

TROOPS IN COURT.

Militia Escorts Night Rider Who Makes Confession.

MOB THREATENED TO ATTACK

Fehringer Turns State's Evidence and Tells How Mounted and Masked Men Shot and Hanged Capt. Rankin.

Union City, Tenn., Dec. 22.—More than a thousand armed men assembled outside the courthouse today when it was known that Frank Fehringer, formerly a member of the Night Rider gang would be brought to court again to tell the rest of the story of the cruel deeds of the outlaws and of the murder of Captain Rankin.

Threats had been made of an attack upon Fehringer, so a strong force of militia acted as an escort and brought him to court. The soldiers stood in serried rank around the witness stand while he testified.

After telling about the organization, methods, costumes and passwords of the night riding band, of which he was an original member, Fehringer told the following story of the murder of Captain Rankin:

The riders learned that Rankin and Colonel Taylor were at the Walnut Log hotel, in the heart of the riders' country. Tid Burton, one of the defendants, told Fehringer to notify the band to meet that night to attend to Rankin and Taylor.

Fehringer got one of Garrett Johnson's horses and rode all day summoning the band. The riders met near Johnson's that night. The band included the eight defendants.

They went to the hotel after Garrett Johnson and forced Ed Powell to take the riders there. Witness said Johnson was the spokesman, wore the rope and whip and gave the orders to Rankin and Taylor to dress.

On the march to the wooded bank of the slough where Rankin was slain witness said Johnson did all the talking. The others, about fifty in number, including the defendants, followed silently.

As the rope was put around Rankin's neck Fehringer said to the victim: "Do you want to say anything to the Lord? If you do say it now."

Rankin replied, "I have attended to that."

Just as they pulled the rope Bob Hoffman shot Rankin, and Sam Applewhite then said, "I know he is dead, for I put a load of bicycle ball bearings in him." Jess Carter, one of the defendants and a man yet to be tried, put the rope around Rankin's neck.

When Colonel Taylor jumped into the slough everybody shot into the water, and Fehringer beat around in it with a pole. Meantime the men holding the rope let it go, and Rankin's body dropped to the ground.

Just before the body fell a rider emptied six bullets into the body. Garrett Johnson before they dispersed said, "Burn your masks and say nothing about this night's work."

Fehringer told of the oath which was administered to all who joined the Night Rider gang. It was as follows:

"You do solemnly swear in the presence of Almighty God and these witnesses that you desire to become a Night Rider; that you will not write, talk or tell to any one of the secrets of this order of Night Riders; that if you do talk, write or tell to any person any of the secrets of the order we are permitted to do with you as we see fit. You know death, hell and destruction will be your portion and that your body will not be buried in a graveyard. Do you willingly and freely submit to all this, so help you God?"

TAFT WRITES TO KNOX.

Invites Senator to Augusta For a Cabinet Conference.

Augusta, Ga., Dec. 22.—President Elect Taft said today that he had written to Senator Philander C. Knox, who is to be his secretary of state, inviting him to come to Augusta within the next two or three weeks, at which time a cabinet conference would be held.

Mr. Taft said he believed he was beginning to see where so many cabinet rumors came from. The publishing of a name with the information that its possessor was being "seriously considered" for the cabinet he found had followed the suggestion of that name to him by some one interested in the person.

He added that he still believed it would take more than the suggestion of a name and its publication to build the cabinet.

BERNSTORFF IN WASHINGTON

New German Ambassador Arrives at Capital Today.

Washington, Dec. 22.—Count von Bernstorff, the German ambassador to the United States, who, with the countess and their daughter, has just come from Europe, arrived here today. He said:

"I am intrusted with the difficult responsibility of succeeding Baron Sternburg, who in representing my country so well in America had the good fortune also to win the confidence of the government and people of the United States. Although I feel a certain hesitation in approaching the work, yet I also feel the exceptional trust that has been given me and the clear road ahead in the good will existing between our governments and peoples.

"My deep desire is to promote mutual good will, and I know no other way of doing so except by openness and complete good faith. While I am in Washington there will be no mystery about German aims in all that relates to the United States.

"It is needless to say that I come to this country with the greatest pleasure



COUNTESS VON BERNSTORFF.

and interest. My stay in America will afford me the occasion of closely following the amazing progress of the American people in every branch of public life—a progress which commands the admiration of all the world.

"My compatriots have the conviction that the government and the people of the United States judge for themselves of situations that arise in Europe upon their merits and without prejudices, and we can well trust ourselves to such impartial judgment. Thus the ties between the United States and Germany are happily free to develop upon common ideals and political fair play. That this should remain so will be the object I hope to attain on the ground of my instructions and of my own earnest desire."

The Countess von Bernstorff is an American woman, noted for her beauty and culture, and it is said the count's appointment was due to the kaiser's desire to have an ambassador at Washington whose wife was a native of the United States.

KING IN PADDED CELL.

Savaria's Mad Ruler Wears a Straightjacket.

Berlin, Dec. 22.—King Otto of Bavaria has become raving mad and has been locked in a padded cell in his palace at Furstenfeld.

He raves wildly and is held in a straightjacket so that he cannot injure himself. It is thought that now the absurdity of Bavaria being ruled in the name of an insane king will be ended and Prince Luitpold, the regent, will ascend the throne.

The king is now sixty years of age. For twenty years after he ascended the throne he was very powerful physically, and this made his insanity all the more dangerous.

Several years ago he was given a wooden gun, and one of his chief amusements was to aim at his friends and attendants. "Bang!" he cried, and they were expected to drop as if shot.

RAIDING CHRISTMAS TREES.

Outdoor Robbers With Wagon Despoil Public Park of Greenery.

Caldwell, N. J., Dec. 22.—The raids on the South Mountain reservation for evergreen trees and laurel, planted in the last two or three years, will leave the park stripped unless the extra police guards can check the Christmas decorators.

A mounted policeman caught two men with a wagon load of the public's greenery.

Cruiser in Search of Lost Liner. St. Pierre, Miquelon, Dec. 22.—The French cruiser Admiral Aube sailed today in search of the overdue steamer Neustria, which belongs to the Cyprus Fabus company of Marseilles and which left Marseilles Oct. 27 for New York.

HAINS' OWN STORY

Brother of Slayer of Annis Replies to Witnesses.

ADMITS HE SAID "STAND BACK"

But Instead of Declaring to Roberts, "I Will Kill You," He Explains He Said, "He Will Kill You."

Flushing, N. Y., Dec. 22.—Thornton Jenkins Hains, on trial here for abetting his brother, Captain Peter C. Hains, in the murder of William E. Annis, made reply in court today to some of the damaging evidence given by witnesses for the prosecution. He said:

"The prosecutor is endeavoring through his witnesses to prove that when I held, as they claim, the crowd at bay I said to Charles H. Roberts, 'Stand back or I will kill you.'

"The truth is I did say 'Stand back,' but instead of the words 'I will kill you'—meaning my brother, the captain, for poor Pete, I instantly knew, was in no condition after what had occurred to fully realize the seriousness of his act or properly understand the intentions of any who might approach him at that time.

"This story I hope to be able to tell truly upon the witness stand. It is most important to me that this point should be cleared up. It is necessary in order that my own personal honor and the good name given to me at my birth should be so set at rights.

"And I am sure I will be able to make the jury believe my testimony absolutely. Other witnesses also, I know, will support the use of the pronoun as I claim to have made it—as I did make it.

"If after any fair minded man, and undoubtedly there are twelve of them facing me every day in this courtroom, has heard the testimony of the bitterest of the prosecution's witnesses, is it too much for me to believe that I am even now a free man? For instance, several of the state's witnesses have corroborated statements which my lawyers have insisted I made on the day of the shooting.

"On cross examination one of Mr. Darrin's star witnesses was obliged to admit the truth of the story which all along I have told that twice I insisted that a policeman be sent for.

"They have also admitted in open court that I said to one of the witnesses who had denounced me directly after the shots had been fired:

"Is this the gratitude I get for saving your life? Instead of this treatment you should be grateful to me."

"Again I say that I feel that in the eyes of the jury I am already a free man and that the state's own witnesses have really by their testimony brought about this satisfying situation."

District Attorney Darrin said today that he considered the prosecution had fully proved its case against Thornton Hains by the testimony given by Mrs. William E. Annis, widow of the murdered man.

Mrs. Annis made the direct accusation that Hains menaced her with his revolver when she attempted to reach her husband after he had been shot by Captain Peter C. Hains.

"I ran down on to the float, and T. Jenkins Hains moved toward me," Mrs. Annis said. "He pointed his revolver at me and said, 'If you don't go back you'll get the same.'"

"I turned and felt his revolver pressed against my back. I ran from the float, and some friends took me into the clubhouse."

Mrs. Annis made a good witness. She was quite cool on the stand and displayed little emotion. She looked directly at the prisoner when she said he had menaced her with his revolver and threatened to shoot her.

As Mrs. Annis described the tragedy Thornton Hains seemed to be trying to stare her out of her senses. His eyes never left her face. She felt the baleful force of his gaze evidently, for once or twice she shook her eyes and threw back her head.

Those points which scored most forcibly against Thornton Hains—his beckoning to his brother as Annis' boat came in, his throwing himself on guard before even the first shot came, his threats to her and his holding the gun at her back—she gave with a slow, deliberate earnestness that made the nerves of her hearers thrill.

Governor Hughes in New York. New York, Dec. 22.—Governor Hughes arrived here today to attend the dinner tonight of the New England society.

Governor Pardons Thirty-six Convicts. Montgomery, Ala., Dec. 22.—Governor Comer has pardoned thirty-six convicts for release at Christmas.

CARNEGIE GLAD IT'S OVER.

Says He Hopes His Testimony Will Be of Some Value.

New York, Dec. 22.—Andrew Carnegie, who underwent seven hours' cross examination in Washington by the ways and means committee of the house of representatives on the question of the use of a protective tariff on iron and steel, said today that he was glad the ordeal was over.

"I hope I have been able to shed some light on the tariff question for the members of the committee," he said, "and I trust it will be of some value."

To the committee Mr. Carnegie reiterated that the iron and steel business of this country is not in need of protection, that it is no longer an infant industry and that with the duties removed this country can beat the world in the manufacture of steel in practically all its forms. Mr. Carnegie asserted the idea that the committee could settle the question of the steel tariff by minute attention to figures.

He said unless that body got away from the minute of figures and considered the problem before it on a broader basis than this it would be led into error.

Mr. Carnegie did not go into detailed figures himself. He said he could not and that the subject had to be considered on a different basis from that of statistics.

It was pointed out by Mr. Carnegie that, while it was true the cost of steel had increased relatively, yet it was true likewise that it was increasing relatively abroad, that the situation abroad as to the iron and steel business was much worse than here and that the resources abroad were not comparable to America's. He reasoned that because of this, with America's tremendous progress in methods, this country is in a position to defy all competition.

"For instance," said Mr. Carnegie, "England is in a far worse position as to ore than the United States."

WESTERN UNION ROBBED.

Discovery of Conspiracy Leads to Discharge of Thirty-two Operators.

Seattle, Wash., Dec. 22.—Detectives on the Northern Pacific and Great Northern railroads have uncovered a conspiracy to rob the Western Union company of telegraph tolls.

Superintendent Reed of the Western Union Telegraph company said:

"Our bookkeeping and auditing departments experienced difficulty in tracing messages of which they had no record in checking accounts, but upon which complaint had been received of nondelivery and delay.

"As high as 45 per cent of these messages were never reported in the monthly statements to our checking department, and further investigation resulted in positive proof that this proceeding held good on many messages filed with operators at railroad stations.

"As a result of the disclosures thirty-two operators have been discharged."

Weather Probabilities.

Partly cloudy; colder; fresh east winds.

FINANCIAL AND COMMERCIAL.

Closing Stock Quotations.

New York, Dec. 21.
Money on call was 2 per cent; time money and mercantile paper unchanged in rates.
Closing prices:
Amal. Copper... 77 1/2
Norfolk & West... 84
Atchafalpa... 92 1/2
Northwestern... 115
R. & O... 107 1/2
Penn. R. R... 125 1/2
Brook. R. T... 107 1/2
Reading... 157 1/2
Ches. & Ohio... 56
Rock Island... 22 1/2
C. C. & St. L... 65 1/2
St. Paul... 145
D. L. & W... 55 1/2
Southern Pac... 115 1/2
D. & H... 17 1/2
Southern Ry... 24 1/2
Ill. Cent... 142 1/2
South. Ry. pf... 57 1/2
Gen. Electric... 156 1/2
Sugar... 127 1/2
Ill. Central... 142 1/2
Texas Pacific... 32
Int. Met... 18 1/2
Union Pacific... 175 1/2
Louis. & Nash... 12 1/2
U. S. Steel pf... 111 1/2
Manufact. State... 16 1/2
U. S. Steel pf... 111 1/2
Missouri Pac... 65 1/2
West. Union... 65 1/2
N. Y. Central... 117

Market Reports.

WHEAT—Steady; contract grade, December, \$1.02 1/2.
CORN—Steady; December, 65 1/2¢.
OATS—Dull and 1/2¢ lower; No. 2 white, natural, 56 1/2¢.
BUTTER—Steady; quiet trade; receipts, 2,300 packages; creamery, specials, 22 1/2¢; (official 23¢); extras, 21 1/2¢; thirds 19 1/2¢; 23 1/2¢; held, common to special, 22 1/2¢; state dairy, common to special, 21 1/2¢; process, common to special, 18 1/2¢.

CHEESE—Quiet, but firm; receipts, 993 boxes; state, full cream, specials, 14 1/2¢; 15 1/2¢; September, colored or white, fancy, 14¢; October, best, 13 1/2¢; late made, best, 13¢; common to prime, 10 1/2¢ to 12 1/2¢; skims, full to specials, 7 1/2¢ to 11 1/2¢.

EGGS—Steady for western; receipts, 5,190 cases; state, Pennsylvania and nearby, fancy, selected white, 49 1/2¢; fair to choice, 46 1/2¢; brown and mixed, fancy, 44 1/2¢; fair to choice, 39 1/2¢.

POTATOES—Steady; domestic, per bbl. of bag, 8 1/2¢; European, per bag, \$1.75; Bermuda, new, per bbl., \$1.65; sweet potatoes, per bbl., \$1.50 to \$1.75.

LIVE POULTRY—Steadier on lighter receipts; prices not settled.

DRESSED POULTRY—Generally firm; receipts, 10,497 packages; turkeys, nearby, 26 1/2¢; state and Pennsylvania, 24 1/2¢; western, fancy, 21¢; poor to good, 18 1/2¢; spring chickens, broilers, nearby, 18 1/2¢; western, 16 1/2¢; roasting, nearby, 18 1/2¢; western, 16 1/2¢; fowls, boxes, 25 1/2¢; barrels, 12 1/2¢; old roosters, 14 1/2¢; ducks, western, fancy, 14 1/2¢; geese, nearby, 12 1/2¢; western, 10 1/2¢; squabs, white, per dozen, \$1.50 to \$1.75.

CASTRO IGNORED.

Vice President of Venezuela Appoints New Cabinet.

FOES OF DICTATOR IN POWER

Every One Friendly to Absent Ruler Is Hurling From His Place, and His Enemies Are Put in Office.

Port of Spain, Trinidad, Dec. 22.—Vice President J. Vicente Gomez, to whom General Cipriano Castro handed over the presidency on his departure for Europe, has thrown off the mask and has established an anti-Castro government in Venezuela.

He has hurled from power the old ministry, the leader of which was Dr. Jose de Jesus Paul, the minister of foreign affairs, who aided Castro in the negotiations that culminated in the ousting of Minister de Reus and the severance of diplomatic relations with Holland, and has installed a new body of men who are bitterly opposed to Castro.

Not only has Dr. Paul disappeared from the counsels of the nation, but Dr. Baldo, who is now traveling in Castro's suit abroad, also has been removed from his official position as minister of education.

General Diego Ferrer, the minister of war, who also was war minister in the cabinet of Acting President Gomez in 1906, has been superseded by General Regulo Olivares, who took a prominent part in crushing the revolutionists six years ago.

Agrulas Sturte, a bitter foe of Castro, has been appointed by Gomez governor of Caracas.

The new cabinet is composed as follows: Minister of Interior, Linares Alecantara; minister of foreign affairs, Gonzales Guinand; minister of finances, Munoz Tebar; minister of war, General Regulo Olivares; minister of patronage, Rafael Carabano Obros; minister of public works, Roberto Vargas; minister of public instruction, Dr. Maldonado.

Secret advices received here from Caracas, where the strictest censorship is being observed, indicate that Venezuela has been in a ferment ever since President Castro sailed and that the crisis was reached when it became necessary for Acting President Gomez to take decisive steps, which he did by eliminating from his cabinet those who were closely affiliated with the Castro rule and under the Castro domination.

The revolutionary factions, which gained strength with every hour of Castro's absence, played a prominent part in the demonstrations against the absent president, which took the form of rioting and incendiarism.

These were temporarily checked by a show of force, and later the revolutionary influence that threatened to sweep the country was overcome in a measure by promises that could not be held long in abeyance.

Insurgents went to Gomez and told him that he must either withdraw from office or cast aside those of Castro's ministers who still were trying to force the Castro rule upon the people. He chose the latter course. He first declared the country in a state of defense, thereby securing control of the army, and then appointed a new cabinet.

On several other occasions when Castro has turned over the government to Vice President Gomez it was freely predicted that Gomez would succeed Castro as president of the republic. He had many supporters in the anti-Castro camp, chief among those in favor of his candidacy being General Arango, the former minister of war, who worked earnestly to place Gomez in power.

While seemingly Gomez has been an ardent supporter of Castro, he has maintained time and again that he did not favor the foreign policy of the government, declaring that the treatment accorded the United States and France was ill advised and that he was not in sympathy with the conduct of internal affairs.

He even has expressed the opinion that he was not trusted by President Castro, although the latter gave denial to this by appointing him to fill the office of president while he himself was absent.

BANKER SENT TO JAIL.

Wealthy Man Convicted of Illegally Inclosing Government Lands.

Fresno, Cal., Dec. 22.—S. C. Lillis, a wealthy banker and stockman of Le-moore, Cal., was sentenced by Judge Welborn in the federal court to six months in jail and fined \$1,000.

Lillis was convicted of illegally inclosing government lands in the Can-ton district, where he has large holdings.

FUNERAL OF ORLANDO J. SMITH

Many Pay Last Honors to President of American Press Association.

Tarrytown, N. Y., Dec. 22.—The funeral of Major Orlando Jay Smith, president and general manager of the American Press Association, who died on Sunday at his home on the Hudson, took place today.

A special train leaving the Grand Central station for Dobbs Ferry took a large number of representative men from all parts of the country as well as representatives of all departments of the American Press Association.

Simple services were held at the residence of Major Smith, and the interment was in Sleepy Hollow cemetery. Many handsome floral tributes were sent by sorrowing friends and by the Royal Legion and other organizations with which he was connected.

BISHOP McQUAID DYING.

Head of Catholic Diocese of Rochester Is Very Low.

Rochester, N. Y., Dec. 22.—Bishop Bernard J. McQuaid of the diocese of Rochester is very low, and it is said that he may not live through the day.

The strength of the aged prelate has been slowly decreasing, and this forenoon he was reported to be in a dangerous condition.

Bishop McQuaid celebrated his eighty-fifth birthday last week. Early in the summer he went out to St. Bernard's seminary, where he wanted to remain until after the dedication ceremonies of the new additions to the seminary, which took place in August.

He recovered so well that he was able some weeks ago to return to the episcopal residence, where he has been since confined.

Since then his vitality has become so weak that all hope of his recovery has been abandoned.

QUEEN TO GENERAL BOOTH.

Her Majesty Hopes Salvation Army Leader Will Recover Sight.

London, Dec. 22.—Queen Alexandra's well known interest in the Salvation Army is emphasized in a telegram to General William Booth, commander in chief of that body, who was recently operated upon for a cataract. The telegram follows:

"I have felt so much for you and hope the operation will be successful. I trust you are getting on toward complete recovery and that the sight you need so much will soon be entirely restored."

General Booth's physicians are fully satisfied with his progress and believe that he will recover his sight.

GATES AND DRAKE SUED.

Railroad Wants \$32,000 For Laying Rails to Race Track.

Exeter, N. H., Dec. 22.—John W. Gates and John A. Drake are defendants in the superior court here.

The defendants are stockholders of the New England Breeders' club, a corporation which constructed a million dollar race track at Salem, N. H., and suit is brought to enforce payment of \$32,000 to the Boston and Maine railroad for laying rails to the race track.

The club's affairs were before the bankruptcy court soon after the dismantling of the track, which occurred after the first race meeting was held, the authorities having forbidden the sale of pools.

CORONER HOLDS PUGILIST.

Death of James Curren During Boxing Bout Called Homicide.

Philadelphia, Dec. 22.—Benjamin Barnett, lightweight pugilist, was committed by the coroner charged with homicide in killing James Curren during a boxing bout at the Broadway Athletic club.

Curren collapsed in the second round after a blow on the jaw and died before he could be taken to the hospital.

The coroner's physician said that Curren's death was caused by hemorrhage of the brain and that his head had been bruised in several places.

CHILDREN DIE IN FIRE.

Burned to Death in Their Beds While Home Is Destroyed.

Ogdensburg, N. Y., Dec. 22.—Two children of William Johnston, aged two and four years, were burned to death in their beds when the home was destroyed by fire.

Their aged grandmother, Mrs. Brown, and an aunt, who were asleep downstairs, were rescued in an unconscious condition.

Mr. and Mrs. Johnston were away from home at the time.

BISHOP MICHAUD DYING.

Prelate Taken Ill on Board Ocean Liner From Hamburg.

New York, Dec. 22.—The Right Rev. John S. Michaud, bishop of the Catholic diocese of Burlington, Vt., is dying here.

He was a passenger on board the steamer Amerika from Hamburg yesterday and was taken ill on board.