

THE WEATHER.

Fair, slightly colder today; Monday fair.

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CABELL WILL NOT STAND FOR GRILL

Refuses to Submit to Examination in Alleged Whiskey Fraud Case

INSTRUCTED BY MACVEAGH

Commissioner Hitt Ordered to Take Cabell's Deposition and More Complications Arise When Letter Won't Talk

Washington, January 18.—Further complications are threatened in the fight between United States District Judge Boyd, of Greensboro, N. C., and Royal E. Cabell, commissioner of internal revenue, in an alleged whiskey fraud case in North Carolina, by the commissioner's refusal today to submit to direct or cross-examination before Commissioner Hitt, of this city, who was ordered by Judge Boyd to take Mr. Cabell's deposition.

The commissioner's attitude was based upon written directions of Secretary MacVeagh that he offer the court without question as to its authority, a certified copy of the Treasury Department's record in the case, and decline to answer questions in connection with it. The case, which is directed against D. C. Foster, a distiller, and N. Glenn Williams, said to have been the purchaser of the whiskey in question, also is being investigated by the House Committee on Expenditures in the Treasury Department.

The pending issue in court involves an order of Commissioner Cabell that the whiskey now at Williams, N. C., be transferred to a general bonded warehouse at Louisville, Ky. Judge Boyd enjoined the removal and appointed a master to take testimony.

By the court's order Commissioner Hitt was authorized to take the depositions of Mr. Cabell and other officials of the Internal Revenue Bureau. Secretary MacVeagh, chief of the law division, and W. H. Hubbard, Jr., chief of the assessment division, summoned before Commissioner Hitt, testified that they had advised the commissioner of internal revenue to issue the order for the removal of the whiskey.

When Mr. Cabell was placed on the stand he presented a digest of the Treasury Department's record and offered as soon as the full record was obtainable from the House Committee which now holds it, to supply the court with a certified copy. Attorneys for the owners of the whiskey wanted to know why he issued the order of removal. He declined to reply, pointing to the written instructions of Secretary MacVeagh.

The commissioner contended that while his reasons do not appear in the record, he was controlled in issuing the order by his legal power as commissioner of internal revenue and not called upon to divulge his reasons to the court. The attorneys protested and are understood to have threatened to ask Judge Boyd for an order compelling him to give the answers.

Mr. Cabell also refused to answer questions propounded by United States Attorney Holton, of Greensboro, who attended the hearing.

Will Wait for Judge to Rule.—Little progress was made today in the hearing before Special Commissioner Isaac Hitt, who was appointed to take testimony in the N. Glenn Williams liquor controversy. Commissioner Cabell, when called to the stand, stated that he had received a letter from his superior officer in which he was authorized not to answer any questions propounded by counsel for Williams, and Mr. Cabell adhered closely to the instructions of his superior officer. Mr. Cabell said, however, that should Judge Boyd personally desire to see the papers in the case, he was authorized by Mr. MacVeagh to recommend that the judge be allowed to see them. After asking half a dozen or more questions in which Mr. Cabell was questioned closely in regard to newspaper interviews given out by Commissioner Cabell, Attorney E. J. Justice, of Greensboro, told Commissioner Hitt that there was no use to question Mr. Cabell further and asked that he certify to Judge Boyd whether Mr. Cabell would be required to answer questions relating directly to the case.

"If Mr. Cabell is not to be compelled to answer attorneys what is the purpose of this hearing?" demanded Mr. Justice. "Until Judge Boyd rules whether or not to compel Mr. Cabell to reply to questions I refuse to interrogate him further in this case."

Commissioner Hitt said he would ask Judge Boyd to rule and the hearing was adjourned until the Federal jurist rules as to whether Cabell can be made to answer questions.

Paid Duty on Dogs.

WILSON'S LINES OF ACTION

President-elect Will Consider All Democratic Progressive Till Otherwise Convinced—No Hurry to Distribute Pie.

Wilmington Star Bureau, 23 Wyatt Building.

Washington, D. C., Jan. 18.—Democratic leaders of House and Senate now have formed definite conclusions as to the lines of action which President-elect Wilson will follow when he takes charge March 4th.

He will start on good and equal terms with every Democrat in both branches of Congress. There is no black list. He considers them all "progressives." Only when performance convinces him will he write down this or that Senator or Congressman a reactionary. He looks forward to the special tariff session as involving Test No. 1. He will keep close tab on the roll calls in the tariff voting. These roll calls, he thinks, will separate the wheat from the chaff—the "progressives" from the "reactionaries."

His policy being as stated, the President-elect is not mixing into the organization fights of either House. He is confident, however, the control of the majority machinery in both Houses will be "progressive."

He has little sympathy for the plutocracy. He will reach the matter of filling the jobs in regular order. There will be no wholesale removal of Republican office-holders either in Washington, North Carolina, or elsewhere in the country, immediately after March 4th. As terms expire, new men will be named to the offices. They will be Democrats. Wilson desires that the patronage go to loyal Democrats. But, he will be in no hurry to hand out the spoils. It is possible that he will not seriously take up the question of filling vacancies until after the tariff session. Office seekers will gain little by pouring into Washington in March.

Wilson is committed to the civil service principles. He expects to adhere to it. The civil service rules will not be set aside by him, simply to reward politicians.

The above is the substance of an interview which Mr. Wilson had with one of the leading progressive Senators who conferred with him this week, and is authentic insofar as it forecasts the President-elect's views at present.

New York, January 17.—By court order, it was learned today, Congress-elect Timothy D. Sullivan, who long has been a prominent figure in New York legislative affairs, is to be formally committed to a private sanitarium in Yonkers.

The annual January Clearing Sale starts Monday, January 20, at 9 o'clock at Rehder's.

Visit the greatest sale of the season. Starts Monday at Rehder's.

Ball bearing roller skates at J. W. H. Fuchs Department Store.

For bargaining in clothing, shoes, hats, millinery, silks, dress goods, underwear, cloaks, furs and coat suits, visit Rehder's great clearing sale.

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SAY FISHER AIDED STANDARD OIL CO.

Uncle Sam Co. and Indians Prefer Charges Against the Secretary

MATTER AIDED IN CONGRESS

Interior Department Head Refused to Approve Leases of Osage Lands And Removed Members of Tribal Council

Washington, January 18.—The fight between the Interior Department, the Uncle Sam Oil Company and members of the Tribal Council of the Osage Indians, who were deposed recently by Secretary Fisher and whose actions have been referred to the Department of Justice for investigation, was thrust upon the attention of Congress and the courts here today.

Representatives of the oil company, whose leases upon Osage lands in Oklahoma were not approved by Secretary Fisher and representatives of the deposed tribesmen, spent the day before the Indian Affairs Committee of the House presenting charges against Secretary Fisher and other government officials. Early in the day some of the deposed members of the Osage Council secured from the District Court a mandamus against Secretary Fisher to compel him to show cause next Tuesday why they should not be reinstated.

The basis of the charges against the Secretary of the Interior was that he aided the Standard Oil Company's interests in refusing to approve the Uncle Sam leases. A bill is now before Congress to validate them. In a counter statement, mailed to the committee when the hearing began, Secretary Fisher declared that the actions of the officials of the Uncle Sam Oil Company and the Council of the Osage Indians, in refusing to approve the leases, had been referred to the Department of Justice and for this fact he could not discuss them publicly.

The Department of Justice late today, through Assistant Attorney General Khabel, transmitted to the United States district attorney at Guthrie, Okla., the reports and documents from Secretary Fisher, alleging that "undue influence" had been used upon the deposed members of the Osage tribe in the negotiation of the leases. If the investigation by the district attorney warrants such action, the case will be laid before the grand jury in Oklahoma.

Albert L. Wilson, attorney for the Uncle Sam company, in a five-hour session before the House Indian Affairs Committee, attacked the attitude of the Interior Department, the courts and the Postoffice Department towards his company.

Mr. Wilson made a lengthy argument reviewing the career of the Uncle Sam company, its difficulties with the Postoffice Department in connection with its transactions with stockholders, its trouble with the courts, in bankruptcy proceedings and finally with what he termed "the prosecution" by the Interior Department in the present case.

Under examination by the committee, Mr. Wilson said that Secretary Fisher objected to the royalty on oil offered by the Uncle Sam lease. He said the lease offered the Indians a royalty of one-eighth of the price received for oil, while the secretary asserted, the royalty should be one-sixth.

Mr. Wilson declared that the rules and regulations framed by Secretary Fisher to cover the leasing of the Osage lands were formulated after the Uncle Sam leases had been negotiated and that under these rules no company or individual could take over a large acreage out of the 800,000 acres for development, and be assured of a reasonable return on the investment. "The committee desired to know just how Mr. Wilson connected the actions of Secretary Fisher with the Standard Oil Company.

"Every attempt to keep the Uncle Sam Oil Company from securing a supply of crude oil," he replied, "aids and assists the Standard Oil Company. If we cannot get a good supply of oil for our refineries they will be able to crush us."

Mr. Wilson was emphatic in his detailed discussion of the pitfalls that had beset the path of the Uncle Sam company. Among those criticized in a lengthy brief he filed with the committee, for their attitude toward the company, were:

Judge John Pollock, of the District Court of Kansas; Judge John F. Phillips, of the District Court of Missouri; Samuel Adams, assistant secretary of the interior; R. P. Goodwin, assistant attorney general for the Postoffice Department; David W. Mulvane, of Kansas, and various other officials.

IMPORTANT BILLS IN LEGISLATURE

Representative Justice Would Apply Initiative, Referendum and Recall to State.

MATTER AIDED IN CONGRESS FOR COMPULSORY EDUCATION

Ocean to Ocean Highway Furthered by Governor Craig—Additional Committees Named in House. The Proceedings.

(By W. J. Martin.)

Raleigh, N. C., Jan. 18.—A resolution to provide for the initiative, referendum and recall was introduced in the House today by Representative Justice, of Guilford. The compulsory education bill said to be the official measure, also was introduced by Representative Ray, of Macon. It provides for six months school each year for children, 8 and 14 years, and free text books for those too poor to buy them.

Governor Craig today forwarded invitations to the Governors of 14 Southern and Southeastern States to send delegates to Asheville, N. C., February 12th, to consider the advisability of building a trans-continental highway to connect with the proposed ocean-ocean highway. The project was launched recently in California.

Representative Stewart offered a bill in the House to make separation for two years ground for divorce. One year after divorce is procured either party can petition the judge for right to re-marry.

In Mr. Mason's compulsory school law teachers are required to report all violations to clerks of courts and solicitors are required to indict and prosecute.

The House passed on final reading the Wooten bill to allow Kinston to vote bonds for the State School for Feeble Minded, located there.

Speaker Connor announced additional standing committees with chairman as follows: Manufactures and Labor, Koonce; Expenditures of the House, Bunn; Justices of the Peace, Cornwell; Appropriations, Doughton; Liquor Traffic, Miller; Roads and Turnpikes, Griffin.

The Senate a bill was introduced by Council, of Catawba, to Amend Sec. 3242 of the Revised so as to prevent multiplicity of indictments.

A bill introduced by Gilliam, of Edgecombe, to promote the manufacture of anti-hog cholera serum is to enlarge the work now carried on by the Department of Agriculture.

Among bills passed on final reading were those allowing the people of Winston-Salem to vote on the consolidation of the two towns, the bill for the creation of a highway commission for Forsyth; the House bill to authorize the city of Asheville to fund its floating debt; the Senate bill to validate the elections in Craven and in Township No. 11, Craven; for bond issues for a farm life school, the Senate bill to amend the charter of Greensboro and require notice before suit; the committee substitute for the Senate bill to permit the drawing of jurors from other counties than the one of trial.

The Republicans of the General Assembly, three in the Senate; 15 in the House, in caucus have named former (Continued on Page Eight.)

OUTLINES

Representative Humphrey yesterday introduced a bill in the House to bar trust-owned ships from the Panama canal.

Winter is in hiding somewhere and is bound to come yet, said Willis L. Moore, chief of the Weather Bureau, yesterday.

Several hundred women, members of the striking Garment Workers' Union, fought the police in New York yesterday, but the outside world, Railroad trains, however, arrived on scheduled time.

Flower Girls at "Aunt Helen's" Wedding.



The young daughters of Frank Gould, and favorite nieces of Miss Helen Gould, who will be flower girls at the latter's wedding to Finley J. Shepard on January 22nd.

FROST KING SURE TO CALL FIGHT COPS WITH HAT PINS

Balmy Breezes and Sunny Days Can't Last Always, Says Chief of Weather Bureau—Conditions Are Unusual.

Washington, Jan. 18.—Balmy breezes and sunny days which are making folk think it is Spring are to continue for some time, but Chief Willis L. Moore, of the Weather Bureau, is out with a warning that winter is hiding somewhere and is sure to come. Reports of most unusual weather conditions, telling of flowers in bloom, trees budding and birds and animals venturing out from winter quarters, are coming in to the Weather Bureau.

"With high pressure over the Middle Atlantic and low pressure in Alaska and the Northwest, such as has been general for the last two months," said Dr. Harry C. Frankfield, chief forecaster today, "we can have nothing but warm weather. To get a change these conditions must be reversed, that is, the pressure must become high in the Northwest and low over the Middle Atlantic States. This change will cause an eastern movement of cold air from the Northwest. When this will occur, however, I don't know."

So far this month two weather records have been broken. One was the low temperature record of California and the other the low pressure record of the Southeastern States.

The temperature has been more nearly normal in Minnesota and the Dakotas, while it has been generally normal elsewhere, especially in the Atlantic coast States. Today the above-normal cities were New York, 23 degrees; Washington, 26; Boston, 28; Philadelphia, 24; Pittsburg, 22; Chicago, 19; Cleveland, 26; St. Louis, 9; Denver, 9.

Heavy Snow in Oregon. Portland, Ore., Jan. 18.—A mantle of heavy wet snow settled over the Willamette valley last night, cutting off for several hours practically all wire communications between this city and the outside world. Railroad trains, however, arrived on scheduled time.

FATAL WOUNDS FOR SIX

Two Families of Glen Alpine, N. C., Fight Fierce Duel.

Charlotte, N. C., January 18.—A special to The Observer from Morganton tells of a fierce pistol and knife duel which took place at Glen Alpine, a small place six miles from there tonight, in which six men received what is thought to be fatal wounds.

The fight is alleged to be the result of a feud that is said to have existed between the Pitts and Hennessee families and which culminated in the conflict tonight.

Friends of both families rushed to the scene and were themselves soon engaged in the bloody battle, some of whom received fatal wounds.

Dr. E. A. Hennessee, a prominent physician of Burke county, was one of the combatants and was shot through the head and lungs and cannot live through the night. M. Hennessee and Abel Pitts, two others, engaged in the affray, are reported mortally wounded, while Gorman Pitts, Ervin Pitts and Sam Bennett, the latter the policeman of the village, are seriously if not fatally shot. Others engaged in the affray are more or less seriously wounded.

Several Hundred Women Battle With Police in Fiercest Riot of Garment Workers' Strike—Agreement Denounced.

New York, January 18.—With hats and umbrellas, several hundred women fought the police today in one of the fiercest riots since the beginning of the Garment Workers' strike. A lone policeman who tried to protect male strike-breakers was severely beaten.

The policeman arrested one woman, but had to summon 12 more blue coats before he could get his prisoner to the station house. The police accomplished this by forming a hollow square which was beset on all sides by the battling Garment Workers.

Five women were arrested in another riot which started when the women assaulted a truck driver, delivering mattresses for the use of strike-breakers.

The strike of dress and shirtwaist makers, one of seven trades involved in the walkout, was settled at noon today and most of the 37,000 workers will return to the shops next Monday.

The difficulty had threatened a serious shortage in the supply of Spring garments.

The terms of the agreement include a general increase in wages, shorter hours and a permanent system of arbitration.

These terms did not satisfy some of the workers, however, and a big meeting, called to ratify the agreement, broke up in confusion. When the strikers learned that the advance of wages amounted to a maximum of 10 per cent, many declared they would not return to work and rushed from the hall while the leaders pleaded with them to remain.

The Garment Workers' strike proper continues with about 150,000 workers involved.

Many of the strikers who heard the settlement agreement, announced simultaneously at 27 mass meetings showing that the maximum wage increase was only 10 per cent, rushed from the hall in protest, asserting that they would not abide by the agreement.

Some of the strikers denounced the protocol as a "frame-up" in favor of the manufacturers. Impatient strikers held an impromptu meeting late in the day and appointed leaders to organize a new union which they said would seek affiliation with the Industrial Workers of the World. Doubt exists tonight as to whether the strikers will accept the conditions.

TURKEY WILL NOT CEDE ADRIANOPLE

Decision of the Porte Will Lead to Resumption of Hostilities

FIGHT TO THE BITTER END

Allies Will Wait Two or Three Days and Present Ultimatum to Turkey—Armies Are in Better Shape Than Ever.

London, Jan. 18.—Turkey's decision, as indicated by dispatches from Constantinople tonight, refusing to cede Adrianople and the Aegean Islands, it is believed here, will lead to a resumption of the Turkish-Balkan war within a week.

The Balkan allies after considering the whole situation among themselves earlier in the day, already had decided to wait until the middle of next week for the answer of the Porte to the joint note of the powers, and if then the reply was not received or was unsatisfactory, to address a communication to the Turkish delegation in the form of a definite ultimatum, allowing Turkey 48 or 72 hours for a final decision.

Should Turkey at that time be unable or unwilling to comply with the allies' terms, the Balkan plenipotentiaries decided that rupture of the peace conference was inevitable. Sofia, Belgrade and Cetinje would denounce the armistice, and four days later the war would be resumed.

The allies don't admit, or to be more exact, do not see the possibility of such proposals from Turkey or the powers as would allow of a resumption of negotiations, unless the Porte openly declares its readiness to give up Adrianople. So far, instructions of the Bulgarian delegates are categorical on this subject and do not admit of a discussion of the proposal that Turkey retain Adrianople even to the dismantling of the fortifications or continuing negotiations on other conditions, leaving the question of Adrianople to be disposed of last.

Serbia, Montenegro and Greece all support Bulgaria in this attitude. The success of Bulgaria would mean an easier accomplishment of their wishes, especially in the case of Greece, which in the conquest of Adrianople by Bulgaria sees the Greek occupation of Serbia. In addition, the allies feel that the time will never be favorable for them to act.

From the reports received, it is evident that the Turkish resources are not in the best of condition, while on the other hand the allies, as the result of their long preparation, are nerved to a high pitch. The seven weeks armistice has restored their armies and they have been gathering their forces at the important points.

Throughout all the Balkan States, according to the plenipotentiaries in London, from the largest towns to the humblest hamlet, only one cry goes up: "War to the bitter end—until our eternal enemy is driven out of Europe for ever!"

Must Retain Adrianople. Constantinople, Jan. 18.—The Turkish foreign minister, Noradunghan Efendi, tonight submitted to the council of ministers a draft of the reply to the note of the powers. It is understood that it insists upon the retention of Adrianople for the reasons:

First, because the Bulgarian inhabitants are in the minority in Adrianople, not only in comparison with the Moslems, but as compared with other Christians; second, because of the third the loss of Adrianople, out of the temples of Kalifs would ruin the prestige of Islam; fourth, the loss of Adrianople, which is the gate of Constantinople, would endanger the existence of the Empire.

"The Porte therefore prays," continues the reply, "that the powers take consideration of the vital necessities of the Empire and make representations to the Balkan States with a view of peace. Turkey sincerely desires to find a common ground of understanding with every consent to fresh sacrifices."

Regarding the Aegean islands, the reply declares that Turkey refuses to abandon the islands, near her coast, but is ready to continue purporters respecting the distant islands.

Noradunghan Efendi has instructed the Ottoman ambassador abroad again to sound the powers with regard to Adrianople. The superior council of war has handed the council of ministers a report on the military situation.

"ALL-STAR" CORN GROWERS

Southern Champions Will Be Entered at the Capital. Washington, January 18.—Details were completed today by Department of Agriculture officials for the entertainment of the "All-Star" crop-growing boys from the South and North, who will spend all next week in Washington. Their programme includes a visit to President Taft, the receipt of diplomas from the Secretary of Agriculture, visits to the government departments, and probable appearance before the Agricultural Committee of the House of Representatives.