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The Evening Times

LAST EDITION

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RALEIGH, N. C., THURSDAY, FEBRUARY 17, 1910.

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MAYOR AND POLICE OFFICERS SEIZE THE ACADEMY OF MUSIC

MANAGER PUT OUT OF OFFICE

The Whole City Police Force Thrown Into Playhouse and Take Possession

THE PLAY KEPT OUT

"The Girl From Rectors" Not Permitted to Show and Manager Upchurch Ejected—Two Employees Arrested—The Entrance Was Guarded by a Big Bunch of Blue Coats, While Two Thousand or More Block the Streets—Many Clamor for Admission—An Effort Made to Secure Restraining Order. Law Suits Will be Instituted.

Two thousand people crowding Martin and Salisbury streets around the Academy of Music, many of whom had tickets of admission, and a line of blue-coats standing in front of the theatre doors, was the unusual spectacle that greeted the citizens of Raleigh last night at eight o'clock when the doors were supposed to have been opened for the presentation of "The Girl From Rectors." This estimate of the crowd is very conservative, too. The battle that started several days ago as to whether this show should be permitted to perform here or not, had been growing hotter and hotter, and while the city authorities have won a temporary victory, it looks as though they will be swamped with lawsuits. It is doubtful if ever such a scene has been witnessed in Raleigh as that of last night, and likely generations will pass before another one. All yesterday afternoon the question flowed from lip to lip "Will there be a show tonight," but there was no one to answer, and soon after dark a crowd began to collect in front of the Academy, and by eight o'clock it numbered several thousand—people, many of whom held tickets. But the doors were closed and nearly all of Raleigh's "finest" were on hand to see that no one gained entrance, not even Manager Upchurch.

At the Academy. Before the time for opening the doors, Chief Stell with his force of blue-coats marched to the Academy, went inside and demanded the keys. When Mr. W. H. Brewer refused to deliver the keys, he was arrested and they were taken from him. A negro employe who had a key was also arrested and made to deliver up the required article. Thus the police secured control of the building, and stationed men at all the entrances, calmly stood and took the hoots and jeers of the crowd. Martin and McDowell streets near the Academy were packed by this time. There was yelling, jostling, pushing and pushing, every one waiting to see what would turn up. When Mr. Upchurch appeared he was greeted with yells such as one hears in a heated political campaign when the popular idol of the party appears. Mr. Upchurch sought admission to his private office, but there was nothing doing, and he was

ROOSEVELT HUNTING TRIP ABOUT OVER

(By Cable to The Times) Gondokoro, Soudan, Feb. 17.—Col. Theodore Roosevelt arrived in Gondokoro today and the African hunting trip was at an end. All the members of the party were in good health and declared that the hunting of the last ten days, which took the expedition over an exceedingly difficult land, was one of the most enjoyable parts of the entire trip. As he neared Gondokoro today the former president took the last shots on what is probably the greatest expedition of its kind ever attempted. His schedule called for his arrival here yesterday, but he was delayed for a side trip, making the time of his arrival tonight or tomorrow morning. From here he will go down the Bar Jabel and the Nile to Khartoum, where Mrs. Roosevelt will meet him. Then on to Cairo and to Europe by the itinerary. In the hunting trip the Smithsonian African expedition gathered nearly 10,000 vertebrates, thousands of plants, as many more invertebrates and made 2,500 photographs. Some of the rarest specimens ever shot appearing in the list.

forced from the building. He stood on the steps and in vigorous language defied the officers to lay hands on him, and was lustily cheered by the crowd. Fire Alarms. The fire alarm was turned in some four or five times during the time, and several times the wagons passed through the crowd causing it to break away. The firemen were greeted with yells each time they passed. Some thought that these alarms were turned in for the purpose of running the wagons through the crowd in an effort to disperse it, while others think that it was done out of pure meanness by the parties who have been giving so much trouble lately. Some Incidents. An amusing incident was when some man began walking through the crowd with a lantern, saying he was looking for the mayor. Wherever Mr. Upchurch went he was followed by a crowd, cheering for him. After he was refused entrance to the building and had dared the police to arrest him, he walked out to where the patrol wagon was standing, and stepping up on the steps said, "So near, yet so far."

The sentiment of the majority of the crowd was that the show should have been allowed to be put on, and if any of the alleged objectionable features were produced, pinch the whole business and the methods used were pretty strongly condemned, some of the best citizens of the city expressing disapproval of the stopping of the show without first seeing whether it was indecent. Crowd Dispersed Late. It was late in the night before the crowd finally went home. After leaving the Academy it came up on Fayetteville street, and sang, yelled, beat drums and made itself heard in good fashion. It was not a disorderly crowd, but was simply noisy in giving vent to its disappointment. It was an unfortunate event for Raleigh, and in a measure should be censured. There are such things as going too far, and many think the officials were hasty. Cases Continued. The cases against Mr. W. H. Brewer and Elbert Anderson, colored, who were arrested for refusing to give up the Academy keys, have been continued until next Tuesday. The charge against them is "disorderly conduct."

Ask For Restraining Order. When the mayor issued his order to Chief Stell to not allow "The Girl from Rectors" to be presented last night, Manager Upchurch, accompanied by his attorney, Wm. B. Jones, secured an automobile and hurried to Lillington, where Judge O. H. Allen is holding court, where they presented an application for a temporary restraining order and asked that the application be granted. Mr. George C. Hall accompanied them as a representative for The Evening Times. Leaving Raleigh at 12:30 the party reached Lillington at 3:45. Attorney Jones at once asked for a hearing in the matter, which was allowed by Judge Allen. Presenting the application, with newspaper clippings, telegrams and statements attached Mr. Jones clearly stated that he only asked the court to allow this company to proceed with the performance and that he, as attorney for Mr. Upchurch, was willing to furnish a bond as high as \$40,000 or \$50,000 and same to be forfeited should there be any immorality and that the company, manager, actors and actresses be arrested and imprisoned should any complaint be made. Before the arrival of Mr. Upchurch and his attorney Judge Allen had received telegrams from Mayor Wynne asking that he be heard in this matter and after the argument by Mr. Jones, Judge Allen declined to issue any such order saying in part that he did not have the sufficient time in the midst of the trial of the docket at Lillington to give so important a matter so hasty consideration and therefore was not willing to act without notice to the mayor and giving it a full hearing and therefore he declined to give a temporary restraining order. Continuing Judge Allen said "I doubt whether such an order would be proper but I will not pass upon that question now." He thought likely if the mayor had exceeded his power an action for damages would lie, but had not considered that question. It was not alleged that the mayor was insolvent and the city might be liable to certain instances, but these were mere suggestions and he only meant to hold that he would not grant a hasty order of so much importance without more time and without giving the question full consideration. Judge Allen stated that if the action of the mayor was as extraordinary as was suggested and of which he expressed his opinion it would certainly be extraordinary to so harshly interfere with his acts, he being an officer elected by the people of Raleigh and presumed to be acting in the interest of the city. After court adjourned the matter was

again argued before Judge Allen in his room at the hotel. After this argument he forwarded the following telegram to Mayor Wynne:

J. S. Wynne, Raleigh, N. C. "Matter now before me. Parties propose exhibit under supervision of committee and stop if required. Is any objection to that. Answer quick. O. H. ALLEN." After some delay Mayor Wynne wired (Continued on Page Eight.)

BOATSWAIN J. S. CROGAN.



Chief Boatswain John S. Crogan, who is in command of the missing naval tug Nina, diagram of the search being made for her, Joseph Carrington and Ferdinand Druce of the crew, (the former shown next to Crogan) and the missing boat. The Nina left Norfolk for Boston several days ago

and has not been heard from. It is believed that the vessel has gone down with her crew of thirty-two men.

ATTEMPTED ESCAPE

Solomon Shepard Made a Dash For Liberty Yesterday

Was Just Entering Upon the First Day of a Thirty-Year Sentence for Killing Engineer Holt—Was Fired Upon by the Guards and Slightly Wounded.

One of the boldest attempts to escape in the history of the penitentiary was made yesterday by Solomon Shepard, negro, but the sting of bullets and the promise of death were too much for him and he is now languishing in irons.

Shepard was convicted last week of killing Engineer Holt, and sentenced to serve thirty years in the penitentiary. He was brought here Tuesday by the sheriff of Granville county and placed in the penitentiary. Yesterday he was put to work helping to put in the electric chair in the death cell. While engaged in this, what looked to be an opportunity to escape appeared, and without hesitating one moment he made a break for liberty. Leaving the main building he was making for the stockade when guards Smith and Chadwick opened fire upon him, bringing him to a halt. It was found that two bullets had pierced the clothing, grazing the skin enough to cause a slight flow of blood. Otherwise he was uninjured, but had he continued his flight he would doubtless have been killed.

The negro was placed in irons where he will remain until he shows a better disposition.

Big Fire at Gloucester.

(By Leased Wire to The Times) Gloucester, Mass., Feb. 17.—The big coal pockets of the Gloucester Coal Company and a storage warehouse adjoining were destroyed by a fire early today that threatened to sweep the entire water front and created a panic among the inmates of several nearby tenement houses. The loss is estimated at \$40,000.

The Kaiser Sick.

Berlin, Feb. 17.—The Kaiser is confined to the palace with influenza today, but his physicians announce that his case is not serious.

MYSTERIOUS BOMB THROWING AGAIN

Solomon Shepard Made a Dash For Liberty Yesterday

(By Leased Wire to The Times) Chicago, Feb. 17.—Bomb number thirty-six in Chicago's mysterious bomb-throwing early today destroyed the front stairway of a three-story brick building at 167 north Peoria street.

A portion of the front of the building was also razed in. No one was in the house at the time. It was leased by "Mike The Phil" Heiler, the principal defender of former years of Police Edward McCann, convicted of Leveidry.

The police believe that a levee feud was the incentive for the outrage.

THREE MEN BURNED TO DEATH IN WRECK

(By Leased Wire to The Times) Scranton, Pa., Feb. 17.—Three men were burned to death today in a wreck on the Lehigh Valley railroad near Jenkins Junction.

The dead: Bowman Shea, conductor, Mauch Chunk, Edward Bennett, brakeman, Fair View.

The accident occurred on a cut off, two light trains coming together in a rear end collision.

The cars were piled up and the debris caught fire, a caboose being utterly consumed.

SENATOR TILLMAN SICK.

Had Fainting Spell While Ascending the Steps of the Capitol Yesterday.

(By Leased Wire to The Times) Washington, Feb. 17.—Senator Tillman, of South Carolina, who had a fainting spell while ascending the capitol steps yesterday, and who was taken home in what was thought to be a dangerous condition, today is reported to be resting easily. His son said that while the senator is better, he probably will not be able to appear at the senate for several days.

STORMS YET PREVAIL

The Situation Is Still Serious In France

The Third Flood Has Reached its Crest and Relief is in Sight But Storms Still Prevail and Much Damage is Being Done.

(By Cable to The Times)

Paris, Feb. 17.—Unprecedented storms lashed France today, adding to the havoc wrought by the tempests of the last three days. Landslides and avalanches in the departments in the Alps endanger towns and tourists resorts? Winds of cyclonic force have blown down several houses in Marseilles and more in the vicinity. Snow has derailed trains. The only relieving note in the reports that came into day was the lack of rain in the valley of the Seine, and fall in the river at Paris. When dawn came, the crest of the third flood of this disastrous year was past. The situation in the city, nevertheless, was serious. Suburbs that escaped in the second flood were inundated by the third. In the quarters of Grenelle, Javal and Passy streets are yet under water, in some places to a depth of more than a yard. At Ivey and Corbeil vast areas are deserted and there is grave danger of the collapse of houses whose foundations have been sapped again and again by the fluctuating rivers. Champigny, Bry, Varennes, Nogant and St. Maur, all suburbs, have been invaded by the last inundation. The food problem is again paramount. As each house brings fresh news of the devastation wrought along the railroad lines on which the city depends for its supplies, the seriousness of the predicament becomes more apparent.

In the refuge camps on the outskirts suffering is intense, and in the refuges opened within the city congestion is great. Although the authorities by now have the distributing system on a well working basis, the menace of lowered supplies today made it apparent that half rations

BLACKHAND BOMB.

Exploded in Doorway, Causing Panic in Neighborhood.

(By Leased Wire to The Times)

New York, Feb. 17.—A blackhand bomb was exploded in the main entrance to 170 Prospect street, Jamaica, L. I., throwing the neighborhood into panic early today.

The door was torn away, but no one was injured.

Oscar Catan Searo, who lives in the house, has received several threatening letters.

Cargo of Oil Blown Up.

(By Cable to The Times) Havre, France, Feb. 17.—The sloop eJeanne D. Arcades, cargo of oil blew up today while she lay in her dock at Havre. The captain and a sailor were burned to death and several others were injured. The explosion occurred when a sailor carried candle into the hold.

Twenty Men Entombed.

(By Leased Wire to The Times) Pittsburg, Pa., Feb. 17.—A special prospector of dynamite in the Trevorton Coal Company's mine today entombed 20 men. It is feared several have been crushed to death.

SEARCH FOR MISSING TUG DISCONTINUED

(By Leased Wire to The Times.) Washington, Feb. 17.—The navy department announced today at noon that further search for the missing naval tug Nina has been discontinued. The Salem and the Louisiana, which have been cruising near Hog Island, have been ordered to return. The department has officially notified the next of kin of the crew that it is believed the ship is lost, with all hands.

The search for the missing naval tug Nina has not been given up by the revenue cutter service. The vessels will patrol the Atlantic seaboard from Cape Hatteras to Maine as usual, and keep a close lookout for the missing craft.

EXPLORER LEITH RETURNS.

Went North Last July and Had Been Given Up As Dead.

(By Leased Wire to The Times) Washington, Feb. 17.—Numbered among countless souls who have gone to a frozen death in the barren ice wastes of the far north, mourned by a sorrowing wife who believed she would never again see his face, given up for dead by relatives, and counted among the lost by a host of friends, Arthur T. Leith, explorer, geologist, and hunter, whose hazardous venture into the land of the Eskimos was watched by all Washington, has returned unharmed to his home in this city. Leith started for the far north last July with his brother, Dr. C. K. Leith, professor of geology at the university of Wisconsin, of F. S. Adams, of D. Lath, and Hugh Roberts, geologist, of Superior, Wis. The party reached a point 150 miles north of Great Whale, but met with disaster and only succeeded in regaining civilization after great hardship. The object of the venture was the investigation of reported iron formations on the coast of Labrador.

BACK FROM ELBA.

Denver Editor on the Way to Egypt to Meet Col. Roosevelt.

(By Leased Wire to The Times) Chicago, Feb. 17.—F. G. Bonfits, owner of the Denver Post, is on his way to New York, en route to Khartoum, Egypt, where he will meet Colonel Roosevelt, and, on behalf of the chambers of commerce of the west, invite the former president to land at San Francisco and visit the principal cities of the west on his journey across the continent.

Mr. Bonfits will sail for Khartoum via Naples, and expects to meet Colonel Roosevelt March 6. Before he returns to Denver he will have traveled 20,000 miles.

SENATE BALL TEAM.

United States Senate Will Have a Fine Team This Year.

(By Leased Wire to The Times) Washington, Feb. 17.—The United States senate, which will be represented by a ball team this year, yesterday promised to outdo any other team ever organized at the capital. Recently Manager Burke issued a call for candidates, and 22 employees, representing 18 states, have signified their intention of trying for the team.

All of those who have promised to come out for the team are seasoned players, some having played professional and college ball.

GRAFTERS FEAR THE INVESTIGATION

(By Leased Wire to The Times.)

Albany, N. Y., Feb. 17.—Legislators, politicians, financiers and lobbyists are in panic today as the result of Governor Hughes appointment of a commission to investigate the charges of graft in the purchase and sale of state forest preserves. Some of the best known men in the state, it was declared today, will be subpoenaed as witnesses by the commissioners Roger Clark and E. Leroy Austin, when the probing begins. The belief is growing constantly that the wholesale investigations planned as a result of the hearing of Senator Conger's charges against Senator Aids will last for several months.

Just who has been chiefly concerned in the rumored sale of Adirondack and other lands for trifling sums, and their repurchase by the state at immensely higher rates is a matter of much gossip. It was declared today, however, that several influential persons had already met in conference for the purpose of fighting the investigation as best they can, and that the work of the government's commission will bring on a hot struggle

THE SEYLORS ARRESTED IN PETERSBURG

Will Be Taken Back to New Jersey to Stand Trial For Alleged Crime

THE WIFE'S STORY

The Seylor Brothers Arrested in Petersburg and Will be Taken Back to Atlantic City to Stand Trial—Many Threats Against the Brothers and Much Secrecy Will be Maintained in Taking Them Home—Not Yet Known Whether or Not They Will Go Back Without Extradition Papers—Wife of Seylor Stands by Him.

(By Leased Wire to The Times) Atlantic City, N. J., Feb. 17.—Two detectives are in Petersburg to arrange for the extradition of William and Orvis Seylor, the two brothers arrested there in connection with the death of Jane Adams, the million dollar pier mystery victim in this city on February 4.

It is not yet known here whether the men will waive extradition but it is believed that their family will advise them to do so. The two brothers will not be brought back here immediately, however, as there is considerable feeling against them and the authorities do not wish to cause further excitement at the present time.

The present grand jury will be held in formal session until the two men are brought back and the evidence against them will be immediately presented to the panel. There are rumors heard on every side against the brothers and the greatest secrecy will be observed in making the plans for their return.

Chief of Detectives Whalen is given all the credit for the capture of the two men. After careful inquiry he decided that they had probably gone either to Delaware or Virginia. They were traced to Wilmington, Del., and from there to Petersburg. Chief Whalen said today in reference to the men awaiting extradition, "We will bring them back, so they might as well come first as last."

When the news of the capture of her husband and his brother had been broken to the wife of William Seylor, she broke down and cried pitifully at first but later became defiant. "Oh, my poor Will, I wish that I could be with you," she sobbed. Then, turning defiantly, she said, "I tell you he is as innocent as I am. I would not believe that he had anything to do with Jane Adams' death unless he told me so with his own lips. He certainly will be able to prove that he had nothing to do with the death. I cannot explain why he ran away unless it was that he had no steady employment and became disheartened. When I told the police that I had not heard from my husband since he left home I spoke the truth. If I had known I believe that

(Continued on Page Two.)