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ARRANGEMENT OF CENTRALIZATION

Gov. Glenn on Justice Harlan's Opinion AND COURT'S DECISION

Any Railroad by Appeal to a Federal Judge Can Set at Naught the Will of the People of a State.

BY THOS. PENCE.

Washington, D. C., March 24.—Governor Glenn believes the decision of the Supreme Court in the North Carolina and Minnesota rate cases is a great blow at state rights. He stands by Justice Harlan and his dissenting opinion, whom he says made a telling arraignment of the centralized government idea.

"If," said the governor, "Justice Harlan was a younger man and a Democrat in politics, his strength position in this matter of state rights would have resulted in his nomination for the presidency by the Democratic national convention."

When asked what he thought of the Supreme Court opinion in the cases from Minnesota and North Carolina, Governor Glenn replied that it would be presumptuous in him to criticize the opinion of our highest court, especially since he had not had time to carefully read the decision. He said from what he had seen in the papers and from criticism of the opinion he was firmly confident that the dissent opinion of Justice Harlan was more in accord with the opinions of the court previously rendered in the case of Pitts against McGee et al., and that the present opinion virtually overruled all these cases and made the eleven article of the constitution of no effect.

Mr. Justice Harlan wrote only one dissenting opinion which he said was applicable alike to the Minnesota and the North Carolina cases.

Miss Elizabeth Hill, a member of the Sophomore class of the Raleigh High School, a daughter of Prof. D. H. Hill, of the A. and M. College, has won one of the handsome prizes offered by an insurance company for the best essay on "Why a Father Should Insure His Life."

so, I did not believe after reading the evidence that the 2-1-2 cent rate was a concession, and since the railroads made their last quarterly reports I know it was not, but I dreaded a court that believed in centralization of power would affirm the ruling of Judge Pritchard, so made the compromise that binds both state and railroads if they act honorably for the present at least."

When asked if he thought the decision would have an political effect, the Governor declared: "Yes, a most decided effect. Minnesota is a Republican state, North Carolina a Democratic state. In this decision is an attempt to centralize the rights of state rights. The Republicans approve the decision. Democrats and those who believe in state rights disapprove it. Therefore it is a direct appeal to the people on the vital issue of state rights and they will line up as they approve or oppose centralization or approval or opposition to state rights. No man ought to be allowed in congress until the people of his district know how he stands. If the eleven article of the constitution is meaningless or overruled by article 14 of the constitution, we should know it. It is time to decide if inferior federal courts shall control state laws and administer state affairs or whether a state is still supreme to control its own affairs. Let the issue come. I will go to the people of North Carolina for state right and state control."

Governor Glenn and Senator Overman were chatting together in the most friendly way at the governor's hotel tonight when encountered by this correspondent.

The governor was asked during the day if he intended to become a candidate for the Senate to succeed Senator Overman. He said: "I have come up here to rest and to get away from politics, but I will say that my position with regard to your query is not different from what it has been all the time. I have never said I would be a candidate."

E. L. Travis, of Halifax, is here. Few Words to The North Carolina Case.

The Supreme Court devoted only a few words to the North Carolina case. Taking the ground that the writ of habeas corpus was properly issued by Judge Pritchard, Justice E. Peckham, after reviewing the facts, stated the questions raised in this case was sufficiently discussed in the Minnesota case and for that reason require no further attention.

ANNUAL SESSION Baptist Woman's Missionary Union at Gastonia

This Body Auxiliary to the Baptist State Convention Convened Yesterday—150 or More Delegates Present.

(Special to News and Observer.) Gastonia, N. C., March 24.—At 9:30 o'clock this morning the eighteenth annual session of the Woman's Missionary Union of North Carolina convened in the First Baptist church. One hundred and fifty or more delegates from all parts of the state were in attendance. After devotional exercises, conducted by Mrs. Whitstone, of Greensboro, the welcome of the Baptists of Gastonia was extended to the convention by Mrs. W. H. Reddish and that of the local Woman's Missionary Society by Mrs. C. V. Blake. Response to these addresses was by Mrs. F. B. Ashcraft, of Monroe. The remainder of the morning session was devoted to organization, reports of officers and committees.

In the afternoon meeting of central committee and other important committees. At 6 o'clock a social hour was held after which supper was served at the church to the delegates and hostesses. Evening session, 7:30, devotional exercises, Mrs. Archer, of Shelby, presiding. The annual address was by Miss Fannie E. S. Heck. An address on Mission Work was delivered by Mrs. W. E. Eutzinger, of Rio De Janeiro, Brazil.

Services were well attended and great interest shown by the people of the town, delegates being entertained in homes of citizens. Mrs. L. L. Jenkins is chairman of the Entertaining committee.

JOIN THE RETAIL MEN IN THE FIGHT

Durham Wholesale Merchants Against Discrimination.

FIGHTING DISEASE

Many Cases in Superior Court Contained—Mr. W. A. Barbee Dead.

Death Near Apex—Retail Men Began the Fight for Better Freight Rates. (Special to News and Observer.) Durham, N. C., March 24.—The wholesale merchants of Durham are now into the fight for better freight rates for this State and to put down, if possible, the discriminations that are practiced against North Carolina and in favor of Virginia. This was declared upon at a meeting of the Durham wholesale men, held last evening.

It will be recalled that the Durham retail men were the first to institute this fight and that the Winston-Salem retail men soon joined in the litigation, all helping or offering help to the State corporation commission. The State commission took up the matter and carried the fight before the interstate commission, and the matter now rests.

Up to this time the retail men of the State have stood the brunt of this fight. The State corporation commission has taken a firm stand in the matter and the recent session of the legislature appropriated \$5,000 to carry on the fight. Now the wholesale men of Durham—and it really means that of the whole State—are coming into the fight and will do all in their power, even to the furnishing of private money, to carry on the fight for better rates. There is now and has always been a great deal of interest in this matter. It is one that is vital to Durham and vital alike to every town in the State. Unless the freight rates can be adjusted with equality to all, then North Carolina merchants are to suffer for the benefit of those who live over the line in Virginia.

Death Near Apex. Foster Johnson, aged 45 years, who lived a few miles from Apex, died this morning. He had been ill for several days. The funeral will be conducted from Mt. Olive Baptist church today at 9 o'clock, and the burial will take place in the family burying place. Rev. W. S. Olive will preach the funeral. He left a wife and several children.

Fighting Disease. There was a meeting this evening of the directors of the Anti-Tuberculosis Society, this meeting being held in the office of Dr. J. M. Manning. The meeting was attended by most of the directors of the organization, sixteen in number, and several matters of interest were taken up.

One matter that came up was the question of asking the city to establish and assist in maintaining a dispensary where those who have consumption can be given advice by the local physicians, this after examination. The physicians have petitioned the board of aldermen in this matter, and tonight the directors of the anti-tuberculosis association, or society, joined in this petition. The request is that the city provide rooms and assist in the purchase of medicine where the patients are not able to provide this themselves, and the directors of the city will give their services free of charge. Another matter taken up was in regard to the employment of a regular nurse, who will have charge of cases of this kind at all times. There will have to be a fund provided and the city will be asked to help in this matter also.

Many Cases Continued. In the Superior Court many of the important cases have been continued for the term. It is now thought that none of the cases of Mrs. Octa D. Thomas, who is suing six meat firms for \$5,000, will be tried. Certainly not more than one of these cases will be sent to the jury. If one case is tried, it is now the idea that this shall be in the nature of a test case, and that all other of the cases will stand or fall by the decision of this case. Today the case of Mrs. Sarah J. Plimton against the city of Durham, who asked for damages in the amount of \$500 on account of the closing of a drain pipe that resulted in the flooding of her home, consumed the time of the court. There are other small cases to come, and then the court will take up either the case of Mrs. Thomas against the Trakas Co., in which she asks for damages in the sum of \$5,000, or the case of T. H. Booth, of East Durham, against the Carrington Lumber Co., he asking for damages in the sum of \$10,000, this for personal injuries he received while working in the plant of the company. The calling of either of these suits will be all that will be taken up by the court—that is any case of importance. There will be several small cases tried and then "cleaning up day."

Aged Citizen Dead. W. A. Barbee, who was born in 1814, and was, therefore, in his 94th year of age, died at his home in Chatham county, some fourteen miles from Durham, this morning. He had been in declining health for some time and aged and a complicated trouble caused his death. The funeral will take place from Mt. Pleasant church tomorrow at noon and the burial will be in the graveyard at that church, this being the family burying place.

DEATH KNIFE TO EASY SAILING

John Sharp Williams Whether This Attack Upon States Rights Shall Remain Law

MR. JUSTICE'S VIEW

The Democrats in the House Determined That Republicans Shall Do Something—Wheels Shall be Locked Unless They Do.

(By the Associated Press.) Washington, D. C., March 24.—If Mr. John Sharp Williams, of Mississippi, the minority leader, makes good his warning given in the House of Representatives, the Republicans will be forced to pass certain legislation or else meet with obstruction at every turn by him or his Democratic colleagues.

Mr. Williams declared that up to now the Republicans had had smooth sailing. He did not want the country to think that the minority was trying to assume responsibility for legislation. He did not desire to appear as trying to coerce the majority, until the Republicans had absolutely demonstrated before the country that they did not intend to do anything at this session. He had, he said, waited for the Republicans to do something, and he had finally come to the conclusion that the Republican party has forgotten to do anything. It has become the party of negation and of passivity and, as far as I can see, has no idea of doing anything. It is plain sailing for the Democrats to carry out parliamentary coercion you are going to be deaf to every demand of the country."

Mr. Williams then announced "that from this moment on for the balance of the session this is not a lie, sailing on the enemy campaign but coercion is going to be exercised. No request for unanimous consent on the part of the Republicans, he said, would be granted, unless it be to adjourn or take a recess, until the majority shows that it is alive to the demands of the country. He said that he would be glad to see the Republicans do something for the country. He said that he would be glad to see the Republicans do something for the country. He said that he would be glad to see the Republicans do something for the country."

SPLENDID SPEECHES

The Mid-Term Debate at Bule's Creek Academy.

(Special to News and Observer.) Lillington, N. C., March 24.—A number of our people attended the Mid-Term Debate at Bule's Creek Academy on Saturday night, March 21. The query was, "Resolved, That the Federal Government should be a prohibition law and not have submitted it to a vote of the people."

The affirmative was represented by Mr. W. C. Ellis, of the Philologist Society, and Mr. A. B. Breece, of the Entrophian. The negative by Mr. R. W. Bobbie, of the Entrophian Society, and Mr. T. R. Getsinger, of the Philologist.

One of the special features of the evening was the speech of Mr. Ellis on the affirmative, said by some to have been the best delivered at the mid-term debate for years. The decision committee rendered their decision in favor of the affirmative.

The program, as a whole, was excellent, and all of the young people who participated reflected honor upon their societies and the school.

MILEAGE BOOK SYSTEM

Too Much Inconvenience to Traveling Men.

(Special to News and Observer.) High Point, N. C., March 24.—The traveling men out from High Point do not like the new mileage book system and will probably take the matter up with the railroad officials. Persons holding mileage books after the first day of April will have to take the books to the ticket office and exchange the mileage for a ticket. The travel men claim that this is an imposition and unnecessary and that they cannot see the reason why the railroad should make any such ruling.

Judge Pritchard at Burlington. Burlington, N. C., March 24.—Judge Jeter C. Pritchard, of Asheville, was here Sunday and spoke to five hundred people in the opera house on the question of State prohibition. The judge had a large and appreciative audience. He made a strong argument in favor of the cause of temperance, State, home and Christ.

THE WEATHER. x6oe just a Generally fair. Generally fair Wednesday and Thursday with variable winds.

IT STILL RESTS WITH THE PEOPLE

Whether This Attack Upon States Rights Shall Remain Law

MR. JUSTICE'S VIEW

One of the Attorneys for the State Gives His Opinion of the Decision—Prohibition Fight in Gulf—Ground Broken for Melver Building—Important Deal.

By ANDREW JOYNER. Greensboro, N. C., March 24.—There were many "I told you so" citizens heard to express themselves here today upon reading of the Supreme Court's decision in the rate case. But there were also many who, while recognizing the supreme power of the United States Supreme Court in all matters of this kind, expressed the opinion that it rested with the people themselves in the final analysis whether this latest attack upon the sovereignty of a state shall remain the law or not.

In this class was found Speaker Justice, one of the attorneys for the state, who argued the case before the Supreme Court. Knowing that in speeches and in interviews he had declared that he regarded this question as pre-eminently one of state rights and government by the people, and that it ought to be decided by the Supreme Court one way or the other in order that the law as it is now written might be settled, and in order if settled against the State's rights the people might apply the proper remedies to change the law, this correspondent sought Mr. Justice this morning and secured the following statement, which will prove of great interest as well as value at this time, coming as it does from one thoroughly conversant with the whole subject, and who has never yet failed to speak out in meeting when the necessity for such arose, where the interests of the people were involved.

Mr. Justice said that the gravity and seriousness of this question had never been stated; that while he had not seen the opinion of the Supreme Court of the United States nor the dissenting opinion of Justice Harlan, that he felt quite sure that the decision was to the effect that the 14th amendment had abrogated and repealed the 11th amendment to the constitution of the United States, and that in cases like this and in all other cases where the state undertook to enforce police regulations that the state was not immune from suits in the Federal courts by foreigners. The 14th amendment was adopted as a shield and protection to the negroes from the state, but the negroes had ceased to invoke its protection, and it had now become the refuge of foreign corporations.

Mr. Justice said he did not rail against the Supreme Court of the United States which had proceeded in an orderly way to arrive at what it regarded a proper construction of the 14th amendment, and that while it was regrettable that the Court felt itself impelled to reach the conclusion it had in this case, because, as Judge Harlan says "this is an era making decision." Yet there was nothing to do but to bow in submission to the decision of the Court until the people amended the constitution of the United States.

"For years the tendency of the Federal courts has been against state control and government by the people. This tendency has been increased by the foresight of Thomas Jefferson, who predicted that this would be the result, and if this Democratic form of government failed it would fall because of the aggressions of the Federal judiciary. If the inferior Federal judges were all prudent and wise as some of them were, or if they were not appointed for life, but elected for a term of years, they would probably not be so prone to disregard the rights of the states and of the people.

"If the people of this country permit the decision of the Supreme Court of the United States which has just been rendered to remain the law, then that government of the people, by the people and for the people, for which our forefathers fought, and of which Jefferson wrote and Lincoln spoke, will be much weakened. Unfortunately there is a higher tribunal and an orderly way to change the law and render the sovereign states immune from suits by citizens of other states and foreign countries.

"The purposes of the 11th amendment to the constitution of the United States ought to be carried out by again amending the constitution in language so plain and unmistakable that the states will be absolutely immune from suits by foreigners in any court for any cause. The man who deals with a sovereign state should have no further guarantee than he will be treated fairly than the honor and integrity of the state. This is all sufficient. Any other principle allows the government of the people to be thwarted and interfered with contrary to their will upon the petition of an individual and at the will of an inferior Federal judge who holds his office by life tenure.

Democratic State Convention at Charlotte will put into its platform a plank declaring in favor of a plank in the National Democratic platform which will effectively protect the state from suits. I shall offer a resolution to this effect to the state convention, and I have no doubt of how the people will stand upon it, and I have no doubt of what the views of these delegates will be who are not hired representatives of railroads and trusts."

"It behooves the people at their primaries and at their county conventions to see to it that no delegates are sent to represent them to the state convention who prefer to please railroads and trusts in this matter to the good of the people."

"If the next national platform contains a plank which renders the state immune from suits than those people in the western states who are as strong for state rights as the southern people, will have good reason to vote the Democratic ticket, unless the national Republican convention writes a similar plank into its platform. If the Republican convention does not declare for an amendment to the constitution of the United States that will secure to the people of this country local self-government by rendering the states immune from suits, the question of states' rights will become an immense issue in the next campaign, and the Democratic party will have an immense advantage."

"Personally, I hope that both the Republican and Democratic national conventions will declare for an amendment to the constitution of the United States that will protect the states from suits by foreign citizens. I am more interested in seeing a government by the people, not pass away, than I am in seeing a political advantage secured to the Democratic party."

"The newspapers of this State, in my judgment, can not better serve the people than by keeping constantly before them, until the meeting of the national convention, the fact that the effect of the fourteenth amendment to the constitution of the United States has been discovered, by the recent decision of the Supreme Court of the United States to be the most deadly blow to the government that has been struck since the Civil War."

"Once before in the history of this country has the Supreme Court of the United States decided that the states were suable by non-residents, and immediately the people arose almost as one man and demanded an amendment to the constitution of the United States that would change that law; thereupon the eleventh amendment was adopted more than one hundred years ago."

"Now, in the Minnesota case and in the North Carolina case, the same court has rendered another decision which puts us back practically where we were after the first decision upon the subject and before the eleventh amendment was adopted. This decision is changed by an amendment to the constitution."

(Continued on Page Five.)

Dr. Hunt's Condition More Favorable. (Special to News and Observer.) Oxford, N. C., March 24.—Favorable symptoms have developed in Dr. J. Graham Hunt's condition.

CORN SPECIAL TOURING EAST

Beginning of a New Educational Work.

MORE CORN TO ACRE

The Corn Special is the Beginning of an Agricultural Revolution, Being Intended to Apply to Corn Culture Those Fundamental Principles Which Underlie All Culture.

BY EDWARD L. CONN. Plymouth, N. C., March 24.—The Corn Growers' Special is the beginning of a great educational work to be rendered the people of North Carolina by A. & M. College and the State Experiment Station. This work is to regenerate farming in North Carolina, and also to multiply and develop manufactures. The farmer will learn to get a maximum of product from the soil with a minimum of labor and expense, and he will be taught the superior quality of good seed, good animal, good soil, and good machinery and good tillage. The Corn Special is the beginning of this agricultural revolution, being intended to apply to corn culture those fundamental principles which underlie all culture.

The Corn Special is being run by the State Experiment Station, a department of A. & M. College, and has been arranged and planned by Director J. B. Williams, who has charge of the station, both the practical and theoretical work. He is a graduate of A. & M. College, and was connected with the North Carolina department of agriculture for many years. He is said to know more about the soils of this State than any other man, and is one of the leaders in the development of agriculture. He is rendering North Carolina very efficient service.

Dr. F. L. Stevens, who lectures on the plant diseases affecting the North Carolina corn grower, is a planter, a chemist, a botanist and biologist of A. & M. College and the Experiment Station, and he gives instruction upon plant growth, fertility, nutrition, cross-breeding and plant diseases. He is one of the most popular lecturers on agricultural subjects in the State.

Prof. R. I. Smith, of A. & M. College and the Experiment Station, is an entomologist and zoologist, and speaks upon subjects such as the habits of plant insects and spraying trees, all with a view to the economical side of the matter.

Mr. A. D. Shamel, of the United States Department of Agriculture, joined the party at Washington Sunday night. He is one of the foremost corn and tobacco experts in the country, and is familiar with the agricultural needs of this State, having visited and lectured in North Carolina on several occasions and inspected the tobacco belt upon the invitation of Congressman John H. Small. His subject today was "Seed Selection."

Dr. George T. Winston left Raleigh on the special, but stopped at Greenville with the intention of joining the party again on Wednesday at Edenton.

WAKE FOREST O. K. Defeats Randolph-Macon by Score of 4 to 2

An Exciting Game of Baseball at Wake Forest College Yesterday.

Afternoon—Some Fine Work.

Wake Forest, N. C., March 24.—Despite the soft ground following the heavy rains of last night and this morning Wake Forest played the Randolph-Macon College baseball team here Friday afternoon in a victory for the former, the score being four to two. The game was very exciting, neither team scored until the first half of third inning, when Lancaster, Randolph-Macon, scored on an error of third baseman, followed in second half by Dawson, scoring for Wake Forest. In the sixth inning Couch drove a hit to extreme left, making first, followed by sacrifice by Josey, who made second on error of first baseman Couch, coming home. Dawson drove a liner between center and left field, bringing Josey home and making second, then swatted liner to center, bringing Dawson in home and going to second when he died.

Temple pitched a good steady game and Hamrick did splendid work behind the bat for the locals. Drewery, for the visitors, did good work in the box. Field work of the home team and infielding of visitors were good. Other features were two-bagger hits by Hamrick, Josey and Dawson, for Wake Forest, and Lancaster, for Randolph. Score by innings:

Randolph-Macon, one in third, eight in fourth, Wake Forest, one in third, and three in sixth. Randolph—hits, seven; errors, four. Wake Forest—hits, eight; errors, two. Struck out by Temple, nine; by Drewery, five. Base on balls by Temple, three; by Drewery, three. Time, one fifty-five.

The line-up was as follows: Randolph-Macon—p..... Temple. Newnam..... c..... Hamrick. Barrow..... 1b..... Josey. Beale..... 2b..... Couch. Pritchard..... 3b..... Benton. Lancaster..... ss..... Hammond. Beville..... cf..... Bloaton & Duffie. Baldwin..... lf..... Dawson. Hite..... rf..... Freeman. Mr. John Cadill, of Wake Forest, umpired the game. Game was called at 3:30.

Dr. Hunt's Condition More Favorable. (Special to News and Observer.) Oxford, N. C., March 24.—Favorable symptoms have developed in Dr. J. Graham Hunt's condition.