

THE ANDERSON DAILY INTELLIGENCER

VOL. 1, NO. 38.

Weekly, Established 1869; Daily, Jan. 13, 1914.

ANDERSON, S. C. WEDNESDAY MORNING, FEBRUARY 25, 1914.

PRICE FIVE CENTS.

\$5.00 PER ANNUM.

DOINGS AT THE STATE CAPITAL

Most of Senate Session Spent on Appropriation Bill.

A HUMOROUS RUMOR GOES THE ROUNDS

Resolution Will Be Introduced to Place Picture of Governor on Walls of House Beside Tillman's.

Special to The Intelligencer.
Columbia, Feb. 24.—The bill to allow sheriffs of the various counties to accept passes from railroads was killed by the house on third reading this morning. The measure had passed the senate, but the action of the house puts an end to it for this session.

The Stevenson bill correcting an error in the act creating the Thirtieth judicial circuit was passed in third reading by unanimous consent in the house.

The house killed the senate bill requiring architects employed by state institutions to give bond.

The bill from the senate providing for the distribution of hog cholera serum by the Clemson college was passed by the house, amended to read that the serum should be furnished free by the college to the citizens unable to pay for it.

The house killed the Carlisle bill providing for the repeal of the state income tax law. The advocates of repealing the law insisted that it was not right for both the federal and state governments to tax incomes and that in addition the state income tax was impossible of enforcement.

Senator Young of Union presented the adoption tonight of the last few items in the Miscellaneous section of the appropriation bill because he wanted to investigate the effect of the one mill school tax act on the items for public schools which was put in the bill by the House. Consequently the general appropriation bill will not go to third reading until tomorrow.

Contrary to expectations the report of the special investigation committee was not read in the general assembly tonight. It is expected that it will be presented tomorrow morning. It was rumored in the House last night that a resolution would be introduced before the end of the session providing for hanging a picture of Governor Bleas on the walls of the House beside that of Senator Tillman.

The Appropriation Bill.

Resuming consideration of the general appropriation bill tonight, the Senate continued its program of sustaining the report of the finance committee and reducing the total of the bill. The University lost its law building, Winthrop its new gymnasium, and additional dormitory space and the Cedar Springs Institute its new building and residence for Superintendent Walker. It is, of course, entirely possible that the items may be restored to the bill by the committee on free conference which has before it the difficult task of comprising the adverse views of the House and Senate as to appropriations.

Although the Senate sustained the report of the finance committee and struck out the appropriation of \$25,000 for a State tuberculosis hospital, the appropriation of \$25,000 for the eradication of the cattle tick stayed in the appropriation bill after a fruitless effort to reduce it to \$20,000.

With a few other changes of minor importance the bill was ordered to third reading last night at a late hour after its total had been reduced about \$300,000 by the Senate.

Bill for Care of Work Animals.

One of the most vocal bills of the session passed the House to third reading last night. It was introduced by Mr. Moore of Abbeville, and entitled "A bill to further provide for the care of work animals." Mr. Moore explained that under the present labor contract law a farmer could not bring a criminal prosecution against a negro for violation of a labor contract. He said that under his bill a farmer could make a negro sign a contract to care for a horse or mule, furnished to him and then prosecute him criminally if he left the farmers' employ on the grounds that he had deserted the work animal.

Special Message From Governor.

The General Assembly received a special message from the Governor today urging the passage of the Porter bill to prohibit white people from teaching in negro schools and the Earle two-cent passenger rate bill. The message intimated that the Governor might call the General Assembly together to special session next spring unless the two bills were passed. The message also intimated that the chief executive would not return the general appropriation bill until next Saturday.

The House fought bitterly tonight over the concurrent resolution proposing the appointment of a special committee to investigate any claim of M. Graham of Columbia might have had on the state in the prosecution of his hosiery mill contract with the

BANK SYSTEM PROVES POPULAR

All But Twenty-eight of the National Banks Will Join.

ANNOUNCEMENTS SOON EXPECTED

Regarding Limits of Reserve Districts, Location of Reserve Cities and Other Important Findings.

(By Associated Press.)
Washington, Feb. 24.—Official count by Treasury officials today showed 7,456 National banks have applied for membership in the Federal reserve system, that 18 banks have notified the organization committee that they will not apply, and ten have not been heard from.

The capital of the banks applying amounts to \$1,054,533,554, which is 99.75 per cent of the capital of all National banks in the country. The capital of banks not accepting is placed at \$1,000,000, and that if the ten not heard from at \$570,000.

In an official announcement giving these figures, the reserve bank organization committee tonight said that although explanations had not been sent with the notifications of non-acceptance by the eighteen, in several instances the records showed that the banks had arranged some time ago to go into liquidation, and one bank had been absorbed by another.

The figures for the state banks and trust companies had not been tabulated, but sixty such institutions have asked for approval of their applications and tonight it was estimated that their capitalization would be sufficient to put the total of all banks applying to date beyond the \$1,100,000,000 mark.

It is known that Secretaries McAdoo and Houston and Comptroller of the Currency J. S. Williams, who make up the organization committee, are pleased with the manner in which the bank has responded. The organization committee will work away on the definition of the limits of the reserve districts and the location of the reserve cities and its conclusions are expected in a few days.

When their report is ready, the banks will be required to subscribe five per cent of their capital stocks and surplus of the stock to the reserve bank in their districts, half to be taken within six months. The other half to be subject to the call of the federal reserve board.

The organization committee tonight issued regulations for the guidance of the state banks which wish to apply for membership in the system. Such institutions enter in the usual way by becoming national banks, or they can apply as state institutions under certain conditions. The principal conditions are that applicant banks must certify their assets and liabilities and that none are carried at an excessive value; that they shall file copies of their charters with a digest of powers granted. The organization committee may require an examination of an applicant bank by a national bank examiner to confirm statements made in the application which may accept a certificate from a state bank examiner, and only banks which have unimpaired capital sufficient to entitle admission to the national banking system shall be considered eligible. State institutions applying shall be given "A reasonable time" in which to adjust loans and investments so as to conform to the laws of the United States.

ITALY TO APPOINT NATHAN

Rome, Feb. 24.—It was announced today that the Italian government intends to appoint Ernest Nathan, formerly mayor of Rome, as commissioner to the Panama Pacific exposition at San Francisco.

ODAY TO REMAIN AS MANAGER

Chicago, Feb. 24.—Henry O'Day, veteran umpire whom Charles W. Murphy named as manager of the Chicago League team to succeed Johnny Evers, before the club was sold to Charles F. Tate, of Cincinnati, probably will be retained in his new position during the coming season.

Two following telegram from the club's secretary, has been received by O'Day, who is in charge of the club's training camp at Tampa, Florida, according to information received here today.

"Mr. Tate instructs me to say that your contract made with Murphy will be carried out and you are to continue as if nothing had happened.

penitentiary board by act of the General Assembly. The resolution called forth a flood of oratory. The matter was left open by the adjournment of the House at 10:45 o'clock. Governor Blease participated actively in the current resolution by the extent of coaching Mr. Murray of Dorchester to raise points of order and

tion. The Governor took a seat on the floor near Mr. Murray.

DECLINES THE SENATORSHIP

Clark Howell Offered Vacant Seat, but Refuses.

IS A SINGULARLY APPROPRIATE MAN

Believing That Bacon's Successor Should Come From Southern Georgia, Has Requested Name Eliminated.

(By Associated Press.)
Atlanta, Ga., Feb. 24.—Governor John M. Slaton and Clark Howell, editor of the Atlanta Constitution, today held several conferences in regard to the appointment by the Georgia executive of a successor to the late Senator Bacon. Although Mr. Howell notified Governor Slaton that he desired consideration of his name eliminated, it is authoritatively stated that the editor was told he could have the appointment if he wished it.

In a letter to Governor Slaton, published today, Mr. Howell asked that his name should not be considered because he believed the appointment should go to South Georgia, from which section of the State the late Senator Bacon came.

In a reply to Mr. Howell's letter, Slaton said this afternoon, Governor Slaton says:

"While I think lines of thought should be more potent in the choice of a senator than lines of latitude or longitude, and fitness more necessary than geographical location, I appreciate your suggestion."

Continuing, the writer enumerates what he terms Mr. Howell's qualifications for the position and adds: "There are considerations which would have made your appointment a singularly appropriate one. A recognition of these qualifications would have rendered it impossible for me to have declined your request for appointment to the United States Senate. Your letter affords me the personal pleasure of expressing my appreciation of your many acts of kindness, while at the same time it gives me an opportunity to express my feeling that by an act in which official duty and personal friendship would heartily unite."

It is believed that Governor Slaton will make the appointment tomorrow and it is generally conceded that the man selected will be a South Georgian.

Clark Howell tonight was the guest of Governor Slaton in a box at a local theatre.

In his letter to Governor Slaton, Mr. Howell said:

"While under the laws and policy of our government the senatorship is not apportioned on a geographical basis, the present vacancy is due to the death of a distinguished son of South Georgia, and I believe that it is not only proper, but essentially just, that his immediate successor should be chosen from that section. I am convinced that it is my duty to eliminate myself from the situation in order that you may be free to proceed without hindrance of me in connection with the appointment."

CRITICAL CONDITION EXISTS IN JAPAN

FAMINE RELIEF SOCIETY REQUESTS PUBLICITY

SUFFERING INTENSE

Famine and Earthquake Sufferers in the Land of the Rising Sun Need Aid.

(By Associated Press.)
Washington, Feb. 24.—The State department has received an appeal for the Famine Relief Society, composed of religious workers at Hachinohe, Aomori, Japan, asking that publicity be given to the critical condition existing in Northeastern Japan.

The Red Cross already has sent \$10,000 to famine and earthquake sufferers in Japan to be expended through a special Japanese committee organized to carry on relief work among the victims of both calamities.

THOMAS E. LANDON

(By Associated Press.)
Clinton, Feb. 24.—Thomas E. Landon, a prominent citizen of Clinton, died at his home here last night after a lingering illness. He was a native of Hyde county, but had lived in Sampson for the past 25 years, where he was identified with various business interests. He was in the 60th year of his age, and leaves a widow and five children. The funeral was held from the family residence this afternoon and was conducted by Rev. E. S. Bell of the Baptist church of which the deceased was a consistent member.

NEW TRIAL FOR LIEUT. BECKER

Under Death Sentence, Will Be Given New Hearing.

CONVICTION OF THE GUNMEN AFFIRMED

Dissenting Opinion Says State's Contentions Were Amply Proven to Warrant Conviction.

(By Associated Press.)
Albany, N. Y., Feb. 24.—The conviction of Charles Becker, a former New York police lieutenant, of the murder of Herman Rosenthal, was reversed and the convictions of the four gunmen for the same crime, was affirmed today by the court of appeals.

Justice Goff, the court head, erred in many of his rulings in Becker's trial and appeared to be prejudicial in his attitude toward the defendant. The reversal was based solely on these grounds. No attempt was made by the court to say whether the weight of evidence against Becker was sufficient to warrant his conviction. It was pointed out, however, that the testimony against him was given by witnesses of low class and as much of it was open to doubt, he therefore was entitled to a fairer trial than he received.

All of the seven members of the court, except Judge Weston, who acted as presiding judge when the appeal was argued, concurred in the prevailing Becker opinion, which was written by Judge Hiss. In a dissenting opinion Judge Warner said that the main contentions of the State had been amply proven to warrant conviction.

The question as to the status of Sam Scheppe, who the jury in the Becker case declared was not an accomplice, was left unsettled. The prevailing opinion merely said there was nothing in the case to come of the court as to the propriety of excluding Scheppe as an accomplice.

The decision in the case of the four gunmen, "Gyp the Hood," "Walter Lewis," "Dago Frank" and "Lefty Louis," was unanimous. They had agreed that the evidence against them was insufficient to warrant conviction and also the court had erred in handling their cases, but these contentions were held to be groundless.

The date for the execution of the gunmen soon will be fixed by the court.

Regarding Sam Scheppe, the opinion said:

"While the reading justice permitted the jury to find that Scheppe was not an accomplice of Rose and the others, and therefore guilty like them, of the murder of Rosenthal, some of the members of the court believe that the finding was opposed to the overwhelming weight of the evidence."

Attention was called to the fact that Becker never was directly connected with the crime but that the testimony of the others who were jointly suspected convicted him.

Becker is not entitled to a new trial, but tonight it seemed probable that he might go free without facing a second ordeal. It was made known that District Attorney Charles S. Williams believes that under the prevailing opinion handed down by the court, conviction a second time will be impossible.

The district attorney is the last man in the world, said Mr. Whitman tonight, "who should want a conviction to stand which is not justifiable by law. That is all the comment that I care to make."

The district attorney had not received the full text of the opinion tonight, but it was learned that forming his judgment on such it as was available, he had little hope of presenting sufficient evidence to convict Becker at a second trial.

\$75,000 IN PRIZES FOR AERONAUTS

Many Will Enter International Balloon Race of American Aero Club.

(By Associated Press.)
New York, Feb. 24.—Three entries from the Aero Club of France and one from the Aero Club of Belgium were received here by the Aero Club of America today for the International Balloon Race to start from Kansas City October 6 next.

CAN'T CONDEMN BLEACHED FLOUR

Supreme Court's Decision Gives Manufacturers Victory.

NO REJECTION UNLESS INJURIOUS

Unless Flour Contains Poisonous Ingredients, Bleaching Is Not Injurious to Health.

(By Associated Press.)
Washington, Feb. 24.—Millers and food manufacturers throughout the country today won a decisive victory over the government when the supreme court held that federal inspectors under the pure food law could not condemn "bleached" flour unless they proved that the flour contained enough poisonous ingredients added in bleaching to make the flour injurious to health.

Officials of the department of agriculture have contended that the adding of any quantity of poisonous ingredients was in violation of the law. They concentrated their efforts to have this principle established in the bleached flour case, because the decision will be applicable to every other proceeding involving an article of food claimed to contain an added poisonous or deleterious ingredient.

The cases decided originated in Washington, Mo. The government sought to condemn 725 sacks of flour bleached by the Lexington Mills company by the so-called "Alsoop process." They claimed in bleaching the flour certain nitrates or poisonous ingredients were added, and that this violated the law, no matter what the quantity. The district court so held, and the jury condemned the flour. The circuit court of appeals held the district court erred, and so did the supreme court today.

In announcing the decision of the court Justice Day pointed out that the government only complained that 1.8 parts to 1,000,000 of a poisonous character was added. He held that every word of the pure food law prohibiting interstate commerce a food if it contains "any added poisonous or other added deleterious ingredients which may render such article injurious to health" must be given its true meaning.

Department of agriculture officials tonight were not prepared to say what future action they would take.

The principal effect of today's decision, officials said, would be to require much more expert testimony in virtually every case the government prosecutes for violation of the pure food law and consequently the winning of a much smaller percentage of suits.

More of the famous "poison squads" originated by Dr. Wiley when he was chief chemist may be necessary to determine the exact amount of injurious substances which a person may eat without being harmed.

FORMAL APPROVAL OF NAVAL PROGRAM

HOUSE NAVAL AFFAIRS COMMITTEE MAKES REPORT

TWO BATTLESHIPS

Bill Carries \$140,000,000 Exclusive of Amounts to Be Spent on Armament.

(By Associated Press.)
Washington, Feb. 24.—Formal approval was given the administration's two-battleship program by the house naval affairs committee today, after the "small navy" men had made their final stand against it. The navy department's construction plans were changed so as to provide for six instead of eight destroyers, and four additional submarines.

As reported to the house, the bill carries \$140,000,000, exclusive of amounts to be spent for armament and fixes the building program for the coming fiscal year as follows:

Two first-class battleships of the highest speed and largest possible radius of action, to rank among the world's dreadnaughts, \$7,500,000 each, exclusive of armament and armament.

Six torpedo boat destroyers, \$925,000 each.

Three coast defense submarines of 500 tons each, \$600,000, designed for use on the Pacific coast.

ARE LIKENED TO PEACOCK LANES

Transcontinental Highways for Sole Use of the High-Browed.

THEY MAINTAIN NEPARIOUS LOBBY

And Are Not in Sympathy With Improvements for Rural Free Delivery Roads.

(By Associated Press.)
Washington, Feb. 24.—Transcontinental highways proposed by the American Automobile Association today were characterized as "peacock lanes over which the members of this high-browed, joy riding association may strut," by Representative Shackelford, of Missouri, attacking what he called the "editorial campaign factory" maintained by the organization to promote the measures it favored.

With funds the association collected from its 451 subordinate automobile clubs, Mr. Shackelford declared a "nefarious lobby" was maintained in Washington and the ill-fated long gone" was collected to fight the reelection of opponents of motor road bills.

He read a letter he said was from the president of the association to a member in Kansas City, Mo., urging that support be withdrawn from the Shackelford \$25,000,000 good roads bill now before the Senate, having passed the House. The measure provides for dirt roads in rural free delivery districts.

Immediate investigation of Representative Shackelford's assertion was proposed by Representative Boreland, of Missouri, in a resolution introduced as soon as his colleague finished speaking. The resolution which was referred to a committee, would provide for a special committee of five to investigate what it is termed "nefarious lobby" have been engaged in maintaining a lobby for or against any particular legislation relating to federal aid of good roads, with any methods involving the collection of funds for improper purposes and any corrupt attempt to intimidate members of Congress, to report to the House by June.

Mr. Shackelford had mentioned the National Old Trail Association of Kansas City, Mo.

Representative Boreland said his resolution was in justice to the officers of this organization, men who were of very high standing, patriotic and self-sacrificing.

100 JOIN THE CHURCH.

Salisbury Baptist Congregation Closes Successful Revival.

(By Associated Press.)
Salisbury, N. C., Feb. 24.—One of the most successful revivals ever held in Salisbury came to a close Sunday night with about 100 accessions to the First Baptist church. The pastor, Rev. C. A. G. Thomas was assisted by Rev. T. T. Martin of Elm Mountain, Miss.

Large congregations attended the meetings throughout and many prominent men came into the church as a result of the sermons.

DAMAGE BATTLESHIP.

(By Associated Press.)
New Orleans, Feb. 24.—Two of the six inch guns of the battleship Ohio were damaged today when the British steamer Atherton, outward bound, rammed the port side of the warship. A coal lighter alongside the warship was smashed by the freighter. A board of inquiry will make an investigation of the damage to the Ohio. Those aboard the freighter said the steering gear was disarranged.

CONLEY GUILTY, WILL SERVE ON CHAIN-GANG

Found Guilty as Accessory After the Fact, Is Sentenced to 12 Months on Road.

(By Associated Press.)
Atlanta, Ga., Feb. 24.—James Conley, a negro factory worker today was found guilty here of being an accessory after the fact to the murder of Mary Phagan. He was sentenced to twelve months service on a convict chain gang.

Conley was the principal witness against Leo M. Frank, at the trial last August which resulted in Frank's conviction for the murder. He swore he aided Frank in concealing the girl's body after Frank had killed her, Frank is under death sentence for the crime.

Conley's defense was the contention that his alleged acts were necessary to the murder. The sentence imposed upon him is the extreme punishment under Georgia laws for the crime of which he was convicted.

SITUATION IS A PUZZLING ONE

Villa Says He Will Grant Requests; Later Declines.

REPORTS CONFLICTING IN MEXICAN CASE

Constitutionalist Chief Now Assumes Huerta's Diplomatic Tactics in Dealing With the Benton Case.

(By Associated Press.)
Washington, Feb. 24.—Just what Gen. Villa purposes to do about the request of the United States government that he deliver the body of William S. Benton, the British subject executed by Villa at Juarez, apparently was an open question late tonight. Early in the evening Secretary Bryan had accepted a message from the constitutionalist chief to Consul Agent Carothers at Juarez as a promise that the body would be turned over to American authorities as soon as they were able to be arranged. This message was translated to read that the body would be delivered, "but not at this time."

Just before midnight state department officials made public this announcement:

"American consul at Chihuahua reports that Villa declines to deliver Benton's body, but will permit widow or relatives to visit place with American representative; that for their benefit he will order exhumation of the body, which then will be reinterred in grave from which it is removed."

Gen. Villa is at Chihuahua, and it is supposed Consul Letcher has been in personal communication with him.

VILLA MAKES PROMISE TO BRYAN TO GRANT REQUEST.

(By Associated Press.)

Washington, Feb. 24.—With a promise received tonight by Secretary Bryan from General Francisco Villa that the body of William S. Benton, British subject, will be exhumed and turned over to American officials for examination, the Washington government considered that the first important step had been accomplished in investigations of the recent execution at Juarez of which the focus was the eyes of the world on the Mexican situation. From the character of the wounds found on Benton's body, physicians will be able to say whether Benton was killed by a pistol shot, as his friends claim, or by a firing squad as Villa asserts. It generally is admitted in official circles that an examination will be of great value in either affirming or disproving an important point in Villa's explanation of the affair.

Developments today were many in the situation that has arisen out of the killing of Benton. Secretary Bryan asked American Consul General Carranza to confer with General Carranza about the affair. The secretary talked with acting chairman Shively, of the Senate foreign relations committee, and then at length with President Wilson. The incident was fully discussed at a cabinet meeting. Sir Cecil Spring-Rice, British ambassador, later called on Secretary Bryan and arranged for the visit of British Consul Perceval to El Paso to supplement the American inquiry, though not to interfere with it. The Secretary then conferred again tonight with the President.

Cabinet officers indicated that official judgment of the Benton incident would not be hasty and that the American government just now was occupied carefully in gathering the facts.

Details of the character of the American investigation were not officially known here until the publication of dispatches from London today giving the text of Secretary Bryan's message to the British ambassador. The fact that the United States had instructed its consuls to have the body exhumed and examined; and to employ legal assistance and examine witnesses indicated the far-reaching nature of the inquiry.

In addition to this, Secretary Bryan announced that a communication had been telegraphed to be presented to Carranza, asking the rebel chief for information about the Benton incident. The secretary denied this took the form of any general representation, saying it was confined to the Benton incident. In some quarters the sending of a communication to Carranza about Villa's act was regarded as involving a tactical recognition of Carranza's jurisdiction over Villa, but Secretary Bryan tonight said he regarded today's message as similar to others which previously have been presented by American consuls to Carranza and denied authorities in Mexico.

Secretary Bryan tonight did not know just when the body of Benton would be given up by Villa. All the information he had received came in from the consul agent Carothers.

Incidentally the British ambassador telegraphed Mrs. Benton that if the

(Continued on fourth page.)