

THE RALEIGH EVENING TIMES.

VOLUME 30.

RALEIGH, N. C., TUESDAY, APRIL 28, 1908.

PRICE 5 CENTS.

Thaw Has Trifling Chance for Freedom

Doctors at Mattewan Won't Testify That He is Fit Person to Be at Large

JEROME WILL APPEAR

New York District Attorney Has Permission to Fight Harry's Habeas Corpus Writ

(By Leased Wire to The Times) New York, April 28.—Harry K. Thaw's fight to be liberated from the asylum for the criminal insane at Mattewan promises to be a long and protracted one.

It was learned today that the physicians at the institution who have had charge of the inmate will refuse to testify in the habeas corpus proceedings at Poughkeepsie Monday that he has recovered his senses, and at the same time District Attorney Jerome will fight to continue his incarceration. A Russell Peabody, of counsel for Thaw, paid a secret visit to Mattewan to find out the feeling of the physicians there toward his client. Assistant Superintendent Baker and the other doctors at first refused to express themselves, but at length declared they could not conscientiously take oath that Thaw was a fit person to be at large. This information was conveyed in the most emphatic terms, and Mr. Peabody was as much as told that he could expect no encouragement from anyone connected with the asylum.

When Mr. Jerome learned of Mr. Peabody's quest, he immediately conferred with the district attorney of Dutchess county, in which county the writ is to be heard, and he granted permission for Mr. Jerome to appear and fight the case.

In the event of his failure, Thaw will be compelled to undergo a series of examinations and then employ experts willing to go into court and take oath that he has recovered his mental equilibrium. This, however, would cause the district attorney to fight even harder, and it would be many months before Thaw could learn finally of his fate.

COMMUTERS ARE INJURED

When Passenger and Freight Come Together Near Elizabeth.

(By Leased Wire to The Times) New York, April 28.—A Pennsylvania eastbound passenger train, carrying scores of men and women returning to New York, crashed into a freight train today just south of the station at Elizabeth, N. J.

Many passengers were hurt, some of them so badly they had to be taken to the Elizabeth general hospital. The passenger train collided with the freight at a "cross over" in the yards of South Elizabeth. The passenger is reported to have been going at the rate of 30 miles an hour when the collision occurred.

The engine, tender, and first coach of the passenger left the rails when the train struck the forward car of the freight. Most of those hurt were in the first coach of the passenger, although a number of people were badly bruised in the coaches.

Second Fatality to British Boat

(By Cable to The Times) London, April 28.—The second fatality to a British naval vessel in a week occurred near Sheerness, when the Attentive ran down the destroyer Gala. According to advices just received, the second named vessel was cut completely in twain. An unidentified young officer, an engineer and a lieutenant, were drowned. Many daring rescues marked the disaster.

The American line steamship St. Paul ran down the second-class cruiser Gladiator in the Solent only five days ago. The latest estimate places the number dead at 29. No one on the American vessel was injured.

GOV. JOHNSON ON MAJESTY OF LAW

Centralized Power and Predatory Wealth, He Says, Must Work Mischief

(By Leased Wire to The Times) Hancock, Mich., April 28.—Gov. Johnson, of Minnesota, began his lecture tour here last night when he addressed a large audience on "The Majesty of the Law." "The progress of this republic," he said, "guided by the landmarks of constitutional liberty today is opposed by two dangers. One is the tendency of the federal government to centralization of power. The other is the power of centralized and predatory wealth, fostered by special privileges and defeat of both the public welfare and the law of the land."

He declared these two perils were, in a way, cooperative. In that the profitable development of the great industrial trusts of today is largely due to the special privileges of the federal government and, especially, to unreasonable and unjust tariff laws.

"The existence of these trusts," he added, "is urged as a reason why still further powers should be centralized in the federal government, and the states deprived of their constitutional rights and powers."

Highwayman, Shot, Will Die

(By Leased Wire to The Times) St. Louis, Mo., April 28.—In a pistol battle on the East St. Louis approach to the Eades bridge today one highwayman, giving the name of Jack Ryan, of Chicago, was shot five times by two detectives and another, known as Williams, was forced to leap from the bridge. Ryan will die.

Virginia Village Gets Its Dose of the Cyclone

(By Leased Wire to The Times) Suffolk, Va., April 28.—Holland, Jameson county, was visited by a cyclone Saturday night, news of which has just reached here. Great damage to property resulted and three persons are known to have been seriously injured, while later returns may increase the number.

The residence of Dempsey Howell, a few miles south of Holland, was completely demolished, together with the stables and outbuildings. Some of the timbers were carried a mile by the cyclone. A large number of cattle and horses were killed.

The members of the Howell family had a narrow escape from death. When the cyclone struck the house Mrs. Howell and three children were inside. Part of the house and the floor on which they stood was carried 80 feet and overturned. A daughter was seriously bruised, but two sons escaped unharmful. Mrs. Howell was ren-

dered before Judge Peebles in the superior court and Solicitor Mark Brown stated that the bill had been changed by adding the names of Dr. Pritchard and the drug clerk, McMullen, the latter having filed Pritchard's prescription. It was brought out in the testimony that Reynolds was a patient of Pritchard's and the latter had prescribed a stimulant on account of the athletic work Reynolds was engaged in and that in this particular instance Reynolds had used his champagne for a champagne sipper.

Judge Peebles quashed the indictments on the ground that the city police courts had exclusive jurisdiction of all misdemeanors committed in the city. The case was transferred to the police court and the defendants were found not guilty.

LOGUE WEARS CLOTH OF GOLD

Distinguished Celebrant is Adorned With Costly Vestments From the Vatican

New York, April 28.—High pontifical mass, celebrated by Cardinal Logue at 11 o'clock in St. Patrick's cathedral, and a sermon by Cardinal Gibbons, of Baltimore, were the features of today's program in the celebration in the centenary of the Roman Catholic diocese of New York.

Princes of the church, bishops, monsignors, dignitaries by the score and hundreds of priests arrived to take part in the ceremony. One hundred persons composed the procession which moved around the cathedral before taking part in the solemn service at which were to be read the words of blessing from the head of the Holy See. Cardinal Logue, the celebrant, took precedence over all members of the hierarchy at the mass and alone bore the crozier. He was the first to wear the splendid vestments of gold, ordered two years ago by Archbishop Farley in Rome and made at a cost of \$8,000 by the White Sisters of St. Frances. On Chasuble and Dalmatic are wrought in golden threads the stations of the cross.

Cardinal Gibbons, although he ranks the Irish prince of the church, has waived as a matter of courtesy all questions of precedence. It was decided on his arrival here that he would not be in the procession, as his advancing years constrain him to avoid as much physical fatigue as possible.

Colorado Going for Taft

(By Leased Wire to The Times) Pueblo, Col., April 28.—The state republican convention in session here today adopted resolutions endorsing President Roosevelt's administration and declaring for William H. Taft as his successor.

Mr. Roosevelt Has Favored Us with a Variety of Views

He has been against the trusts and the best friend Wall street ever had. He has invited 'dear Harriman' to the white house to help him write his messages and has hunted the hapless Harriman with the 'big stick' from the District of Columbia. Mr. Taft has been all his life against union labor, but lately he has developed a fondness for it that amounts almost to an infatuation.

Bride-Forger Wanted Badly

Newark, N. J., April 28.—The police of New York, Boston, Philadelphia, and Baltimore have been asked by Capt. Carroll, of the Newark detective bureau to arrest Mrs. Katie Downey Wiseman, a bride of one month, who is declared to be one of the most dangerous check forgers in the country. Mrs. Wiseman is now wanted by the Newark authorities for passing fraudulent checks to the amount of \$4,000.

WILL WALK FROM OCEAN TO OCEAN

(By Leased Wire to The Times) San Francisco, Cal., April 28.—Although delayed for 12 hours in starting on his contemplated across-the-continent record-breaking walk, Vedder Hegeman, Spanish war veteran, erstwhile National League baseball player and all-round athlete, was still as determined as ever to make the journey and left the Examiner office at noon yesterday. The journey will end at the office of the New York American.

"I intend to cover an average of 20 miles a day," said Hegeman. "I will follow the main highways and trunk lines where they prove a short cut. I believe I can break the previous record, though I am slightly handicapped because I have never been this route before, as all my walking trips were in the east."

HEARST CALLED SECOND LINCOLN

Independence Party Enthusiastic for New York Publisher and His Opinions

(By Leased Wire to The Times) New York, April 28.—Nearly 500 members of the new National Independence party cheered William H. Hearst last night at the first dinner of the organization at the Hotel Knickerbocker when he called on all progressive republicans and democrats to join the new movement and help crush the old parties.

Besides Mr. Hearst, who was acclaimed the "father of the party" and cheered as "a second Abraham Lincoln," a half-dozen leading independence leaguers from other states were present.

Mr. Hearst's topic was "The Coming Election," and he outlined the platform and intentions of the new party in this year's campaign.

Mr. Hearst, who was the first principal speaker, sat in the right of Toastmaster Gearing and Thomas S. Higson, of Massachusetts, was of his left. Others at the speaker's table were Judges Samuel Seabury, John Ford and Otto Rosalesky; Col. John Temple Graves, Attorney Clarence J. Shearn, Reuben R. Lloyd, Charles A. Walsh, of Iowa; G. S. McFarland, of Massachusetts; John D. Sullivan, of Vermont; R. M. Isnerwood, of Indiana; Howard S. Taylor, of Illinois; William N. Osgood, of Illinois; and John L. Sheppard, of Kansas. Secretary of State John S. Whalen, State Treasurer Julius Hauser, State Surveyor Skene Nathan Vildener, Max F. Ihmsen and Congressman Henry M. Goldfose were at the smaller tables.

Mr. Hearst said in part: "I do not think there has ever been such a devastating cyclone of verbiage, such a serecco of superheated atmosphere, as has whipped this afflicted community the last few months. Mr. Roosevelt has favored us with a vast variety of views. He has been for the negro and against the negro. He has been against the trusts and the best friend Wall street ever had. He has invited 'dear Harriman' to the white house to help him write his messages and has hunted the hapless Harriman with the 'big stick' from the District of Columbia. Mr. Taft has been all his life against union labor, but lately he has developed a fondness for it that amounts almost to an infatuation."

"On the democratic side, some candidates who have been for free silver are now fascists, it and some who have been against the initiative and referendum as the extreme of socialism are now for them."

Newspapers Started Our Suit

(By Leased Wire to The Times) New York, April 28.—Frank Gould today gave the first interview since Mr. Gould left for the south. She said:

"This is the first statement I have made since the newspapers began to manage my affairs two weeks ago."

NICK SURE TEDDY IS OUT OF RACE

(By Leased Wire to The Times) Pittsburg, Pa., April 28.—Representative Nicholas Longworth, of Ohio, the president's son-in-law, was the guest of the American club at its banquet last night. A remark the congressman dropped during the afternoon was the cause of much comment and speculation. In answer to a direct question as to whether he thought the president might possibly be the nominee of the convention, Mr. Longworth said:

"All I know is that the president is undoubtedly sincere in his declaration that he does not wish to run again. He is sincere in this, as in everything else he says or does. If the Chicago convention stampedes to him, though, I do not know what his attitude will be, but I am sure that if he has his way he will not be the republican nominee."

HOT SHOT FOR MR. CORTELYOU

Missouri Congressman Wants to Know Why He Defends Dishonest Officials

(By Leased Wire to The Times) Washington, April 28.—Representative Schaeckelford, of Missouri, wants to know why Secretary Cortelyou is so leniently inclined toward various sub-treasury officials and clerks at St. Louis, who, he believes, should be prosecuted.

Mr. Schaeckelford spoke in the house in opposition to a bill approved by the secretary of the treasury for the relief of Thomas J. Aikens, assistant treasurer of the St. Louis sub-treasury. He began by saying the record disclosed that \$60,500 had been stolen from the institution; that Assistant Tellers D. P. Dyer and M. P. Ferguson were involved, and that, instead of prosecution under the law, relief was sought from congress.

Aikens, it was pointed out, is a republican national committeeman and was taking part at the time of the loss in the last presidential campaign, which was being directed by Mr. Cortelyou. The two tellers, he declared, had a record of drunkenness and disorder.

Oil Loss 135,000 Gallons

New York, April 28.—More than 135,000 gallons of oil, according to an estimate made today, were destroyed by fire in the plant of the Tidewater Oil Company on Conastable Hook last night, when nine men were burned, four of them seriously. The men worst injured are Edward and Frank Garble, brothers, and Harry Riding and James Crowley, all employees of the company.

The workmen at the plant fought the fire, declaring aid from Chief Davis of Bayonne. Tugs of the Tidewater and Standard Oil fought the fire from the kills and the companies' own fire force assisted.

Son of Judge Pritchard Freed in Champaigne Case

(By Leased Wire to The Times) Asheville, April 28.—For alleged violation of the prohibition law Dr. Arthur Pritchard, son of Judge Jeter C. Pritchard, of the federal circuit court, was yesterday tried and acquitted of prescribing champagne, which was used for a champagne dinner given by Robert B. Reynolds at a hotel here to a number of young society men and women. Judge Pritchard, a strong advocate of prohibition, is now scolding the case in the interests of the anti-alcohol league.

Indictments were returned by the superior court grand jury against the Asheville Pharmacy, D. H. Rosenstein, proprietor, and H. D. Sedberry, manager, charged with a violation of the prohibition laws. The case was

called before Judge Peebles in the superior court and Solicitor Mark Brown stated that the bill had been changed by adding the names of Dr. Pritchard and the drug clerk, McMullen, the latter having filed Pritchard's prescription. It was brought out in the testimony that Reynolds was a patient of Pritchard's and the latter had prescribed a stimulant on account of the athletic work Reynolds was engaged in and that in this particular instance Reynolds had used his champagne for a champagne sipper.

Judge Peebles quashed the indictments on the ground that the city police courts had exclusive jurisdiction of all misdemeanors committed in the city. The case was transferred to the police court and the defendants were found not guilty.

President Sends Out Great Long Message

BRITONIS HANGED FOR A MURDER

English Government Tries to Save McDonald But Efforts Are in Vain

(By Leased Wire to The Times) Pittsburgh, Pa., April 28.—William McLeod McDonald, alias "Smith," of Gosport, England, this morning paid the penalty for the murder of his common law wife, Bessie Hyslop, last September. The drop was sprung at 10:02, and 13 minutes later he was pronounced dead. His neck was broken.

A hard fight has been made to save the doomed man, the victim of a designing woman, but the interference of the English government through Ambassador Bryce failed to have the sentence commuted.

THOUSANDS OF VOUCHERS

Accuse Metropolitan of Attempting to Corrupt Justice

(By Leased Wire to The Times) New York, April 27.—Thousands of vouchers purporting to show that the Metropolitan Street Railway system paid a vast sum of money to corrupt Justice, were offered in evidence today at the resumption of the King committee charges before District Attorney Jerome. The vouchers were offered by Frank Pierce, counsel for the King committee. He said he had not tallied them, but it is said they show disbursements amounting to nearly half a million dollars.

Class Consciousness and Labor Organizations Two of His Principal Topics

(By Leased Wire to The Times) Washington, April 28.—Yesterday afternoon at 4:40, just as the senate and house were tired out and hungry for adjournment, the president sent to congress the message that had been confidently expected earlier in the day. Only a few sentences were read before adjournment. Following is the text of the message: To the Senate and House of Representatives:

In my message to congress March 25, 1908, I outlined certain measures which I believe the majority of our countrymen desire to have enacted into law at this time. These measures do not represent by any means all that I would like to see done if I thought it possible, but they do represent what I believe can now be done if an earnest effort toward this order is made.

Since I wrote this message an employers' liability law has been enacted which, I believe, comes short of what ought to have been done, but which does represent a real advance. Apparently there is good ground to hope that there will be further legislation providing for recompensing all employees who suffer injury while engaged in the public service; that there will be a child labor law enacted for the District of Columbia; that the waterways commission will be continued with sufficient financial support to increase the effectiveness of its preparatory work; that steps will be taken to provide for such investigation into tariff conditions, by the appropriate committee of the house and by great experts in the executive service, as will secure the full information necessary for immediate action in revising the tariff at the hands of the congress elected next year; and, finally, that financial legislation will be enacted providing for temporary measures for meeting any trouble that may arise in the next year or two, commission of experts who shall thoroughly investigate the whole matter, both here and for great commercial countries abroad so as to be able to recommend legislation which will put our financial system on an efficient and permanent basis.

It is much to be wished that one feature of the financial legislation of this session should be the establishment of postal savings banks. Ample appropriation should be made to enable the interstate commerce commission to carry out the very important feature of the Hepburn law, which gives to the commission supervision and control over the accounting systems of the railways. Failure to provide means which will enable the commission to examine the books of the railroads would amount to an attack on the law at its most vital point and would benefit, as nothing else could benefit, those railways which are corruptly or incompetently managed. Forest reserves should be established throughout the Appalachian mountain region wherever it can be shown that they will have a direct and real connection with the conservation and improvement of navigable rivers.

There seems, however, much doubt about two of the measures I have recommended. The measure to do away with abuse of the power of injunction, and the measure or group of measures to strengthen and render the control by the national government over the great corporations during an interstate business.

RICH NOT ALWAYS BAD

And Unions Not Always Good, Either, According to His Way of Thinking

(By Leased Wire to The Times)

Washington, April 28.—Yesterday afternoon at 4:40, just as the senate and house were tired out and hungry for adjournment, the president sent to congress the message that had been confidently expected earlier in the day. Only a few sentences were read before adjournment. Following is the text of the message: To the Senate and House of Representatives:

In my message to congress March 25, 1908, I outlined certain measures which I believe the majority of our countrymen desire to have enacted into law at this time. These measures do not represent by any means all that I would like to see done if I thought it possible, but they do represent what I believe can now be done if an earnest effort toward this order is made.

Since I wrote this message an employers' liability law has been enacted which, I believe, comes short of what ought to have been done, but which does represent a real advance. Apparently there is good ground to hope that there will be further legislation providing for recompensing all employees who suffer injury while engaged in the public service; that there will be a child labor law enacted for the District of Columbia; that the waterways commission will be continued with sufficient financial support to increase the effectiveness of its preparatory work; that steps will be taken to provide for such investigation into tariff conditions, by the appropriate committee of the house and by great experts in the executive service, as will secure the full information necessary for immediate action in revising the tariff at the hands of the congress elected next year; and, finally, that financial legislation will be enacted providing for temporary measures for meeting any trouble that may arise in the next year or two, commission of experts who shall thoroughly investigate the whole matter, both here and for great commercial countries abroad so as to be able to recommend legislation which will put our financial system on an efficient and permanent basis.

It is much to be wished that one feature of the financial legislation of this session should be the establishment of postal savings banks. Ample appropriation should be made to enable the interstate commerce commission to carry out the very important feature of the Hepburn law, which gives to the commission supervision and control over the accounting systems of the railways. Failure to provide means which will enable the commission to examine the books of the railroads would amount to an attack on the law at its most vital point and would benefit, as nothing else could benefit, those railways which are corruptly or incompetently managed. Forest reserves should be established throughout the Appalachian mountain region wherever it can be shown that they will have a direct and real connection with the conservation and improvement of navigable rivers.

There seems, however, much doubt about two of the measures I have recommended. The measure to do away with abuse of the power of injunction, and the measure or group of measures to strengthen and render the control by the national government over the great corporations during an interstate business.

First, as to the power of injunction and of punishment for contempt. In contempt cases, save where immediate action is imperative, the trial should be before another judge. As regards injunctions, some such legislation as that I have previously recommended.

(Continued on Page Three.)