GOES TO SUPREME COURT

King's Slag Transaction Will Be Appealed—Coble on Trial.

After hearing the reg[illegible]ment by counsel in the case of John [illegible] King indicted for the alleged violation of section [illegible] of the Code in selling road material or slag to the board of which he was a member, Judge Allen expected to the lawyers [illegible] that they agree [illegible] Judge Allen requested [illegible] whether [illegible] decision [illegible] be appealed to the Supreme Court for final settlement. He said the question was an above [illegible] of the law and [illegible] to the lower and while it was [illegible] the ruling was [illegible] the proper [illegible] be fully determined.

It was conceded on the present case by the solicitor that there was no question of corruption or criminal wrong on the part of the defendant in the transaction and the only evidence in the case showed that there was entire [illegible] on the part of the officers all over the state in the transaction. The question was [illegible] to the meaning of the statute in question and [illegible] the defendant.

While not saying so the intimation was that if Judge Allen would rule against the defendant in the decision in order that upon appeal he should be reversed by the Supreme court and thus get the law defined and otherwise in case of a verdict against guilt the state would not appeal. He made that of the defense would agree to a special verdict thus giving the Supreme court an opportunity to apply the law to the facts in the case. The defendant [illegible] would not [illegible] in the present case and submit it to the jury to pass upon, this [illegible] appeared to be the most [illegible] after a brief consultation agreed to the judge's proposal and will have the agreed case prepared during the week after the stenographer's notes of the evidence have been written out.

Coble Case Begun

After much trouble in securing a jury the case against Wade Coble and his father and mother, Etta and Jacob Coble, was begun. The two being charged with the murder of John M. Staley and the latter with complicity in the murder. Coble is represented by Bradshaw and Sherrill and Col. John A. Barringer and through them he entered a plea of not guilty. His defense is based on the principle that it was his life or Staley's, it being understood that the defense will attempt to show that Staley was advancing on Coble when the fatal blow was struck.

Prosecuting the case are County Attorney John N. Wilson, Col. James T. Morehead and Solicitor Gaither.

Only four witnesses were examined yesterday afternoon, they being H. A. Staley, E. W. Staley, H. F. Staley and Dr. Whitaker. The testimony brought out was substantially as reported at the preliminary hearing.

The case will likely consume the best part of today in presenting the evidence and it is unlikely that it will reach the jury before Saturday afternoon.

SOFT YARN SPINNERS

Decline to Make Public Outcome Of Charlotte Meeting.

(By The Associated Press.)

Charlotte, April 7.—The Southern Soft Yarn Spinners association after a two days' session adjourned today, still declining to vouchsafe any information as to the proceedings. It is understood, however, that the meeting considered at length curtailment and other matters of interest, and after a canvass of the situation through the members present and expressions of opinion conveyed by telegraph from those absent, it was found that things are in fine shape and the future all that could be anticipated under the existing conditions. Officers of the association intimated that the status of the interests of the spinners is good and they are pleased with the outlook.

SOUTHBOUND WANTS TO CROSS LANDS OF WHITNEY COMPANY

(Special to Daily News.)

Asheville, April 7.—[illegible] and H. E. Price [illegible] Asheville Select [illegible] pany, and received [illegible] and C. W. Smith [illegible] pany, and Burton Craig [illegible] counsel for the [illegible] Judge Pritchard [illegible] Circuit court, [illegible] of way for the Southbound [illegible] company to cross the lands of the Whitney company, now the property of [illegible] two sessions of the court [illegible] conferences of counsel [illegible] left open for attorneys for both parties to draw up an agreement [illegible] to the court for approval. The [illegible] all of the questions involved in the matter have been agreed upon except [illegible] exception of benefits and damages [illegible] arise, and as to exactly [illegible] crossing the Vadkin river. The [illegible] ers raised the point yesterday that if the railroad placed its bridge at the point surveyed it would damage some of the storage basins. This was answered by the railroad company that the damage would be practically nothing. The receivers contention in the matter is that they doubt the right of the railroad company's charter to confer the right of eminent domain. They want to preserve the property in the interest of the bondholders, or whoever really owns the property.

William J. a Grandfather.

Lincoln, Neb., April 7.—A dispatch has been received here from Tucson, Ariz., announcing the birth today of a child to Mr. and Mrs. William J. Bryan, jr.

The baby has already been named Mary Sholes Bryan. Mary Sholes was the maiden name of the mother of Mrs. William J. Bryan, jr.

ASHEVILLE CAPTURED

Shriners Took the Mountain City By Storm.

(Special to Daily News.)

Asheville, April 7.—The entertainment of the nobles of Medinah temple, order of the Mystic Shrine of Chicago, [illegible] a temple numbering 8,000 men and the largest shrine temple in the world, which was begun so auspiciously yesterday afternoon by the whirl about the city in automobiles, immediately after arrival and which continued through the afternoon and evening in the form of a concert, started off today with a bang. It not more, signs this morning you will continue until the noblesa again embark upon their [illegible] and set out across the [illegible] mountains towards Atlanta. As the special train was run into Asheville early in the morning of a Shriner area, so it departed this evening at [illegible] more [illegible] the following shrines all Asia [illegible] Lewis, [illegible] Mecca, [illegible] engineer, W. A. Wilson, day [illegible] W. W. Rae, baggage master. H. [illegible] Brennan. Men who have [illegible] endeavors for years [illegible] to take home souvenirs to their [illegible] possible the shriners took.

[illegible] night at the Battery Park hotel [illegible] purpose [illegible] as [illegible] parts of the [illegible] of Chicago met [illegible] of the shriners of Asheville. He [illegible] the hotel hall [illegible] a genuine old time negro cake walk, done by artists. If the [illegible] were [illegible] Afterwards [illegible] and fast [illegible]. A friendly [illegible] from [illegible] to Medinah [illegible] An hour [illegible] in [illegible] the program [illegible] was [illegible] in the Dixie style it was [illegible] Potentate Hallenbeck, Chief Rabbi Robert E. Hall, and Assistant Rabbi Harry D. Pratt were selected as judges. There was some more fun [illegible] the judges could not agree as to the best couple. The question was referred to the house by Potentate Hallenbeck who suggested that couple No. 2 be passed upon. When the question was put there was a howl of "noes" and the remaining couples received the same fate, much to the merriment of the crowd and the chagrin of the principals. After they had enjoyed the joke enough the cake was finally awarded to couple No. 2. An effort of the performers to pass around the hat was speedily stopped in the bud by Potentate Randolph, who stated that the performers were paid liberally by the Asheville shriners.

Yesterday afternoon the famous Medinah drill corps and the Medinah band gave an exhibition drill on Park square. It was drilling too, from the word "go." The nobles showed that they were well versed in fancy and military tactics and executed many difficult and intricate figures.

There was another exhibition drill on the square at 4.30 o'clock this afternoon. Medinah has a number of fine musicians in the party and they sang many catchy songs at the hotel last night and today.

The ladies in the party—well, they are having their time, too—and a fine lot they are, wives, daughters and friends of the shriners. They have entered into the spirit of the occasion and done much to make more notable the tour of the nobles.

Tonight, just before leaving Asheville, the members of Medinah temple entertained the Asheville shriners at the depot.

The special train will arrive at Atlanta at 7 o'clock tomorrow morning and remain there until noon.

The nobles seemed highly pleased at their entertainment while here and expressed themselves today in glowing terms of their royal treatment. "We had no idea the people of Asheville would do so much for us," was the way many talked today. There has not been heard a word of criticism. The clubs of the city have been open to the nobles and they have taken advantage of this to mingle more with the Asheville people.

STEAMER CAUGHT FIRE

Child Killed and Many Seriously Injured in Panic.

(By The Associated Press.)

Cape Ann, April 7.—A terrific explosion occurred early this morning on the British steamer Fairmont off Dungeness, which wrecked the women's quarters, killing one child and injuring a number of women and children. The steamer caught fire and a panic ensued in which men fought for the possession of the boats and the crew had to throw the women to be taken off first.

A large number of the passengers were landed here this evening, many of them in an almost [illegible]. In all, 30 persons are injured and not less than 40 were slight[illegible] injured in the explosion and in the panic that followed it.

The Fairmont sailed here days from London for Portland, Me., [illegible] 400 passengers, but the [illegible] and a goodly cargo. The great good luck that at times [illegible] and Nova Scotia were close at hand when the fire broke out night [illegible]. They stood by and took off several hundred passengers and brought them here.

Diamond Thief Caught

(By The Associated Press.)

Hoboken, N. J., April 7.—A diamond thief who on March 27 stole diamonds and other jewelry valued at $20,000 from Mrs. Frederick Hughes, wife of the [illegible] police commissioner of New York, while she was visiting in Washington, was captured here today while attempting to sell one of the stolen gems. He made a confession to police officials. About $15,000 worth of diamonds were found on him.

Jeffries in Training.

Ben Lomond, Cal., April 7.—James J. Jeffries buckled down to real training today. He ran nine miles along the country roads, played baseball for two hours and then worked in the handball court until the perspiration dropped from his brow.

The exercise of the day was so strenuous that fear was voiced by several members of the camp that Jeffries would be overtrained when he faced Jack Johnson on July 4.

CAROLINA ALSO WON ITS DEBATE WITH GEORGIA

(Special to Daily News.)

Chapel Hill, April 7.—Carolina won the deabte with Georgia held here tonight. Despite the fact that many students had gone to Greensboro for the Carolina Washington-Lee debate tonight and the Carolina Virginia ball game tomorrow, there was a large attendance and much enthusiasm displayed. The principal arguments were made by McIntosh, for Carolina, in the negative, and Turpin for Georgia, in the affirmative. Lanham, of Georgia, who opened the debate cited the authorities upon whom Georgia based its argument, and laid down the line of discussion he and his colleague would follow, defining the terms they would use. He discussed, first, the purpose and benefits of the corporation, which he declared was a material product of our development, to destroy which would be a retrogression.

He considered next the evils arising from the present method of dual control of corporations, the utter lack of uniformity in formation, taxation, and regulation in different states, and concluded that some more adequate system of regulation must be devised. He ended by outlining the main details of the proposed federal charter for corporations which would correct their evils without surrening their useful functions.

Turpin then followed and after reviewing his colleague's argument, he reviewed four theories which have been proposed for the alleviation of the evils of the corporation. These are: To make laws more stringent, to give complete control of all commerce, the federal franchise system, and the federal charter system. He passed over the first three by showing their defects and dwelt at length upon the fourth. He pointed out and explained away some apparent flaws and then enumerated the advantages of the federal charter. "It would work no harm to business," he said, "if there would be a healthy publicity. It would benefit the small stockholder, simplify the law and fix responsibility for corruption. It would mean the corporation in the proper place in the state and the nation, and in its place in national affairs."

The rejoinder of Carolina's debaters was spirited.

Cox, the first speaker for Carolina, said in part:

"Our dual system of government has grown out of our industrial life, which life is local in its nature and national in its scope, responding to that life through the creative power of the state and the regulative power of the federal government. It is this response of our dual system of government to our commercial life that has made our industrial growth of the past, and which alone can preserve its future. The state has evolved out of local needs and is the only organ that can express those needs. The federal government has evolved out of national needs and can no more perform local functions than the brain can perform the function of the hand. Destroy the climate of Florida and you destroy her growth of oranges. Destroy her right to charter and you destroy her industrial development. It makes no difference how big your educational system may become, it never gets away from the schoolhouse. It makes no difference how big or complex your electoral system may become, it never gets away from the individual voter. Likewise, it makes no difference how big, how extensive or how all-embracing your industrial life may become, it never gets away from the local conditions that give it birth and nourish its growth. Until business is revolutionized, until our civilization changes, until business becomes national in its nature; then, and not until then, should the federal government charter all corporations doing an interstate business."

McIntosh then took up the argument. He said in part:

"My colleague has shown that the American conception of government involves two entities—the state and the nation—and that each is vital in its particular sphere. He has shown further that all trade is local in its essence, and, therefore, belongs under the controlling power of the state. I shall notice the practical objections to federal incorporation.

"First, being local in essence and dependent wholly upon varying local conditions, a corporation owes the tax on its legal existence to the local division of government—the state. The federal government, besides not having a legal claim to the tax, does not even need any additional source of revenue. The national indebtedness has decreased 75 per cent. per capita within the last 30 years, despite the unusual and extraordinary expenses of irrigation, colonization, canal building, etc. Even the outstanding debt is still quite large, we have ample resources to meet any emergency that may arise. The states should not be robbed of a fundamental right, therefore, to satisfy a false cry of national expediency.

"Second, the change from state to national charters is not necessary to effect the reforms which the affirmative advocate. That there are some defects in the present charter system we freely admit; but that they are inherent in the system we strongly deny. The remedy, then, is correction of the faults and not destruction of the system. In addition to the states' present power, give us an efficient supervision by the federal government.

"And finally, those who clamor most for the change are the corporations which would benefit therefrom. Elbert H. Gary and George W. Perkins each declare for the change, and declare also that Congress cannot redelegate corporate management to the states. Thus, by appealing all corporate cases to the Supreme court of the nation, they could swamp the court in additional business and escape punishment entirely.

"Because the change to federal charters would be unjust to the states, because the change is unnecessary to effect efficient corporate control, and because the change would overburden the federal courts, we oppose federal incorporation."

The query debate was the same as that at Greensboro:

"Resolved, That all corporations doing an interstate commerce business should be required to take out a federal charter on such terms as Congress may by law prescribe. Constitutionally granted."

SHIPMAN SUCCEEDS LEE

Tenth District Democrats Choose Asheville for Convention.

(Special to Daily News.)

Asheville, April 7.—The Tenth District Democratic congressional executive committee held a long meeting here tonight and upon adjournment near midnight, announced that Chairman W. T. Lee, of Waynesville, had resigned and that M. L. Shipman, of Hendersonville, was elected as chairman. The convention will be held at Asheville at noon July 12 and promises to be a warm number. Some of the candidates for Congress desired to have the convention in Waynesville, and some in Hendersonville, but Asheville got the majority of the votes. Eleven of the 13 counties were represented. There are five candidates for the Democratic nomination for Congress, being Walter L. Moore, of Jackson, Solicitor, of Rutherford, Frank R. Hewitt, W. J. Cocke, and J. M. Gudger, jr., of Buncombe. The leading candidates are Cocke and Gudger, with Moore running them a close race. A resolution was adopted last night by the committee with reference to payment of poll taxes, reading as follows:

Resolved, that the chairman of this committee is hereby empowered to arrange any and all details for the urging of the paying of poll taxes, and he is further instructed to arrange any and all details necessary for the proper carrying out of the resolution."

Mr. Lee in retiring intends to give his entire time to the office for the Democratic nomination and organization committee to succeed Samuel L. Rogers. Mr. Shipman the new chairman, is a prominent businessman of Lake and prominent and a man well known not only in Henderson but in state politics. The Democrats are aware that they have a hard fight on their hands to defeat John G. Graham for Congress.

ASHEVILLE PRESBYTERY WILL MEET AT MONTREAT

(Special to Daily News.)

Asheville, April 7.—The Asheville Presbytery will hold its spring session this year at Montreat beginning Tuesday, April 19, at 8 o'clock and will be in session for about two days. The opening sermon will be preached by the Rev. L. I. Hence, formerly pastor of the Presbyterian church at Montreat. The First Presbyterian church of Asheville will be represented by Judge J. D. Murphy, while the Rev. S. F. Campbell, D. D., pastor of the First Presbyterian church, the Rev. E. E. Gwin, pastor of Ora Street Presbyterian church, and the Rev. R. P. Smith, evangelist, will attend from this city.

FRIDAY AND SATURDAY,
Last Days of Big Reduction
at Hagan's China Store.

CONFER ON EDUCATION

Discussion at Little Rock Was Along Agricultural Lines.

(By The Associated Press.)

Little Rock, Ark., April 7.—Today's sessions of the thirteenth Conference for Education in the South was devoted principally to a discussion of education along agricultural lines. During the coming year it is planned that an effort be made to introduce an agricultural branch of teaching in the rural schools and today's discussion was largely in outlining a plan and method of teaching.

In brief, it was the conclusion of the several speakers that in the school curriculum arithmetical problems should deal with the value of crops; nature study with things on the farm; history with the agricultural developments of the race, chemistry with the preparation of the soil and of foods, and generally the different branches of study should be called with the farm and its products so far as is possible.

Dr. S. A. Knapp, of the department of agriculture of the United States; Professor K. I. Stevens, of the West Raleigh (N. C.) Agricultural college, and Professor L. J. Foster, of the University of Alabama, were among those who urged an agricultural education as an essential to the rural schools of the south.

The state organizers of the School Improvement association of eight southern states met this afternoon and reported the progress of their endeavors. Tomorrow's program will be devoted to school improvement work largely.

Tonight addresses were delivered by President Andrew M. Soule, of the Georgia Agricultural college; President E. T. Blackwell, of the Randolph-Macon college of Virginia; Dr. R. H. Lewis, of Raleigh, N. C., and Henry E. Cope, secretary of the religious education association of Chicago, along general educational lines.

The conference will close late tomorrow night. The majority of the delegates will go to Hot Springs Saturday to visit that resort.

SAM WALDROP WILL SUCCEED RAMSEY AS DEPUTY MARSHAL

(Special to Daily News.)

Asheville, April 7.—United States Marshal W. E. Logan has announced the appointment of Samuel Waldrop as deputy marshal at Asheville, succeeding R. S. Ramsey, resigned. Mr. Waldrop is well and favorably known in Asheville, where he has worked for years as a bricklayer. He was a candidate for county auditor on the Republican ticket in the last election against J. D. Stokeley, and was defeated by a small majority. He took the oath of office at Charlotte yesterday and arrived here yesterday.

MILLERS MAKE PROTEST

Claim Tax Law Not Fairly Enforced By State.

(Special to Daily News.)

Raleigh, April 7.—Appearing before Commissioner of Agriculture Graham as representatives of the North Carolina Millers' association to protest against regulations that are declared to be unjust and oppressive were Capt. J. D. McNeill, of Fayetteville; L. O. Slepp, of Hickory, and F. A. Sherrill, of Statesville. Their protests are principally against the 20 cent. per ton tax imposed by the last legislature on feedstuffs and the enforcement of the law against bleaching flour which, they contend, is not to be enforced by the federal authorities, thereby leaving the state to be flooded with bleached flour by the out of the state mills, while the mills within the state are handicapped by the North Carolina enforcement against them. Against the application of the tax complained of the committee contends that after 13 months the law is evidently not enforced against more than one-third of the millers in the state, and that it really cannot be generally enforced so as to be fair and just to all alike.

There was a three hours' discussion of the situation by the committee and the committee of millers with the result that it was decided to have another and fuller hearing a week or so later, when the commissioner shall have had opportunity to confer with members of the board of agriculture and counsel as to all the matters in dispute.

FATAL ROW OVER CARDS

Dispute About Ten Cents Cost Life Of One Player.

(Special to Daily News.)

Lenoir, April 7.—On last Monday night Dick Campbell was fatally shot by Millard Baker, a rural delivery carrier, of this place. It is said that Campbell and Baker were playing cards and one had won a bet of 10 cents from the other, resulting in a dispute in which the lie was passed. Campbell, it is stated, started to leave the place when he was fired on by Baker, the ball entering Campbell's back, passing through the larger intestines and lodging in the abdomen.

Campbell was taken to the Foothills sanitarium, where the physicians extracted the ball.

Baker used the same pistol, it is said, with which Welch shot Shehan in Lenoir three or four years ago. Baker is under arrest. Campbell died this morning at 6 o'clock.

DEWEY'S FRIENDS TRYING HARD TO SECURE PARDON

(Special to Daily News.)

Raleigh, April 7.—Negotiations are pending for the arrangement of a date with Governor Kitchin for L. H. Cutler, of New Bern, to appear at the executive office and make a statement of his position as to the proposed granting of a pardon to Thomas E. Dewey, now serving six years sentence in the state's prison for defalcations while cashier of the New Bern bank, of which Mr. Cutler was president. All along Mr. Cutler has been decidedly opposed to the granting of executive clemency, and this opposition is understood to have had a great deal to do with preventing the granting of a pardon up to this time. The hearing is expected to take place Monday, although this date has not been finally settled. Dewey has been a model prisoner, and will get about two months off from each year in time credits, so that his term will really expire some time in December. His friends are anxious for him to have the benefit of a pardon before the term is completed for credit that it will give him in taking his place in the business and social world.

Lawyer Against Lawyer.

(Special to Daily News.)

Salisbury, April 7.—Two well known lawyers in Salisbury, Messrs. G. W. Garland and J. J. Stewart, figured in a suit before County Judge B. B. Miller, in Rowan court yesterday, following charges made by Mr. Garland to recover from Mr. Stewart amounts alleged to have been advanced by him in behalf of Arthur Turner, for whom the last named attorney is guardian. Judgment was rendered against Mr. Stewart and both lawyers appealed to a higher court. The difference grew out of personal charges made against Mr. Stewart by Mr. Garland and it is said the case may go to the Supreme court.

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Thousands of Men and Women Have Kidney Trouble and Never Suspect It.

Nature warns you when the track of health is not clear. Kidney and bladder trouble compel you to pass water often through the day and get up many times during the night.

Unhealthy kidneys cause lumbago, rheumatism, catarrh of the bladder, pain or dull ache in the back, joints or muscles, at times have headaches or indigestion. As time passes you may have a sallow complexion, a puffy or dark circle under the eyes, sometimes feel as though you had heart trouble, may have plenty of ambition but no strength, get weak and lose flesh.

If such conditions are permitted to continue, serious results are sure to follow; Bright's disease, the very worst form of kidney trouble, may steal upon you.

Prevalency of Kidney Disease.

Most people do not realize the alarming increase and remarkable prevalency of kidney disease. While kidney disorders are the most common diseases that prevail, they are almost the last recognized by patient and physicians, who usually content themselves with doctoring the effects, while the original disease constantly undermines the system.

A Trial Will Convince Anyone.

If you feel that your kidneys are the cause of your sickness or run down condition, begin taking Dr. Kilmer's Swamp-Root, the great kidney, liver and bladder remedy, because as soon as your kidneys begin to get better they will help the other organs to health. In taking Swamp-Root, you afford natural help to Nature for Swamp-Root is a gentle healing vegetable compound—a physician's prescription for a specific disease.

You cannot get rid of your aches and pains if your kidneys are out of order. You cannot feel right when your kidneys are wrong.

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If you are already convinced that Swamp-Root is what you need, you can purchase the regular fifty cent and one dollar size bottles at all drug stores. Don't make any mistake, but remember the name, Dr. Kilmer's Swamp-Root, and the address, Binghampton, N. Y., which you will find on every bottle.

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SAMPLE BOTTLE FREE—To prove the wonderful merits of Swamp-Root you may have a sample bottle and a book of valuable information, both sent absolutely free by mail. The book contains many of the thousands of letters received from men and women who found Swamp-Root to be just the remedy they needed. The value and success of Swamp-Root is so well known that our readers are advised to send for a sample bottle. Address Dr. Kilmer & Co., Binghampton, N. Y., be sure to say you read this generous offer in the Greensboro Daily News. The genuineness of this offer is guaranteed.

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