was a competitor hattan Oil Company was a competitor of the Standard Oil Lawyers Find English Police Would Pay People of Canada Aroused at officer the million was valued at officer the oil was valued at officer the oil was valued by the standard Oil Lawyers Find English Police Would Pay People of Canada Aroused at officer the way and by

said he had gone into the oil business to protect his interests in gas companies. Since the sale of the Manhattan Oli Company's property, the Stanwith which he was connected. The ne-WIPE OUT THAT BIG FINE POSES AS A PATRIOT MEANS CHEAPER LABOR gotiations for the disposal of the stock were carried on with the broker

age firm of Brown brothers. Charles M. Pratt. one of the officers of the Standard Oil Company of New 1899, but was not connected with the Standard Oil Company previously other than he had been one of the liquidating trustees in Ohio. Mr. Pratt said he had been a salesman for the Standard Oil Company, and was ex-Shall Be Set Aside-Reasons. amined at length.

Q. Did you sign the Ohio trust agree-(By Leased Wire to The Times) ment of 1882? A. I had two shares of the stock at

that time. Mr. Pratt admitted that \$2,000,000 worth of stock in the Waters-Pierce be wijled out of existence on a tegli-

(Continued on Page Five.) nically if the statements of the Standard Oil lawyers, which became known today are carried to fruitition. THIS BIG DAY AT in the fine becoming nothing but a FAYETTEVILLE September 24.

(Special to The Evening Times.)

Granted Immunity by the Governand Noted Jail Breaker-Tracked to United States by Scotland Yard ment, Which Has Virtually Been Detectives But He Has Given Them Promised, the Oil Octopus Will the Slip-Taken Once But His Demand That Judge Landis' Brazen Effrontery Secured His Lil-Twenty-Nine Million Dollar Fine eration Through Aid of Influential Countrymen.

(By Leased Wire to The Times.) New York, Sept. 17 .--- Roaming Chicago, Sept. 17 .- The \$29,240,000 somewhere about the state of New have become aroused over the threatfine imposed on the Standard Oil Company by Judge K. M. Landis will York, possibly in this effy, is a dar- ened Oriental invasion and are detering, swashbuckling Irish criminal and, mined to take steps to prevent it fail-breaker for whose capture the They declare that the coming of the English government would pay al- of white labor an dare arranging a most any price. He is James Lynche-series of meetings to petition the gov-The line of action which may result haun, the picturesque individual, ernment to stop the inflow of the unwho, after escaping from prison in desirables. The people are now in name revolves around the decision of Judge Landis in the Alton immunity Ireland, where he was serving a sencase, which is set for hearing on tence, was trailed to this country by

In the event that the Alton is constabulary and arersted in Indian- clusion. He says: granted the immunity, which it has apolis four years ago. been fully established, will be promised With sublime effrontery he passed away from factories in Vancouver be-

In the Event the Chicago & Alton is But in Reality Is a Daring Criminal Already the Brown Imigrants Are so Apply for Work Are Turned Away

STOP INVASION

OF ORIENTALS

on Subject

(By Leased Wire to The Times.) Otawa, Ont., Sept. 17 .- Advices from Wininpeg say that the people J. C. H. McVeity, of Vancouver,

"I have seen white men turned

would pile up an immense vote for The witness appeared to prove would be apt to result in the death the republican ticket and he will do It Was Argued Today in the It in every part of the country."

"How about the opposition of labor to the speaker?" the senator was "It would be cruel to compel his affected; his left side is no longer \$50,000,000 brought against him by attendance in court," said Justice asked.

"Well," he replied, "Joe handled In three months he has C. M. Raymond of Somerville for al- Hammond when he had heard the them pretty well in his district when it cropped out. I suppose he could handle it elsewhere all right." ily. Then he dismissed the appeal "Will Roosevelt figure in the

race? Just how long Mr. Rogers is likely

"Well, I am taking the president's to live his physicians will not say word that he will not run for the "The attack on Mr. Rogers in July But all of the testimony give proof presidency again. I take it for grantwas undoubtedly due to something positive that he is suffering from ed that he is man enough to know paralysis of the entire left side of what he intends to do. Therefore, he his body; that he speaks and thinks is out of the figuring by his own wish with great difficulty, because of that But you take Taft, or Fairbanks, or paralysis, and that he never will re-

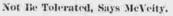
Knox, all of whom are adjuirable fellows, and not one of them can show the qualifications for the place that are characteristic of Cannon.'

HOLT COTTON MILL BURNED.

Smithfield, N. C., Sept. 17 .- Following close upon the loss of S. R. Morgan's residence yesterday evening by fire, the Holt Cotton Company lost their carding mill this morning Long for failure to observe the pasat fifteen thousand dollars, and insured for ten thousand dollars. The preme court today. Ex-Governor Ayloss is very heavy on Mr. S. S. Holt, cock and Mr. E. J. Justice representthe manager. The origin of the fire cannot be accounted for.

SOUTHERN STILL

Knoxville, Tenn., Sept. 17 .--- Vice Numerous That White Men Who President and General Manager reached here last night, and for sev-



Scotland Yard men and royal Irish comes out squarely for absolute ex-

Supreme Court of North Carolina 不利式

PRICE Sc.

THE ARGUMENTS WERE CAREFULLY PREPARED

Several Statements in the Brief of the Southern Railway Out of the Ordinary-Question Asked: "Why This Offer to Sell Justice in the Courts of North Carolina?"-Railroad Scored by Gov. Aycock, Who Declared That Attorneys for Southern Had Made a Studied Effort to Put State in a False Light.

The case in which the Southern Railway was fined \$30,000 by Judge senger rate law as passed by the last legislature, was argued in the sued the state, and Col. W. B. Rodman,

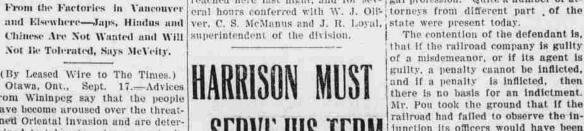
Mr. James H. Pou and Judge Avery the Southern. The speeches of Mr. Pou and Mr. Justice were typewritten. No other cases will be reached DROPPING MEN. today, but tomorrow cases will be aken up from the fourth district.

This case, owing to its importance is of interest to the entire state, and Hackett of the Southern Railway, especially to the members of the legal profession. Quite a number of atstate were present today.

The contention of the defendant is, that if the railroad company is guilty of a misdemeanor, or if its agent is guilty, a penalty cannot be inflicted. and if a penalty is inflicted, then there is no basis for an indictment. Mr. Pou took the ground that if the railroad had failed to observe the injunction its officers would have been guilty of contempt of court. This tatement was made after Justice Walker asked a question in regard to the matter.

In regard to the matters stated The supreme court of North Carolina this afternoon handed down the above. Mr. Justice took an entirely opinion in the Harrison kidnapping different view from the attorneys for case and he will have to serve his the railroad. His construction of the term of twenty years in the State's | law was different as well as the effect Prison. The attorneys for Harrison of the injunction on the officers of the felt almost certain that they would Southern in regard to observing the get a new trial, but the attorneys injunction.

for the prosecution were equally cer- Ex-Governor Aycock scored the railroad and said the brief was out of tain that the case would be afdrmed.



Oil Company of New Jersey, the holding company of the trust. For this purpose he plans to call C. M. Pratt, a Standard Oil director, as the first witness, William v. Rockefeller is likely to be the second.

The taking of testimony before ex-Judge Ferris in this city will occupy at least two weeks, perhaps is playing and spirited addresses are longer. About 25 witnesses have being made by various prominent citbeen subpoenaed and many more izens. The mayor and city aldermen will doubtless be called as the testi- the officers and members of the cnammony seems to call for their pres- ber of commerce, the officers and mebers of the industrial club, the ence.

Unless something now unforeseen clergymen and many ladies are in atby Mr. Kellogg is developed by the tendance. Adresses have been made evidence it is not probable that John by Hon. E. J. Hale, Capt. J. D. Me- this scheme of asking for the fine to of the Scotland Yard men and forced many are now scattered over Can- the little fellow disappeared no trace D. Rockefeller, Henry H. Rogers or Neill, F. R. Rose, secretary chamber Henry M. Flagler, will be summoned of commerce, Messrs. A. H. Slocomb to appear as witnesses at the hear- and others. This is an important ing in this city. The only individual event in the history of this progresdefendants named in the govern- sive city, which is so rapidly forging ment's suit who will be called to tes- to the front of southern cities. tify are John D. Archbold, Oliver H. This system is owned by W. D. Mc-Payne and Charles M. Pratt. Neill, W. E. Kindley and other bus-

The first witness was E. C. Beneines men of this city. Promptly at dict, one of the owners of the Man-hattan oil company. He testified close in honor of the event.

ANOTHER MISALLIANCE OF EUROPEAN PRINCESS

t by disappearing from the court at (Special Cable to The Times.)) London, Sept. 17 .- Countess Montig- Dresden and taking her three youngest noso, the ex-crown princess of Saxor y, it was discovered that she had fled and Signor Tonselli, a planist, are to Geneva where she was joined by now stopping together at one of the M. Giron, a former tutor of the chillargest hotels in London under an as- dren. Efforts were made at a reconsumed name. ciliation, but King George of Saxony

They have arranged to be marriel insisted that Crown Prince Frederick here by special license and if their should get a divorce. are not interrupted by a scole In February, 1903, a decree of dicorce of detectives and German agents who was granted to Crown Prince Frederare now looking for them, the cerenight. The countess and Tonselli ap- children was given to him. King George of Saxony died in 1904 peared at the hotel four days ago and asked for an apartment. They had and the crown prince succeeded him. a limited amount of baggage and were An allowance was made to the Prinunaccompanied by servants

The ex-crown prince of Saxony first startled Europe on December 12, 1902, tignose

Fayetteville, N. C., Sept. 17 .- This progressive southern town is enthuswith former Attorney General Moody, iastic and excited over the opening the Standard Oil attorneys will deexercises incident to the driving of mand that Judge Landis' fine be set the first spike and the beginning of aside. the laying of iron rail on Fayetteville

street and interburban railway. A large crowd is in attendance, a band question the Alton Rallroad witnesses properly.

Attorney John S. Miller, chief coun-

been working for two weeks in pre- times and places. paration of their brief on this subject. It will be presented as soon as Judge Landis gives the immunity

decision FORTY KILLED

ON BATTLESHIP (By Cable to The Times.)

Tokio, Sept. 17 .- An explosion is reported on the Japanese battleship Kashima, a 12 inch shell having burs

with forty casualties.

SEABOARD MUST MAKE CONNECTION.

An order was made by the corpor ation commission today requiring the Seaboard to make the connection at Maxton after October first, even if it

is necessary to give additional serlck on the ground that the princess vice, as the connection will have to will be performed in a fort- was demented and the custody of the be made. The Seaboard does not deny that it has broken the connection, , but claims that this connection can-

not be made and the one at Hamlet. and that the latter is more importcess Louise, who since then has been living in various places of Europe

with the Seaboard.

to the railroad through agreement as a patriot, secured the assitsance cause the labor market was overof influential Irishmen and got off stocked. There is positively no shortscot free before those conversant age of skilled or unskilled workmen with the cold facts in his case could on the Pacific coast and the statetake action.

The English government made a The grounds for this plea will be hard fight to have Lynchehaun re- dus can work be carried on satisfacthat the Standard Oil lawyers should turned to Ireland. Since his libera- torily, and the country fulfill its deshave been apprised of this immunity tion atempts have been made to se- tiny are misleading and untrue." agreement in order that they might cure changes in the extradition laws that would allow him to be rearrest- thune of Vancouver, are in constant August 27th.

ed and taken across the Atlantic. In the face of all this Lynchehaun learned from Mayor Bethune that few has recently traveled all over Ire- if any of the 900 Hindus who land- to find him nave proved in vain. The sel for the Standard Oil Company, is land, England and parts of the con- ed in this city last week will be de- sorrowing father has searched far credited with being the originator of tinent. He walked under the noses ported. Nearly all have money and and wide for his lost child but since be set aside. He and his aides have his presence at the most inopportune ada and Pacific states. Some of the of him has been found. It is claimed 216, public laws of 1907, known as the

> Lynchehaun is 48 years old. He the Atlantic Ocean, off Westport, county Mayo, Ireland.

He secured employment on the es tate of Mrs. Agnes McDonnell, a wealthy woman, and in time became steward or care-taker of the prop-

Mrs. McDonnell found occasion to discharge him. In revenge he set her barn on fire on the night of October 6, 1904. When the woman, who was well along in years, rushed out to save her property, Lynchebaun attacked her. He beat her with a club and his fists and tore her face with

his teeth. She never fully recovered from the brutal attack. After a long trial he was sentenced in this country on the maters that

to prison for life but escaped and touch the welfare of the people. came to America.



mire his strength. (By Leased Wire to The Times.)

under the name of Countess Mon- plying with the order and fault is peal to organized labor for funds to other man in public life today. The 250 miles. Nearly \$28,000,000 has a distance of eighteen miles, there assist the striking telegraphers.

ments that only through the importation of Japanese. Chinese and Hin-

Sir Wilfrid Laurier and Mayor Be-Kenneth Beasley disappeared more touch with each other by wire. It is than two years ago and all efforts

Hindus have a bad eye disease. Four that Harrison had made threats passenger rate act, is not guilty of a

was born on the Island of Achill, in Bellingham, Wash., have crossed into of his having had passed a certain British Columbia. Others are slow- prohibition act, and this is supposed ly making their way south to Seattle.

There is no man so well fitted for the

white house as Joe Cannon."

iency.

Cullom.

hundred of the Hindus driven out of against Senator Beasley on account misdemeanor. to have been the motive for the

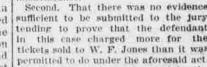
crime. In the lower court Harrison made a most determined fight and was defended by some of the ablest **CULLOM BOOSTS** attorneys in eastern North Carolina.

Joshua Harrison was arrested the ordinary and there had been a something over a year ago upon the studied effort to place the state in a caarge of having kidnapped Kenneth | false light. He declared that the rea Beasley, the small son of State son for doing this was because the Senator Beasley. After some delay, judge who presided when the case he was tried, convicted and senten- | was tried could not be ruled. The speaker referred to a sentence in the ces to twenty years in the State's Southern's brief where the question Prison. He appealed to the supreme court and the case was argued on is asked: "Why this offer to sell justice in the courts of North Carolina?"

Argument of Mr. Pou.

Mr. Pou in outlining his argument, said he would confine himself to an effort to establish three propositions: First. That a railroad company selling passenger tickets at a higher rate than that prescribed by chapter

Second. That there was no evidence sufficient to be submitted to the jury tending to prove that the defendant in this case charged more for the tickets sold to W. F. Jones than it was permitted to do under the aforesaid act. Third. That the fine imposed by the



(Continued on Jage Three.)



(By Leased Wire to The Times.) [been let to contract and it is expect-Bristol, Va., Sept. 17 .- The ap- ed that the road will be completed proximate cost of the South & West- and ready for equipment with rolling enr Railway, the new line that is be- stock by July, 1908.

These are the words with which ing built from easiern Kentucky to More than \$5,000,000 of the amount Shelby M. Cullom, the venerable sen- the South Atlantic scaboard and into representing the cost of the road is ator from Cannon's state, added North Carolina by the George L. Car- being spent in tunnels. A tunnel alstrength today to the boom of the ter syndicate, is \$50,000,000. This most a mile long is being driven speaker of the house for the presi- is the first reliable report as to the through the Clinch Mountain at amount that would be expended in the Clinchport; another three miles long

"And he would be the best vote construction of the new trunk line near Dante, Va., and another fivegetter of them all, continued Mr. that has ever been given out. eighths of a mile long at Marion, N Carter is backed in the building C. In addition to these there are

"The people love Cannon and ad- of the road by Thomas F. Ryan of twenty odd smaller tunnels. This is New York, and the Scaboard inter- accounted for by the fact that the

"There is about Joe a certain ple- ests. The road is now 75 per cent road penetrates the roughest moun-Washington, Sept. 17.-President turesqueness that appeals to the completed, and has so far cost ap- tain sections of Kentucky, Virginia, Gompers, of the American Federa- masses of the people, a picturesque- proximately \$200,000 a mile and the Tennessee, North and South Curo ant. The Coast Line has been com- tion of Labor, today issued an ap- ness that is not possessed by any total contemplated length is about lina. In western North Carolina, in

people love him. In the south he already been spent. All the work has are sixteen tunnels.