

Weather.

Washington, Oct. 25—Forecast for North Carolina for tonight and Tuesday: Fair to night and probably Tuesday.

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SIR THOMAS LIPTON STILL AFTER CUP

Arrived In New York and Will Make Arrangements For Another Race

STAY SOME TIME

Will Try to Induce New York Yacht Club to Agree to Certain Modifications of the Rules But If They Will Not Do This May Enter Contest Anyway—Talks Freely to the Newspaper men About the Rules—Doesn't Want to Criticize Anyone But Says Rules Under Which Races Are Conducted Are Too Great a Handicap—Says He Has Always Been Treated With the Greatest Respect.

(By Leased Wire to The Times.) New York, Oct. 25—Sir Thomas Lipton arrived in New York today on the steamship Cedric, for the express purpose, as he said, of arranging another international yacht race. If the New York Yacht Club agrees to certain modifications of the racing rules, Sir Thomas said he expected the contest would take place in 1911. If the club would not agree to these changes, he said there was a possibility that he might build a challenger anyhow.

"I am still after that cup," he said. "I have tried for many years to lift it. The next time I think I shall have to bring a crow bar along and pry it up from your country."

Sir Thomas was accompanied by Col. Duncan F. D. Neill, an English yachting expert, and by his secretary, John Westwood. He looked the picture of health, and when the newspaper men greeted him after boarding the Cedric from a revenue cutter, he received them with his old-time enthusiasm.

"Well, boys," he said, "here I am again." In response to questions he said: "I shall remain here for several weeks. I have come here to try to get an international cup race for 1911. I am bringing no challenge over here. What I want to do is to try to prevail on the New York Yacht Club officials to allow me to race under the rules they require any one to fulfill in American regattas."

"The present international regatta rules, as framed in this country, would require me to build a 'freak boat', to cross the Atlantic in it, and then race against a boat constructed not along sea-going lines, but only for speed.

"At the same time I want to say that I have always been treated with the greatest respect in this country, and that the American people are the greatest people in the world. I don't want to criticize anyone."

"Would you say that you have not been fairly treated in the past international contests?" he was asked.

would be beaten before I entered the race. "I have been fairly beaten in three races and am willing to be beaten again under fair conditions. Unless I can get the rules changed, let us all go to sleep."

KILLED BY TRAIN.

Student at Guilford College Meets Horrible Death. Greensboro, N. C., Oct. 25—In attempting to pass from one beach to another, Charles Finch, a student of Guilford College, fell from the Winston train as it was pulling into the station Saturday afternoon and sustained injuries from which he died two hours later at St. Leo's Hospital. The young man was fifteen years old and entered Guilford College at the opening of the fall term. He was a son of ex-Sheriff T. M. J. Finch, of Randolph county, but who has been a resident of Thomasville for the past three years. The father of the young man was notified of the fatal accident and he arrived here tonight, leaving on a later train with the body for Thomasville.

MUCH SPECULATION As To What Will Come of Resolutions

Chief Neely Will Not Let Charges Go Unchecked—Members of Society Want Test Case Carried to Highest Courts of the Land—State Medical Society May Take Steps.

(Special to The Times.) Greensboro, N. C., Oct. 25—The resolutions adopted by the Guilford County Medical Society condemning the action of city authorities in securing evidence against members of the society for alleged violation of the state prohibition laws, were the cause of much gossip and speculation here yesterday as to the probable outcome of the matter when the protest or resolutions are presented to the board of aldermen, or possibly carried to the highest court in the land for a final decision as to the rights of a physician in preventing an officer from inspecting a prescription without the written consent of the physician or patient.

The friends of Chief Neely openly declare that he will not allow the charges to go unnoticed and it is a common rumor on the streets that he will take legal steps against the society by reason of the following paragraph in the resolutions: "And Whereas, it has come to the knowledge of this society, that duly and regularly qualified, licensed, registered and reputable physicians, members of this society practicing in the city of Greensboro, have been subjected to the indignity of criminal arrest, and trial in the municipal court of the city of Greensboro, upon suborned testimony, procured by the chief of police officer of Greensboro and the propriety of acts of theirs, performed in a professional capacity, inquired of by the said municipal court."

Chief Neely was seen in regard to these rumors by a representative of The Times, but he stated most emphatically that he did not care to give out anything for publication at this time.

The members of the society say that all they want is a test case, carried to the highest court of the land, so that they may know just what the rights of the physician is in regard to the giving of a prescription. If the city board of aldermen refuse to grant the relief asked for in the resolution, said one, the state medical society will take steps at its meeting in November to enforce the portion of the resolution forbidding druggists from exhibiting any prescription, unless he has written consent of patient or physician.

THE NEW YORK ELECTION IN ONLY 8 DAYS

Tammany Making a Fight For Its Life Against Fusion Force

ALL ARE CONFIDENT

Campaign of the Three Candidates is Reaching a Climax—Republicans Have More Than 1,000 Meetings Planned For This Week and the Other Candidates Probably As Many—Republicans Now Claim Victory With 280,000 Votes—The Hearst People Claiming a Majority Over All Candidates, While the Tammany Leaders Say There is Nothing to It But Judge Gaynor.

(By Leased Wire to The Times.) New York, Oct. 25—Tammany began a fight for life today with the majority election only eight days away. The campaign of the three candidates is reaching a climax. More than 1,000 meetings for Otto T. Bannard are on the republican program for the next seven days, and the supporters of Judge William J. Gaynor, Tammany candidate, and of William R. Hearst, the choice of the civic alliance, are by no means behind the republicans in the number of meetings.

With the opening of the crucial spell of the fight, each candidate is more confident than ever of victory. Herbert Parsons, president of the republican committee, declared today that a canvass showed Bannard a victor with 280,000 votes, a much higher estimate than any made heretofore by the most enthusiastic republican.

The civic alliance people claim that Hearst will have not a mere plurality but a majority. "Mr. Hearst is gaining every day, and as he was in the lead last week it is certain that he will be elected," said Charles E. Gehring, of the alliance campaign committee today, and to complete the general sense of assurance the Tammany leaders declare that there is nothing to it but Judge Gaynor.

Charles F. Murphy, of Tammany hall, as well as Judge Gaynor, denounced the writer of a magazine article which declares that the Tammany leaders have for their supporters "white slave" traffickers.

The publication of this article has brought a new issue into the campaign, the fusion speakers having taken it up in their denunciation of Tammany.

CITY IS PRAISED For Manner in Which The Crowds Were Handle

Street Car Service Remarkable Under the Circumstances—100,000 Passengers in Two Days—Police Department is Coming in for Much Praise for Its Efficient Service—A Letter From a Prominent Citizen.

The efficient service of the police and other departments of the city government and the excellent manner in which the street car company handled the thousands last week has caused much favorable comment by the visitors and citizens of Raleigh. On Thursday and Friday our streets were packed with crowds estimated at from thirty to fifty thousand people, each day. Yet everything passed off smoothly and in an orderly manner. In all the history of the state fairs, there never before were so many people here, nor were they so well cared for. The city government, the street car company and, in fact, the whole city, grappled the proposition with steady hands, and the results were such as to deserve the praise and congratulations of all.

In two days—Thursday and Friday—about 100,000 people were handled by the street cars. This was a stupendous undertaking, yet it was done, and well done. No serious accidents were caused, the service was maintained from early morning until midnight, transporting passengers and, under the circumstances, the service was most remarkable.

The handling of the crowds by the police force was especially good, and none but the most efficient men, under able guiding hands, could have maintained the order that was observed.

As a sample of what is being said, we give in full a letter written by one of the city's most prominent citizens and business men:

Raleigh, N. C. My Dear Sir: As a citizen of Raleigh, I desire to congratulate you and the other city officers upon the splendid police and other service that you have rendered this city during the present week. We have had the largest crowds here that I have ever seen in Raleigh, and altogether I believe that we have had the best behavior and best management that I have ever seen. The streets have been well sprinkled, especially Hillsboro street, the main thoroughfare leading to the Fair Grounds, and the comfort and convenience of the people of this city and its visitors have been carefully looked after, and a good impression has been made on everyone, I believe, that has visited Raleigh. This is a great thing for a town, and it is a matter which cannot be overestimated in reckoning with the forces that go to make up a great city.

I feel that a good deal of this credit is due to your patient and untiring efforts. I believe that Raleigh is beginning to wake up in dead earnest and that we are at the dawn of a great future. If our board of aldermen, headed by you, will now take the "bit in their teeth," as it were, and go ahead and push our street improvements and other matters of civic welfare, vigorously and actively, I believe that we have a great era of prosperity before us. Let us all wake up and pull together for Raleigh's welfare and prosperity, and for each other's welfare and prosperity, and then we will have cause to talk loud and long of what a great town we have, and the old croakers and knockers will be ashamed to open their mouths, and they will all soon be converted into enthusiastic shouters for "Greater Raleigh."

With best wishes, Yours truly,

COTTON GINNED TO OCTOBER 18 (By Leased Wire to The Times.) Washington, Oct. 25—The census report shows 5,525,591 bales counting round as half bales ginned from the growth of 1909, to October 18 compared with 6,296,166 for 1908, 4,420,358 for 1907, and 4,531,621 for 1906. Sea Island cotton 36,330 for 1909, 32,013 for 1908, 18,775 for 1907, and 12,991 for 1906. The number bales ginned of the crop of 1909 by states is as follows: Alabama 513,355; Arkansas 327,945; Florida 24,902; Georgia 1,112,700; Louisiana 144,072; Mississippi 396,414; North Carolina 353,245; Oklahoma 329,701; South Carolina 622,570; Tennessee 101,190; Texas 1,672,512; all other states 19,799.

THE SUPREME COURT TAKES LONG RECESS

Adjourns For a Week in Respect to Memory of Justice Peckham

EXPRESSES SORROW

Justice Rufus Peckham Died Yesterday and the Supreme Court, Which Met at Noon Today, Adjourned Until Next Monday—Chief Justice Fuller Made the Announcement and Expressed Deep Sorrow—Already Rumor is Busy With Men Who May Be Chosen to Succeed the Dead Jurist—Judge Lurton, a Democrat, of Nashville, Mentioned.

(By Leased Wire to The Times.) Washington, Oct. 25—The United States supreme court, which met at noon today and adjourned immediately thereafter until next Monday in respect to the memory of the late Justice Rufus M. Peckham, who died yesterday at his summer home at Almont, N. Y. The entire court will attend the funeral.

On the convening of the court Chief Justice Fuller formally announced the fact of Mr. Justice Peckham's death, and expressed the deep regret of the court at his demise.

Already rumor is busy with the names of men who may be chosen as successor to the dead jurist. Those most prominently mentioned include Judge Horace Harmon Lurton, of Nashville, Tenn., at present a judge of the United States circuit court for the sixth judicial circuit. He is a close friend of President Taft and served with him on the bench when Mr. Taft was on the circuit bench. He is a democrat, but his appointment as successor to Justice Brown on the supreme court bench was strongly urged upon President Roosevelt, when Mr. Taft was secretary of war. Opposition from Senator Lodge, it is said, prevented the nomination being made. In view of the fact that Judge Lurton is a democrat it is believed strong influence will be used to induce President Taft to appoint a republican. Mr. Elihu Root, former secretary of state, is believed to be the most probable appointee if the president decides to make the appointment from his own party. An appointment will no doubt be made without delay, owing to the crowded condition of the supreme court's docket.

It was reported that Martin W. Littleton, of New York, counsel for C. H. Morse, of that city, under sentence of 15 years in the federal prison at Atlanta, would today make application to the supreme court for a writ of certiorari for his client, which would involve a review of all the evidence in his case, the legal technicalities and arguments, but this morning it was ascertained from excellent authority that Mr. Littleton has changed his intention, and will not make such application for some time. It is believed this postponement is due to the announcement made Saturday that Richard Croker, former chief of Tammany Hall, New York, is on his way to New York from Ireland for the purpose of devising means to aid his friend Morse, who secured bail through Mr. Croker's aid when convicted some months ago. Mr. Littleton will no doubt confer with Mr. Croker upon the latter's arrival at New York this week.

ITALIAN ACTOR IN DURHAM. Confering With Dr. Vaughan on Details of Italy. (Special to The Times.) Durham, N. C., Oct. 25—Sig. Alberto Ciribino, of Naples, who is now in Durham, co-operating with Dr. Vaughan upon a series of articles dealing on the dialects of Italy, is well qualified for the work which he has in hand. He is a writer and actor of some note, and has not only written and acted in Neapolitan but in Italian and a half dozen other dialects. His best works are in the language of his native city. Some of them are very popular. Not a native of Italy, hardly, that does not play E Scarpie Strette and Tutti Avventati in the repertoire. Among his other works may be mentioned the sparkling comedies Fatemi Corrie and Not to a Lover. One of his best plays was dedicated to Dr. Vaughan, who

was studying at this time Neapolitan under him. Sig. Ciribino has been presented with a diploma of honor for his superb acting by the Italian government.

NEW SPECIAL TAX DISTRICTS.

Four Have Recently Voted Special School Tax. News has been received at Superintendent Joyner's office that four more districts have voted a special tax for school purposes, those in Burke and one in Cabarrus, all carrying by an almost unanimous vote. The Burke districts were Aloth, Bridgewater, and Hickory Flat. At two of these not a single vote was cast against the tax and only three at the other. These fine results are largely attributed to the campaign made in that county recently by Superintendent Joyner, assisted by Mr. McKesson. The superintendent is Prof. R. L. Patton.

Superintendent Chas. E. Rogers, of Cabarrus, reports that Rocky River district carried by a handsome majority.

FOR BETTER MILITIA Only Strongest and Best To Be Taken

Maneuvers Are Too Strenuous For Those Not Physically Fit and Stricter Medical Examinations Will Be Required of Those Entering State Militia.

(By Leased Wire to The Times.) Washington, Oct. 25—Recognizing the law of the "survival of the fittest," the officers of the war department have determined that henceforth only the country's strongest and best will be allowed to participate in the war games of the national guard. The explanation of this action is that the maneuvers are altogether too strenuous for others to participate in them.

The division of militia affairs will send out instructions to the medical officers of the various national guard organizations directing that more strenuous medical examinations be required of recruits entering the militia and that no militiamen who are not physically able to stand the strain will be allowed to take part in future war games.

Strong faith in the present method of training the national guard is expressed by General Robert Shaw Oliver, assistant secretary of war, who has charge of militia affairs. "The war department," he says, "has not the slightest intention of varying its plans for the general education of the national guard in connection with the army, in joint camps and maneuvers in alternate years, and by the methods provided in general orders of the war department. Future participation of the national guard in maneuvers similar to those recently held in Massachusetts should hereafter be limited to such organizations as have proved themselves in the camps of instruction fit to take part and to be competent to take reasonable and proper care of themselves, and only these organizations which have been especially reported to the department as such should be given this privilege."

"There is no question that the recent maneuvers have been invaluable, and simply because certain hardships may have been suffered through ignorance by some of the men of the national guard there is certainly no reason for interfering with or changing in any way the well-settled policy which has been determined upon by the war department. There is no reason for assuming that there was any excessive amount of sickness or injury to health caused by the recent maneuvers. On the contrary, from certain unofficial statistics, which have been published, it is inclined to believe that there has been less sickness as a result of these maneuvers than usual."

CLEANS UP CITY JAIL BY HIMSELF

The Champion Scrapper Is Locked up in Durham's City Jail

SALOMY JANE BROKE

Minor Tornado is Locked Up After Much Fighting—Hits Policeman With Coca-Cola Bottle—Horse Stolen From Sheriff is Recovered. "Salomy Jane" Theatrical Troupe Goes Out of Business—Will Leave for Other Parts—Tobacco Sales Make New Records—Academy of Music Now Completely Finished—Work Being Done on Fidelity Bank.

Durham, Oct. 25—The champion scrapper that the officers have met lately was before the recorder's court this morning in the person of one Tilley, charged with an assault. Tilley was arrested Saturday night by Officer Hall and resented the manhandling by hitting Mr. Hall over the head with a coca cola bottle. He was then handcuffed and carried to the lock-up. On the way he broke the manacles and was put in the cell. He broke out soon and was again put back. This time he amused himself by whipping all the cell-mates and again he tore out the iron work of the enclosure. Finally Deputy Belvia had to take a board and plank the fellow into sublimation.

Sheriff Harward carries today a bruised hand which he used on a negro who stole his horse Saturday evening. The sheriff got his horse back but the negro was driving the horse back and forth and having a good time. The officer then took him out and gave him a good drubbing with his flat, making them exceedingly sore on the nigger's noggin.

S. Jones, of Raleigh, a negro, who followed the circus here Saturday, was caught in the act of picking the pocket of A. W. Aycock, of Roxboro, and taken captive by S. H. Edwards and S. H. Daniels. The negro fell down and prayed bitterly for deliverance, but the facts were against him. He was taken to the lock-up and held.

This was the only reported robbery of the day and no money was lost in this case. The fellow was without coin when searched, having but 25 cents. The absence of pickpockets was one of the features of the show and the exhibition was particularly clean.

The Salomy Jane theatrical company has temporarily disbanded after an engagement here Saturday night. It was at first thought this troupe would go back to headquarters but it is understood that it will spend ten days in Durham and leave at the expiration of that time for Chattanooga, Tenn. Poor patronage has marked the majority of plays here. They have come so fast that the small percentage of theatre-goers could hardly be expected to support the many plays. When John Griffith was here two weeks ago he said he had never seen such a run of plays as had come south. In Roanoke, he said, there were 28 plays in 32 show nights and the manifest result was starvation to most of them. There have been but two really good audiences in Durham while all of the attractions have been of a first rate ability.

The tobacco of the fourth big break began coming in this morning and the close of the week will doubtless see much more than a million sold. One of the farmers selling 500 pounds last week received an average of 50 cents a pound and the Banner house disposed of its more than 100,000 at an average of \$14.95 a hundred. The price has steadily gone up. It has frequently been observed here that if the trust gets the best of the farmer, the agriculturist has the peculiar sensation of getting the best of everybody else. The decorators, the Reuben Rink Company of Kernersville, have finished the Academy of Music job and the now working on the Fidelity Bank. They complete the academy with the general observation that it is the handsomest exclusively theatrical building that they have ever worked upon. One of the recent companies playing here, declared that no theatre building in New York City equalled it as a theatre building solely. The workmen are now trying to get all things on the interior that will make for the acoustic properties.

Three Burned to Death. Ogdensburg, N. Y., Oct. 25—Mrs. Robert McIntyre, her son and John Watts, a farm laborer, were burned to death last night at Oalebogs, near here. The remains were found in the ruins of the McIntyre home, which was located on a farm. The origin of the fire is unknown.