THE ASHEVILLE CITIZEN.

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IMPEACHMENT OF

FEDERAL JUDGES

WILLBEDEMANDED

erates His Charges Against

Philips And McPherson

IN HIS STATEMENT

COLLEAGUE JOINS

SHOWERS

THE WEATHER

ASHEVILLE, N. C., FRIDAY MORNING, MAY 7, 1909.

PRICE FIVE CENTS.



Tariff Debate Brings on Acrimonious Recriminations Among Leaders

DEMOCRATS EMULATE WISE OLD BRER RABBIT

Members of Finance Committoo All Known to be Opposed to any Revision

(By Associated Fress.) WASHINGTON, May 6,-The conalderation of the tariff bill for action on the committee amendments today was again taken up in the senate. The lead schedule was still under consideration and an agreement was reached to consider it as a whole and not paragraph by paragraph.

Mr. Beveridge protested against haste when a vote was called for on the lead schedule. With considerable vigor he reminded the senate that the tariff bill would be a matter to be considered before the people, "and," he said. "those who are now demand-ing a vote will not be the ones who will be on the battlefield repelling the fire of questions."

Mr. Gallinger retorted that the senator from Indiana was not the only one who would be on the battlefield. The senator from Indiana never falls advertise his wares."

"They are reputable wares," promptly retorted Mr. Heveridge and I am wearing out by life in this labor.'

"Some other were worn out before you appeared," retorted Mr. Gallinger.

Schedules are Hoar

Schedules are Hoary. Commending the course of his col-league, Mr. Dolliver, in his attacks upon the pending tariff kill, Senator Cummins of Iowa today in opening his speech on that measure turned to Mr. Aldrich and said that the man who challenged the republicantism of senators because they see to revise the achedules of duties forty years old was taking a most remarkable course. ourse

Mr. Cummins scouted the idea that adherence to the wool schedule was necessary in order, to maintain the protective principle. He said he had been one of the republicans who had fought for a revision of the tarif, "And I intent to stand by my faith." he continued, "with all the vigor of which I am capable. The finance which I am capable. committee composed of honorable intelligent, bright minded and expe rienced men, is still not the Ark and the Covenant of republican doctrine It is not the only. repository of re-publican faith."

Committee Against Revision. Not a single member of that com-



Congress Keeps Rate In-Junction in Force

MRS. BOYLE WILL FIGHT **GOVERNOR HADLEY** TO THE LAST DITCH WIII TAKE APPEAL

Declares He Will Introduce Her Defense That She Was Litigation Involves Serious **Resolution Formally Asking** Not in State When Offence Imprachment Proceedings **Charged Cccurred**

(By Associated Press.)

WASHINGTON, May 6 .- Rising to MERCER, Pa., May 6 .- James a question of personal privilege in Boyle, charged with kidnapping "Bilthe house today. Mr. Murphy of Mis- ly" Whitia, was convicted today after souri sought to justify his recent a trial lasting but a few hours. No temporary injunction recently grantaction in presenting a resolution pro- defense was made and the jury was viding for the appointment of a comout but a few minutes.

mittee to investigate the conduct of Federal Judges McPherson and Phil- of Mary Doe, with half a dozen allas- filed by him in the Circuit sourt of ips, in relation to the two-cent passenger fare Bilgation and the maximum freight law of Missourl.

Mr. Murphy had read some newspaper dispatches to the effect that inwyers became engaged in a legal in the injunctive order which is to re-Frank Hagerman, attorney for eighteen railroads, had telegraphed the certain testimony and the case was ad- ed by this court." The order conattorney general of the United States journed until tomorrow morning. alleging that the charges in the Murphy resolution were "an outrageous tissue of misrepresentation by one

who has no knowledge of the facts." He had proceeded some time when Mr. Clayton of Aajabama, of the ju-diciary committee, objected saying the argument was not one of personal privilage. He suggested that Mr. Mur-phy formally impeach the two judges. when, he said, the house would be compelled to take notice.

Speaker Cannon ruled that Mr. Murphy was within his rights.

Mr. Murphy salled on Mr. Rucker, his colleague, to substantiate what he was saying.

he was saying. Mr. Bucker did so, and declared that Judge Philips should have been

(Continued on page four.)

TESTIFY FOR STATE IN

TRIAL OF CAPT. HAINS

OFFICERS ORDERED TO

Mrs. Boyle, indicted under the name es was immediately placed on trial that city seeking to testrain the rallcharged with aiding and abetting the roads of Missouri from chargia kidnapping. Hardly had the jury been three-cent passenger rate. sworn in the woman's case when the

Made no Defense

(By Associated Press.)

her visiting in Sharon with her husband, and that she was implicated in it. It or encouraged the St. Louis suit, and could not have violated a law in this Judge M state while she was living in Ohio.

in the selection of her jury today, recalized a year ago "that whatever prompting her attorneys in numer- my decision in the Missouri whatever

for young, unmarried jurors.

(Continued on page four.)

OVER BAR AND TIES UP

AT NEW ORLEANS WHARF

MISSISSIPPI PASSES

Conflict of Jurisdiction Between State And U.S.Court

(By Associated Press.) KANSAS CITY, Mo., May 6 .- Judge

Smith McPherson, in the Federa court today continued in force the ed by Judge John F. Philips restraining Seigert Jones, circuit attorney of St. Louis, from prosecuting the suit

No other state officers are included

argument regarding the admission of main in force "until differently ordertained the reservation, however, that The first witness called by the state supplemental orders might be in Mrs. Boyle's case was Miss Ella against other persons should subse-Boyle, a sister of James Boyle. Ap- quent events demand such action. parently from the line of questioning. Judge McPherson said the order did the prosecution wanted to prove by not include Attorney General Major Judge McPherson said the order did that the kidnapping conspiracy and the members of the state railroad was formed while Mrs. Boyle was commission, because they had stated under oath that they had not inspired

is surmised the object of this is to did not have anything to do with it in Judge McPherson prefaced his decision with a statement referring indi-rectly to Representative Murphy's

ments, no thanks, but great criticism That Boyle's trial came to such an accompanied by abuse. But I have abrupt ending immediately after the never had the slightest thought of That Boyle's trial came to such an accompanied by abuse. But I have abrupt came accorded every courtest in the glac cases as was also stated in Mr. Hagerman's telegram.

(Continued on page four.)

ITALIAN AVIATOR GETS

NASTY FALL OUT OF ONE



Mrs. Eugene W. Brannon Brings Suit Against Drs. Compton for Alleged Malpractice in Treating Her. Case Has Caused Sensation in Medical Circles in The City.

Today He Takes His Annual Bath.

Roused from their o'clock last night by Deputy Sheriff frem the treatment given Mrs. Bran-Frank M. Jordan, Dr. C. F. Compton, and his brother, Dr. W. R. Compton, tonfi who first attended the case, and fering, and suggested the calling of a

day.

thousand dollars.

The proceedings grow out of a brok-Drs. Brannon in the course of a treatnent which they gave her last Tues-

day. While there is great discrepancy in **OFWRIGHT AEROPLANES**

which was disc

erad

physician to give an optate to re-

Frank M. Jordan, Dr. C. F. Compton and his brother, Dr. W. R. Compton, were served with papers in arrest and bail proceedings brought against them by Mr. Eugene W. Brannon and Mrs. Brannon of Les Montford avenue, for alleged majoractice. Dr. C. F. Comp-ton is the well known chiropractic practitioner of this city and has main-tained well equipped offices here for over a year. His brother, Dr. W. R. Compton, arrived here only last Sun-day. incurable so Mrs. Brannon decided last Saturday to try the chiropractic When Dr. C. F. Compton Was summoned he replied that owing to anoth-er case which demanded his immedlate attention he could not go then, but would go out in about two hours. in the complaint which was filed by Messrs. Carter and Chadester is two brother, Dr. W. R. Compton, who ar-

rived in the city last Sunday from Oklahoma City, should go out in his en arm suffered by Mrs. Brannon which she alieges was caused by the plan and the younger Dr. Compton went out to the house. He found Mrs. Brannon in bed with one of the at-

tacks and at once began a treatment of the spine by placing her on a fronthe statements coming from the chiro-practic practitioners and from Mr. icording to Dr. Compton, he manipu-Brannon's household, the fact remains lated the spine near the neck, working that Mrs. Brannon is suffering from at this treatment for about two hours

after which he placed her on the bec

beds at two the injury could not have resulted them what should be done. Dr. C. fering, and suggested the calling of a

BillyBom

lieve the pain. Dr. Calloway Called. Dr. A. W. Calloway, who was sum-moned, found her unconscious. moned, found her unconscious, and gave her a hypodermic to relieve convulsions. A trained nurse was called and she stayed with Mrs. Brannon. About six o'clock Dr. Cal-loway was called again and he found Mrs. Brannon had regained conscious-ness. He also assisted that the left arm was bruised near the shoulder. Mrs Brannon commission of her arm Mrs. Brannon complained of her arm being sore and when Dr. Calloway and Dr. F. T. Meriwether examined the arm they found it broken and dislo the cated. The next morning they verified this examination by the use of the X-ray Dr. Compton's Statement.

TILL EVIDENCE IS IN

Turpentine Men to Make

Various theories have been advant-ed as to the cause of the dislocation and statements differing widely have been circulated. Dr. C. F. Compton when seen last night, denied that any treatment given by himself of his brother could have brought about a dislocation or any injury to the arm. He explained at some length that the treatment given by them was entirely

At a late hour last night the Dra. Compton were in the elastody of Dep-uty Jordan Looking for someone to go on their bond. The amount of the bond required by the order of Clerk Marcus Erwin is one thousand dollars. and the amount of damages claimed

Attempt to Show Strong Proves That River Can Eas-. Was not Effective Against ily Float Biggest Warship Feeling Exists Against treatment. Dr. Compton declares that non, who was with the doctors, asked Bad Steering. Prisoner in Army Circles of Modern Times. MRS.THAW MAY HAVE STOLE TROTTER TO TAKE DECLINES TO ACQUIT CASE IS NEAR AN END WILL GO ON UP RIVER. WANTS TO FLY AGAIN TO GO TO JAIL ALSO LOAD OF STOLEN GOODS

(By Associated Press.)

Image of St. Christopher

FLUSHING, N. Y., May 6 .- The defense had rested its case and the ining witnesses in rebuttal when court

the defense in that they all said Cap-tain Hains spoke and acted rationally a short time before the shouling **5**n of any kind.

missions, under cross examination, that Captain Hains had acted in a nervons and excited manner and privar would not nermit a battleship looked pale and worried.

John F. McIntyre, chief counsel for the defense, created a stir in court by questioning the army officers as to what military authorization they had for appearing as witnesses against for appearing as witnesses against for that Captain Henry W. Torney of Fort Hancock had an order signed by Colonel Heistand, adjutant general of the department of the East, di

by Colonel Heistand, adjutant general of the department of the East, di-recting him to appear at the trial. Mr. McIntyre endeavored to show that other officers had received the same orders from Colonel Heistand and asked Captain Torney if he did tween the colonel and the Hains fam-tween the colonel and the Hains fam-tily. Captain Torney was not permit-ted to answer, but it was evident that the defendant's counsel wished to

they all testified that the defendant of the and until may as, when she will taining \$12,000 of unclaimed depos-had suffered from manias depressive Development. The making stops at its from the Suffolk Sayings/bank by insanity" which rendered him irre-sponsible at the time he shot Annis.

(By Associated Press.)

NEW ORLEANS, May 6 .- The peo-ROME, May 6 -- Lieutenant Calder prosecution was well along in exam- ple of the lower Mississippi Valley, ara, of the Italian navy was injured especially of New Orleans, are happy here today while flying in a Wright adjourned today in the Hains triat-The rebuttal witnesses for the state tenight. The big battleship Mississ- aeroplane. As he was making a The rebuttal witnesses for the state were principally army officers who had been stationed at Fort Hamilton the naval station at Guantanamo, ground and the aviator was picked up and Fort Hancock during June, July and August; 1908, and had met and Cuba, to receive a silver service from unconscious. It is estimated that he and August, 1908, and had met and the people of the state from which fell a distance of about forty-five feet alked with Captain Hains at that she takes her name, today crossed the His right check and his right eye bar at the mouth of the Mississippi. Were injured and he sustained a dis-

a short time before the shooting of any kind. August 15, last, when the defense can. The original plan provided for the extremeties of the two propellers and August 15, last, when the defense can-tends he was suffering from "maniac depressive insanity." The weight of the army officers testimony as to the rationality was partly counterbalanced by their ad-missione under areas and the first solution of the so

river would not permit a battleship the field in a strong wind the aero-John F. McIntyre, chief counsel for as large as the Mississippi to make the plane seemed for a moment to come

rine, visited Lieutenant Calderara this that it would not be necessary to the escaped robbers, evening. The lieutenant was able to arrest their client, as the judgment When the officers. onverse for a brief period with the

"I do not think I am very badly injured, and hope for the day when I

ted to answer, but it was evident that the defendant's counsel wished to, show that there was feeling against Captain Hains in certain army circles. Drs. L. L. Samuet Mason. Arthur C. Brush and L. Pierce Clarke, the trio of allenists for the defense, were disposed of at the morning session. They all testified that the defendant Thad suffered from manias depressive) (By Associated Press.) BOSTON, May 6 .- Two prominent

While making the third round of

minister. He said:

may take another flight."

LAWYERS INDICTED.

by Dr. Calloway, who was called in About this time the elder Dr. Compwith the arm. He remained firm in immediately after the chiropractition-ers had given Mrs. Brannon their non went into convulsions. Mr. Bran-(Continued on page five.)

Warrant Issued for Her Ar- Bold Robbers Looted Store Judge Sheppard Compels rest for Failure to Pay and Dynamited It to Cov Contempt of Court Fine. er Their Escape.

(By Associated Press.) NEW YORK, May 6.—Evelyn Nes-bit Thaw, who gamed much notoriety when her husband, Harry K. Thaw. (By Associated Press.) LAPORTE, Ind., May 6.—Robbers today locted the store of C F. shot and killed Stanford White, may herself have to go to jail in the near future.

An order directing the sheriff to nouncement that the appelate division had refused to stay proceedings. The

order directs that she shall be kept they stole from a nearby stable. In close confinement until the settle- The robbers, four in number. ment of her acquant.

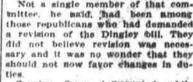
and downward and struck the ground. A scream of horror burst out from supplementary proceedings on a judg- Cochrane. An exchange of shots folthose present and a number of the ment of \$253 obtained against her by lowed, during which three of the aviator's brother officers rushed for-Eisle Hartwig, a milliner. Eisle Hartwig, a milliner. Mrs. Thaw's lawyers tonight noti-tured, and all the plunder recovered

fied the attorneys for Einie Harwid A posse is searching the woods for held by the milliner would be paid the captured robber, it was necessary

arms to awe the crowd of two thous and persons who gathered around the prisoner and were yelling "lynch him." The prisoner gave his name as Joseph Sobesky. He is twenty-six years old and says he came from "hicago.

BOY BURNED TO DEATH.

COMER, Ga., May 6 .- Paul Norris, a young son of Henry Norris, was burned to death when his father's home was destroyed by fire near here last night. In the attempt to rescue members of the family, following the discovery of the flames, the boy was



Senator Owen inserrupted while Mr. Cummins was stating that he had special opportunities for understanding the affairs of the American Steel and Wire company with an inquiry as to how he had acquired such spec-ial information. "I was attorney for

(Continued on page four.) FLORIDA[®]HOUSE TABLES



Refuses to Adopt Grand Father Clause; Another Similar Measure Pending.

(By Associated Press.) TALLAHASSEE, Fla., May 6.-Ne-gro distranchisement was again acted on by the house today when that body indefinitely postponed action on Judge Sheppard intimated that if the Smith suffrage bill, which con-later the evidence should warrant it, tains a chause identical with the socalled Mississippi grandfather clause. The. senate Beard disfranchisement bill, which both the house and the Mr. Boardman's testimony which was senate passed last week, is more dras-us a rule in direct defense of himself ic than the Smith bill. Within a against the charges against him. He few days the Beard bill is scheduled stated that he had nothing to do with senate in amendments made by the

A recommendation to drop the investigation of the charges that the trustees of the internal improvement fund had over-paid former Governor W. S. Jennings was made to the house by the special committee appointed statement that he had never in his life to recommend action on this matter. entered into a conspiracy with any Another committee a few days ago or all of them in restraint of trade, reported that during one year \$19-Mr. Dill, manager of the Brooklyn yards of the National Transportation and Terminal company of New York stated he had never seen Mr. Board-man about the yards. He said he had frequently seen the rosin re-graded with the attorney general as to the washington. May 6.-Forecast discovery of the flames, the boy was there, as fast as it came it was re-for North Carolina: Showers and ecol-left in the burning building and his impected and re-graded and that the inspected and re-graded and that the inspected and re-graded and that the inspected and re-graded and that the inter to be rescued.



in full early tomorrow.

shifting to west winds.

RAVANNAH, Ga., May 6 .- Over ruling the motion of the defense in Sonneborn for the fourth time in aix the "turpentine trust" case, Judge years and covered their getting away sheppard today stated that he would by an explosion of dynamite that let the case go to the jury, and the An order directing the sheriff to wrecked and set fire to the building, defense began at once to submit its failing to pay a fine of \$250 imposed. The thieves carried off a thousand testimony, calling to the stand George last week, was signed in the city court dollars worth of goods in a delivery Meade Boardman of New York, one late this afternoon, following the an- wagon, drawn by Humming Bird of the defendants and treasurer of (2.14) a valuable trotting horse which the American Naval Stores company,

Their Defense.

nent of her account. The robbers, four in number, were Fletcher of Philadelphia; E. H. Shay overtaken aboutly before noon in the The fine was imposed upon Mrs Galena wood near the Michigan line and E. R. Middleton, upplementary proceedings on a fint

he might direct a verdict as to certain defendants. Considerable interest centered in

When the officers arrived here with the purchase or sale of spirits of senate rosin. He said he received a salary house. for the police to display their fireof \$2500 a year from the American Naval Stores company of New York

and nothing from the American Naval Stores company of West Virginia. Mr. Boardman called each of the other defendants by name and made the

(By Associated Press.) LAPORTE, Ind., May 6 .- Robbers