

GUILTY, ALLEN CASE VERDICT

Clansman to Pay the Penalty for Hillsville Court Assassinations in the Electric Chair.

WRANGLING JURORS LECTURED BY JUDGE

Report Finding After Declaring They Could Not Agree—Other Prisoners to Face Trial.

Wytheville, Va., May 17.—Floyd Allen will pay the penalty for his crime in the electric chair at Richmond. The jury was out all night and it was after 10 o'clock this morning when the jury agreed.

When court opened the jury was called in. The foreman was questioned by Judge Staples and declared that there were a number of points of difference existing in the panel and it was doubtful whether a verdict could be reached. The judge stated that the case was of such magnitude that he felt he must send the jury back with a few words of caution and advice. The judge declared the jury was sworn to reach only one conclusion—that of the defendant's guilt or innocence. He said if the jurors lost sight of that issue in private individual opinion they would do wrong to themselves, an unintended violence to their solemn obligations and grave injustice either to the accused or the commonwealth. The jury again retired and it was but a short time before the announcement that an agreement had been reached. When court resumed the foreman announced the verdict.

Besides the murder indictment against Floyd Allen, similar indictments stand against Victor and Claude Allen, his sons; Sidna Allen, Fred Allen, Wesley and Sidna Edwards, Floyd's nephews, and Boyd Marion. All are in jail except Sidna Allen and Wesley Edwards. The other prisoners will be tried immediately.

Verdict a Surprise. The verdict was a distinct surprise. It was thought the jury was hopelessly divided. One of the 12 men, it is known, said previous to being summoned for jury duty that "you can't always get justice in courts and maybe the Allens were not far wrong."

The commonwealth attorneys had made arrangements to arrest him on a perjury charge should he bring about a disagreement. Sentence was not pronounced on Floyd Allen, being suspended in order that he may testify in the other cases.

The commonwealth will next try Claude Allen on indictment charging the murder of Judge Massie. The trial begins Monday. The defendant's attorneys announced after court adjourned that they would ask for a writ of error.

There was barely a handful of people in the court other than the attorneys, detectives and newspaper men when the verdict was announced. The prisoner's wife sat beside him, dressed in black and wore a large poke bonnet so that her face could not be seen. Allen seemed brighter this morning, evidently expecting a mistrial. He was the picture of despair when the verdict was read.

METHODIST PROTESTANT CONFERENCE CONVENES

Delegates Are Present at Baltimore Representing 200,000 Communicants.

Baltimore, May 17.—The twenty-first general conference of the Methodist Protestant church of America began its quadrennial session today. Two hundred delegates representing 36 conferences and 200,000 communicants are attending. The sessions probably will continue two weeks. The forenoon meeting was devoted to religious exercises. The election of a president takes place this afternoon.

The Methodist Protestant communion has annual or state conferences extending from New York to Florida and from the Atlantic coast to southwestern Texas. The church is strongest in Maryland, North Carolina, Ohio and West Virginia.

Young to Represent Kentucky. Frankfort, Ky., May 17.—Governor McCreary today appointed Gen. Bennett H. Young, commander-in-chief of the United Confederate Veterans, as one of Kentucky's commissioners to the blue and gray reunion at Gettysburg next July.

Aged 118, Negro Woman Dies. Guthrie, Okla., May 17.—Silver Baker, 118 years old, a former slave of the Lee family in Virginia, died here today. She was born in Richmond.

Erie's General Counsel Denies Boland Charges



Washington, May 17.—A flat denial of the statements of W. P. Boland, on which were based the charges against Judge Archbald of the Commerce court, was entered before the house judiciary committee yesterday by G. F. Brownell, vice president and general counsel for the Erie railroad. Brownell declared emphatically that the statements made by Boland to Attorney General Wickersham regarding the Erie's connection with the proposed sale of the Knydild culm dump to Judge Archbald and Edward J. Williams were "unqualifiedly false."

"I want this committee to ask Mr. Boland specifically about every statement Boland made in the attorney general's office regarding this transaction," said Mr. Brownell. "I pronounce them unqualifiedly false. If Boland will make the statements under oath that he gave to the attorney general, I want to say that he is liable for perjury."

INCOME TAX BILL DOOMED IN SENATE

Committee's Report Adverse—Lodge Substitute for Sugar Bill Favored.

Washington, May 17.—The senate finance committee today authorized a favorable report on the Lodge substitute for the house free sugar bill and an unfavorable report on the so-called house excise income tax bill, which proposed a tax on incomes exceeding \$5000 annually.

The Lodge sugar bill would eliminate the differential and duties standard from the tariff and leave the duties otherwise practically as at present.

EXECUTIVE COMMITTEE OF FAIR IS TO MEET

Will Hear Committee Reports and Discuss Plans Tomorrow Evening.

A meeting of the executive committee of the North Carolina Fair association has been called by Secretary Guy Weaver for tomorrow afternoon at 2 o'clock in the Oates building, where Mr. Weaver has his office. The meeting is for the purpose of discussing plans for the fair this fall, and the reports of the educational and horticultural committees, which were made some days ago, will also be passed on. It is the intention of the management to make these two departments very interesting and as complete as possible.

HOLD BUSY SESSION

Big Volume of Business Before the Presbyterian General Assembly at Louisville.

Louisville, Ky., May 17.—Commissioners to the 124th general assembly of the Presbyterian church of the United States of America undertook a big volume of business when the convention assembled today. The usual reports of boards and committees and the list of overtures were laid before the assembly.

Says Opponents are Not Real Republicans. Chillicothe, O., May 17.—"Our opponents are not the real Republicans we are," said Colonel Roosevelt, speaking at Fortsnouth today. "There never was a man who treated the people more impartially than Abraham Lincoln. Mr. Taft has tried the dangerous experiment of improving on the words of Lincoln."

RICHESON MUST DIE IN CHAIR

Governor Foss Declines to Submit Petition for Commutation to the Executive Council.

SLAYER ACCOUNTABLE, DECLARE ALIENISTS

But They Also Declare Him a Neurotic, Nerasthenic and Victim of Emotional Insanity.

Boston, May 17.—His attorney and minister have told Richeson his fate. He received the news calmly, and expressed disappointment. There was no indication of physical collapse. Morse and Johnson remained with Richeson until afternoon. Morse announced that he could do nothing more to save his client's life. It is believed Richeson will not be electrocuted before midnight Monday.

Boston, May 17.—Clarence V. T. Richeson, Avis Linnell's slayer, slept quietly in his cell in the death house in Charlestown prison last night, totally ignorant that the governor had refused commutation of his sentence. The announcement of the alienists' decision that he was sane and that the governor would not urge clemency was left to be made to the prisoner today.

Richeson's execution probably will occur early next week. There is a prevalent sentiment against a Monday morning execution as occurring too close after Sunday. The time of execution within the week of May 19 is entirely in the warden's discretion. Only legal witnesses will know beforehand at what time the execution will occur.

Boston, May 17.—Clarence V. T. Richeson's last hope of escaping the death chair next week for the murder of Avis Linnell of Hyannis, expired last night, when Gov. Foss announced that he would not refer Richeson's petition for commutation of sentence to the executive council.

The statement from the governor followed closely the filing of the reports of the special insanity committee which declared the condemned man sane although subject to fits of hysterical insanity.

The commission found that Richeson was sane at the time of the murder and that he is sane at present.

In the death chamber at Charlestown the prisoner has borne himself calmly since he was transferred from the Charles street jail Tuesday. It was apparent that he still hoped that clemency would be extended to him, and it was believed yesterday this alone was keeping up his spirits.

The statement issued by Governor Foss shows that the alienists found that Richeson's family was afflicted very generally with insanity and that the condemned man himself is a neurotic, and a nerasthenic, and subject to hysterical insanity. The statement follows:

"Executive clemency will not be extended in the case of Clarence V. T. Richeson. The prisoner was sentenced upon his own confession and without trial for a crime which it appears impossible that any normal man could commit."

"After his confession and sentence a plea of insanity was set up by his counsel and strongly supported by affidavits extending over his life. The character of these affidavits left no other course for the governor than to submit them, and the prisoner himself to an examination by our leading alienists, in order to protect the commonwealth from the charges that the man was actually insane when the deed was committed as well as at the present time.

"The evidence shows that Richeson's family is heavily afflicted with insanity; that he himself is a neurotic, a somnambulist and a nerasthenic; that he is subject to express emotional disturbances marked by loss of memory, which two alienists have diagnosed as hysterical insanity; one physician adding the alternative term of hysterical delirium and the majority opinion indicating that these attacks are hysterical attacks marked by emotional disturbances of brief duration, with loss of memory during the attack and for a varying period following it.

Responsible for His Crime. "The evidence, however, while clearly revealing these attacks indicates that his crime was not committed by him during such an attack. Therefore, while there is some divergence of opinion among the alienists as to whether these attacks indicate actual insanity, there is enough ground for the conclusion that he is accountable for his crime, and that the exercise of executive clemency in this instance would be contrary to the public good.

"The affidavits and medical evidence as to Richeson's unfavorable heredity, his lapses of consciousness and his attacks of delirium, are too voluminous to include in this statement and are not suited to publication.

The alienists referred to are: Dr. Edward B. Lane and Dr. Isidor H. Coriat, acting for the defense; Dr. L. Vernon Briggs, acting at the personal request of the governor; and Drs. Henry R. Steadman, George T. Tuttle and Henry F. Frost, acting as a committee.

MURDERER OF POLICE CHIEF ELECTROCUTED. Raleigh, May 17.—Brad Bradley, a negro, was electrocuted today for murdering Chief of Police W. R. White at Williamston last August. He mumbled his guilt as the current shot through his body.

Gov. Mann at Mount Vernon. Washington, May 17.—Governor Mann of Virginia and his staff were here today at George Washington's home at Mount Vernon, Va. They were entertained by regents of the estate.

ONLY A TEMPORARY DELAY RESULT OF MASON TRAGEDY

Editor of The Gazette-News: Kindly permit me to say to those who are anxious, many of whom are writing to me, about the effect that the almost irreparable and sad loss in the death of Mr. Victor L. Mason, by monoplane accident in London, on May 13, will have on the going forward of the construction of the South Atlantic Transcontinental railroad: The press dispatches, as usual, have gotten things mixed. Mr. Mason was the president of the Transcontinental Construction company, and not the railroad company, and had closed the sale for the first installment of the bonds of the railroad company, the negotiations having progressed sufficiently for his death not to interfere, other than in temporary delays, with the progress of the work. A truer and more upright, correct man of business integrity, and a man of higher morals in his relation to the business world has seldom become interested in enterprises of the magnitude of this work. All who know him will join with us in our grief and regret at the loss of a man in the prime of life, who would have been a great factor in the future development of North Carolina. S. A. JONES. Waynesville, N. C., May 15, '12.

The Colonel is in error, the press dispatches do not usually get things mixed, nor did they in this particular.

CLAIMS 500 VOTES AND NOMINATION

Roosevelt Declares the Figures Given Out by Taft Are Misleading.

Toledo, O., May 17.—"Of the delegates already elected I have 501," said Colonel Roosevelt yesterday. He stood by his statement that he had more than 500 delegates and was confident that he would be nominated on the first ballot at the Chicago convention.

The third day of Colonel Roosevelt's Ohio campaign took him from Toledo to Springfield. In Toledo he addressed a throng which was packed into the terminal convention hall.

Colonel Roosevelt was told that President Taft would dispute his claim as to delegates and directed the preparation of figures to re-inforce what he had said. The Roosevelt column of the list foots up 501. Under the heading "for some other candidate" are placed 345 delegates, while 84 are listed as unattached and 35 as contested.

"I have gone over this table in minute detail," said Colonel Roosevelt, "and I consider it a guarded underestimate of our strength."

The former president asserted that the list of delegates which have been given out by the Taft managers were misleading as to give little idea of the line up and that it was his purpose to show just what was his situation.

In his speech here, Colonel Roosevelt replied to the statement that although he had been attacking political bossism, Walter Brown, his Ohio manager, was in the class of bosses. He declared that the talk about Mr. Brown being a boss was a misnomer.

Quotes Grosscup to Sustain Him. In defense of his proposal for the recall of judicial decisions Colonel Roosevelt read extracts from a letter written last winter by former Federal Judge Peter Grosscup, of Chicago, to the effect that the colonel's contention was a sound one.

Colonel Roosevelt denied the charge made by President Taft that he was preaching class hatred.

When Colonel Roosevelt learned of the outcome of the republican state convention in the state of Washington, as a result of which two sets of delegates are to be sent in the national convention, he denounced the Continued on page six.

ENCOUNTER DIFFICULTY IN SELECTING ARBITERS

Remainder of Board to Settle Engineers' Wage Dispute Not Chosen.

New York, May 17.—Daniel Willard, president of the Baltimore & Ohio, and P. H. Morrissey, president of the Railway Employees and Investors society, two members of the arbitration board to settle the demands of locomotive engineers in eastern territory, have been unable to agree on the other five members of the arbitration board. Unless they do so by next Tuesday, Chief Justice White, Judge Knapp and Commissioner Nell will select the other five members of the board in accordance with the agreement between the engineers and the railroads.

DEAD BODIES ARE FOUND OF LONG-MISSING LADS

Cincinnati, O., May 17.—The country-wide search for Robert and Urban Nichols, brothers, six and four years old, respectively, who mysteriously disappeared on April 23, ended when the bodies were found in a stable near their home today.

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POLICE BEAT STRIKE RIOTERS.

Baltimore, May 17.—Eleven men were injured two of them seriously, in a clash last night between 500 strikers from the copper works at Canton, Baltimore county, and four policemen. The strikers became incensed at being driven from the approaches to the works, where they were waiting for employes of their way home and attacked by a policeman. In a hand to hand fight many of the attacking party were clubbed.

TAFT MAY QUIT RACE IS RUMOR

President Declines to Discuss Report That He Will Withdraw if Ohio Is Lost.

ADMITS FIGHT HINGES ON OHIO PRIMARIES

Men Close to Him Believe He Will Never Retire in Favor of Colonel Roosevelt.

Cleveland, May 17.—Refreshed after a quiet day yesterday, President Taft this morning resumed his speech-making tour of the state. Although Taft declined to discuss reports published that he might abandon the fight for renomination if he loses in the Ohio primaries, men close to him place no credence in the report. Because of the bitter resentment Taft has shown toward Roosevelt few of the president's friends believe he would ever withdraw in favor of his predecessor. Advisers with him on the Ohio tour say he will stick in the fight to the end.

Contradicts Roosevelt Claims. Cleveland, O., May 17.—Replying to the claim of Theodore Roosevelt that he had over 500 delegates to the republican national convention, President Taft yesterday in a public statement pointed out that Roosevelt had only 300 delegates and for the first time admitted that the result of the primaries in Ohio will settle the question of the republican nomination. The statement follows:

"Only 188 delegates to the Chicago convention remain to be chosen. If Theodore Roosevelt were to get all of them, he could not be influential enough to carry the nomination. Carefully prepared figures show that only 300 delegates thus far are instructed for or pledged to him, and the talk of real and genuine contests against delegates who are instructed for me, is as unsubstantiated by the facts as many of the misleading issues which have been injected into this campaign."

"The number of Taft delegates thus far chosen, not counting the eight from Montana and a number from Texas and Arkansas which will be elected today, is 520 and the vote in Ohio, my home state, much to my gratification, will be the deciding one and will settle the question of the nomination."

"The Chicago convention will be organized by the friends of constitutional government and the success of that great cause now seems assured." Says Trust Magnates Support Roosevelt.

Bellevue, O., May 17.—President Taft in a speech here today declared that much support being given Roosevelt is coming from men indicted by the Taft administration.

"Mr. Perkins, director of the steel and harvester trusts, was influential enough in the last administration to prevent suits against them," said the president. "He is not influential enough now. He is a contributor to Roosevelt's political funds."

SUBMARINE AGROUND

The Tuna Still Fast and Awaiting the Arrival of a Revenue Cutter.

Atlantic City, May 17.—The submarine boat Tuna, which went aground yesterday off Great Egg Harbor life saving station is still held fast this morning. Five members of the crew who remained aboard during the night watched anxiously for a revenue cutter's arrival.

The Tuna lies aground on a sandbar three miles out. Four boats of the life saving service are standing by ready to lend assistance. When a revenue cutter arrives from Norfolk it is believed no difficulty will be encountered in pulling the submarine into deep water. The submarine was on her way from Newport News, Va., to Bridgeport when she ran aground.

CAPT. S. E. LINTON

Man Who Introduced Illuminating Gas in Many Southern Towns Dies at Raleigh.

Gazette-News Bureau, The Hotel Raleigh, Raleigh, May 17. Capt. Samuel E. Linton, who introduced illuminating gas in Salisbury, Charlotte, Columbia and Jacksonville, and who placed gas in the state capital at Raleigh, died here today at the age of 76. Although born in Philadelphia his sympathies were with the south and he was granted exemption from military service by the confederate government.

The funeral will be conducted in Charlotte Sunday. Frederick's Body at Copenhagen. Copenhagen, May 17.—The Danish royal yacht Deception, bringing the body of the late King Frederick, arrived here at noon today. The coffin was borne ashore by twelve officers and placed in a hearse. A procession was formed, headed by a force of cavalry, followed by the royal family. The coffin was placed in a state funeral in the chapel of Christendom castle. The royal family surrounded the coffin and kept in prayer several hours.