

WEATHER: Party cloudy and warmer today. Wednesday partly cloudy.

Daily News.

The News—A paper for all the people and for the people all the time.—Read it and keep posted.

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NO MOTION FOR A NONSUIT IN CASE AGAINST MILL MEN

Counsel for Defendants * Will Fight Government's Suits to a Finish.

DISTRICT-ATTORNEY RESTS CASE FOR GOVERNMENT

Four Witnesses for Government and Two for Defendants Testify in Case Against Messrs. Smith and Sargent. Many More Witnesses.

Counsel for the defendants in the penalty suits against the Charlotte mill men do not ask that the government be nonsuited, but will fight the cases to a finish before the jury and, if necessary, in the higher courts.

There was a sigh of relief when it was stated yesterday afternoon that the government would rest its case, after five days had been consumed in the testimony of witnesses for the plaintiffs.

The sessions of the court yesterday were consumed in the examination of four witnesses for the government, the reading by District-Attorney Holton of a deposition made last fall by E. A. Smith before Inspector McLaughlin, the introduction of several telegrams by the government and the examination of two witnesses for the defendants.

Mr. Hibbert Recalled. When court convened yesterday morning Albert Hibbert, who was on the stand when court adjourned Friday afternoon on account of the illness of J. Ross Hearne, was recalled and the cross-examination by Mr. Canlier continued.

In response to the questions propounded by Mr. Canlier, the witness stated that he visited a number of the towns of the New England states in which there are cotton mills during the year of 1906 and found that there were many cotton mill employees idle, in other work or seeking employment.

DOUGLAS TO RETAIN LOCAL POSTOFFICE

Washington, D. C., March 4.—While the nomination of Robert Dick Douglas as postmaster at Greensboro was not confirmed at the session just ended owing to the opposition of Senator Simmons, Mr. Douglas will continue in office. He is now serving under a recess appointment, which is just as good for all practical purposes as an appointment confirmed by the Senate.

SPOONER WILL QUIT AFTER 16 YEARS IN SENATE

Senator Wisconsin Senator Will Return to Practice of Law.

CANNOT AFFORD LONGER TO SERVE HIS COUNTRY

Announcement of the Retirement of This, the Ablest Defender of His Party in the Upper House Created Sensation in Congress.



SENATOR SPOONER. Senior Senator from Wisconsin, Who Has Sent His Resignation to the Governor, to Take Effect May 1.

Washington, D. C., March 4.—Senator John C. Spooner, of Wisconsin, has resigned his seat in the Senate. Announcement of this fact caused the greatest sensation in Congress this session has produced.

The news came as a staggering surprise to everyone, except a few senators who had been taken into Spooner's confidence. Others refused to believe the statement when first made, and remained incredulous until the senator himself assured them of its truth.

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JEROME CONCLUDES HIS EXAMINATION OF EVANS, ALIENIST, IN THAW CASE

Expert As Usual Proves Match for the District Attorney.

PRISONER'S MOTHER TODAY

New York, March 4.—A long stride forward in the trial of Harry K. Thaw was taken today when District-Attorney Jerome announced that his exhaustive cross-examination of Dr. Britton D. Evans, one of the alienists for the defense, had been concluded.

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FERTILIZER TRUST WINS IN THE U. S. SUPREME COURT

Government May Not Remove Officers to Tennessee for Trial.

U. S. CIRCUIT COURT IS REVERSED BY HIGHER BODY

Justice Fuller, in Handing Down Opinion, Declares That the Lower Court Was Incorrect in Holding Indictment Was Sufficient to Secure Removal.

Washington, D. C., March 4.—The fertilizer trust cases, involving the right of the United States to compel the removal of indicted officials of the fertilizer companies constituting the alleged trust from Virginia to Tennessee for trial, were decided today by the Supreme Court of the United States adversely to the government's contentions.

The result was the reversal of the decision by the United States Circuit Court for the Eastern District of Tennessee. Chief Justice Fuller said that the Supreme Court had never held that the indictment of a person was sufficient to secure his transfer from one jurisdiction to another, "and," he added, "we now hold that it is not."

The fertilizer trust cases have attracted much attention and have been stubbornly fought by both the government and the trust officers ever since the beginning of proceedings last May.

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FOREST RESERVE SURVEY BILL HAD NARROW ESCAPE AT HANDS OF ENEMIES

Raid Made on Appropriation at the Last Nearly Successful.

THE WORK WILL BE PUSHED

Washington, D. C., March 4.—Almost at the last moment the provision in the agricultural bill appropriating \$25,000 for a survey of the Appalachian and White mountains came near going out as the result of a raid against it by certain eastern and western members.

GORONER'S JURY BLAMES N. Y. CENTRAL FOR WRECK

New York, March 4.—The jury in the coroner's inquest into the New York Central wreck in the Bronx on February 16, when twenty-three persons were killed, brought in a verdict tonight holding the operating and construction departments of the railroad responsible.

CONGRESS, WEARY WITH WORK OF LAST DAYS, ADJOURNS QUIETLY; SHIP SUBSIDY BILL IS SCOTCHED



SPEAKER CANNON. VICE-PRESIDENT FAIRBANKS. The Presiding Officers in the House and Senate of the Fifty-ninth Congress, Which Adjourned Yesterday.

NO CHARTER BETTER THAN A DRY CHARTER, HALIFAX TOWN TELLS LEGISLATURE

Declares in Rebellion That if Democratic Party Insists on Taking Away Right of Self-Government It Will Turn Re-ubican.

Special to Daily Industrial News.

Raleigh, N. C., March 4.—One of the most significant incidents in connection with this session of the general assembly was in the House today, when Representative Kitchin, of Halifax (Democrat), arose and asked permission to withdraw a bill he had introduced to incorporate the town of Spring Hill, in Halifax.

He said he did so at the request of every citizen of the place, for the reason that in the legislative committee a clause had been inserted making it impossible ever to sell any liquor in the town.

The House passed the child labor bill with an amendment that no child work in a factory between 8 p. m. and 5 a. m., sixty-six hours to constitute a week's work, and each child under fourteen must have four months' schooling each year.

The editor of the Evening Times and Representative Winborne of the House made an amicable settlement of the sensational personal privilege denunciation applied to the editor Saturday night. In an explanation made on the floor of the House Mr. Winborne said among other things: "The editor of the Evening Times has acted the part of an honorable gentleman in this matter and I would be glad to say so to this House and I gladly retract everything I have said as to that editor and the Evening Times."

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GOVERNOR WANTS SPEEDY TRIAL FOR MURDERER OF FAYETTEVILLE POLICE

Will Order Special Term of Court as Soon as Cumberland Asks It.

Special to Daily Industrial News.

Raleigh, N. C., March 4.—The negro, Tom Walker, who was arrested Saturday night at Dunn, Harnett county, for shooting three policemen in Fayetteville while the officers were raiding his place as a "blind tiger," was brought here Sunday noon and committed to the penitentiary for safe keeping.

Walker expressed no regret at his horrible act, but when the officers asked him what he meant by acting in such a manner he said: "I said I would shoot the dogs if they tried to arrest me, and I am satisfied. If you had tried to arrest me without having any gun I would not have resisted you." He did not seem much excited, but regarded with disdain his horrible crime.

Special to Daily Industrial News.

committee substitute for the Buxton bill to encourage and promote immigration by appropriating \$10,000 annually for this work under the direction of the state department of agriculture, from the funds of which half of the appropriation is to come.

Senator Aycock, one of the strongest opponents of the bill, declared that the farmers were not demanding immigrants and that the cry that the strawberry industry would waste if there were not an influx of immigrants was false, as more strawberries were raised last year than could be sold.

IMMIGRATION BILL IS ARGUED WARMLY IN STATE SENATE

Special to Daily Industrial News.

The Senate convened at 10.30. Prayer was offered by the Rev. R. F. Bumpas, of the Methodist church.

The following bills passed final readings: Incorporate school district in Caswell, Bonds by Fayetteville, Incorporate Piedmont and Southern Railroad Company, Amend charter of Hartford, Authorize town of Washington to issue bonds, Charter Garysburg, Amend charter of Franklin in Union, Bonds by Beaufort and levy special tax, Allow Raleigh to issue bonds, Allow Apex to issue bonds, Incorporate Vass, in Moore, Incorporate Broadway, Moore, Allow vote in Salisbury on bond issue.

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STROTHER BROTHERS CASE WILL BE GIVEN TO THE JURY SOME TIME TODAY

Brother-in law of the Defendants' Contradicts Evidence Formerly Given By Him.

Special to Daily Industrial News.

Culpeper, Va., March 4.—Twenty-four hours hence the case of James and Phillip Strother charged with the murder of William F. Bywaters, their brother-in-law, will have gone to the jury. This was the situation at the close of today's session of court, when, in extended argument, both prosecution and defense had upheld their respective contentions as to the guilt of innocence of the defendants.

Although the presentation of legal precedents and authorities ruled the day's proceedings, they were not without vital interest to the crowd which has watched intently the course of the trial. At the morning session the jury heard Edward L. Gaines, brother-in-law of the defendants admit certain discrepancies in his testimony given before the coroner's jury. He explained that these discrepancies were due to "an excited and nervous nature," and that his memory may have been faulty when he testified at the inquest.

Closing Hours Were Tame in Comparison With What Was Expected. Thousands Throng Capitol Corridors Unable to Get into Witness Final Proceedings.

President, With His Cabinet and a Number of Guests, Occupies President's Room in the Senate Wing. Warns Congress That He Still Has a Few Unfulfilled Wishes in His Locker.

WASHINGTON, D. C., March 4.—With a new record for large appropriations and far-reaching legislation, the Fifty-ninth Congress was brought to a close shortly after noon today. The last few hours were calm, in fact tame, by comparison with what had been expected.

Extreme fatigue, due to continued night sessions in the House during the last week had a quieting effect upon many representatives and the usual excessive "last day enthusiasm" was confined to less than half the membership.

Despite these conditions, the audiences in both houses were as large as they have ever been.

President Visits Congress. One of the interesting features incident to the close of the Congress was the visit of President Roosevelt, who, with his cabinet, and a number of guests, occupied the President's room in the Senate wing.

Retiring senators were received graciously and without exception; the President expressed regret that these lawmakers were to leave the service of the country. Especially warm was his reception of Senator Spooner, who has just announced his volunteer retirement.

Not Through Yet. When the members of the committee which waited upon him with the information that Congress was ready to adjourn, had delivered their messages, the President thanked them for the laws that had been enacted, but he added with a smile that he still had several bills that would be heard from in the future.

Vice-President Fairbanks and Speaker Cannon received the thanks of the minority for the impartial manner in which they had presided over the deliberations of the two houses, and both of these officers made speeches expressing gratitude at the words of appreciation. A feature of the House session was the presentation of a club silver service of three hundred pieces to General Grosvener, by his colleagues of the Fifty-ninth Congress.

My Country 'Tis of Thee. In addition to the songs and stories that usually mark the close of the session, there was a beautiful picture formed by the entire House rising and waving flags and singing, "My Country 'Tis of Thee," as the gavel fell at 12.15 p. m. In the Senate the last of the proceedings was the speech by Vice-President Fairbanks, prior to adjournment, at 12.13. His remarks were applauded by the thousands of visitors and the applause continued as the audience watched with interest the farewells of the senators on the floor.

CLARK RESENTS STORIES OF PEONAGE; ATTACKS HEARST AND HIS PAPERS. Washington, March 4.—Peonage was the first subject brought to the attention of the House when it was called to order at 9.30 today. Representatives Jenkins, of Wisconsin, chairman of the House committee on judiciary, had read a resolution by Representative Clark, of Florida, in which information was sought concerning the action of the department of justice in sending special attorneys to Florida in connection with peonage cases there.

Representative Clark, of Florida, made a bitter attack on newspaper accounts of peonage in his state, which he said were wholly untrue, unfair and unjust. In this connection he referred to publications owned by Representative Hearst, of New York, and he quoted a telegram from the governor of Florida, characterizing as incorrect a statement attributed to him in a magazine. The resolution was tabled without an opposing vote.

Bill to Limit Hours of Railway Service Signed. Washington, D. C., March 4.—The Senate today agreed to the conference report on the bill limiting the hours of service of railway employes as agreed upon by the conferences last night. The House also agreed to the report of the conference and in both Houses the adoption was by unanimous vote.

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