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'PROTECTION AND PROSPERITY'—Our Motto.

CONCORD, NORTH CAROLINA, THURSDAY, JAN. 13, 1916.

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J. F. Wyatt 1123 1/2 NO. 35.

VOLUME IX.

PRESIDENT ASKED TO REMOVE HAMMER FROM OFFICE.

"Refused to Prosecute" is One of the Charges Against Hammer as Signed by 1,500 People.

Washington, Jan. 12.—In a letter addressed to the President and accompanied by a petition alleged to be signed by 1,500 or more citizens of Randolph county, former Senator Marion M. Butler today asked that the President remove United States district Attorney W. C. Hammer from office because of misconduct in office.

It is charged in the petition that Mr. Hammer, among other things, refused to prosecute cases of alleged election frauds in Randolph county when brought to his official attention and that Hammer himself helped to perpetrate the alleged election frauds.

The petition asked that Hammer be removed from office and that any other action be taken that will secure the "end of injustice."

Mr. Butler's letter to the President says that there is attached to the charges and specifications "affidavits and other evidence supportive thereof," and on the face of the transcript is a memorandum of all the papers submitted. A printed copy of charges and specifications, as signed by voters, is appended. The petition and charges follow:

Petition. "To the President: We, the undersigned, citizens of and voters of Randolph county in the state of North Carolina, respectfully represent as follows:

"At an election held in the state of North Carolina in the county of Randolph on November 3, 1914, by the connivance and fraud practiced in part through the advice of and by the acts of W. C. Hammer, United States District Attorney, the voters of said county were deprived of their right to franchise, contradictory to the laws of the state of North Carolina and of the United States of America, and we specifically charge the said W. C. Hammer as follows:

Charge I. "Counseling and advising voters and officers of election having charge of the election ballot boxes to omit and violate their duty by which voters were prevented from voting at the election for a representative in Congress and deprived of their privilege as electors.

Specification 1. That the said W. C. Hammer, district attorney, advised and induced a majority of the election officials, of Richland, township, Randolph county, including the registrar, O. M. Yow, and one of the pollholders, D. A. Cornelison, to fail and to refuse to perform his and their sworn duty to count the ballots as cast in said election held on 3rd day of November, 1914, for a representative in the Congress of the United States and for other officials, and that said election officials, acting under such advice and influence, did fail and refuse to count the votes and did leave the polling place with said duty unperformed by the advice of said District Attorney, W. C. Hammer, with the result that the election in the said township was vitiated, whereby the electors of said township were deprived of their right contrary to the statutes of the United States, in such case made and provided.

Charge II. "Taking and carrying away the records of a public office or officer.

Specification 1. That the said W. C. Hammer did, at said election, unlawfully take possession of ballot boxes and did take and carry away said boxes and the ballots deposited therein by electors, from the possession of a public officer of the state of North Carolina, to-wit: The judge of election of Richland, township, in the county of Randolph, in the said state, with intent to destroy the same, whereby the said ballots were never legally counted, and whereby the electors of said township were deprived of their right of franchise, contrary to statutes of the United States in such case made and provided.

"Failing to perform his official duty under his oath of office, as United States district attorney.

Specification 1. In this that it was alleged in the complain in an action brought in the Superior court of Randolph county, North Carolina, at the March term, thereof, 1915, wherein the alleged frauds in said election were at issue, that R. L. White, registrar and judge of election, unlawfully placed a ballot in the ballot box which had been tendered by a challenged voter and not received, he the said White, having previously voted at said election; that the information of thus voting twice by the said R. L. White, was conveyed to the said district attorney, by said suit wherein he was

one of the attorneys, and by a member of the grand jury, of Randolph county, and that the said W. C. Hammer, in his capacity as district attorney, refused to present the charge of illegal voting by said R. L. White, to the grand jury or to promote an investigation by the grand jury of the said offense so charged against the said R. L. White.

"Specification 2. That T. Clarence McPherson voted, at said election, in the township of Ashboro, Randolph county, North Carolina, when not legally qualified as an elector and when not registered as a voter and had previously voted at the said election in Spencer precinct, Rowan County, North Carolina, and that this illegal and double voting was brought to the attention of the district attorney W. C. Hammer, by said action in the Superior court, wherein the said Hammer was acting as counsel for those accused of election frauds, and that said Hammer neglected and refused to prosecute the said T. C. McPherson and the election officials or to promote an investigation, contrary to and in violation of his duty as United States district attorney.

"Specification 3. That Herman Auman, voted in the township of Ashboro, Randolph county, North Carolina and that said Herman Auman had previously thereto cast ballot at the said election in the township of Star, Montgomery county, North Carolina, and that the knowledge of this violation of the law was conveyed to the said district attorney, W. C. Hammer, by said action, wherein the said Hammer was acting for those perpetrating election frauds, and that he failed and neglected to prosecute the said Herman Auman or the election officials, or to promote an investigation by the grand jury of said offenses, contrary to and in violation of his duty as an officer of the United States.

Chapter IV. "In failing to prosecute persons, who cast votes, being disqualified as voters in Randolph county, state of North Carolina, in violation of his duty as United States district attorney.

"Specification 1. In this that Charles M. Fox, Ashboro township, John M. Hammer, Ashboro township, and 28 others, in the said township voted at said election in violation of law; the information of which illegal voting was conveyed to the knowledge of the said district attorney, W. C. Hammer by said act on and otherwise, and that the said W. C. Hammer refused to prosecute the said persons thus voting illegally at the said election, in violation of his duty as United States district attorney.

Charge V. "In misconducting himself by his official action toward a member of the grand jury of the United States District court in and for the Western district of North Carolina, sitting at Greensboro, in June, 1915.

"Specification 1. In this that, A. B. Coltrane, a member of the grand jury in his official capacity as such, personally attempted to lay before the said W. C. Hammer, in his official capacity as United States district attorney, certain facts within the knowledge of said grand juror touching the violation of the laws of the United States, at said election; that said W. C. Hammer heard said grand juror until the nature of the offenses had been stated and thereupon refused to give further attention to the said grand juror from his presence and refused to take any action concerning the violation of law, thus by said grand juror and peremptorily ordered the said grand juror from his presence and refused to take any action concerning the violation of law, thus by said grand juror brought and attempted to be brought to the attention of the said United States district attorney.

"Wherefore: We pray that the said W. C. Hammer be removed from the office of United States district attorney, and that such further action be taken by the proper officers of the United States as will vindicate the law and secure the rights of the electors, and petitioners will every pray."

Box Supper at St. John's. A box supper will be held at St. John's School House on Saturday evening January 15, beginning promptly at seven o'clock.

The proceeds will go toward the payment of the piano. A short program of songs, recitations etc. will be rendered. Everybody is cordially invited and it is the wish of teachers and pupils that you show your interest by your presence. Come and enjoy the evening with us.

K. L. Craven & Sons want to buy Ear Corn. They sell lime, cement, wood fibre and paints. 13-24-p.

15 AMERICANS SHOT BY VILLA BANDITS, REPORTED

Trainload of Forty Mining Men Held Up in Chihuahua, Is Rumored—Washington Plans Note to Carranza.

El Paso, Tex., Jan. 11.—The American Smelting and Refining Company representatives here received a telegram from Chihuahua city today stating that it was reported there that a trainload of employees which left the capital yesterday for Western Chihuahua, had been held up by Villa bandits, and all the Americans killed. According to one report, here, there were forty mining men on the train of which fifteen Americans were taken off and shot. It is surmised that the shooting was done by troops of General Jose Rodriguez.

The names of the Americans on the train compiled here, follows:

C. L. Watson, W. J. Wallace, M. B. Romera, Tom Evans, C. A. Pringle, Maurice Anderson, R. B. McHattan, Harvey Newman, E. L. Robinson, R. H. Seimaons, and the following whose initials were not known here: Coy, Hall, Wateigh, Blomb, or Blum, and Anders.

C. L. Watson is the general manager and principle owner of the Cusihuachic Mining Company, operating in the district of that name, which is in Western Chihuahua, on the branch of the Kansas City, Mexico, and Orient line connecting with the Mexico Northwestern at La Junata.

To Ask Villa's Apology.

Washington, Jan. 11.—Reports from El Paso that fifteen Americans were killed west of Chihuahua by Villa bandits, will, if confirmed, result in urgent representations by the United States to Carranza to increase his efforts to capture Villa or destroy his force. No official advice regarding the affair had been received at the State Department tonight, and officials were hopeful that the report received in El Paso by the American Smelting and Refining Company prove erroneous.

After it became evident that Villa did not intend to cross the international boundary line into the United States and stop fighting when the greater part of his army went over to Carranza, Gen. Obregon issued orders to the American government that expeditions would be dispatched at once to hunt him down. Most of the troops sent after Villa, however, have been used since in garrisoning towns along the Northwestern railroad.

No action will be taken by the United States in the case of the killing of Peter Keane in Chihuahua by Gen. Medinaevita. Secretary Lansing said today that since Keane was a British subject it appeared proper that any representations made should be by Great Britain which has recognized the de facto Mexican government. Medinaevita formerly was one of Villa's generals, but later was reported to have surrendered with his forces to Carranza. Advice to the Mexican embassy today said the Benjamin Arbudema, who moved with a small force from the Southern part of Mexico to the vicinity of Torreon, had given no serious trouble, although there was a skirmish yesterday on the outskirts of Gomez Palacio. Another dispatch denied that Rosalio Hernandez was again in rebellion.

Rescue Home to Be Opened Here. The Christian Volunteers, Inc. have secured for the emergency home 93 Academy street for the opening of a permanent branch of their work among the people in this city. Major and Mrs. A. T. Andrews have been officially appointed by the National headquarters of the organization to operate at emergency home for destitute children and unemployed girls and give them aid until homes can be permanently secured for them, either by adoption or otherwise. The work of the organization is nation-wide. It is in operation in nearly every state. The spiritual work of the organization on the highways is alone worthy of the hearty support of the community at large. The object of the organization is to make the Christian religion practical in all its phases. Furniture has been secured to furnish the home from Bell and Harris. The work of rescuing children and girls and the spiritual work of the organization is supported by voluntary contributions and monthly pledges. Some of the business concerns of the city have responded liberally to the appeal. Adjutant and Mrs. Leslie Herlan will aid Major Andrews in locating. Both sets of officers come to our city well recommended from other cities.

Perhaps the reason that T. R. won't say whether he'll run is that he is waiting to find out.

PROGRESSIVES TO MEET IN CHICAGO.

Desire That the Two Parties Shall Name the Same Candidate.—Critical Wilson.

Chicago, Jan. 11.—The Progressive National Convention will be held in Chicago June 7, the week of the Republican Convention here. This was decided today by the Progressive National Committee in session here.

The action by the committee was taken in the hope that both parties may agree on the same candidate for President.

Forty-seven of the 49 states were represented at the meeting. Before adjourning the committee adopted a declaration of principles in which the Administration of President Wilson was criticized for its alleged failure to deal adequately with National honor and industrial welfare and the Progressive party went on record as favoring a complete preparedness program consisting of military armament as well as a mobilization of all the country's resources with a view to the unification of American citizens.

A message from Colonel Roosevelt urging the necessity for adequate preparedness, was enthusiastically applauded.

Progressive leaders declared that there would be no amalgamation with the Republican party even in the event of both parties choosing the same presidential candidate. The Progressive party plans to nominate a National ticket at its convention in June.

Many of the party leaders declared that if the Republicans will nominate Roosevelt or any other man who will inaugurate in its platform the salient features of the Progressive principles both parties will unite on the same candidates in Chicago next June.

In discussing the parties' future Chairman George W. Perkins, of New York said:

"We are all hoping that both the Progressive and the Republican parties will agree on a candidate and it necessarily will not have to be Colonel Roosevelt. We are not thinking just now, the name of the Candidate. The time for the convention is several months away and in these days when things are moving so fast and conditions changing so rapidly, we don't know who might be deemed the best man for the place when the time comes."

The declaration of the principles adopted by the committee as prepared by a sub-committee consisting of Herbert Knox Smith, of Connecticut chairman, Chester H. Rowell, of New York and William Allen White, of Kansas.

The detailed arrangements for the convention were referred to the executive committee of which George W. Perkins, of New York, is chairman. The meeting of the National Committee, which was an executive session, was preceded by an informal gathering of the party leaders at which the date for the convention was discussed at length.

The text of the Progressive party's declaration of principles sets forth the following issues:

A broader Nationalism to make possible an effective program of social and industrial justice at home and the protection of American citizens and rights abroad.

"The constructive Federal regulations rather than the destructive disruption of efficient business organizations—behavior and not size being the test.

"The introduction of business efficiency into Government by the budget system and the co-ordination of departments.

"A permanent non-partisan tariff commission to make possible the scientific revision of tariff schedules on protective lines. Also a pledge for the immediate revision of such schedules as the condition of the world war have made unjust or as are necessary for the preservation after the war, of industries newly established here, whose necessity the war has demonstrated.

"A provision for equal suffrage.

"The dethronement of the invisible Government.

"A provision for an adequate merchant marine.

"To the Progressive platform of 1912, as above summarized, and amplified, we pledge our continued allegiance; both of the old parties have failed to make serious efforts to enact these National principles into law."

DEMAND IS MADE FOR PUNISHMENT

A Dastardly Crime—Committed in Territory Announced to Be in Control of the Carranza Forces.

Washington, Jan. 12.—Secretary Lansing with the approval of President Wilson, today dispatched to Consul Silliman at Queretaro for presentation to General Carranza a note denouncing the slaying of Americans near Chihuahua, by Mexican bandits and calling upon the head of the de facto government for the immediate pursuit, capture and punishment of the perpetrators of the deed.

The note urged that killing of troops to other districts where Americans are in danger of losing their lives or property.

At the same time the state department ordered an investigation of the murders with a view of determining whether they resulted from the failure of the de facto government to give proper protection in a zone known by it to be dangerous or whether the men lost their lives as the result of a bandit outbreak which could not have been foreseen.

Instructions to seek information on this point were telegraphed to consular representatives in Mexico and along the border.

In the note to General Carranza the killing of the Americans was described as a dastardly crime, committed in territory announced to be in control of the Carranza forces. The men were killed, General Carranza was informed, because they were Americans, after they had gone into the country with the consent of the Carranza military authorities.

Arrangements for burying the bodies of the slain men in the United States were made today. The day after arrival messages had been exchanged. Secretary Lansing was advised from El Paso that General Carranza and Consul General Trevino, in presence of the bandits, General Garvira, it was stated, had sent a force to the south from Juarez while General Trevino was said to have sent another force west from Chihuahua.

Sylvesta's Joy Ride. Last night while the stars shined brightly and it was just an ideal night for lovers, Sylvesta, the colored boy who works for Dr. Pemberton, played hooky with the Dr.'s Ford, and took his little dark skinned maiden for a spin.

While going up the National High way just above the cemetery the machine collided with a buggy in which Mr. Ralph Heilig and Joe Hendrix were returning from Kannapolis. The horse was stripped of his harness. And about thirty dollar damages done to the buggy. The exact damage done to the machine is not known. After the accident Sylvester deserted the machine and his honey-bunch and his whereabouts are unknown.

Mrs. Parks Entertains. The Resource Club met Wednesday day afternoon with Mrs. J. G. Parks on South Union St.

The visitors were, Mesdames J. F. Dayvault, H. P. Guffy, A. F. Hartsell, Chas. Ivey, Dr. P. M. McFadden, Morrison Caldwell, M. D. Shumaker, of Charlotte, and Misses Mae and Addie White. A salad course was served by Miss Jesse Willeford.

Rev. Elder Stanly, from Concord will preach at Meadow Creek Church on Friday before the fourth Saturday and Sunday in January.

The ginning of cotton is through at Adamsville for this season. They had a break-down.

In time of Ford, prepare for Hobson.

with National honor and industrial welfare, this country faces problems of a graver and more far-reaching consequence than any since the Civil War.

"The Wilson Administration has repudiated the faith of our forefathers, which made the American flag the sufficient protection of an American citizen around the world. It has suffered American men, women and children to be slaughtered in Mexico and on the high seas, American property to be destroyed and American liberty to travel and trade to be subject to the arbitrary and lawless coercion of foreign belligerents. It has stood by while the law of Nations disappeared from the earth, without adequate protest or effective resistance. It first, among American Administrations, has shown the supreme spirit, whose sure consequence is the contempt of the world."

MRS. WARREN MUST DIE UNLESS GOVERNOR ACTS

Case of Robinson vs. Brotherhood of Locomotive Engineers and Firemen From Guilford Gees Against the Plaintiff.

Raleigh, Jan. 13.—By the Supreme court's failure to find error in conviction of Ida Ball Warren and Samuel Putnam Christy, and their sentence to death for the murder of Mrs. Warren's husband, the responsibility falls upon Governor Craig and he must determine whether a woman lives by commutation or dies in the electric chair.

Chief Justice Clark, writing opinion of the court offers no quarter for the woman and the chief justice has a reputation as a friend of the feminine. The Judge has contended for woman's full right as citizens and in several recent opinions has reproached the idea of protecting women in cases where technicalities alone saved them from responsibility for the contracts signed by them. The jurist sees only irremediable badness in the sordid murder of the Christy-Warren outfit.

The Supreme court handed down 21 opinions today. Several are highly interesting and the dissents add to that interest. The most anomalous of them all is that case in which the North Carolina corporation commission wins against the railroad. The commission ordered a station at Ansonville removed. The citizens appealed and contended that a jury should have passed the issue, but Judge Carter held that an appeal of a citizen "did not lie," since the interest of a citizen in such a case could not be such as to give him the right to appeal in such a case. The court holds with the judge. Judge Brown writing the law. This Ansonville depot has had a history but the opinion of the court settles it.

The Cathey case from Asheville is interesting, too, because it involves somebody who is somebody as somebody goes in the business world and calls out another opinion in the search and seizure. Again the court upholds the law, Judge Allen writing the opinion. These cases are all among the interesting leftovers, but the Christy-Warren case takes precedence over them all.

Chief Justice Writes Opinion.

Chief Justice Clark writes the opinion for the court. The 70 exceptions did not impress the tribunal. Replying to that one urging that the court's failure to warn the jury that any statement by one of the prisoners not in the presence of the others could not be considered except against the one making it, he says: "It is not necessary in this case to recall the rule or practice set out by the court 164 N. C. 548." It will not be ground of exception that evidence competent for some purposes, but not for all, is admitted generally, unless the appellant asks at the time of admissions that its purpose shall be restricted for the record shows that the judge on the admission of the evidence, and again in the charge, called attention of the jury to the fact that the admission or statements of one of the prisoners was competent only against the party making it and it should not be considered against the others.

"This court has repeatedly held that such statements are competent," Judge Clark continues in reference to the objection of defendants, that declarations made by the prisoners while in custody or in jail, are incompetent. Judge Clark also finds that Christy's objection to the statement made by him is invalid. The court could not review the lower court's findings, but if it could, the chief justice thinks that the statement was voluntary. Rehearsing the trip from Texas to North Carolina and the confession of Christy a day and a half after he and the officers had left Grand Saline, Judge Clark says:

"We see in this no hope or threat held out by the officers, but on the contrary he warned Christy that anything he said bearing upon the case would be used against him. Doubtless Christy told what he knew to rebut the statement made by Ida Ball Warren in the paper, because he deemed it unfair to himself and did not wish to let it stand uncontradicted. There was no impropriety in letting the prisoner see the papers and indeed this would have been a positive benefit to him in preparing his defense to meet the charges therein made, if untrue."

The court holds that the statement of Christy was sufficient evidence to go to the jury as established the conspiracy to kill the deceased and also of Mrs. Warren's guilt in that conspiracy. He reviews the evidence again and concludes: "Upon the record the husband of the prisoner, Warren, was put to death by his wife and her paramour by a preconcerted, predetermined, cold-blooded and relentless murder without any mitigating or extenuating circumstance. We find no error in the conduct of the case by the learned judge and the 12 jurors have found their verdict upon competent evidence which justified their conclusion."

GRAND JURY REPORT FOR JAN. 1916.

To Hon. B. F. Long, Judge presiding, we The Grand Jury for January Term, 1916, beg leave to submit the following report:

We have acted upon all bills of indictments sent us by the Solicitor and made presentments of all violations of law that has been brought to our knowledge.

We, in a body, visited the Clerk's office, and other offices of the Court House, and find the condition very satisfactory. We also in a body visited the new jail, and find eight (8) white persons, seven (7) colored, one colored woman will be imprisoned; one of the white men very sick. He told us that he was under the care of the county physician.

All of the prisoners said they had received good treatment and were comfortable with the present heating. We found all the conveniences modern.

A committee from this body visited the County Home, and chain gang. At the County Home we found thirty-four (34) inmates as follows: (6) white men, two (2) white boys, seventeen (17) white women, five (5) colored men, four (4) colored women, who are helpless. Total helpless nine (9).

Inmates cared for and fed as conditions will admit. But we, as a committee, recommend new buildings for County Home, as in case of fire the present ones are dangerous. We found on hands at the county home, 300 cans of fruit, etc., 35 beds and plenty of bedding for same.

The amount of land seeded 41 acres in wheat, 7 1/2 acres in oats, 5 acres of rye, 29 acres in red clover, 12 in crimson clover, 3 mules, 5 milk cows, 3 heifers, 13 pigs, 200 bushels of corn, 1,000 pounds of flour, 700 pounds of meat, 40 pounds of lard, and plenty of good rough feed; 50 bushels of sweet potatoes, 75 bushels of Irish potatoes, 50 tons of coal, 20 cords of wood and about 200 chickens. One binder, one mower, one rake, 2 disc plows, one disc harrow, 2 smoothing harrows, 2 corn planters, 1 riding cultivator and a good supply of plows, shovels, rakes and picks; 2 two-horse wagons, 1 one-horse wagon and harness for same.

We also visited the chain gang, and found twenty-two (22) convicts, six (6) white, sixteen (16) colored. One water wagon, 12 head of mules eight two-horse wagons, 1 one-horse wagon, 1 pig six (6) tool boxes, seven (7) drag scoops one steam roller, one (1) traction engine, one (1) rock crusher, (3) three plows, (1) set of blacksmith tools, picks and shovels, plenty for use. We find (5) five cords of wood, two (2) rolls of barbed wire, (1) roll of fencing wire and all in good condition except bedding, which is badly worn, and in need of new. The convicts say they are treated well and have plenty to eat and plenty of time to eat in.

Signed:

W. M. PATTERSON, Foreman.

January 12th, 1916.

NO. 7 ITEMS.

There will be communion services held at St. Stephen's E. L. Church the fourth Sunday, Jan. 23. Preparatory services on Saturday preceding at 2 o'clock.

Borne to Mr. and Mrs. E. D. Honeycutt, a son, January 3, 1915.

Mr. and Mrs. J. D. Barringer left Friday for Jacksonville, Fla., to visit friends.

Miss Mary Harkey returned home Sunday after spending a few days in Salisbury with relatives.

Miss Annie Plummer, of Salisbury, is visiting relatives in No. 7 township this week.

Mrs. J. H. W. Eady is visiting relatives in Charlotte this week.

Miss Vera Dry has returned home from a week's visit in Salisbury.

Mr. O. S. Culp, is very sick with la-grippe, at this writing.

Venus stated in last week's paper that he would go to house-keeping if he could find a good cook. I guess he is not looking for another Switzerland lady. How about it Venus. JIRO.

Vienna sent one answer to our note. That submarine commander sent another.

Warrent was put to death by his wife and her paramour by a preconcerted, predetermined, cold-blooded and relentless murder without any mitigating or extenuating circumstance. We find no error in the conduct of the case by the learned judge and the 12 jurors have found their verdict upon competent evidence which justified their conclusion."