

THE WEATHER

For Raleigh and vicinity: Partly cloudy with local showers tonight or Saturday. For North Carolina: Partly cloudy with local showers tonight or Saturday.

The Evening Times

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CONFLICT IN SPAIN WITH THE VATICAN

Struggle of Anti-Clerical Party in Spain Threatens to be Serious One

KING WITH OPPOSITION

Spain Long the Foremost Catholic Power in the World. Challenges the Vatican to a Struggle as Serious as That Which in France Led to the Expulsion of All Religious Organizations—With the Signature of the King to the Bill Premier Canalejas is Today Reinforced, Which Has Been Neutral in the Dispute.

(By Cable to The Times.) Madrid, July 8—With the presentation to the Cortes of the bill, already signed by King Alfonso, barring new religious order from the country pending the concordat negotiations, Spain, long the world's foremost Catholic power, today challenged the vatican to a struggle as serious as that which in France led to the expulsion of all religious organizations.

By this step Spain definitely takes the offensive in the negotiations with Rome regarding the concordat. The situation is unprecedented on the Iberian peninsula, for hundreds of years the stronghold of the church. With the king's signature affixed to the bill, the supporters of Premier Canalejas were today reinforced by a faction which hitherto has remained neutral in the dispute.

WOMAN AEROPLANE HAS FATAL ACCIDENT

(By Cable to The Times.) Rheims, July 8—Baroness De LaRoche was fatally injured today when flying in a Voisin biplane at the aviation meet. The machine went wrong and plunged straight down 150 feet, tangling the victim in the debris. She was internally injured and also sustained fractures of the arm and leg. A great crowd had gone out to Betheny Plains, drawn by the hope of seeing more records broken. The opportunity of witnessing a flight by the famous woman aviator raised the enthusiasm to a high pitch. She set off in her biplane confident and laughing. It was when at the height of 150 feet that it became evident that the spectators something had gone wrong. In the few moments that the incident occupied, the crowds were turned from cheering enthusiasts to a horror-stricken multitude. The biplane, going at a terrific speed, suddenly seemed to halt; it appeared tossed on the wind. Then while the driver could be seen to tug at levers, the machine fell, whirling and tossing. The authorities had difficulty in clearing the field of the crowd. Finally a squad of infantrymen forced back the throng. A hasty examination of the baroness was made, and, as soon as the extent of her injuries were ascertained, she was hurried to the field hospital.



Melville Weston Fuller and his grandson. This was the Chief Justice' favorite picture. Chief Justice Fuller recently died of heart disease at his summer home near Bar Harbor, Maine. Mr. Fuller was appointed to the high office of Chief Justice by Grover Cleveland and has served his country in that capacity for the past twenty-two years. Among the most notable decisions handed down by the Chief Justice were the Income Tax Act in 1895, which was declared unconstitutional; the sustaining of the United States Circuit Court of Appeals in overruling Judge Landis's action in finding the Standard Oil Company \$29,210,000, and the Danbury hat case, holding boycotting illegal.

FUNERAL OF FULLER THE FIFTH ADJOURNS

Last Tributes to Late Chief Justice Without Making Nomination Until July 26th

Concentration This Afternoon Decided by Good Majority to Adjourn Until July 26.

(By Leased Wire to The Times.) Chicago, July 8—With minute guns booming, the last tribute of the nation to Melville Weston Fuller, late chief justice of the United States supreme court, the body of the distinguished jurist will be laid to rest late today in Graceland Cemetery, beside the grave of his wife.

Funeral services will be in St. James' Episcopal church. High dignitaries of the courts will pay a last tribute to the memory of the man who for twenty-two years held the foremost position in the judiciary of the nation. Five of his associates upon the supreme bench of the United States and the man who is soon to take his place among them will be present at the funeral rites and follow the body to its final resting place.

The federal and state courts in Chicago were closed throughout the day and all business in them suspended. Flags over government buildings will be at half mast during the hours of the funeral ceremonies and beginning at 4 o'clock seventeen minute guns will be fired on the lake front. The body of Chief Justice Fuller was brought here on a special car from Boston, accompanied by the members of his immediate family and Associate Justices White, Holmes, Day, McKenna and Lurton, and by Governor Hughes, of New York, who in the fall will take his place upon the supreme bench.

The body of the jurist was borne into the church by three of his sons-in-law, Hugh Campbell Wallace, Nathaniel L. Francis and Samuel M. Moore, and by three of his grandsons, Melville C. Aubrey, Melville Weston Fuller Wallace and Stuart Shepard. They will carry it to the grave.

On Tuesday the bench and bar of Illinois will join in a memorial meeting.

Brokers Offices Closed Up. Toledo, Ohio, July 8—As the result of the Western Union Telegraph Company's withdrawal of wire service from alleged bucket shops, two brokerage offices here were closed today.

SUIT AGAINST A. C. L.

Suit For Damages Started For the Killing of Son

Jas. A. Lockhart Attorney for Plaintiff—Republican County Convention Called—Active Work Begun on Streets—Suit Brought Against Seaboard—New Methodist Church.

(Special to The Times.) Wadesboro, N. C., July 8—Henry Johnson, colored, has through his attorney, Jas. A. Lockhart, Esq., commenced suit in the superior court of this county against the Atlantic Coast Line railroad for damages on account of the accidental killing of his son, J. W. Johnson, while in the employ of the railroad. The accident, by means of which Johnson lost his life, occurred near Wilmington on the 15th day of May while Johnson was running as porter on a Coast Line passenger train. It is alleged that the accident was due to the negligence of the defendant railroad, and the amount of damages asked for is \$20,000. The elder Johnson lives in Morven township.

A county convention of the republican party of Anson county is hereby called to meet in Wadesboro Saturday, July 16, 1910, for the purpose of electing delegates to the various conventions.

Active work on street improvement was commenced on east Morgan street this morning. The hill on the north side of the Methodist church is being graded with big plows, preparatory to laying a granolithic pavement and macadamizing the road.

McLendon & Thomas, representing John High, of Wadesboro, has brought an action against the Seaboard Air Line railroad for damages on account of personal injuries received by the said High in an accident while in the employ of the defendant company. High was working as a section hand and a rail dropped on his hand, badly mashing it. The accident is alleged to have been caused by negligence and \$1,000 damages is asked for.

The handsome new Methodist church at Morven is an assured success. The contract for plans and specifications have been given to Mr. L. H. Asbury, architect, of Charlotte, and will be in the hands of the committee in a few days. Then a contractor will be secured and the work will begin as soon as possible. It is hoped that the walls can be gotten up and the roof on before winter. The property, when completed, will cost \$10,000. The building will have a seating capacity of 500 and with six class rooms and a pastor's study, will be the best public structure for the money. Many churches costing twice as much have nothing like the working features of this church to be in Morven.

APPREHENSIVE OVER EASTERN SITUATION

(By Cable to The Times.) Berlin, July 8—Official circles are apprehensive over the convention and the reported secret treaty between Russia and Japan and European complications are feared. Austria, close to Germany, is now believed to be menaced by Russia. "With Russian troops no longer necessary in large numbers to guard the czar's interests in Asia, as the result of the agreement with Japan, Russia is now free to act against the country which has most antagonized her of late—Austria," said a leading German diplomat today. In this complication is seen a grave menace to the Triple alliance. While Germany would stand firmly by Austria in a crisis, Italy is one with Russia in the desire to balk the real or supposed aims of Austria in the Balkans. This mutual aim was strengthened by the czar's visit to Italy last winter. Moreover, the impression felt here and admitted semi-officially is that the Russo-Japanese agreement means that the commercial progress of all other countries in Manchuria will be considerably dimmed. Germany and the United States are believed to be the chief sufferers. An air of uneasiness is apparent in the foreign office and the developments of the immediate future are awaited with anxiety.



Governor Charles E. Hughes, of New York, who is mentioned as a possible successor to the late Melville Weston Fuller, Chief Justice of the Supreme Court of the United States. While no appointment of a successor will be made until Congress meets in December, it is already conceded that the appointment will go to either Governor Hughes, Lloyd M. Bowers, Solicitor General of the United States, or Henry M. Hoyt, counselor of the State Department.

WILSON GETS IT CLOAK-MAKERS' STRIKE

Twelfth Judicial District 70,000 Men and Women Out On Strike

After An Allnight Session Five Hundred Ballots Were Taken With No Result—Shannonhouse of Charlotte is Leading—Very Little Shifting of Votes to Various Candidates

(Special to The Times.) Charlotte, N. C., July 8—Wilson nominated by narrow margin on the 829th vote.

Gastonia, N. C., July 8—The judicial convention for the twelfth judicial district which convened here at 1:30 yesterday afternoon to nominate a solicitor is still in session, with no indication that a nomination will be reached today. Five counties comprise the district—Cabarrus, Cleveland, Gastonia, Gaston, Mecklenburg and Lincoln. The candidates being voted on are George W. Wilson and A. G. Mangum, of Gastonia; F. M. Shannonhouse and D. B. Smith, of Charlotte, and C. E. Calhoun, of Lincoln. On the first ballot yesterday the vote was as follows: Shannonhouse 72,22; Smith 69,56; Wilson 48,93; Childs 39,39; Mangum 18,99.

The convention remained in session all night, adjourning at 8 this morning. Reconvened at 8 and balloting is still in progress. One hundred and twenty votes plus a fraction are necessary to a choice, and while there has been some shifting of votes no candidate has made any appreciable gain thereby. The deadlock at Gastonia is nearing its end, apparently, Wilson having taken a strong lead this afternoon. The last vote reported after the dinner recess of the convention for solicitor was as follows: Smith, 56,93; Shannonhouse, 74,94; Wilson, 101; Childs, 5,93; Mangum out of race.

Drove Priest From Residence. (By Leased Wire to The Times.) Wilkesbarre, Pa., July 8—Three hundred riotous members of the Polish church of Nanticoke this afternoon drove from the parochial residence a new priest whom they did not favor and took possession of the place. They have defied local police authorities and a call for help has been sent to Troop B of the state constabulary.

AIRSHIPS ENGAGE IN DARING RACE

Five Thousand Spectators Thrilled By Great Race Between Aviators

MADE FAST FLIGHT

Both Braskins and Curtis Decided on Preliminary Tryouts for the Two 5,000 Prizes Offered for Aeroplane Records During Aviation Week—Before the Race Curtis Made a Daring Flight Over the Ocean and the Million Dollar Pier—Made Ten Miles in Eight Minutes.

(By Leased Wire to The Times.) Atlantic City, N. J., Five thousand spectators were thrilled today by a daring aerial race between Glenn H. Curtis, in his own type of aeroplane, and Walter Brookins, in a Wright biplane. They raced along the beach, one above the other, between the two Youngs piers. Curtis easily out-distanced the heavier Wright machine. Both Brookins and Curtis decided on preliminary tryouts for the two \$5,000 prizes offered for aeroplane records during aviation week here. Brookins skinned along above the stretch of sand between the two piers for eight circuits and then started cutting figures. He then turned his machine and went out to sea, flying over several yachts at anchor. Just as he turned, Curtis started in his biplane. The Curtis machine rose easily and ascended to a considerable distance above the Wright plane. Then the two machines started along the beach. Brookins attempted to beat his opponent but the Curtis machine quickly proved the speedier. Brookins then made some more graceful figure evolutions. One of the \$5,000 prizes is for a fifty mile ocean speed record and the other is for the Atlantic City altitude record, the latter to beat the world's altitude record. Before the race Curtis made a daring flight over the ocean and the million dollar pier. In ten minutes he covered eight miles and then descended. Fifteen minutes after a booming gun had announced that Curtis was about to fly, he soared 100 feet into the air near the ocean pier and started for the million dollar structure. As he neared it the aviator swung gracefully around, mounted skyward another 100 feet, following the line of the structure continued out a half a mile to sea where he turned up the coast toward the inlet, dipping dangerously several times as the air currents swept out between the big hotels. Shooting a mile out over the ocean, Curtis described an arc toward the boardwalk and returned toward his (Continued on Page Six.)

STRINGENT LAW AGAINST THE CLUB

(Special to The Times.) Charlotte, July 8—The stringent laws governing clubs and bockers in this city went in force on July 1 and in accordance with these stringent rules, each social club in which liquor or beer is kept, this week had to file with the clerk a complete list of all members of the club, and a separate list of those members having bockers. It is required in the first place that every club shall have at least 50 members. Each member keeping a locker is required to pay \$2 per annum for the privilege, and the club is required to pay \$10 per year special tax. The only provision that the club people were able to gain from the prohibitionists on the aldermanic board, was the privilege of keeping their beer on ice during the hot weather, otherwise the imbibing of hot beer would have offered little temptation, even to the most parched throat. But the aldermen said that while members could keep their beer in the common refrigerator, each bottle must be so marked that the members can tell to whom each bottle belongs, and the owner of the bottle only is entitled to utilize the contents. Furthermore the aldermen said that the clubs shall at all times be open to the inspection of the mayor or any of the police department. So the members are enjoying cool beer under probably the most stringent set of rules that can be found in the code of any city. Nevertheless at the meeting of the board this week seven or eight clubs met the requirements, and filed their membership lists, etc., and will comply with the ordinance, which embraces six or eight sub-sections, going into the minutest details.