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CHARLOTTE, N. C., THURSDAY MORNING, JANUARY 7, 1909.

PRICE FIVE CENTS.

WILL READ HIS MESSAGE GENERAL ASSEMBLY ORGANIZES

First Day's Session of Legislature is Marked by Sensation Created by Report That Governor Will Himself Read His Valedictory—Considerable Speculation as to What Will Be ommended-Much Interest Centres in Appointment of Members of Leading Committees—Senator Manning Will Introduce Important Bill

Provides For-Why Mr. Dowd Lost

Special by Staff Correspondent. Raleigh, Jan. 6 .- Nothing short of sensation was created in the legislative halls this aftermoon when the report was noised abroad that Gov. R. B. Glenn would seek again to read in person his valedictory message to the General Assembly at the joint session of the two houses to-morrow. The fact of itself was not so much but it called to the minds of every member the incident two years ago when the Governor, recommending special legislation, appeared in percourse then was sharply criticised and doubtless will be to-morrow, arthough the desired permission will undoubtedly be granted. The Gov-ernor possesses a fine voice, and those

who would read the message anyway

will doubtless welcome the relief. The incident, however, will not pass unnoticed by the older and ultra-conervative members who maintain that the executive and legislative departments should be kept entirely sepa-rate and distinct. Their attitude, however, may be expressed by the following remarks of two prominent members of the House. One said: "This is the Governor's valedictory and if he wants to read it himself let him do it. I have no objection." Another remarked: "It is contrary to the apirit of the constitution and sets a bad precedent. I am therefore op-posed to it." However that may be, the message will be read, and that by the Governor himself to-morrow

SPECULATION AS TO RECOM-MENDATIONS.

Speculation is keen among the what he will recommend. That he has something on hand is evidenced by his desire to ened the character of a man kind offer it in person. The light will enough to give her his honored break to-morrow morning shortly name." after the hour designated as the time

for gathering, namely, 11 o'clock. In regular session the General Assembly convened this morning. The business of the day was the organization of the two houses and the transaction of such matters as are necessary in order to straighten the way for actual business to-morrow and

the days following. Interest, aside from the Governor's message, now centres about the appositionent of the various committees of the House and Senate. Some of these will be made known to-morrow and the rest probably the day follow-Interest is keen for the reason that some idea may be had of the trend of events from the personnel of the several important boards. Nothing of a substantial or definite nature can be had as to who will direct legisation until these committees are will remain so pending these appointments. For the present, that is tomorrow morning, the Governor cupies the centre of the stage.

TREND OF LEGISLATION At this time it is well-nigh impos-sible to forecast the trend of legisla-

tion of the present session. be, as proviously stated, in the line of 'ndustrial and general commercial affairs, for, by tacit agree-ment, peace and quiet has been promised the mill men and others engaged in allied trades. It is currently believed that the legislation of the present Assembly will be largely directed towards improvthe civil administration of affairs of the State. For instance, the bil

relating to the increasing of the judiemptory challenges, the numberless bills concerning cities and towns, pr viding charters and the like, the to increase the salaries of certain high State officers, the bills designed to make more effective the enforcement of the State prohibition law, and others all point to this. It will be readily observed that not one of these is directed against State industries. Of course there railroads or trusts. will arise measures designed to curb bad monopolies, but these will not excite the interest they once did. The Legislature of 1909 will be conspictrust legislation, which heretofore have been so vigorously prosecuted.

AS TO ATTORNEY GENERAL. A measure which promises interest is that of Senator J. S. Manning, of

corporations, which is designed to increase the duties and enlarge powers of the Attorney General of e State, or, in other words, as Mr. Manning was heard to remark toarrange so that the office of are being pre-eminent ones of the State. embodying several of its features have been offered before. Mr. Manning, an understanding regarding a basis below this 60 per cent. and the acas chairman of the House committee on public service corporations, durquestions pending between the Unitgation, is peculiarly qualified to draft matic relations. this bill and champion its enactment. No member of either body is better qualified to speak of the limitations and needs of the attorney generalenlarge the office so that it will not government are conducted. be necessary to go outside, when liti-gation is to be prosecuted. For years gation is to be prosecuted. past the State has been paying out from \$6.000 to \$7,000 annually in counsel fees to various lawyers over instance, in the For freight rate briefs of the attorneys for the State, while splendid in execution and full of detail were not so comprehensive, and exhaustive as those prepared by the attorneys for the railroad. The explanation is apparent. road attorneys had made this matter their special study for years and be hauled off the beach. It is ex-hence were better posted than the pected that she will be floated toattorneys for the State, who had giv- morrow. en this question but a few months study. Should the bill which Mr. fanning has prepared become a law, vast stride forward will be the line of the accomplish-

ment of Mr. Manning's end. WHAT THE BILL PROVIDES.

This bill provides for the following erhor upon recommendation of the Attorney General of one Assistant At-torney General who shall bear the

(Continued on Page Seven.)

ERB CASE WITH JURY.

After Eight Days of Evidence Taking and Speech Making the Jury Gets the Case Against Mrs. Erb and Mrs. Beizl-Strong Arguments Are Made by the Clusing Attorneys-Jury, After Being Out Four Hours, is Locked Up For the Night.

Media, Pa., Jan. 6 .- The fate of Mrs. Catherina Beigl and Mrs. M. Florence Erb, charged with the murder of Captain J. Clayton Erb, at his ountry home, Red Gables, on October Concerning Attorney General— Some of the Things the Measure 6th, hangs in the balance. The case was given to the jury at 4:30 this afternoon and after deliberating for hours they were locked up for the night. Not an intimation was given

as to a poll of the jury.

When court opened B. Frank Rhodes began the closing address in favor of the defendants. He ridi-culed the Commonwealth's case, and said not one scintilla of evidence had been adduced to show that Mrs. Erb was in any way connected with the murder of her husband and that Mrs. Beizi, the other defendant, had shot Erb that her own life and that of her sister might be spared. mercifully scored the "Philadelphia gang," as he termed them, for the part the Philadelphia detectives and coroner's physician, Wadsworth, took in securing evidence and testifying against the accused. He closed with a pathetic plea for the acquittal of the defendants.

Mr. Rhodes was followed by Dis-trict Attorney MacDade. The latter bitterly resented the "slur cast upon the Philadelphians," who, he declared, had been asked to ald the Dela ware county authorities, time were busy on the Chester strike troubles. The jury gave the district attorney closer attention than they had evinced at any time during the trial which had been in progress for eight days, and when he spread upon the floor of the court room the blue the floor of the court room the print of the second floor of Gables," where Erb was murdered every juror left his seat in the box and seemed intent upon gaining information possible. As MacD As MacDade described in the minutest detail the "brutal murder" many of the jurymen questioned him as to his version He pleaded for a first degree verdict, saying "The murder was a diabolical plot conceived by shrewd, cunning women."

With withering sarcasm he referred to the "innocent wife, who had black-

Mr. MacDade closed his address by again reading the endearing letters from Captain Erb to his wife which from Captain Erb to his wife wh were offered in evidence yesterday.

LYNCHING IN SOUTH CAROLINA.

Negro Attempts the Usual Crime and is Summarily Dealt With Near Lexington-Sheriff Wounded . in Leg by the Culprit,

Lexington, S. C., Jan. 6 .- One of the most brutal crimes that have ever shocked the people of Lexington county occurred about four miles north of here to-night. An unknown bullet wound in the gro's weapon.

Those returning from the scene refuse to say anything about the capture, and it is safe to say that the negro has been lynched.

Mrs. Wingard, who is 53 years old, was in her back yard when the negro seized her. She screamed and the negre ran off, her husband being in a nearby lot at the time. News of the affair spread like wildfire and it was not long before the entire neighborhood was aroused. Sheriff Corley notified and left immediately with bloodhounds to capture the

Mrs. Wingard is said to be in a highly nervous state and is under a physician's care to-night.

NEW TURN AS TO JUDGESHIP.

Name of Ex-Judge W. S. O'B. Robin son Presented to President, and He Postpones Appointment to Investigate His Record.

Observer Bureau, Congress Hall Hotel, Washington, Jan. 6.

judgeship took a most interesting turn. Some friend of ex-Judge W. S. Ø'B. Robinson, of Goldsboro, prenous for the lack of rallway rate and sented his name and record in such a way as to attract the President. The appointment will be postponed will be used as a handle for Durham, formerly chairman of the er applied for the place or asked any this would represent what could hon-House committee on public service one for an endorsement.

H. E. C. B.

Venezuelan Matter Not Yet Settled. Washington, Jan. 6 .- Daily advices day, to arrange so that the office of are being received at the State Deproperties, and this purpose has been Attorney General of North Carolina partment from William I. Buchanan, persevered in for several years past, shall be what it should be, one of the the American special commissioner, This who is now in Caracas, conducting neell is a new one although others gotiations with the Gomes governing the last Legislature, and as counsel ed States and Venezuela, as a pre-for the State in the freight rate liti- requisite for the resumption of diplofor the resumption of diplo Mr. Buchanan's dispatches are hopeful in tenor but show that no definite conclusions have been of every responsible business man to yet reached. His instructions are very broad and form the basis on which Mr. Manning is striving to his negotiations with the Venezuelan

Grounds Off Cape Charles. Norfolk, Va., Jan. 6.- Losing her bearings in the dense fog early yesterday morning the British steamer Anglo-African, with a cargo from Tocopila, Mex., bound for Baltimore, brought up on Smith's laisnd, Cape Charles. There is little wind and only a moderate see running. She is reported in good condition.

It is said it will be necessary lighter the cargo before the vessel can be hauled off the beach. It is ex-

Wagner Denies Report. Chicago, Jan. 6.—Charles L. Wag-ner, secretary of the lecture bureau, which has charge of the public ap-pearances of Mrs. Florence Maybrick, to-day entered a vigorous denial of a report that he and Mrs. Maybrick are to wed. "Mrs. Maybrick is a charming woman, whom I know, however, in a purely husiness way," said Mr.

SENATE GETS A CALL DOWN BARBEE AGAIN ARRESTED VISITORS BESIEGE MR. TAFT

President Rooscyclt Lays Down the True Bill Found Against Reuben The President-Elect is Kept Busy Law to the Senate in Regard to the Steel Corporation's Absorption

of the Tennessee Coal and Iron Company—Has Approved the Matter and Will Assume the Responsi-bility—Senate Has No Right to Give Instructions to the Executive Department in Affairs of This Kind-Instructs the Attorney General to Give the Senate No Reasons For His Non-Action in the Case.

SENATE SUMMARY The postal savings bank bill was before the Senate yesterday and many amendments were proposed some of them requiring the deposit of postal savings funds in State as well as national banks. It is expected that voting on amendments and a further discussion of the measure will be nesumed to-day.

The main also received two messages from the President, one recom-mending additional interstate commerce legislation and the other relating to the absorption by the United States Steel Corporation of the Tennessee Coal and Iron Company, and passed several bills on the calendar At 4:11 p. m. the Senate adjourned.

HOUSE SUMMARY.

The only incident worthy of note in the proceedings of the House of Representatives vesterday and which caused a good deal of amusement was a brief discussion of the forthcoming African hunting trip of President Roosevelt. Incidentally there was a reference to the famous so-called Ana-

The whole debate hinged on the newspaper story stating that Major Edgar O. Mearns, of the army, was to accompany the President and that in order to do so he had been put on the retired list with increased rank. The matter was brought up by Mr. Mann, of Illinois, in connection with the consideration of a bill authorizing the issuance of commissions to officers who retire with increased rank.

The remainder of the day was devoted to the consideration of a number of miscellaneous bills and resolu-

At 5:18 p. m. the House adjourned.

conevelt to-day informed the Senate in no uncertain tones that he had the \$50 tax upon him was made because given his approval to the absorption of the Tennessee Coal and Iron Com- made him violate the law. He gave the pany by the United States Steel Cor-poration and that he had instructed addressing the white fellow said: "Mr. Attorney General Bonaparte not to respond to the Senate inquiry as to have to sell a good big one to pay the the reason for his failure to prosecute the steel company.

The President concludes his message with the statement that he does not conceive it "to be within the authority of the Senate to give direcof an executive department."

The message to the Senate is in renegro attempted to criminally assault
Mrs. Thomas Wingard, wife of a
most highly respected farmer. It is
reported here at 9:30 o'clock that the negro has been captured and that sition of the Tennessee concern, and Sheriff P. M. Corley has received a if not, the reason for non-action.

LETTER TO BONAPARTE.

The President says: As to the transaction in question, was personally cognizant of and sponsible for its every detail. For the information of the Senate I transmit a copy of a letter sent by me to the Attorney General on November 4th, 1907, as follows: "The White House

'Washington, November 4th, 1997. 'My Dear Attorney General: Judge E. H. Gary and Mr. H. C. Frick, on behalf of the steel corporation, have just called upon me. They state that there is a certain business firm (the name of which I have not been told but which is of real importance in New York business circles) which will undoubtedly fail this week if help is not given. its assets are a majority of the securities of the Tennessee Coal Com-pany. Application has been urgently pany.

hase this stock as the only means of avoiding a failure.
"'Judge Gary and Mr. Frick Late to-day the contest for the formed me that as a mere business transaction they do not care to pur chase the stock; that under ordinary circumstances they would not consider purchasing the stock, because because little benefit will come to the steel corporation from the purchase; that they are aware that the purchase several days so that recommendations on the ground that they are striving can be sent in. Judge Robinson nev- to secure a monopoly of the business and prevent competition-not

made to the steel corporation to pur-

lessly and untruthfully be said, They inform me that as a matter of fact the policy of the com-pany has been to decline to acquire more than 60 per cent. of the steel properties, and this purpose has been with the object of preventing these accusations, and as a matter of fact their proportion of steel properties quisition of the property in question will not raise it above 60 per cent.

A BREAK THREATENED. "But they feel that it is immensely

that they are willing to go into this perament of 20 to 40 degrees. transaction, which they would not otherwise go into, because it seems morrow, and the weather bureau the epinion of those best fitted to ex- states that the zero line will extend press judgment in New York that it into northern and extreme western will be an important factor in pre-venting a break that might be ruin-ous; and that this has been urged up-be severe until the end of the week. on them by the combination of the most responsible bankers in New York, who are now thus engaged in endeavoring to save the situation. But they asserted they did not wish to do this if I stated that it ought not to be done. I answered that while, of be done. I answered that while, of course, I could not advise them to take the action proposed. I felt it no public duty of mine to interpose any

objection. "Sincerely yours, * "THEODORE ROOSEVELT.

eral that in his opinion no sufficient tion, and to the laws passed by the ground existed for legal proceedings (Congress in pursuance of the constiguing the steel corporation and that tution and to the directions of the the situation had been in no way president of the United States, but changed by its acquisition of the Tenin a purely business way," said Mr. changed by its acquisition of the Ten-Wagner. "The report that we are nessee Coal and Iron Company, to marry is an injustice to both of "I have thus given to the Senate

MUST LET STEEL CASE ALONE INDICTMENT BY GRAND JURY HEARS CHILD LABOR REPORT

Barbee For Killing Engineer Holt, and He is Arrested in Open Court and Landed in Jeli-What New Evidence State Has is Not Known-Barbee Goes to Cell Without a Protest-Cannot Be Tried Before May Term-Not Yot Known Whether Effort Will Be Made to Secure Bail -Nat Laws Arraigned on Criminal Assault Charge-White Prisoner Given Lecture by Judge.

special to The Observer. Durham, Jan. 7 .- Reuben Barbee, who was discharged two weeks ago by Mayor P. C. Graham because of the insufficiency of the evidence against him, was re-arrested this morning upon the grand jury's finding a true bill against him for the mura Atlanta. der of Engineer J. A. Holt, and is again in Jail.

Barbee was in the court room at the time of the finding. He was not the least perturbed and went to his cell as he usually does. What new evidence the State has is not known. The case had been thoroughly exploited before and the detective's hand was shown before the trial actually began. This time, if there is

this term. The arrest, therefore, means his confinement until the May term of court. Whether or not there will be any effort to have him released by habeas orpus proceedings will depend largely opon his lawyers' view of the matter. They are thoroughly convinced that he is not gullty and that the fresh arrest has nothing in it

The foreman of the grand jury is Dr. W. I. Crawford, professor of philosophy in Trinity College.

Nat Laws, charged with criminal assault, is to be tried Friday. A special ventre of 25 men was summoned to-day and the case can be concluded in a day

or less. He was arraigned to-day. JUDGE LECTURES BLIND TIGER. Judge Long stuck it to a white man today who was indicted for selling whiskey and pleaded in extenuation that he had Washington, Jan. 6 .- President purchased it from a negro. The fellow was fined by the judge and was told that he went to the old negro's house and old man five months on the roads, and Jones, you are a hop raiser and you will fine that I am going to put on you. We white folks pretend to be smarter than the negroes and when we make them violate the law we ought to be made to suf-

ANANIAS CLUB DISCUSSED.

President's Famous Club Bobs Up in the House and Furnishes Fun For the Members—Bill to Increase Ranks of Retired Officers Gets gusta to-day. Washington, Jan. 6 .- The newspa-

While the resolution was not di-ected to President Roosevelt his at-retired on account of disability is to tention was called to it by Attorney accompany President Roosevelt on his General Bonaparte.

African hunting trip was the basis of an interesting, though brief colloquy in the House to-day. The question came up in connection with a bill providing for the Issuance of commissions with increased rank to retired officers of the army, navy and marine corps, which was called up by me to Mr. Hull, chairman of the committee vember on military affairs from which it had

been reported, Mr. Mann, of Illinois, called atten tion to a newspaper item saying that Major Mearns had been "designated by a President in office to accompany

an ex-President to Africa"
"Maybe," interjected Mr. Clark, of Missouri, amid laughter, "this officer experienced a sudden and miraculous cure after he got his increase."
"Then," said Mr. Mann, sarcastical-

haven't heard anybody put in the An anias Club on account of it." While the members crowded all about him Mr. Hull declared that "if Padgett. the membership in the Ananias Club is to be increased by every report in the newspapers that is not true, it would grow to such proportions that bill making it necessary, in it would constitute a majority of the that the money may be available for people and the rest of us would be

ly, "it's a libel on the President.

n a bad fix." After the bill had been more seriously discussed it was passed.

Prominent Georgian Held on Peonage

Charge. Valdosta. Ga., Jan 6 - United States Commissioner Powell here today held T. F. Ramsey, a well-to-do Brooks county farmer, for trial before Judge Emory Speer, on the charge of peonage. The alleged peon, Gus Scott, a negro, and apparently half witted, testified that Ramsey's neighbors who was at outs with Ramsey had induced him warrant. gro had sworn that he had been held in a state of peonage for six and had received but \$9 for his serv ices in all that time. Ramsey intro-duced witnesses to show he had frequently paid the negro more than that. He was held in a \$500 bond

to the Federal Court. Cold Wave Will Last Till Sunday Washington, Jan. 6 .- A cold wave to their interest, as to the interest which swept over the entire country to-day, spread to-night over the aEs try to prevent a panic and general and South to the Atlantic and Gulf industrial smash up at this time, and coasts, causing a drop in the tem-

be severe unti Ithe end of the week.

of the executive departments which

appears to me to be material or relevant on the subject of the resolution. I feel bound, however, to add that I have instructed the Attorney General not to respond to that portion of the resolution which calls for a statement of his reasons for non-action. I have done so because I do not conceive it be within the authority of the Senate to give directions of this character to the head of "Hon. Charles J. Bonaparte, Atterney General."

Atter sending this letter I was advised orally by the Attorney Generals are subject to the constituto no other direction whatever. "THEODORE ROOSEVELT."
The White House, January 6th,

Greeting Callers and Conferring With Prominent Republicans—After Hearing Report on Conditions of Child Labor in the South, Mr. Taft Says Laws Regulating This Mat-ter Are All Hight, But That They Need Enforcing—Will Cut His At-lanta Visit Short and Spend a Few Hours at Athens—Willingly and Smillingly Poses For the Augusta Photographers.

Augusta, Ga., Jan 6 .- The Prestlistened to a report on general conditions of child labor in the South, from A. J. McKelway, secretary of the ommittee for the Southern States. Ir, McKelway has headquarters at It was his conclusion that: the child labor laws of the Southern States are pretty well adapted to conditions, but that there is laxness in their enforcement. No action on

templated at this time National Chairman Frank H. Hitchcock returned from his trip to Bir-mingham and Atlanta, this morning. and this afternoon had an extended interview with Mr. Taft. Hammond, who visited Atlanta, camo back with Mr. Hitchcock Chauncey anything new, it will probably stay in the inspector general of the Illinois State militia, is here to see Mr. Taft and Mr. Hitchcock. Mr. Dewey was one of the two Taft delegates from that State in the convention, and it #8 understood he has some political friends he wishes to intercede for. call was made on Mr. Taft by Judge William H. Jackson, of New York, and his brother, Henry Jackson, of The latter is a Georgia Re-f prominence. They came publican of prominence. Mr. Hammond to-day.

WILL VISIT GEORGIA UNIVER-

Mr. Taft will leave Atlanta after his forthcoming visit at 1 o'clock Satur-day afternoon, January 16th, that he may visit the Georgia State University at Alhens on his return. C decision was practically reached day as the result of a call from Judge Hamilton McWhorter, of Athens. Mr. Taft's next speaking engagement is at the dinner of the bar association of Augusta, at the Bon Air Hotel, January 11th

Anderson, of Richmond, Henry talked Southern politics with Mr. Taft at some length to-day, but nothing tangible for publication resulted. Col. Robert M. Thompson, of New York. will play off a Hot Springs, Va., tie game of golf to-morrow. Mr. Thomp son is on his way to Florida. Mr Taft's excellence as a golf player was made the subject of defense to the extent of a column editorial in local paper here to-day. There no doubt, it was asserted, that he could beat Mr. Rockefeller on the Augusta links, notwithstanding reports of his numerous defeats. Mr. Rockefeller is expected here this week.

he President-elect smillingly submitted himself for "exposure" to practically all the photographers in Au-gusta to-day. They called at his cotgusta to-day. They called at his cottage, they said, to keep an engagement made by Mr. Tati's "Japanese secretary." This meant Monico Lopez, his Filipino valet, and Mrs. Taft enjoyed the toke buzely

Senator Knox notified Mr. Taft today that he would be here to-mor-

TO INVESTIGATE MARINE CASE.

Committee Asks Naval Officers to Appear Before It and Tell Why Marines Were Taken Off Battleships-Their Withdrawal Has Inercased Cost of Equipping Naval

Washington, Jan. that the status of the marines shall be thoroughly considered at the present session of Congress the subcommittee of the naval academy and the marine corps of the House committee on naval affairs has requested Secretary Newberry, Admiral Dewey and other naval officers to appear before it to-morrow to tell why marines were taken off naval vessels. This sub-committee consists of Representatives Mudd, Butler, Bates, Lilley Talhot, Lamar, Kitchin, Hobson and

The proposal has been made to the committee that a provision be incorporated in the naval appropriation order the corps, that marines be stationed on battleships, instead of being confined to land duty exclusively, as is

the President. cost the government \$467,000 more to man the ships of the man the separate offense) he sallors exclusively than with the separate offense) he separate offense h summoned will be asked if this statement of additional cost, due to the President's recent order, is correct.

POSTAL SAVINGS BANKS.

Senate Takes Up the Bill and a Vote May Be Reached Next Week-Will Place State Banks on an Equality With National Banks.

Washington, Jan. 6.—The bill to stablish postal savings banks was taken up by the Senate to-day and read for amendments, Senator Carter in charge of the measure announcing that he would not attempt to get a vote on the bill until next week. That State banks should be used a

overnment depositaries for postal funds was proposed in amendments offered by Senators Smith, of Michigan; Cummins, of Iowa, and Gore, of Oklahoma. Senators McCumber. Fulton and others approved such use of State banks and declared in favor of placing such banks on an exact equality with national banks as government depositaries. Mr. Smith's amendment proposed the acceptance by the Postmaster General of State, county, municipal or United States bonds as security.

The bill was laid aside without final action being taken on the proposed amendments, all of which will be voted on at a future day.

Stamp Clerk Short in His Accounts. Anniston, Ala., Jan. 6 .- According to a statement of postoffice inspectors here to-day, Ed D. Smith, stamp clerk in the Anniston postoffice, wh suddenly left here Saturday night, was short in his accounts between \$1,800 and \$2,000. It is said that friends of the young man will make good the shortage. Nothing has been heard from Smith since the receipt of a letter Monday, saying that he left because he could not stand trouble. He was last seen in Birmingl ham Sunday night.

EAGLE COMPANY CUT PRICE.

Crewe-Levick Representative Denies That His Company Cut the Price of Oil to Standard Customers-Red C Received No Complaints of Over-Gauging From Yorkville, S. C.

New York, Jan. 6 .- Testifying today in the suit to dissoive the Standard Oil Company, George J L. Wolfe, Baltimore manager for the Crewe-Levick Company, said the testimony given yesterday by Bruce Robinson, Levick Company had offered cut prices to the Standard's customers was false. Mr. Wolfe asserted the dent-elect is a member of the national cut was made by the Eagle Oil Company, one of the concerns absorbed by the Standard. The witness said a Mr. Blaustein, who operated the Eagle Oll Company, visited the Crewe-Company's customers made proffers of silk dresses, electric fans and other presents to the wives of the oil dealers if they would in duce their husbands to buy oil of the

> Mr. Wolfe said an employe of his empany who was discharged carried away a lot of books and data from the Crewe-Levick Company and was employed by Mr Blaustein. This emthen secured a wagon from John Hays the Eagle Company, painted it in the colors usually employed by the Crewefrom his former customers, the wit-

Mr Wolfe told of the tank wagon drivers he had taken away from the Standard Company and Mr. stein's Eagle Oil Company, each of of Standard customers. "I got more customers from the Standard than they got of mine," he added gleefully. said ne nad walker and when ploye of the Red C Oil Company, tesrom Atlanta with Mr. Hitchcock and tifled first concerning certain nilegations made by the Red C Oil Company. Mr. Fasenfeld denied that his company had received complaints concerning over-gauging in Yorkville, S. C., and one or two other small Southern towns, as alleged.

"Has your company received complaints of over-gauging?" was asked. "We received several complaints," replied the witness, "but that was when the so-called bogus companies were operating against us. We asked our customers to measure the barrels personally.

He added that they lost no customers on account of over-gauging. At this point a recess was taken until

WILL REBUKE ROOSEVELT?

House Will Either Refuse to Receive the Reference to the Secret Service or Will Severely Robuke the President.

Washington, Jan. 6 .- The special minittee considering the reference o Congress and the secret service in the President's annual message is to report to the House on Friday. It is expected that there will be considerable debate on the report of the committee, which will be presented to the House by Representative Perkins, the House by Representative Perkins, of New York the chairman. Representative Tawney, of Minnesota; Smith, thosa, Fitzgerald, of New York, and thereby, of Kentucky, who were to reit to by the President In were effected to by the President in his special message following the action of the House in resenting the obtook Mrs. Claudia Hains he would

Representative Griggs, of Georgia, on Monty moved that the special message of the President be returned message if the President be returned to the Chief Executive, but withdrew his motion on the advice of some of his Democratic colleagues. It is understood that the report of the special committee, however, will be a rebuke nearly as severe as would have been the action proposed by Mr. Griggs, if it is not more so. It is states that the report of the com-mittee will recommend either the resage which it is claimed reflected on House or will severely rebuke the Hains were overruled. President in some other manner.

LOOKING FOR A JUDGE.

the Standard Oil Case Again and the Other District Judges Are Playing Hands Off.

Chicago, Jan. 6 .- The distinction of hearing the re-trial of the Standard Oil case, in which Judge Landis' fine of \$29,240,000 went to pieces in the United States appellate and Supreme courts, went begging to-day. United provided for by a recent order by States District Attorney Sims went before Judge Landis and announced Evidence has been submitted to the that he would like to begin a new ab-committee by officials of the hearing of the case on Monday. Judge sub-committee by officials of the hearing of the case on Monday, Judge marine corps to show that it will Landis answered that in view of his convictions in the case (fundamentalto man the ships of the navy with ly that each carload constituted a separate offense) he did not care to

> "But," continued the court, "I'll ask Judge Bethea about it; maybe he

But Judge Sol H. Hethea, of the District Court, pleaded some slight connection with the matter even be fore it reached Judge Landis and

asked to be emused.
"Well," Judge Landis pursued after his telephone conversation with Judge Bethea, "Judge Anderson is coming here to try a case for me soon till he arrives and we'll see what can And there the subject was allowed

to rest for the present.

by Scaboard in Building Bridge, Plunges 60 Feet to His Death, Special to The Observer.

Shelby, Jan. 6.—This morn bout 9 o'clock Mr. Bud Brown, about 9 Mount Airy, aged about 33, fell from ter to Attorney General Bonaparts, the Seaboard Air Line trestle Second Broad river, two miles from to investigate the circumstances. here, upon which he had been work- Baker reported that no action in the ing, and his neck was broken. Death was almost instantaneous. The was about 60 feet, the cause being the In discussing the situation at slickness of the crossiles upon which torney General Bonaparts transmits Mr. Brown was walking, which was to caused by the heavy rains which have respondence. He points out that the

Steamers Collide: Thirty-Four Are Drowned.

Jan. 6.—The Russian steamer Sviatoslav with a crew of 18 General, "lies in legislation." with the Greek steamer Poseidon to-

The Svintoslav sank within thesa minutes. Four of her crew managed in the moment of the collegion to get aboard the Poseidon and were saved. The 34 other members of the crew denly this morning in the leaby were lost.

HAINS STILL UNDER FIRE

DIRECT TESTIMONY UNSHAKEN.

Defendant in Annis Murder Case Spends Another Day in the Hands of the Cross-Eaxminer-Makes Several Admissions But His Direct Testimony Stands Unshaken-Questioned About His Relations With His Brother's Wife the Witness Grows Red in the Face, Bites His Lips and Appeals to the Judge -Denies That He Ever Tried to Make Love to Her-Judge Says Evidence Must Be in by Saturday

Night. Flushing, N. Y., Jan. 6.-For over x hours to-day District Attorney Darrin kept Thornton J. Hains under a ceaseless fire of searching crosssamination, and while the defendant trequently admitted that he could not remember some of the minor details, the main essentials of his direct teson trial for the killing of William E. Annis, told the court that he had seen ill yesterday which he declared. caused him to be forgetful.

Hains was still under the proseuter's fire when adjournment came. Thornton Hains testified that beause of the admonitions of his parents he kept his brother under contant surveillance, fearing he might do some insane thing. District Attorney Darrin, by ingenious interrogations, led and drove by turns the defendant to admit that when Annis' boat was nearing the float he told Captain Hains that he was going home and left the army officer standing on the dock showing every evidence of mental disturbance. said he had walked about 30 or 10 he turned around Captain Hains had disappeared. The shooting followed within a few seconds on the float be-

low the dock. DID NOT THREATEN ANNIS.

District Attorney Darrin asked Thornton Haine if he knew that the revolver with which Annis had been killed had been purchased at 11:45 o'clock on the morning of August 15th, the day of the shooting, at a Broadway store. Hains said that he did not.

Justice Crane informed counsel for both sides that they must have their evidence in by next Saturday night. Thornton Hains dented that at a

dinner with Captain Hains and his wife over a year ago he had complained bitterly of Annis because his manuscrip; had been refused. "Did you tell Mrs. Hains at that ime that you would get even with

"No. I did not." "Do you ever remember saying to Mrs. Hains about Annis, 'I don't want to meet that man. I will have to shoot him if I meet him, for know I have threatened to shoot him

Annis yet?"

on sight?" "No. I do not." "Is it a fact that when the captain was in the Philippines you called on Mrs. Hains and said to her, 'My God.

you look sweet, and grabbed her by the arm? "Your honor," said the defendant, 'I'm a prisoner here ectionable portion of the President's have no objection to the line of testi-

message, will take the opportunity to mony. Hains, however, declared that reply to the President. DIDN'T KNOW HIS BROTHER

HAD A GUN. The district attorney asked the witness if he had not said to Mrs. if she was not his brother's wife. The defendant's face became flery red and he bit his lips and force. court, made a protest in against the question. Mr. McIntyra. however, directed his client to answer fusal by the House to receive that and the witness said "No." Futher portion of the President's annual meshad sought close relations with Mrs.

Thornton Hains was asked if he had not told Mr. Libby, father of Mrs. Claudia Hains, at Fort Hamilton, that Annis had been instrumental in Judge Landle Doesn't Care to Hear turning down his stories and that

some day he would kill him. "It's absurd. If I killed every one the turned down my stories I would have to have a private graveyard,

snapped the witness. Hains said that after the shooting and when Roberts had picked up the revolver he still thought there undischarged shots in the weapon, and drew his revolver. who had previously testified that he had never seen the revolver in his brother's possession until after the shooting, suddenly added that Major

Hains had a similar revolver and it contained seven shots. The defendant said that when he drew his pistol and called for an officer every one but his brother and himself had left the dock. Court adjourned until to-morrows

ON GAS COMPANY'S TRACK. Reported Death of a Washington Family Caused by Inhaling

Family Caused by Inhaling Poisonous Gases May Lend to Legislation by Congress, Washington, Jan. 6 .- In a recent communication to President Roose-velt, Secretary Wilson, of the Department of Agriculture, directing attention to the circumstances rounding the death of a family in this city caused by inhaling KILLED BY FALL FROM TRESTLE charged with carbon-monoxide, said Bud Brown, of Mount Airy, Employed supply of Washington made by bureau of chemistry disclosed the presence of a large percentage of poisonous carbon-monoxide and eferred the matter to the Presid

for action. The President transmitted the letover who directed District Attorney Baker premises could be taken by

fall partment of Justice. the President all prevailed here during the past few days. It is not yet known where the interment will take place. Washington Gas Light Company has the sanction of Congress for the manufacture of water was, the only restriction being that its ill power shall be of certain

> "The remedy," says the Attorney Judge Dodd Dies Suddenly in Wash-

> Washington, Jan. 4-