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The Mount Airy News.

MOUNT AIRY, NORTH CAROLINA, THURSDAY, APRIL 13, 1911

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RECORD SIZE STILLS

Revenue Officers Seize Biggest Blockade Outfits Reported in Great While.

Raleigh, April 8.—The biggest blockade distillery seizures in this State in a great while were reported here today by W. K. Merritt, J. E. Cameron and other officers, one being a still of 675 gallons capacity with full equipment, seized northwest of Fremont, and the other a still of 225 gallons capacity within a short distance of Kinston and in 350 yards of the Norfolk Southern Railroad.

The Fremont plant had formerly been a government still and seized and sold two years ago and then stolen from the government, the officers never having been able to get up with it again until now. With it was full equipment, including a 2,800 gallon mash tub and a 380 gallon doubler or condenser. It was on a 300-acre plantation in a house built to imitate a tobacco barn and had underground steam pipe connection with a cotton pipe boiler, some distance away by which the plant was secretly operated when the gin was running. The plant is on an estate the executor of which, a brother of the deceased, lives in Fremont. All parties now connected with the place disclaim knowledge or connection with the plant.

Officers say warrants are to be issued at once.

The outfit near Kinston was in full blast and 45 gallons of whiskey were included along with big quantities of beer and corn mash. The plant included a building and an inclosure with 125 bogs, 40 cords of wood and other equipment. This plant is said to have been running for nearly two years with the knowledge of people of that section. Two negroes were at work there when the officers came up. One escaped.

Coca Cola Wins Fight.

Chattanooga, Tenn., April 6.—The case of the government against "forty barrels and twenty kegs of coca cola" was decided in favor of the Atlanta beverage in the Federal court here this afternoon. In ruling on a motion for preemptory instructions Judge Sanford held that caffeine is not an added or deleterious ingredient of the beverage. He overruled the motion on points relating to the misleading feature of the allegation, but counsel for the government moved to dismiss, without prejudice, the case on these points. A verdict was returned in favor of the defense. Federal counsel entered a motion of appeal to the United States circuit court at Cincinnati.

The coca cola case has been one of the most important ever tried in the Federal court in the South and the cost of the litigation has been enormous. It is said that \$200,000 will not cover the expenses. Both sides have had experts from all sections of the country, the most eminent scientists, principally chemists and physicians. The government has spared no expense in the effort to prove its contentions and the coca cola people have been equally liberal in securing expert testimony.

It Is Good to Be a Southerner.

We people in America are indeed the favored of the gods—and none more so than those of us who live in the South. There is indeed much to suggest the idea that here in the South, with our rich natural resources, kindly climate, democratic ideas, the absence from us of a fashionable, idle-rich class of degenerates, our old-fashioned ideas of morality, and our growing freedom from the enervating effects of intemperance and idleness, we shall grow leaders who will not only make the South great but win leadership in the Nation at large. And in bringing about this result, upon no class does so much depend as upon those next to the soil.—Clarence Poe, in Raleigh (N. C.) Progressive Farmer.

PARDON IS URGED

Georgia Prison Board Would Give Stripling Liberty.

Atlanta, Ga., April 7.—The Georgia prison commission this morning recommended to Governor Brown that he grant an unconditional pardon to Thomas Edgar Stripling, the former police chief of Danville, Va., who killed a man in this state 14 years ago and escaped while being taken to the penitentiary. His fate now rests with the governor.

The petition for clemency was based on the "unwritten law." It was argued by Stripling's attorneys that Cornett had made advances to his wife and his sister, Mrs. T. H. Dunham, and that when he shot Cornett through the window of the latter home he did it on the impulse under which any man would have labored under like circumstances.

Affidavits were produced from Mrs. Stripling and Mrs. Dunbar to the effect that Cornett had made improper proposals to both of them, and that shortly after Stripling was informed of these advances, the killing of Cornett followed.

Posed As Christian Martyr. Attorneys for the opposition branded Stripling as "a man who has posed as a Christian martyr, but who in reality is a hypocrite of the deepest dye and a red-handed assassin, who should feel thankful he goes unhung."

Editorial comment from the Danville Register played a prominent part in the hearing, these being introduced by Attorney Cameron for the opposition as showing that sentiment in Danville is not altogether for Stripling, as had been made to appear.

The attorney also offered as evidence a letter which he received from the editor of the Register, in reply to a query as to Stripling's standing in Danville and the sentences of the public regarding his case.

Danville Brought Into Case. "This letter," said the attorney, "declares that few of the leading citizens of Danville favor Stripling's pardon. And it states that Judge Aiken, a prominent jurist of Danville, condemned Stripling's record as chief of police and stated that even though he should be pardoned, he should not be allowed to return to Danville." The statement in the letter that the men whom Stripling is accused of shooting while in Danville were all shot from the rear, was vigorously attacked by Attorney Miller, counsel for Stripling, and he produced certified copies of the proceedings of the coroner's inquest which he declared showed that the unidentified negro, shot by Stripling at the latter's home was shot in the top of the head from an upstairs window at Stripling's home, and that the other man, Reynolds, whom Stripling is charged with killing in Danville, was shot in the neck from the front. The fight over the application for clemency was one of the hottest in the records of the Georgia prison commission.

Speaks Gets Thirty Years. Greensboro, April 8.—Judge Daniels today sentenced Moses Speaks, who was yesterday evening convicted of murder in the second degree, to 30 years in the State penitentiary. This was the case for the killing of his wife at High Point about two months ago. In the case for the murder of his son-in-law, Will Miller, at the same time, the solicitor took a nol pros with leave. Judge Daniel and Solicitor Gattis will recommend to the Governor that Speaks be confined, so as not to have the opportunity of doing harm to any other prisoners. Thirty years is the maximum penalty for the crime of murder in the second degree. Speaks is now 46 years old, so he will hardly live out his term.

Rheumatism Relieved in 6 hours. Dr. Detchon's Relief for Rheumatism usually relieves severest cases in a few hours. Its action upon the system is remarkable and effective. It removes the cause and the disease quickly disappears. First dose benefits. 75c and 1.00. Sold by Gwyn Drug Co.

FLYING EXHIBITION

Lincoln Beachy Had Perfect Control and Made Safe Trips.

Greensboro News, Apr. 8. All those hair-raising, death-defying stunts in the upper air were absent yesterday afternoon at the aviation demonstration given by Lincoln Beachy at the fair grounds in his Curtiss biplane. Instead of the large audience being excited or fearful that Beachy would fall, the majority of them watched with eager eyes the graceful flights and perfect control of the machine displayed by the aviator.

Mr. Beachy's assistants assembled the flying apparatus early yesterday morning, and a short while after the noon hour the crowds began pouring in eager to see the queer kite-like machine, which, though heavier than air by 700 pounds, could yet rise from the earth bearing a man and soar like the eagle far up in the clouds. By 3:30 o'clock in the afternoon there were about 1,500 people in the grounds and Mr. Beachy came forward and took charge.

The biplane had been put together between the judges' box and the grandstand, on the race track, and Mr. Beachy had it rolled into the field enclosed by the track.

The assistants, having previously thoroughly oiled the various parts of the machine, started the engine by getting behind the aviator's seat and turning the propeller. The propeller, driven by an eight-cylinder, 60-horse power engine, revolves at 3,500 revolutions per minute and it fairly sings as the blades cut the air, while it takes the combined efforts of several men to keep the machine from leaving the ground.

At last all was ready. Mr. Beachy took his seat, turned on the gasoline, dropped his hands, his assistants turned the machine loose. It sped gracefully down the inclined field, while the crowd held their breath. At about 150 feet from the start Mr. Beachy tilted his rudder and the airplane rose slowly, but steadily, sailed like an immense bird around the race course at a height of about 400 feet, turned back and glided to the earth. At the first contact with the ground the machine bounded and was carried several yards by the momentum. At the next contact the machine ran about 100 feet up the incline and stopped within a few yards of where the start had been made.

As the aviator stepped from his biplane a loud applause was tendered him from the enthusiastic and interested spectators, very few of whom had ever seen the flight of an aeroplane and to whom the flight of several minutes at a 400-foot altitude was little short of wonderful.

The second flight was of much longer duration and at a higher altitude than the first. This time the birdman sailed west of the grandstand and was gone several minutes. Then circling about the grounds and making a pretty dip, the aviator again brought his machine to the starting place.

In alighting the second time some difficulty was experienced with the engine that made further flight during the afternoon impossible. It had been the intention of Mr. Beachy to perform several difficult feats in front of the grandstand, and, then, without any warning hit a beeline for Winston-Salem, where he gives a demonstration this afternoon. Owing to the defect in his engine, he was unable to carry out his original plans and the machine was dismantled, packed in two large boxes and will be shipped this morning for the Twin-City.

Many who saw the two flights were disappointed. The whole thing looked so easy and many and varied were the suggestions—made in the crowd—as to how the whole machine could be improved on and how easy it would be to build one like that. To those, however, who were near enough to Mrs. Beachy to see the strained expression on her face when Mr. Beachy was in flight and to see what a look of relief came over her countenance when he alighted safely, the thing took on a different meaning.

WANT PARDON REVOKED

Hendersonville Citizens Infuriated Beyond Endurance By Defiant Actions of Wiley P. Black, Keeper of Near-Beer Saloons.

Hendersonville, April 7.—Infuriated almost beyond endurance by the defiant actions of Wiley P. Black, keeper of two notorious near-beer saloons here, the Law and Order League of Hendersonville has petitioned Governor Kitchin to at once revoke the conditional pardon given Black some months ago and have him returned to the Buncombe county chaingang.

On Sunday morning all the pastors of the different churches will discuss the matter from their pulpits, a great mass-meeting of the people will be held in the court house on Sunday afternoon for the same purpose, and when on Monday morning, the city council takes up the question of granting Black his revoked licenses, the same big court room will be filled with saints and sinners, lawyers and laymen, all interested in the outcome of this noted case.

At an enthusiastic meeting of the Law and Order League held in the court house last night, funds were subscribed and measures adopted looking to the permanent abatement of Black and his whiskey selling activities in Hendersonville. His places have repeatedly raided by the officers—the most recent resulting in breaking in the doors of his two places of business and the discovery of over two hundred bottles of booze. The town council immediately revoked his licenses to sell near-beer and during the week the places have been closed. Black, convicted in Buncombe county and sentenced to the chaingang for selling liquor, later given a conditional pardon by Governor Kitchin, has said there is no power in North Carolina to prevent him from selling whiskey, and at the hearing of the case next Monday he will be represented by an all-star cast of legal talent.

The rehearing of the matter will be held in the court house, the council chamber being inadequate to hold the great number of citizens who have expressed their firm determination to let nothing interfere with their being present. The Law and Order League has engaged Mr. Michael Schenek to look after its interests at this meeting and the expression may freely be heard on the streets that Black must stop his liquor activities in Hendersonville—if one method fails then another will be adopted. Although this is ordinarily the most law-abiding town in North Carolina, raids by the officers on blind tigers here are numerous. Convictions have been none. Invariably the witness swear the booze was given them. They scorn the suggestion that they have paid filthy lucre for it. It's the same way with the keepers of the joints. They stand, according to their sworn testimony, for a great moral principle. They do not sell mean liquor for a profit—perish the base and unworthy thought!

In this particular case of Black, it is believed that Governor Kitchin, satisfied with the fact that great quantities of whiskey have been found in his near-beer saloons, will return Black to the chaingang without waiting for more conclusive or more legal proof of the allegation that he has been violating the laws of the State while enjoying the clemency of the Chief Executive.

Mother's Morning Prayer.

"Edith, do you say your prayers every morning?" asked the Sunday school teacher.
"No, teacher, I don't pray every morning, but my mamma does," said little Edith.
"And what prayer does your good mamma say?" asked the teacher.
"She says: 'Oh, Lord, how I hate to get up.'"

INVOLUNTARY RECEPTION BY EDITOR.

Interesting Visits and Visitors—A Drunk Man, a Near Beer Dealer and a Lawyer.

Lexington Dispatch.

Wednesday afternoon The Dispatch office was visited by three very angry citizens who vented their rage in language—all of it heated, much of it disgusting and not a little of it unprintable. The first of the triumvirate was drunk. He had apparently been on a protracted debauch, judging from the inroads that intoxicants had made on his ordinarily decent appearance. It is certainly more charitable to ascribe his appearance, words and actions to temporary aberration caused by over-indulgence in booze, than to say that he was "cold sober" Wednesday afternoon. This gentleman had been reported slightly injured in a fight in a disreputable joint on Main street.

The second citizen was a near beer dealer. Two months ago the Dispatch had reason to roast the joint operated by this particular man after certain happenings that were a disgrace to the town. His particular hell hole has all of the earmarks of a blind tiger and the Dispatch did not hesitate to say so. It is a menace to the welfare of the town and is doing untold injury to the boys and young men of the community. Wednesday afternoon the proud possessor of this doggerly threatened to whip the Editor of The Dispatch and when invited to wade in and do it, that he was talking to catch him outside of the city limits. So, there is a licking in store for the Editor when he gets outside the corporate limits—maybe.

The third irate citizen was a lawyer. Just why he should choose this, of all times, to vent his rage for a fancied grievance is hard to say. It certainly looked like he was mighty careless about the company he kept, to say the least of his performance. He followed close on the heels of the near beer man and his was the only part of the show that was "worth the money." The other performers were disgusting. His part of the show was execrably funny and his audience howled with appreciation. By the time he opened up there was a large audience present including two policemen. He demanded strenuously, earnestly and vociferously that his fair name be kept out of The Dispatch for ever and ever, and the Boss Man issued orders on the spot that the gentleman's cognomen should never again blacken the pages of The Dispatch and it will be even so. Storms may sweep over the gentleman's devoted head. Judicial gubernatorial, or even presidential lightning may strike him, but never a word of it will find its way into the columns of The Dispatch. The gentleman may not know it but he has relegated himself to oblivion so far as Davidson county is concerned and whatever may be his deeds of prowess in the future, even his friends will know not of them unless he becomes a menace to public welfare and dire necessity compels The Dispatch to use his name, he will remain forever in the obscurity which he has chosen as his portion—unless he repents. However, he is a fairly safe and reasonably sane individual and it is not at all likely that he will be "called out" in these columns.

Thus passed the afternoon. There have been afternoons more pleasant but never one more interesting.

Admonition.

The wife of an old Quaker peeked through the keyhole one day and saw the husband kissing the hired girl.
She gently remonstrated with her liege lord.
He promptly replied: "Wife, if thou dost not stop thy peeking though wilt cause trouble in the family."

NEW SCHOOL TAX VOID

Legislature Fails to Maintain Constitutional Equation By Omitting Increase of Six Cents in Poll.

Greensboro, April 5.—After listening to argument of counsel, Judge F. A. Daniels tonight sustained the defendant's demurrer in the case of W. W. Kitchin, Governor, vs. W. P. Wood, Auditor, and thus held as unconstitutional the increased ad valorem tax of 2 cents for school purposes in the State for the reason that through inadvertence the Legislature failed to maintain the constitutional equation, as between the ad valorem and poll tax. The case will at once be carried to the Supreme Court of the State and an effort will be made to get an early opinion.

The importance of the case can be appreciated when the fact is stated that, if Judge Daniel's decision is sustained by the Supreme Court, the State school fund will suffer a loss of probably \$400,000, this being a special appropriation for two years made by the recent session of the General Assembly when it increased the tax rate 2 cents on the \$100 valuation for school purposes. It was no doubt the purpose of the Legislature to increase the poll tax 6 cents, but in some way this was omitted in the machinery act, and, if a former decision of the Supreme Court is followed, this will invalidate the levy, and the amounts levied in the machinery act of 1909 will still obtain. The State constitution requires that in levying State and county taxes the poll tax shall be times the tax on \$100 of property.

The case came on for a hearing before Judge Daniels upon proceedings instituted by the Governor against the Auditor for mandamus to compel the Auditor to call on the counties to levy for State purposes a tax of 45 cents on the \$100 worth of property and \$1.35 on the poll. The old rate is 43 cents ad valorem and \$1.29 poll tax, and, if the section in the new act is unconstitutional the old rate must prevail and the State lose the two cents on the \$100 and 6 cents on the poll. The case was argued on behalf of Governor Kitchin by Assistant Attorney General G. L. Jones and Mr. B. P. Dixon appeared for Auditor Wood.

A case very similar to this went before the Supreme Court in 1897, instituted by Governor Russell against Auditor Hal. W. Ayer. In that case the Supreme Court held the increased rate unconstitutional for the reason that the constitutional equation between poll and ad valorem tax had not been maintained. Following this decision, Judge Daniels said he felt impelled to sustain the demurrer filed by the defendant to the Governor's complaint. In the original case, Chief Justice Clark and Justice Douglas filed strong dissenting opinions and the plaintiffs think perhaps they can have the opinion in Russell vs. Ayer reversed.

Wearing Qualities.

During the progress of the morning bath of a few-months old infant, a little neighbor girl came into the room, carrying a doll which she had received for a Christmas present, and stood watching the operation for some time. The little girl's doll was much the worse for hard usage, being minus an arm and a leg. Finally she said to the mother of the child: "How long have you had your baby?" The child was informed, and looking from her doll to the baby she said, "My, you have kept it nice."

Shake Into Your Shoes.

Allen's Foot-Ease, the antiseptic powder. It relieves hot, tired, aching, swollen, sweating feet, and makes walking easy. Takes the sting out of corns and bunions. Over 30,000 testimonials. Sold everywhere, 25c. Don't accept any substitute. Sample FREE. Address, Allen S. Olmstead, LeRoy, N. Y.