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NORTH STATE CAPITAL NEWS

Competition May Come in Fire Insurance Commissions—News of United States Court—Four Pardons Granted Yesterday by Governor Kitchin.

Special to Telegram.
Raleigh, April 17.—The fire insurance companies doing business in North Carolina have announced an agreement to change the basis of commissions paid to agents in North Carolina from a fifteen per cent. flat rate to a scale of commissions from fifteen to twenty-five per cent. according to risk, this to be effective May 1, but the State Commissioner of Insurance, James R. Young, announced today a ruling that under section 3491 of the 1908 Revisal the regulation under which this change is promulgated is illegal and inoperative in this State, in that the section cited makes it unlawful for any fire insurance company to exact an agreement from an agent that he will not accept an agreement with any other company for a different basis of compensation. It is believed here that the effect of the ruling will be to bring about a general shifting and competition in the basis of fire insurance commissions to agents in this State.

Dr. J. Y. Joyner, state superintendent of public instruction; C. L. Brogden, of the State department of education, and a party of fifteen or twenty prominent educators of this State left today for Jacksonville, Fla., to attend the sessions of the Southern Educational Conference there this week.

The office of the Eastern District United States marshal here is notified by Deputy Marshal Lilly of Newport, Beaufort county, that he has just succeeded in arresting R. F. Sanders, a desperado who has given no end of trouble the past several years by persistent violation of the revenue laws as to blockading, retailing and every other way that he could and has defied officers and gone heavily armed with the declaration that he would never be taken again alive. He has served one term in the penitentiary. Marshal Claudius Dockery is much gratified at having the outlaw in custody again.

The officers of the United States court for the eastern district went today to Washington, N. C., to hold a term of court there this week. It is expected that the business of the court will hardly require the entire week.

The United States court room in the government building here is being put in order for the May term of court, this being the rounding up of a complete overhauling of the building the past year. Three handsome combination chandeliers for electricity and gas are being installed with very handsome standard lights on either end of the judge's desk and drop lights for the clerk and other officers.

First, Morris, regimental commissary for the Third regiment, arrived today from Reidsville to prepare for the coming of the rifle range teams to represent the various companies of the regiment in the competitive shoot to be held here Wednesday, Thursday and Friday. There will be a squad of riflemen here from each of the fourteen companies in the regiment. Interest in the contest is very great.

Governor Kitchin spent today at Smithfield where he delivered an educational address. He returned to the city tonight.

Four conditional pardons and three commutations were announced today by Governor Kitchin. Tom Simmons, serving seven years in Buncombe county for manslaughter is pardoned on the recommendation of three physicians who say the prisoner is in the last stages of tuberculosis and has grown steadily worse since his imprisonment a year ago, the judge, the solicitor, the attorney general and others also joining in recommendations for the pardon.

J. W. Carlton, who has served nine of a twelve months sentence in Durham county for buying stolen goods knowing them to have been stolen, is pardoned because of serious physical condition through ravages of sciatica, court and

MAYOR J. S. WYMAN WAS DEFEATED IN RALEIGH PRIMARY

The "Good Government" Forces Nominated Five Aldermen—Other Officers.

Special to The Telegram.
Raleigh, April 17.—In the Democratic primary in Raleigh today the "good government" forces won five out of eight aldermen, the opposing faction, which was defeated two years ago, carrying practically all the remaining nominations, the nominations being equivalent to election.

Ex-Mayor James I. Johnson defeated Mayor E. Stan Wyman, the "good government" candidate, by a majority of 286 votes. Thomas Badger is restored to the office of police justice over Alex Stromach. Harle Glenn will succeed W. W. Wilson as city clerk. John S. Jones, the present incumbent, received the nomination for tax collector.

The "good government" aldermen are Joseph G. Brown, W. A. Cooper, J. C. Ellington, C. A. Johnson, Alexander Webb. The minority aldermen are J. Sherwood Upchurch, G. M. Harding and E. D. Peoples.

Carolina Wins Track Meet.

Special to The Telegram.
Raleigh, April 17.—In the intercollegiate track meet this afternoon Carolina scored 57, A. & M. 41 and Wake Forest 19. Carolina made six first scores, A. & M. made five and Wake Forest made two.

Farmers Down Baptists.

Special to The Telegram.
Raleigh, April 17.—Before the largest crowd ever assembled on the athletic field here A. & M. defeated Wake Forest this afternoon by the score of six to nothing.

Junior Baraca Officers.

The Junior Baraca Class of the First Baptist church, met in their class room with their teacher, Mrs. M. W. Thompson, Sunday morning and elected officers for the next three months as follows: Ager Forney, president; James Hampton, secretary; Walter Rowe, treasurer; Chas. Thacker, reporter.

Negro Championship Game.

This afternoon at 3:30 o'clock at Cone park A. & M. College baseball team will meet the Knoxville College champions. This promises to be the greatest colored game of the season, as A. & M. has spared no time in getting into condition for the battle. Knoxville comes here represented as the winners of many trophies, but the Greensboro team is expecting to turn the tide. Batteries for A. & M., Brooks and Foster; for Knoxville, Williams and McMorris.

county officers joining in application for the pardon.

Jesse Barlow and J. R. Hyman, of Martin county, are pardoned from respectively two and four years sentence in the penitentiary for burning a store house, twelve months of the sentences having been served to date. The evidence is stated to have been circumstantial as to burning a barber shop, a twelve-year-old negro boy swearing that he heard the two plotting to burn the place. Evidence now before the Governor is that one of the two prisoners was not even in the county at the time the plotting was sworn to have been done. Even the attorney employed by the State Department of Insurance to prosecute the prisoners now recommends the pardons.

Of the two commutations, Lee Wadford, a sixteen-year-old boy has his sentence of one to three years on Wake county roads for stealing \$10 from his sister commuted to eight months at the instance of all parties concerned on the ground that the ends of justice will be met in this way. The other commutation is for Henry Logan serving three months on the roads in Stanly county for carrying a concealed weapon, the condition being the payment of a fine of \$50 and costs. He is represented to the Governor as having aided in breaking up a number of blind tigers, the chief of police and attorney for the town of Albemarle both recommending this course.

WAKE FOREST WINNER OF THE LOVING CUP

Last of Series of Three Contests Decided Permanent Ownership of Chamber of Commerce Trophy—Debate Spectacular Affair and Drew a Large Crowd.

By a vote of 100 to one the judges of last night's debate decided in favor of the affirmative and Wake Forest will hold permanently the loving cup offered by the Greensboro Chamber of Commerce to the side winning two out of a series of three debates. The query was "Resolved, That the United States should fortify the Panama Canal." Messrs. J. B. Eller and S. C. Hilliard, of Wake Forest speaking in the affirmative, while James Allen, Jr., and M. S. Hester, of Davidson, upheld the negative. The judges were Dr. Howard H. Hester, of Salem; Dr. M. M. Kinard, of Salisbury; and Rev. Thos. G. Faulkner, of Greensboro. The former voted for the negative and the two latter for the affirmative.

The debate was held in the opera house and every seat was filled when R. C. Hood, president of the Chamber of Commerce, opened the debate and introduced the first speaker. He announced that according to the rules of the debate the judges were to consider the argument and not the merit of the question debated. The proximity band furnished music for the occasion. Presbyterians and Baptists were present in large numbers and the applause was liberal at the conclusion of each argument.

The opera house was decorated with the colors of the two colleges the gold and black of Wake Forest being intermingled with the white and light blue of Davidson.

The managers of the debate were J. Powell Tucker, of Wake Forest, and Maxey H. Carr, of Davidson. The marshals were: Wake Forest—T. A. Hayward, A. J. Harris, Jr., G. W. Sawyer, H. J. Langston; Davidson—H. N. McDermott, G. W. Mackey, E. S. Currie, M. H. Carr.

J. B. Eller Opened For Affirmative.

The debate was opened by J. B. Eller of Wake Forest, who argued for the affirmative side of the question under discussion. He said:

"The story of the isthmian canal is one of the most romantic pages of all history. No single project in the field of public work has been prosecuted by civilized man through so long and tempestuous a period of preparation. Many private attempts to build such a waterway have utterly failed. In 1910, however, the United States after the abrogation of the Clayton-Bulwer treaty secured sovereignty over the canal zone from the Republic of Panama, and began work in earnest. We are now spending \$400,000,000 in digging the canal. The real question for discussion is should this our priceless achievement, this monument to our national sacrifice, this most liberal contribution to the progress of man in all ages should it be left defenseless and helpless? We answer emphatically no. In support of this position I will advance three propositions:

"In the first place we have the legal and moral right to fortify the canal. The second Hay-Pauncefote treaty the one now in force abrogates the Clayton-Bulwer treaty, does not forbid fortifications, and gives us the right to protect the canal. Our treaty with the Republic of Panama expressly declares that the United States shall have the right at all times, and in its discretion, to erect fortifications. There, our legal right is unquestionable.

"Again, all nations have the moral right to protect their own property. The canal is ours. It is a continuation of our coast line. The canal zone has been granted to us in perpetuity, we hold absolute sovereignty over it. This being true the possibility of war makes it a duty to be ready for self preservation. Every practical legislative mind knows that war is still incident to the life of every sovereign people. Universal peace so far is a delusion. In the last twelve years there have been three wars of international importance. Our future is unknown. We have at last met, the world on the Pacific, and the question of the 'Far East' bristled with a thousand possibilities. Turning southward

we can already hear the echoes of war rolling across the great Pacific. Hence, the United States has unquestionably a moral right to fortify the canal.

"The second proposition is, that the policy of fortification is warranted, in the first place to protect it by international agreement would enlarge the 'Munroe Doctrine.' This 'Doctrine' has been one of self-protection—the bulwark of our nation's existence, and reason condemns a policy that would strip it. Again, an unfortified canal could be easily commandeered by European powers as they hold positions in the Caribbean Sea. Furthermore, the canal will bring Asiatic powers 14,000 miles nearer our Atlantic seaboard, and Europe that much nearer our Pacific coast. Therefore, the policy is doubly warranted.

"In the third place, the strategic value of the canal as a military asset makes fortification necessary and imperative. To begin with our purpose in building the canal was definitely military. Not to fortify the canal is to surrender the very purpose of its construction. Again, fortifications will double the efficiency of our navy because we must either fortify it so our fleet can pass through safely doing service in both oceans or place an extra fleet on the Pacific. Finally, fortifications will be a wise military move for our complete national defense. With our possessions and twelve thousand miles of coast and least this problem is an idle dream. Congress of this fact Congress has at least unanimously voted to fortify the canal. If fortifications are wrong, then President Taft, the national legislator and the leading military experts of the United States are deliberately misleading our people. Such a thing is preposterous. Therefore, fortifications must be a military necessity.

"In conclusion, a fortified canal will be at once a boon to mankind and the main stay of our national defense. It will insure our national supremacy of the Western Hemisphere, guard the new world of American ideas in the civilization of the twentieth century, and add another star to the already radiant galaxy of our unselfish triumphs for the world and humanity."

S. C. Hilliard's Speech For the Affirmative.

In defending the affirmative, S. C. Hilliard proposed to deal with the international phase of the question, and presented the following:

"First, that international fortification is incompatible with our exclusive control and is wholly undesirable.

"Second, that fortifications are necessary to enforce our neutrality obligations and at the same time to secure to the United States the military advantage of the canal.

"Third, that fortifications are not out of harmony with the Peace movement, but will rather serve as a guarantee of Peace."

In considering the first proposition he condemned international protection by recalling the demands of the "Munroe Doctrine" and further stating the danger disregarded by the nations of the invitations extended to them to become parties to the Clayton-Bulwer treaty. He showed its inadequacy by citing the Russo-Japanese war which was fought on neutralized territory unprotected. The practical violation of the neutrality principle by Austria-Hungary in seizing Bosnia and Herzegovina, and Bulgaria's annexation of Rumania, all, he declared had been violations of the treaty agreement and yet the world had taken scarcely any account of them.

"Switzerland and Belgium are," he continued, "said to be protected by international neutralization, but so great is their fear under such protection that they maintain the largest standing armies pro rata of all other nations. In short, such agreements are kept until convenient to break them, as was the case of England and France in 1864 and

MAYOR OF DOUGLAS WIRES PRESIDENT FOR PROTECTION

City in State of Siege as Result of Battle—Rebels Still Hold Agua Prieta.

By Publishers' Press.
Douglas, Arizona, April 17.—The battle of Agua Prieta raged from shortly after daylight until darkness put an end to the encounter for the day. The fighting will be resumed tomorrow. Despite the warnings from the United States government, the fighters placed this city in a state of siege, bullets falling like hail in the streets and penetrating through window panes. Six persons were wounded. The customs house, office buildings and many residences were shelled for five days and during the thickness of the fighting had to be deserted by the occupants.

Alarmed by the situation in the streets today and the danger in which all residents were placed Mayor Meyer tonight sent the following message to President Taft: "The persons who shot in Douglas today during the battle of Agua Prieta between the Mexicans and rebels and the construction. The battle is still raging and the word is out to some bullets are falling all over the city. Cannot something be done for our protection?"

The Federalists Reported.

By Publishers' Press.
Douglas, Arizona, April 17.—The federalists under command of Col. Reginald Dyer, a nephew of President Taft, were reported today to a battle fought in an effort to retake Agua Prieta. They reported this evening toward the front.

The insurgents reported one night the gun and one held place during the fight. Reginald Dyer's statement that the federalists were allowed several times during the battle by the insurgents.

On the federalist side several hundred men were engaged and they fought bravely. Their machine guns and shells were of little use. One of the federalist men of Tolson, Ariz., received a shell wound. John Hamilton of Agua Prieta was struck in the breast by a bullet while waiting in the streets here.

After being reported in the first account the federalists returned just before noon. The insurgents, one hundred strong, retired and threw up new intrenchments near the American border. The main army was not forced to fall back.

Twenty dead insurgents from the advance lines were brought into Agua Prieta. Insurgents from the front reported that the federalist losses were severe.

Rebels Say They Will Hold Agua Prieta.

By Publishers' Press.
Agua Prieta, April 17.—Rebels, one of the rebel chiefs who commanded the progress of the town, captured one of the machine guns of the federalist forces and tonight "The commander of the loss of our sharpshooters in the two machine guns the federalist brought into action. Our men are holding every position taken by them as far as we are concerned the right wing of the federalist army which attempted to enter toward the American border. We are going to hold Agua Prieta."

John Cabell is command of 1,000 insurgents is expected to arrive to save the position late tonight.

Awaiting Instructions From Congress.

By Publishers' Press.
Washington, April 17.—Secretary of War Dickinson stated tonight that after an examination with American troops cross the border into Mexico without the authorization of Congress.

Training Camp for Volunteers.

It is the "W" correspondent to Mexico who are also getting the practice maneuvers. Expedient school of journalism.—St. Louis Globe-Democrat.

It seems necessary to fight for long or to travel far if one is looking for a chance to do a good deed.—Chicago Herald.

DECISIONS ARE EXPECTED SOON

Corporation Commissioners Have Returned to Raleigh and Decisions in Pending Cases are Expected—Railroad, Steamboat and Telephone Cases Pending.

Special to Telegram.
Raleigh, April 17.—Now that all three of the North Carolina Corporation Commissioners are in the office here again after their recent absence in the west, final decisions may be confidently expected within the next few days in a number of important cases that have been pending for some time, with important developments in a number of quarters of the long drawn-out hold up of the railroad.

One of the first rulings that may be expected is in the case of the Wilmington case in which people of that territory have petitioned for the Atlantic Coast Line to be required to furnish the use of the Norfolk-Cottrells station as a Wilmington, giving an early morning train out of Wilmington and a return train about midnight. There is a possibility that the commission may compromise on a local Wilmington to Goldsboro station without connection at either end. The national commission is opposing any change of the present service.

Another important case awaiting decision is the petition of Eastern Carolina electricians for the extension of the power lines and stoppage against the petition recently incorporated by the Norfolk & Southern and Atlantic Coast Line of changing a 22 cent per kilowatt rate for all bought brought from Norfolk by train and delivered at the railroad wharves for inland shipment by rail. The petitioners claim that the rate is charged to light water companies in freight rates.

They also in the telephone case claim that the rate is charged to telephone companies in freight rates. They claim to have the commission require the Southern Bell and the Atlantic Telephone Company (independently) to arrange for construction of the Bell long distance lines into Salisbury and the independent local exchange stations of the Atlantic Telephone Company. The Bell claims that the commission has the power and that if it did it would mean that the commission could control such construction with independent companies in areas where the Bell has a controlling local exchange. All parties claim the right of the two telephone companies to enter into an agreement voluntarily but the Bell Company denies the power of the commission to control such alliances. And negotiations for mutual agreement have failed.

In Trace of the Body of the Late Dr. Hildredy Dutton.

Washington, April 16.—Through searching parties have continued searching by their efforts, no trace was found today of the body of Dr. Hildredy Dutton, the Episcopal chaplain, who was accidentally drowned in the Catawba river some time within Saturday morning. The case remains by most likely cause is still a raging harbor and it is possible that the body may have been swept down the stream many miles distant from the scene of the accident. Dr. Hildredy is described as being in the best of health and single death of this great man, and pastor of the Episcopal church, was viewed as a loss of national loss.

Taft Awaits Official Report.

Washington, April 17.—President Taft is awaiting the official report of the last of the Agua Prieta battle. But little news has been received from this afternoon. News was being during the hours which reports that the Chihuahuan national commission had been out of communication has also been out of between important places in the states of Durango, Coahuila and Sonora. It is reported that the commission of spreading is central Mexico.

Adding the Stand-By.

Incidentally the farmers who are opposing Canadian neutrality are not only getting a good deal of a widely unexpected help in Mr. Kitchin and his friends.—Indianapolis News.

The Last Run.

The spectacular exhibition of Blue-Eye Billy Sheehan has received a permanent black eye.—Columbus News.

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