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MESSAGE OF GOV. COMER TO ALA. LEGISLATURE

It Is Devoted Almost Entirely to Recommendations and a Discussion of the Railway Rate Regulation Question

STATE PROHIBITION NOT TOUCHED UPON

The Governor Addresses His Remarks Principally to the Louisville & Nashville Railway, Which Refused to Accept the Compromise Passenger Rate of 2 3/4 Cents Offered by the Governor and Accepted by the Southern Railway and Some Other Roads—He Tells the Legislators That Their Duty is Plain and Their Course Should be Straight as a String.

(By Leased Wire to The Times.) Montgomery, Ala., Nov. 7.—Governor Comer's message to the special session of the legislature of Alabama was transmitted to both houses today.

Following are extracts from the message relative to the contention between the state and the railways, particularly the Louisville & Nashville Railroad, the governor and the Southern Railway Company having adjusted their differences on the passenger rate question last month. Among other things Governor Comer says:

"When we see the weighing and inspecting rules of the railroad made arbitrary and unfair; when we see demurrage rules made entirely one-sided and unfair; claims of shippers pigeonholed and settlement delayed indefinitely; arbitrary rules regarding purchase of coal from our mine-owners and arbitrary freight rates fixed by the railroads, and cars for carriage refused unless their price is accepted; when we see all our important waterways by combination of railroad interest boycotted and rendered of little use; when we see the Tennessee River connecting the Alabama River with the Mississippi River system, a system which is attracting the attention of the world and on which the federal government is about to expend many millions of dollars for the purpose of cheapening freight carriage; when we see this great river property of Alabama sandbagged and the people robbed of what should be of great worth to the state; when we see the port of Mobile boycotted and state laws regulating railroad conduct nullified and treated with contempt; when we see our freight rates raised over night by telegraph in defiance of our laws; when we see a paid lobby between the two houses of the legislature attempting to shape and dominate the character of our laws; when we see money which has been extracted from the people by excessive freight and passenger charges, used to distribute campaign literature through the medium of the press and circulars, all of which is of recent history and has been done and is being done by the chief railroad in Alabama, which is now fighting to the death your right to control and limit it—these things should be sufficient to admonish you that you should not hesitate to discharge your duty and comply with the wishes of the people expressed at three recent elections and discharge your obligations to your state and national platform so effectively and finally that the state will always be

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(By Leased Wire to The Times.) Austin, Texas, Nov. 7.—Attorney General Davidson on behalf of the state of Texas, has filed suit here against the alleged subsidiary concerns of the Standard Oil Company in Texas for penalties for forfeiture of charter and for a writ of injunction restraining the defendants from removing any of their property from Texas, and also asking for the appointment of a receiver for each of the concerns sued. The state has issued a temporary writ of injunction against concerns named, and the application for the appointment of receivers is set for January 6, 1908, before Judge George Calhoun, of the district court.

The suits are against the Security Oil Company, Navarro Refining Company, Standard Oil Company of Indiana, the National Transit Company of Pennsylvania and the Union Tank Line. Damages to the extent of \$6,000,000 are asked in each case.

(By Cable to The Times.) Madrid, Nov. 7.—A violent earthquake, accompanied by an opening of the earth, leaving great fissures, has occurred at Torrela, Ribera, in the province of Huesca. A terrific subterranean rumbling caused a panic among the population. Houses toppled over in all parts of the town. The number of lives lost is not known at this time.

(By Leased Wire to The Times.) Washington, D. C., Nov. 7.—The first of the new coins designed by the late Augustus St. Gaudens, under the direction of President Roosevelt, has reached the treasury department from the United States mint in Philadelphia. It is the \$10 gold piece, or half eagle and for the first time since 1873 the word "In God We Trust" are omitted from the coin. It is understood these words will be omitted from the coins of all other denominations, according to the designs approved by President Roosevelt. Judging from the action taken on

the subject by two organized bodies, public sentiment on the wisdom of thus changing the inscription on the government coinage is divided. The Christian Endeavor Society disapproves of the omission of the motto, and the Secular League is pleased because it has been struck from the coins.

It could not be learned at the treasury department who was responsible for the omission of the words "In God We Trust," but the department officials have had nothing to do with the change in the coin designs except to carry out the orders of the president.

AMERICAN BUYS THE RACE-WINNING BALLOON, POMERNE

(By Leased Wire to The Times.) New York, Nov. 7.—Oscar Erisloch's international cup-winning balloon "Pomerne," which the German aeronaut brought over to compete in the Gordon Bennett race at St. Louis, has been sold to Dr. Julian P. Thomas of this city.

BIG SHIPMENTS OF FOREIGN GOLD ARRIVE IN N. Y.

New York, Nov. 7.—Another \$2,000,000 in gold, packed in fifty-eight boxes, reached New York today on the White Star liner Teutonic.

This makes a total of \$19,000,000 in the last two days and another \$10,000,000 in gold is packed in the strong room of the Lusitania, which is expected to dock tomorrow.

Guarded by a score of armed secret service agents and bank representatives the iron bound boxes were taken from the liner and carted away in wagons.

Over \$1,000,000 of the gold arrived today is consigned to the Bank of Montreal. Eighteen boxes belong to a New York banking concern and the remaining five boxes are to be sent to the Bank of Nova Scotia.

(By Leased Wire to The Times.) Washington, Pa., Nov. 7.—Sheriff Howe this morning discovered the body of Harry C. Washabaugh, bigamist, hanging by the neck in the cell. Washabaugh had fastened a handkerchief to one of the cell bars and held his feet off the floor until he was dead.

(By Leased Wire to The Times.) Staunton, Va., Nov. 7.—Sixteen licensed distilleries, located between Lynchburg and the North Carolina line, have been seized by internal revenue officials, upon the ground of fraud. It is charged that by collusion between gaugers and storekeepers quantities of liquor were distilled upon which no revenue was paid.

RATE HEARING TO BE RESUMED

Counsel Notified Last Evening by Master

DAY IS NEXT MONDAY

Attorneys for North Carolina Will Again Endeavor to Show That New Rate is Not Confiscatory—Governor Again Nails Rumors—Leaves Tonight for Davidson—The Sessions Will Again Be Held in the Federal Court Room.

Late last evening Standing Master Montgomery notified the counsel for the state and for the Southern Railway that he would again begin to take evidence of the defendants in the Southern Railway rate matter. The hearing will begin at 10 o'clock Monday morning in the court room of the federal building.

Governor Glenn announced today that the counsel on both sides had been notified of the hearing. He said that the state would be ready Monday. Of the nature of the evidence that the state would introduce, the governor of course could not give out. All this will be brought out in the hearing.

Rumors Are Unfounded. Governor Glenn today again nailed the rumors that have gone out from Raleigh as to the calling of an extra session of the legislature. "These reports," he said, "are unauthorized. The governor let it be understood that the correspondents who sent out statements of this nature did so of their own accord and without any hints from him. 'It takes,' said he, 'more than one man to call a special session.'

Governor Glenn today cancelled his engagement at Huntersville, Mecklenburg county. He was scheduled to speak there tonight. He will fill his engagement at Davidson College tomorrow, however, and will leave for Davidson tonight. The occasion tomorrow is "College Day." The governor is an alumnus of Davidson and feels a great deal of pride in the institution. He anticipates a pleasant time.

FIVE KILLED; 3 FATALLY HURT

Steuenville, O., Nov. 7.—By the explosion of a donkey engine boiler at La Belle Iron Works here five men were killed, three perhaps fatally injured and a portion of the open hearth plant was wrecked.

The dead: HARRY ANDREWS, engineer. CHARLES REED, engineer. WILLIAM SMITH. DANIEL O'BRIEN. WILLIAM SCOTT. The injured: William Carnahan, James Sanders, James Edwards. All the victims lived in this city. The dead men's bodies were terribly mangled and portions torn off by the force of the explosion were picked up some distance from the scene of the accident.

The mangled body of one engineer was picked up 50 yards from the scene.

U. S. OFFICERS SEIZE SIXTEEN DISTILLERIES

(By Leased Wire to The Times.) Staunton, Va., Nov. 7.—Sixteen licensed distilleries, located between Lynchburg and the North Carolina line, have been seized by internal revenue officials, upon the ground of fraud. It is charged that by collusion between gaugers and storekeepers quantities of liquor were distilled upon which no revenue was paid.

HOUSEBREAKER ROASTED ALIVE IN A CHIMNEY

(By Leased Wire to The Times.) Tuskegee, Ala., Nov. 7.—Attempting to enter the home of M. S. Russell some time Wednesday night by way of a chimney supposedly for the purpose of burglary, David Crawford became wedged about half way down and could neither go up nor down. In that position Crawford remained for some time, making no sound.

About 5 o'clock in the morning a fire was started under Crawford and he soon began to scream and alarmed the household. It took time to locate the man, and by the time he was liberated Crawford was cooked from head to foot. Doctors say he cannot recover. In his pockets was found a bottle of chloroform and a loaded revolver. Crawford has been a good reputation.

RECEIVED 13,000 VOLTS AND STILL HE LIVES.

(By Leased Wire to The Times.) Philadelphia, Pa., Nov. 7.—By falling against a dynamo connecting rod Henry Tyson of the Philadelphia Rapid Transit Company at the storage battery plant, 11 Germantown, received 13,000 volts of electricity. His was thrown twelve feet but he recovered.

WALTER BAKER WAS MURDERED

Chemists Analyze Stomach and Say "Poisoned"

MYSTERIOUS INFLUENCE

A Man and Woman, Especially the Woman, Who Exercised a Mysterious and Extraordinary Influence Over the Wealthy Young Man—Extracted Money From Him Through Threats Often—Police Looking Them Up—Other Developments in the Strange Case.

(By Leased Wire to The Times.) New York, Nov. 7.—Walter Farnsworth Baker, the rich young Boston club man who died suddenly at the home of Frank Hurd, at Bogart, N. J., was poisoned, declares the report made today by chemists of the Harvard Medical School who finished the analysis of the contents of the stomach and other internal organs.

This analysis confirms the reports of Dr. Magrath of Boston who made the autopsy.

"Two arrests will be made before night," was the declaration of Edward F. Baker, brother of the dead man, today.

"An extraordinary influence was exerted over him by a man and a woman," he added. "I have seen letters from that woman demanding money from him and he seemed to fear her. I know that he often gave these people money."

The details of the chemists' report were not made public but they are said to show that poison was in the kidneys and in the intestines where it was impossible to inject embalming fluid. Convinced by the report that Walter Baker was poisoned, the detectives today directed their search in New York for a mysterious man who visited the room at Brown's chop house in which Mr. Baker lay ill, soon after Harry Lee departed to bring Mr. and Mrs. Hurd, Mrs. Young and the other man from the Nottingham. This man entered the Brown, inquired quietly in which room Mr. Baker was, ascended in the elevator and after a short time departed as quietly as he came. He gave no name and was not known to the elevator boy on duty. He was known to Walter Baker without a doubt.

The man in question was in the room long enough to administer anything he chose to give to the young man wracked with pain and sickness on the bed. He may have assisted him to undress, for Walter Baker was undressed and in bed when Harry Lee Hurd returned. So far as could be learned he has not appeared at the chop house or in the

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SHOAF TELLS THE OTHER SIDE

Accused Man and Wife Taken to Charlotte

SAYS HE FEARS NO MOB

Shoaf Enjoyed a Good Reputation and Has Never Been in Trouble With the Law Before—His Version of the Story of Alleged Inhuman Treatment of the Little Girl From High Point Puts a Different Phase on the Case—What He Says.

(Special to The Evening Times.) Charlotte, N. C., Nov. 7.—Mr. and Mrs. E. H. Shoaf, charged with brutally beating Jennie Fields, the little daughter of Mr. and Mrs. T. F. Fields, of High Point, were brought here tonight from Lexington by Sheriff DeLap, for safe keeping.

Those who know Shoaf speak well of him. His reputation in his home town is good. Mrs. Shoaf is not so fortunate. She does not bear a good name. Among other things she is charged with being false to her husband. There has been some talk about her and Mr. Fields.

Fields and his wife, it is said, do not get on well. It is alleged that Jennie, who was born a year before their marriage, is the source of most of their troubles. Mrs. Shoaf declared that she had heard that he did not claim the little girl as his own, but she expressed her opinion as being that he was the father. From her story Jennie has been sent from place to place and cuffed by almost everybody with whom she came in contact.

The story of the child, its parents and the Shoafs is most interesting. An observer reported obtained the following through a statement from Mr. Shoaf:

Charlotte mothers have felt that they would like to wring the necks of the ones charged with beating her. More thoughtful people have not believed the stories sent out. The facts may never be known. Mr. and Mrs. Shoaf say that the girl fell from a swing and was injured. It is a fact that they sent for Dr. Julian, one of the best physicians in Thomsville, and had him attend to the child. Mrs. Shoaf was the one who picked the child up.

OCEAN RACERS MAKE FAST TIME

(By Leased Wire to The Times.) New York, Nov. 7.—The swift liner Lusitania is busy for New York at her swiftest pace. She made 618 knots in twenty-four hours, as reported by wireless, one knot more than her record. Her record for the trip has been 24,599 nautical miles an hour. At this rate the Lusitania should reach Sandy Hook bar Friday night. If she accomplishes this it will reduce her record time for the passage, which was four days, 19 hours, 52 minutes.

Swifter Than Lusitania. (By Leased Wire to The Times.) London, Nov. 7.—The Cunard line steamer Mauretania, in her speed trials now being carried out, has completed a 1,200 miles run at an average speed of 26.03 knots per hour.

MARYLAND IS DEMOCRATIC BY ABOUT 10,000

Baltimore, Nov. 7.—Incomplete but reliable indicative returns show that the democrats have elected Judge Austin L. Crothers governor and the entire state ticket by an estimated plurality of about 7,000. The legislature appears to be safely democratic. Ex-Governor John Walter Smith defeated Governor Edwin Warfield and Congressman J. E. G. Talbot in the primaries for the long term United States senatorship beginning in 1909. Senator William Pinckney Whyte was unopposed and will succeed himself for the short

A PROMINENT SOCIETY WOMAN DISAPPEARS

Was to Have Been Married the Day She Failed to Appear in New York. She Is Well Known in This State

SISTER-IN-LAW OF DR. HOWE OF UNIVERSITY

Mrs. Virginia Peyton Knight Howe, Who is Alleged to Have Been Engaged to Marry an Old Lover Who Also Had Been Divorced from the First "Affinity," October 31, and Who Did Not Appear to Solemnize the Compact, is Still Missing to Her Embryo Husband—She Comes From Prominent Virginia Family and Her Disappearance Causes Much Speculation—Her Sister Says Those Who Ought to Know Are Aware of Her Whereabouts, But Perceval is Not of Them.

(By Leased Wire to The Times.) New York, Nov. 7.—Mrs. Virginia Peyton Knight-Howe, a leader of Virginia society, was today reported to have mysteriously disappeared in New York city on October 31, an hour before she was to have become the bride of Justice Perceval, a member of a prominent Virginia family and heir to Beveland Island at Lynchburg.

Mrs. Henry Walter Wilmot, a sister of Mrs. Howe, who lives at No. 45 West 59th street, and who is herself socially prominent in the "southern circle" in New York, refused today to discuss Mr. Perceval's suspicions that she knew the whereabouts of Mrs. Howe or his belief that Mrs. Wilmot had been the instrument in causing the strange disappearance of her sister.

Justin Perceval was divorced from Mrs. Marie Louise Perceval, a distinguished Georgia family, in the early part of the October term of court at Jacksonville, Fla., and at the James-town Exposition, where he occupied an important post, he met Mrs. Howe, whose divorce from J. Wilson Howe, a nephew of President Woodrow Wilson, of Princeton University, was pending.

They had been sweethearts in their school days and then drifted apart, married and now had made up again when both were to be free again. Mrs. Howe, who has a little boy now with his uncle, Dr. George Howe, at Chapel Hill, N. C., (who is professor of Latin at the N. C. State University), came to New York and went to the home of her sister, Perceval followed a few days later, and it was arranged that on October 31 they were to be married. The day before that Mrs. Howe received her divorce decree.

Mrs. Henry Walter Wilmot, sister of Mrs. Howe, said today: "My sister has not disappeared mysteriously. Those who should know where she is do know. She is now in Chicago with friends. The publication of the story in a morning paper is the work of an enemy and was inspired by a low, mean person to humiliate the parties concerned. The story is untrue and without basis. There is not a single assertion concerning my sister and this man that is true. It is the work of a contemptible, mean man."

Mrs. Wilmot, who had not left her apartments when she made this statement, said that later in the day she would have more to say concerning the story.

FOOTBALL ON THE GEORGIA FAIRGROUND

(By Leased Wire to The Times.) Augusta, Ga., Nov. 7.—The star feature at the state fair today will be the Clemson-Georgia game, which will be played at 3 o'clock. The Georgia team arrived last night, accompanied by Assistant Coach Bowcock and Professor Sanford, director of athletics. On the roster were Smith, Newsome, Scott, Fleming, Napier, S. Hatcher, Lucas, Holcombe, McWhorter, Arrandine, Nixon, C. Hatcher, Boswick, Cleveland, Gray, Grace, and Gordon.

Those who saw the Tech-Georgia game will note some conspicuous absences from Georgia's line-up today. Probably the most notable absentees are McDuffie, the agent who played such havoc with the Tech game, and Melton. Harman and Woodruff are both injured and neither man is with the team.

The Clemson team which was expected last night, arrived this morning.

The weather is clear and there should be a bustling big crowd out to see the game. It is supposed that Clemson will play practically all substitutes in the game and they will have their troubles in getting away with Georgia.

Assistant Coach Hall, of the Tech team, came down last night and will be on the side lines to see the fun. He will especially note the Clemson formation and tricks with a view of putting the Tech team wise.

Rarity of Courtesy

Courtesy is becoming so rare that the man who gives up his seat in a street car feels as if he were playing to the grand stand.—Cleveland Leader.

H. H. ROGERS IS ATTENDING TO BUSINESS AGAIN

(By Leased Wire to The Times.) New York, Nov. 7.—H. H. Rogers attended the meeting of the steel trust directors, at which the purchase of the Tennessee Coal & Iron Company was confirmed.

This was his first appearance in the financial district in three months, and he was warmly greeted. Mr. Rogers was ruddy of face and looked in excellent health. Some months ago he was said to have suffered a severe breakdown from overwork.