

## COLONEL NEVER TIPSY, HE SAYS

John Callan O'Laughlin Swears "It's Silly" for Anyone to Intimate He Ever Was.

REFERENCE IS MADE TO ROME INCIDENT

Witness Is Cross-Examined as to Events after Mr. Roosevelt's Trip Through Africa.

By Associated Press. Marquette, Mich., May 28.—Introduction of further testimony to show the abstemious habits of the plaintiff was resumed today in the libel suit of Theodore Roosevelt against George A. Newett, publisher of the "Iron Ore" of Ishpeming, Mich., who charged him with drunkenness.

John Callan O'Laughlin, a Washington correspondent, was the first witness.

Col. Roosevelt entered the courtroom with George Shiras, his court here, and took his accustomed seat with a row of spectators inside the railing. His gaze turned upon the jury and then upon O'Laughlin as the latter was sworn.

During court proceedings the former president sat quietly crossing his heavy watch chain as far as he could and reflecting rather than nervously.

Mr. Newett, the defendant, came into court with his counsel. He is very ill, but his ruddy countenance hides this from all except those who know him well. He sat looking straight in front of him and utterly motionless, as he has sat thus far in the proceedings.

Frank Little at Banquets. Although Col. Roosevelt, on returning to Europe from his African hunt, was obliged to attend banquets and receptions, he never indulged in champagne to an immoderate degree, was the testimony of O'Laughlin, who said he had been associated with Col. Roosevelt for 20 years. The witness said he met the former president on the Nile after the African hunt, and accompanied him as far as Paris, acting as his secretary. O'Laughlin also accompanied the colonel on various campaign trips.

"During your 20 years' experience with Colonel Roosevelt, have you ever seen him in the slightest degree under the influence of liquor?"

"I not only never saw him under the influence of liquor, but it seems absolutely silly to me to have anyone suggest the fact that he ever was," replied O'Laughlin.

"At the banquets have you ever seen him drink any liquor?"

"At banquets he sometimes took a glass of white wine. I never saw him drink more than one glass of champagne."

O'Laughlin described the various dinners, official, and otherwise, given at Washington, including dinners at the White House, and the fact that Roosevelt followed custom in the use of liquor in the White House.

O'Laughlin said his first experience with presidents began with the second Cleveland administration, and Col. Roosevelt followed the precedent of Presidents Cleveland and McKinley in serving wines at public dinners.

"Are you not in charge of some work of the progressive party?" O'Laughlin was asked on cross-examination.

## STRONG SENTIMENT FOR GEN. B. H. YOUNG

Van Zandt Is Also Mentioned as Possible Chief of the Veterans.

By Associated Press. Chattanooga, Tenn., May 28.—Importance of proceedings at the morning session of the United Veterans today was largely overshadowed by the imminent election of a commander-in-chief and the selection of the next reunion city.

The selection of the 1914 reunion city was scheduled for the morning session, but owing to the absence of many Florida and Alabama veterans it was decided to postpone action until this afternoon, when the commander-in-chief also will be elected. The Alabama and Florida veterans attended the unveiling and presentation of monuments in Chickamauga park erected in honor of the confederate soldiers who were killed in the battle of Chickamauga 50 years ago.

Speculation was rife today as to the election of the commander. A strong sentiment favoring the re-election of the present commander-in-chief, General Bennett H. Young of Louisville, was in evidence. Friends of General K. M. Van Zandt of Fort Worth, Tex., present commander of the trans-Mississippi department, also persistently mentioned the probability of his election to the office. There was some talk of a possible "dark horse" coming to the front.

Delegates from Richmond, Memphis, Jacksonville, Tulsa, Okla., Baltimore, Nashville, Denver, and San Antonio, Tex., expressed the firm conviction that their respective cities would be chosen as the 1914 meeting place of the reunion.

The most interesting feature of the morning session was the presentation of the report of the committee appointed to co-operate with a similar committee from the G. A. R. in regard to participation in the semi-centennial joint celebration of the two organizations, July 1 to 4, 1913. General C. Irvine Walker of South Carolina, honorary commander-in-chief of the confederate veterans, was the chairman of this committee, which urged that at least 10,000 confederate veterans attend the celebration.

"Cheers greeted the formal announcement report that the confederate veterans would be welcomed 'in the grey uniforms and with their battle-scarred faces'."

Applause also followed the statement that all the chapters of the United Daughters of the Confederacy were raising funds with which to help the expenses of veterans making the trip.

Chattanooga, Tenn., May 28.—Clear skies and bright sunshine smiled upon the second day of the 23rd annual U. C. V. reunion. The favorable weather conditions induced thousands to visit Chickamauga Park, the scene of one of the most historic battles in the war between the states, where hundreds of monuments were unveiled by representatives from the states of Florida and Alabama. More than 200 monuments previously had been erected here by both northern and southern states in memory of the thirty odd thousand soldiers who perished in the fierce conflict waged where the national park now is located.

Special trains from Florida and Alabama arrived early in the day bringing visitors from those states, who came especially to witness the impressive ceremonies attendant upon the unveiling.

Mrs. Lowmes Randolph Leigh, of Montgomery, formally presented the Alabama monument to the Chickamauga Park commission, ex-United States Senator Samuel Pasco, chairman of the Florida commission, made the presentation of speech turning over the Florida monument to the government.

Among the prominent Alabama citizens who participated in the ceremony were Governor Emmett O'Neal and staff, Captain Raphael Semmes and escort from Camps Lomas and Faulkner, of Montgomery; Col. S. H. Dent, of Eufaula, Ala.; General George P. Harrison, commander of the army of Tennessee department, U. C. V.; Alabama's four brigade commanders, Brigadier-Generals Fuller, Hooper, Weathers and Lumpkin. Major W. W. Screws, editor of the Montgomery Advertiser delivered the principal address of the occasion, taking for his subject, "Women of the Confederacy."

The Florida monument was unveiled by Mrs. R. H. Turnbull, of Monticello, Fla., sponsor of the Florida division. Members of the Florida commission were introduced by Col. Baxter Smith of the Chickamauga Park commission. Gen. E. M. Law, of the Florida commission, responded and Senator Pasco delivered the dedication speech. Both Senator Pasco and General Law took part in the battle of Chickamauga. The latter belonged to Gen. Lee's staff, while the former was a private in the third Florida regiment.

Business sessions were resumed by the United Confederate Veterans this morning.

GAMES POSTPONED. (By Associated Press.) Philadelphia, May 28.—(American.) Washington, Philadelphia, Tenn., Brooklyn, May 28.—(National.) Brooklyn-Philadelphia game postponed, wet grounds.



PLENTY OF PIE IN THE PANTRY, BUT—

## WILEY BLACK WINS IN SUPREME COURT

Sentences Served Concurrently—Rogers and McCracken Are Given New Trials.

Special to The Gazette-News. Raleigh, May 28.—Wiley P. Black of Asheville won his second case in the Supreme court, when it was held this afternoon because the second sentence failed to state that it began at the expiration of the first sentence, that Black could not be made to serve. It was a habeas corpus appeal in a nuisance case.

The injunction attempted by Fergus Reed, from Wake, to restrain the Norfolk Southern from issuing over five millions in improvement bonds was dismissed.

Moses Drakeford of Richmond county must serve a sentence for criminal assault, the Supreme court holding that he could not plead former jeopardy because of having been arraigned before. There was a defect in the name of the person assaulted.

Claud Blackwell, who killed Dr. Fred Meisenheimer in Charlotte, was made to serve his sentence.

Robinson Rogers and Waldo McCracken, convicted in Haywood county of manslaughter, received a new trial, it appearing that only 11 jurors sat on the case at one time. The higher court did not approve of too much hurry and quoted opinion of former Chief Justice Merrimon in which he characterized "rushing things through" as vicious.

Other opinions handed down follow: Ball, Thrash Co. vs. McCormick, from Buncombe, new trial; McColl vs. Calloway, from Transylvania, no error; Boggs vs. Mining Co., from Jackson, no error; Moody vs. Mining Co., from Jackson, no error; Hopkins vs. Crisp, from Cherokee, no error; Burns vs. Stewart, from Macon, no error; Hurst vs. Railroad, from Swain, revised; American Lumber Co. vs. Manufacturing Co., from Haywood, new trial.

## LUTHER McCARTY LEFT ESTATE WORTH \$30,000

Which Goes to Widow, Who Works in Restaurant, and His Daughter.

(By Associated Press.) Chicago, May 28.—Luther McCarty, the heavy-weight boxer, killed in his fight with Arthur Pelkey at Calgary, on Saturday left an estate worth \$30,000, according to the estimate yesterday of Attorney V. R. Lovell, of Fargo, N. D., who came here in the interest of the fighter's widow. The lawyer believes McCarty made \$100,000 from his fights on the Pacific coast and in his stage appearances in the last 18 months.

The understandings that McCarty was under contract with Billy McCarty, his manager, who received in the neighborhood of one third of the fighter's earnings.

## ANTI-ALIEN LAW DRASTIC ASSERTS GOV. JOHNSON

California Executive "Shocked and Horrified" at Laborer's Attitude, He Says.

By Associated Press. San Jose, Cal., May 28.—In a letter received yesterday by Walter G. Mathewson, secretary of the San Jose Labor council, Governor Hiram W. Johnson declared the anti-alien land law enacted recently is one of the most drastic laws on the subject ever introduced in the California legislature and asserted "that any who claim to favor an alien land law, that will sign a referendum against this law is either an idiot, or is bought."

"Every other bill that has been before the legislature for the last eight years," continued the letter, "provided in one fashion or another for leasing; and the only two bills seriously discussed during Mr. Bryan's stay here, provided not only for leasing of land but for the right to purchase and hold for a limited period as well."

Commenting on labor opposition to the alien land law because it was regarded as less drastic than desired, the governor wrote:

"I have been shocked and horrified at the attitude of some of the labor people of San Francisco, but I am proud to say that those labor leaders whom we respect have taken the same position that your people in Santa Clara county have taken. We have done the big thing in this alien land legislation. We have laid the ghost that has been with us so many years and we have gone ahead and legislated on a subject that it was our legal and moral right to legislate upon."

## JOHN LUBBOCK IS DEAD FROM HEART DISEASE

Famous English Reformer, Scientist and Authority on Finance Passes Away.

(By Associated Press.) London, May 28.—Lord Avebury died today of heart disease after a short illness, aged 79 years.

Lord Avebury, formerly Sir John Lubbock, was prominent as a banker, famous as a scientist and popular as an author of nature studies. He was president of a corporation of foreign bondholders, lord rector of St. Antony's University, president of the Society of Antiquaries, president of the Central Association of Bankers and officers of scores of other organizations having to do with finance, education and natural science.

As Sir John Lubbock, he won great popularity among the working people in 1871, when he succeeded in passing the bank holiday act. This added four national holidays every year to the statutes and these days were for a long time known as "Lubbock Days."

Besides banking, on which he was a recognized authority, he also took great interest in the reform of municipal life and in movements for the welfare of the working classes. He introduced legislation to provide playgrounds for the children. He also devoted himself to conditions under which clerks worked in firms and succeeded in passing a bill regulating their hours of labor. Another bill provided for the establishment of public libraries by municipalities.

## ALLIES FALL OUT; WAR IS EXPECTED

Hostilities Between Bulgars and Serbs May Come at Any Time.

By Associated Press. Sofia, Bulgaria, May 28.—Military circles of the Bulgarian capital expect an almost immediate outbreak of hostilities between Bulgaria and Serbia.

Vienna, May 28.—Bulgaria has addressed a note to the powers offering to submit to their decision the question of the future of Salonika, according to the Reichpost.

Salonika, May 28.—Severe tension continues between the Greek and Bulgarian armies facing each other north of Salonika. Shots were exchanged yesterday and today. The Greeks accuse the Bulgarians as aggressors.

In spite of the declaration made at Sofia that the Bulgarian troops have been ordered to observe a moderate attitude and to avoid conflicts with the Greeks, the Bulgarian commanders apparently are preparing to attack Eleftheria, with a view to gaining complete occupation of the dominant position of Mount Pankration. They have already placed guns on the hill crests south-east of Parva, commanding Eleftheria. The Bulgarian troops have also occupied the heights commanding Bujuku, south of Lake Dorian and the town of the same name occupied by the Greeks.

## THREE WOMEN MOURN FOR HOMER E. MORRISON

And There May Be Two More—They Say He Took Their Money.

(By Associated Press.) Chicago, May 28.—At least two widows and a fiancée are mourning the death of Homer E. Morrison, and the police are working on clues which may lead them to three other women who can claim the man as their late husband.

Morrison died last Thursday of what may have been poisoning. Two of his wives have complained that he took \$17,000 of their money, and a widow, who says he promised to marry her, admits she gave him \$1,600.

Mrs. Homer Morrison says she married Morrison three years ago, Mrs. R. W. Thompson says she married the same man under the name of Thompson, seven years ago; Mrs. Pearl McDivitt asserts Morrison promised to marry her next month.

These three women lived on the same car line without knowing the existence of each other. Some time Morrison visited all three the same day.

## HUNTED NEGRO TELLS OF CHASE

TAXING REFORMS ARE CONSIDERED

Sub-Committee Hears Mr. Travis and Prof Adams—Normal Closing.

Gazette-News Bureau. Daily News Building. Greensboro, May 28.

The sub-committee on taxation and revenue of the state constitutional amendment commission, after holding several sessions here listening to various suggestions and recommendations for proposed amendments adjourned yesterday afternoon to meet again in Raleigh on June 4 or the day preceding the meeting of the full commission. No action was taken by the sub-committee on any of the proposed amendments, the committee simply seeking to get all the light possible before submitting to the commission any modifications or changes in the constitution with references to taxation.

Among those heard by the committee were Chairman Travis of the corporation commission, who argued for segregation of taxes, and submitted many figures tending to show that the present taxation on corporations and other business would support the state, thus allowing the counties the real estate and personal property assessments. Prof. T. S. Adams of Wisconsin, spoke again yesterday and suggested an amendment based upon the experience of Wisconsin, California and other states giving counties and municipalities freer rein in the matter of what to tax or leave untaxed.

Taxation limitations of subdivisions of the state would be removed under the proposed amendment. State Superintendent Joyner talked schools to the committee, suggesting an amendment to the constitution making six months school term the minimum.

Accused of Larceny. A young white man named Raymond Quackenbush, was taken from passenger train No. 36 here yesterday afternoon upon advice from Charlotte that he was wanted there for the larceny of about \$69 from a church fund. It is said that Quackenbush came south about a month ago and had been using around Charlotte where he succeeded, it is alleged, in appropriating to himself money from a church treasury there.

Another dormitory will be erected at the State Normal college this year to cost approximately \$30,000 while an additional sum of \$5,000 to \$7,000 will be expended in remodeling the Curry building which is now used for the training school. This action has been taken by the board of trustees of the college, who also elected the college faculty without notable change in the personnel, Dr. J. I. Foust succeeding himself as president of the institution. The new dormitory will be erected almost directly in the rear of the latest addition to the dormitories of the college—the Woman's Building, or sometimes called the work on the new dormitory will begin early this summer and will be pushed to completion as rapidly as possible.

The exodus of State Normal college students set in early yesterday and continued during the afternoon and last night, every out-going train carrying its quota of the young women students homeward bound. The final exercises were held yesterday morning with an address by Dr. Mitchell of the University of South Carolina; the presentation of Bibles and constitutions, and the announcement by President Foust of the winners of diplomas of graduation. Prize awards of the year were also announced. The Walker prize, given for the best essay on some part of North Carolina history, was won by Miss Irene Robinson with a treatise on "History of Religious Journals in the State." Two young ladies, Miss Eleanor Morgan, of Goldsboro, and Miss Mary Greene, of Thomasville, were the Murphy prize for first place in the best year's work in North Carolina history.

CLEMENCY EXTENDED CAROLINA MOONSHINER

President Wilson Commutes Sentence of Marion Cook, Convicted at Asheville.

(By Associated Press.) Washington, May 28.—The plight of three motherless girls working in a southern cotton mill and needing the help of their father, Marion Cook, serving a two years penitentiary term for illicit distilling in North Carolina, caused President Wilson today to remit the \$100 fine which was part of Cook's sentence and which he was unable to pay. Cook was convicted at Asheville, N. C., and as a result of the president's action will be released June 14.

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By Associated Press. Washington, May 28.—General Lunsford L. Lomax, one of the oldest surviving major-generals of confederate cavalry, died here today, 79 years old. He was an intimate friend of General Robert E. Lee and served with distinction in many notable engagements. He will be buried at Warrenton, Ore., Thursday.

By Associated Press. Savannah, Ga., May 28.—Lying on a crude stretcher of three planks nailed together, with his abdomen torn open by nine buckshot wounds and his left arm broken nearly off by a rifle bullet, Richard Henry Austin, the alleged murderer of Dr. S. C. Moore, Magistrate Edlenfield and Victor Bowers in Hampton county, S. C., on the 30th of April, was brought to Savannah this afternoon at 12:30 o'clock by the men who shot and captured him at Newington last night.

The month-old man hunt for Austin ended last night when Sheriff J. E. Morris of Barnwell county, S. C., fired both barrels of his shotgun and brought Austin to earth in the vegetable garden of Marion Jarrel, a farmer living near Newington, after Austin had come up to the back door of Jarrel's home and asked Mr. Jarrel for food, declaring that he was wet and perishing.

Austin, Desperately Wounded, Talks of Encounters in Month—Long Pursuit in Swamps.

WAS TAKEN UNAWARES BEGGING FOR FOOD

Mistook Sheriff for Former Employer and Officer Drew Near and Killed Him.

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Sheriff Morris, together with five other men delegated to watch the Jarrel home from among the posse in search of Austin, had reached the house shortly before the negro arrived and asked for food. Three of the men had just left in a buggy to take up their posts at some distance from the house, and Austin, as he afterwards said, came up to the back entrance upon the departure of these three, believing the place to be free from his pursuers.

Mrs. Jarrel, knowing that the sheriff was in the front part of the lot, called out: "There's the negro! There's Austin!"

Sheriff Morris, hearing this cry, rushed through the hallway of the house into the kitchen, and opening the back door there saw the hunted man standing in the garden. Austin, thinking that the sheriff was Mr. Jarrel, a former employer of his, called out to Mr. Morris to come to him, saying that he was perishing.

Denies Killing Carolinians. Sheriff Morris, despite the two shotguns that the negro held, one in each hand, walked through the back door and toward the man. Then, when he was about 26 paces from him, the sheriff fired twice, the two loads of buckshot both taking effect in Austin's abdomen.

The negro fell to the ground, his two guns falling some distance from him. Immediately the wounded man crawled toward the hallway of the house advanced upon him and when within 15 paces, the negro had reached one of the shotguns and was raising it to fire. But, unseen by the desperado, Lute Stivenger had come from his post around the back corner of the garden, and when the negro raised his gun to fire at Mr. Morris, Stivenger, a crack shot, fired the rifle bullet that shattered the Austin's left arm.

The man fell back to the earth, begging his captors not to shoot again. Immediately he was picked up and carried to an outhouse in Mr. Jarrel's yard and then the other members of the posse were summoned.

When seen in the express car of the train, where he was lying on the floor covered with a rough piece of sack, with his head propped up on a cardboard cracker box, Sheriff Morris, buzzing around his wounds, the negro declared that he was innocent of shooting his alleged victims near Luray, S. C., on the 30th of April.

"I didn't do it," said the man, his voice barely audible above the rattle of the moving train. "I didn't shoot them white men. They was firing from both sides at me in the bay, from all around, and they shot each other. I did not shoot them, boss, honest to God."

"I just runned and runned until I was tired, so tired that I couldn't run no more," said the negro. "I slept in the swamps, slept in the mud most all the time. The dogs didn't worry me none, except when they saw me. Then they ran after me. But they couldn't get after me from trailing. They didn't worry me at all."

"I didn't shot at none of the white men that were after me. When I shot on Monday in the swamp the gun went off by accident. I came in to Mr. Jarrel's house because I was perishing."

The negro will be carried out of Savannah for Gifford Station, S. C., this afternoon in an automobile.

GEN. L. L. LOMAX

Noted Confederate Cavalryman Dies in Washington—Was Lee's Close Friend.