NO CHANGE IN HOUSE BILL

Senate Committee Decides Up Charlotte Charter Bill Which Pa ed The House, Making no Chan —The Governor, in a Special M sage, Urges the Legislature to Busy and Redeem the Pledges Made to the Peoplo—The As Trust Bill the Special Order at Night Session—Parties. Put

in the General Assembly in De

n County—The Day's I

The Hollaman Building.

The Senate committee to-night, af-

Observer Bureau,

Raleigh, Feb. 28.

Night Session—Partisan Plays a Part in a Measure

tow Given Wednesday by the Rui-g of Judge Boyd—Looks as if the striot Attorney Had No. ing of Judge Boyd—Looks as if the District Attorney Had Not Come Anywhere Near Making Out His Case—The Greatest Surprise of the Day Was the Testimony of Samuel Powers, in Whose Name the Sult Was Brought—Mr. C. W. Johnson Testifies—Mr. Cansler Has His Little Joke—The English Girls Testify and One Faints—Nothing Sensational in the Day's Proceedings tional in the Day's Proceedings— The Jury That is Trying the Case, Greensboro, Feb. 28.—Messrs. Hol-

ton, Cooley and Coble, the government's prosecutors in the case of the United States against Messrs. E. A. Smi ... and Sumner B. Sargent, have that they received yesterday. They their bags and depart for their homes wife's testimony was absolute truth that they received yesterday. They to-morrow. It is a fact that many fear and in conclusion declared that Mrs. came in court reluctantly to-day and there is a fact that many fear Thaw's natural and "real goodness" seemed lifeless. It was plain to see that the Legislature will do rash yesterday that Mr. Holton, usually things before it adjourns. The busicunning, had falled to get a firm hold ness men of the State are looking to on the testimony, if there is any of Raleigh with fear and trembling. They taken for the day and after many a serious nature. He called his witness- believe that there are men who would hours of expert testimony as to what es together when court adjourned cripple legitimate enterprises in leadyesterday afternoon, but he brought ing cities of the State. The impression with their relation to the sanity or out nothing new to-day. It looked at has gone abroad that the Representadinner time as if he had not come any tives of the people, now assembled gave out his statement in court. The where near making out his case. It here, have gone wild on the subject of the statement to the newspaper was said that Mr. Holton expected Mr. of corporations. C. W. Johnson, of Charlotte, to throw much light on the discussions at the Textile Club, but the ordinary specta- have seen and talked with many legtor felt when Mr. Johnson had con- islators and lobbyists. I find a variacluded his story that the defendants ty of opinions. Some on-lookers dehad gained by his testimony.

that the story of Samuel Powers, the smart, cunning fellows would make man in whose name the suit is political capital out of the Legislature. brought, contained nothing of a dam-horns have gotten together and are aging nature to the defendants. Pow- running pell mell without leaders. ers seemed an unwilling witness.

introduction of certain cablegrams ing lugged into many fights here that that passed between Smith and Cos- they do not care a tinker's dam about. tello. These messages were from Bol- The ton, England, and to Charlotte and tell, by self-constituted leaders. The vice versa. The counsel for defendants same old gang that has influenced admitted that they were sent or re- Legislatures in the past is trying to admitted that they were sent of re-ceived as the case happened to be. control this one. It remains to be seen which element the conservative or One from Costello to Smith asked for radical will win. Up to this time \$2,000 for a party that was waiting. the Legislature has not passed any Smith's answer said that money would radical measures. Many be sent at once. One said that the reaching measures have been proposparty had left. Smith answered that ed and the men of the State who have dent occurred in connection with the afar off, have gotten their opinions of caolegrams. F. R. Veale, who is acting manager of the Western Union Telegraph office at Charlotte, declined to give Mr. Holton the messages until the court so ordered. Judge Boyd told district attorney to describe what turn over and he would make an or- ture?" I asked a Greensboro man der later. Veale objected; he d that he had to have the order first. His pluck in fighting for what he thought was his right won the admira-

tion of the those who witnessed the af-

fair, but Judge Boyd gave him to un-

derstand that his orders were final.

The young fellow held out to the last,

doing his duty to his patrons. Mh. JOHNSON'S TESTIMONY. The second witness was Mr. Johnson, manager of the Highland Park Cotton Mills, of Charlotte. He declared that he was a member of the Textile Club. Messrs. Smith and Sargent members. Among other things Mr. Johnson said: "We held several meetings and discussed the labor conditions. Mr. Costello said at meeting of the club that he could get help in England, that the operatives there very poor and sang in the streets for pennies and would be glad to get work here. We discussed whether or not we could bring them over. Finally a committee composed of Messrs. Smith and Sargent was appointed We considered whether we had the right by law to import the English people. We discussed various methods of obtaining the desired help. One way was to have the committee see the Governor and ascertain what could be done. We agreed that it would be well to get some one to go to England. One question asked was how the help would get here unless somebody paid the transportation. the way," said a Raleigh visitor to-The purpose was to bring operatives night. "I am here in the interest of over without violating the law. I took part in the discussion, but when I did cilities. It is not the passenger fare not see the way clear to import the that troubles me, but the freight dispeople under the law I withdrew and had no more to do with It."

Mr. Tillett cross-examined the witness. To him Mr. Johnson said: "I am an extensive cotton manufacturer, being connected with five different mills. There was a great scarcity of labor last year. The club had its origin in the shortage for cotton mill operatives. I could run but 75 per cent, of my machinery, causing a great difference in the cost of production. No plans were adopted by the club before I quit attending the meetings."

Mr. Holton took the witness again. Mr. Johnson said. "We can train apt help in a short time, but it takes s long while for one to become skilled I was willing to train mine, for untrained help was better than none The cause of the shortage was largely due to the fact that many families returned to the farm and new mins

#### were built." NO UNSKILLED LABOR

Mr. Tillett re-cross-examined Mr Johnson, and got him to admit that it was almost impossible to run a cotton mill with raw hands, Mr. John-

Mr. H. M. Victor, cashier of the First National Bank, of Charlotte, tes-tified that he loaned Mr. Costello paid \$500 on the note with a Hoskins Mill, check, and that \$500 remained unpaid.

John R. Ross, manager of The Charlotte Observer and The Chronicle, being sworn said that none of Mr. Smith's mills had ever advertised in either of his papers for cot-ton mill help. He declared that The Observer and The Chronicle circulated in Charlotte and the surrounding country.

Mr. Cansier cross-examined Mr. hoss. "Mr. Ross," said the attorney, "There is quite a shorfage in liquor in Charlotte just now, I believe." Mr. holton objected, saying that they were not trying a lot of sots. Mr. Cansier protested, declaring that other folks has less common sots want liquor. esides common sots want liquor, adge Boyd suggested that other per-ons besides sots drank liquor in

INDICATIONS POINT THAT WAY FEAR OF RADICAL LEGISLATION. DISTRICT ATTORNEY CRITICISED A HARD FIGHT IN CONFERENCE TELL FULL STORY OF TRAGEDY

Like a Democratic Convention Than Anything Else—One Sanguine Ral-eigh Visitor—Mr. Justice the Most Talked-of Man in the Assembly— A Demand for Fair Laws—The Body Seems to be a Little Unsteady.

pecial to The Observer. Raleigh, Feb. 28 .- The citizens of North Carolina are watching the Legislature now in session here. They are trying to guess what that august body Court to-day by giving out to news will do before the pay limit expires paper men a brief statement in which he accused District Attorney Jerome Saturday night week. Many people of having made unprofessional would like to see the legislators pack marks in court, asserted that his

RADICALS IN SADDLE? I came here late this afternoon and clare that the radicals are in the K. Thaw prevailed in the cross-exad gained by his testimony.

Sacule and will either ride to glory or amination against the prosecution, the greatest surprise of the day was the devil. Others claim that certain backed by black legs.

The situation is interesting to say CABLEGRAMS AS EVIDENCE.

The first work of the day was the traduction of certain cablegrams that the hands of blatant demagogues, are beparty lash is being used here, wild, farwould meet it. An interesting incithe Legislature more from what has been offered than has been accepted. The radicals have presented bills, but the conservatives have trimmed them into presentable shape.

#### LIKE A CONVENTION. at do you think of the Legisla-

eigh, and I can't tell. The Legislature is more like a Democratic convention than anything else. fine political games are being played there. The man may be right. I have not

seen enough to have an opinion. not that he wanted to conceal any-Mr. E. J. Justice is the most talkedthing, but that he felt that he was of man in Raleigh. That brilliant, flery, ambitious son of western North Carolina is being closely observed by friends and foes. No one doubts his ability, his cunning, his energy, but many fear him. He is young, virile and bold. He cares but little for the lime- have some typeyritten copies made, lights, but the friendship, admiration and approval of the voters of the land deeply concern him. Ambition spurs him on, it is an open secret that ne wants to be the attorney general of North Carolina. I have even heard it intimated that Mr. Robert Gilmer, now attorney general, might resign position on account of ill health and that Mr. Justice would succeed some who think they know that Mr. Justice has the backing of such men as Judge Clark, Josephus Daniels, W. Kitchin and Governor Glenn. It is a well known fact that Mr. Justice is a power here. On the one hand he is being praised for his daring, his shrewdness , while on the other he is criticised for his "radicalism."

# ONE OPTIMIST. "I do not believe that the Legisla-

"I am afraid that the Legislature is

not going to do anything." The Legis-

lature has but little time left on its hands. The per dism discontinues 10 days from now. Most Legislatures go home when the money gives out, for Raleigh is an expensive place to live with all going out and nothing com-ing it. If all of the bills that had been introduced during this term of the Legislature had passed North Carolina would have been set back 10 years. It is always interesting to watch the crowds here. Of recent years business men have spent much time setting up with North Carolina Legislatures. The men who help Representatives to Raleigh every two and the Senate lest they injure their business interests. This is no exception. The very enterprises that are making the State grow and flourish are in constant fear

DEMAND FOR FAIR LAWS. There is a demand for fair laws that will regulate corporations, but if the ambitious politician thinks that he nears a call for radical measures, he son declared that he did not know of hears a call for radical measures, he a single unemployed skilled opera- had better listen well for he will be called to account. The people of North Carolina believe in and demand fair-

tified that he loaned Mr. Costello In point of character and ability \$1,000 on a note endorsed by Mr. E. the Legislature stands high. There has A. Smi.... He said that Mr. Smith had been intimation of graft. The body

### H. E. C. BRYANT. CHARGED WITH DOUBLE CRIME.

# Ga., Held for Murder Fatal Wounding of Cor

Atlanta, Ga., Feb. 28 .-- A special to The Journal from Brunswick says Lillian Davenport was shot most instantly killed and and al-W. H. Brown, a -bartender, was fatally wounded, late last Windsor Pank, this city. The man's husband, manager of the Majestic Theatre, is charged with the double crime, which he denies.
Windsor Park is an amusement re-

sort near the city and it was to this place that Brown and the actress went last night. They were seated on a banch in a secluded spot, when they were surprised.

Unprofessional Remarks in Court Indicate Clearly That the Natural and Real Googness of Mrs. Thaw is Above His Comprehension—All of Her Testimony Was Absolute of Her Testimony Was Absolute Truth—Wonderful, Thaw Declares That She Prevailed in Cross-Examination Against Prosecution, Backed by Black Legs—Evans on Standard Co. Proceedings of the Procedings of the Procedings of the Procedings of the Proceedings of the Procedings of the All Day and May be All of To-Day, Making Indefinite the Time When Making Indefinite Defense Will Rest,

New York, Feb. 28.-Harry Thaw enlivened an extremely dull session of his trial in the Supreme was above the comprehension of the prosecuting officer.

It was just before adjournment was eight letters written by the defendant insanity of the writer that Thaw men were about as interesting as the statement itself, which reads: "This is Mr. Thaw's second statement since August 10.

"With chances millions to against her after the catastrophe in 1901, it is wonderful that Mrs. H.

"Her testimony was absolute truth. "Our evidence was of conversations. The cross-examination has proved the exact facts under oath. #Mr. Jerome, finding his informants in certain lines falsifiers, concluded by more usual methods, which

is to his credit, "However, from some of his questions and some of his unprofessional remarks in court, it appeared clearly that the natural and real goodness of the witness is above his compre

hension. REPORTER READ EXTRACTS. extracts from his statement printed in display type, Thaw was much appeared in the portion of the state- ado. ment that was published and added Last night in his cell in the Tombs Thaw completed his statement and to-day after he had spoken to the has known for many years, and in ed a basis for a very fine whom he had confidence. He also

envelope. "Seal the stamp up in this enname across the flap. I am going to and when they are completed I want you to compare them ... ith the original and if they are all right they will be given out."

COPIES APPEAR IN COURT. Daniel O'Reilly, one of Thaw's lawyers, said later that he also had a copy of Thaw's statement, but would not give it out until the defendant dihim. This is a rumor. It is declared rected him to do so. Late this afternoon the typewritten copies suddenly appeared in court. Attention was first attracted to them by Thaw handing a carbon copy to his newspaper friend and asking him to compare it with the original. Four or five other copies lay on the counsel table in front of the defendant. One of the ture is going to do anything out of other reporters and soon the statement was being flashed into newspanight. "I am here in the interest of per offices throughout the country. way his contract was turned down better railroad freight rates and faexact, and Thaw then said he was content to have the statement released as a correction to the garbled statement which appeared this morn-

> Clifford Hartridge, of Thaw's counsel, and Mr. Delmas declared later they had no knowledge of the statement having been prepared or given

Dr. Britton D. Evans, the alienist, was in the witness chair all of today underoging cross-examination at the hands of District Attorney Jerome. The prosecutor said before adjournment that he would probably keep Dr. Evans on the stand throughout to-morrow. This means that the cross-examination of Dr. Wagner, another alienist, will not be reached unmears come here to stay with the til next week and makes indefinite the time when the defense will, rest. A DAY TO EIGHT LETTERS.

Dr. Evans and Mr. Jerome spent the entire day in going over the eight letters written by Thaw and culling out of them excerpts on which Dr Evans based his expressed belief that they were written by a person of unsound mind. "Do you mean an insane person?

asked Mr. Jerome. "Yes," replied the witness, in the sense that the person might always remain insane." This was the essence of the day

work. Mr. Jerome seemed as interested as the expert in searching out the phrases in the letters which might be construed as the writings of an insane man and for to examine photographic thoroughly copies of the letter. As the witness and the prosecutor pored tediously over the documents, the jurers were nabled to follow them district attorney apparently the letters to be thoroughly ed and understood by the jury. Dr. Evans went into a long ex-planation of the reasons for his theory that the letter showed menual

instability. A letter written with a lead pencil by Thaw to Evelyn Nesbit, he said, showed lack of a sense of the proprieties, a loss of the aesthetic sense and various other things which the doctor believed

hairman Wadsworth, of the House Agricultural Committee, Flinks on the Conferees After Signing Favor-able Report, But Finally Agrees— Senator Simmons Makes a Winning Fight for His Amendment Which Carries an Appropriation for a Survey of Proposed Forest Reserves

A Washington Story to the Effect
That the President Aided in the Pension for Mrs. Jackson Denied— Contractor Oliver Declares That He Was Whang-Doodled Out of the Canal Contract.

### BY W. A. HILDEBRAND.

Observer Bureau, 1417 G Street, N. W. Washington, Feb. 28.

The House and Senate conferees in charge of the agricultural bill to-day amendment, carrying an appropriation of \$25,000 for making a survey of the proposed forest reserve, but this was not done until after a wrangle of two hours' duration. The fact that this trouble arose among the conferees occasioned surprise among friends of the measure, who thought the fight over the amendment had ended several days ago. When the conferees got together today Chairman Wadsworth, of the House committee on agriculture, expressed opposition to the amendment, House leadership that had always opposed such legislation. Senator Simmens who, very fortunately, was the yesterday. of the minority, said that this announcement would doubtless be received with astonishment, as the genthe favorable report on the bill when was before his committee in the Mr. Wadsworth replied that he had been induced to sign the report by other members of committee, but he had never felt satisfied about the report, and he knew that Speaker Cannon had always opposed the movement. Senator Simmons replied that he had recently discussed this matter with the Speaker, and that while that gentleman had not expressed himself as favoring such an amendment as he had prepared, at the same time he did say that the That began the preparation of this plan for a survey of the various wastatement yesterday afternoon. One tersheds in question would remove of the newspaper tables adjoins the many of the objectionable features. table occupied by his counsel and a Mr. Scott, of Kansas, who appeared reporter sitting near the defendant to side with Mr. Wadsworth in his read over the fatter's shoulder the unfriendly attitude, said that it was two opening paragraphs. When the a matter that should receive the most papers appeared yesterday with the careful consideration, as the proposed survey meant the passage of such bill as had been favored by advocates of chagrined. To-day in court he took forest reservation at the next session the reporter to task. He said he had of Congress. However, after some not intended making the statement further remarks by Senator Simmons, public until the end of the trial. He the amendment was agreed to, and it further asserted that many mistakes will now become law without further

A WASHINGTON STORY. published a story to the effect that President Roosevelt interested himself in the matter of the pension for Mrs. reporter who had looked over his Stonewall Jackson. Of course the asshoulder, he handed the original sumption that Presiednt Roosevelt draft to another reporter, whom he took a hand in this undertaking forminterest story, but as a matter of fact handed the newspaper man a brown Mr. Roosevelt did nothing of the kind. The truth is Mr. Webb had very little help from any source after the bill velope," said Thaw, "and write your had been brought over from the Senate, where it was passed at the instance of Senator Overman, and took a long, hard pull to get through. The effort to convince the knife on Gaines. chairman of the pension committee and others that any real necessity existed for the passage of the bill, was Mrs. Gaines in the dining room." attended with much difficulty.

"I have been handed a very dimir utive line in exchange for about \$35,-000 or \$40,000 of my good, money," explained William J. Oliver, of Knoxville, in explanation of turning down of his bid for the Panama canal contract.

MR. OLIVER "WHANG-DOODLED." On being asked whether he had any assurance of getting the contract before he rushed off and incorporated the construction company and made reporters reached over, picked up the other expenditures; Mr. Oliver looked He was quickly followed by he asked: "Do I look like a fellow who would invest \$40,000 in ruinbows?" Oliver so made out the say until he gets his breath. things are going to be told of it all happened. Oliver's friends declare that not only Oliver himself, but also four or five of his friends and associates were assured Oliver "filled" he would get the con "What more could I do?" tract. queries Mr. Oliver. "I dug up the men and the dollars. My bid was the lowest and according to the terms re-

quired." "It reminds me," he continued, "of that spiked game of poker out West. The sucker held four aces and reached for the pot. 'Nothing doing,' said one of the other players, T hold a whang-doodle,' that takes everything, you lose. You should have noticed the sign behind the table."

"The next night," said the contractor, "the sucker returned with a big bunch of dough, determined to get even. The game progressed, and when the table was stacked with the long green, he called, I have a whang-doodle,' he said. Nothing doing,' replied one of the gamblers, 'I hold four aces, you lose.' 'I thought a whang-doodle took anything, said the sucker. 'Oh no, you didn't read the sign carefully. You can only play a whang-doodle once a week. Well, I'm the sucker, I entered into this canal game and made the lowest responsible bid. I called the administration's hand, but was whangdoodled out of the job,"

# \$65,000 FOR FAMINE SUFFERERS American National Red Cross Socie-ty Forwards This Amount to China by Cable—Other Contributions.

Washington, Feb. 28 .- The American National Red Cross has forwarded by cable to China to-day for the relief of the famine suffers of that coun-try \$65,000, of which amount \$40,000 will be placed in the hands of the missionary relief committee at Chinkiang and \$25,000 will be administer Shanghai central relief This entire remittance om mittee. ald, who in his letter of transmissions at the states to this date the Red Cross has cabled to China for the relief of the famine sufferers \$110,000 and has shipped to China \$10,000 worth of flour and 7,500 bushels of seed wheat

Mrs. Viola Allen First Witness of Day, Being Called to Verify So Points Brought Out Previous I -Bywaters, After Marriage Cere-mony Had Been Performed, Aled to Escape When Brothers ed to Force Him to Remain With Mrs. Bywaters--Being Prevented From Doing So, He Jumped Through a Window and Both Opened Fire, Satisfied That He Was Descriing Their Sister.

Culpepper, Va., Feb. 28. - To avenge the wrong done his sister, Philip Strother, one of the defendants on trial for the murder of his brother-in-law, William Bywaters, to-day admitted on the witness stand that while he had not anticipated trouble, he "shot to kill" when Bywaters attempted to desert his bride of an hour. The knowlpassed favorably upon the Simmons edge of his sister's betrayal, James A. Strother, the other defendant, testified, caused him to "become like sition is not given to any politician a crazy man," and when Bywaters or to any one who has had any conattempted to leave the house he de- nection with politics or the dispentermined to bring her betrayer to "a Four witnesses, two brothers, a sister and an uncle of West has the very highest recom-Mrs. Bywaters, testified at to-day's mendations and is personally known session. In its cross-examination the to the Governor. He is a native of prosecution was unable to shake Mrs. Gaines' testimony for the" defense.

Mrs. Gaines, sister of Mrs. Viola Bywaters, was the first witness called saying he was identified with the by the defense testimony. She was recalled to the stand to verify certain points in her testimony

James A. Strother, one of the two brothers charged with the murder of William F. Bywaters, was next called. tleman from New York had signed of his sister's wrongs with only oc-He was permitted to tell the story casional questioning by his chief counsel, John L. Jeffries.

> "How did you regard Bywaters?" he was asked. that Viola loved him and regarded

them as practically engaged. ment concerning the demand he to which he has been appointed is made on Bywaters to marry Viola, one of the most delicate and responand Bywaters' ready assent.

"I thought then that everything portant to the success of the new would end all right, but after the plan of handling wliskey. It is also ceremony Bywaters became indifferent to Viola and insolent to Mrs. new law, paying \$2,000 per year and Gaines. He seemed to think that his obligation to Viola was over when he married her." BYWATERS GREW ABUSIVE.

Witness said that Bywaters grew abusive when a demand was made that he remain with Viola on the night of the tragedy. "Did you insist on his remaining with your sister?" asked Attorney Jeffries.

"I certainly did," answered witness. "I realized that Viola was waters' place, as her husband, to be "What did he reply?"

"He said, 'Jim Strother, I'm At this juncture, the witness stated, Mrs. Gaines said to Bywaters, "Will Bywaters, you are the lowest

dog alive." Edward L. said, followed his wife's reference to man to whom the expenditure of the Bywaters' conduct, saying, waters, you have violated obligation of an Odd Fellow and a provides that the members of the man of honor.' This so enraged Bywaters, the wit-

ness stated, that he tried to draw a "Bywaters," he continued, went up to Viola's room, leaving proper to expect outsiders to pay this Charlotte Club. The committee and

"What happened when you to your sister's room?" he was asked. the commission. "I asked him what he intended to do. I told him that we intended to watch him to see that he didn't get He sprang from Viola's side, away. tearing himself from her arms and made a dash for the rear door. The next thing I heard was a shot. Philip fired at Bywaters as he ran down the stairs." ~

## BOTH BROTHERS FIRED

Bywaters returned to the room, the witness stated, followed by copies, and hastily left the court contemptuously at the interviewer as Mr. Gaines, who, he added, prevented Bywaters' escape by the stairs. By- failed to appear before the board at county-came up as a special order towaters ran across the room and out its more recent meeting in February the window. "Both Philip and I and no action has since been taken. then opened fire on Bywaters."

"Did you fire on him while he was in the room?" asked his counsel. "We did not fire on him until he had gotten out of the window." A pathetic interlude in the testimony came when the defendant, after is not likely that the Governor will completing his story of the tragedy, interfere. Shelton was convicted of

protect our girls, Jim." Commonwealth Attorney then took the witness in hand for cross-examination

"When Bywaters re-entered your sister's room, after his attempt to escape by the stairs, were you between him and the window?" he asked. "If you were in front of him, why didn't you stop him?"

"I wasn't exactly in front of By waters," replied the defendant, I have said, everything was in confusion, and as far as I can remember was standing near the wall."

"Why didn't you prevent Bywaters from reaching the window? asked Mr. Keith. "I didn't have time to think," re-plied the defendant. "No man or earth, standing where I was, could have stopped him." Witness said he fired twice as By-

waters got through the window. It was too dark to see whether they hit him or not. "How many shots did your brother fire at this fleeing man? Philip queried Mr. Keith. "I don't know," replied the

"though I remember that he continued to fire after I had run down stairs, intending to head Byrun waters off. The balance of the cross-examins tion concerned certain minor points of the scene in the bed room, which

the Commonwealth attorney wished

to bring out more clearly. WERE ON PEACEFUL TERMS. The defense next called Philip Strother, the younger defendant. He

"We were peaceful and prepared to be on peaceful terms with By-waters," replied the witness. The defendant said that Bywaters,

VICTORY FOR MILL MEN? ALL EYES ON LEGISLATURE THAW ISSUES STATEMENT FOREST SURVEY A WINNER STROTHERS ON THE STAND THE DISPENSARY AUDITOR CHARTER MATTER SETTLED PLUM GOES TO A GAFFNEY MAN

Governor Ansel Names Prof. W. B.
West, Superintendent of the Gaffney Graded Schools to Wind up the
Affairs of South Carolina's Great
Moral Institution—Commission to
Care For and Improve the State
Capitol Grounds Announced by the
Governor—Spartanburg to Have a
Hanging To-Day Unless the Governor Interferes.

Observer Bureau, 1209 Main Street, Columbia, S. C., Feb. 28. The much-sought position of dispensary auditor falls to Prof. W. B. West, superintendent of the Gaffney

graded schools. There have been a large number of applications for this position filed with Governor Ansel and numerous recommendations have accompanied the applications, and the Governor thinks that of this large number he has secured a man who is in every way competent and worthy. The posary, although there were more than one of this sort who applied. Mr. Princeton, near the Greenville and Laurens line, and entered Furman University in the fall of 1890. He took a good stand at college and was highly thought of by his fellow students and professors. He left college school room. For several years he taught at Belton, where he did excellent work and built up a fine system of schools. He spent several years in the cotton mill business with his father-in-law, Mr. Z. T. McKinney, one of the best cotton mill men in the South, and this gave him a practical business training which will come in well in his present new work. He was afterwards principal of the graded school at Blackville, and then at "He had always enjoyed our full New Decatur, Alabama, and has for confidence," he replied. "We knew the last few years been superintendent of the schools at Gaffney. Mr. West is a young m. n full of energy His story continued with a state- and of fine character. The position sible in the State, and is highly im-

> CAPITAL COMMISSION. The commission to care for and improve the State capitol grounds, announced by Governor Ansel to-day, consists of the following:

the most desirable position under the

expenses, the term being four years.

Capt. William Ashmead Courtenay, retired from business.

desperately ill and that it was By- lumbia, and vice president of the Na- that were against extension. Mr. Motional Loan and Exchange Bank, of Rae advised the committee to leave Columbia Mr. Ambrose E. Gonzales,

dent of The State Company and largely interested in other Columbia enterprises. This is regarded as an excellent

commission, as each of the gentlemen named is an authority on subjects of the jury," and was corrected by landscape gardening and is a business "By- \$15,000 appropriation can well be enevery trusted. The act of the Legislature commission shall receive no compensation for their services and therefore the Governor felt that he was "then city of Columbia, as it would not be

HANGING AT SPARTANBURG.

John Shelton, colored, is under sentence to be hanged at Spartanburg to-morrow. An effort is being made to spoke induce Governor Ansel to grant a re-The case was to have been heard be- the bill. Said they, "We had fore the board of pardons in January. but the attorney for Shelton failed to tives of Charlotte were one way." perfect the case and asked for a respite which on request of the board was granted by Governor Heyward until March 1st. The attorney again The attorney, Mr. C. H. Sims, to-night wired Governor Ansel that he mailed certain papers in the case, but these have not reached the Governor and unless there is something usually convincing in the papers when he reads them to-morrow morning it told of his mother's admonition to murder for killing his father-in-law,

him on her death bed, to "always Alf Biggs, in November, 1905. Governor Appoints Senator Bacon. Atlanta, Ga., Feb. 28 .- Governor Ferrell to-day appointed Senator A. Bacon United States Senator for the ad interim term to begin March 4 and the meeting of the Legislature next June, when he will be for another full term.

> Declines to Name Committee to Study Race Question.

> Baton Rouge, La., Feb. 28.—Gov-ernor Blanchard to-day announced that he has declined to appoint a committee of three from Louisiana to study the race question. The suggestion was made by Rev. John E by Rev. John E. Whitem, of Altanta

with Viola Strothers, became rest ess and insisted on leaving. "Did you try to prevent his going?" asked Attorney Moore. did," said the witness, thought it his duty to stay with

her. As to the shooting of the witness stated that the first shot was fired by himself as Bywaters attempted to escape down the rear stairway

As to the exact position in which

he stood when Bywaters returned to the bed room with Mr. Gaines, the recollection of the witness was not clear. He maintained, however, that had not planted less than a had succeeding shots were only fired acres of tobacco any one year because he was convinced that By-Dr. W. J. Strother, an uncie of tute. He said no unless the the Strother brothers, told of being worse than he but unless the the Strother brothers, told of being trust could be curbed in Virgitian to attend Mrs. Bywaters, was examined by R. Walton Moore, for the defense.

"Will you tell the jury," said Attorney Moore, "what the attitude of yourself and brothers was after the Dr. Strother, "she would have un-Strother said that he advised

ediate marriage,

ter two hours hearing argument and facts from a Charlotte delegation for

and against the Greater Charlotte bill, unanimously decided on the bill as it passed the House and as agreed upon by the Senator and Representatives last week. Senator Pharr, while chairman of the committee, did not vote or participate in the conference of the committee. Last night when the Senate com-

mittee on countles, cities and towns met in the Senate chamber, there being seven members present, it looked like a small section of Charlotte. Messra. R. H. Jordan, R. L. Durham, C. W. Johnston, John A. Mcbefore graduation and went into the Rae, D. B. Smith, E. L. Keesler, H. W. Harris, S. S. McNinch, W. O. Brown, W. I. Henderson B. F. Withers, S. B. Tanner, H. E. C. Bryant John R. Ross, J. C. McNeill, E. C. Ray, to say nothing of the three Representatives and the Senator from Mecklenburg were there. Mayor Mc-Ninch made an argument flat-footedly for the bill, V's and all. He was cross-examined by Mr McRae, representing the people on the southern V. Mr. Smith followed as an advocate for his clients in the northern V. The first excitement was when Mr. Harris was speaking and hotly denying Mr. Smith's statement that the "City of Charlotte is bankrupt." Mr. Smith interrupted to repudiate that language, but to admit he had said that the city owes \$1.100,000, and that had not the stuff or the disposition to give city privileges to the proposed northern V. Mr. Keesler rose to interrupt, giving promise of live matter, but Mayor McNinch, who sat just behind former mayor of Charleston, former him, undisguisedly rose and pulled president of the Newry Cotton Mills, Mr. Keesler down by his coat tail. and now living in Columbia, having Quick interjected questions followed from Mr. Johnston, Mr. Jordan, Sen-Mr. Edward Ehrlich, the prominent ator Pharr and others. Mr. Durham shoe merchant and capitalist of Co- made in a brief way all the points people of the city. He referred to his antagonists as the rankest extentionists that were ever native to North Carolina. There was no doubt of his professional advocacy, for he addressed the committee as "gentlemen of

chairman. Mr. Grier was straight for the bill saying that it is too late now to submit it to the people, but the height of good humor began with Mr. Preston's rising. Senator O'Dell. of committee would not consent to hear Mr. Preston without asking and havobliged to appoint residents of the ing an answer as to whether or not he was the mogul of the Greater traveling expenses and lodging ex- the auditors joined in laughter and penses while engaged on the work of Mr. Preston did not have a chance to admit or deny. His speech was free quently interrupted and he took care of himself well. In brief, Grier, Preston, Dowd and Phare to the same purpose. committee had been in executive sesspire, but he has up to a late hour sion but a few minutes when it and to-night declined to take any action. nounced its unanimous approval of choice, all the credited Representa-

> PLAYING POLITICS. The Senate bill appointing four additional commissioners for Sampson night, but after an hour of haggling over whether the bill should be rereferred to the committee it was finally settled to make it a special order Saturday morning.

> Kennedy and Owens, Republican Representatives from Sampson, pealed to the House for thue to rebut testimony which they understood was presented to the caucus last night and to re-refer to the committee, This was opposed by Winborne, Washington and others. Dowd, Kitchin and other Democrats advocated giving the Sampson Representatives what they asked for, a little more time. By large majority the order of reference was made. Chairman Hankins, the committee which heard the evidence, asked that it be referred to some other committee, as his had heard it until it was tired of it. this point Grant, of Davie, made a red hot Republican partisan spec undoing the courtesy resulting in work to the Sampson Republicana No sooner had he sat down than Mr Doughton moved that the vote which the reference was made be re-considered and the bill placed back on the calendar. The motion premade a special order for

#### morning. THE ANTI-TRUST BILL

The next special order was anti-trust bills. Price, of Rec ham, led off in support of the mittee bill and in opposition to ning's substitute. He made a arraignment of the tobacco tru lating his own experience as a prosperous tobacco dealer, fari

Laughinghouse, never made a dollar except farming and for the past fifteen years, supported the Manning tute. He said no one hated

(Continued on Page Seven.)