

# The Raleigh Daily Times

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The Weather—RAIN.

RALEIGH, N. C., TUESDAY, MARCH 7, 1911.

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### ANTI-TRUST BILL COMES UP IN SENATE

Committee Equally Divided  
On the Bill, Also On the  
Substitute

### PEACE CELEBRATION

Salary of the Head Bookkeeper in the Insurance Department Raised to \$1,500—Joint Resolution to Appoint Peace Commission—State Boundary Line Dispute—Roll-call Bills—Again Refused to Investigate C. F. & Y. V.—Anti-trust Bill.

With an apparent firm determination to wind up their part of the affairs of the general assembly of 1911, the senators slowly wended their way to the senate chamber this morning, and President Newland rapped that body to order at 10 o'clock, Rev. T. W. O'Kelly, of the First Baptist church, offering prayer.

On motion of Senator Baggett the senate reconsidered the vote by which it last night killed the bill to raise the salary of the head bookkeeper in the state insurance commissioner's office and the bill then passed and was ordered enrolled. It raises the head bookkeeper's salary from \$1,200 to \$1,500 per year.

Senator Boyden offered a resolution to notify the house of representatives that the senate would adjourn sine die at 12 o'clock today.

At the suggestion of Senator Pharr the resolution was withdrawn, the matter to be taken up with the clerks.

**For Peace Celebration.**  
Senator Graham offered a joint resolution, which passed and was sent to the house, authorizing the governor to appoint four persons as members of the national committee for the celebration of the one hundredth anniversary of peace among English-speaking people.

**State Boundary Line Dispute.**  
On motion of Senator Hobgood the joint resolution to authorize the governor to take proper steps in settling the disputed boundary line between North Carolina and Tennessee, was taken from the table and placed on the calendar.

**Roll-call Bills.**  
About 20 roll-call bills, mostly local, passed third reading and were either sent to the house or ordered enrolled. Forty-five senators answered the roll-call. Among those ordered enrolled were:

Relative to bond issue by Trinity township, Durham county.

Incorporate the Forsyth & Yadkin Railroad.

Amend charter of Waynesville.

**Divided on the Anti-trust Bill.**

Senator Graham made the report for the committee on judiciary on the Turlington house anti-trust bill, stating that the committee was equally divided on the bill and also equally divided on a committee substitute for the bill.

**Again Refused to Investigate.**

Senator Hobgood called up the Kellum house joint resolution for an investigation of the sale of the old C. F. & Y. V. Railroad to the Atlantic Coast Line and its subsequent division, the Southern Railway acquiring that portion of the road from Sanford to Mt. Airy, and operating it under the name of the Atlantic & Yadkin Railroad.

This resolution passed the house and was tabled last week by the senate without discussion.

Senator Hobgood moved that the vote by which the resolution was tabled be re-considered.

Senator Green seconded the motion, but Senator Hartsell moved to lay Senator Hobgood's motion on the table, and this course was taken by a vote of 24 to 19.

**Executive Session.**

The senate at 11:15 o'clock went into executive session and confirmed the following nominations made by Governor Kitchin, the executive session lasting only a few minutes:

Directors of the State Hospital at Morganton—J. I. Davis, Morganton; F. P. Alspaugh, Winston-Salem; R. E. Clark, Statesville.

Directors of the State Hospital at Raleigh—R. H. Staunell, Margarets-

ville; John D. Biggs, Wilmington; D. A. McDonald, Carthage.

Directors of the State Hospital at Goldsboro—D. E. McKinnie, Princeton; W. E. Headen, Morehead City; F. W. Habel, Raleigh.

Directors of the Deaf, Dumb and Blind Institution at Raleigh—Jos. E. Pogue, Raleigh; W. B. Cole, Rockingham; H. M. Williams, Sanford; R. B. Boyd, Warrenton.

Members of Board of Internal Improvements—B. C. Beckwith, Raleigh; R. F. Beasley, Monroe.

Members of North Carolina Geological Board—Frank R. Hewitt, Asheville; Hugh McRae, Wilmington.

Members of the Board of Agriculture—R. L. Woodard, Pamlico; A. T. McCallum, Red Springs; W. J. Shuford, Hickory.

Trustees of North Carolina College of Agricultural and Mechanical Arts—E. M. Koonce, Jacksonville; C. W. Gold, Raleigh; T. E. Vann, Combs; D. A. Tompkins, Charlotte; for unexpired term ending March 20, 1917, O. Max Gardner, Shelby; for unexpired term ending March 20, 1913, J. O. Ellington, Fayetteville.

Directors of State Normal and Industrial College—For terms beginning March 1, 1912, upon nomination of state board of education: Walker Taylor, Wilmington; C. H. Mebane, Newton; J. D. Murphy, Asheville.

Trustees of the North Carolina School for the Feeble Minded—L. B. McBrayer, Asheville; R. E. Austin, Albemarle; Frank B. Henden, Wilkesboro, to serve two years; W. A. Thompson, Aurora; Mark Majette, Columbia; J. R. Baggett, Lillington, to serve four years; I. M. Hardy, Washington; A. A. Kent, Lenoir; R. N. Cartwright, Fairfield, to serve six years.

**Passed and Ordered Enrolled.**

Authorize state board of dentistry to revoke license to practice dentistry.

Amend law relative to election of directors of the State Tuberculosis Sanitarium.

Regulate shipping live stock into North Carolina.

For relief of state prisoners by giving additional time off for good behavior.

**Bill Tabled.**  
The bill to require the secretary of state to furnish supreme court reports to the State University laid upon the table.

**Primary Bill Held Up.**

Senator London called up Senator Hobgood's bill for a state-wide primary for state officers and United States senators and moved that it be put upon its immediate passage, but the motion failed to pass by a vote of 23 to 20, the bill being left in its regular place on the calendar.

**The Anti-trust Bill.**

On motion of Senator Hicks the senate took up the Turlington house anti-trust bill, and Senator Graham reported that nine members of the judiciary committee voted to report the bill favorably and nine to report unfavorably; also voting the same on a committee substitute.

Senator Bassett made an extended argument, stating that he believed in conservatism and fair play, but saw no necessity for additional radical legislation.

He said he believed the federal anti-trust laws are correcting the evils about which so much has been written and said, and that he realized the present state anti-trust law has defects, but that the committee substitute provides all the required machinery for remedying these defects, and is the olive branch which will bring about reconciliation.

Senator Hartsell argued for the substitute, declaring that it will prove sufficient.

Senator Hobgood spoke against the substitute and for the Turlington bill. He offered an amendment designed to have the effect of the Turlington bill.

Senator Graham strongly defended the committee substitute, and during his argument was interrupted a number of times to answer questions propounded by Senators Green, Rascoe, Cotten, and Baggett.

He contended that any corporation ought to be allowed to engage in business in this state without making oath that they will not violate the law. Corporations, he declared, should be treated as fairly as any individual.

Senator Long advocated the Turlington bill.

Senator Barham favored the substitute, which he asserted is not aimed at any particular corporation, but applies to all corporations doing business in this state. It eliminates the oath feature of the Turlington bill, he said, and will not tend to drive capital from the state.

Senator Baggett urged the passage of the Turlington bill and said he saw nothing wrong or unfair in requiring a corporation desiring to come into North Carolina to take an oath to support the business laws of the state.

Senator Boyden made a strong



Flora Sackville-West, a daughter of a former British Minister at Washington, who, according to news from London, has adopted the profession of her mother, Josefa Duran de Ortega, the Spanish dancer. The first press announcement of her approaching debut described her as "The Honorable Flora Sackville-West, daughter of the late Lord Sackville." This description was objected to by the Sackville family and the name was withdrawn. The court in the recent suit of Flora's brother, Ernest, who sought to acquire title to the estate of Lord Sackville, now held by his nephew, decided that the late diplomat never married the mother of his children.

characteristic speech, declaring that he was a friend of the American Tobacco Company and that it is a corporation which is doing more for the advancement and prosperity of the state than any other business concern, and that he would be the last man in North Carolina to vote to impede their progress.

Senators Holden and Green heartily favored the Turlington bill, believing it to be the only effective anti-trust legislation possible at this late day of the general assembly.

Senator Rascoe asserted that this is not a matter of legislation against the American Tobacco Company, but is a matter of carrying out the pledges of the democratic party, and he would therefore give his cordial support to the Turlington bill as the best means available.

Senator Bennett, arising to a question of personal privilege, said when he came to Raleigh he contracted with the state to stay here sixty days. He had done this and more, too, and tried to discharge his duty. He had enjoyed the argument of the lawyer members, but they had talked him nearly to death and he wanted to go home and raise a crop. He insisted that the senators stop talking and get through with the work and let everybody go home.

Senator Barbour moved the previous question.

Senator Hobgood insisted on his amendment to the substitute, stating that his amendment was the original bill.

The chair ruled that such an amendment to the substitute could not be offered.

Senator Hobgood appealed from the ruling of the chair, but the senate by a vote of 24 to 19 sustained the ruling of the chair.

The substitute was then adopted by a vote of 22 to 20, as follows, several senators explaining their vote:

**Ayes:** Barbour, Barham, Barnes, Bassett, Bellamy, Boyden, Cobb, Coxe, Graham, Hartsell, Haymore, Hicks, Hurdle, Martin of Buncombe, McDonald, Pharr, Pinnix, Starbuck, Williams, Johnson, Reinhardt, Sigmon.

**Noes:** Armstrong, Baggett, Bennett, Brown, Cotten, Davis, Gardner, Green, Hawkins, Hobgood, Holden, Ivey, Kitchin, Lemmond, London, Long, Martin of Washington, Rascoe, Sikes, Thorne.

The bill then passed second and third readings.

### SECRETARY BALLINGER HAS RESIGNED

Secretary of the Interior Gets  
Out, Giving Ill Health As  
Reason

### SUCCESSOR IS NAMED

Walter S. Fisher, of Chicago, Appointed As His Successor—Resignation Was First Tendered January 10, But Held on at Request of the President Until Today—Gives Ill Health as the Reason For Getting Out of the Cabinet and is Assured by the President That it Would Have Been Accepted For No Other.

(By Leased Wire to The Times)

Washington, March 7—Richard A. Ballinger, secretary of the interior, resigned today. Walter L. Fisher, of Chicago, was named as his successor.

The announcement of Mr. Ballinger's resignation was made at the white house, the president at the same time stating that he had selected Mr. Fisher to succeed him.

The resignation of Mr. Ballinger was tendered on January 19, but President Taft requested him to withhold it until after congress adjourned. The secretary consented to do so and wrote another formal letter of resignation yesterday. This was presented to the president today and accepted.

Mr. Fisher, the new secretary, is a well-known lawyer of the west and became famous in Chicago through his advocacy of municipal reform.

Ballinger asserts he was compelled to resign because of his health. On January 19 he wrote to the president as follows:

"I have thought over this talk we had last Saturday. I am exceedingly gratified for your kind expressions of appreciation for my work and they certainly compensate me in the largest measure for what I have suffered.

"Your attitude throughout has been a great source of comfort to me, and yet I feel that the condition of my health is such that I must ask to be relieved from office. I therefore again tender my resignation, and ask you to accept it.

"I should be untrue to all of my impulses if I did not seize the occasion to say that I have, at all times, striven to meet the obligations imposed upon me, and to serve you, the administration, and the country to the best of my ability. I am deeply sensible of the unflinching confidence which you have reposed in me, under circumstances which have necessarily been trying to you and the support and the respect which you have never ceased to accord me I shall always remember.

"I am anxious to retire as soon as I can properly do so, yet am unwilling to embarrass you, and therefore respectfully ask to indicate, in regard to the matter, when it will best suit your convenience."

Replying, President Taft, under date of January 23, said:

"For reasons which have deeply

### MAY MEAN CRISIS IN MEXICAN AFFAIRS

(By Leased Wire to The Times)

Washington, March 7—The orders to send cavalry, artillery and infantry border in taken here to indicate that the government officials believe that a crisis is approaching in the Mexican revolution and that energetic measures will be necessary in order to prevent violations of the neutrality laws and attacks on Americans. Approximately 6,000 men from United States army posts have been ordered to proceed at once to the border.

**Fifteenth En Route.**

(By Leased Wire to The Times.)  
Salt Lake City, Utah, March 7—The Fifteenth infantry started post-haste for the Mexican border today, under orders from Washington.

**Fort Meyer Troops Sent to Border.**

Fort Meyer, Va., March 7—Three batteries of field artillery stationed here were today ordered to proceed at once to the Mexican border.



Mrs. Julia Watts Curtiss, of Bridgeport, Conn., who secretly married Dr. George Alfred Lawrence, of New York, in Wilmington, Del., February 14th.

The bridegroom is one of the most noted neurologists in the United States, while the bride, with a fortune estimated at \$20,000,000, is one of the richest women in the country. She was Mrs. Julia Watt Morris Curtiss, of Bridgeport, Conn. Dr. Lawrence has been married once before, and was divorced. Mrs. Lawrence has two divorced husbands now living. Her first husband was Peter H. Morris, of Boston, by whom she had three children, now living in New York and her second husband was Roland R. Curtiss, of Connecticut.

impressed themselves in my heart and mind, I would never consent to consider your resignation on any ground that was based on the good of the service, or of helping me personally or politically, for no such ground is tenable by me. Only on the score of your health and personal convenience and to prevent further pecuniary sacrifice on your part, will I consider the possibility of accepting your resignation. But not even on the latter ground can I consider it until after congress adjourns, until after all unjust attacks are ended, until after I have had the benefit of your valuable and necessary aid during the remainder of a crowded session, and until we have reached the calm which I feel will follow the present hurry and pressure incident to the close of a short session. Then I'll take it up and answer you at length."

Under date of March 6, Secretary Ballinger sent the following letter to the president:

"As you fully appreciate I entered the government service under protest and at great personal sacrifice.

"While occupying the office of secretary of the interior my most earnest and conscientious attention has been given to the interests of the government and I feel that in constructive works and the advancement of the public service, under existing difficulties, I have nothing to regret, in official administration, except that my health and financial interests have greatly suffered, to the extent that I can no longer sustain the burden.

"Your constant support has always been a source of consolation during all the vicissitudes of my term of service, and I deeply appreciate the unflinching confidence you have reposed in me. I must, however, renew my appeal to be relieved as set forth in my letter of January 16, last, and respectfully ask you to designate the time when my resignation shall take effect, which I hope may be immediately."

Under date of today, President Taft, in the following letter, accepted Mr. Ballinger's resignation. He said: "I accept your resignation with great reluctance. I have had the fullest opportunity to know you, your standard of service to the government and the public, to know your motives, to know how you have administered your office, and to know the motives of those who have assailed you. I do not hesitate to

say that you have been the object of one of the most vicious conspiracies for the defeat of a character that history can show.

"I have deemed it my duty not only to the government, but to society in general, to fight out this battle to the end, confident that in the end your fellow citizens would see that the impression of you as a man, and as the administrator of a high public office, were false, and were the result of a malicious and unprincipled plan for the use of the press to misrepresent you and your actions and to torture every circumstance, however free from detrimental significance into proof of corrupt motives.

"With the hypocritical pretense that they did not accuse you of corruption, in order to avoid the necessity, that even the worst criminal is entitled to wit: That of a definitely formulated charge of some misconduct, they showered you with suspicion, and by the most pettifogging methods, exploited to the public matters which had no relevancy to an issue of either corruption or inefficiency in office, but which paraded before a hysterical body of headline readers, served to blacken your character and to obscure the proper issue of your honesty and effectiveness as a public servant. The result has been a cruel tragedy. You and yours have lost health and have been burdened financially. The conspirators who have not hesitated in their pursuit of you to resort to the meanest methods, including the corruption of your most confidential assistant, pride themselves as the only pure members of society, actuated by the spirit of self-sacrifice for their fellow men.

"Every fiber of my nature rebels against such hypocrisy and nerves me to fight such a combination and such methods to the bitter end, lest success in this instance may form a demoralizing precedent. But personal consideration for you and yours nukes me feel that I have no right to ask you for further sacrifice. Of course, it has been made evident that I was and am the ultimate object of the attack; and to insist against your will on your remaining in office, with the prospects of further efforts against you, is to selfishly impose on you more of a burden than I ought to impose.

"As I say farewell to you, let me renew my expression of affection and sincere respect for you and of my profound gratitude for your hard work and your unvarying loyalty and your effective public service. I hope and pray that success may attend you in your profession, and that real happiness will come to you and yours when you return to that community where you live and whose members know your work as a man and citizen, and who will receive you again with open arms."

It is understood at the white house that Secretary Ballinger verbally presented his resignation to President Taft last fall and this accounts for the president referring to Mr. Ballinger again offering his resignation.

Walter Lowrie Fisher was born in Wheeling, W. Va., July 4, 1862. He was a student of Marietta College, and at Hanover, Ind., at a college of which his father, a clergyman, was president. He has a private fortune, and a large family. Several of his boys are at Harvard.

At the beginning of President Taft's term he was considered in connection with a cabinet place and since then has been suggested for a vacancy on the United States supreme court bench. He was the first president of the national conservation association and one of its organizers. His information on such public questions as reclamation, irrigation, and water power sites is broad and comprehensive. In politics he is a republican of strong convictions but independent action. He was one of the organizers of the municipal voters league of Chicago, which finally brought about an adjudication of the great traction fight which has disturbed that city for more than 10 years. Mr. Fisher is a member of the present railroads securities commission.

Secretary Ballinger when seen at his home, refused to make any comment on his resignation.

"I refer you to the president's letter and my letter," he said. "Beyond that I have nothing to say."

The resignation of Secretary Ballinger was foreshadowed yesterday when it became known that Oscar Lawler, assistant attorney-general for the interior department had resigned. No announcement of the acceptance of Mr. Lawler's resignation has yet been made, but it is expected soon at the white house. Lawler and Ballinger have been associates and friends for years.

**Father and Son Killed by Train.**  
(By Leased Wire to The Times.)  
Greensburg, Pa., March 7—Francisco Dieuro and Casino Dieuro, father and son, were run down by a Pennsylvania Railroad train near here, today, and killed. Both bodies were cut to pieces.

### FINAL EFFORT TO CLEAR UP THE CALENDAR

House Puts In a Busy Day,  
Making Final Disposition  
of Many Bills

### GIFTS TO THE CLERK

Chief Clerk Cobb Remembered by Assistants and Sergeant-at-Arms Kilpatrick Remembered by the Members of the House—No Bills Introduced Today and No Committee Reports—Many Bills Finally Disposed of.

Speaker Dowd convened the house at 9 o'clock, prayer by Rev. L. F. Johnston, of Raleigh.

There were no bills introduced, petitions presented, or committee reports filed.

**Passed Final Reading.**

The grind of passing or killing bills faithfully began where it was left off at 1:20 a. m.

To amend the law relating to public printing.

To amend the law relating to the national militia.

To amend the law as to fishing appliances of Pasquotank county.

To charter the National State Negro Business League of Wilson.

To fix time of counties of fourteenth judicial district.

To amend the law of 1902 relating to withdrawal of secretaries of insurance companies.

To amend the law relating to reports of guardians.

To require publication of receipts and disbursements of public monies.

To amend the revisal relative to tax returns on different classes of stock.

To amend the revisal so as to allow railroads to exchange transportation with certain employees.

To amend the revisal relative to the appointment of guardians.

To incorporate Carolina Institute.

To amend the revisal relating to assault on any female person.

To allow notaries public to take depositions.

To amend the revisal relative to persons convicted or acquitted who have been adjudged insane.

To change the name of Robeson county to the "Indians of Robeson county" and provide a separate ward for them at the insane hospital at Raleigh.

To validate the registration of certain deeds and instruments.

To promote the maintenance of public parks and drives.

To incorporate the Grand United Order of Southern Pilgrims.

To regulate fishing in Albemarle Sound.

To amend the revisal relative to distributions.

Resolution of thanks to Speaker Dowd for uniform, courteous treatment of all members. (Adopted by unanimous rising vote. (With Speaker Pro Tem McPhaul presiding.)

To amend the charter of Raleigh.

To encourage the drainage of land in Robeson county.

To provide for improvement of sidewalks in the town of Rockingham.

To allow consolidation of Carolina Virginia Railroad with the Virginia Railroad.

To amend the revisal relative to service of summons on bankrupt corporations and appointment of receivers of same.

To prescribe procedure for moving trust funds from state.

To amend the revisal relative to bonds by foreign executors.

To appoint justices of the peace for North Carolina. (Consent of senate amendment.)

To validate proceedings for sale of certain real property.

To provide payment for damages done by Alleghany county jail. (Senate bill.)

To provide for purchase of revisal.

To incorporate the Education Teachers' Training School.

To amend the law relating to deposits of fire insurance companies.

(Continued on Page Six.)