

TO INCREASE DUTIES OF THE ATTY. GENERAL

Bill Providing That He Be Given Power to Investigate Corporations.

SENATOR MAY BE ELECTED JAN. 19

Resolutions to That Effect Before Committee on Privileges and Elections.

(Special to The Citizen.) RALEIGH, N. C., Jan. 9.—There was introduced in the senate today and went to the committee of privileges and elections a joint resolution by Senator Whitehead Klutz...

REPUBLICAN CAUCUS

RALEIGH, N. C., Jan. 9.—A joint caucus of the republican members of the general assembly in session tonight decided to present the name of Hon. Spencer B. Adams as the choice of the minority for United States senator when the legislature goes into the election January 19.

It is understood that Senator Britt will make the nominating speech for the senate and Representative Harshaw for the house. The caucus, the members say, was thoroughly harmonious and the members enthusiastic in paying what they say is a well earned honor to the state chairman.

The senate convened at 11 o'clock, President Winston in the chair. Senator Ormond offered prayer. As committee on the Journal the president announced the following committee: Senators Barham, Hawes and Sherrill.

Bills and resolutions introduced: Fry: Prevent killing fish with dynamite. Game laws. Fry: Enlarge powers of justices of the peace in Swain county. Justices of peace.

Fry: Amend charter of the Carolina & Tennessee Railroad company. Railroads. Fry: Protect forest ranges in Swain, Jackson and Transylvania counties. Also Haywood county. Propositions and grievances.

Fry: Increase pensions of Confederate veterans. Pensions and Soldiers' home. Fry: Give a laborer's lien on personal property on which he has rendered services. Judiciary.

Lockhart: Appoint justices of the peace for Anson county. Calendar. Nimocks: Increase governor's salary from \$4,000 to \$5,000. Calendar. Barham: Relating to fees for short form of mortgages in Wayne county. Calendar.

Mills: Relative to the salary of commissioner of labor and printing. Tilton: Appoint justices of the peace in Madison county. Calendar. Mills: Repeal chapter 678, public laws 1891, relating to roads in Rutherford county. Public roads.

Fry: Establish office of county treasurer, Swain county. Calendar. Blow: Amend section 311, Revised relative to board of commissioners of Pitt county. Revision. Fry: Establish county line between Swain and Macon. Counties, cities and towns.

Bills passed final reading: Appoint J. A. Ewing and J. W. Smith justices of the peace for Stanly. Appoint G. N. Arrington, E. S. Morfey and J. W. Thomason, Madison county, justices of the peace. Amend section 2776, Revised, relative to fees for short forms of mortgages in Wayne.

(Continued on page seven.)

REPLY-DELAYED BY LOSS OF HIS PAPERS HE SAYS

Tillman Says Papers Bearing on Oregon Land Case Taken From Desk.

WERE ACCESSIBLE TO THE SLEUTHS

Troubles Pile Up as Postmaster Seeks to Collect Postage on Typewriter.

(By Associated Press.) WASHINGTON, Jan. 9.—In the preparation of his speech in reply to the president's charges, Senator Tillman has failed to find a number of papers bearing upon the Oregon land case, in connection with which the present controversy arose. These papers were, he says, enclosed in a large envelope and left in his private desk in his committee room at the capitol when he left Washington last March on account of his illness, but they cannot now be found.

The senator does not charge that the papers have been abstracted by a government detective, who may have been shadowing him, but he does say that it would have been possible for any such official to gain access to his room and to his desk, both of which were fastened with only ordinary locks. The papers, he says, are very important in the preparation of his case and would go far to substantiate his defense.

Notwithstanding the loss of these data, Mr. Tillman expresses confidence in his ability to make satisfactory reply to the president.

"He will be held by his own petard," declared Mr. Tillman sentimentally. Senator Tillman devoted the entire day to the preparation of his reply, which will be made in a speech in the senate Monday. His speech will be about 7,000 words in length, and will be delivered from manuscript.

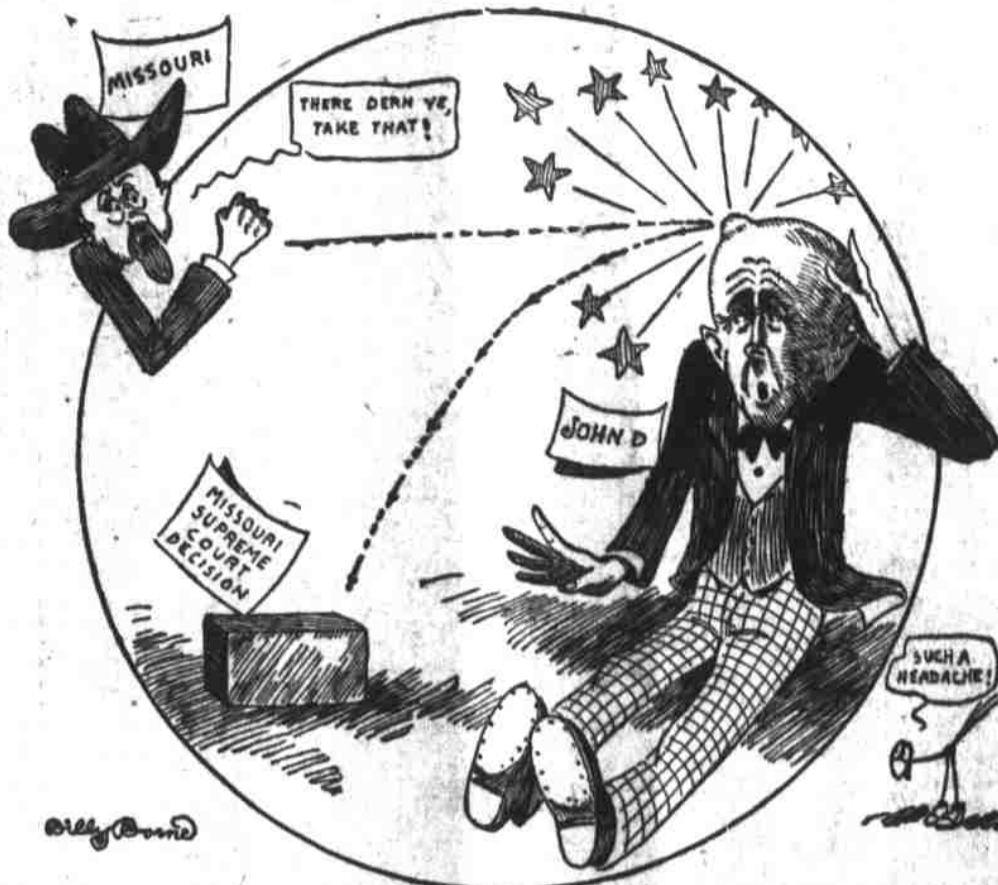
Another Trouble. Senator Tillman is affording an illustration of the old adage "that troubles never come singly." In addition to the difficulty about the Oregon lands, Postmaster Barnes is trying to collect from him a bill of \$16 for carrying through the mails a government typewriter, which the senator had "franked" from his home in South Carolina to Washington. As the typewriter is government property, Senator Tillman replied to Mr. Barnes by saying in effect that he collect from its owner. Following is the full text of his letter:

"I have your letter notifying me that the typewriter mailed at Trenton, N. J., under my frank and addressed to me here, is held for postage. During my service in the senate typewriters have been franked to and from the same as public documents, and I was not aware of any new law or ruling on the subject. The typewriter belongs to the senate and not to me, and has been used in my public correspondence. I cannot understand why this demand is made upon me for postage. Under the circumstances I decline to pay the sixteen dollars demanded, because it is not justly due. You may sell the typewriter or deliver it to the sergeant-at-arms of the senate, as you see fit. Had I known that it was not frankable, I could have shipped it by express or freight. But in this case it would be on the department of the government, selling the property of another department of the government for the collection of postage on matter that has always been franked heretofore."

NEGRO DWELLINGS SHOT TO PIECES

(By Associated Press.) JONESBORO, Ga., Jan. 9.—An outbreak of the way section on Pitt river was invaded last night by so-called night riders the dwellings of several negroes being literally shot to pieces. For several nights lately such lawlessness has prevailed to large extent in that section of Clayton county. The supposed night riders would approach a dwelling in the dead hours of the night, masked and heavily armed, it is reported, and, without any definite aim, pour a volley lead into the building, then quickly disappear. As far as is known, no one has been injured. Solicitor-General William Sealey Howard of the Stone Mountain circuit has been advised of the latest outbreak and will take active steps at once to stop the lawlessness.

"The Blow Almost Killed Father"



CAPT. HAIN'S ACTIONS ENTIRELY RATIONAL DECLARE WITNESSES

Defense in Trial Will Sum Up the Case Monday Morning.

ROBERTS TESTIFIES

(By Associated Press.) FLUSHING, N. Y., Jan. 9.—With the calling of one or two minor witnesses on Monday morning the defense in the trial of Thornton J. Hains will sum up its case to the jury. Prosecutor Darrin promised Justice Crane this afternoon that he would take an hour or more to get in all the evidence. Upon John F. McIntyre rests the burden of assembling all the evidence which the defense asserts has proved that the defendant was not a principal in the killing of William E. Annis at the Bayside Yacht club last August. Mr. McIntyre said that he would require all of Monday's session to make his argument.

All of the session today was given over to rebutting the evidence that James Tierney, the defense's eye-witness to the shooting of the publisher, was on the boat when the tragedy occurred. Members of the Bayside Yacht club swore that they did not see Tierney. These witnesses further declared that the actions and appearance of Captain Peter C. Hains were those of a rational man. Charles Roberts, a club member, recalled:

"I pulled Annis from the water, had a short conversation with him, went over and picked up a piece of mail and put it under Mr. Annis' head, and then walked behind the brothers and picked up the revolver." Thornton Hains swore that Roberts picked up the revolver when it was knocked from the captain's hand by John Tonnig, as the last shot was fired and that it was then that he drew his own revolver.

David C. Bennett, the attorney who drew up the Claudia Hains confession on May 31, 1898, was called, as the prosecutor said he intended to show that Thornton Hains wrote Captain Hains to return from San Francisco.

COURT-MARTIALED FOR NEGLIGENCE

Commander Marsh to Be Publicly Reprimanded and Lose 40 Numbers in Rank.

(By Associated Press.) WASHINGTON, Jan. 9.—Commander C. C. Marsh, who was in charge of the cruiser Yankee when that vessel grounded on Spindle Rock, in Buzzard's bay, off the Massachusetts coast, while trying to avoid a collision with the steamer New Hampshire last September, and who was charged with negligence, was found guilty by the court-martial which tried him at the Boston navy yard and sentenced to be publicly reprimanded and lose 40 numbers in rank.

Upon recommendation of two members of the court for clemency, and in view of the previous good record of Commander Marsh, and his zeal in connection with his duties with the submarine flotilla, the secretary of the navy reduced the sentence to the loss of only fifteen numbers.

RED CROSS FUND STILL GROWING

(By Associated Press.) WASHINGTON, Jan. 9.—The Red Cross fund for the Italian earthquake sufferers continues to grow. With today's contributions, the total is \$711,621. This includes \$76,000 cashed direct to Ambassador Griscom for Red Cross purposes by the governor's committee of Massachusetts.

MURDER MYSTERY NOT YET SOLVED

Exhaustion of Every Known Clue Connected with Methodist Church Crime.

NO ARRESTS MADE

(By Associated Press.) PORT HURON, Mich., Jan. 9.—With the exhaustion here today of every known clue that would tend to clear up the "Rattle Run" Methodist church murder mystery, interest tonight in the mysterious case is centered in the search which is being made for Rev. John H. Carmichael in Chicago. Three detectives who have been working on the case here are in Chicago assisting the officers there in the search for the missing minister, for whose arrest on the charge of murdering Gideon Broering and burning his body in the church stove, a reward of \$500 is offered.

The well in front of the little country church was baled out today in the hope that it might contain some evidence which might help to solve the tangled case. Nothing was found. The search for Carmichael in Chicago is based on the statement of Ticket Agent Land, at the Grand Trunk tunnel depot, that on Wednesday morning about 5 o'clock, about 8 or 10 hours after the probable hour the crime was committed, a bearded man wearing a fur coat and resembling Rev. Carmichael, came into the depot, bought a ticket for Chicago and boarded the early train for the west. Land, however, could not positively identify a picture of Carmichael as his early morning visitor.

In support of the belief that it was Carmichael who took the train on Wednesday morning is the fact that the minister's horse was found a few miles from the tunnel depot, headed back toward the scene of the murder. The authorities are tonight no nearer a solution of the baffling question of motive for the brutal killing than when the crime was first discovered.

SALOON MEN'S ATTACK BEGINS

(By Associated Press.) MONTGOMERY, Ala., Jan. 9.—With the eyes of all Alabama on the participants, the legal attack of saloon men on the state-wide prohibition act began today before Judge Jones in the federal court, with arguments on the application for a temporary injunction restraining the enforcement of the Carmichael act. After three attorneys had been heard, adjournment was taken until Monday.

A feature today was the introduction of an affidavit by the state which bore the testimony that the complainants, the F. W. Cook Brewing company of Evansville, Ky., had not qualified to transact business in the state by securing a license after the license formerly held had lapsed.

TOBACCO DEAL IS PROBABLY OFF

(By Associated Press.) CLARKSVILLE, Tenn., Jan. 9.—It is generally understood that the deal between the Dark Tobacco Growers' association and the Spanish government for all the tugs held by the association is off and that this tobacco has been thrown on the market, as a better average price can be secured by selling each hoghead separately.



SIX DISTILLERIES AND 6 THOUSAND GALLONS OF BEER DESTROYED

Party of Revenue Officers Made Successful Raid in York Settlement.

NO ARRESTS MADE

(Special to The Citizen.) HICKORY, N. C., Jan. 9.—That the revenue officers are not out of commission or idle is proved by the fact that six illicit distilleries and six thousand gallons of beer were seized and destroyed by a raiding party headed by R. B. Sams of Asheville, yesterday, thirty miles south of here, in the famous York settlement of the South mountains. Special Government Employee C. F. Biglock of Hickory organized the raid and accompanying them were Deputy Collectors Harkins, DeLane and Bides, Deputy Marshal Robert Ramsey, and Special Government Agent McCoy, assisted by Messrs. Jones and Kennedy of Hickory.

It is said the bigcaddars were comfortably situated in substantial buildings and some of the distilleries were located in the yards of their homes. One man was raising hogs and fattening them on the still products. When the raiders arrived he had eight hands in the act of killing a five-hundred pounder, while a large number, equally as large, were confined in a nearby pen.

The settlement in which these seizures were made was at one time to a revenue officer almost impenetrable and was to the man who set foot within their bounds. But as the older inhabitants died out the business was discontinued until recently when the spirit of the fathers took possession of the present generation.

No arrests were made as the blockaders had taken to their heels when the officers arrived. The officers have warrants for them and eight or more arrests will probably follow the raid.

HOUSE NOT DONE WITH PRESIDENT

Resolution to Inquire into Monies Appropriated for Detecting Frauds.

(By Associated Press.) WASHINGTON, Jan. 9.—That the house of representatives does not intend to stop with its action of yesterday in rebuking the president in connection with his strictures regarding the secret service, was evidenced today when at the instance of Mr. Tawney (Minn.), and without a dissenting voice, it adopted a sweeping resolution of inquiry into the amount of monies appropriated for the present fiscal year for detecting frauds and the efforts made to bring to trial offenders against the laws.

The resolution called for the appointment of a committee of five members to conduct the investigation and it was authorized to employ stenographers and clerks; to send for persons and papers and to administer oaths. The sum of \$5,000 was appropriated to cover the expenses involved.

MR. TAFT GIVES YACHT TROPHY

(By Associated Press.) TOLEDO, O., Jan. 9.—President-elect Taft has given a trophy to the Toledo Yacht club, to be faced for annually by the captains of the great lakes. The trophy will be received by the club shortly.

NIGHT RIDERS SENTENCED TO HANG FEB. 19

Death Penalty for Six Found Guilty of the Rankin Murder.

LIFE IMPRISONMENT FOR THE TWO OTHERS

Attorneys for Defense Give Notice of Appeal to State Supreme Court.

(By Associated Press.) UNION CITY, Tenn., Jan. 9.—Judge Jones today imposed the death penalty upon Garrett Johnson, Tid Burton, Bob Ransom, Fred Plinio, Arthur Clear and Sam Applewhite, the night riders who were found guilty of the murder of Captain Quentin Rankin, and sentenced Bud Morris and Bob Hoffman, the two other defendants, to life imprisonment.

The attorneys for the defense immediately gave notice of an appeal to the state supreme court. If this tribunal does not interfere the first named six men will be hanged on February 19.

In applying to Judge Jones today for a new trial the defense attacked the competency of Jurors McKinney and Dahkne, asserting that they had expressed opinions as to the guilt of the parties on trial and that Dahkne was a resident of the state of Kentucky. It was also claimed that Juror Remson, who was ill, was thus incompetent to pass upon the guilt or innocence of the accused.

After having heard the testimony of three witnesses introduced by the defense in an effort to prove that Juror McKinney had expressed an opinion as to the guilt of the convicted men, the state proved by the members of the jury that he insisted on mitigating circumstances being in the mind in the verdict. The contention in regard to Jurors Remson and Dahkne were later withdrawn and the motion for a new trial was quickly over-ruled.

Perfect silence prevailed in the court room during the pronouncing of the sentences. The defendants, each in turn, arose, pale and worn and received the words of Judge Jones. The court then directed the sheriff to see that the defendants be carefully looked after and a proper guard be supplied. Court then adjourned.

THAW IS ENTITLED TO "SANITY" TRIAL

According to Justice Tompkins who Hears Arguments on Habeas Corpus Writ.

(By Associated Press.) NYACK, N. Y., Jan. 9.—Harry K. Thaw is entitled to a trial on the question of whether he has recovered his sanity, according to Justice Tompkins, who today heard arguments on a writ of habeas corpus obtained by Mrs. Harry C. Thaw, his mother.

In applying for the writ, Mrs. Thaw declared that Harry K. Thaw was not a criminal; having been acquitted by a jury and that he is now sane and should not be kept in prison.

Thaw was brought down from the Matteawan asylum today to be present at the hearing. He was represented by Charles Morschauer, District Attorney Jerome was present and Asa Bird Gardner represented the attorney general and superintendent of the asylum.

Jonah Thaw, a brother, accompanied the prisoner. Mr. Jerome asked that the proceedings be transferred to New York county, where, he said, the sanity of Thaw could be determined finally. The district attorney declared that modern scientific opinion held that Thaw was an incurable paranoiac. He said Thaw was a dangerous person and should not be allowed at large. Mr. Gardner also asked that the case be transferred to New York county. Mr. Morschauer opposed this.

Justice Tompkins said Thaw was entitled to a trial to determine whether he had recovered his sanity, but the justice reserved decision as to where the trial should be held. He remanded Thaw to the asylum meanwhile.

PLACING OF STOCK REGARDED AS MOVE TO KEEP PROPERTY INTACT

BOSTON, Jan. 9.—The placing of the stock of the Georgia Terminal company and the Alabama Terminal company in the hands of the Old Colony Trust company of this city as trustee is regarded here as a move on the part of those interested in the Atlanta, Birmingham & Atlantic railroad, now in the hands of receivers, to keep the property intact. It is expected that the United States court in Atlanta will be asked in a few days to permit the issuance of receiver's certificates to pay the interest on \$1,700,000 of equipment notes. It is realized among those interested in the road in this city and Boston investors, it is said, have contributed nearly \$10,000,000 to its construction, that the payment of the interest charges on notes for equipment and construction is imperative to keep the property from a worse fate than receivership. Reports of earnings of the company received here have been very favorable.

TAFT ENJOYS BARBECUE IN BEECH FOREST

Guest of Beech Island Farmers' Club at Monthly "Cue."

REITE TION OF KNOX APPOINTMENT

Beyond That the President-elect Has Determined to Deny all Rumors.

(By Associated Press.) AUGUSTA, Ga., Jan. 9.—Beyond the reiteration of the announcement that Philander C. Knox will be secretary of state and Frank H. Hitchcock postmaster-general in his cabinet, President-elect Taft has determined that no other cabinet appointments shall be made known until March 4. To make this determination effective, he will deny all cabinet rumors, predictions or announcements from any source or quarter whatsoever. After this statement, attention was drawn to the announcement of the choice of Mr. Knox, by the Associated Press, after the appointment of Mr. Hitchcock, which are pronounced correct by Mr. Taft.

It is stated that no controversy has existed over the matter of a Republican national chairman, and Mr. Taft would make no prediction as to who will be named as vice chairman upon the assumption by Mr. Hitchcock of his cabinet duties.

An interesting discussion has been developed as to whether Mr. Wilson, secretary of agriculture, does not hold the record for long cabinet service. His tenure of office will be twelve years and three months. His competitors in this line are said to be William Wirt, who was attorney-general for eleven years and six months, or eight months, and Postmaster-General Gardner, who was at the head of the postal service for thirteen years, but during none of that time was he a member of the cabinet. The position of postmaster-general was not a cabinet place then, should it be developed that Secretary Wilson shall have achieved his ambition on the 10th of March, it is regarded as highly probable here that he will wish to relinquish his official duties, in which case Mr. Taft will have the additional task before him of selecting a secretary of agriculture for his cabinet; otherwise Mr. Wilson will doubtless be a member of the Taft official family, at least for a few months.

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Like a trip into the "good old days of the past" was the novel experience of the president-elect today in being the guest of the Beech Island Farmers' club of South Carolina at a repetition of a barbecue the club has held once a month, without missing a month, for nearly seven years. The old darkey—John Hayes—made the "cue" just exactly the same as he has been doing ever since "long befo" de waa. The plain, low club house, with its holes in the roof and walls, has been the meeting place for the discussion of all questions, as well as for the feasts served in one of its two rooms, for more than fifty years. It stands alone in a beech forest about seven miles from Augusta, and in and around it today were gathered half a hundred farmers, with a sprinkling of city folks, invited from Augusta for the occasion. These included Senator Bourne of Oregon, John Hayes Hammond, Frank H. Hitchcock, all of whom made speeches; Judge J. C. Lamar, Judge Harry C. Hammond, President Philney of the Georgia railroad and others.

Major Henry Hammond, a veteran of more than seventy years, welcomed Mr. Taft for the farmers, and expressed the hope that as the llama of Tibet is regarded as the incarnation of Buddha, Mr. Taft might be the incarnation of George Washington, and have the realization of his expressed desire for "peace among all nations, and the restoration of harmony, equality and fraternity between the solid south and the solid north."