

Weather.

Washington, D. C., Dec. 19—Forecast for North Carolina for tonight and Sunday: Partly cloudy and cooler tonight, probably showers.

The Evening Times

2nd Edition

ESTABLISHED 1876. TWELVE PAGES TODAY

RALEIGH, N. C., SATURDAY, DECEMBER 19, 1908.

TWELVE PAGES TODAY PRICE 5 CENTS

JOHN C. LUMSDEN SHOT CURB BROKER FATALLY

Is a Son of Mr. Charles F. Lumsden of This City

LUMSDEN SAYS HE WAS ATTACKED BY BROKER

Shooting Done in Office Where Broker Was At Work and While He Was Struggling With George A. Downs Suydam's Office Mate, Who Grappled With Him—Two Shots Were Fired, One Bullet Going Through the Window, the Other Striking Suydam Just Below the Heart.

(By Leased Wire to The Times) New York Dec. 19—Harry Suydam, a curb broker, of Plainfield, N. J., with offices at No. 39 Broad street, was shot and fatally wounded today by J. C. Lumsden, an inventor, of 315 west 57th street. The shooting was done while Lumsden was struggling with George A. Downs, Suydam's office mate, who had grappled with him. Two shots were fired, one bullet going through a window. The other struck Suydam just under the heart.

The motive for the shooting was a mystery. Suydam was unconscious when taken to the Hudson street hospital and could tell nothing of the trouble between him and the inventor. Downs, who was in the office when Lumsden entered, did not hear his conversation with Suydam. Lumsden doggedly refused to make any statement after his arrest.

The office occupied by Suydam and Downs overlooks the curb market in Broad street, where Suydam operated. He had been out in the street, attending to business and Downs was in charge of the office. Lumsden entered the office two or three times before 10 o'clock.

Downs, busy at his desk, paid little attention to Lumsden, who kept his right hand in his side pocket of the coat in which he carried his revolver.

When Suydam entered shortly after 10 o'clock and went to his desk, Lumsden arose and walked over to him. Downs looked up when he heard the inventor begin to talk excitedly and in loud tones to Suydam. Suddenly Suydam jumped from his seat and cried out to Downs:

"Grab this fellow, George, he's going to shoot me." Two shots were fired in quick succession. The first shattered the window. The second struck Suydam, who fell to the floor with a cry of pain.

William H. Collins, a printer, with offices on the third floor, heard the shots and rushed down stairs. He went to the aid of Downs and both men grabbed Lumsden, forcing him into a chair. The crowd of curb brokers and others in Broad street began to throng into the building, and in a few minutes two policemen arrived.

Downs said the man offered no explanation, whatever of his attempt on the life of Suydam.

Suydam was about fifty years old and one of the best known brokers in the curb market.

A telephone message was sent to Mrs. Suydam at Plainfield and she came to New York at once. The surgeons at the Hudson street hospital performed an operation on Suydam immediately to remove the bullet, but said that there was but slight chance for his recovery.

Lumsden comes from Raleigh, N. C. Half a dozen policemen under Captain Hogan took charge of Lumsden and police reserves were called to clear the way through the turbulent crowd that gathered in Broad and Wall streets. They seemed bent on taking the prisoner away from the police, and as he was led through the crowd he was kicked and beaten and hooted at. He was considerably battered by the time he reached the station house.

Statement by Lumsden. After his arrest Lumsden made a statement, in which he said he was attacked by Suydam. Downs and Collins before he drew his revolver. He said:

"I am the inventor of an electrical vibratory massage device and last April I was introduced to Suydam and told that he would be a good man to promote the invention. I turned over my patents and papers and plans to him and received notes in return. A company was incorporated and a man named Jenkins was put in as president.

"I never received any dividends from the invention and was put off from time to time when I asked for money.

"I had been promised \$650 at his office this morning and I went there to get it. When Suydam came in he went over to the window to talk about the matter, and he called the other man over. The first thing I knew the three men jumped on me and began to beat me and throw me about the room. I don't know how I happened to get my revolver out and shoot. I did not go to his office with any idea of shooting him."

After making this statement to Captain Hogan at the John street station, Lumsden was taken to the Tombs police court and held to await the result of Suydam's injuries.

A Raleigh Man. John C. Lumsden was born and reared in Raleigh and has parents and several uncles and cousins living here now. His father is Mr. Charles F. Lumsden, who lives at 216 north Harrington street. He is a travelling man and The Times was unable to reach him today. Through a relative, however, we learn that the address given above is the address of the Raleigh man and he is sure that he is the one who did the shooting.

Although Lumsden has been away from Raleigh for about six years, there are many people here who remember him and he has a great many friends in the city, who will regret to hear of the unfortunate occurrence of this morning. He was at one time connected with the First Regiment band here.

After leaving Raleigh he spent about five years in Birmingham, Ala. While there he invented an electrical hair brush and massage machine that is said to have been a great success and paid well. He went to New York last March. He was about thirty years old and married, his wife being a Miss Miller, of South Carolina. He was regarded as a very quiet man and those who knew him say that there must have been some great provocation to cause him to shoot a man.

STATUS OF RATE CASE IN VIRGINIA

Richmond, Va., Dec. 19—Judge R. R. Prentiss, of the State Corporation Commission, in a statement defining the present status of the 2-cent rate fight in Virginia says:

"There has been no proposition from anybody to make a compromise. There has been no secret inquiry. The Corporation Commission was organized to hear any complaints that the railroads may make or that the people may make at any time. The railroads appear dissatisfied with the operations under the 2-cent rate and seem to wish the commission to reopen the question. They also desire to introduce new evidence and hope to be able to convince the commission that they should have a higher rate. They will fight for the best rate they can get without waiving any of their legal rights."

The railroads, in the event a new hearing is granted them by the commission, will not ask any particular rate but will endeavor to secure the best terms they can.

EXAMINATION OF CANAL BOTTOMS

Washington, Dec. 19—The president is considering the advisability of having a thorough examination made of the character of foundations that underlie the locks and important dams along the line of the Panama Canal. So much has been said recently concerning questionable condition that exist beneath the sites of these works that it is regarded as important to carefully determine at this time the exact magnitude of the task of providing stable foundations for these locks and dams.

Boring has been continued and there is now more data bearing on this subject than has ever been before in possession of the canal commission. Excavations that have been going on also furnish additional data concerning the nature of the ground.

All banks in the city will remain open Christmas Eve until 5 p. m., this being done for the convenience of their patrons. As customary the banks will be closed on Christmas day and Saturday following.

PREACHERS ARE WARNED Judge Jones Throws Another Bomb

Preachers Are Warned Not to Discuss the Night Rider Cases in Their Churches Tomorrow Morning—Prospective Jurors in Congregation the Reason.

(By Leased Wire to The Times) Union City, Tenn., Dec. 19—Judge Jones threw another bomb in his court-room at the trial of alleged night-riders this morning, when he warned all the preachers of Union City not to discuss the night-rider trial in their sermons next Sunday.

"You can't tell how many members of your congregations may yet be summoned as jurors in some of these cases," he declared, "and if you talk about this case you may have the effect of making some prospective juror incompetent." Col. R. Z. Taylor, who was with Captain Quentin Rankin when the latter was murdered, was the star witness of the morning proceedings. He told the history of the troubles leading to the tragedy, and then described the death of Captain Rankin in graphic style, concluding with the story of his own miraculous escape.

MAKES RICH HAUL.

Man Representing Himself As Agent For Gas Company Gets \$10,000. (By Leased Wire to The Times) San Francisco, Dec. 19—Using the credulity of a Japanese servant as a means of gaining entrance, a man representing himself as an inspector for an electric company entered the home of Edward Hart, Pacific coast agent for the Penn Mutual Life Insurance Company, at 1823 Turk street, last evening, and rifled the house of jewels valued at \$10,000.

PEANUT POLITICS CAUSES A SPLIT

(By Leased Wire to The Times) Washington, Dec. 19—Increased tariff on peanuts for which the peanut growers of North Carolina are fighting, was much discussed yesterday among the congressional delegations of two southern states.

The Virginia delegation is still split over the question and the North Carolina delegation is likewise divided. Senator Martin, of Virginia, favors the increased tariff. He says that if the peanut grower must buy his machinery in a protected market he should be given protection for the product this machinery helps bring to market. Representative Lassiter, of Petersburg, and Maynard, of Portsmouth, also favor the increased tariff. Representative Jones, of the first Virginia district, is opposed to the idea, on the ground that it is undemocratic.

OFFICERS REPORT.

State Agricultural Society Will Prepare For Bigger Fairs.

The executive committee of the North Carolina agricultural society was in session here yesterday afternoon. The occasion for the meeting was the presentation of their reports by the officers of the society. President J. H. Currie, Secretary J. E. Pogue, Jr., and Treasurer C. B. Denson. A legislative committee was appointed, consisting of Mr. Pogue, chairman; Chief Justice Walter Clark, Col. J. S. Cunningham, Col. J. C. L. Harris, Col. F. B. Arendell, Mr. N. B. Broughton and Mr. C. M. Busbee.

It was decided that the enclosed grounds should be enlarged, and this improvement will be made before the next fair.

Those present from out of town were: J. Van Lindley, Greensboro; H. A. London, Pittsboro; C. N. Allen, Wake; J. Walker Myatt, Clayton; Geo. L. Morton, Person county, and C. W. Johnston, Chapel Hill.

GOVERNMENT IS STILL GUNNING FOR PULITZER.

(By Leased Wire to The Times) Washington, Dec. 19—After yesterday's cabinet meeting, and a subsequent conference with the president, Attorney-General Bonaparte said that the department of justice still had under consideration the question of prosecuting those persons who in the president considers guilty of criminal libel in connection with publications regarding the Panama Canal purchase.

THE DEATH OF JUDGE PURNELL

Passed Away at an Early Hour This Morning at His Home in this City

A MAN OF PROMINENCE

Judge Purnell Has Been on the Federal Court Bench For Eleven Years—Appointed by McKinley—Resident of Raleigh Since 1872—Has Been Representative and Senator From Wake County—Leaves One Son, James M. Purnell, and Three Daughters, Mrs. Drewry and Mrs. Ridley, of Virginia, and Mrs. John McKee, of Raleigh.

Hon. Thomas Richard Purnell, judge of the eastern district of North Carolina, died at his home in this city at an early hour this morning. Judge Purnell has been sick for several months. He has been suffering of cancer of the liver. This ailment brought on digestive troubles and it has been known for several weeks that his honor stood but little show



JUDGE THOMAS R. PURNELL.

to recover. He has not been able to take solid food for over two months and has been sinking gradually during that time.

Judge Purnell leaves a son and three daughters. His wife died a little over a year ago. Two of his daughters live in Virginia. These are Mrs. Annie Drewry, of Lamberts Point, and Mrs. Adella Ridley, of Portsmouth. Mrs. John McKee, the third daughter, lives in Raleigh. James McKee Purnell is his only son.

Thomas Richard Purnell was born in Wilmington in 1847. He was the son of Thomas R. Purnell and Eliza Dudley Purnell. His mother was the daughter of Edward B. Dudley, first governor of North Carolina to be elected by the people after the constitutional convention of 1835.

Too young to enlist in the Confederate States Army in '61, he remained at home and became a member of the junior reserves. At the age of sixteen, in 1863, he entered the regular army and served with distinction to the close of the war. He surrendered at Greensboro in 1865 and was paroled.

Soon after the close of the war he entered Trinity College, graduating with high honors in 1869. He was then admitted to the bar and began the practice of his profession in his native city, Wilmington.

On November 16, 1870 he was married to Miss Adella E. Zevely, of Wiston-Salem. To them were born six children, two sons and four daughters. Of these four are living.

In 1872 Governor Caldwell appointed him state librarian and he moved to this city. At the close of Governor Caldwell's administration he began the practice of law in Raleigh and continued his practice until his appointment to the federal court bench, in 1897.

He served in the legislature at various times as representative and senator from Wake county, representing the people with conspicuous ability.

On May 5, 1898, President William McKinley appointed him judge of the eastern district of North Carolina, an appointment that met with universal approval and exemplified the far-seeing wisdom of the greatest of modern presidents.

To say that Judge Purnell was an unqualified success on the bench is putting it mild. He was a man of judicial mind and temperament. He was a close and hard student of the law. Rarely was a decision of his reversed by a higher court.

In his rulings Judge Purnell was eminently fair and just. He sought always to do the right thing, treating

THE CHRISTMAS SERVICES HERE

Appropriate Services, With Splendid Music, Be Held in Many Churches

PEACE THE THEME

Tomorrow Will Witness the Beginning of the Christmas Season With Beautiful Church Services, Telling of Peace and Good Will—Beautiful Music Will Also be Rendered Christmas Day in Some of the Churches—Programs For Tomorrow and Friday Show Splendid Selections.

"The time draws near the birth of Christ," the time of "Peace on Earth, good will toward men."

"Peace on earth" in many places is but a mere whisper to the winds, while the light of the Star of Bethlehem shines shadowed and dimmed. But in the Old North State and in the Capital City, where peace and plenty reign, there will be "Peace on earth, good will toward men" in the hearts of the people.

The great day that celebrates the nativity of the Saviour of mankind, will be fittingly observed by Christian people all over the world on December twenty-fifth.

Here in Raleigh special services will be held tomorrow in many of the churches, but in the Episcopal and Roman Catholic churches the largest measure of preparation will be given to Christmas day itself—next Friday.

In marked contrast to the noise-making in the streets, the clatter of horns and the deafening reports from fire-crackers, will be the solemnities that will be enacted in various places of worship to render homage to the "New Born King."

A very high order of music will be heard tomorrow and on Christmas day in Raleigh churches. Edifices will be decked with wreaths of holly and cedar, many altars will glisten with starry lights, and sweet flowers will exhale their fragrance to honor the Saviour's coming.

Christ Church. Probably no church choir in the city, or in the state, will render a more beautiful musical service than that which will be heard at Christ church on Christmas day.

The choir will be under the direction of Mr. R. Blinn Owen, who is also the organist. The singers will comprise many of the best-known vocalists in the city, the selections being rendered to the accompaniment of the great organ, violins, 'cello, and cornet.

Before the main service of the day, at 11 a. m., there will be an effective prelude for violins, 'cello, and organ, by Horatio Parker.

This will be followed by a duet for soprano and alto, "The Angels," by Rubenstein. Following this the service proper begins, with the Processional Hymn, and the Christmas selections in regular order, viz: Processional, "The Spacious Firmament"; The Creation. Venite Adoremus, Gregorian. Gloria, from 12th Mass, Mozart. Te Deum Laudamus, Festival in G., Root.

Jubilate in B Flat, Schubert. Intraid, "Adeste Fideles". Kyrie Eleison, and Gloria Tibi, Gower. Hymn, "Hark the Herald Angels Sing", Mendelssohn. Offertoire, Trio with violin obligato, "Pilgrims of the Night", Westbrook. Sursum Corda, Gower. Sanctus, Gower. Hymn, "Bread of the World", Harker. Gloria in Excelsis, Gower. Fourfold Amen, Harker. Recessional, "It Came Upon the Midnight Clear", Carol.

Postlude, Fugus in A Flat, Bach. The choir is composed as follows for the Christmas day services: Soprano: Mrs. Ashby L. Baker, Mrs. Thomas M. Ashe, Mrs. Bessie White Bass, Miss M. Susan Marshall, Miss Margaret Stedman, Miss Fannie Hines Johnson, Miss Elizabeth Rogers.

Altos: Mrs. Charles McKimmon, Miss Sophie D. Busbee, Miss Margaret McKimmon. Tenors: Everard H. Baker, Sherwood Haywood. Basses: Dr. Hubert A. Royster, Ben. F. Ellis, Dr. W. C. Horton, E. H. King, N. A. Riddick.

Violins: Miss Fannie Hines Johnson, Mr. James Thomas. Cello: Dr. George Summey. Cornet: Mr. Wm. Simpson.

Soloists: Mrs. Baker, Mrs. Ashe, Miss Marshall, Mrs. McKimmon, Mr. Everard Baker, Dr. Royster, Dr. Horton.

On Sunday, January 3, in prolongation of the Christmas season, a sacred cantata, "The Holy Child", the words being from St. John's gospel, and the musical setting by Horatio Parker, will be sung at the afternoon service in Christ church.

This composition is exceedingly reverent and uplifting and will be rendered by a large choir.

Church of the Good Shepherd. At the church of the Good Shepherd, on Christmas day the service will be a beautiful and inspiring celebration of the Saviour's birth. The choir is under the able direction of Mrs. Wade Brown. The usual familiar hymns will be sung and the following service will be carried out:

Morning Prayer. Processional Hymn. Venite, exultemus Domino, Oliver. Gloria Part I, in A Flat. Te Deum Laudamus, in A Flat, Whelpley. Jubilate Deo, B Flat, Calkin. Introit, Hymn. Kyrie Eleison, Gloria Tibi, Hymn, Gounod. Offertory Anthem, "Blessed be the Lord God of Israel," Barnby. Recessional Hymn.

Holy Communion. Sanctus, Gounod. Benedictus qui venit, Hymn. Angus Del. Gloria in Excelsis. Nunc Dimittis.

Church of Sacred Heart. The Christmas services at the Church of the Sacred Heart will partake of all those rich and dignified accessories that the Roman Catholic church brings into service for the proper celebration of the birthday of Christ.

On Christmas day there will be low masses at 6 and 7 a. m., and at 11 a. m. high mass will be sung, Rosewigs composition being used.

The altar will be ablaze with lights and other decorative emblems of joy. Edenton Street Methodist Church. The Christmas services at Edenton street church will be observed tomorrow at both morning and evening service. There will be special Christmas music by the choir, which is under the direction of Miss Nina Green, with Mrs. Worth Hanks, organist.

At the 11 o'clock service the following anthems will be sung: Carol, "It Came Upon the Midnight Clear". Anthem, "Sing Unto the Lord", Blumenschein. Offertory, "The Song of Salvation", Warren.

Evening Service. Carol, "Oh, Little Town of Bethlehem". Anthem, "Sing Oh, Heaven", Clare. Offertory, "There Were Shepherds", Vincent.

First Baptist Church.

The Christmas music at the First Baptist church will be rendered tomorrow, Sunday evening, at 7:30 o'clock, by a choir of thirty voices, with Mr. Wade Brown as organist and choir director, as follows: Organ Prelude Pastoral Symphony (Messiah), Handel. Anthem, "Sing, O, Heavens", Maunder.

Hymn 198, "Joy to the World, the Lord is Come", Handel. Christmas Carol, "Bethlehem", Gounod.

Offertory, "He Shall Feed His Flock; Come Unto Him" (Messiah), Handel. Mrs. J. J. Thomas, Miss Minnie Haynes.

Hymn 189, "Hark, the Herald Angels Sing Glory to the New Born King", Mendelssohn. Anthem, "Nazareth", Gounod, Mr. Ross McKimmon and choir.

Hymn 185, "O, Come All Ye Faithful", Reading. Organ Postlude, Hallelujah Chorus, (Messiah), Handel.

Tabernacle Baptist Church. Miss Elizabeth Burt, organist. The following Christmas music will be rendered at the regular services tomorrow:

Morning Service. Anthem, "Oh, Little Town of Bethlehem", by Geo. B. Nevil. Christmas Hymn, "Jesus Came, the Heavens Adoring", by Thomas Shephard.

Evening Service.

Festival Te Deum, by Franck. The Christmas season will be fittingly observed in all the other churches tomorrow by services and music more or less elaborate. Everyone and especially visitors and strangers in the city will receive a hearty welcome to the different churches.

Chicago Grain.

Chicago, Dec. 19—Lower cables, favorable Argentine news and larger receipts northwest caused easy market with prices off 3-4 to 7-8. Bartlett, Patten, Logan and Bryan and Broseau were sellers at the start. Opening: Wheat—May, 1.05 5-8 to 1-2; corn—May, 60 to 60 1-8; oats—May, 50 5-8; ribs—May, 8.50; pork—May, 16.10; lard—May, 9.42.

MRS. ANNIS WILL BE RECALLED

Wife of Murdered Man Is Now Looked Upon as Strong Witness

MAY TELL THE STORY

Mrs. Annis is Said to Have a Letter From Thornton Hains Which Was a Warning if Not a Threat—When She Goes on the Stand Again She is Expected to Go Back to the Time of the Conception of the Murderer.

(By Leased Wire to The Times) New York, Dec. 19—Mrs. William E. Annis, widow of the man who was shot by Captain Peter C. Hains, Jr., U. S. A., at the Bayside Yacht Club, will be recalled to the stand by the prosecution in the trial of Thornton Jenkins Hains, indicted for complicity in the murder when the trial is resumed on Monday.

Mrs. Annis has now loomed up as the strongest witness for the prosecution. The testimony of several other witnesses of the state has been riddled by John F. McIntyre, chief counsel for Hains, but there is a story current today that Mrs. Annis has a letter written by T. Jenkins Hains to her husband which was a warning, if not a threat. Mrs. Annis is expected to go back at the time of the conception of the tragedy—the time when, it is alleged, T. Jenkins Hains revealed to his brother, the captain, the scandal connecting Mrs. Peter C. Hains, Jr.'s, name with that of Annis.

Justice Crane up to this time has closely guarded every effort on the part of the counsel for the defense to get on the records the stories of dissipation and intrigues at Fort Hamilton which preceded the killing of Annis.

If Mrs. Annis has such a letter from T. Jenkins Hains, it is expected to go back to the time Captain Hains decided to do harm to Annis, these scandals will be brought to light. Mrs. Annis may not know them, but Mr. McIntyre has heard them, and it is expected he will draw her out on social functions—at least functions which appeared significant to her—at the fort, and then, by introducing other witnesses, the bomb of scandalous doings will explode.

It is said that more than one man of high standing in the army will be powder-burned should there be such an explosion.

Mr. McIntyre is determined to get at the full story—the stories of the nights of orgies, the days of repose, the smoking and drinking among men and women, the card playing, the quarrels, the gossip and everything else. If Mrs. Annis has such a letter from T. Jenkins Hains it will go hard with Hains, but it will go pretty hard also with certain men and women who took part in affairs at the fort during the absence of Captain Peter C. Hains in the Philippines, when it is charged Annis came into Hains' home, stole his wife's love, and beset her honor.

Up to this time the chief weapon of the state is the evidence that T. Jenkins Hains leveled his revolver at members of the Bayside Yacht Club while the brother was pumping bullets into the body of Annis.

Another strong point in the prosecution's evidence is the statement that T. Jenkins Hains made inquiry, just before the shooting, when he and Captain Hains entered the Bayside Yacht Club, as to the whereabouts of Annis. More than once it has been testified he had Annis pointed out to him as the latter was coming into the dock in the boat.

Mr. McIntyre has not been able to tear down these two props in the state's case, but he did knock the pins from under three of the prosecutor's own witnesses when he made them swear they did not hear Thornton Hains threaten to kill if any one interfered as testified to by Charles Birchfield and others. Mr. McIntyre already has injected a strong inference regarding the alleged illicit relations between Annis and Mrs. Claudia Hains.

VIRGINIAN ROAD GIVES BIG ORDER

(By Leased Wire to The Times.) Norfolk, Va., Dec. 19—The Virginian Railway now nearing completion from Deepwater, Va., to Norfolk, a distance of 442 miles, has just placed orders for 1,500 steel coal cars and passenger-carrying equipment. This information has been given out by Raymond Dupuy, vice-president and general manager, on his return from New York. Dupuy also said there is nothing in the rumor that he is to succeed H. H. Rogers as president of the road.