

COURT HITS UPON THAW'S WEAK POINT EXAGGERATED EGO

Emphasis Laid Upon His Disposition to Handle His Own Case

SHOWS ENORMOUS CONCEIT OF THE MAN

Allenists Will Testify For State That he is Still a Paranoid

(By Associated Press.)

WHITE PLAINS, July 30.—It was the judge, not the prosecutor, who ruffled the assurance of Harry K. Thaw on the witness stand today. Exaggerated ego, "the insane delusion that the possessor is a person of supreme ability and importance" may prove a bar that will keep the doors of the Matteawan insane asylum closed on him.

When District Attorney Jerome finished his cross-examination today, Justice Mills put a series of questions that in the judgment of many were more pertinent than any of those asked during the twelve hours that has been questioned.

"Exaggerated Ego." "They are going to argue with me," said the justice, "that all the way through you have shown an 'exaggerated ego.' You have had the assistance of the ablest counsel, one of the leading attorneys of this country, but I have observed you constantly interrupt him and make suggestions. In your former litigations, you have constantly changed your counsel. Why don't you trust Mr. Morchauser?"

"Thaw was not pleased. 'But I do trust Mr. Morchauser,' he replied. 'Why didn't you trust your other lawyers—you, a man unlearned in the law?' continued the court. 'Haven't you felt all the way through that you were better able to conduct this case?'"

"No," answered Thaw, "except perhaps in the case of Mr. Hartridge." Thaw Explains. Thaw admitted that if he had interrupted Mr. Morchauser, it was only because he wanted to make suggestions regarding the evidence and questions regarding the discrimination shown and the thought given to

SEVEN CONVICTED, SEVEN ACQUITTED IN LIQUOR CASES

Eleven Days' Trial Ended Yesterday With an "Even Break." Cases Appealed to The Superior Court.

Guilty of selling or procuring whiskey (in every case except one) and not guilty of selling beer in seven other cases was the verdict of Judge Cooke announced in police court yesterday morning in the case of 15 defendants whose arrest had been caused by Detectives Hubbard, Adams, and Bridges, and who had been on trial for five days. W. S. Bradley, Otis Styles, T. J. Harrison, white, and Henry Pearson, colored, were found guilty of selling whiskey and sentenced to serve each 4 months on the roads, appeal being taken to Superior court and bond fixed at \$200 cash or \$300 justified.

Frank Johnson, white, and Will Sullivan and James Henderson, colored, were found guilty of procuring liquor for others and each was fined \$100 and costs. Sullivan soon concluded that he had enough of legal combats and paid his assessment, the others appealing on \$100 bond each. W. H. Bush was found not guilty of selling liquor, the court holding that it was not shown that he authorized the selling by his employee, Pearson, X. Lang, Charles Miller, Doc Craft, Garfield Wood, D. R. McKinnon, Vance Wells, and C. Sweeney were found not guilty of selling beer.

Such was the close of the trials which have attracted more attention than any ever known in police court history and which commanded an attendance rivaling the highest standard of the Superior court. The decision was rendered in the presence of a large audience which, in one may judge by representative opinion, approved the judgment of his honor as just and consistent with the evidence. It was certainly the consensus of opinion that the court was guided solely by the evidence and had brought to bear on the consideration of the bases a fair and unprejudiced mind and a close attention to every detail of testimony. That this opinion was held by the prosecution on the part of the Good Government League was indicated by the fact that Judge J. D. Murphy, though the court had held against him in a slight majority of the cases, commended the court for the discrimination shown and the thought given to

the case, in asking that road sentences be imposed.

The Court's Opinion.

The gist of the evidence and its character and the reasons actuating the court in reaching a decision are set forth in the following opinion which was read by Judge Cooke yesterday in court:

"This court is called upon to pass judgment upon 15 defendants charged with the violation of the state liquor laws.

"Patient attention has been given to all the testimony adduced. Some of this testimony would perhaps have been incompetent in the Superior court, but this court has been anxious to ferret these matters, in all phases, to the very bottom, and has allowed to be turned on even the side lights. The evidence in these cases is voluminous, and the court has sifted it and applied to the individual case such evidence bearing upon it, and has reached conclusions which it believes do justice between the defendants and the state.

"Perhaps the most difficult conviction in a court of justice is the violation of the prohibition law. This is due to the fact that the violator commits his act usually in the presence only of him who buys the liquor, and who will under no circumstances betray him. The hope of conviction lies outside the evidence of the trial, and when such evidence is offered it, too, should be carefully scrutinized because it is of its very nature seldom ever corroborated. Especially when it is from those whose business it is to go from place to place for hire to apprehend violators of law. And yet seldom do we find voluntary testimony offered in a criminal case, especially that for violating the prohibition law.

"In the case of W. H. Bush, charged with selling liquor, the only circumstances connecting this defendant with the sale of a pint of liquor is that said sale was consummated in defendant's place of business. But the state's evidence fails to show that the defendant conspired at it, knew about it or in any way was a party to the sale. The mere passing by of the defendant at the time of the alleged sale is not sufficient to convict him.

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GEORGIA AFTER LITTLE BROTHER OF DEMON RUM WITH VERY SHARP STICK

Other Methods Failing Will Try to Tax "Ni-Beer" out of Existence.

WAVED "EXHIBIT B"

(By Associated Press.)

ATLANTA, GA., July 30.—The first bill to pass the house of representatives in the fight on what is known as "near beer" went through this afternoon by the comfortable margin of 86 to 78. It raises the tax upon the limitation of the amber fluid, which the wise legislators say is not limitation, from \$500 to \$1,000 for manufacturers and from \$300 a year to \$500 retailers.

Each dealer must also give a \$5,000 bond to obey the law. Housewives who make wine for household and medicinal purposes are exempt from the act.

Alexander of Dekalb, the prohibition leader, started the house by dramatically waving two bottles of a famous brand of Milwaukee's favorite and exclaiming:

"I sent a man to get a St. Louis brand and he went to the most respectable place in this city. The proprietor said he could not let the St. Louis beer leave the premises, but he did give my agent this stuff which you all know is not near beer but in the real stuff. And we cannot stop the sale under the court's decision that a drink to be intoxicating must contain four per cent. of alcohol. But we can tax them and if this measure be killed it will die in the house of its friends."

Alexander made a strong appeal to the friends of temperance to rally to the cause and he won on the vote. The bill will have to pass the senate before it becomes a law. It is not thought that the governor will veto it despite his pledge not to sign any liquor legislation this session, because this measure is only a clause in the general tax bill which must be vetoed or approved as a whole.

MONEY AS COMPENSATION IN TWO SEDUCTION CASES PROVES SATISFACTORY

One of Defendants Has Married and Left County Since.

PARTIES PROMINENT

(Special to The Citizen.)

STATESVILLE, July 30.—Two seduction cases which have been pending for some time were this week settled out of court by the attorneys in charge. The case of W. H. Brookshire, father, Miss Vera Brookshire, against R. Lloyd Choininger, charged with seducing Miss Brookshire under promise of marriage, was settled by Choininger paying a certain sum of money, and both criminal and civil actions against him have been abandoned and withdrawn.

Choininger, who married another young woman and departed for parts unknown soon thereafter, has really never been placed under arrest, the warrant having been withheld, pending the expected settlement of the case out of court.

The other case is that of Miss Maggie Milhops of Bloomfield, the suburb on the west, against W. L. Smith, a civil suit for \$5,000, under arrest and bail proceedings for seduction and promise of marriage. The case was satisfactorily compromised and the suit against Smith is withdrawn. He has been under a \$5,000 bond for some time and the case was to have been tried at the next term of court.

CASHIER GOES AWAY; BANK CLOSED

(Special to The Citizen.)

RALEIGH, July 30.—The Bank of Southern Pines closed today by order of the corporation commission pending an investigation by Bank Examiner Doughton who went to Southern Pines tonight. There is, according to discovery just made by the directors a shortage of \$15,000 discovered in the absence of Cashier G. A. Kimball who is on his vacation. C. B. Grant is president of the bank. The capital is \$10,000.

Y.M.C.A. PRESIDENT OF BRISTOL WANTS LICENSE TO SELL BOOZE IN TOWN

Not for His Own Personal Use but for His Club.

KNOW HIS POSITION

(By Associated Press.)

BRISTOL, Va., July 30.—The fact that the name of Henry Roberts, president of the Bristol Y. M. C. A., is signed to a notice that the Holston club of Bristol will apply for a license to sell liquor has created some surprise here. Roberts traveled forty miles to vote the wet ticket in the recent local option election. It was in the face of his known views that he was elected president of the association.

The "drys" struck another snag today in their effort to take depositions in connection with the local option election contest case. When they convened at the Virginia court house and recalled a witness to the stand counsel for the "wets" contended that they had no right to proceed with the taking of depositions for the reason that they had adjourned to the Tennessee side yesterday and had not adjourned from there back to the Virginia side. Counsel for the "drys" decided to post a notice to resume the hearing and the case was adjourned till August 6.

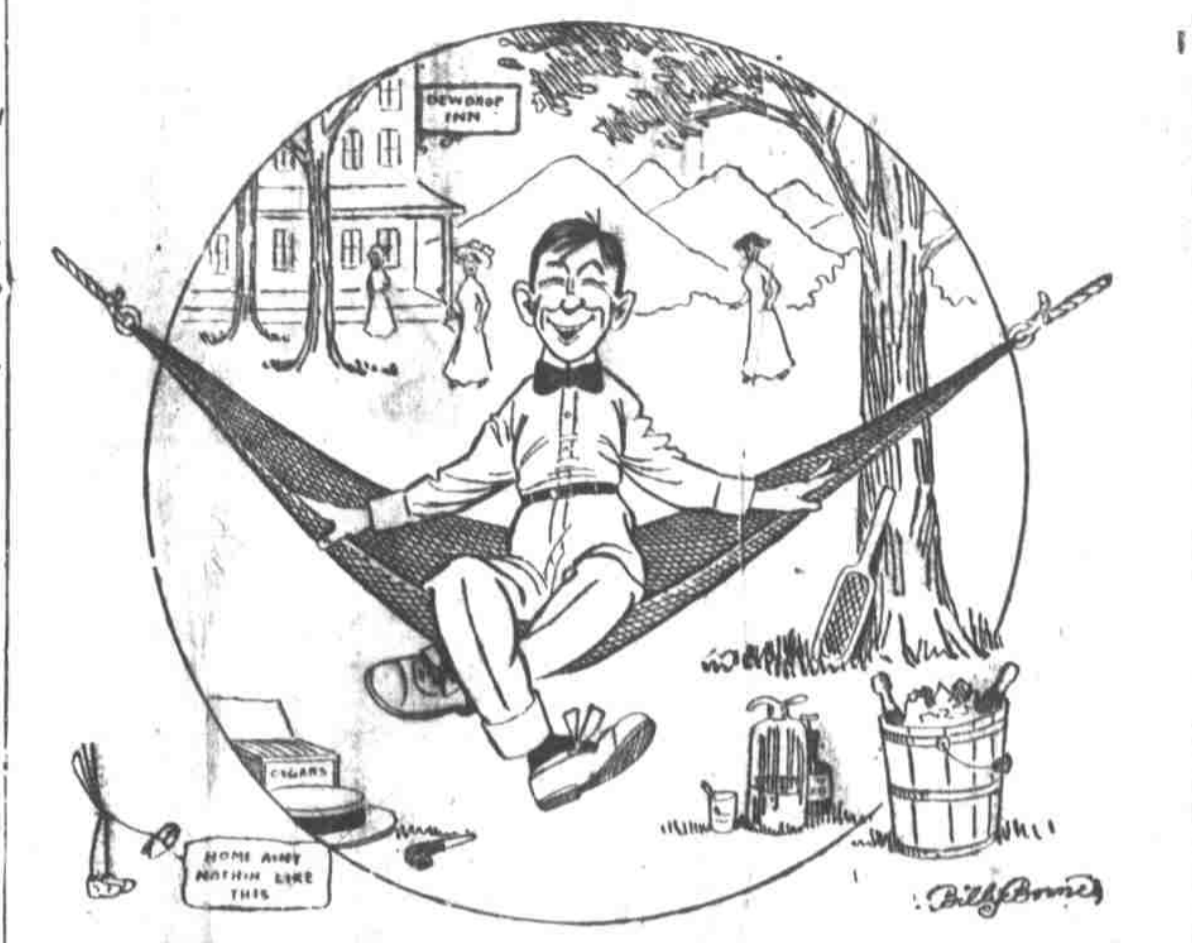
CORPORATIONS MUST FILE THEIR REPORTS

(By Associated Press.)

RALEIGH, July 30.—Notice is given by the corporation commission that all corporations in the state that have not yet filed their annual reports with the commission are liable to a heavy penalty and that they will be proceeded against very soon now if the required reports of which ample individual notice has been given, are not forthcoming.

It is understood that quite a number of the corporations have not yet reported. It is from these reports that the commission makes up the corporate excess assessment after comparison of the reports with the real and personal property listed by each in their counties.

Puzzle Picture.



Locate the gentleman who doesn't have to go to work for two entire weeks.

MODERN MERCURY WINGS WAY TO THE HIGHEST OLYMPUS OF FAME

Orville Wright in His Straightaway Test Performs Most Difficult Feats Ever Attempted by Aviator; Vast Throngs Cheer Intrepid Inventor as He Alights at Their Feet.

(By Associated Press.)

WASHINGTON, July 30.—Orville Wright this evening attained the zenith of hard-earned success. In a ten mile cross-country flight in the famous aeroplane, built by himself and his elder brother Wilbur, and accompanied by Lieutenant Benjamin D. Foulois, an intrepid officer of the army signal corps, he not only surpassed the speed requirements of his contract with the United States government, but he accomplished the most difficult and daring flight ever planned for a heavier-than-air flying machine. Incidentally he broke all speed records over a measured course. And he established beyond dispute the practicability of an aeroplane in time of peace and in time of war.

Up Five Hundred Feet.

His speed was over forty-two miles an hour; he made the ten mile flight from Fort Myer and back in 14 minutes and 42 seconds, including the more than twenty seconds required for the turn beyond the line at Shuter Hill, the southern end of the course.

He attained a height in crossing the valley of Four Mile Run, of nearly five hundred feet and the average altitude of his practically level course was about two hundred feet above the ground.

President Taft, who has become an enthusiastic spectator of the aeroplane trials, although two years ago when secretary of war he is said to have expressed to officers profound skepticism as to the accomplishment of such a feat as that of which today he saw the completion, arriving upon the parade grounds at Fort Myer just in time to see the aeroplane land and to participate in the wild demonstration which welcomed the triumphant aviator. He sent an officer to bear his congratulations to the victors.

Conditions Favorable.

A terrific wind and rain storm early in the afternoon seemed providentially provided to clear and quiet the atmospheric conditions in preparation for the flight, which was delayed only by the failure of the army field telegraph line from Fort Myer to Shuter Hill. It was still out of commission when Orville Wright, seizing the moment of the best weather conditions he had yet had for the speed test, had the machine placed on the starting rail and gave the motor a final test. The engine worked perfectly, and the crowd seemed to realize that an epoch-making moment was at hand. They pressed forward against the lines which held them back, breathless, intensely watching every movement of the aviator and his machine. The signal corps detail hoisted the great weight in the starting derrick which gives the machine its initial impulse.

Was a Tense Moment.

Orville Wright inspected personally every detail of preparation. Wilbur Wright walked about nervously himself inspecting each minute particular of the mechanism upon whose fidelity depended his brother's life. Miss Katherine Wright, the devoted sister, made little concealment of her excitement. Indeed she was one of the group which crowded so close to the machine as the crucial moment drew near, that Wilbur was compelled to ask them to step back.

Lieutenant Foulois, lithe, wiry, brown as a berry, in his khaki uniform and leggings at a sign from

Orville climbed into the passenger's seat beside the motor. Wilbur and Charles Taylor, the Wrights' mechanic, took their places at the propellers. Orville turned on the spark of the motor, and they whirled the blades around. The motor picked up the impetus, Orville turned on the speed and for the first time the propellers of the Wright aeroplane were whirling at their maximum capacity.

Rose in the Air.

The smooth and even song of the engine aroused the crowd to cheering. Orville clambered into his seat and gripped the levers. Wilbur, at a nod from his brother, slipped the cable which released the weight, the aeroplane shot down the track, rose before it reached the end, and skimmed over the surface of the ground for a hundred feet or more.

As if drawn up by invisible powers, the white-winged man-bird rose higher and higher, reached the end of the field, turned at a slight angle, and faced about. Hats and handkerchiefs were waving, automobile horns were tooting, some over-wrought spectators even wept as the great white creature turned again southward at the starting tower, and everybody in the crowd seemed intent upon giving her and her daring passengers a God speed on their perilous trip.

Starts on Journey.

Climbing up as it were on the air, higher and yet higher, Orville brought the machine at great speed once again fully around the field. Then with a short turn he swept about and

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ANNOUNCE THOSE WHO PASSED EXAMINATIONS

Teachers in Western Part of State Who Secure Certificates.

(Special to The Citizen.)

RALEIGH, July 30.—The list of those who passed the recent examinations for high school teachers' three-year certificates and the state school teachers' five-year certificates included the following from the western part of the state:

For high school principals' certificates: J. H. Beech, Lenoir; A. R. Bryan, Wayneville; Day, Blowing Rock; Blawie, Blawie; Wayneville, E. E. Hawkins, Hillsville; Hattie Lou Ponder, Mars Hill; P. Wilson, Lenoir.

For assistant high school teachers: Alice Hawthorth, Asheville; Josephine Thomas, Lenoir.

For five-year certificates: A. L. Smiley, Bryson City.



WASHINGTON, July 30.—Forecast for North Carolina: Local showers Saturday and Sunday; light to moderate winds.

BANKS ABANDON HOPE OF GETTING CONCESSIONS

Corporation Commission Shows No Disposition to Be Lenient.

(Special to The Citizen.)

RALEIGH, July 30.—The latest talk about the state banks is that the bankers of the state have about come to the conclusion that there can be no successful litigation at this time against the ruling by the corporation commission that the state and other non-taxable bonds held by banks shall not be deducted from the value of the bank stock before this is assessed for taxation as has been the practice in this state for many years under ruling by the attorney general.

But they note that state officers are at least under the strongest sort of moral obligation to allow such deduction from stock for holdings in the noted scheme for South Dakota bonds, which the bankers holding them insist, the sum of state-guaranteed should be free from either direct or indirect taxation. It is learned that Merchants National bank of Wilmington is one of the largest holders of these bonds in this state.

The state officers do not seem to be inclined to meet that the corporation commission grant even this concession which the bankers declare they were given every assurance should be done if they became purchasers of these bonds.

LUMBER MEN WANT TO COMPROMISE SUITS

Prefer Not to Take Risk of Penalties Aggregating \$14,000,000.

(Special to The Citizen.)

NEW ORLEANS, July 30.—An effort will be made to compromise suits pending in the Mississippi courts to penalize the Retail Merchants association of Mississippi in the sum of \$14,000,000 on the charge of violating the anti-trust laws of the state. This decision was reached here late today after a storm session of the members who had composed the association.

It was declared that the allegations are unfounded in fact, but it was agreed in view of the fact that the association had disbanded, that it would be best for the individual members to subject themselves to fines which it is thought will be nominal, rather than undertake the expense of carrying the case to the Federal courts.

NO EXTRA SESSIONS WILL BE CALLED

(Special to The Citizen.)

RALEIGH, July 30.—There has just come to Governor Kitchin from the United States secretary of state a certified copy of the resolution by congress for an amendment to the constitution providing an income tax. This will be held by the governor for transmission to the next session of the general assembly. It is not thought that there will be any extra session of the legislature for this purpose as the next regular session will be in ample time.

TAFT JOCKEYS THE TARIFF BILL AS IT COME IN STRETCH

Gets In a Few Provisions Which Give It an Appearance of Honesty

VIRTUES ABOUND IN A FEW SCHEDULES

Old Vices of Dingley Bill Provide Measure in Every Other Particular

(By Associated Press.)

WASHINGTON, July 30.—Entering upon the last stages of its consideration by congress, the tariff bill as reported by the conferees was submitted today to the house by Chairman Payne and ordered printed in the congressional record. Discussion of the conference report will begin at 10 o'clock tomorrow morning, the indications being that but a day will suffice for its adoption.

The Republicans broke into loud applause when Chairman Payne presented the conference report, as he did a minute or two after the house convened. Under the rule it went over until tomorrow for printing in the record.

Attendance Large.

Three hundred and fifty of the three hundred and ninety members were in their seats when Chairman Payne passed up to the speaker's desk the bulky document which had occupied the attention of congress for four and a half months, and then the Republicans broke into loud applause. Mr. Payne will open tomorrow's proceedings with an exhaustive statement in explanation of the bill.

With the conference report out of the way for the time being, the house for nearly an hour and a half wrangled over some resolutions increasing the clerical and laborer force of the capitol. Adjournment was taken at 1:25 p. m.

President Taft Pleased.

President Taft expressed himself today as tremendously pleased with the tariff bill as it was finally agreed to by the conferees last evening. It is known that he is not entirely satisfied with all of the bill, and he told several of his callers today that it would be the greatest miracle of the age if a tariff bill could be designed that would please everybody.

Without attempting to go into detail the president today declared that in a great many ways the new tariff law will be a marked improvement over the Dingley act.

The president pointed out as great forward steps the enactment of the Philippine tariff, the corporation tax, the establishment of a customs court, the adoption of the new maximum provisions, the establishment of a commission to advise the president in the operation of the maximum and minimum clause and on matters generally connected with the tariff.

All Taft's Policies There.

Practically all of the administrative features of the bill which were adopted in the senate were accepted by the conferees. They include a new maximum and minimum tax adopted by the house, authorization for a bond issue to raise money to build the Panama canal as well as numerous other features.

The maximum and minimum provision prescribes duties in accordance with the rates named in the dutiable list until March 31, 1910, when twenty-five per cent ad valorem is to be added automatically as the maximum duty. The president is authorized to apply the minimum rates, however, to imports from a country which gives its best rates to the product.

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PRESIDENT OF DRUG MEN UP FOR SELLING COCAINE

Heavy Shipments from His Town Attracted Attention to His Store.

(Special to The Citizen.)

THOMASVILLE, July 30.—For the alleged illicit sale of cocaine, Charles R. Thomas, proprietor of the "Corner Drug Store" and ex-president of the North Carolina Pharmaceutical association, is to be haled before Magistrate J. C. Green Saturday next. It is said that the officers have knowledge of frequent shipments from this place and have kept a lookout for the guilty parties. The chiefs of police of both Salisbury and Charlotte, were notified of suspicious packages going out from here, but they did not seem to look into the delivery of the goods by the express company at either place. It was left for the Wadesboro officers, in connection with Thomasville's watchful chief, to get evidence. Thomasville has been given a bad name on account of the sale of cocaine. It is shipped, by express, in nearly all cases, to negroes who found where to get it while double-tracking for the Southern.