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USURY CASES AT THIS TERM COURT

Will be Heard Beginning Tomorrow Morning

JUDGE DANIELS PRESIDING

Today's Session Was Occupied With Insurance Case. Big Damage Suits on Docket for This Week Including One Against D. and S. C. Railroad.

Some of the biggest legal cases ever engaged in concerning local parties will be heard at this term of civil court, which began this morning with Judge Frank Daniels, of Goldsboro, on the bench. During the week two of the damage suits to be heard are those of I. H. Urquhart vs Durham and South Carolina railroad, for \$15,000, and Mr. D. D. Massey against the Atlantic Coast Line.

The entire session this morning was taken up with the case of J. T. Wilson vs Life Insurance company of Virginia. The case involves a dispute between Mr. Wilson and the insurance company as to the cash surrender value of a policy which Mr. Wilson has been carrying for ten years. Mr. Wilson claims that the agent who solicited the policy represented to him that the policy could be surrendered at the end of ten years for the amount that had been paid in, plus the interest accruing at 4 per cent. Mr. Wilson alleges that he has been paying ten cents per week for ten years, and that when he surrendered the policy some time ago he was only offered \$3.60 as the cash surrender value.

The argument was begun in the case at noon today, and it will probably go to the jury late this afternoon. The following jurors have been drawn for this week's term of court:

W. R. Lyon, W. B. Parrish, W. H. Pegram, S. J. Godfrey, V. W. Coble, D. S. James, W. J. Morgan, C. L. Upchurch, J. L. Sall, W. J. Lougee, R. J. Brown, A. N. Leigh, C. L. Goock, Henry Bowling, W. H. Berry, T. W. Hatch, Donnie Barber, A. Teer, Edward Howard, W. H. Tilley, T. L. McCleese.

The now famous usury cases will be tried at this term of court, beginning tomorrow. These cases involve some real estate dealers and lawyers and a compromise may be reached.

Raffles Eludes Police and Gets More Jewels

New York, Jan. 23.—While city detectives and the Pinkerton agency were busily engaged in attempting to run down a mysterious raffles who has stolen thousands of dollars worth of gems, and is causing a reign of consternation among the rich women patrons of the exclusive hotels in the Central Park district, the police department received word of two additional jewel thefts.

Mrs. W. H. Redman, of 415 Clinton street, Brooklyn, wife of a wealthy lumber dealer, reported to the police that \$5,000 worth of jewelry had been stolen from her apartments, while she was at dinner last night.

At the same time Mrs. Charles Fowler, a guest at the Hotel Savoy, reported that a diamond brooch, containing 33 diamonds and worth \$1,500, had been taken from her suite early yesterday.

Albert Winstead Shot Through the Head

Wilson, Jan. 23.—Albert Winstead, a well-known and popular young man here, committed suicide Friday afternoon by shooting himself through the head. No cause is known for the act, which was committed at the home of his sister near this city.

The young man was 25 years old and a member of the Wilson Light Infantry. He was a son of the late Sheriff Winstead.

WANTS WIFE WHO DON'T GAD. Tired of One Who Refuses to "Stand With Hitting."

Muncie, Ind., Jan. 23.—Disgruntled because his pretty young wife, Mabel, has deserted him and their child for the third time, Daniel Bates, 23 years old, of Hartford City, has sent a communication to a Muncie newspaper saying that all efforts to find his wife failing failed he is "again in the market for another wife." Bates makes these resolutions:

"This time I want a wife who will stand without hitting and won't kick over the traces every month or so. Mabel has spurned my love three times. Three times she has packed her trunk and sallied forth in quest of adventure. Therefore, if some kind and companionable young woman who does not want to gad around all the time wants a husband, just tell her that Dan Bates is available, and, like Mark Twain, 'he willin'."

POUCHOSEN HEAD OF COMMITTEE

North Carolinian Will Succeed Smith as Chairman

Washington, Jan. 23.—Representative Edward W. Pouchosen of North Carolina has been agreed upon as the chairman of the District of Columbia committee in the next house. He will succeed Representative Samuel W. Smith of Michigan.

Before his appointment to the present ways and means committee of the house Mr. Pouchosen was a member of the District committee, and was one of the most active students of District needs. The chairmanship of that committee in the democratic house will be given to Mr. Pouchosen at his own request.

There is also a possibility that Mr. Pouchosen will be made a member of the committee on rules, although his work as the chairman of the District committee will engage most of his attention. The state senate consists of 30 and the remaining 15 democrats have organized the senate. The problem is whether the organization is legal. This reached directly to the question whether United States senators can be elected lawfully in this situation.

A wide difference of opinion exists at the capitol. Some lawyers view the matter one way and some another. Republican lawyers are inclined to hold that with the 15 republicans absent from the senate, less than a quorum is left and the senate cannot be lawfully organized. Some of the democrats, however, point out that four republicans elected last November have not appeared and qualified. The full senate is 30, but with these four unqualified it consists, the democrats say, of 26. Fifteen would be a quorum in a body of that number.

According to reports from Charleston, democrats of the state senate are making overtures to the 15 republicans who fled to Cincinnati. Governor Glasscock, it is said, will refuse to sign the commissions of the United States senators when they are elected unless the senate gets together, and this may result in a compromise being effected.

Baltimorean Kills Woman and Self

Baltimore, Jan. 23.—Early on Friday Herman Ensor, of this city, shot and instantly killed a handsome young woman while she was standing in front of the Old Town National bank, Gay and Exeter streets. He then fired a bullet into his own brain.

Ensor died in Mercy hospital after being rushed there in a passing automobile. In the pocket of the woman's coat was found a Washington marriage license. It showed that on June 5, 1910, Mattie Wheatley and Jacob F. Handley were married at the First Presbyterian church, Washington, by Rev. Donald C. MacLeod.

The woman was a blonde and wore a black fur hat and carried white furs. She wore a wedding ring bearing the initials, "E. W. to C. G. T." The murderer and suicide, Herman Ensor, was 39 years old and lived at 1822 North Castle street, Baltimore. He had been separated from his wife for three months. The identity of the murdered woman has not yet been established.

A Serious Fire at Jacksonville Sunday

Jacksonville, Fla., Jan. 23.—Fire starting in a wholesale paper warehouse yesterday threatened a large part of the water front and was not extinguished until the warehouse and stock of the Flynn-Harris-Bullard Wholesale Grain company and a long shed used by the Clyde line for perishable freight with the piers on which the buildings stood were destroyed. The total damage will not exceed \$50,000, partially insured.

Five firemen were precipitated into the river when a burning pier collapsed but were rescued without injury.

Preparing New Child Labor State Laws

Raleigh, Jan. 23.—The North Carolina Child Labor committee composed of ex-Governor Aycock, Dr. R. T. Vann, C. L. Conn, Bishop Strange, and W. E. Stone spent several hours in conference Friday night as to just what additional legislation as to child labor in factories shall be asked of the present general assembly. It will probably be several days before they are ready to make definite announcement as to their plans.

Hanngman's Play Proves Real.

Chicago, Jan. 23.—Albert Derantz, 16 years old, was playing hanngman on Friday when he fell a victim to his own rope. He was standing on one end of a barrel that was open at the top with the noose around his neck, when the barrel tipped and the boy dropped. Before his brothers could rescue the boy he died.

WEST VIRGINIA PACT EXPECTED

Election in Absence of Members Raises Legal Questions

Washington, Jan. 23.—Senators are taking the keenest interest in the situation in the West Virginia legislature where a doubtful legal situation has arisen because 15 republican members of the state senate have fled from the state and refuse to take part in the organization of the senate.

The state senate consists of 30 and the remaining 15 democrats have organized the senate. The problem is whether the organization is legal. This reached directly to the question whether United States senators can be elected lawfully in this situation.

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Automobile Collides With a Street Car

Wilmington, Jan. 23.—An automobile, in which was Robert Ruark, Esq., his wife, three small sons and niece, collided head-on with a street car yesterday afternoon and Mr. Ruark was painfully cut on the face and one of his sons was also cut about the face. When Mr. Ruark saw that a collision was inevitable, he endeavored to hold his two sons, who were on the front seat, with his left hand, but the impact was so great that the little fellows were hurled from the auto and thrown under the edge of the car beside the wheels. Their escape was miraculous.

The front of the automobile was badly smashed up. It was a heavy suburban street car and it was not damaged with exception of the steps being torn off on one side. The collision occurred as Mr. Ruark swung his machine around a corner.

To Bar Invalids From Marriage Altar

Topeka, Kan., Jan. 23.—J. E. Williams, representative from Logan county, introduced in the house today a bill requiring that all brides and grooms must have health certificates before they can obtain a marriage license. The bill provides that a physician must pass on candidates not more than ten days before the application for a license is made, and if he makes any false statement he is to be fined from \$200 to \$500, or sent to jail for 90 days.

Any official who issues the license and any clergyman or official who marries a couple without having the certificate may, under the bill, be fined \$100 to \$300 and sent to jail for 30 days to six months.

Christian Endeavors Meet in Greensboro

Greensboro, Jan. 23.—The executive committee of the North Carolina Union of Christian Endeavor held a business session in the parlor of the Clegg hotel Friday morning, the purpose being to devise plans and arrange a program and a date for the next state convention, which will be held in Burlington.

Officers and members of the executive committee here for the meeting are: Prof. W. A. Harper, of Elon college, president; Miss Mamie Dava, of Charlotte, treasurer; Miss Florence Ledbetter, of Greensboro, secretary; the Rev. K. E. Steele, Spencer; the Rev. A. W. Dixon, High Point; E. H. Stockton, Winston-Salem.

MAN, AGED 134, SAYS HE NEVER FELT BETTER

Gradyville, Ky., Jan. 21.—"I never felt better in my life," said John Morgan, 134 years of age, reputed to be the oldest man in the world, as he sat on his porch today mending a pair of shoes preparatory to a walk to the woods.

Morgan, who was once a boxer and remembers many stories of the war of 1812, passed his 134th year yesterday.

TO REVISE N. C. BANKING LAWS

Proposed Bill Fixes \$15,000 as Minimum Capital

LIMITS AMOUNT BORROWED

Proposition to Create Hoke County Will Be Heard at Joint Meeting Tomorrow—Avery County Advocates Scheduled for Thursday and Piedmont Hearing January 31.

Raleigh, Jan. 23.—State Bank Examiner J. K. Doughton, cooperating with and having the approval of the corporation commission, has prepared a bill revising and consolidating the banking laws of North Carolina and it will be introduced in the general assembly this week. The bill fixes \$15,000 as the minimum capital with which a bank shall be organized; limits the loans of the smaller as well as the larger banks in proportion to their capital and surplus; prohibits the paying out of all the earnings in dividends and requires the accumulation of a surplus; limits the amount of money a bank shall borrow and prevents the habitual borrowing of money to reloan; requires the directors to direct the affairs of the bank in reality and make thorough examinations at least every six months; prohibits banks from lending money to officers of the bank without the consent of the directors; provides for the liquidation of insolvent banks under direction of the corporation commission and thus avoid the big expense of bank receiverships.

State Bank Examiner Doughton has been working on this bill for six months and he says that it is a progressive measure without being radical, with a special view to throwing around the banks more careful supervision and to safeguard the interests of depositors and the business public more than the interests of the banks. However, the bill has the approval of the leading bankers of the state and is not expected to receive any formidable opposition.

The coming week will be fraught with interest in the matter of the establishment of new counties. The hearing of the proposition to create Hoke county out of portions of Cumberland and Robeson with Raeford as the county seat comes up Tuesday before the joint meeting of the senate and house committees on counties, cities and towns and it is expected that the contest will be warm. It is reported that great crowds for and against the new county will be here to present their arguments. The movement to create Avery county out of portions of Mitchell and Caldwell will be reported by a special committee Thursday, when the joint committees of the senate and house are expected to decide on their report. This matter was threshed out before the joint committees last Thursday. Piedmont county advocates and those opposed to the measure are bestirring themselves and a lively time is looked for when the hearing comes up before the joint committees January 31st. The proposed county is to be carved out of Guilford, Randolph and Davidson and citizens of these counties are following up their retooling for and against the new county by getting down to effective work, and are taking advantage of every move that might further their cause. Very little has been heard of the creation of Ransom county out of portions of Wake, Franklin and Johnston and this may not be brought into the legislative limelight until after the other three new county propositions are out of the way.

WILL OF COL. W. J. HICKS

ESTATE VALUED AT FIFTY THOUSAND DOLLARS.

Raleigh, Jan. 23.—The will of the late Colonel William J. Hicks has been probated in the office of the clerk of the court. His estate is valued at about \$50,000.

In his will, which was executed September 19, 1894, Colonel Hicks named as his executors his sons, Messrs. John M. W. Hicks and William B. Hicks; and in the codicil, which was executed in 1897, he added the name of Mr. Job P. Wyatt. The will was witnessed by Mr. Thomas H. Briggs and Mr. C. P. Spruill, of this city.

The executors are authorized to have erected a suitable tombstone over his grave, while his estate is bequeathed to them and to his wife, Mrs. Lulu L. Hicks, his sister, Miss Frances R. Hicks, and his daughters, Miss Elizabeth W. Hicks, Miss Bertha M. Hicks and Mrs. Julia Buffalo.

ENGLAND NO FOE CANAL DEFENSE

United States Feels Assured British Will Not Object

Washington, Jan. 23.—One of the facts likely to be brought out in the debate in the senate and house over the fortification of the canal is that Great Britain will not object if the canal is fortified.

While no official statement has been given out to this effect, there is high diplomatic authority for saying that if the United States shall decide to go ahead and fortify the canal, Great Britain will not interpose.

The question of the attitude of the British government in this relation is of the utmost moment. It is a question over which rages much difference of opinion as to whether under the Hay-Pauncefote treaty, this country can go ahead and fortify the canal. It is clear that this country has the right to fortify the canal for the purpose of policing it. But whether this country has the right to go farther and erect powerful fortifications intended to resist encroachment on the canal property in time of war is much disputed.

But this dispute becomes academic if it shall turn out that Great Britain is willing to have the canal fortified, at least is unwilling to go to the point of objecting.

Great Britain has been sounded, and there is good reason to say that this government feels assured that it has no reason to apprehend British objection.

It is to be supposed President Taft has been well aware of this in his advocacy of the fortification of the Panama canal. The state department has satisfied itself on the question and President Taft undoubtedly is acquainted with this fact. In advocating fortifications he has been aware that he was taking a course that would not bring this country into a serious clash of policy with England.

Negro Picks up a Live Wire and is Killed

Asheville, Jan. 23.—Ignoring warnings to keep away from a live wire which had fallen to the ground Julius Bryson, a negro, aged 40 years, picked it up with his bare hands and was instantly electrocuted on the lawn of St. Genevieve's college at 5.30 on Friday evening. The failure of the lights in the college to come on at the usual time caused the faculty to investigate and the broken line was located in front of the college. Bryson, who was fireman at the college, formerly Victoria Inn, for ten years, was about to pick up the wire when he was told not to do so by the mother superior. Declaring that there was no danger, the deceased caught hold of the wire with both hands and dropped to the ground screaming. Life was extinct before the current could be cut off. The deceased is survived by a widow.

Clergyman Has Sixty Monkeys in a Cage

Pittsburg, Jan. 23.—The Rev. Maitland Alexander, pastor of the First Presbyterian church, of Pittsburg, who is worth \$20,000,000 his wife as much more, is experimenting on monkeys in the hope of finding a serum or cure for infantile paralysis, the disease from which less than 15 per cent of its victims recover.

Dr. Alexander has for many years been connected with the Allegheny General hospital, and it is here that the experiments are now being carried on. He now has sixty monkeys in a cage in the pathological department and they are being utilized daily for an exchange of blood with sufferers from the dread disease.

DEATH OF A LOVABLE LADY AT FAYETTEVILLE SATURDAY

Fayetteville, Jan. 23.—Miss Jane Norwood Tillinghast of this city died at the home of her father on Haymount street late Saturday night after a long illness. Miss Tillinghast was a gifted and cultured young woman of versatile genius, who possessed many graces of person and character. She was the daughter of Mr. W. N. Tillinghast and his late wife, Sophie Williams Tillinghast. In addition to her father, she is survived by a sister and two brothers, Mrs. J. C. Pope, J. B. Tillinghast, and W. N. Tillinghast, Jr., all of this city.

The deceased was a cousin of Miss Robbie Tillinghast of this city, who was by her bedside when she passed away. Her many friends here sympathize with her in the loss of such a lovable relative.

Emminent Poet (to his betrothed)—Darling, how did you like the poem I sent you? Did it seem too sweetly tender?
She—Oh, it was lovely. I got 75 for it at the church fair.—Fliegende Blätter.

MANY ADVOCATES TO ATTEND MEET

Much Enthusiasm Manifested for "Central Highway"

Raleigh, Jan. 23.—All along the route of the proposed "Central Highway" from Beaufort to Marshall, great interest is being awakened in the project and several hundred good roads advocates will be in Raleigh February 14th to attend a convention of delegates from all the counties it traverses. Many responses are being received to the invitation to the convention issued by the Wake County Good Roads association and the prospects point to one of the best good roads meetings ever held in the state. The idea of believe that with the proper cooperation from the ocean to the mountains has the endorsement of organizations in cities and towns along the proposed road and those behind the movement believe that with the proper cooperation the road can be built. The county officials and mayors of all cities and towns along the route are urged to appoint delegates to this convention and send names to Dr. J. M. Templeton, president of the Wake County Good Roads association, Cary, N. C.

Ocey Snead Death Mystery Cleared

New York, Jan. 23.—For the first time mystery surrounding the death of Mrs. Ocey Snead, the beautiful young woman whose body was found in the bath tub of the "House of Mystery" in East Orange, in November, 1909, was partially cleared Saturday, when Samuel Kallish, counsel for Mrs. Caroline B. Martin, the victim's mother, who is in the Newark jail waiting sentence after pleading guilty to involuntary manslaughter, appeared before Judge Ten Eyck, in the court of oyer and terminer Saturday and pleaded that the aged woman be given a minimum sentence.

That Ocey Snead's death was due to an overdose of morphine given by her mother to alleviate pain was the contention of the lawyer.

"Mrs. Martin," he said, "administered to her daughter a quantity of morphine, as she had done on many previous occasions. The morphine proved too much, however, and almost instantly Ocey sank into a stupor. She died in her mother's arm while the latter was carrying her up stairs to the bath room."

"I wish when she goes out in that machine she would break her neck," Albert said. "He said he did not allow Laura Schenk in his house, but that young Albert, his son, had her there when he was abroad."

Girls Fire a Jail; One is Cremated

Chicago, Jan. 23.—One death resulted Thursday from the fire started the night before by two girls imprisoned in the Lemont, Ill., jail in an attempt to commit suicide because of the humiliation their arrest had brought to them. Miss Stella Maxwell, 22 years old, the elder of the two, died yesterday in the hospital at Joliet, where both were taken when rescued by the firemen who broke into the jail.

The other girl, Fleda Kampka, who formerly was a singer in small theaters in Joliet, where both girls lived, is in a critical condition. They had been arrested on charges of stealing furs at Lemont, where they had gone from Joliet to attend a dance.

Forsyth Republican Sues for Office

Winston-Salem, Jan. 23.—D. A. Jones, republican, last week instituted suit for the office of county sheriff, held by George W. Flynn, democrat, who was declared elected by unfair votes by the canvassing board in November. The contest grows out of alleged discrepancies in count of returns from two townships. The case will be heard in superior court probably next spring or summer.

U. N. C. Has Dropped Kentucky in Football

Chapel Hill, Jan. 23.—Manager W. F. Hendricks of the 1911 football team has arranged the V. P. I. and Virginia games which will come at the usual dates. The University of Kentucky game has been dropped, from the schedule and this vacancy will leave room for a decided shifting around of the list and order of games should such a course be deemed wise by the advisory committee. It is not yet known what college will be taken on in place of the Kentucky game.

Governor Wilson to Deliver an Address

Chapel Hill, Jan. 23.—Governor Woodrow Wilson of New Jersey has accepted Dr. Venable's invitation to deliver the commencement address at the 1911 commencement. Bishop Collins Denney will deliver the baccalaureate sermon.

The cure for a man's socialism is getting to own something that makes him think its wrong till he owns it.

SAYS WIFE TOLD OF POISONING

Prosecutor Claims Mrs. Schenk Admitted Guilt

PACKER'S BROTHER ACCUSED

Woman Declares Albert Schenk Said He Hoped John's Wife Would Break Her Neck While Automobile Biling—State's Counsel Says He Blundered Night of Arrest.

Wheeling, W. Va., Jan. 23.—"Mrs. Schenk practically admitted to me on the night of her arrest that she had poisoned her husband. She said then that she was too sick to tell me about it at that time, but promised to confess all the next morning."

"The following morning she maintained a sullen silence, having in the meantime engaged counsel. It is this virtual confession of hers to me that is now keeping her off the witness stand."

Prosecutor Handlan, with this statement today, greeted the announcement by the defense that Mrs. Laura Farnsworth Schenk would not go upon the stand in her trial on the charge of trying to poison her husband, at the opening of court.

"Blundered, says Handlan. 'I made my big blunder that night,' he said. 'I was so exhausted I delayed going into details with her. By the next morning she had consulted with her attorneys and would not talk.'

Attorneys for Mrs. Schenk, when shown the prosecutor's statement, said briefly: "It is a lie out of the whole cloth."

After Dr. O. Z. Jepson had testified for the defense, that Schenk's condition was not necessarily the result of arsenical poisoning, the defense produced Mrs. Jane Hedges, wife of an Ohio county farmer, who testified that Albert Schenk, brother of the sick packer, vowed to "leave no stone unturned to get Laura out of the family."

"Albert came to my farm some time between April 11 and June 15, in connection with a real estate deal," witness said.

"He spoke of John going abroad and of his buying his wife a \$6,000 automobile."

"I wish when she goes out in that machine she would break her neck," Albert said. "He said he did not allow Laura Schenk in his house, but that young Albert, his son, had her there when he was abroad."

Looking After the National Guard

Washington, Jan. 23.—The war department is endeavoring to meet demands of the national guard for instruction in the use of field artillery. This arm of the militia service seems likely to become more important in the immediate future, owing to the allowance by congress of liberal appropriations for the purchase of new guns for the use.

At present the regular army cannot spare non-commissioned officers competent to instruct the guardsmen owing to the fact that special training is necessary for such instructors. It is now announced, however, that the department contemplates the formation of a new class of non-commissioned officers at Fort Reilly, Kas., in an early date. When they have completed a suitable course the department will grant requests for their detail as military instructors.

France to Restrict Sale of Revolvers

Paris, Jan. 23.—The promise, Mons. Briand, Thursday received hundreds of telegrams from home and abroad congratulating him upon his escape from death when an insane man fired upon him in the chamber of deputies yesterday.

Mons. Miram, who was hit in the leg by the only one of the bullets that did any damage, is recovering. Many of the deputies think that the assault will hasten the proposed legislation to restrict the sale of revolvers. These weapons are now sold practically without question.

Mrs. Emerson Plans to Fight Divorce

Baltimore, Jan. 23.—Mrs. Isaac E. Emerson, wife of Captain Emerson, millionaire drug man, of Baltimore, yesterday announced through her attorneys that she will fight the suit for divorce which her husband has instituted against her.

The papers in the case have been placed in the hands of Judge C. W. Hewler, of the circuit court, who immediately sealed them.