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THE TOBACCO TRUST

Declared to Be a Combination in Restraint of Trade

AND IT SHOULD BE OUTLAWED

United States Circuit Court of New York Hands Down a Decision Which Declares the American Tobacco Company an Illegal Combination in Restraint of Trade.

New York, Special.—The decree of the United States Circuit Court in the government's suit against the American Tobacco Company and others, which was filed, declares the American Tobacco Company, the American Snuff Company, the R. J. Reynolds Company, Pierre Lorillard and the Blackwells Durham Company a monopoly and engaged in an illegal combination. The decree restrains these holding companies from engaging in foreign and interstate commerce until competition between them is restored. The decree denies the receivership asked by the government.

An appeal which has been taken to the United States Supreme Court will be as a temporary stay to the decree.

The companies with their subsidiaries are named as constituting an illegal combination in the final decree. The order putting into effect the judgment recently obtained by the government in its suit to dissolve the so-called tobacco trust. The companies named are the American Tobacco Company, the American Snuff Company, the American Cigar Company, the American Stogie Company, MacAndrews and Forbes Company, P. Lorillard & Co., R. J. Reynolds Tobacco Company, Blackwells Durham Tobacco Company, and the Conley Foll Company.

Each of the first five of these companies, the court declares, is in itself a combination in violation of law. The order enjoins these companies from continuing as parties in the combination and restrains them from engaging in interstate or foreign trade until "reasonable competition" between them is restored. Nor may the companies named for their subsidiaries acquire by conveyance or otherwise the plant or business of any other different corporation wherein any one of them now holds stock, or exercise any control whatsoever over its corporate acts.

Both Sides to Appeal.

Both the government and the defendant companies will at once take appeals from the decree. Such action on the companies' part will make effective one highly important clause—that which provides for a suspension of the injunction during the pendency of such appeal. As the matter stands therefore, the companies may continue business as heretofore and until an affirmation of the judgment is obtained in the Supreme Court. Twenty days is allowed for an appeal to be filed. The government will appeal on what it considers errors and omissions in the decree and the defendants will appeal from the general decision of the court.

It is understood that one ground of the government's appeal will be the failure of the court to declare that the American Tobacco Company, the American Snuff Company, the American Cigar Company, the American Stogie Company, MacAndrews and Forbes Company, and the Conley Foll Company have each attempted and are attempting to force a monopoly. Another ground for the government's appeal will be the denial of its demand for a receivership for the defendant corporations.

Dutch Capture Second Ship.

Willemstad, By Cable.—The Dutch battleship Jacob von Heemskerck arrived Tuesday morning towing as a prize the Venezuelan coastguard vessel "23 de Mayo." The flag of The Netherlands had been hoisted to the peak of the Venezuelan ship, and astern of the Dutch flag floated the Venezuelan colors.

WE MAKE A PROFIT.

A Favorable Characteristic of the Foreign Trade of the United States for 1908—Decline in Value of Imports is General and Accounts for Decrease in Total Value Prices of Foodstuffs Remain Stationary—Gains in Prices of Corn, Wheat and Bacon Exported.

Washington, Special.—Falling prices for imports rising prices for exports, are declared by the annual report of the Chief of the Bureau of Statistics of the Department of Commerce and Labor, to be a characteristic of the foreign trade of the United States in the fiscal year 1908. This is especially true, he says, as to the manufacturers' material imported and foodstuffs exported. In manufacturers' materials, whether raw or partly manufactured, the average prices for the year are, says the report, materially lower than those for the preceding year, and were also much lower at the end of the fiscal year than at the beginning of the year. The average price per ton of hemp in June, 1908, was but \$141.02, against \$174.78 in June, 1907; of manila, \$137.74, against \$202.01 in June, 1907; of sisal grass, \$106.20, against \$152.57 in June, 1907; of goatskins, per pound, 24.5 cents in the closing month of 1908, against 31 cents in the corresponding month of the preceding year; of hides of cattle, 10.9 cents in June, 1908, against 15.4 cents in June, 1907; of India rubber, 56 cents per pound in June, 1908, against 67.1 cents in June of the preceding year; of raw silk, \$3.23 per pound in June, 1908, against \$4.63 in June, 1907; of pig iron, 27 cents per pound in June, 1908, against 39.1 cents per pound in June, 1907; and of clothing, wool, 17 cents per pound in June, 1908, against 25.7 cents in June, 1907, while other classes of wool also show a similar reduction in price during the year.

The decline in the total value of imports, which occurs in nearly all of the principal articles forming the great groups, foodstuffs, manufacturers' materials and manufactures, is due in a considerable degree to this falling off in prices, though in many cases there is an actual decline in quantity. This is particularly true in manufacturers' raw materials, which show a marked decline in prices per unit of quantity, the decline in value being thus much greater than that in quantity. In fibers, for example, the fall in value is from 42 million dollars in 1907 to 35 millions in 1908, a decrease of 16 per cent., while in quantity the fall is from 312,933 tons to 303,848 tons, a decline of but 3 per cent. In Indian rubber the fall in value of imports is from 59 million dollars in 1907 to 36 1-2 millions in 1908, a decline of 38 per cent.; but the fall in quantity is only from 77 million pounds to 62 million pounds, a decline of but 20 per cent. In hides and skins the fall in value of imports is from 83 million dollars to 55 millions, a decline of 34 per cent., while in quantity the fall is from 371 million pounds to 283 million pounds, a decline of but 24 per cent. In pig copper the value of imports fell from 39 million dollars to 24 millions, a decline of 40 per cent., and the quantity from 198 million pounds to 145 million pounds, a decline of 27 per cent. In pig tin the value of the importations fell from 38 million dollars to 25 millions, a decline of 20 per cent., while the quantity fell from 96 million pounds to 77 million pounds, a decline of 20 per cent. In raw wool, the value of the importations fell from 41 1-2 million dollars in 1907, to 23 1-2 millions in 1908, a decline of 44 per cent., while the quantity fell from 204 million pounds to 126 million pounds, a decline of 38 per cent. Thus in practically all the principal articles used in manufacturing the falling off in the value of imports as compared with those of last year is due in a greater or less degree to a reduction in prices per unit of quantity, though in most of these articles there is an actual reduction in quantities, much less, however than would be indicated by a mere consideration of figures of value only.

Foodstuffs do not share, as a rule, in the decline in values, either as to imports or exports, which is characteristic of manufacturers' materials. The average import price of coffee in 1908 was 7.6 cents per pound, against 7.9 cents in the preceding

year; of raw sugar not above No. 16 Dutch standard in color, 2.38 cents per pound, against 2.11 cents in the preceding year; and of tea, 17.3 cents per pound, against 16.11 cents per pound in 1907; while in manufacturers' materials fibers show an average price in 1908 of \$117 per ton, against \$135 per ton in 1907; hides and skins, 19.3 cents per pound, against 22.5 cents per pound in 1907; India rubber, 58.8 cents per pound, against 76.6 cents per pound in the preceding year; raw silk, \$4.13 per pound, against \$4.20 in 1907; clothing wool, 22.5 cents per pound, against 26 cents per pound in 1907; combing wool 27 cents per pound, against 30 cents per pound in 1907; and carpet wool, an average price of 14.5 cents per pound in 1908, against 15 cents per pound in 1907; all of the above being import prices.

On the export side, corn shows an average export price of 64.7 cents per bushel, against 53 cents in 1907; wheat, 99.3 cents per bushel, against 79 cents in 1907; bacon, 10.5 cents per pound, against 10.6 cents per pound in 1907; and lard, 9.1 cents per pound in 1908, against 9.2 cents per pound in the preceding year.

Florida Man Shot to Death.

Jacksonville, Fla., Special.—A telegram received here by Dr. M. B. Herlong, a prominent physician, stated that V. A. Herlong, his brother and foreman of the McGehee Lumber Company's mills at Woodstock, had been shot to death by a negro employe and that a posse had been formed and were in hot pursuit of the negro, who had escaped to a nearby swamp. Woodstock is a small settlement in Baker county and many citizens joined the white men at the mill in pursuit of the black men. No particulars of the murder could be learned.

Woman Assaulted in Home.

Spencer, N. C., Special.—Criminally assaulted in her own home Tuesday afternoon at Moss' siding, near Whitney, Stanley county, Mrs. James R. Moss, a highly respected lady of that place, is in a precarious condition on account of an attack made upon her by Henry Young, colored, aged about 25 years, who was late Tuesday afternoon landed in jail at Aibemarle charged with the crime.

Laymen's Movement.

Salisbury, Special.—The laymen's movement in the Methodist Episcopal church, South, was given quite a help forward by the late meetings held in connection with the meetings of the stewards of the Salisbury district. Nearly all the charges were represented by one or more laymen. Prof. Walter Thompson, of Concord, was elected district leader of the movement for the coming year and a leader was chosen for each church in the district. There was general discussion of the aims and scope of the movement. A feature of the meeting was a banquet.

Tar Heel Shoots Broker.

New York, Special.—Following an altercation over an alleged debt of \$650 incurred in connection with the financing of an electric vibration company, of which he was treasurer, Henry B. Suydam, a mining stock broker, member of the curb market, was shot in his office at 39 Broad street Saturday by John C. Lumsden, an inventor. Suydam was probably fatally wounded. Lumsden claimed that the money in question was due him and that an attempt was being made to defraud him of it.

Graham Dies on Gallows.

Concord, N. C., Special.—Will Graham, a negro who committed criminal assault on Miss Pearl Tucker in the edge of this city on the 13th day of last October, paid the penalty for his crime here on the gallows. Miss Tucker, the 16-year-old victim, is pretty and of respectable family and strong in character. She is the daughter of Daniel E. and Mrs. Emma Webb Tucker.

In time there may be booms enough, shouts the Dallas News, for every person, male or female, to have one.

COL. TAYLOR ON STAND

Companion of the Victim of the Night-Rider Band Relates the Details of the Lynching of Captain Rankin.

Union City, Tenn., Special.—Following his caution to the press not to print the testimony in the night-rider cases, Judge Jones Saturday cautioned the ministers of local churches not to refer to the cases in their sermons Sunday, since the jurors might be present.

He took no further action regarding the press, although he conferred personally with the correspondents of several of the State papers, impressing upon them the necessity of following out the court's orders.

The first witness was Col. H. Z. Taylor, who was companion of Captain Rankin.

Mr. Taylor is a veteran of the Confederate army and a wealthy man. Colonel Taylor and Captain Rankin went to Reel Foot lake to lease some land to a carpenter. They drove over the proposed property on the night of October 19th and left orders for horses for another trip the day following, then they retired.

Colonel Taylor related the story of his experience the night Rankin was murdered. He said he and Rankin were taken from the hotel. Rankin was led under a tree when a rope was adjusted and thrown over the fork of the tree.

"Give him time to pray," said a night rider.

"I have attended to that," was Rankin's quiet reply. Rankin then was raised from the ground until his toes scarcely touched the ground.

"You are choking me, gentlemen. I pray you let me down," said Rankin. Some one fired a shot, the witness said, which was instantly followed by a fusillade, most of the night-riders firing into the air, however. Taylor told his captors he was tired and wanted to sit down. He crouched to his knees ready to spring and when the firing stopped he jumped into the waters of the slough. Taylor dived but heard the bullets strike the water. He swam to a log and clung to it while the bullets struck it like a hail storm. When all sounds ceased he swam to the opposite side of the lake and took to the woods.

After telling of the hardships he endured during his wanderings, Colonel Taylor said he hid in a cane-brake until thirst drove him out and into the arms of friends.

Colonel Taylor suffered from delusions during his wanderings, seeing bands of masked men.

Just before the night-riders killed Rankin, Colonel Taylor said. "Gentlemen, I am an old man. I cannot expect to live many years more. By killing me you will not be cheating me of much. But Captain Rankin is a younger man with many years before him. Do not kill him." The leader curtly replied: "Shut up."

The President's Hunt.

President Roosevelt has entered into an agreement (his own proposition) with the Smithsonian Institute at Washington, by which all the rare and valuable specimens of game he may slay in his African hunt will be taken charge of by an expert taxidermist and sent back for mounting in the Institute.

The program the President has in mind is to start about April 1st, arriving on the hunting ground of British and Dutch East Africa about May 1st. His course will be toward Uganda, striking the Nile about January 1st, 1910, and working his way to tide water about March 1st.

The President says he is no game butcher and will hunt chiefly for game of special scientific interest. His son will accompany him and is expected to share with him in the distinction of adding specimens to the national exhibit.

Georgian Hanged For Wife Murder.

Swinesboro, Ga., Special.—For the murder of his wife, six months ago George Joyner was hanged here Friday. Although Joyner confessed several months ago that he killed his wife during the last weeks of his life he protested innocent and on the gallows reiterated his denial of the commission of the crime.

PHILIPPINE AFFAIRS

The Conditions On the Islands Entirely Satisfactory

REPORT OF BRIG. GEN. EDWARDS

Progress of Peace and Order Announced in the Report of the Bureau of Insular Affairs—General Edwards Commends the Work of the Philippine Scouts.

Washington, Special.—The work of the Philippine scouts is highly commended, the bill to amend the Philippine tariff act now pending in the Senate is endorsed, encouraging progress in the Philippines and the maintenance of peace and order in Cuba throughout the year are announced in the annual report of Brig. General Clarence R. Edwards, chief of the bureau of insular affairs, which was made public last Sunday night. General Edwards says the Philippine scouts are an important factor in the education of the Filipino people and in the creation of a higher standard of living in the islands as well as in the extension of American influence. The report recounts the settlement of Catholic Church claims, and refers to the bill which passed the House at the last session, but was still pending in the Senate before committee when Congress adjourned, to provide free entry into the United States of Philippine products, with certain exceptions, and free entry of United States products into the Philippine islands and free trade between the United States and the Philippines without exceptions after April, 1909. The report says the friends of the measure are entirely agreeable to the inclusion of a clause limiting Philippine sugar to be admitted under its provisions to 400,000 tons annually. This the sugar people admit would be sufficient to restore some of the former prosperity to the sugar interests in the islands. A reduction of the present duties on tobacco, the report suggests would afford the moral encouragement of which producers in the islands now stand so seriously in need. The other principal products in the Philippine islands, hemp, copra and rice, have the advantages over sugar of not requiring such enormous capital for development and of not entering into competition with interests of this country.

The expenditures of the Republic of Cuba on account of American intervention from October 1st, 1906, to June 30th, last, were \$757,343, these expenditures being made from funds allotted by the provisional government from time to time for army expenditures due directly to the army service in Cuba. The statement of extraordinary expenditures on account of the army of pacification in Cuba which under congressional legislation are to be reimbursed from the Cuban treasury, shows a total of \$5,311,822, of which \$3,376,735 was from October 1st, 1906, to June 30th, 1907, and the balance from then until June 30th last.

The settlement of the Dominican debt, the steadily widening activities in the Philippines and the administrative control of Cuba continuing to bring up important questions of law, making the demand upon the law officer of the bureau, constant and serious, legislation for retirement of certain civil employes of the Philippine government on part pay, after ten years of satisfactory service are among other matters discussed.

Adjourned For the Holidays.

Washington, Special.—Both houses of Congress on Saturday took a recess until after the holidays. Up to this time no real work has been done. It is presumed that upon re-assembling the body will get down to work in earnest, as the session closes by limitation on March 4th.

Former Congressman Loud Dead.

San Francisco, Cal., Special.—Former Congressman Eugene F. Loud died Sunday night in this city. For several months past he has been in poor health. His condition was aggravated by the death of his daughter five months ago and the loss of his wife, who died on December 6th. Mr. Loud served 12 years in Congress in the fifth district.