

THE WEATHER.

Rain today or tonight and probably Thursday; colder Thursday.

FOUNDED 1867

VOL. XXI—NO. 89.

WILMINGTON, N. C., WEDNESDAY MORNING, JANUARY 8, 1913.

WHOLE NUMBER 13,215.

ADVERTISING PAYS.

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JUDGE GRILLED BY SENATE MEMBERS

Question After Question Fired at Archbald to Clear up Some Points

TESTIMONY IS NOW ALL IN

Charge Involving Jurist's Correspondence With Louisville & Nashville Attorney Subject of Lengthy Inquiry.

Washington, Jan. 7.—The impropriety of a Federal judge writing to an attorney on one side of a case had been argued before information or argument to clear up doubtful points became the point around which members of the Senate today fired question after question at Judge Robert W. Archbald, of the United States Commerce Court, under trial by impeachment for alleged violation of his Federal oath.

Cross examination of the accused jurist begun by Representative Sterling, one of the House managers conducting the prosecution, virtually was taken out of his hands when that charge was reached involving Judge Archbald's correspondence with Attorney Helm Bruce, of the Louisville & Nashville Railroad.

Members of the Senate demanded of Judge Archbald again whether he did not think it improper and unfair to the other parties in a suit, to request of one attorney an explanation or correction of evidence without giving like privileges to the other side. He insisted he thought there was nothing improper in his conduct.

Judge Archbald held the witness stand for nearly four hours. All testimony now has been given and there remain only closing arguments and the vote of the Senate as to whether Judge Archbald is guilty of any of the charges against him.

The Senate determined to devote three days to the arguments, and the first day, it is expected, will be devoted to the testimony. At least five House managers will participate, opening at 1 o'clock tomorrow.

The Louisville & Nashville charge centered about Judge Archbald's request of Attorney Bruce for information as to a certain point in the so-called Montgomery rates cases, which had been argued before the Commerce Court. Judge Archbald said he had differed with the balance of the court and in writing a dissenting opinion, he asked Mr. Bruce to clear up a controverted question about whether certain rate changes violated the old Cooley arbitration agreement.

He declared the correspondence because of no consequence because later other members of the court, except Judge Mack, took a view similar to his own and Presiding Judge Knapp finally wrote an opinion favorable to the railroad.

"Was it not due to the argument by writing Mr. Bruce that the court reversed his earlier position and gave a decision favorable to the Louisville & Nashville?" asked Representative Sterling.

"Absolutely not," said Judge Archbald. "Senators Penrose, Pomeroy, Culberson, Shively, Nelson, Hoke Smith and others plied him with questions as to his intent and as to the propriety of his act.

"Why did you not give the attorneys for the other side a chance to present their views?" asked Senator Reed.

"The point amounted to so little that it did not affect the decision of the case," replied Judge Archbald. "You set out, did you not, to write an opinion in favor of the railroad and you wanted Mr. Bruce to fortify you in this?" asked Senator Nelson.

"No, I don't think what I did could be characterized in that way," replied Judge Archbald.

"Why did you not give the Bruce letters to your associates on the bench?" asked Senator Culberson.

"Because they did not practically enter into the case at all," said the judge.

"Did you secure Mr. Bruce's assistance in preparing a dissenting opinion?" asked Senator Hoke Smith; "and bring the other members of the court over to your view without disclosing the correspondence?"

"No, I reached my decision without Mr. Bruce's assistance and wanted his view on the one point," said Judge Archbald.

"When did you decide that this correspondence with Mr. Bruce was not material to the decision?" asked Senator Reed.

HAVE ROCKEFELLER EXAMINED

Money Trust Committee in Executive Session Made Plans for Dealing With Rockefeller's Possibilities—He Will Take a Hand in Balkan Situation if Agreement Isn't Reached

WILL TAKE A HAND IN BALKAN SITUATION IF AGREEMENT ISN'T REACHED

Ambassadors Discuss the Aegean Islands and Greek Premier Gives Reasons for Their Annexation to His Nation

Washington, Jan. 7.—The House Money Trust Committee, in executive session tonight made plans for dealing with two reluctant witnesses, William Rockefeller, and George Henry, of the firm of Solomon & Company, bankers, New York City.

Chairman Pujo announced that the committee decided to procure the services of a competent specialist in throat diseases to examine Mr. Rockefeller and verify the certificates of illness filed today by Mr. Rockefeller's physicians.

In the case of Mr. Henry the committee proposed forms to be submitted to the full committee charging him with contempt.

Mr. Henry refused on the stand today to reveal the names of National bank and National bank officers allotted a share in the syndicate, flotation of the California Petroleum Company. The bank officers made a profit of \$50,000 and the banks a like amount, Mr. Henry said, without putting up any money or even taking stock allotted to them. The syndicate, he said, simply offered them the stock and they sold it at a profit.

The full committee will be asked to certify the case to the Speaker, with the request that he certify it to the district attorney for the District of Columbia, who will be asked to take it before the grand jury.

At today's hearings the committee, besides hearing of the flotation of the petroleum company, heard of the affairs of the Equitable, Mutual, New York and Metropolitan insurance organizations with officers of each of the institutions. The fact was developed that in the mutual companies the policy holders show little inclination to control the affairs of the companies and exert practically no power in the election of officers. Samuel U. Urmeyer, counsel for the committee, examined the witness as to securities held by the companies mentioned, which under the New York State law were ordered in 1906 to dispose of their holdings of stock within five years. The time since has been extended five years.

In this connection Mr. Urmeyer examined Charles A. Peabody, of the Mutual, and Judge W. W. Day, of the Equitable, regarding the sale of stock in the National Bank of Commerce to James Stillman and George F. Baker, after Mr. Baker and Mr. Stillman had acquired through the purchase of Equitable stock by J. P. Morgan, a contingent interest of one-fourth each in the control of the insurance society. Mr. Day said he did not know Mr. Morgan. Mr. Stillman and Mr. Baker were interested in the National Bank of Commerce prior to that time.

The sale by the Equitable to Benjamin J. Strong, Jr., of the Bankers Trust Company, a block of stock in the Mercantile Trust Company, later absorbed by the Bankers' Trust, also was taken up with Mr. Day. He said he knew nothing of the voting agreement under which the Bankers' Trust had operated in which one of Mr. Morgan's partners was a trustee at the time of the sale.

CARRIE WINSLOW LOST.

Party Aboard, Including Captain's Wife, Rescued by Syndic.

Philadelphia, Jan. 6.—Thrilling stories of the manner in which they had been rescued from the heavy seas by Winslow at that vessel, every man split asunder by the waves of three storms, was rapidly sinking beneath the raging sea were told here tonight by Capt. Carlson, the commander of the ill-fated bark, his young wife, the mate and eight sailors.

They reached here today on the British steamer, Syndic, volunteers from whose crew braved the heavy waves in the only remaining life boat to effect the rescue.

The Carrie Winslow, loaded with 1,067 tons of coal, cleared from this city on December 20th for Fernandina. Severe gales were encountered soon after passing Cape Henlopen. Heavy storms raged on Christmas Eve and on late Friday and Saturday. About midnight Friday the gale reached hurricane force and the forecast fell, carrying away one of the two life boats. The bark soon began to list heavily to port and it was discovered that there was more than four feet of water in the hold.

The entire crew manned the pumps and worked heroically throughout the night. At daybreak Capt. Carlson strapped himself to the peak of the remaining mast and started a lookout which was finally rewarded by the sight of the Syndic, which responded to signals of distress and endeavored to launch a life boat. The little craft was smashed like an egg shell against the side of the steamer and further attempts at rescue were abandoned for the time being in the hope that the storm would subside.

After standing by from 9 A. M. until 4 o'clock in the afternoon it was seen that the Winslow would be unable to withstand another night. A last desperate effort was made and the only life boat which remained unharmed on the Syndic was launched and succeeded in reaching the Winslow.

Mrs. Carlson, a bride of only a few months, was the first to be taken off. Two other trips were required before Capt. Carlson, the last to leave the bark, was brought off. It was 7 o'clock before he was landed aboard the Syndic.

INTERVENTION BY POWERS PROBABLE

Will Take a Hand in Balkan Situation if Agreement Isn't Reached

EXERT PRESSURE ON PORTE

Ambassadors Discuss the Aegean Islands and Greek Premier Gives Reasons for Their Annexation to His Nation

London, January 6.—Sir Edward Grey, the British secretary of foreign affairs, made this statement in the House of Commons today regarding the possibility of intervention by the powers should the Turkish-Balkan peace plenipotentiaries fail to reach an agreement: "This subject is in course of receiving the attention of the powers, but I cannot make any public statement as to their views of decisions, except such as may be made by common consent."

The Balkan delegates were unofficially informed today that the ambassadors at Constantinople were continuing to exert pressure on the Porte, to find the best way to come to terms with the Balkan States. Some difficulties are being met at the ambassadorial conference in London and the question of the frontier of Albania has been abandoned for the moment as it has been found impossible to reconcile the desires of Austria, for an extended Russia for narrowing the boundaries of the new State.

The ambassadors today began discussing the Aegean Islands. They examined a long detailed memorandum, presented by the Greek premier, M. Venizelos, in which he enumerated all the racial, historical, geographical, and cultural reasons in favor of the annexation of these islands to Greece. Furthermore, he pointed out Greece had sufficient men and money to conquer the archipelago and the Greek colors are now flying over all the islands except those temporarily occupied by Italy.

In the memorandum, Premier Venizelos expressed the belief that the principal reason why the islands should be annexed to Greece lay in the fact that by this means it would be impossible to conclude with Turkey a peace that was really permanent and would not be disturbed by further Greek aspirations, while on the other hand if some of the islands where the Greek element predominates remain in the hands of Turkey, or are detached from Greece in some autonomous form, agitation would not end until all were united to the former.

The Serbians and Montenegrins also are preparing memoranda which will be presented to the ambassadors at the end of the week. Serbia will ask to be allowed to occupy the eastern part of the Sanjak of Novizsar and the whole region eastward from the river Drin to Lake Ochrida, besides Montenegro, which they captured.

Montenegro's memorandum will ask for promises to occupy the western part of the Sanjoko Nazer Peek and the districts of Dzakova and Scutari, with about 20 miles of the coast of the Adriatic to the mouth of the river Drin.

Montenegro will declare that the permanent occupation of Scutari is a question of life or death; that public opinion in Montenegro is so stirred that it will be impossible to persuade the people to renounce what they consider their just right. The memorandum will give the ambassadors to understand that if Scutari is not awarded to Montenegro, revolution will follow which will result in the fall of the monarchy and the union of Montenegro and Serbia.

The tension between Austria and Russia has lessened as a result of an exchange of explanations regarding the military measures both have taken. Austria is said to have convinced Russia that her present military strength is less than that of either Russia or Germany.

Rations Short.—London, January 7.—A Sofia dispatch gives facts from Adrianople saying that rations in the invested town have been reduced to one-fourth. Eighty thousand persons are sick, without medical aid or the means of obtaining warmth.

On Monday the Turkish and Bulgarian delegates met to discuss terms of capitulation. The Turks demanded that they be allowed to retain their arms, the Bulgarians refused to grant this.

A message from headquarters, adds the dispatch, requests that 30 civil servants be sent immediately to occupy the principal public posts at Adrianople.

No Fresh Proposals.—London, January 7.—The Turkish government has firmly decided not to make any new proposals on peace, according to a dispatch from Constantinople.

Nashville, Tenn., Jan. 7.—At the request of attorneys for the complainants in the case of the College of Bishops vs. the Board of Trust of Vanderbilt University involving control of the Chancellor Allison until January 27th at which time the arguments of attorneys will be resumed.

TAKING "SILENT TREATMENT"

Rockefeller is a Very Sick Man, According to Affidavit Filed With Money Trust Committee. Unable to Testify.

GEORGE W. CONNOR SPEAKER OF HOUSE

Wilson Man Selected by Democratic Caucus at Raleigh Last Night

Matters to be Considered

Washington, Jan. 7.—Affidavits that William Rockefeller has "gout, inflammation of the larynx and windpipe," which has necessitated six operations, the last of a serious nature," were recorded with the House Money Trust Investigation Committee today as evidence why the much sought oil magnate should not appear before the committee.

The affidavit of Walter F. Chappelle, Mr. Rockefeller's physician, said Mr. Rockefeller cannot speak above a whisper and must take the so-called "silent treatment."

Dr. Chappelle swore that to force Mr. Rockefeller to testify "would not only be an act of inhumanity, but actually would endanger his life."

Another affidavit by Samuel W. Lamont was made to the same effect. When the affidavits were put before the money trust committee, Chairman Pujo announced that the committee would investigate the situation through its own agencies.

Cannot be Interviewed.—Nassau, N. P., Jan. 7.—Efforts made to communicate with William Rockefeller, who has been staying at a hotel here since his arrival January 31st, from Miami, Fla., have proven futile. Inquiries at the hotel today were informed that Rockefeller was "not well enough to be interviewed about business affairs."

The financier will remain at Nassau, it is understood, for several weeks. No intimation as to his intentions with regard to appearance before the House Money Trust Investigation Committee at Washington can be obtained.

CONDEMNED IN TWO HOURS

Death Sentence Pronounced on Florida Negro Preacher—Assaulted Woman

Ocala, Fla., January 7.—The death sentence was pronounced upon J. J. Johnson, a negro preacher, here this afternoon after his conviction for criminally assaulting the wife of a prominent orange grower Saturday near Citra, Fla. Barely two hours were required for the trial.

Johnson was arrested early Sunday after bloodhounds had guided a sheriff's posse from the scene of the assault to the preacher's home.

A local company of militia was called out Sunday afternoon to guard the negro in the Marion county jail from a mob which collected when news of the arrest was made public.

A score of militiamen and deputy sheriffs escorted the prisoner to and from the court room today. Fully 2,000 persons had assembled about the Court House, but were not admitted to the trial.

ANSBERG SUCCEEDS HUGHES

Democratic Caucus Names Ohio Representative for Ways and Means.

Washington, January 7.—The Democratic caucus of the House today elected Representative Ansbury, of Ohio, for a place on the Committee on Ways and Means to succeed William Hughes, of New Jersey, who resigned from the House to seek election to the Senate.

The caucus approved all the recommendations of the Ways and Means Committee to all agencies, including those of Representative Flood, of Virginia, to succeed Governor Sulzer, as chairman of the Foreign Affairs Committee, and Representative Humphreys, of Mississippi, to succeed Mr. Flood at the head of the Territories Committee.

OUTLINES

Thirty-one members of the crew of the tank steamer Rosecrans perished yesterday when their steamer was lost off the Oregon coast, during a furious storm.

GEORGE W. CONNOR SPEAKER OF HOUSE

Wilson Man Selected by Democratic Caucus at Raleigh Last Night

MATTERS TO BE CONSIDERED

Important Legislation by General Assembly in Prospect—Minor Clerks and Officers for Session Elected.

Raleigh, N. C., Jan. 7.—The Democratic members of the North Carolina General Assembly in caucus tonight selected George W. Connor, of Wilson, as speaker of the House. As the House consists of 107 Democrats to nine Republicans and four Progressives, Mr. Connor will be elected tomorrow when the session begins.

Retiring Lieut. Governor Newland will preside over the Senate for a week, when Lieutenant Governor E. L. Daughtridge will succeed him.

The principal matters of legislation will be concerning a better system of taxation; a State-wide primary and corrupt practices act; better child labor laws; a rural credit system and perhaps a constitutional convention.

Proceedings in Detail.—Raleigh, N. C., Jan. 7.—The Democratic caucus of the members of the House of Representatives tonight chose Hon. Geo. W. Connor, of Wilson, unanimously for speaker. E. M. Keonce, who had been an avowed candidate, withdrew early in the afternoon and J. Frank Ray, of Macon, had also been mentioned, made the motion for the election to be unanimous.

Mr. Connor was presented to the caucus and expressed gratitude for the honor, declaring that this assembly is meeting at a time when the Democratic party in the State and Nation is especially on trial. The people of the State, he said, are looking to the assembly for wise, progressive and safe legislation. He appealed to the members to not disappoint the people. Mr. Connor's name had been presented to the caucus by Representative E. B. Wooten, of Lenoir, the seconding speech being by W. H. Witherspoon, of Scotland.

T. G. Cobb was elected principal clerk without opposition. For reading clerk Alfred McLean, of Harnett, was chosen with 61 votes and W. W. Wilson, of Wake, received 35. For sergeant-at-arms J. H. Moring, of Wake, was chosen, receiving 51 votes; Geo. Kilpatrick, of Lenoir, 33; and D. H. James, of Guilford, 5. E. J. Jenkins was elected assistant sergeant-at-arms and M. D. Kinsland, of Haywood, re-elected engrossing clerk. The House caucus was presided over by T. C. Bowie, of Ashe; J. A. Long, Alamance, secretary.

Hon. Harry Stubbs, of Martin, was chairman of the Senate caucus. Senator Pharr, of Meckenburg, was elected president pro tem; W. A. Hoke, engrossing clerk; W. G. Hill, Cumberland, sergeant-at-arms; Geo. W. Hinsley, Anson, assistant; R. M. Phillips, reading clerk. Both caucuses adopted motions for a formal joint caucus to be held at the proper time for deciding for whom the vote of the party shall be cast for United States Senator, a formalty leading up to the election of Senator F. M. Simmons, in compliance with the results of the party primary at the general election.

YACHT HUNTRESS WRECKED

Three of Crew Lost in an Explosion Off Florida Coast.

Titusville, Fla., Jan. 7.—Upon the arrival here today of Mr. and Mrs. F. W. Chesbrough, of New York, it became known that their private yacht, Huntress, was wrecked and three of the crew lost in an explosion which occurred off Cape Corónel yesterday. The Chesbroughs and four members of the Huntress crew took refuge in a small row boat in which they made their way to Cape Cavanaral.

The accident occurred at 4 o'clock Monday morning when the Huntress was en route to Miami from New York. The details of the explosion cannot be learned. The cook, steward and seaman were killed in an explosion and their bodies were not recovered. Before the Huntress sank the small power boat was launched and the survivors hurriedly left the yacht without saving any valuables.

They arrived at Cape Cavanaral today and were brought here. Mr. and Mrs. Chesbrough left tonight for Miami.

The yacht Huntress was about 90 feet long and valued at \$30,000. Mr. Chesbrough is the youngest son of Robert Chesbrough, the New York manufacturer.

31 MEMBERS OF CREW PERISH

Only Four Men Saved From the Tank Steamer Rosecrans, Which Founded on Coast of Oregon—Ill-fated Vessel

BIG COFFEE FIRM RECEIVES REBATES

Representative of Importers Tells "Ship Combination's" Methods

INDEPENDENTS FROZEN OUT

Several Lines Forced to Go Out of Business on Account of 10 Per Cent Deferred Rebate, Witnesses Testify

Washington, January 7.—A system of deferred rebates granted by the so-called "ship combination," to shippers who dealt exclusively with its members, was described today to the House Marine Committee by a representative of a firm who had received rebates for four years.

The representative was Joseph Purcell, of Hard & Rand, of New York, one of the largest importers of Brazilian coffee to the United States. He said that for shipping its coffee exclusively by the Lampert and Holt Line, the Prince Line and the Hamburg-South American Line his concern is given a maximum rebate of 10 per cent.

Mr. Purcell's statement came as the climax of a day's testimony hinting at the existence of such rebating systems. J. J. Slecha, New York agent for the Lloyd Brasileiro Line, owned and operated by the Brazilian government—between New York and Brazil, had just testified that his company in the last six years had Summer had resulted in failure because not a pound of freight could be obtained in South America for a return trip. He too, suspected deferred rates were the cause of this. Mr. Purcell testified that the rebate system was started in 1908 and with modifications made in 1908 or 1910 existed today.

Mr. Slecha had told the committee that "the conference" lines had raised the rate since October, 1912, from 40 cents to 50 cents a bag; but that an offer by his line to Hard & Rand to carry their coffee for 20 cents a bag had been declined.

When Chairman Alexander, of the House Committee, asked Mr. Purcell to explain this the witness testified that had the offer been accepted his concern would have lost their deferred rebate only to get a service that for regularity and efficiency was not satisfactory.

MUNICIPAL ASSOCIATION.

Important Matters Were Taken Up at High Point Yesterday.

High Point, N. C., Jan. 7.—At a meeting of the North Carolina Municipal Association, which convened here this morning in its fifth annual session, reports were taken by the organization toward legislation affecting cities and towns that may come before the General Assembly at the session which opens this week.

It was decided to forward a letter to the Speaker of the House of Representatives of the approaching Legislature asking that a report on needed legislation, the municipal association and the State Chamber of Commerce be granted before the committee on cities and towns is named. It was further decided to ask that all bills relating to cities and towns be published in the leading newspapers of the State before they are voted upon.

At this morning's session the features was an informal discussion of the commission form of government and the equalization of taxation, between cities and counties.

Capt. James D. McNeill, of Fayetteville, chairman of the legislative committee, will arrive this afternoon and make a report on needed legislation. The next meeting of the association will convene in Raleigh on January 10th, when the association will hear an address from Governor Craig. Dr. Charles L. Raper, of the University of North Carolina, will deliver an address on taxation. Dr. Joseph Hyde Pratt, State Geologist, will also be a speaker. Mr. J. C. Chifford, of Dunn, will talk on the enforcement of the law and T. J. Murphy, of Greensboro, will speak on commission form of city government.

The North Carolina Municipal Association was organized in Charlotte in 1908 under the administration of former Mayor T. S. Franklin.

DIPLOMAT DIES SUDDENLY

Paul Nash, U. S. Consul General at Budapest, Passes

London, January 7.—Paul Nash, United States consul general at Budapest, died suddenly at a hotel here early today. Although it was apparent that death was due to natural causes, an inquest will be necessary as in all cases of sudden death. Mr. Nash was 35 years old and had seen diplomatic service at Venice, Vladivostok, Rethymos and Budapest. While consul at Venice he married the Baroness Ita Myneri, he married the Baroness Ita Myneri, a native of New York State.

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