

THE WEATHER.
Rain followed by clearing Saturday; Sunday fair and warmer; moderate north winds becoming variable.

THE MORNING STAR

FOUNDED 1837 WILMINGTON, N. C., SATURDAY MORNING, MARCH 12, 1910. A. D. 1867

PERSISTENCY.
Everlastingly at it is the policy which pays big dividends to the advertiser. This paper is the medium. Time: The present.

VOL. LXXXV—NO. 146.

WILMINGTON, N. C., SATURDAY MORNING, MARCH 12, 1910.

WHOLE NUMBER 13,240.

OIL TRUST FACES A SERIOUS FIGHT

Outcome of Legal Battle in Supreme Court Anxiously Awaited.

THE ARGUMENTS NEXT MONDAY

Case as Summed Up for Prosecution and Defense—Contentions of the Trust and Government—Array of Attorneys.

Washington, Feb. 11.—The most serious legal battle that "Standard Oil" has ever faced will confront it next Monday.

That is the day set by the Supreme Court of the United States to hear arguments on the appeal of the Standard Oil Company, of New Jersey, from the adverse judgment of the United States Circuit Court for the Eastern District of Missouri, which ordered the dissolution of the New Jersey corporation as an illegal combination and monopoly in restraint of interstate commerce. To point out the alleged errors of the Circuit Court in its findings and in its decree, the keenest intellects within command have been procured. To argue for the affirmation of the decision of the lower court, Mr. Wickert, attorney general of the United States himself, will lead a brilliant array of counsel for the government.

The Circuit Court announced grave findings against the seven individual defendants, John D. Rockefeller, William Rockefeller, Henry M. Flagler, Henry H. Rogers, John D. Archbold, Oliver H. Payne and Charles E. Pratt, the Standard Oil Company, of New Jersey, and other defendant companies.

The court found that in 1899, by an exchange of stock by the seven individuals, the Standard Oil Company, of New Jersey, acquired the legal title to a majority of the stocks of 13 other companies, which in turn controlled a large number of others, all but one engaged in the oil business.

What is found as to this combination was that:

That since 1899 the affairs of all these companies have been managed by the principal company as the business of a single person, so as to fix for them the price of crude oil, the rates for transportation and the selling prices of its products.

That the par value of the combined capital stock in 1899 was about \$100,000,000, and that in 1903 it was \$150,000,000.

That 12 of these companies owned 51,565 miles of pipe lines.

That six of these companies had 2,571 selling stations throughout the United States.

That these companies from 1899 to 1907 produced more than one-tenth of the crude oil obtained in this country.

That they owned and operated more than one half of all the tank cars used to distribute its products.

That they manufactured more than three-fourths of all the crude oil refined in the United States.

That they transported more than four-fifths of the petroleum derived from the Pennsylvania and Indiana oil fields.

That they marked more than four-fifths of all the illuminating oil sold in the United States.

That they exported more than four-fifths of all the illuminating oil sent forth from the United States.

That they sold more than four-fifths of all the naphtha sold in the United States.

That they sold more than nine-tenths of all the lubricating oil sold to railroad companies in the United States.

On this finding the court decreed: That the organization of 1899 was a combination or conspiracy in restraint of interstate commerce in petroleum and its products, such as the first section of the Sherman anti-trust act declares is illegal; that the seven individual defendants, the Standard Oil Company, of New Jersey, and 39 other companies had entered into a combination or conspiracy to monopolize and had in fact monopolized a substantial part of interstate commerce in violation of the second section of the Sherman anti-trust act; that 13 other companies had entered into a combination or conspiracy to monopolize and had in fact monopolized a substantial part of interstate commerce in violation of the second section of the Sherman anti-trust act; that the combination, and for that purpose, the combination of the shareholders of the principal company, the Standard Oil Company, of New Jersey, it enjoined those found to be in the "illegal combination" from continuing in it or forming a new combination by means of aggregation of the physical properties in the hands of one member of the combination, and forbade those in the combination from engaging in interstate commerce until the combination was discontinued.

The counsel arrayed in defense of the Standard Oil includes John G. Milburn, of Buffalo, N. Y., in whose name McKinley died; D. T. Watson and John G. Johnson, leaders of the Pennsylvania bar; and Moritz Rose, that the legal pillar of the Standard (Continued on Page Eight.)

DR. EBEN ALEXANDER DEAD

Passed Away Last Night at Knoxville, Tenn.—Dean of University of North Carolina—Long and Distinguished Career.

(Special Star Telegram.)

Chapel Hill, N. C., March 11.—Word was received here tonight of the death in Knoxville, Tenn., of Dr. Eben Alexander, dean of the University of North Carolina.

Dr. Alexander was visiting his son, Dr. Eben Alexander, Jr., under a leave of absence from the University. He had just returned from New York City where he attended the meeting of the Senate of the National Society of Phi Beta Kappa. He has been unwell for some time but his death was sudden and unexpected. The following bare facts of his life were taken from a sketch written by Prof. E. P. Jones for Ashe's Lives of Distinguished North Carolinians. Dr. Eben Alexander was born in Knoxville, Tenn., March 9th, 1851, son of Judge Eben Alexander, of Knoxville, and grandson of James White, of Iredell county, founder of the present city of Knoxville. In 1869 he entered Yale college. At Yale he was one of the most prominent and popular members of the class of 1873. He was a member of the Psi Upsilon fraternity, of the skull and bones honor order, and the Phi Beta Kappa scholarship society.

After graduation he became tutor in the University of Tennessee, professor of ancient languages and later chairman of the faculty. He gave up his position at the University of Tennessee to become professor of Greek in the University of North Carolina in the Fall of 1886.

In April, 1893, President Cleveland appointed Dr. Alexander envoy extraordinary and minister plenipotentiary to Greece, Roumania and Servia. This position he held during Cleveland's administration with dignity, ability and credit to his country. While at Athens he played a leading part in the revival of the Olympic games. Harper's Weekly, Sept. 28, 1895, said: "The first subscription that reached the committee's hands was not from a born Greek but from Mr. Eben Alexander, United States Minister to Greece, who nevertheless is looked upon and claimed as a true Hellenic, both by his wide acquaintance with the Greek language and literature and his wholehearted sympathy with the country and its people."

The leading newspaper of Athens, in a long editorial, expressed the appreciation of the Grecian people for Dr. Alexander's eminently successful services as the minister from America. "It is a far cry," says Prof. Moses "from the acropolis to a professor's chair at Chapel Hill, but when his term of office expired the diplomat gladly put aside the business of the Nation to take up again his work for the young men of North Carolina."

He returned to the University in 1897. In 1900 he was selected dean of the University, a position which he has since held with honor to himself and with usefulness to North Carolina. After the work in the classroom and the dean's office the object to which he devoted most of his time was the building of the present magnificent University library. His most distinguished personal characteristics were his gentlemanly bearing and kind courtesy at all times. He was a man loved dearly at Knoxville, Tenn. and here at the University.

Dr. Alexander is survived by his wife, who was Miss Marion Howard Smith; four children, Mrs. A. H. Patterson, of Chapel Hill; Dr. Eben Alexander, of Knoxville, Tenn., and Mrs. Paul W. Schenck, of Greensboro; and three sisters, Mrs. William Newman, of Atlanta; Mrs. J. S. Payne, of Chapel Hill, and Mrs. Bell Cook, of Montreat. The funeral will be held in Knoxville Sunday afternoon. Exercises in the University will be suspended in his honor tomorrow.

TO SETTLE STRIKE APPEAL OF PEOPLE

Demands For Arbitration From All Quarters in Philadelphia.

LEADERS RENEWED THREATS

Still Claiming That Strike Has Only Begun—General Situation Impaired—Industrial Life Paralyzed.

Philadelphia, March 11.—The fight for arbitration of the differences between the Philadelphia Rapid Transit Company and its 4,000 or more striking employees became insistent today. From quarter after quarter in Philadelphia and outside of it, the demand for mediatory measures was voiced. Everywhere it was recognized that the failure to arrive at an arbitral agreement was the only thing that stood in the way of a speedy calling off of the general sympathetic strike in this city, which has practically paralyzed the city's industrial life and which labor leaders made renewed threats to spread if the deadlock continued.

At a representative meeting of business men this afternoon the call for arbitration was the keynote from beginning to end of a 2 1/2 hour debate which culminated in demands upon both local and National influences for the setting in motion of forces which would work to bring the Traction dispute before mediatory tribunals for settlement.

Local, financial, commercial and official bodies and the Federal authorities, as well as the salutary influences of the National Civic Federation, were appealed to step in and end difficulty. Governor Stuart at Harrisburg was petitioned by patriotic citizens of the city and invoked in various resolutions, statements, and petitions to exercise power in putting a stop to conditions which Philadelphia daily finds growing more intolerable. Each day, seemingly brings the situation nearer a crisis.

An excellent sign was the good order which prevailed throughout the city today. Not until tonight was there any sort of an outbreak in any quarter of the city. Coming out of a large hall which was held in musical fund hall 2 Eighth and Locust streets tonight a section of the crowd displayed a turbulent spirit and passing trolley cars were stoned. The police by a show of force and the display of revolvers, subdued the demonstration before much mischief was done. Nobody was seriously injured and there were no arrests.

Cars ran uninterruptedly today in greater numbers than since the strike began.

Urge Peace in Philadelphia.

Two hours and a half of discussion of the strike question by a large gathering of representatives of more than 30 business organizations of the city was productive late this afternoon of the adoption of a resolution in which three separate influences are invoked to bring the industrial war to an end.

Of the two local influences appealed to, stress was laid upon the financial powers of the city. The city's banks are requested to use their influence in dispute to bring about arbitration on an equitable settlement. Each commercial body represented was asked also to bring every possible pressure to bear upon the councilmen to cause a special meeting of city councils to be called for action which will induce the company and its men to come to terms.

The resolution took a wider scope, however, in directing that a telegram be sent to Seth Low, president of the National Civic Federation, asking that the Federation offer immediately its services as arbitrator to the two parties to the dispute, the company and the union organization representing the men. The traction company, many thought would not lightly cast aside an offer from the National Civic body to act as mediator. The men's organization has already announced that it would welcome arbitration.

All shades of opinion was represented at the meeting at the close of which a representative committee of 30 was named, to put the resolutions adopted into effect. A petition to President Taft presented by Alfred H. Love, of the Universal Peace Union, was unanimously signed by the business men at the close of the meeting. It suggested that the commission for the promotion of industrial peace, which was at its disposal the funds donated by Theodore Roosevelt for the Nobel Peace Prize awarded to him, be asked to act in the crisis here.

"Immediate action," was the demand of every speaker of the afternoon. The blocking of a settlement was variously attributed in the speeches, some of which were extremely warm in tone, upon the transit company, the city officials and in a few instances upon the attitude of the strikers themselves in forcing a general walkout and insisting upon recognition of their union in any arbitration they were willing to endorse. "The city hall could settle this in 24 hours if it would" was one speaker's declaration.

Tonight the Philadelphia Rapid Transit Company, through President Kraeger, announced its willingness to comply with Mayor Reburn's request (Continued on Page 2.)

MAY PROBE CORRUPT METHODS

Newcomb Wants Unlimited Investigation in New York Senate—First Signs of the Split in Republican Ranks.

Albany, N. Y., March 11.—Senator Newcomb gave notice today that he was preparing to get some action on his resolution providing for an unlimited investigation of legislative corruption and his declaration is regarded as the first significant result of the Republican organization's victory in the Senate leadership fight.

The vote on the question of sustaining Senator Coughlin's bribery charges against Senator Aldrich, was expected to furnish the next clash between the two elements into which disregard of the wishes of Senator Root and Governor Hughes and the election of Senator Cobb as president pro tem, has split the Republican party in the State Senate, but if Newcomb moves next week to take up his resolution the line up may come before the Aldrich investigation is over.

Two measures providing for a wider investigation are in the hands of the finance committee. The other was introduced by Senator Wainwright, but its purpose is practically the same as that of Senator Newcomb's.

Whatever the truth of the situation may be, public opinion seems to have associated the opposition to the leadership of Root and Hughes with an intention to shut off further attempts to legislate scandals and with sympathy with Aldrich.

Hinman, the Root-Hughes choice for majority leader, has been outspoken against Aldrich during the frequent debates over the admission of certain testimony.

These circumstances lead to a conclusion that Governor Hughes and the "Older Statesmen" of the party in Washington, have agreed upon a wider legislative inquiry and are ready to issue orders against any disposition to shelter Aldrich. Such an investigation could not but hurt the Hughes regime.

The idea that the people are with them can be traced to expressions in the governor's recent statement and the trolley telegram.

The declaration of Senators Brackett and Davenport and their friends in the Senate that Cobb's victory only postponed the issue is not denied by the victorious organizing men. They declare, however, that the prestige of defeating the combined forces of the governor and the National administration will carry them victorious through the next fight, whatever it may be about.

ANOTHER ATTACK UPON BALLINGER

Chief Engineer of Reclamation Service Appears in Pinchot's Behalf.

HAD WARNED THE SECRETARY

That His Course Tended to Demoralization of Service—Contradicts Statements Made to President Taft.

Washington, Feb. 11.—With Arthur P. Davis, chief engineer of the reclamation service, on the stand, the attack upon Secretary Ballinger continued today before the Congressional Committee of Investigation. Mr. Davis was called as a witness by Gifford Pinchot, and was examined by Mr. Pinchot's attorney.

Although expressing reluctance to testify, Mr. Davis proved to be well fortified with maps, dates, data, etc. He contradicted flatly many statements made by Secretary Ballinger to President Taft, and ended the day by declaring that the reclamation service is still in danger of disintegration as a result of Mr. Ballinger's attitude toward it.

Mr. Davis declared that "in language as strong as politeness and propriety respect would permit," he had told Secretary Ballinger himself that his course was tending to a demoralization of the service.

With regard to a statement by Mr. Ballinger to the President that he had restored many lands withdrawn by Secretary Garfield on the strength of recommendations from the reclamation service, that these lands were no longer needed for reclamation purposes, Mr. Davis declared that all of the recommendations made by the reclamation service were in response to direct orders issued by Mr. Ballinger. These orders were repeated, he said, many times, but were never put in writing. Director Newell, of the reclamation service, he said, protested vigorously against the Secretary's action.

Mr. Davis said Secretary Ballinger had written a letter to Dr. Thomas E. Will, of this city, repeating the statements that lands had been restored upon recommendation of the acting director of the reclamation service that they were no longer needed. The witness said he was the acting director referred to; that he had never made any such recommendation.

Mr. Davis declared that early in the present administration he had found Mr. Ballinger deeply prejudiced against the reclamation service. He asserted that Mr. Ballinger had told him to prepare the list of lands for restoration, slowly so as to not attract public attention. The witness said he had made no attempt to influence Mr. Ballinger as to these restorations because he was always met with the flat statement that Mr. Garfield's withdrawal of the lands had been entirely illegal.

Mr. Davis asserted that Mr. Ballinger was wrong in stating to the President that Mr. Garfield's withdrawals did not truthfully show what they were made for. There had been no subterfuge, he said, and if there had been any appearance of subterfuge it was his fault and not Mr. Garfield's.

The witness revealed in his testimony that there is quite a feud between the reclamation service and the geological survey. It was on reports of reclamation service that Secretary Garfield acted in his withdrawal of power sites. Secretary Ballinger has depended entirely upon the governmental survey.

Mr. Davis did not hesitate to criticize the survey and declared that the narrow strips which had been withdrawn, along streams by the governmental survey, did not properly protect the power sites.

The direct examination of Mr. Davis had not been concluded when adjournment was taken until tomorrow morning.

HANGED AT ELIZABETHTOWN

Henry Spivey, Charged With Murder of His Father-in-Law, Pays Death Penalty for His Crime—Last on Scaffold.

(Special Star Telegram.)

Elizabethtown, N. C., Feb. 11.—Promptly at 12 o'clock today Sheriff J. M. Clark, of Bladen, pulled the fatal lever and Henry E. Spivey, the negro convicted of killing his father-in-law, Frank Shaw, near Clarkton, in this county, several months ago, paid the death penalty for his crime in the last legal execution upon the scaffold in this State, the law designating electrocution as the means of imposing capital punishment having gone into effect a few weeks after the negro's conviction.

Spivey was convicted at the March term 1909, in the Superior Court here. Spivey after his crime was captured at Wilmington as he arrived on a late Seaboard train, being returned to this county for trial. The evidence against him was overwhelming and the jury reached a verdict after only a short deliberation.

Last Friday there were perhaps a thousand people here to witness the hanging when he was relieved at the last moment. From his cell Spivey could see some of the crowd, and hear more of them. The strain was terrible on him and that night he broke down completely. He cried and cried; would eat nothing and had fever, but from this he soon rallied. At times he would be proud and defiant, and maybe in the next minute despondent and repentant. Today he went to his death with little show of feeling. When taken out of jail he remarked that it felt funny out there. He was asked if he had any statement to make and replied that he did not. The crowd was not so large today as on last Friday, owing perhaps to the fact that they had learned that the hanging would be private. Those who saw the hanging were sober and well behaved. Sheriff J. Marvin Clark, a young man, deserves great credit for the orderly and able manner in which he managed the entire situation since the arrest of the prisoner.

When the rope and black cap had been adjusted Spivey's knees weakly and he began to sink. The sheriff saw the situation and quick as a flash, the trap was thrown. Spivey died in less than 11 minutes, was allowed to hang for 25 minutes, taken down, pronounced dead by County Physician Lesley B. Evans, and remains placed in the coffin. Thus ends the story of one of the most notable murder cases that Bladen has seen in many years, a case that has cost the county first and last, about \$700 or \$800.

After Spivey's conviction last March an appeal was taken to the Supreme Court, and the lower court was affirmed in a well considered opinion by Manning, Judge. The Governor is sued to the sheriff of Bladen a warrant directing the hanging of Spivey on Jan. 11th, the able attorneys representing the prisoner at once became active in seeking a commutation of sentence and in order to give them a hearing Spivey was relieved until March 4th. No action having been taken by the Governor, Sheriff Clark brought the prisoner here on March 3rd, and that afternoon received a message from the Governor relieving him until March 11th, this being done it is understood, to allow the attorneys for the prisoner to secure recommendations from the Judge who tried the case, and from the Solicitor of the District. Judge Adams of Carolina, refused to consider the matter unless the Solicitor would recommend it, and in the meantime the private secretary to the Governor directed the sheriff to inform the prisoner that there was no hope for him. Spivey was a bad prisoner, and it is thought by many that this militated strongly against the commutation of his sentence. While he was in jail here after his conviction, Sheriff Clark found in his possession a half dozen or more back saws and other things not at all to his liking, and under direction of the Solicitor carried Spivey to the State prison for safekeeping. When he was taken to the prison recently Spivey had come near making his escape four different times. Spivey himself told that if Walter Morrison, under sentence to be electrocuted, had not "squealed" on him he would have made good his escape, stating that he was out of his cell and was just fixing to get into the yard. Asked how he would have passed the guards after getting out of the prison proper, he replied that they were often asleep and that he could have managed that all right.

THE SINNER MUST PAY THE PENALTY

This is "Something Absolutely Sure"—Dr. Torrey.

FIRST WEEK OF SERIES ENDS

Dr. Torrey Tells Large Congregation of the Impossibility of Escape From Sin—About 100 Conversions During Week.

With a stirring sermon in the Champion Press building last night Rev. Dr. R. A. Torrey, the noted evangelist, ended the first week of the series of meetings he is conducting in Wilmington. During the week something like 100 persons have professed faith in Christ and openly expressed an earnest desire to live better lives henceforth. The best meeting yet held was the one yesterday afternoon, when there were 41 conversions, the number including men, women and children.

Dr. Torrey last night preached a strong practical, and to many a most enlightening sermon on the certain penalties of sin, showing in clear and convincing manner that surely "the way of sin leads to death." Owing to the threatening weather the congregation was the smallest since the meeting began, but those who were present listened to the evangelist with rapt attention throughout his able discourse.

One of the features of the meeting last night was the singing of the children's choir of about 60 voices. The children occupied the gallery and the songs rendered by them pleased the congregation greatly. The choir is under the direction of Mr. Young, assisted by Mrs. J. D. Smith and Miss Lucy McIntosh. Dr. Torrey complimented the children's choir very highly. The committee desiring to express through the papers its thanks to the Steiff Piano House for the use of a Steiff Grand Piano for the meetings. Dr. Torrey announced that there would be no services today, Saturday always being taken as one of rest, and stated that services would be held Sunday at 4:30 P. M. and 7:30 P. M., for both men and women. Services will be held every afternoon next week at the usual hour with the exception of Friday when there will be a meeting for children between the ages of seven and 21 years. No adults will be admitted except those who expect to take part in the meeting. Dr. Torrey stated that Mr. Jacoby was considering the matter of holding a meeting at the Y. M. C. A. every day from 1:05 to 1:30 P. M. for the purpose of giving instruction as to how to study the Bible and asked the men of the congregation who would attend to hold up their hands. A large number signified their intention of attending. Dr. Torrey also asked for more personal workers and many hands went up. He said that announcement would be made later as to the Bible Study class. After the singing of a solo, "God Will Take Care of You," by Mr. Young, Dr. Torrey led in prayer, following which he began his sermon.

In beginning Dr. Torrey spoke of the uncertainty in financial and political matters and regarding theological questions, speaking particularly of the uncertainty in the minds of the statesmen in Washington regarding the tariff and postal savings bank bills. "But," he said, "there is something absolutely sure. You thank to the numbers 32:23: 'Be sure your sins will find you out.' It is absolutely certain that if a man sins he will suffer. There has never been one sin committed on earth that paid; never one committed but the sinner is the loser. It may seem to him for a time that he has escaped, but he will finally be required to pay the penalty. He will suffer for every sin he commits. You sometimes escape the laws of man, but you cannot escape the laws of God.

"Very likely there are some here tonight who contemplate some sin in the near future. Maybe you came here tonight for the purpose of carrying out your plans to commit some sin. If so, DON'T YOU DO IT! I wish to call your attention to a few ways in which sin will find you out.

"The first is in the execution of the human law. When a man who sins thinks he is escaping he is merely weaving a net about him. Dr. Torrey told of a prominent New York banker who violated the laws of the country and who escaped for a time but is now serving a sentence in the Federal prison in Atlanta, Ga. While Dr. Torrey did not call any name the description was that of Morse. He also told of a Chicago banker who was caught and sentenced to prison. They thought," said Dr. Torrey, "they were escaping when they were in reality weaving a net around themselves." He told of the robbery in Chicago of a postoffice money order. Inspectors went to work on the case to find out who forged the signature and after some months of work exhausted every clue. This is where Dr. Torrey came in as a Sherlock Holmes. He was shown the forged money order. Just at that moment the name of a man whom he had heard use profane language crossed his mind. The friend with Dr. Torrey had some of the handwriting of the man whose name flashed

J. P. MORGAN IN ROME.

American Financier Would Be Life Prisoner in the Vatican.

Rome, March 11.—There was hardly a minute of rest today for J. Pierpont Morgan, for the American financier was busy almost continuously from early morning until late tonight. Viewing works of art of the masters, taking care of a large amount of the art masterpieces there, Mr. Morgan said he would not mind being a life prisoner in the Vatican if he were permitted at all time to look upon such artistic perfection.

Mr. Morgan today accepted an invitation of the committee of the Italian organization which is arranging for the celebration in 1911 of the 50th anniversary of the proclamation making Rome the capital of United Italy, to act as the honorary president of the foreign committee.

Washington, March 11.—The Senate today confirmed Marlon H. Stevenson as collector of customs for the district of Cherrystone, Va.

DEMOCRATS IN CONFERENCE

Party Leaders in Secret Conclave at Hot Springs, Ark.

Hot Springs, Ark., March 11.—News that Charles Murphy, Tammany leader, was on the way to Hot Springs where National Democratic Chairman Norman E. Mack has been in conference for several days with friends of Southerners, who aspire to party leadership in 1912, caused much gossip today, and tonight.

The direct examination of Mr. Davis had not been concluded when adjournment was taken until tomorrow morning.

BONAPARTE DEFENDS NEGRO.

He Appealed to Supreme Court to Have Death Sentence Set Aside.

Washington, March 11.—Former Attorney General Charles G. Bonaparte has been retained to defend Pinckney Franklin, a negro of Orangeburg, S. C., who is appealing to the Supreme Court to have set aside a death sentence imposed upon him. Franklin was convicted in 1907 of having murdered Henry F. Valentine, a special constable, who was attempting to arrest him on a charge of violating a labor contract. The hearing will be in April.