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ASHEVILLE, N. C., SATURDAY MORNING, MAY 6, 1911

IS CONSPIRACY TO CORNERCOTTONAN UNLAWFULOFFENSE

This Question is Now Presented to the Supreme Court by Government

MILLIONS WERE MADE IN BULL CAMPAIGN

Attorney-General Wants to Send the Leaders in the Case to Prison

WASHINGTON, May 5,-Another puzzling question about the Sherman anti-trust law today made it appearance in the Supreme court of the United States to plague that tribunal.

It was this: Does a conspiracy to fix the price of a commodity by procuring a "corner" constitute a violation of the Sherman anti-trust law? The government ranks the importance of the question along side that of the Standard Oil and Tobacco cases now awaiting decision by the Supreme court. latest member of the "trust" problem family came into court in a writ of error obtained by the government from the recent decisions of Judge Noyes of the New York Federal court regard to the anti-trust law indictment against James A. Patten-Eugene C. Scales, Frank B. Hayne, and Wm. P. Brown. The court dis-missed the counts in the indictment which charged a conspiracy to "cor-ner" the cotton market. The indictment arose out of the "bull" cambaign in cotton in 1910 on the New York cotton exchange. It was estimated that the alleged leaders of the campaign, Patten, Scales, Hayne, and Brown made between \$10,000,000 and \$12,000,000.

Many Years to Reach The case was docketed today as number 1,033, which means ordinarilly that it will not be reached for argument and consideration by the ourt for nearly three years. Inasnuch as the appeal of the government was made under the criminal appeals act the department of justice must "diligently prosecute" the aping made to have the case advanced for hearing early in October.

The government's position in the case was stated by Judge Noyes to be "that any combination which interferes with the right of the manufacturers to purchase a commodity mov-(Continued on Page Four)

MILLIONS IN TRIBUTE IS

THE SOUTHERN FARMER

New in House Will Vote

Sebrasks, and Smith of Michigan.

jute bagging for baling cotton were

testimony before the ways and mean!

WHAT IS A TURTLE?

tle was declared by Professor Robert

Yerkes of Harvard university to be

to a fish and to possess a highly de-veloped nervous system, capable of

memory, intelligence and lovable ten-

instructed a jury to bring in a verdict

of not guilty in the case of John H.

Weiner, a restaurant proprietor, who

was charged with cruelty to animals

turtle on its back in a window last .

in keeping a 160-pound green sea

One Republican Who is Travelers' Protective As-

LEAGUE FOR PEACE **PLANNED ASMEANS** TO PREVENT WARS

Third Peace Congress Adjourns After Making a Number of Important Suggestions for Preservation of the Peace of the World.

ing the development of the peace movement throughout the country, were adopted by the delegates to the congress today.

wide peace through the treaty of arbitration with Great Britian and for the establishment of the international prize court and the international court of arbitral justice. The suggestion made yesterday James Speyer, the New York banker, that nations should prevent, as far as possible, loans being raised by their subjects or citizens in order to enable foreign nations carrry on wars is favored and the United States government is requested to include this matter in the posed program of the third Hague conference, This resolution was submitted by Isaac N. Seligman, another leading banker of New York

For League of Peace.

The resolutions urge this governnent to enter upon negotiations with other powers looking towards the formation of a league of peace planned simply to settle by amicable means all questions of whatever nature which may arise between the contracting powers.

A general arbitration treaty on the is a study of armaments by official commissions of the various governments interested. The proposed celebration of one hundred years of peace between the English speaking nations is approved and the congress pledges its support to the movement. Another resolution asks that the government hold each state responsible for any outrage committed upon the person or property of "Big Al" Kaufman of San Francisco foreign subjects within the state in the tenth round of their fight her The gratitude of the congress is ex-pressed to Andrew Carnegle and Edward Ginn, of Boston for their munificent contribution to the cause of peace.

ing once in two years. This action tonio today.

TRAVELING MEN MEET IN

PAID BAGGING TRUST BY SESSION AT RALEIGH OF AMERICAN CONTINENT

AND HEAR MANY REPORTS

sociation Has Grown

BALTIMORE, Md., May 5 .- Reso-, was taken to meet the need for utions crystalizing the sentiments central representative body which which have inspired the sessions of shall serve to cordinate the efforts the third Peace congress ,and mark- of all the societies in America devoted to the settlement of international disputes by methods other

They contain a hearty endorse-ment of the federal administration for its efforts in behalf of world-presiding a stoast master at the ban-Speaker Champ Clark, of the presiding a stoast master at the hanquet of the peace conference tonight lent his counsel for the world wide peace. Mr. Clark said:

"It may be appropriate for me to state that my voice is not for war but for peace—peace consistent with national honor and with national safety.

the peace movement as a harbinger, not of the millenium but for a far better state of affairs than has isted ou earth at any time since Cain slew Abel.

"We should lead resolutely constantly in this movement; there is every reason why we should do With friendship for all nations entangling alliances with none, with no desire to encroach upon any one lead in this glorious undertaking.

RAILROAD MAN KILLED

BLUEFIELD. W. Va., May 5.-When a motor work car was run into by an extra freight at Wetmore on the Norfolk & Western railroad lines of the proposed treaty with today J. M. Walker, roadmaster, was Great Britian is favored as also killed, and W. R. Dawson, assistant superintendent, and J. R. Anderson, master carpenter of the railroad, were fatally injured. Dawson is one of the best known railroad men in

JIM FLYNN KNOCKED OUT

KANSAS CITY, Ma., May 5.-With hard right swing to the jaw, Jim Flynn of Pueblo, Col., knocked out Big Al" Kaufman of San Francisco

REBELS HAVE TORREON

SAN ANTONIO, Tex., May 5 .- That Permanent Congress.

Under the name of the American fallen into the hands of the revolu-Peace congress the present body he- tionists is the news in a private sicomes a permanent institution meet- pher telegram received in Aan An-

GIVE MEDAL TO CARNEGIE

Most Signal Honor Paid to

Millionaire Advocate of

It's Hard for the Poor Office Man.



RESIGNATION OF DIAZ MOMENTARILY IS EXPECTED IN CAPITAL OF MEXICO

Statement Officially Made That He is Slightly Indisposed .- Military Parade is Omitted .- Government Silent as to Capture of Several Cities by Rebels .-Crowds Parade Streets and Yell "Viva Madero"

MEXICO CITY, May 5.—The resignation of President Porfirio Diaz as president of Mexico within a very short time is regarded here today as a certainty. Should the announce of his intention to resign will not be a certainty. Should the announce-ment of his intention to resign be made known tomorrow or even to-ight it would cause no surprise to members of his cabinst.

No authoritative confirmation of this could be obtained but there ap-pears little doubt that President Diaz, recognizing the seriousness of the sit-ustion and responding to the popular demand, will retire when order is re-stored.

At the president's office today no statement would be had and the members of the cabinet, realizing that he was the only man who could give a direct answer to the demands Francisco I. Maero Jr., the revolutionary leader, that Diaz should make known publicly his intention to re tire, were silent.

At I o'clock today Minister of Foreign Affairs De La Barra and Minlater of Finance Limantour were peremptorily summoned to the office of same official scheduled for tomorrow night had been postponed until May 12. The reason for this change of plans was given as "the slight illness of the president."

Diaz Is Slightly III.

The president's indisposition is known to be slight but on orders from front of the palace, or poured aimhis physician he must "remain indoors." Since the statement was is- streets of the neighborhood. In Isasued, General Diaz is known to have been out automobiling. This morning themselves before a street car, stop-

est.

In the event of his resignation there will be no opposition from the pres-ent government officials to Senor De La Barra's incumbency of the presi-dential post pending new elections. The question of Vice President Coral's resignation of vice President Cor-n's resignation is not so simple. It is known that before leaving for Eu-rope he refused to resign, and since arriving there he has retterated this statement. But this is regarded as merely incidental. The officials consider the resignation of Diaz the only solution to the trouble.

In the capital today the capture of Puebla by Inasio Plaga was characterized as merely incidental.

Military Parade Omitted,

For the first time in many years the usual military parade was omitted because the nation's soldiers are otherwise occupied. President Diaz took almost no part in the civil functions. the president, Following a three hours | Most of the business offices and merconference statements were issued by cantile houses were closed and Sunthe foreign office, saying that the reday like calm prevailed, Crowds of This was unloaded and the rebels would consent that the pleas be mu ception to the Chilean minister set peons who swandered idly about the with their horses got into the box for tomorrow and the banquet to the streets furnished the only excitement. They gathered in front of the national palace and, although laughing and chatting, indulged in a few cries of "viva Madero."

The police took no measure to disperse the crowd, which filed into the garden of Zocalo, the big squares in bella in Catolica street crowds banked

all the cars today. Still the police failed to interfere, and it was only when the mob seized a soldier, lifted him to its shoulders and marched off with him crying "viva Madero" that the mounted police rode into its midst.

Crowde Piepersed.

The crowd was not looking for trouble, however, and dropped the soldier and fled. Nobody was injured. Another crowd pushed down Cadena street and in passing the president's house let out a few shots deregatory to the government and laudatory of Madero and the revolution. The police also dispersed this crowd again, however, without any one beagain, however, without any one be-Railroad traffic continues demoral-

ized. A train arrived today from the north brought a story of a hold up by rebels at Lulu, a station ninety miles south of Satillo. The rebels searched the train but did not molest in any way the passengers. From the express car they took some thousands of pesos, however. The rebels then held the passenger train until the arrival of a freight train, the box cars cars. The crew of the freight train was then told to get aboard the passenger train which was permitted to proceed. It developed then that the rebels had their own train crew and even telegraph operators. They told the scople on the passenger train that they were going north on a bridge burning expedition. The war department is silent on the subject of Tork reron. Saltillo and Durango, which are reported to have been captured by the rebels.

TWO ACCUSED MEN ARRAIGNED UPON MURDER CHARGES

PRICE FIVE CENTS

Two McNamara Brothers Formally Brought Before Court in Los Angeles

MANACLED THEY HEAR THE INDICTMENTS READ

Accused Men Are Given Until the First of June to Enter Their Pleas

LOS ANGELES, May 5 .- John J. McNamara, secretary of the Interna-tional Bridge and Structural Iron today arraigned before Judge Walter Bordwell of the Superior court on charges of murder and dynamiting and his brother, Jas. B. McNamars, was st-raigned on a charge of murder, all in connection with the explosion which wrecked the Los Angeles Time building on October 1, 1910, and kill-

Ortio E. McManigle, alleged to have

Ortic E. McManigie, alleged to have made a confession implicating the McNamarae, was not arraigned. It is not expected that he will make any appearance in court until the trial begins. The day for the McNamara brothers to plead is fixed for June 1, Fully an hour before the time for the arraignment, the court room was crowded, despite efforts of the officers to keep the proceedings secret. The McNamara brothers, with hands manacled, were brought into court by Sheriff Hammel and three deputies.

Assistant District Attorney Ford read all of the 19 indictments charging the men with the murder of sm-

rend all of the 19 indictments charging the men with the murder of employes of the Times plant. Accused
with the brothers in the indictments
were Wm, Caplan, alleged to have
been an abettor of Jas, B. McNamura
in the explosion and four others, one
a woman, who were masked by the
names of "John Doe," Richard Doe,"

who appeared later the inquisito-rial body only yesterday.
"Considering the importance of the case and the listance which it may

be necessary to bring witnesse torney Rappaport for the defense said: "I would like to have thirty days before the plans are enterd." before the pleas are enterd."
"If you are allowed an unusual time

to enter pleas," said Prosecutor Fre-dericks. "will you waive the provi-sion of statute which declares that the men must be tried within six days after they are arraigned?"

Rappaport signified his willings on June 1. Ford then read the other 18 indictments. James B. McNamara was permitted

to sit down, and then as in was read charging John J. McNamars was read charging John J. McNamar.
Ortic E. McManigle. "John Doe."
"John Styles." "Richard Doe." and
"Jane Doe" with dynamiting the
Liewellyn Iron works last Christmas
day. The time for McNamara to plead to that charge also was fixed for

for Farmers' Free List Rapidly in N. C. Universal Peace DEBATE CONTINUES BARBECUE GIVEN ANOTHER DONATION WASHINGTON, May 5 .- Repre-RALEIGH, N. C. May 5 .- The

sentative Warburton, of Washington, North Carolina division, Travelers a newly elected republican member of Protective association, met here today the house of representatives, and in annual convention with J. J. Nornounce his intention of supporting man, Winston-Salem, as president and one hundred and fifty or more to Andrew Carnegie" and "Benefactor the democratic free list in a speech "Knights of the Grip" here. The travin the house this afternoon. Mr. Warelers were welcomed to fitting terms burton said many of the republican by Mayor James I. Johnson who is criticisms of the bill were undoubtedhimself a member and high official dollars already donated toward the in the association of traveling men. erection of the Pan-American Union ly well founded but others were overdrawn. He believed the bill was a step in the right direction. Speeches in The response, which was happy in vein and to the point, was by Chas. F. Tomlinson of High Point, who is ered by Representatives McHenry, of national director. Soon after noon ennsylvania; Amsbury, of Ohio; Hensley, of Missouri; McCoy. of New the travelers went in special cars to the state fair grounds for the bar-Jersey: Littlepage, of West Virginia; Dixon, of Indiana; Bartlett, of Georbeque provided by the local post gia, and Clark, of Florida, Speeches Secretary and Treasurer McLean showed the North Carolina division gainst the bill were made by Representatives Wilder of Massachusetts; has grown the past year from 68 to Warner of Pennsylvania; Sloan of in a most flourishing condition. One Mr. Bartlett attacked the so-called new post, that at Hickory, was organcotton bagging trust." He said there ras evidence that manufacturers of ized as post K.

President Norman recommended operating through an understanding that the offering of prizes for applications for membership be continued equivalent to a combination, Mr. Gillette, of Massachusetts, challenged Awards were made for the past year. the statement and Mr. Bartett cited the following records being made:

J. J. Norman 21; E. W. McNairy committee in 1909. He declared the 10; B. H. Marsh 30; C. F. Tomlinson hern farmers were discriminated 30; G. J. Howard 10; P. R. Masten against in that cotton bagging was 12; C. G. Lee 18; H. O. Miller 14; J. ne binding twine was free T. Lassiter 5. Carving sets, umbrelof guty and that southern planters iss, alarm clocks and a variety of had paid five million dollars to the other especially apropriate articles alwaed "bagging trust" in five years. were among the prizesiawarded.

notels, John E. Call; BOSTON, May 5.—Although a tur-e was declared by Professor Robert employment, J. T. Lassiter: sick and ralief, J. S. Funchess; good roads, R. more nearly related to a bird than J. Dunahoe.

Also a report from Chas, G. Lee. dencies, in the superior court today legislative report and the report on entitlements at the hands of the legislature as to the mileage book issue and the pulling of mileage on trains

attorney, Asheville. There was spec- New Jersey organization, which west declared that Stetson, the negro

good roads. The traveling men in- from the state of New York and all sist that they have not gotten their pending prosecutions against the con-(Continued on Page Four)

WASHINGTON, May 5 .- After reseiving a gold medal presented by the 21 American republics bearing the words "The American Republics of Humanity," Andrew Carnegie today announced he would give \$100,-000 in addition to nearly a million erection of the Pan-American Union building to be used for the artistic

completion of its extensive grounds. President Taft. Secretary of State Knox and hundreds of persons prominent in diplomatic and official life paid honor to Mr. Carnegie here today when the medal was presented in The reports of President Norman and the hall of the Pan-American building with John Barrett, director general of the union declared that never before in history had an individual 802 members and that the order is been so honored by a group of nations, Senor Zamacona, the Mexican ambassador, Secretary Knox and Mr. Carnegie made addresses.

"We meet here today." said president, "to take part in the cere-mony of the presentation, by the union of these republics of the Pan-American gold medal to the individual, foremost in the world in his energetic action for the promotion of peace. We are all glad to take part in it. The immediate cause was presentation to that union of this beautiful temple of peace."

Mr. Carnegle in a speech accepting the medal, declared that the gift be-There were reports by chairmen of stowed upon him was an "honor, the committees: railroads. P. R. Hasten; like of which has never before been bestowed upon a human being." ICE CASE IS CLOSED

NEW YORK, May 5 .- The \$40 .-

000,000 American Ice company, a er, organized in 1899, has withdrawn earn as a monopoly have been dis-missed. This was announced almost

Negro Desperado Utterly Collapses as He Is Lead to the Electric Chair

RALEIGH, N. C., May 5 .- Tremblthe electrocution as carried out by hour the body of the negro, duly cofrelatives at Fayetteville.

West shot to death Deputy Sheriff George Munford at Wilson, February week they evaded arrest while hunwhere he had just pawned one of seven revolvers he was carrying. In a statement to his spiritual advisers New Jersey organization, which West declared that Stetson, the negro complice, is innocent.

WEATHER FAIR.

WASHINGTON, May 5 .- Forecast: simultaneously in New York and Al- Fair in interior, cloudy on the count; heny late today by the company and Saturday and Sunday; moderate

LEWIS WEST PAYS PENALTY | POLITICAL ERA DAWNING FOR MURDER OF OFFICER WHIGH MEANS MUCH GOOD

That Both Political Parties Are Reforming

KANSAS CITY, Mo., May 5 .ing in every limb from a complete Woodrow Wilson, governor of New Piedmont Traction company, which nervous collapse and wailing out that Jersey, in a speech before the Knife is building the interurban line he had no ill will to any one and and Fork club tonight, declared that through the Carolinas, today award noped to meet everybody in Heaven, a political era, promising much for ed the contract for practically the Lewis West, the notorious negro out- the weifare of the nation, is now upon law of Wilson, paid the death penalty the American people. The movement in the electric chair in the state's is one of a revolution, marked by the prison here this morning at 10.30 process of restoration rather than of o'clock. There was not a hitch about a revolution, he said. Both political parties, he said, were represent-Warden T. P. Sales and within half democratic party was not so closely ailied with the reactionary forcesfined and boxed for shipment, was at "the interests," as was the republican the union depot awaiting shipment to party, however, said the governor and include freight or passenger cars. therefore the democratic party was better able to serve the people in the "process of restoration."

The presence of Governor Herbert the 3, while officers were attempting to S. Hadley of Missouri added interest arrest West and a number of "pale" to the occasion. Both state execusurrounded in a house. For over a tives were referred to during the evening as presidential possibilities in dreds of citizens scoured the country night was the first to be delivered for him. Figally he was taken in a during his western tour. He spent negro eating house at Lumberton, a busy day as the guest of local civic organizations.

T. P. A.'S IN S. C.

GREENWOOD, S. C., May 5.—The annual convention of the South Carolina division, Travelers Protective association of America, closed here tonight. Election of officers, a decision to continue the fight to have railroads "pulled" mileage on trains and the adoption of a resolution authorizing the proposed perceis post law were features of the clos-

BIG CONTRACT IS SIVEN FOR ELECTRIC EQUIPMENT

Woodrow Wilson Declares Interurban Electric Road be Modernly Equpped

> CHARLOTTE, N. C., May 5 .- The entire electrical equipment of the line between Charlotte and Greenwood, S. C., to the Westinghouse Electrical & Manufacturing company of Pittsburg, for the sum of three hundred thousand dollars.

The contract embraces eight elec-tric locomotives of the motor type. transformers, wire, etc., but does not There were three bidders and J. B. & B. N. Duke, together with the local representatives of the Southern Power company, have been in conference with the bidders all the Contracts approximating two millions have thus far been let, and after the remaining equipment purchased the Southern end of the line will have cost twenty-five thousand dollars a mile, which is the amount estimated by the engineers.

DOES ANARCHY EXIST?

EL PASO, May 5 .- General Francisco I. Madero, the rebel chief, tonight received a message from a New York newspaper informing him that in the United States it was believed that anarchy prevalled in Mexico and

COAL IMPORTATIONS FROM CANADA MAY BE CAUSE OF MORE TROUBLE IN ALASKA

Through Charlotte Will Protection is Asked for Steamer Inward Bound With Cargo of Coal

WHARFS GUARDED

COLORADO. Alaska, May 8,-There was no further disorder to-day over the importation of Canadian coal and none is expected unwhich sailed recently from Nanain with 2,000 tons of Capadian coal for the Alaska Steamship company. Threats were made today that the Edith would not be permitted to discharge her cargo. As all Cansdian coal in port is under contro of the United States customs officers until it is landed and the duty paid the deputy collector of customs for Cordova today made a demand on United Etates Commissioner O. A. Tucker for protection for the Edith. He was assured that an ample force of deputy marshals would be on hand to protect the property.

Mayor Lathrop sent the following message to acting Governor Distin

"Serious disturbance account of Canadian coal on dock yesterday.
Believe can handle situation at
present. Threats greely made ao
destroy cargo of Edith new en route.
Government must stand ready to

United States Deputy Marshall Brightwell arrived from Orcals lest night and swore in deputies who are new standing guard on the whart of the Alaska stoomship company