

SUPREME COURT IS ASKED TO REVIEW NAVAL STORES CASE

Sherman Anti-Trust Law is Characterized as Very Bad OFFICIALS WERE SENTENCED TO PRISON Famous Case Was First of Kind to go Before Supreme Court

WASHINGTON, Jan. 4.—Officials of the American Naval Stores corporation filed a petition in the Supreme court of the United States today for a review of their conviction in the Federal Circuit court of Georgia of violating the Sherman anti-trust law. The officials convicted were Edmund S. Nash, president of the American Naval Stores company; Spencer P. Shottler, chairman of the board of directors; J. S. Cooper Myers, vice president; George Mead Boardman, treasurer, and Carl Muller, manager of the company's branch at Jacksonville, Fla.

RAILROADS WANT BROAD VIEW OF SITUATION TAKEN

Interstate Commerce Committee Investigating Freight Rate Making ADVANCE WARRANTED BY INCREASED WAGES Claimed That Returns to Investors at Present Are Not Excessive

WASHINGTON, Jan. 4.—Freight rate construction, as a whole, and not with relation to any particular article of transportation whether it be a commodity or be embodied in a class, is the principle issue involved in the investigation now being conducted by the Interstate commerce commission. It is the contention of the counsel for the railway lines in official classification territory filed with the commission today, the brief points out that it is claimed that the carriers had discharged the burden of proof by law "because they have failed to establish by affirmative proof the reasonableness of the proposed increase on each specific article of the many thousand articles embraced in the official classification, the rate on which will be advanced if the advance in class rates becomes effective."

GALLAGHER GETS TWELVE YEARS FOR SHOOTING GAYNOR

Jury Out Forty Minutes After Trial of Less Than Day WITNESS SHOWS HOW DEED WAS COMMITTED The Wheels of Justice Moved Swiftly in New Jersey Court

NEW YORK, Jan. 4.—James J. Gallagher, who shot Mayor Gaynor last August, was sentenced today to 12 years imprisonment. He was convicted in Jersey City on a warrant charging him not with shooting Mayor Gaynor, but with assaulting with intent to kill Wm. H. Edwards, commissioner of street cleaning of New York. The jury was out forty minutes and the trial lasted but a portion of one day. In addition to the 12 years Gallagher will have to stay in prison until the cost of his prosecution has been paid by prison service. He showed no emotion when the verdict was read or sentence pronounced.

LEGISLATURE OF STATE FORMALLY ORGANIZES FOR BIENNIAL SESSION

Democratic Caucus Nominees Are Elected in Both Branches, a Lone Bill is Introduced in The Senate, and Adjournment is Taken to Await The Governor's Message.



RALEIGH, N. C., Jan. 4.—The close of the first day of the 1911 general assembly finds the senate and house fully organized and awaiting the bi-ennial message from the governor to be received at noon tomorrow. The democratic nominees for officers named last night were duly elected and installed today in both branches, headed by Senator Pharr of Mecklenburg as president pro tempore of the senate and W. C. Dowd, of Mecklenburg, as speaker of the house. Special interest attached to the speech of acceptance by Speaker Dowd, especially his reference to increased support to state educational institutions, he having been moderator of the Baptist state convention that protested against increased support as determined to denominational colleges.

These officers were sworn in by Speaker Dowd. Speaker Dowd appointed Representatives Battle, Stubbs, Spainhour, Wooten and Kennedy as the house committee to notify the governor of organization and readiness to receive his message tomorrow. The speaker appointed as committee on rules Doughton, Koonce, Turlington, Connor and Ewart. House adjourned to eleven tomorrow. The initial session of the senate met at noon. Lieut. Gov. W. C. Newland presiding, prayer being offered by Rev. Milton A. Barber, of Christ church. Kjelbia, of Halifax, was the only absentee. Senators were sworn in by Justice W. A. Howe, of the Supreme court. Graham, of Orange, nominated Pharr, of Mecklenburg, to be president pro tem, referring to him as an experienced legislator and a man of ability and discretion, and superbly qualified for the position. Waggoner, of Allegheny, presented the name of Starbuck, of Forsyth, for the republicans. Pharr received 41 and Starbuck 5. Other officers elected: W. Ols Self, Jackson, principal clerk; Mark Squires, Caldwell, reading clerk; R. M. Staley, Wilkes, sergeant-at-arms; W. G. Hall, Cumberland, assistant sergeant-at-arms; W. E. Hooks, Wayne, engrossing clerk. Committee appointed on rules were: McDonald, Moore; Pharr, Mecklenburg; Thorne, Nash; Reinhardt, Lincoln; Starbuck, Forsyth. Business taken for twenty minutes, then Reinhardt introduced a bill concerning working the public roads of Lincoln county and the senate adjourned to eleven tomorrow.

SUPPRESSED REBELS CONTINUE TO CAUSE TROUBLE IN MEXICO

Capture Another Town and Threaten Whole Province END NOT IN SIGHT

MEXICO CITY, Jan. 4.—Suspiciously, a town of 3,000 inhabitants, south of San Andreas in the state of Chihuahua, is reported to have fallen into the hands of the rebels. The town is of little importance strategically. Jose Munoz, its jefe politico, who is connected with having saved General Navarro from disaster in Mal Pasco canyon by slipping past the insurgents and giving warning of an ambush is said to be serving as a guide for Navarro on his march to Ciudad Guerrero. Navarro is believed to be on the way from Pedernales to assault Guerrero where the rebels have gathered for some time. Newspaper specials from Chihuahua state that Nacozari, a mining camp in the state of Sonora, is threatened by a body of revolutionists, believed to be a portion of those from Mal Pasco. From the same source it is learned that Lieut. Col. Julio Cervantes has recently had an encounter near the Mormon colony of Janos in Chihuahua. After a fight lasting two hours the rebels fled northward and are believed to have crossed the frontier.

GOVERNOR DIX HOPES TO SAVE VAST AMOUNT BY RIGID ECONOMY

Message Makes Many Suggestions For Retrenchment DEMOCRATS TO AID

ALBANY, N. Y., Jan. 4.—At least \$1,990,000 is the sum Governor Dix expects to save the state through the adoption of economies he recommended to the legislature in his first annual message. Suggestions for retrenchment by abolition of some state officers and consolidating others constituted the principle recommendations of the message. The governor's economy message drew the first debate of the session when Senator Newcombe (republican of New York) asserted that the new governor would find himself powerless to bar the avenue to plunder. President E. T. Tom Robert E. Wagner came to the defense of those whom Newcombe assailed and on behalf of the democratic majority pledged himself to aid the governor in his plans for a "business administration." Both houses, after electing their permanent officers, took a recess until January 12. Governor Dix in his message finds a startling tendency of late to increase annual expenditures, both of money raised by taxation and money borrowed by the issue of state bonds. The governor points out that from 1903 to 1910 annual expenditures increased at the rate of \$1,509,163; 46 per cent per year. Governor Dix finds that the tendency to excessive expenditure is shown in the accounts of all the administrative departments of the state. The governor recommends a revision of the election and primary laws of the state so as to provide for a system of direct nominations—state wide in its application. Personal registration of all voters and amendment to the federal legislation permitting the enactment by congress of an income tax and election of United States senators by popular vote.

GOVERNOR FOSS IS STILL AFTER SCALP OF HENRY CABOT LODGE

The "Scholar in Politics" Is Declared Defeated Already ORATORY NOT ENOUGH

BOSTON, Jan. 4.—In answer to Senator Lodge's speech in the senate hall last night, Governor-elect Eugene N. Foss issued a statement saying in part: "Senator Lodge's speech of last night was an eloquent personal reminiscence. It told of the past, but not a word of the present and the future. If there was any doubt as to the fact that the senator was defeated, this speech has completely dispelled that illusion. For his own utterances have defeated him. "He stands pat on the tariff or reciprocity with Canada, on the increase tax, on the direct primary, or the election of United States senators by popular vote, on the initiative and on the referendum. The governor-elect says that upon these issues the election was fought and won in Massachusetts last fall and declares that Senator Lodge evaded all these issues. It is now plain, he adds, that Mr. Lodge is opposed to every one of them. After declaring that Senator Lodge is a discredited man in the eyes of the public, Mr. Foss continues: "He does not stand for the new order of things. He does not believe in the right of the people to govern themselves. He has said so mistakenly that he does not think the people competent to advise their public servants. He is a reactionary and he faces to the rear and he belongs to an era which is already dead. "Massachusetts demands something besides oratory. She wants a man in the senate who, in the first place, stands for the will of the people; who believes in the people, whose heart and conscience and efforts are with the people."

BANKER ROBIN GOES TO JAIL FOR LACK OF BOND

Insanity Plea on Petition of Sister Will be Heard Today

NEW YORK, Jan. 4.—Joseph G. Robin, banker's promoter and financial operator of large undertakings, was lodged in the Tombs today on an indictment charging him with stealing \$80,000 from the Washington Savings bank, of which he was president. On his plea of not guilty he was fixed at \$7,000, which was not furnished. Robin's counsel, Former District Attorney Jerome, told the court that his client was without a dollar in the world. Hearing on the petition of Robin's sister, Dr. Louise Robinson, to have him declared insane, is set for today. The banker was subjected today to a mental examination by alienists. They made no report of their findings, reserving it for the hearing.



WASHINGTON, Jan. 4.—Forecast for North Carolina: Generally fair Thursday and Friday, continued cold, moderate west winds.

THINKS MEMBERSHIP SHOULD BE INCREASED

Crumpacker Consults With Taft About Congressional Reapportionment

WASHINGTON, Jan. 4.—The question as to how the United States shall be re-proportioned into congressional districts in accordance with the 1910 census returns was discussed with the president today by Representative Crumpacker, of Indiana, chairman of the house committee on census. Mr. Crumpacker thinks the membership of the house should be increased and is of the opinion that there is no danger of the body becoming too unwieldy until it has reached the five hundred mark. The bill which Mr. Crumpacker will introduce probably will provide for a membership of 425, an increase over the present number of 403. This would be on a basis of one representative to 211,380 of population. His committee will have a meeting next Friday and several others soon after to discuss the matter.

RELIEF IN SIGHT. NASHVILLE, Tenn., Jan. 4.—There is a strong probability that the legislative session in Tennessee will be relieved tomorrow by the swearing in of sufficient members of the house to make a quorum. There are already 62 members of the body and only four others are necessary to make a quorum. These four, and possibly more, are expected to come tomorrow.

ALL BRIBERY CHARGES WILL BE INVESTIGATED

Illinois Legislature Decides to Go Into Details of Scandal

SPRINGFIELD, O., Jan. 4.—With a rush of harmony that belied all predictions, the Illinois general assembly today organized, heard Governor Chas. S. Deneen's message, and prepared to investigate all the charges that bribery was practiced in the last previous session of the legislature. A senate resolution authorizing the appointment of a select committee to investigate charges of corruption and bribery and determine whether any members should be unseated was adopted. Following this came a resolution declaring vacant the seat of Senator Daniel W. Holtzow, who said that he received a bribe after voting for Wm. Lorimer for senator. This resolution will be called up later. As Senator Holtzow sent in his resignation last summer his name was ordered passed on the roll call by Lieut. Gov. Ogelsby today. Senator Stanton C. Pemberton, who is awaiting trial on charges of conspiracy tonight read a statement requesting that he be excused from parliaments until cleared of the charges. His request was granted. The committee appointed under the resolution to probe bribery charges will investigate his cases well as that of Senator John C. Brickerick of Chicago, who is under indictment on a charge of bribery. The investigation committee held a brief meeting today to arrange for future action and adjourned for a week.

OLD NORTH STATE CITIES AND TOWNS HAVE INCREASED

Raleigh Goes Ahead of Asheville Taking Third Place in List TWENTY CITIES HAVE OVER FIVE THOUSAND Little Rocky Mount Shows The Biggest Gain of All

WASHINGTON, Jan. 4.—North Carolina's population did not show the same tendency of drifting from rural districts to the cities during the last ten years as was the case in many other states. Announcement today by the director of the census of the population figures as enumerated in the 17th census of cities and towns in North Carolina having a population in excess of 5,000, indicates that slightly over 26 per cent of the state's total increase in population—312,477 inhabitants—was contributed by these cities and towns. The rural districts furnished 229,191, or about 73 per cent of the increase as compared with the 83,106 increase in the cities. Eight municipalities increased in population from below 5,000 to totals above that number. The thirteenth census statistics show twenty such cities and towns in North Carolina in 1910, compared with twelve in 1900. Not a single loss in population was recorded in these places during the ten years. Biggest Gain. In point of increase in population Rocky Mount holds first place, with a 274 per cent increase. Durham follows closely behind with 275 per cent and High Point shows a 233 per cent gain. The larger cities rank as follows in percentage of increase: Charlotte, 53 per cent; Greensboro, 53.3 per cent; Raleigh, 60.8 per cent; Asheville, 27.8 per cent, and Wilmington, 22.7 per cent. How They Stand. Following is the announcement of the director of the census of all cities and towns of North Carolina having a population in excess of 5,000:

REGULARS THREATEN TO GO HOME UNLESS THEIR OPPONENTS YIELD

Democratic Factions in Tennessee Fail to Get Together SITUATION SERIOUS

NASHVILLE, Tenn., Jan. 4.—The legislative situation in Tennessee is more precarious tonight than ever, although conferences now in progress may result in a solution. The "regular" democrats were expected to come into the house this afternoon as per arrangement said to have been reached with Speaker Leach of the fusionists, but at the last moment they declared the agreement with Leach was abrogated by his secretary and they therefore remained away. Tonight the air is thick with rumors to the effect that the "regulars" will go home unless their opponents yield, and a paper is being signed by the senators providing for the adjournment until next summer. If the threats are carried out, Governor-elect Hopper cannot be seated. The situation is considered extremely serious but good feeling is prevalent among the assemblymen. CANAL COMPLETED. NORFOLK, Va., Jan. 4.—The completion of the Beaufort cut for the first southern link in the intracoastal waterway, from Boston to Beaufort, N. C., will be celebrated on the banks of the "Beaufort Waterway" at Moorehead City, N. C., January 6. The Mayor of Norfolk was today invited to attend and participate in the celebration.