

BEAR ADMIRAL IS FORCED TO RESIGN FOR MISCONDUCT

Admiral Barry's Resignation Demanded For The Good Of The Service

COMMANDER IN CHIEF OF PACIFIC FLEET Outgrowth of Charges Affecting Moral Character of High Officer

WASHINGTON, Jan. 27.—By direction of the president, Read Admiral Edward B. Barry, the former commander in chief of the Pacific fleet, today submitted his resignation for the good of the service. It was immediately accepted. The enforced resignation is the outgrowth of charges which have been in circulation in affecting the moral character of the naval officer. Name Stricken From List Secretary of the Navy Meyer today announced that on instructions from the president he telegraphed last night to Admiral Barry asking that he submit his resignation. The resignation severing the officer's connection with the American navy after 45 years of active service was received today and his name was immediately stricken from the list of naval officers. This act naturally terminated his salary from the government. In response to a telegraphic request, Admiral Barry was placed on the retired list of the navy on January 14, several months in advance of the date on which he would have been retired by operation of law. His right to seek voluntary retirement was his privilege under the law permitting such action after forty years active service. The secretary took up the request with the president and it was promptly approved. Later, however, reports began to emanate from San Francisco to the effect that Admiral Barry's retirement was forced by a demand that he resign on account of alleged scandalous conduct. It was added that the officers of the cruiser West Virginia, Admiral Barry's flagship, were not satisfied with retirement, but insisted that he resign. The secretary took cognizance of the reports and called upon Captain Orchard of the West Virginia for a formal statement, meanwhile ordering Admiral (Continued on Page Four)

RECIPROCITY WITH CANADA BLOCKED BY REPUBLICANS

Is Present Outlook, and President Taft, Believing it Will Reduce Cost Of Living, May Turn to Democrats

WASHINGTON, Jan. 27.—Snags began to loom up in the pathway of the Canadian reciprocity agreement before it had been in the hands of congress 24 hours and confident predictions of its failure were made freely by the pillars of the protective faith. It was said that even should the house accept the terms of the arrangement (which republican high tariff advocates did not concede for a moment) it could not pass the senate. These prophesies were carried to the white house by members who visited the president ostensibly on other business, but in spite of their entertaining a pessimistic feeling, Mr. Taft received them with smiles which indicated one defeat would not turn him. If his own party, before surrendering control of the house of representatives, fails to seize the opportunity and the credit of putting into operation this reciprocal trade pact, the president, it is believed, will not hesitate to submit his program to the democrats, perhaps even in an extra session of the new congress. Taft will do All He Can One man in the confidence of the president who has been the administrator's mouthpiece on more than one occasion, came from the white house with the declaration that the proposed Canadian arrangement would not die an easy death so long as Mr. Taft was in the white house. "The president was never more in earnest in his life," he said. "He intends to stay with it" through this session and to carry it to the next if necessary. He would not hesitate to call an extra session if he thought such a course would do the business. President Taft believes that the mutual concession arranged by the United States and Canada, especially the large number of foodstuffs which would be put on the free list, promises a great humanitarian movement that ultimately would mean a material reduction in the cost of living. Disappointed With Tariff Board It is well known that Mr. Taft was greatly disappointed that the tariff board had not completed its investigation of "Schedule K," the wool tariff, so that he could recommend at the same time a reduction in the duties on clothing. He believes that this combination would have applied so forcibly to the great army of wage workers who have felt the pinch of constantly advancing prices on what they eat and what they wear that they would have manifested at once an overwhelming demand throughout the country for the adoption of his program. The overturning of the republican majority of the house and the great change that will be made in the complexion of the senate after March 4, is thought by some to supply President Taft with more than an even chance of success. If the attitude of the democratic leaders of the house proves a true index of the position which minority members of the ways and means committee will take on a joint resolution to put the trade agreement into force, then such a resolution can be brought out of committee. Democrats in Sympathy The seven democrats on the committee are believed to be in sympathy with the agreement and it is certain that four republicans will vote to report it. This makes a clear majority of 19 members. Should the resolution be brought out of the way and means committee within the next fortnight a vote could be had on it in the house during the session. It is in the senate that the barriers now look impregnable. A republican member of the finance committee said today not one of the majority of that body favored the proposed arrangement with Canada, some being opposed because they believed interests of their states to be jeopardized and others basing their objections upon the ground of supposed menace to the principle of protection. The estimate by this member of the sentiment of the committee concerning the agreement may not be entirely correct. It is admitted that a majority of the committee as it is now constituted is opposed to the proposed arrangement and that it probably will require a majority vote of the senate for the discharge of the committee if a resolution to put the measure in force is brought out into the open. After March 4 there will be seven vacancies, half of the membership in the finance committee. It is not doubted that the filling of these vacancies when the senate organizes for the next session will increase the (Continued on Page Four)



AMERICAN FEDERATION OF LABOR LEADERS BEFORE SUPREME COURT

Judge Alton B. Parker Argues For Gompers, Mitchell and Morrison Before Highest Court of Land in Famous Contempt Case Growing Out of Boycott of Stove Company.

WASHINGTON, Jan. 27.—Reaching the conclusion that the Bucks Stove and Range company of St. Louis, Mo., and the American Federation of Labor had settled their disputes out of court, the Supreme court of the United States today stopped the oral argument of the so-called boycott case of the former against the latter on the theory that no issue in it remained for the court to pass upon. Following the action the court listened to oral argument on the "contempt" case embracing the charges of the Bucks Stove and Range company that Samuel Gompers, president of the American Federation of Labor; John Mitchell, its vice president, and Frank Morrison, its secretary, had violated the injunction of the Supreme court of the District of Columbia in the "boycott" case. Each was held to be guilty and sentenced to jail. Today they sat side by side within the bar of the court listening to the arguments as to whether or not they should serve their sentences. Case is Dead. "It is commonly stated that this case is dead," said Justice Lurton, interrupting argument of the "boycott" case. "I wish you would tell us if we are trying a moot case?" Daniel Davenport, addressing the court in behalf of the company, said that his client had informed him, after two appeals, that neither the controversies at the base of the case, nor the case itself had been settled, although a friendly relation existed between the company and the federation. As an officer of the court, Mr. Davenport added that he suspected that the dispute between the company and the federation had been so adjusted that there was nothing left for the court to decide except who should pay the costs. He then produced a copy of an agreement which he said his client had sent him very recently, providing for the adjustment of disputes and for the publication by the federation that the company was in friendly relations with the company. Chief Justice White asked Judge Alton B. Parker, one of counsel for the American Federation of Labor, what he had to say. Mr. Parker responded that there was doubt but that it was moot, thereupon the chief justice announced that the court would not continue to hear the arguments, when the only question possible was to determine who should pay the costs. Argument in Contempt Case. Judge Parker then began his argument of the contempt case. The principal charges against his clients were summarized as being that they had issued publications in violation of the injunction against boycotting the Bucks Stove and Range company. According to Judge Parker, the Court of Appeals in passing on the validity of the injunction had held that the lower court was wrong in enjoining publication against the Bucks Stove and Range company as well as against its customers. He contended that the Court of Appeals held that the lower court had power to enjoin only publications in furtherance of a direct boycott against the St. Louis concern, hence, he argued that the other portion of the injunction was void from the time it was issued. Since the acts of his clients were only prohibited by the void portion of the decree, he urged, the district Supreme court could not punish them for contempt, under the statutes of the United States. He declared that a portion of the injunction decree being void, the entire, as a decree being void, the entire, as a decree was void and even if the acts of his clients were not as he claimed they were, but the court could not punish them for violating a void decree. The acts of his clients were described as the exercise of the constitutional right of freedom of speech and of the press. The argument of the case will be concluded Monday.

COVERED WITH FLOWERS, IN PRESENCE OF FRIENDS, PHILLIPS IS LAID AWAY

Funeral of Author Held Yesterday in New York

SENATOR PALLBEARER

NEW YORK, Jan. 27.—The funeral of David Graham Phillips, author, who was assassinated by Fitzhugh C. Goldsborough, brought together in St. George's Episcopal church near Grammercy park today several hundred men and women well known in arts, letters, science, finance and the professions. Outside the church was a great crowd of less prominent people, attracted by curiosity or admiration of his writings. The only near relatives present were the author's brother and sister, Harrison W. Phillips and Mrs. Carolyn Everett. Senator Albert Beveridge, of Indiana, who was one of the author's closest friends, was one of the pall bearers. The coffin was nearly hidden by a blanket of violets and smilax. Archbishop Nelson, assistant to Bishop Greer of the New York diocese, officiated, assisted by the Rev. Geo. F. Norton and the Rev. J. C. Scott, curate of the church. A male sextette sang "Nearer my God to Thee" and "Rock of Ages." The carriages laden with flowers were in the procession to the Marble cemetery where the body was placed in a receiving vault pending removal to Phillips' former home in Indiana. Two organizations were represented at the funeral by a large attendance of members—The Sun Alumni Association and the class of '87 at Princeton university, of both of which Phillips was a member. There were also representatives of the Indiana society. MRS. MORGAN IN GEORGIA BRUNSWICK, Ga., Jan. 27.—Mrs. J. Pierpont Morgan, wife of the New York financier, arrived here late this afternoon and left at once for Jekyll Island for an extended stay. It was reported that Mrs. Morgan was not feeling well, but there was nothing serious about her condition. She was accompanied by a retinue of maids and traveling in one of Mr. Morgan's private cars.

REVOLUTIONISTS PREPARE CONCERTED ATTACK UPON TEGUCIGALPA, HONDURAS

Capital of Republic Expected to Fall Very Shortly

BONILLA VICTORIOUS

CEIBA, Honduras, Jan. 27.—General Francisco Guerrero, the Revolution leader who was killed in Wednesday's battle, was buried today with military honors. General Lee Christmas, the victorious insurgent leader, rode at the head of the band of insurgents. Thirty American blue jackets from the cruiser Marlatta marched in the procession. Medical treatment is being given to the three officers injured at the emergency hospital where Surgeon Irvine of the Marlatta is in charge. General Christmas has issued rations for all families in need. Nearly all of the former members of the government garrison here are now enrolled under the Bonilla banners and sympathizers are coming in every few hours to join the insurgent ranks. An attack upon Puerto Cortez has been planned and the insurgents here expect it to fall into their hands before Monday. The fact that the Tatemans left here and went to Puerto Cortez with instructions to protect American lives and property lends support to the confident expressions of the insurgents that the attack there will not be long delayed. The insurgents are active in the interior and today captured Yoro, a city of 3,000 inhabitants and the most important place between this city and Tegucigalpa. A concerted attack upon the capital from three sides is expected within the next few days. Honduran revolutionists have complete control of Mousquito department, the extreme northeastern division of Honduras, according to advices received here today on the steamer Hiram. Irionia and nearby towns were captured on January 12, while the steamer was at Irionia and a band of several hundred revolutionists that day started on a march to San Carlos in the department of Colon, where they planned to effect a juncture with Manuel Bonilla's main army. From the latter place it is planned to begin the march against the capital.

FOREIGN STEAMSHIPS IN TRUSTS DIGTATE RATES ON LAND AND SEA IS CHARGE

Representative Humphrey Would Exclude All of Them

END DEPREDEATIONS

WASHINGTON, Jan. 27.—Foreign steamship trusts dictate transportation rates both on land and sea in the opinion of Representative Wm. E. Humphrey of Washington, who addressed the Commercial club here tonight on the subject of ship subsidy legislation. "The whole country for several years," said Representative Humphrey, "has been hysterical because of the action of domestic trusts yet, apparently, we have viewed with perfect complacency any robbery or plundering that may have been perpetrated upon American people so long as it was done under a foreign flag and by foreign ships. All foreign nations recognize these combines as perfectly legitimate and uphold their agreements by law. These combines today practically admit that they are guilty as charged in the courts of this country, but their answer is that we have no remedy." Mr. Humphrey declared that the bill he introduced into the house which provided for the exclusion of ships of foreign combines from American ports would put an end to the depredations of the foreign trusts. ILLEGAL VOTING IN SAVANNAH SAVANNAH, Ga., Jan. 27.—Judge Walter G. Charlton in the Superior court here today, urged the grand jury in a special charge to a thorough investigation of the charges of vote buying and vote selling in this county. The charges follow the arrest of several persons here during the recent municipal election. A few days ago the local ministerial association refused to ask Judge Charlton to deliver just such a charge "presuming that he knows the law." The charge was made public during the city election that many votes had been bartered.

PROHIBITION MEASURES WORRY ALABAMA SOLONS

Modified Local Option Bill May Pass Legislature After Hard Fight

MONTGOMERY, Ala., Jan. 27.—Local optionists practically agreed that there was no hope today for the Smith bill in its present shape. It is frankly admitted that an attempt was made to placate the prohibitionists and the proposition had failed, now the fight will be made first on the floor of the senate. In all likelihood the Smith bill will be allowed to perish in committee. It is reported that practically a substitute measure will be introduced in the senate early next week. There is little doubt as to the favorable report on any administration local option measure by a senate committee or favorable action by the senate. There is also little doubt but that the house committee on temperance will report the measure favorably. Representative Merritt, floor leader of the prohibitionists, stated tonight: "We will accept no compromise measure."

CONFLICTING REPORTS IN FROM MEXICAN BORDER

But Whatever Cause of Revolution It Is Apparently Spreading

MEXICO CITY, Jan. 27.—Passengers arriving at Vera Cruz from Tuxtepec declare that the uprising in the south of the republic has been instigated by a Cuban of evil reputation and two or three agitators who have represented to the Indians that by such means they could rid themselves of taxes and rentals imposed by local authorities. The Indians believe themselves to be the owners of the land they occupy and oppose the proprietorship of the recognized owners. Other reports, on the contrary, appear to indicate that this revolt is fanned by other influences. In some instances receipts are said to have been given for goods and money taken by the rebels bearing the caption "Junta revolucionaria de San Antonio Texas" and signed by Ricardo Flores Magon, a revolutionary who has achieved such notoriety in the past. SUPERINTENDENTS CLOSE SESSIONS RALEIGH, N. C., Jan. 27.—At the session of the North Carolina association of city school superintendents tonight the election of officers resulted as follows: President, W. D. Carmichael, Durham; vice president, R. L. Sheep, Elizabeth City; secretary, A. T. Allen, Salisbury. There was a stirring discussion this afternoon over resolutions regarding the membership of the state text book commission in which Superintendent Bruce Craven, of Kinston, made a fight against the proposed bill of State Superintendent J. Y. Joyner providing that the text book commission be composed of the state board of education and seven teachers. Prof. Craven contended that the text book commission should consist of teachers entirely.

CUMMINS CONTENTS FOR OUSTING OF SEN. LORIMER

Case of Illinois Senator Still Being Debated In United States Senate

WASHINGTON, Jan. 27.—Contending for a rule of procedure that would deny a seat in the senate to any man whose election had been accompanied by fraud, Mr. Cummins of Iowa, today concluded his speech in the senate in opposition to the report of the committee on privileges and elections holding Senator Lorimer's right to his seat to be unimpeached. He declared that at least seven members of the Illinois legislature had been involved in bribery proceedings in connection with the Lorimer election and, holding that these should be subtracted from Lorimer's vote and not from the total vote, contending that the untainted vote had not been sufficient to accomplish Mr. Lorimer's success. The senate was urged to protect itself against such proceedings. FOUND DEAD WITH BULLET HOLE IN HEAD ROANOKE, Va., Jan. 27.—John H. Hurt, 25 years of age, a prominent and wealthy cattle raiser, living near Pounding Mill, Tazewell county, Va., was found dead this morning on a ridge a short distance from his home, with a bullet hole in his head and a revolver in his hand. He was the son-in-law of Geo. W. Gillempe, president of the Tazewell National bank. A widow and seven children survive. No cause can be assigned for his act. DOESN'T WANT TO MIX. AUSTIN, Tex., Jan. 27.—In the upper house of the Texas legislature a resolution calling on Texas not to take part in the rebellion in Mexico was introduced by state Senator W. O. Murray today. The resolution was referred to the committee on federal relations.

REPUBLICAN HAS TO BACK DOWN ON FREE TEXT BOOKS

Democrats Catch Representative Marshall in Nicely Laid Trap

"FOR GOD'S SAKE NO" SAYS FLOOR LEADER

Much Talked of "Teeth" May be Added to Anti-Trust Law

RALEIGH, N. C., Jan. 27.—Representative Marshall of Surry was a republican mouse in the hands of the democratic cat of the house today for a most amusing and spirited play of party politics. Mr. Marshall's bill to provide free school books in North Carolina, as amended in committee by the democrats to apply only to Surry county, was up for consideration. The democrats were bent on putting Mr. Marshall and other republicans in the hole as, to this free school book plank that was in the republican state platform, and in the end, while Mr. Marshall stood out for state wide free books, he backed down from having it apply only in his own county, although he insisted that it was working fine in Lenoir county. As the "political play" progressed, there was brought from Representative Ewart, republican leader in the house, the declaration that he did not believe the state wide measure was practical, particularly on account of the depleted condition of state finances and the excitation, when some member proposed that the bill apply to Henderson as well as Surry, and he was asked if he wanted it for Henderson county. "For God's sake no." The outcome of the whole incident was that the bill was indefinitely postponed with the declared understanding that it will not come up again. Add Teeth to Trust Law Representative Ewart has introduced in the house a bill to amend the anti-trust law. As he says, the present law is "toothless" and it is charged to be in need of it. It empowers the attorney general to institute proceedings upon his own motion, and in case of conviction for violating the statute, denominates the offense a felony instead of a misdemeanor with imprisonment from two to five years as the penalty. The Judiciary committee No. 1 of the house has decided to act on this bill Monday afternoon. It will also pass at the same meeting on the joint resolution by Ewart for an investigation as to the operation of trusts in North Carolina. Revocation Clause in Charter The house committee on corporations decides to report favorably the bill by Representative Ray of Macon county, amending the charter of the Carolina and Tennessee Southern railway by revoking all rights and powers conferred upon the company if it fails to begin construction of the line of railway from Franklin, Macon county, within six months from the date of the ratification of the act, and have the road completed and in operation by the 28th of August, 1912. Mr. H. W. Miller, assistant to the president of the railway, appeared in opposition to the bill, insisting that the work had been suspended to choke up the only natural pass through the mountains into Tennessee, but on account of the deplorable condition of the money market, the (Continued on Page Four)

WEST VIRGINIA SENATORS IN LEGISLATURE UNABLE TO REACH WORKING PLAN

Republicans Still Insist on Having Presiding Officer

TRY COMPROMISE

CHARLESTON, W. Va., Jan. 27.—Overtures from the republican members of the senate renewing the efforts at compromise in the fight for control of that body were made this afternoon simultaneously with the expiration of the armistice which had been entered into with the democrats last Thursday under which the republican senators returned from Cincinnati. The proposition submitted by republican leaders to the democratic steering committee is a modification of former demands and offers to permit the democrats to name the president of the senate provided that office is given to one of the republicans; members; the proposed terms are the same as those rejected by the democrats last night. The democrats are expected to answer the proposition tomorrow. Meaning a "gentleman's agreement" holds that until this has been disposed of no attempt will be made to arrest the republican absentees.



WASHINGTON, Jan. 27.—Forecast: North Carolina: local rains Saturday; colder Saturday night; Sunday probably fair and colder; moderate west winds.