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## SOUTH'S PROGRESS

### Remarkable Showing Made of Industrial Activity

### VALUE OF ITS LEADING CROPS

The Rice Crop Five Times Greater the Past Year and the Corn Crop Has Increased Nearly Fifty Per Cent.—The Wonderful Growth of the Cotton Crop the Subject of Extended Comment.

Chattanooga, Tenn., Special.—The Tradesman Annual contains among its important features an elaborate review of Southern progress during 1907, in which the following interesting facts are given:

The principal crops were as follows:

Hay of all kinds, tons 7,590,000.  
Wheat, bushels 91,433,000.  
Corn, bushels 959,743,000.  
Oats, bushels, 67,338,000.  
Tobacco, pounds 437,139,000.  
Rice, bushels 21,412,000.

Two notable increases over the previous year are shown by these figures, the Southern hay crop being 25 per cent. greater than in 1906, and the rice crop increased nearly the same percentage.

### Progress of Agriculture.

During the last five years, however, agriculture has made such progress in the Southern States, that the corn crop has increased nearly 50 per cent. The rice crop is five times greater, while as already stated, the fodder crop has enlarged 25 per cent. in a single year. In 1900 the value of products of vegetable gardens of the South was \$13,000,000; at present the annual yield of orchards and vineyards in this section is over \$30,000,000, making the sum total of the annual fruit and truck product of the South fully \$150,000,000.

During the last cotton year we sent out of the country about 8,500,000 bales of raw cotton, fully two-thirds of the crop; but such is the growth of the cotton industry in the United States that the South now contains 700 mills, operating nearly 10,000,000 spindles and 1908 will add fully 20 more plants. The States of North and South Carolina have no less than 400 plants with 6,300,000 spindles.

### The Metal Industry.

The metal industry, including the mining of ore, shows a notable increase compared with previous years. The total tonnage of iron produced by the Alabama furnaces during 1907 will aggregate about 1,750,000 tons, with a value of \$32,000,000. This is 100,000 tons more than the record for 1906 and about 150,000 tons more than the record for 1905, while the value has increased within the last two years nearly 50 per cent.

In Kentucky the total tonnage of pig iron produced aggregate over 125,000 tons, a gain of fully 100 per cent. in two years, while the value of the output of the smelters has actually more than doubled in two years.

Tennessee also shows remarkable progress, for the tonnage of pig iron made in this State in 1905 was but 372,692, while for the present year it will be about 450,000 tons, representing a value of about \$7,500,000.

The total investment of capital in miscellaneous industries in the Southern States increased no less than 50 per cent. in the brief period of five years, while the value of the manufactures has increased 25 per cent. and in 1905 exceeded the total investment in Southern industrial plants by the sum of nearly \$200,000,000.

### Kansas Bank Dynamited.

Kansas City, Special.—A bomb was exploded in the basement of the magnificent three-story marble building of the First National Bank at the corner of Tenth street and Baltimore avenue, in the business centre a few minutes after the noon hour. The forces of the explosion was terrific and caused much damage; eight persons were injured, none fatally. There is no clue to the person who placed the bomb and set it off.

### North Carolina "Makes Good."

Rockland, Me., Special.—The armored cruiser North Carolina, built by the Newport News Shipbuilding and Dry Dock Company, arrived here Monday. While running for a short time under forced draught the cruiser averaged nearly the required speed of 22 knots. The standardization trial will be held later on the Rockland course.

## CONGRESS RECONVENES

### Congress Reconvenes After Holiday Recess and After Short Sessions Both Houses Adjourned Out of Respect to Memory of Late Senator Mallory.

Congress reconvened Monday after the holiday recess but both Houses adjourned until Tuesday after brief sessions out of respect to the memory of the late Senator Mallory, of Florida.

The Senate was in session only four minutes and the House for half an hour.

In a message to the House President Roosevelt urged that in preparing for the work of taking the next census, the 4,000 or more additional employes needed be appointed only after competitive examination under the rules of civil service commission and strongly denounced the "patronage system" of making the appointments, saying that the civil service commission was fully capable of securing a most efficient force.

The non-competitive examinations used in selecting the force at Washington of the last two censuses, the President said, served only "as a cloak to hide the nakedness of the spoils system." Such examinations he declared, were useless as checks upon patronage appointments.

### Second Thaw Trial.

New York, Special.—The second trial of Harry K. Thaw was begun Monday before Justice Victor J. Dowling in the State Supreme Court. At the very outset of the proceedings a plea of insanity at the time of the killing of Stanford White was entered in behalf of the defendant. Last year the case was fought out on a straight plea of not guilty, but temporary insanity finally was relied upon. None of the jurors will be sworn until the box is filled, however, and all will be subjected to peremptory challenge until the joint oath is administered. This arrangement is a departure from last year's, when each juror was sworn as chosen. Neither District Attorney Jerome nor counsel for the defense would hazard an estimate as to the time that will be required to find twelve satisfactory men.

### Madison Will Also Drive Out Saloons

Madison, Special.—At the regular monthly meeting of the board of town commissioners a petition signed by nearly one-half the registered voters of the town asking for a "wet and dry" election, was acted upon favorably and an election ordered to be held Monday, February 10th, 1908. This means that in a very short time Madison will be numbered among the "dry" towns of the State as it is almost a foregone conclusion that the two saloons here will be voted out by an overwhelming majority. Madison is an old liquor town and it has been said that the traffic could never be driven from her borders, but there is a great change of sentiment and the saloons must go.

### News of the Day.

Japanese in Vancouver seriously hurt a fireman who fell against a store window.

The Bank of England put its discount rate back to 6 per cent.

The Russian police say they have discovered a plot to assassinate the Empress Dowager.

Capt. John Elliott Pillsbury was appointed chief of the Bureau of Navigation, to succeed Admiral Brownson.

Republican leaders are ready to unite to secure currency legislation, fearing that the money stringency may defeat their candidate for President.

### New York Lawyer Dies at Jacksonville.

Jacksonville, Fla., Special.—Hon. William H. Newschafer, 65 years of age, of New York City, died at the Windsor Hotel, this city, at 4 o'clock Monday afternoon. Mr. Newschafer was a member of the New York Bar Association. The body was sent to New York accompanied by his wife and daughter.

### Editor Harden Appeals.

Berlin, By Cable.—Maximilien Harden, who was last week found guilty of libeling Count Kune von Moltke and sentenced to four months' imprisonment, has appealed to the Supreme Court of the Empire on the ground that testimony was illegally excluded from the hearing and on several other technicalities.

The Countess of Yarmouth, sister of Harry K. Thaw, sued for divorce in London.

## RECEIVER ASKED FOR

### Creditors of the Seaboard Air Line Take Action

### TAKEN BEFORE FEDERAL JUDGE

### Counsel for Seaboard Railway Company and Creditors of Company Apply to Judge Waddill For Appointment of Receivers and Subsequently Agree to Make Application to Judge Pritchard.

Richmond, Va., Special.—Counsel for the Seaboard Air Line Railway Company and creditors of the company applied Wednesday afternoon to United States District Judge Waddill for the appointment of receivers and subsequently agreed to make application to Judge Pritchard, of the United States Circuit Court, and thereby obviate the necessity of securing ancillary decrees in each of the court districts through which the lines of the company operate. With this end in view Judge Leigh R. Watts, general counsel of the Seaboard, with other attorneys, left for Danville at 6:10 o'clock on a special train to meet Judge Pritchard at that point, it having been learned that he was on his way to Richmond to consider the matter. Judge Waddill announced that he would appoint the receivers on certain conditions, but it was thought best to go to a court with larger jurisdiction.

The Times-Dispatch has just learned over the long distance telephone that Judge Pritchard and the counsel for the Seaboard are in conference at the Southern Railway station in Danville. They decline to give out anything for publication until the entire matter is settled.

Lynchburg, Va., Special.—A representative of The News talked over long distance phone with a reporter of The Danville Register, and learned that Samuel Untermyer, attorney for the Seaboard Air Line, had made the following statement:

"Learning that Judge Pritchard was in Danville we came down here on the bare chance that he might be able to give us a hearing on a matter of business we have before him—that is all there is to it."

### Pritchard Joins Party at Danville.

Danville, Va., Special.—The private car containing the Seaboard Air Line counsel, headed by Samuel Untermyer, of New York, Judge Leigh R. Watts, of Portsmouth, general counsel for the Seaboard Air Line Railroad, and Epha Hunton, Jr., of Richmond, reached here at 11:30 o'clock.

There were aboard the car about 15 or 20 men, mostly lawyers, but among the number Clerk of the United States Court Brady and Court Stenographer Raymond Brown.

The names of the other gentlemen could not be learned, as they refused to give them and would not talk.

Mr. Untermyer was questioned by an Associated Press correspondent, and stated that no application had been made for a receivership. He would not say whether an application would be made. He would say nothing further, but said that a full statement would probably be given out on the arrival of the party in Richmond.

Judge Pritchard reached the city about 12:15 o'clock and was at once taken to the Seaboard private car. He would say nothing regarding the object of his trip to Richmond.

He left at 2 o'clock with the Seaboard counsel and with Clerk Brady and Stenographer Brown and will probably hold a hearing en route to Richmond.

### Receiver For Furnace Company.

Gadsden, Ala., Special.—Capt. W. P. Lay was appointed receiver for the Quinn Furnace Company, the appointment being made at the instigation of local creditors, whose claim amounts to between \$6,000 and \$7,000. It is stated that New York bondholders will be consulted before it is decided to file a petition in bankruptcy.

### Reception at White House.

Washington, Special.—President Roosevelt received at the White House for the seventh time a New Year's throng of well-wishers which was three hours in passing his hand. Mrs. Roosevelt and the members and ladies of the Cabinet were his assistants. Though curtailed in number, 5,645, by more than a thousand over the preceding New Year's Day, the reception was resplendent in all the incidents of tradition which have accumulated to its interest for more than a hundred years.

## TWO RECEIVERS NAMED

### Judge Pritchard Grants Prayer For Receivership For the Seaboard Air Line System and Appoints S. Davies Warfield and R. Lancaster Williams to Take Immediate Possession of the Railroad.

Richmond, Va., Special.—Judge Pritchard, judge of the United States Circuit Court, entered a decree naming S. Davies Warfield, of Baltimore, and R. Lancaster Williams, of Richmond, as receivers to take immediate possession of the property of the Seaboard Air Line Railroad. The bond of each was fixed at \$50,000.

By the decree the receivers are empowered to borrow money if needed to pay such rental as may become due, purchase cars, etc., and pay for labor and supplies but not for any other purpose without an order of the court having primary jurisdiction. They are ordered to pay forthwith all installments and interest that was due and payable January 1, 1908, notes or trust equipment certificates and all coupons and interest maturing January 1, 1908, on the first mortgage bonds of the Seaboard Air Line and embraced roads such as the Raleigh and Gaston, Raleigh and Augusta Air Line, the Georgia Carolina and the consolidated mortgage bonds of the Carolina Central.

### Burglar Got a Surprise.

Richmond, Special.—Effecting entrance through a front window in the residence of Mr. R. L. Barnes, at Sherwood Park and Brook avenue, at an early hour Thursday morning, someone, evidently a burglar of the professional species, walked through the parlor, crossed the hall and walked into the room in which was lying the body of Mrs. F. F. Herdy, Mrs. Barnes' mother. He was so badly frightened that for a second he was afraid to run. Then, without a word, he turned and fled the way he had come, diving through a window, taking with him the major portion of the face curtains and landing on the porch, from which he jumped to the ground. It all happened so suddenly that the persons sitting up with the body were unable to tell whether the intruder was white or black. They saw a tall, slender man, wearing a gray overcoat and a slouch hat, and that was all.

Examination of the premises showed that the burglar had pried open the blinds, carefully raised the window and as carefully lifted the screen on the inner side. He left everything open behind him, and his escape was accomplished with such celerity that he was gone almost as soon as seen. Mr. Barnes' daughter was asleep in the room above the parlor and was awakened by the noise of the entrance. Knowing that persons were up and moving about, however, she thought nothing of the disturbance and went back to sleep. But the whole household was aroused when the intruder made his sensational dive through the window. Rev. Mr. Templeman and the others sitting up with the corpse were too dazed to move when they saw the door slowly open and then a man's form slouch upon the threshold. But the vision was as much astonished as they, and he did not stand upon the order of his going—but went.

### Texas Editor Killed by His Wife.

Hallettsville, Tex., Special.—Thursday afternoon as he was entering his office, W. R. Beaumier, editor of the Hallettsville Herald was shot and killed by his wife. She was arrested and placed under \$2,000 bail. Domestic troubles are said to be the cause of the killing.

### Official Report of Alabama Mine Disaster Filed.

Birmingham, Ala., Special.—State Mine Inspectors J. M. Gray, James Hillhouse and Edward Flynn has filed with Governor Comer a full report of the explosion which took place in the Yolande mines last month, in which 56 men were killed. Chief Inspector Gray's opinion is that a miner allowed some dynamite to go off and that this ignited dust. The assistant inspectors express the opinion that there was a gas explosion followed by a dust explosion.

## IS UNDER MARTIAL LAW

### Governor Hanly Issues Proclamation Declaring Martial Law For Riotous Town Brigadier General McKee Is Placed in Command of the Twelve Companies of State Troops.

Indianapolis, Ind., Special.—Governor Hanly issued a proclamation declaring martial law at Muncie and placing Brigadier General McKee in command of the State troops assembled there, namely, 12 companies of infantry and one battery. The martial law order covers a radius of four miles from the Delaware county court house, and takes in the factory districts of Muncie. Assistant Attorney General Dowling was sent to Muncie by the Governor to act as legal advisor for Brigadier General McKee.

Governor Hanly's action in sending troops, supplemented by the energy displayed by the authorities and citizens of Muncie, resulted in checking the mob spirit. Five hundred citizens, including some members of the Commercial Club, of Muncie, have been sworn in as special officers to preserve the peace. These men will endeavor to control the situation but will be backed by the soldiers. Mayor Guthrie has closed all saloons and ordered all women and children to keep off the streets except on errands of necessity.

The determination of the Governor to call out the State militia followed a riot at Muncie last Friday afternoon, when the police and the deputy sheriffs fought with a crowd of 3,000 men, women and children. The police were worn out and many of the deputy sheriffs resigned, leaving the city at the mercy of the unruly element. The Governor, therefore, on the request of the Muncie authorities on the advice of Adjutant General Perry, who was caught in the mob, ordered out the militia. There has been no serious trouble at Anderson, Marion, Alexandria and Elwood. Twenty-seven employees of the Marion lines voted to strike, but the car service was only partly interrupted.

At Anderson a committee of citizens is endeavoring to induce the traction company officials to arbitrate. The strike breakers brought from Chicago to Anderson and Marion have been sent away.

### Jury Acquits Pettibone.

Boise, Idaho, Special.—An end of the prosecution of the men charged with the murder of Former Governor Frank Stuenkel, except the cases of Harry Orchard and Jack Simpkins, came with the acquittal of George A. Pettibone and discharge of Charles H. Moyer, president of the Western Federation of Miners, both charged with conspiring with William D. Haywood to murder Stuenkel. Moyer will return with Pettibone in a few days to Denver. Haywood was acquitted last summer and Moyer will not be tried. Only two men on the Pettibone jury voted persistently for conviction and they finally ceded the verdict to the other 10 jurors.

The case of Orchard, confessed assassin of Stuenkel and Chief witness against Moyer, Haywood and Pettibone, is in the hands of Prosecuting Attorney Vandun, of Conyon county, Idaho. No statement as to the future procedure in that case has been made, but it will be called during the next term of court at Caldwell, when it will probably be finally disposed of. Simpkins is still a fugitive.

### Residence of Maj. Micah Jenkins Destroyed by Fire.

Columbia, S. C., Special.—The residence of Maj. Micah Jenkins, collector of internal revenue, was destroyed by fire at Ridgewood suburbs, practically none of the furniture being saved. The building which was the property of Mrs. Watkins, was worth \$7,000 and was partially insured. Major Jenkins' furniture was also partially insured. The fire resulted from carelessness of the servant in leaving hot ashes in the kitchen. The sword presented to Maj. Micah Jenkins, by the people of South Carolina, through President Roosevelt at the Charleston Exposition in 1902, for gallantry as a member of the Rough Riders in the Spanish-American war, was destroyed in the fire.

### Earthquake in Jamaica.

Kingston, Jamaica, Special.—An earthquake of moderate intensity occurred in Jamaica the morning of January 2nd. It was one of many slight shocks that have been experienced during the past few months, and was felt here and generally throughout the island. The government seismologist declared that no damage had been done at Brownstown, Stewarttown or elsewhere and that there had been no loss of life.

## NO EMPLOYER LIABLE

### Supreme Court Decides Law Unconstitutional

### OPINION COVERS ALL ISSUES

### Supreme Court Decides That Congressional Act Known as "Employer's Liability Law" Is Unconstitutional Because It Goes Beyond Bounds Permitted in Regulation of Inter-State Commerce.

Washington, Special.—That the congressional act of June 11th, 1906, known as the "employer's" liability law," is not in accordance with the constitution of the United States because it goes beyond the bounds permitted in the regulation of inter-State commerce, was the conclusion reached by the Supreme Court of the United States in deciding two damage cases coming to the court from the Federal courts of Kentucky and Tennessee, which were brought under the provision of the law. The decision was announced by Justice White and was reported by the narrow margin of one, the court standing five to four against the law. Even among the five who voted not to sustain the statute, there were differences of opinion. Much interest was manifested in the result of the court's deliberations, but attorneys generally refrained from comment. The law in question makes railroads and other common carriers responsible to employes in accidents due to the negligence of fellow servants or to ineffective appliances. The decision of the lower court was affirmed.

### Two Cases Before Court.

There were two cases before the court, involving the question of the validity of the law, one of them being the case of Damille Howard, administratrix of her husband, Will Howard, a locomotive fireman, who was killed in an accident on the Illinois Central Railroad near Memphis, Tenn., and the other, that of N. C. Brooks, administratrix and mother of Morris S. Brooks, a fireman who was killed on the Southern Pacific Railroad, in Nevada. The Howard case was tried in the United States Circuit Court for the western district of Tennessee with Judge McCall presiding, and the Brooks case in the United States Circuit Court for the western district of Kentucky, with Judge Walter Evans on the bench. In the former case damages amounting to \$25,000 were demanded, while in the latter the sum was fixed at \$20,000. The railroads fought both cases strenuously both in the trial courts and in the Supreme Court and in each case obtained a verdict against the complainant on the ground of unconstitutionality of the law. Judge Evans and Judge McCall followed the same line of reasoning in reaching their conclusions, both holding the law to be invalid on the double ground that a congressional enactment could not be made applicable to intra-State commerce, as they claimed was undertaken in this law, and that protection from accidents in inter-State commerce could not be construed as any part of "commerce" of any kind. Both the Kentucky and Tennessee decisions were affirmed by Justice White's opinion on the ground that the law is not confined to the regulation of the business of inter-State carriers but undertakes to regulate their dealings with their employes.

### Seven Men Drowned.

Leavenworth, Kas., Special.—As a result of the overturning of a skiff containing nine men near Kickapoo, Kas., 7 men were drowned in the Missouri river. The dead: Frank Hill, leaves wife and six children. Ralph Hill, water boy. Charles Baker, leaves wife and 4 children. John Baker, Elmer Hundley, Grover Hundley. Unknown Swede.

### Railroads Will Be Consolidated.

Mobile, Ala., Special.—A meeting of stock and bondholders of the Mobile, Jackson & Kansas City and the Gulf & Chicago railroads will be held here when it is said both lines will be formally consolidated into the New Orleans, Mobile & Chicago Railroad, with a capitalization of \$60,000,000. It is stated that 85 per cent. of the bondholders of the two corporations have agreed to the consolidation. The consolidation is reported to be merely the organization of a new holding company to take over the properties.