

Leads all North Carolina Dailies in News and Circulation

HARMONY REIGNS SUPREME AT THE JACKSON DAY BALTIMORE BANQUET

Leaders of the Democratic Party in Conference and Around the Groaning Board Further Cement the United Party

And the most obnoxious item first," exclaimed Mr. Clark. "As between rotten apples," instead Senator Bailey, "there is no choice. Every schedule in the Payne-Aldrich law is bad."

Governor Harmon, of Ohio, one of the most prominent figures in the day's gathering, also pronounced upon the tariff.

Day Passed as Leaders Wished. The day passed as the Democratic leaders wish, without an attempt from any quarter to launch a boom for the presidential nomination in 1912. Senator Bailey paid Champ Clark, the Democratic leader of the House, the tribute of placing him in the presidential chair.

"If Champ Clark makes a better speaker than I do," said Governor Harmon, "I will nominate him for President," he declared, amid enthusiasm, at the Loric meeting.

"But," he added, "if Governor Harmon makes a better governor than Champ Clark, I will nominate him for President."

References made to the Republican Party, and Roosevelt and His New Nationalism Hoaxily Flayed.

(By the Associated Press.)

No Plans for Future Action Were Planned, Nor Hopes for Personal Preference Inaugurated.—The Twelfth Question Staked in the Middle of the Gathering, Both at the Spaldings and the Banquet, But Caused No Jar—Able Speeches by Clark, Harmon and Bailey.—Some Vivid References Made to the Republican Party, and Roosevelt and His New Nationalism Hoaxily Flayed.

(By the Associated Press.)

Baltimore, Md., Jan. 17.—The Democratic meeting came to a joyous close with the banquet held in the Fifth Regiment armory tonight. More than eleven hundred leaders and ambitious members of the party, and a host of national legislators from Washington, attended the banquet, which was the largest and most elaborate feast ever held in Baltimore. In every sense of the word, the spread was a beautiful one, and the jubilation of spirit which brought enthusiasm to the afternoon gathering reached its height at the banquet.

The banquet began about 7 o'clock, and it was half past ten before an attempt was made to secure order. The immense crowd of diners by this time was not an easy one to handle.

Finally toastmaster Ferdinand Williams, of Cumberland, began his speech, and it was not until 11 o'clock that the gentlemen who sat at the speaker's table did their best to deliver the messages they had prepared for the occasion, but the confusion was so great that a fog horn was used to attract attention to the speaker's table. The first toast was given by Senator Bailey, of Kentucky, and the second by Governor Harmon, of Ohio. Both speakers were warmly applauded.

Representative A. Mitchell Almer, of Pennsylvania, was the third speaker to mount the table. By the time he began his speech the crowd at the armory had dwindled to about 200, and there was at last a semblance of quiet.

Representative Theodore Bell, of California, was one of the final speakers of the evening. Mr. Bell gave a striking tribute to Champ Clark, and declared that if the party stands behind him as speaker of the House of Representatives, Democratic success in 1912 will be assured.

"The people of the middle West and the far West have the greatest confidence in the integrity and the ability of Champ Clark as a leader of the Democracy," said Mr. Bell.

The reference to Mr. Clark was repeated by other speakers, and inasmuch as Mr. Bell has generally been known as the close friend and representative of Wm. Jennings Bryan, it was emphasized a few minutes later, however, when Mr. Bell warmly lauded the fact that no matter how much they might be attracted toward gentlemen from Ohio and New Jersey in connection with leadership in 1912, they must not forget that the affections of millions of the people still clustered about the gentleman from Nebraska—Mr. Bryan.

The hand of fate, Mr. Bell said, had probably determined that Mr. Bryan should not be nominated for a fourth time or ever be elected President, but that he must not be overlooked in the councils of the party.

Tariff Toastmaster, People.

Baltimore, Md., Jan. 17.—The grand speaker of the tariff with all the vicissitudes it brings from without and within a political party, stalked boldly through the Jackson Day gathering of the Democrats in this city today. It made its presence felt at the banqueting at the Loric in the afternoon, and it would not leave in the boundless hall which was spread at the Fifth Regiment armory tonight.

But the issue was fairly met by all the speakers. Some frankly acknowledged that there would be differences of opinion among the Democrats on this subject, as there has been among the Republicans. Senator Bailey, for instance, while declaring that harmony of action must be the watchword of Democracy, if they maintain the advantage won at the election, took direct issue with those Democrats who favor piecemeal revision of the tariff. Champ Clark, of Missouri, speaker-to-be of the House of Representatives, had just announced that the sentiment among the Democrats in the House seemed to favor piecemeal revision—schedule by schedule, if possible, but then by Item if necessary.

many others on the Loric stage, crowded about Senator Bailey to congratulate him on his speech. The big auditorium was crowded to the doors. The enthusiasm with which each speaker was greeted was so equally distributed as to leave no thought of favoritism. One the stage in addition to the speakers, were many members of Congress and prominent Democrats throughout the State of Maryland. Senator Tillman, of South Carolina; Senator Hays, of this State; Henry Gassaway Davis, of West Virginia; Senator Foster of Louisiana; Maj. Jas. C. Hemphill, of Virginia; and other notables, were in the front row.

A number of Democratic governors-elect in November last were unable to come to the celebration on account of the legislative duties which kept them at their State capitals. The absentees included Gov. Fox, of Massachusetts; Dix, of New York; Wilson, of New Jersey, and Marshall, of Indiana. The throng in the city during the day was greatly augmented tonight when a special train from Washington brought practically every Democrat of the Senate and House over to attend the banquet, which marked the close of the Jubilee.

Champ Clark's Address. Declared that the gathering of Democrats was not for the purpose of achieving harmony, but for the maintenance of harmony already achieved. Representative Champ Clark, of Missouri, leader of the minority in the House and speaker of the Democratic conference here today that much remained to be done to assure Democracy a secure hold on what it already has attained. Even more was necessary, he cautioned, to make certain of the further political gains which he declared to be due the party.

"When we analyze the figures of the last election," he said, "it will be seen that the result was not so much a victory for the Democrats as it was a defeat for the Republicans. Our success was the result largely of the stay-at-home vote. Therefore, we are really in a state of probation. The country has concluded to give the government after sixteen years of exclusion from power.

"Really, we are in a state of probation. We hold our destiny in our own hands. We have a golden opportunity. We must grasp it with both hands. If we are equal to the responsibility, if we are equal to the opportunity, if we meet the responsibility with wisdom, courage and patriotism, we will have a long lease of power."

At the outset of his remarks Mr. Clark admitted that the victory of November was a surprise to the rank and file of the Democratic party. He added that with the inspiration born of victory the party had more than an even chance of carrying the country from sea to sea in 1912.

"This glorious result can be accomplished," he continued, "by the very simple process of carrying out religiously the program which was made in order to win last November. Even if we were not disposed to redeem our promises as a matter of principle, when we look upon the aspect of the Republican party we have a most noble object in view. The low state to which a great organization may fall by a failure to live up to its promises, because all those who have eyes see and having their eyes open, they will see the consequences being severe of the board and officers.

Believing those who seem to know so much about non-enforcement of laws should have their eyes open, the mayor is giving them their chance, the affair has caused quite a stir.

Commission Form.

By a close vote, 17 to 34, the committee of one hundred last night, after three hours of discussion, decided to appoint a committee of seven to draft a commission form of government charter for the city, the same to be submitted to the committee and in turn to a mass meeting for ratification. This charter is to be presented to the legislature. While advocating the present city government was not inefficient, but they believed the commission form more progressive.

Believing Those Who Seem to Know so Much About Non-Enforcement of the Laws Should Have Their Eyes Open, the Mayor is Giving Them a Chance—Affair Causes a Stir—Asheville to Fight Commission Form of City Charter.

(Special to News and Observer.)

Asheville, Jan. 17.—Because citizens criticized his attempt to enforce the prohibition laws of Canton, Mayor Curtis and the board of aldermen have turned the town over to the critics. Today he summoned a number of prominent persons, including Rev. L. B. Abernethy, pastor of the Southern Methodist church, and Rev. J. Grey, pastor of the Northern Methodist church, to appear before him and be sworn as special police to chase "tigers" to their special satisfaction. Recently a large mass meeting was held at the residence of Judge J. C. Pritchard, and Rev. J. C. Pritchard, of the Methodist church, was elected to be the chief of the special police.

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Another Batch Received at the Department of Justice—Are Classified. (By the Associated Press.)

Washington, D. C., Jan. 17.—More petitions for the pardon of Chas. W. Morse were received by the Department of Justice today. They were divided into two groups and were signed by lawyers, Congressmen, newspapermen, bankers, educators and men of many other professions. Printed arguments accompanying them, in which the Department of Justice can begin working on the case additional reports will be required from the District Attorney's office in New York. It may be several weeks before the convicted banker's case gets before the President.

WANT MORE TRAINS. Petition Being Circulated at Cary for Double Daily Local Service Between Cary and Hamlet. Cary, N. C., Jan. 17.—A petition is being signed by the citizens here asking the Legislature for a double daily local passenger service on the Seaboard between Raleigh and Hamlet. The Seaboard operates only two local trains on this division, 28 northbound in the morning, and 41 southbound in the evening. A train going south in the morning, returning north in the evening, is much needed by the public, between Raleigh and Hamlet. It is understood that a like petition is being signed in towns south of here.

HITCHCOCK ELECTED SENATOR. Lincoln, Neb., Jan. 17.—Representative G. M. Hitchcock (Democrat) was today elected United States Senator to succeed Senator E. J. Burkett.

STOP IT THEY SAY.

Rookingham, N. C.

Raleigh News and Observer, Raleigh, N. C.,

Dear Sirs: You will do us the favor to discontinue our advertisement; don't publish it another day. 'Tis too expensive, furnishing stamps to answer applicants.

We are simply overrun, and haven't time to keep it up. We made a mistake in giving it to your paper for publication; we had no idea you would gather in so many replies.

Very truly yours, Steele's Mills, Robt. L. Steele, Pres.

The above is copy of letter from one of our advertisers which is worthy testimony of the overwhelming results accomplished by The News and Observer. With its state-wide circulation, it reaches everybody who reads, and everybody who buys. Try it.

TURN TOWN OVER TO THE CRITICS BUT BY SQUEEZE

Preachers Special Officers to Chase Tigers Joint Convention Expected to Elect Him Today

SITUATION AT CANTON FAILED ON SEPARATE VOTE

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Whole number of votes, 40; necessary for choice, 21. Henry Cabot Lodge, (Rep.) 24. Sherman I. Whipple, (Dem.) 14. Congressman Butler Ames, (Republican) 2. The vote in the House was: Whole number of votes, 239, necessary for choice, 120. Lodge, (Rep.) 117. Whipple, (Dem.) 109. Ames, (Rep.) 9. Joseph Walker, (Rep.) 4. Curtis Quid, Jr., (Rep.) 1. John A. Thayer, (Dem.) 1. Sylvester J. McBride, (Socialist) 1. The result in the Senate was as had been anticipated for several weeks, so that interest centered mainly in the vote of the House, where the excitement was intense. There were no indications of any backsliding among the Republican members this evening.

The Democrats were equally as staunch in their determination to stand by their party candidate, and some of the more optimistic of them declare the senatorial situation would be decided for sometime.

Governor Eugene N. Fox, who sat in his room at the far end of the building refused to comment as to the result, although he has fought Mr. Lodge on the stump and repeatedly predicted his defeat.

Speaker Walker of the House tonight sent a letter to the four members of business and the valuable site of the Wilmington plant was purchased a few days ago by the Atlantic Coast Lane railroad. The price paid for the timber was \$125,000.

RESIDENCE BURNED. Two Story Frame Building, Property of Mr. Seawell Howell, Near Cary, N. C., Jan. 17.—The two story home and contents of Mr. Seawell Howell, three miles south of Cary, was destroyed by fire yesterday. No cause is yet assigned, but it is thought the fire started from a defective flue. The loss amounts to about four thousand dollars with no insurance.

Awarded to Petersburg.

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FINAL ASSAULT ON CORPORATION TAX CLOSING ARGUMENT IN OIL TRUST CASE

Argument Before U. S. Supreme Court Attorney Johnson Pleads for Standard Oil

A CASE FROM VERMONT ORATORY IS THE WEAPON

Maxwell Ewart, of New York, Argues That the Law is Void—Julian Davis Also of New York, Continued the Assault—The Plea Was Made That the Law Invaded the Sovereignty of the State—Today Solicitor-General Lehmann Will Be Heard.

(By the Associated Press.)

Washington, D. C., Jan. 17.—The final assault on the constitutionality of the corporation provisions of the Payne-Aldrich tariff act of 1909 began today in the Supreme Court of the United States. For two hours Maxwell Ewart, of New York, argued that the law was void. Julian T. Davis, also of New York, continued the assault. Tomorrow Frederick W. Lehmann, Solicitor-General for the Department of Justice, will defend the law.

Mr. Ewart appeared as counsel for Stella F. Fink, general guardian of Samuel N. Stone, Jr., owner of stock in the Stone-Tracy Company, of Windsor, Vermont. She sought to prevent the corporation from paying the tax. He contended the tax was unconstitutional principally because it fell upon the corporate franchise of the company. In so doing it invaded the sovereignty of the State, he urged. While the law on its face said it was a tax on the "doing of business," Mr. Ewart told the court that "the burdens of this law, falling on the defendant corporation because it has a corporate charter and because it acts in a corporate capacity rests burdens upon the right to do a corporation and to act as such. The argument that the tax was upon an instrumentality of the State, drew forth numerous questions from the bench.

CONGRESSIONAL SUMMARY. Argues Resolution Declaring Ballinger Guilty—Ship Subsidy Under Consideration—Army Appropriation Bill.

(By the Associated Press.)

Washington, D. C., Jan. 17.—In a spirited speech, Senator Purcell today argued in favor of the adoption of his resolution declaring that Richard A. Ballinger, Secretary of the Interior, was guilty of maladministration in office made against him by Gifford Pinchot, former Chief of the Forestry Service. The Senate took no action on the resolution. The Gellingier ocean mail ship subsidy bill was under consideration, but no action was taken. In the House the army appropriation bill carrying approximately \$20,000,000, was passed. Consideration of the postoffice appropriation measure was then begun.

Both Senate and House will meet at noon tomorrow.

The Trust's Attorney Depends on Brilliant Flights of Language to Save the Monster Octopus From Dissolution, in the Absence of Cold Facts to Substantiate His Position.

(By the Associated Press.)

Washington, D. C., Jan. 17.—In a brilliant oratorical effort, John G. Johnson, leading counsel for the Standard Oil organization, concluded today the long oral argument before the Supreme Court of the United States on the proposed dissolution of the Standard Oil Company, of New Jersey as in violation of the Sherman anti-trust law.

In marked contrast with Mr. Johnson's effort was the plain, unpretentious summary of the government's side of the case by Attorney General Wickersham.

"Nowadays we hear a great deal of what are stigmatized 'reactionary courts,'" said Mr. Johnson, "by which I understand the courts that go to the statutes as printed and a volume of decisions by which the law is settled, and not to the files of newspaper or to the speeches of oratorical demagogues.

"In a moment of hysterical contemplation of the sins of others—for that is not so apt to exaggerate our own—we are apt to mistake the content of others and the remedy to be applied. In the case of those large corporations the need is not for their extirpation. By their mere largeness the country does not suffer. Without these corporations prices would be higher; hundreds of millions of men would be deprived of employment, and our foreign trade (more and more dependent upon our manufactures, because of the alarming increase of growth of our population, which consumes our agricultural products) would be destroyed. We should have no choice in the competition of the world for trade with a rival like Germany, the most intelligent of them all, which by settled legislation forbids the combination which you asked to condemn as criminal."

Mr. Johnson then replied to the warning of Mr. Kellogg that unless the Sherman law was enforced the Standard Oil Company would drive all independent out of business within five years.

"Mr. Kellogg need not fear any over-fondness for these corporations by judges," said Mr. Johnson, "and he hardly need lose any sleep over their receiving any favor from jurists.

"Let the champions of commerce be open for all who may desire to enter, whether with ocean steamer or dug out with Rockefeller's wealth or with naught, but their brains and their hands, unfettered by their own improper restraints and uninterfered with by the abuse of others; and all will have been done that is wise. Beyond that lies the antagonism of irrepressible economic necessity and danger of disaster, the length and breadth of which no man can tell."

STATE DINNER. The First at the White House Tendered the Diplomatic Corps. (By the Associated Press.)

Washington, D. C., Jan. 17.—The first of the state dinners at the White House was tendered to the diplomatic corps and invited guests tonight by the President and Mrs. Taft.

Besides the diplomatic corps there were present Senators Cullom, of Illinois; Bacon, of Georgia, and Root, of New York; Representatives Tamm, of Illinois, and Longworth, of Ohio; the Assistant Secretary of State and Mrs. Huntington Wilson; Director General John Barrett, of the Pan-American Union; the Canadian and American commissioners in the reciprocity negotiations and the Secretary of State and Mrs. Knox.

OLIVER ELECTED SENATOR. Re-elected Yesterday by the State of Pennsylvania. (By the Associated Press.)

Harrisburg, Pa., Jan. 17.—United States Senator George T. Oliver was re-elected Senator for the full term of six years today, receiving 117 votes in the House of Representatives. For J. Henry Cochran, of Williamsport, 29 for Julian Kennedy, of Pittsburgh; 29 for James P. Riley, of Schuylkill county; 1 for George W. Guthrie; 1 for William L. Barry, and 1 for Joseph E. Cohen, of Philadelphia.

The vote in the Senate for United States Senator was as follows: George T. Oliver, 34; J. Henry Cochran, 1; Julian Kennedy, (Independent Republican), 5; William Flynn (Republican), 2; absent, 2.

Before the vote was taken, a letter from Secretary of State P. C. Knox to Representative E. M. Abbott, of Philadelphia, was read, declining to be a candidate. Mr. Knox had been named on January 13, but in accordance with his wishes was not voted for today.

REED CHOSEN SENATOR. Missouri Elects Successor to Senator William Warner. (By the Associated Press.)

Jefferson City, Mo., Jan. 17.—James A. Reed, of Kansas City, was chosen junior United States Senator from Missouri today by the two houses of the General Assembly. He will succeed Senator William Warren, Republican.

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