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CHARLOTTE, N. C., SUNDAY MORNING, JANUARY 31, 1909.

PRICE FIVE CENTS.

Two Agricultural Measures of Interest Disposed of by Lower Branch—Governor Given Authority to Suc Regarding State Boundary Line—House Gets Aroused Over a Little Hegarding State Boundary Line—House Gets Aroused Over a Little
Bill, and the Usual Dehats Follows
—Cotton Mill Men to Be Heard on
Child Labor Wednesday—Speaker
Graham Granted Leave of Absence,
and Morton is Designated to Preside—Session of Scuate of Short
Duration—Long List of Bills Approved by House.

pecial to The Observer. Raieigh, Jan. 36.—The Senate had a very short session and the House a very busy one to-day, and both branches disposed of important legis-lation and started the ball rolling toward more. The Senate passed the House bill which allows the Governor to sue directly in the United States Supreme Court in actions involving the boundary line between North Carolina and Tennessee in the Smoky mountain region, so that each case may be finally settled.

The Public Service Company, of Greensboro, was incorporated by the upper branch. It will consolidate three corporations and build an electric rallway from Greensboro to High

MANNING'S INSURANCE BELL A bill introduced by Senator Manning requires fire and casualty insurmpanies to deposit approved securities or cash, to an amount equal to 5 per cent, on the capital stock, with the Insurance Commissioner, who shall compel each company to make good any depreciation or reduction in value of securities, and each December examine them all for that purpose; bonds so deposited to be delivered by the Insurance Commissioner for safekeeping to the State Treasurer, who shall receipt therefor, and the State to be responsible for them. Companies operating exclusively in the State and on a mutual plan, making no distribution of earnings among members, are exempted. The law now requires life companies to deposit cash or securities with the Insurance Commissioner. It is understood that practically all of the home companies approve Benator Manning's bill,

A new bill by Senator Jones pro-vides that embalmers and funeral directors shall be exempt from jury duty.

HOUSE HAS ITS DAILY DEBATE. The House came near getting through another day without a debate, but before adjournment several members got aroused over a little bill to include Anson county in the act of stwo years ago that permits the com missioners of Pitt county to work prisoners in jail awaiting trial for offenses on the roads, or hire them out, the punishment for which could not exceed two years; provided, the prisoners wish it and that they do not stripes or chains. There was a rush to add counties until it seemed as if it would be almost a State bill; and Mr. Connor, after adding his county, Wilson, began to get doubtful

and wanted to refer the bill. Mr. Grant scented all kinds of dangerous elements, including the grave man could waive his rights, possible indictments for peonage, to say nothing of the desire for fresh air leading prisoner to ask to be put on the roads and then the request being used against him at the trial. In reply to a question by Mr. Turner as to it being better for the health of the incar-cerated one, Mr. Grant ventured the opinion that it was not healthy for man to have a chain galling his ankles and a guard standing over him with a shotgun. He was set right about the chain, but he still stuck to it that the gun over a man was not

Mr. Cotton said he had never heard of a prisoner in Pitt taking advantage of the law. He told Mr. Grant they had good jurors in his county, being in reply to the argument of

Mr. Currie told Mr. Grant that the of the transgressor is hard; also that the Legislature had a right to say something in behalf of humanity. Mr. Connor informed Mr. Cox. of Anson, that there could not be any such thing as a local bill affecting crime. A motion by Mr. Conner to refer prevailed.

county school boards by the people was made a special order for next Thursday. Bills were introduced in both

The Harshaw bill for the ejection of

branches for the creation of a his-torical commission to perpetuate the history of Daniel Boone, the great North Carolinian, by Senator Klutts and Representative McCrary. BILLS PASSED BY THE HOUSE.

The House passed the joint resolu-tion to petition Congress to help in constructing post roads in North Car-

Important agricultural bills passed by the lower branch were crop pest Mr. Currie to abolish the crop pest to the board of agriculture, and the act recommended by the convention of Commissioners of Agriculture of the Southern States regulating the

registration and sale of concentrated commercial feeding stuffs.

Mr. Connor's bill requiring depositors to notify banks of forged or raised checks within three months after receiving the canceled check, in order to get the benefit of the bank's liability, went through its

Among the many leaves of absence asked was one for the Speaker for three days, and in accordance with consent, to pame a member to preside in his absence. He selected Mr. Morton, of New Hanover.

On Wednesday, February 3d, the joint committee on manufacturers and labor will hear catter. and labor will hear cotton mill men on the child labor question. THE HOUSE.

The House was called to order 11 by Speaker Graham. Prayer by Rev. W. McC. White, pastor of the Presbyterian church, Raleigh. Speak-er Graham begged the indulgence of the House on account of business in the executive office and put Mr. Mor-

State Attorney Creates an Uprour in the Cooper Trial by Declaring That the Defense is Using Unlawful Means to Remove One of the Jurors Means to Remove One of the Jurors—Lawyers For the Detense Spring to Their Feet and Strongly Denounce the Charge While the Judge Raps Vigorously With His Gavel—Court Also Creates a Sensation by Questioning the State About a Missing Note—Jury Not Yet Completed

Nashville, Tenn., Jan. 30 .- There vas a very brief but sensational seasion of court to-day in the trial of Col. Duncan B. Cooper, Robin Cooper and John D. Sharp, charged with the murder of former Senator Edward W. Carmack.

The trouble began after a hundred or more talesmen had been examined and not a juror secured. The venire was exhausted and the court announced that the new one would not be available until Tuesday. Then he took up the question whether Jurer J. M. Whitworth was physically able to continue in the case. Whitworth was called to the stand this morning and testified that he felt pretty well. Judge Hart then said that as Whit-worth had an organic disease which might terminate fatally at any time thus causing a mistrial, the court felt inclined to avoid the chance by excu ing the juror. The State objected strenuously and in the midst of the discussion Attorney Garner, of the prosecution, threw the versal bomb-

"We have information," he declared. "that the defense has given it out that at all costs, Whitworth must be removed from this jury. We have information that men were sent to Mrs. Whitworth to say that a physician had examined her husband and declared he was in a precarious condition. It on this information that Mrs. Whitworth acted."

A SERIOUS CHARGE. The entire body of counsel for the defense was on its feet in a second, demanding to be heard, protesting innocence and denouncing the charge. The court rapped them into silence and remarked: "This is a serious charge, and if there is anything like it going on, the

court wants to know it. Garner hastened to say that he had no information that counsel for the defense had knowledge of the plot. He went on to say that he based his harges on information which he had not had time to verify, but he added that he also had information that Mrs. Whitworth had written a second letter to the court saying she did not wish her husband excused unless he wished it.

Then came sensation No. 2 "As you know of the existence of the note," remarked the judge in a chilly manner, "possibly you can tell me where it is or who took it from my desk. I had marely glanced at it and intended to direct it to your attention but it appears that some one has relieved me of that duty. The State explained it got its infor-

ation from the man to whom Mrs. Whitworth intrusted the note and was exonerated of any connection with its disappearance. Judge Hart declared that he would investigate the charges carefully. He said he would first summon an eminent physician, have him examined Juror Whitworth and report at 9 a. m. Monday.

STORM ON CAROENA COAST.

Steamer Lost on Diamond Shoals Lookout Lightship Drugs Her Anchor. Elizabeth City, Jan. 30.-The

Diamond Shoals lightship reports that an unknown steamer foundered during the storm to-day, about three miles northwest of the lightship. No boats from the steamer or wreckage is to be seen and the fate of the crew. is not known. The wind is blowing from the southwest at the rate of forty-five miles an hour and the sea

The steamer City of Savannah, which passed Cape Lookout bound south this morning, reports that the Cape Lookout lightship is off her

Steamers Collide in Storm. New York, Jan. 30 .- During New York, Jan. 30.—During the thick snowstorm early to-day the coal-laden schooner Perry Setzer, hound from Philadelphia for Boston, rammed the Scotland lightship at the Southern entrance to the channel leading to New York harbor. The collision caused no serious damage.

Just after the collision the schooners J. S. Lamphry, from Leadsville, Va., for Boston, with oil, was seen coming up the bay practically waterlogged and in tow. She was beached on Staten island.

Cold Weather in Florida. Pensacola, Pla., Jan. 30.—The temperature this morning dropped 25 degrees and this section of Florida is experiencing the coldest weather of the past two seasons. It is feared that the fruit and vegetable crops may be seriously injured.

TAFT VISITS OBALDIA.

The President-Elect is Cordially Re-ceived by the President Who Toasts Him as the Long-Time Priend of Panama—Will Be Given an Official Ball This Week.

Panama, Jan. 20.—President-elect Taft visited President Obaldia at the palace to-day, the party including the American and British minister and the officials of the Panama govern-ment. At the luncheon which was served, President Obaldia gave a toast to Mr. Taft, as the long-time friend of Panama. An official ball will be given at the palace in honor of Mr. aft next week. Mr. Taft met the women's club this

The House was called to order at 11 by Speaker Graham. Prayer by Rev. W. McC. White, pastor of the Presbyterian church, Raleigh Speaker Graham begged the indulgence of the House on account of business in the executive office and put Mr. Morton in the chair.

A minority report came from the committee on education on the Harshaw bill for the election of sounty boards of education by the qualified electors of the several counties. The committee report was unfavorable. The minority report was signed by Mr. Gibbs. On motion of Mr. Harshaw, the bill was made a special order for next Thursday.

Introduction of bills:

McDonaid, of Moare: Amend Ch. 121. Laws 1983, authorizing commis-

After Long Debate the Lower House of Congress Adopts the Amendment to the Army Ampropriation Biti Providing \$500,000 for Army Bai-loons—Supporters of the Measure Declare That Vessels of the Air Form an Important Part in the Make-Up of a First-Class Army— Passage of the Bill is Greeted With Cheers—Conferences on Proposed Liquor Legislation Are Being Held by House Leaders.

HOUSE SUMMARY. By voting an appropriation of \$500,-900 over and above the amount originally reported, the House of Representatives yesterday made liberal provision for further experiby the army with loons and airships for use in warfare. The subject gave rise to a spirited debate which continued most of the session. The opponents of the proposition sought to encompass its defeat by raising all sorts of parliamentary points, but the chair in elaborate opinions overruled these and thus paved the way for the incorporation of the provision in the army appropriation bill.

Previously to taking up the army bill the consideration of which was not completed, the House passed a number of miscellaneous bills of more or less public interest. 4:46 p. m. the House adjourned until to-day when the body will meet in special session to hear eulogies on

the life and character of Representa-

tive Powers, of Maine, who died during the recess. Washington, Jan. 30 .- Aeronautics occupied much of the time of the House of Representatives to-day in connection with the consideration of

\$500,000 was added for balloons. The

advisability of appropriating for army balloons was first considered. The burden of the arguments in support of the balloon provision was that balloons had now become a part of an efficient army, while some of the opponents maintained that bal-loons were not used in the Russo-Japanese war, the Spanish-American war and the Boer war. Mr. Macon insisted that balloons had played no considerable part in warfare. statement was controverted by Mr. Cockran, of New York, who said that balloon performed a signal part in the war between France and Ger-

many when M. Gambetta from Paris by such means and organized the national defense. Mr. Mann, of Illinois, in favoring the balloon provision, pointed to sinking of the Republic and said that no one could have cited ten days ago any case where wireless telegraphy any case where wireless telegraphy had sayed hundreds of lives through shipwreck. "The time for citing the case in reference to balloons," he said, "will come after they have saved hundered for millions of dollars and may be hundreds of thousands of lives, and possibly a great deal more."

By a vote of 75 to 55 the Hull well's legal ability, his training and amendment providing for the balloon his manhood are not falsifiers, he is appropriation was adopted, the neuncement being greeted with ap-

Except with respect to the appro priation for aeronautical experimen-tation the bill was not amended in any important particular. It was st pending when the House adjourned. LIQUOR LEGISLATION.

series of conferences were held by House leaders to-day to determine on some method of getting the House to agree to legislation to regulate the State. Representative James E. Wat whose defeat for Governor of his anti-liquor platform, is leading the fight for the proposed legislation. The programme finally decided upon probably will be to tack the liquor legislation on to the bill for the codification of the penal laws the United States, which has a privileged character on the House cal-endar. As a bill for this purpose has already passed the Schate it is be-lieved that both houses can be brought to an agreement liquor legislation more quickly than by voting on a separate bill,

SEPARATE STATEHOOD.

epresentative Hamilton Asks Lower House to Provide Separate State hood For New Mexico and Arisona Washington, Jan. 20 .- An omnibus Arizona was introduced in the House to-day by Representative Hamilton, of Michigan, chairman of the House committee on Territories. The bill bers of the committee and submitted to the minority members who have approved it. New Mexico is given two Represent-New Mexico is given two Representatives at the House of Representatives to be elected at large and the City of Santa Fe is designated as the capital of the State until 1920.

For Arisona, Phoenix is designated as the capital until 1820. Arisona is given one Representative in the House of Representatives.

Hearings on the bill will be held by the committee on Territories next week and it probably will be reported before the end of the week.

Washington, Jan. 30 .- To stimulate the manufacture of war materials by private concerns and to ascertain who makes the best, Brigadier General Crozier, chief of ordnance of the army, has asked permission of the Secretary of War, at the suggestion of the national board for the promo-tion of rife practice, to have 5,000,-000 rounds of ammunition manufac-tured for experimental use during the season of practice, which occurs before the next national match. He before the next astional match. He proposes that the Frankfort arsenal make 1,000,000 rounds and four private concerns manufacture 1,000,000 rounds oach. The cost of manufacture for the cost of manu ture at Frankfort is gradually being reduced and is soon expected to reach

Comer's Sons Assault Editor Glass. Montgomery, Ala., Jan. 30.—Fletch-er and Donald Comer, sons of Gover-nor Comer, to-day knocked down The minority report was signed by Mr. Gibbs. On motion of Mr. Hart shalf this engineers have not completed their work by that time they not the first possum and very very fine."

The Montgomery Advertiser, when of the Senate committee of the Sena

HOUSE HAS BUSY SATURDAY. SENSATIONS IN COOPER TRIAL HOUSE VOTES HALF A MILLION. CONFIRMATION OF SEAWELL GRIDIRON-CLUB GIVES A DINNER DRESS CAUGHT FROM FIREPLACE MAY BECOME ENDEMIC IN SOUTH

Others Trying to Give Roosevelt Parting Shot in This Manner-Taft Will Probably Re-Appoint the Carthage Man if Their Efforts Succeed—All Sorts of Testimonials Se-cured by Him—Much Sympathy at Washington For a Rotten-Egg Victim—Buck Learns From Judgeship Contest That Getting Testimonials is a Cinch—Could Have Got Some Himself For This Judgeship Plum.

BY H. E. C. BRYANT.

Observer Bureau, Congress Hall Hotel, Washington, Jan. 30.

The confirmation of H. F. Seawell as judge of the eastern district of North Carolina may be tied up for months. This is through no fault of the friends of the young man from Carthage, but on account of a burning desire in the breasts of Senators Aldrich, Hales, Depew and others of that element of the Republican party to give the passing President a parting shot, one long delayed because of fear. No charges have been filed against Mr. Seawell. His character, his habits, his ability, his courage, ing have been vouched for. The offi-cers of his church—the Baptist church of his town-have sent to the timonial that would do credit to a jokes and skits, there was every evi-candidate who had passed the final dence that they enjoyed the entertaintimonial that would do credit to a board for the ministry. Many of the leading Baptists of the State have written letters concerning him. But. above all, one of the members of the Supreme Court bench has endorsed him as a lawyer and said without eservation that he is fit for the po sition. Learned attorneys at his home, in his judicial and congresthe army appropriation bill, to which sional districts and elsewhere have declared over their names that he is all right. MEN WILL DO STRANGE THINGS.

But there is more to be said on the subject. The desire to get hold of a public teat, even though it be a judge ship, is so great that it makes men do strange things. During the contest for the appointment I learned more about human nature than I ever dreamed I would know. There are many men in North Carolina would go to any extent to get the honor almost in the hands of Mr. Sea-The bosses of the Senate are setting encouragement from the State. Certain Democrats believe that if the appointment goes over until March Mr. Taft will not re-apnoint Mr. Seawell. But they recket without their host. Mr. Taft has said that it would be better for the party if the offices were given to Demo crats than to turn them over to un-worthy Republican. In looking over the endorsements of Mr. Seawell, Mr. Taft would find strong ones from ome of the most prominent lawyers, to say nothing of one or more judges in the State, and others from leading churchmen standing for his character. good as the Republican party afford. He is classed as young, but that is all that has been said against him. Representative Page thinks Seawell should be confirmed. He has and as a lawyer.

Mr. Taft is human. It is generally supposed that he has sense. He could not, it is argued, afford to turn down a man named by Mr. Roosevelt with out good grounds for loing so. Those who expect the incoming President to throw out Mr. Seawell and put in a Demograt or another Republican just to suit the whim of a coterie or fac-tion do not know him. He would say that if he could not believe the en-dorsers of Seawell he could not be lieve other North Carolinians.

EGG VICTIM ADMIRED. The confirmation of Mr. Seawell may be delayed, but unless a miracle comes it will go through sooper later unless the tribes that are at his heels find more against him than they have found up to this time. An unfortunate victim of rotten eggs has sympathy here. The Republicans, esecially President Roosevelt, admires himself under fire at Shelby. It is not of record that he ran. Those who would defeat Mr. Sea-

ell's confirmation will have to bring and prove charges against him. Thos who argue that they are better, for the place must convince Mr. Taft if the appointment goes over. EASY TO GET TESTIMONIALS.

Men love to see their names signed to testimonials or endorsements. There is a subtle compliment in asking a fellow-citizen to write a line for you. I had realized this before coming to Washington, but the more I see of contests and endorsements the more do I become convinced that the greatest sin men will have to answer for at the final bar of judgment will be for testifying to the character and fitness of candidates for office. Had I had the time to have made a visit to the State, although I never looked in a law book for any other purpose than to help my father find some law to send a mean negro to jail, I could have got a number of attorneys to give letters declaring that I could fill the Federal judgeship with credit to State. I may be wrong, but this is the conclusion that I reached after much thought on the subject.

It is safe to predict that Seawell will succeed Judge Thomas R. Purhell. Recommendations are recommendations, and no other candidate could have any better than the ones that have came here. Mr. Taft will not have time to take each author of letter off and set him if he was followed. a letter off and ask him if he was jokling or in earnest when he endorsed Seawell. To the man up the tree Mr. Seawell seems to have lived a model life, learned all the law and got all the experience his years would permit, and is fit for the position. The opposition of Aldrich and Hale and men of that kidney will not burt the Tar Heel with the people.

Judge Oscar R. Hundley, whose nomi-nation to be United States Judge for the northern district of Alabama, has been pending for three years, was again taken up to-day before a sub-

nators Aldrich, Hale, Depew and Others Trying to Give Rossevett Parting Shot in This Manner—Hand Washington's Famous Bunch of Fun-Makers Bids Farewell to the President and Vice President—Guests of Honor "Take Their Medicine" Gracefully and Heartly Enjoy the Evening's Entertainment—"Almanacs Published by the iron Water-Wagon Press" Serve as Souvenirs—Almanacs Are Entitled "Special Message No. 232323232323" —Lights Go Out For "the Revision

of the Tariff'-Total Eclipse Pre-dicted For "Early in March." Washington, Jan. 30 .- Farewell to dent Fairbanks-in their official cawas the annual winter dinner of that In all there were nearly 200 club. guests, and, as is always the case, the roll included many names that figure conspicuously in the hall of fame

Court of the United States, Cabinet officials, Senators, Representatives, editors, publishers and men of affairs generally were in this gathering of guests of the newspaper men. It was far from a sad affair, although the occasion was of a farewell nature. Gridiron dinners never are sad. As the President and Vice President were the guests of honor, so they came in for equal prominence in the fun of the evening. While North Carolina delegation here a tes- they were the butt of many of the ment just as much as when the jests were aimed at others of the notable

guests. THE SOUVENIRS.

The temperance movement that has swept the country showed its effect As the souvenir of the on the club. dinner, the guests were given "H 2 O" illustrated Gridiron almanacs, published by the "Gridiron Water-Wagon Press." Between its covers there Between was no remedy given for the ills of "statesmen, journalists, real newspa-per men, mollycoddles, malefactors of great wealth" other than plain great wealth" other than plain

In this almanac, the "Teddy Bear" formed the centre of the zodiac, while the entire production was marked as message No. 232323232323. The guests observed p The guests observed particularly that a total eclipse of the year is due "early in March" and "will be viewed with interest by the United States, Canada, Africa and Oyster Bay."

A list of forecasts for every day was given in one section of the almanac, but the proposite tions did not

but the prognostications did not ex-tend beyond March 4th. The reason for this, it was explained, was that "after the 4th of March there is no telling what will happen." For the convenience of some of the guests a notice stated that gentlemen "men-tioned" for the Taft Cabinet will march in procession at the inauguration forming division 22 under William Loeb, Jr., "who has been mentioned"

most frequently. NEWS FROM "GREAT BATTLE. battle." This great on handbills scatterfrom the "great battle." ed through the banquet room proved to be a fight betwee Roosevelt and Congress. The inauguration of Henry Hall, prrespondent of The Pittsburg

Chronicle-Telegraph, as president o the ciub afforded the retiring president, James S. Henry, of The Phila delphia Press, an opportunity to give the new official some instructions. The new president took the eath with his left arm raised and two fingers crossed swearing that he would keep the Ananias Club in a flourishing conditon, ride 98 miles a day and keep Congress on its reservation. When Jawell H. Aubere, correspondent of The St. Louis Globe-Democrat, made his appearance for initiation, he produced an invitation from the president of the Ananias Club. He told of his mistake, but he in sisted that the room was packed with members of the Ananias Club. L. W.

correspondent of

Strayer, of The Pittsburg Dispatch had to prove to the club that he had never been a member of the Pitts-burg select or common council, or a depositor in a Pittsburg bank before he was admitted to membership. The third initiates was Harris M. Crist, of The Brooklyn Eagle. SECRET SERVICE SLEUTHS.

The dinner was well advanced when the lights suddenly went out. Amid the darkness and to the accompani-ment of a weird plano air, there was sibilant and mysterious "sh-sh-sh. The secret service sleuths were approaching. One of their number, Blinkerton, explained that the sleuths were trying to find out what Congressmen did with their \$7,500 a year. Chief Bilkie admitted that he had detected no counterfeiters, but added that he had discovered a few four-flushers. The sleuths then sang their repertory including sleuth-ing in general and White House ing in general and White House senthing in particular Finally the squad separated, one party going "to protect the letter boxes in order to keep Senator Tillman from franking a grand plano."

At another stage of the dinner, an interruption was made to revise the tariff. Representatives Sereno Payne, of New York: John Dalpell, of Payne,

of New York; John Dalzell, of Penn sylvania, and Champ Clark, of Mis sylvania, and Champ Clark, of Missouri, were discovered seated at a table. Announcement was made that the House committee on ways and means was in session to hear evidence concerning the turiff, and "God save the Uinted States" added the herald. The climax of Andrew Carnegie's testimony came when he feemanded to know what reason there was for a tariff on steel, now that he had gone out of the business. SONGS TO HONOR GUESTS.

The music was attractive as usual, reached its culmination when a quartette of members told Vice President Pairbanks in song that in the club's memory his tall form would ever fondly live. The thorus joined in singing to the tun of "On the Banks of the Wabash."

"Oh the cock-tails they are crowing in the morning. And the lattermilk is flowing through the hay: They are waiting the return of Mr. Fairbanks. On the banks of the Wabash far away. A song by a clear tenor directed attention to the President of the Phited States. It was about "Roosevelt, Good Dutch Name." It talk how the President made the air bine with the message he wrote to Congress, how he was bound to have something a manual overwithing on the face

Miss Martha Gillespie, an Aged Maiden Lady of Iredell County, Roasted Alive by the Burning of Every Stitch of Her Clothing—Physicians Say Her Body is in Most Horrible Condition They Ever Saw—Fiames, Fasned by Strong Wind, Envelop Miss Gillespie Before Help Can Reach Her—Desperate Effort Made by Her Nephew to Save Her—Was by Her Nephew to Save Her—Was Still Alive Last Night, But Death Expected Before This Morning.

Special to The Observer. Statesville, Jan. 30 .- Miss Martha President Roosevelt and Vice Presi- Gillespie, an aged malden lady, was horribly burned to-day about noon at pacity only-was said to them to-night the home of her nephew and niece, by the famous Gridiron Club of Wash- Mr. and Mrs. Frank Mennis, three ington rewspaper men. The occasion miles east of Statesville. She was alive at 7 o'clock this evening but is strange maindy is a veritable scourge not expected to live through the night.

in front of an open fireplace and left ern States is by no means remote. Ambassadors, Justices of the Supreme the house to look after some work in the yard. When about 50 yards known to have existed in the Old from the house she found that her World, but its presence in the South dress was on fire and screamed for has but recently been discovered. It help. Fanned by a strong wind, the probably has existed for several flames soon enveloped her, and by the years in that section of the country, time Mr. Mennis reached her her but medical men have failed to recegclothes were in flames from head to nize its presence. foot. Mr. Mennis made a desperate Now, however, this peculiar disease effort to jerk the burning garments has been diagnosed as true pellagrafrom the victim and in doing so his and the credit for its discovery in the hands were badly burned. His efforts South belongs to Passed Assistant Surwere unsuccessful and every stitch of geon C. H. Lavinder, of the public clothing was burned white on her health and marine hospital service. body, together with her hair,

suffering woman and she was carried cently made an exhaustive report on into the house. Drs. F. L. Sharpe his observations to Surgeon General and R. A. Campbell were harriedly called and did all in their power to the eating of spoiled "make" and prorelieve the terrible agony of the woman, but they consider her case hope-The skin of four-fifths of her body has been burned to a crisp, and the physicians state that her body is in the most horrible condition of any mest usually prepared by boiling corn mest in salt water called "potentia" in while living person they have ever seen.

SHIPP CONTEMPT CASE,

Charges Against Tennessee Sheriff and Nine Others Will Be Argued Before the Supreme Court During March— History of the Case.

Washington, Jan. 30 .- The argument stage in the contempt case against Sheriff John 7. Shipp, of Hamilton county, Tennessee, and nine others pending in the Supreme Court of the United States will be reached in a little more than a month.

When it first came into existence in 1905 the case attracted considerable

The case originated in the lynching But all the wit was not in that almanac. At length the President and several of the Senators and Representatives did not think so, as a assault by the State courts and senresentatives did not think so, as a assault by the State courts and sen-megaphone man announced bulletins tenced to the death penalty. In the sentence of Judge Harlan the Suson's case, and the announcement of the fact that it had done so was followed that night by the hanging of from the county Jail. An investigation of the crime by the Department of Justice resulted in contempt proceed ings against the sheriff and 26 persons, some accused of actual par ticipation in the lynching, and others, including the sheriff, of complicity in falling to take steps to prevent it. Deputy Clerk Maher, of the Supreme Court, was appointed a commissioner to take testimony in the case, and upon his representations 17 of the men against whom the original charge was made, were discharged a few weeks ago. This action by the court left only ten defendants, in-cluding the sheriff. The case will be argued for the government by Solicit or General Hoyt, and it is understood will be represented by separate coun-

> Oruiser Birmingham Makes Fast Time. Mobile, Aia., Jan. 30.—Captain B. T. Walling, of the scout cruiser Bir-mingham, to-day made the following statement of his ship's record time: "The Birmingham arrived yesterday having made a run of 1,808 miles via having made a run of 1,803 miles via. Havana, an average of 18.7 knots for the whole distance and over 19 knots considering the back-set of the gulf stream. The cruises had made an average of 18 knots to the Providence channel. This last record exceeds by two hours that made by the West Virginia to New York with President Roosevelt on board." The West Virginia's run was favored by the Gulf stream.

Atlantic Coast Line Buys Lexington to

Lexington, Ky., Jan. 39.—It is re-ported here to-day that the Atlantic Coast Line Railway Company has purchased the Lexington & Eastern Rail-way, leading from here to Jackson, Breathitt county, a distance of miles, which penetrates rich coal timber territory. It is said the purchase price was \$500,000. It is reported that the road will be extended to Big. Stone Gap. Va., and through to tidewater by the purchaser. This would give the Atlantic Coast Line would of the righest coal and timber ontrol of the richest coal and timber lands in the South.

Virginia Bank Destroyed by Fire. Bristol, Tenn., Jan. 30.—Over \$60, 800 damage was done by fire at Chilhowie, Smith county, Virginia, to-day, when the National Bank of Chilhowie and several other business places were destroyed. The fire started in the bank building and is believed to have been incendiary.

Alabama's Chief Justice Resigns Montgomery, Aia., Jan. 30.—After 16 years on the bench, Chief Justice John R. Tysen to-day resigned to re-enter the practice of law.

made by these trock-coated, collegedegree-plastered gentlemen. MESSAGE FROM TAFT.

They found that the principal ingredient of milk is water, that ancient eggs are sold to city folks as strictly fresh, and that "open plumbing is confused in the rural mind with openwork shirt wainta."
As they departed a messenger boy handed President Hall a cablegram.

IMPORTANT BILLS PASSED STORMY SESSION OF COURT BALLOONS FOR THE ARMY MAY BE TIED UP MONTHS FAREWELL TO ROUSEVELT WOMAN TERRIBLY BURNED PELLAGRA AGRAVEMENACE

Credit For the Discovery of Its Existence Given to Passed Assi Surgeon Lavinder, of the Marin Hospital Service, Who Has Submit ted Formal Report of Conditions to Surgeon General Wyman—The Subject, He Declares, Requires Exten-sive Investigation in Order that Accurate Information Be Dispensed to Southern Practitioners—Dr. Lavinder Advances Some Interest-ing Theories Concerning the Dis-

Washington, Jan. 30 .- Looming up

as a grave menace to health condi-

tions in the South is the recent anpearance of a deadly disease known to medical scientists as "pellagra," This in the Old World and the possibility Miss Gillespie had been standing of its becoming endemic in the South-For several centuries "pellagra" is

He has made a thorough investiga-Quilts were wrapped around the tion of the disease and has but re-

> Wyman, "Pellagra" is a malady caused by duces in persons afflicted with it a sort of intoxication. The disease generally occurs among the poorer classes of the rural population who subsist largely, or exclusively, Dr. Lavinder states that in pellagrous countries the corn is often of a poor quality, gathered before maturity and not properly cured stored, so that parasites more easily

develop-upon it. ENDEMIC AND EPIDEMIC. Pellagra is both an endemic and epidemic disease, which occurs in those who feed on diseased maire, and is characterized by an erythema of the skin, digestive disturbances, and nervous disturbances. It may terminate in such serious conditions as grave eachexia or insanity; it is periodic in its manifestations, and usually appears with the beginning of ring, ameliorates during summer, and ordinarity in winter toma disappear to such an extent as often to give the false idea of recov-ery. So long as the cause persists, however, it re-appears each year.

"The disease usually begins with gastro-intestinal disturbances," says Assistant Surgeon Lavinder, "followed shortly by the erythema of the skin, and in a brief while there is more or tem. It is a glowly advancing tons mis, the brunt of which, in the end is borne by the nervous system, and each annual recurrence deeper and more indelible the mental and nervous co the sufferer." The great gravity and danger of the disease, it is pointed out, lies in the number of people affected, and in its immediate and remote con-sequences not only to individuals, but to the race-intellectual feeblen lessaned resistance, economic physical deterioration of the race,

CORN MAY NOT CAUSE IT. An interesting theory advanced by Dr. Lavinder is that if the cause of pellagra be accepted as feeding on spoiled maire, then the maise crop of the United States must in rec in some respect, for make has always been very extensively used as food. the Southern States, and pellagra has not appeared in former years. This is a subject which, he declares, will require extensive investigation, should the disease continue to advance. Concerning the etiology of the

due to using as food (maize), which under the influence of unidentified parasitic grewths (fungi), has undergone certain fungi), has changes with the production or more toxic substances of a chemical nature. In the preface of als report, Dr. Lavinder declares that there is reason to believe that perhaps pellagra may be quite prevalent in the Southern States, but is unrecognised. Wi

ease, it is said to be an intoxication

reason or reasons unknown, this dis-ease has rapidly increased in numbers and extent of territory affected. Pellagra bears a closs resemblance the accepted description of pellagra as it occurs in the Old World, differentty in some particulars, and the acute cases greatly preponderate and the mortality is high.

"Since it is of a serious nature, and epidemic in character," declares Dr.

Lavinder, "knowledge concerning it becoming of much importance to the American physician, and especially practitioner in the Southern Garfield Will Retire.

Washington, Jan. 30 .- The definite statement can be made that James R. Garfield, Secretary of the Interior, will not be a member of the Cabinet of the next administration. Neither of the next administration. Neither will he be an ambassador to a foreign country. He will return to his home in Ohio and take up the practice of law. There is almost as good authority for eaying that there will be a clean sweep of the present Cabinet unless it should be Secretary of Agriculture Wilson and Postmaster Gancest von Meyer. There is said to be culture Wilson and Postmaster ton-eral von Meyer. There is said much doubt as to Mr. Wilson. No statement has come from Mr. Gar-field, but to an Associated Press rep-

recentative to-day he admitted that he would not be in the next Cabinet. Entire East in Storm's Grasp. Washington, Jan. 30.—Gale-away coasts, a freeze in the truit belt of Florida. Imperatures 25 to 28 de grees below the seasonal average anow in many sections and cold state averywhere north of the Moxican Guand east of the Rockies well the features that marked to-nights weather map. The storm, with its trail of the The storm, with its trail wave and accompaniment of h winds, is to-night off the New R land coast passing off to est was ing craft along the Atlantic as express of its force.