tracts Limiting Their Lia

bilities for Loss of Ship-

ments are Legal.

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GOMPERS FAYS THE EMPLOYERS

exists.

Replying to Dynamite Case Critics, He Asks "What of Conspiracy of Organized Capital?"

BLOW TO ORGANIZED LABOR, HE ADMITS

But Says He Will Not Abandon Wrecked Union "at Mercy of Organized Capital."

Washington, Jan. 6.—Samuel Gom-pers, president of the American Federation of Labor, speaking today be fore the senate sub-committee on judiciary in favor of the Clayton antiinjunction and contempt bills, gave answer to criticisms aimed at the organization of workers which he had received because of the trial and conviction for dynamiting officers of the

strucutural iron workers' union.
"If ever the time shall come," said Mr. Gompers in the climax of his address, "when government by dynamite shall be attempted (and let us hope and work that it never shall come) it be as its main cause the theory and policy upon which is based ernment by injunction—personal gov-ernment foisted upon our people in-stead of a government by law."

in closing his statement, which included an assault upon employers' and manufacturers' associations, par-tical riy the United States Steel cortion and the National Erectors association, Mr. Gompers declared organized labor would not repudiate the structural iron workers union,

"and leave them helpless and at the mercy of organized capital and insatiable, uncurbed greed for profits."

Says Organized Labor Deplores

Conspiracy.

"Though all censure those whom men may deem guilty of dynamite conspiracy," the federation leader continued, "none feels the terrible consequences of the Indianapolis trial more kessity than organized labor. more keenly than organized labor There have been added heartache and sorrow to our already heavy burdens. The men accused and sentenced can-not suffer the penalties alone; upon them and all workingmen fall the auffering and penalty.

"But what of the conspiracy of or-ganized capital—the conspiracy to murder the liberty of the tollers, to tear from them the means of protection by which they have their conditions to leave them bare and defenseless in the competitive struggle. Is not such a conspiracy sufficiently dastardly to incur some odium? Should the conspirators with their hands stained with life-blood of men's ambition, happiness and liberty he accorded nothing but honor, power, respectability? Should they be alrespectability? Should they be al-lowed to continue to manipulate the powers of government, the administrration of justice until the oppressed

inds the burden intolerable?
"More wise it is to seek social justice while yet we may. The judge who presided at the trial realized one of the issues government by injunc-tion, iswiess, autocratic, irresponsible exercise of governmental authority, according privileges to the strong and denying justice to the weak."

Criticises Judge Anderson.

Judge Anderson, who presided over the trial of the iron workers, was re-ferred to particularly by Mr. Gompers, when he declared that "our whole so-cial organization seems to be on trial."

"Even the judge who tried the case, mough assured of personal irresponsibility," Mr. Gompers said, "fatuously declared that the evidence in this case will convince any impartial person that government by injunction is infinitely to be preferred to government by the dynamite."

infinitely to be preferred to government by dynamite."

The worthy judge had blindly chanced upon one of the causes but had failed to realize casual relationship. The words to him were simply a conventional epigram—he does not know that there is a law of life just as immutable as the law of gravitation of hir child's meets tyranny and injustice by resistance. The inaptance, and injustice by resistance. The inaptance are in the course how far afield outside of the cause hie went to take another slap at labor."

LEAVES FOR FLORID the dotted of the cause hie went to take another slap at labor."

The multiplication and repulsion, and the course how far afield outside of the cause hie went to take another slap at labor."

The worthy judge had blindly strated that the courts were ineffective for the supervision of hig business.

JURY FOREMAN MENAGED,

LEAVES FOR FLORID the courts were ineffective for the supervision of hig business.

cance he went to take another slap, at labor."

Says A. F. L. Is Not implicated.

Mr. Gompers defended the American l'ederation of Labor and resented the attacks made upon it since the dynamiters case.

"We have been investigated," he said: "from the first instruction that encurtes of our movement meant to get the 'man higher up' and because of their directly and indirectly connecting my name with the men supposedly higher up' I have declared my readiness at any it have declared my readiness at any it have declared my readiness at any it have declared my resident authority or by a committee of any respectable hely of citizens, every document, paper or account injunctal or otherwise. I have challemed and new challenge any of

ough scrutiny and investigation the were returned to him and now are a our office. Not a scintilla of evidence or suspicion of wrongdoing could be discovered; not a scintilla existed or

The federation leader referred to : statement made by John Kirby, jr. president of the National Manufacturers' association; William Burns, the detective who caused the arrest of the McNamaras after the Los Angeles Times explosion; Harrison Grey Otis, editor of the Times, and others whom he characterized as "enemies" of or ganized labor.

Mr. Gompers said he would have the public consider the convicted from workers with the understanding mind and the spirit taught by the teache

of old who said:
"Let him who is without sin cast th

first stone."
"There are many ready to heap of the structural iron workers," he deguilty, but every member of union, condemnation and humiliation; minny ready to wrap the robes of saintly justice around them lest con-tact defile them; ready to withdraw from these men every good and uplift-ing influence and to cast them out to the mercy of whatever interest migh

Attacks Employing Corporation.

Launching into his attack upon the employers, who, he declared, had pur sistently fought the iron workers un ion, Mr. Gompers said that they never had a thought of the constructive constructive ability of the workers. He condemned in this connection the National Erec tors association, the National Manu facturers' association and the United States Steel corporation.

"For six years the fight went on, he said, all of the forces of organize society were used against these men You say that these men resorted to forbidden methods of violence and even sacrificed lives. You condemn their methods of fighting as elements and brutal. On any of those we are guilty the condemnation is tru but I ask you-were these method used by the employes less deadly thumanity and freedom? Do you thin that one side can play with the force of injustice and tyranny and not les to a defensive move on the part of others? Each will protect his own in-terests—would anybody else do that

INDUSTRIAL COMMISSION MEASURE IS PRESENTED

Senator Bristow Proposes Regulating Concerns Doing Interstate Business.

By Associated Press. Washington, Jan. 6.—Senator Bristow of Kansas presented to the senate today a proposal for an industrial commission of seven members to take over the work of the bureru of corpor ations and exercise control over all persons, firms or corporations doing an interstate business with gross receipts of more than \$5,000,000 per year. Explaining the bill to the senate he said that it proposed to create a body similar to the inter-state commerce commission to have the sam power over industrial concerns that the latter exercises over transporta-

tion companies.

The purpose is to protect the people with some degree of promptness from the extertionate practices of nower corporations without destroying the businesses they represent," he

He declared that the proposed commission and the powers given to it would not "interfere with big business operations if such corporations are along honest and creditable lines."

He declared that the Standard Off and Tobacco trusts cases had demon strated that the courts were ineffective for the supervision of big business.

ening Letters.

are, foreman of the jury which re oursed - terdict of guilty against the bissed dynamits compirators, who has received two latters threatening his life, left today for Florids to spend the whiter. His health has been impaired by worry over the letters and by long confinement ouring the trial.

HEISKELL APPOLITED TO SUCCEED DAVIS

Proposed Revision of That Schedule the First Matter Before Ways and Means Committee.

WITNESS ADVOCATES EXPERT COMMISSION

Manufacturers' Representative Says Enactment of the Vetoed Schedule Would Be Ruinous.

By Associated Press. Washington, Jan. 6 .- Democratic revision of the tariff got a start today when the house ways and means com mittee began hearings which will be the basis of the new tariff bill of the next congress to repeal the Payne-Aldrich law. Today's hearing was on schedule "A." the chemical schedule. The committee plans to go down through the list, taking a new schedule every other day, until all have been covered. With the full membership of the committee sitting in the big hall in the house office building, the first hearing of a month-long series, aiming at the preparation of a mediate downward revision" and "tar-iff for revenue only" was begun.

Most of the democratic majority of the present ways and means commitwill go into the next congress which is to convene in extra session probably between March 15 and early When the tariff hearings are ended, democrats of the committee will devote themselves to the formu lation of the tentative tariff legisla-tion which they hope to have ready

by March 18, if not earlier.
Will Be Submitted to Caucus The concrete result of their delib-eration, the new tariff rates from acids to zinc, the expansion of the free list and so on, will be formally passed upon at a caucus of the rep-resentatives of the new house to be called soon after the opening of the extra session. This caucus will de termine whether the new tariff legis ation shall be in the form of a single neasure or in separate bills, scheduly schedule, along the lines of th tariff procedure of the last session when chemical, wool, cotton, Iron and steel and free list bills went through both houses but met the presidential

Chairman Underwood of the ways and means committee and his ass and means committee and his asso-clates are inclined to favor the same course as that of last session. By that procedure it is urged by its advocates, "log-rolling" or trading of rates on

various articles could be avoided.

The chemical schedule is or three or four that command the greatmen claim revision along the mbodied in the chemical bill of last year would save American consumer \$17,000,000 by reducing the prices of all chemicals and at the same time inlow rates of duty upon non-competitive articles produced in this country, especially the chemicals used in the textile industry and chemicals and drugs used for medicines.

Favors Non-Partisan Commis The first witness today was Henry Howard of New York, representing the Manufacturing Chemists' association. He contended the committee should delegate the entire question of the chemical schedule to a sub-committee that the committee of the chemical schedule to a sub-committee that the committee of the chemical schedule to a sub-committee of the chemical schedule to a sub mittee for expert investigation. Mr. Howard insisted that the association felt very strongly that no body the size of the ways and means commit-tee could as a whole conduct an inestigation so essentially technical. He avored a non-partisan committee of

The changes in classification is the chemical schedule," he said, "are largely furdamental and the rate is distinctly illogical, as the relation of raw materials to finished products is pensistently ignored, the relations be-

stap to the labor employed in those industries."

P. J. Krebs, president of the Krebs Pigment and Chemical company of Newport, Del., objected to the changes in the tariff as proposed by the last session chemical bill, vetoed. Louis L. Brigham, of the Brigham Sheet Gelatin company of Randolph, Vt. asked for relief from the present chemical 'ariff, saying it was not act-cultifically adjusted. He held up specializes of domestic and foreign galatin and priveded that there was now paid just as such duty on raw materials as on the iniahed product. He contended that put him on the same haste as the foreign gelatin manufacturers. He thought that about double the present duty on the finished gelacin products would be fair in the proposed tariff.

Reciprocal Demurrage Law Is Supreme Court Declares Con-Declared Unconstitutional By the United States Supreme Court

By Associated Press

Washington, Jan. 6.—The Minneso ta reciprocal local demurrage lay of 1907 was today annulled as uncon

that the federal government had leg-islated on the subject and so taken

away all nower. If any existed, from

stitutional by the Supreme court the United States. The court h

everal states have similar laws

NEW CONCESSIONS

Allies Withdraw Their Threat

to Break Off the London

Negotiations.

By Associated Press. London, Jan. 6.—At the peace con-ference today the Turkish envoys of

fered to make further concessions which were considered by the Balkan plenipotentiaries sufficient to prevent

the threatened rupture or negotia.

An important advance has been

made by the Turks toward meeting the demands of the Balkan ailies, ac-

cording to opinion expressed by Bul-garian representatives as to the new

proposals regarding the future of the

frontier between Bulgaria and Turkey

nite plan at today's conference, sug-gesting that the western frontier of

Turkey should follow the course of

Turks to retain the fortress of Adrian

The allies declared that if proposa

would be sufficient reason for the withdrawal of their threats to break

the discussion in London in the hope

of obtaining further concessions from

Turkey. At the same time they antic

ipate the early capitulation of the be

leaguered garrison of Adrianople, and this is calculated to alter radically the

ARCHBOLD ON STAND

court, was reached when the senat

used his judicial office to influence railroads to make advantageous coal

land deals with him in the Scrantor

himself and of Mrs. Archbald.

Ottoman point of view.

ert W. Archbald of the

ople but to abandon Kirk-Killisseh.

the Rivers Martiza and Tundje

Ottoman delegates presented a defi-

Interstate commerce was

ANNULS STATE LAWS STATUTES OF OTHER VOIDING CONTRACTS STATES AFFECTED

Low Rates in Consideration of Small Liability Not Violative of the Carmack Amendment.

By Associated Press. Washington, Jan 6 .- Railroad and express companies won a revolution ary decision in the Supreme court to-day, when it was held that contracts limiting to small spms their liability for loss of shipments were not sub-ject to state laws, but to interstate laws. It was further held that con-tracts limiting liability to a small sum in return for a low rate were not in violation of the interstate commerciaws, particularly the Carmack amend ment. Scores upon scores of such contracts have been held void under

Supreme Court Holds Proposed Stock Distribution Plan Doesn't Dissolve Merger.

By Associated Press.
Washington, Jan., 6.—The Supreme court today held that the plan navanced by the Union Pacific attornevs for the disposition of the entire stock holding of the Union Pacific railroad company in the Southern Palifle company by transfer to the stockholders of the Union Pacific company would not so effectually end the Union Pacific merger as to comply with its

GIVES TAFT A MEDAL

The Rinal Brith Presents the Presi dent With Token of Appreciation for Treaty Denunciation.

By Associated Press. Washington, Jan. 6 .- President Taft off negotiations and would continue today added to his collection of decorations a gold medal presented to him for his championship of the Jewish cause in the recent diplomatic im-broglio with Russia, which resulted in all chemicals and at the same time in-crease the revenue to the government, with that country. The meda' is the The plan of the committee is to levy sift of the B'nai B'rith, the constitutional executive committee of which is meeting here.

Adolph Kraus, grand president of the national organization of the B'nai B'rith, headed the committee which made the presentation. Luncheon for the committee at which the president

NEILL RENOMINATED LABOR COMMISSIONER

By Associated Press.

Washington, Jan. 6.—President Tafttoday renominated Charles P. Neill to
be commissioner of labor, Other nominations included: For postmaster:
G. F. Rockhold, Dallas, Texas.

J. P. Morgan Sails for Egypt.

By Associated Press

New York, Jan. 6.—J. P. Morgan sailed today for Egypt of the steamer Adiatic to interest himself in buried treasures. About a year ago Mr. Morgan visited Egypt to see the progress of an expedition which he fitted out to make excavations near Khargeh. It is expected he will visit the same vicinity on the present trip.

Man not Improving, Says Wallace, Aged Scientest

No Betterment in Either Intellect or Morals in the Past 7000 Years, He Asserts, Despite the "Great Accumulation of Human Knowledge."

By Associated Press.

London, Jan. 6.—"Man has showed are improvement either in intellect or morals and intellect have been stationally included in the days of the earliest edge, but for all that we are no slower than the ancients. By declared Experians and Syriams down to the latest leading to a survey which Dr. Allowed Wallace, known as the every commodity and this every syrind old man of science, has came passed on the even for a path of the results of the path birthday.

The walks of paths in the path birthday are the path of the paths in the path of the paths in the path of the paths in the path that the paths in the path in the path that the paths in the path of the paths in the paths in the path of the paths in the paths in the path of the paths in the path of the paths in the path of the paths in the paths in the path of the path of the paths in the paths in the path of the paths in the paths in the path of the paths in the path of the paths in the paths in the path of the paths in the paths i

HOLDS "CORNER" LAW VIOLATION

MANY GATHERING FOR LEGISLATURE

Indications Are That Practical ly All Old Officers Will Be Re-Elected

pecial to The Gazette-News. Raleigh, Jan. 6.—Owing to the Ill-Federal Government Is Declar. ess of Judge M. P. Justice at his ed to Have Exclusive Right home in Rutherfordton, the Wake to Legislate on the Superior court did not convene today The judge is not seriously ill and ex-Subject. pects to open court tomorrow.

Members of the 1913 legislature and scores of persons who expect to get jobs arrived here during the day. It is practically conceded that George W. Connor will be the speaker of the house. Most of the old officers, it appears, will be re-elected.

Governor Kitchin is preparing a message which will be submitted either Wednesday or Thursday. Senator Simmons is to be re-elected United States senator January 21 at noon One of the first bills of the session will be an amendment authorizing an increase from 12 to 20 in the number of trustees of the children's home at Winston-Salem and giving the trus tees authority to establish a hospital separate from the orphanage.

MADE BY TURKS MOST SERIOUS PROBLEM IS THAT OF TAXATION

Legislator Devising Scheme to Equalize Taxation Will Be Hero of Session.

secial to The Gazette-News. Haleigh, Jan. 6.—Attended by man Confederate veterans, Daughters of the Confederacy, and a large number Daughters of of frierds, the funeral over the re-mains of Col. W. H. S. Burgwyn, whose death occurred in Richmond Friday, was held from Christ church yesterday afternoon. Rev. Milton A. Barber and Bishop Joseph Blount Cheshire conducted the services. The urial was in the Confederate cemetery beside the grave of Col. Harry Burgwyn, the dashing young officer, who was killed in a charge at Gettysburg, and over whose grave a monu ment has been erected. The honorary pallbearers included Col. A. B. Andrews, Dr. V. E. Turner, Charles Root, Col. J. Bryan Grimes, Dr. R. H. Lewis, Platt D. Walker, Hon. T. W. Mason, Judge R. B. Peebles, Walter E. Daniel, John T. Pullen, Scott Parker, J. R. Young, Samuel F. Patterson, James C. Grant, A. C. Zollicoffer, Josephus Daniels, Ashley Horne, Dr. F. P. Ven-C. Grant, A. C. Zollicoffer, Josephus ment had conceded in arguing the able, W. A. Pierce, Maj. W. A. Guth-rie, J. T. Gooch. The funeral was a military one, the Third regiment band sale of the cotton bought. Therefore,

playing the music.

What is described as a conference Climax of Impeachment Trial of Com-merce Court Judge Reached With His Appearance. for social service will be held in Rai-eigh February 11 and 12. Dr. Woods Hutchinson, the famous physician who is known to North Carolinians By Associated Press.

Washington, Jan. 6.—The climax of the impeachment trial of Judge Robchiefly through his writings in popular weeklies, will be the principal speaker. Governor Craig will welcome the delegates. Among North Carolina speakers will be W. N. Swift court reconvened today prepared to hear the testimony of Judge Archbald of Greensboro, J. Y. Joyner of Ral-eigh, T. W. Bickett, Rev. Plato Durham, G. T. Stephenson, Clarence Poe, Miss Dalsy Denson, Bishop Robert Strange, Dr. W. S. Rankin, R. F. Bensley and Dr. L. B. McBrayer of Asheville, who will discuss "Feebleaccused jurist had determined, after consultation with his attorneys, to take the stand to answer personally questions as to his relations with rati-road officials and charges that he had

mindedness and Eugenica."

The most serious proposition that will face the general assembly to convene Wednesday at noon is the taxation question. The initiative, referendum and recall, freight rates and other matters may receive consideration, but the legislator who devises a scheme to equalize taxes and lessen the burden will be accounted the real here of the 1913 session. It is admitted that North Carolina's system amounts practically to self-assessment and that as a result much property is nindedness and Eugenics."

mitted that North Carolina's system amounts practically to self-assessment and that as a result much property is never touched. West Virginia has the hest taxing system of any of the states, it is said, but the corporations, oil wells, mines and other industries provide almost enough revenue to carry on the state's business, whereas in North Carolina this is not the case. In the opinion of many legislators what North Carolina needs is not the modern panaceas for all ovils, but a system of taxation that will distribute the burden, raise enough revenue to continue the educational, health and institutional work and at the same time not increase the lurden of the small property owner. The man with the vision to see clearly the needs of this year and the next and the practical scheme to administer to these needs will be able to receive any honor in the gift of the people.

Mr. Ture Planning Trip Enst

Supreme Court Holds that if Patten et. al. "Cornered" Cotton They Violated Sherman Law.

SENDS CASE BACK TO NEW YORK FOR TRIAL

Guilt or Innocence of Defendants Not Passed on, but Important Principle Laid Down.

By Associated Press. Washington, Jan. 6 .- By upholding rtain disputed counts against James A. Patten and others, charged with violation of the Sherman anti-trust law in running a socalled corner in cotton, the Supreme court today sent the case against the men to trial in the lower courts.

Patten, Eugene G. Scales, Frank B. Hayne and William P. Brown were indicted in New York on charges of con-spiring on January 1, 1910, to "corner" cotton by extensive buying or the New York Cotton exchange and as a result of which the prices would be enhanced and ultimately bring arbi-trary and excessive prices. The conspiracy was described as calculated to yield \$10,000,000 in profits.

Lower Court's Ruling. The alleged violation of the Sherman law was set forth in the indict-ment in eight different ways in as many counts, the defendants liable to trial on any one. Before the defendants could be placed on trial, the United States Circuit court for southern New York held insufficient four counts, as not stating an offense. The government appealed from that decision to the Supreme court because of similarity in the four counts held insufficient, the controversy in the Supreme court narrowed down to the validity of the third and seventh

The third count had been attacked uccessfully as insufficient because it merely stated an alleged conspinicy to buy cotton, and omitted to agreements to withhold cotton or to ell in any particular manner.

The lower court said the defendants were not charged "with power to con-trol the market." The seventh count was the one specifically charging the defendants with "running a corner on cotton futures.

The lower court held that such a

corner did not produce effects direct enough on interstate commerce to bring it within the Sherman anti-trust

Justice Vandevanter, in ennouncing the opinion, said the Supreme court at this time under the law, was not authorized to review the lower court's construction or interpretation of the statutes. Therefore, he added, the court passed by those points raised by the government

The justice said that the governhe said, the controversy turned upon whether the indictment charged a withholding."
"Corner" May Be Trade Restraint.

At present the decision of the lower court on this point must be accepted as correct, he said. He then passed to the holding of the lower court that running a "corner" was not a viola-tion of law, because the restraint was too indirect and not voluntary. "We hold that the restraint need

not be voluntary, but in the light of the Standard Oil case may be involuntary...' Justice Vandevanter said that the

injury to the public was the same whether the effect was voluntary or Justice Lurton appounced a dis

Justice Lurton announced a dissenting opinion in which Chief Justice White and Justice Holmes concurred. The case will now go back to the federal court of Southern New York for trial or other proceedings. The decision of the supreme court settles the important guestion that a corner of any commedity is a restrain of interstate commerce, and may be a violation of the Sherman anti-trust law. Today's decision does not determine

lation of the Sherman anti-trust law.
Today's decision does not determine
the question of guilt of Patten of other
defendants, but sends the case back to
the lower court for trial on the facts
with the important principle of law
established that if a "corner" in cotton is proved the Sherman statute is
valuated.

NORTH CAROLINA MICA MEN GET REARING JANUARY I GARRIER-NEWS BURRAU