GENERALLY FAIR.

HELD: COFESE **CAPIAS ISSUED**

District Attorney Ordered to Proceed with Commitment to Prison of Defendants Without Delay.

DICKERSON DELIVERED TO FEDERAL MARSHAL

Court Refuses to Admit Plea of Breese's Illness, and Capias Is Out for Him.

J. E. Dickerson, who was convicted of conspiracy, together with Maj. W. E. Breese, in connection with the failure of the First National bank of Asheville over 15 years ago, was this morning delivered into the custody of the marshal in United States District court to serve the sentence of two years in the federal penitentiary imposed for the offense, and unless res-pite is given by President Wilson he will be taken to Atlanta tomorrow afternoon to be placed in prison. Mittimus will issue this afternoon and Mr. Dickerson is now in the custody of a deputy marshal, his attorneys and bondsmen. He will not be placed in jail bere, the court agreeing that any arrangement made with the marshal as to his custody while here would be agreeable.

Major W. E. Breese, who was also ordered to appear before Judge Boyd in the District court today and be delivered into custody, was not present at the hour set, and a capias was issued for his arrest. He was represented in the court by his attorney, W. W. Zackary of Brevard, who stated that his client is too ill to leave his from prominent citizens of Transvlvania county testifying to the fact that he was unable to comply with the order of the court, but the certificate and affidavits were not admitted.

Delay Asked for Dickerson.

In the case of Mr. Dickerson, there were arguments before Judge Boyd pleading for the mercy of the court in granting a brief delay in proceedings. The arguments were made by Thomas Settle and Judge J. H. Merrimon, and were based in part on a telegram received yesterday afternoon by District Attorney A. E. Holton from Pardon Attorney Finch of Washington, representing the department of justice. This telegram was as

"President desires delay in execution of sentence in the Breese and Dickerson case. Attorney general directs that you proceed as heretofore instructed and as suggested in your telegram eighth instant to have commitment issued, but delay execution commitment until further notice. Wire status and if you understand request. To this message Mr. Holton sent the following answer:

"Answer telegram. Breese and Dickerson notified to appear tomorrow eleven o'clock to be committed to custody of marshal to undergo sentence Mittimus for penitentiary will then issue. Can only delay execution by postponing this proceeding to future date. Court will adjourn tomorrow to first Monday in August. Shall we let this case go over?"

This morning Mr. Holton received

the following message in reply to the

Ordered to Proceed. 'Attorney general directs you pro ceed with the commitment Breese and Dickerson without delay. Reply." Following the proceedings this morning Mr. Holton wired a reply to Mr. Finch, telling him of the proceed-

The attorneys for Mr. Dickerson argued from the first of these telegrams that the president had found some-thing in the case deserving of consid-eration by him and that it would require a delay for such consideration. They asked that the matter be held over until the August session or until the return of the process against Mr.

They advanced still another argument for their client, to the effect that Messra. Breese and Dickerson were convicted of a conspiracy; that the former was the principal, being the president of the bank, and the intter a subordinate; therefore since the hand of Providence had intervened in delaying the execution of the judgment against Mr. Breese, then a similar de-lay should be given his subordinate. They even went so far as to argue that in case of the death of Mr. Breese, thus relieving him of the punishment through the higher power, then Mr. Dickerson should also be relieved of the service of his sentence through the

he service of his sentence through the service of the court.

Holton Moves to Execute Sentence.

District Altorney Holton rend the three telegrams in court and argued from all of them that there was no request from the department at Washington that there be any further delay. Meeting the defense he hald that it for the defense he hald that if for the secure the three hundred of the tank were closed the prossention of Mp. Divisors would not have was surnified year-day but 72 of these beautiful or page 1.

PENROSE DEMANDS **PUBLIC HEARINGS**

Several Republicans Support His Motion Referring Under wood Measure to Finance Committee with Instructions to Hear Objections-Long Debate Likely.

By Associated Press.

Washington, May 13:-The tarin might be several days before a vote was reached. fight was resumed today in the senate n the motion of Senator Penrose to refer the Underwood bill to the fin- self in any way with respect to numance committee with instructions for public hearings.

Chairman Simmons of the finance orging all democratic members to be ome to a vote and he felt confident that the republicans' first move

Some republicans who have declared they would not support the Pen-that many manufacturers notified him rose amendment argue that hearings they did not want open hearings. The on a tarift for revenue bill would avail nothing and that were the bill written protective standpoint they

would favor bearings. Senator Penrose and other republiamendment at length when the senate sidered,

convened, and it looked as though it

President Wilson has taken the pe sition that he ought not commit himerous minor amendments to the tariff bill being suggested by demo crats.

Secretary Redfield had a half hour's ommittee was busy early in the day talk with the president before the cabinet meeting today and declared he on hand in case the question should believed unimportant changes would be made but that if the president consented to certain ones, he would be against the majority would be check- besieged with requests to open up other schedules. Senator Simmons declared today

that many manufacturers notified him senator said the finance sub-committee was making some changes but that they were not material.

Reduction of the proposed duty of 12 per cent on structural steel to nine can senators planned to talk on the per cent was said to have been con

Independent of Its London

Bondholders.

By Associated Press.

London, May 13 .- The British for

eign office is hopeful of an early set-tlement of the British cla. as against

ceived from the British minister indi-

British demand was anticipated.

ated that a satisfactory reply to the

The British minister's instruction

uthorize him to call on a British

warship should he think its presence in Guatemalan waters desirable.

Therefore, although the foreign office

had not, as late as today, been advised

that the British cruiser, Ecolus, had

departed from Kingston, Jamaica, for

ppearance of the vessel, the payment

Although the matter is considered

one absolutely between Great Britain

nd Guatemala, the United States has

been advised of the British intention

Work Considered at Meet-

ing in Atlanta.

By Associated Press.

Atlanta, Ga., May 13,-Early arri

conference on this subject was the

only meeting scheduled for today,

omorrow several other departmenta

conferences of similar nature will take

up various other phases of church

Scores of delegates to the assembly

which it is predicted will be history-making in Presbyterianism, arrived

yesterday and today and by the time

the first general meeting is held

Thursday, nearly 1500 are expected to

be in attendance. Four Presbyterian church organizations, the Northern, Southern, United and Associated Re-

form, comprising a total membership of approximately 2,000,000 people will

Among the questions for discussion at today's educational conference was

that of the proper relation between the church organization and so-called

FLAYLER VERY ILL

Aged Financier Weak, but Physicians Note Little Change in His Condition.

By Associated Press.

West Paim Beach, Fla., May 12.—
Henry M. Flagler, ill at his home here for several weeks, is reported as weak today by physicians noted little change in his general condition.

Daniels in Washington.

By Associated Press.
Washington, May 12.—Secretary
Junies returned loday from a two
sesses trip, which included visits to
outliezh navy yards.

organization and work.

The last dispatches re-

Guatamala.

BRITISH WARSHIP AWES GUATEMALA

Question One The Hague Can- That State Is Becoming Less not Adjust, Is English View.

By Associated Press.

London, May 13 .- "If it be true that Japan wishes to carry the California question to The Hague tribunal, we may shortly obtain a fruitful lesson in the practical limits of arbitration," says the Pall Mall Gazette today in discussing the situation which has home and that it is believed that he is arisen between the United States and now on his death bed. He offered to Japan in regard to the California in read a certificate to this effect from allen land-ownership bill.

The newspaper continues:

"If the Chinese and Japanese are t have free entry to the Pacific coast it Puerto Barrios, it is thought likely means eventually the extirpation of that the British minister has called white labor from that region. All the upon her commander to hasten, by the arbitration in the world will not persuade the people of the western states of the long overdue debt. that it is their duty to give up their bread and butter to an alien race and ve can imagine how much likelihood there is of the government at Washington taking measures to enforce to insist upon the paying of the bondington taking measures to enforce to insist upon the paying of the payin reamers back to hard facts."

Japan Awaiting Developments. Washington, May 13.-The Japanese mbassador will take no further steps in the protest against the California anti-alien land law until Governor PRESBYTERIANS DISCUSS Johnson acts upon the bill before him. Should he sign it, it was learned today that aloan without making furher representations to the state partment will wait a reasonable time to see what the federal administration intends to do to meet the complaint

against the measure. it was indicated today that Japan would not move to test the constitutionality of the law, but was inclined to the view it is incumbent upon the inited States to take up that phase of the question.

Although it is understood here that Governor Johnson has 30 days to act, officials believe his answer to Secretary Bryan's last communication will e received within a week.

ussed today at the cabinet meeting.

Sand SOCIALIST IS DUSTED FROM LABOR COUNCIL

Stormy Night Session in Buffalo - Difficulty in Seccuring Special Policemen.

By Associated Press.
Buffalo, N. Y., May 13—At a stormy session of the United Trades and Labor council, which lasted from 9 o'clock ast night until early this morning. W. Frank Cattell, a socialist, was ousted from membership in the council. The formal charge against him was that he had made slanderous statements about the council's business agent. about the council's business agent.

Cattell led the strike of department store clerks, and the premature walk-out of 400 machinists yesterday also was under socialist auspices. Union I leaders declared at last night's meeting that t'attell precipitated strikes at a time when the unionists were successfully working out plans to secure betterment for the workers.

With the machinists who have voted to strike on Saturday night, there will be about 700 persons on strike in the city.

State's Controversy with Car riers May Be Settled without Extra Legislative

Session.

MR. CRAIG UNDECIDED AS TO MAKING CALL

Has Determined, However, Not "to Submit to Present Situation" - Conference at Wash.

> Gazette-News Bureau, Wyatt Building,

After a three hours' conference be Corporation Commissioner W. W. Finley, Col. A. B. Andrews and Colonel Thom of the Southern railway and representatives from every other road doing business in the state, it was stated that there was ossibility of the freight rate question to call an extra session of the legisla-ture. Mr. Travis was the only member of the corporation commission present. He said he attended the conference at the invitation of the rail-

Mr. Travis stated that he could no liscuss the matter at this time. said it had been agreed that nothing should be given out for publication unmeeting had proceeded far enough to result in something tan

Governor Craig said, when asked it he had made up his mind to call the egislature in extra session, that he was not yet ready to say just what he would do. "You can say, however," he said, "that we will not submit to the present rate discrimination. Some thing must be done."

President Wilson late last night an nounced that he had ordered a post-ponement in the sentence of W. E. creese and Joseph E. Dickerson. He nas ordered the attorneys for Breese to prepare their case and present it within 20 days. At the end of that ime he will announce whether he wil commute the sentence of the two

Representative Webb, who returned o Washington, has made an engagement of a committee of Kings Moun-tain citizens to meet Secretary of State Bryan next Wednesday and invite him to make a speech at the anniversary of the battle of Kings Mountain.

the Guatemalan government more in "GENERAL" IS BROKEN Mrs. Drummond Will Be Un-**EDUCATIONAL PROBLEMS**

able to Undergo Trial for Months. Their Relation to Religious

By Associated Press. London, May 13.—"General" Mrs. Flora Drummond, the militant suffragette leader, is in a state of collapse and was unable to appear at the resumed hearing at Bow street polic court today on the charge of conspiracy under the malicious damage to property act, which has been brought against her. A doctor testified in vals among the delegates to the joint Presbyterian assembly, to begin a ten court that owing to her Illness she had been moved to a nursing home. days session here Thursday, turned would take two weeks for her to get their attention today to consideration into a fit condition to undergo an opof educational problems in relation eration, which was necessary, and anto religious work. A pre-assembly other two months before she would be able to be tried, The other "conspirators," who com

rised Miss Harriet Kerr, Miss Agner Lake, Miss Rachael Barrett, Mrs. Bea-Saunders, Miss Annie Kenney Miss Laura Lennox and the analytical Clayton, all surrendered to their bail.

Evidence for Jack Johnson

By Associated Press.
Chicago, May 13.—Presentation of evidence in the case of Jack Johnson. charged with violation of the Mann began today. Charles Lupkin chauffeur for the negro prizefighter in 1910, testined as to a trip which John son and Belle Schrieber took to Mil-waukee in 1910. Johnson was ill. Phey lived at separate hotels, said Lupkin.

Arbitration Offer Refused.

(By Associated Press) (By Associated Frems)
Cincinnati, O., May 13.—The new
union of Cincinnati street car employes today refused to arbitrate
with the Cincinnati Traction company under conditions offered and de-cided to continue the strike. Recognition of the union before arbitration is insisted upon

Baptists Gather in St. Louis.

HOW TARIFF CUT HITS STEEL TRUST

President Farrell Testifies under New Duties Pig Iron from Orient Can Be Delivered to San Francisco for \$10.78 -Present Price Is \$21.50.

821.50.

(By Associated Press) New York, May 13,-James A. Far-rell, president of the United States Steel corporation, resumed the witness stand today for the defense in the now under way in a sailing vessel government's sult to dissolve the corporation. He pictured the corporation first cargo of Indian pig iron ever it not for the policy of the corporation. "to do a general business regardless duty the tariff 11 cents. Thus, the of conditions," the cotton crop of the pig iron would be laid down in San United States this year could not be marketed. He explained that the corporation supplied practically all the cotton ties used for binding cotton for \$10.78. The present market price baled in this country and that there for pig iron on the Pacific coast is vas no profit in their manufacture.

The cost of production of steel was greater in America than in European countries, Mr. Farrell testified. He wages paid abroad were 3'

facilities for export trade were better. Pig iron could be manufactured in India and laid down in Calcutta at from that port to San Francisco the as a beneficial industry. He said were brought to this country. The freight to the policy of the corporation. was \$5.50 a ton and under the new Francisco at a cost of about \$11.50. Chinese pig iron could be laid down for pig iron on the Pacific coast

> "Did you tell Mr. Underwood about that?" asked Judge Dickinson, counsel for the government. "I don't think it would make an

per cent to 38 per cent less than here, difference with him," smiled the wit-

HUERTA'S TROOPS' GRAND JURY CONDEMNS ROWAN'S COURT HOUSE ARE HARD PRESSED

Reinforcements on Way to Relieve Garrison Near Guaymas-400 Killed.

By Associated Press,

Nogales, Ariz., May 13.-Agents of he Huetra government here assert they have received work that more federal reinforcements have arrived by oat at Guaymas and that the main group besieged a few miles north will be able to work its way into the gulf

The Mexican gunboat Guerrero, lyng in the harbor, is expected to assist the federal garrison. The most conservative estimate

the killed in the fighting above Guay-mas placed the dead at 400. Nogales, Ariz., May 13.-More than 00 dead are lying on the battlefield above Guaymas. The soldiers fell during three days desperate fighting ast week. Colonel Juan Cabrel, who arrived yesterday at Hermosillo from he front, reports that he had esti

mated the killed to exceed 600. A train load of oil and fire wood was rushed south with which to cre-mate the bodies. The official report of General Alfero Obregon, the ihsurrent commander, stated that the federal killed alone numbered 500 with Huerta soldiers taken prisoners. sides have been executing all ommissioned officers captured.

There was little fighting Sunday or arly yesterday. Driven to the last station north of the gulf port, the remnants of the federal army of some 2500 found itself cut off from further retreat. Believing that lack of food and water soon would force a surrender the state troops contented them-selves with holding the federals in their position, occasionally harrassing the extreme lines when any attempt was made to move toward Guaymas. The 200 federals left in Guaymas did not move from the town.

A. C. Villasener, the prefect of Nogales Sonora, has been arrested here by military authorities. He is chargd, with the marshal of the Arizona own and others, with implication in nited States troops of the fifth cavalry on border patrol here. American officials assert they have strong evi-dence against all. Cal. Wright, the town marshal and John Wilson, a bartender, were released on bail of \$1000 each. The two United States soldiers also arrested were released without bail, it being sald they acted as informants for the government. It is charged that the soldiers were to have peen paid \$3000 each for admitting the men into the store tent, and that when arrested, Wright and Wilson had their arms filled with ammunition. It also is charged that it planned to get in additional 44,000 rounds from the railroad warehouse where it was held by customs author

The federals from Guaymas finthemselves surrounded at Hatamotal the first station on the Southern Paeific, north of the Guaymus and Empalme gulf port. Confronting them from the north

are the state troops which last week won in three days desperate fighting which forced the Huerta soldiers back toward the gulf. From the federal rear the constitutionalists of Colonel Ben Hill have cut off retreat. It reported that there is little water ar food at Hatametal. Only 200 federals were left at Guaymas, while Hill's will determine late today whether ad men are said to have re-taken Em-

Among nearly 500 dead found on the field above Guaymas were identi-fied, the bodies of Lieutenant Colonei advisors. Reyes and Villasono of the federals and Major Cota of the state troops.

Gundalajara and the center of the most important mining districts of Jai-

St. Louis, May 13—Registration of held off the rebels for four hours. Six delegates for the opening session of federal soldiers were killed. When body of Albert Smith, the boy helieved the Southern Baptist convention be the insurgent; entered Hostotpaquillo to have been kidnaged, was found in an today. More than 1000 register—they looted the stores and burned the a creek here today. Accidental drowned with the veteran secretary, Rev. court house. Several big American large was the lad's fate, the police now believe.

And Presents True Bills **Against Commissioners for** Dereliction.

Special to The Gazette-News. Salisbury, May 13.-The grand jury esterday afternoon made its anxiousy looked for report on the new Rowar county courthouse, the walls of which are now about completed and which building is to cost about \$125,000. The jury employed a committee of experts to examine the building as to quality of stone and wormanship, and this committee's report is attached to the ury's report. The experts state that the stone used in the sides and front of the building was taken from boul ders or from near the surface of the quarry, and shows serious discolora tions and a wide variety of texturand is entirely unsuited for use as an ornamental building stone. "It is not at all representative of the Rowan ounty granite and should not have been allowed to be used in the building," says the report. The stones were not cut square and it was impossible o put them up plumb and true. Spec ifications called for six-cut stone and the kind used is hardly a four-cu "The committee recommends that all the granite in the front of the building be removed and that the best

table. The grand jury recommended that the commissioners require proper grade of stone and proper workmanship. They say the inspector now employed is unfit and unqualified and recommended his dismissal and that competent man be put in. The report continues: "We further report that we condemn the building from start to as far as now constructed. We find that there has been paid \$52,400, which is in excess of the worth of the building in its present condition, and therefore, ask that no further pay-

iniform color, be put in its place."

The rear wall, which is of brick, show-

of the building showed them to be

Judge Long referred the report to the county commissioners for action.

The building is being erected by the King Lumber company, of Charlottes-

ment be made or work be done until

the matter has been thoroughly ad-

ville. Va. Along with its report the grand jury returned true bills of indictment against the entire present board of cases against the safe-cracker, is deounty commissioners for failure to do their duty as public officials; also true of its strong case. Dunn is under arbills against P. A. Hartman and Fred McCanless, public officials, for contracting to do public work. These mer were both members of the board of ounty commissioners when they se ured the contract to furnish the stone for the court house. still a member of the board.

HINT AT WHITEWASH

Friends of Vredenburgh Say He Is Made Scapegoat in the O'Hara Inquiry,

By Associated Press. Springfield, Ill., May 13 .- The senaorial committee investigating charges against Lieutenant Governor O'Hara litional testimony shall be taken.

Thomas Vredenburgh, a Springfield lumberman, prominently named in the ase, today conferred with friends and

Friends of Vredenburgh declared he nd Major Cota of the state troops. had been made a scapegoat to clear Guadalajara, Mex., May 13.—Rebels Lieutenant Governor O'Hara and inbefore under Julian Mediana, a former lefe sisted that they would not abide by the politico, today occupied the town of Hostotpaquillo, 60 miles northwest of close the investigation.

Body of Missing Roy Found.

Fifty Thousand Visitors in Convention City, 15,000 of Them Shriners and Families.

BUSINESS SESSIONS OF COUNCIL BEGIN

Various Patrols Vieing for First Honors for Dazzling and Resplendent Raiment.

(By Associated Press)

Dallas, Tex., May 13.-The shriners onvention here has been turned into welcome by the southwest to the nobles of the order from other sections of the country. Temples in Canada, California, Oklahoma, New York, Pennsylvania, Georgia, Tennessee and as far away as Manitoba have sent scores of hundreds of shriners who are joining with the Dallas contigent and representatives from practically every temple in Texas in making a continuous street carnival. There are about 50,000 visitors here to witness the fun, 15, 000 of whom are nobles and mem-bers of their families.

Business sessions of the council began today. Feats of roping and "cow punching," as still carried on to some ertent in Texas, were demonstrated today by several "honest to goodness" cowboys from ranches in the western part of the state.

Abba temple of Mobile announces that it will ask the imperial council for permission to conduct a class of novices in one of the locks at the

Jerusalem Temple of New Orleans rought a "hurdy-gurdy". It did not make as much noise as bands of some of the other patrols, but the New Orleans nobles pointed with pride last night to the fact that when all other ausiciana were winded and had to quit, the hurdy-gurdy was still playing with a silk trousered patrolman astride its top and a guard of honor naking a hollow square about it. "Mornin' Silas" being the

ord of the convention, the New Orcans men have invented the reply 'Mornin' Mandy."

The Memphis delegates also have

their own greeting which is "Howdy Hiram, how's your cotton.'

The Bedouin patrol from Muskogee, Okla., is out after first honors for marching and fine rainment. The quality of Rowan county granite, of Muskogeeites claim with justice, that they have several shades on the rainow, but that they are afraid of Lulu ed poor workmanship, but as the wall Temple of Philadelphia, famous at all is solid it was recommended that no shrine gatherings, which has some action be taken on it. The committee's plumb line applied to the corners to product at the last moment.

Dallas not only suspended business out of plum from three-fourths to two today, but freight cars had to be and a half inches, making the building moved out of the city to make room larger at the top than below the water on side tracks for the parking of Pullman cars in which about 5000 persons are living, some of them in considerable splendor. There are 36 dining cars in use in this "Pullman

REQUISITION OUT FOR ALLEGED CRACKSMAN

William L. Dunn Wanted in This State for Burglariging McAden Mills Safe.

pecial to The Gazette-News. Raleigh, May 13.—On request of Solicitor Wilson, Governor Craig today made requisition on Governor Suler for William L. Dunn, alias Irish Jimmy, who is wanted in Gaston county for burglarizing the safe of the McAden mills at McAdenville and stealing \$1000 in 1905. One yeggman was convicted of the crime.

The federal government, which has sirous that the state try him because rest in New York city.

Negro, Who Killed Farmer Lynched.

(By Associated Press) Hogansville, Ga., May 13.—Sam Owensby, the negro who yesterday thot and killed Brooks Lone, inent young farmer, was taken from the Hogansville jall late last night and lynched by a mob of citizens. The negro was strung up to a tree ne the jail and his body riddled with bullets.

Lane was killed on his plantation near Franklin, Ga. The trouble with the negro is said to have been the resuit of a discussion over the trading of a cow.

Many Apply for Parole.

By Associated Press Leaverworth, Kan., May 12.—More than 200 applications for parole, six of them from bankers were listed for consideration of the federal board of parole here today. Among the bankers was W. J. Hogue, San Angelo, Tay.

Georgia Knights of Columbus Meet.

By Associated Press.
Savannah, Ga., May 13.—Knights of Columbus of the state of Gentals, neeting in annual convention here in, lay, transacted all business coming over the page 150.