

# The Roanoke Beacon.

\$2.00 a Year, in Advance.

"FOR GOD, FOR COUNTRY AND FOR TRUTH."

Single Copy 5 Cts

VOL. XVIII.

PLYMOUTH, N. C., FRIDAY, MARCH 27, 1908.

NO. 43.

## TAR HEEL TOPICS

Items Gathered From All Sections of the State

### A Good Showing.

Raleigh, Special.—Assistant Labor Commissioner M. L. Shipman gave out some news regarding the miscellaneous factories in North Carolina which will appear in the annual report later on. He says that 587 returns were made, 46 more than last year, and that the averages give a very accurate idea of the conditions prevailing throughout the State. It is gratifying to note the remarkable progress North Carolina is making industrially. While the chief object of these reports is to get the conditions of wage-earners, yet the department endeavors to obtain also information as will give the public a good idea of the number and class of factories now in operation. The returns show an aggregate capital of \$42,085,790, by 523 of the 587 miscellaneous factories reported, 64 failing to report capital stock. The Old Fort Extract Works as usual merely as a branch of the United States Leather Company and represents only a part of the \$125,164,600 reported by that corporation. Last year the aggregate capital stock reported by 467 factories was \$31,239,519, exclusive of the Old Fort plant, so that this year's increase is \$10,846,280. Of the factories 422 report steam power, 84 electric, 25 water, 12 gasoline, 9 steam and water, 3 gas and they show a total employment of 119,836 horse-power. The number of persons dependent upon them for livelihood is 92,081, which is 16,335 more than reported last year. Six of them report eight hours as the day's work, seven report nine hours, 436 ten hours, 48 eleven hours, 69 twelve hours. There is a decided tendency toward shorter hours. Seventy-four per cent report increased wages, 69 per cent pay weekly, 11 per cent monthly, 17 per cent semi-monthly. They report 30,991 employees, against 22,433 last year, the increase being \$,553. The highest wages a day are \$2.47, increase 18 cents over last year. Lowest wages, 93 cents, increase 9 cents; Of the adult employees 54 per cent read and write and 57 per cent are children. Eighty-one per cent say that children under 14 should not work in factories; 7 per cent say they should and 12 per cent express no opinion; 82 per cent favor a compulsory school law; 9 per cent oppose it and 9 per cent fail to answer the question.

### Many Charters Issued.

Raleigh, Special.—The following new charters were issued: Greensboro Wall Paper Company, authorized capital, \$7,000; paid in, \$70. W. J. Holladay, A. C. Owen, H. H. Holladay and W. J. Holladay, Jr., incorporators. Anna Cotton Mills, King's Mountain, capital, \$95,000 authorized; \$31,000 paid in; J. S. Mauney, F. Dilling and others, incorporators. Greensboro Boiler and Machine Company increases capital from \$50,000 to \$200,000. Issues of \$75,000 cumulative preferred stock created. Durham & Murphy Land Company, of Charlotte; capital, \$50,000; J. A. Durham, J. E. Murphy and J. C. Murphy, incorporators. Spot Cash Store, Bessemer; capital \$25,000 authorized; \$1,000 paid in; W. H. Harris, A. B. Kimball and others, incorporators.

### Rebuilding at Coolee.

Winston-Salem, Special.—A citizen from Coolee is authority for the statement that the damage to the cotton mill at Coolee last week aggregated \$150,000. He says that about 100 men are at work replacing the burned building. The management expects to resume operations in about 60 days.

### Judges Exchange Courts.

Raleigh, Special.—An exchange of courts has been arranged with the Governor, whereby Judge Jones and Judge Webb exchange terms. Judge Jones will hold court in Guilford and Granville, April 13th and 27th, and Judge Webb will hold court in Anson, Moore, Scotland and Chatham, April 13th, 20th, 27th and May 4th respectively.

### Windstorm at Davidson.

Davidson, Special.—An incident of a considerable rain and windstorm here Thursday afternoon was the blowing down of several telegraph poles across the railroad track close to the Delburg Mill and not far from a sharp curve in the track. A force of workmen who had just "stopped off" at the mill building on account of the rain fortunately were able to clear the track just a few minutes before Engineer Feiner rounded the curve with train No. 27. This prevented what might have been a disagreeable accident to the train.

### Big Suits Against W. C. U. T. C.

Durham, Special.—Preliminary steps have been taken in two heavy damage suits to be brought against the Western Union Telegraph Company within a few days. The summons has issued and the complaints will be filed within a few days. Mr. Benjamin Lovenstein and Messrs. Manning & Foushee are bringing these suits for N. R. Sykes, of this city, and C. P. Cates, of Haw River. While the complaints have not been filed it is said that the suits will probably be for \$5,000 each, certainly not less than \$6,000 for the two litigations, which are brought on the same action. These are mental anguish suits growing out of the failure of the company to deliver messages announcing sickness and death.

### Suit Against Southern.

Wilmington, Special.—Suit was instituted in Superior Court here by Mrs. Walter R. Kingsbury and daughters, Misses Sallie and Lucile, against the Southern Railway, alleging \$15,000 damages as the result of injuries they received August 14th, 1907, in the wreck of a passenger train of the company between Hendersonville and Toxaway, while they were in the mountains last summer. Herbert McClammy, Esq., is attorney for the plaintiffs. The complaint alleges defective roadbed, rotten ties and worn-out rails and incompetency in the management of the train which was wrecked. The case will be tried in this county.

### Toxaway Hotel Leased.

Asheville, Special.—Word was received from Atlanta to the effect that the well known Toxaway hotel, on Lake Toxaway, had been leased by the Toxaway company, owners of the string of famous hotels in the Sapphire country, to a company promoted by C. A. Wood of Harvey & Wood Hotel company, whose headquarters are in Atlanta, Ga. It is stated that the Toxaway hotel will be opened for the season on June 11. The people connected with the new company are among the best known hotel people of New England, the Atlantic and Southern States.

### Educators of Women Adjourn.

Winston-Salem, Special.—The first annual meeting of the North and South Carolina Association of Colleges for Women, which has been in session here since Tuesday, adjourned at 1 o'clock Thursday to meet next year at Spartanburg, S. C. The visitors left for their respective homes Thursday. The closing session opened at 9 o'clock and was devoted to a discussion of various matters relating to the college work. At 11 o'clock there was an interesting contest between the senior and junior classes of the Salem Female College in a game of basketball. A complimentary concert was given in the Alumnae Memorial Hall to the distinguished visitors. The programme was in keeping with the institution's reputation for high-class musical entertainments.

### Reunion Date Changed.

Winston-Salem, Special.—At a special meeting of the Norfolk Camp of Confederate Veterans held last week it was decided to change the date of the annual reunion of the State camp from August 19th, and 20th to August 12th and 13th, as the latter dates will be more suitable for the veterans of the State. Committees from the Norfolk Camp and the board of trade are now at work making arrangements for the gathering, which is expected to number between 1,500 and 2,000 old soldiers.

### Good Work Done.

Raleigh, Special.—Grand Secretary Drewry, of the Grand Lodge of Masons, says the singing class of the Oxford Orphan Asylum last year raised over \$9,000, and that this has been one of the most remarkable features of this splendid institution. The class will make a tour of the State during the summer.

### Fayetteville to Vote Bonds.

Fayetteville, Special.—Fayetteville will shortly vote on the question of issuing one hundred thousand dollars of bonds for street paving. A meeting of citizens which was held last week requested the board of aldermen to call such an election, and that body had already signified its readiness to do so whenever the citizens made the request. The last Legislature passed an act authorizing the election. It will probably be held on May 4th, the date of the regular municipal election. The vote will likely be close, with probabilities favoring the bond issue.

## SENT INFERNAL MACHINE

A Discharged Employe of White Oak Mills Sends an Infernal Machine to Mr. Cone But, Being Warned by an Employe, the Package is Not Opened.

Greensboro, Special.—Hardin Germany, a discharged employe of the White Oak Cotton Mills, was arrested and committed to jail charged with sending through the mail an infernal machine addressed to Mr. Ceasar Cone, president of the Proximity and White Oak Mills. The evidence against the prisoner is very strong, made so by the fact that he did his work in a bungling manner. The package was delivered to Mr. Cone Saturday morning, but the matter was kept quiet until sufficient evidence to warrant an arrest had been secured. Within 35 minutes after being notified by telephone that the guilty man was located, United States Marshal Millikan had caused a warrant to be sworn out and had committed Germany to jail. The suspected criminal was detained in the office of the Proximity Mills until he could be placed under arrest by Marshal Millikan, who was carried to Proximity, a distance of two miles, by Mr. E. Colwell, Jr., in his automobile so nifty as to violate the speed law several times over.

But for the fact that he had received a warning, doubtless Mr. Cone would have opened the package and received serious injuries. Mr. Cone was engaged in conversation with three of his brothers, Messrs. Sol, Julius and Bernard Cone, at his home Thursday night about 10 o'clock when the doorbell rang. The ring was answered by Mr. Sol Cone, to whom was handed the note of warning. The messenger appeared to be intoxicated, and immediately after delivering the note walked rapidly away from the Cone residence. The note, which was written in a legible hand, on wrapping paper that had been taken from the company store at White Oak, read as follows:

### The Note.

"Mr. Ceasar Cone,  
"Dear Sir: I pray that you will not treat this as you usually do anonymous letters, for believe me, it is to your interest. Your life is at stake. I learned to-night that there has been something mailed to you that will explode when you open it. If you receive a package that you are not expecting, for God's sake don't open it. I have very good reasons for not giving my name. Please don't treat this with contempt, but be very careful. Do you want the man who sent it arrested?"

"Very respectfully yours,  
"WHITE OAK EMPLOYEE."

Across the face of the envelope is written: "Important. This letter or its contents must reach Mr. Cone before he receives his mail. Mr. Ceasar Cone, home. His life depends upon it."

The machine consisted of a narrow box, loaded with powder, shot, etc., with matches fixed to fire the powder. It was a clumsy affair but would doubtless explode with terrific force upon being opened.

### Death of A. & M. Student.

Winston-Salem, Special.—Mr. Ernest Hines, a student of the A. & M. College at Raleigh, who was taken with a severe attack of appendicitis a few days ago, died in a hospital at Raleigh at 10:30 o'clock Saturday night. Mr. Hines was a son of Mr. and Mrs. L. C. Hines, of Old Town, who have been at his bedside ever since he was taken ill. The remains arrived here Sunday evening on the 7:30 o'clock train and were taken to the home of the parents at Old Town Monday afternoon and the interment will follow in the Moravian graveyard at Old Town. Mr. Hines was a most excellent young man. He was held in the highest esteem and had many friends wherever he was known.

### Movement For Another Bank For Wilmington.

Wilmington, Special.—W. B. Cooper, a leading wholesale grocer and business man, announces definitely that he is at the head of a movement for the organization of another national and savings bank here with \$100,000 capital, half of which has already been subscribed.

### Negro Woman Falls Down Embankment and is Killed.

Wilmington, Special.—Twelve miles down the river Sunday morning at the foot of a steep declivity overlooking the stream near the high-tide mark, the body of an old colored woman was found, her neck broken. She visited in the neighborhood and started home and is supposed to have lost her way and toppled over the embankment into the river. Her neck was broken by the fall. A coroner's inquest was held, death being assigned as resulting from an accident.

## PRITCHARD UPHELD

Supreme Court Renders Far Reaching Opinion

### ENDS QUESTION OF JURISDICTION

Supreme Court of the United States Adds Another to the Series of Notable Decisions During Present Term of Court by Refusing to Grant to Attorney General Young, of Minnesota, a Writ of Habeas Corpus Releasing Him From Penalty Imposed by United States Circuit Court and Affirming the Decision of Judge Pritchard Discharging Ticket Agent Wood.

Washington, Special.—In refusing to grant to Attorney General Young, of Minnesota, a writ of habeas corpus releasing him from the penalty imposed by the United States Circuit Court for the district of Minnesota on the charge of contempt of court in instituting a proceeding in a State court for the enforcement of the railroad rate law after the Federal court had prohibited such a course, and in affirming the decision of Judge Pritchard, of the United States Circuit Court for the western district of North Carolina, discharging from imprisonment James H. Wood, a ticket agent of the Southern Railway at Asheville, after he had been sentenced by the Asheville police court to serve a term on the rock pile on the charge of collecting for a ticket on that road a greater price than was permitted by the State railroad law, the Supreme Court of the United States added another to the series of decisions which have rendered notable the present term of that court.

In both cases the right of the States to fix rates for railroad transportation was the issue, and both involved conflicts between the Federal and the State courts. The decisions in each case were opposed both to the States and to their courts. The opinion of the court in both cases, was announced by Justice Peckham, and with the exception of Justice Harlan all the other members of the court stood behind him in the announcement of the court's finding. Justice Harlan read a dissenting opinion in the Young case in which he took the view that the suit was practically a proceeding against the State and therefore not permissible under the eleventh amendment to the constitution. He therefore characterized the opinion as era-making in the history of the court, and said it had the effect of closing the courts of a State against the State itself, and predicts that the result would be disastrous.

### Justice Peckham's Opinion.

Justice Peckham's opinion as outlined in part as follows:

"The court has decided: That by reason of the enormous penalties provided in the rate laws, by way of fines against the companies, and imprisonment of their agents and employes, the companies were in effect prevented from ever questioning the validity of those laws, as the risk of confiscation of property and imprisonment of agents in case the companies failed in their defense was too much to undertake in order to obtain a judicial decision of the question of such validity.

"Such laws are therefore held unconstitutional as they prevented the companies from resorting to the courts, and therefore deprived them of the equal protection of the laws.

"The question of the sufficiency of the rates to enable the company to obtain some return to its stockholders for their investment, has for many years been held to be one for the courts to decide, as it would be a violation of the constitution of the United States to fix rates so low as to be confiscatory if enforced.

"The laws providing rates for transportation of passengers and freight in the two cases under consideration have been held by the courts below to be so low as to be substantially confiscatory, and should therefore not be enforced until after further trials. The courts had jurisdiction to make such an order."

### Justice Harlan's Opinion.

"Neither the words nor the policy of the eleventh amendment will under our former decisions, justify any order of a Federal court, the necessary effect of which will be to exclude a State from its own courts. Such an order attended by such results cannot I submit, be sustained consistently with the powers which the States, according to the uniform declarations of this court, possess under the constitution. I am justified by what this court has therefore declared, in now saying that the wise men who framed the constitution and who caused the adoption of the eleventh amendment would have been startled by the suggestion that a State of the Union can be prevented

by an order of a subordinate Federal court from being represented by its Attorney General in a suit brought by the State in one of its own courts, and that such an order would be inconsistent with the dignity of the States as involved in their constitutional immunity from the judicial process of the Federal courts (except in the limited cases in which they may constitutionally be made parties in this court) and would be attended by most pernicious results."

### Japanese Steamers Collide and Many Passengers Drown.

Tokio, By Cable.—The Mutsu Maru, an 800-ton coasting steamer belonging to the Yuzen Kaisha line, was sunk in a collision with the Hideyoshi Maru, 696 tons, at 2:30 Monday morning two miles off Todd Hokoe, near Hakodate. The captain of the Mutsu Maru, a majority of her 244 passengers and 43 of the crew perished. The Hideyoshi Maru and another steamer rescued the survivors.

### Endorse Speaker Cannon.

Litchfield, Ill., Special.—Republicans of the Twenty-first Congressional district met in convention here, endorsed Speaker Joseph G. Cannon for the presidency and elected two delegates and two alternates to the national convention at Chicago. As this is the State capital district, the action of the convention is looked upon as significant. The State convention will be held in a week.

### \$75,000 Fire at Norfolk.

Norfolk, Special.—Early Sunday fire broke out in the wholesale grocery firm of the Four Company, wrecking the establishment, gutting the clothing store of Sake & Co., and damaging the exchange of the Southern States Telephone, and stocks of E. H. Meeks & Co., electricians, and L. P. Roberts & Co., grocers. Loss \$75,000.

### Prisoner Burned to Death in His Cell.

Little Falls, N. Y., Special.—Lighting his pipe in his cell in the village jail, John Doherty, of Middleville, who was locked up Saturday night accidentally set fire to the mattress of his bed and before help could reach him he was burned to death. Doherty frantically tried to escape the flames, but the cell door barred the way. He was 65 years old.

### Legal Execution in Georgia.

La Grange, Ga., Special.—Ingram Canady, a negro assailant, was hanged in the jail yard Friday at 1:16 o'clock. Canady was convicted of criminally assaulting Mrs. Roxie Jones at the last November term of Troup Superior Court. The crime was committed on September 23rd at the home of Mrs. Jones, near West Point, Troup county. The evidence shows that Canady entered the home of Mrs. Jones by breaking in the house.

### NEWSY GLEANINGS.

Bourke Cockran was dropped from all Tammany Hall committees.

New Zealand and Tasmania hope to see the American battleship fleet.

Japan will enforce regulations restricting the importation of arms into China.

The Japanese Government has decided to establish a tobacco monopoly in Korea.

China is considering a proposition to lease her railways to a foreign syndicate.

China will pay an indemnity to Japan and retain the arms seized on board the Tatsu.

No member of the Cabinet will attend the Republican National Convention as a delegate.

The Chilean section of the trans-Andean tunnel on the Arica and La Paz Railway has been opened.

The Russian Minister of Justice has asked the Duma to vote \$1,000,000 to enlarge the overcrowded prisons.

The news that the American battleship fleet would visit Australia was received with rejoicing at Sydney and Melbourne.

New York City is suffering from recurrent waves of scarlet fever and measles, and all the contagious disease hospitals are filled.

The return of the American battleship fleet by way of Suez is regarded in Russia as definitely ending the rumors of serious trouble in the Far East.

Secretary Taft, speaking in Michigan, advocated greater railway regulation to prevent Government ownership and the increased centralization of power it would entail.

Testifying for the Government, a one time employe of the Standard Oil Company declared that the company paid regularly for information concerning the shipment of its stock

## SEN'R BRYAN DEPARTS

Florida's Junior Senator D After Short Illness

### YOUNGEST MEMBER OF SENATE

Elected Less Than Three Months Ago to Succeed the Late Senator Mallory as Florida's Representative in the Upper House of Congress.

Washington, Special.—United States Senator William James Bryan of Florida, died at Providence Hospital at 8:30 o'clock Sunday morning of typhoid fever. It was only 3 days since he took his seat as the successor of the late Senator Stephen R. Mallory, who died December 23rd and 3 days of that time was spent in his fight against disease. Several times during Mr. Bryan's illness his friends despaired of his recovery, but as late as Saturday night the report was given out that his condition had taken a turn for the better. His death, therefore, came as a surprise and a distinct shock.

In physique Mr. Bryan was unfitted to withstand a protracted fever. He was slight of build and of nervous temperament. He came to Washington early in January from the warm climate of Florida and from the day of his arrival was far from well. Finally he was compelled to give up and was taken to Providence Hospital. During the last few days of his illness he was attended by specialists from Johns Hopkins University Hospital, Baltimore.

In Mr. Bryan the Senate loses the seventh member by death since the adjournment of the Fifty-ninth Congress on March 4th, a year ago. They were the two late Senators from Alabama, Mr. Morgan and Mr. Pettus; Mr. Mallory, of Florida; Mr. Latimer of South Carolina; Mr. Proctor of Vermont; Mr. Whyte, of Maryland, and Mr. Bryan. Curiously enough the last two were the oldest and the youngest members of the body. Mr. Whyte was 84 years old and Mr. Bryan less than 32.

Though Mr. Bryan was in the Senate too short a time to impress his individuality on legislation, or to take a prominent part in the consideration of matters in committee, it is conceded that he would have become a forceful part of the minority.

Mr. Bryan was born in Orange county, Florida, October 10th, 1876. He attended the public schools of his State and Emory College, Georgia, graduating from the latter institution in 1896. Three years later he was graduated from Washington and Lee University and in 1899 began the practice of law in Jacksonville, Fla. Until a short time before his appointment to succeed Mr. Mallory in the Senate he had served as solicitor of the Duval County Criminal Court. He was married to Miss Janet Allen, of Lexington, Va.

### Mr. Littlefield Resigns.

Rockland, Me., Special.—A sensation was caused in political circles here by the receipt by Governor William T. Cobb of a letter from Congressman Charles E. Littlefield, tendering his resignation as a member of Congress, to take effect on September 30th next. In the same mail was a communication to the chairman of the second district Republican congressional committee from Mr. Littlefield, in which the latter gave as the reason for his resignation his desire to resume his law practice, which in a large degree, he has been compelled to abandon because of his congressional duties. The resignation came as a great surprise to Governor Cobb, and to the surprise of the Congressman's friends in this district and was received with much regret.

### Pirates Surrender French Vessel.

Las Palmas, Canary Islands, By Cable.—The French fishing vessel Baleine, which was captured recently by Moors near Cape Juby, and to rescue which the French cruiser Cassard was ordered to the coast of Morocco, has been turned over to the Cassard, together with the members of the crew without ransom.

### All Quiet in Hayti.

Port au Prince, By Cable.—President Nord Alexis in an interview at the palace, declared that conditions in the republic were absolutely tranquil. He said that he did not question his ability to preserve order and protect interests here. Should the powers, however, decide to keep the warships in this harbor he would not object, but he added that there was no necessity for such a thing; there was no possibility for such a popular outbreak against the foreign