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BIG HOLE IN PUBLICITY ACT

Statements of Senators Do Not Have to Be Made Public Under the Law

GAN JUMP THROUGH IT

Other Loop Holes are That While the Law Provides That a Candidate for the Senate May Spend \$10,000 and for the House \$5,000, That Money Expended by the Candidate for Assessments Made by State Law, for Necessary Personal Expenses for Travel and Subsistence, Stationary, Postage, Writing and Printing, Distributing Circulars, etc., Shall Not Be Considered a Part of This Expense Account—Things Eliminated.

(By PARKER R. ANDERSON)

Washington, Aug. 31.—When primary election expense statements from Senators Swanson and Martin of Virginia, reached the office of the secretary of the senate today, it was discovered that congressional campaign publicity act, passed at the recent session of congress, does not actually require the publication of expense accounts of senatorial candidates.

Either by design or oversight, the new reform law seems to have a big hole in it. At any rate in the absence of Secretary Bennett, officials of the secretary's office refused to make public the accounts of the two Virginia candidates for renomination and election. They refused on the ground that, while the law requires the accounts to be filed not more than 15 or less than ten days before the primary or election, it does not require that they be made public.

Examination of the law shows that while in the section devoted to candidates of the house, publicity is provided for, there is no such provision in the section devoted to candidates for the senate. Section 5 speaking of the candidates for the house, says:

"The statements so filed with the clerk of the house shall be preserved by him for fifteen months and shall be a part of the public records of his office and shall be open to public inspection."

But senators are treated in section 8 which has no such provision. This is the second feature of the "corrupt practices act" to arouse criticism. The other came near causing a fist fight between Representative Rucker and Booher, of Missouri, and induced Booher to vote against the conference report on the bill when it came up for final passage in the house.

The second objection concerns the Reed amendment naming a limit of expense by any candidate at \$5,000 for representatives and \$10,000 for senators. But the law makes exceptions as follows:

"Provided further, That money expended by any such candidate to meet or discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State wherein he resides, or for his personal expenses, incurred for himself

ON THE ANTI-TRUST LAW

Hornblower Thinks "Reasonable" Interpretation Necessary

Thinks the Sherman Law Far Too Drastic if Interpreted Literally But All Right According to the Supreme Court Decision—The Idea of a Federal Commission Appalling.

Boston, Aug. 31.—A protest against "further experiments in drastic legislation" against business interests was voiced by William H. Hornblower, of New York, in an address on "Anti-Trust Legislation and Litigation," at last night's session of the annual meeting of the American Bar Association. Mr. Hornblower declared that the Sherman anti-trust law, failed to comply with what he considered the requisites of a proper statute.

"This statute," he said, "never has been and never can be literally and strictly applied. To so apply it would produce chaos in the business world. The statute must be applied according to its reasonable meaning or else it becomes the instrument of injustice and of ruin to the mercantile community."

"There is a point at which competition becomes the death of trade. Undue competition may lead to monopoly, while a reasonable regulation or a reasonable agreement between the competitors may prevent monopoly. Prohibition of all combinations and of all restraint of trade is unwise. Civilization means co-operation; co-operation means combination; combination means restraint of competition."

Touching of the criminal aspect of the Sherman law, Mr. Hornblower said:

"Public opinion appears now to be clamoring for victims. It is not satisfied with damages or injunctions or possible receiverships, but punishment of individuals is loudly called for. Protests are even made against mere pecuniary fines. Actual imprisonment of the offenders is demanded."

"For myself, I do not hesitate to say that the sweeping penal provisions of the law are unwise and unjust, and should be made more limited in their scope and much more definite and certain. Acts of moral turpitude, if properly defined in advance, may well be made criminal. Such acts of moral turpitude are, for instance, the use of unfair means to suppress competition and to crush out rivals, and agreements with competitors to raise prices or to restrict production. To make 'restraints of trade' criminal, irrespective of its character and purposes and irrespective of the methods pursued to accomplish the restraint, is to punish alike the intentional malefactor and the honorable and upright business man who has been guilty only for a technical violation of a prohibitory law."

"Another suggestion has been recently exploited and has the support of able advocates, namely, the creation by the Federal government of a commission or a number of commissioners who shall have power to regulate prices or articles of interstate commerce. To my mind, this is an appalling suggestion. Nothing short of omniscience can enable such a commission to perform its work with intelligence and with safety to the best interests of producer and consumer."

"I believe that the Sherman law as interpreted and enforced by the Supreme Court, is quite adequate, so far, at least, as civil remedies are concerned, to meet any further attempts at dangerous aggregations of capital."



Views of the Wreck on the Lehigh Valley Railroad last week in which more than twenty-five persons lost their lives and over fifty were injured.

FOURTEEN AFTER JOB MANY APPLICANTS FOR THE FINANCE BOARD

Names of Candidates Not Given Out by Aldermen, Who Say They Know of List—May Elect Tomorrow Night—Improve Hillsboro Street.

Fourteen men want to succeed the late Job P. Wyatt as member of the board of audit and finance.

More than a hundred applicants were received by the board of aldermen, when they met today, to furnish a list of the gentlemen wanting the job. Only one man can be elected—unfortunately for the applicants—and there was no desire to give the candidates' names away.

The election is billed to occur tomorrow night at the regular monthly meeting of the board. The other members of the board of audit and finance are Mr. Jesse G. Ball, chairman, and Mr. Edgar E. Broughton.

When the aldermen meet tomorrow night the proposition to widen Hillsboro street will be taken up and passed. Enough members favoring the improvement of this street will be on hand and there is little doubt that the improvement will be ordered. The proposition is to widen the street on the south side from Mr. A. H. Green's place, just beyond the bridge, to Mr. Benahan Cameron's home, in front of St. Mary's campus. The number of feet to be added to the street will not be greater than sixteen at any one point.

PAWN BROKER ON THE STAND

Refutes a Part of Paul Beattie's Testimony But Memory Is Not Good

NO INSANITY PLEA

Chief Counsel for the Defense Says the Defense Has No Idea of Using the Insanity Plea—Expected to Take Jury to Scene of Crime Today, But Bad Roads Prevented—David Weinstein, Son of the Pawn Broker on the Stand—Says He Did Not Take the Gun Apart.

Chesterfield, Aug. 31.—Continued attacks on the veracity of Paul Beattie as to his story of the purchase of the shotgun for his cousin, Henry Clay Beattie, Jr., brought out at the trial, the statement of E. H. Nebitt, that he saw Paul with the shotgun a day after he claimed to have delivered the weapon to Henry. On cross-examination Nebitt said he had only yesterday given this information to counsel for the defense.

"Did you tell anyone else about it?"

"Not until a few days ago, when I told my wife and J. G. Saunders."

"Why didn't you tell it before?" asked prosecutor Wendenburg.

"I didn't think it was of much importance until Paul Beattie denied it on the stand."

"But did you not tell Mr. Smith yesterday and did not Smith base his question, told of in the paper, on the information you gave him?"

"Yes."

The witness was excused.

Several character witnesses, intended to tell of Henry Beattie's good reputation in his community, were introduced.

Weinstein on the Stand.

Chesterfield Court House, Va., Aug. 31.—Attorney Smith, chief counsel for Henry Clay Beattie, Jr., on trial for murdering his wife, put an end to rumors that ultimately insanity would be offered as the prisoner's defense, by announcing that under no circumstances would such a plea be entered.

It was the defense's announced intention to ask that the court have the jury today visit the scene of the crime, but muddy roads caused a postponement of this for several days.

Immediately after court convened the defense called David Weinstein, son of the pawn broker from whom Paul Beattie purchased the shot gun. Weinstein controverted Paul Beattie's testimony that he (Weinstein) took the gun apart and wrapped it up when it was sold to Paul. The witness said Paul had been in the pawnshop four or five times. Paul previously testified that with the exception of the day he bought the gun he visited the pawnshop only once, and then to borrow a dollar. On cross-examination Weinstein exhibited a lack of memory as to the exact time of day the gun was purchased on Saturday, three days before the commission of the crime July eighteenth.

Jacob Weinstein on cross-examination contradicted his brother as to the hour of the sale of the gun saying it must have been around four

ASSESSMENT OF HOTEL HELD NOT TOO GREAT

The state tax commission today dismissed the complaint of the Franklin Park Improvement Company of Brevard against the assessment of a hotel and 9 3-4 acres of land, the hotel people having complained that the assessment of the county assessor was too great. The assessment was fixed at \$21,700 by the assessor. Commissioner W. T. Lee, after hearing both sides of the case, reported that the assessment should stand and the tax commission therefore dismissed the complaint.

Owing to complaints and investigation in Dare county the commission has ordered the assessors and other authorities to reconvene on September 5 for the purpose of straightening out the tangle. Some lumber companies are involved in the assessment. Chairman Franklin McNeill visited Dare county and ordered increased made.

A 10,000 MILE HONEYMOON.

And Japanese Says Love Doesn't Count in Matrimony.

Chicago, Aug. 31.—K. Yamasaki, Japanese consul in Chicago, today returned from a 10,000 mile honeymoon with his 28-year-old bride, daughter of Baron K. Ishii, vice minister of foreign affairs of Japan, and declared the wisdom of parents counts for more in son-in-law than love itself. He said that this country ought to set an age limit under which parental advice is necessary before lovers may be united in marriage.

"In matrimonial matches in Japan, the love element does not count for much," said K. Yamasaki. "The important thing about a marriage is whether the parents will consent. We have fewer divorces in Japan than in this country as a result. Such a policy in this country would be a positive benefit in my opinion."

BIG NEW BATTLESHIP PUT IN COMMISSION

Philadelphia, Aug. 31.—With a crew of more than seven hundred men standing "at attention" the battleship Utah, one of the most powerful warships afloat, was placed in commission at the Philadelphia navy yard today, with the band playing the "Star Spangled Banner," the stars and stripes were thrown to the breeze from the masthead. After stores and other supplies are placed aboard the battleship sails for New York and later joins the Atlantic fleet.

TENTATIVE PLAN FOR TRUST DISSOLUTION

New York, Aug. 31.—A tentative plan for the dissolution of the Tobacco trust in accordance with the supreme court's decree was discussed at a preliminary conference by judges Lacombe and Noyes.

The government was represented by Attorney General Wickesman and James McReynolds, who, as special assistant attorney general, presented the trust. Pending the dissolution of the fiscal combination and its re-creation in conformity with the law is a problem which will take time to solve satisfactorily to all interests and the government and the federal judges.

Another conference is to be held September 10th before the public hearings begin. The court directed that the expenses of the three committees representing American Tobacco securities holders to be paid by the Tobacco Company.

ANOTHER STORM IS EXPECTED ON COAST

Washington, Aug. 31.—The Atlantic revenue cutter fleet was ordered to remain at sea to follow the path of the second storm which is predicted to break over the South Atlantic coast and move toward Cuba.

The destroyer Seneca has been ordered from the home station at New York to cruise off Charleston, S. C., and aid vessels in distress.

The Onondaga has been ordered from Norfolk to search for the schooner Sarah D. Feil, of New York, which was last reported abandoned by her captain and crew of six, a hundred miles off St. Augustine, Fla.

Storm Warning for Louisiana Coast.

New Orleans, Aug. 31.—As a result of unsettled conditions in the middle Gulf, the weather bureau repeated its warning to small craft along the Louisiana coast to exercise caution.

SUSPENDED BECAUSE OF LOSS OF MONA LISA

Paris, Aug. 31.—Theophile Homolle, director of the National Museum, was suspended today by the French cabinet, because of the disappearance of the painting, "Mona Lisa," from the "Louvre." It was believed Homolle took insufficient precaution to guard the museum's treasures.

ASSESSED VALUATION.

Figures Show Increase of Nearly \$2,000,000—County Auditor Files Report, Giving Details.

(Special to The Times.)

Ashville, Aug. 31.—The county auditor has just compiled the figures showing the assessed valuation of the real and personal property in Buncombe county. The figures show the valuation is nearly two million dollars more than the last assessment. The last assessment showed a valuation of \$18,290,425; the present valuation is \$20,427,560, being a gain over the last of \$1,957,155. The gain in the four city wards is \$793,667; the present valuation being \$11,912,378. The corporation property is not included in any of these figures.

It is interesting to note that while there are about 150 automobiles in the city and some of them are very fine ones the assessed valuation of automobiles, phaetons and pleasure boats is only \$47,067. Another interesting item in the mopryon hand, this being given at \$78,185. The incomes are given at \$199,533. The number of horses, mules, jacks and Jennets is given as 631, valued at \$456,249. The number of goats, cattle, sheep, hogs and dogs is 32,331 valued at \$337,749.

RICE AND LONG STAPLE COTTON WIPED OUT

Charleston, Aug. 31.—Mayor Rhett is directing work of rehabilitation in a storm stricken Charleston. This morning the death list was seventeen and property damage estimated conservatively at one million dollars. The storm battered Clyde liner Apache is in port, as are several crippled steam and sailing vessels. Efforts will be made to float the stranded schooners. Planters declared the long staple cotton and rice has been all wiped out in this section. Houses have been wrecked and cattle and live stock killed. Roadways are impassible. Bridges collapsed in different parts of the country.

It seems as if a woman can stand any amount of fault-finding from a man so long as he doesn't deserve it.

HOLINESS CAMP MEETING.

Evansville, Ind., Aug. 31.—The annual camp meeting of the Union Gospel Holiness Association will open tomorrow at Oak Summit park, near this city, and continue for ten days. The proceedings this year will be under the direction of Rev. Chas. Babcock, of Portsmouth, Va., and Rev. C. W. Ruth, vice president of the National Holiness Association.

TO MARK SITE OF FRONTIER FORT.

Estherville, Ia., Aug. 31.—A four day patriotic celebration was begun here today under the auspices of the Daughters of the Revolution. The chief feature of the celebration is to be the dedication of a shaft to mark the site of old Fort Defiance, a famous reminder of the pioneer days in Iowa.

OLD U. S. SHIPS FOR SULTAN.

Turkey to Buy Four Cruisers, All Veterans of Spanish War.

Berlin, Aug. 31.—The Tzeblett says the Turkish Navy League recently advanced money to the navy department with which to purchase several cruisers. The department has now decided to buy the American cruisers Brooklyn, Saratoga, Olympia and Raleigh.

The four cruisers referred to in the foregoing dispatch are practically obsolete, but all are of historic interest. The Saratoga, which was the old New York, Rear Admiral Sampson's flagship at Santiago, is with the Asiatic fleet at Vladivostok. She is the only one of the four in actual service. The Brooklyn, which was Rear Admiral Schley's flagship in the battle with Cervera's fleet, is at the Philadelphia navy yard. The Olympia was Dewey's flagship on May day in Manila Bay in 1898. She is now detailed at the Naval Academy at Annapolis.

The Raleigh was also in the battle with the Spanish fleet before Manila. She was then under command of the late Rear Admiral Coghlan and was the first vessel to reach home waters after the war. It was at a banquet after her arrival in New York that Capt. Coghlan recited the poem "Hock der Kaiser," which drew down upon him the wrath of the German authorities and caused a large smile around the world.

WALTER G. NEWMAN SUED FOR BIG SUM

Mincola, L. T., Aug. 31.—Partners of the New York firm, of Sigmund H. Rosenblatt and Company, are plaintiffs against James H. Phillips, Jr., and Walter R. Newman, for five hundred thousand dollars. Newman is president of the Union Copper Mines, of North Carolina. The plaintiffs allege they were defrauded in a large purchase of Union Copper Mine stock.

Holland's Queen is 81.

The Hague, Aug. 31.—The thirty-first birthday anniversary of Queen Wilhelmina was celebrated by the people of the Netherlands today with the customary rejoicings. The flying of many flags gave to the cities a festive appearance. Messages of congratulation and good wishes from all parts of the world were received by her majesty during the day.

READY FOR WAR GAME.

Norfolk, Aug. 31.—The Atlantic fleet under Rear Admiral Osterhaus proceeded today from Hampton Roads for the southern drill grounds where the spectacular September war game occurs. Preliminaries begin tomorrow.