

OUTLINES.

The case of Thornton Jenkins Hains charging him with being a principal in the killing of William E. Annis, reached the jury yesterday afternoon. Justice Crane emphasized in his charge that the defendant was guilty of a crime if he aided and abetted his brother and stated that it was needless to consider the sanity or insanity of Captain Hains. Nine prisoners escaped from the county jail at Thompson, Ga., by burning the heavy wooden door through a sheet iron covering. Harry Keener, on trial at York, Pa., admitted the murder of an unknown man and declared that his housekeeper assisted him to sever the limbs and bury them—Duke Pompeo Litta, of Lombardy, offers to settle 5,000 Italians made destitute by the earthquake on a tract of land he owns in Florida. A combine backed by \$12,000,000 has purchased 25,000 acres of coal land in Southwest Virginia. Miss Jane B. Mills, daughter of Ogden Mills, of New York, was yesterday married to the eighth Earl of Granard. The wedding presents were valued at \$500,000. The death of the Russian Admiral Rojestvensky is announced. The House Committee hears Queen Liloukalani and the George Washington heirs on their claims against the Government. The French warship hunting for the Neustrace, 58 days over due, can find no trace of her. The Legislative Executive and Judicial Appropriation Bill as reported to the Senate provides for increase of salaries of President, Vice President, Speaker and all Federal Judges. A large delegation from Anderson called on Taft yesterday. The Government is preparing to prosecute those newspapers which made the charges as to the Panama canal purchase. New York Markets: Flour steady. Wheat firm, No. 2 red 1.07 to 1.08 elevator. Corn, easy No. 2 63 elevator. Oats steady, mixed 5 to 5 1/4 1/2. Rosin steady. Turpentine easy 14 1/2. Cotton quiet 15 points higher, middling uplands 9.60, middling gulf 9.55. Money on call easy at 1 1/2 to 2 per cent, ruling rate 1 3/4, closing bid 1 1/2, offered at 1 3/4. And Rockefeller draws first blood in his fight with the Hearst papers. Editor Rhodes' speech won't help Taft much in breaking up the Solid South. We suppose the Atlantians are all prepared for the stopping over to be. Taft is building his cabinet in the South, but he is shipping all his materials for it from the North. Now Roosevelt should show naval officers how much rowing he can do on a stretch. It paid according to avoidoupoise Taft is entitled to almost twice as much salary as Roosevelt. Not many army officers will read with pleasure of the success of Roosevelt's ninety-mile ride in a day. An exchange remarks that "the South may be Taft's affinity, but she is not ready to elope with him yet." By the time his term expires Roosevelt will hardly be eligible for membership in the Universal Peace Conference. That juror in the Hains murder case showed grit in sticking to his post and deserves credit for not causing a mistrial. We hope Tillman is not going to ruin his case by too much and too loose talk on Roosevelt's short-comings. In course of time relic hunters will be looking for that table on which the House laid President Roosevelt's message. Won't a \$100,000 President require more allowance money to live up to the salary than does a \$50,000 President? Has the public stopped guessing about Taft's cabinet through despair or because it has grown tired of the subject? The strict enforcement of the Sunday laws in Roanoke and Pensacola seems to have been more talk than anything else. "Modern women is wholly a parasite since she produces nothing at all" says a lecturer. Wonder where he thinks the babies come from? Considering that Cardenio F. King was, according to his lawyers, convicted of no crime, he got a pretty severe sentence. By transposition of two letters in one word Roosevelt will change his present occupation in this country to what it will be in Africa. Here he is hunting out lions; there it will be lions.

A SUIT FOR \$165,000

Wilmington Man Brings Action Against Non-Resident Rockingham Power Interests.

ATTACHMENT PROCEEDINGS

Breach of Contract on Subscription Agreement is Alleged—Papers Served Last Night—Hearing in Richmond, Va.

Suit and attachment proceedings, alleging \$65,000 damages for alleged breach of contract, were instituted in the Superior Court in this county yesterday by Mr. William E. Worth against the Knickerbocker Trust Company, of New York; Hugh MacRae & Co., of Wilmington; the Electric Bond and Share Co., the Colonial Securities Co., the Rockingham Contracting Company and other allied corporations engaged in the development of the big hydro-electric plant of the Rockingham Power Company at Blewett's Falls, in Richmond and Anson counties.

The suits are brought by Mr. Worth through his attorneys, Hon. John D. Bellamy and ex-Judge E. K. Bryan, of this city, and the affidavit upon which the attachment is based alleges that the corporations named are indebted to the plaintiff in the sum of \$65,000 for damages sustained by plaintiff on account of breach of contract, expressed and implied, and which is due over and above all counter claims, by reason of the defendants' breach of a subscription contract for the purchase of bonds and stocks in the Rockingham Power Company and various other contracts between the said respective defendants and which inured to the benefit of the plaintiff and which said contracts were not carried out in good faith and were made by the defendants for the purpose of inflicting damages upon the plaintiff. The affidavit further sets out that the defendants named are non-residents of this State but have property here subject to the operation of the attachments, which are upon any and all properties in the hands of and obligations due by Hugh MacRae, Donald MacRae, J. P. Council, Burke H. Bridgers, Mrs. Bettie H. Bridgers, C. W. Worth and Jas. H. Chadbourne, of Wilmington, to the defendants named above.

The complaint in the suit upon which the attachments are based has not yet been filed and details of the transactions as between the plaintiff and defendants are not known, but from what can be learned, Mr. Worth subscribed to some of the bonds of the development company and these were later turned in to holding companies and negotiated in a manner, which he alleges was to his great damage in the sum named. It is understood that the answer to the complaint will allege a breach of contract on the part of the plaintiff and that all told the litigation promises to be quite lengthy and presenting still another phase of the complicated litigation into which the affairs of the company have already been drawn as between the local and non-resident stockholders.

The attachments in the suit were served upon all parties that could be reached last night by Deputy Sheriff John M. Branch and the institution of the proceedings involved the drafting of a large number of papers with which the office of the Clerk of the Superior Court was engaged until after 7 o'clock yesterday evening. The action is returnable at the next term of Superior Court for the trial of civil causes in this county which will be on the fourth Monday after the first Monday in March.

Another important phase of the litigation in connection with the Rockingham Power Co., was expected to come up before Judge Pritchard in Richmond, Va., Wednesday, the petition of North Carolina stockholders asking for the removal of Messrs. Brown and Leland as receivers of the property and that Dr. Jos. Hyde Pratt, of Chapel Hill, be placed in charge as more representative of the interests really concerned, but this hearing was continued a second time until February 15th.

FUNERAL OF MRS. NEWTON.

Held From Church of Good Shepherd Yesterday Afternoon.

A large concourse of sorrowing friends attended sad and impressive services over the remains of the late Mrs. Ida Carl Newton, yesterday afternoon at 3 o'clock from the Church of the Good Shepherd, Rev. W. E. Cox, pastor of St. John's Episcopal church, officiating. Following the services the remains were conveyed to Bellevue cemetery, where they were interred. Beautiful floral tributes were sent by sympathizing friends in the city, one of unusual beauty being contributed by Jeff Davis Council, Jr., O. U. A. M. as a mark of sympathy for the bereaved husband.

The pall-bearers were: Honorary, Messrs. Geo. Tienken and James H. Hall; active, Messrs. Dave Barber, William Tienken, E. C. Woodbury, H. F. Farrow, J. W. Overby and W. H. Everett.

ALDERMEN MEET TONIGHT

Call Issued Yesterday For Special Session to Consider Waterworks Matter in View of Suggestion of Finance Board.

A call was signed yesterday by the required number of Aldermen, asking for a special meeting of the Board tonight at 8 o'clock for the purpose of carrying out the suggestion of the Board of Audit and Finance that a joint committee from the two boards and one member of the Water and Sewerage Commission be named to take up the matter of the valuation of the property of the Clarendon Waterworks Company with a view to its purchase by the city.

The suggestion of the Board of Audit and Finance in this particular was received with great favor by the Aldermen and the public yesterday and it was the universal comment that this would probably bring an end to the interminable negotiations. One gentleman whose opinion is worth something was heard to remark that whatever recommendation this joint committee makes, should be accepted by both boards without further discussion. It is believed that an equitable value will be reached in agreement with the water company and that a trade will be effected before the end of the coming week.

The Water Commission will also get together probably some time today and appoint one of its number to confer with the committees from the other two boards. The personnel of the committee is not yet known to any degree of certainty but it is almost certain that the conservative elements will receive the appointments from all the boards. The two members of the committee from the Board of Audit and Finance had not been named yesterday and probably will not be until the return of Chairman McQueen from Washington where he is now with the delegation from the Fort Fisher Survivors' Association.

MR. JOSH WRIGHT MEARES

Passed Away Yesterday Evening at His Home in Birmingham, Ala.

A telegram last night conveyed to members of the family and many friends in this city the sad intelligence of the death of Mr. Josh Wright Meares, only son of Mr. Walker Meares of this city, and the late Mrs. Claypoole Wright Meares, also of Wilmington, which occurred at 6 o'clock yesterday evening at his home in Birmingham, Ala. While members of the family were prepared for the news that came in the announcement of his death, a telegram having been received earlier in the day, stating that he was in extremis, the realization of the death was a shock to friends and the family.

Mr. Meares was about 42 years of age and had resided in Birmingham about 20 years. He was engaged there in the railroad business, but about two years ago, because of failing health he went to a sanitarium at Denver, Col. He had returned home to Birmingham only about a week when a relapse followed and he passed away. Mr. Meares married Miss Eleanor Bosworth, of Selma, Ala., who survives him with his father, of this city, and three sisters, Mrs. W. B. Thorpe, Miss Adelaide Meares, of Wilmington, and Mrs. Sue Levering, of New York.

The remains will arrive here probably Sunday morning and the announcement of the funeral will be made later. Mr. Walker Meares is now at Hartsville, S. C., and will reach here today.

The deceased is well and most favorably remembered by Wilmington people in this, his native city. He was a man of pleasing address and was considered by the executives of the railroad by which he was employed as a man of exceptional ability.

Bring Back Ed Willis.

Deputy Sheriff W. H. Cox left last night for Raleigh to bring back for trial at next week's term of Superior Court, Ed Willis, a negro epileptic, charged with arson and who has been in the criminal insane department of the State penitentiary for the past several years and who is now pronounced cured. When he was tried here several years ago, the jury found him insane at the time of the trial and the judge committed him to the insane department of the penitentiary. Now the State prison authorities say that he is no longer insane and he will be tried here as to his insanity at the time of the alleged arson, he having been accused of burning a negro shanty in the suburbs of the city. It will be recalled that at the former trial he created a sensation in court by throwing a fit in the prisoners' dock just before the case was given to the jury. He was defended by Marsden Bellamy, Jr., and C. D. Weeks, Esqs., by appointment of the court.

Battle of New Orleans.

A delayed communication to the Star from its good friend, Col. John L. Cantwell, notes that the eighth of January was the anniversary of the battle and victory of New Orleans, which most improperly, was omitted from recognition as one of the great days of our Republic. "Why is it?" Col. Cantwell pertinently inquires, "it was a great day and General Jackson was no ordinary man!"

STATE LAWMAKERS

Several Bills of More Than Local Interest in Both Houses of Assembly Yesterday.

MUCH WORK BY COMMITTEES

More Pensions for Confederate Soldiers—Amend Homestead Exemption Section of Constitution—Truckers' Bill.

(Special Star Telegram.)
Raleigh, N. C., Jan. 14.—The Senate was in session but half an hour today, but nearly all the committees were busily at work during the afternoon, and with a busy session of the House, the Legislative mill may now be said to be well in operation.

The Senate ordered 200 copies of the Manning bill enlarging the powers of the Attorney General printed and this will be one of the first measures of State importance to be reached. An act to enlarge the powers of justices of the peace was reported unfavorably by the committee to which it was referred. Another feature of today's proceedings that will provoke warm discussion was the introduction by Senator Elliott, of Catawba, a petition from Hickory and other cities in his district asking that an amendment of the personal property exemption clause in the constitution be taken up, and the people allowed to vote on such amendment.

A bill introduced by Morton, of New Hanover, in the House today provides for a big change in the pension law in doing away with the different classes altogether and allowing all ex-Confederate soldiers and widows entitled to pensions under the present law a uniform amount of \$8 per month. The bill carries no special appropriation but provides in case the pension tax does not amount to enough in any year, the State Treasurer shall make up the sum from any moneys in the treasury not otherwise appropriated.

Dr. Cotton, of Northampton, reported that with Dr. Gordon, Guilford's representative, he had attended the convention of the North Carolina Association for the Prevention of Tuberculosis, in Charlotte, as delegates from the House. He found an enthusiastic gathering of physicians, newspaper men, preachers, teachers and others united in the great cause and the Association especially desired members of the General Assembly to disseminate among the people ideas of the necessity of pure air and other sanitary measures to keep down the great white plague.

New bills in the House were: Barnes, of Hertford, for election in the penitentiary at Raleigh for all death sentences. Harshaw, to elect County Boards of Education by the people. Harshaw, to elect county superintendents of instruction by the people of the several counties. Weaver, to amend Section 2021 Revision, relative to laborers' mechanics' liens.

Koonce, of Onslow gets the chairmanship of the Committee on Insurance; Mr. Cotton, of Pitt, on Penal Institutions; Mr. Julian, of Rowan, on Printing, and Mr. Rodwell, of Warren, on Liquor Traffic.

During its 35 minute session the Senate received new bills introduced and included:

By Britt, to provide for the election of County Boards of Education by the qualified voters of the several counties.

Dockery, to incorporate the Pee Dee Valley Railroad Co.

The bill to limit barring of children from white schools on account of a strain of negro blood to three generations instead of for any taint however remote, came up on an unfavorable report from the committee on Education and was tabled.

Starbuck introduced a bill to amend the Revision so as to equalize the preemptory challenges allowed the State and defendant in capital cases.

Mr. Morton's bill for the protection of the trucking industry in Eastern Carolina will be taken up by the Committee on Agriculture as soon as word is received from the Truckers' Association what day the Executive Committee will be here to be heard in regard to the same. This is the bill the truckers have been wanting for several years past; in fact, ever since the Association found itself unable on account of the strict National rebate laws to collect the necessary funds through the transportation companies for carrying on the inspection and statistical work which is regarded as absolutely essential to the life of the industry in Eastern Carolina.

Mr. Edward P. Cantwell Dead.

Many Wilmington friends will regret to learn of the death of Mr. Edward Pringle Cantwell, which occurred at Asheville, N. C., on January 6th, at the age of 54 years and 5 months. Mr. Cantwell was a nephew of Col. John L. Cantwell, of this city, and a son of Edward and Ellen Deming Cantwell. He had been in poor health for some time and while his death was not unexpected it came as a sad blow to the family and friends.

In an attempt to escape from jail prisoners at Tillar, Ark., set fire to the structure. Two were incinerated.

DAY'S DOINGS IN RALEIGH

Continuance of Murder Trial—Grand Lodge of Masons Adjourns—Two Commitments to Penitentiary—Charters.

(Special Star Correspondence.)
Raleigh, N. C., Jan. 14.—The trial of Earl Cotton, Tim Holderfield and "Red" Hopkins on the charge of the robbery and murder of Dr. E. W. Smith, of Richmond, Va., was postponed to the March term because of the alleged "doped" condition of Earl Cotton, who is alleged to be the chief criminal of the three.

Two hundred and fifty veniremen had assembled in the court room ready to be called for the jury when counsel for Cotton read an affidavit from physicians that Cotton is in a "doped" condition, unfit to be put through trial for his life at this time. He is a cocaine fiend and the county physician had, in treating him in the jail, found it necessary to give him as much as 60 grains of the drug in a day. Furthermore that left to himself, he was so addicted to the use of the drug that he would use as much as 120 graffs a day.

The North Carolina Grand Lodge of Masons, in session here the past three days, having re-elected all officers for the ensuing year, formally installed them this morning, Past Grand Master B. S. Royster being the installing officer. They are S. H. Gattis, Hillsboro, grand master; R. N. Hackett, Wilkesboro, deputy grand master; William B. McKoy, Wilmington, senior grand warden; F. M. Winchester, Charlotte, junior grand warden; Leo D. Heart, grand treasurer, and Jno. C. Drewry, grand secretary.

This session has been one of special interest particularly on account of the initial use of the splendid new temple and the formal dedication of it to the services of Masonry and the maintenance of a home for aged and indigent Masons. The final adjournment took place this afternoon.

Grover and Lonnie Walker, two young white men of Wilkes county, have just entered upon 10 and 20 years in the penitentiary for making a dastardly attack on the residence of Mr. and Mrs. Faircloth, an aged couple on Bushy Mountain, with the intent to massacre them for having reported the young men as blockaders. The old people took refuge under the bed and were saved from their assailants by relatives who arrived with shotguns and drove them away after a load of shot had taken effect in Lonnie Walker's face.

New charters today: Hope Mills Mercantile Co., authorized capital \$10,000, begin business with \$3,300; principal incorporator, J. B. West, of Hope Mills.

Mooreville Enterprise Co., authorized capital \$25,000, begin business with \$2,750; J. B. Robeson, of Mooreville, principal incorporator.

Goldsboro Produce Co., wholesale and retail; authorized capital \$5,000, which may be increased to \$50,000; begin business with \$2,000. W. J. Leary, of Washington, N. C., principal incorporator.

Southern Spinning & Manufacturing Co., Zebulon, Wake Co.; authorized capital \$300,000; begin business with \$25,000; Archibald Meldrum, of Zebulon, principal incorporator.

The Union Power & Water Co., of Asheville, was granted an amendment to charter to include doing of interurban and street railway business.

The Lewis Lumber Co., has changed its location from Wilmington to Byrdsville.

FUNERAL OF MR. H. B. SHORT.

Conducted Yesterday From Residence of Mr. A. B. Skelding, This City.

In the presence of a large assemblage of friends from Wilmington and elsewhere, the order for the burial of the dead was impressively observed in honor of the late Mr. Henry B. Short from the residence of Mr. A. B. Skelding, No. 326 South Third street, at 3:30 o'clock yesterday afternoon, Rt. Rev. Robert Strange, D. D., Bishop of East Carolina, officiating. The funeral hymns were sweetly rendered by a quartette from St. James' choir and a large number of beautiful floral designs were laid upon the casket by friends.

Following the services at the residence the remains were borne to Oakdale cemetery where they were committed to earth, the pall-bearers having been: Honorary, Jr. T. S. Burbank, Dr. Geo. G. Thomas, Messrs. J. R. Kenly, Clayton Giles, H. C. McQueen, William Latimer and William Calder; active, J. A. Brown, of Chadbourne; J. V. Grainger, W. J. Craig, J. W. Murchison, J. H. Chadbourne and Iredell Meares.

At an important meeting of the trustees of the State Firemen's Relief Fund on Wednesday night, Mr. J. G. L. Gieschen was unanimously elected a member of the board to succeed the late W. C. VonGlahn. Other members of the board were re-elected as follows: Mr. W. A. French, chairman of the Fire Committee of the Board of Aldermen, Chief Charles Schnibben, of the Fire Department, Messrs. C. N. Evans and F. A. Lord, trustees. Mr. Gieschen is an old volunteer fireman whose heart is still in the service and his election to the vacancy is eminent fitting and will bring to the Board a man of experience and fine business ability.

PROTECT TRUCKING

Important Bill Introduced in Legislature Yesterday by Representative Morton.

RECOMMENDED BY GROWERS

Provides For Inspection and Systematic Handling of Berries and Vegetables in Eastern Carolina. Committee Heard.

(Special Star Correspondence.)
Raleigh, N. C., Jan. 14.—Representative Morton, of New Hanover, today introduced in the House a bill of great importance to the trucking industry in Eastern Carolina. It is for the purpose of defraying the expenses connected with the inspection, sale, shipment and distribution of truck and takes the work formerly in the hands of the East Carolina Fruit and Truck Growers' Association under the wing of the Agricultural Department.

The bill is recommended by President Springer and the Executive Committee of the Truckers' Association, who will be here to champion it before the Agricultural Committee to which it was referred, members of both houses having been furnished with copies of the same. The committee on Agriculture of the House is composed of Currie, of Cumberland, chairman; Pitt, Mitchell, Grier, Cox, of Anson; Gaston, Everett, Myatt, Parker, Warlick, Cotton, Hageman, Smith, of Harnett; Tomlin, Foy, Redding, Bryan, Latham, Butler, Davis, Rhodes and Linney. The full text of the bill is as follows:

"A Bill Entitled an Act to Encourage and Protect the Industry of Growing Strawberries and Other Perishable Fruits, Vegetables and Truck Crops in North Carolina.

"The General Assembly of North Carolina do enact:

"Sec. 1. For the purpose of defraying the expenses connected with the inspection, sale, shipment and distribution of strawberries, cantaloupes, green corn, lettuce, onions, potatoes, asparagus, beans, peas, cucumbers, tomatoes and cabbage transported or shipped in or from the counties of Wayne, Duplin, Sampson, Pender, New Hanover, Brunswick, Columbus, Bladen, Robeson and Cumberland, a tax of one cent per crate on strawberries and one-half cent per crate or package on all other articles herein enumerated which may be transported in or from the counties herein enumerated, said tax to be paid by the railroad or transportation company receiving such articles for shipment to the Treasurer of the State on or before the first day of July and October next succeeding said shipment; provided, that the railroad or transportation company receiving such articles for transportation be and is hereby authorized to add to its legal rate in force on the date of such shipment one cent per crate on strawberries and one-half cent per crate or package on the other articles herein enumerated.

"Sec. 2. The Commissioner of Agriculture shall appoint under this act within ten (10) days after it goes into effect, twenty-four (24) directors composed of persons who are interested in the growth of strawberries and vegetables in the counties of Wayne, Duplin, Sampson, Pender, New Hanover, Brunswick, Columbus, Bladen, Robeson and Cumberland.

"Sec. 3. That the said directors so appointed shall continue in office, eight for two years, eight for four years, eight for six years, and eight appointed bi-ennially thereafter, and on or before the first day of January, by the said Commissioner of Agriculture.

"Sec. 4. The several directors appointed under the provisions of this act shall constitute the 'Board of East Carolina Fruit and Truck Growers' Association' and are hereby incorporated and created a body politic under the said style and name. The said Board shall meet annually on the third Wednesday in February of each year, and at such other times as called by the Executive Committee; provided, however, the said Board may hold its first meeting at such time and place as they may elect. The said Board is authorized to appoint an executive committee composed of five members, annually, which committee may meet at times to be fixed by itself or called by its chairman for the transaction of the business authorized by this act. An annual meeting of the growers of articles herein enumerated shall be held at such time and place as the executive committee may designate. The board of directors and the said executive committee shall receive as compensation for their services the sum of two dollars per day and their actual expenses, which shall include only hotel bills and railroad fare incurred in attending said meetings.

"Sec. 5. It shall be the duty of the executive committee to give such assistance as they can to the Secretary hereinafter provided for in the performance of his duties as prescribed in this act, and to recommend to the board of directors such things as in their judgment will enhance and

(Continued from page 4.)