

THE RALEIGH EVENING TIMES.

VOLUME 30.

RALEIGH, N. C., TUESDAY, OCTOBER 22, 1907.

PRICE 6c.

COMPROMISE REACHED IN ALA. RATE FIGHT

Satisfactory Agreement Between Southern and Governor Comer ON BASIS OF TWO AND THREE QUARTERS

The Governor of Alabama and Officials of the Southern Railway Come to a Satisfactory Settlement of Differences—Road to Charge 2 3/4 Cents a Mile—Freight Rate Agreed On—The Louisville & Nashville Does Not Make Peace and Will Still Keep Up the Fight Against Enforcement of New Rate Law.

(By Leased Wire to The Times.) Montgomery, Ala., Oct. 22.—Under an agreement between Governor Comer and the officials of the Southern Railway, reached late last night, the Southern will dismiss its litigation attacking the rates in the federal courts, and the state of Alabama will permit the road to charge a passenger rate of 2 3/4 cents a mile, and a freight rate permitted the same road in Georgia, which is 25 per cent. higher than the standard Georgia rate.

The Southern is also assured in this agreement such immunity from the legislation of the recent session of the legislature as Governor Comer and the members of the railroad committee can give it. There was no change in the controversy between Governor Comer and the Louisville & Nashville. President Milton H. Smith, of that road, who spent the day in Montgomery, did not go near the capitol. There was no indication last night that the policy of the Louisville & Nashville would change, and therefore there was intimation that the extra session would not come as ordered by the governor. A further conference will be held today between Colonel Garber and Colonel Russell, acting for the Southern and its allied lines, at which a bill will be drawn up for the dismissal of the suits pending in the courts against the Southern.

The agreement and the bill will, of course, include the Southern, the Alabama Great Northern and the Mobile and Ohio. What the other roads will do remains to be seen.

SHIP WITH 500 ABOARD ASHORE

(Special Cable to The Times.) London, Oct. 22.—The Russian steamship Litunia with 500 passengers aboard, is ashore off Skillinga, according to a Lloyds dispatch. The vessel struck the rocks in a fog and because of her dangerous position and the difficulty in reaching her the passengers and crew are in grave peril. The vessel was bound from Lithau to Copenhagen and America.

CONDITION OF JOHN MITCHELL IS SERIOUS.

(By Leased Wire to The Times.) Indianapolis, Ind., Oct. 22.—The condition of John Mitchell, president of the United Mine-Workers of America, who is in the hospital at LaSalle, Ill., where he recently underwent an operation, is reported to be serious. The physicians are hopeful but Mr. Mitchell is suffering greatly and growing more nervous and weak.

BODY OF TOM UPCHURCH HERE

The body of the condemned negro, Tom Upchurch, who hung himself in his cell in Franklin county jail Sunday, has been sent to Raleigh en route to the University medical school at Chapel Hill, and is at Brown's undertaking establishment this afternoon. It will be embalmed and sent to the medical students.

New York Spot Cotton. (By Leased Wire to The Times.) New York, Oct. 22.—Spot cotton closed at 11.45, 15 points lower.

JAPS WAITING OPPORTUNITY TO FIGHT US

(By Leased Wire to The Times.) Seattle, Wash., Oct. 22.—"When Japan gets on her feet financially, she will get after the United States. This talk of traditional friendship is amusing in the Orient." This statement was made by Captain Harry Struve, master mariner, soldier and former member of the legislature who has just returned



from the Orient.

Captain Struve is now an English subject, having made oath of allegiance after he had been captured by the Japanese during the Russo-Japanese war for piloting a ship containing contraband and aid was refused him by Henry Miller, United States consul general.

The British compelled Japan to release him. Captain Struve, who saw all of the Russo-Japanese war as a soldier of fortune, says that Japan is now fortifying herself in the Orient and is only awaiting financial strength to declare her mastery of the Pacific. The United States government has leased the drydock owned by the Russian government at Vladivostok, says Captain Struve, and he expects the Japanese will not be particularly pleased with the development.

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THE WAR ON SEN. BAILEY IN TEXAS

(By Leased Wire to The Times.) Dallas, Texas, Oct. 22.—Attorney General Davidson has addressed a letter to United States Senator Bailey as a sequel to Bailey's speech last Saturday night at the banquet to Governor Campbell.

The letter has not yet reached Bailey at his hotel. It is known, however, that among the statements made in the letter are two, in substance as follows: "Suit will be started against the Standard Oil Company," and "inasmuch as you know so much about the Standard Oil Company, I shall call on you as a witness." The keenest interest is felt among those who have heard of the letter to learn its full text, and what Bailey's reply will be.

MR. FRED MAHLER RECEIVES PAINFUL INJURY.

Mr. Fred Mahler happened to a very painful accident at the depot Saturday afternoon as he was preparing to catch the Southern train for Durham. While hurrying along the platform he was struck by one of the trucks and his little finger on his right hand was broken and his hand badly bruised. Mr. Mahler was forced to give up his trip and has been confined to his home the past two days, though able to be at his store today.



THE PRESIDENT AT NASHVILLE

Spoke to Ten Thousand People There Today

GIVEN WARM WELCOME

Five Hundred Students of Vanderbilt University Made the Streets Ring With Cheers for the President—An Ovation All Along the Line of March—Arrived at 9 O'clock and Left for Washington at Noon.

(By Leased Wire to The Times.) Nashville, Tenn., Oct. 22.—For the first time since Theodore Roosevelt was elected president of the United States, Nashville has him as her guest of honor today and the nation's chief executive is receiving an ovation that is as sincere as it is splendid. It seems as though middle Tennessee in toto has congregated here to greet the president. In fact there are many persons from Alabama and Kentucky present and the crowd is probably the greatest ever assembled here.

The president's special arrived at 9 o'clock from Memphis, to which point he had proceeded last night from Vicksburg. At the station a large reception committee of prominent citizens and of the board of trade, met the party. Mr. Roosevelt was escorted to a carriage, where he was presented to Governor Patterson and Samuel G. Douglas, president of the board of trade. Headed by a military escort, the long procession wound through the streets of the up-town section. A block from the station the president was greeted by several thousand school children, who waved the American flag as they sang "America."

On the next corner five hundred students ring with their hoarse college yell and cheers for the president. All along the line of march the ovation was a splendid one.

President Roosevelt spoke to 10,000 people in Ryman Auditorium. He was introduced by Governor Patterson in a short address. After the speaking at the auditorium the president and party were driven twelve miles to the Hermitage, the home of President Andrew Jackson. Here the president was the guest of the Ladies' Hermitage Association. At 12 o'clock the president left for Washington.

Roosevelt Visits the Hermitage. (By Leased Wire to The Times.) Nashville, Tenn., Oct. 22.—With the avowal he made recently that it was the duty of every president, as well as of every American citizen, to visit the Hermitage, the home and resting place of Andrew Jackson, sixth president of the United States, President Theodore Roosevelt today paid the obligation he felt he owed to one of America's greatest heroes.

Standing at the tomb of "Old Hickory" only a few yards away from the historic residence which generations ago was the Mecca of presidents and politicians and the great men of the nation who came to consult with the sage of democracy on the great political questions of the times, the president made one of the most notable speeches of his career. Taking the life and characteristics of Jackson as his theme, he spoke for forty minutes on the important questions that confront the nation's future, dwelling upon the abuses which have come with its development and how they should be reformed, and contrasting them with the problems which "Old Hickory" faced, and how he met and overcame them.

Twenty thousand people were gathered in front of the speaker's stand and cheered the nation's executive at every period. The weather was ideal for the visit. The sun shone brightly and warmed the October air into as perfect a day as could be desired.

The Hermitage is situated twelve miles from Nashville and from shortly after midnight streams of people for miles, in bugles, hacks, wagons, automobiles, and in every sort of carriage and equipage, as well as on horseback, formed an unending procession on every road leading to the historic place. Hundreds arrived the afternoon before and pitched camps overnight on the spacious grounds, in order to get within close proximity of the distinguished speaker. From the early morning hours, although it was announced that the president would deliver a ten minute speech in the Ryman Auditorium, which is one of the largest halls in the south, hundreds of people from

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SENSATIONAL RUN ON NEW YORK BANK TODAY

HEARING TO BE RESUMED

Judge Montgomery So Notifies Counsel Today

DATE FIXED IS MONDAY

Standing Master to Again Take Up Investigation to Determine Whether New Rate is Confiscatory. Scene Again Transferred to Washington.

(By Leased Wire to The Times.) New York, Oct. 22.—The Knickerbocker Trust Company was forced to suspend payments at its main office and three branches this afternoon after one of the most sensational runs in the history of New York banking. Although the second largest trust company in the city, with deposits of \$60,000,000 and a surplus of more than \$5,000,000, the institution found itself helpless in the face of the crisis precipitated by the forced resignation of Charles T. Barney as president last night. Even Pierpont Morgan couldn't save it. Even the pledge of support by the clearing house association and the millions in cash of J. P. Morgan, F. G. Bourne and other financiers available, it was impossible to continue the steady stream of gold and silver that flowed through the paying tellers' windows. The Harlem branch at 125th street and Lenox avenue where the run began this morning was the first to close its doors. At 12:30 o'clock the branch was closed, after they had paid \$850,000. A few minutes after the suspension was announced at No. 66 Broadway, Superintendent of Banking Skinner took charge and ordered the doors closed. Everywhere in the bank was driven out, the depositors protesting loudly and demanding their cash. Superintendent Skinner had a brief conference with the officials of the trust company and then communicated with the attorney general of the state. The wildest rumors immediately began to circulate in the Wall street district. The saner impression, however, was that the trust company was solvent and that it would resume payments tomorrow with unlimited cash at its command. Superintendent Skinner refused to make any statement after taking charge of the main office of the trust company. The suspension of payment there had caused wild excitement, but this was doubted when the watchman and special police of the trust company began to clear the building and the announcement was made that the doors were to be closed. The purpose of Superintendent Skinner in communicating with the attorney general could not be ascertained. There was no one who would say that the institution was not perfectly solvent. It had been the intimation of Henry B. Hollins and other officials of the company to resume payments this afternoon as soon as more cash was available, but this plan apparently was abandoned with the arrival of Superintendent Skinner. Despite the fact that \$8,000,000 in cash was exposed to the view of depositors at No. 66 Broadway, and that enormous sums were rushed in heavily guarded automobiles to the Harlem and Bronx branches, it was impossible for a time to check the run or even partially restore confidence. At the Harlem branch at 125th street and Lenox avenue the crowd was so great and turbulent that the officials telephoned for police protection and the reserves of the West 125th street police station were called out. There was a line of one hundred persons in front of the main office of the Knickerbocker in the Manhattan Life Insurance building at No. 66 Broadway when the doors were opened. Harry E. Hollings, one of the board of directors, was in charge. Inside the bank behind the window of the tellers, but in full view of the depositors was \$8,000,000 in cash. It was the old Jay Gould expedient which was used yesterday by the Bank of North America, but today it failed of its purpose to allay the fear. The first five minutes showed the officials that there was a run on the company and telephone reports from Harlem, the Bronx and Fifth Avenue and 4th street confirmed their fears.

THE DAUGHTER'S SACRIFICE WAS A VAIN THING

(By Leased Wire to The Times.) Douglas, Ga., Oct. 22.—In an effort to save her father from the consequences of killing her lover, Miss Ida Summerlin, a pretty seventeen-year-old girl, went on the witness stand and sacrificed herself, but her sacrifice was in vain, for the jury found the father guilty of murder.

By Summerlin, father of the girl, is a prominent citizen of Coffee county, and his victim, Leo Manell, was a member of a wealthy family. Some months ago Summerlin found his daughter and Manell together and killed the young man in his daughter's presence. When the girl realized that her lover had been slain she turned to her father and said: "You have killed Leon, now kill me."

Summerlin chimed at the time that Manell had wronged the girl but this she denied. She said she and Manell were engaged and were discussing their marriage when her father fired.

At the trial, however, Miss Summerlin appeared as witness for her father and deliberately sacrificed herself, alleging that Manell had wronged her and then refused to marry her.

The girl sobbed bitterly as she told her story and many in the courtroom wept. The jury, however, was unaffected, for a verdict of guilty was quickly returned.

HORSE STRUCK BY CAR NEAR DEPOT

One of the gray horses driven to the Yarrowburgh bus was struck by a street car on Martin street this afternoon and was kicked several feet by force of the contact. The horse received two bad scars on its side, but was able to continue the trip to the depot. When the driver was opposite the Raleigh marble works he pulled his horses over the edge of the street car track to avoid a collision with a passing automobile and just at this time a car was coming from the depot and the front of the car struck one of the horses in the side, making two bad scars. Both horses and the driver had a narrow escape from death.

EXCURSION DAY TO WASHINGTON

Date Will Be Changed From October 30.

MAY DECIDE TOMORROW

Vice-President King and Colonel Olds to Hold Conference Tomorrow and So Arrange Trip That President Gannon Will Be Able to Attend—Regular Schedules to Be Inaugurated Thursday.

Col. Fred A. Olds, secretary of the Chamber of Commerce, last night received a telegram from Vice-President M. K. King of the Norfolk & Southern stating that it would be impossible for President Gannon to be in Washington Wednesday, October 30th, and asking that the date of the Chamber of Commerce excursion be changed.

Mr. King will be in Raleigh tomorrow to arrange with Colonel Olds the date of the excursion. In his telegram he stated that the president of the Norfolk & Southern was very anxious to accompany the party and hence desired the date so arranged that he could be present. This Colonel Olds and Mr. King propose to do tomorrow.

Regular Schedule Thursday. Day after tomorrow the Norfolk & Southern will begin operating a regular schedule between Washington and this city. Connections will be made at Chowchewity with through trains to and from Washington, New Bern, Beaufort, Kinston and Goldsboro.

Date May Not Be Changed. Col. Fred Olds stated this afternoon that he was in communication with President Gannon in regard to changing the date of the excursion. Col. Olds is desirous of having no change made and hopes to persuade the officers of the Norfolk and Southern to let October 30 stand as originally planned.

WHITE WOMAN A MOONSHINER

May S. Wallace, a white woman, from New Light township, this county, was given a preliminary hearing before United States Commissioner John Nichols this morning on the charge of running a "moonshine" still. She was bound over to the next term of Federal court under a bond of \$100. Charles Pearce, a noted moonshiner, now serving a term in the penitentiary, was the woman's former partner in the moonshine outfit.

BALLOONS OVER LAKE MICHIGAN

And the Aeronauts in Peril of Their Lives

CONTEST OF NATIONS

Life-Savers' Motor Boat at Full Speed is Chasing the "United States" No. 3 Airship Over the Water. Evidently Expecting Serious Consequences—A Heavy Haze Over the Lake Adds to the Danger of the Voyage—Other Particulars.

(By Leased Wire to The Times.) Chicago, Oct. 22.—Three racing balloons participating in the great International long-distance contest were sighted in and near Chicago today. At least one of these balloons is over Lake Michigan with the aeronauts in peril of their lives. One of the air craft, the "United States," No. 3, is bound across the lake with a life-saver's motor boat in full speed chase. This is the same balloon that won the European contest of last year, making a record of 402 miles.

The Kenosha life-saving crew is following the "big balloon." Evans-ton life-savers are patrolling the beach for four miles. Their boats (Continued on Page Five.)