THE WEATHER.

Fair in east; rain Friday or Saturday night in west; Saturday fair and cooler in interior; moderate southwest to west winds.

THE MORNING STAR

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VOL. LXXXVII—NO. 97. WILMINGTON, N. C., FRIDAY MORNING, JANUARY 13, 1911. WHOLE NUMBER 13,504.

MRS. EDDY'S WILL SAID TO BE VOID

Opinion of Prominent Lawyers As to Clause Providing Gift for Church

DECLARED TO BE UNLAWFUL

The Founder of Christian Science Left $2,000,000 to Mother Church—Comes Under Laws of New Hampshire.

Concord, N. H., January 12. — That the residuary clause in the will of Mrs. Mary Baker G. Eddy, founder of the Christian Science Church, is null and void, is the opinion of ex-United States Senator William E. Chanler, Hannis Taylor, of Washington, D. C., professor of constitutional and international law at George Washington University, and others as given out for publication here tonight. The clause provides for a gift of about $2,000,000 to the First Church of Christ, Scientist, of Boston, known as the "Mother Church."

A statute of New Hampshire prohibiting a bequest to a church of over $5,000 annually, is the basis of the opinion which is written by Professor Taylor. Referring to the residuary clause as "null and void," the opinion says:

"As to the void gift, the testatrix died intestate and its subject matter passed, on her death, to her next of kin, under the New Hampshire statute of distribution." In the closing paragraph the opinion advises the attorney for the next of kin that such agreements and contracts as they made with the testatrix and her trustees in her life time bind them only "to recognize as valid such provisions of her last will as are legally valid."

"To that extent," continues the opinion, "you are bound, and are required, to join with the executors in requesting the probate court of New Hampshire to admit such will to probate in solemn form, in order that all its provisions may prevail, so far as they are not forbidden by law. After you have so acted and performed every part of the agreement you have entered into, it will remain for the courts of equity, Federal or State, to construe the will in order to determine whether the residuary clause is valid or void."

Mr. Chanler, as counsel for the "next friends" in his letter to Professor Taylor, reviews the facts regarding Mrs. Eddy's will and estate, and the "next friends'" suit, which resulted in Mrs. Eddy's placing a large sum of money in trust for her son, George W. Glover, of Lead, S. D., and his children. He then describes his signing the agreement by which the "next friends'" suit was settled, and adds:

Mr. Streeter (General Frank S. Streeter, of Concord) drew the agreement for my signature. When signing I took it for granted that Mrs. Eddy would not, in giving away her property, undertake to violate public law. If I had thought she had already done so by attempting to create a Church with an endowment of two millions of dollars, I should not have signed."

Late today a petition was filed in the Supreme Court here by ex-Senator Chanler and other attorneys, asking the court for a construction of Mrs. Eddy's will, particularly the clause relating to the residuary estate.

The petitioners also pray for an injunction against any disposition being made of the property in question pending the construction of the residuary clause.

The matter given out for publication here consists of a letter from Mr. Chanler to Hannis Taylor, professor of constitutional and international law at George Washington University, Washington, D. C., and a reply from Professor Taylor. It contains the opinion that Mrs. Eddy's will is void and to Professor Taylor's signature to the opinion have been added those of Mr. Chanler, Attorneys John W. Kelly, of Portsmouth, and DeWitt C. Howe, of Concord, who were associated with Mr. Chanler as counsel for the "next friends," and William L. Chambers, a lawyer, of Washington.

Mr. Chanler, in his letter to Professor Taylor, reviews the facts regarding Mrs. Eddy's will and estate, and the "next friends'" suit, which resulted in Mrs. Eddy's placing a large sum of money in trust for her son, George W. Glover, of Lead, S. D., and his children. He then relates his signing the agreement by which the "next friends'" suit was settled and adds:

Mr. Streeter (General Frank S. Streeter, of Concord), drew the agreement for my signature. When signing, I took it for granted that Mrs. Eddy would not, in giving away her property, undertake to violate public laws. If I had thought that she had already done so by attempting to create a Church with an endowment of two millions of dollars, I should not have signed."

The opinion rendered by Professor Taylor and endorsed by Mr. Chanler and the other attorneys holds that the will is void, and says:

As to the void will, the testatrix died intestate, and its subject matter passed, on her death, to her next of kin, under the New Hampshire statute of distribution."

The Grand Theatre is the place to meet your friends. **

TAFT FAVORS TARIFF BOARD

Progress in Movement for Permanent Commission—President Talks of Tariff Matters—Features.

Washington, Jan. 12.—Significant progress was made today in the movement for the creation of a permanent tariff commission. Not only did President Taft in an address at the banquet of the National Tariff Commission openly endorse the Longworth bill characterizing it "as a conciliatory measure embodying all the important features that are necessary to make the commission effective" but early today he sumoned the Republican members of the Ways and Means Committee to the White House and urged them to harmonize their differences.

The National Tariff Association closed its session today with the unanimous adoption of a resolution demanding of Congress the passage at the present session of legislation creating a permanent tariff commission "having functions and compensation analogous to the inter-State commission."

The President renewed his plea for harmony in his address tonight declaring that what he was most anxious to avoid was the failure of tariff commission legislation at the present session because of any difference as to the details. He declared that he would not mention "the bill that bears the name of the Ohio Congressman," except that it seemed to him "to constitute a very well-drawn compromise upon all the differences of detail that have existed between the supporters of various measures."

The Longworth bill referred to by the President, according to the admission of its author, is an incorporation of silent features in the Lenroot and the Goode bills of the House and the LaFollette and the Beveridge bills of the Senate and provides for inquisitorial powers for the tariff commission as well as the safeguarding of information obtained.

The National Tariff Commission Association early today had practically endorsed the Longworth bill in a resolution sent to Congress demanding immediately tariff commission legislation and it was in amplification largely of the resolution of the association that the President spoke tonight. The Association had declared for a tariff commission whose powers and functions should be analogous to the Inter-State Commerce Commission.

Many members of the Senate and House were present at the banquet and among the speakers were Senators Lodge, of Massachusetts, and Cummins, of Iowa, and Representative Longworth, of Ohio.

"There are those who oppose the existing tariff and criticise it severely," said President Taft. "There are those who uphold it as a fair measure on the whole. Now it seems to me that both may logically and properly support the creation of a commission whose findings, if the former are right, will indicate the necssity for tariff changes; and that the latter may well and consistently support the same commission with the hope and belief that the investigations will show that the present tariff is not unjust or unequal in its operation or if so, that it is only so in the case of a few schedules.

"I am not of those who expect that the tariff commission is going to reform the whole situation in such a way that we are to receive from them with mathematical certainty the exact difference in the cost of production here and abroad, or other circumstances that are useful in framing a tariff bill. Matters of that kind are necessarily matters not of exact ascertainment, but of judgment and general average. But I do hope that if the bill passes the results of the labor of the commission will be such that Congress will have sufficient information to reach a general average of fairness and justice, and that the people will have a reliable means of judging of the correctness of the action of Congress. Then if Congress shall depart from the economic theory of a majority of the people in the action taken upon this reliable information offered, the people will have resources to the method adopted so often in the past—that of turning out the party in power and putting in a new party to carry out the then prevailing popular theory. But it is of the utmost importance that the action both of Congress and of the people shall be taken on reliable evidence.

"Anything that tends to make that evidence and the conclusions from its fairer and freer from political bias, ought to be encouraged.

"I quite agree with this association in favoring a consideration by Congress of separate schedules or separate subjects matter affected by the tariff so as to prevent the action upon one schedule frm being unduly influenced by promised action upon another. It is impossible to avoid this in a general revision.

"What I am in favor of is a bill which will get through both Houses without acrimonious dispute over unimportant features of the bill and without arousing either jealousy or suspicion, or partisan and unreasonable criticism.

"The present tariff board is working well, but it is dependent wholly on executive order and an appropriation. It should be made permanent in some form so that any Congress which may desire to avoid the useful source of information which it will furnish shall have to take the responsibility of repealing the law."

To see pictures in a new and up-to-date theatre, come to the Grand. **

OIL TRUST'S SIDE TOLD BY MILBURN

Argument Against Dissolution of Standard Before the Supreme Court

CHARACTER OF ROCKEFELLER

Asserts That Standard is Committing No Wrongs—Explains How the Company Grew—Kellogg Speaks Today.

Washington, Jan. 12.—Standard Oil attorneys today argued before the Supreme Court of the United States against the proposed dissolution of the Standard Oil Company, of New Jersey, as violative of the Sherman anti-trust law. For three hours John G. Milburn, of New York, addressed the court. Tomorrow Frank B. Kellogg, of Minnesota, will present the government's side of the controversy. The arguments will not be concluded until next Tuesday.

Mr. Milburn endeavored to show what alleged wrongs the affirmance of the dissolution decree of the lower court would incur.

In his history of caotic conditions in the oil business between 1860 and 1870 due, he said, to an over production of refining capacity, Mr. Milburn introduced to the court the character of John D. Rockefeller.

"There was out there in Cleveland," he said, "a young man in the early 60s' with a small amount of money which he had saved, who possesed the gift of genius. He had the genius for business and there is a genus for business just as there is a genius for war, or poetry or painting. That man was John D. Rockefeller. He saw that this overproduction of refineries was to be met by volume of business so as to withstand the lower profits."

He then told how Rockefeller allied himself with Andrews, a practical oil refiner, and how with the exercise of Rockefeller's genius for business and their consequent good standing among financiers, they grew rapidly.

Mr. Milburn dwelt particularly upon period of acquisition which he closed in 1879 the trust agreement of 1892 and the new arrangements of ownership in 1899. Acquisitions never had been made, Mr. Milburn told the court, with an intent to restrain or to monopolize inter-State trade. Most of the purchases were made, he said before 1879.

"We thought that it was only the decent thing to do if a man came to us," said Mr. Milburn with a proposition to sell out to buy his plant at its apprised value. Often it was practically worthless, and we could have permitted it to go to dry rot in his hands."

He denied the charges of the government that the Standard Oil had the advantages of such preferences from the railroads during the period of acquisition, that it should now be punished. The contracts between the railroads and the Standard were not in restraint of trade, he contended, "when viewed in the light of the days in which they were made."

His remarks about the re-organization of the Standard Oil Company, of New Jersey, in 1899, which is the thing which the decree of the lower court would undo, was summarized by Justice Hughes.

"The net result," suggested Justice Hughes, "is that the Standard Oil Company, of New Jersey, after 1899 stood in the place of the trustees, and those who held the certificates issued by the trustees thereafter held the stock of the Standard Oil Company, of New Jersey?"

"Precisely," said Mr. Milburn. "It is quite simple when you understand it. You see there was the same body of common owners of the property both before and after 1899."

At this point, he referred to the argument of the Standard upon which it is pinning its faith, in the present controversy, that the new arrangement of 1899 did not suppress competition in any way, because the properties before 1899 were not competing they being owned by the same persons.

One object to the decree which Mr. Milburn voiced was that by compelling the Standard, of New Jersey, to give to each of its stockholders a proportionate share in each of the corporations whose stock it held, the small holder of stock would be seriously embarrassed. For instance, the man who owned one share of stock in the Standard of New Jersey, would get script for twenty-eight cents worth of stock in one company and $2.50 worth in another. This would not be marketable, he suggested. Furthermore, he made the statement that the decree would be ruinous to much of the properties, because the companies had no independent existence.

CLARK EXPLAINS RULES FIGHT

Democratic House Leader's Statement as to Voting for Cannon—Position of Democrats—Congress Situation.

Washington, Jan. 12.—A statement outlining the view of the Democratic party in the House as to the meaning of the recent rules fight setting forth the precedent that would have been set if the Democrats had voted to overrule Speaker Cannon at that time was issued today by Representative Champ Clark, the Democratic leader of the House, and probable Speaker of the next Congress. The statement follows:

"There is a tempest in a teapot about how the Democrats voted on Monday on the question of sustaining Speaker Cannon's ruling. Some of the papers have been charging that the Democrats reversed their action of the 19th of March. This is an entire mistake. Every Democrat who made speeches on the proposition pending on the 17th, 18th and 19th of March, 1910, took particular pains to state that the precedents were in favor of the Speaker's ruling on that occasion, and that what we were then doing was revolutionary in its character. I used this language on that occasion. There is no use to mince matters about it. It is a revolution. Individually I am not afraid of revolution, for people of our blood always revolutionize in the right direction.

"The difference in the situation is that in March, 1910, we were fighting to accomplish a great result, namely, to liberate the House from the domination of an oligarchy of five, of which the Speaker was one. In fact, in the slang phrase of the day, 'He was it.' that was the committee on rules. The despotism of that old committee on rules—composed of five men of which the Speaker was chairman—had become intolerable, and we were entirely justified in upsetting all the precedents that were ever made to emancipate ourselves.

"The question last Monday was an insignificant squabble between Judge Fuller, of Illinois, and Hon. James R. Mann, of Illinois, both Republicans, neither one an insurgent, each determined to have his own way. Each one had a bill that he wanted to get up, and that is all there was to it. There was no principle involved whatever. By our votes we said that the Speaker's decision was sustained by the precedents and we also said by our votes that the matter in controversy was not of sufficient consequence to revolutionize the House.

"There is no inconsistency whatever in our votes in March, 1910, and last Monday. The Speaker can get all the pleasure out of it he wants, which is very little, I think. The appeal from his decision was taken by a rampant Republican, Hon. Joseph Holt Gaines, of West Virginia, a stand-patter of the stand-patters. If the Democrats had overruled the Speaker by their votes, and thus creating a precedent then in the 62nd Congress the Republicans could have used this precedent thus established to arise each day with various amendments to the rules and by this conduct prevent any tariff legislation or any remedial legislation of any character."

CENSUS IN TENNESSEE.

Increase in Population of 30.7 Per Cent. in Cities Over 5,000.

Washington, Jan. 12.—Tennessee municipalities having a population in excess of 5,000 made an average increase of 30.7 per cent. during the last ten years and contributed 54.3 per cent. to the State's total increase in population of 164,173, according to statistics of the 13th census issued today.

Of the larger cities in the State Chattanooga showed the greatest percentage of increase, it being 47.9 per cent. Next is Nashville, with 36.5 per cent.; Memphis with 28.1 per cent.; Knoxville with 11.4 per cent., and Jackson with 8.7 per cent.

Jacksonville, Fla., January 12. — With about four-fifths of the vote cast in Tuesday's election accounted for, W. A. Blount maintains his plurality over N. P. Bryan and J. N. C. Stockton, in the senatorial race. Blount's vote is 10,710; Bryan's 7,366 and Stockton's 6,465.

OUTLINES.

Damaging evidence against Mrs. Schenk was given at the trial at Wheeling, W. Va., yesterday by the nurse who attended her husband, the wealthy packer, when he was ill——John G. Milburn appeared before the Supreme Court yesterday in behalf of the Standard Oil Company and spoke against the dissolution of the company. He introduced to the court the character of John D. Rockefeller——Several Washington lawyers stated yesterday that the statuary clause in Mrs. Mary Baker Eddy's will providing a gift of $2,000,000 to the "Mother Church" is void. They declare the same to be unlawful——More than 20 Mexicans were killed in a battle between a band of insurrectos and Diaz troops yesterday——Champ Clark, leader of the House minority, yesterday explainew the action of the Democrats in recently upholding Speaker Cannon.——New York markets: Money on call easier 2 1-4 to 3 per cent., ruling rate 2 7-8, closing bid 2 1-4, offered at 2 1-2. Spot cotton closed quiet, middling uplands 14.90, middling gulf 15.15. Flour was steady with demand only moderate. Wheat easy, No. 2 red 1.00 7-8 elevator and 1.01 1-8 f.o.b. afloat. Corn firm, new No. 2, 54 nominal f.o.b. afloat. Oats spot dull, futures closed 1-8c lower. Turpentine easy.

WOMAN TESTIFIES AT SCHENK TRIAL

Nurse Dealt Unsparingly With The Accused in Her Testimony

HAD LOST LOVE FOR HUSBAND

Says Mrs. Schenk Told Her She Wanted "Young Society Blood."—Testimony as to Arsenic in Water.

Wheeling, W. Va., Jan. 12.—It was woman against woman at today's session of the Schenk trial when Alma J. Evans, a professional nurse, testified against Laura Farnsworth Schenk, and described the circumstances that influenced her to suspect that John O. Schenk was being poisoned by his wife. Her testimony dealt unsparingly with the accused woman.

It was Miss Evans who attended Schenck during his illness and the State brought, on direct examination, the statement from her that Mrs. Schenk had lost her love for the wealthy pork packer. She testified that time and again Mrs. Schenk instructed her that if Schenk died suddenly to go to his trousers' pocket as soon as the breath left his body, get the keys to his safe deposit box in a local bank and notify her before the Schenks knew of the death.

"You don't know those Dutch devils like I do," the witness said Mrs. Schenk exclaimed on various occasions when referring to members of the Schenk family.

The State also brought out through Dr. Charles Glaser, of Johns Hopkins University, that the first bottle of mineral water sent him for an analysis contained three and six-tenths grains of arsenic to the half gallon, and that the sample of hyomel quinine which Schenk was also taking contained seven grains of sugar of lead to the ounce.

Miss Evans further testified that "dummy" bottles of medicine were kept in the bath room of the suite occupied by Schenk at the North Wheeling Hospital while the real remedies being given Schenk were kept in another part of the building, that the bottles were placed there as a decoy and that the accused was given an opportunity to "doctor" them. Mrs. Schenk went into the bath room, locked the door, and remained inside for 15 minutes.

The defense, however, apparently scored when it was testified by Dr. Hupp that the medicine in the room had not been tampered with, also on cross examination of Dr. Glaser, that a second bottle of mineral water, taken from the room in which Mrs. Schenk was locked for some time, had not been tampered with.

The allegation that the wife attempted to poison the husband after he had been removed to the hospital, the defense contended, is shattered by the fact that broth and other articles of food prepared by Mrs. Schenk and taken to the hospital, were not given the patient, but were preserved and analyzed and no trace of poison was found in them.

Miss Evans further testified that Mrs. Schenk selected the undertaker who was to have charge of her husband's funeral. "I won't have any Dutch funeral," she quoted Mrs. Schenk as saying, naming the undertaker who would be employed by the Schenk family and the one whom she had picked out herself, who conducts the most exclusive establishment in the city.

At another time the witness testified Mrs. Schenk told her that "John is too old for me. I want a young society blood," and that the accused confided to her that John was too much of a business man" to suit her because she thought she was "entitled to break into society." on account of her wealth.

A detective nurse, Mrs. Nota Klein, was placed on the case soon after Schenk's removal to the hospital for the purpose of trapping Mrs. Schenk, the defense declares, and Miss Evans said that Mrs. Schenk became very friendly with the second nurse at once, not knowing her identity.

Miss Evans was subjected to a most searching cross examination, but her testimony was not shaken in any marked degree.

During the tetimony of Miss Evans hostile glares passed repeatedly between the accused and the witness.

Another line followed by the defense was an attempt to show a conspiracy on the part of the Schenk family against the accused, especially on the part of F. Albert Schenk against his brother John's wife.

Miss Evans testified if such conspiracy existed she never was aware of it.

IREDELL FARMER KILLED.

In Attempting to Get Off Southern Passenger Train.

Asheville, N. C., January 12.—R. E. Rudacil, aged 40, a prosperous farmer of Iredell county, was instantly killed today in attempting to get off the rapidly moving Southern railway passenger train at Elmwood, his home, where the train makes no stop. Mr. Rudacil got on the train at Hickory, N. C. His head struck the rail, breaking his neck, and death was instantaneous. The body was picked up and taken to Salisbury. The body will be taken to Elmwood for interment.

MANY FELL IN MEXICO FIGHT

Desperate Battle Between Insurrectos and Diaz's Troops—Twenty Said to Have Been Killed—Details.

Comstock, Texas, Jan. 12.—More than twenty men were killed in a desperate battle between the Mexican Federal soldiers and a small party of insurrectos on the bank of the Rio Grande opposite this point yesterday. The insurrectos has only 18 men and for three hours they held at bay about 75 rurales and about 100 infantry soldiers.

When darkness ended the battle the insurrectos held the field and the Federal troops had withdrawn a couple of miles and camped. The insurrectos left a couple of hours later for their mountain headquarters fifty miles away, carrying their wounded with them.

Of the 18 insurrectos, two were killed and seven wounded. E. S. O'Reilly, correspondent with the insurrectos, received a slight wound in the thigh.

Twice the rurales charged the insurgent position once coming within fifty yards but each time they were repulsed. The correspondent counted eighteen soldiers that were carried from the field during the battle.

The arrival of twenty more insurrectos in the last few minutes of the fight saved the defenders and prevented what probably would have been a massacre of the little band. The original party of the insurrectos numbered 40 men. They had been on a raid through the district south of Las Vacas getting horses and recruits. For two days a party of seventy rurales had chased the band and on the night of January 10th the party went to the river to water their jaded horses and rest. They had eluded the government forces.

The next morning twenty of the band started for a ranch about 12 miles away to get more horses. The camp of the insurrectos was discovered and a company of seventy infantry men was mounted and sent to the support of the squard of rurales. When they appeared the camp of insurrectos preparations were made to give them a hot reception. Two of the rebels were set at work packing extra ammunition and rifles on mule back.

The eighteen remaining insurrectos took position in a line across the trail of the advancing soldiers. The firing commenced at a distance of about 300 yards. The insurgents poured a volley from their thirty calibre rifles into the enemy and three soldiers fell. The soldiers replied with their Mauser carbines and the battle was on. After an hour's continuous fighting the Federal received reinforcements from their main body and a charge was made on the insurrectos. As they advanced the defenders of the pass sent a storm of bullets into their ranks, firing cooly and making every shot count. The Federals advanced a short distance and then returned to their original position. The firing continued and one by one the band of insurrectos dropped from the ranks either dead or wounded until only nine men remained workng their guns. Again the soldiers charged, this time approaching within fifty yards of the gulley where the insurrectos were concealed. Not a man gave way, but continued firing deliberately until the soldiers again retreated. Both in the charges and retreats the rurales kept up their line in good order and showed no panic.

The steady fire and good aim of the insurrectos was more than the soldiers could stand and they shrank from closing for a final assault.

The battle started at 4:20 o'clock and continued steadily until 7:30. As darkness approached the twenty insurrectos, who had been sent for horses appeared on a neighboring hill approaching at a gallop. The bugles of the soldiers blew a retreat and they fell back about a mile where they took a stronger position in a shallow canon. The field was left to the insurrectos and the band of 18 had successfully held at bay nearly ten times their number for three hours.

The insurrectos buried their dead, cared for the wounded, packed their equipment and two hours later started across country for El Burro, the mountain where they have established their stronghold.

WOMEN MAKE PROTEST

To Taft Against Placing Reformatory Near Mt. Vernon.

Washington, January 12.—President Taft was appealed to today by a delegation of the Mount Vernon Ladies' Association to intercede in the construction of the proposed new reformatory for the District of Columbia, the site of which has been chosen at Belvoir, va., a few miles from Mount Vernon, the nation's most historic landmark. The delegation was headed by Miss Harriet C. Comegys, regent of the association, and was accompanied by Representative Carlin, of Virginia.

The delegation contended that inasmuch as vast sums of money had been expended for the proper care of the surroundings of Mount Vernon, they considered it their paramount duty in safeguarding this place of national importance and to preserve its surroundings from desecration.

The President gave no decision in the matter, but promised to take up the matter with the commissioners of the District of Columbia.

PEOPLE TO ELECT THE COMMISSION

Both Plan and Members of City Government to Be Submitted to Vote

SO DECLARES MR. KELLUM

Interview With New Hanover Representative—Legislative Proceedings at Raleigh Yesterday. Constitutional Bill.

(Special Star Correspondence.)

Raleigh, N. C., Jan. 12.—Representative Woodus Kellum, of New Hanover, says that in view of the great interest there is in Wilmington as to the proposed commission form of government and the desire to know the position of the New Hanover delegation here, he will say for himself that he has, after mature consideration, decided that he will contend for a bill that will provide the commission form, when adopted by a vote of the people, and also for the people to elect their commissioners.

He does not, however, believe the Battle bill, providing a general law that may be adopted by any city of the State, will meet the peculiar needs of Wilmington. He is waiting to see what sort of bill the association of North Carolina city officials, known as the Municipal Association, will have when it meets here next week.

Other Proceedings.

In the House the Stubbs joint resolution for a constitutional convention was made a special order for Wednesday, January 25th. It has a favorable report from the committee on constitutional amendment.

A fiery discussion developed in the House over the proposed investigation of the conduct of fire insurance companies in North Carolina, the Judiciary Committee having returned it with the recommendation that it go the Propositions and Grievances Committee, Koonce, chairman, the author of the resolution, which proposes that the Legislature appoint a commission with court powers to compel the attendance of witnesses, etc. The demand was made that it go to the Insurance Committee. Koonce protested, charging that this committee was made up largely of insurance men, who might be unduly influenced. This was resented by Woodson, of Cleveland, and others, Woodson charging that Koonce, a lawyer, knows nothing of insurance matters himself, although author of this bill, to deal radically with insurance interests. He and those fighting with him contended that the practical insurance men of the Assembly were the ones to pass upon the bill. Koonce won out on the vote, getting the bill to his Proposition and Grievances Committee.

In the Senate, Mr. Graham introduced important bill as to bonds for taking care of State bonds falling due January 1, 1913, and authorizing the State treasurer to borrow money to pay the difference between the amount appropriated at this session and the revenue received, or if the loans cannot be made, he is authorized to issue bonds not exceeding one milion dollars.

Senate—Ninth Day.

The Senate met at 11 o'clock, Rev. Hight C. Moore, —editor of the Biblical Recorder, offered prayer.

Senator Barham, of Wayne, was allowed to withdraw his bill relative to the speed of automobiles.

On motion of Senator Hobgood, of Guilford, the bill creating a commission form of government for Greensboro, was recalled from the engrossing clerk's office and ordered sent to the House without engrossment.

Introduction of Bills.

Graham, of Orange: To provide for the payment of all appropriations during the session and for the redemption of bonds falling due January 1, 1913, by authorizing the State treasurer, upon the approval of the council of State, to borrow money or if satisfactory loans cannot be made, to issue bonds not to exceed one million dollars. Referred to judiciary committee.

Lemon, of Union: To amend the law relative to escapes. Revisal.

Reinhardt, of Lincoln: To conserve the cattle supply of the State. Propositions and grievances.

Hurdle, of Caswell: Changing the pay of jurors in Caswell county. Judiciary.

Barham, of Wayne: Relative to the speed of automobiles and penalty for violation. Propositions and grievances.

Fisher, of Polk: Authorizing the commissioners of Polk to purchase land for a county home and issue bonds to pay for same. Judiciary.

Cobb, of Robeson: Changing the name of the Indians known as the Croatans to Cherokees and providing separate apartments for the insane in the insane asylum at Raleigh. Judiciary.

Haymore, of Surry: Revising the charter of Elkins. Counties, cities and towns.

Cobb, of Robeson: Establishing a recorder's court for Robeson county. Judiciary.

The joint resolutions relative to the death of Representative John L. Stuart, of Montgomery county, and in relation to canvassing the vote for State officers and the bill appointing justices of the peace in Hertford county were ratified.

The House bill creating the office