# THE ASHEVILLE CITIZEN. THE WEATHER FAIR

HURRAH

Associated Press Leased Wire Reports.

PRICE FIVE CENTS

# VOL. XXV. NO. 149.

# **NEW TARIFF BILL IS INTRODUCED IN THE LOWER HOUSE**

Makes Several Concessions to Popular Demand for Lower Duties.

(By Associated Press.) WASHINGTON, March 17. - The long awaited tariff bill was presented in the house of representatives today by Representative Sereno E. Payne, of New York, chairman of the ways and An increase of means committee. An increase of \$40,000,000 to \$50,000,000 in the annual revenue of the country will, it is estimated, result from the changes proposed, making a total of about \$300,000,000.

The bill contemplates downward revision with maximum and minimum provisions which impose an average maximum duty of twenty per cent in excess of the present tariff. The recommendations made by President Taft -that an inheritance tax be provided and that a limited amount of tobac-

co and sugar be admitted free from purchase of the canal and re-enacts the provision for the issue of treasury certificates, the amount being increas-ed from \$100,006,000 to \$250,000,000.

The bill was referred to committee. Some Striking Features.

Some of the salient features of the bill follows: An additional duty of one cent per graphic prints

yard is placed on mercerized cotton fabrics, with a small additional duty on lappets and an increased duty on the provision that the miximum rates stockings fashloned and shaped whol-ly or in part on knitting machines. ly or in part on knitting machines.

eight cents per pound, and nine cents in the paragraphs assessing duties on when brought in from other than the bituminous coal and coke, and agriproducing country. Iron ore is on the free list, a reduc

tion from the present rate of forty cents a ton. The duties on manufac tures of iron and steel are materially reduced. Tin plate and steel rails are reduced.

Hides are on the free list and duties on manufactured leather reduced; and shoes reduced forty per cent. Lumber and timber duties are cut li

half. An inheritance tax is provided, esti mated to bring in \$20,000,000.

Free Trade With Philippines.

There is to be reciprocal free trade with the Philippines, with a limitation cent. It is estimated that \$20,000 on the amount of sugar and tobacco annually to be imported. Reciprocity this tax. with Cuba continues.

The internal revenue tax on eigar ettes is increased from \$3 to \$3.60, and from \$1.00 to \$1.50 per thousand. touched.

reduced. The cheaper grades of wool are reduced.

CHALONER SNUBS HIS

Tallow, cotton seed oil and works of art more than twenty years old are placed on the free list The pottery schedule remains about

the same, but the duties on window and plate glass of the smaller sizes are increased, while the duties on the larger size are reduced.

The tariff on wool of the first and second class, used principally in cloth ing, is not disturbed, but on wool of the third class, known as carpet wool it is reduced also on the cheaper grades. The recommendation for placing wood pulp on the free list and reducing the duties on print paper with certain restrictions, made by the Mann committee of the house, are incorporated in the bill.

The duty on refined sugar is re duced five one-hundredths of a cent the Philippines—are included in the bill. The measure also provides for the issuance of Panama canal bonds to the amount of \$40,000,00 to reim-burse the treasury for the original ne cent per pound for the zinc contained. The tariff on pig iron is reduced from \$4 to \$2.50 per ton. Collateral Inheritance Tax.

The principal increases are made in

the duties on lemons, coca and sub-stitutes for coffee, coal tar dyes, gloves and coated papers and lith-The new tariff bill is made on

maximum and minimum basis, with Coffee is on the free list; tea is taxed Reciprocity provisions are contained bituminous coal and coke, and agri-cultural implements, by which these nore or less seriously injured as the articles are given entry free of duty when imported from countries which permit the free importation of these articles from America.

The inheritance tax provision the bill is similar to the New York state law. It provides a tax of five cent on all inheritances over \$500 that are collateral inheritances or in which strangers are the lega tees. In cases of direct inheritance the taxes prescribed are: On the \$10,000 to \$100,000, one per cent; on

\$100,000 to \$500,000, two per cent, and on those over \$500,000, three per 000 annually will be derived from

To Abolish Agreements. The maximum and minimum pro

HISTORIAN OF THE vision of the bill does away with the necessity of continuing the foreign Beer and whiskey are not trade agreements. The abrogation of these is provided for in a section Nails, wire, hardware, tools, etc., are which authorizes the president to is-succed. successful to instruction of these (Continued on page Four)

GOVERNMENT HAS THE

CUBAN REVOLT UNDER

COMPLETE CONTROL

ASHEVILLE, N. C., THURSDAY MORNING, MARCH 18, 1909.

# Budding

# AN UNMANNED TRAIN DASHES INTO LADIES' WAITING ROOM OF STATION

Engineer and Fireman Compelled to Leap For Lives and Leave Boston Express to Plunge Through Walls of Montreal Station. Conductor Tries to Apply

### Air Brake But Not in Time to Avert Disaster

# (By Associated Press.) MONTREAL, March 17.—Four perns are dead and thirty others were twelve years old, of Montreal.

esult of the blowing out of a wash ipe on the locomotive hauling the the rotunda. oston express of the Canadian Paific rallway this morning three miles ut from the city. Scalding steam oil disclosed that the break in the illed the cab and the engineer and ireman were forced to jump. The man Craig jumped at once and land-

o a stad-still by another.

CONFEDERACY DEAD

Lee Passes Away at Co-

(By Associated Press.)

COLUMBUS, Ga., March 17 .- Dr.

John William Jones, who by his his-

orical works and close association with General Robert E. Lee and Gen-

eral Stonewall Jackson gained the itle "Historian of the Confederacy"

lied this afternoon at five o'clock

be carried to Richmond, his hom

and the funeral will take place Sat

Hate cause of his death was uraemic

Dr. Jones was born at Louisa Court

lumbus, Ga.

BillyBome

treal: Her thirteen-year-old son and no idea there was anything wrong nine-year-old daughter. Elsie Villiers, until the train was nearing the sta-A score of men were knocked down when the train crashed through into

accident by General Manager McNicboiler was on the fireman's side. Fire-

ting in the women's waiting room. not regained consciousness and is not platform when he stepped from the They are: Mrs. W. J. Nixon, Mon- expected to live. The train crew had train.

and then into the rotunda where the the locomotive, after demolishing one massive granite pillar, was brought fore jumping the engineer failed to train arrived a short time after the

tion. Then the conductor, noting the excessive speed at this point applied the air brakes. They were not strong An investigation of the cause of the enough to hold the train with the locomotive pulling against them, but hey did check the speed somewhat. The husband of Mrs. W. J. Nixon is train despatcher of the Canadian rain, without a guiding hand at the ed in a snow drift probably unin-hrottle, dashed into the Windsor jured. He ran down the track after Pacific at Medicine Hat, Alberta. He 

bring his train to a stand-still may accident. The mangled bodies of his The four persons killed were sit- never be known for Cunningham has wife and children were lying on the

or not the Coopers committed an overt act when they crossed the street to meet Carmack thet. Burch and Mrs. Wilson,

former's eyes filled with tears. The words "death by hanging" made the young women wince. Mrs. Carmack, shrouded in black was in court, her son on the arm of her chair. A half hundred women friends stoed or sat behind her and adjoining counsel for Two private detectives the state. stood near Attorney General McCarn's chair and kept a watchful eye on the

Jurors Jolly. When the jury retired two deputies were placed on guard at the jury room door and two more at the foot of the stairs leading to the third floor, upon which floor the room is located. No one was permitted even to loiter around the foot of the stairs. The jurors were given luncheon at 12.30 and supper at 6 p. m. After supper the jurors returned to their room and bursts of laughter and

the time and upon sufficient grounds. It must be apparent and imminent. To constitute this defense, the belief or apprehension of danger must be founded on sufficient circumstances authorize the opinion that the deadly purpose then existed and the fear that it will at that time be executed. The animosity of the deceased against the defendants as indicated by words of actions then and before is a proper matter for the consideration of the juty, on the question of reasonable apprehension, but if the killing is no done under the fear it is calculated to inspire, or the fear is feigned or pre-tended the defense will not be avail-

dinary man and render him liable to

Of reasonable doubt Judge Hart

manded by the law to convict of any

criminal charge, but moral certainty is required."

Self Defense.

fined by our supreme court: To ex-cuse a homicide, the danger of death

or great bodily injury must either be real and honestly believed to be so, at

"The law of self-defense is thus de-

"Absolute certainty is not do-

As to Conspiracy. "It is hardly necessary to say that the real or apparent necessity brought about by the design, fault or contrivance of the defendants is no excuse, but if the fear of a less injury than death or great bodily harm be indica-ted by the proof, then the grade of the offense would be lessened though it would be ineffectual as self-defense." Judge Hart said that ordinarily a witness who testifies to an affirmitive is to be preferred to one who testifies

to a negative. Defining conspiracy the court said: 'It is not necessary, in order that they become co-conspirators, that they matter

(By Associated Press.) The purpose to kill is no less pre-NASHVILLE, Tenn., March 17 meditated, in the legal sense of the term, if it was deliberately formed With no indications that the twelve men are anywhere near an agreethat a mistrial will be the termination of the famous case against Col. D. B. Hart at 4 p. m. adjourned court and started for his country home. He said he did not think a country jury with no way to get home at night would

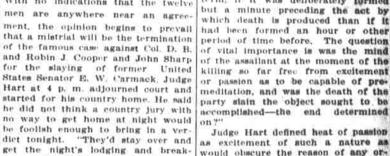
for The Night.

Judge Hart began his charge to the jury at 9.30 a. m., and finished at 11.15, at which time the twelve men retired to deliberate. The typewriten charge of sixty-two pages, about 400 words to the page, was handed to Juror S. J. Hyde and according to custom in this county this makes him the foreman.

for a week or two if necessary, in

nition of an overt act was general in character and he instructed the juform that they must decide whether

the As the court declared that no epieditorial or speech was sufficient to justify even an assault, Mrs. Colonel Cooper's daughters frowned and the



DELAY IN VERDICT

MAY MEAN JURORS

Judge Hart Left Court Early and

HAVE DISAGREED

Ordered The Jury Locked up

said:

diet tonight. get the night's lodging and break-fast at the state's expense" he said. do an act which might cause death. "Provious threats by the deceased against the defendant or acts of hos-tility toward him, or previous abuse

of him, how violent so ever it may be, is not such provocation as the law recognizes as sufficient to reduce an unlawful killing to manslaughter if the killing was done at such time after these things had been done as Judge Hart has declared his in a reasonable person would have re-gained self-control." tention of holding the jury together

order to get a verdict. Women Relatives Present.

Judge Anderson of the defense ex-pected a verdict in thirty minutes or a mistrial. He would not discuss the delay tonight. The court's defi-

rowd, and a score of special depu-

ties were distributed throughout the court room

INEBRIETY IS THEME THE IRISH CELEBRATE OF SCIENTIFIC MEN SAINT PATRICK'S DAY

Close Friend of Jackson and Seventy Thousand Sons of Effects of Liquor Upon Phy-Erin and Elsewhere sical and Social Conditions snatches of song indicated that the twelve men were not discussing definitions of murder or theories of self-

(By Associated Press.)

WASHINGTON, March 17,---Alcohol

Papers were read by Drs. Henry O

To the Englishman alcohol brought

THE FLOWER

THE SPAINS



Refuses All Overtures of His Insurgents, 100 or More in Number Surrounded and Brother and Sister For Leader Dead Peace

HOMICIDE IS CLOSED ASKS FOR CLEMENCY orday afternoon from Calvary Baplist church in that city. The imme-

(By Associated Press.)

(By Associated Press.) CHARLOTTESVILLE, Va., March HAVANA, March 17 .- The indica -No further investigation in the tions tonight are that the government 17.—No further investigation in the tragedy which occurred last Monday evening at "Merry Mills," resulting in the death of John Gillard, an Eng-lishman, is contemplated by the au-thorifies. The coroner's verdict, com-pletely exhonerating John Armstrong Chaloner who was souffling with Gillard in defense of the latter's wife when the fatal shot was accidentally House, Va., September 25, 1835, Ed-ucated at the University of Virginia and the Southern Baptist Theolog ical Seminary, he was ordained to the Baptist ministry in 1860, He enlisted in the Confederate army as a private was afterwards chaplain of A. P. Hill's regiment and later served under Stonewall Jackson, remaining in the army until the surrender. He was chaplain of Washington and Lee fired, was filed this morning with the Monteaguedo, chief of the guard at county clerk and commonwealth's Camajauani and told him that the la attorney, Micajah Wood, said tonight surgents implored the elemencey of that there was no probability of any further action being taken. of Robert E. Lee," at the family's re-

Gillard's funeral took place today at Cobham, at Grace Episcopal church, of which Chaloner is a member. The burial service was conduct- surgent camp. ed by Frederick Mills who was a to receive their surrender before member of the coroner's jury, as the morning.

The insurgents are now completely church is now without a rector. Neither Chaloner, the victim's children surrounded by a cordon of more that or Mrs. Gillard attended the funeral, 1,000 rurales, drawn from the garrithe latter being unable to do so on sons in various parts of the island, in account of the severe infuries she re-ceived at the hands of her husband. She is now under the care of Dr. Mann Page, another member of the come to close quarters with the in surgents

coroner's panel. Chaloner Paid Expenses.

It is declared on apparently respon Though he was not present him-self. Chaloner paid all the funeral panied by fully 100 men mounted and

expenses and his team bore the body to the church from "Merry Milla," More gra More gratifying to the governmen where it had remained from the time than the prospective capture of the inof the tragedy until this morning, surgent band was the arrest and sub Several of his employes followed the sequent killing of former Captain La-cortege to the church. The interment vastida of the rural guard, who is becortege to the church. The interment took place in the little church yard and was witnessed only by a handful stigator of the uprising. Lavastida of people, residents of the neighbor- was arrested last night by Major Arteaga of the rural guard and hood.

Considerable interest is manifested charged with conspiracy against the here as to the probability of a recon-ciliation being affected between Chal-oner and his brother and sister, Robgovernment.

(Continued on page Six.)

While on the way to Remedios un der escort it is alleged that Lavastida (Continued on page Six.)

Frank William Jones, New York; M. Ashby Jones, Columbus, and Howard Lee Jones, Charleston, all of whom are Baptist ministers except Frank W. Jones, who is editor for the Amer-Ican Law Book.

and five sons as follows:

quest.

Was

# MOROS ATTACKED CONSTABULARY

Dr. Jones is survived by his wife

Carter Helm Jones, Oklahoma City

E. Pendleton Jones, Hampton, Va

(By Associated Press.) MANILA, March 17.-A belated dispatch from Lake Lenao reports that a band of hostile Moros attacked Lieu tenant Furlong's detachment of constabulary at Bordong on the 8th of March and after a sharp fight, eight Moros and two members of the stabulary were left dead on the field while two soldiers and one civilian were wounded. A company of the Twenty-fifth infantry and a detachment of scouts have gone to the aid of Furlong's force. The day after the

fight a constabulary soldier deserted after stealing five rifles belonging to members of the detachment.

Prance Around Gotham Discussed

### (By Associated Press.)

NEW YORK, March 17 .- St. Patrick's memory was honored today in New York city by a parade which practically has no therapeutic uses, equalled and perhaps surpassed any judging from the discussions at the similar effort in the past. More than semi-annual meeting here today of the torty thousand persons were in line. American solicity for the study of DEMOGRATS DECLINE atcohol and other drug narcottes. rade, more than six miles long, was Some of the medical scientists conat the home of his son, Dr. M. Ashby lined with enthusiastic spectators who tended that alcohol has not therapeu-Jones, in Columbus. The body will waved green flags and should ap- tic uses, others that on the whole it Archhishop Farley and the heads of proval as the marchers passed. city departments who role in car, clared that sicohol gradually is be

rlages, dropped out of the line on up. ing eliminated as a drug. per Fifth avenue and reviewed the en-the purpose.

Brooklyn had a celebration all its
Brooklyn had a celebration all it

own which came near eclipsing the is Problem in Every on The Alcohol-own which came near eclipsing the is Problem in Every Day Life," T. D. Manhattan event. Thirty thousand Crothers of Hartford, Conc. "The men were in the long line of twenty Future of the Alcoholic Problem." livisions, which was reviewed at the and W. B. Parks of Atlanta, Ga., in borough hall by representatives of the a paper on "The Effect of Alcohol on

city and state governments. Down on the water front the bat. procession The most important of al-the state state in the bat. Temperament as it Relates to Race and Nationality," said that many of the characteristics of the effects of al-cohol on the body were governed by the St. Patterk's dimentation to the characteristics and relations. the St. Patrick's dinner's tonight were the race and nationality.

those of the society of the Friendly To the Englishman alcohol brough Sons of St. Patrick at Delmonicos, the repose and comfort: to the French president. After the latter's death and other of Hibernians at an man it created excitement and inter the prepared his book "Reminiscences" uptown casino, the Friends of Erin in est; to the German it was anesthetic; the Bronx, and Ireland's American to the Italian it was courage and Friends at the Hotel Astor.

## FIGHTING OVER HUNDLEY.

WASHINGTON, March 17.—Prest. UP'S. dent Taft today consulted with a dele-gation of Alabama lawyers who fast rate. He drinks to quiet excitement vored a renomination of Judge Hund, and to give relief. The Jew is not a correct a renomination of Judge Hund, and to give relief. The Jew is not a correct a renomination of Judge Hund. and to give relief. The Jew is not a correct a renomination of Judge Hund. and to give relief. The Jew is not a decorrect a renomination of Judge Hund. and to give relief. The Jew is not a decorrect a renomination of Judge Hund. and to give relief. The Jew is not a decorrect a renomination of Judge Hund. and to give relief. The Jew is not a decorrect a renomination of Judge Hund. The decorrect a set of the renomination of the set of the renomination o vored a re-nomination of Judge Hund-ley for the northern district of Ala- race drinker. Alcohol to him is simp-bama. The president did not commit by a sedative. The Russian takes alhama. The president did not commithama. The president did not commit cohol in the place of food, and his himself. A bitter fight has been waged drinking is a very marked characterover this nomination for two years. the senate having failed to contirm listic Judge Hundley.

PUBLIC SCHOOLS ARE NOT PRACTICAL

(By Associated Press.) CHARLESTON, S. C., March 17-Dr. Charles W. Ellot, the former president of Harvard university, delivered an address here tonight before a large audience in which he deplored the fact

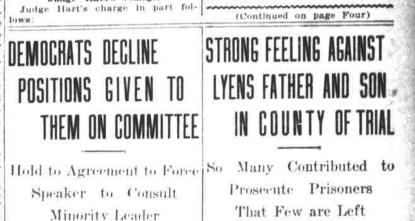
that the public school systems do not sufficiently consider the necessary structure of democratic society and those industries which constitute the

never reach their nignest level of el-ficiency until they undertake to edu-acting and put the question to the but this man re house, with the result that Mr. James had received, not the calling which they intend to enter. was excused. Here was a way they have increasing cloudiness and warmer

defense. Just before 9 p. m., they should talk the summoned the deputies and announce as to what por as to what portion each one should perform. It is sufficient if there is ed that they would "turn in" for the night. Judge Hart's Charge.

able

a tacit understanding between them. The state insists that John D. Sharp



### GUARD MAINTAINED UNCLE JOE AMIABLE

(By Associated Press.) WASHINGTON, Marsh. 17 The

first test of the sincerity of those democratic who found themselves in caucus not to accept any committee force; to the frishman it was sense appointment unless approved by Mr. anjoyment; to the American, alcohol Clark, the minority leader, came

anjoyment, to the second of power and when Speaker Cannon amounted the capacity without any pronounced personnel of the committee on inde-

Garner, of Pennsylvania. Lewis of Bartlett, of Georgia was Mr. promptly on his feet and called attention to the fact that Mr. Lewis was not a member of the house. The

speaker acknowledged his mistake and named Mr. Bartlett. "I decline any such appointment" Mr. Bartlett hotly replied.

The speaker announced that fact to he house and said that without objection Mr. Bartlett would be excus-

ed, which was done. "The chair will name the gentleman from Kentucky, Mr. James,

said the speaker. "And the gentleman from Ken-

those industries which constitute the vital interest of the community. He asserted that the public schools will the heuse. He said it was for the course of the community of the heuse is the said it was for the house to determine whether or not

JESUP, Ca., March 17 .- In all probability the a tual taking of testimony in the trial of former Sheriff W. B. Lyens of Wayne county and his son Archie Lyent for the murder of M. Fleming Smith will begin tomorrow.

Eleven jurymen are in the box and second special venire of talesmen has been summoned.

Aside from progress of the selection of a Jury, chief interest centers in the statement often repeated that a double guard has been placed at the Jesup jail at night at the request of the former sheriff and his son, while in the short walks from jail to court house and back again four officers escort the defendants.

The high feeling that swept through Jesup on the night of the killing of Smith has been re-aroused by the beginning of the selection of the jury for the trial. The chief bar to the selection of a jury from Wayne county was the fact that so many tersons residing in the county had contributed to a fund to be used in prosecuting the father and son. It is probable that the final juror will be

probable that the final juror will be obtained early tomorrow. One talesman today Confessed after being repeatedly asked that he had been employed by Col. W. W. Ben-nett for the defense to "sound" pros-pective talesmen in Waynes county, but this man retained the answers he had received, not in a note book, but in his memory.



Friday; light variable winds.