

# INTERESTING CASE

## Colored Man in United States Supreme Court

### SENTENCED TO HANG IN S. C.

**Charles J. Bonaparte, Former Attorney General, Protests That Some Southern States Attempt to Reduce the Negro to Captivity—South Carolina Negro Killed Officer When Seeking to Arrest Him for Violating an "Agricultural Contract."**

Washington, Special.—Protesting against what he terms an attempt in some Southern states to reduce the negro to captivity, Charles J. Bonaparte, formerly attorney general of the United States, filed a brief in the supreme court of the United States Monday in behalf of "Pink" Franklin, a South Carolina colored man, who on a charge of murder, is sentenced to be hanged.

Franklin, under an agricultural contract to work for J. D. Thomas in Orangeburg county, South Carolina, in 1907, quit him before the contract expired.

A warrant was sworn out for Franklin's arrest. The constable, H. E. Valentine, in attempting to arrest the negro, went to the latter's house, entered and was killed, Franklin was convicted of the murder.

Mr. Bonaparte's brief attempts to show that the negro had a right to resist arrest and protect himself, family and domicile, because the statute on which the warrant was based had been held to be obnoxious to the state legislation, violated the federal constitution and that any attempt to enforce the provisions by the arrest of a person in the situation of Franklin constituted a crime against the United States under the laws forbidding peonage.

### Money Defeated the Bill.

New York, Special.—Five thousand dollars was spent in 1909 by the New York board of fire underwriters to crush the so-called anti-compact bill introduced in the State Senate by Senator Thomas F. Grady. The late George P. Sheldon received the money from the board and distributed it as he saw fit. Whom he paid for services was not brought out in the testimony. It was developed, however, that in addition to the \$5,000 used to defeat the Grady measure, the board spent \$3,500 during the same session to kill the liquidation bill which gave power to the Superintendent of Insurance, under certain conditions, to take possession of and liquidate insurance companies. How it was distributed could not be learned.

### Pittsburg Lawyer's Shrewdness.

Pittsburg, Pa., Special.—William J. Brennan, an attorney representing several coalminers whose cases were called for trial Monday, set up a legal obstacle in the path of the graft searchers, which, unless bowled over by the court's decision, may mean a halt in proceedings and necessitate a new beginning.

Brennan's surprise was sprung in the form of a motion that the ninety-one indictments against present and former coalminers on charge of graft be quashed on the ground that the foreman of the grand jury, Harry Nesbit, president of the Bank of Pittsburg, is not an elector of Allegheny county and therefore not eligible to serve as foreman of the indicting jury.

### "Report" May Not be Confirmed.

New York, Special.—A report in Wall street just before the close Monday caused American Tobacco Company stock to jump \$26 per share. It was reported that the supreme court will decide in favor of the tobacco trust against the government.

### Grand Jury Indicts Robbers.

Richmond, Special.—Fred Cunningham and Frank Chester, the men under arrest in New York, charged with having robbed the postoffice here of \$85,000 worth of stamps, were indicted Monday by the Federal grand jury. Inspectors and the district attorney have left for New York to hasten the return of the men to Richmond.

### "The Way of the Transgressor."

Cincinnati, Special.—The sentences of five members of the defunct "bucket shop" firm of Odell Co., convicted on a charge of using the mails to defraud and sentenced to six months in jail and fined \$200 and costs each, were affirmed by the United States circuit court of appeals.

### The "Wets" Little in Majority.

Detroit, Mich., Special.—Complete returns from the 36 counties in Michigan where local option elections were held Monday show that 20 counties voted "dry" and 16 "wet." Of the 83 counties in Michigan, 40 will now be "dry" and 43 "wet."

### Jeff Goes to Training.

Oakland, Cal., Special.—Expressing entire confidence in his ability to get into physical shape for a long distance fight with Jack Johnson—next Fourth of July—J. J. Jeffries arrived from Los Angeles Monday en route to his training quarters in the Santa Cruz mountains. He will go to his camp, accompanied by his manager, Sam Berger, and the usual retinue of rubbers and trainers.

# WILL ABANDON STRIPES

## Pittsburg Penitentiary and the "Gentlemen Convicts"

Pittsburg, Special.—There are so many "gentlemen convicts" among the 700 prisoners of the Western Penitentiary that Warden John Francis announced Monday that stripes are to be practically abandoned at that institution.

At present, however, even a bank president and two former Councilmen are wearing the humiliating prison clothes.

### Mohammed "The Mad Mullah."

Aden, Arabia, By Cable.—The ferocious campaign of Mohammed Abdullah of Somaliland, "the mad mullah," against the Sultanates under British protection, continues unchecked. Eight hundred of the tribesmen friendly to the Sultanates have been slaughtered, vast areas laid waste and towns razed. Natives in great numbers are fleeing to the coast. It is expected here that this will lead to another expedition against the mad mullah, who has caused the British government great anxiety for many years.

### After Atlanta Gamblers Also.

Atlanta, Ga., Special.—That a determined fight is to be waged upon bucket shops in Atlanta was indicated Monday when the Fulton county grand jury, which two weeks ago indicted five alleged bucket shop proprietors, handed up to the court another batch of indictments against local brokers. The Attorney General announced that the names of those indicted would not be given out until the bench warrants were served.

### Purse For Target Practice.

Washington, Special.—The Senate has passed unanimously the Senate bill appropriating \$100,000 for rifle practice in the schools and universities of the country, and among civilian clubs. This bill has been endorsed by the war department and by the National Rifle Association, and has received the support of President Taft and Ex-President Roosevelt.

### "Change Your Name."

New York, Special.—Justice Dayton of the supreme court Monday ruled that the Salvation Army, headed by Gen. Wm. Booth, with headquarters in England, is entitled to an injunction restraining the American Salvation Army from using that name or any title so nearly similar as to be confounded with the English organization.

### Giving "Nephews" Privileges.

Washington, Special.—After three days of sharp controversy the Senate passed the House Bill, so amending the Employers' Liability law as to give the State courts concurrent jurisdiction with the Federal courts in dealing with suits for damages growing out of accidents.

### Habeas Corpus Application for Morse.

Atlanta, Ga., Special.—Martin Littleton and former Gov. Hoke Smith have practically completed the application for a writ of habeas corpus for Charles W. Morse, and it will be presented to the United States Court here this week.

### Strikes and Strikes.

New York, Special.—The harbor boatmen's union, comprising firemen, cooks, oilers, deck-hands and floatmen of the marine departments of four railroads entering New York City, went on strike following the rejection of their demands for an increase in wages from \$70 to \$75 a month and a day off each week.

### Believes in Labor Organizations, But

Worcester, Mass., Special.—In his speech to 2,000 railroad men here the President declared that he believed in labor organizations. But as Chief Magistrate of the nation, he added, he believed also in the right of every man to labor as he will, to earn the wages that he will, and if he so chooses, to stay out of labor organizations.

### Corporation Tax Law Amended.

Washington, Special.—By a vote of 132 to 123 the House adopted a provision amending the corporation tax law so as to provide for publicity of corporation returns upon the discretion of the president alone, instead of upon request of the senate or house.

### Disfranchised 45,000 Negroes.

Annapolis, Md., Special.—More than 45,000 negroes in Maryland will be disfranchised, so far as State and municipal elections are concerned, by the passage in the legislature of the bill of W. Mitchell Diggs.

### "Leave It Alone."

New Orleans, Special.—In a communication received from the State department at Washington Monday, the local United States district attorney's office is upheld in its contention that the recruiting of men in the United States to be used in hostilities against a country with which the United States is at peace is a violation of the law, no matter if there happens to be no diplomatic relationship with the country in question.

# THE OLD SOLDIERS' MEETING

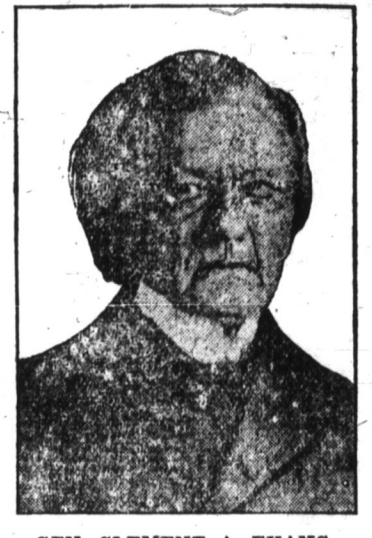
## To be held at Mobile, Ala., April 26-28

### THE APPOINTMENT OF OFFICERS

Miss Lucy Davis Hayes, Sponsor—U. S. C. V.'s Sponsor, Miss Georgia Whiting Safford

Montgomery, Ala.—Dr. Clarence J. Owens, commander-in-chief of the United Sons of Confederate veterans, makes public the sponsors and maids-of-honor for the organization at the general reunion to be held in Mobile April 26 to 28.

They are as follows: Matron of honor, Mrs. B. B. Ross, Auburn, Ala.; chaperon, Mrs. N. B. Forrest, Memphis; sponsor in chief, Miss Georgia Whiting Safford, Montgomery; maids of honor, Alabama, Miss Clara Ellen Forbes, Montgomery; Miss Mary Henry Ruffin, Miss Nannie Goodard, Miss Lillie Radcliffe, Mobile; Miss Mary Rosalind Tardy, Birmingham; Miss Annie Lyde Smith, Tuskegee, Georgia, Miss Lydia



GEN. CLEMENT A. EVANS.

Hutchins, Athens, Louisiana, Miss Gladys Broadway, Monro, Mississippi, Miss Sallie Hunt, Greenville; Miss Mildred Merrivether Sledge, Como; Miss Cornelia Wallace, Como, South Carolina, Miss Maybelle Weathersbee, Williston; Miss Ruth Kennedy, Greenville, Virginia, Miss Avis Walker Grant, Richmond.

Maids of honor for the general staff for states not listed will be named later.

Miss Frances Alexander Duncanson of Auburn will represent the Children of the Confederacy.

Appointments for the Louisiana division, named by Commander B. H. Richardson, are as follows:

Sponsor, Miss Caroline A. Reanand, New Orleans; maids of honor, Misser Georgia Richardson, Andrea Frederichs, Leila Riddell, New Orleans; Miss Georgia McDonald, Mobile; chaperon, Mrs. P. J. Frederichs, New Orleans.

Northern Virginia department, by Commander C. M. Felder; Sponsor, Miss Lila L. Jamison, Roanoke; maids, Miss Grace G. Jinkard, Rehoboth Church, Va.; Miss Annie Baker, Lamar, North Augusta, S. C.; chaperon and chaperon, Mrs. L. F. Fleming, Augusta, Ga.

Virginia department, by Commander T. W. Spindle; Sponsor, Miss Mary Darnell, Roanoke; maid, Miss Mary Hunter Bethel, Sawville; matron, Mrs. William L. McGill, Petersburg.

New Orleans, La., Special.—The following appointments were made by William E. Mickle, adjutant general and chief of staff of the United Confederate Veterans:

Brigadier generals and assistant adjutant generals, Julian W. Whiting and Price Williams, Jr., of Mobile, Ala.

Colonels and aides-de-camps, C. C. Nettles, Robert Middleton, D. P. Bestor, Ed T. Toomer, Wm. H. Johnston, of Mobile, Ala.; George W. Taylor, of Demopolis, Ala.; John H. Leathers, of Louisville, Ky.; John W. Teneh, of Gainesville, Fla.; R. Preston Crow, of Charleston, W. Va.; E. L. Conally, of Atlanta, Ga.

Mobile, Ala.—Commander-in-Chief Clement A. Evans has named Miss Lucy Davis Hayes as sponsor for the annual reunion of the United Confederate Veterans, to be held in this city April 26 to 28. Miss Hayes is the second daughter of the late Mrs. Hayes, daughter of the only president of the Confederacy, Jefferson Davis.

Work on the "tented city" for which the war department has loaned tents and cots for the use of the veterans, began with the erection of the kitchens and dining rooms and grading. The "tented city" faces historic Mobile Bay and will accommodate 15,000 veterans.

Many of the local churches are tending the use of their Sunday school and class rooms for the use of the veterans.

### Postal Bills Report Soon.

Washington, Special.—The House Committee on Post Offices and Post Roads have directed the subcommittee having the postal savings bank bill in charge to report the completed bill to the committee by April 15. The committee also favored April 25 as a date for a hearing on the proposal to establish parcel posts.

# EVENTS TOLD TERSELY.

## News From Everywhere Printed in Short Paragraphs.

Cora Osek, 22 years old, was arrested at Cleveland after she had fasted for 45 days. She insisted she would fulfill an oath of fasting for two months, even if it killed her.

During the fiscal year 1909 there were 3,395 births and 3,178 deaths among 101,717 Indians. This showed a birth rate per thousand of 33.4 as compared with 31.2 deaths.

Hugo Lilenthal, a Berkeley, Cal., horticulturist, announces the discovery of an edible fruit from the climbing rose.

President Barrett says the greatest rally of American farmers in history will be that of the Farmers' union in St. Louis May 2-8.

Chas. C. Harper has been appointed commander in chief of the Georgia Sons of Veterans. Commander Clarence J. Owens, of Memphis, made the appointment.

Harry E. Kelly, postmaster at Lynn, N. M., is in jail at Trinidad, Col., charged with having obtained between \$3,000 and \$4,000 by issuing postoffice orders to his wife and creditors.

The United States army is going to be represented by an exhibit at the domestic science and pure food exhibition to be held in Madison Square gardens, New York city, September 17 to 24 next.

The advocates of woman suffrage lost their annual fight in the lower branch of the Massachusetts Legislature by a decisive vote.

A robber in Chicago uses only his right forefinger and thumb to compel victims to throw up their hands while he takes their money.

The birth of a healthy baby boy in Dedham, Mass., has made Joseph Sears the father of thirty-four children.

In Chicago it is a misdemeanor for any woman to wear a hat pin which protrudes from her hat one inch.

The Rev. R. A. Hafer, of St. Trinity's Evangelical Lutheran church, Jersey City, has written his congregation that baldness forces him to retire from the ministry.

Through the agency of a drugged cigarette they gave to him, two confidence men were enabled to rob John Smith, of Brooklyn, of \$1,300 in cash when his mind became confused and clouded from the effects of the narcotic.

"I believe that Congress will not be ready to adjourn before June 20," says Vice President Sherman.

Capt. Wm. E. V. Jacobs, of Baltimore, is in bad repute with milliners, who have read of his attack and capture of bird hunters in the Sandwich Islands.

The most sacred tradition of Wellesley, Massachusetts College, has been broken. Into the classes of this institution, formerly exclusive to the female sex, there has been admitted a young Armenian, Diran Hagopian.

"Really, ladies, you must excuse me, I know nothing whatever about corsets, and if that awful looking harness you lay before me is a latter-day corset, then I don't wonder that the plaintiff refuses to wear it and wants her money back," said Magistrate Barlow in New York.

The plaintiff was Miss Mabel Connolly, who purchased corsets which she avers didn't fit.

Mrs. Maude Ballinger Booth, head of the American Volunteers, has made an appeal to the bird lovers of Montclair, N. J., to bell their cats to warn the birds of tabby's approach.

Ellen Holmes, 80 years old, found dead in her room in a boarding house in Utica, N. Y., has brought to light \$3,954.87 sewed in her skirt. She was supported by charity.

There are on hand in the insectary at Sacramento 524,000,000 lady bugs, whose weight aggregates more than a ton. Imported to destroy water-melon insects.

Beseeking Judge Dupuy to sentence him to life imprisonment as an incurable morphine user, Christian E. Walters pleaded guilty of larceny at Chicago, and was sentenced to the penitentiary for an indefinite term of from one to ten years.

Armed with two pistols and masked, an unknown individual broke up a poker game participated in by eight men near Dante, Va. Thanking them for their donation he melted into the gloom with nearly \$1,000.

Frances Hansen, of St. Louis, 25 years old, who for the last year has been known as a man working as such in male attire, was found to be a woman. The discovery was made after she had been hurt falling from a third story window. She was to have soon joined a church.

The Nebraska Supreme Court has decided that a "female" is competent, under the statutes, to hold office.

The supreme court at Nashville, Tenn., affirmed finding of the lower court in the case of Marcellus Rhinehart, the night rider, who killed Rufe Hunter in Montgomery county, and sentenced him to be hanged on May 28th.

Wu Ting Fang, the retiring Chinese minister at Washington will endeavor to arrange a treaty which will provide that the United States shall help China with her fleet in case of China being attacked.

# REFUSES TO VISIT POPE.

## Col. Roosevelt Declines to Accept Conditions Imposed.

Rome, By Cable.—The audience which it was believed ex-President Roosevelt would have with the Pope on Tuesday, will not occur, owing to conditions which the vatican has imposed, and which Mr. Roosevelt refuses to accept.

"The Holy Father will be delighted to grant an audience to Mr. Roosevelt on April 5, and hopes that nothing will arise to prevent it, such as the much-regretted incident which made the reception of Mr. Fairbanks impossible?"

Roosevelt's reply: "I in my turn must decline to make any stipulations or submit to any conditions, which in any way would limit my freedom of conduct. I trust that on April 5 he will find it convenient to receive me."

### Four Boats at \$2,000,000.

Washington, Special.—On the face of the bids, the Lake Torpedo Boat Company, of Bridgeport, Conn., Saturday submitted the lowest proposal for building four submarine boats for the United States navy. This was for a type of boat of 450 tons displacement and the price for the four boats would be \$424,500 each, delivered on the Atlantic seaboard, and to be constructed at the Newport News works.

Congress authorized an expenditure of \$2,000,000 for the construction of these four boats, so that the bids are within the limitation for boats of moderate size.

### Great Reception to Ex-President.

Naples, By Cable.—No American ever got a greater reception than Colonel Roosevelt did Saturday when with his family, he arrived here on the Priz Henrich.

Mr. Roosevelt, attired in a gray sack suit and wearing a soft black hat, appeared in splendid health and spirits. His weatherbeaten face gave him the appearance of a trained athlete. He spoke with a boyish pleasure of setting his foot again upon European soil and of feeling that at last he was homeward bound.

### Postal Granted Injunction.

Nashville, Tenn., Special.—Judge Edward E. Sanford, of the Circuit Court of the United States for the middle district of Tennessee, handed down an opinion Saturday granting to the Postal Telegraph Cable Company an injunction against the Cumberland Telephone and Telegraph Company, "a Bell Company," discriminating against the Postal in the matter of charges for telephone service. The decision holds that the Postal Company is entitled to telephone service at the same rate charged other business subscribers.

### Maryland Senate Passes Disfranchisement Bill.

Annapolis, Md., Special.—The so-called Digges bills for the disfranchisement of the negro in all state and municipal elections in Maryland were passed by the senate at a late hour Saturday night. They now go to the house where their passage is assured because of the large democratic majority in that body. It is not proposed to attempt to prevent negroes voting at congressional or presidential elections, the restriction applying only to state and municipal balloting.

### Ballinger Will Seek Redress.

Washington, Special.—Secretary of the Interior Ballinger announced Saturday that in due time he would institute proceedings in law against Collier's Weekly as the result of the publications concerning him which are appearing in that paper.

### The Czar in Public.

St. Petersburg, By Cable.—For the first time in many years Emperor Nicholas Saturday night attended a brilliant concert at the Imperial Opera House, given in aid of various military charities. The intention of his Majesty to attend the function had been kept secret, and, therefore, no crowd collected to witness his arrival and departure.

### Church's Crusade Against Fight.

Oakland, Cal., Special.—The church federation of this district has begun a crusade against the holding of the Jeffries-Johnson fight at Emeryville July 4, by instructing counsel to take legal steps to prevent the contest.

### Coal Miners on Strike.

Washington, Special.—Two hundred thousand organized miners of the bituminous coal fields of Pennsylvania, Ohio, Indiana, Iowa, Missouri, Kansas, Oklahoma and Arkansas are out on strike.

### Wolter Trial April 18.

New York, Special.—Albert W. Wolter Saturday pleaded not guilty to an indictment charging him with having murdered 15-year-old Ruth Wheeler. The police report that they had traced another girl to Wolter's flat, but are unable to find out what became of her.

Judge Mulquisen fixed the date of the trial of Wolter for Monday, April 18.

# CAPITAL FACTS.

## Interesting News Gathered in the District of Columbia.

### THE AMERICAN CONGRESS.

**Personal Incidents and Important Happenings of National Importance Published for the Pleasure and Information of Newspaper Readers.**

### Same Old Story.

Senator Lodge, chairman of the select committee which is investigating the cost of living, Monday presented to the senate a mass of data supplied by consular officers in Europe. Although it is difficult to make comparison from the forms in which the data is given, the committee is convinced that the deductions will show wages in no European country have kept pace with the increase in the United States and that rents and foodstuffs have advanced out of proportion to incomes, especially as applied to the laboring classes.

### An official Sixty-Five Years.

Stark B. Taylor, who has served continuously in the court of claims ever since its organization in 1855, first as a messenger upon the recommendation of Jefferson Davis, then a United States Senator, and since 1863 as a bailiff, died at the age of 90 years. Mr. Taylor, who was a native of King George county, Virginia, served ten years in the United States army, part of that time in the Mexican war.

### Corporation Disregarded Law.

One thousand corporations in existence at the time of the enactment of the new tariff law last summer failed to make returns to the internal revenue bureau, the provision imposing a tax of 1 per cent on net incomes above \$5,000. A number openly disregarded the statute requiring corporations to submit such returns by March 1, and will be subjected to heavy penalties.

### Drawing Double Pay.

The charge that commissioned officers of the United States army have been for months and are now serving as officers in the army of Cuba and draw salaries from the Cuban government in violation of law is contained in a resolution introduced in the house Monday by Representative Slayden of Texas, a member of the committee on military affairs.

### Weather Maps Discontinued.

The weather bureau has notified the subordinate officers of the abandonment of all weather maps which the men in charge of the stations have been in the habit of distributing to prominent firms of the cities. This action is taken as a result of a determination to curtail the expenses of the service.

### Publicity of Campaign Contributions.

The McCall bill providing for the publication of campaign contributions and expenses was favorably reported to the house Monday by Chairman Gaines of the committee on election of president and vice president and members of congress.

### Pension For Ex-President's Widows.

A bill designed originally to grant pensions of \$10,000 a year to ex-presidents as retired commanders-in-chief of the army and navy, and \$5,000 each to widows of ex-presidents, after being amended so as to deny the intended relief for ex-presidents, was reported favorably to the senate by Senator Shively.

### When Women Disagree.

One of the bitterest fights in the history of the Daughters of the American Revolution is expected to take place at the annual congress of the organization, which opens in Washington on April 18th. All the trouble hinges on the selection of a president-general and the "insurgents" and "regulars" as the opposing factions are called are sharpening their weapons for the fray.

### Another Honor for Mr. Taft.

President Taft has been presented with a gold tablet representing an honorary life membership in the Liberty Immigration society, which has for its purpose the defense and protection of immigrants coming to the United States.

### Passengers Pay the Increase.

The New York, New Haven & Hartford Railroad Company has increased its passenger rates. These advances are due to the increases in wages made recently to the company's employees.

### Protect the National Capital.

The purpose of the Association for the Fortification of the Entrance of Chesapeake Bay is to urge the carrying out of the recommendations of the board appointed in 1906 by President Taft, who was then secretary of war, for the fortification of the mouth of the Chesapeake for the protection of the national capital, as well as the cities and towns of Maryland and Virginia in the vicinity of the bay.