

Daily News

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LITTLE BUT TALK THIS SESSION OF BOTH HOUSES

Close Observers Think It Unlikely That Anything in Way of Legislation Will Be Accomplished.

ECONOMY IN PUBLIC EXPENDITURES CERTAIN

Lid of the Pork Barrel Will Be Tightly Nailed Down and There Will Be No Way of Opening It—Liquor Question Will Play Part in the Discussions.

By JOHN E. MONK. Washington, D. C., Dec. 2.—It is the opinion of close observers that there will be little doing in the way of general legislation in the first session of the Sixtieth Congress. There will be an abundance of talk on a wide range of subjects and the session will continue until the time when it becomes imperative for senators and representatives to give personal attention to the election of delegates to the national conventions.

TRUST DOESN'T CONTROL RETAIL TOBACCO TRADE

Vice-President Hill Says That A. T. Co. Has Part In But 1,000 of the 600,000.

CONSUMERS MASTERS OF SITUATION, HE DECLARES

They Call for Such Goods As They Want and Tobaccoist Must Buy What His Trade Asks For—Admits Ownership of "Independent." New York, Dec. 2.—Of the six hundred thousand retail tobacco stores in the United States, the American Tobacco Company controls less than 1,000, and of the 5,000 jobbers in the country it controls only one, according to Vice-President Percival S. Hill. This statement was made today in the course of the hearing in the case of the United States against the American Tobacco Company, before United States Commissioner Shields as referee.

GOVERNOR SENDS STRIKING LETTER TO CONGRESSMEN

Declares Danger of Clash Between Federal and State Courts Should Be Averted.

REVIEWS CONFLICTS IN RAILROAD CASES

Says Congress Should Pass Law Prohibiting Interference With State Laws Until They Have Been Passed Upon by the State Courts. Raleigh, N. C., Dec. 2.—Governor R. B. Glenn tonight forwarded to the North Carolina senators and representatives a striking letter, in which he declares that the conflict which arose during the past summer between the federal courts and the state courts in testing the constitutionality of the North Carolina legislative act reducing passenger rates warns all thinking persons that such conflicts may eventually result in serious trouble and should, therefore, be averted by suitable legislation.

FIRST SESSION OF THE SIXTIETH CONGRESS IS HELD; VAST AMOUNT OF IMPORTANT BUSINESS IS AHEAD

Carolina Delegation On Hand

BY JOHN E. MONK. Washington, D. C., Dec. 2.—All the North Carolina members in Senate and House were present today when the Sixtieth Congress was convened in what may prove to be a notable session. One feature of the day was noteworthy from the standpoint of North Carolina. For the first time in many years, and probably the last time for years to come, twelve Democrats responded when the roll of states was called in the House.

Brilliant Scenes Attend the Opening Exercises in House and Senate. Cannon Formally Elected Speaker and Fairbanks Assumes Gavel As President of the Senate.

WASHINGTON, D. C., Dec. 2.—A brilliant scene characterized the meeting of the Sixtieth Congress today. In Senate and House of Representatives there were notable gatherings in the galleries of representatives of the official society of the capital. The coming together for the first time of the men who have been elected to the Senate and the House, about one hundred of whom have not before served in Congress, made the occasion one of particular interest.

JURY IN THE BRADLEY CASE, FAILING TO AGREE, LOCKED UP FOR NIGHT

Court Convened at 10 o'Clock When Result of Deliberation May Be Announced.

CASE GIVEN TO JURY AT 4.17

Washington, D. C., Dec. 2.—After deliberating for five hours and forty-three minutes, the jury in the case of Mrs. Annie M. Bradley, charged with the murder of former United States Senator Arthur M. Brown, of Utah, failed to reach an agreement and were ordered locked up for the night. It was 10 o'clock when the court cried announced that they would be unable to reach an agreement tonight and that the court would convene tomorrow morning at 10 o'clock Justice Stafford, who went home shortly after 6 o'clock, received word by telephone of the failure to reach a verdict and thereupon ordered the juryman locked up for the night.

FIRST CLASH BETWEEN FEDERAL GOVERNMENT AND STATE OF ALABAMA

Judge Jones Issues Order Ordering State Solicitor to Appear and Show Cause Why He Should Not Be Adjudged Guilty of Contempt.

Montgomery, Ala., Dec. 2.—The first clash between the federal government and the State of Alabama came today when Solicitor Henry B. Stegall, of Ozark, Dale county, was cited under a rule issued by Judge Thomas G. Jones, of the federal court, to appear and show cause why he should not be adjudged guilty of contempt for his alleged misbehavior towards Deputy United States Marshal Pullum. The alleged misbehavior consisted of a threat said to have been made by Mr. Stegall, that he would have the sheriff of Dale county arrest the deputy marshal for attempting to serve on him the papers in the Central of Georgia case. Mr. Stegall is cited to appear before Judge Jones on December 5.

WASHINGTON THE MECCA FOR REPUBLICANS FROM ALL PARTS OF COUNTRY

Assembling of National Committee and Opening of Congress Draw Leaders.

EAGER FOR CONSULTATION

Washington, D. C., Dec. 2.—Political Washington is making ready for this week's invasion of the head men of the Republican party. They are all expected to be here when the Republican National Committee assembles the latter part of the week. Not in many years has the quadrennial meeting of the party organization excited so much interest. In the pre-convention campaign of 1896 it was generally conceded that William McKinley, of Ohio, would walk away with the presidential nomination. He did. At Philadelphia, in 1900, the Republican convention was nothing more or less than a McKinley rally, and interest in it was kept alive only as a result of the controversy that took place over the question as to who should be named as the vice-presidential candidate. Tom Platt, of New York, and Matt Quay, of Pennsylvania, put their heads together, and decided that the best way to elect Mr. Roosevelt, then governor of New York, was by placing him on the tail end of the McKinley ticket. In 1901 McKinley was struck low by an assassin's bullet, and Theodore Roosevelt became president of the United States. Roosevelt's was the only name presented to the Republican National Convention of 1904.

THAW TRIAL, ON MOTION OF JEROME, POSTPONED UNTIL JANUARY SIXTH

His Counsel Opposes Delay, Urging Prompt Trial for the Prisoner.

WIFE ATTENDS PROCEEDINGS

New York, Dec. 2.—On motion of District Attorney Jerome the second trial of Harry K. Thaw, for the killing of Stanford White in Madison Square Roof Garden, in June, 1906, today was postponed until Monday, January 6. A special panel of three hundred taxmen will report that day for jury duty. Thaw was not brought into the courtroom, but was allowed to stand in the corridor leading from the prisoner's room at the rear and had an unobstructed view of the proceedings. His wife, Evelyn Nesbit Thaw, was the only member of the prisoner's family present. She looked much better than she did a year ago. Her face is plump now and there is a touch of healthy color in her cheeks. She seemed in high spirits today. The proceedings came up before Justice Dowling of the Supreme Court. The defendant was represented by his new leading counsel, Martin W. Littleton, and by Daniel O'Reilly and A. Russell Peabody, who served throughout the first trial. Mr. Littleton opposed the delay and on behalf of the defendant demanded the right of a speedy trial. Mr. Jerome requested the delay on account of the great difficulty that would be encountered in securing a jury with the prospect of being locked up over the holidays starting each taxman in the face. It was necessary, he said, for the protection of the interests of the public and of the defendant's counsel that the jury should be kept in custody throughout the trial. Justice Dowling said that while he favored a speedy trial he believed time and expense would be saved by putting the case over to the first Monday in January.

CANNON EXPLAINS PURPOSE OF THE HOUSE IN ACCEPTING SPEAKERSHIP

In accepting the speakership Mr. Cannon said in part: "We are today organizing the Sixtieth Congress, marking the one hundred and eightieth anniversary in the history of government by the people under the constitution. Our predecessors in the years that are passed have left to us an example of wisdom, moderation and courage that has never failed to preserve the ideals and the interests of Republican government in many crisis, whether of peace or war, adversity or prosperity. This House is the only institution under our constitution where the will of the people may be expressed with a fairness approximating to scientific accuracy. Other departments of the government have lofty and important functions, but to this House alone belongs the peculiar, the delicate and the all-surpassing function of interpreting and putting in definite form the will of the people. This duty we must perform ourselves. The principles of the past may help us to the extent of showing us the points of the compass; but beyond that we must depend on our own wisdom, our own constancy, our own industry and our own fidelity to duty." The appearance of Hon. William J. Bryan on the floor of the House also was the occasion for enthusiastic cheering by the Democrats. When the adoption of the rules for the government of the House during the Sixtieth Congress came up the rules of the last Congress were opposed by John Sharp Williams, and he was joined at that position by Democrats and by a single Republican, Mr. Cooper, of Wisconsin. The old rules were declared to be too autocratic, placing too much power in the hands of the speaker, but after a somewhat acrimonious discussion, they were adopted by a party vote. Committees were appointed by both Houses to inform the President that Congress had met and was ready to receive any message he might wish to communicate. New senators and representatives were sworn in and both Houses adjourned out of respect to the memory of members who have died during the recess of Congress. While the voting was going on neither Speaker Cannon nor Representative Williams was present. The roll call showed the following results for speaker: (Continued on page Two.)

BURNS KNOCKS OUT MOIR IN LONDON, BECOMING HEAVY WEIGHT CHAMPION

Englishman Had No Chance Against His More Skillful American Opponent.

HE LEAVES RING UNMASKED

London, Dec. 2.—Tommy Burns, of America, knocked out Gummer Moir, of England, in the tenth round before the National Sporting Club here tonight. Englishmen never had great hopes of the ability of their representative to regain their lost honors in the boxing arena and in a somewhat unexciting contest the American champion had a comparatively easy task in disposing of Moir's pretensions and securing for himself the title of heavyweight champion of the world. After the fifth round Burns' victory was certain and in the tenth when the gunner failed to rise to the call of time and was literally cut to pieces, Burns left the ring with scarcely a mark. Moir owes his right to participate in championship matches more to influence than to merit, and his defeat, therefore, was not a matter of general surprise. Burns proved himself superior in every detail. He displayed greater science and infinitely better generalship, and his blows were delivered with much more power than were those of the Englishman. It was an easy victory for the American, which from the very outset, appeared almost a foregone conclusion. Burns entered the ring the favorite at odds of 7 to 4. The work in the first round was mostly at long range, the fighters sparring warily. Finally Burns landed two heavy blows on the gunner's neck and ear, the second sending him staggering to the ropes, while the American himself escaped without punishment, avoiding Moir's rushes cleverly. The pace increased in the second round, the men getting into close quarters, where Burns showed his superiority and did a lot of damage on Moir's body. He received a nasty jolt under the chin, however. (Continued on page Two.)

OPENING OF LAYMEN'S MEETING IN CHARLOTTE; TWO FINE ADDRESSES

"Money and Missions," and "Money and the Kingdom," Dr Lilly's Subjects.

THE CLOSING RALLY TONIGHT

Charlotte, N. C., Dec. 2.—The Bible doesn't say that in laying up wealth there is danger of man getting too much money; it says that the danger lies in money getting too much man. This epigrammatic sentence was the keynote to the magnificent address of Rev. Dr. C. Clay Lilly, of Winston-Salem, at the auditorium last night on the subject of "Money and the Kingdom." A splendid audience was present to hear. The huge building was fully three-fourths full and it must be rarely that Dr. Lilly has a greater opportunity to deliver this vital message of his than last night. It was a fitting beginning of the three-day campaign of the laymen's missionary movement in Charlotte. Dr. Lilly also delivered an address yesterday afternoon when he spoke on "Men and Money," the meeting taking the place of the usual afternoon Y. M. C. A. meeting, and the one at night, launched the campaign of the laymen's missionary movement in this city. It is an inter-denominational movement designed to arouse a greater knowledge of missions on the part of the men of the churches, and consequently to increase their zeal and liberality. It sends out American, which from the very outset, appeared almost a foregone conclusion. Burns entered the ring the favorite at odds of 7 to 4. The work in the first round was mostly at long range, the fighters sparring warily. Finally Burns landed two heavy blows on the gunner's neck and ear, the second sending him staggering to the ropes, while the American himself escaped without punishment, avoiding Moir's rushes cleverly. The pace increased in the second round, the men getting into close quarters, where Burns showed his superiority and did a lot of damage on Moir's body. He received a nasty jolt under the chin, however. (Continued on page Two.)

WRECKERS DERAIL TRAIN; THE ENGINEER IS KILLED

WHEN LOCOMOTIVE HITS, BROKEN RAIL IT OVERTURNS—BLOOD-HOUNDS ON THE TRAIL.

Montgomery, Ala., Dec. 2.—An east-bound passenger train on the Southern railway turned over when it struck a broken rail near Marion, Ala., late tonight, and Engineer Frank Little was caught under the engine and killed. His freight was fatally injured. No passengers were hurt. There were evidence of train wreckers and bloodhounds have been placed on the trail. Pullman Cars Burn In Shops. Buffalo, N. Y., Dec. 2.—The Pullman company's big paint shop here, burned to the ground in less than an hour tonight. Twenty-one Pullman cars were destroyed. The total loss will be about \$400,000.

FIFTY MEET AWFUL DEATH IN A PENNSYLVANIA MINE

Killed by Explosion and Resulting Fall of Rock or Suffocated by Poisonous Gasses Before They Got a Chance to Escape.

Pittsburg, Pa., Dec. 2.—The fate of five American and forty-five foreign miners, while not definitely known, was pretty well established late today by the finding of the body of a mine pumper near the twenty-second entry of the Xaomi mine of the United Coal Company at Fayette City, thirty-five miles from this city, in which an explosion occurred last night. The man had died from suffocation. Judging from the two fatalities thus far known, both having been caused by poisonous gas fumes, it is almost certain that the forty-eight miners still entombed in the mine have succumbed to the deadly after-damp. There is also a possibility that the explosion of last night occurred so close to the men that they were killed by its force or the resultant fall of tons of rock and earth. Since shortly after eight o'clock last night rescuers have labored almost constantly in an effort to reach the imprisoned men. Work has been necessarily slow on account of the wreckage and after-damp. Notwithstanding the fact that the rescue parties have worked in fifteen minute relays, a score or more of their members have been compelled to go to their homes, suffering from the poisonous gases. Two of the rescuers are in a critical condition. All day long a crowd estimated at 2,000 persons have stood about the mouth of the ill-fated mine, awaiting some news from the entombed miners. Hundreds of these persons are relatives or friends of the unfortunate men and their grief is pitiful. The rescuers are divided in opinion as to when they will reach the imprisoned men. Some believe the end of their search will come late tonight, while others do not look for this until tomorrow evening. In the meantime, it is the opinion of all that the men are dead.

THREE MAIL CLERKS HURT WHEN TRAIN IS DERAILED

EVERY CAR BUT DINER LEAVES TRACK ON L. & N. R. R. NORTH OF MOBILE.

Mobile, Ala., Dec. 2.—Every car except the diner in the Louisville and Nashville northbound passenger train, was derailed at three o'clock this afternoon near Dyas Creek, thirty-two miles north of here, and the three mail clerks, Campbell, Wharton and Labou, were badly cut and bruised. The injured were carried to Bay Minette for treatment. Fatally Beaten With Billiard Cue. Americus, Ga., Dec. 2.—Benjamin L. Lightfoot, a prominent planter residing upon the Rylander plantation near Americus, is at death's door from blows delivered with a billiard cue by Marion Sims, another farmer, Saturday night. Lightfoot's skull was crushed and he has since been unconscious. (Continued on page Two.)