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VIOLATED THE LAW

Cabinet Members Attempt to Justify Their Course.

EXPLANATION DIDN'T GO

Secretaries Wilson and Hitchcock Before Senate Committee.

Claimed They Had Best Interests of Indians at Heart in Withdrawing Land From Allotment—Had Suspended a Statute of the United States in so Doing—"If We Have Violated the Law, I am Sorry for it," Says Hitchcock.

Washington, December 19.—Admitting that they had no authority of law for the withdrawal from allotment of nearly 4,000,000 acres of lands belonging to the five civilized tribes in the Indian territory for the purpose of creating a forest reservation, two members of the president's cabinet—Secretary Hitchcock, of the department of the interior, and Secretary Wilson of the department of agriculture, endeavored today to justify their course by stating they had the best interests of the Indian at heart. The explanation was made before a select senate committee, which is investigating affairs in relation to the property rights of the five tribes, but the committee declined to accept it and Senators Clark, of Wyoming, Teller, Long and Brandegee declared that the interior department had suspended a statute of the United States without authority and that it was the duty of Secretary Hitchcock to immediately cancel his order withdrawing the land from allotment. The same senators said to Secretary Wilson and Chief Forester Gifford Pinchot that it was his duty to withdraw their request on the secretary of the interior for a suspension of the allotment. The order withdrawing the land from allotment was issued early in the present month. The purpose of the withdrawal was not stated publicly at the time, but it developed during earlier inquiries by the committee that the department of agriculture planned to create a forest reserve within the withdrawn lands, which would contain about 1,500,000 acres. These lands would have to be purchased from the Indians through some plan yet to be presented and appropriation by congress would be required.

Secretary Hitchcock was first called to the stand today. He said that he had asked the forest service, a division of the agricultural department, to report upon a request of Jack Gordon, of Paris, Texas, and associates, that they be permitted to buy 200,000 acres for a game preserve and that in making an adverse report on that proposition the forest service had asked for the withdrawal of the lands for a forest reserve. Mr. Hitchcock said that in granting the request he had only temporarily suspended the operation of the law requiring that the lands in question be allotted. The tentative suspension, he said, was for the purpose of investigation with a view to determining what was the best interest of the Indian. "You have no right to suspend the operation of a statute one hour, nor one minute," declared Senator Teller. "If you had the right to temporarily hold up the application of a law, you could suspend its operation for a month, a year or two years." All of the members of the committee took part in condemning the action of the department in suspending the law, and finally Senator Teller said: "I challenge any one to show any statute which permitted the suspension of the allotment in question." "If we have violated any law, I am sorry for it," said Secretary Hitchcock. Turning to Secretary Wilson, who had been an interested listener to the examination of his colleague in the cabinet, Senator Lodge asked: "We want to know under what authority you requested the withdrawal of these lands from allotment?" "I never look at an authority," replied Secretary Wilson, "I made up my mind that we had a better proposition for the Indian than to turn his land into a game preserve. The right to withdraw the land was a matter for the lawyers of the interior department to pass upon. He made an investigation and then a recommendation. It is up to you gentlemen to say whether you take it or not." "No," responded Senator Clark. "It is up to the secretary of the interior to do as the law tells him to do." Chief Forester Pinchot was called to the stand and after he had explained the proposition members of the committee declared emphatically that he would not hope to get his plan through congress. He was told also that his request had been out of place inasmuch as it suggested a violation of law.

"Secretary Hitchcock should not take thirty minutes in telegraphing an order to the territory to permit the allotment to proceed," concluded Senator Teller, and Senators Long, Brandegee, and Clark assented.

HEARING ADJOURNED.

Complaint of the North Carolina Case Workers' Association Postponed Until Next Monday.

Washington, December 19.—After hearing evidence all day offered by the defense, the interstate commerce commission today adjourned until next Monday the complaint of the North Carolina Case Workers' Association against various southern and western railroads doing a transcontinental business and involving the application of the \$1.70 commodity rates on shipments of 20,000 pounds. The question of the readjustment commodity rate with an established minimum of freights is to be taken up at the meeting of the transcontinental freight bureau on the 18th of January and at this conference reports of the Southern and other railroads are expected to be presented. It is hoped at this meeting that some arrangement may be arrived at whereby the causes of the complaint of the case workers will be to some extent obliterated. This work will begin by the 1st of February. In view of this fact the commission suggested that a temporary arrangement be entered into by which the present rate now alleged on a carload minimum of 20,000 pounds will be applied to a car load minimum of 16,000 pounds when loaded in 35 foot car when the larger cars that may be asked for cannot be furnished by the railroads. The attorneys representing the defendants asked that the commission give them until Monday in order that they may make inquiries of the companies they represent as to whether this would be agreeable to them.

During the day the Southern railway introduced evidence to show that they have increased their rolling property in proportion to their traffic and they have a sufficient number of the class of cars demanded by the furniture shippers, but that most of these cars are in the hands of western railroads having been sent loaded to the Pacific coast. It was stated that the road did not feel warranted in increasing the number of cars of the class demanded by the shippers in which the 20,000 pounds minimum freight may be carried.

Fire works of every kind at Plummers.

DEBT MORE THAN \$2,000,000.

National Wire Corporation Placed in Hands of Receiver.

New Haven, Conn., December 19.—On the allegation that it is in debt more than \$2,000,000 the National Wire corporation today was placed in the hands of receivers. The receivership was instituted at the request of the National Steel and Wire company of Portland, Maine, which is the holding company of the local concern, and other similar plants in Maine and at Columbus, Ohio.

In petitioning for a receiver the Maine company aside from alleging that the concern is more than \$2,000,000 in debt.

The Maine company asked that Henry L. Hotchkiss, the president of the H. L. Candee Rubber company of this city and Homer Wise, of New York, vice president of the Maine company, be named as receivers temporarily. To this motion Judge Thayer in the superior court acquiesced.

The plant of the National Wire corporation is one of the largest of its kind in the east and it employs 1,500 hands. The total assets are given as \$9,625,379 and the surplus as \$94,445.

Plummers is the place to buy your Xmas candies and fire works.

MUST VACATE THE ALLEY.

Negro Denizens Ordered to Leave Their Present Homes by Justice Borne-mann.

On warrants sworn out by E. N. Edens, who lives in the neighborhood, Constable Savage shortly before midnight on Tuesday night arrested five negro men and women, denizens of Blake's alley, which leads from Fourth to Fifth street, between Church and Castle. All the warrants charged disorderly conduct, in the use of loud and boisterous language, cursing, etc., and they were issued by Justice Borne-mann against the following persons, Gabe Hill, Lizzie Smith, Eliza Scott, Rosa Bellamy and Amanda Scott.

They were all taken to the city prison and yesterday morning were brought to trial before Justice Borne-mann.

The evidence against the negroes was conclusive and they were each fined \$20 and the costs, this sentence to hang over their heads for six months for good behavior and they are to vacate the places where they lived within the period of 24 hours, or else the full judgment would be enforced at once.

All the parties have promised to vacate the premises and this news will be a source of gratification to all the people in that neighborhood.

Directors Chosen

Mobile, Ala., December 19.—At a meeting of the stockholders of the Mobile, Jackson and Kansas City Railroad company today, the following directors were chosen:

W. L. Stratton, Alexander McDonald, Bird M. Robinson, E. K. Stalle, R. W. Jones, Jr., Charles E. Levy, New York; E. E. Jackson, Baltimore; J. W. Whiting, C. D. Willoughby, T. F. Whilly and W. H. McIntosh, Mobile, Ala.

BURGLARS STRIKE WILLIAMSON

Residence of Mr. John A. Pope Robbed.

SUPPOSED ROBBER CAPTURED.

Believed to be the Burglar who Has Been Operating in Eastern Part of the State—Answers Description of Escaped Criminal From Virginia.

(Special to The Messenger.)

Williamston, N. C., December 19.—The citizens of Williamston awoke Monday morning to find that the wave of burglary that has been sweeping over the adjoining counties had struck the town. The residence of John E. Pope had been entered by cutting a blind and raising the sash of the window. Mr. Pope was sleeping in the room but was not aroused. The pockets of his pants were turned and contents gone, fortunately he had only a small sum. Later Mr. Wilson G. Lamb reported that his suit case and overcoat had been taken from his dining room by some one entering the window which was unfastened. Early in the morning a section hand on the railroad met a man enroute to Jamesville who enquired the distance of him. Just outside of the town near the railroad the man later found Mr. Lamb's case and overcoat. The authorities putting the clues together decided to trace the man seen on the track. Chief of Police Page phoned to Jamesville to look out for him and Sheriff Crawford started in pursuit. The man was apprehended by Policeman Ward at Jamesville who secured him till Sheriff Crawford arrived. He was brought to Williamston and lodged in jail. Upon investigation it was found that he was wanted in Hertford county for burglary and by communicating with the authorities there Sheriff Crawford learned that he was wanted in Virginia for murder done at Tuttle, Va., on June 5th, 1906. He answered to the description wired here and in conversation with the sheriff said that he had been delivered to the Virginia authorities by Sheriff Garrett, of Hertford county, and had escaped from the Lynchburg jail.

Sheriff Garrett arrived on Tuesday night and identified him. He is known as William Ruffin alias Jesse Ruffin, alias Jim Wright. He murdered the postmaster at Tuttle, Va., and for safekeeping was taken to Lynchburg, from whence he escaped Sept. 6th, by filing the bars. He made the hole after three weeks' work. To hide the cut bars, he filled the places with bread and dyed it with ink, so as to escape detection. The prisoner is a dangerous character and has been operating, no doubt, in the counties of Pitt, Halifax and Edgecombe before reaching our county. It is suspected that he was the same robber who was at Robersonville Saturday night. There is a \$400 reward for him in Virginia and arrangements are being made to carry him there this week.

Reserved seats for the Princeton Glee Club will be on sale at Munst's Drug store Friday morning.

Everything you want at Plummers, and the cheapest and best place to buy.

RESULT OF ELECTION.

Policy Holders of Equitable Life Vote for Directors—D. A. Tompkins, of Charlotte, Elected Member of the Board.

New York, December 19.—Thirty thousand ballots were cast by policyholders of the Equitable Life Assurance society today for 28 directors of that society. Every ballot was for the administration ticket which was the only one in the field and was composed of the names of men whom the trustees, headed by former President Grover Cleveland, had already placed on the board of directors to fill vacancies. The ticket was nominated by Mr. Cleveland, and his associates.

The directors elected are: For one year: Emanuel W. Bloomingdale, New York city; Joseph Brian, Richmond, Va.; John D. Kernan, Utica, New York; James McMahon, Brooklyn; William E. Fayne, New York city; Tom Randolph, St. Louis; William Whitman, Boston.

For two years: Abraham Pratt, New Orleans; Charles E. Littlefield, Rockland, Me.; Edwin W. Robertson, Columbia, S. C.; Jacob C. Schmidapp, Cincinnati; Daniel A. Tompkins, Charlotte, N. C.; Frank S. Withersee, Fort Henry, N. Y.; Charles N. Zender, Philadelphia.

For three years: John Branch, New York; James B. Forgan, Chicago; Alexander C. Humphrey, New York; John T. Mansen, New Haven; William C. Redfield, Brooklyn; Ferdinand W. Roebing, Trenton, N. J.; George F. Victor, New York.

Four years: Thomas A. Gillespie, New York; Willis McCormick, Pittsburg; Eugenius H. Outerbridge, New York; Wallace L. Pierce, Boston; Thomas Spratt, Ogdensburg, N. Y.; J. Edward Swainstrom, Brooklyn; Eben B. Thomas, Fountain Hill, Pa.

James B. Forgan, is the only one of the directors elected today, will serve on the board under the old management of the society.

The finest 50c candy at 25c a lb. on sale the 22nd to 24th, only these dates, at Plummers.

DEATH OF MR. ERNEST F. HINES

Explred Suddenly at Florence, S. C., Yesterday.

ATTACK OF HEART DISEASE

Married Less Than a Month—His Death a Most Severe Shock to His Young Wife, who was Miss Laura Harrell, of Kinston—Remains Taken to Kinston for Interment.

(Special to The Messenger.)

Florence, S. C., December 19.—Mr. Earnest Frederick Hines, a well known and most popular young man of this city, died here this afternoon at the Central hotel. Mr. Hines was the day clerk at the Central, and at the dinner hour, not feeling well, went to his room. He was lying across the bed talking with his wife when suddenly he was seized with a pain about his heart. He called quickly and told his wife to send hastily for a physician which she did. But before the physician could get to him and relieve him he had breathed his last.

Mr. Hines was married on Nov. 26th, to Miss Laura May Harrell, daughter of Mr. and Mrs. Samuel Martin Harrell, at Kinston, N. C., and arrived in this city with his bride during the early part of the present month, being married less than one month.

The shock to the young wife was a most severe one. The remains will be carried on this evening's train to Kinston, N. C. for interment. Mr. Hines was a son of the late W. K. Hines was a son of the late W. R. young man. He leaves a wife and one brother, Mr. Edward R. Hines, of this city, formerly with the Coast Line at Wilmington. The news was a great shock to our people and his genial face will be missed from behind the desk at the Central.

Burglars broke into the store of Wm. M. Gregg & Co., near Claussens, in this county last night and with the use of dynamite blew open the safe, securing a few dollars therefrom.

Engraving in an up-to-date style on any article I sell at short notice. J. T. Burke, Jeweler and Optician, 27 South Front street.

PRESIDENT HAD AUTHORITY.

Secretary Taft Answers Senate Resolutions of Inquiry Regarding Discharge of Negro Soldiers.

Washington, December 19.—In replying to the president on the several senate resolutions of inquiry as to discharge of negro troops, Secretary Taft enters into an exhaustive discussion of the law and the evidence in the case. He quotes the authority for the president's action, and with regard to the new evidence presented says he has examined it with care and that he does not find anything contained in it which should lead to a different conclusion of fact from that already stated in his annual report.

In answer to the contention which the secretary says has been put forth that the president had no power to make the order of discharging because, if he has, he may disband the army, it is argued that there is a clear distinction between disbanding a company, a battalion or a regiment and the discharge of certain of its members. In the case of the men of the Twenty-fifth infantry, the secretary says the order named the persons who were discharged and did not embrace all members of the three companies, and that immediately upon the discharge of the men an order was issued filling up the three companies by transfer from the other companies of the regiment, "so that the entity and service of the companies are continued in the army."

I have got the Goods of Quality. Come and see. J. T. Burke, Jeweler.

UNION STATION AT LUMBERTON.

Seaboard Air Line to Pay Four-Fifths of Expense.

(Special to The Messenger.)

Raleigh, N. C., December 19.—Gov. Glenn left this afternoon for Washington, accompanied by Mrs. Glenn. He goes to see the secretary of state on business.

The corporation commission makes an order following the conference with it of the representatives of the Seaboard Air Line and Raleigh & Charlotte railroads by fixing the amount to be paid by each road on the union passenger station at Lumberton. The order directs that the Seaboard Air Line pay four-fifths of the expense.

The work is ordered to begin on or before February 1st.

Contract Awarded.

(Special to The Messenger.) Raleigh, N. C., December 19.—The North Carolina commissioners to the Jamestown exposition awarded the contract for the North Carolina building to J. D. Elliott, of Hickory, at \$18,800. Commissioner General Pogue says the contract will be thoroughly and promptly carried out and the building will be ready April 26th, when the exposition opens.

The federal court adjourn today for the term

Candy 5c a pound, at Plummers. 4t

BISHOP McCABE DEAD.

Passed Away in New York Yesterday. Was Popularly Known as "Chaplain McCabe."

New York, December 19.—Bishop Charles C. McCabe, of the Methodist Episcopal church, died in the New York hospital at 5:20 a. m. today. Death was due to apoplexy, with which the bishop was stricken December 11, while passing through this city on his way to his home in Philadelphia. The night before he was stricken by apoplexy, Mr. McCabe had delivered his lecture "The Sunny Side of Life in Libby Prison," at Torrington, Conn. Services over the body of Bishop McCabe will be held at St. Paul's Methodist Episcopal church on West End avenue tomorrow evening. The interment will be at Evansville, Ind., on Saturday.

Bishop McCabe was born at Athens, Ohio, October 11, 1836. He entered the Ohio conference of the Methodist church in 1860 and two years later became chaplain of the 122nd Ohio infantry. He was captured in the battle of Winchester and spent four months in Libby prison.

His success as a money raised is remarkable, and later as secretary of the Methodist Missionary society he added half a million dollars to the annual income of the society. He was chancellor of the American university at Washington.

For more than 30 years, he was popularly known as "Chaplain McCabe," and the title clung to him even after the general conference of the Methodist church in 1896 made him a bishop.

See Plummers extra fine line of candies at 5c to 25c a pound. 4t

CELEBRATED THE ANNIVERSARY

Sailing of Expedition Which Laid the Foundation of American Republic Commemorated.

New York, December 19.—"The Virginians," with a dinner at Delmonico's tonight, commemorated the anniversary of the sailing from England of the expedition which was destined to lay the foundation of the American Republic at Jamestown in 1607. Three hundred years ago today three small vessels the Susan Constant, Godspeed and Discovery set sail from Blackwall in Virginia.

The anniversary will be celebrated with the Jamestown exposition next year. Some 150 diners were present tonight. The hall was decorated with the British coat of arms to the right of the Virginia coat of arms, with its motto "Sic Semper Tyrannis" and the two insignias flanked by the national colors and the New York municipal flag.

Among the speakers and toasts were Harry St. George Tucker, president of the Jamestown exposition; "Captain John Smith"; Dr. Ernest Sterres, rector of St. John's church, "The First Representative Assembly in America, July 30, 1619; James Alston Cabell, "The Cavaliers." Governor Claude A. Swanson, of Virginia, was unable to be present.

Go to Plummers for the best and cheapest assortment of fire works. 4t

THE REPORT ERRONEOUS.

Colonel Cloud Not Executed by the Honduras Government.

Mobile, Ala., December 19.—Colonel Charles Loud, late of Georgia, now a resident of Honduras, is in Mobile. Colonel Loud was reported to have been executed by command of the Honduras government on October 17. At the same time it was reported that General Lee Christmas was shot by officials of the government. Colonel Loud claims that he is authorized by General Christmas to deny the report of General Christmas' death. Colonel Loud desired it published that no attempt was made by the officials of Honduras to execute him. Colonel Loud said:

Manuel Bonilla is now president of Honduras, and General Lee Christmas is commander-in-chief of the army. The form of government is similar to ours. The people are allowed a representative and alternate for every 1,000.

TO RELIEVE MONEY MARKET.

Bill Introduced in Senate by Mr. Elkins.

Washington, December 19.—A bill designed to extend relief to the money market along the lines of recommendations made by the secretary of the treasury, was introduced in the senate today by Senator Elkins. It authorizes the deposit in national banks of receipts from customs as well as from internal revenue, requiring the banks to pay a tax on such deposits, and making all national banks equally eligible for designation as depositories. The bill also expressly authorizes the secretary of the treasury to make transfers of public moneys from the treasury to the banks, which has heretofore been done by the secretary on his own responsibility without authority of law. Senator Elkins explained that his purpose is presenting the bill at this time was to afford an opportunity to consider it during the holidays and in hope that congress might take it up after re-convening in January.

Requisition Honored.

Columbus, O., December 19.—Governor Harris has honored the requisition of the governor of Tennessee for William Henry, the colored murderer. Henry will be sent back to Knoxville, Tenn., for trial. It is understood that Henry will fight the case in the courts and claims to fear he will be lynched if he is taken to Knoxville.

SENATE IS CHOICE

Reprint of Panama Message Ordered in Normal Spelling.

FORAKER IS NOT SATISFIED

Wants Further Investigation of Discharge of Negro Troops.

Lively Debate Followed Reading of President's Message on the Subject. Foraker Wanted it Sent to Committee. Claiming That What Appeared to be Testimony was Really not Testimony—Efforts to Increase Clerical Force in House Opposed by Democrats.

Washington, December 19.—President Roosevelt's message dealing with his action in dismissing from the army the negro troops of the three companies of the 25th infantry, furnished the one topic of interest in the senate's session today. A lively debate followed the reading of the message as to what should be done with it. Mr. Foraker wanted it sent to the military committee with instructions to make further investigations should the committee deem it necessary. He said that in reality much more appeared to be testimony that was really not testimony as much of it was not under oath. On objection from Senator Clark, the senate postponed action until tomorrow.

The pension calendar was cleared by the passage of more than 200 private pension bills. At the suggestion of Senator Lodge, President Roosevelt's Panama message will be reprinted for the senate in "normal spelling."

IN THE HOUSE.

The house unexpectedly ran against a snag today in an effort to increase the clerical force in the office of the enrolling clerk, the democrats led by Mr. Clark, of Missouri, opposing the passage of the resolution. A resolution reported from the committee on accounts was adopted giving the committee on enrolled bills an additional clerk. There was little or no debate on this resolution but when it was followed by another increasing the force in the enrolling clerk's office determined opposition arose. The absence of a quorum was disclosed when the house divided on the passage of the resolution. Representative Clark who had inveighed against the "senseless Christmas holidays" insisting that a quorum should be present if the resolution was to be acted upon. Speaker Cannon saw how useless it would be to direct a call of the house and adjournment at 1 o'clock followed.

Previous to taking up the resolutions Mr. Littlefield of Maine, endeavored to secure consideration of a bill requiring all corporations engaged in interstate commerce to make returns to the interstate commerce commission, but Mr. Clark, of Missouri, objected and it went over. Mr. Mondell, of Wyoming, had a similar experience with his bill to extend the time in which homesteaders on the Shoshone Indian reservation may make final residence. Representative Mann, of Illinois, in this instance objecting to its consideration.

DEFEATED FOR DOING HIS DUTY.

President Roosevelt Secured Sheriff Merrill a \$1,200 a Year Position.

Washington, December 19.—The following letter of the president to Attorney General Bonaparte was given out at the White house today: "The White House, Washington, Dec. 17, 1906.

"Dear Mr. Bonaparte: "Some three years ago Sheriff J. L. Merrill, of Carroll county, Georgia, lost his chance for re-election by his action in beating off a mob of several hundred white people who were trying to take a negro out of jail and put him to death. Sheriff Merrill and his deputies fired on the mob, killing and wounding several men and beating the others off. Because of this he was defeated for re-election. Congressman Adamson brought the matter to my attention, saying that he hated to see a man who had done such a service as a public official defeated because of the very fact that he had rendered the service. He told me that Governor Terrell had offered Merrill a place, the best he had to give, which carried a salary of \$50 per month; I told the congressman I thought I could better that, and got him a place at \$1,200 a year as custodian of the grounds of the federal prison at Atlanta. I hear he has done well. Can't we give him a promotion?"

Sincerely yours,

"THEODORE ROOSEVELT."

Hon. Charles J. Bonaparte, Attorney General.

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