

FIRST ANTI-JAP BILL FAILS OF PASSAGE IN THE GENERAL ASSEMBLY OF CALIFORNIA

After Debate Lasting all Day, Drew's Measure is Knocked Out.

DRAMATIC PLEA MARKS DEBATE

Golden Haired Girl of Three is Used By Speaker For Illustration.

(By Associated Press.) SACRAMENTO, Cal., Feb. 3.—After a debate extending from 11 o'clock this morning until 6 p. m. the assembly by a vote of 48 to 28 rejected the bill drawn by A. M. Drew, barring aliens from ownership of land in California. The bill had been amended at the request of President Roosevelt and Secretary Root so that the clause applying it to Japanese only was eliminated, making the bill apply to all aliens, but the measure aroused such a storm of opposition that long before the debate was closed by Mr. Drew it was apparent that the measure would be defeated. In substance the objection to it was that it would drive at least a billion dollars of foreign capital out of the state and might jeopardize the present friendly commercial relations with Japan.

Sensational Speeches.
The supporters of the bill contended that the state was being overrun by thrifty Japanese who were gradually gaining an impregnable position as land owners and whose government was trying to dictate to California regarding legislation. Two sensational speeches were made, one for and one against the measure. Assemblyman Grove L. Johnson, of Sacramento, ex-congressman and author of four bills segregating Japanese in schools and residential districts and preventing aliens being members of corporations, made an impassioned appeal for the enactment of the Drew bill. At the climax of his speech he walked backward from his seat to the lobby rail and raising in his arms a golden haired girl of three, held her aloft and declared that he was "in favor of this as opposed to the Japanese menace to our institutions." Nathan G. Cole, of San Francisco, who was elected with the endorsement of the union labor party, opposed the Drew bill on the ground that it was in conflict with the state constitution, that it was inimical to union labor, and that it was not favored by the national administration, which, he said, was dealing with a delicate problem and should be supported by the people of California.

Dramatic Question.
Dramatically confronting Assemblyman Drew he said: "If President Roosevelt should throw open the doors of this assembly chamber and, laying his hand on our shoulder, should request for reasons of state that you withdraw this bill, you, Mr. Drew, as a patriotic citizen of the United States, would assent without a murmur?" In reply Mr. Drew, closing his argument for the bill, declared that he had received a letter from the president in which the president stated that he was not opposed to the bill as it had been amended at his request.

In his opening remarks Mr. Drew said that already there were in California 40,000 Japanese, most of whom had belonged to the Japanese army, who could be mobilized at a moment's notice in case of hostilities. Richard Melrose, of Anaheim, who had gathered statistics in opposition to the bill declared that there were not more than 25,000 Japanese in California. He quoted from statistics compiled by the Asiatic Exclusion League to the effect that there were "no" more than seventy-five Japanese property owners in the state.

TAFT FINISHES CANAL INSPECTION
(By Associated Press.) CULEBRA, Feb. 3.—President Taft has now completed his inspection of the entire line of the canal, having traversed the Pacific channel today. He expressed himself as greatly gratified at the result of the labors of the engineers. Tomorrow he will visit the entire Culebra cut from the Empire hills.

AGREE UPON OFFICIAL STANDARD FOR NINE GRADES OF COTTON

(By Associated Press.) WASHINGTON, Feb. 3.—James Wilson, secretary of agriculture, is "sitting on the lid" in connection with the recommendations of the committee of expert cotton classifiers designated by him to fix an official standard for the various grades of cotton. After a three day's session the committee has concluded its work and submitted their report to Secretary Wilson. If the findings of the committee were a "state secret" they could not be more carefully guarded. The secretary will not discuss the nature of the committee's conclusions until he has carefully reviewed them. Meantime officials of the agricultural department have pledged themselves to secrecy. It was learned, however, that the committee unanimously agreed upon an official standard for the nine different grades of cotton, as called for by congress.

CLASH BETWEEN NEGROES AND WHITES FEARED

Orators are Inflaming Pittsburgh Negroes to Resist Arrest.

MEN AND WOMEN CARRY WEAPONS

Every Effort By Police to Check Carnival of Crime Against White Girls.

(By Associated Press.) PITTSBURGH, Feb. 3.—In spite of many threats of armed resistance upon the parts of negroes if the police continue their wholesale arrests of members of their race without employment in the Herron Hill district of the city, no outbreak of any kind has occurred up to late tonight. Following the arrest last night of 126 negroes and the release today of all but 41, the police force in the district has been doubled tonight and every patrolman has orders to arrest every suspicious negro.

During the afternoon three were taken to police stations and it is anticipated that tonight many others will be arrested. No further attack upon women or girls has been reported since last night and should one occur, the temper of the citizens is such that violence very probably would be meted out to the assailant if caught. Men and women throughout the section involved are carrying revolvers and the negroes are said to be well armed also. Should a clash come as is considered not at all improbable if more arrests are made, the result would be serious. Local orators are inflaming the negroes to resistance and the feeling is high. The police, however, seem to have the situation well in hand and probably will not make further indiscriminate arrests.

Of the negroes arrested last night, thirty-nine were fined, most going to the work house, and two, Mack McGee and Edward Armstead, were held over for further evidence, having been partly identified as perpetrators of one of the attacks on girls.

DINNER GIVEN ADMIRAL SPERRY

By Rear-Admiral Sir James E. Goodrich, Admiral Superintendent of Gibraltar.

(By Associated Press.) GIBRALTAR, Feb. 3.—Rear-Admiral James E. Goodrich, admiral superintendent at Gibraltar, and Lady Goodrich gave a dinner party of eighteen covers at the admiralty house in honor of Rear-Admiral Charles S. Sperry, commander of the American fleet. Among the other guests were Sir Frederick Milner and Admiral Fisher. The fraternizing among the officers of the warships of four countries crowded in the basin is now in full swing. Except for the Ohio, Missouri and Kentucky, which are coaling by the aid of searchlights, every ship in the harbor tonight is entertaining brother officers aboard.

The American fleet will sail from here on Saturday morning, following the thirty-fifth parallel route, and will form a junction with the third squadron about 10th day. Rear-Admiral Sperry will board and inspect all the ships on their way home. Since the arrival of the warships at Gibraltar nostalgia in its most violent form has taken complete possession of the officers and men. The one desire now seems to be to get home at the earliest possible moment.

Is Uncle Loosing His Nerve?



DOCTOR TELLS OF MRS. JONES' DEATH

Caused by Poison, He Declares. Saw Bottle Containing Strychnine in Room.

(By Associated Press.) UNION, S. C., Feb. 3.—The trial of W. T. Jones, a prominent and wealthy planter of this county, charged with poisoning his wife last July, began in earnest this afternoon. Attorney George Johnston, of the defendant's counsel, moved to quash the indictment because it was indefinitely as to the kind of poison alleged to have been used and because of the character of the bruises on Mrs. Jones' dead body were not described. The motion was over-ruled by Judge Meminger. Dr. Jeter, the Jones family physician, was the first witness. He told how he had been hurriedly summoned by Jones and found Mrs. Jones in convulsions, brokenly repeating the Lord's prayer and asking for forgiveness for her sins. She died in fifteen minutes. His opinion was that death was caused by strychnine poisoning. He said he saw a bottle in the room containing strychnine. Jones seemed unaffected, he said, when told that his wife was dead.

ELEVEN JURORS NOW IN BOX IN COOPER TRIAL

Two New Jurors Yesterday. Fifth Venire Ordered in Court Monday.

HEARING AGAINST JUROR RESUMED

Whitworth Accused of Having Said That Defendants Should Be Killed.

(By Associated Press.) NASHVILLE, Tenn., Feb. 3.—After securing two new jurors, making eleven now in the box, the trial of Col. Duncan B. Cooper, Robin J. Cooper and John D. Sharp was abruptly interrupted today because of a lack of veniemen. A fifth venire of 500 men was ordered in the court on Monday at which time an effort will be resumed to complete the jury. The hearing of the charges against Whitworth, accused of having perjured himself, was taken up but not completed. It will be resumed in the morning. A few minutes after the court opened J. A. Woodruff, the tenth man examined was selected as juror No. 10.

Woodruff was not examined by the defense. He testified on questions by the state that he had read nothing about the case and merely knew Carmack had been killed. He said he was a friend of John Sharp but would consider only the law and the evidence.

Jacob E. Hager, another tallman, came to the country from Switzerland when eight years old. He has never been naturalized but his father had. This precipitated a dispute as to whether he had to take out papers. Sent For Code.

The law on both sides obeyed absolute injunction of the naturalization laws and to send out for the code. He was not opposed to capital punishment if a man wanted it. He was accepted by both sides as juror No. 11.

The panel of fifty was exhausted before noon and another one made up of 49 tallmen was exhausted before recess for luncheon and no other additions to the jury were made. This last tally tallmen of the fourth venire and the panel required forty-seven names. Hence the fifth venire started in at 9 a. m. Monday.

As it was not possible to proceed further with the examination of prospective jurors, the case of Jones, Whitworth and the defense was taken up immediately after luncheon. Judge Hager announced that he believed it best to have Mr. Whitworth present to face the charges. The defense objected but the court was insistent and W. Mitchell was recalled and told to repeat his charge that Whitworth, after the carnage at a blacksmith shop had declared that "every damned one of the defendants should have been hanged."

BRIDGE BURNS IN FAYETTEVILLE

(By Associated Press.) FAYETTEVILLE, N. C., Feb. 3.—Fire today destroyed the massive wooden bridge which spans the Cape Fear river in this city. This bridge originally cost \$45,000 and was insured for \$25,000.

CAPTAIN ON TRIAL FOR DRUNKENNESS

All Evidence in Court Martial of Capt. Qualtrough Taken Yesterday.

(By Associated Press.) GIBRALTAR, Feb. 3.—All the evidence in the court martial of Captain Edward F. Qualtrough, of the battleship Georgia, on charge preferred by Rear-Admiral Wainwright that he was, under the influence of intoxicants at a reception given at Tangiers by the American minister, Samuel R. Gummere, was presented today. The hearing in the case was held on the battleship Louisiana and a number of witnesses testified that Captain Qualtrough was intoxicated and unfit for duty. The accused officer made a lengthy statement to the effect that he was sick and suffering greatly from fatigue, and that he had only taken one glass of sherry and nothing afterwards. He had smoked a strong cigar.

The defense introduced as evidence the record of Captain Qualtrough's thirty-eight years service and two flattering letters of recommendation received by him during the present cruise. The pleadings will be made tomorrow. Captain Qualtrough will remain aboard the Georgia under arrest. As Captain Qualtrough was present at Mr. Gummere's reception officially the specifications charge him with "drunkenness on duty." The penalty is anything up to dismissal from the navy.

Rear-Admiral Wainwright said Captain Qualtrough was smoking at the entrance to the ball room and he touched him on the shoulder and reminded him that there was a smoking room adjoining. Captain Nicholson, who went ashore with Qualtrough, testified that the latter had complained of feeling "very rocky." Lieut. Emil P. Svarg, officer of the dock when Captain Qualtrough returned to his ship, testified that he saw nothing unusual in the captain's condition.

SUBSTITUTE FOR CHILD LABOR BILL

Committee on Manufactures Will Report Unfavorably Hinsdale Bill.

(Special to The Citizen.) RALEIGH, Feb. 3.—After an animated and lengthy hearing, the house committee on manufactures and labor voted to report unfavorably the Hinsdale child labor bill and decided to report favorably a substitute offered by the bill men in the shape of an amendment to the present law empowering the labor commissioner, upon complaint of violations of the law, to direct the sheriff of the county concerned to make an investigation and have any guilty parties indicted and proceeding for semi-annual sworn reports to the labor commissioner by the mills.

U. S. DESERTER IS ARRESTED

(By Associated Press.) FREDERICKSBURG, Va., Feb. 3.—Matthew W. Doss, a deserter from the U. S. S. Tacoma, Hampton Roads, August 25, 1907, to marry Miss Lynch, Norfolk, the couple went to Washington, and lived there until January 14 last, when Mrs. Doss committed suicide by drinking carbolic acid. After her death Doss, it is alleged, went on a spree, came here and today gave himself up. He says he desires to return to his home in Nashville. Doss will be taken to the Norfolk navy yard.

WANTS SECRET SERVICE MEN EVERYWHERE

President Emphatically Opposes Restricting Field of Usefulness of Service.

HIS STATEMENT MADE PUBLIC

Called Forth by "Misleading Statements Appearing in Some Papers."

(By Associated Press.) WASHINGTON, Feb. 3.—Declaring that "if the government is to act with full efficiency against criminals, it must have some force of secret service agents who can act against criminals anywhere," President Roosevelt in a statement made public from the white house tonight emphatically reiterated his opposition to restricting the field of usefulness of the secret service. "The position of the administration," said the president, "that it is against sound public policy to discriminate in favor of criminals by discriminating against the use of the secret service to detect and punish them."

The statement was called forth by "misleading statements appearing in some of the afternoon papers" to the effect that the work of the secret service has not been hampered and that the investigation of cases outside the detection of counterfeiters and the protection of the president has not been circumscribed by restrictive legislation at the last session of congress.

The statement is in part as follows: "As no one has the president or any administrative officer claimed that the restrictive legislation of the last session affected the secret service division of the treasury department in the matter of suppressing counterfeiting or protecting the president. As a matter of fact, the limitation did not apply in the slightest degree to the normal functions of that service, and the claim that the secret service was not hampered in looking after counterfeiters is admitted but the assertion that the restriction was harmless to the government's interests is not correct. The effect of the limitation was materially to circumscribe the field of usefulness in which the trained agents of the secret service had hitherto been advantageously employed. Under the limitation it became impossible to use these investigators in the class of cases in which they have been conspicuously successful for many years. The phraseology of the restrictive legislation is such that any person who was employed in or under the secret service division during 1909 for even so short a period as an hour became disqualified for promotion or employment in any branch of the government service where either his compensation or expenses would be payable from any appropriation in the sundry civil act."

SENATE CONSIDERS GRUM'S POSITION

Debate Lasts Four Hours and Resembles Old-Time Minstrelsy, it is Said.

(By Associated Press.) WASHINGTON, Feb. 3.—Nearly four hours were devoted by the senate in a recent session today to consideration of the reappointment of William L. Grum as inspector of customs at Charleston, S. C. Confirmation is opposed by Senator Tillman, aided by his democratic colleagues. The republican senators are united in favor of confirming Grum, in order that Mr. Taft may be relieved of the necessity of sending a nomination to the senate which had been opposed by the present administration.

The debate in the senate today, according to the reports which leaked out afterwards, resembled an old-time minstrelsy. Senators Tillman, McLaughlin, Money and Johnston told negro dialect stories and kept the senate in laughter throughout the proceedings. Nothing but the best of humor was displayed. Senator Tillman recounted a number of incidents connected with his various controversies with President Roosevelt.

Probably in the light of the fact that so many counties have been withdrawn from the general ash bill in the hands of the committee for the reason that their people did not want to pay the tax on the nuts to keep up the state fish commission, Representatives and Senators are discussing that such papers were not public property and that they were in his possession for his personal information.

"There may be cases where the senate and house may call for information that the executive thought he would be justified in withholding," said Mr. Teller. "These are the exceptions." The rule may be well stated to be that the president or a head of a department should give to the senate information called for unless it can be made exceptional and takes out of the ordinary.

HOUSE PASSES BILLS RELATIVE TO ASHEVILLE

Larger Number Passed on Third Reading of Interest Here.

INSURANCE ASS'N IS DECLARED A "TRUST"

Mr. Underwood Would Oust Southeastern Tariff Association.

(Special to The Citizen.) RALEIGH, Feb. 3.—Representative Gaston of Buncombe introduced a bill in the house to prohibit public drunkenness in Buncombe county and one to appoint justices of the peace for that county. A number of bills pertaining to Asheville and that section passed the house. They follow: To appropriate certain monies now in the hands of the Madison county dispensary to establish a road in Madison county; senate bill amending charter of the Masonic Temple association of Charlotte, so it can borrow money to erect new Masonic temple; Aid in the development of the city of Asheville, allowing from one-fortieth to one-tenth of one per cent tax on the city's assessable property to be set aside for advertising the Auditorium property; Amend charter of the city of Asheville as to street improvements; Amend charter of the Western Carolina Power and Transportation company; Incorporate Carolina-Tennessee Power company; Appoint justices of the peace in Montgomery county; Incorporate Asheville and East Tennessee railroad, a sixty-mile branch of the C. C. and O. from Hundtland in Yancey county to Asheville.

Association a "Trust."
Representative Underwood of Cumberland introduced a notable bill, which declares the Southeastern Tariff association of fire insurance companies an unlawful combination and trust and forbids it to do business in this state because it regulates risks and rates of premiums of fire insurance. It prohibits from doing business in the state any company belonging to or connected with the association or any other like units it, but exempts home or state companies. Violation is made punishable by fine of from one hundred to five thousand dollars or imprisonment in the discretion of the court. By request of Mr. Underwood, it went to the committee on insurance. Not without a long debate, the senate passed finally the Empire game bill, prohibiting the sale of quail and mountain pheasants in North Carolina for two years, with an amendment by Senator Peale, limiting the killing by hunters to fifteen birds in a single day.

The senate also passed the state drainage bill for the reclaiming of swamp and overflowed lands. No opposition manifested itself. There was some discussion of Senator Gay's bill to punish public drunkenness in the state, but it was deemed unnecessary, in view of the prohibition law, and was voted down. Both Claims Representative Williams and D. M. Stringfield for the seat in the house from Dare county seems destined to be aired on the floor, for the republicans on the committee on privileges and elections made a minority report, declaring for Mr. Stringfield. The matter was set as a special order for Thursday of next week.

The party fight over the question of electing county boards of education by the people was put off from tomorrow until next Wednesday. Senator Pharr and Representative Cox of Wake both introduced a bill looking to an adequate forestry bureau for the state, with several assistant foresters to travel over the state and look out for work to be done to preserve and perpetuate the forests. An appropriation of five thousand dollars is asked. A new bill by Mr. Dixon in the hands of the committee on the nominating power in selecting employees, taken from them two years ago, prevents the employment of relatives of superintendents or directors.

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ROOSEVELT'S REFUSAL TO SUBMIT PAPERS DISCUSSED BY TELLER

(By Associated Press.) WASHINGTON, Feb. 3.—Senator Teller spoke in the senate today on the Bacon resolution declaring that all public documents in the executive departments are subject to the inspection of congress.

Mr. Teller declared the refusal of President Cleveland to send information to the senate was not comparable to the refusal of the present president to respond to such a call. In the Cleveland cases, in 1886, he said, it was desired to obtain facts relating to reasons for the dismissal of a public official. Mr. Cleveland maintained

CLLOUDY

(By Associated Press.) WASHINGTON, Feb. 3.—Forecast: North Carolina—Partly cloudy Thursday and Friday; light winds mostly southwest.