

GENERAL BOYCOTT OF GREAT TRUSTS

National League Plans Fight Against Those That Increase Cost.

MEETING IN WASHINGTON

Idea Came From Germany—Organization Non-Political and to Extend Into States—Champ Clark One of Speakers.

Washington, Dec. 30.—Plans for a national boycott of those combinations that increase the cost of living were laid out tonight when the National Anti-trust League was launched. Members of Congress are interested in the new movement and immediate steps will be taken toward perfecting State organizations.

Then when prices soar, league members, by stopping the use of such articles or commodities as have gone above legal level, will pull them back again by refusing to furnish a market.

The plan is one that was tried in Germany a few years ago and which, according to a report, broke up a combine in coffee that had raised the price of the bean to almost prohibitive prices. The meeting was informal and no final organization was effected.

It was agreed, however, that the crusaders should gather under the name of the National Anti-trust League and that the organization should be non-political; that it should be presided over by a president, secretary and treasurer and its movement directed by an advisory council of seven. As soon as Congress reconvenes a permanent organization will be effected.

Among the speakers tonight were Representatives Alexander and Murphy, Missouri; Martin, of South Dakota; Kinkaid, of Nebraska; McKinley, of California, and Morgan of Oklahoma.

One matter was settled tonight, however. The women of the United States will be taken into membership on equal terms with the men and will have equal voice in the campaign. The women, being housekeepers of the country, the pioneers of the plans recognized at once that their assistance was vital to success.

Accordingly, when Congress meets the league will work through the Representatives and in some cases through Senators, with a view to having them interest themselves in the organization of State branches.

JUDGE BYNAM PASSES AWAY.

Former Associate Justice and One of State's Prominent Men.

Charmotte, N. C., Dec. 30.—William Preston Bynum, associate justice of the Supreme Court from 1873 to 1881 and one of the State's most prominent citizens, died here this afternoon at the age of 90.

Since his retirement from the bench Judge Bynum has lived quietly here. He amassed a fortune at his law practice and has given lavishly of his means to the cause of education in the State.

William Preston Bynum was born June 10, 1820, on the plantation of his father, Hampton Bynum, on the Dan river in Stokes county. His education was obtained in the common schools and at Davidson College. He studied law under Chief Justice Pearson and located at Lincoln for the practice of his profession. His marriage to Miss Anna Eliza Shipp taking place shortly after he entered the bar.

Judge Bynum early became active in public life. At the outbreak of the Civil war, although a staunch Whig, he promptly cast his lot with the Confederacy and was commissioned lieutenant colonel of the Second North Carolina Infantry by the special session of the Legislature that was convened to plan for the long struggle. After the death of his colonel, C. C. Tow, who was killed in battle at Sharpsburg, Va., the command of the regiment developed upon him and he was commissioned colonel by Governor Vance in October, 1862.

During the Winter of '62-'63 Colonel Bynum was elected solicitor for the western district of the State, a position that required not only ability but courage under the condition that existed at that time. Colonel Bynum accepted the position and left his regiment to assume his new duties. That he performed the duties of the office well and acceptably is shown from the fact that he served more than a decade.

JOHN A. FOX DIRECTOR.

Succeeds Benjamin Dulaney in Southern Commercial Congress.

Washington, Dec. 30.—John A. Fox, of Arkansas, vice president for that State of the National Rivers and Harbors Congress, and a special director of that organization, has been elected by the executive committee of the Southern Commercial Congress as a director at large to fill the place of Benjamin J. Dulaney, of Washington, D. C., resigned.

Regular Interest Period.

At the People's Savings Bank January 1st. Deposits made on or before Monday the 3rd, will bear interest from the 1st. Dec. 21st

GOVERNOR ON SHERWELL CASE

Has No "Official" Complaint, He Says. Five New Charters—Novel Suit Against Seaboard—H. S. Leard to Arrive.

(Special Star Correspondence.)

Raleigh, N. C., Dec. 30.—Governor Kitchin says there is still not a word of protest or evidence filed with him on which he could act officially in any way regarding the revrieve of the prison sentence he recently granted to Baxter Sherwell.

He remarked that able lawyers and others were interested in the prosecution of Sherwell that resulted in the five-months' prison sentence and not one of these, even in his own way, made a move in opposition to the revrieve. It could not be expected, he says, for him to take official notice of news reports and editorial comments, but that if there is real ground to warrant such action, there should be definite action by somebody to bring the facts in the case to his attention in an official way.

Early in the new year the farmers' institute work for 1910 under the auspices of the State Board of Agriculture will begin with Mr. T. B. Parker in charge. There will first be a series of institutes throughout Eastern Carolina during the Spring and early Summer, closing in the western section of the State in the late Fall of the year. The State Department is now getting in some of its very best service to the people through these farmers' institutes and through the test farms and special demonstration farms, the latter being just now well under way. Counties in every section of the State are applying for these demonstration farms which are prepared by the county commissioners and the cultivation of test crops carried on under the close observation and direction of the State Department experts for the benefit of the farmers of the section.

E. G. Richardson and F. B. Whitney, of Selma, sue the Seaboard Air Line in Wake Superior court for \$5,000 damages each because the Seaboard failed to furnish the plaintiffs seats on the train from Portsmouth to Raleigh, forcing them to stand several hours, colds being contracted, bodily pain, mental anguish and inconvenience suffered. The Pullman company is included as defendant because of exhibition charges of \$1,000 for berths, \$6.95, instead of \$2. This is the first suit of its kind ever brought in this State.

The records in the State Department of Insurance show that during the year just closing there were 12 convictions of the operations of persons of the State of persons guilty of arson, nearly all of them being first in which the object was to get insurance fraudulently. Conditions are steadily improving all over the State in the matter of compliance with the State laws for the prevention of fire.

A detailed report of the operations of the department in this connection is to be issued very soon.

Five new corporations were chartered today, Durham, Winston-Salem, Fayetteville and Vanceboro being the respective headquarters. The corporations follow: Barbee-Sharp Produce Co., Winston-Salem, capital \$100,000 authorized and \$1,000 subscribed by C. W. Barbee, C. L. Sharp and Clement Manly, The Durham Typewriter Exchange Co., capital \$25,000 authorized and \$2,500 subscribed by F. M. Dillon, J. E. Johnson and others. The Cooper Lumber Co., Fayetteville, capital \$25,000 authorized, J. Johnson, C. J. Cooper and others. The Vanceboro Supply Co., capital \$25,000 by B. R. Warren and others for mercantile business. The Thomas-White Co., Durham, changes its name to The Thomas-Howard Co.

Mr. H. S. Leard is expected here next week to take up his duties as Division Passenger Agent at Raleigh. This office being created through the abolition of the positions of district passenger agents for Virginia and North Carolina, positions held by Mr. Leard at Richmond, and Mr. C. H. Gattis at Raleigh. Mr. Gattis going now to the Georgia & Florida Railroad as general passenger agent at headquarters at Augusta. Mr. Leard lived in Raleigh quite a while and is very popular here.

BIG FIRE AT PORTSMOUTH.

Block of Business Houses Burned Entailing Loss of \$125,000.

Norfolk, Va., Dec. 30.—The original nature from an overheated stove destroyed the O. L. Williams' block of business houses at South and Crawford streets, Portsmouth, today with a loss of \$125,000, partially covered by insurance.

Portsmouth market and armory were nearly saved by shifting winds. Eight or ten houses were cremated. The victims were O. L. Williams, Livery stables, where the fire started; J. H. Branch's hay and grain store; Whit Wilkins, commission merchant; Clark's restaurant; J. H. Howard's saloon, and Woodward's restaurant. The undertaking vehicles of Snelling, King & Cooper were destroyed.

FIRE AT FAYETTEVILLE.

Water in Hose Frozen and Ladders Had Hard Fight.

Fayetteville, N. C., Dec. 30.—Two tenement houses of Mr. J. A. Oates, on Ann street, this city, were burned this afternoon. So intense was the cold while the firemen were fighting the fire that water in the nozzles was twice frozen, first being melted by hot water and second by placing the nozzle in the flames. Mr. Oates' loss of \$500 was half covered by insurance.

NOTABLE MEETING EDUCATORS ENDS

Election of Officers and Address by Dr. Eliot Features Yesterday.

D. R. JOHNSON IS PRESIDENT

Dr. Eliot Spoke on Immediate Educational Effort—Other Prominent Men Made Addresses—Officers—No Place.

Charlotte, N. C., Dec. 30.—With the election of officers this afternoon and a notable address from President Emeritus Eliot, of Harvard, this evening, the Southern Educational Association adjourned sine die, the place of the next meeting being left with the executive committee. Chattanooga, Jacksonville, Birmingham and other cities presented invitations.

H. Elmer Bierly, of Knoxville, Tenn., was elected secretary at the Atlanta meeting a year ago for a term of four years and consequently did not stand for re-election this time.

The newly elected officers are: President, D. R. Johnson, of Winthrop College, South Carolina; first vice president, Chancellor J. H. Kirkland, of Vanderbilt University; second vice president, C. E. Glenn, of Birmingham; third vice president, J. B. Cassidy, Lexington, Louisiana; T. H. Harris, Maryland; F. E. Buckner, Baltimore; Missouri; E. E. Todd; Mississippi; L. H. Whitfield; North Carolina; E. C. Brooks, Trinity College, Oklahoma; E. D. Emerson; South Carolina; J. Snyder, president Wofford College; Tennessee; T. P. Eastley, Texas; R. E. Cousins; Virginia; J. L. Jarman; West Virginia; M. P. Shawkey; District of Columbia; D. J. Crosby.

Dr. Charles W. Eliot addressed the association on the subject, "Best Directions for immediate Educational Effort," and he was followed by President Johnson, of the University of Chicago, who made a short talk on agricultural education.

Other speakers of the day were Dr. James H. Dillard, of New Orleans, president of the James' Foundation, whose subject was extension plan for rural schools, and former State Superintendent O. B. Martin, of South Carolina, who talked on the "Boy on the Farm."

EARL PERCY'S DEATH.

Rumor He Was Shot to Death in a Duel—Some Dispute.

Paris, Dec. 30.—Earl Percy (Henry Algernon George) one of the leading conservatives of the British parliament and formerly under secretary of State for Foreign Affairs, died here today in an obscure hotel under circumstances which are of some dispute.

Though pleurisy is given as the cause of death by the Earl's physicians, a story circulating which is given credence in high quarters tells of a dispute with another Englishman and hints of a duel in the outskirts of Paris.

Sir Austin Lee, counselor of the British Embassy here, denounced the duel story as an invention. Sir Francis Bertie, the British Ambassador, visited the Earl this afternoon and found his condition so alarming that physicians were called and he died a few moments later.

Despite assurance to the contrary the rumor continues to circulate that the Earl was shot through the lungs by his opponent and died of his wounds. It is said the two men left England with the intention of meeting on the outskirts of Paris.

The hotel people say Earl Percy arrived in apparent good health last week.

ROCKEFELLER WINS SUIT.

Supreme Court Upholds Action of Lower Court in Libel Suit.

New York, Dec. 30.—The argument that a corporation, having no soul cannot commit a crime was set aside today by the appellate division of the Supreme Court which upheld the action of the lower court in imposing a \$500 fine against the Star Company, publishers of the New York American for libeling John D. Rockefeller, Jr.

In defending the suit Clarence J. Shearn had argued that a corporation "having neither soul, conscience, mind nor feel, is incapable of entertaining a mischievous and malicious intent, which is an essential element in criminal libel."

The court held today that "it was once thought that a corporation could not commit a crime but by slow degrees and following upon the extension of the practice of organizing corporations for the purpose of avoiding the penalties of alleged acts, the courts have reached a different conclusion."

The libel reaffirmed today was published in December, 1908, and stated that Mr. Rockefeller had originated a system of poeage in a stockade at the plant of the Corn Product Refining Company at Summit, Ill.

PASSENGER LINER DISABLED

Southern Pacific Liner Excelsior is Adrift Off Carolina Coast—Vessel Beyond Control—Steamer Nina in Distress.

Beaufort, N. C., Dec. 30.—The Southern Pacific Line passenger steamer Excelsior, Capt. Birney, which sailed from New York Wednesday for New Orleans, is drifting about 40 miles north of Diamond Lightship, showing two black balls, the signal that she is not under control.

Word of the predicament of the Excelsior reached here late today, a message received at the naval wireless station. It probably came from the Excelsior herself or a passing steamer having wireless apparatus.

The Excelsior is thought to be in no immediate danger. It is probable that she had some mishap with her machinery and is trying to white her engineers repair the break. In displaying the two black balls from her mast the Excelsior notifies passing vessels to give her wide berth because she cannot control her own movements.

Navy Steamer Nina.

Beaufort, N. C., Dec. 30.—An unknown steamer appeared at the Beaufort bar today showing her colors at half mast and union down, signifying that she was in distress. The Fort Macon Life Saving Station crew immediately put off to the vessel to assist, if they could render any assistance.

The vessel turned out to be the United States navy steamer Nina, the tender of the submarine torpedo boat Octopus, and in command of Chief Boatswain John F. Crogan, bound from Charleston for the Norfolk navy yard. The life saving crew when they reached the Nina were informed that she had put in to anchor for the night on account of the severe weather. The Nina is going North to convoy to Charleston the submarine Octopus now at Portsmouth navy yard.

SEVERE WEATHER IN WHOLE SOUTH

Freezing Temperature in Florida as Result of The Cold Wave.

CAUSES MUCH SUFFERING

Two Deaths Resulted at Birmingham, Ala., Yesterday—Coldest Day in December Ever Experienced—Near Zero at Asheville.

Atlanta, Ga., Dec. 30.—A terrific cold wave gripped the entire South today not even the orange belt of Southern Florida being exempted from the freezing temperature. This morning the mercury ranged from 2 degrees above zero at Asheville, N. C., to 32 degrees at El Paso, Texas, with 20 above registered at Jacksonville, Fla., and 28 at Tampa. A few Texas points and the extreme southern portion of the Florida peninsula alone escaped the freezing blast.

This, according to the local weather bureau was the coldest day of the coldest December the South has ever experienced. At 8 o'clock this morning the thermometer registered 10 degrees above in Atlanta and for 29 days past freezing weather has been experienced. The long duration of cold has prevailed over the greater portion of the South and there has been much suffering among the poor people, especially the negroes in cities where coal is used as fuel.

Two Froze to Death.

At Birmingham, Ala., where the minimum was 12 degrees above zero this morning, two negroes were frozen to death and near Decatur, Ala., with the thermometer hovering around five above zero, a family of six were rescued this morning more dead than alive, with one of the children expected to die as a result of exposure to the cold.

For the first time since 1898 there was ice today in the Chattahoochee river at Atlanta, similar conditions prevailing in the rivers of Tennessee, North Alabama and the western part of North Carolina.

Oranges Were Frozen.

While it is believed that no serious damage has been done the Florida orange crop, Ferdinand reports that oranges were frozen in that section and reports that fires in the groves were resorted to last night to protect the trees.

Cotton planters of the far south west with delight the severe cold, believing that millions of boll weevils have been destroyed and further spread of this insect to new territory retarded.

Freezing temperatures will continue tonight over most of the Southern States, according to the local forecast followed by warmer weather tomorrow.

The present cold snap has been accompanied by little snow in the South and as today there was practically no rainfall reported from any of the Southern States. The wind, however, has been strong.

Death and Suffering.

Pittsburg, Dec. 30.—With the thermometer registering zero and at some places from three to seven degrees below at points, western Pennsylvania are coming in in the grasp of a bitterly cold blizzard accompanied by snow furies and high winds.

From the outlying and mountain districts reports of deaths and suffering due to exposure to the elements are coming in. In Great Pittsburg alone seven deaths have been reported to the coroner.

At Irwin, Pa., the temperature registered was the coldest December 30th in ten years, the thermometer dropping to two degrees below zero. Electric lines interurban to and from Irwin have been discontinued. At Connelville, John Wallace, a laborer, was severely frozen last night as a result of exposure. Mrs. Lena Kieper is also in a Connelville Hospital suffering from frozen feet and ears.

All trains from the East are from one to three hours late entering PITTSBURG. Mails are tied up, several are reported everywhere, several mills of the Jones Laughlin steel plant closing today on account of the shortage and throwing 300 men out of work.

During today the charity institutions were swamped by calls for assistance. The municipal and county authorities last night and today cared for 1,000 persons.

The advisability of establishing coffee and soup kitchens was brought up today by the mayor's cabinet. A rise in temperature is promised for tomorrow.

Ohio River Frozen.

The intense cold weather tonight effectively checked the flood which yesterday and during last night menaced Pittsburg and points south of here on the Ohio river. The Ohio river is frozen solidly for its entire length between here and Cincinnati. The cold weather, however, is playing havoc with river men and their work.

A thousand coal miners are thrown out of work at Beaver on account of the freezing of the river there.

Loss to shippers and packet line operators will total close to half a million.

(Continued on Page Eight.)

THE TOBACCO TRUST CASES

Presented by Attorney General to the Supreme Court—Alleged Unlawful Conspiracy—"Brushwhacking" Methods.

Washington, Dec. 30.—In a printed brief of 268 pages Attorney General Wickersham and his special assistant, J. C. McReynolds, today presented to the Supreme Court of the United States the cause of the government in the famous tobacco trust cases which will be argued next week in that court.

The cases were tried in the United States Circuit Court in the nine district of New York, which after dismissing the petition as to foreign tobacco companies and some of the subordinate American companies, adjudged the others to be parties to an unlawful conspiracy and enjoined them from continuing their operations and from engaging in interstate commerce.

The Attorney General takes the position that these findings, sweeping as they seem to have been, were not broad enough, and he asks the Supreme Court to extend them as to so wide their scope as to take in the foreign companies and some individuals who were relieved from the operation of the verdict. After showing that in 1890 competition was free the various coalitions are traced in the documents and facts are given to show that the combination has grown until its combined assets amount to \$400,000,000. It is asserted that the combination manufactures all of the cigarettes for export and almost three-fourths of the smoking tobacco and of the cigarettes for domestic sale, more than three-fourths of the plug, twist, and fine cut tobacco, and almost all of the snuff and little cigars that are made. It is declared that the defendants have persistently exercised duress, have practiced wicked and unfair methods and used their great power in oppressive ways.

Further, it is asserted that they have been actuated by a fixed purpose to destroy competition and obtain monopolies. Competitors have gradually disappeared and the combination now strongly entrenched, unduly restricts the business of those in the trade and prevents others from entering.

Pitting aside, for the time, the effect of the Sherman anti-trust law, under which the suit was brought, it is declared that the combination, under the name of the American Tobacco Company was illegal when it was entered into in 1890 because it was contrary to common law.

Action of Jobbers.

Coming to specific instances relative to the operations of the trust, it is declared that the combination established jobbers in New England were induced to throw out independent products, as were those of Philadelphia, New York and many other specified places.

It is also asserted that "brushwhacking" methods were resorted to in the case of the union labels and the method in this proceeding is denounced as "iniquitous" and such as is inhibited by a civilized conscience. Indeed, it is declared that "the record contains much evidence and a vast deal of correspondence concerning the operations of these brushwhacking companies, which discloses amazing depravity and shows with clearness how these sinister agencies were effectively utilized."

The advertising methods of the trust are referred to as a means of influencing both business and sentiment, and it is said that not less than ten million dollars were expended in this way in 1906.

"Competition has been persistently destroyed; scores of contracts have retired skilled men from the trade; many have been forced out; and the necessary result of the plan long followed has been to give defendants power to exclude others and exercise monopoly," says the Attorney General.

He seems inclined to the view that a receiver should be appointed for the business of the parties to the combination and he adds:

"The very existence of certain defendants is criminal and certainly they cannot rightfully complain because restrained from carrying out the unlawful purposes of their creation; they are wilfully in positions where every act is a transgression."

SOUTHERN GIRL'S DESIGN

Accepted For Memorial to the Women of the Confederacy.

Atlanta, Ga., Dec. 30.—A Southern girl will have the honor of designing the memorial to her sex which will be erected in all the Southern States by the veterans of the Confederacy in honor of the women who suffered during the days of 1861-65.

A design submitted by Miss Belle Kinney, of Nashville, Tenn., was chosen by the committee of veterans representing twelve of the 13 Southern States who met here yesterday and bronze shafts will be cast and erected as soon as the necessary funds are available.

The memorial will show a group of three figures "fame" sitting in the center, with a dying Confederate soldier and a weeping woman on either side.

The central figure will be eight feet in height and the other two seven. The statue will be eight feet by five and a half feet at the base.

Miss Kinney was awarded the prize after 80 designs submitted to the committee had been carefully inspected. She already has won considerable fame for her design for the Carmack statue to be erected at Columbia, Tenn., and a group of twenty igitotes figures placed in the Chicago museum.

ZELAYA AT LAST REFUSES TO TALK

Advised by President Diaz to Refrain From Expressing Opinions.

LEAVES FOR BELGIUM SOON

Has Been Receiving Many Newspaper Correspondents—Says He Will Keep Mexico Out of Controversy.

Mexico City, Dec. 30.—That President Diaz today gave Jose Santos Zelaya a little friendly advice in regard to talking to newspaper representatives, and whispered in his ear that it would be wise for him to refrain from too freely expressing his opinions was admitted by Zelaya's secretary tonight, when he returned a card to a newspaper man with the remark that the ex-dictator of Nicaragua had just adopted a policy of refusing to be interviewed and would have nothing more to say for publication for a period of six days.

Just why six days was named he would not explain. Zelaya called on the chief executive of Mexico today. Up to that time he received every newspaper man who called at the hotel. After the meeting it was as if a very wide gulf had opened between him and the correspondents. In refusing to see one reporter, Zelaya through his secretary told him that he wished to avoid using the means of bringing Mexico into the controversy in any way and if he (Zelaya) further discussed matters his statements might be misconstrued with such a result.

Zelaya's visit at the National Palace lasted a half hour. The meeting was devoid of official character and Zelaya was received as a private citizen.

It is believed that after Zelaya tendered his thanks for the kindness of President Diaz in allowing him asylum on the Mexican gun boat, affairs in general in Central America were discussed at length.

Zelaya was occupied the greater part of today in driving about the capital to various points of interest including Chapultepec Castle, the Summer home of President Diaz.

To a friend today the Nicaraguan visitor said that after he had been in Mexico for two or three months he would go to Belgium and at Brussels personally superintend the education of his children.

When he was receiving his earlier education Zelaya spent much of his time in Belgium, where he attended school.

Has Not Recognized Madrid.

Managua, Dec. 30.—The Mexican government has in no way officially recognized Jose Madrid as president of Nicaragua. The telegrams which have passed between President Diaz and president Madrid were of a personal character. President Madrid himself does not construe them as a formal recognition of his incumbency. The Presidential reception on Tuesday was attended by the official representatives of all nations except the United States and the Nicaraguan administration does not see why formal official recognition from any country except the United States is necessary.

A delegation from Granada today visited General Baca and pledged support. Santos Ramirez, director general of telegraphs, who was arrested recently on the charge of having sent unauthorized orders to the Zelayan army, has made strong denial but has not yet been released from custody.

Congress today conferred authority upon the executive to abolish the tobacco and alcohol monopolies, indemnify private stockholders for the loss of their holdings, which now become the property of the State. The revenues from these monopolies, which netted as high as 14 per cent. monthly are to be used for the payment of the interest on the English loan, which went towards the enrichment of the relatives and friends of Zelaya. This action which is the forerunner of the abolition of all monopolies was received with tremendous enthusiasm.

The sitting was tempestuous throughout. Deputy Luciano Gomez, a Zelaya adherent, who opposed the project, was hooted even more vehemently than he was yesterday when he spoke in opposition to the authorization of further war taxes. There were cries of "bandit," "outlaw!" "Disgorge."

Gomez finally lost his temper and hurled a glass of water in the face of a tormentor in "ne public gallery. Guards were called in and ejected all but the deputies.

A vote of thanks was proposed to Andrew Carnegie on the strength of a dispatch from the United States public dispatch here, quoting him as ready to donate \$200,000 to assure peace in Central America.

In the district court today a motion was made to annul a promissory note of \$60,000 in favor of Zelaya on the ground that he obtained it under threats. A number of similar actions are in preparation.

The State Department.

Washington, Dec. 30.—The situation in Nicaragua presents some diplomatic niceties in relation to the propriety of recognizing the government of Madrid by the Central American States. In the opinion of officials of the State Department, President Madrid should receive no recognition on the part of