

# Weather.

Washington, April 6—Forecast for North Carolina for tonight and Wednesday: Partly cloudy in east; showers tonight and Wednesday in west.

# The Evening Times

SECOND EDITION

RALEIGH, N. C., TUESDAY, APRIL 6, 1909.

PRICE 5 CENTS

## DISTRICT ATTORNEY PRESENTS HIS CASE AGAINST MRS. SAMPSON

### District Attorney is Cousin of the Woman He is Prosecuting

### HIS OPENING ADDRESS

Mrs. Sampson Faced With a Smile the Twelve Men Who Are Trying Her For Her Life—She is Supreme Confident of Acquittal. Case May Not Even Go to Jury, She Thinks—Prosecuting Attorney, Who is a Cousin of Mrs. Sampson, Says it is Impossible, With the Facts in the Case Before Him, to Believe it a Case of Suicide.

(By Leased Wire to The Times) Lyons, N. Y., April 6—Charging that his cousin, Mrs. Georgia Allyn Sampson killed her husband, Harry Sampson, from motives of greed and illicit love, District Attorney Gilbert today started the evidence in the trial that interests the whole country because the slain man was the nephew of the late Admiral Sampson. The penalty for murder in the first degree is death in the electric chair. Mrs. Sampson took her arraignment with no single trace of any sort of emotion, neither did her father show any signs of being disturbed. Attorney Gilbert's declaration was simple and brief, his contention being that Harry Sampson could not have killed himself with the rifle, that his wife had received a letter from another man, which no wife should have received and that she got her husband to draw his will, leaving her everything he possessed and making her the executrix. It is believed that unless the district attorney brings out evidence stronger than any he has hinted at so far the defense will be willing to go to the jury without putting in any evidence in its own behalf.

Reports that Mrs. Allyn, mother of the accused, is on her death bed are untrue. Mr. Allyn today said his wife is ill but not in danger of death.

Lyons, N. Y., April 6—District Attorney Joseph Gilbert today demanded the life of his own cousin, Mrs. Georgia Allyn Sampson, who is on trial here, charged with the murder of her husband, Harry Sampson, nephew of the late admiral.

Mr. Gilbert made the demand in his opening address to the jury. There were tears in the eyes of Mrs. Sampson as her cousin, whose duty it is to prosecute her because he is a state officer, dwelt upon every feature of the case that seemed to point to her guilt. He pointed out that it was impossible for Sampson to have killed himself. The rifle with which Sampson was killed, Mr. Gilbert declared, was found standing against a wall, while Sampson lay dead some distance away with a bullet in his heart. A man with a bullet in his heart, the prosecutor set forth, could not have placed the rifle where it was found.

Mrs. Sampson faced with a smile the 12 jurors who are trying her for her life. The young woman is supremely confident, and some of her relatives are so sure of her acquittal that they predict the prosecution will fall through and the case be dismissed without the jury's even retiring.

Mrs. Anna Kaye, an aunt of the accused, who has come all the way from Chicago to be with her, said today:

"My niece is not indifferent. It is because of her innocence of this crime that she is showing no fear. Besides she is sure of her acquittal. I have been over the whole case with her and am as confident of a verdict of acquittal as she is."

Mrs. Sampson took a seat beside her father just as the jurors entered. She was dressed as she was yesterday when the jurors were chosen.

Mrs. Frank P. Allyn, the mother of the accused woman, is dying at her home in Macedon, it is reported, and the Sampson case may collapse within twenty-four hours. Mrs. Allyn was to have been the principal witness for the state.

Mrs. Clara LeClaire, the twin sister of Mrs. Sampson, was sitting beside the accused when Justice Rich opened court today. The likeness between the twins is striking, although Mrs. LeClaire is prettier.

District Attorney Gilbert had before him on his desk the rifle with which Sampson was slain. It was a

22-calibre weapon, such as is in use in this country.

Before the prosecution began the presentation of its case there was a conference between Justice Rich and the lawyers.

Mr. Gilbert began his opening in a firm voice. His daughter acted as his stenographer and took down his speech as he made it.

"My idea of the duty of a district attorney," he said, "is not to gain a verdict against the defendant, but to see that the right of the defendant, as well as the rights of the people, are carefully guarded. That I am going to try to do. I will not hold back any fact I have that may help the case of the defendant."

Mr. Gilbert explained to the jury the difference between circumstantial and direct evidence.

"Sometimes," he said, "circumstantial evidence is better than direct evidence. In this case the defendant is charged with murder in the first degree. I want to say that the finding of the indictment is no proof at all against her. There is no other way she could have been brought to trial. It is merely a formal accusation. And only one side of the case is heard by a grand jury. The defendant has not been heard at all."

Mrs. Sampson's relatives, her father and lawyers seemed pleased at the attitude of the district attorney.

"You must understand," he went on, "that she is not required to prove her innocence, but the state must prove her guilt."

Mr. Gilbert then gave the history of the alleged crime as his evidence showed it.

"We will show you," continued Mr. (Continued on Page Five.)

## IN ENEMY'S COUNTRY

### Prohibitionists Carry the Fight Into New York

Suffolk County Holding Election Today to Determine Whether the County Stays "Wet" or Goes "Dry"—Hardest Kind of Electioneering Going On.

(By Leased Wire to The Times) New York, April 6—With women praying and urging men to vote for prohibition, the whole of Suffolk county is holding an election today to decide whether the county stays "wet" or goes "dry."

Suffolk, from Riverhead to Ronkonkoma and beyond, has been "wet," with a high license for two years.

The hardest kind of electioneering has been going on with the members of the various W. C. T. U.'s, the clergymen, and some of the business men on one side, and the hotel keepers, cafe proprietors and certain other business men on the other.

Women have been stopping the men on the streets of Riverhead and buttonholing them with arguments against rum and the rum-sellers, while those in favor of the license have had at least one of the clergymen behind them to stir things up.

The chief backer is argument-maker for the "wets" is, strangely enough, the Rev. W. A. Wasson, rector of the Protestant Episcopal church of Riverhead. He is a recent graduate of one of the big colleges, and is a student of sociology who claims that it is better for the community to have liquor sold under good supervision than to forbid it altogether and drive those who will have it to violate the law to get it.

## THE SENATE WILL ADJOURN JUNE 1

Washington, April 6.—The senate will adjourn about May 15 or June 1 in the opinion of Senator Borah who talked over the situation with the president at the white house this morning. The senator told the president that the minority members of the senate do not show much disposition to discuss the tariff bill at length, and the majority do not need it.

"It may take a little longer than June 1 to get the bill out of conference," added the senator, "but the senate as a whole can adjourn indefinitely and allow the conference committee to settle matters."

## NEW UNION DEPOT FOR BIRMINGHAM

(By Leased Wire to The Times) Birmingham, Ala., April 6.—There are at least 10,000 visitors in the city today to witness the dedication of the new city \$2,000,000 terminal station erected after 29 months of continuous labor. The station is 760 feet long, occupying two entire city blocks, and has a subway permitting carriages, pedestrians, street cars and trucks to pass through for three blocks.

Reinforced cement is the material used in the construction. The interior is elegantly furnished and has every modern convenience for travelers.

The formal celebration will be held at three o'clock this afternoon, the business men's league appearing on foot, accompanied by a large cavalcade of society folk in carriages and on horseback, together with the military escort.

President J. T. Harrison, of the Illinois Central; President J. F. Hanson, of the Central of Georgia were the principal speakers.

## WAKE FOREST NEWS.

### Dr. Moncrief Delivers Strong Address Before Y. M. C. A. (Special to The Times.)

Wake Forest, N. C., April 6.—Of especial interest was a strong address before the Y. M. C. A. last night by Rev. A. J. Moncrief, of the Baptist Tabernacle of Raleigh, on "The Christian Ministry As a Life Work," in which he discussed the ministry as a calling and the divine call to the ministry, giving both the advantages and disadvantages of the profession.

President Potent returned yesterday from Kenansville, where he made an address Sunday.

Prof. J. B. Carlyle left today for Chadbourn, where he will make a commencement address tomorrow.

At the meeting of the missionary society Sunday night Prof. N. Y. Guley spoke on "The Call for Men." A letter from Miss Sophia Lanneau, daughter of Prof. J. F. Lanneau, who is a missionary in China, describing the dedication of a Baptist church at Soochow was read.

At the senior speaking, which occurred Saturday night, addresses were delivered as follows: R. E. Walker, "The Literary Prospects of the South;" B. Hampton, "The Blending of the Sections;" R. L. McMillan, "Why the South Should Remain Solid;" C. T. Bell, "A Plea for a Higher Code of Ethics in Business and Political Life;" J. J. Hayes, "The Need of Washingtonian Conservatism."

## JIM PATTEN COINING MONEY.

### Sold 3,000,000 Bushels of Wheat Last Week at Profit of 15 Cents a Bushel.

(By Leased Wire to The Times) Chicago, April 6.—Jim Patten has profits of from 15 to 20 cents a bushel in his holding of 15,000,000 bushels of May wheat. He has sold 1,500,000 bushels in the last two days for \$1.21 to \$1.22.

In a week he has sold 3,000,000 bushels at 15 cents profit—\$450,000. The losers are said to be rich New Yorkers.

Prices are the highest since the Gates deal in 1905. Cash wheat is \$1.42 in Kansas City and \$1.40 in St. Louis, which is higher than any other American market.

Special rates are asked from the railroads to ship wheat from Chicago to Missouri River pints, which has never occurred before, and there is a scarcity of wheat throughout the southwest.

New hand wheat is on an export basis, 85,000 bushels sold yesterday in Liverpool for \$1.06 for September shipment.

## TENTH DISTRICT CALENDAR TODAY

The following cases were argued in the supreme court today, completing the tenth district calendar: State vs. Cox, Randolph county; Attorney General T. W. Bickett for the state; Morehead & Sapp for the defendant. Lowden vs. Hathcock, Stanly county. Price and Klutz for the plaintiff; Smith for the defendant. Slink et al vs. Slink, from Davidson; Walser & Walser for plaintiffs; Roper for the defendant. Spau et al vs. Hartman et al, from Davidson county; Walser & Walser for plaintiff; Roper for defense. Frayley et al vs. Frayley et al; from Rowan. Wright and Jerome for plaintiffs; Clement and Klutz for the defendants. Hill vs. Bean, from Randolph; Spencer for the plaintiff; Britton and Moffitt for the defense. Shoe Co. vs. Peacock, from Davidson; Roper and Walser for the plaintiff. Biles vs. Biles, from Stanly county.

## TANGLE OVER THE TARIFF DEBATE THIS MORNING

### House Met at Noon Today Taking Up the Tariff Measure

### A GENERAL MIX-UP

Republicans and Democrats Clash Over Parliamentary Matter—Mr. Fordney Offers Amendment to Place Lumber on the Free List—DeArmond Offers Substitute to Put on Free List All Lumber From South America and Other Countries—DeArmond's Amendment Was Defeated—Fordney's Amendment Then Carried.

(By Leased Wire to The Times) Washington, April 6.—The house met at noon. The tariff bill was the first measure considered under the five minute rule adopted yesterday.

Representative Fordney offered the committee amendment to strike out the countervailing duty on lumber. A parliamentary tangle ensued. Minority Leader Clark offered a substitute to Mr. Fordney's amendment, which would have placed lumber on the free list. Representative Tanney offered an amendment, claiming that he should take precedence. The democrats claimed the chair but recognized Representative Clark. Representative Olmstead in the chair said as Mr. Clark was the ranking member of the ways and means committee, he was entitled to recognition.

Representative Payne protested against the ruling. Representative Clark was recognized. Representative Tanney made a point of order against Representative Clark's amendment and his substitute was read. Representative Fitzgerald made a point of order against Representative Tanney's amendment and it was ruled out.

Mr. Fordney then spoke on the amendment to strike out the countervailing duty on lumber. Representative DeArmond offered an amendment to put on the free list all lumber imported from South America and other countries. The amendment was held to be in order. Representative Payne opposed the amendment. He said amendments to be offered by the ways and means committee would be supported by the committee, because they represented the amendments desired by the majority. He gave notice he would place in the Record the remarks on the hosiery schedule.

Representative DeArmond's amendment was defeated 178 to 131.

The Fordney amendment, striking out the countervailing duty on lumber was then carried. Representative Tanney offered an amendment striking out paragraph 197 of the Payne bill, the effect of which would have been to put lumber on the free list.

Jackson county gave the dry their most important victory of the day, going against the saloon by 30 votes majority, and 103 saloons will be forced to close in that one county. The drys lost where they had been most confident of victory—in Washington and Monroe counties. In Washington, where the university is located, the strong German vote in the country districts saved the day for the wets. Berrien and Ottawa were two other counties in which the wets had all their own way.

In Berrien county the wets secured a majority of 2,000.

## MICHIGAN VOTING DRY.

### Twenty Counties Yesterday Voted Out Saloons—Over 500 Closed.

(By Leased Wire to The Times) Detroit, Mich., April 6.—Five hundred and eighty-nine saloons are today doomed to be put out of business as a result of 29 counties voting dry at election. Only seven of the counties in which the proposition to abolish the liquor traffic was the issue went wet.

Michigan county gave the dry their most important victory of the day, going against the saloon by 30 votes majority, and 103 saloons will be forced to close in that one county. The drys lost where they had been most confident of victory—in Washington and Monroe counties. In Washington, where the university is located, the strong German vote in the country districts saved the day for the wets. Berrien and Ottawa were two other counties in which the wets had all their own way.

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## HE RENOUNCES HIS HOME AND COUNTRY

(By Leased Wire to The Times) New York, April 6.—Fredus A. Proctor, Jr., is a strange person, according to the belief of his friends, for he has renounced his citizenship despite the fact that he is American-born, and the son of American parents. The odd part of it is that there appears to be no special reason for his action, save the letter he has sent to Governor Fort, of New Jersey:

"This is to certify that I, Fredus A. Proctor, Jr., the legally born son of Fredus A. Proctor and his wife, Miami Proctor, born at Asbury Park, state of New Jersey, on Nov. 25, 1882, being free from financial and legal obligations, do hereby renounce all allegiance to any natural born citizenship rights of the United States of America. (Signed)

FREDUS A. PROCTOR, JR.

"In the presence of 'JULIUS PEPPER' and 'JEANNE PEPPER.' Accompanying this renunciation was a note to the governor, also dated from New York, in which Mr. Proctor said: 'You will receive by mail a certificate of renunciation. The action being unusual, please permit the assurance that it is done with very high intentions.'"

The parents of Proctor live at Belmar, N. J. They cannot explain their son's renunciation of his citizenship. Proctor sailed for Trinidad last Saturday. He is an electrical engineer.

## OUTCRY AGAINST INCREASED TAX ON LADIES WEAR

### Many Congressmen Are Taking Notice and Some Are Investigating Subject

### CAMPBELL BUYS ROSE

Representative Campbell Finds Upon Investigation That the American Hosiery Sold in the Stores For 35 Cents is of Good Quality as the Imported Article Sold at 50 Cents. In the Opinion of Mr. Campbell the Outcry Against the Payne Schedule of Women's Gloves and Hosiery Comes From the Manufacturers of This Country.

(By Leased Wire to The Times) Washington, April 6.—The outcry of American women against the increased rates in the Payne bill on hosiery and gloves has set a number of congressmen to investigating the subject. Representative Campbell this morning purchased at a large department store here two pairs of women's hose, one pair imported from Germany, costing 50 cents, the other pair of American manufacture costing 35 cents. An examination of the workmanship and of the material of the articles showed conclusively, according to the congressman, that the American article is superior.

If the opportunity presents itself he will demonstrate this on the floor of the house when the hosiery schedule is reached. He said this morning he was informed by the manager of the department store in question that before the duty on foreign hosiery was increased under the Dingley bill the German hosiery for which the congressman paid 50 cents was sold for 55 cents to \$1.00 per pair. In the opinion of Mr. Campbell the outcry against the Payne schedule of women's gloves and hosiery comes from manufacturers of this country who make gloves and hosiery abroad. He believes that when the facts are known there will be no change in the increased rate.

Philadelphia, Pa., April 6.—Charles E. Ellis, president of one of the Philadelphia street railway lines, and well known as a financier, committed suicide by shooting himself here today.

## MARK TWAIN IN NORFOLK

### Speaks to the School Children

(By Leased Wire to The Times) Norfolk, Va., April 6.—Mark Twain yesterday delivered short talks to the pupils of the Norfolk high school and the Atlantic City kindergarten. At the latter place, before he started in to tell one of his fables, a girl not more than six years old, assisted by several of her schoolmates, started in to tell him of his own "Joan of Arc" story about the French girl.

"By gum, but that's on me," declared Mark Twain, while his face lighted up in one broad grin. "Caught with the goods, in a kindergarten, where one of my own fables is told me by little tots. It is certainly a pretty sight and well worth hearing. 'I shall not be outdone,' he declared, when the girls resumed their seats, after the country's greatest wit had patting each affectionately on the cheek.

He pulled from his pocket a gold shell about which he told a story that kept the pupils and their teachers in good humor from beginning to end. "How's that?" he cried at the finish.

"Good," the children shouted in unison.

At the high school he jokingly declared he had no time to fool away talking to the boys.

A delegation of boys seized him and hauled him to their quarters. "This is not a volunteer speech," he declared, gathering himself into shape after the onslaught of the boys. He declared that if the boys went after everything in life as they went after him there would be no doubt of their success. He shook hands with every pupil in school, about 1,000 in all.

## STILL BUSTING THE TRUSTS IN ST. LOUIS

### Red Hopkins Begins His Two Year Sentence Today.

(By Leased Wire to The Times) St. Louis, Mo., April 6.—O. B. Morrison, former United States district attorney in Chicago, followed Trust Buster Kellogg today, presenting the second argument for the government in the suit to dissolve the Standard Oil trust. Morrison will speak until tomorrow night and will confine himself to discussion of the unfair competition whereon the trust built its billion of profits.

## HOPKINS TO THE PEN.

(By Leased Wire to The Times) St. Louis, Mo., April 6.—At 1:30 this afternoon the jury in the celebrated Adams-Butler case brought in a verdict of guilty as to both the defendants. Marion Butler is sentenced to pay a fine of \$500 and Lester Butler a fine of \$250, and each to pay one-half the costs of the action. They appealed and were allowed bond in the sum of \$1,000 each.

The jury got the case at 12 o'clock, being out only one hour and thirty minutes. The trial began last Wednesday and has been going on without interruption since, both day and night sessions being held.

## A WILD RUSH DOWN INCLINE

(By Leased Wire to The Times) Pittsburg, Pa., April 6.—While engineer Jesse J. Britton, of the St. Clair incline, stepped to a side window to get some fresh air to overcome a faint spell, his car, which had almost reached the top of the plane, let go and made a wild plunge for the foot, killing two and injuring seven, all passengers of the car. The accident happened today when some of the boys in the car were returning from their night's work.

The dead: Frank Briddle, aged 16. Theodore Heber, aged 16.

The injured: Griffith Davis, 18, will probably die; Hermann Widenheft; Chris Newmeyer; Arthur Miller; Nick Schmitz; William Paul; Albert Klengenberger.

Britton forgot to turn off the steam which controlled the car, and before he could realize the situation, the crash came, the cable snapped and the ascending car started on its wild dash. Two of the boys jumped from the car as it was being whirled down and were badly hurt. The conductor was slightly injured.

## APPEAL NOT PROBABLE.

### Cotton and Holderfield Will Probably Begin Terms Soon Without Appeal.

It is not thought that an appeal will be taken in the cases of Earle P. Cotton and Tim Holderfield, found guilty of murder in the second degree at the last term of court. Red Hopkins, the other defendant, was taken to the penitentiary to begin his term this afternoon.

When seen by The Times man Mr. W. L. Watson, Cotton's attorney, said that no definite decision regarding an appeal had been reached.

## STRIFE IN COAST ARTILLERY.

### Colonel Morris Accused of Grossly Insulting Major Haan.

(By Leased Wire to The Times) New York, April 6.—Through the adoption of a resolution at a meeting of officers of the Ninth Coast Artillery last night to sustain Colonel William F. Morris against all charges "pending against him", it became known that the colonel has been accused of grossly insulting Major Haan, commandant at Fort Wadsworth, and that trouble is likely to disrupt the organization.

The alleged insult was given at the officers annual banquet, March 18, at the republican club, and, as a result, 11 of the 36 officers have handed in their resignations. The banquet was attended by Governor Hughes, Major-General Charles F. Roe, of the national guard, and Captains Scott and Hines and Lieutenant Baird of the regular army.

Charges filed against Colonel Morris specify that he became boisterous during the dinner and shortly before 2 o'clock in the morning commenced to upbraid Major Haan, his personal guest. He ended by calling the major insulting names and shaking his fist in his face. Governor Hughes and Major-General Roe had left the banquet hall a few minutes before the alleged insult was offered to Major Haan and knew nothing of it officially.

The regiment has been torn by internal strife ever since the Spanish-American War.

## BUTLERS FOUND GUILTY OF LIBEL

### (Special to The Times)

Greensboro, April 6.—At 1:30 this afternoon the jury in the celebrated Adams-Butler case brought in a verdict of guilty as to both the defendants. Marion Butler is sentenced to pay a fine of \$500 and Lester Butler a fine of \$250, and each to pay one-half the costs of the action. They appealed and were allowed bond in the sum of \$1,000 each.

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## ONE OF YEGGMEN BEHIND THE BARS BUT ONE ESCAPES

(Special to The Times) Asheville, N. C., April 6.—Garner Moore, alias "Tennessee Dutch," and George Barton, alias "Chicago Army," yeggmens, wanted by the postal authorities for several postoffice robberies, who dynamited the jail at Greenville and escaped Sunday, were captured by Deputy Sheriff Rogers after a desperate struggle at Craggy, near here, last night. Moore escaped with the deputy's pistol before assistance came, but Barton was brought to the city and is now in the county jail. At noon Moore had not been recaptured but posesses are scouring the neighborhood for him. Barton refuses to admit that he is the man wanted.

Deputy Rogers was crossing the railroad track near the depot at Craggy about midnight when he sighted the men and recognized them by newspaper descriptions. He assailed them singlehanded and held both till one struck him a heavy blow on his head, causing him to relax his hold on Moore. The men probably passed through Asheville yesterday morning and were making for Tennessee when captured.

## OFFICER WAS GRITTY

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