mber of Council for Prosecution,
Who Secured Order for Restraint
a Famous Kentucky Case, Says a
losen Men are in Danger of Being
shot Down Before State Troops
Can Arrive—Bloodshed Sure to
Follow Procedure of Trial—Judgo
Wires Governor For Troops to
Guard Him Against Assassination
—Town Full of Armed Men.

Councider Ky, Jan 10—Attorney

Frankfort, Ky., Jan. 10.—Attorney B. P. Jouett, of counsel for the prosecution in the Harige trial at Jackson, Ky., reached here to-day to secure a writ of prohibition to restrain Special Judge Carnes from proceeding further with the trial. He says that a dozen men now at Jackson are in State troops can be gotten there, and that blood will certainly flow if the trial is proceeded with. His request was granted by the court because of Carnes has been instructed to stop the trial.

Special Judge Carnes is trying filed with armed men. and State Inspector Hincks to Jackson to investigate the situa tion there request of Judge Carnes.

HARGIS NOR COUNCIL IN COURT.

Feud Between Factions Again Threat -People of Jackson Want Trial Removed as Far as Possible—Defense Attorney Fears Lexington, Ky., Jan. 10 .- A special

from Jackson says: Judge Carnes held a session of

court for 15 minutes this evening. He has been exceedingly busy. said that he asked for troops to protect himself and attorneys in the case, neither Hargis or his attorneys, W. A. Young, or J. J. C. Bach, appeared

The cause of the trouble is the same that has brought about all previous trouble, the feud between the Hargis faction and their opponents, the incidents of last night and to-day revolving about the trial for former County Judge James Hargis and former charge of murdering Dr. Cox four

The jury in the case has not been found impossible to secure 12 Breathitt county who are not afraid to pass judgment upon their fellow townsman and most powerful citizen. The people of Jackson want the trial removed from Jackson as far as possi-

Jackson is filled with mountain men fully armed. Attorney W. A. Young, who is conducting the defennse is greatly alarmed ad will not venture on the street. During yesterday's session of the court 20 men, armed with revolvers were lined up on each side of the court room.

SENATOR PETTUS VOTES ALONE.

Bill Providing That Railroad Employes Engaged in Handling Trains Shall Not Work More That 16 Hours, to be Followed by 10 Off, Passed by Senate 70 to 1. Washington, Jan. 10.—By a vote of

engaged in the handling shall not work more than 16 consecutive hours, which period is to be followed by 10 hours off duty. negative vote was cast by Senator

This accomplishment was reached after an entire day spent in consideration of the subject. The parliamentary situation was confused during the entire time, caused by the 40 pending amendements and the thece substitutes for the original bill, all of which had to be disposed of. The bill, which was finally passed

was a substitute offered to-day by Senator LaFollette and not in print. It was amended in several respects by the Senate. The bill provides that under certain contingencies and in case of accident, the time fixed may be exceeded. The enforcement of the placed in the hands of the inter-State commerce commission and Federal Courts, the penprovided being less than \$100 nor more \$1,000. The act is to apply to trains doing an inter-State or foreign commerce business.

INSPECT S. A. L. TRACKS.

Railroad Officials Make Trip on Motor Car-Street Car Company May Build Large Car Barns.

Jan. 10.-Superintender Galolway, of this division of the Sea-board Air Line, were here to-day, hav-ing arrrived from Hamlet on a motor car, the trip being taken in this way in order that the roadbed of the Caro-lina Central, between Wilmington and Hamlet might be inspected. It is be-lieved that material improvement of this roadway wilk-be made in the near ondway will be made in the near

accommodate its increased equipment by reason of the double-tracking most of the city line and the extensi most of the city line and the extension of the suburban lines, the Consolidated Company has secured an option on a block of city real estate at Sixteenth and Princess streets, and will probably erect large car bars there, the present station at Ninth and Orange being en-

station at Ninth and Orange being entirely too inadequate.

In opposition to the movement for a recorder's court in Wilmington, Iredell Meares, Esq., and other attorneys are moving for a special district of the Superior Court to include New Hanover county alone. The idea thus far does not seem to be meeting with great fawor. The recorder's court bill goes to the Legislature with the unanimous enorsement of both the city and county guvernments, and will result in a great saving to both to the administration of justice in New Hanover. The local representative in the lower house of the General Assembly is understood to be opposed to the measure, but no trouble is anticipated in having the Assembly adopt the measure.

Washington, Jan. 18.—The Japaness government has decided that on
account of anti-Japapese agitation on
a Pacific coast the training squadton will not visit the Pacific coast, but will go as far as Honolulu only.

Who had charge of the Union torces
in this engagement will attend the reunion which will be participated in
by both sides. Vice President Pairbanks says it will be impossible for
him to sitend the meeting of the
Greater Charlotte Club next month.

JUDGE ASKS PROTECTION INTEREST IN WATER BILL HOT WORDS IN THE HOUSE MUST GO BEFORE BOARD HARRIS IS THE HARGIS CASE HELD UP CAPE FEAR TO GET \$200,000 ENCOUNTER BARELY AVERTED HARRIMAN, FRICK, ROGERS HELD VERDICT IN DURHAM CASE

Constituents Flood Representative NPatterson With Inquiries as to River and Harbor Projects—\$200,-000 Will Certainly Go to Repair Dam at Mouth of Cape Fear—Probably \$180,000 in all Will be Appropriated—Major Morehead in Washington in Interest of \$25,000 Appropriation to Erect Monument to Green on Guilford Battle Green

BY W. A. HILDEBRAND.

Observer Bureau. 1417 G Street, N. W. Washington, Jan. 10.

now devoting the major portion of his attention to river and harbor matdanger of being shot down before ters. Almost dally ne receives letters and telegrams from anxious constiting to fare in the new river and harthe condition at Jackson and Judge bor bill. A number of these approbor bill. A number of these appro- was being twitted by both sides of priations have not been agreed upon the chamber, to his evident embarat all, but it is settled that \$200,000 rassment, when he charged Mr. Mawil be appropriated for the purpose James Hargis, Edward Callahan, or repairing the dam at the mouth of the John Smith and John Abner for the the Cape Fear. Mr. Patterson is like- sweeping assertion, Mr. assessination of Dr. B. D. Cox, at wise resting in the assurance that the had read excerpts from The Record in Jackson, Breatitt county, four years other projects in his section will be relation to the withholding of pay in age. Late last night he wired Gover- taken care of by the committee. In nor Beckham asking that 5\$ soldiers fact there is going to be pork for be sent to guard him against assasi- everybody this year. The bill to be Mr. Mahone rose. He explained how nation. Judge Carnes says his life is reported to the House by Chairman in the 53rd and 55th Congresses, he in danger, civil authorities being pow- Burton's committee, on the 14th inerless to protect him. Jackson is stant, will be the largest in the his-Governor tory of the country. It is not unlikely amount, which was paid. Then combeckham has sent Adjutant Lawrence that the appropriations in it wil approximate \$80,000,000, and about before ordering out the militia upon the bill will be for cash expenditures, cent, of the time, tells an untruth. while the remaining five-eights will be authorized for projects extending from his seat.

over a number of years, some of which are now under way. There was claimed the Te never greater pressure for river and harbor legislation than at present. The rivers and harbors congress, which met in Washington recently, did much to crystalize sentiment in favor of more liberal appropriations. The bill to be introduced at this session will carry more than 400 projects, so it will be seen that every members with water in his district

WANTS MONUMENT TO GREEN. Major Morehead is here again in the interest of his bill to appropriate \$25,000 with which to erect a monument to General Nathaniel Green on the Guilford battle ground. In the nope of inducing Speaker Cannon to allow consideration of the bill, which House 95 per cent of my time is a last year passed the Senate, Major deliberate falsehood." Morehead came armed with a letter from Judge Adams, chairman of the priation bill and began the consider-Republican executive committee. It ation of the fortifications bill. was also stated that Major Morehead

ner residence here and discuss the matter. There are those who still hope that Speaker Cannon will yet see his way clear to visit the land of his nativity. They are hoping that he will go down to Guilford in May, and they would be very much pleased f the Speaker would permit consideration of this bill, or show in some way that he is not positively hostile the South, and to North Carolina, in particular. They would be glad of some friendly act, however signifcant it might be, for which would be in a position to return thanks. As matters now stand, it is pointed out, thes ituation would be almost awkward, as ne has not only not done anything for the State, but mpression that he would prefer to forget that he was born there. Congressman Kitchen, who has devoted considerable attention to this bill, is inclined to think that it wil require some political pressure from a high source to move the Speaker in this 70 to 1 the Senate to-day passed a matter. It was Senator Aldrich who hill providing that railway employes ate, when the bill was pending there,

SOUTH DAKOTA MAY REFUND. Of course North Carolinians were greatly interested in the statement of the retiring Governor of South Dako a. Mr. Elod, who seemed thoroughdiscreditable thing in becoming party to the bond suit against North arolina. It is thought possible that the Legislature of South Dagota will appropriate funds with which to reund the money to North Carolina, as Governor Elon recommended. statement of Governor Elon has frequently been alluded to as a severe rebuke to former Senator Butler and the men who were associated with

him in this enterprise. Senator Kitwho is a Republican, thinks Mr. Elon is right, and has so expressed himself frequently in conversation with Senator Simmons, Carolina Senator, therefore, is among hose who would not be surprise if the South Dakota Legislature should refund the money.

Congressman Dixon, the former Tar Heel, is coming to the Senate from Montana. The Republican caucus has settled the matter, and some members of the North Carolina delegation at once sent him telegrams of congrat-

Senator Overman has received instant and general commendation of his speech regarding the extension of the powers of the Federal government and thep roposed child labor legislation. The New York Sun comnended the utterences of the North Carolina Senator, while numerous cotton mill men have telegrapaed and written words of approval.

Representative Pou has been invited to address the North Carolina Society in New York next month, and will accept the invitation. Mr. and Mrs. Walter Page, of New York, are visiting Congressman Page at the Cairo.

DEWEY CAN'T COME. The North Carolina Senators, together with Representative son, called upon Admiral Dewly 18 day at his residence and urged him to go to Wilmington on the 15th to attend the reunion of survivors of the battle of Fort Fisher. Admiral Dewey said he would be very glad to go, but that he had found it necessary to decline almost all such invitaage which rendered it inadvisable for him to run about so much. The admiral joked about the warm reception that he had been given the first time he visited Fort Fisher. He explained that he was with the Union forces on that occasion and watched the fierce hand-to-hand fight from the deck of a vessel. General Curtis who had charge of the Union forces

dr. Gaines, in Support of His Bill to
"Dock", Members for Absence, Accuses Mr. Mahone With Being Away
95 Per Cent. of the Time—The
Pennsylvanian Replies That Any
Man Making Such a Charge "Tells
an Untruth," and Chair Has to Interfere to Prevent Personal Encounter, Mr. Gaines, Two Scats
Away, Shaking Both Fists and
Head at Mr. Mahone.

Washington, Jan. 10 .- The Mouse late to-day took on the appearance of the clog days of the 55th Congress. commonly known as the "war Corgress," when altercations between Representative Patterson is just members became frequent. Mr. B. Gaines, of Tennessee, and Mr. Mahone, of Pennsylvania, were only prevented from meeting in a personal enuents who want to know how the counter by the intervention of other Cape Fear and other project are go- members. Mr. Gaines was making a speech on his bill to "dock" members' pay for absence from the House and being absent the House 95 per cent. of Previous to Gaines the 53rd Congress and the part Mi.

> When Mr. Gaines had concluded had had \$7,000 due him and that he then Speaker, Crisp, had given him an order on the sergeant-at-arms for the ing to the crux of Mr. Gaines Mr. Mahone thundered:

Mahone had played at that time.

"Any man who charges me with three-eights of the appropriations in being away from this House 95 per Mr. Gaines started down the aisle "No man can call me a lie," ex-

claimed the Tennesseean. MR. MANN INTERFERES. Then Mr. Mann, of Illinois, who was in the chair, took a hand in the alter-

cation. Both men were ordered to their seats, Mr. Mahone obeying the command, while Mr. Gaines stood two seats away from the centre of the chamber shaking both fists and head at the Pennsylvanian.

When order had been restored Mr. Mahone again rose. Having been cautioned by the chair that it was against the rules to address a member in the second person he measured his words saying he would speak in "the fourth person." He then said: "The charge of the gentleman from

The House passed the army appro-

Several amendments were made to had had some correspondence with the army bill. The fortifications bill Miss Cannon, daughter of the Speak- was taken up but no progress/was Cannon has invited him to call at consumed by the statements of Rep-her residence here and discuss the resentative Smith, of Iowa, Mr. Fitzgerald, of New York, who represents the minority in the appropriations committee, and Mr. Gaines, nessee, in a speech on his "docking"

> With a rush Mr. Gaines reached the centre of the chamber, making directly toward the gentleman from Pannsylvania, insisting as he went that no man could call him a liar without personal chastisement.

BORNE BACK TO HIS SEAT The House was in an uproar by this time, the chair adding to the noise if not the confusion by pounding the desk with his gavel. His efforts finally caused the head of the gavel to on the contrary, has rather given the fly and it bounded into the body of the House, almost striking one of the members. The rush of Mr. Gaines upon his adversary brought a dezen members before the Speaker's desk. Messrs. Ollie James, of Kentucky; Taylor, of Alabama; Bell, of Georgia; Williams, of Mississippi, the minority leader, and Stafford, of Wisconsin, grabbed Mr. Gaines who resisting

Mr. Mahone standing in the first aisle on the represention side seemed to wait' for the impact which never come. With Mr. Gaines back in his seat the Pennsylvanian continued his speech of explanation as how he came to be connected with the invoking of the old statute compelling members to forfelt pay for time absent from the House. He said that the charge that he was away from the House 95 per cent, of the time was a lie on its face, and that he was not away 95 per cent. of the time, as every member who cared to inquire, could ascertain.

A RECONCILIATION EFFECTED. Mr. Lacy, of Iows, here read the statute relating to the docking of members' pay, and he was followed by Mr. Grosvenor, of Ohio, who explained the reasons for the statut-Mr Dearmond of Missouri, asked that the minority view of the committee on the statute be printed While this colloquy was in progress the friends of Messrs. Gaines and Mahone were engaged in an effort to bring about a reconciliation, in which

they were successful. Mr. Mahone rose to a question of rersonal privilege. He stated that he did not desire to impugn the motives which prompted Mr. Gaines to utter what was an untruth about his absence from the House, but he desired to say that his informant was incorrect. He had no desire to offend the gentleman from Tennessee whom he classed among his friends, but he wanted for Gaines to understand that the person from whom he obtained his

information misrepresented the facts. Not to be outdone in chivalry, Mr. Gaines immediately arose, and show ing deep feeling, said that the gentleman from Pennsylvania had always been his friend, but that he had been gcaded beyond endurance, not only to-day but on former occasions, lie regretted extremely the turn affairs had taken.

THE SENATORS CLASP HANDS. "Are you satisfied with that?" he asked, pointing to Mr. Mahone. For answer Mr. Mahone rushed across the chamber. The two men clasped hands amid loud applause. Mr. Smith, of Iows, facetiously remarked that "as war had been the subject of the whole day's proceeding, resulting in almost personal encounter," he thought the House was in no temper to proceed further with the fortification bills and he accordingly moved that the committee rise.

Accordingly the House adjourned. Representative Alken, of South Carolina, Introduced a bill for the abolishment of the Spanish treaty

overnment Attorneys Conducting Investigation Into Harriman Lines Management Will Take Steps to Secure Writs of Ne Exact to Prevent Their Leaving Jurisdiction of Commission Until They Have Testified Before the Board—Testimeny Taken to Effect That Freight Conditions Between Union Pacific and Southern Pacific Have Not. Been Altered in Any Essentials by Consolidation of Lines.

Chicago, Jan. 10 .- Attorneys for the government, who are conducting the investigation into the management of the Harriman lines, announced to-day that they, had determined to take steps to prevent E. H. Harriman, Henry C. Frick and H. H. Rogers, from leaving the jurisdiction of commission. In order to prevent this steps will be taken to cause the issuance of writs of ne exact directed against the men named and they will be compelled to remain within the jurisdiction of the commission until they have testified before the board. At to-day's hearing before the in ter-State commerce commission the witnesses called were Julies Kruttschnitt, director of maintenance and operation of the Union Pacific-Souththis ern Pacific system; J. T. Hudson, saines general raffic manager of the Illi-ord in nois Central; J. H. Hiland, vice presi-

> Cago, Wilwaukee & St. Paul.
>
> The testimony to-day, as on yesterday, was to the effect that in all essentials the freight conditions be-tween the Union Pacific and the Southern Pacific have not been altered by the consolidation of the two

dent in charge of traffic of the Chi-

Competitive conditions between the Southern and the Union Pacific, they asserted, had existed before the consolidation and still exist. The hearing of the case was ad-journed until January 21, at Seattle.

DISTRICT ATTORNEY RETICENT Would Not Say Whether or Not the Writs of Ne Exact Had Yet Been

New York, Jan. 10 .- United States District Attorney Stimson, who will have direction of the progression taken here in behalf of the inter-State commerce commission, would not say whether the writs or warrants ne exact to prevent E. H. Harriman. Henry C. Frick, H. H. Rogers and possibly William Rockefeller from leaving the country, have been issued. "That fact cannot be officially announced." he said. "until the warrants are served and become a matter of public record."

Writs of ne exact may be issued by either a judge of the United States Tennessee that I am away from this District Court of a United States commissioner.

James Stillman, who had been mentioned during the inter-State commerce commission's session in this city and who was expected to be a witness, sailed for Europe on Tuesday on account of ill health.

Mr. Harfiman and Mr. Frick were MORE CAPITAL, MORE BONDS.

shown the dispatch from They each in eturn asserted that they had not thought of leaving the United Etates at this time, even for a shrot

MISS SHELTON DIDN'T GO.

Victim Ravished by Negro in Virginia Took Turn for Worse and Appear--May Go To-Day to Identify Negro-Lynching Feared. Special to The Observer.

Lynchburg, Va., Jan. 10.-Miss Gladys Shelton, the young lady who Monday afternoon, was unable to announced, come to Lynchburg this afternoon according to arrangements, on account of a temporary change for the worse in her condition It is thought that the excitement about her home, coupled with the stream of callers on the part of neighbors, was more than she could bear in her condition. Shortly before the time for her to start on the drive to Winesap, to take the train for Lynchburg, she became so ill that she could not be moved. A carriage was waiting for her there to drive her to the home of Superintendent Driver, superintendent of city

parks, who is her uncle. After it was too late to start for the train Miss Shelton recovered and it is expected that she will be brought here to-morrow. When she can see the five negroes now in jail at Rustburg, they will be brought here and carried before her for identification. There is an air of mystery surrounding the movement of Sheriff Beard and other Amherst county officials to-night over the matter. They claim they have the man wanted, but it is Amherst county for another negro. The county has been in the greatest excitement all day, and there is open talk of lynching if the negro is identified by the girl.

If unusual precaution is not taken the negro will never have a court trial. Indeed, it/would not be surprising if the case should take this turn before daylight. The Campbell county authorities are taking no chances at the Rustburg jail, and a strong guard is on duty there tonight, despite the fact that the village is quiet, and 18 miles from the scene of the crime. It is evident from the interest in the case in the city that a mob from the country would not have the least trouble to recruit its ranks here.

TWO YEARS AND DISMISSAL.

Final Action Taken by Secretary Met calf in the Case of Paymaster's Clerk A. S. Porter, Charged With Embezziement and Attempted Brib-Washington, Jan.

10 Secretary

Metcalf to-day took final action in the case of Paymaster's Clerk A. S. Porter, who was tried at the Boston Navy Yard for embezzling \$2,000 from the battleship Rhode Island and for attempting to bribe the navy yard officials at Norfolk. Porter was con-victed and sentenced to dismissal rom the service after being imprisoned at hard labor for five years. This sentence was so far modified as to provide for a remission of the hard labor and a reduction of the term of imprisonment to two years, at the end of which time the dismissal is to take effect.

Standard's Old Directors Re-Elected. New York, Jan. 10 .- It was announced to-day that all the old directors of the Standard Oil Company, of New Jersey, were re-elected at a meeting of that corporation held in Jersey City a few days ago. A. C. Bedford was added to the board. It was also stated that there will be no change in the office of the company when the board meets to organize.

Taking of Testimony in Case of Slayer of Maynard Goss at Durham is Concluded by Noon—Five Spectics Are Delivered by Attorneys, Closing at 6 O'clock—Jury Finds Harris Not Guilty After 33 Minutes Defiberation on First Ballot—Per liberation on First Ballot-Evi-dence Showed That Goss Had Hunted and Hounded Harris-Big Demonstration at Verdict,

Special to The Observer. Durham, Jan. 10 .- Never before was there enacted in the court room here a scene that equaled that enacted to-night, when the jury in the case of J. B. Harris, who killed M. F. Goss, returned a verdict of justifiable homicide and not guilty of any crime. When the foreman of the jury spoke and in answer to the usual question said "not guilty," there was a storm of applause that continued for several moments. The court rapped one time for order. The deputies of the sheriff were on their feet waving for order, but the audience did not stop. It seemed to be spontaneous and came from every part of the court room. The people approved the verdict of the 12 men and they did not hesitate to let this approval be made known.

VERDICT IN 33 MINUTES. The case was given to the jury this ifternoon at 6:35 o'clock and in just 33 minutes they announced that they were ready to report. It was afterwards learned that the defendant was acquitted on the first ballot that was taken. There was some delay in getting the judge and lawyers back into the court room and it was 7:22 when the verdict was announced and there was a storm of applause that showed approval. For several minutes after this the bar was simply overrun with those who crowded about Harris and his wife to extend congratulations. The man who was prisoner but a moment before was swept first one way and then another by the crowd of friends who surged about him. In the evidence it was so clearly demonstrated that this man had been hounded and hunted down by Goss that the people as well as the jurors thought Harris did no crime when he fired that fatal shot.

To-day a total of 21 witnesses were examined by the court. There was no new evidence. The testimony was all concluded by the noon hour and one speech to the jury was delivered before adjournment for dinner. This afternoon four other speeches were delivered, the last attorney closing at 6:05 o'clock. The charge of his honor occupied 30 minutes. Both Mrs. Goss, wife of the murdered man and Mrs. Harris, wife of the prisoner, were on the stand during the day. Mrs. Harris, corroborated her husband and Mrs. Goss was asked to tell

MORE CAPITAL, MORE BON

Pennsylvania Railroad Managemen May Ask of Stockholders Authority Issue \$1,000,000 Additional Cap ital Stock and \$1,000,000 in Bonds New York, Jan. 10.-Stockholders of the Pennsylvania Railroad Company will be asked by the management of that company to authorize the issue probably of \$100,000,000 adance at Lynchburg Was Postponed ditional capital stock and \$100,000. 000 in bonds. The question will come before the stockholders at their anto an announcement by the manage ment to-day. It was stated that the company is not planning any large was assaulted in Amherst county improvements beyond those already

In the formal announcement which will be made, the stockholders of the Pennsylvania Rathroad will be informed that while it may not be necessary to issue any of the proposed new stock or bonds during the current year, the company desires to have the authority from its shareholders to make such an issue if circumstan es require. The action is taken, the announcement will say, in view of the fact that the amount of capital stock already issued, with that reserved for the conversion of the outstanding convertible bonds, very nacrly ap proaches the full sum now author-

CREW RELEASED ON BAIL.

Men Held for Disastrons B. & Wreck Arraigned in Criminal Court and Allowed Bond.

Washington, Jan. 10.-All of the Baltimore & Ohio Railroad employes held by the coroner's jury to be jointy responsible for the disastrous wreck at Terra Cotta, D. C., except Harry H. Hildebrand, the engineer of the extra, which caused the wreck, and known that they are still searching Frank H. Hoafmeier, conductor of the extra, both of whom were released on bond late last night, brought before Justice Barnard, in Criminal Court to-day, and their bail was fixed at follows:

T. F. Dent, assistant train dispatch er, Baltimore, \$1,000; W. M. Dutrow, operator at Silver Springs, \$2,000. W. Kelly distance. Kelly; division train-master, a Baltimore, W. E. McCauley, assistant divison operator at Baltimore; B. L. Vermillion, engineer train No. 66, and George W. Nengle, conductor of train No. 66, were released on their personal bonds. Dent and Dutrow furnished bail and were released.

Mysterious Robbery Made Public. Atlanta, Ga., Jan. 10 .- A mysterious robbery, which occurred at the restdence of S. A. Ryan, on Peachtree street last Tuesday morning, was made public to-day. Jewelry money to use value of nearly \$10,000 was stolen evidently by a porch climber who left no clew excepting finger prints in the dust on a window seat. The jewelry taken included several pieces set with diamonds and other valuable stones. A large reward has gems.

Three Held for Grand Jury. Danville, Va., Jan. 10.—Georg teyene, Fletcher Harris and Aller Va., Jan. 10.-George Adkins, young white men were held for the grand jury for a primary hearing on the charge of robbing J. M. Thomas, of Roanoke, whose body was found on a ravine near the city on the morning of January 2nd. Stevens turned State's evidence and testified that Harris and Adkins robbed Thomas while he was in a drunken stupor.

Negro Paya Penalty for Murder. Knoxville. Tenn. Jan. 16.—John Thomas, colored, was hanged in Knox county jair this afternoon for the murder of Ernest Perkins, colored, killed as a result of a crap game, Thomas beek was not broken by the fail. He made a 15 minute appearing the crime, merely cautioning members of his race to observe the laws.

CORPORATE INTERESTS GUILTY

Jungbluth and Young, Individual Defendants, Are Acquitted the Mac-Andrews & Forbes Co. and the J. S. Young Co. Being Found Guilty on Two Counts, Forming Hicgal Com-bination and Being a Monopoly— Acquitted of Count of Conspiracy-Argument on Motion for a Stay of Judgment to be Heard Monday-Evidence Largely Documentary.

New York, Jan. 10 .- The jury in the "tobacco trust" case to-night returned a verdict of acquittal as against the individual defendants, Karl Jungbluth and Howard E. Young, and a verdict of guilty as against the corporate interests name ly, the MacAndrews & Forbes Company and the J. S. Young Company. The corporations were found guilty on two counts, one of forming an illegal combination, and the other of being a monopoly. The corporations were acquitted on the count charging conspiracy.

Counsel for the defense at once made motions for an arrest of judgment and asked for a stay. Judge Hough fixed Monday to hear argu-

ments on the motion. The cases were prosecuted for government by Special Assistant Attorney General Henry W. Taft. The evidence was largely documentary. the government having in the presentation of its evidence introduced over \$75 exhibits, consisting of private letters passing between the various defendants relative to licorice paste business. These letters the government forced the defense to give up after a fight which was carried to the United States Supreme Court in Washington.

The defense contended that there was no actual attempt at monopoly or restraint of trade or discrimina tion against the independent tobacco manufacturers.

Mr. Taft in the concluding argument for the government said he regarded this as the most important case tried in this jurisdiction in many years.

A fine of not more than \$5,000 or less than \$1,000 can be imposed for each violation of which the corpo rations have been found guilty.

KILLS WOMAN AND SUICIDES.

Head of Woman With Whom He Was in Love, Then Turns Revolver on Himself. Roanoke, Va., Jan. 10 .- Wallace C. Mayes, aged 25, unmarried, to-day shot and killed Mrs. Ella Murray. aged 30, the wife of Frank Murray, and then blew out his own brains,

Richmond Man Fires Bullet Into

Mrs Mire. The tragedy was enacted in the Murray home while Murray, who works at night was asleep in an upstairs room, and was witnessed by Miss Leila Witt, a sister of Mrs. Murray, and the latter's 3-year-old daugh-

fulling dead at the feet of the woman

Mayes was madly in love with Mrs. Murray and letters addressed to his mother and found on his dead body told of his plan to kill both Mrs. Murray and himself. He entered the Murray home from the rear and finding Mrs. Murray in the kitchen fired a bullet through her head. He then turned the revolver on himself and sent a bullet through his own head. Both died instantly.

Mrs. Murray leaves five small children. Mayes came here recently from Staunton, Va., and boarded with the Murrays until a short while ago.

NICARAGUA IN NO WAY AIDING.

Minister Corea Talks With Secretary Root Concerning the Revolution at Honduras-No Suspicions Entertained as to Nicaragua's Position. Washington, Jan. 10 .- Mr. Corea,

the Nicaraguan minister, to-day called at the State Department and assured Secretary Root, on the word of the President of Nicaragua that that country is in no way aiding the revolutionists in Honduras. Mr. Corea took occasion also to say to Mr. Root that the President of Honduras had stated to the President of Nicaragua that he entertained no suspicions that Nicaragua was taking any part whatever in the revolution.

CAUSING SERIOUS DAMAGE.

Fire Following Gasoline Explosion in Painter Mines Spreading-Six Men Carried Out of Pits Overcome by Black Damp-Two Will Die.

Connellsville, Pa., Jan. 10 .- The raused by an explosion of gasoline in the painter mines of the H. C. Frick Company, at McClare Station yesterday, Company, at McClare Station yesterday, has spread to nearby shafts, and is causing severe damage, Last night four men were carried out of the mill mine of the United State Sheet & Tin Plant Company and to-day two were carried out of the home pit of Stauffer Murray, near. Scottdale, all were overcome by black damp, driven into the mines by the McClare fire. Their condition is serious. John Visconti and Frank Wasaman, carried from the home shaft. Waraman, carried from the home shaft, The flames are spreading rapidly. The blaze was started by an explosion gasoline, used in a pump.

Vice President, Speaker and Cabinet Not Provided For.

Washington, Jan. 10 .- As reported to the Senate to-day the legislative, executive and judicial appropriation bill does not contain a provision for an increase of the salaries of the Vice President, the Speaker and members of the Cabinet. The House increased the salaries to \$12,000 a year, been offered for the recovery of the but the Senate committee on appropriations has eliminated the provis-

Rear Admiral Sigsbee to Go on the

Washington, Jan. 10 .- It was nouncer at the Navy Department that Rear Admiral Chas. D. Sigsbee, who was in command of the battleship Maine when that vessel was blown up and destroyed with great loss of life in the harbor of Havana Pebruary 15, 1898, will be placed on the retired list of the navy on the 16th instant

Laid on Table Indefinitely Washington, Jan. 10.—By an almost unanimous vote, the House committee on the District of Columbia to-day decided to lay on the table indefinitely considerable of the bill appropriating \$25,000 for the erection of a District of Columbia building and an exhibit at the Jamestown Exposition.

ACQUITTED THE LICORICE PASTE CASE SPENT MONEY ILLEGALLY?

DIRECTORS MAY BE INVOLVED

In Response to Request of Chairman Brooks, of Sub-Committee of Spe-cial Committee on Workings of Charitable and Penal Institutions, Attorney General Ray Reports That Penitentiary Directors Are Allowed Only \$4 Per Day and Mileage—It is Said That Some Have Been Charging Up Hack Hire and Other Things—Pardons Granted and Re-Things-Pardons Granted and Re-

Observer Bureau, 1209 Main Street, Columbia, S. C., Jan. 10.

Attorney General Ray to-day rendered an opinion to Chairman Brooks, of a sub-committee of the special legislative committee appointed to inquire into the working of the charitable and penal institutions of the State, which gives promise of eventuating into a mild sensation involving some of the directors of the penitentiary.

Senator Brooks wrote to inquire whether the law allowed the directors anything for expense account in the compensation and the attorney general has replied, quoting a specific act on the subject that the law allows only a per diem of \$4 and mileage. It seems from Mr. Brooks' letter that some of the dispensary directorate have been charging up hack hire, and other things.

Mr. Brooks also inquired as to how money should be paid out on the penitentiary account. Mr. Ray's reply to this was to quote sub-division 7 of section 666 of the criminal code, which says that the superintendent shall spend the money, but only by direction of the board, which shall pass upon the bills monthly, no warrant to be paid except it be counter-

signed by the chairman of the board. There has been some friction between some members of the board and the superintendent for many months.

PARDONS GRANTED.

The pardon board's report was made public to-day, Governor Heyward adopting all the recommendations. A full pardon is given J. J. Bishop, and L. Riebling, the Spartanburg dispensary men, on the endorsement of the solicitor and the judge, There was also a full pardon for J. H. Parker, a Chesterfield white man given a life term in 1900 for killing his cousin, and one for George Walker, a Charleston negro, sent up for rape. There were strong indications in this

case of persecution. The commutations include one for club steward," convicted of violating the dispensary law, and sentenced to serve 6 months in the penitentiary and pay a fine of \$200. The six months' imprisonment is remitted, on

account of his physical condition. George Shaver, the Spartanburg man convicted of abducting an Asheville girl under age, has his sentence commuted to imprisonment for one year. Brice McCombs, of this county, sentenced for burglary of a chicken-house has his sentence commuted to one year. In the case of Robert Gunnells, of Greenville, S. C., convicted of assault with intent to ravish, upon a negro girl, pardon was refused, as was the case with the petition for the pardon of the Amakers, of Orangeburg. There are about 10 other minor cases.

The death sentence of John Hen derson, a Sumter negro sentenced to hang for killing a woman, is commuted to life imprisonment as a reward for his services in giving the jailor warning of a plot to break jail.

A SENATOR'S HEARING DEVICE Buzzing Sound Keeps Engineer of

Casino on Still Hunt Until Dis ered in Alabama Senator's Desk. Washington, Jan. 10.-Much annoyance was caused in the United tates Senate yesterday by a buzzing sound which kept the engineer at the Casino on a still hunt all day. Several servous Senators protested the noise, which became stronger and continued throughout last night, defyng electricians and plumbers who examined and pipes for the mysterious buzzing which seemed to come from everywhere, but from no par ticular spot. This morning the I still continued until a sharp-eared page finally decided that it was emergin from Senator Pettus' desk. A search showed that a new device which the Alabama Senator has to enable to hear the proceedings of the Senate was the cause of the disturbance. The Senator's ear equipment resem bles the head gear worn by telephone girls and is connected with a small storage battery which fastens the coat. In laying the aprortus away in his desk Senator Pettus placed the earpiece and the battery and the result was sound.

BROWNSVILLE RIOT SATURDAY. Senator Foraker Will Attempt to

cure Vote on Resolution for Invitigation-Mr. Tillman to Speak. Washington, Jan. 10 .- Senator Fo aker gave notice in the Senate tothat ae would make an effort to se cure a vote Saturday on his tion providing for an investigation of the Brownsville riot which resulted the discharge by the President of negro troops of the Twenty Fifta Infantry. In the same connection Benator Tillman gave notice that there will be other speeches, but the Ohio Senator announced his purpose to try to hold the Senate for a vote on that day after the conclusion of the

Congressman Smith Nominated

man Wn. Alden Smith, of Gr Rapids, was to-night nominated succeed Upited States Senator R. Alger, As there are only half a do Democrats in, the Legislature night's nomination by the Repu