

Message of President to The Last Session of Fifty Ninth Congress

President's Message Communicated to the Joint Session of Congress To-day. Subject of Lynching Receives Attention.

No Thought of Permanent Occupation of Cuba. The Need of Efficient Navy Urged. Corporations Discussed.

Washington, D. C., December 4.—President Roosevelt's message to Congress occupied the attention of the Senate as soon as the opening preliminaries were concluded.

These included the receipt of messages from the House reciting the death of several of their members.

The Russian Ambassador, accompanied by two members of his staff occupied the diplomatic gallery during the reading.

Following the reading of the journal in the house a committee was appointed to join a committee from the Senate to wait upon the President.

These reported they performed that service and that he would communicate in writing to Congress.

The House after waiting on the motion of Mr. Payne took a recess for 15 minutes.

Speaker Cannon announced the appointment of Cousins of Iowa, chairman of the House committee on foreign affairs.

Representative Lowden, Illinois, was appointed on the committee on foreign affairs to fill a vacancy.

A committee appointed to notify the President that Congress was in session made a report through Senator Hale.

The reading of the message began at 12:11. Many Senators were in their seats. The message received careful attention.

The Message. To the Senate and House of Representatives:

As a nation we still continue to enjoy a literally unprecedented prosperity; and it is probable that only reckless speculation and disregard of legitimate business methods on the part of the business world can materially mar this prosperity.

No Congress in our time has done more good work of importance than the present Congress. There were several matters left unfinished at my last session, however, which I most earnestly hope you will complete before your adjournment.

Corporation Campaign Contributions. I again recommend a law prohibiting all corporations from contributing to the campaign expenses of any party.

Such a bill has already passed one House of Congress. Let individuals contribute as they desire; but let us prohibit effective fashion all corporations from making contributions for any political purpose, directly or indirectly.

Government's Right of Appeal in Criminal Cases. Another bill which has just passed one House of the Congress and which it is urgently necessary should be enacted into law is that conferring upon the Government the right of appeal in criminal cases on questions of law. This right exists in many of the States; it exists in the District of Columbia by act of the Congress.

It is of course not proposed that in any case a verdict for the defendant on the merits should be set aside. Recently in one district where the Government had indicted certain persons for conspiracy in connection with rebates, the court sustained the defendant's demurrer; while in another jurisdiction an indictment for conspiracy to obtain rebates has been sustained by the court, convictions obtained under it, and two defendants sentenced to imprisonment. The two cases referred to may not be in real conflict with each other, but it is unfortunate that there should even be an apparent conflict. At present there is no way by which the Government can cause such a conflict, when it occurs, to be solved by an appeal to a higher court; and the wheels of justice are blocked without any real decision of the question. I can not too strongly urge the passage of the bill in question. A failure to pass it will result in seriously hampering the Government in its effort to obtain justice, especially against wealthy individuals or corporations who do wrong; and may also prevent the Government from obtaining justice for wage-workers who are not themselves able effectively to contest a case where the judgment of an inferior court has been against them. I have specifically in view a recent decision by a district judge leaving railway employees without remedy for violation of a certain so-called labor statute. It seems an absurdity to permit a single district judge, against what may be the judgment of the immense majority of his colleagues on the bench, to declare a law solemnly enacted by the Congress to be "unconstitutional," and then to deny to the Government the right to have the Supreme Court definitely decide the question.

It is well to recollect that the real

efficiency of the law often depends not upon the passage of acts as to which there is great public excitement, but upon the passage of acts of this nature as to which there is not much public excitement, because there is little public understanding of their importance, while the interested parties are keenly alive to the desirability of defeating them.

Setting Aside of Judgments and Granting of New Trials.

In connection with this matter, I would like to call attention to the very unsatisfactory state of our criminal law, resulting in large part from the habit of setting aside the judgments of inferior courts on technicalities absolutely unconnected with the merits of the case, and where there is no attempt to show that there has been any failure of substantial justice. It would be well to enact a law to prohibit this.

Injunctions.

In my last message I suggested the enactment of a law in connection with the issuance of injunctions, attention having been sharply drawn to the matter by the demand that the right of applying injunctions in labor cases should be wholly abolished. It is at least doubtful whether a law abolishing altogether the use of injunctions in such cases would stand the test of the courts; in which case of course the legislation would be ineffective. Moreover, I believe it would be wrong altogether to prohibit the use of injunctions. It is criminal to permit sympathy for criminals to weaken our hands in upholding the law; and if men seek to destroy life or property by mob violence there should be no impairment of the power of the courts to deal with them in the most summary manner.

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JUDGMENT CONTINUED IN CASES.

Judge Boyd Continued Judgment in Case of Revenue Officers and Distillers Convicted, Until Special Term in January.

Greensboro, N. C., Dec. 4.—In the Federal Court here this morning Judge Boyd ordered the trial for judgment of the revenue officers and distillers, formerly convicted, continued to await the trial of the other officers at the special term of court to begin here on Monday of January.

Judge Boyd also set the trial of the bank case of Simmons, Kard & Company and other creditors vs. Harding & Davis for trial at the special January term.

These defendants are among the revenue officers convicted and awaiting sentence.

N. C. POSTMASTERS.

List of Nominations Sent to the Senate for Postmasters.

Washington, Dec. 4.—The following nominations for postmasters were sent to the Senate:

Florida—L. C. Lynch, Gainesville.

Georgia—C. W. Parker, Elberton.

North Carolina—V. J. McArthur, Clinton; M. L. Buchanan, Concord; W. C. Briggs, Raleigh; C. E. Orr, Breward; D. Douglas, Greensboro.

South Carolina—J. R. Cochran, Jr., Anderson; J. F. Richardson, Greenville; C. D. Short, Sumter.

Tennessee—N. J. Tallent, Dayton; F. W. Galbraith, Jefferson City.

IS HE THE MURDERER.

Man Who Resembles the Man Wanted for the Murder of Two Persons, is Held by Officers.

Hartford City, Ind., December 4.—A man, thought to be mentally unbalanced, believed to be Grover Ford, of Denmark, Va., wanted for the alleged murder of Charles Cash and Miss Lydia Entaminger June 25, 1905, in Virginia, is held here awaiting instruction from that state.

He is said to bear a striking resemblance to a photograph of Ford and on the clothing was found the name "G. Ford."

Carnegie's Gift to Princeton.

Princeton, N. J., December 4.—The formal opening and presentation of the new Princeton Lake is to take place to-morrow and arrangements for the simple ceremonies that will accompany the event have been completed.

Andrew Carnegie, the giver of the lake to Princeton University, has accepted an invitation to come to Princeton and deliver the formal presentation speech.

The three and one-half miles of excavation forming the artificial basin have been filled with water. During the winter the lake will be used for skating, hockey, and other ice sports, and next spring it is expected to give a decided impetus to aquatic sports at Princeton.

Agriculture Implement Men.

Des Moines, Iowa, December 4.—Scores of live business men from over the State have invaded the capital for the annual convention of the Iowa Implement Dealers' Association.

A reception at the Savery tonight in honor of the members and their ladies inaugurates the proceedings. The regular programme of business will be taken up to-morrow morning and will continue over Thursday. Mutual insurance and mail order competition are two of the subjects that will receive attention.

Sinners would have a lot more fun if good people would let them alone.



Finale of Famous Gillette Case Outstrips all Proceedings in Many Sensational Developments

BRYAN ON "IMMORTALITY." Noted Orator Delivers Eulogy Before The Elks of Lincoln.

Lincoln, Nebraska, Dec. 4.—William J. Bryan to-day delivered a eulogy at the annual memorial exercises of the Lincoln Lodge, No. 80, of the Benevolent and Protective Order of Elks, of which he is a member, taking "immortality" as his theme.

Mr. Bryan said in part:

"Death turns our thoughts toward immortality, for heaven never seems so real to us as when it becomes the abode of some one whom we have known, and loved; and when these treasures from our hearts are there, we can easily believe that no heart, warmed into glow by the fire of brotherly love, will ever suffer an eternal chill, that no spirit flame that grows brighter with the years will ever be extinguished never to shine again.

"To the young the thought of death affrights; but as we make progress along the path that leads from the cradle to the grave, we all become accustomed to the thought. We no longer shudder at the thought, we may even come at last to wait for it with impatience. This is God's plan; this is the way in which He weans us from things that are dear to us at first, and prepares us to join in harmony with His Plan.

"The great Irish poet catches the sentiment when, after scattering the leaves of the last rose of summer over the bed where its mates of the garden lie, sented to death, he exclaims:

"And so may I follow when friend-ships decay, And from life's circle the gems drop away; When true hearts lie withered, and and fond ones are flown.

"Oh, who would inhabit this bleak world alone."

AMERICAN EMBASSY PUZZLED. Question to Be Proposed in House of Commons Causes Surprise.

London, Dec. 4.—The foreign office and the American embassy expressed themselves unable to imagine the reason for the question for which George Stewart Bowles, the Conservative, proposes to ask in the House of Commons, whether an arrangement has been made between the United States and Germany, providing in war that the German mercantile marine be taken under the United States flag.

The foreign office officials stated they never heard the slightest suggestion of such idea.

POPULACE EXCITED.

Great Excitement Over Cabinet Crisis in Madrid—Manifestations Continued Throughout Night.

Madrid, Dec. 4.—The populace of Madrid are greatly excited over the cabinet crisis. Anti-clerical manifestations continued throughout the night.

The police were compelled to charge the crowds. Many persons were injured.

MEETS IN CITY OF MEXICO.

American Public Health Association Meeting Today in Mexican City.

City of Mexico, Dec. 4.—Delegates from the United States, Canada, Cuba and Mexico were present today at the opening of the thirty-fourth annual conference of the American Public Health Association.

Daily sessions of the conference will be held until the end of the week. Dr. Frank C. Robinson, of Brunswick, Me., is the presiding officer.

Unusual interest is attached to the present meeting, as world-famous specialists are to discuss the best measures to eradicate tropical diseases.

Numerous other subjects relating to the public health will be given attention.

Washington, D. C., December 4.—President Tucker of the Jamestown Exposition Company, said the company would ask Congress for a loan of \$1,000,000 to be secured by a mortgage on the gate receipts.

Hot and Sensational Clash Between Prosecution and Defense in Famous Case of Chester Gillette.

District Attorney Ward Said Gillette's Plan to Rob Girl of Life was far Less Than his Plans to Steal Virtue.

Herkimer, N. Y., Dec. 4.—District Attorney Ward resumed his summing up of the case against Gillette.

He ridiculed the argument of State Senator Mills for the defense.

"The defense," continued Mr. Ward, "said there was a physician at the Glenmore who had seen Grace Brown's body and that the jury would have the benefit of his attendance."

"Did you? He was here, but not in court. Why? It was just another of the counsel's sly moves."

Gillette, Ward said, "wanted to stay in Cortland, in society. He never intended to take Grace Brown anywhere except to her death."

"He concocted a plan to rid himself of her, one far less than his first to rob her of her virtue. The girl received her death-blow, I am sure, with a grateful heart, out there in the woods."

SHALL NEGROES SERVE IN ARMY

Representative Slayden of Texas Introduces a Bill Which Favors Exclusion of all Negroes from Army of U. S.

Washington, Dec. 4.—Representative Slayden, of Texas, introduced a bill which provides that "on or before the 30th day of June, 1907, all enlisted men of the army who are negroes, or of negro descent, shall be discharged from the service of the United States and thereafter no negro, or person of negro descent, shall be enlisted or appointed in the army of the United States."

In explaining the bill Slayden said:

"It was not introduced for unbecome. My purpose is to give the Congress of the United States the opportunity to purge the army of an admittedly dangerous element. To say that negroes are brave is not argument against this measure. Many men have been brave, in fact most men are in a matter of fighting. The Comanche and Sioux Indians were as brave as men can be. But no one would seriously suggest that we ultimately recruit the regiments from them, put guns in their hands and station them near companies of white troops, toward whom they entertain an inherent race hostility."

"The 25th Infantry is manifestly imbued with the same race hostility and events have shown it to be quite as dangerous as the Sioux or Comanche would be."

A brunette may be a decided blonde after she has decided to be a blonde.

FUNERAL OF COL. YOUMANS. Attorney General of South Carolina Will Be Buried Tomorrow—A Great Advocate.

Columbia, S. C., Dec. 4.—The funeral of Attorney General Leroy Y. Youmans will be held tomorrow at noon. The body of the distinguished lawyer is lying in the state library in the capitol building.

Col Youmans was undoubtedly the most eloquent South Carolinian in the last 50 years. He was in many respects a great lawyer but it was as an advocate that he has no equal in this state and perhaps in the whole South, for he was familiar with the best literature and possessed a wonderful memory, being able to quote what he had not read for many years. It is characteristic that when he awoke in the middle of the night, Sunday night, he reached for his volume of Macaulay, which he read for a time.

Laying aside the book, he laid his head on his wife's shoulder and fell asleep, as she thought, but as the weight of the head seemed unnatural, she turned and found him dead.

FREIGHT TRAIN DERAILED. Statesville, N. C., Dec. 4.—Mrs. J. J. Nicholson, died early yesterday morning at her home in Bethany township at the advanced age of 84 years.

Mrs. Nicholson was born at Badger and had lived in Bethany neighborhood all her life. She was a good woman and held in esteem by all who knew her. Her husband and three children, Messrs. S. L. and E. B. Nicholson, and Miss Rosabelle Nicholson survive.

Mrs. W. L. McLean died last Thursday at her home near Mooresville, aged 82 years. The remains were buried at Mooresville Friday.

Mr. Thos. J. Cook died Saturday night at his home on Armfield street after an illness of several months of tuberculosis. His condition had been critical for some time and it was known he could not recover. Mr. Cook was about 36 years old and his wife and one child survive.

A freight train was derailed near Barber Junction Saturday night and passenger No. 12 from the west, due here at 8:10, was held in Statesville until after the wreck was cleared—about 2:30 Sunday morning.

A passenger who was waiting at the station for No. 25 from the east sat down in the east-bound train and went to sleep. He was not awakened until after the train had started, and in jumping from the platform he fell and suffered a painful scalp wound.

To Draft Child-Labor Bill. Birmingham, Ala., December 4.—If the influence of the Alabama Cotton Spinners' Association is effective the next session of the Alabama Legislature will enact a child labor law similar to that now in force in Georgia, which prohibits the employment of children under 14 years of age in the mills and mines.

A special committee of the Association met in Birmingham to-day to draft the proposed measure, which will be submitted to the consideration of a full meeting of the association to be held at an early date. The association is also working for the establishment of a bureau of immigration to encourage a desirable class of Europeans and Northerners to remove to Alabama.

Daughters of the Confederacy. Bryan, Texas, December 4.—Arriving trains today brought scores of delegates to the eleventh annual convention of the Texas Division, United Daughters of the Southern Confederacy, which will be in session here during the next three days. The arrangements for the entertainment of the gathering are of the most perfect and elaborate character and nothing will be left undone to contribute to the pleasure of the visitors.

Mrs. Joseph P. Dibrell of Seguin will preside over the business sessions, which will begin to-morrow morning. All indications point to a good attendance.

strenuous effort to drown his sorrows by pushing his mother-in-law into the river.

GREENSBORO NEWS AND HAPPENINGS

Greensboro, N. C., Dec. 4.—The newly elected county officers took charge yesterday morning. The board of county commissioners first qualified, there being old members, Messrs. J. A. Davidson, W. C. Tucker and John A. Young, and two new ones, Messrs. Ragsdale and G. H. Walker, who succeeded C. G. Wright and W. H. Ragan.

When the new commissioners were sworn in by Notary Public W. H. Ragan, the old chairman, they proceeded to ballot for a chairman. On the first ballot W. C. Tucker received two votes, John A. Young two votes and J. A. Davidson one. On the second ballot to W. C. Tucker's two. Mr. Davidson is a cotton manufacturer and farmer of Gibsonville, has been a county commissioner for eight years, and will make an admirable chairman.

There are only two changes in the personnel of the officers at the court house, Sheriff J. F. Jordan being succeeded by Mr. D. E. Jones and Clerk John J. Nelson being succeeded by Mr. Ernest Clapp. Rev. A. G. Larkman still holds the office of registrar of deeds, and Mr. J. W. McNairy serves another term as county treasurer.

Those officers appeared before the new board this morning, their bonds were approved and the oath of office was administered by Mr. W. H. Ragan, as notary public.

Owing to the fact that beginning yesterday morning the Corbin act passed at the last legislature putting Guilford officers on salaries instead of fees, went into effect, the court house was a very busy place last Saturday. Officers and many clerks were diligent to get all the affairs of the present year straightened up, ready for the beginning of the year Monday. Especially was this true in the offices of the clerk and register of deeds, where they wanted to get all the docket registers in the register's office recorded by 9 o'clock this morning, so the work of the office started new when the Gordon act went into effect, placing the officers on a salary basis. The Gordon act allows the sheriff \$2,500 per annum, deputies to have fees for servin papers, and jailer a salary. The clerk of the court and register of deeds each receive \$2,250 with an allowance of \$1,000 each for the hire of clerks per annum. The officers do not like this, but it is believed that it will mean a saving of something like \$10,000 to the county, this amount going to the road fund.

The duties of the treasurer will be increased under the Gordon bill, as he will have to keep a record of all the fees collected in the office of the clerk, register and sheriff, as well as to keep the county offices every month and examine the books.

BOY PUTS FATHER IN CELL. Magistrate Acts on Lad's Plea and Family Has Peace.

Wilkesbarre, Pa., Dec. 4.—Owing to the able plea of his 12-year-old son, the family of Thomas Maloney is giving Thanksgiving with happy hearts. Mr. Maloney is in jail and his family at peace. The child, Jas. Maloney, called on Alderman Donohue and asked that his father, who had been drunk and was abusing his wife and children, be sent to jail and he produced his statement of the case, laboriously written out. It was as follows:

"Thomas Maloney is drinking over two weeks the worse kind of people could be. Mamma her face swelled out too much to go down please send a constable up to Ashfort's quarry."

"They have 4 cags of beer up the river day."

"He keeps his pay and never give a cent to mamma."

"The man killed the baby in her arms Mary Maloney. When we came from work at 8 on Saturday night he was fitting."

"He broke the dishes and the door, Mamma don't want to punish him to much. Put him in jail tonight because we can't go to bed to 3 or 4 o'clock cause he is out drinking."

JAMES MALONEY.

It took Donohue less than a minute to get a constable started after Maloney, and, having no bail, the man was quickly sent to jail, and his family enjoys peace.

Maine Dairymen Meet. Farmington, Maine, Dec. 4.—The State dairy conference, under the auspices of the Maine Dairymen's Association and the Department of Agriculture, opens in the Music Hall this evening and judging from the number of visitors and the attractive program arranged the meeting will be one of the most successful of its kind ever held in Maine. Dairy experts from New York and Massachusetts will address the meeting in addition to prominent members of the association. The sessions will continue until Friday.

Buckeye Dentists in Session. Columbus, Ohio, December 4.—The Ohio State Dental Society began its 41st annual convention in Columbus to-day, with headquarters at the Great Southern Hotel. Leading dentists throughout the State are taking part in the convention which will be in session three days.

Increase of Capital. Trenton, N. J., Dec. 4.—The American Woolen Co. filed papers increasing its capital stock from \$65,000,000 to \$75,000,000.

Two of Feudists Hanged To-day

Unusual Features Connected with Crimes for Which Rawlings and Moore Were Hanged To-day.

Valdosta, Georgia, December 4.—J. G. Rawlings, and Alf Moore, negro, were hanged here for the murder of Willie and Carrie Carter, July, 1905. Both stepped on the scaffold without a tremor, stood on the trap together and fell together.

Rawlings in his last statement declared that he had told the truth and that his sons had no connection with the crime.

Moore also declared he had told the truth, insisting that Milton Rawlings fired the fatal shots.

Mrs. Rawlings and her two daughters visited Rawlings during the morning. They remained in the jail but did not witness the execution.

Faced Death Calmly.

Valdosta, Ga., Dec. 4.—The crime for which J. C. Rawlings and Alf Moore are under sentence to be hanged today presented unusual features.

J. C. Rawlings and W. L. Carter were neighbors, 12 miles from here. Both were Baptist ministers. Several years ago a dispute arose as to the line between the respective farms. A litigation and bad blood resulted.

Carter was wounded by a shot from ambush, and had Rawlings arrested on the charge of attempted murder.

A few days later a night attack was made on the Carter home. Two of the children, Willie and Carrie Carter were shot just outside the house and shots were fired without effect at Carter and his wife and another daughter.

The wounded boy managed to drag himself to the house and inform the parents that Milton and Jessie Rawlings had shot him. He died next day.

After the shooting of the children, the attacking party attempted to set fire to the house, but were fired upon and driven off without further casualties.

The trial which lasted two weeks resulted in a verdict of death for older Rawlings, his son Milton and Jessie and Alf Moore.

A third son, Leonard Rawlings, was given a life sentence as an accomplice.

Every legal expedient was resorted to, but the verdicts have been sustained in each instance.

DREW ANOTHER'S PENSION.

An Unusual Case in Which One Man Draws Pension on Another's Record for Years.

Boston, Mass., December 4.—The United States grand jury to-day took up the consideration of one of the most unusual cases of alleged fraud that has ever worried the Pension officials at Washington. The case is that of John Martin of Marlboro, a gray-haired veteran of the civil war. Accosted to the evidence of witnesses the accused has defrauded the government out of \$4,000 by setting up as his own record the civil war record of John Martin of Uxbridge.

The accused is said to have confessed to the deception and to have admitted he falsely represented himself as John Martin of Uxbridge, a member of Company D, 4th Massachusetts Cavalry, who was wounded in the hip and captured by the Confederates at Magnolia, Florida, and sent to Andersonville. He was pensioned in 1879 and arrears were paid to him back to the time he claimed he had been wounded.

The Marlboro John Martin is alleged to have drawn the pension until 1900, when he received a letter from the Uxbridge John Martin, who was then in Scotland, informing him that the writer intended to apply for a pension and requesting him to assist in securing it. As a result of that letter the defendant made a trip to Scotland and then the Uxbridge John Martin is said to have discovered the deception that had been worked on him and the government by the use of his name.

The Marlboro John Martin agreed to remit the pension to the Uxbridge John Martin in Scotland and the hip and the United States when his failure to do so led to the exposure of the alleged fraud and the matter being brought to the attention of the Federal government authorities.

Negro Murderer to Hang. Little Rock, Ark., December 4.—The execution of Lun Duckworth, a negro, takes place at the town of Hamburg, this state, to-day. The crime of which he was convicted was the murder of Deputy Sheriff Thomas Howie, of Ashley County, January 6, 1905. Duckworth was a tenant of Howie's, and as Howie was riding away from the farm one day he fired five shots into Howie's back. The negro fled to Texas, where he was captured several months later and brought back for trial.

Four Hundred Litigants in Suit. Milton, Oregon, December 4.—The case known as the Walla Walla Valley Irrigation suit was called for hearing here to-day. It is expected that the hearing will occupy four or five weeks and owing to its far-reaching effects the decision will be awaited with keen interest. The case involves every owner of land along the Little Walla Walla and Tum-ahum rivers, about 400 in all, and it is expected that nearly all the litigants will testify at the hearing.