PRICE FIVE CENTS

MRS.SCHENKFACES SECRETARY MEYER PERFECTLY CALM

Will Decide Her Fate

YOUNG MARRIED MEN COMPOSE THE JURY

a Conspiracy Among Husband's Relatives

WHEELING, W. Va., Jan. 9 .- A jury was selected on the first day of the trial of Mrs. Laura Farnswworth Schenk of this city who is charged with administering poison to her wealthy husband, John O. Schenk. After calling two panels of talesmen the twelve who will hear the evidence were decided upon just before ad-journment of court tonight, but not efore the state had struck off two, and the defense six of the panel of

Mrs. Schenk, in stylish attire, had been brought from the Ohio county juil to the court room, and showed great interest in the examination of the prospective jurors. Frequently rhe suggested questions to her coun-sel. Several times, following whisperal consultations between Mrs. Schenk and her attorneys, business and socal connection of the talesman and schenk family were developed. dis Schenk appeared satisfied with most of the jurymen, the majority of whom are young married men.

The various talesmen were excus ed because of their positive opinion the cusc

When the jury had been empaneled the attorneys made their opening statements to the court. The intro-duction of evidence will begin ton.orrow. In his statement, prosecut-ing attorney J. B. Handlan said that the charge that the wife had actually succeeded in administering poison to Schenk was the main point dwelt up-in. He claimed that the state would e able to show that lead poison was Lest administered and that arsenie La later given. Schenk, he said, returned from Europe strong and realthy in May, and within a few cays the effects of the deadly drug

ere noticeable: J. J. P. O'Brien, Mrs. Schenk's torney arraigned members of the chenk family whom he claimed had

(Continued on Page Four.)

LEGISLATURE HOLDS BRIEF

SESSION, ADJOURNING IN

RESPECT TO REP. STEWART

Funeral of Montgomery

Member

COMMITTEES NAMED

RALEIGH, N. C., Jan. 9 .- The

sessions today, adjourning out of re-

spect for the memory of Represen-

gomers county, as a special escort.

mittee is headed by Doughton of Al-

leghany, propositions and gricyances

of Wilson, justice of peace

Latham of Begufort, health by Me-

PROTEST AGAINST TAX

potash tax and to urgo the president

to use his influence and that of the

state department to give them some

STANDARD OIL PAYS FINE

BUFFALO, N. Y., Jan. 9 .- The

Standard Oil company paid into the federal court \$23,766, the fine as-sessed against it for accepting re-

POISONING CHARGE | EXPLAINS TROUBLE | LODGED IN TOMBS OVER BATTLESHIP ON PERJURYCHARGE

She Helps Select Jury Which Says That Governor of Ar- Powerful Financiers Have kansas Misunderstood Real Situation

DENIES THERE WAS

ANY DISCOURTESY

Lawyer For Defense Charges httleship Can't be Held Await- Another Dramatic Scene is ng Pleasure and Conven-

lence of Governor

WSHINGTON, Jan., 9 .- In respon to what he characterized "o raths acrimonious communication from a governor of Arkansas", Sec-retartof the Navy Meyer issued a statement today explaining the im-practibility of postponing the launche of the battleship Arkansas in accdance with Governor Don-

aghey'suggestion.
Govebr Donaghey complained in his lett that the navy department ignored m and the officials of the state of kansas in the preparations for the aching of the Arkansas and charn Secretary as "being guil-ty not of gross discourtesy to the representative of a sovereign state", but hat he had "subjected himself torriticism that comnot be adequably pressed in an official commulcator from the representa-tive of a site to an officer of the federal roverment."

bu eyer's Statement.

Secretry leyer in his statement egrets the plaunderstanding under which p whernor of Arkansas labe and hopes that the fin ample opportunity state wi later toexpress its appreciation of the act narting the battleship for

Govert Donaghey had announce ed that state would take no further restsibility for the ceremonies of Janua 14.

Secrets Meyer believes that Governor Dighey is unfamiliar with the custo surrounding the launching of a tleship and declares that the navy-partment is "merely an intermedi between the shipbuild-ing compeand the state or city for which a leashly is named in the matter of thining a sponsor to christen tship and the attendant

Secretarleyer asserts that when he was not by the New York shipbuildinompany that the bat-

(Contin on Page Three.)

BIPLANEY AWAY WITH

ROBIN'S SISTER IS

Calmed Flurry Which Robin Created

DENIAL OF PARENTS STILL CONTINUES

Enacted as Grand Jury Returns Indictments

NEW YORK, Jan. 9 -- Aside from progressive work of reorganization and reconstrution in affected insti tutions which will necessarily extend ing situation is normal tonight; timid depositors are reassured, the stock market is optimistic, and Joseph G. Robin, whose operations caused the flurry, is still in the Tombe.

With powerful financial interests behind the Twelth ward bank and the Nineteenth Ward bank and with the absorption of the Madison Trust the absorption of the Madison Trust company by the Equitable Trust company, these three institutions, whose integrity had been questioned because of affiliations directly or indirectly with the Carnegie Trust company, which was closed as a result of Robin's operations, weathered the day not only successfully but with such aggressiveness that there were no runs and almost normal deposits

Another member of the family entered the Tombs today Dr. Louis Robinovitch, sister of Robin, wag indicted for perjury and re-manded in default of \$3,000 ball. She had sworn in an effort to have Robin committeed to an asylum and his estate taken over by a committee that she and her brother, Edward, known as Edward Robinson, were his only heirs at law. But investigation disclosed an aged couple which the prosecution contends are the parents. On this discovery the indictment is based.

There was enacted as the grand jury filed forth with the indictment against Dr. Robinovitch a scene similar in dramatic aspect to the recent repudiation of the old pair by Robin.

Both old persons had been wit-esses before the jury as had the lleged son, Edward. Robinson. alleged son, Edward. When they met face to face in the court room the elderly woman attempted to throw her arms around

(Continued on Page Five)

|FAVORABLE REPORT MADE GOVERN AS HE POSED ON AMENDMENT PROVIDING FOR PIURE MACHINES SENATORIAL ELECTIONS ing down that rule. Justice McKenna suggested the court in arriving at a de-

Delegation of Five Attend Fake Real Too Realistic United States Senators For ternor of May Yet Be Elected by People

> MACHINMASHED DEPEW PLANS KILLED

DALLAS, Texin. 9 .- John J. senate and house both held very brief Prisbie's Rochest-plane ran away with Governor-eliolquitt of Texas early this too and later tative John L. Siewart, of Montgom- smashed into a when Frisble ery county. Fitting resolutions of re- attempted to land, a short flight. spect were adopted, and in the house As a net result to misbehavior Gen. J. S. Carr paid eloquent tribute the machine is a \ and the govto the deceased and to Confederate ernor-elect and the tor are being soldiers in general. A delegation of congratulated on ing from in-two senators and five representatives jury. Mr. Colquitt elimbed into

was sent with the remains of Repwas sent with the remains of Rep-paper photographer and to the resentative Stewart to Star, Mont-realism of the pic one of the gomery county, as a special escort mechanicians starthe motor. Speaker Dowd aunounced today a Cameras were all to and all number of committees, his purpose ready when the gov shifted his being to complete the list carry in position and struck oot against the present week. The finance com-This released the linery and

for several hundred & the ma-Koonce of Onslow, banking and chine bounded along track with thern senators opposed these by Koones of Onsion, control by Koones of Durham, currency by J. S. Carr of Durham, half a dozen men h it to the building and grounds by Battle of ground. Finally Fr who was Wake, lish by McWilliams of Hyde being dragged along ceeded in judiciary number 1 by Eattle of Leuting the string Wheld the by The governor-elect serio enjoy the experience. "I b I could run one of those thin a little

while," he declared. After a short cross by flight WASHINGTON, Jan. 2 - Propresentitle Irish-American gliden land-tallyes from more than thirty ferti-land plants throughout the country feet above the ground havored islatures and place them in the hands will call on President Taft Wednesto shut off his motor by machof the people, are by no means sanonly to protest against the German
inery was slow in resp. His guine of immediate success. There machine was pointed dir oward is strong opposition in the senate to several fences. The be he is the provision, and there will be litstate department to give them some several pences. The be he relief from the burden of which jumped over but lost colf the planes before he reached cond. planes before he reached cond.

Will die with this congress so that

Frisbie was thrown sever and it seems probable that it will be momentarily stunned but ther- necessary to travel the road again wise uninjured.

McFARLAND WC

WASHINGTON, Jan. 9 .- At meeting of the senate on the judiclary, held late today, a decision was reached to report favorable the subcommittee resolution authorizing an amendment to the constitution pro-

The controversy in the committee turned upon the question as to selves down from the fourth floor by whether the state or the federal gov- a blanket rope, were today sentenced directs that "the times, places and manner of holding elections shall be prescribed in each state by the leg-

tion of senators from the state leg. civil authorities, tle difficulty in preventing action during the present session. The measure next session.

WANTS APPROPRIATION

The Man With a Claim.



ARGUMENT IN TOBACCO TRUST SUIT IS PUNCTUATED BY MANY QUESTIONS

Rapid Fire of Questions From Justices of The Supreme Court Continually Interrupt Attorney McReynolds as he Argues Case For The Govern-

ment Against Trust.

was the burden of a rapid fire of questions today in the re-argument before the Supreme court of the United States of the dissolution suit against the American Tobacco cor-porations. Before they could be answered, another fusiliade of questions concerning what the Sherman anti-trust law meant by the "monop olizing" of trude had opened.

"Generalities are very good," said Justice Day to J. C. McHeynolds, one of the attorneys for the United States, "but it seems to me that the government ought to have an explanation now of what the law means by monopolizing.

Mr McReynolds had just resumed his argument, when Justice Holmes asked:

"Do you think that to buy out man and make a covenant with him that he will not engage in the same

business in a certain time is unlaw-

Precedent Established Mr. McReynolds said that the Su-preme court had decided that control of a major part of business was sufficient for the courts to act and that the business of tobacco corporations came within the line of decision lay-

lie wanted to know on what basis a combination of less is held by this tomorrow and the next day.

WASHINGTON, Jan. 9.-Where to the government would have it ad- court to be sufficient, that it better, draw the line between legal and it-legal restraint of interstate commerce the decisions of the court announced The attorney repeated that I do not believe that obstruction by were sufficient to decide the present слве.

"If I may say so, I believe," continued Mr. McReynolds, "that the
court will make a great mistake if
it attempts to decide in this case all
Mr. McReynolds replied that he did
Mr. McReynolds replied that he did
Mr. McReynolds replied that he did It attempts to decide in this case all that the Sherman anti-trust law means. There is a borderland out into which it is not necessary to go."

Chief Justice White suggested that where there was borderland there was a border.

Chief Justice Questions

Air. McReynolds replied that he did not, that "material and direct" restraint rather than "unreasonable" was meant. In reply to the chief Justice, Mr. McReynolds said that he considered the law distinguished between restraint of trade by an individual with millions in his pockets

"Where is it?" inquired the chief stice. "What is your theory of the law, I ask you, and you respond that your theory is that we have decided this case in your favor."

Mr. McReynolds said that his the-

ory was that the law intended to you want, we have the essential ele-prevent interference with the free ments in their case." flow of competition in commerce be-tween the states and that any com-

Day. had announced, he added, that the "Your honors have held that 51 record was remarkably free from in-

we have intent to restrain; whatever

After Mr. McReynolds concluded, DeLancey Nicholl opened for the debination that was sufficient to in-terfere with the free flow was with-in the Sherman anti-trust law. He explained that he had in mind a material and direct obstruction of to life. No increase in price to the commerce.
"Do you maintain that it takes 51 ganization of the corporation, he for a revolution and for the majority of the house to express its will. At that time there was reason to bear the consumer had occurred since the organization of the corporation, he for a revolution and for the majority of the house to express its will. At that time there was reason to be nearly doubled. The lower court lieve the rules committee was attempting to obstruct legislation. No

two little fellows is sufficient."

More Questions,

and restraint by a combination of in-dividuals using an incorporate firm. Mr. McReynolds concluded by stat-ing that "if you want size as a basis

we have it here! If you want intent,

the court in arriving at a decision per cent was sufficient to come withmust have a basis on which to go. In the law," was the response. "If The arguments will be continued The arguments will be continued

TWO OF BURGLAR BAND

Among Those Who Escaped from Atlanta Prison with Soldier's Aid

ATLANTA, Ga., Jan. 9 .- Harry ciding for the election of United Langdon and Edward Brooman, two States senators by direct vote of the of the five men who escaped from the Fulton county juli a week ago by sawing steel bars and letting themto selves down from the fourth floor by ernment should supervise the electio twenty years in prison for robbery The sub-committee's provision and burglary. Brooman gave his

A. R. Knox, known as the "drug store bandit," pleaded not guilty. His Senators Depew and Nelson both mother, Mrs. Martha Perryman, of offered amendments giving congress Birmingham, Ala., took the stand and the power to regulate, but the Sou-istated that his tendencies toward pro- crime were due to a severe blow or visions as most prejudicial to the the head, received when he was five interests of their constituents, some years old. Chas, Sutton, his partner of them going so far as to assert in the alleged hold-up, will be arthat the measure would be more ob-noxious than the Farce bill of the raigned tomorrow. It was stated toearly nineties which caused one of the most famous of the senate fights, seventeenth United States infantry at The two amendments were voted Fort McPherson, has decided not to courtmartial the soldiers charged While greatly encouraged over the with giving the files to the prisoners progress made, the advocates of the lf sufficient evidence is produced the change, which would take the elec- soldiers will be turned over to the

LOCKED IN ROOM FOR DAYS ALMOST LOSES LIFE FOR GET TWENTY YEAR TERMS IS FOUND DEAD BY OFFICERS VOTE ON ANTI-RACING BILI

No Theory to Explain Pecu- Attempt is Made on State liar Death of Citizen of Salisbury

SALISBURY, Jan. 9 .- A. C. Frank, isbury hotel today.

or several days and forbade anyone track bill were brought to light totoday the door was broken by an ifficer and it was found that he had been dead several hours.

He was never married and lived in seclusion, though much liked.

WILLIAM WHITING DEAD

HOLYOKE, Mass., Jan. 9 .- Wiliam Whiting, president of the Whiting Paper company, and former congressman, died at his home in this city tonight of chronic kidney trouble. Mr. Whiting was one of the most prominent paper manufacturers in the country, and was widely known the threat that he would suffer for was a delegate to several national epublican conventions and was a close friend of the late President Wm. McKinley. Mr. Whiting was born in Dudley, Mass., March 24. 1841.

DELEGATION ARRIVES

WASHINGTON, Jan. 9 .- Headed New Orleans, 150 of rederal court \$13,100, the one as sessed against it for accepting re-bates. This is the first fine ever collected by the government since the prosecutions under the anti-rebate law were begun.

New Orleans, 150 of Louisiana's Scruggs.

WASHINGTON, Jan. 9.—Secretary WashINGTON, Jan. 9.—Forecast the prosecution of \$59.—Forecast the prosecution of \$59.—Forecast the prosecution of \$59.—Forecast the prosecution of \$50.—Forecast th Louisiana's Scruggs.

Senator Who Left Sick Bed to Cast Vote

NEW YORK, Jan. 9.-Threats upaged forty years, a native of lows, on the life of Congressman Otto G. was found dead in his bed at a Sal- Foeiker, whose vote when state senator in 1908, resulted in the passage He had been locked in his room of the Agnew-Hart anti-gambling race n enter. When he falled to appear day by the arrest of two elderly men for loitering in the vicinity of Mr. Foelker's home in Williamsburg

> The prisoners are the description it is said, of two men who attempted to enter Mr. Foelker's room by means of a rope ladder early last Wednesday morning while he slept. An alarm was give nby Mrs. Wm. per Berger, the congremman's aunt, and the men fled, leaving the ladder be-

Mr. Foelker declared today that he had received thirty threatening let- per cent of the state's total increase ters since the passage of the Angewin national republican councils. He depriving many persons of their of livelihood,

ALLEGED MURDERERS CAUGHT IN GEORGIA

ELIJAY, Ga., Jan., 9.-Rev. James A. Kimmons, who with his brother, Rev. Benjamin Kimmons, is charged with the killing of Carter Lingerfelt at Mount Pisgah church, in Gilmer WASHINGTON, Jan. 9.—Headed by Governor Jared Y. Saunders, of ted last night together with his son Louisiana, and Mayor Berham, of James and his son in law John

SPEAKER CANNON AGAIN HUBLS HIS DEFIANCEATHOUSE

Stormy Periods of Last Ses sions Are Recalled by

Clash

NOT PRECEDENT

BUT REVOLUTION

Grim Smile Lightens Countenance as Majority Sustains Ruling

WASHINGTON, Jn. 9.—Speaker Cannon had his hour of triumph in the house today. Badly battered in the three day's storm that swept the house last March and tore from him much of the power that had been his, the speaker "came back," in a way that brought a grim smile of of satisfaction to his rugged countenance and left his ancient enemies, the "insurgents," decidedly discom-

Today the speaker was sustained by an overwheiming majority on a ruling which was idential with the one he made last March when the house angrily over ruled his decision through a combination of insurgent republicans and democrats. Today on the eve of their return to power the democrats voted almost solidly to sustain the ruling of the chair. The insurgents—twenty-seven of them—stood by their guns and fought the speaker bravely. But rebbed of

democratic support their battle was a losing one from the start.

It was the first big political maneuver of the present assion of congress and the regular republicans were elated over the results. They haunted the fiemocrats uncessingly

for their change of front.

Fitzgerald Inconsistent,

Taunted for his inconsistency, Representative Fitzgerald, of New York, one of the democratic leaders in the rules fight, retorted that for the make of consistency he did not pro-pose to be foolish. When Cham Clark, of Missouri, slated to success Speaker Cannon, voted to sustain chair today on the same point order which furnished the basis the successful insurgent campaignet March, the republicans brok

to storms of applause. Representative Underwood, of Ala-bama, joined Mr. Fitzgerald in frankbama, joined Mr. Fitsgerald in Frank-ly admitting that he thought the speaker was right in his ruling last March and that he ruled in line with the precedent of the house. "But," said Mr. Underwood, "we voted to over rule the speaker be-cause we thought the time had come

such condition exists today and consequently there will be no revolu-

"Then, when you voted to over rule the speaker you admit you en-gage in an unlawful enterprise?" snapped Representative Mann, of Illi-

(Continued on Page Four.)

SOUTH CAROLINA CITIES SHOWED HEALTHY GROWTH **DURING LAST TEN YEARS**

Increase Falls Behind That of Cities of North Carolina

SPARTANBURG LEADS

WASHINGTON, Jan. 9 .- South Carolina's municipalities having a population in excess of 5,000 made average increase of 22.9 cent during the last dec-Statistics of the 13th census issued today show the number of theses places increased from eight in 1900 to 13 in 1910. Their total increase in population was only 19.5 of 175,084 for the decade.

Spartanburg, among the cities, made the most rapid strides in popuation increase. Its increase amount-ed to 54.6 per cent. Greenville increased 32.7 per cent, while Columbia grew 24.7 per cent, and Charleston

South Carolina's municipalities of over 5.000 population rank se fel

City	1910	190
Charleston	58,838	55,80
Columbia	26,318	21,16
Spartanburg	17,517	11,39
Greenville	15,741	11,86
Anderson	9,654	5,49
Sumter	8,109	5.67
Rock Hill	7,216	5,48
Florence	7,057	4,44
Greenwood	6,614	4,55
Orangeburg	5,996	4.45
Union		5,48
Georgetown		4,13
Newberry	5,028	4,60
A COLOR OF THE PERSON NAMED IN COLOR OF THE P		