The Times Dispatch

THE DISPATCH FOUNDED IN 1850. THE TIMES FOUNDED 1860.

WHOLE NUMBER 18,487. RICHMOND, VA., MONDAY, JANUARY 2, 1911. THE WEATHER TO-DAY—Rain. PRICE TWO CENTS.

PINCHOTS CARRY CLAIMS TO TAFT

Ask Him to Act in Cunningham Alaskan Coal "Grab."

AGAIN OPPOSED TO BALLINGER

Declaring That Government Is Being Robbed, They Ask That President Refuse to Await Action of Courts as Has Been Recommended to Congress.

Washington, January 1.—President Taft was appealed to to-day by former Forester Gifford Pinchot and his brother, Amos Pinchot, to cancel immediately, without further hearing, the so-called Cunningham Alaskan coal claims. In a voluminous brief filed with the President, in accordance with permission given in a letter written to them by Secretary Norton on November 9, Mr. Pinchot and his brother contend that the record in the case "abundantly proves that the claims were illegal, and that from the beginning the claimants have conspired to defraud the government."

"No resort to a court or a rehearing of the case is necessary to secure justice and protect the people's property," says the brief. "The case against the claimants is already conclusive. We believe the duty of the executive in regard to the claims is obvious and immediate. The claims should be canceled by the President forthwith."

Oppose Ballinger.

Messrs. Pinchot thus oppose the recommendation to Congress made by Secretary of the Interior Ballinger, in his annual report, that the Cunningham cases be referred to the Court of Appeals of the District of Columbia for adjudication, owing to the "wide discussion and popular interest they have provoked, largely owing to their alleged value and method of attempted acquisition." Those cases have been pending before the General Land Office for several years.

"No transfer of the Cunningham cases to a court for a decision upon the present record would relieve the executive department of responsibility for failure to have the case against the claimants fully presented by attorneys of experience and ability, and for omitting to produce all the evidence of fraud available," declares the brief, after charging that "in spite of the clearness of the existing proof we believe it to be our public duty to point out that the whole of the case against the claimants has not been presented."

The charge also is made by the Pinchots that certain evidence of conspiracy was suppressed by agents of the Land Office; that available evidence in existing documents was not produced, and that the government's case was "inadequately presented by counsel."

Law Is Defective.

"The evidence in this case goes much farther than to establish the fraud of attempting by subterfuge to acquire from the government more coal land than the law allows," says the brief. "It shows that from the beginning the claimants acted with the definite and sustained intention of defeating the primary purpose and essential spirit of the law—the spirit and purpose to prevent monopoly and secure competitive development of the nation's resources. The law under which patents for these claims are asked is defective, in that it contains no provision to prevent combination after titles are secured. This fact makes it even more imperative to enforce strictly the provision forbidding agreements to combine made before patents are issued. Only thus can monopoly be prevented.

Regarding the effect of monopoly in Alaska, the brief says: "It is evident that an enormous saving can be made to the people of Alaska, to the whole Northwest and to the United States Navy if only these coal mines are opened under conditions of competition." It charges that "the industries of Alaska have been for years largely in the hands of a great and oppressive monopoly, the Guggenheim syndicate, which has kept out other capital, throttled competition and held Alaska at a standstill."

The brief recites that the case for the government is supported by five main lines of evidence, cited as follows:

"First, the history of the operations of the Cunningham entrymen in Alaska, as derived from their own records and statements, shows that from beginning to end they were all members of a single association engaged in acquiring a joint property, and that the claimants never owned these claims separately.

Owned by Association.

"Second. The book of accounts of the Cunningham group and the reports made by its agents are all evidently based on the assumption that all the claims are one property, owned by one association.

"Third. From first to last, the subscribers took no interest whatever in the situation or value of the particular claims entered in their respective names. They cared only for the value of the claims as a whole.

"Fourth. Within the shortest practicable time after final certificates were issued (whereupon it became legal to combine, provided there had been no prior agreement), the Cunningham associates took steps to turn over their claims to a corporation on a basis of equal shares, although they knew their claims were of unequal value.

"Fifth. More than one-half the claimants have admitted in affidavits that they had always acted with a mutual understanding that they would combine their claims after titles were secured and one so confessed at the hearings."

Discussing the charge that important evidence against the claimants was suppressed by Land Office agents, the brief says: "John W. Dudley, register of the Land Office at Juneau, Alaska, one of these agents, went so far as to advise Cunningham specifically how one of the claimants, who had told the truth in his affidavit, should change his statement so as to strike out evidence of fraud and avoid investigation, 'which will at least involve an interminable delay.'"

In support of their contention that the government's case was inadequately presented during the hearings, Gifford Pinchot and his brother assert that James S. Sheridan, who was as-

(Continued on Third Page.)

FORMALLY RECOGNIZED

Nicaraguan Government Again in Good Standing With United States.

Washington, January 1.—President Taft to-day authorized formal recognition of the new constitutional government of Nicaragua, following the receipt of official dispatches announcing the election yesterday of General Juan J. Estrada as President.

The President also sent the following message of congratulation to President Estrada:

"His Excellency, General Juan G. Estrada, President of the Republic of Nicaragua, Managua.

"I send Your Excellency my most cordial felicitations for the New Year, with which I hope will begin an era of progress, peace and prosperity for the people of Nicaragua. I congratulate you upon your assumption of the presidency by popular mandate unanimously expressed through the assembly recently elected, and I assure you, and through you the government and people of Nicaragua, of the sincere sympathy and friendship of the government and people of the United States in the work of regeneration which we hope will be so successful. I add my wishes for your own personal welfare.

(Signed) "WILLIAM H. TAFT."

Dr. Salvatore Castrillo, who has been appointed Nicaraguan minister to Washington, probably will be received by Secretary of State Knox this week for formal presentation of his letter of credence.

Confirmation of Associated Press dispatches from Managua last night announcing Estrada's election reached the State Department during the day in a cablegram from Thomas Moffatt, the American consul.

Amnesty to Exiles.

Managua, Nic., January 1.—President Estrada to-day issued a decree granting general amnesty to all political exiles.

On the election of General Estrada to the presidency yesterday the members of Congress rose to their feet and shouted "Long Live Estrada." In his inaugural address he promised that the law would be administered for the good of all, and in accordance with the proper guarantee. It is probable that in some respects the Constitution will be amended to comply with the demand for reforms, and that new laws will be promulgated. Adam Cardenas was elected President of the Congress and Salvador Cardenas, Vice-President.

RACE IS IN DOUBT

No One Able to Pick Winner of Tennessee Senatorship.

Nashville, Tenn., January 1.—The General Assembly of Tennessee will begin its fifty-seventh biennial session at noon to-morrow, which, under the Constitution, will last for seventy-five days. To-night more than 100 of the 132 members are in the city. The others will be in on night trains and early to-morrow.

The session promises to be a momentous one, inasmuch as a United States Senator will be elected, provision made for funding the State debt, about $10,000,000, redistricting the State for Assemblymen under the new census and repealing, modifying or strengthening the election laws.

The regular Democrats control the Senate, with nineteen out of thirty-three members, while the House probably will be in control of the fusion forces.

The Senate Democrats in caucus yesterday nominated N. Baxter, Jr., for Speaker. The House Democrats will caucus Monday. The fusion forces, who have agreed on their candidate for speaker of the House, will hold a conference also at 10 A. M.

It was asserted this afternoon that the regular Democrats would have a majority on joint ballot.

The United States senatorship is very much in doubt. Neither ex-Governor McMillin nor Senator J. B. Frazer have yet shown that they could secure a majority. General Luke E. Wright, ex-Secretary of War, has not yet said whether he would or would not enter the race. If he comes in the situation will be complicated.

PAN-AMERICAN CONFERENCE

Commerce in Relation to Panama Canal Will Be Discussed.

Washington, D. C., January 1.—Commerce of the countries of North and South America and the necessity of their preparing for the opening of the Panama Canal will be discussed in their various phases at a pan-American commercial conference to be held here during the week beginning February 13 next, under the auspices of the Pan-American Union. The meetings will be held in the auditorium of the new building of the Pan-American Union, known until recently as the International Bureau of the American Republics. The conference is expected to be more practical and more comprehensive than any other gathering ever assembled in the national capital.

The purpose of the conference is to awaken the commercial organizations, business men and general public of both North and South America to an appreciation of the possibilities of pan-American commerce and the necessity of getting ready for the commercial changes which will be brought about by the opening of the Panama Canal.

WET AND DREARY

Washington's New Year Weather Is Very Bad.

Washington, D. C., January 1.—New Year's Day was wet and dreary in Washington. A cold, driving rain set in during the early morning and continued with a steadiness that kept every one indoors.

President Taft attended services at the Unitarian Church during the forenoon. He was accompanied by Mrs. Charles P. Taft, of Cincinnati. The President remained at the White House during the rainy afternoon and evening. He disposed of some correspondence and dined with his family and house guests to-night. The latter include Mr. and Mrs. Charles P. Taft and their daughter, Miss Louise.

HE'S ON HIS TRAIL

Angry Husband Is Searching for Man Who Stole His Family.

Colquitt, Ga., January 1.—Nineteen days with a rifle and a rig on the trail of the man who, he alleges, stole his wife and children, and swearing that he will go to the ends of the earth to find them, William Boatwright arrived here from Florida yesterday and set out again to-day. He had come through Alabama. Boatwright secured a warrant here charging Arthur McGowan with kidnapping. He wants his children, and says he will get them by peaceful means if possible, otherwise he will use his rifle.

STRIKERS DISPERSED

Mayor Orders Incendiary Meeting Broken Up.

Tampa, Fla., January 1.—A meeting of striking cigar-makers, held at the Labor Temple to-day, was dispersed by Mayor McKay and several police. Speeches of an alleged incendiary nature were being made, and convinced the Mayor that trouble would result if the meeting was allowed to continue. The leaders were searched and a few arrests were made. Forty automobiles with citizens armed with rifles attended the meeting with the Mayor to assist if needed.

KNOTTY PROBLEM FOR ADAMS COUNTY

No Men Are Left Who Can Serve on Juries.

ALL HAVE BEEN DISFRANCHISED

Four Women and Two Preachers Will Be Arraigned To-Day for Selling Their Votes—300 Men Have Fled From County—Threats Made Against Judge Blair.

[Special to The Times-Dispatch.]

West Union, O., January 1.—More than 100 men of Adams county are in West Union to-night to appear before Judge A. Z. Blair to-morrow morning and plead to charges of accepting money for their ballots. These men are scattered around town, sleeping in stables and public halls. Thirty of them were seen to-night and asked what they would do regarding their cases, and all of them said they would plead guilty, receive their fines, sentences or imprisonment, and that they would then pay and go back to their farms.

About 300 Adams county men have suddenly disappeared, and are reported to be across the river in Kentucky. They say they will not return. Judge Blair says he doesn't know just yet what he will do concerning their cases.

Terrifying Problems.

The court is confronted with many terrifying problems just now, principal among which is the dearth of men to serve on juries in Adams county and the fact that two of the grand jurymen have asked to be excused from service after next Saturday to devote their time to private business. There are several criminal cases on the court calendar which will have to be tried. Judge Blair says that almost all the men in the county who are qualified to serve as jurors have either been disfranchised or are under indictment and probably will be disfranchised. Two of the jurymen have asked to be allowed to retire, but Judge Blair says he doesn't want to let them go, and will plead with them to remain. They have lost several hundred dollars now by serving as jurors and allowing their business to stand.

Women and Preachers.

Among the people who are here to-night are four women and three preachers, all of whom will appear to-morrow morning and in all probability plead guilty. The women come from the rural district back of Manchester, where they live with their husbands and families. The pastors will plead guilty and ask that their names be kept secret, so that they may retain their pulpits.

Yesterday morning Judge Blair sentenced and fined two preachers, and said that he was importuned to say nothing about their case, and granted the request.

Six men from Manchester were brought here this afternoon and are now in jail awaiting the opening of court to-morrow morning at 9 o'clock. All these men were among those who were first indicted. The deputies who arrested them at 1 o'clock this morning say they have been telling their friends what they would do to Judge Blair and the jurymen, and for this reason Judge Blair thought it best to have them arrested at night.

DEATH DREAM COMES TRUE

Man Mangled by Train as Wife Saw in a Vision.

Southboro, Mass., January 1.—The dream of Mrs. Archie Dupree, of South Framingham, that the mangled body of a man found on the New York, New Haven and Hartford Railroad tracks here Sunday was that of her husband, proved true, the body being identified.

Mrs. Dupree dreamed on Sunday night that she saw her husband crushed to death between two freight cars. When he failed to return to his home in South Framingham Mrs. Dupree told her brother-in-law, Christopher Dupree, about her dream. He came here and identified his brother's body.

CHURCH DYNAMITED

Sanctuary and Part of Auditorium Wrecked.

Indiana, Pa., January 1.—An effort was made to-day to destroy the Holy Cross Roman Catholic Church at Iselin, near here, with dynamite. Only a portion of the explosive went off, but this, which had been placed under the altar, wrecked the sanctuary and a portion of the auditorium. There is no clue to the plotters.

PARK FOR PHILADELPHIA

Mrs. Lippincott Gives Land in Germantown Valued at $100,000.

Philadelphia, January 1.—Land valued at $100,000 was presented to this city for park purposes by Mrs. J. Bertram Lippincott, Mrs. Harrison S. Morris and Miss Mary Wharton, daughters of the late Joseph Wharton, an iron manufacturer.

The land is located in Germantown, a suburb, and is known as Fisher's Park.

WAS JONES'S LUCKY DAY

Friend Broke a Brick on Negro's Head, and a Ring Dropped Out.

Joplin, Mo., January 1.—Washington Hamilton Jones, a colored hotel porter here, is a lucky person. Yesterday a friend hit Jones on the head with a brick. The blow broke the brick, and a diamond ring, said to be worth $50, dropped out.

Jones grabbed the ring and ran. His head was not injured.

ROBBERS LOOT TWO BANKS

Escape With $8,000, After Dynamiting Vaults in Kansas Town.

Waterville, Kan., January 1.—Five robbers dynamited the safes in the Citizens' and State Banks and escaped with $8,000. The Citizens' Bank lost $6,000 and the State Bank $2,000. The buildings were wrecked.

The robbers cut the telephone lines leading to Marysville, Kan., and then escaped in an automobile.

ATTEMPTS SUICIDE

Spencer B. Adams Slashes Throat With A Razor.

[Special to The Times-Dispatch.]

Greensboro, N. C., January 1.—Ex-Judge Spencer B. Adams, of the Choctaw and Chickasaw Indian Courts, Oklahoma, and a prominent figure in Republican politics of this State, attempted suicide in a sanatorium here to-night. The attempt, so far as can be ascertained, was made about 8 o'clock. He was removed to a hospital, where, at 2 o'clock this morning, it was stated that he was alive. Nothing further was given out, all attempts of newspaper men to learn the extent of his wounds being frustrated by the attending physicians.

It was 11:30 o'clock before the least inkling of the act came to the general public, and after two hours of questioning of family and friends, the following facts were learned:

Two weeks ago Judge Adams returned from a trip to Florida. He had been drinking heavily, and a few days after his return he entered the Keeley Institute here for treatment. To-night he is said to have appeared unusually despondent, and the fears of friends and attendants were realized when he was found with his throat cut.

While nothing official is given out, it is said that the wound is about three inches across the throat, and apparently an inch deep. A razor was used.

Judge Adams is one of the leading figures in North Carolina State politics, having been State chairman of the Republican party two years ago, and he has held positions of importance under the government. He has not been a heavy drinker, and his actions since returning from the Florida trip have caused great worry to family and friends.

GROUND SQUIRRELS COSTLY

A Dozen of Them Burrow Into Canal, Causing $500,000 Loss.

Washington, January 1.—One dozen ground squirrels that burrowed into an embankment on the Turlock Canal in Stanislaus county, Cal., last May caused a serious washout that resulted in upward of $500,000 loss, according to Henry W. Henshaw, chief of the government Bureau of Biological Survey.

Mr. Henshaw, in an official statement submitted to Congress, says the squirrels necessitated changing the line of the canal at a cost of $25,000, the labor of rebuilding occupying three months, and depriving the ranchmen of water when most needed for irrigation, thus entailing an immense loss.

Collectively, according to Mr. Henshaw, there are more than sixty species of ground squirrels, inhabiting 2,000,000 square miles, and the annual loss from these animals is officially estimated at $12,000,000.

TEXAS SHIVERING

Cold Wave Comes Late, But No Less Severe.

Dallas, Tex., January 1.—North Texas is to-night shivering under the cold wave which was promised Saturday by the weather bureau. Amarillo, in the Panhandle, reports half an inch of snow and high winds and twelve above zero. A further drop of eight degrees is expected.

Warm weather prevailed in Dallas and vicinity until this afternoon, when a cold wind came out of the north and in four hours there was a drop of about fifteen degrees in temperature, with the wind increasing, and indications that the freezing point would be reached by morning.

HARRISON'S WHISKERS POOR

They Betrayed Work of Counterfeiters to Secret Service Men.

Washington, January 1.—A poor spot in President Benjamin Harrison's whiskers in a portrait of him on a $5 bill has betrayed a gang of counterfeiters.

The Secret Service men picked up the new hokus note. It is a counterfeit on the Citizens' National Bank, of Waterbury, Conn. It was made by a photo-mechanical process on a fair quality of paper, but has none of the little telltale silk threads, so it will be easily to detect.

President Harrison's portrait on the left end of the note is very poor—in fact, the bare spot in his whiskers first brought the counterfeit to the attention of the Secret Service men.

PAPER TOWELS IN SCHOOL

Test to Be Made in Kansas—One for Each Child.

Topeka, Kan., January 1.—E. T. Fairchild, State Superintendent of Public Instruction, has made arrangements to have a test made of paper towels for the Kansas schools.

If the test is successful his plan is to furnish all pupils in the Kansas schools with individual towels.

BULLET HITS EYEGLASS

Lens Is Shattered, but Slug Is Stopped and Boy Is Not Hurt.

Pittsburg, January 1.—As William Rosser, eleven years old, was walking along Homestead Street, a spent bullet struck a lens of his glasses.

The glass was reduced to powder, but the boy closed his eye and bullet and glass fell to the sidewalk, the resistance preventing the ball from entering his eye.

NOT AN ESCAPED PRISONER

Sing Sing Detective Found Columbia (Pa.) Police Made a Mistake.

Columbia, Pa., January 1.—New York State Detective James Jackson, of Sing Sing, arrived here to take back to prison Robert Boylan, who escaped.

A Sing Sing keeper also arrived, and, after seeing the prisoner, declared he was not the man wanted.

M. Karuloff Dead.

St. Petersburg, January 1.—M. Karuloff, a Constitutional Democrat, and one of the most influential members of the Duma, died to-day from meningitis. He will be a great loss to the Jewish dissident causes, of which he was champion.

Freezing Weather Predicted for Week

Washington, D. C., January 1.—Generally unfavorable weather is predicted by the Weather Bureau for New Year's Monday and the forepart of the week. The disturbance that passed over the Mississippi valley to-day is scheduled to reach the Atlantic States by to-morrow night, stormy weather being in prospect. Rain and snow in central and Northern States, with rain in the Southern States is the Weather Bureau's forecast for the first days of the week throughout the country.

A cold wave is expected to follow the storms, freezing weather being promised for regions as far south as Florida and the Gulf of Mexico.

MEMORY OF DEATH UNNERVES FLIERS

Pall of Gloom Hangs Over Aviators and Spectators.

ASCENTS MADE, BUT CAUTIOUSLY

Funeral of Hoxsey Will Be Held To-Morrow, While Rites Over Remains of Moisant Were Performed Yesterday. Both Men Leave Fortunes in Winnings.

Los Angeles, Cal., January 1.—There were flying events at aviation field to-day, but the memory of Arch Hoxsey's death hung like a pall over aviators and spectators. The fliers worked as cautiously as did the early pioneers in their aerial experiments that brought flight within the realm of accomplished sciences, for the wind was almost as treacherous as it was yesterday when it caught Hoxsey and tossed him to death.

All the aviators ascended, but they flew apparently only because their contracts called for daily flights, and because there were people in the grandstands. None of them remained in the air more than a few minutes, and long before the program was completed, the committee dismissed the spectators with the announcement that the meet, which was to close Tuesday, would end to-morrow. Tuesday is the day set for the funeral of Hoxsey.

Walter Brookins, who coached Hoxsey in the art of flying, was pale and nervous to-day when he brought his biplane on the field and, in the short flight he made, he never once attempted the thrilling spiral dives which he originated, and which Hoxsey was emulating when he fell.

Keeps Close to Ground.

Parmalee, the only other surviving member of the Wright team of four that started West a few weeks ago, also kept close to the ground. Hubert Latham was the only aviator to keep his machine up more than half an hour. Radley, for a time, refused to attempt a flight at all.

While Eugene Ely was making a flight, a guy wire parted and becoming entangled in his propeller, broke a piece off one of the blades. Ely pointed his machine downward, taking a sharp angle to get to earth as quickly as possible. A shout of apprehension rose from the spectators, but Ely landed safely with a jolt that only jarred him.

Hoxsey's body was removed to Pasadena to-day, where it will lie in a mortuary chapel until Roy Knabenshue, manager of the Wright team, completes plans for the funeral.

All funeral expenses will be borne by the Wright brothers, and a competent sum will be given to Mrs. Hoxsey. It was learned to-night that every cent which Hoxsey made during his entire aviation work will be given to his mother.

Mrs. Hoxsey, mother of the dead aviator, will also receive approximately $10,000, it is said, from the aviation committee, as the winnings of her son during the meet.

Funeral of Moisant.

New Orleans, La., January 1.—The funeral rites over the remains of John Moisant, the famous aviator who was killed here yesterday morning when he fell with his Bleriot monoplane, breaking his neck, were held this morning. Rev. James Malone, of St. John's Cathedral, officiating. The body was placed in a vault in Metairie Cemetery until other arrangements are made.

Among the large list of honorary pall-bearers, made up of prominent citizens of this city, were the team mates of Moisant, Rene Simon, Rene Barrier, Roland G. Garros, Charles K. Hamilton, John J. Frisbie, Edmond Audemars and Joseph Seymour.

Affecting scenes marked the funeral, which was private. Great banks of flowers, including handsome offerings from the aero clubs of America, of France and of Great Britain, another from the team mates of Moisant, and many from admirers and friends all over the country rested about the casket.

The two sisters of Moisant, and his brother, Alfred J. Moisant, and Albert S. Levino, general press agent of the International Aviators, left to-night for Jacksonville. From there the party will go to Havana and later to New York City, arriving in the latter city about January 12.

An inventory of the personal effects of the dead aviator to-day showed that he had about $12,000 in currency and gems. It is believed his estate will total $150,000, which will be held in trust for his boy, now in school in Hotchkiss, Cal.

The International Aviators go from here to Dallas, Texas, thence to Oklahoma City.

Believed Himself Safe.

That John B. Moisant believed himself safe in an aeroplane under any circumstances is shown by this statement, made to-night by Albert S. Levino, press representative.

"Mr. Moisant said to me two days before his death:

"'If I thought I should be killed in making a flight I would not go up in the machine, but I think there is no possible danger if the machine is properly adjusted before the ascent is made. I do not expect to die in an aeroplane.'

"A thorough examination was made to-day of the machine which Mr. Moisant used," continued Mr. Levino. "Every statement by witnesses agree upon two points:

"That Moisant attempted to land apparently when no necessity arose for his landing at that particular moment or at that particular point, and that when he started to land he was flying with the wind.

"The conclusion is that something went wrong inside of the Bleriot, which compelled him to seek the ground immediately.

"Whether the tail or rudder refused to work, or whether the wires for wing flexing failed to perform their functions properly will never be learned.

"The machine Mr. Moisant used was the same one with which he secured second place in the international cup race at Belmont Park. The tank used

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HAS STORMY VOYAGE

Houseboat Stop-a-While Barely Escapes Disaster.

Jacksonville, Fla., January 1.—The houseboat Stop-a-While, from Eastport, Me., to Miami, Fla., has just passed through one of the roughest voyages south on record. The troubles of the houseboat started last week off Cape Fear, where, in high winds, it was found that the gasoline and oil had escaped. The government steamer C. B. Comstock arrived in time to prevent the pleasure craft going aground, and finding that a landing was impossible, started towing the craft south, and arrived here to-day.

In a gale two days ago the tow parted, leaving the houseboat helpless. The tug Three Friends found the vessel in distress near the bar, and got a line to her just as the vessel was nearing the breakers. The houseboat was leaking badly when towed into port. The guests of the owner, Captain A. C. Wiswell, were exhausted.

CHARRED BODIES FOUND

Man and Woman Meet Death in Boathouse Bungalow.

Atlantic City, N. J., January 1.—The charred bodies of John McAleese and Kate Williams, or Donovan, were found to-day in the ruins of a boathouse bungalow in Ventnor City, near here, after the fire which destroyed the house had been extinguished. The firemen entered the house with a hose and stumbled over the body of the man on the floor. The woman's corpse was found later on the bed, and it is believed the man was trying to fight his way through the smoke to a window when overcome.

McAleese and the woman came here about a month ago from Ocean City. McAleese, who was formerly a wealthy contractor in Ocean City, failed some time ago, and had been working here. His wife, from whom he had been separated for several years, is living in Philadelphia.

BANKING IN THE SOUTH

In Past Year 393 New Institutions Were Organized.

Atlanta, Ga., January 1.—During the year 1910, 393 new banks were organized and began business in the South, with aggregate capital of $7,420,000, says the Southern Banker. Fifty-five banks that began business previous to 1910 increased their capital $2,544,500 in the aggregate during the year just closed, making a total accession to the banking capital of the South of $9,964,500. The total number of new banks includes fifty national and 343 State, private banks and trust companies.

The 1,460 national banks in the South have capital, surplus and undivided profits of $258,020,000, as against $240,401,000 at the close of 1909, a net increase of nearly $18,000,000 for the national banks alone in thirteen States.

JAMES BRYCE RETURNS

He Says There Will Be no War Between Peru and Ecuador.

New York, January 1.—James Bryce, British Ambassador to the United States, arrived here to-day from Liverpool on the White Star liner Cedric, returning by way of England from his recent tour of the South American republics. Andrew Carnegie and Courtney W. Bennett, the British consul-general here, met him at the pier.

Mr. Bryce reminded his questioners that an officer of the diplomatic service cannot talk politics, but he volunteered a personal opinion that there would be no war between Peru and Ecuador. Accompanying him were William G. C. Gladstone, a grandson of the Grand Old Man, who has been appointed an honorary attache to the British embassy at Washington.

JOY RIDE TO DEATH

Young Woman Killed and Two Men Injured.

Baltimore, Md., January 1.—Miss Anna Forwood is dead and Charles J. Hayes, chauffeur; Miss Ina Cross and James Powers, a druggist, are cut and bruised in consequence of a "joy ride" accident just before midnight last night. The accident occurred in Baltimore county, north of this city. On a sharp curve at the bottom of a hill the rear wheels of the automobile skidded, and the machine overturned in a ditch, pinning Miss Forwood under it. She died before she could be taken from beneath the car.

WOMEN MUST BE JURORS

Governor of Washington Denies Petition to Exempt Them.

Olympia, Wash., January 1.—Governor Marion E. Hay denied yesterday the petition of the women of Sunnyside that he recommend to the Legislature a bill exempting women from jury duty. He said:

"Ladies who recently served on a jury here, the first since suffrage took effect, are earnest and sincere in their belief that women should serve on juries. The trial judge of the case praised their services highly, and urged that women jurors be generally called upon.

"I have been advised that prominent women of the State generally favor serving on juries, and I shall make no recommendation otherwise."

GENERAL CURTIN DIES

Given His Title for Bravery in Action During Civil War.

Bellefonte, Pa., January 1.—General John I. Curtin died suddenly of heart failure to-day, aged seventy-two years. He was a half brother of War Governor Andrew G. Curtin. When the War Between the States broke out, he went to the front as a member of the Bellefonte Fencibles. Later he re-enlisted as captain of Company A, Forty-fifth Regiment, and for bravery in action was promoted to the rank of brigadier-general.

ROBIN RECOVERING

May Be Fit to Appear in Court Next Wednesday.

New York, January 1.—Joseph G. Robin, the indicted banker, had so far recovered to-day from the dose of poison he swallowed last Saturday that physicians at Bellevue Hospital, where he is confined under constant watch in the prison ward, think he will be fit to appear in court next Wednesday.

EARTH SHOCK AT BRUSA

Mausoleum of Sultan Orkhan Ghazi Is Damaged.

Constantinople, January 1.—A strong earth shock at Brusa, in Asia Minor, yesterday damaged the cupola of the mausoleum of Sultan Orkhan Ghazi. No lives were lost, but many houses were partly wrecked.

READY TO RESUME ANTI-TRUST FIGHT

Supreme Court Will Hear Two Famous Cases Reargued.

CRUCIAL LAW TEST INVOLVED

If Standard Oil and Tobacco Trusts Are Dissolved, Government May Be Compelled to License Corporations That Legitimate Business May Be Carried On.

Washington, January 1.—Prosecutions by the government, designed to accomplish the dissolution of "Standard Oil" and of the American Tobacco organizations, embodying the greatest "anti-trust" fight of the generation, will be taken up for the second time by the Supreme Court of the United States at the beginning of its work for the new year. Continuing its consideration of affairs of government, the court immediately afterwards will give its attention to the constitutionality of the corporation tax provisions of the Payne-Aldrich tariff act.

All three cases attracted world-wide attention when first presented to the court about a year ago. With the object of procuring consideration by a full bench, they were set for re-argument on January 3. Intervening cases will cause a delay until probably January 5, when it is believed the arguments in the tobacco case will begin. The Standard Oil and the corporation tax arguments will follow. About three days will be required for each.

Crucial Test.

The Standard Oil and the tobacco cases put the Sherman anti-trust law to the crucial test to which it has been subjected during the twenty years of its existence. The corporation tax cases place on trial the power of the Federal government over corporations. The contention has been made that if the Standard Oil and tobacco organizations are dissolved the government will be forced to license corporations in order to allow legitimate business to be carried on. The corporation tax decision may define the power of the Federal government over corporations so as to guide this proposed subsequent legislation. Incidentally, about $25,000,000 annually in taxes depend upon the decision.

Although the tobacco case is to be argued first, the Standard Oil suit has attracted more attention. Attorney-General Wickersham has referred to the Standard Oil case as probably the most important that ever came before the court.

The Standard Oil suit was instituted in 1906, in the Circuit Court of the United States for the Eastern Division of the Eastern Judicial District of Missouri. The Federal government was the complaining party. It claimed that the Standard Oil Company of New Jersey, as a holding company, acquired since 1899 and held by direct stock ownership, sixty-five companies. These sixty-five, it was alleged, owned the stock of forty-nine other companies, making a total of 114 companies. The government asked that this organization be dissolved under the Sherman anti-trust law.

Loses in Lower Court.

A year was taken by the four judges in the Circuit Court to pass on the case. By unanimous agreement, a decree was entered by the court dissolving the organization, both because it was in "restraint of interstate commerce" and because it was "attempting to monopolize." Before the decree became effective, an appeal carried the case to the Supreme Court.

The tobacco case was instituted in 1907, in the Circuit Court of the United States for the Southern District of New York. The government here, too, was the complaining party. Allies in the various branches of the tobacco business, with combined assets of more than $400,000,000, constituted the organization which the government sought to have the court dissolve.

The four judges each rendered separate opinions in the tobacco case, but three of them united in a decree, holding many of the corporations had entered into a combination "in restraint of trade" in violation of the first section of the Sherman anti-trust act. These three decreed the dissolution of this combination. Other corporations, including the United Cigar Stores Company, the Imperial Tobacco Company, and the British-American Tobacco Company, were found not to be in the combination. None was held to be "monopolizing" in violation of the second section of the Sherman anti-trust law.

Interpretation of Law.

The application of the Sherman anti-trust law to these two organizations involves not only an investigation into the facts, but includes an interpretation of the law itself. The principal uncertainties in regard to the law cluster around three words in the statute. These words form the basis of three questions: What is "commerce"? What is "restraint" of trade or commerce? What is it to "monopolize"?

Around "What is commerce?" the principal fight in the tobacco case probably is to be found. The commerce which the government claims is being restrained and monopolized is not commerce, according to the tobacco attorneys. It is nothing more than the manufacture of an article which later enters into commerce. The bulwark behind which the tobacco organization is making its fight along this line is the famous Knight decision, made even more famous by the reference to it by former President Roosevelt last fall in criticizing the decisions of the Supreme Court. In that case the court declined to suppress an alleged monopoly in the manufacture of sugar, on the ground that it had authority to proceed only by way of preventing monopolies in commerce. The tobacco corporations claim that they are concerned only incidentally in commerce.

Again, the dispute as to what is included in the word "commerce," as referred to in the Sherman anti-trust