

THE WEATHER.

Far and warmer today; Sunday unsettled; moderate variable winds.

THE MORNING STAR

FOUNDED 1837 WILMINGTON, N. C., SATURDAY MORNING, FEBRUARY 15, 1913.

MEN WHO ADVERTISE

If your business is not worth advertising, advertise it for sale. Remember dead men never advertise, except on their tombstones.—Walker.

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WILMINGTON, N. C., SATURDAY MORNING, FEBRUARY 15, 1913.

WHOLE NUMBER 13,248.

MADERO DESIGNS; DIAZ VICTORIOUS

After Tide of Battle Had Gone Against Him All Day President of Mexico Abdicates and Francisco DeLaBarra Will Succeed Him Temporarily—United States Officials Breathe Easier

Mexico City, Feb. 14.—Affairs in Mexico City, the theatre for almost a week for an innovation of modern warfare, took a sensational turn tonight when it was authoritatively stated that President Madero had agreed to resign if the Mexican Senate so wished.

The Senate was called into session at 8 o'clock tonight to take action on this important situation. It is believed the resignation of Madero is now in the hands of the Mexican Congress.

At the British legation, where Senor DeLaBarra took refuge Thursday, it is said that Madero's resignation practically had been arranged for and that DeLaBarra likely would succeed him in the Presidency.

Later Senor DeLaBarra, while proceeding through the streets in an automobile stopped and made a brief address, assuring the crowds that a peaceful settlement was certain and would probably be reached before morning.

At 6 o'clock tonight General Huerta, the Federal commander, gave the order to cease firing. Soon detachments of Federals were seen marching from their positions to the government base near the palace, their guns slung on their backs.

The laws of Mexico make it necessary for the abdication of a President to be submitted to Congress and for this reason official announcement of the resignation of Madero would be considerably delayed, even if already decided upon.

Another development of the early evening was the resignation of Rafael Hernandez, as Minister of the Interior.

Whether hostilities will be resumed tomorrow, naturally depends on the action of the President and Congress or upon the aggression of the rebels.

In case of dilatory tactics it is not impossible that Diaz may decide to force the action. He repeatedly has said that nothing short of resignation of the President would satisfy him—that Madero must resign or himself would die fighting.

Another interchange of notes took place today between General Huerta and the rebel commander. That of Huerta was of conciliatory character. It offered Diaz permission to retire in peace with his men.

Diaz replied that he would continue to fight.

Tide Turns Against Madero It was the advance of the Federals down Balderas street early in the day which provoked the first sharp reply from the mutinous zone.

Diaz waited until the Federals were far down the line, then threw into their ranks a hail of shrapnel and swept them with machine gun fire. Few left the street alive.

The government troops attempted to carry the rebel position from other directions, but always with the same results; the soldiers fell under a terrific fire or were driven back to shelter.

At 2 o'clock in the afternoon a general order to cease fighting was given, but for two preceding hours the fire from the government lines practically had been suspended. General DeLaVega, commanding the lines directly to the east of the rebel position, admitted he was unable to advance. Failure had been encountered in all quarters.

It was coincidental with this cessation of the firing that a battalion of the 20th Infantry revolted. All but a handful of these Federals succeeded in joining Diaz.

This battalion was stationed along Independencia street. The men suddenly turned upon their officers and shot them, but the sound of these shots did not attract general attention in the heavy fusillade. Then the entire battalion broken for the rebel lines, reaching them in safety. Thirty-eight of them were overpowered, however, by loyal troops and were marched to the palace.

Although the firing on both sides was lighter today, the total number of shells used was enormous and the incidental destruction of property great. The loss of life among the combatants as a result of the shelling probably was less than on the other days, because every one who had strength enough moved out of the districts near the scene of the operations and by reason of the fact that the rebels confined their artillery action largely to the streets likely to be used for an assault.

Bullets whistled in all parts of the city. They were fired across the town by both sides from house tops and other places wherever sharpshooters could be stationed. On account of the effort of government troops to advance, this fire was heavier than usual and deep broads must have been made on the arsenal munitions to keep the rifles and machine guns supplied.

What was promised again by the government to be a day of terrible punishment for the rebel commander developed into the weakest attempt at his subjugation. Madero's artillery

conducted the attack half heartedly, although his infantry at times showed desperate courage. Rebel shells were thrown at the National Palace and occasionally huddled across the town toward the Federal battery on the Paseo Reforma, near the Colonia Railway station, but for the most part Diaz waited until the Federals moved well into range of his guns guarding the approaches. This took place innumerable times and as often the streets were effectually cleared on short order.

From the regions outside the capital the news was bad for the government. General Aguilar, an aged officer of the regular army, who revolted a few months ago, and Colonel DeLaLlave, also formerly attached to the regulars, who have been in revolt for some months, took the city of Puebla, the capital of the State of the same name. They were assisted by Francisco Pradilla, the government chief-of-arms in that city. Passengers from Guadalajara report that no telegrams received there have been delivered and that the editor of one paper which published an account of the mutiny in Mexico City was promptly sent to jail on a charge of disseminating seditious matter. But in spite of this the people were crying "Vivas" for Diaz. All trains leaving the capital today were crowded with refugees of every nationality, but Mexican fugitives predominate.

Relief in Official Circles. Washington, Feb. 14.—The news of Francisco I. Madero's voluntary relinquishment of the Presidency of Mexico brought relief to official circles in Washington, in which the situation had been hourly growing more tense.

The announcement, coming at the close of a day which had been steadily turning against President Madero, hardly was surprising. It served instantly to clear the horizon of the storm clouds that came nearer as the prospect of armed interference on the part of the United States seemed inevitable.

State Department officials since the opening of the fight in the Plaza before the Mexican National Palace last Sunday have eagerly waited night and day for the Navy Department here from the scene of the conflict and the government was fully prepared to meet any situation which might arise.

As a result of the co-operation of the Navy and War departments the combined forces already were in readiness for Mexican service. Coincident with the receipt of the news of Madero's abdication, wireless message was flashed to the Navy Department here announcing the arrival of the Pacific Mexican port of Mazatlan of the cruiser Colorado, the first of six American warships to reach its destination off the shores of the revolution-torn Republic.

Five other warships are now on their way towards Mexican ports and Acting Secretary Winthrop said tonight that in all probability they would continue to their destinations.

Not less prepared was the army. The entire first brigade of the first division, 3,000 strong, was under marching orders and awaiting the command of Major General Leonard Wood, chief of staff, to entrain from their respective stations in New York and proceed to Newport News, Va., where four army transports are fully equipped and provisioned to set out for the gulf of Mexico to augment the naval forces.

The cruiser South Dakota should be off, as a matter of fact, long before the outbreak of the revolution, not later than Sunday. As they are all so near their destinations, acting Secretary Winthrop said it would hardly be expedient to attempt their recall immediately.

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Secretary Knox was early in consultation with Assistant Secretary Huntington Wilson, of the State Department tonight immediately after the announcement of President Madero's resignation and the hurried dispatches were sent to Ambassador Wilson in the Mexican capital. It was said no definite instructions would be sent to Mr. Wilson until he had officially reported the abdication.

In the absence of such a report the department officials decline to comment upon the sudden and dramatic turn in Mexican affairs. President Taft, when the news reached Washington, was at dinner at the home of Secretary MacVeagh. He was notified of the development at once by White House attaches and soon afterward heard from the Secretary of State.

Though the President's comment was not made public, it was stated that there might be a conference of cabinet officials later in the night. It was not regarded as probable, however, that any plan promulgated by the government early in the week for protection of American interests in Mexico would be affected.

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RELINQUISHES THE PRESIDENCY.



FRANCISCO I. MADERO President of Mexico Who Resigned Yesterday.

ANOTHER OFFER TO FIREMEN SEARCH AND SEIZURE LAW

Managers of Eastern Railroad Take Steps to Avert Possibility of Strike—Arbitration Board Proposed.

New York, Feb. 14.—A new possibility of peace between the 54 Eastern railroads and their 34,000 firemen who have threatened to strike for higher wages and revised working conditions appeared tonight with a fresh arbitration proposal by the railroads and the break that seemed imminent during the day was averted temporarily, at least.

The railroads, which have insisted upon arbitration by a board of seven men similar to that which decided the dispute with the engineers last year, while the firemen demanded arbitration under the Erdman act, now propose arbitration by a board of six members, two representatives of the roads, two of the firemen and two interested members to be appointed as the Erdman act provides.

The roads offer also to retain in the arbitration proceedings all other features of the Erdman Act, which the firemen may desire.

The railroads' proposition given out by the conference committee of managers was immediately submitted to the Federal government officials who have been trying to bring the parties together and at once placed by the mediators before representatives of the Brotherhood of Locomotive Firemen and Enginemen.

The roads made their new move after a day of many conferences. When a break seemed almost inevitable and the firemen made it known that they had a strike order in readiness and intimated they would wait no longer than midnight for some concession, President Brown, of the New York Central, sent out a hurried call to such presidents of the other affected roads as could be reached. Several responded and conferred with Mr. Brown.

When the presidents adjourned they said they would not take the matter out of the managers' hands.

Thus fortified by the action of the managers resumed their conference tonight.

A representative of the managers explained that one point for which the firemen particularly have contended was embodied in the offer. Under the Erdman Act witnesses may be subpoenaed and penalties for false testimony enforced. These provisions, it was stated, the roads were willing to adopt.

At a late hour Judge Knapp, of the United States Commerce Court, and G. W. W. Hanger, acting commissioner of labor, the Federal mediators, were still in conference with President Carter, of the Brotherhood of Firemen and Enginemen and other representatives of the firemen.

First series stock Orton Building & Loan opens today. James & James, 115-12 North Front. (advertisement.)

Weatherspoon Bill Passes Lower House of North Carolina General Assembly, After Acrimonious Debate.

(Special Star Telegram.) Raleigh, N. C., Feb. 14.—At midnight, after all amendments had been voted down, save two by Mr. Dougherty, of Allegheny, one requiring that information furnished officers be under oath and the other reducing the offense to a misdemeanor for the second violation and leaving it optional with the court to impose a fine or imprisonment for the second offense, and another by Mr. Kellum as to grape culture, the bill by Mr. Weatherspoon, of Scotland, providing the search and seizure law in North Carolina in the enforcement of prohibition, passed the lower House, of the North Carolina General Assembly and will now go to the Senate.

The discussion had waged in the House since the conclusion of the (Continued on Page 8.)

OUTLINES

Representative Roddenberry, of Georgia, delivered a hot attack upon the Democrats of the House yesterday for their "extravagant appropriations."

The bath tub trust was yesterday found guilty of criminal conspiracy in restraint of trade by a jury in the U. S. District Court at Detroit, Mich.

To avert the possibility of a strike by the firemen, the Eastern railroads' boards of managers yesterday made another arbitration offer to the firemen's committee.

President Taft yesterday vetoed the Dillingham-Burnett immigration bill, disapproving of the measure solely because of the provision imposing a literacy test on all foreigners seeking a home in America.

James Purcell, the gambler, who furnished sensational evidence at the New York aldermanic graft hearing several days ago, shot and killed his 17-year-old daughter yesterday while quarreling with his wife.

General "Ragtime" Jones' army of suffragettes marching from New York to Washington, reached Trenton, N. J., yesterday and made a request on Governor Wilson for an audience after arriving at Washington.

President Francisco I. Madero, of Mexico, resigned yesterday and Francisco DeLaBarra will serve as provisional President until some one is elected. The announcement of Madero's resignation was hailed with delight by the State Department, which sees an end to the possibility of intervention.

New York, Feb. 14.—Money on call firm, 4 1/2 to 5 per cent; ruling rate and closing bid 4; offered at 4 1/4. Spot cotton closed quiet. Flour about steady. Wheat firm; No. 2 1.08 to 1.09 1/2. Corn firm, 56 3/4. Turpentine steady. Rosin quiet.

PRESIDENT VEToes IMMIGRATION BILL

Taft Disapproves Measure Because of Literacy Test Provision

EFFORTS TO OVERRIDE VETO

Senators Dillingham and Simmons Lead Fight to Have the Bill Passed by Two-thirds Vote in Both Houses

Washington, Feb. 14.—President Taft today vetoed the Dillingham-Burnett Immigration bill, which would revolutionize the immigration policy of the United States by imposing a literacy test upon all foreigners seeking a home in America.

The veto message to the Senate in his own handwriting, the President announced his disapproval of the measure solely because of the provision which would lock the doors of the United States against the alien who could not read some language or dialect.

The veto message was accompanied by a letter to the President from Secretary Nagel, denouncing the literacy test as a radical provision "based upon a fallacy in undertaking to apply a test which is not calculated to reach the trouble and to find relief from a danger which really does not exist."

The President adopted the secretary's position. Senate and House leaders lost no time in arranging for an effort to override the veto. As soon as the message was read, Senators Dillingham and Simmons and Representative Burnett, leading the Congressional supporters of the measure, made arrangements to take it up in the Senate on Monday and in the House on Tuesday.

With Senator Lodge, they were confident that the bill would be passed easily in both houses by the necessary two-thirds vote.

Opponents and proponents of the proposed law waged a vigorous contest in hearings before the President for the last 10 days. Organized labor warmly supported the bill, while several organizations, particularly Jewish societies, recommended its veto. Foreign nations protested against the provision for detaining immigrant inspectors and matrons on vessels flying foreign flags, but Secretary Nagel held that this was not a controlling objection to the proposed law.

This is the second time that a literacy test for immigrants has been vetoed by a President. Grover Cleveland in 1887 likewise having refused to approve a bill barring aliens who could not read and write. In vetoing the bill the President said:

"I do this with great reluctance. The bill contains many valuable amendments to the present immigrant law which insure a certain exclusion of undesirable immigrants. The bill received strong support in both houses and was recommended by an able commission after an extended investigation and carefully-drawn conclusion.

But I cannot make up my mind to sign a bill which in its chief provision violates a principle that was in my opinion to be upheld in dealing with our immigration. I refer to the literacy test. For the reasons stated in Secretary Nagel's letter to me I cannot approve that test. The secretary's letter contains this:

Secretary Nagel said the literacy test was defended as a practical measure to exclude a large proportion of undesirable immigrants from certain countries, the final purpose being to reduce the quantity of cheap labor in the United States. He added: "The test is not a religious test, but a considerable percentage of immigration from Southern Italy, among the Poles, the Mexicans and the Greeks. This exclusion would embrace probably in large part undesirable but also a great many desirable people who show, nevertheless, an industry and a diffidence to those who seek to enter will be out of all proportion to any good that can possibly be promised for this measure."

"My observation leads me to the conclusion that so far as the merits of the individual immigrant are concerned, the test is altogether over-estimated. The people who come from the countries named are frequently illiterate because of opportunities having been denied them. The oppressions with which these people have to contend with in modern times are not religious, but it consists of denial of the opportunity to acquire reading and writing. Frequently the attempt to learn to read and write the language of the particular people is discouraged by the government and those immigrants in coming to our shores, are really striving to free themselves from the conditions under which they have been compelled to live."

Regarding industrial conditions, the secretary said America needed labor and the natives were unwilling to do the work which aliens came over to do.

Admitting there was congestion in some places and a dearth of labor in a very much larger area, the secretary declared that no sufficiently earnest and intelligent effort had been made to solve the problem.

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"BATH TUB TRUST" DECLARED GUILTY

Conspired Criminally in Restraint of Trade, Says Federal Jury

WILL BE SENTENCED TODAY

Trust was Dissolved Last November, the Criminal Case Being Retrial. The First Resulted in Disagreement.

Detroit, Mich., Feb. 14.—The so-called "Bath Tub Trust" today was found guilty of criminal conspiracy in restraint of trade by a jury in the United States District Court here. The act as charged is a misdemeanor and the penalty provides imprisonment not exceeding one year and a fine of \$5,000 or both.

Last November the so-called trust was dissolved by the Supreme Court in a civil suit instituted at Baltimore. The criminal case today was a retrial, the first trial having resulted in a disagreement.

After the announcement of the verdict Judge Clarence W. Sessions adjourned court until tomorrow at 10 o'clock, when he will pronounce sentence. It was the second anti-trust case decided in favor of the government in the local court within the last week. The other case being against the "boot and shoe last trust."

The jury required four hours to reach a verdict.

The following are the defendants found guilty: Theodore Ahrens, of the Standard Sanitary Manufacturing Co., of Louisville, both individual and corporation indicted; Jesse T. Duryea, of New York; E. L. Dawes, of the Standard Sanitary Manufacturing Co.; Francis J. Torrance, of the Standard Manufacturing Co.; T. R. Barges, of the Barnes Manufacturing Co., of Mansfield, O., both individual and corporation indicted; Howard T. Gates, of the McCrum, Howell Co., of New York, both individual and corporation indicted; Frank G. Borden, of the National Sanitary Manufacturing Co., of Salem, O., both individual and corporation indicted; A. Welskitt, of Baltimore, both individual and corporation indicted; Lloyd G. McCrum, of the McCrum, Howell Company; Herman Hoelscher, of L. W. Manufacturing Co., of Braddock, Pa., and the Union Sanitary Manufacturing Co., of Cornersville, Ind.

Eight defendants pleaded nolo contendere at the first trial and today they were summoned to be ready to appear in court tomorrow morning for sentence. They were J. H. Caldwell and J. J. Mahoney, of the Cahill Iron Works, of Chattanooga; W. C. Winfield and A. G. Ward, of the Day-Ward Co., Warren, O.; J. A. Fraunhelm and A. M. Fraunhelm, of the Kerner Manufacturing Co., Pittsburg, and J. W. Arrott and A. H. Cline, Jr., of the United States Sanitary Manufacturing Company, of Pittsburg.

Ahrens, Dawes and Duryea were discharged at the first trial by Judge Angell, but they said they preferred to stand trial with their friends now that they face sentence.

When action was first brought against the defendants the Federal judge returned two indictments against them, charging that by criminal conspiracy they controlled 83 per cent of the annual output of enamelled ware; by patent license agreements combined to restrain trade in manufacturers and jobbers' plumbing supplies; refused to sell to jobbers who handled goods for the so-called independents and attempted to make uniform prices throughout the country.

The conspiracy charge which comes under Section 1 of the Sherman law, was the one on which the defendants were tried.

The government contended that in April, 1910, at a meeting at Mt. Clemens, Mich., the defendants put into effect a conspiracy which they had formed which resulted in the making of the unlawful patent licenses.

Edwin P. Grosvenor appeared for the government, assisted by District Attorney Clyde Webster and former District Attorney Frank Watson. Special Agent Joseph R. Darling secured the evidence for the government.

SENTENCE IS DEFERRED. Will Not be Passed on Cash Register Officials for Several Days.

Cincinnati, Feb. 14.—Sentence will not be passed for several days on President John H. Patterson and 28 other officials and employees of the National Cash Register Company convicted of criminal violation of the Sherman anti-trust law, according to a statement made by United States Judge Hollister today.

John S. Miller, chief counsel for the defendants, said: "We are anxious to argue the motion for a new trial as soon as possible. The court will not pass sentence until the argument for a new trial is disposed of."

KILLED FISH BILL IN LOWER HOUSE

No Fish Commission in North Carolina According to Vote Yesterday

STATE GENERAL ASSEMBLY

Report of Rate Conference Made—State Primary Bill Special Order For Thursday—Confederate Soldiers—Pistol Bill

(By Wm. J. Martin.) Raleigh, N. C., Feb. 14.—The lower branch of the North Carolina General Assembly today voted down the bill to create a State Fish Commission, which came up with unfavorable report from the House Committee and which had a favorable report from the Senate Committee on Fish and Fisheries. Mr. Rodman advocated the bill as did Mr. McNider.

Mr. Wallace spoke against the bill; also Mr. Kelum, while Mr. Williams, of Hertford, contended in advocacy of the measure that the fishing industry is gradually dwindling in North Carolina waters on account of the unrestrained greed of some classes of fishermen. The bill was voted down 84 to 19.

Representative Justice filed the report of the Special Commission as to the conference Wednesday with railroad officials on the question of relief from alleged freight rate discriminations in inter-State commerce and the desire of the commission for the powers and scope of the commission to be enlarged, as appears more fully in the House proceedings below.

In the Senate Mr. Long introduced a resolution for the appointment by Governor Craig of five Confederate soldiers at least three of whom to have been participants in the battle to visit the battlefields with the Historical Commission and mark the positions occupied by North Carolina troops, expenses to be paid by the State. The purpose is that the part borne by North Carolina troops in the battle may be seen by the crowds at the 50th anniversary next year.

Senator Nimocks' bill restricting the sale and use of concealed weapons passed second reading. It requires dealers to keep complete records, descriptive of weapons sold and the purchasers, and prohibits sale to persons under 16, and requires purchasers to show permit from town or county authorities certifying to the trustworthiness of the purchaser and granting him permission to possess the weapon. In deference to the wishes of several Senators Nimocks agreed to not press final consideration until next year.

Senator Evans, of Pitt, gave notice of an amendment to include persons giving pistols as prizes in ring games and the like.

The widow's home bill went over for final reading after passing second reading. It appropriates money for a home for needy wives and widows of Confederate veterans.

The Education Bill. The Senate Committee on Education took a vote on the bill to provide for a minimum school term of six months in every county in the State and as a result will report the measure favorably, but several members were not satisfied as to the means by which the thing could be financed, and Senators Peterson and Bryant reserved the right to oppose the bill for that reason.

Of course no Senator is against the purpose of the act. Action on the compulsory attendance bill was deferred.

Winston's Charter. Senate Judiciary Committee No. 2 appointed Senators Little, of Wake, Bridges and Bryant to look into the bill of Senator Jones to amend the charter of Winston, and as a result there is a contest between the city and the railroads over the matter of bridges.

Diphtheria Anti-Toxin. The Senate Committee on Public Health will report favorably the measure to provide for the furnishing of diphtheria anti-toxin at cost.

Torrens Land Titles. The Senate Judiciary Committee will vote next Wednesday afternoon at 3:30 on a Torrens system bill. There are now two bills under consideration, one by Senator Dantel, embodying the recommendations of the North Carolina Bar Association, providing for optional registration of land titles, and putting the machinery of operation in a special land court; the other by Senator Ivie, differing in that it creates no new court, but places the control with the Superior Court. It is thought that the Ivie bill will be acceptable to all parties.

Senator Pharr's bill to authorize the city of Charlotte to subscribe for and purchase stock in the Charlotte Fair Association was acted upon favorably by Senate Judiciary Committee No. 1.

Bonds for Hospitals. That committee will also report favorably the bill to enable counties to vote bonds and special tax for the establishment and maintenance of public hospitals and training schools for nurses. The same committee turned down Senator Peterson's bill to amend the usury law of 1907 so as to make it a misdemeanor to charge a usurious rate of interest on loans on notes or other things of value. Under the law