

THE CHARLOTTE NEWS.

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BIGGERS FIGHTS OVER EFFORT TO TAKE HIM FROM CELL IN THE TOMBS

Slayer of J. G. Hood Fails to Recognize His Own Brother and His Lawyers Rested a Little Under Opium.

Mr. Maxwell Waives Examination in Recorder's Court - Alienists May Have to Say Whether Biggers is Temporarily Insane.

In an interval under the influence of opium administered by his own physician, Will S. Biggers, slayer of J. G. Hood, awoke unsteady after his first night behind the bars. "Been that knits up the ravelled skein of care" had lost her kindling needles and care still hung about this morning. The brain of the man who had taken another man's life will uncoil. To such a degree, a pappy's essence had no power over the "Pope," he still.

Did Not Know Brother or Attorneys. Biggers failed to recognize his own brother this morning when he called to see the man in the cell. Officers who had taken a little later went over his cell to bring him out for conference with his attorneys, Messrs. W. C. Maxwell and J. W. Keenan, who were waiting for him in the recorder's court room for the preliminary hearing. The attorneys then entered the cell and spoke to their client, but he gave no sign of recognition to either of them. It was deemed best therefore to bring him alone for the present, and the idea of a conference or of the appearance of the prisoner in the recorder's court room for the preliminary hearing was abandoned. His lawyers thereupon carried out their original intention of watching examination. Mr. Maxwell made the motion, and of course no bond was asked for.

The plan is to send Mr. Biggers to the county jail during the day. His attorneys are "rested" under the influence of opium.

Victory May Pass Upon Sanity. It is evident that Mr. Biggers is undergoing terrible mental strain. It is the belief of his relatives and friends, as well as a few who are in no way connected with him, that he is out of his mind. They believe and hope that it is probably a temporary aberration. If this condition does not yield to treatment, it is not unlikely that a commission of physicians or of expert alienists will be asked for to pass upon his mental condition.

Biggers suffered a terrific nervous shock a few minutes after he had perceived the awful act of yesterday morning. As he was going to the police station this became evident. He turned as white as a sheet and gave symptoms of violent shock to the delicate machinery of mind and soul. He reiterated statements that showed how his nerves had been reacting upon his mind. His brain was in a whirl. His soul was in the sweep of a cyclone. After weeks and months of brooding over what he believed to be his wrongs, he had written his courage to the striking blow and had not failed.

The Test Reaction. But had instant come the reaction. Something seemed to snuff. Then came the ravings which began in his cell and still continue. In spite of the opiates, it is said that at intervals he would utter himself from long periods of quietude and sing or shout. For several weeks he has been in this light mental condition. Often he has been able to sleep. In talking to his relatives, to his attorneys, to his friends about the difference between him and Mr. Hood, it is said that he would put his hand to his head and shake it from worry and loss of sleep he was nearly crazy.

The City of It. The city of it, the sentiment of the whole city over this shocking tragedy. Mr. Hood's friends are among those who are deploring the affair today. It seems passing strange that Mr. Hood, who was a well-to-do man, should not have been able to possess himself from his assailant. It is a mystery how his presence of mind, he was a brave man. But this seems to have been the case.

He had "good chances to save himself. They were only 20 seconds before, or even less, but they were there. The two first shots of Biggers did not harm Mr. Hood. It was extremely difficult to get an absolutely complete amount of the tragedy yesterday and the News was in error in

saying that the first shot hit Mr. Hood somewhere, either in the body or the head. As a matter of fact the first shot merely grazed the abdomen of Mr. Hood, but hardly drew blood. If that instant Mr. Hood had bent every desperate energy of his being to grasping the long pistol, or the hand that held it, he would have probably been alive today.

If Hood Had Only Grappled. Biggers was a one-armed man. He had lost his right arm. He had to use his left hand. While all the strength

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IS RAINEY ALSO MEMBER OF THE ANANIAS CLUB?

By Associated Press. Washington, Feb. 10.—Representative Rainey, of Illinois, whose speech in the house on the Panama Canal purchase has drawn forth a rebuke from the state department in the official reply to the Panama government's protest, was inclined today to assume he had been elected to the "Ananias Club."

This was based on a statement in Secretary Bacon's letter to the president's view of Mr. Rainey's speech.

Mr. Rainey made a statement today in which he said he did not expect President Obaldia, or President Roosevelt to agree with him.

Is Senator Knox Eligible?

By Associated Press. Washington, Feb. 10.—Is Senator Knox eligible for appointment as Secretary of State is the question officials are asked to consider with this morning.

Senator Knox was elected for a six-year term which will not expire until March 3, 1911.

The constitution prohibits the appointment of a senator to an office created or a salary which has been created during the term for which he was elected. So the question is whether Mr. Knox can lawfully succeed Secretary Bacon.

Mr. Knox denied himself to callers but legal opinion is expected to be forthcoming.

Last night a wireless message bore the news of the arrival at the mouth of the river of the scout cruiser Birmingham, which will be in on the night of the president-elect, who will leave the North Carolina coast Sunday and will come up the river on the Birmingham.

A heavy thunder storm yesterday played havoc with many of the decorations which had been placed in honor of the president-elect and caused some anxiety on the part of those who had assigned the storm was also raging in the Gulf. The decorations were replaced, however, and markers gave assurance that the North Carolina coast could not possibly have made such fast speed as to have gotten within the storm area.

The very finest fish and game which can be procured within 100 miles of New Orleans will be used in preparing dishes, all of which will be cooked "in a creole" by the most skillful chefs.

Vanderbilt in Auto Smash-Up. Nice, Feb. 10.—A 140-horsepower racing automobile driven by W. K. Vanderbilt, Jr., collided with another car today and both vehicles were nearly demolished. None of the occupants of the two machines was hurt.

NEW ORLEANS IS READY TO GREET PRESIDENT-ELECT

By Associated Press. New Orleans, La., Feb. 10.—Although the time scheduled for the arrival in this city of President-elect Taft is still many hours off, New Orleans was already prepared to greet the distinguished visitor who is expected to land tomorrow afternoon.

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IT'S EITHER THE "DEPOSITORY" OR THE "CHARTER!"

Banks Are in Good Condition Statements Give Evidence of Splendid Prosperity—Gain of \$300,000 in Total Assets—Other Increases.

Charlotte's banking institutions issued statements today showing their condition at the close of business on February the fifth and, as usual, all gave excellent reports showing increases in very nearly every department. They give evidence of splendid prosperity especially in view of their coming so soon after the paying out of dividends on the first of the year.

There was no change in the combined paid-in capital of the seven institutions. The Commercial, The First, The Charlotte, The Merchants and Farmers, and The Union National Banks, The American Trust Company and the Southern Real Estate Loan and Trust Company, which amount to \$1,750,000. The total surplus and undivided profits shows a slight decrease possibly on account of the recent division of profits. The banks reported in their last statements a total of \$981,622.50 in surplus and profits. Today they report \$823,958.63.

The gross assets of the seven institutions show an increase of about \$300,000. The total reported yesterday being \$1,040,085.14 as against \$732,948.78. The total amount of loans also shows an increase. The combined loans were \$6,550,128.48 and today \$6,565,055.57 was reported.

Schooner Reported in Great Danger

By Associated Press. New York, Feb. 10.—The report of a schooner ashore at the entrance of Delaware Bay was received here yesterday. The schooner is reportedly in a dangerous position as she is calling for immediate assistance. She is in the immediate vicinity of Cape Henlopen Life Saving station.

Assistance Sent. Delaware Breakwater, Del., Feb. 10.—Assistance has been sent to the schooner ashore off Cape Henlopen, Delaware. The schooner is probably full of water as the crew is standing on the forward house. Wind is blowing 60 miles an hour from the south and the sea is so rough that Cape Henlopen life savers were unable to launch their boat. A wireless message brought a tug to the scene and life savers in their launch were towed out to the stranded schooner.

A Thrilling Rescue. Delaware Breakwater, Feb. 10.—The crew of the schooner and the captain's wife were rescued in the nick of time by life savers after a thrilling experience. Their work was heroic as they had to risk their lives in pulling the life boat through the pounding surf.

LIQUOR ENRICHES BALTIMORE. License Receipts Run Far Above the Estimated Amount.

Baltimore, Md., Feb. 10.—Mayor Mahool, in his annual message to Councils last night, says that the adoption of a high license policy as a taxation measure have certainly had their judgment vindicated. The results have met most sanguine expectations. There has been earned over from 1908 the sum of \$297,577 collected entirely from liquor business, which sum is over and above the estimated or expected receipts from that source as computed in the tax budget.

South Carolina Church Burned. Special to The News. Union, S. C., Feb. 10.—New Hope church, situated on a high eminence two miles south of Jonesville, was completely destroyed by fire Sunday afternoon, though, fortunately, practically all of the furniture was saved.

G. O. V. KITCHIN URGES ANTI TRUST LEGISLATION

Special to The News.

Raleigh, Feb. 10.—Governor W. W. Kitchin sent messages to the senate and house today urging that the party pledges as to the anti-trust act be carried out.

He seemed to favor the Manning substitute rather than the Lockhart anti-trust sub-section A bill.

The governor also sent a message recommending the settlement of the Daniel L. Swan claim against the University of North Carolina.

The state passed the bill to add the state department of public instruction to the trustees of the state university.

Mr. Manning introduced a bill for three millions bond issue to refund bonds due 1910.

The house had a lively discussion over the Hershaw bill for electing county boards of trustees by the people for the respective counties.

Political lines were drawn to a tenseness not allowed before this session.

A demand for the change is on the ground that carrying out the Democratic policy, local self-government is insisted on by the Republicans while the Democrats insist that the general assembly is responsible for the state system of schools by reason of the educational qualification of the constitution.

Mr. Underwood introduced a bill to limit liabilities assumed by field insurance companies.

Mr. Pickett, to prevent fraudulent packing of apples.

Chairman Dowd, of the committee on rules, reported a change to admit of night sessions at the discretion of the house.

Charter is In Seeming Danger The Sub-Committee of 10 Not Willing to Confer With the Entire Board of Aldermen as Has Been Requested.

The charter is seemingly at a critical period of its history.

At the meeting of the board of aldermen in executive session yesterday afternoon it was understood that the meeting adopted a motion asking for a conference between the sub-committee of ten and the entire board. The session is said to have been stormy and several members to have left.

To this it is understood that Chairman McLowell for the sub-committee, and other members of the board should not be again asked to confer with the board of aldermen but with the board's conference committee of ten aldermen.

The members of the sub-committee say they would not be on an equal footing in conferring with the entire board. They understood as a result of the previous conference with the board's committee of ten, that after the published meeting Monday the board would act, and then delegate to its sub-committee of ten any further arranging of details in conference with the sub-committee of the committee of ten.

There appears to be dissatisfaction on the part of the board as to the appointment of a sub-committee from that board. Some members are said to be alleging that this discriminates against the other members of the board. "What becomes of the sub-committee already appointed?" was a question asked today by a citizen interested in the charter.

Nothing definite will be known until Mayor Franklin answers the letter from Mr. McLowell, but it is feared that a new charter is in danger in this conflict of opinion over the two committees and their powers.

Posse of 1500 Citizens Chasing Negro Man

Tampa, Fla., Feb. 10.—The 16-year-old daughter of George Newell, a farmer, living near Lakeland, thirty miles from Tampa, started to Lakeland school and was seized by a negro. As she fought until the negro was scared off, other people the negro was scared off.

The entire community is out hunting for the assailant and if caught, he will be lynched. Fully 1500 men are in the woods looking for him.

RAZING BEACH EYE-SORE. Removal of Old Pier to Open Big Bathing Stretch.

Atlantic City, N. J., Feb. 10.—The first active work in clearing the beach of obstructions was taken today, when city workmen started tearing down the old Lee Pier, in Chelsea, included in the beach purchase made several months ago. The dilapidated old structure was one of the eye sores of the beach, and its removal will open up a stretch of the finest bathing ground on the beach.

Not Responsible for Rainey's Speech.

Washington, Feb. 10.—The United States government disavows all responsibility for remarks made by Representative Rainey, of Illinois, in the house about two weeks ago criticizing President Obaldia, of Panama, according to a letter sent by Secretary of State Bacon to C. C. Arsomena, minister from Panama, in reply to a protest by the latter made by direction of the minister's government.

At the same time the secretary points out that the views of individual members are not to be taken as expressing the views of the government, and declares that none of the statements made by Mr. Rainey concerning which he (the president) has knowledge, have any foundation in fact.

Five Hustlers Pass 100,000, Who's Next?

FIGHT RESUMED IN CALIFORNIA LEGISLATURE

By Associated Press. Sacramento, Feb. 10.—The fight in the California legislature over anti-Japanese bills was resumed today with argument on the question of reconsideration of the measure providing separate schools for Japanese children.

Governor Gillett has frankly announced that all of his efforts to have the bill withdrawn have proven abortive.

It is hardly likely the motion to reconsider will prevail today unless speaker Stanton executes some unexpected coup.

Will Not Compromise. By Associated Press. Sacramento, Cal., Feb. 10.—All efforts of Governor Gillett and his supporters in the assembly to make a compromise agreement on anti-Japanese agitation have failed.

Greve Johnson notified the governor and speaker Stanton that he "stood pat."

W. N. Dorsey, Leads with Miss Nanette Jones Second, Miss Lucille Bernhardt, Miss Cora Steele Follow.

The Limit is Off And Heavy Voting Will Follow for Next Few Days—Last Published Score Will Appear Saturday.

THE LAST BONUS OFFER. An extra ballot of 15,000 will be given for every \$25,000 worth of new subscriptions turned in between 7 a. m. Feb. 8th and midnight Saturday, Feb. 13th.

Race in Atlanta.

Atlanta, Ga., Feb. 10.—Jimmy Moran and Bobby Waltham will sweet here tonight for the mule paced race on the three five mile heats. They will also race Friday night for 20 miles.

NEW ORLEANS TO WELCOME TAFT

New Orleans, La., Feb. 10.—Everything is in readiness for the reception of President-Elect Taft, who is due to arrive here tomorrow from Panama. Two days will be spent in New Orleans, and during that time Mr. Taft and his party will be handsomely entertained.

A big banquet is to be given in honor of the president-elect and it is expected that he will deliver one and perhaps two public addresses during his stay.

Hotels and business houses are decorating in honor of the distinguished visitors.

NAVAL BILL AS REPORTED TO THE SENATE

By Associated Press. Washington, Feb. 10.—The naval bill as reported to the senate today carries \$136,825,199, about one million increase over the bill as it passed the house.

Two big battleships are retained and provision made for keeping marines on ships.

Secretary Navy's recommendation for the appointment of a commission to consider the re-organization of the navy department is adopted.

The office of vice admiral on the retired list is created. It is understood to be in the interest of Admiral Evans.

Provision is made for the investigation into subject of acquiring the Jamestown Exposition grounds as a site for a naval training station.

Appropriation is recommended for the purchase of land at Charleston, S. C., for marine corps.

THROUGH CELLAR TO MINE. Doctor's Driver Has Marvelous Escape From Death. Wilkes-Barre, Pa., Feb. 10.—Miles Laurovich, a young man employed as a driver by Dr. E. R. Teisworth, at Luzerne, across the river from this city had a rather unusual experience tonight. After supper he was sent down in the cellar to fix the furnace, the doctor directing him meanwhile. The lad was standing in front of a refrigerator when suddenly the concrete floor gave way and he and the refrigerator dropped 20 feet into a mine opening.

The doctor rallied his wits, secured aid and ropes and succeeded in a short time in hauling Laurovich from the depths, whence he had been lustily yelling for help. When brought to the surface it was found that his leg was badly injured.

Miss Cora Steele, of Rock Hill, S. C., who is, practically speaking, a new comer in the contest, is showing up favorably with any of the other candidates, having today gone over the hundred thousand mark; this is just an example of what can be done by steady work and Miss Steele has proven that one did not have to enter at the beginning to catch up with the leaders, but after entering just stick, there is more in staying qualities than anything else in a contest.

Ellenboro, N. C., is coming to the front also. Its candidate, Mr. W. H. Dorsey, being up among the leaders, having passed the hundred thousand mark today, this little town is going to make it warm for any of the rest in the state and Mr. Dorsey is getting the support of all the people in that section; just take a glance at the score published in this issue and you will see what we are talking about.

Miss Nanette Jones, who was in the lead one day last week has also been doing some heavy voting, and if the contest man is not wrong Waynesville will not let her stay in their down the line. For an enterprising town it can compare favorably with any of its size, in this or any other state, for it has just "got up and get" about it to make Miss Jones one of the winners in this contest; the people of Waynesville believe in their town and can judge its merits better than most outsiders, but from outside information the contest man has good reason to know that it is always on the move and wide-awake to the interests of its citizens.

Miss Lucille Bernhardt is lunched with the hundred thousand markers, having cast a very heavy vote today. From the voting of Miss Bernhardt and many of the other candidates it will readily be seen that the contest has passed its babyhood days; from this time on there will be many more of the kind that has ever been conducted. From the voting today will give some idea to candidates and their friends of what might be expected. So if you do not want to be classed among the "also ran" crowd now is the time to hustle out and collect from your promises.

There are quite a number of other candidates who have been delivering the goods in the past few days, these candidates have a fast following of friends who are going to make the finish a warm one. Taking it all in all this contest is going to be the closest that has ever been conducted. Mr. J. E. McClure, Mr. J. R. Gaston, Mr. P. E. Hager, Miss Adelaide Erwin, Mr. J. H. McMurray, Miss Lemma Clodfelter, Miss Evelyn Diggins, Miss Bessie Neeley, Miss Ruth Colvin and Mr. Geo. M. Pagan are all among the top-notchers and in the next few days any of them are able to be leading, and should any of these mentioned do this it would be a surprise to the management for they have long been in the class of live ones.

Jack Binns at Home.

Peterborough, Eng., Feb. 10.—"Jack" Binns, the wireless telegraph operator who was on board the steamer Republic at the time of her collision off Nantuxet last month with the steamer Florida, was given a rousing reception in Peterborough, his native town yesterday afternoon. He was met at the railroad station with bands playing "See the Conquering Hero Comes" and the mayor in his chains and robes of office, extended him a welcome.

Socialists Ask Shaw to Lead.

Glasgow, Feb. 10.—T. A. Alan, a millionaire Socialist shipowner, having refused the invitation of the Socialists to be a candidate for the Parliamentary vacancy caused by the death of Sir Andrew Mitchell Torrance, the Socialists are trying to get George Bernard Shaw to take up the fight.

ADVERTISERS in THE CHARLOTTE NEWS Get the Business.

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