

Daily News.



WEATHER:
Local showers today.
Monday partly cloudy and warmer.

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Says Harriman Has Killed All Of His Rivals

Commerce Commission Report Declares That Magnate Controls Absolutely Territory Equal to One-Third of United States.

Urges That Railroads Be Confined by Federal Law to the Furnishing of Transportation and Be Kept Out of Stock Deals.



E. H. HARRIMAN,
Whose Methods of Financing and Railroad Operation Have Been Bitterly Assailed by the Commerce Commission, Whose Report Was Made Public Yesterday.

REPORT POLITICAL AND PERSONAL, SAYS HARRIMAN

Magnate Picks Flaws in Document Issued by Commerce Commission.

THINKS HE CAN STAND IT IF THE PEOPLE CAN

Washington, D. C., July 13.—That competition in transportation has been effectively squeezed in a territory equal to one-third of the United States; that Harriman as an individual has dominated the great railroad consolidation which he has built up in the past few years, together with recommendations that a federal law should be passed regulating the issuance of railroad securities, and that the function of a railroad corporation should be confined to the furnishing of transportation and not be permitted to invest generally in the stocks, bonds and securities of other railroads or steamship companies, except connecting lines, since up the report of the interstate commerce commission on the Harriman case.

The commission has been training for weeks, and has given forth an utterance as mild as the coo of a dove. "Indefensible financing" is the strongest term used in the report. The word "prosecution" is not employed in a single line of the thirty or more pages of the report, copies of which have been placed in the hands of the President and the attorney-general.

Glad It's Over.

Signs of relief were heard in the offices of the commission when the Harriman report was given to the public today. For weeks each and every member of the commission has, figuratively, been on his head as a result of a heated, and at times bitter, controversy over the question as to whether recommendations should be made urging a prosecution of the Harriman lines as a combination in restraint of trade. A compromise was effected. The report is a simple recital of facts, but it is strong in its facts. It is made clear that the Harriman railroads have in some instances evaded, and in others violated, the provisions of the Sherman antitrust act. It is for the attorney-general to decide whether proceedings shall be instituted to dissolve the various illegal mergers for which Harriman and men associated are alleged to be responsible.

There will be no criminal prosecutions, it is believed. All those who were criminally liable have enjoyed the experience of what is known as an "immunity bath."

No Ginger, Lots of Facts.

The commission threatened some weeks ago to hold up E. H. Harriman as the "horrible example" in the railway world. It was the intention to "rough-house" Mr. Harriman, to exorcise him in strong, vigorous English, in fact, to skin him alive. The commission's report on Standard Oil, wherein the monopoly was mercilessly flayed, was consulted as a model to be used in the present instance. But the commission, after several animated consultations, decided otherwise. The Harriman report, written by Commissioner Franklin K. Lane, and "unanimously" joined in by his colleagues, is, with the exception of the recommendations relating to governmental supervision of the issuance of railroad securities, little more than a narrative.

If Special Counsel Frank B. Kellogg wanted incorporated in it the ginger which he put in his memorandum of the case, he failed of his purpose. There is no ginger, but an abundance of facts, upon which, it is probable, the attorney-general may base an action or actions against the Harriman roads under the terms of the antitrust act.

The report analyzes the Harriman policy in consolidating railroad systems, strikingly brings out the extent of territory covered by the Harriman roads.

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MORGAN TESTIFIES AGAINST WOMAN IN POLICE COURT

Financier Aids the Cause of "British Justice" and Injures Friend.

DECLARES THAT HE HAS NO KNOWLEDGE OF HER

She, However, Tips Him in the Matter of His Early Education and Multi-millionaire is Bound Over to Attend New Session of Court.

London, July 13.—J. Pierpont Morgan appeared in the West London police court today as a witness in the case of Mrs. Josephine Leslie, who was arrested at New Market July 4, charged with defrauding members of well-known families by false pretenses, and who represented herself to be a friend of Mr. Morgan. The latter repudiated all knowledge of Mrs. Leslie. He said he did not write to her advising her to join one of his syndicates and never invited Mrs. Leslie, as alleged, to dine at his son's house. As a matter of fact, Mr. Morgan added, he was in New York at the time of the alleged invitation.

On cross-examination Mr. Morgan said he did not remember any invitation being sent to George Eastwick, the prisoner's father, for a public dinner, which Mr. Morgan gave in New York. Mr. Morgan was sure that his firm had no customer of that name, and he said it was improbable that any of his business friends would speak of investments returning 12 per cent., which Mrs. Leslie said was to be the interest on money invested in the alleged Morgan syndicate.

"I do not know many of that character," said Mr. Morgan, in conclusion.

Asked where he spent his school days, Mr. Morgan replied:

"At Hartford and Boston."

The prisoner here interrupted the witness, saying:

"Pardon me. It was in Germany."

"Oh, yes," admitted Mr. Morgan. "I was at the University of Goettingen."

Mr. Morgan, replying to further questions, said he knew of several of those who attended Eastwick school, but asked if he invited a college chum of that name to attend a dinner given to Dr. Chandler, of New York, he replied:

"No. The committee attended to the invitations. It was not a dinner given to Dr. Chandler, but a reunion of students."

In the course of the evidence it was stated that Mrs. Leslie was married before the American consulate at Geneva, Switzerland, and left her husband in Switzerland in 1906.

In a letter found on the prisoner, addressed to "Miss Eastwick, Ostend," and referring to her impending arrest, occurred the sentence:

"I am afraid I shall get a longer term of imprisonment than before."

After the plaintiff, Miss Annie Blount, had testified briefly that she was induced to give Mrs. Leslie \$42,500 on the strength of letters purporting to have been written by Mr. Morgan, promising huge returns. Prior to Mr. Morgan signing his evidence the clerk of the court, addressing the witness, said:

"You are bound over to attend the new Bailey sessions, but you will receive notice when you are required to attend."

Mr. Morgan replied "all right," bowing to the magistrate.

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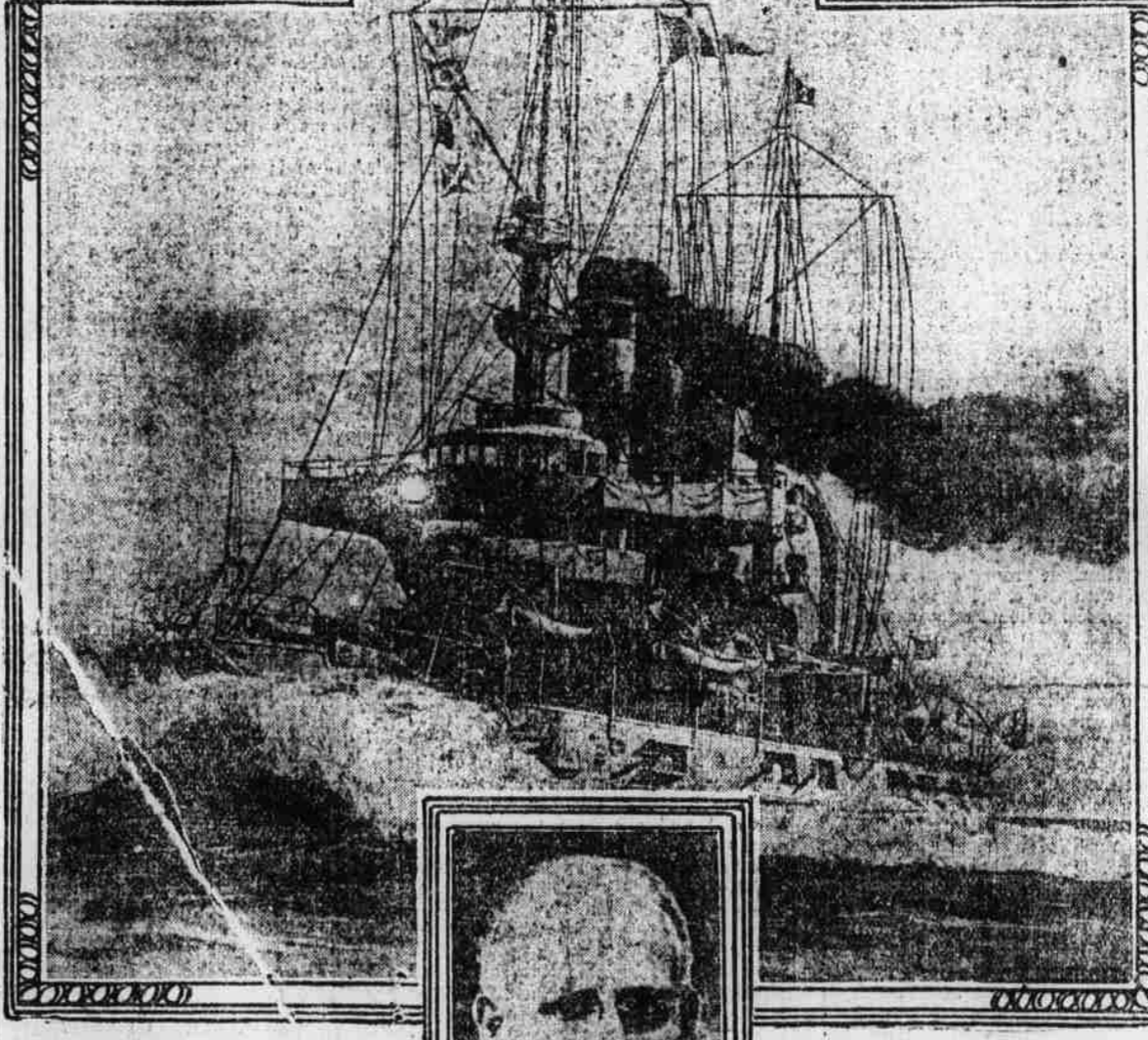
ONE OF THE BIG PACIFIC FLEET.

ADMIRAL BROWNSON.



Uncle Sam is soon to send into Pacific waters one of the largest squadrons of war vessels ever assembled in one movement. The largest and most modern vessels of all classes will constitute the fleet, which will be under the command of "Fighting Bob" Evans. The demonstration, it is believed, will have the effect of allaying unrest on the Japanese question. The pictures show Admiral Evans, his flagship, Admiral Brownson, Chief of the Bureau of Navigation, and Secretary of the Navy Metcalf, under whose direction the movement will be made.

ADMIRAL EVANS.



SECRETARY METCALF.

ROANOKE RESTAURANT BATTERED BY BRICKS AT HANDS OF A MOB

Indignant at Treatment of American in Greek Resort, Violence Follows.

AUTHORITIES ARE HELPLESS

Roanoke, Va., July 13.—Resenting the treatment of a young American, received at the hands of several Greeks in a Greek restaurant in Salem avenue about eleven o'clock tonight, a large number of Americans assembled in front of the place and bombarded it with bricks, demolishing the windows and doors. Some inside fired several shots into the street, none taking effect.

Several hundred people quickly gathered in the street, and the bricks continued to fly for two hours, the police being unable to make the mob move. At one o'clock Sunday morning Police Justice John Joseph Bryan is in the street, armed with a revolver, aiding the police in forcing the crowd back to Commerce street. Loud hoots can be heard for several blocks.

So far no serious damage has been done, and the guilty parties have not yet been arrested.

Judge Bryan ordered the police to arrest an American who was in the street, but when the officers started to do so, the crowd yelled, "No, you won't," and closed in. The police did not make the arrest.

Shortly after one o'clock Mayor Joel Holman Cutchin arrived on the scene, and is trying to induce the crowd to break up, but the hooting continues.

STOP MANUFACTURE OF LIQUOR IN GEORGIA

Atlanta, Ga., July 13.—The Hardman-Covington bill, which prohibits the sale and manufacture of liquor in the State of Georgia after January 1, 1908, passed the Georgia Senate today. Thirty-three votes were registered for the bill and seven against.

COL. ALLEN JORDAN FATALLY STRICKEN WHILE PLEADING FOR A CLIENT

Prominent Lawyer and Legislator Dies in Courthouse at Troy.

FATHER OF MRS. I. N. DEATON

Troy, N. C., July 13.—The sudden and unexpected death of Col. Allen Jordan, which occurred this morning at eleven o'clock in the courthouse at this place, cast a gloom over the town and entire community. Colonel Jordan was seventy-eight years old and one of the oldest lawyers in the state, having been in active practice of his chosen profession for more than half a century.

As a criminal lawyer he maintained an enviable position, and was actively engaged in the prosecution of a criminal action at the time of his death. He was affable and specially courteous to the members of his profession and at the same time guarded jealousy the interest of his client. When death came to him, as come to all, it found him at his post of duty making a most powerful plea to the court in behalf of his client, and he felt the summons, quickly sat down and without a murmur surrendered his spirit to the Great Judge of all debates.

Colonel Jordan was a lifelong Republican, and as such represented his county in the general assembly for many years, and was also a member of the constitutional convention. In every position of trust and honor he guarded the interest of his county and state with paternal care and fortitude and won the admiration of all who knew him. For many years he was the leading Republican of this section of the state. As a citizen he was a man among men, universally loved and honored by all who knew him, and never allowed an opportunity to escape to do an act of kindness or deed of charity.

He is survived by one daughter, Mrs. I. M. Deaton, of Raleigh, and one brother, the Rev. James Jordan, of Franklinville.

RALEIGH TICKET AGENT INDICTED BY GRAND JURY

Charged With Violating the New 2 1/4 Cent Passenger Rate Law.

SOUTHERN WILL PROBABLY APPLY FOR HABEAS CORPUS

Railroad Company's Agent Will Be Arrested Monday—Injunctions to Restrain Bringing of Suits and Indictments May Be Applied For.

Raleigh, N. C., July 13.—This afternoon three true bills against the Southern Railway Company for selling passenger tickets at more than the two and one-fourth cents rate prescribed by the act of the last legislature, to be effective July 1, were returned by the Wake county grand jury, naming T. E. Green, city ticket agent at Raleigh, as the party to be indicted, the punishment being fine or imprisonment.

Since July 1 the Southern has been selling tickets at the old three and one-fourth cents rate and issuing a coupon for the difference which it obligates to refund in the event the act of the legislature is sustained in the test suits and the restraining order proceedings against the corporation commission now pending in the federal court.

The true bills just returned are the result of the charge of Judge Long in convening court Monday, when he directed the jury to take up the matter of violations of the act in this county, without regard to the restraining orders as to the operation of the new law as pending in the federal court. He took the ground that the act is self-operating, and that the litigation in the federal court in no way interfered with prosecutions in the state court of the Southern for violating the two and one-fourth cents act.

The situation is regarded here as a direct conflict between the federal court, through the recent restraining orders issued by Judge Pritchard in the Circuit Court at Asheville and the state court, and the serving of the indictments on City Ticket Agent Green and the development as to resistance and answer on the part of the Southern are awaited with intense interest.

In the three indictments the parties named as having purchased the tickets at the excessive rate are J. J. Howard, Nicholas Dalry and J. L. Brooks. The name of Franklin McNeill, chairman of the corporation commission, appears on one of the bills as a witness "unchecked," and it is supposed that this is an error, the name of this official having, it is presumed, been used in the jury-room for some other purpose and erroneously appears under the head of witnesses in the bill as returned.

Will Be Arrested Monday.

Green is not to be arrested until Monday, and then will come the tug-of-war, as the Southern is expected to go into the federal court for a writ of habeas corpus with injunctions outstanding on the part of the federal court to prevent prosecutions of the very kind complained of in the writ.

Another development showing, too, the temper of the federal court in the matter was the service of injunctions from Judge Pritchard, of the federal court, on B. C. Beckwith, of this city, and J. A. Spence and Elijah Moffitt, of Randolph county, together with bringing any suits against the Southern for penalties for violation of the rate acts.

The bill sets out that Spence and Moffitt have already instituted suits in a number of cases in Randolph and that Beckwith has in the public prints expressed his willingness to bring such suits, and is, in fact, now preparing to institute suits for a number of clients. They are made parties into the restraining order against the corporation commission in the original injunction against the enforcement of the state rate act.

A prominent member of counsel intimated this evening that there might be indictments for contempt of the United States court if developments continue that tend to disregard the orders clearly made by Judge Pritchard, of the Circuit Court.

POSTOFFICE NAMED FOR WORTH BAGLEY IN CUBA

Washington, D. C., July 13.—The name of Wrentham D. Bagley, the first naval officer killed during the war with Spain, has been given to the United States postoffice established at the Guantanamo naval station. Correspondence and telegrams intended for the naval station hereafter are to be addressed "Bagley, Cuba."

Miss Ethel Roosevelt's Birthday.

Oyster Bay, July 13.—The celebration of the birthday of Miss Ethel Roosevelt was the occasion tonight of a fancy costume dance at the Roosevelt summer home at Sagamore Hill. About twenty-five of the young friends of the Roosevelt family, many of whom have been house guests during the day, participated in the festivities, which were also heartily enjoyed by President and Mrs. Roosevelt.