SUBSCRIPTION PRICE: \$8.00 A YEAR.

CHARLOTTE, N. C., SATURDAY MORNING, APRIL 3, 1909.

PRICE FIVE CENTS.

ADAMS-BUTLER LIBEL SUIT NUMEROUS DEPOSITIONS READ.

Defendants in the Famous Libel Case Attempt to Justiff, by Depositions From Persons in Okinhoma and Washington, the Attacks on Judge Personal and Official Integrity—Judge Adams a Frequent Visitor to the Offices of Mansfield, McMurray & Cornish — Young Cherokee Woman, Custodian of Records, Identifies Opinions and Decrees of the Citizenship Court.

Observer Bureau, The Bevill Building, Greensboro, April 2.

To-day's proceedings in the Adams-Butler libel suit were rather dull and listless, the greater part of the time, being consumed in reading a number of depositions made by persons in Oklahoma and Washington, the object being to attempt to justify the publication by the defendants of articles in The Raleigh Caucastan reflecting on the personal and official integrity of Judge Adams while he was chief justice of the Choctaw and Chickasaw Citizenship Court.

Briefly stated, these depositions attempted to show that there was great intimacy between the nembers of the court and the law firm of Mansfield, McMurray & Cornish, to whom the award of \$750,000 was made for services rendered the two tribes of Indians. It was shown that Judge Adams and the other members of the court were frequently in the offices of the law firm and that clerks in the employ of the firm did part of the court reporting. It appeared to have been the practice of the court stenographers to furnish Mansfield, Mc-Murray & Cornish carbon copies of the court proceedings, but it was shown under cross-examination that there was nothing unusual in this

proceeding. A deposition from a young lawyer formerly employed as a stenographer and clerk in the offices of Mansfield, McMurray & Cornish, stated that, after the termination of the court, Judge Adams and Mr. Cornish met at some point, the name of the town having escaped the memory of the The same witness testified that the letters signed by the governors of the Choctaw and Chickasaw tribes recommending that the court make the award of counsel fees that was later allowed were written by Mr. Cornish.

A deposition from Webster linger, a Washington lawyer, told of trips made to Washington by Judge Adams and members of the law firm of Mansfield, McMurray & Cornish after the termination of the court and when payment of the fee allowed had been refused by the Secretary of the Treasury.

CHEROKEE INDIAN ON STAND. The general tenor of all the depositions was to show that an understanding existed between Judge Adams and the members of the law firm in regard to the payment of the

Miss Bell, a very attractive and intelligent young Cherekee Indian, who was custodian of the records of the identify certain opinions and decrees rendered by the court. She read a number of documents from the office of the clerk of the court and identified the watermarks on the paper used, this being done in an effort to by both the court and the law firm of dansfield, McMurray & Cornish. Miss Bell came to Greensboro in custody of the records of the court by authority of the Secretary of the Interior.

This afternoon Rev. A. G. Kirk-man, register of deeds of Guilford county, was placed on the stand to prove the property returned by Judge Adams for taxation and to testify as to every real estate transaction made by the prosecuting witness during his residence in Greensboro, covering a period of about twelve years. The reading of the records showing transactions proved to be so tedious that, at the suggestion of the court, two men were named to go over the books and report their finding. Mr. G. S. Bradshaw was named by

State and Mr. Roger W. Harrison by

Mr. E. L. Sides, cashier of the Bank of South Greensborn, was introduced by the defense to testify as to the amount of money Judge Adams had deposited in the Greensboro Loan and Trust Company soon after his return from Indian Territory, Sides having been teller of that bank His testimony showed that Judge Adams had deposited sbout \$14,000 during the year 1905. Cashiers and tellers of other banks in the city are under subpoena and will testify later as to amounts of money Judge Adams deposited with

their institutions. MANY WITNESSES SUMMONED. The defense has summoned practically every man in Greensboro who as had any money transaction with Judge Adams since his return from Indian Territory. The number includes real astate agents, merchants, builders, plumbers, painters, paper-hangers and other artisans. The State has summoned nearly 100 men. representing leading business and professional men of the city, to testify as character witnesses for Judge

Late this afternoon the State introduced a copy of The Congressional Record of February 11, 1908, con-taining the speech of Representative Stephens, of Texas, attacking the integrity of the court, but this evidence was ruled out by Judge Long as incompetent in the speech Congressman Stephens repeated charges of bribery and corruption brought against the court, and especially gainst Judge Adams.

Unless there should be a sudden top to the introduction of testimony. apparent that the trial will run into next week. When the defense concludes its introduction of testiony, the State has a large number of witnesses to introduce in rebuttal. It is probable that Judge Adams will ge on the stand before the introducon of testimony is concluded.

Judge Long held a session of court to-night, when a number of addional depositions were introduced tending to show that the citizenship ourt was in disrepute. Judge Adne bank account figured in the tentimeny, and under cross-examination it was shown that he deposited more ney before going to Indian Territory than upon his return. LIQUOR PRESCRIPTIONS ON THE

INCREASE. The report of Chief of Police Neelley as to the number of whiskey pre-scriptions filled in Greensboro during

scriptions, one doctor writing 85 pre-scriptions for 80 1-2 pints of liquor. Mr. William H. Murray, of Tishomingo, Okla., who is here as a witness for the State in the Adams-Butler H-bel suit, has accepted an invitation extended to him by the chairman of the board of county commissioners to make an address before a meeting of farmers to be held here to-morrow the occasion being "corn-testing day." Mr. Murray is one of the biggest and wealthiest farmers in Oklahoma and is president of the Farmers' Union of that State. After he quit the practice of law, he made a fortune growing alfalfa, thereby gaining the sou-briquet of "Alfala Bill." He is by all

pected to be the facture of the farmers' meeting.

odds one of the most interesting char-

acters that has ever visited Greens-

bere and his speech to-morrow is ex-

Republican Aspirants Marshal Their Strength For the Last Rounds of the Judgeship Fight-Judge Sutton, of Fayetteville, Enters the Race Adding Interest to the Con-test—Seawell, Timberlake and Fuller Arrive For an Interview With the President-Clarence Call Declares He Will Leave the State if a Democrat is Named.

Observer Bureau. Congress Hall Hotel,

Washington, April 2. Once more the Republicans have rallied and will make a final stand East Davie street. for the judgeship. Messrs. H. F. Seawell, of Carthage, and E. W. Timberlake, of Wake Forest, are here. At-Mr. Seawell to appear so that he might be interviewed and passed upon at the Department of Justice and the he would do anything like that "Yes, White House. Judge Timberlake will I was in it," he replied, "but I was sleepy as hell." be given an opportunity to explain

away the postoffice matter. Another candidate has entered in the person of Judge Thomas H. Sut-

ton, of Fayetteville.

Mr. Frank L. Fuller is here by the request of Mr. Wickersham, who he will see to-morrow, and by whom he will be presented to the President. Everybody here is wondering whether or not Judges Brown and Connor will be summoned.

Confusion confounded is the situation to-night. The agony will soon be over, but the next few days will be very strenuous. Clarence Call, a candidate for the

western marshalship, was in the city to-day on his way home from New What do you think of the judge-

ship?" he was asked.
"Well, I will say this: If Mr. Taft appoints a Democrat I will move out of the State." The Republicans are chagrined

over the controversy. Carl Duncan has not been seen at his old haunts here in two weeks.

tinue.

Special to The Observer.

Greenville, S. C., April 2.-Hon. Joseph A. McCullough, special master in the case of G. F. Buell against the Kanawah Lumber Company, a corporation, has filed his report Judge J. C. Pritchard, of the United States Circuit Court. Mr. Buell represented the creditors and stockholders of the company and petitioned for the removal of the receivers on sevgrounds Judge McCullough eral recommended that the petition be re-In his report he took up the specifications singly and gave his opinion on each.

The Kanawah Company's estate is worth in the neighborhood of \$200 .-900 and it was over the control of this mington, N. C., one in Florence, S. attorneys of three States were in the ease. The receivers are J. S. Causey. Jr., of Conway, S. C.; John H. Howard, of Indiana, and Frank B. Witherby, of Boston.

MISSING PREACHER LOCATED.

Rev. A. C. Rund, Who Disappeared From His Indiana Home, Found at Macon, Ga.—Mental Derangement Due to Overstudy.

Macon, Ga., April 2.-Rev. Albert who has been strangely missing from his home in Warsaw, Ind., was discovered at a hotel in this city to-day when Deputy Sheriff Charles Moon arrived to accompany him to his home. minister left home on March 4th for Wabash, Ind., where he was to conduct a meeting. He did not arrive at Wabash and had not been heard from until his wife received a special delivery letter Wednesday stating he had become rational here after his wandering and asking for some one to accompany him The letter was written in Macon last Sunday, at which time the minister stated he came to himself. The officer stated his family believed his temporary mental derangement was due to

overstudy. GASTONIA HOTEL DEAL.

Mr. J. E. Montague Purchases the Falls Hotel Property and Will Remodel It, Giving Gastonia an Up-to-Date Hostelry.

By Bell Telephone to The Observer. Gastonia, April 2 .-- An important eal estate real was consummated here to-day when Mr. J. E. Montague, the well-known Hickory hotel man, purchased the Falls Hotel property. Dr. P. R. Falls, agent for the Falls heirs, effected the sale and the consideration was \$18,000.

Mr. Montague announces that he will at once begin the work of re- in the census of 1910 which will be so modeling and renovating the hotel and will give Gastonia in the near future what the town has long needed, a yield, cost, etc., cost of living, etc. If first-class hostelry.

May 5.

special to The Observer. Durham, April 2.—The aldermen have fixed May 5 for the election of ticket and the business of with the mass meeting of Ward No. 2 to-night, three have spoken and the city slate will be finished Monday night. There are four men now in the field, Messra P. W. Vaughan and

Taking of Testimony in the Smith Murder Trial Was Complete Late Yesterday Afternoon and Counsel at Once Began Argument—Most of the Day Consumed in Examination of Character Witnesses—Raleigh Tough, Now in Jail, May Be Mixed Up in the Case-Was Seen in the Neighborhood of the Killing on the Night of the Tragedy—Jones Gaster Saw Him Enter a Carriage.

Observer Bureau. The Holieman Building. Raleigh, April 2.

To-day, the fifth in the trial of Coton. Holderfield and Hopkins, for the murder of Dr. Smith, was marked by the same great crowds in the court The defense devoted much of the day to the examination of its witnesses and character witnesses. CLANS RALLY FOR FINAL STAND. There is a drift in this evidence ending in the direction of Fred Miller, a tough character here, now in jail on the charge of giving a man knock-out drops. Jones Gaster Kelly's joint in the "tenderloin" the fateful Saturday night, November 14. that no violation occurs. Dr. William Moncure, an expert on of cocaine.

The State put in evidence in re-Saw Holderfield one afternoon since Holderfield passed torney General Wickersham invited that he had read it all. Asked Nancy if it wasn't a wonder that he was not mixed up in this matter. She answered no because she did not think

GASTER TESTIFIES.

Jones Gaster swore his home was in Moore county, but that he was in Raleigh November 14 and at 9 o'clock that night went to Winslow Kelly's cider store in East Raleigh. The day was rainy and pretty cool. Stayed at Kelly's to 5:20 a. m. Many people came in and out of the store during the night. A man came in about 11:30 and took a seat by the fire. Had on a "greyish" overcoat and button shoes. and was a fast tayking man. Seemed in which so many of the hackmen known to want a drink. Stranger handed neand they got in Tom's carriage, came back in an hour and a haif, and strangers. was to best of witness' knowledge. He also identified the overcoat that the coroner had. Looked at photograph (same one Mrs. Smith identified as that of her husband), and says made, that to the best of his knowledge and belief that was the man that came into Kelly's place that night and went off with Fred Miller; also identi fied photo, taken of body after death as that of the same man

REBUTTAL TESTIMONY. The State introduced several witnesses in rebuttal of testimony introduced by the defense this morning, latter testimeny being an endeavor to show that Smith was in Kelly's cafe, next door to Earl Cotten's cafe, and that he was taken from estate that the contest originated. Kelly's to the stone quarry. The first Three hearings were held, one at Wil- State witness in rebuttal was W. B. Barrow, who said Holderfield told C., and one in this city. Prominent him he was drunk the night of the murder and went to bed. W. H. Hicks said Holderfield bought snuff that night in his east Raleigh store, this being in rebuttal of evidence that Holderfield was uptown that night.

Laura Wood, a "tenderloin" woman saw Holderfield drunk, Alice Griffin said Smith spent two nights and two days at her place in the "ten-derloin," also that he left his ring there but came back and got it. Fred Miller said he was in Kelly's cafe early in the night and saw a man there, but it was not Smith, Breckenridge, whose home is on Newbern avenue, and it was this man who got in the carriage and was driven

The carriage-driver was the next witness. He said he took Breckenridge home and did not go near the stone quarry. A. A. McDonald said he saw Fred Miller that night and was with him until after midnight. This ended all the evidence. At 7:30 o'clock this evening argument was opened by J. N. Hold-

There are eight lawyers, all of whom will speak, The board of aldermen to-night fixed May 3 as the date of the city

election. The board ordered an issue of \$125,000 of 5 per cent. bonds to pay for the municipal building and Auditorium provided for in a special act of the Legislature.

URGES CORN GROWING the test farms in the east and was very started. much pleased at everything he saw at started their competition. He wasg reatly pleased also a the corn judging contest at Goldsboro this week and says Wayne broke the record, having 84 competitors, showing corn. At the Hertford competition there were 214 competitors from 11 countles. The commissioner is trying to get every farmer in the State to raise corn. He remarked that this was the year when the crop grown would be the one reported important for the South. Farmers should bear this in mind for the questions asked next year will be as to the crops, they go to work now and take a note of all these things they will be prepared to answer the questions intelligently and to

make a preper and accurate statement.

The school tax campaign is on and speakers are going out from the effice of the State Superintendent, other help being also given him. R. D. W. Connor goes to Mount Holly: State Auditor Dixon to Old Trinity; Professor Caryle to Hertford county; Professor Walker to and Person, and there will be other There are four men now in speakers in the field. A number of the educators will go to Atlanta to the conmonth of March shows an in- J. D. Pridgen, P. M. Briggs and W. ference of high school inspectors; the association of State Superintendents and

month of Pebruary. During the past SMITH CASE COMPLETED the conference for education. Among those who will attend from this State LAWYERS BEGIN SUMMING UP are: J. Y. Jöyner, County Commissioner Judd. of Wake, Mrs. T. B. McIver, J. L. Foust, Professor Walker and others.

> INVESTIGATING MUTILATION. It is intimated that the receivership of the Norfolk & Southern may end July 1. There is talk of R. P. Fosster, M. K. King and ex-President Gannon for the receivership made vacant by the death of Mr. Fitzgerald.

By the end of next week the roof will be on the new Rex Hospital here. It will be of red tile. The contractor will turn the building over for use in 30 days. The Raieigh police commission is holding day and night sessions investigating the mutilation of the books in the office of police justice and chief of police. Two

arrests are expected. One of the events of the day was the laying of the cornerstone of the new dormitory building at St. Mary # Female School here.

The Audubon Game Warden in this county says that during March there was not a violation of the game laws which prohibits any kind of hunting whatever between March 1 and Novembe swore he saw Miller go away from 1. He says that persons from each township are looking out and seeing

One of the notable events here in May anaesthetics, testified as to the effects will be the meeting of the State Federation of Women's Clubs. The Merchants' Association will give it a banquet. There buttal. Laura Woods, colored, had will be a hundred delegates from other seen Tim Holderfield before Smith's points in the State and also some notable body was found in the rock quarry, visitors from other States. As was stated by your correspondent three weeks in front of Nancy Cotton's house on ago Governor and Mrs. Kitchin have arranged to have the opening exercises at by and asked what was the news. the Executive Mansion to be followed Nancy answered. "Everything." He by a reception there to the delegates. went on down to Hicks' corner and There will also be a reception by the later came back by and told Nancy Capital Club. Many courtesies will also be shown the federation and the meeting here will be full of pleasure

> MANY DOPE FIENDS. Another event in May will be the annual convention of this Protestant Episcopal Diocese. This was held last year in Christ church and will again be held there this time.

Alfred W. Haywood, Esq., of Haw River, has presented to the Hall of History a curiosity I nthe shape of an extra of The Raleigh Register of June 15, 1832, containing an account of the greatest fire in al! Raisigh's history, this occurring almost exactly a year after the fire which dstroyed the old Capitol.

The murder trial of Cotton, Holderfield and Hopkins has brought out the fact Was about five feet, six that a lot of people here are dope fiends inches high. Large face and nose and also of the nature of the traffic and

gro \$10 to get some whiskey, but The contractor for the ten new build-Tom did not want to take it until ings at the Hospital for the Insanc is The contractor for the ten new buildanother man punched him and told very well satisfied with the rapidity and him to take it. He went out and in excellence with which the work has been a few minutes came back and Kelly done. Some of the mildings are in view changed the money. Tom took 50 from the roof of the Masonic Temple cents to get whiskey. Stranger got and in fact a large area of the very up with fellow called Fred Miller, extensive lands of the Hospital can be The seen from that point which is visited by drove out east. Fred Miller so many people who come to Raieigh as

on being asked what he did with the man, Fred Miller said that he carried It is expected that next week the rehim home. Stranger drank a bottle maining appointments will be made by CASE WITH JUDGE PRITCHARD. of small brew while in Kelly's place of the Governor to complete the personnel of business. Miller and Tom Crenstandian of the records of the stand to Special Master Files Report in Case shaw drank with him. Witness was remain. The inspections in progress was placed on the stand to Against Kadawah Lumber Company taken to Coroner Separks' office and show a marked improvement over last vear it is learned. the man that came into Kelly's. It quired of the force by both the State and national governments than ever before and under the terms of the Dick law its efficiency has to be much higher. Hence the inspection are the strictest ever

> DURHAM'S NEW PLAYHOUSE. Charlotte Architects Land Contract For Building Tobacco City's Academy of Music—Estimated Cost is

Special to The Observer.

Durham, April 2 .- Architect C. C. Hook and his partner, Mr. Rogers, were given the contract last night near 12 o'clock, to build the Academy of Music which was destroyed early in the year.

Mr. Hook was one of four bidders, though two of them have recently withdrawn their applications. Messra. Simpson, of Newbern, and Simpson, of Raleigh, were likewise contestants and they kept up the excitement. The Raleigh bidder dropped out Monday and the matter was settled by the aldermen last night.

Though there was a difference of \$5,000 in favor of the Newbern gentleman's proposition, Mr. Hook's \$25,-000 estimate came nearer the ideal theatre. It is said that when it has been completed, there will be nothing, not even in Charlotte, that can quite equal it. It will seat more than 1,600 and it has a ground floor stage. The old Academy was on the second story over a city market. It had but one entrance and its fire escapes were such that any man taking refuge in one would have been held for attempting to commit suicide if he had been spared an exit through one of

the traps. Mr. Hook built the old one, but not for a theatre. The fire in January left \$17,000 worth of walls standing. notwithstanding which, the insurance companies paid all carried on With those funds, a very theatre and a fine market have been built. It is what Editor Joe Kinz calls a prosperous fire, but the companies did not protest. They had no

use for the walls. The building of the new theatre will take up a large portion of the next six months. It is hoped to have the place ready for the opening of the Commissioner of Agriculture Graham season. Bids will be at once advertisreturned to-day from a visit to two of ed and the carpentry and masonry The builders have not yet

JOHN A. CHALONER IN WELDON

Man Who Bravely Defended a Woman From Brutal Attack by Her Husband Seeks Health.

Richmond, Va., April Armstrong Chaloner is visiting friends near Weldon, N. C., recuperating from an attack of acute indigestion, following the tragic events of the night of March 15, when Mr. Chaloner killed a farm employe at his home, Merry Mills, Cobham, Va., while defending the wife of the latter from an assault by her husband.

Baptist Minister Arrested on Charge of Abandonment.

Special to The Observer. Wilson, April 2 .- Rev. Thomas P. Tucker, a Baptist evangelist, was arrested here to-day for abandonment, publicans will swallew. Tucker has been preaching here for about two weeks and frequently Witkesboro; Mr. Barwick to Caldwell ferred to the deathbed scene of his wife, who, however, with eight children, is living in Rockingham. It was reported that Tucker was to have been married here last Sunday, but the event did not take place.

SPIGHT RAILS AT SOUTH BECAUSE OF INCONSISTENCY.

Congressman From Mississippi Thinks It Should Be Unalterably For Free Trade—Bill Does Not Redeem Republican Pledges—Dominant Party Debauched Manufacturers.—If Twine For Western Farmers Free Jute Bagging For the South-ern Farmer Should Be on the Free List Also-Clayton, of Alabama, Throws the Hook Into Aidrich-When Republicans Seek Scere Alliance Democrats Should Do the Same Thing—Democratic Members Do Most of the Talking.

Washington, April 2.-The House of Representatives to-day resumed debate upon the tariff bill.

"It is humiliating to hear a cry tection on some articles because they happen to be produced in that section," said Mr. Spight, of Mississippi That, he said, was especially true of sugar and hides. "If." he argued, the bill would go farther and put shoes on the free list its framers would not be so glaringly inconsis-

tent. Mr. Spight said he did not agree with those opposing the reduction of the duty on lumber, and he wanted bagging and ties put on the free list. STATES REPUBLICAN PARTY'S PROMISE.

The bill, in the opinion of Mr. Bowers, of Mississippi, did not honestly redeem the Republican pledges. The promise was, he said, that it would correct inequalities and fairly and equitably distribute the burdens of taxation, but instead certain favored interests had been cared for while the necessaries of life had been taxed out of proportion.

Mr. Ransdell, of Louisiana, pleaded for a duty of 54 cents a pound on cotton importations, deprecated the free entry of Philippine sugar and defended the policy of Gifford Pinchot in regard to the conservation of the

MR. RANSDELL'S SPEECH.

That the whole South is rapidly changing its idea with regard to tariff protection, Mr. Ransdell, Louisiana, argued for a duty on long staple cotton and deprecated the provision for the free entry of 300,000 tons of sugar free from the Philippines. He said the division of opinion between political parties has been in preparation of the tariff schedules and declared that it would be wise for the lawmakers to unite on some sensible, businesslike plan for providing money on which to run the govern ment; that political differences should not be allowed to enter into the financial question.

"Surely the mere raising of revtrue." he argued, "is a commercial problem-not a political one. But along with the financial feature tariff bills is the more serious one of protecting home industries. The South feels a deep interest in the tariff. It has not secured financial returns from the protective features of the system equal to those sections of the Union largely engaged in manu-facturing. Nevertheless it has many industries which are affected

"Being a citizen of Louisiana which has so many protected industries-sugar, rice and lumber-I cannot help leaning somewhat to that side, and, in my opinion, the whole South is rapidly changing its ideas on this subject," said Mr. Ranadell.

To illustrate the growth of the cotton manufacturing industry. Mr. Ransdell read a table of statistics prepared by the Census Bureau, which showed that the consumption of cotton for manufacturing in the cotton growing States has increased 44 per cent, in the last eight years, while in New England and other States it has remained practically stationary. He contended that the Southerner is favor of increasing the duties on cotton manufactures because of benefits resulting from having the cotton factory adjacent to the cotton

Claiming that there has been apid growth in the importation of long staple cotton which competes the Sea Island and other long staple varieties grown in the South ern States, Mr. Ransdell proposed placing a duty of 33 1-3 per cent, or five and one-half cents a pound on Egyptian or long staple cotton.

Mr. Ransdell said he feared that proposed admission Philippine sugar would be the enterng wedge that will ev atually drive the sugar industry from the expressed the hope that President Taft would prevent the wrecking of the continental American sugar industry. He also advocated an. amendment to the Payne bill which would protect the American rice industry from the free importation of rice from the Philippines, if the lat-ter imports rice from Japan and China for exportation to the American market.

AIM TO GET SPECIAL PRIVI-LEGES.

"The Republican party," said Mr. Clayton, of Alabama, "nas debauched the manufacturers of the country by holding out to them, by preachment and by policy, that the government has the right to abuse the taxing power so as to hand out special favors them." The government, he declared, had no right to tax except to raise revenue.

The Payne bill, charged Mr. Clay-

ion, was sectional in that it gave to New England free hides, coal and lumber. He urged that while such favors were teing handed out jute bagging, cotton ties and kainit, the German fertilizer, should be restored to the free list, in order that bagging trust may not have the benefit of a tariff on jute, "in order to rob the raiser of our cotton, who must sell his product for the price fixed in the free trade markets of the world, and he ought to have his jute bagging free." The grain farmer of West, he said, has his binding wine free by Republican legislation and there was no reason why the agging and cotton ties should not be free.

Mr. Clayton charged that a distinguished Senator from Rhode Island, 'a State so small that we Democrats in Alabama who chew tobacco can spit across it," and who dominates the whole Republican party, is in secret conclave with a select few and is making a tariff bill which all Re-

CHARGES OF CONSPIRACY. Mr. Clayton said Senators Elkins and Scott, as well as Democrats, had been excluded from the finance of the mittee room. "Is it not a fact," interjected har

(Continued on Page Four).

ROOSEVELT AT GIBRALTAR.

The ex-President Steps Off For a Short Visit—is Attended by the American Consul and Governor General of Gibraltar—Steamer Sails For Naples at 12:20 O'clock—Tells of the Alleged Assault—He Danced With Miss Draper—The Visit at Naples Likely to Be Shortened.

Gibraltar, April 2.-The steamer Hamburg with Theodore Roosevelt and the members of his party on board, came to Gibraltar a fow minutes before 9 this morning. Mr. Roosevelt came ashore with Richard L. Sprague, the American consul, and an alde-de-camp of General Sir Frederick Forestier-Walker, Governor of Gibraltar.

Accompanied by the Governor, an aide, and Mr. Sprague, Mr. Roosevelt drove in the Governor's carriage out along the North front and up to the limit of Brit-

ish territory. With Mr. Sprague Mr. Roosevelt then visited the Mediterranean Club, where his name was entered on the visitors'

Mr. Sprague and Mr. Roosevelt then drove back to the pier, whence Mr. Roosevelt went off to the Hamburg shortly after half-past eleven. The dock was crowded with people, who gave Mr. Roosevelt an enthusiastic farewell. The Hamburg sailed for Naples at 13:26

o'clock. Mr. Roosevelt refused to be photographed and declined every request for an interview.

Last night at a dance on the Hamburg, Mr. Roosevelt danced with Miss Ruth Draper. Before withdrawing for the night Mr. Roosevelt appeared in the smoking room and chatted with the passengers for twenty minutes.

When asked directly concerning the rumor that an attack had been made upon him during the voyage, Mr. Roosevelt said that the only basis for it was an "idiotic, excitable "talian" used angry expressions to him while he was on the bridge of the vessel talking to the captain. He said this man made no attempt upon him whatever and that he was promptly removed and confined below the remainder of the voyage.

Rome. April 3.-The Tribuna prints an fficial denial that King Victor Emmanuel will meet Mr. Roosevelt or take him

to Messina. Ambassador Griscom and his party will not go to Naples until Sunday owing to the delay in the arrival there of the

THREE NEGROES MURDERED.

Negro Swains of Columbia, Tyrrell County, Resent Calls on Their Damsels by Outsiders and a Bloody Battle Follows—Three Dead and One Seriously Wounded. Special to The Observer.

Elizabeth City, April 2 .- One of the bloodiest brawls that has ever been known in this section occurred last night at Columbia, Tyrrell county, in which three negroes were killed and one terribly wounded. The dead are: William Plaeger and Lester Harrell, of Columbia, and Peter Perry, of this city. The wounded negro, James Bryant, this city, is locked up in jail

at Columbia over the two negroes from this city calling on Columbia damsels, which was resented. The two Columbia negroes laid in ambush across the bridge and when the Elizabeth City negroes passed fired into them. The visitors were well supplied with guns and razors and a bloody battle followed. Nothing was known of the trouble until this morning when a white man passing heard someone say, Den't cut me any more." Upon invesigation dead negroes with blood still flowing, razors and guns were found on the ground, presenting a horrible spectacle.

The surviving combatant is terribly ut up and wounded and has small chance of recovery. Peter Perry's remains were brought here to-day on the steamer Guide.

He was shot through the heart.

VIRGINIAN RAILWAY OPENED. The Great and Splendid Enterprise Financed by H H. Rogers Given an Auspicious Send-Off.

Norfolk, Va., April 2 .- The opening of the Virginian Railway, extending from Sewell's Point. Norfolk. Deepwater, W. Va., on the Kanawha river, a distance of 446 miles, took place to-day with a most auspicious celeuration here, made more notable by the presence of H. H. Rogers, who ouilt the "Virginian" at a about \$46,000,000; Samuel Clemens Mark Twain), and several prominent New York financiers interested with Mr. Rogers in the undertaking.

The celebration feativities with the arrival early in the day of 625 people from along the line of the new system, on a special train of 13 coaches and two Pulman cars. The day was filled with events of

interest, the programme of entertain-ment for the visitors including an inspection of the Norfolk harbor, the new Virginian coal piers at Sewell's Point, the largest in the world with a dumping capacity into ship bottoms of 36,000 tons per day, and finally, a public reception to Mr. Rogers and his guests. Mr. Rogers will be the guest of honor at a \$20-per-plate banquet here to-morrow night.

The Virginian Railway, begun March, 1902, was completed February 17, 1909. More than one million acres f coal lands in West Virginia have been made accessible by it and the the extent of 50 per cent of the capiroad has opened up a country never before enjoying railway facilities.

McDowell Citizen Attempts to Cut His Wife's Throat.

Special to The Observer. Marion, April 2 .- Lawrence Conley attempted to kill his wife by cutting her throat at their home, three mile from here, to-day. Their 10-day-old baby was in bed with Mrs. Conley but was not injured. Physicians and officers were summoned from here.

Conley escaped and up to this time nothing has been heard from him He is well-to-do and has been a quiet, peaceable citizen. Mrs. Conley was a Miss Corpening and comes of a prominent family. No cause for the crime is known.

Methuselah Dead at the Age of 1,000 Years. New York. April 2.-Methuselah

died here yesterday at his home in the Bronx borough. He was 1,000 years old. His death is ascribed to ills incident to old age.

Methuselah, also known as Rameses II., was a toad which was discovered in a rock pocket in a mine 500 feet below the surface at Butte, Mont., two years ago. His age was carefully computed by the spologists

and geologists.

PALMETTO CAPITAL NEWS

LUMBER INTERESTS AROUSED.

Proposed Reduction of 50 Per Cent, on the Duty on Lumber Means a Serious Blow to the Lumber Interests in the Entire South—Reduction Enables Canadian Mills to Compete With Those of the South in the Markets of the North—Unsettled Conditions Seriously Affecting the Whole Country—Competrally Affects and National ing the Whole Country-Comp-troller After State and National

> Observer Bureau, 1230 Berkeley Building, Columbia, S. C. April 2.

According to Columbia lumber men the proposed reduction of the duty on lumber to \$1 a thousand from \$3. as provided for in the Payne tarif bill, is a very serious blow not only manufacturing interests of the South, as this will allow Canadian lumber to compete with Southern lumber in the North, as the North now depends upon North Carolina, South Carolina Georgia, Florida, and in fact the en tire South, particularly for its long

and short leaf pine of all grades. The saw will interests of the South are not in good shape as the situation now stands, and the tariff reduction will still further greatly handicap the mills, particularly such large concerns as the Atlantic Coast Lumber Company at Georgetown, which ships out an average of about 500,000 feet a day. Many millions of Northern capital has been invested in this plant, which runs its own lines of ships, carrying rough lumber not proposed tariff will affect this one company nearly \$200,000 a year, is Columbia way figure it.

EVILS OF WAITING.

"But, as I am able to see into the matter," said Manager W. M. Otis. of the Columbia Lumber and Manufacturing Company, which does business in this and neighboring States, "the tariff will not as injuriously affect the South as unsettled conditions now prevailing on account of big interests waiting on the tariff is now affecting the Southern lumber interests. All classes of business are being held in suspense waiting on the settlement of the tariff. For instance, if the Pennsylvania is waiting on the turiff to place orders for some \$20,-000,000 worth of rails, it is not what the tariff will do so much as this waiting is now doing to all classes of business that will be affected by such orders. Hands to make these rails are idle, many of them, and it takes busy hands to figure on building and loan investments, and it is the building and loan which builds the houses

for the hands." In the judgment of Columbia lumbermen it is only a question of before it will be advisable to take down the tariff wall that shuts out the great virgin timber forests of Canada, as the timber supply of the South as well as other parts of the United States is getting alarmin w, but they do not agree that the

But the injustice that touches the manufacturer even more seriously than the proposed tariff is the dis crimination in freight rate; against this section on the part of the rail-roads. They complain that the rates allow manufactured stuff to come in here from the North at lower rates than can be shipped from here to corresponding points in the North. Columbia company recently had a striking illustration of this, being held up for more freight charges to within the State than was a point charged on the same kind of ship ment to this same point from Elmira,

SILVER SERVICE FOR BATTLE-

SHIP. In accordance with the act of the ast Legislature appropriating \$5,000 for a silver service to be prese to the battleship South Carolina, Governor Ansel to-day named John B. Cleveland, of Spartanburg, and George D. Bryan, of Charleston, to act with the Governor and the chairmen of the Senate finance and House ways and means committee, to make

the purchase of the service. The way Chief Justice Pope dorsed a recent Supreme Court decision in a Greenwood criminal case may mean the difference to Lindsay, one of the negro defendants in a homicide case, between liberty and a life sentence. interpreted the endorsements as meaning affirmation of the sente of Lindsay by a divided court and reversal in the case of the other negro. But Attorney Thomas P. Cothran, of Greenville, representing Lindsay, terprets the endorsements as meaning a reversal in the case of both negroes. Possibly no such case ever arose before in the history of the

Supreme Court. Comptroller General Governor Ansel are after the banks of the State, both State and national with a sharp stick in the matter of their returns for taxation on shares of stock, in the form of a circular letter issued to-day from the troller General's office to the county auditors over the State directing the auditors to see to it that no deductions are made for investments of any kinds except Brown Consols to tal, this exemption being authorized

by a special act of the Legislature, WILL FIGHT CASE. The circular extends the time for making these returns and recting them till May 1, after which the auditors are directed to the 50 per cent, penalty as for failure

te make returns. For several years it has, been charged that many of the banks-over the State have been loading up with investments in United States State bonds and even municipal and county bonds so as to deduct from the returns just before the time for making returns rolls around. Comptroller General Jones' attention being recently directed to a specific case of this, decided to get out the circular with the approval of the Governor. It is likely that the position taken by the Covernor and the Comptroller General will be bitterly disputed on the part of many of the banks, and a suit to test the points raised will likely be brought by the

banks. Killed by Moving Train. Ga., April 2.--Ulme Valdosta, telegraph Sineath, Sparks, Ga., was instantly killed there to-day by falling underneath a mov-ing freight train.