

THE WEATHER.

Fair Friday and Saturday rising temperature Saturday moderate to brisk north wind.

THE MORNING STAR

FOUNDED 1837 WILMINGTON, N. C., FRIDAY MORNING, FEBRUARY 25, 1910.

TO-NIGHT, 8 O'CLOCK

Chamber of Commerce rooms, meeting in interest of settlement of international disputes by means other than war. Public invited. Ladies expected.

VOL. LXXXV—NO. 134.

WILMINGTON, N. C., FRIDAY MORNING, FEBRUARY 25, 1910.

WHOLE NUMBER 13,227.

RETAIN CONNERS FOR DEMOCRATS

Again Heads New York State Committee Despite of Opposition.

AN AGREEMENT WITH MURPHY

Strong Resolutions Denouncing "Republican Misrule" With Reference to Revision of Tariff. Party Harmony.

Albany, N. Y., Feb. 24.—William J. Conners made good his prediction that he would still be chairman of the Democratic State Committee after its meeting today. In saving his political scalp, however, he lost most of his hair.

Chairman Conners was re-elected for a two year term on April 17, 1908. He announced at the meeting today that "under no conceivable circumstance" would he be a candidate for re-election.

Four resolutions were quickly adopted without a dissenting voice. The first resolution was in favor of a Federal income tax and urged "our representatives in the Legislature to press for passage and vote for the amendment to the Federal constitution giving to the Congress of the United States power to impose a tax upon incomes."

The committee then took a fling at "Republican misrule" and the "infectious tariff law" by adopting a resolution declaring that the Republican party won the last National election upon the platform of pledging it specifically to revise the tariff downward, but in spite of that pledge "the recent revision has in no way removed from the shoulders of the great mass of the people the burden of indirect taxation which the Republican policy of protection imposes for the benefit of the few."

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INSURANCE BILL TAKEN UP.

Provides Certain Tax for Life Insurance Companies in Virginia. Richmond, Va., Feb. 24.—The House Finance Committee today sent the Senate insurance bill introduced by Senator Kessell, and adopted by the Senate, to the House with the recommendation that it be adopted with an amendment which provides that the life insurance companies doing business must pay a tax of one and four tenths percent of their gross receipts.

BIRMINGHAM BANK CLOSES.

Small Institution and Several Branches Closed—Affairs Tangled. Birmingham, Ala., Feb. 24.—The Union Bank & Trust Company, a small banking house which was recently opened in Birmingham with several branches in the State, closed its doors today. A. R. Dearborn was appointed receiver.

The different banks also closed. The entanglements of the affairs of a branch bank necessitated voluntary liquidation, according to a statement issued by the president, E. H. Smith.

Columbus, Ga., Feb. 24.—Columbus defeated Wake Forest College of North Carolina, in a game of basketball here tonight by a score of 58 to 25.

A Regular Interest Quarter begins March 1st at The Wilmington Savings and Trust Company.

GORDON'S FAREWELL IN SENATE

Words of Mississippian Warmly Praised—Sorry For the Millionaires—Strong Defender of South.

Washington, Feb. 24.—What Senator Depew fittingly characterized as the most unique farewell ever delivered in the Senate chamber, was heard there today when, at the close of the session and at the end of his term, Senator James Gordon, the representative from Mississippi, said good bye to the senators with whom he had served for the past 60 days.

Col. Gordon spoke for perhaps half an hour and when he had concluded Senator Depew addressed the chair, saying he never had heard or read any speech of the kind which was so unique and so impressive as Col. Gordon's.

Senator Depew said he was sure he voiced the sentiment of all the members of the Senate when he expressed regret over his going. "No matter," he said, "how wonderful a colleague succeeds him he cannot be James Gordon of Mississippi."

Practically the entire Senate listened with rapt attention to the address of the venerable Mississippian. Twice he quoted from his own book of verse which he afterwards presented to the Vice President.

Beginning with the statement that the deadlock in Mississippi had been broken and that Mr. Percy had been chosen to take his place, Col. Gordon said that he had felt a desire to express his feelings towards the Senate before returning to his home in Mississippi.

Col. Gordon grew reminiscent and took the Senate into his confidence. He admitted that ever since he was five years old he had had an ambition to come to the Senate. "It was a rugged road, but at last I got here," he said.

He told how he had been presented with a toy board which was checked over with different objects, some of them good and some of them bad. One of these objects was the tariff. He told him he said, that if he would be good and would live a correct life he might some day hope to sit in the seat of the big man, who was pictured there.

"She had never told a lie and I knew that what she said was true. I knew that that big man and God helped me I got there yesterday," referring to the fact that for a time yesterday he had occupied the seat of the presiding officer.

CARS OPERATING IN PHILADELPHIA

Guarded by State Police Traffic Resumed on Surface Lines.

FEW ADDITIONAL OUTBREAKS

Soaping Tracks Favorite Diversion for Boy Sympathizers—Walk-Out of Other Unions is Deferred—The Situation.

Philadelphia, Feb. 24.—Surface cars were operated on the principal streets of the city until midnight tonight for the first time since the beginning of the present strike against the Philadelphia Rapid Transit Company. Since the strike began on Saturday of last week all cars were withdrawn from service at nightfall but tonight, guarded by members of the State police, the cars continued to run even through the turbulent districts of Kensington and Franford.

Although the transit company of officials reported tonight that 84 cars had been stoned during the day, no disturbance was permitted to attain serious proportions. All outbreaks were quickly quelled by the police and not a riot call was sent to headquarters.

During the day, according to the company's figures, 744 cars were in operation and 66 of these continued to run until midnight. Increase is promised by the company which announces that 400 new men, many of whom were formerly in the employ of the company, were hired today and will take out cars tomorrow.

Only one third as many arrests were made by the police as were made yesterday when 78 people were taken into custody. Among those arrested was the son of a constable in the office of the committing magistrate. He confessed that he was a member of a band of youths who manufactured a quantity of explosive caps and placed them on the tracks.

A new and dangerous method of showing their antipathy to the transit company was adopted by crowds of boys in the uptown district late this afternoon when soap was used on the rails. A 12th street car was attacked by a mob at 12th and Norris streets. For about 15 minutes bricks, stones and other missiles were thrown into the car, breaking windows and throwing the passengers into a panic.

Plans for the proposed sympathetic strike have been deferred for the present. The striking car men at their meeting today, adopted a resolution requesting that the strike of other union men be held in abeyance. As a result of this members of the Central Labor Union and the allied building trades council, which have been busy planning the proposed strike of all trades decided tonight to postpone further action until the regular meeting of their bodies on next Sunday.

Parliament in England. Chamberlain's Amendment Rejected. London, Feb. 24.—The first trial of strength in the new Parliament occurred tonight at a crowded session of the House of Commons, when Austen Chamberlain's fiscal amendment was rejected by a vote of 285 to 254.

BIG FIRE IN GREENVILLE N. C.

Two Blocks of Buildings Including Court House, Jail and Masonic Temple Swept Away—The City Threatened.

(Special Star Telegram.) Greenville, N. C., Feb. 24.—Fire, originating from a cause unknown in the roof of the frame buildings of the block between the Court House square and the Hotel Macon, about 1 o'clock this morning practically swept two blocks of buildings in this city.

The wind was blowing a gale from the northeast, sending a hurricane of cinders over the seat of the town and the population was almost panic-stricken. It required the constant vigilance of men stationed on roofs of buildings for blocks away to prevent a greater part of the town from destruction. The fire department and citizens battled heroically against great odds for more than two hours before getting under control.

The main cable wires of both the Western Telephone and Home Telephone & Telegraph Co. burned in two, practically putting both companies out of commission, the offices of both being on the street fronting the fire.

The fire started in the old John Flanagan buggy company building. The buildings burned are the Hoell building, the Shelburne building, Hartington brick stables, Pitt County Buggy Company's building, Court House, jail, Masonic Temple; also the wooden buildings adjoining the Masonic building, on Third street. Mr. J. G. Moye's residence was saved. The only damage on south side of Third street was to the telephone exchange.

Counterfeit Arrested. Georgia Dentist Found in Possession of Spurious Coin. Augusta, Ga., Feb. 24.—J. R. Dedge, a dentist, of Nichols, Ga., was today ordered held under bond of \$4,000 on charges implicating him in a counterfeiting scheme.

Agricultural Bill Up. Reported to Senate With Increase to Stamp Out Boll Weevil. Washington, Feb. 24.—The Agricultural Appropriation Bill was reported to the Senate today. It carries \$12,512,635, an increase of only \$182,359 over the amount voted by the House.

Outlines. Southern railroads have unanimously refused to wage demands of the Brotherhood of Railway Trainmen and Order of Railway Conductors and a general strike is threatened.

New Cable for Postal. Sixth Between Europe and America—Demand of Business Increasing. New York, N. Y., Feb. 24.—George G. Ward, vice president and general manager of the Commercial Cable Company, announces that in view of the public demand for increased cable facilities and greater speed of transmission, the Commercial Cable Company, will proceed at once to lay an additional trans-Atlantic cable.

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SOUTHERN ROADS REFUSE DEMANDS

General Strike of Railroad Men in East and South Threatens.

AGAINST A WAGE INCREASE

All Depends Upon Action of Trainmen and Conductors on Baltimore & Ohio—Situation May be Serious.

Cleveland, O., Feb. 24.—The replies of the Southern railroads to the wage demands of the Brotherhood of Railroad Trainmen and the Order of Railway Conductors, were opened here today. The refusal of the roads to meet the men's terms was unanimous.

The result of the strike vote of the Baltimore & Ohio men will be known to President W. G. Lee, of the Trainmen, and Grand Master Garrelson, of the Conductors, early this coming week.

In any event, affairs will not reach a crisis, it is now expected for two weeks at least. Messrs. Lee and Garrelson will go to Baltimore to receive the result of the vote on that line Tuesday or Wednesday.

National Baseball Commission Considers Star Catcher's Petition. Cincinnati, Feb. 24.—John Kling, former star catcher of the Chicago National League baseball team, must show cause to the National Baseball Commission why he should be restored to good standing as a player.

Would Kill Judge Ray For Sending Italians to Prison. New York, Feb. 24.—Since United States Judge Ray, of the Northern District of New York, last week sentenced to long terms in the Federal penitentiary at Atlanta, Lupo, "The Wolf," and seven other notorious counterfeiters and all around bad men, he has received a threatening letter from the "black hand."

Nelson to Meet Thompson. Will Fight Him in San Francisco During the Early Spring. Reno, Nev., Feb. 24.—Battling Nelson today said that he would meet "Cyclone" Thompson in a 45 round fight at San Francisco the last week in April or the first week in May.

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SEMINOLE SECURITIES CASE

Sentence From Union County Defective and Judgment Arrested by Supreme Court—Opinions Handed Down.

(Special Star Telegram.) Raleigh, N. C., Feb. 24.—Among 21 cases disposed of by the Supreme Court and announced this afternoon was the noted case of State vs. Whidbee, of Union county, in which T. C. Whidbee was sentenced to two years' imprisonment on the charge of obtaining from W. C. Heath \$750 by false pretenses in inducing him to subscribe to stock in the Seminole Securities Company, the Supreme Court ruling that the indictment was defective, therefore, arrest of judgment is ordered in case.

The other opinions follow: State vs. Holley, Chowan, affirmed; State vs. N. & S. Railroad Co., Washington, new trial; Voliva vs. Cedar Works Tyrrell, affirmed; Danangia vs. Manufacturing Co., Tyrrell, affirmed; Horse Exchange vs. Wilson, Beaufort, affirmed; Creal vs. Beaufort, Beaufort, affirmed; Alphin vs. Rountree, Catawba, dismissed for failure to print under the rule; Yates vs. Forest, Beaufort, affirmed; Anderson vs. Insurance Co., and Parker, Perquimans, affirmed; Wright vs. Spire, Perquimans, affirmed; Dare County vs. Construction Co., Perquimans, affirmed; State vs. Powell, Halifax, affirmed; Snipes vs. Manufacturing Co., Halifax, affirmed; Barnett vs. Roanoke Mills, Halifax, affirmed; Vaughan vs. Wise, Hartford, affirmed; Nicholson vs. Seaboard Air Line, Warren, dismissed under Rule 17; State vs. Lewis, Nash, motion to reinstate appeal denied; Smith vs. Fuller, Johnston, affirmed; Owens vs. Navigation Co., Chowan, per curiam, affirmed.

Schooner Ross Abandoned. Sighted at Sea by British Steamer Jan. 25th—Capt. Quillen. Baltimore, Feb. 24.—Capt. Pearce of the British steamer "Isabel," from Baltimore January 25th for Havre, sent Antwerp, reports from the former port that on January 30th in latitude 40 degrees 37 minutes north and longitude 49 degrees 46 minutes west he passed so close to an abandoned and water-logged schooner that he read the name as the Edgar C. Ross, of Bethel, Del. The schooner was floating alongside attached to rigging, but the gaff was half way up the mast. While the decks were submerged the deckhouse forward, the afterhouse and wheelhouse were intact, and upon the afterhouse a small boat was still in its fastenings lying bottom up. The anchors were stored on topgallant forecastle. As no large boat was seen it was thought that Capt. Quillen and his men had used it to reach some vessel that had come to their rescue.

"A Black Hand" Threat. Would Kill Judge Ray For Sending Italians to Prison. Besides threatening Judge Ray the writer of the letter used savage language against Abel I. Smith, the assistant United States attorney, who successfully prosecuted the Lupo-Morello gang, and Captain William J. Flynn, of the local Secret Service, who worked up the case against the Italian criminals.

Will Fight Him in San Francisco During the Early Spring. "No one can contend it to be necessary for the protection of the public," said the railroad's counsel, "that any rate be fixed by legislative authority below the cost of furnishing the service. Such a contention would be contrary to the fundamental purposes of the police power. And viewing the situation from the standpoint of the public, it can have no interest which ought to compel a carrier to furnish certain classes of service at less than cost, thus to charge the loss against the balance of the service. Such a principle is contrary to public policy."

Freezing weather and more cold to come. During Big Mid-Winter sale at Gaylord's, all-wool blankets being practically given away to make room for Spring stock.

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A KEEN ARGUMENT ON COAL RATE LAW

Attack and Defend Constitutionality of North Dakota Measure.

BEFORE U. S. SUPREME COURT

Question of States' Rights Will be Decided—Counsel For Railroads and State Appear—Await Decision.

Washington, Feb. 24.—Whether a State may fix a maximum rate on a commodity of intra State commerce below the cost of transportation was the basis for a keen argument today before the Supreme Court of the United States. The legal representatives of the State of North Dakota defended the constitutionality of the State law of 1907, fixing the rate on coal, and counsel for the Northern Pacific Railway Company attacked it as designating a rate below the cost of service.

The reason why the cost of service was not controlling where a single rate was involved was two fold. In the first place, it was contended, it was impossible to determine with anything like accuracy what such cost of service was. In the second place, there was no injury to the equitable title of the carrier as a result of the cost of service not being controlling, as long as the carrier was allowed on the investment in the business.

As to the argument that the reduction of the rate on coal meant an additional burden on other commodities, counsel for the State contended that it was illogical to speak of this as "robbing Peter to pay Paul." According to their point of view, the subject was either more or less than a case of proper rate classification with the incidental result that one commodity sustains a greater weight of expense than another.

A vigorous attack was made on other arguments of the railroad. "If the doctrine contended for by counsel for the defendants be sustained by this court," said the counsel for the State, "the decision will not merely mark an epoch—it will inaugurate a revolution in the development of the law relating to the regulation of transportation charges by the railways of the country."

"The burden of proof is upon the railroads to show that the rate involved will cut down the net earnings of the railroad from purely intra-State business below the point of a fair profit," said the State's counsel. "There is no evidence as to the gross receipts from purely intra-State business; no evidence as to the gross expense properly chargeable to such business; and no proof of the value of the property which may be fairly said to be engaged in the carrying on of such business. It therefore stands admitted upon this record that despite the rate in question, these defendants can carry at least a fair profit upon their purely intra-State business."

On the other hand the counsel for the Northern Pacific contended that in order to be constitutional, the rate must permit a fair amount of profit for the railroad. "No one can contend it to be necessary for the protection of the public," said the railroad's counsel, "that any rate be fixed by legislative authority below the cost of furnishing the service. Such a contention would be contrary to the fundamental purposes of the police power. And viewing the situation from the standpoint of the public, it can have no interest which ought to compel a carrier to furnish certain classes of service at less than cost, thus to charge the loss against the balance of the service. Such a principle is contrary to public policy."

"Any discrimination by a public service company, which consists in rendering a service below its cost, is unjust discrimination and unlawful. It is inconceivable that a test of reasonable rates will be adopted by the court which would compel carriers to do the very thing forbidden by law. Any just rate therefore of rate regulation must preserve to the carrier both the right and the ability to render all service at remunerative rates." "If the regulation compels a carrier to render a portion of its service at