

THE RALEIGH EVENING TIMES.

VOLUME 36.

RALEIGH, N. C., TUESDAY EVENING, DECEMBER 10, 1907.

PRICE 5c.

TO REGULATE BOOZE SHIPMENTS

Senator Simmons Introduces
Important Petition

IN THE CONGRESS TODAY

Petition is from Citizens of Durham Who Want a National Law to Regulate Interstate Shipments of Liquor—Report of Graham Clark As Special Agent of Government On Foreign Markets for Cotton Products Laid Before Senate Today.

(By Leased Wire to The Times.)

Washington, D. C., Dec. 10.—Mr. Simmons of North Carolina today presented a petition of sundry citizens of Durham, N. C., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which was referred to the committee on the judiciary.

The vice president has laid before the senate a communication from the secretary of the department of commerce and labor, transmitting a report on foreign markets for the sale of American cotton products, by special agents W. A. Graham Clark, William Whitman, Jr., Charles M. Pepper, Harry B. Burrill, Arthur B. Butman, Lincoln Hatchinson, and others, which was referred to the committee on commerce and ordered to be printed.

At a caucus of the Texas delegation in the house, Representative Randall was recommended to one of the vacant places on the ways and means committee, receiving ten votes to four for Representative Cooper, for this place. There had been a spirited contest between these men, Cooper having the active backing of Senator Bailey.

Regents of the Smithsonian Institution have been appointed from the senate and house. Vice-President Fairbanks appointed Senator Cullom, of Illinois, and Senator Bacon, of Georgia. Speaker Cannon appointed Representatives Dalzell, of Pennsylvania, Mann, of Illinois, and Howard, of Georgia.

CHM'N GRIGGS WILL NOT ACCEPT A RE ELECTION

(By Leased Wire to The Times.)

Washington, D. C., Dec. 10.—Representative James M. Griggs, of Georgia, has announced that he would not be a candidate to succeed himself as chairman of the democratic congressional committee.

The committee will hold a meeting next month and elect Mr. Griggs' successor, who will have charge of the management of the congressional end of the national democratic campaign.

Mr. Griggs' retirement will probably result in a spirited contest. Representatives Flood, of Virginia, Representatives Flood, of Virginia, and Lloyd, of Missouri, are both active candidates.

CONGRESSIONAL ACTION ON THE "THIRD TERM"

(By Leased Wire to The Times.)

Washington, D. C., Dec. 10.—Representative Henry D. Clayton of Alabama, yesterday introduced a resolution "declaring it to be the sense of the house that to break down the barrier against perpetuity of tenure in the presidential office is fraught with grave peril to American and republican institutions."

Mr. Clayton's resolution therefore resolves:

"That in the opinion of the house the precedent established by Washington and other presidents of the United States in retiring from the presidential office after their second term has become by universal concurrence a part of our republican system of government, and that any departure from this time honored custom would be unwelcome, unpatriotic, and fraught with peril to our free institutions."

Mr. Clayton, in discussing his resolution, said that one similar to it was passed in the forty-fourth congress, aimed at President Grant's third term aspirations, just as Mr. Clayton has in mind Mr. Roosevelt and the third term. Mr. Clayton hopes he can get enough republican support for his resolution to get it out of committee, in order that a record vote may be secured in the house.

RAILWAY RATE NEGOTIATIONS CALLED OFF

(Special to The Evening Times.)

Charlotte, N. C., Dec. 10.—The Charlotte Observer has a special from Washington which says:

It is stated as a fact here, although it has not become public knowledge, that the negotiations between North Carolina and other southern states and certain railroads concerning passenger rate bills are off, for the time being at least, if not for all time to come. Although newspaper men generally have not been taken into the confidence of either side, it has been known by correspondents that Governor Glenn of North Carolina, and others were considering a compromise to the effect that the roads would sell to the heads of families and concerns a 1,000-mile ticket for \$20, to be used by them, their families and employees; a 500-mile ticket for \$12.50 and local tickets, inter and intrastate, for 25 cents a mile. The railroads have decided to carry the fight to the higher courts. Now, they say, is the time to settle the matter once for all. All propositions will be turned down and the cases now in court will be tried before the supreme court of the United States. This means a great deal in North Carolina, where it has been believed for days that the state and the railroads were about to get together and settle their controversy and that the rate question would soon be adjusted.

A number of leading railroad men of the south met here Saturday, and it is believed that the information contained in the foregoing paragraph is correct. In making these assertions I think that I am giving the truth as the case now stands. This leaves the cases of the Southern and the Coast Line and smaller roads in the hands of Judge Montgomery for the present. In the case of the Southern and the state the testimony of the state is in and the road has its ready. Soon Judge Montgomery will take up the Coast Line. A number of small lines are involved in this litigation. The decision of the state supreme court at Raleigh overruling Judge Long, of the

GEN. STOESEL ON TRIAL TODAY FOR HIS LIFE

(By Leased Wire to The Times.)

St. Petersburg, Dec. 10.—"Not guilty" was the plea uttered in a firm tone by General Stoessel when he was placed on trial today to answer with his life for the surrender of Port Arthur. Among the judges, spectators and witnesses were General Kuropatkin, General Linevitch, General Rennenkampf, Vice Admiral Wiren and scores of other prominent leaders in the Russo-Japanese war. Two hundred officers who had been at Port Arthur were also present.

Vice Admiral Donbassoff convoked the court. All along with General Stoessel three other generals were also arraigned on charges growing out of the surrender of Port Arthur. They were General Fock, Reiss and Smirnov.

The indictment charges a complete absence of co-operation among the officers at Port Arthur. An additional charge against Stoessel is that he failed in his duty in that he did not share the fate of the garrison and accompany the men into captivity.

The charges against Stoessel, as summarized in the indictments are: 1. Disobeying General Kuropatkin's order to hand over the command of the fortress to General Smirnov.

2. Suspending the construction of the second and third lines of defense.

3. Countenancing ironclad and often abusive reports written by General Fock concerning various officers in charge of the defense.

4. Sending false reports to General Kuropatkin and Admiral Alexeff regarding the battle of Tsushima in May, 1904.

A FEDERAL OFFICEHOLDER HAS ACTUALLY RESIGNED.

Washington, D. C., Dec. 10.—Captain Jackson Morris of the law division, internal revenue bureau, has tendered his resignation, taking effect on December 9 and left last night for Frankfort, Ky., where he goes to accept the position of assistant secretary of state.

THE SICKENING STENCH OF DEAD

Makes Work of Rescuers Almost Unbearable

CONDITION AT THE MINE

Getting Work Into Normal Condition Again—Adding to the Force of Rescuers—Disembodied Bodies Brought Up Unidentified—37 Funerals Yesterday and Quite a Number Today—The Lone Widow the Only Mourner.

(By Leased Wire to The Times.)

Monongah, W. Va., Dec. 10.—The wrecked mine here is again getting into normal condition and consequently relief work is being carried on rapidly. Ninety-one bodies have so far been recovered. All but eight of the bodies recovered have been identified.

Every day since the explosion, heads, legs and arms have been removed from the mines. The stench from decomposed bodies in the mines is becoming almost unbearable. Thirty-six horses were killed in the mine, almost all being blown to pieces.

This condition has resulted in many of the rescuers becoming sick. To assist in the recovery of the bodies the mine owners have summoned 150 miners from their plants in the Georges Creek district. The company expects to get a majority of the dead out before the end of the week.

Thirty-seven funerals were held yesterday. Burials are necessarily hurried. One body was sent directly to the cemetery followed by a lone woman who had stood for hours awaiting the finding of her husband's body.

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NEW TARHEEL POSTMASTERS NOMINATED

(By Leased Wire to The Times.)

Washington, Dec. 10.—The nominations of North Carolina postmasters have been sent to the senate:

Robert M. Croom, at Burgaw, county of Pender; office became presidential April 1, 1907.

John F. Dolson, at Goldsboro, county of Wayne, in place of Louis N. Grant, failed of confirmation.

J. Walter Jones, at North Wilkesboro, county of Wilkes, in place of J. Walter Jones. Incumbents commission expired March 3, 1907.

Isaac M. Meekins, at Elizabeth City, county of Pasquotank, in place of Isaac M. Meekins. Incumbents commission expired February 3, 1907.

L. E. Pickard, at West Durham, county of Durham, in place of Clarence W. Teague, removed.

"MILTON BIBLE" IS SPURIOUS, SAYS BUYER

(By Leased Wire to The Times.)

New York, Dec. 10.—The Milton Bible, purchased at auction here a few days ago for \$1,225, from the collection of William H. Buckley, of Baltimore, secretary of the American legation at Madrid, by Alfred J. Barton, expert in ancient books, has been declared by him to be spurious and the signature "John Milton, February 24, 1654," a clumsy forgery. English experts have declared it genuine.

Mr. Barton bought the book under stipulation that if investigation into its authenticity should not satisfy him it could be returned.

TO MAKE YALLER DAWGS VALUABLE

What Tom Watson and President Roosevelt Talked About

ARGUED ABOUT FINANCE

The Georgian Who Ran For President on the Populist Ticket Gives Out An Interview in Which He Says a Great Deal About the Financial Question—What Causes Panics and How to Cure Them. Dined With Mr. Roosevelt.

(By Leased Wire to The Times.)

Washington, Dec. 10.—Thomas E. Watson, of Georgia, populist candidate for president of the United States in 1904, yesterday took luncheon and discussed the financial situation with President Roosevelt.

To what extent Mr. Watson interested Mr. Roosevelt in his project of issuing greenbacks under an old law of the Civil War period, which, he claims, has never been repealed, is not divulged.

The populist leader gave out an interview, however, in which he presumes to say nothing for the president, but a great deal as to what he thinks should be done and should not be done to cure our currency ills. He said these things to the president. A few paragraphs from Mr. Watson's interview are as follows:

"The great trouble with our financial system is that the national bankers have been allowed to narrow the foundations upon which it rests. If every dollar in circulation had to be redeemed in yellow dogs, at the option of the holder, the yellow dogs would immediately become the most precious of canines. So where gold is made the money of final redemption, the man who controls the gold becomes master of the markets of the world.

"To this narrow foundation of gold the national bankers have shrunk the money of final payment; and upon this narrow foundation they have raised the giddy superstructure of credit money that the world ever saw. There are a few far-sighted men who knew that the financial situation was fraught with national peril, but the warnings of such men went unheeded. Then, one fine morning, something shook public confidence and the people began to clamor for real money. There was not enough real money in the United States to meet the demand. Therefore panic, disaster, universal demoralization.

"Panics are caused by contraction; their only cure is expansion. If the president will issue \$100,000,000 of greenbacks, these nasty little clearing house certificates will disappear, confidence will return and normal conditions will be restored. But we never will have a just and sound system of national finance so long as we allow the national banks to run that part of the government. If ever these corporations wrest from the government the power to make such an elastic currency as they are clamoring for, the most violent and destructive foundation in prices will be of constant occurrence and the entire business world will be in complete subjection to the 6,000 national bankers."

FAIRBANKS IS STILL IN THE RUNNING FOR PRESIDENT

(By Leased Wire to The Times.)

New York, Dec. 10.—Harry S. New, of Indiana, chairman of the republican national committee, now in town, said that not only was Vice-President Fairbanks in the race for the republican nomination, but that Indiana would certainly send a delegation instructed for Fairbanks.

Mr. New ridiculed the stories which have come from Washington that the selection of Chicago as the place for the convention was a defeat in the national committee for the Taft supporters.

"Did you hear any talk about Governor Hughes while you were at Washington?" Mr. New was asked.

"There was as much talk about Hughes as about anyone," Mr. New replied.

ITALIANS FIGHT FATAL BATTLE

Reputable Element Against the Black Hand Dagos

BLACK HAND CHIEF DEAD

A Score of Italians Took Part in the Fight, Which Was Held in the Pennsylvania Railway Yards Today—Several Italian Merchants Fatally or Badly Injured—Number of Others Hurt—Only Two Arrests Made By the Police.

(By Leased Wire to The Times.)

Pittsburg, Pa., Dec. 10.—As a result of a determined effort on the part of the reputable Italians of Pittsburg to clean out the black hand, a desperate battle was fought in the produce yards of the Pennsylvania Railroad here. A score of Italians took part, fighting over three blocks, hundreds of shots were fired, and the police reserves of three stations were called out to stop the riot.

Joseph Sunseri, a wholesale fruit dealer and the wealthiest Italian in Pittsburg, is in a serious condition at the West Pennsylvania Hospital; M. Rei, alleged leader of the black hand, is dead at the same hospital, and Joseph Colandino, another Italian, is in the hospital at the central station.

Colandino, shot through the cheek, was still fighting, when a score of citizens closed in and would have lynched him had not the police prevented.

Sunseri is an uncle of Joe Batagil, of this city, who found a bomb on his porch a week ago. Sunseri's activity in trying to run down his nephew's enemies, it is thought, inspired the enmity of the society. The police have arrested two suspects.

\$100,000 FIRE AT PETERSBURG THIS MORNING

(Special to The Evening Times.)

Petersburg, Va., Dec. 10.—Fire broke out this morning at 11 o'clock in the cellar of the William Budd Furniture Company on Sycamore street and before the flames could be subdued the entire building was destroyed together with the contents. The building was valued at \$10,000 and was owned by Miss Maud Taylor of Petersburg. The stock of furniture was valued at \$30,000. Loss is partially covered by insurance. The store adjoining, occupied by Whitehorn & Scoggins, a dry goods firm, was badly flooded by water and was also the stock of goods in the store. The building is valued at \$10,000 and the stock \$25,000. Loss partly covered by insurance. The stock of goods and the store of the Cashon Hardware Company, valued at \$10,000, was badly damaged by smoke and water.

WATCHING FINAL SEND-OFF OF THE PACIFIC FLEET

(By Leased Wire to The Times.)

Ft. Monroe, Va., Dec. 10.—Crowds of sightseers from all parts of the country are assembled here to witness the final preparation and the departure of the fleet. The families of most of the officers are also among the visitors and the week is to be crowded with social events of both formal and informal character. The principal function to be a naval and military ball the evening of Friday, the 13th.

Admiral Evans arrived yesterday from Washington, accompanied by Captain Ingersoll, his chief of staff.

SECOND DAY OF BICYCLE RACE IN N. Y.

(By Leased Wire to The Times.)

New York, Dec. 10.—In a succession of dare-devil stunts to snatch the lead in the six day race at Madison Square Garden today, riders plunged into the other and lay in bruised heaps on the track. Eight men were so badly hurt they had to be carried to their quarters.

The worst crash of wheels put two riders, Darragon, of the French team, and Jacquelin, of the French-Italian team, out of the race altogether. Their partners, Breton and Vanoni, formed a new team and continued the race. Breton, Galvin and McDonald came together with a smashing rattle of steel that could be heard all over the garden, just beyond "dead man's curve" shortly after the thirty-first hour of the race. All three men had to be carried from the track but their partners went on with the contest.

Vanoni, of the newly constructed French-Italian team, was the cause of the latest spill. He was pedaling hard to get a good position at the turn and edged too close to McDonald. Front and rear wheels grazed, and in a twinkling McDonald was thrown to the track. Breton and Galvin were close behind and struck McDonald, pitching over on top of him.

Score at 10 o'clock (33rd hour): Folger and Moran, 621.3; Rutt and Stoll, 621.3; Levison and McDonald, 621.2; George and Dupre, 621.3; Logan and Barlett, 621.3; Samuelson and Milton, 621.2; Wilcox and Williams, 621.2; Galvin and Wiley, 621.2; Krebs and Vanderstuyft, 621.3; Downey and Downing, 621.2; Breton and Vanoni, 621.2.

The record for the 33rd hour is 679 miles and one lap, made by Elkes and McFarland in 1900.

(Continued on Second Page.)

After a "Long and Terrible" Illness.

(By Cable to The Times.)

Paris, Dec. 10.—Count Louis Gontaut Byson, who married Martha Leishman, died today after a long and terrible illness.

GOV. HURRIES SOLDIERS TO HOPKINSVILLE

(By Leased Wire to The Times.)

Frankfort, Ky., Dec. 10.—Under orders from Governor Beckham several additional companies of the state militia have been ordered to Hopkinsville, the center of the tobacco war. A carload of ammunition has been hurried to the troops and every precaution is taken to prevent disorder.

Night riders are still operating in the small towns about Hopkinsville. About 300 pounds of tobacco and the loss would have been considerably greater had it not been for a heavy rainstorm, which, coming so suddenly and extinguishing the fire, which was spreading through a long line of curing sheds. Several arrests of men alleged to be members of the raiders have been made.

COPPERS PULL A BOXING MATCH.

(By Leased Wire to The Times.)

New York, Dec. 10.—The police had their innit on the fight clubs last night.

Disguised as longshoremen, five policemen jumped into the ring at the Drydock Athletic Club, where Joe Furman and "Babe" Culien were boxing.

There were nearly one thousand members packed in the club house, many wearing full dress and top hats. When the lights, with whistles and cowhide bats, commenced to show their badges there was a roar of laughter. When it came to arresting the fighters they could not pick them out, so they had to be satisfied with Manager Elmer and the referee.

New Football Manager.

(By Leased Wire to The Times.)

Sewanee, Tenn., Dec. 10.—John B. Greer has been elected manager of the 1908 football team of the University of the South, the choice being practically unanimous.

Walter S. Barrett, captain of the 1907, will be Sewanee's delegate to the S. I. A. A. Convention, which meets at Clemson on December 13, vice Chancellor Watkins also going as an official of the association. Sewanee's delegate goes instructed to vote against the proposed one year rule.

TO GET OUT OF INSANE ASYLUM

Committed Because He Married Plebian Woman

CASE OF GERMAN COUNT

Romantic Story of Young Count Erasmus Erbach, Whose Family Had Him Committed to a Madhouse—His Wife Is Heartbroken and Her Whereabouts Kept Secret. Marriage Declared No Good By Court—Imprisoned Man Held to Big Fortune, of Course.

(By Cable to The Times.)

Berlin, Dec. 10.—Friends of Count Erasmus Erbach have caused an application to be made to the high court, ordering his release from an insane asylum, where he was confined after being taken bodily at Frankfurt and confined after his stout resistance was overcome.

Count Erbach was seized on the application of his father and relatives, who base their contention of his insanity on the fact that he married the plebian but beautiful daughter of a washerwoman. The marriage has been declared null and void.

The count's friends, however, are determined to fight the matter to an end and have announced that they will not stop until the young nobleman is given his liberty and his bride is restored to him. The young woman is heartbroken. She is with friends of her husband, but her whereabouts is kept secret to prevent further intrigue on the part of the count's relatives.

The love story of the young count is romantic in every way. Count Erasmus is heir to all the fortunes of a famous German family. His father is worth more than a million dollars. He owns three estates with castles on them and magnificent residences in Berlin, Munich and Vienna. The young count surrendered the prospect of some day possessing these possessions for love. When 18 years old he met the young girl who was to become his wife while he was riding in a forest. She was gathering faggots. They loved each other at first sight and the count was not affected by the knowledge that she was a washerwoman's daughter.

His family opposed him strenuously, but he determined that he would marry her when he came of age. This he did, eloping with her to London. When the marriage became known a full council was held, in which it was decided that Count Erasmus should be outlawed and disinherited unless the marriage was annulled. His indifference to their plans justified more extreme measures in the opinion of his father and he was declared insane.

When captured at Frankfurt on Main, the young count fought to escape but he was overpowered. A strong guard is maintained at the institution where he is confined and none of his friends is permitted to visit him.

GEN. BASIL DUKE TO SUCCEED COL. ELLIOT

(By Leased Wire to The Times.)

Washington, Dec. 10.—Senators and representatives from four southern states have called at the White House, and each placed before the president the name of a candidate for successor to the late Colonel William Elliott, of South Carolina, as commissioner to mark the graves of confederate veterans in northern cemeteries. Colonel Elliott died suddenly last week, and there is already a great demand for the vacancy. The president, it is understood, has offered the place to General Basil Duke, of Kentucky, who probably will not accept.

Senator Clay and Representative Adamson, of Georgia, presented a Georgia man for the place; Senator Overman, of North Carolina, asked that a man from his state be appointed, while Representative Wyatt Allen, of South Carolina, placed before the president the name of Major James F. J. Caldwell, of South Carolina, author of several books. Senator Daniel, of Virginia, also offered a candidate.