Leads all North Carolina Dailies in News and Circulation

VOLUME KOL NO. 59

RALEIGH, N. C., TUESDAY MORNING, JANUARY 17, 1911

PRICES CENTA

MONTAGUE, THE NEGRO

The Brute Guilty of a Tripple Murder, Criminal Assault, Arson, Burglary and Larceny, Given Quick Trial and Sentenced to Die February 15

Prison Here Yestertlay Morning and Cours, Presided Over by Judge burning house, it was recognized. That Ward, Was Heid—Took Only Pour discovery of the clothes that completed the string of circumstances. Complete Trial of the Prisoner—Burning and Discoveries.

Melville Hunt, John T. Milton and Frank Hester were examined to show

(Special to News and Observer.) Oxford, Jan. 16 .- Granville county court broke all records for disposing of a criminal this afternoon when Nathan Montague was arraigned, tried, convicted and sentenced within four hours of actual Jourt work.

When Judge G. W. Ward convened paralleled crime. There have been belief is general that the child was nomicide trials that required less time, but none approaching this in barbasity, lawyers here say. Montague will die Wednesday morning.

I the court was an uneventful The Granville Greys and the Gailing gun looked death to any dem-contration. The most infurlated man onstration. The most infuriated man-had his fury for his pains. On all sides were soldiers who obeyed the literal orders of the commanders, and on the inside every man who went up submitted to visitors, but these did not indicate hat there was a riot incubating. A crowd of three or four thousand men would scarcely be without shooting irons. From ansabundance of precaution, this step was taken in order to make certain that there could be no stray shot into the crowd that might kill either the prisoner or of any innocent bystauder. as disposed of weapons Such men of weapons were touched for the present. Nothing was allowed to trouble the trial. Barring this very trivial incident. there was nothing that looked like lynching. The curious on the outside worth. Not half of it could gain ensomething of the testimony.

Followed Prisoner to Station. oper to the station was the same that tovers every savagery of similar nature with the supernatural glamour that heaven alone understands. It did not seem to want Montague. The enforced silence actually seemed to nelt many a man to the pitiless brute who did not realize his predicament, even when the chilling words of Judge Ward shot through him. He cared not to speak, and it was perhaps bet-

Montague line Admitted Crime.
That Montague killed the Sanders family has been admitted by him at one time or another and criminal as desired best by course! not to allow him to make a public statement, if he wanted to do it as it was feared that detailing the outrage, there might be an outburst. To some, the conveyed statement that Montague killed the girl before assaulting her, which appears to be the truth, will come as the one mitigation of grief; to others it will pile it up in cumulative bar-barity. But he says he did. Judge Ward, in propounding sen-

ence, told Montague that he sto charged with six possible capital selonies. murder, areon, rape and burgiary, murd r of the three being charged to him. That he robbed the Sanders' home of clothes, and the dead girl of a little money, is positive. But at every stupid step, it appears to have dropped the evidence that wound a chain of circumstantes about him that no barrister could have broken. It is probably due Granville to say that with less precaution than was taken, there would have been no the populace did not appear to be in-censed, but curious. There was no abnormal influx here from the Sand-

Testimony of Shuman Overion. Her father-in-law, Shuman Over-top, introduced to show similar testimony, declared that Montague could not have gotten bloody from the work that he did with the hoga, be-cause he did so little. A white crayat

was found near Montague's house, belonged to Leyton Sanders. Moses Overton's Testin Mosea Overton, the third witness robably uncarthed the circumstance Carried to Oxford Under Military until he appeared. Montague had loaned Overton his knife that day. When found in the light made by the

Minutes Condemned Man Brought of charred bodies, the discovery of stray hairs, and the evidence of a struggle. That Montague tried to throw the girl into the well seems ir-resistible. The chain was bloody and all about it were seen patches of hair, that told of the Until Montague confesses struggie. completely, there will be no way to find how Mr. Sanders died. Killing of Mr. Sanders.

Frank Hester gives a my of light in his testimony. He discovered a this special term this morning he had pan nearly consumed corn, the theory to order a venire, assign counsel, wait being that the old gentleman had for a grand jury's notion and take shelled it and was actually engaged in every proper step in this almost un-that work when he was siain. The paralleled crime. There have been belief is general that the child was

ldentity of Dead.

Ex-Sheriff S. A. Flemings evidence tended to prove the identity of the three dead people. He was present when Montague was arrested. He said the prisoner taughed an idiotic laugh when accused.

Telliale Evidence.

R. E. Starnes completed the corcumstantial testimony by bringing out the fateful skirt, which no reasoning

ry man who went the fateful skirt, which no reasoning man can account for. Robbing the dead girl of her clothing, throwing her mly actual evidence furnished against him, rather than burn it, was the course of Montague. Other minor course of Montague. things were mentioned.

course of Montague. Other minor things were mentioned.

Theft to Crime.

Sheriff Wheeler strengthened the case by producing a little purse with seventy-five cents in it, and later finding many clothes that Montague's gram, said were brought from Monta
wife and father-in-law, George Manjoint caucus of Democratic members gum, said were brought from Monta
seventy-five and father-in-law, George Manjoint caucus of Democratic members gum, said were brought from Monta
Consideration of the income tax in the new organization," he said in the new organization, "Only joint property was changed from the trustees to a corporation. Pray tell m. gow the Standard Oil of New Jersey ould restrain trade by such a conveyance."

Announcement was made that a joint caucus of Democratic members gum, said were brought from Monta
Seventy-five cents in it, and later finding many clothes that Montague's deep organization," he said in the new organization," he said in the new organization," he said in the new organization, "Only joint property was changed expression, the witness answered on corporation. Pray tell m. gow the Standard Oil of New Jersey ould restrain trade by such a conveyance."

Announcement was made that a joint caucus of Democratic members it is contended that the properties able death of her husband, ahe said that the properties able death of her husband, ahe said that the properties able death of her husband, ahe said that the properties able death of her husband, and some conveyance in the new organization."

Without faltering or changing her with the witness answered on expression, the witness answered on the properties. The new organization."

We did not put any alien property was changed expression, the witness answered on the witness answered on the standard oil of the new organization."

Without faltering or changing her condition that he remain law-about the property was caucus of good behavior.

When the new or Mrs. Sanders testified. It added de-

liberate robbery to a long list of un-thinkable crimes. iningable crimes.

After Mrs. Sanders testified, the state rested, and the defense announced its unwillingness to offer evi-

Judge Ward continued: "It rests pur ly upon evidence circumstantial." Verdict in Eight Minutes, Eight minutes of deliberation was followed by a dramatically silent extention. "Sheriff, station your deputies everywhere, and see that there is
no demonstration of any kind," Judge
Ward said, "We can't allow it."
Scotence Pronounced,
The stillness of a cathedral hush
fell upon the court room, fairly bursting now, when Foreman S. C. Hobgood pronounced the verdict that

good pronounced the videomed the brute to death. verdict that doomed the brute to death.
Judge Ward took time to write the
judgment, and then read it, which was
that the prisoner should die by electrocution February 15th. When he
said "May God have mercy upon your
soul," the negro appeared to be inconcerned as to whether the prayer was answered or not.

Montague Talks. Nathan Montague, the nesse yester-day convicted in Oxford of the mur-der of Mr. J. L. Sanders, his daughter, 15th, has made a partial confession, after his plea of not guilty was enter-

after his plea of not guilty was entered at the trial.

The semi-confession was made to Sheriff S. A. Wheeler, of Granville, and in the presence of Capt. W. F. Moody, of Company B, Third Regiment, of Raleigh, this being while Montague was being brought back to Raleigh under military guard. In a statement, he made he said he was at the Sanders' home at the time of the burning of the house and the survey, but that he was outside, that other parties had committed the foul deed.

According to the statement he made. Mentague showed his first emotion this morning when he and his wife met in the couribouse, and he gave ther a box of candy. He shook hands with her, but showed no more affection.

Mr. Overton's Testimony.

The sum total of the testimony decideded, all elements of criminal assignational field being amiduously avoided in the extravagance of care was circumstantial. But conclusive. The first witness. Mark H. Overton, sister of Miss Mark H. Overton were dead. He denies setting fire to the house, and says that the body part he took was to watch counties, while the other two lacking Training School.

(Continued on page Mx.)

COMEUPTHURSDAY TO THE OIL TRUST

tional Amendment

General Wickersham

(By the Asseciated Press.)

Washington, D. C. Jan. 16 .- De-

claring that the reorganization of the

Standard Oil Company, of New Jer-

say, in 1899 riveted together the con-

way that had not existed before, At-

argued before the Supreme Court that

the defense put up by the Standard

It was the third day of the oral ar-

gument of the case. Frank B. Kel-

States for the Eastern district of Mis-

souri. D. T. Watson, of Pittsburg,

had centered an attack on the form

ersham was then called upon to close

bis argument tomerrow when John G.

mortal element was accorded to the

torney General Wickersham today

General Assembly Acts on Local Measures Only, and in the Main Only Local Ones Introduced-Senate Adjourns in Honor of Late Col. W. J. Hicks-Osps. S. A. Aster Defends His History of State.

Gradually the anssions of the House are growing longer, as the work in-

again, a great many third reading roll call bills, relating to municipal The or county bond authorizations. Greensboro Commission form of Government bill was among those being finally disposed of. This bill having already passed the Senate, will be ratified this morning. Battle's bill authorizing the Oil Company against dissolution fell

State Agricultural Society to own to the ground. worth of property, also passed its final reading. All the other bills passed were of strict local nature, as were most of logg had concluded his long argument hose introduced. Exceptions among in favor of the dissolution as decreed the new bills are:

The hill by Mr. Hagaman, providing for the support and maintenance of Appalachian Training School. Mr. Ray: Raising the saisry of cierk to the attorney general. from \$1,500 to \$2,000 and changing his official entitlement to assistant at-

torney general, so that the name will the argument for the government. He the at the bigger pay. By Mr. Connor; Providing that five classes of mortgages of personal property can be made in the county.

ed at the last session after it had but to convey the properties held to-Graham, because of matter in the history calling in question the historical accuracy of the 18th of May declara-tion of independence. There will be another contest doubtless, over this conveyance of properties?" problem of the exact status of the

Notice was also given that on Wednesday night, a joint meeting of the

Memorials and Petitions.

The following petitions and memorials were presented and were re-

Parham: To amend the laundry law this reorganization a perpetual imof 1907.

Date Set for Constitu- Argument of Attorney Bitter Cross-Examination

of Woman Detective

The Attorney General Turns the Argu-Zoeckler, Known as Mrs ment of Oil Attorney Watson as a Micin, in Flercely Assailed by Mr. Weapon Against the Octopus, Showing That the Reorganization in Character and Past Life-The Woman Through it All, However, Re-1899, After Being Declared An mains Unshaken and Sticks to the Illegal Combination, Constituted a Grenier Trust Than it Did Before.

(By the Associated Press.) Wheeling, W. Va., Jan. 15.-Five hours of the most bitter cross-examination to which any witness has been troi of the subsidiary companies in a subjected by the defense in the caof Mrs. Laura Farnsworth Schenk charged with administering poison to her millionaire husband, John to Schenk, falled to shake today the story told the jury on direct examination Saturday by Eleanor Zoeckler, who is also known as Mrs. Klein, the detective nurse, who alleges that Mrs. Schenk offered her \$1,000 to put a poisoned pill in the medicine which was taken by the patient at the North Wheeling by the Circuit Court of the United Hospital.

Miss Zoeckier who is connected with a Pitisburg detective agency, was on the stand all day.
The woman's veracity, her ter and her past life were probed in the questions propounded by L. O. So fierce was the attack on withess that Prosecuting Attorney did not conclude, but will complete Bandland objected, declaring that Mr. Boyce had no right to go beyond the office will not be move bounds of authority, and the jury was sit; under consideration.

property can be made in the county, when mortgage is registered.

A bill to provide a woman's building at the Soldiers' Rome, was another one of general interest.

A memorial from Capt. S. A Ashie sould justiff the State in purchasing sould justiff the State in purchasing to the dama nothing after the passage of the of lies; she has agreed out.

Mr. Boyce replied with equal bitterness. He said: "This is a commercial witness, and f will treat her commercially in the state in purchasing to the confidence of the defendant had dence of this defendant with a lissue of lies; she has agreed to lie for money and I will cross-examine her The detective profespassed, by the efforts of Mecklen-burg's representatives and Speaker men to the Standard Oil of New Jer-along regular lines, but in this case if was not Are the Federal courts to sit by the tive. She is only an operative, and I avenues of interstate commerce," inwill conduct this questioning along

did not ain a single power by reason. Time after time, he asked "when pardon, of the conveyance" you told Mrs. Schenk that, you had pardon.

conveyed were non-competitive before she had. That Mrs. Schenk had often 1899 and remained exactly as they had expressed a fear that she would not been after that year.

The reason he advanced for the Cir- that she was not sure she would nesday night, a joint meeting of the Senate and House Committees on Education would be held, and that exGovernor Jarvis had accepted an invitation to address them.

The sension was void of special inclident, and no bill created any discussion or debate,

Home Proceedings.

The reason he advanced for the Circuit Court holding that the conveyance a good home if the husband should die
was Hegal, was that it believed it had to follow the decision of the Supreme
Court in the Northern Securities case,
But the Standard Oil case, he arsuid, differed from the Northern Securities. In the latter, failroads, owsand dollars to poison John Schenk
under Proceedings. Charge to Jury.

Argument was waived, and Judge Ward began his charge at \$145. At \$255 he had concluded, charging that the evidence was circumstantial and stating the prisoner's contention for him. "He denies or would deny, that there is any evidence of any homicide at all. Nobody saw this tragedy."

Charge to Jury.

House Proceedings.

The House Proceedings of the Proceedings of the Pro

rais were presented and were referred to the appropriate committees:

Battle: Capt. S. A. Ashe, of Raleigh,
relative to his History of North Caro
New Jersey, and that the stock of the

relative to his History of North Carolina.

McGill: Resolution of Daughters of the Confederacy, asking for assets to the Confederacy.

Kellam: Petition of Cape Fear Camp veterans for monument to Women of Confederacy.

Livingston: From citizens of Polis.

Resolutions.

Battle: Joint resolution with reference to paying the street in front of the Governor's Massets of New Bills.

McGill: For the section of a wo-ward building at Soldiers How the Confederacy of the Standard Oil Company to support his claim that its organization just pre
New Bills. which the defense would follow.
"You were told to break into Mrs. that for Government against a sealous." chenk's confidence by any means.

Today's action will be ratified when the Legislature meets in joint session.

McGill: For the erection of a woman's building at Soldiers' Home.

Pethel: To protect women from drenkenness of midwives or practitioners.

Pethel: To encourage sheep raising and resteer game.

Standard Oil Company to support his band is a tissue of lies, manufactured out of the whole cloth by yourself "Everything I have told is true."

Everything I have told is true."

"Everything I have told is true."

"Isn't it a fact that the only more than the first of the whole cloth by yourself."

"Everything I have told is true."

"Everything I have told is true." day convicted in Oxford of the murder of Mr. J. L. Sanders, his daughter,
Miss Mattle Sanders and his granddaughter, little Irone Overton, in
Granville county, near Hesser, and sentenced to be electrocated on Yebruars

Clay county.

The effect was to five the control
of one hand over the twenty compsnies, a cantrol that neither death nor taxes nor financial ruin could rev 1.

"The effect was to five the control
of one hand over the twenty compsnies, a cantrol that neither death nor taxes nor financial ruin could rev 1.

"The effect was to five the control
of one hand over the twenty compsnies, a cantrol that neither death nor taxes nor financial ruin could rev 1.

"The force the separation the death
of one of the certificate holders would
"That is not true. No such converthe death you if you got them for Mrs. Schenk?"
ders world "That is not true. No such convernired. By sation took place."

Thomasville Has a Population of 3,877 and Lexington Has 4,163, (Special to News and Observer.)

Washington, D. C., Jan. 16.—Thom-asville, North Carolina, has grown from a town of 590 in 1890 to a community of 3,877 acording to the census CHOSEN IN DEMOCRATIC CAUCUS figures published today. Ten to SUCCEED SENATOR DEPEN. Ten years Lexington now has a population of

FOR POSTAL DEPARTMENT.

The Appropriation Bill Reported House Carries \$253,000,000. (By the Amociated Press.)

(By the Associated Pross.)

Albany, N. Y., Jan. 16.—At the Democratic caucus here tonight Wil-Washington, Jan, 16 .- The postliam F. Sheehan was nominated for office appropriation bill aggregating United States. Senator to encoded \$155,000,000, an increase of more than Chauncey M. Depew. The final vote th

FOR THE WITNESS FLOWER OF DEMOCRACY TO

Conference of Democrats at Baltimore Today Will Bring the Leaders of the Party from Every Section of the Country

EVENT AT ELIZABETHTOWN.

The Completion of Virginia and Carolina Railway to That Point Cele-brated—Thousands attend—The Big Dillior R Proture.

""Enbetht, wn, Jan. 16 - Thousands re here Saturday to attend the celration of the completion of the Virla and Carolina Southern Italiway this point. The excusion train The Great Victory of Last Novemb already great growd which came vehicles from all parts of the unty. The celebration was an emisuccess. A big land fale was a re. A big dinner, was served on school grounds in great abundance with pienty to spare. Music by a band enlivened the occasion.

troad, was present. It was estimaed that \$,000 people were present. GOVERNMENT ACCEPTS.

President A. W. McLean, of the new

The Price for Site for Enlargement of Postoffice at Winston-Salem is Salisfactory to Federal Anthorities,

(Special to News and Observer.) Winston-Salem, Jan. 16.—District Attorney Holton received a telegram afternoon from the secretary of the treasury, stating that the department) had decided to arcent condemnstional proceedings for four lots on Trade street, desired for the entargement of the present postoffice building. This means the

FRANK POWELL PARDONED.

Was Convicted of Larceny in Yadkin County and Sentenced to Six Month in Juit. Frank Powell. who was convicted at the fall term, 1916, of the crime of larceny, and sentenced to six months in Jail, was yesterday pardoned conditionally, the reasons for the granting of the pardon seing as follow-

one besternoon. Two reputable physicians. ing the County ment will seriously impair the health Sonveyance of properties?"

she lied and entered into a conspirary and endanger the life of the prisoner sonator like she lied and entered into a conspirary and endanger the life of the prisoner sonator like short, of Kentucky Section and a single power by reason.

Time after time, he asked "when indeed and the solicitor recommend attraction of Indiana; Representation of the prisoner sonator like shorts of Indiana; Representation of the solicitor recommend attraction of the prisoner sonator like shorts of Indiana; Representation of the solicitor recommend attraction of the prisoner sonator like shorts of the solicitor recommend attraction of the prisoner sonator like shorts of the prisoner sonator like sh

"Governor"

rbroideries and lades, were considerresenting the importers.

cons firms and payment has been re- to attach to the proceedings.

Dupont Nominated.

(By the As sociated Press.) Dover, Del. Jan. 16 .- In a taucus shich was attended by thirty of the thirty-one Republicans of the two anches of the Delevare Legislature inte today, Henry A. Dupont was again the afternoon meeting, and Judgenamed as United States Senator from Ferdinand, of Comberland, Md., willnamed as United States Senator from his State. Senator Dupont has pract as foost master at the banquet his State. Senatur Equation, only one vote that for Gov. S. M. Pennewill, being elaborate affair ever held in Balti-

on January 24th. Fight for Exposition.

Washington, D. C., Jan. 16.—The final arguments in the fight for national recognition of the exposition committee on expositions today, Goverhor Sanders, of Louisiana, appearing for New Orleans, and Representative Kahn, of California, for San Francisco Mayor McCarthy, of San Francisco invited the committee to come to San Francisco.

Large Mill Assigns

(y the Associated Press. Lynchburg, Va., Jan. 16.—Adams Monroe Manufacturing Co., one of the largest mill working plantsh State, assigned today the liabilities being about 92,000 and assets about 75,-The plant is being operated to com-plete the unfilled orders and will probably be re-organized.

John Martin Signed.

New York, Jan. 16 .- The New York ON THE FINAL VOTE HE RE4.163 as compared with 1,234 ten years
GEIVED FOUR MORE THAN WAS

Lexington flow has a population of American League Club today signd
John Martin, an infielder, who was
with the New Brunswick, New Jersey American League Club today signd semi-professional team list year. Martin has been ordered to report in Athens, Ga., on March 5. His home is in Plainfield, N. J.

Dr. Hopwood Resigns.

Lynchburg, Va., Jan. 16.—The trust-ees of the Virginia Christian College met here this afternoon to receive the resignation of Dr. J. Hopwood, who

TO FURTHER GEMENT THE ALREADY UNITED PARTY

Also Speak-The Hanquet Will Be the closing Event of Harmony Conforences During the Day.

(By the Associated Press)

Haltimore, Md., Jan. 16 - Content during the lean years of defeat to the price of \$48,000 fixed and spring water on the side, the militnnt Democracy of 1911 will sit at a terrapin will vie with the aristocratic canvas-back duck and the epicures; Smithfield ham in the courses of a bunquet that is fittingly to the Democratic victories of 1910

The banquet will be the closing ture of a day given over to harmony conferences among the Democrata Governor Harmon, of Ohio, and Champ Clark, of Missouri, are to be the central figures in the day's doings Both will deliver formal addresses at meeting in the Lyric temorrow at

Superintendent of Senator Joseph N Poss, of Mass. numerous "descendants of the signnumerous "descendants of the signnumerous "descendants of the signof the conveyance"

"We did not put any alien properly again, didn't you?"

"I therefore pardon prisoner on
"We did not put any alien properly again, didn't you?"

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in the new organization," he said Without faltering or changing her condition that he remain law-abiding
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in the new organization, "he said Without faltering or changing her condition that he remain law-abiding
hill, of Richmond, Vs., are among
others scheduled to take part in the conference and to deliver speeches terpoon or at the bunquet in the even

By the Associated Press:

(By the Associated Pre that New Orleans importers who of the United States Senate and House charged with under-valuations of of Representatives. Altogether it expected that more than 1 and faithful lemocrats will sit about the grean Attorney-General W T. Dent- ing boards' in the Fifth Regimens the general impression, the meetings The Trensury Department has de-inded \$10,000 for back duties from tion rather than a conference, and m and Ellis, one of the New Or- great political significance is experted men who proposed the celebration, and who have had charge of the plans, declare there is no purpose of starting a "boom" for any man for President Governor Harmon is concerned. & "boom" is siready under way, and habeen for some time past.

more. In wealth of floral decorations in repleteress of service, and in the choice of ylands and vintage wines, it will take rank with the most notable feasts the Democracy has ever known. The Democratic leaders resent the intended to bring about harmony in the Democratic ranks. They declare it is simply to celebrate a harmony

No attempt will be made to fix a policy as to the course of the Demo-cratic majority in the House of Representatives. That will be left to the Congressional leaders to be dealt with in their own way. No resolution bind-ing the Democracy to any candidate for any national office will be sonsidered 'in order' and there will be no appeals from the chair of this parila-mentary point. A free open discus-sion of Democratic principles has been invited and any speaker who comes to hurl a brick of "Cannonism" or any other "ism" of the Republican party will be more than welcome to have hls fling.

Some idea of the magnitude of the banquet may be grined from the fact that there will be fifty-three seats at the speakers' table. This doesn't mean that there will be fifty-two speeches, But the more important gu be given places of honor at this table whether they are to say anything or not. The banquet is to begin at T. o'clock, and is expected to end somewhere around midnight.

where around midnight.

Before the toastmaster waps for order, however, the diners are expected to make away with 7.006 Lynhaven oysters 75 gattons of diamond-back terraruh. 1.550 pounds of Jersey capon, 550 canvas-back ducks, 45 Smithfield hams, 1.000 cocktalls, 550 quarts of chumasure, 460 cocktalls, 550 quarts