PRICE FIVE CENTS

SKELETON IN THE SCHENK FAMILY IS SHAKEN IN COURT

Wife Who Tried to Poison Husband Had a Motive For Her Deed

NOT A WOMAN BUT "A MAN IN THE CASE"

Strong Intimation is Made That Unlawful Relations Had Been Established

WHEELING, W. Va., Jan. 13 .-The tedium of hypothetical questions and technical testimony was suddenly changed today in the Schenk case when, toward the close of the day the state, through a witness brough into the court records the first intimation of scandal in its prosecution of Mrs. Laura Farnsworth Schenk on the charge of administering poison to her wealthy husband, John O.

Schenk, who is recovering.

Ever since the arrest of Mrs Schenk last November there have been intimations and actual statements by the presecuting attorney that "a well known young man of Wheeling" would be called by the state to show probable motive for the alleged poi-soning. Daniel Phillips, a piano salesman was called today. He is a scion of one of the Wheeling "first families." Phillips told of long automobile rides with the accused at her invitation for more than 18 months before her arrest. During the last year, he said, Mrs. Schenk talked to him about plans to secure a divorce and later talked almost constantly of the strong probabilities of her husband's death.

Gave Him Presents Phillips admitted that Mrs. Schenk on various accasions had given him many costly presents, among them a diamond pin and a smoking jacket; but he denied any knowledge of the purchase for him of a \$300 fur overcoat, which, it has been alleged, he was to have received the very day

The state attempted several times by adroit questioning to establish intimacy between the man and the defendant but to all questions along this line Phillips refused answer on the ground that he would incriminate himself. He was sustained by the

court in this position.

Phillips testified that after he be came acquainted with Mrs. Schenk (Continued on Page Four.)

NINE OUT OF TEN STRIKES

ARE DUE TO EMPLOYERS'

Delegates to National Civ-

ic Federation

MR. ROOSEVELT TALKS

to the National vivic federation.

to say about labor but myself.

ployer and employe.

Workers of America.

CONCEIVED IN SIN; **BORN IN INIQUITY** WAS STANDARD CO.

Such is The Drift of Frank B. Kellog's Remarks Praying For Dissolution Of The Oil Octopus.

by oppressing competitors, and hanging today as a threatening cloud over the country, Frank B. Kellogg, special assistant to the attorney general of the United States, today pleaded with the Supreme court of the United States to dissolve the Standard Oil company of New Jersey as violate of the Sherman anti-trust law.
He gave to the court the beginning

of the government's side of the con-troversy. Mr. Kellogg followed the remarks in the case opening John G. Milburn, for the Standard

Mr. Kellog went over the early years of the Standard's business leading up to the central point of the present controversy, the reorganiz-ation of the Standard Oil company of New Jersey in 1899. He characterized this reorganization as amounting merely to the substitution of one illegal form of holding together the oil companies for another illegal form. The first was the "trust" of 1882 whereby the stock of the owners of various oil companies was put into the hands of trustees, and the second, the "Standard of New Jer-

Illegal Trusts. Touching on a point of the defense Mr. Kellogg said that if the compan ies whose stock was procured by the Standard in 1899 were not competi-ting, it was because they were held together in illegal trusts, that of 1879 and that of 1882.

"Take away the fear of prosecution by the government and the Standard Oil would put every independent in this country out of business in five years." Mr. Kellogg continued, "the independents can exist only the protection of the law."

In connection with this point Chief Justice White asked if complaints against the Standard company's were based upon their methods and if objection was made to the methods because illegal?

"They are" responded Mr. Kellogg "Great wealth emables them to use methods some enfair which are reprehensible in the hands of the corner groceryman.

"Suppose they are a glant, but do not use a giant's strength", suggested Justice McKenna. "They'd use that power were it not for the law", came

Mr. Kellog dwelt upon the "enorm-ous profits" of the companies as further evidence of monopoly. The Monday, and m record did not show where all the have gone home

WASHINGTON, Jan., 13.-Painting | profits went, he said. For instance the Standard Oil organization as bred | there was nothing to show what happened to \$23,000,000 out of the earn ings "of one small pipe line." Mr. Kellogg said that it was paid to P. S

"Who is this man Trainer?" quired Justice McKenna.

"Oh he is a purchasing agent in New Jersey" replied the attorney. The closing words of Mr. Milburn were impressive.

"Damned for everything but praised for nothing was the way the Stan dard Oil has been treated by the government" said he. "In their record covering forty years of business, all the Standard oil has done is related. It has done some things in strenuous times that it should not have done. It has done nothing that goes to the issue here.

"The evil of the affirmance of this decree it is needless for me to say would be monstrous. It is fortunate a court that listens to reason and never hears the voice of passion and prejudice."

DEADLOCK IN SENATORIAL RACE NO NEARER AN END

Fight in Tennessee Between Sen. Frazier and Fitzhugh Is Waxing Warmer

NASHVILLE. Tenn., Jan. 13.— The deadlock in the senatorial race promises to continue for some days. Senator Frazier and G. T. Fitzhugh, who are striving for the independent democrat and republican vote, both seem determined to remain in the race, and so long as they do the chances of a fusion victory appear to he slim. Numerous conferences have been held by the independents in an effort to get one or the other to with-draw, but all have been futile, Both houses adjourned today until Monday, and many of the members

FIVE KILLED AND SCORE INJURED IN WRECK OF

When Western Express "23" Ran Into Rear

NEGLIGENCE CAUSE

assistants, not to any question of the the New York Central station today, tally injured and over a score more money involved, in the opinion of any state of the western express and the Bostady, confessed tonight, according to the Rochester police, that in swamp ton and Buffale special, both west said Mr. Carnegie. "I have not had up on a charge of murder in the first died and two of the injured in the any strikes in twenty-six years. I degree and will be taken to Albany hospital are not expected to the through the night.

were in excellent working order,

station and the railroad officials say he also admits having passed signals set against him. When Lydell saw the tal light of the express through the fog it was too late to prevent the disaster. He jammed the brakes, reversed and with a cry of warning to his fireman leaped for his life.

VERDICT OF MANSLAUGHTER

ORANGEBURG, S. C., Jn. 13.merchant of the same town on De-cember 15 last. The jury was out about one hour.

BOOKS HANGED

BATON ROUGE, La., Jan. 13 .-Wesley Books, white, of Terrenboo parish, was hanged at the state penitentiary this afternoon for the murder of his wife, Mary Books.



Now to Inspect The Dear Children.

BILL INTRODUCED IN HOUSE TO REDUCE PRICE OF SLEEPING CAR BERTHS IN N.C.

Ewart, of Henderson, Again in The Limelight With Measure of Interest.-Senator Boyden, of Rowan, Wants All Prohibition Bills That Come up Passed Immediately.-Has a Purpose.

RALEIGH, N. C. Jab., 13.—"We have about one hundred magistrates in my county who are costing over \$700 and don't want to be hurdened with any more, sectared Representative Ewart today in offering a resolution in the house protesting against any more justices of the peace for his county.

Senator Bassett and a number of others or opposed action of this bill because there would certainly be a state-wide law enacted within the next week of two.

Senator Boyden of Rowan urged in hour. Powers to investigate the conduct of fire insurance companies in North Carolina came from the judiclary committee No. 1 with recommendation that it go to the committee on propositions and grievances of which insurance companies in North Carolina came from the judiclary committee No. 1 with recommendation that it go to the committee on propositions and grievances of which is county.

Some collargues prodded him with the suggestion that these justices be-ing democrats rather than of his po-litteal persuasion accounted for his protest. Ewart also introduced a bill to

state to \$1.25 for lower and \$1 for Battle of Wake offered a bill to

vict labor is provided in a joint reso-

CLEMENTS OF GEORGIA

SUCCEEDS JUDGE KNAPP

Commerce

He Will Be Chairman of the

Commission. Democrat

Interstate

prohibition laws: make things just as on insurance instead. This brought tight as you can. It may help us to Koonce o nhis feet with a vigorous get back all the sooner to time honored democratic principles."

This brought that a number of the members of the ored democratic principles," For Black Mountain B

Senator Martin is preparing to inreduce sleeping car berths in this troduce by request a bill authorizing the commissioners of Buncombe to is-Battle of Wake offered a bill to authorize the state fair association to own property to the value of \$150,000 tain township and to levy a tax in this resolution.

There came from Representative woodson, of Cloveland, indignant resolution. sue \$15.000 additional bonds for Instead of \$50,000 as now limited.

An investigation of the affairs of interest. This to make a total of sentment at Mr. Koonce's the Mattamuskeet railway, in which the state owns much stock for continuous much stock for confidence of the state owns much stock for confidence owns much stock for confidence of the state of the st

nore senators joined in the discus- legislative commission with full court

cause there would certainly be a state-wide law enacted within the next week of two.

Senator Boyden of Rowan urged immediate passage remarking incition that it go to the committee on propositions and grievances of which immediate passage remarking incition that it go to the committee of the co

keened is which he took the position speech is which he took the position that a number of the members of the insurance committee are insurance men interested in one way or another in insurance matters and he feared they would be unduely influenced in passing on his bill. He said there is already a strong lobby at work against his resolution.

There came from Representative Woodson, of Cleveland, indignant resentment at Mr. Koonce's reference to be possible bias on the part of the insurance committeemen. He insisted that the resolution should go to a committee that has some actual committee that the resolution so as the provision of sections and making other changes.

Mr. Rainer, a staunch advocate of the committee resolution, suggested as the amendment went to the heart of the committee resolution there should be time for consideration. "No," stage whis pered a dozen in his included that the committee resolution so as the committee that the resolution so as a true committee that the resolution so as a true committee that the resolution so as a true committee that the Intion by Ewart.

The bill of Representative Ray, which passed the house a few days ago, prohibiting the sale of near beer, beerine or other drinks containing alcohol in Macon county, came up in the senate today with an amendment by the committee on propositions and grievances that the bill shall not interfere with the sale of soda fountain drinks. A dozen or more senators joined in the discustomorrow and Sunday in Asheville that the resolution should go to a and confer about legislative matters. conditions in this state. He imknowledge of Mr Koonce as to insurance matters de questions that he was not an inabout these matters and that he had

(Continued on Page Two)

GEORGE WASHINGTON BOYS STRIKE AGAINST DOCTOR

Refuse to Attend the Lectures Given by Doctor White Because of Negroes

WASHINGTON, Jan. 13 .- More than a hundred medical students from Georgetown and George Washington universities here have gone on strike against lectures given by Dr. GIFFORD PINCHOT IS Wm. White, superintendent of the government hospital for the lusane, because of the presence at the last lecture of about 30 negro medical students from Howard university Expulsions, it is said, may follow.

The lectures are given weekly by White and are prescribed as part of the medical course at the George-town and George Washington universities. To the last lecture the nethe students from Georgetown and George Washington appeared they refused to enter the lecture room few minutes after they sent in formal notice asserting they would not attend because of the presence of the negroes. Dr. White then lec-tured to the negroes. The faculties at both institutions have apologized o Dr. White for the stand taken by the students, but so far no action has been taken. The students de-clare that they will not attend the lectures unless the negro students are barred.

Forty-five students from Georgetown and fifty-five from George Washington "cut" the lecture.

SHORT IN ACCOUNTS

TAMPA, Fin., Jan. 13.-Mrs. Jewel B. Pope, postmistress at Astor Park, Fla., and her husband, J. C. Pope, were arrested today by postoffice inspectors charged with being short in their accounts. The husband is assistant postmaster, and has been ill for several months. It is aleged that no returns have been made to the department since last August.

SENATORS BY VOTE OF PEOPLE IS THE PENDING QUESTION

Test Vote Shows Feeling in Senate Favorable to Constitutional Change

ALL SENATORS SIT UP AND TAKE NOTICE

Various and Sundry Resolutions Offered as The Bill Starts on Journey

WASHINGTON, Jan. 13 .- That the enate at this session must face the senate at this session must face the question as to whether the constitution shall be amended so as to require the election of senators by direct vote of the people was made apparent today. A vote which many senators considered a test of the sentiment of the senate was taken and resulted largely in favor of the proposition. The matter was in connection with the joint resolution amending the constitution recently reported from the committee on judiciary. of from the committee on judiciary. When the resolution was reached on the calendar, Mr. Kean was ready with an objection which would have had the effect of preventing immediate action under the then order of business.

diate action under the then order of business.

"Then," said Mp. Borah, with quick appreciation of the situation, "I move to take up the resolution notwithstanding the objections of the senator from New Jersey,"

"Oh, don't do that," pleaded Mr. Gallinger, in charge of the ocean mail subsidy bill. "The effect of favorable action would be to dapplace the ship subsidy bill as the unfinished business and I know the senator does not want to do that."

Appeals to Mean.

He appealed to Mr. Kean to withdraw his objection. The New Jersey senator consented and the senata election resolution was launched upon its legislative voyage.

The situation was such as to arouse the situation was such as to arouse

The situation was such as to arous the immediate interest of the sena-tors. Mr. Sutherland wanted to

metrically opposite. He was sure that the resolution could not be act-ed upon without protracted debate. He precipitately moved an adjournment of the senate.

"The ayes appear to have it," an-

constors: "let us have the ayes and Accordingly a roll cal was ordered with the result that 45 out of 60

senators voted against adjournment. Encouraged by this, Senator Borah endeavored to obtain the consent of endeavored to obtain the consent of the senate to name a day for a vote on the resolution and all amend-ments. He suggested Tuesday, Jan-uary 24. For a time it appeared that he would be successful.

Mr. Borah's colleague, Senator Heyburn, had not said a word up to this time, but when the chair put the request for unanimous con-sent, he said:

"No," and spoiled the entire scheme.

Evidently Mr. Borah was displeas-

ed. He considered the senate prepared to proceed.

GUEST OF HONOR AT THE N. C. SOCIETY BAKQUET

Whitehead Kluttz of Salisbury Says South Watching Coming Test

WANTS CONSERVATION

NEW YORK, Jan. 13 .- Gifford Pinchot, former forester of the United States was guest of honor at the annual banquet of the North arolina society of New York. He devoted his address to national for-est reserve discussion, "conservation" being the general subject of the meeting. There were several other speakers, all of whom dwelt upon the need of permanent forest reserves. Resolutions were adopted urging the passage of such a bil at the present

emilon of congress. State Senator Whitehead Kluin of Salisbury, N. C., was the last speak-or of the evening. He said the South

MAY IMPEACH THE FRIEND OF TIGERS

ANNISTON, Ala., Jan., 13 -- Imhe will fight the charges.

TIRED OF LIFE'S FIGHT **WIDOW POISONS HER SON** IN SWAMP NEAR ALBANY #JASSISTANTS SAYS ANDY

Man of Millions Addresses Pitiful Story of Crime and Train Was Standing Still Suffering Told By Mother to Police

WIDOW FOUR YEARS

ROCHESTER N. Y., Jan., 13,-NEW YORK, Jan. 13 .- Nine out of ten strikes are due to employers Arrested as she claimed her trunk at so today, addressing the delegates near Albany last Friday afternoon she gave her he year old son George "The more capital does for labor, the more profit the employer makes," carbolic acid from the effects of which he died. She was then locked

have not let any one have any thing in the morning. In explanation of her crime th police say Mrs. Melber asserts that she has been a widow four years. "Scoltand has outstripped the United States in its protection for during which time she has had a workingmen," said Mr. Carengie; he struggle to care for herself and her though, however, that the working-drove her to take the boy's life. She child and this battl efor an existence man's compensation act was a step is an unusually attractive young oman and at the end of her examin the right direction, making toination was unnerved and weeping ward closer relationship between em-

hysterically. When she made her confession, ac Colonel Roosevelt followed Mr. cording to the police, Mrs. Melber Carnegle. He was excerted to the said that she gave the child the acid! speaker's stand by John Mitchell, when he asked for a drink,

The police say there is a burn as former president of the United Mine If by acid, on the woman's hand, and that other stains are on her clothing "I want to see this movement take which indicate, they allege, that the the form of evolution rather than child did not take the acid without revolution," Mr. Roosevelt said, restruggling. ferring to the purpose of the fed-eration. "I wish to see labor legis-

Mrs. Melber says that she left Schenectady yesterday afternoon and came to Rochester to look for work.

lation always enacted after confer-ence between wise leaders and those men who are interested in labor for the best interests of the country," "HERE COMES CARRIE NATION."

KANSAS CITY, Mo., Jan., 13.— Mrs. Carrie Nation, temperence worker and saloon smasher, who suffered a nervous breakdown at the home of a friend in Eureka Springs, Ark., was brought here tonight for treatment. peachment proceedings against Al-derman J. A. Burgess have been in-woman physician in Argentine, Kanwoman physician in Argentine, Kanstituted for the alleged acceptance of sas. Overwork is believed to be rebribe money from blind tiger oper- sponsible for Mrs. Nation's conditon ators, promising in return immunity. She is said to be extremely weak but from prosecution. Burgess declines it is believed that a rest will restore to make a statement other than that her to normal strength. She is confined to her bed part of the time.

BOSTON-BUFFALO SPECIAL

BATAVIA, N. Y., Jan. 13.-Five men are dead, two are probably fabound on the New York Central here early today. Four of the victims were killed instantly, one has since

The Buffalo and Boston special. train No. 49, was at a standstill in the station yard when, it is alleged raliroad officials, Engineer J. B. Lydell of Buffalo on the western ex-press, train No. 23: ran past cautionary signals and dashed into the rear of the standing train. The signals, Superintendent Everett declares

Enginers : y lell admits that he saw a cantionary light 4,000 feet of the

Guilty of manslaughter was the verdict returned at 9.15 o'clock tonight against John J. Jones, a lawyer of Branchville, this county, charged with killing Abe Pearlstein, a prominent

BAPTISM OF CHAMPAGNE

After Much Controversy Miss Mary Macon Is Chosen to do the Christening

WASHINGTON, Jan. 13 .- Judson . Clements of Georgia, senior memher of the interstate commerce commission and a democrat, was today elected chairman of the commission in succession to Judge Martin A. Knapp of New York at a special meeting of that body today. While the commission is composed of four republicans and three democrats, at present, it has been the uniform poliy of the commission since its crealina was also in the party. tion to elect its senior member as chairman, entirely irrespective of his political affiliations. The election of chairman of the commission is

highly important not only to the of champagne. transportation companies and shippers, but also to the public generally, He also is ex-officio chairman of the mediation board under the Erdman Judge Clements is a native of Georbia, born in 1846. He was appointed to the commission by President Cleveland in March, 1893, and has received



three successive appointments.

WASHINGTON. Jan. 13.-North Carolina, fair Saturday; Sunday unsettled; Aght variable winds.

ARKANSAS READY FOR ITS

PHILADELPHIA, Pa., Jan. 13 .-Accompanied by her father, Congressman R. B. Macon, and Mrs. Macon, Miss Mary L. Macon, of Helena, Ark. arrived here this afternoon to be in readiness to christen the battleship Arkansas tomorrow at the New York Ship Building company's yard across the Defaware river in Camden, N. J. Miss Edna Ellerbe, daughter f Congressman J. E. Ellerbe of South Caro-

Following their arrival the party as escorted by officials of the company to the shippard where a rehearsal took place. Miss Macon was carefully instructed how to strike the prow of the big ship with a bottle She promised not to waver at the crtical moment tomorrow and said she felt sure she would not miss the nose of the battleship as it begins slowly to recede from the christening platform

TRUSTEES CHARGED WITH PERJURY

NEW YORK, Jan., 13 .- Four inlictments charging perjury against as many trustees of the Washington Savings bank, of which Jos. G. Robin, also under indictment, was president were found by the grand jury this afternoon. Chas. K. Lexow, brother of the late ex-senator Clarence Lexow, assistant Postmaster Thomas F. Murphy, Wm. P. Youngs and Dr. Harrie James are named in the indictments. It is charged that when they reported to the state superintendent on July 28, 1910, that they made an examinaton of the assets and liabilities of the Washington Savings bank such examination had