

The Lancaster News.

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\$1.50 PER YEAR.

FRANK SENTENCED FOR SECOND TIME

His Execution is Set for April 17.

STILL DENIES HIS GUILT

Immediately After Decree is Read, Condemned Man Again Protests His Innocence.

Atlanta, Ga., March 7.—Leo M. Frank was resentenced to death today for the murder of Mary Phagan, a factory girl. His execution was set for April 17.

The date set for the execution is the prisoner's 30th birthday. This fact was not known until sentence was pronounced, when Frank, turning to a friend; remarked that the 17th would be his birth anniversary. Frank was born in Quere, Texas on April 17, 1884.

Judge B. H. Hill of the superior court in pronouncing sentence merely carried out the order of the supreme court of Georgia, which on February 17 approved the conviction. Frank previously had been sentenced to be executed October 10, 1913, but sentence was suspended pending decision of a motion for a new trial, an appeal to the supreme court, and a motion of these efforts to save the life of the young factory superintendent was defeated by decision of the supreme court on February 25.

PROTESTS INNOCENCE.

Immediately after the formal decree of execution was read by Judge Hill, the condemned man made a brief statement to the court, protesting his innocence. He spoke with composure, varying his tone of voice only to emphasize various points touched upon in his statement.

Attorneys for Frank already have announced their intention of filing an extraordinary motion for a new trial on ground of newly discovered evidence. This action, it is expected, will be delayed several weeks and pending disposal of the motion by the superior court, the date of execution may be still further deferred.

While no definite announcement has been made of the nature of allegations to be incorporated in the extraordinary motion, it is expected to touch upon several affidavits recently made public by counsel for Frank. These include sworn statements from two State witnesses at the trial of Frank last autumn that they testified falsely in regard to the movements of the 14-year-old factory girl and Frank on the day of her murder, April 26, 1913. Two other affidavits purport to establish an alibi for Frank. Another charges a conspiracy of evidence against him.

Judge Hill, who pronounced sentence today, recently succeeded Judge L. S. Roan, who presided at Frank's trial sentenced him to death on August 26 on October 13 denied him a motion for a new trial.

In his statement to the court today Frank charged that popular clamor for a "blood sacrifice" had been responsible for his conviction.

"The law says that when one has lost his life through violence of another," he said, "that perpetrator of the deed must answer with his own. But the law does not say that where on has been killed a blood sacrifice must be made of the next convenient individual. Previous to and during my trial gossip on the streets carried vile, damning stories concerning me and my wife. From a public in this state of mind the jury that tried me was chosen. The virus of these vile insinuations entered the minds of the 12 men and stole away their judicial frame of mind. The issue involved was law, but the poison of the unspeakable things took its place.

"But if the State will that my life be taken as the blood atonement for the little child who was ruthlessly killed by another, then it remains for me only to die with whatever fortitude my manhood may allow."

In a card addressed to the public, Frank, tonight reiterated his innocence and declared that he believed he was entitled to a new trial.

"The shadow of physician death does not dismay me," he said. "If such be my end I shall go to it without fear and without qualm. I am a man, born to face and endure that which the chance of my fate may bring. "In the sight of God and His name, by the honor which I hope will be restored to me, by everything which a man may hold sacred, I swear that I am innocent of crime."

Jack Frost Will Continue his Stay With us a Few Days.

Washington, March 8.—Hope for a week of bracing reasonable weather with generally fair skies was held out tonight by Weather Bureau forecasters to practically every part of the storm battered, snow and ice covered country.

"No important stor is charted to cross the country during the week," said the bulletin, although a disturbance of moderate intensity will prevail over the middle West Wednesday or Thursday and the Eastern States about Friday; the attending precipitation will be generally light and confined to the Northern States.

"There will be frosts at the beginning of the week in Gulf and South Atlantic States, except central and southern Florida."

MAY RESULT IN TRAGEDY.

Shealy Bennett, Shot by Grady Griffin, not Expected to Survive.

Walterboro Special to Charleston News and Courier March 8.—Grady Griffin, a member of one of the most prominent families in Colleton county and assistant to the chief of police of Walterboro shot and probably fatally wounded Shealy Bennett, who lives near town, last night at 12 o'clock. The trouble arose, it is said, from the act of Bennett some time ago of attempting to give trouble to the family of Griffin on account of a school boy quarrel.

When the shooting occurred it appears that Mr. Bennett was attempting to take from Mr. Griffin the pistol which Mr. Bennett alleged belonged to him. It appeared that Mr. Bennett sought to use a knife, and there are several gashes in the clothing of Mr. Griffin.

Doctors attending Mr. Bennett say that there is little hope for his recovery, five bullets entering his body, some of which punctured the abdomen and lungs.

Immediately after the shooting Mr. Griffin surrendered to the proper officers. Mr. Griffin is the son of the late Senator Griffin of this county, and his family connections are many. Mr. Bennett is married and has several children.

ANOTHER BRITON GETS IN TROUBLE

Bryan Directs Consular Agent to Make Inquiry and Protest if It Becomes Necessary.

Washington, March 7.—Another British subject has got into trouble in the State of Chihuahua and the state department again has been called on to extend its protection. Sir Cecil Spring-Rice called at the state department to inform Secretary Bryan that an Englishman named Syndan had been driven away from his ranch and that his property was in danger. Secretary Bryan immediately telegraphed Consul Letcher at Chihuahua to make an inquiry. It necessarily a protest will be made to Carranza or Villa.

Technically the commission charged with investigating the killing of W. S. Benton will continue in existence and Secretary Bryan said today its functions simply had been suspended. There seems to be no present intention of returning any answer to the communication from Gen Huerta protesting against the removal of the embargo on arms. The department would not care to risk the construction that such a response would constitute a formal recognition of the Huerta government.

Consular Agent Carothers at Chihuahua was directed by Secretary Bryan today to intercede with constitutionalist leaders in behalf of Luis Terrazas, who press reports said, had been condemned to death unless a quarter of a million in ransom was paid by his family. The American agent was directed to use every effort to prevent the carrying out of this threat, pointing out that American tolerance might be alienated from the constitutionalist cause by such an act.

Melba Loses Voice During Boston Opera.

Boston, March 7.—One of the most pathetic and dramatic incidents on the opera stage in Boston took place at the Boston Opera House this afternoon when Madam Nellie Melba appeared before the footlights in the costume of "Mimi" in "La Boheme," and in an almost inaudible tone told her audience that she had been expecting to sing, but had suddenly lost her voice.

The great diva said her physician had warned her that it would be dangerous for her to attempt to sing.

"I am deeply grieved to disappoint you, my friends," said the prima donna, "but I hope to make up for it in some other way later."

A part of the audience left.

Tillman Puts End to Cigars in Hall.

Washington, Special to Charleston News and Courier March 9.—In calling up his resolution to prohibit smoking during the executive sessions of the Senate, in the cloak rooms, Senator Tillman this afternoon made explanatory comment which interested and amused the galleries to such an extent that the Vice President had to check their applause. The resolution was adopted almost unanimously with out a roll-call.

The Senator addressed his colleagues for perhaps fifteen minutes, explaining that previous to his illness four years ago the smell of tobacco had not affected his health, but that ever since then he had been unable to endure it.

FIRE AT STAR THEATRE.

Motion Picture Machine Destroyed and Other Damage Done.

Last night fire at the Star Theatre caused a loss of several hundred dollars, destroying the motion picture machine and damaging the front of the building considerably. The loss to the manager, Mr. Parr, has been estimated at \$800, partially covered by insurance and the damage to the building, owned by Plyler Brothers, was also considerable, but is covered by insurance. The fire department responded quite promptly and extinguished the flames.

WILSON PRAISED BY ENGLISH PRESS

Laudatory Comment on Panama Canal Tolls Stand.

CALL IT STRAIGHT DEALING

Declare President's Attitude Will Make for Better Understanding.

London, March 6.—Laudatory comments on President Wilson's message to Congress are published in most of the newspapers of this country today. The Government organ, the Westminster Gazette, pays the highest compliment to President Wilson for his attitude in regard to the question of Panama Canal tolls. It says: "It is not always convenient to hail a statesman of another country as a just judge when he advocates your cause against a section of his own countrymen. We cannot refrain, however, from expressing respectful admiration of the courage and manliness with which President Wilson handles the Panama tolls question."

"The President of the United States sets an example of straight dealing which may be recommended to diplomats of the Old World. Other statesmen in other countries are capable of doing the thing he has done but most of them would fetch about for diplomatic phrases or make-believe arguments to save the faces of their governments or to conceal from their own public that they are proposing a change of policy."

A GREAT EXAMPLE.

"It is a great example. If the people of the United States respond to it as we feel confident they will do they will have done much more than adjust the difference between them and us with regard to the Hay-Pauncefote treaty. They will have set a precedent of profound importance to the whole world."

Referring to President Wilson's mention of "other matters of even greater delicacy," the Westminster Gazette says: "We understand the allusion, and think it right to say at once that Mr. Wilson's handling of this question greatly facilitates quiet consideration of the other and more delicate questions here alluded to."

On the subject of William S. Benton the British ranchman killed at Juarez the same newspaper says:

"When we are dealing with a man of such manifest uprightness and good will as President Wilson we shall certainly not expect our Government to force those issues in a chological and contentious spirit. The only material point for us to consider is whether, if the United States was non-existent in this affair, we could do anything better for ourselves than it is endeavoring to do for us. To this question there is none but a negative answer."

"We greatly deprecate all efforts in this country to force the United States into an adventurous policy out of keeping with President Wilson's ideas."

The Pall Mall Gazette says: "President Wilson's action sweetens the atmosphere of international relations between us and our kin on other side of the Atlantic. We may question if we will the wisdom with which the high moral principle guiding President Wilson has been applied to Mexican questions and others, but in all matters we shall henceforth feel confidence that in so far as he controls affairs of State, they will be conducted as by one who, having sworn unto his neighbor disappointment he not though it were his own hindrance."

"While acceptance of the invitation to participate in the Panama-Pacific Exposition at San Francisco would be incomparable in magnitude with the high-minded act of President Wilson the British Government has it in its hands to give a token of reciprocal good will."

TAR HEELS EAT IN SQUARE MEAL TOWN

Annual Banquet of North Carolina Society Held in Columbia Friday Night.

Columbia, March 7.—Nearly 150 native Tar Heels and their wives, now residents of South Carolina, gathered around the festive board at the Jefferson Hotel last night and renewed their allegiance to the Old North State. The occasion being the first annual banquet of the North Carolina Society.

The banquet marked the first official act of the society recently organized. A short while before the banquet a business session was held at which the following officers were elected: Colonel Wiley Jones, Columbia, president; J. A. Sumner, Columbia, first vice president; W. B. Lowrance, Columbia, second vice president; C. P. Wray, Ridgeway, third vice president; D. W. Robinson, Columbia, fourth vice president; T. M. Seawell, Ratesburg, secretary and treasurer.

Governor Blease, who was on the program to respond to a toast, was unable to be present and sent a letter of regret to the assembled guests which was read by D. W. Robinson, who acted as toastmaster.

GEO. W. VANDERBILT OF BILTMORE DEAD

Succumbs to Effects of Operation for Appendicitis.

AT BILTMORE 25 YEARS.

Came to North Carolina for Health, Stayed for Pleasure and Built a Model Village.

Washington, March 6.—George W. Vanderbilt, 52 years old, multimillionaire philanthropist and sportsman of international reputation, died here at 1 o'clock this afternoon from heart failure following an operation for appendicitis Tuesday. His death came suddenly.

Although seriously ill for some time, Mr. Vanderbilt had sustained the operation and continued to show signs of improvement until complications unexpectedly arose.

Previous to their appearance no alarm had been felt for his recovery and physicians said his condition was improving. Mrs. Vanderbilt, who formerly was Miss Edith Dresser of New York had been in constant attendance. She was almost prostrated by her husband's sudden death. At the palatial residence which Mr. Vanderbilt occupied here as his winter residence it was said tonight no announcement of funeral arrangements would be made until the wishes of Mr. Vanderbilt relative had been ascertained. It was understood, however, that the arrangements would be announced tomorrow when Fredrick Vanderbilt's brother, will reach Washington.

George Washington Vanderbilt was the youngest and probably the least known of the sons of the late William H. Vanderbilt. He never took an active part in business and finances where other members of the family gained wealth and distinction. He was a student and a traveler and his chief interest was his magnificent estate at Biltmore near Asheville, N. C., where he spent the greater part of his time.

Mr. Vanderbilt was born in the old Vanderbilt home at New Drop State Island, November 14, 1862. In 1885 he became interested in the mountain region of western North Carolina and by successive purchases he accumulated an estate of 100,000 acres on the French Broad River, and laid out there a vast park, and erected buildings on a scale which seldom has been equalled in this country. Mr. Vanderbilt devoted most of his time to the personal supervision of the estate. In the valley he built a model town and called it Biltmore. His farms were filled with blooded stock and he devoted thousands of dollars to the scientific conservation of the forests which covered the greatest part of his property.

George Vanderbilt's fortune was never a factor in Wall Street. He was supposed, however, to be one of America's wealthiest men. He had a number of charities and he spent money without stint upon the development of his mountain estate. He seldom came to New York, but spent part of his summer at Bar Harbor, Maine, where he had a handsome home.

In 1898 Mr. Vanderbilt married Miss Edith Stuyvesant Dresser, Mrs. Vanderbilt and one child, a daughter, survive him.

VOTE ON APPROPRIATION.

Clerk of the House Hoyt Files Certified Report.

Columbia Special to Charleston News and Courier March 9.—Jas. A. Hoyt, the clerk of the House of Representatives, filed a certified copy of the House Journal showing the votes of that body on the various items of the general appropriation bill, with the Secretary of State on Saturday morning. Comptroller General Jones has not paid out any part of the appropriation and he has called on Mr. A. J. Bethea, the code commissioner, and R. M. McCowan, the Secretary of State, to furnish him with a certified copy of the appropriation bill, showing the items vetoed and which were overridden and the bill as amended with those items which were vetoed and sustained left out.

The Comptroller General says until this is done he will not pay out any part of the appropriation bill for he doesn't propose to take any chance on getting anything wrong. Meanwhile no clerk or employee or State official has received any salary since the first of the year.

Hot Supper at Tirzah.

There will be a hot supper given by the members of the Tirzah School Betterment Club Friday night, March 13th, at the residence of Mrs. D. M. Walkup. There will be several games of amusement. The whole community is urgently requested to cooperate with us and be present. The proceeds will be used for general school improvement.

THE INCOME TAX.

Government Gets \$50,000,000 From the Income Taxes.

Washington March 6.—The income tax law bids fair to live up to the expectations of the Administration by producing about \$50,000,000 annually in revenue, paid by close to 425,000 individuals. Although treasury officials decided tonight not to make public for the present the reports of internal revenue collectors on the income tax, it became known that more than 400,000 individuals had made returns in the 63 collection districts up to Monday, midnight, when the time limit expired. From these individuals, it was understood that the Government probably would collect more than \$40,000,000.

It has been the opinion among officials that thousands of individuals would take advantage of the 30 days extension of time granted in cases of absence and sickness and they expect the final figures to show at least 25,000 more reporting than were given in the preliminary lists from collectors. If they are not mistaken in this view, the actual results will be close to the estimates made at the time the legislation was before Congress. This agreement officials are inclined to believe will not only include the number subject to the tax but the amount to be collected.

Including the corporation tax as amended in the present law, it was estimated that the annual revenue from this source would amount to about \$85,000,000.

TELL OF TRAGEDY IN MINE VILLAGE

Efforts Made to Discover Identity of Man Who is Held Responsible For Panic.

Calumet, Mich., March 7.—A score of witnesses were examined today by Congressmen Taylor of Arkansas and Casey of Pennsylvania of the congressional committee investigating the copper strike, in an effort to ascertain the cause of the Italian hall panic in which 73 persons lost their lives.

Persons who were in the hall testified that a man stood in the doorway and yelled "fire." Some said the man's coat lapel bore a "Citizens' Alliance" button, but no one attempted to identify him. Frank Schalz, a boy, declared he had seen the same man in a red jacket several weeks before the panic, carrying a club. Eric Ericson testified, he saw two men wearing Citizens' alliance insignia in the doorway after the call of fire. The testimony of these two has not been brought out at the coroner's inquest.

Peter Marchesi, who was in the ticket room outside the man hall, said he was inside the hall near the door and declared he heard no one yell. Eli Wuopla testified he was at the bottom of the steps when the rush began, and heard no cry, although his child with him told him "somebody hollered fire up there."

DEATH TOLL HEAVY IN CLUB HOUSE FIRE

Thirty to Thirty-Five Lose Life in St. Louis Disaster—Seven Bodies Recovered.

St. Louis, March 9.—That from thirty to thirty-five guests of the Missouri Athletic Club perished in the flames that destroyed the building this morning is the belief of officers of the club tonight.

Seven bodies have been recovered and from twenty-three to twenty-nine occupants of the structure are still unaccounted for. At sundown tonight firemen continued the search for bodies in the smouldering ruins under the glare of searchlights.

Though a committee early today opened headquarters at the Press club and asked all who were guests of the Missouri Athletic Club last night to report, thirty to thirty-five did not register, and hourly the feeling grew that all these were lost.

Hope was given by Fire Chief Swingle late today that the water could be pumped out of the ruins tonight and that search for bodies might then be resumed.

While the search continued today fifteen persons injured in the fire were under treatment at public and private hospitals.

There was much difficulty in identifying recovered bodies of the dead and some of them were identified under two or three different names.

Open Air Meetings.

Fort Mill, Special to Charleston News and Courier March 9.—At a meeting of the officers of the Fort Mill Presbyterian church yesterday it was decided to hold open air meetings during the coming summer months every Sunday night in Confederate park. An experiment along this line was made last summer with such gratifying results that the officers have decided to make it a permanent institution.

House Destroyed by Fire.

Last night between 9 and 10 o'clock the four-room dwelling occupied by Mr. S. M. Knight, on Mr. L. M. Clyburn's plantation, with its contents, was destroyed by fire. The fire originated in a defective stove pipe. Mr. Knight lost all of his household effects. There was no insurance either on dwelling or contents.

TAKEN FROM BOAT IN BLINDING SNOW

Crew of Foundered Craft Saved by Chance.

SIGNAL LIGHT SIGHTED.

Observed by Captain of Rescue Ship, Who Soon Picks Up Men From Charlemagne Tower, Jr.

Newport News, Va., March 7.—Bringing Capt. H. C. Simmons and 16 members of the crew of the American steamer Charlemagne Tower, Jr., which went down off the north coast yesterday morning, the whaleback steamer Bayport reported here late this afternoon. Wreck survivors were landed at Sewell's Point, where they boarded a trolley for Norfolk, leaving Norfolk tonight for New York.

With four men half dead from exposure, the shipwrecked crew were picked up near Barnegat Light yesterday afternoon at 5 o'clock during a blinding snowstorm, five miles south of where the Charlemagne Tower Jr., foundered. Their rescue was effected by the barest chance, a signal light attracting the attention of Capt. Beranger of the Bayport just as the steamer was in the act of passing the small boat. Snow was falling heavily and it was fast growing dark.

BARELY SA WLIGHT.

Capt. Beranger, though on the bridge barely could see the light as it flared up. The Bayport put about and discovered the half frozen and snow covered men huddled in a 20-foot boat. A stiff wind prevailed at the time and the men were watersoaked and numb from the cold. In order to make room for the overcrowded cargo some of the men were forced to lie in the bottom of the boat and these were in worse condition than the others, four of them being restored with difficulty after being taken aboard the Bayport. The men—Quartermaster John Dowling Steward Cec Green, Fireman A. M. Hendrick and Messman Ralph Holmes—were finally restored and landed with the others this afternoon.

The full list of those picked up by the Bayport follows: Capt. H. C. Simmons Chief Engineer H. A. Wilben Second Mate H. Neaves Third Mate C. P. Whitney, First Assistant Engineer H. Albin, Second Assistant Engineer W. Dohar, Quartermaster John Dowling and C. Doheson, Somen H. Docholson and W. Walla, Oil ers Luis Edward and Bert Albin, Steward Cecil Green, Messman Ralph Holmes and Firemen H. Hendrick see and W. W. Ebb.

THOUGHT THEM LOST.

Capt. Simmons did not know of the rescue of First Officer Thompson, one fireman and two seamen until his arrival in port as when last seen the men were struggling in the surf of their small boat having been swamped.

The larger boat put toward the open sea fearing a similar fate. Unable to make headway in the rough sea, which poured water into their little craft almost as fast as it could be baled out, the men decided to drift and depend on being picked up. It was 5 o'clock and snowing hard when they saw the lights of the Bayport and set off a torch. Had this not been seen and a response made Capt. Simmons and his men could not have survived many more hours.

Explaining the foundering of the boat, Capt. Simmons said that her bottom seams opened and all Friday water poured in at such a rate that two hours later the ship was filled to her upper beams. He and his men barely had time to get off in the only small boats the steamer carried before she plunged to the bottom.

First Mate Thompson and three men took to the small boat and the remainder of the crew crowded into the 20-foot boat picked up by the Bayport.

The Charlemagne Tower, Jr., was owned by the Southern Steamship company and with the exception of one trip to Wilmington, had been out of commission for six years, it is said.

REV. THAYER PREACHES HERE.

Is Called to the Pastorate of the First Baptist Church.

Rev. J. H. Thayer, Th. D., of Wilmington preached at the First Baptist church Sunday morning and also Sunday evening. These services were both well attended. Dr. Thayer is an earnest, able preacher and pleased his hearers greatly. His sermons were logical and eloquent, delivered with force and power. Though one of the younger ministers of the association, Dr. Thayer is a recognized leader.

After the evening service, the congregation met in conference and extended a unanimous call to Dr. Thayer to become their pastor. Our Baptist brethren have made a splendid choice and it is sincerely hoped that they can secure the services of this excellent man.

Mr. Brock Has Good Taste.

Rev. S. R. Brock of Lancaster was here yesterday to attend the funeral services of the late C. R. Craven. Mr. Brock expressed himself as much pleased with his new home.—Rock Hill Herald.