

VOL. XXV, NO. 111.

ASHEVILLE, N. C., MONDAY MORNING, FEBRUARY 8, 1909.

PRICE FIVE CENTS.

CRESCENT CITY DON TOPPERS TO HONOR TAFT

Colonels Having Difficulty in Replacing Slouch Hats in Market.

WHOLE CITY NAMED ON THE COMMITTEES

Will Give President-elect Lively Entertainment for Three Days.

(By Associated Press.) NEW ORLEANS, Feb. 7.—Quotations on high silk hats and frock coats have taken a sudden jump in the local market and it is all on account of Judge William Howard Taft.

Must Discard Slouch Hats. It has been officially announced that everybody who appears in connection with the reception before 6 o'clock in the evening must wear the conventional frock coat and high silk hat.

With Dancing and Feasting. The parade will traverse the principal streets of the city and will be brought to a halt at the city hall, where President-elect Taft will be formally and officially welcomed to New Orleans by Mayor Martin Beherman.

At 9 o'clock the same evening the president-elect and Mrs. Taft will attend the ball of the Elites of Oberon, one of the carnival organizations, at the old French opera house.

Friday morning at 10 o'clock a reception will be tendered the president-elect by the colored Y. M. C. A. of New Orleans. Mrs. Taft will be entertained the same afternoon at the Country club.

The festivities will be brought to a close with a big banquet Friday evening at the Hotel Greenwald. Cardinal Gibbons has wired from Baltimore that he will reach New Orleans Tuesday and will deliver the invocation at the banquet.

The president-elect will leave at 9:20 a. m. Saturday for Cincinnati over the Queen & Crescent route.

CARDINAL GOES SOUTH. BALTIMORE, Feb. 7.—Cardinal Gibbons left today for New Orleans. While in that city he will attend the dinner to be given to President-elect Taft and deliver the invocation.

party. When Kentucky women learned that they were coming they became alive with interest and plans for attending the ceremonies.

The last preparations were made yesterday. Five trains will be run to Hodgenville from Louisville on February 12 to carry the various delegations. Representatives of the republican and democratic committees for Kentucky will have places of prominence in the ceremonies.

TURMOIL OVER JAP QUESTION IS DANGEROUS

President's Frantic Efforts to Stave Off Hostile Legislation.

NEWLANDS DECLARES EAST MISINFORMED

Not a Question for Diplomats, when Race Homogeneity is Involved.

(By Associated Press.) SACRAMENTO, Cal., Feb. 7.—Japanese legislation will be the focus this week in both branches of the California legislature. Two bills will be the subject of discussion of reconsideration in the assembly on Wednesday.

It is the school bill that most deeply concerns President Roosevelt and between this time and Wednesday it is expected national authorities will throw additional light on the subject. It is supposed that this will show the true state of diplomatic negotiations now pending between Japan and the United States, and reveal the reason for Mr. Roosevelt's numerous telegrams to the governor urging postponement of further action on anti-Japanese legislation.

Comments Speaker. The following telegram has been sent by President Roosevelt:

"Hon. Philip A. Stanton, speaker of the assembly: 'Please accept the expression of profound obligation on behalf of the American people as a whole for the high and patriotic services you are rendering. I have unlimited confidence in the same good sense and right mindedness of the people of the state of California. I know that they appreciate that the national government is at this moment engaged in doing everything it can to achieve the ends that California has in view, while at the same time preserving unbroken the relations of respect and good will with a great and friendly nation; and therefore I am sure the people of California will support you in taking the position you have taken, which is so eminently in the interests not only of the American people as a whole, but especially of the state of California.' (Signed) 'THEODORE ROOSEVELT.'"

"The senate will take a fling at the Japanese question tomorrow. The debate will be upon the report of the committee on executive communications which recommended last week that no action be taken at this session on any of the bills introduced in the legislature tending to interrupt the relations between Japan and the United States."

SURPRISED AT PERKINS. NEW YORK, Feb. 7.—A special dispatch received tonight from San Francisco states that President Roosevelt telegraphed the following to Governor J. N. Gillett, San Francisco:

"I saw Flint as soon as your great deal of opposition has been manifested here to the confirmation of Herbert E. Seawell as judge of the eastern district. Both of the North Carolina senators have received numerous letters from members of the bar protesting against the confirmation of the appointment, and only one or two letters in favor of its confirmation have been received from the bar east of Raleigh."

Yesterday Mr. Seawell had two friends at court. They were Judge Walter Neal, attorney for the Seaboard Air Line, and Stephen McIntyre of Robeson, and both of these gentlemen spoke very highly of Mr. Seawell.

They saw both Senator Simmons and Senator Overman and put in a word for their friend, and later, in company with U. L. Spence of Carthage, called on Senator Dillingham, chairman of the sub-judicial committee which is to consider Seawell's nomination.

This committee will not meet until next week, but Messrs Spence, Neal and McIntyre wished to take advantage of their presence in the city at this time to present the claims of the Moore county man. They testified to his good character, standing and ability, and stated that in their opinion he was in every way qualified to make an excellent judge.

The sub-judicial committee that is to consider Seawell's appointment will hold its first meeting next week. There are several other judicial appointments pending before the senate, and the question is now whether they shall not be permitted to go over until the next administration.

JAMES M. HYATT TAKES HIS LIFE; FAILING HEATH WAS THE CAUSE



Telling Wife he Was Going to Shave, He Locked Himself in Room in Basement of House and Cut His Throat With Razor.

Prominent Business Man.

His mind affected by failing health, James M. Hyatt, of the grocery firm of Hyatt, Felmet & Co., No. 24 Roberts street, yesterday morning locked himself in a room in the basement of his home at No. 23 Park avenue, and cut his throat with a razor, dying about twenty minutes later.

No cause for his action other than his health can be assigned. For seven months he had been in a bad condition, and this seemed to prey on his mind. He often speaking to his friends of it. His business was in good shape and he had no family troubles.

After eating breakfast and reading the paper yesterday, he told Mrs. Hyatt that he was going to shave. When a few minutes later, she found the door leading to the basement room where he had gone locked, she suspected something wrong, and on investigation found all the other doors leading to that part of the house also locked. She called two neighbors who broke out a window, after searching through a dark room, Mr. Hyatt fell over his body. It was thought at first that he had been attacked by a fainting spell, to which he was subject, but when a light was brought two long gashes

on his neck told of his deadly work. Mr. Hyatt was well known here and was recognized as an able business man. He was raised a few miles from the city and when about 25 years of age came to the city as a clerk. Eight years ago he and William V. Felmet formed a partnership and have been together ever since. He is survived by a wife, to whom he had been married five years, but had no children. He is survived by two brothers, Thomas Hyatt of Asheville and John Hyatt of Washington. Neither his father or mother are alive. He was about 45 years old.

In speaking of the suicide, Mr. Felmet, his business partner, said that he knew of no cause for the tragedy other than the effect of his health on his mind, for as far as he knew, and he was with him in the store every day, he had no other trouble of any kind. Mr. Hyatt often spoke of his failing health and seemed to be worried over it, but his friends had no suspicion that it was seriously preying on his mind. Mr. Hyatt was somewhat worse than usual Saturday and did not return to the store after supper. Mr. Felmet walked home with him, and told Mrs. Hyatt before leaving that her husband's health was growing worse every day. When he came to breakfast yesterday morning he appeared somewhat improved, though far from well. When he told his wife that he was going to shave, she thought it unusual, for he had not shaved before in some months, and this probably added to her suspicions on a few minutes later finding the door through which he had gone locked.

When found he was still alive, but died soon after the arrival of Dr. Millinder, who was summoned by telephone. The funeral services will be held at the home this afternoon at 3 o'clock, followed by the interment at the West Asheville cemetery.

Members of the Jr. O. U. A. M. will meet at the hall in the Paragon building and attend the funeral in a body. Mr. Hyatt was a member of Asheville council No. 6. The pall bearers are: J. C. Pennel, R. R. Williams, George R. Murphy, J. L. Welch, H. P. May, John R. Treasaway, R. C. Bollinger and O. R. Jarrett.

KIDNAPPER OF CHILD SULENLY FACES GALLOWS

Ravisher of Fourteen-Year-Old Girl to Be Brought to Trial Tomorrow.

IMPRISONED HER IN A LOW BROTHEL

Scarlet Women Who Aided Him are Under Arrest to Answer Ugly Charges.

(Special to The Citizen.) BALTIMORE, Feb. 7.—Sullen and unresponsive, with the shadow of the gallows drawing daily nearer, Joseph M. Janer, the Brooklyn man who kidnaped little fourteen-year-old Catherine Loersch from her home there and mistreated her in this city. As in a felon's cell awaiting the trial for his life, which opens here next Tuesday morning. The laws of Maryland make Janer's crime a capital offense, and if found guilty he will be sentenced to hang.

Took Her to Dive. Sentiment against Janer was still further aroused today when the police learned that his treatment of the child was even worse than they had known. It developed that immediately upon Janer's arrival from New York with the girl he took her, practically by force, to the lowest section of the city. There, in a notorious den, he obtained the aid of the woman keeper in subduing the child and preventing her from escaping him.

This woman, Catherine Burke, of No. 347 Josephine street, was arrested today as an accomplice in Janer's crime, with two of her negro servants. Justice Loden, to whom the Loersch child told her share in her sufferings, held all three without bail, as accessories. They are likely to receive long prison terms.

Vainly Tried to Escape. "Joe made me wait beside him on the steps of the house while he rang the bell," the child testified, "and he held my hand tight so I couldn't get away. I tried to break away a couple of times, but he squeezed my hand so that it hurt. I tried to cry to some people that were passing, but he put his hand over my mouth and wouldn't let me."

"I cried inside the house, too, but Miss Kitty (the Burke woman) had the colored woman bring me some soda, and told me to keep quiet. She took me to a room and then went out and let him in." The three women probably will be indicted on Monday and be made to stand trial as soon as possible after Janer is tried.

Indicted on Six Counts. Following the "presentation" of Janer by the grand jury yesterday, indictments on six different counts were brought in against him today. It is believed certain that if he escapes the death penalty he will be imprisoned for a term that will last the remainder of his life.

He will have his choice of a trial by jury or a trial by a court of three judges. He has not said yet which he will select. In fact, he has not said anything, except to deny, weakly, the little girl's story. Joseph Dockweiler, a cousin of Catherine Loersch, and a former New York policeman, arrived today to aid in the prosecution of Janer.

"If I had a chance at him there would have been no trial," Dockweiler said grimly. The girl is at the House of the Good Shepherd, being treated by physicians, so that she may be able to testify against Janer on Tuesday.

FLYING PAYS WELL. (By Associated Press.) ROME, Feb. 7.—It is stated that Wilbur Wright, the American aeronaut, now at Pau, will come here some time in March for the purpose of giving instruction to two Italian aeronauts. It is understood that he will make at least twenty flights, and will receive \$12,000 for his work.

SHADOW OF WAR VISIBLE FIFTY-TWO YEARS AGO

Significant Statement Made By Townsend Harris to Japan in 1857.

HISTORY ALMOST REPEATS ITSELF

Our Consul General, Mr. Harris, Drew Graphic Picture for Japan.

(Special correspondent of The Citizen.) WASHINGTON, Feb. 7.—"By grace of Heaven, Japan has been in peace several hundred years. But when peace continues too long, it is not for the rest good of the nation. It will tend to cause deadlock to military preparation. The president of the United States thinks that Japan is a nation of heroes. The real worth of heroes will not be appreciated except in time of war."

As remarkable as these words may seem under existing conditions, the above advice was given Japan by Townsend Harris, our first envoy, in his official address to Hotta, the Duke of Hitsu, on October 26, 1857. Admiral Perry had previously opened the ports of three cities by threatening to open fire on the towns, but Harris had been sent to perform the more difficult task of keeping the ports open in Perry's absence, and to secure a trade agreement.

Historic Diary. A diary kept by Harris, a duplicate of which is in the congressional library here in Washington, contains the quoted words relative to Japan's undeveloped heroes, and gives intensely interesting accounts of his hardships in arranging the first trade agreement with Japan. The work required over a year, and during that time Harris was the only white man in the country. His life was almost constantly in danger. His safety was due to the fear of the Japanese that Commodore Perry's dreaded ships might return and open fire on the Japanese towns. When Harris landed in Japan the whole nation was provoked to fury. Everywhere was heard the cry: "Japan is heaven's domain. The barbarians' feet must not soil the soil. Tokugawa is the Shogun, whose duty it is to conquer the barbarians. He must not compromise with them."

Commodore Perry left Japan in 1854, and was followed to Edo in August, 1855, by Harris, who acted in the capacity of consul general. Harris was not able to see the Shogun personally until October 21, 1857. On October 26 he delivered a lengthy speech to Hotta, who was a sort of secretary to the Shogun.

"What I am going to say to you today is a matter of vital importance," said Harris. Our president thinks the same. So I hope you will listen to me as you would to our president himself. The United States, not like other western powers, has no dependent territory in the east. She does not desire to acquire any. The United States government is prohibited (by the constitution) from doing so. The United States has allied with some countries, but she did not by means of force, but by that of treaties.

Remarkable Statement. "According to the ideas of the people of the Western world any country that does not join universal alliance is on their way and must be wiped out of existence. And in joining this alliance two conditions are necessary to be observed. One is that a minister from each of the allies shall be stationed at the capital of each of the allies. The other is that the people of the allied countries should be allowed to do international trade. "Eighteen years ago there was a war between England and China, the consequence of which was the loss of a million lives for China, the seizure of all the seaports of China, besides the indemnity by China. If there had been a diplomatic agent stationed at Peking, that war might have been averted."

ARE PROTESTING AGAINST SEAWELL

Much Opposition Has Developed to Confirmation of Moore County Man.

(Special to The Citizen.) WASHINGTON, D. C., Feb. 7.—A great deal of opposition has been manifested here to the confirmation of Herbert E. Seawell as judge of the eastern district. Both of the North Carolina senators have received numerous letters from members of the bar protesting against the confirmation of the appointment, and only one or two letters in favor of its confirmation have been received from the bar east of Raleigh.

Yesterday Mr. Seawell had two friends at court. They were Judge Walter Neal, attorney for the Seaboard Air Line, and Stephen McIntyre of Robeson, and both of these gentlemen spoke very highly of Mr. Seawell. They saw both Senator Simmons and Senator Overman and put in a word for their friend, and later, in company with U. L. Spence of Carthage, called on Senator Dillingham, chairman of the sub-judicial committee which is to consider Seawell's nomination.

This committee will not meet until next week, but Messrs Spence, Neal and McIntyre wished to take advantage of their presence in the city at this time to present the claims of the Moore county man. They testified to his good character, standing and ability, and stated that in their opinion he was in every way qualified to make an excellent judge.

The sub-judicial committee that is to consider Seawell's appointment will hold its first meeting next week. There are several other judicial appointments pending before the senate, and the question is now whether they shall not be permitted to go over until the next administration.

DIED AT 103 YEARS. NAPOLÉON, Miss., Feb. 7.—Mrs. Margaret Murphy, said to have been the oldest inhabitant of Mississippi, died. She passed away at the home of her son yesterday. She was 103 years of age and was one of the few remaining pensioners of the war of 1812, in which her late husband served.

NIGHT RIDERS TRY TO SCARE NEGROES

Blacks are Warned to Get Out of Country Under Penalty of Death.

(By Associated Press.) WAYCROSS, Ga., Feb. 7.—Confidential excitement was caused at Pearson, a small station thirty miles north-west of Waycross, this morning, when it became known that five negroes employed by the Atlantic Coast Line railroad in building a new depot at that place had received warnings from self-styled "night riders" to leave the community forthwith or death would be meted out to them. Two notices were received by the negro carpenters, as follows:

"You negro carpenters, we give you until Saturday night to leave here under penalty of death."

(Signed) "Night Riders." The depot at Pearson was burned on October 19 and the origin of the fire is declared to have been incendiary. Special agents of the Atlantic Coast line have arrived here to investigate the threats of the so-called "night riders" and it is announced that arrests will probably follow within a few days.

FLEET ON HIGH SEAS. (By Associated Press.) CAPE VINCENT, Portugal, Feb. 7.—The American battleship fleet under command of Rear Admiral Sperry, homeward bound from Gibraltar, passed this point at 10 o'clock this morning. The flagship signalled "All well."



TWENTY SIX HOMES BURNED TO GROUND

Suburb of Macon Swept by Fire Which was Unchecked for Two Hours.

(By Associated Press.) MACON, Ga., Feb. 7.—Fire originating in a cottage on Wilder street in South Macon, this morning at 11 o'clock, driven by a stiff wind rapidly spread to adjoining dwellings, resulting in the complete destruction of twenty-six residences, the loss on buildings and personal property amounting to approximately \$40,000. The residences were substantial cottages situated on Pebble and Wilder streets, and were occupied by white residents.

The fire being outside the city limits, it was some time before the city fire department was ordered out. For two hours the fire burned unchecked. Approximately \$14,000 worth of personal property was destroyed.

NEGRO CHARGED WITH MURDERING GIRL

(By Associated Press.) OTTUMWA, Iowa, Feb. 7.—Ten witnesses were examined this afternoon by the coroner's jury summoned to solve the mystery of the death of Miss Clara Rosen, whose body was found yesterday with the skull crushed, a short distance from her home.

Joseph Hopkins, a negro employed as government meat inspector at a packing house, has been detained. A search warrant has been issued to trace if possible the diamond ring and brooch which were stolen from Miss Rosen at the time she was slain. It developed today that Miss Rosen, who was a stenographer, had repeatedly told her employer that a negro had been following her for some time and had stared at her from street corners.

KILLED IN RUNAWAY. (By Associated Press.) FORT MEADE, Fla., Feb. 7.—W. C. Fisher of Baxley, Ga., was instantly killed here today when he was thrown from a buggy in a runaway accident, his spinal cord being broken. The body will be shipped to Baxley tomorrow.

WILL HONOR LINCOLN'S MEMORY AT THE OLD FAMILY HOMESTEAD

(By Associated Press.) LOUISVILLE, Ky., Feb. 7.—Some of the first citizens of the United States will pay homage to Abraham Lincoln at the old homestead of the Lincoln family in Larue county, Kentucky, on the occasion of President Lincoln's centenary, February 12, when the cornerstone of a marble memorial hall will be laid by President Roosevelt.