

# THE RALEIGH EVENING TIMES.

VOLUME 30.

RALEIGH, N. C., THURSDAY EVENING, JANUARY 2, 1908.

PRICE 5c.

## S. A. L. PARTY IN RICHMOND

Warfield and Williams Named  
as Receivers

## CONFER WITH PRITCHARD

Chief Counsel Watts and Others of the Seaboard Air Line Met Judge Pritchard in Danville Soon After Midnight and Left for Richmond at 2 O'clock This Morning—Application and Announcement of Receivers Today.

(By Leased Wire to The Times.)  
Richmond, Va., Jan. 2.—Judge Pritchard, of the United States circuit court of the eastern district of Virginia this morning entered a decree naming S. Davies Warfield of Baltimore, Md., and R. Lancaster Williams, of Richmond, Va., receivers for the Seaboard Air Line Railway.

Bond is required in the sum of \$50,000 each, conditioned on faithful performance of duty and with sufficient sureties to be approved by the court.

The receivers are fully authorized to "take immediate possession of all the property of the corporation in the union and to continue the operation of said railroad system and to run and operate the said railroads and such other railroad and property as the corporation holds and in such manner as will in their judgment produce the most satisfactory results and to exercise the authority and franchises of the complainant and to conduct systematically the business and operation of a common carrier of passengers and freight."

The receivers are also ordered to preserve and protect the property so that it may be advantageously used and developed. With them lies the power to employ and discharge and fix the compensation of such employees, lawyers, superintendents, agents, etc., as are needed to aid them in the discharge of their duties. They must, of course, ascertain and report the assets and liabilities and collect all rents for the incomes, tolls and profits.

The receivers are authorized, in their discretion, to pay all expenses incident to their trust and to the operations of the system, and such rentals and installments as may become due on and after January 1st, 1908, for the use of any portion of said railroads or other property, or for the use or purchase of locomotives, cars and other rolling stock or equipment heretofore sold or leased to said company.

Power to borrow money is vested in Messrs. Warfield and Williams, if such a step, in their judgment, is necessary, in order to pay the rentals and installments of interest as they become due for the use or purchase price of cars, locomotives, etc.

**Authorized to Borrow Money.**  
(By Leased Wire to The Times.)  
Baltimore, Md., Jan. 2.—The court has authorized the receivers of the Seaboard Air Line Railway to borrow sufficient money to meet the interest payments on the various issues of bonds which are due today.

**The Earlier Story.**  
(By Leased Wire to The Times.)  
Richmond, Va., Jan. 2.—Counsel for the Seaboard Air Line Railway and creditors of the company applied Wednesday afternoon to United States District Judge Waddill for the appointment of receivers, and subsequently agreed to make application to Judge Pritchard, of the United States circuit court, and thereby obviate the necessity of securing ancillary decrees in each of the court districts through which the lines of the company operate. The application for receivers is made by agreement of all interests involved.

With this end in view, Judge Leigh R. Watts, general counsel of the Seaboard, Mr. Untermyer and other attorneys, left for Danville at 6:50 o'clock Wednesday evening on a special train to meet Judge Pritchard at that point, it having been learned that he was on his way to Richmond to consider the matter today.

Judge Pritchard arrived at Danville at 12:45 o'clock. He was immediately closeted with the attorneys. The party left at 2 o'clock this morning for Richmond, where the announcement of the receivership will be made.

**The Receivers Named.**  
(By Leased Wire to The Times.)  
Danville, Va., Jan. 2.—Judge Jeter C. Pritchard, of the United States circuit court for the eastern district of Virginia, has appointed S. Davies Warfield and R. Lancaster Williams receivers of the Seaboard Air Line Deposit Company of Baltimore, will give bonds for them.

**Offer to Purchase Maturing Coupons.**  
(By Leased Wire to The Times.)  
Baltimore, Jan. 2.—In an advertisement (Continued on Page Five.)

## EPISCOPALIAN OPEN PULPIT

New Canon by General Convention in Effect

## HIGH CHURCHMEN FEAR

Although the Consent of the Diocesan Bishop Is Necessary to Open the Pulpit to Ministers of Other Denominations, and Even Laymen, Including Roman and Greek Catholics, Conservatives Fear the New Canon May Open the Way to Unlooked-for Radical Utterances Some Time.

(By Leased Wire to The Times.)

New York, Jan. 2.—Clergymen of all denominations and even laymen may now discourse from Episcopal pulpits, provided the bishop of the diocese approves, in accordance with the new canon enacted at the general convention at Richmond, which went into effect yesterday.

Although the rule was adopted by a large majority, there are still many high churchmen who think the innovations should not have been permitted and the results of the procedure are being watched with interest. The Episcopalians are not expected, however, to open the pulpit to non-Episcopalians, but one of his own denomination to assist in conducting the services.

The conservative element in the church fears there may be cases where the pastor or perhaps the bishop will permit some speaker of radical views to discourse from this open pulpit; provided the head of the See approves a Roman Catholic or a priest of the Greek church may be permitted to make an address and there are some who have forebodings that the Episcopal faith is becoming too liberal. Current numbers of the Churchman and other religious periodicals are filled with discussions for and against the plan.

## A PROHIBITION ELECTION HELD TO BE INVALID

(By Leased Wire to The Times.)

Cullman, Ala., Jan. 2.—In the petition filed by Albert Richter, Probate Judge R. I. Burke this morning declared the prohibition election here December 9th unconstitutional and void, and has issued ten licenses for the sale of liquor in Cullman county.

The town is principally composed of German-Americans and they are aroused to the point of rebellion against the new law. Mr. Richter in his petition recites: "We offer ourselves for inspection. If you find a more circum-spect, law-abiding community we would be awakened. Nurtured for centuries on a beverage containing only two per cent alcohol, namely, beer, we request that this part of our daily meal be restored. Records of our courts show that seldom an reprehensible act is laid at our door."

## NUMBER 36 TAKES LIFE OF A DEAF MAN

(Special to The Evening Times.)

Charlotte, N. C., Jan. 2.—Lewis Franklin, of Haywood county, who had moved from his mountain home with a large family to work in the cotton mills of Gastonia, was this morning overtaken by a swift moving passenger train near the Trenton Mills and was mangled beyond recognition.

The aged father was deaf and when train No. 36 came speeding along behind him he failed to hear the warnings of the engineer and was killed outright.

## The Rev. Jere Cooke and Miss Florence Whaley Who Were Recently Discovered in San Francisco.



The Rev. Jere Cooke, and his seventeen-year-old ward, Florence Whaley, with whom he closed, have been discovered in San Francisco. The picture of Miss Whaley is in the top at the left; at the right is Mrs. Cooke, wife of the closing pastor, and below is a snapshot of Rev. Cooke, who was discovered in San Francisco. The closing couple has again disappeared.

## WOMAN BURNED TO DEATH, DYING IN GREAT AGONY

(By Leased Wire to The Times.)

Charlottesville, Va., Jan. 2.—With her clothing ablaze and screaming for assistance, Mrs. Ed Kirby, wife of an assistant at the county home, rushed about the living room of the home in their quarters at the poor farm until her clothing was entirely consumed, death following within four hours.

The tragedy occurred in the presence of her terrified children, whose cries, together with her own and the shrieks of a young woman who ran from the room in a panic, brought assistance, but too late. Mrs. Kirby's clothing caught fire as she stood by the stove. Her body was fearfully burned.

## CALEB POWERS JURY IS OUT

(By Leased Wire to The Times.)

Georgetown, Ky., Jan. 2.—The jury in the Caleb Powers trial retired at 9:05 a. m. today.

## FORMER EDITOR SCIENTIFIC AMERICAN COMMITS SUICIDE.

(By Leased Wire to The Times.)

New York, Jan. 2.—Marquis G. Gaspar, a wealthy retired tea merchant, and formerly secretary and assistant editor of the Scientific American, was found dead from inhaling gas today in his room at his home, No. 39 west 133rd street. He had been ill recently and feared that he was losing his eyesight.

## HOW A QUARTER SAVED THE LIFE OF THIS MAN

(By Leased Wire to The Times.)

New York, Jan. 2.—Mrs. Josephine Comensky, eighteen years old, of 11 Pearl street, Long Island City, became angry last night with Costor Gussone, who bores with her, and struck him in the side with an iron stove lifter. Immediately there was a loud report and Gussone fell to the floor screaming with pain. Mrs. Comensky called an ambulance from St. John's Hospital.

The surgeon found that Mrs. Comensky's blow had exploded a cartridge that Gussone had carried in his pocket, and the bullet, striking against a twenty-five cent piece, had driven the coin partly into his side. The hospital doctors cut out the coin and Gussone will recover. The coin undoubtedly saved the man's life.

Mrs. Comensky was not arrested as Gussone corroborated her story of the accident.

## CHURCH ORGAN FLAYS VICE-PRES. FAIRBANKS

(By Leased Wire to The Times.)

Boston, Mass., Jan. 2.—Should Mr. Charles Warren Fairbanks become a candidate for the presidency he need not expect the support of his fellow Methodists, says the Zion's Herald today.

"Unfortunately, Mr. Fairbanks is charged with violating at his own table prohibition principles and practices which the universal conscience of our denomination hold sacred and inviolable," says the publication.

"The Methodist Episcopal Church is so sensitive in the matter of prohibition that it does not and will not condone the charge."

## TO RALEIGH IN GASOLINE CAR

Prominent Fayetteville Men  
Make Trip to City

## RUN OVER MILLS' ROAD

Car Propelled by Gasoline Worked Splendidly and Machines May Be Put On Between Raleigh and Fuquay Springs—Those in Car Return Home Today.

The party of Fayetteville business men who arrived in Raleigh in a gasoline motor car from Fayetteville last night, returned home today. The car, which was propelled by gasoline, averaged twenty-five miles an hour and made the trip of sixty-four miles in a little less than two and a half hours.

The run was made over the Raleigh & Southport at the request of President Mills, who desired to see how gasoline motive power worked, with a view to putting on cars between Raleigh and Fuquay Springs. So fast did the car clip off the miles between Fayetteville and this city that the trip was gratifying to all, and it is believed that it will not be long before such cars are in use on some of the main roads in the state.

Aboard the car were several prominent citizens of Fayetteville, the company consisting of Mr. W. E. McNeill, president of the Fayetteville Street Railway and Power Company; Mr. Wm. E. Kinley, treasurer of that company; Mr. John O. Ellington, vice-president and cashier of the Fourth National Bank of Fayetteville; Messrs. J. C. Gorman, F. H. Cotton and W. B. Johnson, of Fayetteville, and Mr. John A. Mills, of Raleigh, president of the Raleigh & Southport Railway. The motorman was Wm. E. Dehm and the conductor was Hampton Smith.

## YUM-YUM TALK BY AN OPTIMIST

(By Leased Wire to The Times.)

New York, Jan. 2.—A. B. Fairquhar, a prominent manufacturer and political economist, was in New York City a week ago and visited Andrew Carnegie. Mr. Fairquhar quotes Mr. Carnegie as saying that the present business depression will have an ultimate beneficial effect on the country and that the policies of President Roosevelt are right and that he took the right course in halting the money power which has been trying to get a grip on everything and everybody in this country.

## ABE HUMMEL TO AGAIN TESTIFY

Jerome Will Use Convict  
Against Harry Thaw

## COMSTOCK IS A WITNESS

New Counsel Will Put Parity Advocate Against the Little Lawyer Thief Whom Jerome Utilizes to Attack Thaw and Thaw's Wife—Hummel's Health Has Improved. Thaw Will Abide Advice of His Leading Counsel This Time—The Trial Begins Monday.

(By Leased Wire to The Times.)

New York, Jan. 2.—It was announced this morning that "Abe Hummel, who is serving a term on Blackwell's Island, has recovered his health to such an extent that he will be able to come to New York and testify against Harry Thaw."

Hummel is wanted by the state to give evidence in rebuttal to that of Anthony Comstock, who will be one of the witnesses for Thaw.

Following the reports to the effect that Hummel was so ill that he could not live out his term at the island the announcement that he will testify came as a great surprise to the legal forces of the defense.

Harry K. Thaw has given his new counsel full powers in arranging his defense for the second trial that begins next Monday. He has yielded on all points upon which he was previously tenacious and obstinate.

The decision of Martin W. Littleton to call Anthony Comstock indicates that Thaw's new chief counsel seeks to improve upon the mistakes of counsel at Thaw's first trial; also that Thaw accepts the dictum of Lawyer Littleton on a point where he resisted his former attorneys.

Comstock's testimony will point clearly to the insanity of Thaw and any testimony which corroborated that theory was very distasteful to Thaw during his first trial.

During Thaw's first trial, Comstock was not called because his counsel feared that his testimony would help the district attorney to establish symptoms showing Thaw's incurable insanity.

Thaw's wife, Evelyn Nesbit Thaw, is said to be suffering with gripple. She has not called upon him at the Tombs lately.

Justice Dowling has summoned 300 special jurors for examination, for jury duty in the Thaw case. It is likely that the court will hold night sessions until the jury is completed.

## FIREMEN IN THE FIRE FIGHTING FLAMES IN PHIL.

(By Leased Wire to The Times.)

Philadelphia, Pa., Jan. 2, 3 P. M. A fire is in progress in the big furniture store of J. L. Shoemaker & Company. A number of firemen were trapped in the basement and five were taken out unconscious. It is believed that more firemen are still in the building and the fire is not yet under control.

## WHAT THE HIGH JINKERS SPENT

(By Leased Wire to The Times.)

New York, Jan. 2.—One hundred thousand persons who celebrated in hotels and restaurants in New York the advent of the new year spent \$1,750,000. The average expenditure was \$11.50 each.

At the Cafe Martin the hotel receipts were \$20,000. This figure exceeded all previous records by \$4,000. About 2,000 quarts of champagne were drunk by the 3,000 persons present.

The celebration was the most popular in its scope of any that has been held in New York in twenty years.

## 25 ROUNDS! TO A DRAW

Fine Exhibition By Feather-weights at Frico

## ATTELL STILL CHAMPION

But His Title Is Now Clouded by the Game Contest Made For it by the Britisher Moran—Graphic Description of the Fight Last Night Which Delighted the Devotees of "the Manly Art"—What the Principals Say.

(By C. E. VAN LOAN.)

San Francisco, Cal., Jan. 2.—Under a canvas tent at Colma, Abe Attell, featherweight champion of America, and Owen Moran, featherweight champion of England, fought twenty-five rounds to a draw—such a draw that nothing but a storm of cheers, unixed with the hoots of disgruntled partisans greeted the twin gloves when big Jeffries tossed them aloft over the sea of excited faces.

Yesterday morning Abe Attell was called the champion of the world. Today his title is clouded by the shadow of the sturdy two-handed little Britisher, who stands between the Californian and his right to call himself the greatest 122 pound fighter of the present day.

Until the men meet again in a battle which shall give a winner and a loser there will be a featherweight champion of the world in name only.

The fight was what might be called an all-round test of the abilities of the two pastmasters of everything which makes fighting an exact science. But from first to last it was a fight—and such a fight as will not be seen again until the men are rematched for the championship of the world.

The climax came in the last round when Moran, no longer feeling the need of saving his strength, opened up like a little demon. He was battling Nelson and Young Corbett rolled into one small package, and he attacked with a fury which brought Attell to close quarters at once.

The men hung together, each, edging together with both hands and neither trying to guard himself. While the men were head to head, roughing it in a neutral corner, Moran shot a short left to Attell's chin. It was a telling punch. Abe sprawled and put his arm around Moran, who feeling that his man was in distress tried to free himself and send in a long-range punch to the jaw.

Attell's legs were spreading under him and his knees were unsteady, but as Moran threw himself backward to get away from the encircling arms, Abe slipped his hold to Owen's waist, and bending double to protect his body ran with Moran across the ring. Owen battered away with both hands, but Attell covered himself as best he could and finally, emerging from a whirlwind of short arm body blows put up his hands again. There was nothing in his pose to indicate that he had been badly hurt, but when Moran charged him Abe swung his left from the hip and for the first time during the fight his blow lacked both force and direction.

It missed Moran by a foot and Attell tumbled into a clinch just in time to save himself from a whip-like right cross. The men were still clinched when the gong ended the fight, and of the two men, Attell had urgent need of the closing signal. Had Moran opened the twentieth round as he opened the twenty-fifth there might have been a new champion along with the new year.

In point of cleverness Attell had a good shade throughout the fight. At the long range boxing he made Moran look foolish by forcing him to miss blows which almost carried him off his feet. Time after time the English lad, stepping in with a full arm swing saw too late that it was useless, but could not stop himself and wound up by covering his face with both hands and stumbling blindly in a clinch.

In the clinches, where most of the rough fighting was done it was a fairly even thing. Moran rapped Attell over the kidneys with a choppy right and during the first fifteen rounds varied the monotony with the same blow. While this was going on Abe chewed gum, counted the gallery and occasionally whipped upward with a jolty right upper cut to the chin. There was a great deal of hitting and holding on on both sides, but the first fouls were committed by Moran (Continued on Page Eight.)