

ATTORNEY GENERAL KNOX'S VIEWS

In a Letter He Gives Suggestions Respecting Further Legislation on the Subject of Trusts.

Washington, January 6.—Attorney General Knox has addressed identical letters to Senator Hoar, chairman of the senate judiciary committee, and Representative Lathrop, chairman of the sub-committee of the house judiciary committee giving his views on the subject of trusts. These letters are in reply to Mr. Lathrop's asking the views of Mr. Knox. The letters embrace three subjects, the questions which have been decided by the courts, the questions which are pending in the courts and suggestions respecting further legislation.

Under the latter head Mr. Knox says: "The end desired by the overwhelming majority of the people of all sections of the country is that combinations of capital should be regulated and not destroyed, and that measures should be taken to correct the tendency toward monopolization of the industrial business of the country. I assume a thing to be avoided, even by suggestion, is legislation regarding the business interests of the country beyond such as will accomplish this end. "In my judgment, a monopoly in any industry would be impossible in this country, where money is abundant and cheap and in the hands of or within the reach of keen and capable men. If competition were assured of a fair and open field and protected against unfair, artificial and discriminating practical results.

"If the law will guarantee to the smaller producer, protection against practical methods in competition and keep the highways to the market open and available to him for the same tools changed to his powerful competitor, he will manage to live and thrive to an astonishing degree.

"I believe the rebate and kindred advantages granted by carriers to large operators in the leading industries of the country, as against their competitors, in many years amounted to a sum that would represent fair interest upon the actual money invested in the business of such operators.

"Capitalization, in almost every case of a holding company represents far more than the aggregate intrinsic value of its constituent companies. The method of computing values for purposes of concentration has invariably been upon earnings power, and rebates have frequently swelled earnings, so that enormous volumes of capital stock represent nothing but unfair advantage obtained over rivals.

"The situation is much improved in respect to transportation discrimination within the last two years. This is the result, first, of a determination on the part of the government to apply existing laws in an effective way against discrimination; and second, to the fact that some of the higher minded railroad managers of the country have exerted their large influence in the direction of equitable dealing with the shippers of the territory which they serve. Whether it is a consequence of these influences or mere coincidence it is nevertheless stated on high authority to be a fact that the embarkation of new capital in enterprises in competition with the supposedly controlled industries within the period named probable equals the capital of the trusts. The effect of certainty of protection against predatory competition can be safely prophesied to increase this figure.

"My suggestion, therefore, is that as a first step in a policy to be persistently pursued until every industry, large and small, in the country can be assured of equal rights and opportunities, and until the tendency to monopolization of the important industries of the country are checked, that all discriminatory practices affecting inter-state trade be made offenses to be enjoined and punished. Such legislation to be directed alike against those who give and those who receive the advantages thereof, and to cover discrimination in prices as against competitors in particular localities resorted to for the purpose of destroying competition in inter-state and foreign trade, as well as discrimination by carriers.

"Such practices are so obviously unreasonable that to inhibit them would be a measure of regulation of commerce to keep it free and unrestrained and not to attempt to exercise arbitrary power. Such legislation, to certainly reach producers guilty of practices injurious to national and international commerce, should, in my judgment, take the form of penalizing the transportation of the goods produced by the guilty parties, and the federal courts should be given power to restrain such transportation as the suit of the government.

"It may be said that under the act to regulate commerce, a shipper may be punished for receiving rebates or special rates less than the lawful published rates; and that it is unnecessary to provide additional legislation in this respect to curb trusts, monopolies and combinations. This, however, is an erroneous statement.

Mr. Knox points out the ineffectiveness of the inter-state commerce act in reaching unlawful concessions in railway rates and goes on to say:

"The census of omission of the act to regulate commerce should be supplied by imposing a penalty upon the shipper for carrying or benefiting alike, and the right of the courts to restrain such practices at the suit of the United States, a right not settled and now vigorously challenged, should be made certain.

"It should be made unlawful to transport traffic by carrier subject to the act to regulate commerce at any rate less than such carriers published rate and all who participate in the violation of such law should be punished.

"An additional provision should be made to reach corporations, combinations and associations which produce and manufacture wholly within a state, but whose products or sales enter into inter-state commerce. It should relate first, to such concerns as fatten on rebates in the transportation and second to concerns which sell below the general price of a commodity in particular localities, or otherwise in particular localities wantonly seek to destroy competition. These could be excluded with their commodities, products or manufactures from crossing state lines.

"As the power of congress over inter-state commerce is plenary, excepting as it may be limited by the constitution, it is believed that it may impose such a punishment for the violation of the public policy of the nation.

A commission should be appointed to add in carrying out the provisions of the act of July 2, 1890, and any further legislation relating to commerce. It should be the duty of such commission,

among other things, to make diligent investigation into the operations and conduct of all corporations, combinations and concerns engaged in interstate or foreign commerce.

"Such a commission should have authority to inquire into the management of the business of such corporations and concerns, to keep itself informed as to the manner and method in which the same is conducted and to obtain from such concerns full and complete information necessary to enable the commission to perform the duties and carry out the objects for which it is created. As there are no means now provided by law for compelling testimony, such a law now provides that no persons should be excused from attending and testifying or from producing books, papers, contracts, and documents before such commission or the courts.

"Of course, the general scheme of legislation to correct trust abuses should be developed with great care, for it is not nearly so important to act quickly as to act wisely. Primarily, the question of the power of congress to reach what the Sherman act seems to have missed, should be authoritatively determined, as upon that proposition the whole structure of effective, regulative legislation must rest. We should at once take the first steps by a law aimed at what we certainly know to be unreasonable practices directly restrictive of freedom of commerce upon which the fundamental question can be raised by a law conferring upon the government a general supervisory power as above outlined.

"Another step in legislation which I earnestly recommend and which will, enacted, greatly hasten a solution of the problem, is that an act be passed as soon as possible to speed the final decision of cases now pending and others that may be raised under the anti-trust law. I refer to an act to enable the attorney general to secure the original hearing by a full bench of the circuit judges in the circuit wherein is pending any suit brought by the United States under the anti-trust law which the attorney general certified to the court to involve questions of great public importance and giving an appeal from their decision directly to the supreme court of the United States.

"It is not too much to say that with these gaps closed the scheme of governmental regulation will be complete; but it is clear that without some similar legislation it would continue to be inadequate. And such legislation will make a long, first stride in advance."

JOINTS LIKE RUSTY HINGES

are among the consequences of rheumatism. The sufferer can move knees and elbows, but the effort makes him wince. He rejoices when a good rubbing drives the stiffness out and brings the freedom of motion back. No wonder his neighbors believed he lay in this beneficent liniment. There is but one Pain-Killer, Perry Davis.

NEW INDUSTRY FOR GREENSBORO

American Grass Carpet Twine Company Establishes Southern Headquarters—Delay in Federal Building Improvements.

(Special to The Messenger.) Greensboro, N. C., January 6.—Greensboro becomes headquarters for North and South Carolina for a new and very important industry—the American Grass Carpet Twine Company, Mr. C. G. Percy, of that company, is already here for the purpose of opening up his selling office, which will doubtless be with the Southern Import and Commission Company. The plants of the American Carpet Twine Company are mainly in the west in states like Wisconsin and Minnesota, but a factory covering thirteen acres is now in course of erection at Glenlake, Long Island, N. Y. The carpet made by the company is said to be cheaper than the ordinary carpet and of better wearing qualities than matting and the product of the company is also used for wall covering in place of paper and the company represented by Mr. Percy is the only one of the kind in the United States. Its opening of a branch in this city adds materially to Greensboro's already established reputation as a carpet center.

There has been some disappointment here at the slowness of the government in commencing preparations for the repairs and improvements of the public buildings. Judge Boyd, a few days ago wrote Supervising Architect Taylor, of the treasury department, inquiring the cause of the delay and a letter from Mr. Taylor received in reply states that the drawings for the proposed extension to the building should have been completed some time ago and that the office has regretted the delay sufficiently to cause the draughtsman who was placed in charge of the drawings to lose his position and the letter says further that the drawings are now being pushed as rapidly as possible and that at least six weeks must elapse before some can be completed and the work placed on the market. These drawings contemplate not only an extension at the rear of the building, but an additional story to the present structure.

CHARLOTTE ASKS REDRESS

Shippers' Association Complain of Unreasonable Rates to the City.

Washington, January 6.—Members of the inter-state commerce commission left tonight for Charlotte, N. C., to take testimony tomorrow regarding the complaint of the Charlotte shippers' association of unjust discrimination of various railroads against Charlotte.

The charges allege that the Southern, Seaboard Air Line, Baltimore and Ohio, Chesapeake and Ohio, Norfolk and Western, Pennsylvania, Clyde Steamship Company, Old Dominion Steamship Company, Merchants and Miners Transportation Company and the Baltimore Steam Packet Company imposed rates from eastern points to Charlotte that are unreasonable as compared with such rates to Norfolk, Richmond, Lynchburg, Danville and Wilmington; also that the rates to Charlotte from Chicago, East St. Louis, St. Louis, Cincinnati, Louisville, Nashville, Memphis and New Orleans are unjust as compared to the rates to Norfolk, Richmond, Lynchburg, Danville and Wilmington.

McDuffie's Witch Hazel Foot Healer one of the finest baby powders known. Cures picky heat and gives instant relief. 25 cents at R. R. Bellamy's.

ROYAL WORCESTER CORSETS
AND
BON TON CORSETS

ARE UNEQUALLED FOR
STYLE FINISH
FIT DURABILITY
STRAIGHT FRONT

Ask your merchant to order these Corsets.
Accept none other.

ROYAL WORCESTER CORSET CO.
WORCESTER, MASS.

COAL COMPANIES COMBINE

An Alliance Formed Consolidating Three Mammoth Concerns.

Baltimore, January 6.—Three of the biggest coal companies in the United States today formed an alliance which for all practical purposes will be a combination. The companies involved are:

The Consolidation Coal Company, of Maryland; the Fairmont Coal Company, of West Virginia; the Somerset Coal Company, of Pennsylvania. The combined capital stock companies of \$11,750,000 is as follows:

Consolidation \$10,250,000, Somerset \$4,000,000; Fairmont and its subsidiary companies \$17,500,000.

The combined output of the three companies is 8,500,000 tons a year, as follows:

Consolidation 2,000,000; Somerset 1,500,000; Fairmont 5,000,000.

Announcement of this commercial move followed a meeting of the stockholders of the Consolidation Coal Company in this city today. The merging of the three companies, it is stated, is not in the nature of general combination, but merely for the consolidation of the selling interests and in order to have all three under the same executive management. Each company, it is said, will be conducted separately as before, but upon the board of directors of each will be representatives of the other two.

C. W. Watson, president of the Fairmont Coal Company, was elected president of the consolidated companies and representatives of each company were chosen on the board of the other contracting companies. C. K. Lord, the retiring president of the Consolidation Coal Company was chosen chairman of the directing board of directors of the new company.

TO INCREASE CAPITAL

Pennsylvania Road Wants to Increase Capitalization to \$400,000,000.

Philadelphia, January 6.—The call for the annual meeting of the stockholders of the Pennsylvania Railroad Company, to be held March 10th, issued today, contains a notification that the shareholders will be asked to authorize an increase in the capital stock to more than \$400,000,000, or nearly double the amount now outstanding. The following official statement was issued from the company's office tonight:

"The object of the notice to stockholders is to provide sufficient working capital for the future and give the board the power to issue the same, from time to time, as the corporate needs of the company may require. The present outstanding capital stock is about \$203,000,000 and about \$35,000,000 more have to be reserved for the convertible bonds that were issued last year, making about \$238,000,000 in all, and leaving only about \$115,000,000 of surplus stock available.

"It is, therefore, deemed prudent to do now what was done about thirty years ago; that is in 1873, when the stockholders practically authorized the stock to be increased to about double the amount then outstanding, to be issued at such time as it may be needed and also give the board the power to issue bonds to the same aggregate amount from time to time, but not in excess at any time of its outstanding capital stock.

The increase capitalization is deemed necessary because of the improvements contemplated. While the New York tunnel is to be built by another company, the Pennsylvania railroad will own all the stock, and at least \$50,000,000 would be used for this purpose. There will be several dollars spent in Washington and \$50,000,000 on permanent improvements on the line of the road.

A Home for Drunkards' Wives.

Kansas City, Mo., January 7.—Mrs. Carrie Nation today closed negotiations for a large residence at Kansas City, Kas., to be used as a home for drunkards' wives. The price paid was \$7,500, and it is understood that Mrs. Nation will spend several thousand dollars in improving the property. The money to establish the home was raised by Mrs. Nation on a recent trip to the east.

SUIT AGAINST THE COAST LINE

Widow of Engineer McGowan Asks for \$20,000 Damages—Views of Legislators.

(Special to The Messenger.)

Fayetteville, N. C., January 6.—Readers of The Messenger will remember the account by the paper at the time of a wreck on the Atlantic Coast Line railway, just outside the town of Hone Mills, on the 10th of November, 1900, whereby Captain Frank McGowan, engineer, received injuries which proved fatal, while his colored fireman was very badly hurt. Captain McGowan's widow is now to bring suit for \$20,000 damages against the railroad, in a South Carolina court, as in this state there is a statute of limitations, barring a damage suit unless brought before the expiration of a year. The case will probably bring up a pretty question of jurisdiction, the accident having occurred in North Carolina.

State Senator J. M. Lamb and Representatives V. C. Bullard and J. W. Moore left yesterday for Raleigh, Messrs. Lamb and Bullard will support Overman for the United States senate, and it is understood that Mr. Moore will vote for Watson. Senator Lamb is a strong prohibitionist, and may be expected to take a prominent part in any liquor agitation in the legislature.

McDuffie's Little Blue Liver Pills makes blue people bright, cleans the system of all the deleterious and unhealthy matter and makes a new person of you. 25 cents at R. R. Bellamy's.

TO BE REPAIRED

Several Vessels Detached from Squadron and Ordered North.

Washington, January 6.—In order that necessary repairs might be at once made to the cruisers San Francisco and Albany and the gunboat Nashville, those vessels have been detached from further service with the squadron of evolution in the Caribbean sea and ordered to navy yards in this country. The San Francisco will be repaired at the Norfolk yard, the Albany and Nashville at the Boston yard. The San Francisco and Nashville sailed from Culebra yesterday for Hampton Roads.

BIDS FOR BUILDING SHIPS

All of Large Firms Were Represented and Bidding Was Close.

Washington, January 6.—Bids for building \$9,000,000 worth of warships were opened at the navy department today in the presence of representatives of nearly every shipbuilding concern of note in the country, together with a host of sub-contractors who supply structural material for the big ships. The bidding was close and exciting. A feature of the event was the submission of a proposition to supply the enormous horse power required to drive the Tennessee and Washington, the speediest ships of war the United States will carry on its list, with the new turbine motors the latter to be supplied by an American company.

TO EXTEND LIBRARY SYSTEM

Andrew Carnegie Offers Philadelphia One and a Half Million Dollars.

Philadelphia, January 6.—Andrew Carnegie has offered to give the City of Philadelphia a million and a half dollars towards the extension of its free library system. Under the condition of his offer, this sum is to be applied only to the erection of thirty buildings which are to be used as branches of the main library. The city is required to furnish sites for the buildings and is to equip the libraries and afterwards maintain them at a yearly cost of at least \$5,000 per building. The main library is not included in Mr. Carnegie's offer, the city having already appropriated \$1,000,000 for this purpose. It is not known as yet whether the city will accept the offer. The subject must first be considered by city councils.

McDuffie's Turpentine and Mutton Suet Lung Plaster is a certain cure for whooping cough, easy and comfortable, works while you sleep. 25 cents at R. R. Bellamy's.

THE STEEL CORPORATION

Directors Declare Dividend—A Financial Statement Issued.

New York, January 6.—The directors of the United States Steel Corporation today declared the regular dividends of 1 per cent. on the common and 1 3/4 on the preferred stocks. A financial statement was issued, showing net earnings for the calendar year with December estimated at \$132,662,000.

The net earnings for the quarter ended December 31st, were \$31,309,613, an increase of \$1,579,700 as compared with the same period of 1901. The transfer books close for the preferred dividend on January 20th and for the common on March 16th.

From the net earnings for the year deductions are made of \$24,528,182 for sinking funds depreciation and reserve funds and for a special fund set aside for depreciation and improvements; of \$15,300,000 for interest on bonds; of \$3,040,000 on sinking funds for bonds and of \$56,052,869 for interest on stocks. These deductions leave undivided profits amounting to \$33,841,565 for the year, applicable to increase depreciation and reserve fund accounts for the new construction or surplus. The cash on hand is \$54,724,106.

It was reported to the board that the plan for stock subscription was being well received by the employees and that within three days after opportunity to subscribe was given, upwards of 16,000 shares had been subscribed for. J. Pierpont Morgan was not present at the meeting, although is not his custom to attend meetings of corporations when they are not held in his office.

FIRE ON GILESPIE STREET

Edward Utley to be Tried for the Killing of Theodore Hollingsworth.

(Special to The Messenger.)

Fayetteville, N. C., January 6.—Last night about 9:30 o'clock the fire alarm filled the streets with people, and sent the department hurrying down Gillespie street to the residence of Mr. W. N. Williams, where an outhouse was burned with a damage of \$30 or \$40. Had a high wind been blowing the fire might have been serious, as it was in a very thickly built quarter of the town.

The superior court of Cumberland county, for the trial of the criminal docket, convenes next Monday, and of course, the case of absorbing interest will be that of Edward L. Utley for the killing of Theodore B. Hollingsworth, night clerk of the Hotel LaFayette, about 1 o'clock on the morning of October 25th, 1902. As already set forth in The Messenger, the defense will be insanity.

Mr. Charles Flint, a New York capitalist, president of the Georgetown, S. C. Lumber Company and other important industrial enterprises, is here to visit the extensive plant of the Australia Pine Product Company in first township, in which he is interested. He brought his gun and dogs to enjoy his fine quail shooting.

GREAT BRITAIN OBJECTS

If Russian Ships Use the Dardanelles She Will Demand the Privilege.

Constantinople, January 6.—Great Britain has vigorously protested to the Turkish government against the permission granted in September last to four unarmed Russian torpedo boat destroyers to pass through the Dardanelles, into the Black sea, under the commercial flag of Russia. These vessels were about to start on the proposed trip. The British note says the passage of the Dardanelles by the torpedo boat destroyers would be a violation of the existing international treaties, and that if Russian warships are thus allowed to use the Dardanelles, Great Britain will reserve the right to demand similar privileges. The protest has caused irritation in Russian circles and concern on the part of the Turkish authorities, who fear that other powers will follow the example of Great Britain.

GENERAL ANDREWS DEAD

Was Famous Confederate Commander of "Andrews Battery."

Baltimore, January 6.—General Richard Snowden Andrews, a Confederate officer who won fame for himself and his company as the commander of "Andrews' Battery" died at his home in this city today. Death was caused by paralysis.

General Andrews was born seventy-two years ago in Washington D. C. At the outbreak of the civil war he formed the "Maryland Flying Artillery." On the advance to Gettysburg, he was seriously wounded incapacitating him for field service, and he was selected by General Lee and ordered to Europe. In company with Colonel Thomas S. Rhet, to examine and purchase artillery for the use of the confederacy.

Gang of Postoffice Robbers Caught.

Columbia, S. C., January 7.—Postoffice Inspectors Gregory and Pulsifer took Ed. Dagan, Charles Howard, Thomas Nolan and William McKinley, before a United States commissioner this afternoon on the general charge of robbing postoffices in South Carolina. They were committed to jail in default of \$20,000 bond each.

The catch is considered an important one as the inspectors believe this is the gang that has been operating in this and adjoining states for months.

LEGISLATORS ARRIVING

Senatorial Contest Overshadows all Else—This Will be Affected by Gattis-Kilgo Case—Report on Oyster Development—N. C. Railway Directors Meet.

Messenger Bureau, Raleigh, N. C., January 6.

Members of the legislature came in today in large numbers and practically all are now here. Up to yesterday at noon there were more office-seekers than members.

Just as predicted, the senatorial contest overshadows everything. So far, it is a friendly fight, but there are some signs of war on the horizon. For example the Methodist church squabble, arising out of the Gattis-Kilgo case, is entering in as a sort of side issue, with some rather warm features.

The Overman men are sure they are in the lead on the first ballot. Some were willing to give odds. Craig's people now say they will take those odds. All the aspirants are afraid of what they term complimentary votes—that is that men who vote for them on the first ballot will change on the second. Julian S. Carr arrived today. It is asserted that the vote for him on the first ballot will be larger than expected.

Among today's arrivals were ex-Lt-Gov. R. A. Doughton, of Alleghany county, now a member of the house; D. R. Julian, A. H. Boyden, Salisbury; Theodore F. Davidson, Asheville; Congressman Robert N. Page, Briscoe; G. B. Patterson, Maxton, W. C. Hammer, Asheville; L. L. Smith, Gatesville.

Very few convicts are now arriving at the penitentiary, but two arrived today; a horse thief from Burkard, a murderer from Lincoln.

State Oyster Commissioner W. M. Webb, of Morehead City, is here. He says oysters are fairly plentiful, and in good order, while prices are very high, 40 to 50 cents a bushel on the spot where they are taken, while heretofore the oyster men were glad to get 25 cents a bushel. There are five canneries in operation, two in Carteret and three in Pasquotank county. He says the oyster law is enforced as well as expected. It is not so strict and so good as the Virginia law. The "oyster pirates" carry rifles in their boats and vessels. In Virginia oystermen can carry no weapon other than a 12 gauge shot gun with No. 4 shot. The oyster patrol boat Lily is not in commission, it is laid up at Washington. A gasoline burning boat and two schooners are in use and compose the active oyster navy. They are less expensive than the Lily.

State Superintendent Joyner says he will tomorrow send to the various counties the \$100,000 of direct appropriations for the public schools. Today the directors of the North Carolina railway met here, at the executive office and declared the usual 1.2 per cent. semi-annual dividend. President Hugh G. Chatham says all the affairs of the road are in the finest possible condition.

There is great demand for the 100 acres more of extremely valuable real estate which the road owns in the town of Burlington. Up to 25 years ago the shops of the road were there. The name of the place was Company Shops. Now it is an important manufacturing place, a cotton mill centre, with other large enterprises also. The old shops are leased to an external bridge building company. Three of the directors of the road, Gen. Robert F. Hoke, Dr. V. E. Turner and B. Banks Holt, compose the committee on real estate. It is understood that the road will sell part of the lands at Burlington and this is felt to be a proper course to pursue.

There is great demand for the 100 acres more of extremely valuable real estate which the road owns in the town of Burlington. Up to 25 years ago the shops of the road were there. The name of the place was Company Shops. Now it is an important manufacturing place, a cotton mill centre, with other large enterprises also. The old shops are leased to an external bridge building company. Three of the directors of the road, Gen. Robert F. Hoke, Dr. V. E. Turner and B. Banks Holt, compose the committee on real estate. It is understood that the road will sell part of the lands at Burlington and this is felt to be a proper course to pursue.

THE BANK OF DUPLIN

Wallace Still Showing Progressiveness—Will Soon Have a Bank.

(Special to The Messenger.)

Goldboro, N. C., January 6.—Town of Wallace which has recently subscribed money to build warehouses and establish a tobacco market, is now to have a bank to be known as the Bank of Duplin. A notice was published in The Argus this afternoon that application would be made to the next general assembly for a charter for the Bank of Duplin to be located at Wallace, N. C. Mr. W. E. Borden, the energetic cashier of the Bank of Wayne, of this city, is interested in the new bank at Wallace which is a guarantee that the undertaking will prove a success.

About a year ago Mr. Borden identified himself with a bank at Mt. Olive and through his influence and excellent ability as a financier the Mt. Olive bank has had a prosperous career with bright prospects for the future. What he has done for the bank of Mt. Olive will be repeated for the Bank of Duplin.

Wallace is one of the most prosperous towns on the Atlantic Coast Line between here and Wilmington. It is located in the midst of the strawberry section and with the addition of a tobacco market even greater accomplishments for the future may be looked for. A bank is a necessity in a town which does the volume of business transacted at Wallace and it will not only prove a convenience to the general public but will prove a source of revenue to its promoters.

McDuffie's Tasteless Chill Cure will build up broken down systems and make the blood rich and healthy, certain cure for chills, guaranteed or your money refunded. 50 cents at R. R. Bellamy's.

An Unsuccessful Attempt to Rob Mail.

Walkertown, N. Y., January 7.—An unsuccessful attempt to rob the United States mail was made on a Rome, Watertown and Ogdensburg train near Gouverneur tonight. Two men, who boarded the train at Gouverneur forced an entrance into the mail car and commanded Clerk Stack to surrender the postal valuables. The clerk called for help and the express messenger responded, when one of the robbers jumped from the train which was moving at the rate of fifty miles an hour. The other was captured. The identity of the would-be robbers is unknown. Up to late tonight the fugitive bandit had not been captured.