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The Evening Dispatch

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THE WEATHER.
Fair tonight and Wednesday with
rising temperature; moderate east
to southeast winds.

VOLUME FIFTEEN

WILMINGTON, N. C., TUESDAY, JANUARY 10, 1911

PRICE FIVE CENTS

LEGISLATURE IS DOWN BUSINESS

Two Commission Bills Reported Today

One for Greensboro and the Other for Raleigh—In Each the People Are Allowed the Right to Vote on the Commissioners—Two Bills Aimed at the Railroads Introduced—Other Matters Today.

(By Llewellyn.)
Raleigh, N. C., Jan. 10.—The legislature had its first busy day of the session today. There was a flood of new laws, especially in the House and some are of a very important character, among the latter being twin bills (by Baggett, in Senate, and Ewart, in House) to regulate passenger fares and which restrict maximum rate to two cents on all roads that refuse to accept mileage book fare aboard the trains. By Senator Boyden, to repeal section 1762, of the Revisal, which gives the father absolute authority in the disposition of his children and negatives the mother's rights.

This statute was first brought to the attention of the public by the publicity given the Tillman case in South Carolina, where the mother finally won her case.

The Greensboro Commission form of Government bill was reported back by the Senate Committee and passed second reading by unanimous vote. It gives the people the right to choose the commissioners and fixes the election for the first Tuesday in February. In the House Speaker Dowd announced six additional committees with the following chairmen: Oyster interests, Wallace (with Kellum sixth member of committee and Taylor of Brunswick, the tail ender). Appropriations, Burlington. Constitutional Amendments, Stubbs (with Kellum fifth member). Game, Pitt chairman. Military Affairs, Privatt (with Kellum third member). Mines, Taylor, of Vance.

Raleigh's Commission Form of Government bill was introduced in the House also with the elective feature, by Battle.

Ewart presented an important measure, providing for amendments to certain articles of the constitution, by which a board of pardons would be created and the membership of the Supreme Court increased to seven and three additional Superior Court Judges (utility judges to be appointed by the Governor and assigned to hold courts where needed). Curtailing of work of legislature, etc., May 1, 1911, being fixed in the bill for submission of proposed amendments to vote of the people.

Kendrick hazarded the first dog bill of the session, making a canine listable and subject of larceny.

By Doughton, to enable married women to contract and be contracted with.

By Ewart, making bribery a felony and inflicting disfranchisement as a punishment.

By Devan, amending Sec. 1561, Revisal, relating to divorce.

Senator Brown (Columbus) desires to correct erroneous statements sent out to certain morning newspapers. He says "I am erroneously quoted in a few papers as saying the average valuation of land in Robeson was six per acre, whereas it is 8.16. The impression caused by the erroneous statement that Robeson is among the so called 'cauper' counties, is incorrect. Robeson pays \$10,211.60 more than it receives and is the sixth largest revenue producing county in the State."

Senator Bellamy and Representative Kellum reappeared in their seats today.

Senator Graham of Orange, Chairman of Senate Judiciary Committee, today mailed the following letter to Mr. Erwin A. Holt, of Burlington, which contains some "expert" information on the subject of mileage-books and the exchanging of the same for tickets—with special reference to the interest which "Wummers" and others have in the contention now going on.

"I have drawn a bill entitled 'An Act in Relation to Mileage-Books and the Right to Travel Thereon,' declaring what I think is the present law—that where a mileage-book is sold or delivered a complete contract is made and the party has a right to travel without buying a ticket. But

SOUTH CAROLINA SOLONS MEET

Liquor Question in Back Ground For Once

General Assembly of the Palmetto State Convened This Morning—First Time in Twenty Years the Liquor Question Has Not Been to the Front.

Columbia, S. C., Jan. 10.—The liquor issues are subordinated to other lines of legislation at the session of the General Assembly which convened today. This condition obtains for the first time in twenty years. The Senate was called to order by Lieutenant Governor McLeod, and the House of Representatives by James A. Hoyt, clerk. Chas. A. Smith, Lieutenant Governor-elect will be inaugurated Tuesday. Mendel Smith, of Camden, former Speaker is unopposed for Speakership of the House.

TO DISSOLVE STANDARD OIL

History of the Suit the Government is Now Pushing.

Washington, Jan. 10.—The suit under the Sherman anti-trust law to dissolve the Standard Oil organization was instituted in 1906 in the Circuit Court of the United States for the Eastern District of Missouri. The proceedings were begun by the Department of Justice in the name of the United States against 114 corporations and seven individuals.

The principal corporation was the Standard Oil Company of New Jersey. From 1882 to the present time this company is said to have operated refineries itself but in 1899 its stock was increased to \$100,000,000 so as to enable it to acquire the stock of nine teen oil companies, which in turn owned a large number of companies, concerned in the oil business. The Standard Oil Company of New Jersey was designated as a holding company and is similar to the American Tobacco Company, the organization of which was considered by the court during the last few days.

The seven individuals named in the suit as defendants were John D. Rockefeller, William Rockefeller, Henry M. Flagler, Henry H. Rogers, John D. Archbold, Oliver H. Payne and Chas. M. Pratt. The part these men are said to have played in the alleged violation of the Sherman anti-trust law has been summarized by the government as follows.

About 1870 the Rockefellers and Flagler conceived the purpose of controlling the petroleum trade, both domestic and export, and obtaining a monopoly thereof. They entered into a conspiracy to accomplish this purpose which from time to time took the form of various combinations. Shortly after 1870 the Rockefellers and Flagler were joined in the conspiracy by Rogers, Archibold, Payne and Pratt. The form which the alleged conspiracy took is described by the government as being from 1870 to 1882 "a combination between a large number of manufacturers, who acted in harmony and whose stock interests were pooled in the hands of three trustees in 1879." From 1882 to 1899, the form of the alleged combination was that of a trust agreement, whereby the stock of a large number of corporations was placed in the hands of trustees, who managed the property. From

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the issue and sale of mileage-books is purely voluntary.

"In Lake Shore R. R. Co. vs. Smith (173 U. S. 699) it is decided that the states cannot compel a railroad company to issue mileage-books at reduced tickets.

"The drummers are now traveling at two cents a mile and have to submit to the inconvenience of buying (exchanging mileage strips) a ticket. It is best to bear this ill than for the railroads to stop the issue of all mileage-books and refuse to sell any more, which they have a clear right to do."

The bill referred to above as having been drawn by Senator Graham has not yet been introduced by him and may not be for some time yet. But the information given in the above opinion, coming from the chairman of the Judiciary Committee, is highly important at this particular juncture.

Grand Theatre.
Very interesting picture, "In Neighboring Kingdoms."

Dan Cupid Scheduled to Get Full Nelson Hold On Frank Gotch, World's Premier Wrestler, Jan. 11.



"They say" that Frank Alvin Gotch is the greatest wrestler the world ever has seen. That may be in one sense, but there is another. Frank Gotch hails from Humboldt, Mo. Dan Cupid, his superior wrestler, hails from heaven. Dan has caught and thrown Frank. It is well known to Frank's friends throughout the world that the wrestler put up only a half hearted resistance, merely to give an exhibition so that the public could have a run for its money. Mr. Gotch, to come down to plain prose and quit this foolery, will lead to the altar on Jan. 11 Miss Gladys Oestrich, also of Humboldt. Both bride and groom prospective are natives of Humboldt, a quiet little village in the cornfield area, which is very proud of both of them. Gotch has made it home always, though he has roamed the world over for ten years developing himself as the wrestler champion of champions. "The Humboldt folks are like one big family," says a benevolent press agent for the place. "Strange as it may seem, there are no gossips. Everybody boasts for everybody else. Ever been in Humboldt? It is the biggest town in the world for its size." Miss Oestrich we are told, is a sweet little miss with winning ways. Though her father is wealthy, she doesn't care a rap for Parisian creations, nor does she long to mingle in the social whirl, a thing that makes the majority of modern women a failure from a matrimonial standpoint. (Still quoting that press agent, remember.) She can cook, keep house, sew, is a talented musician and isn't afraid of work. And she is only twenty.

TO REPRIMAND HIM

President Orders a Public Reprimand for Naval Officer Who Made Imprudent Speech at a Banquet in London. Officer's Offense Was Most Conspicuous.

Washington, Jan. 10.—President Taft has decided that Commander W. S. Sims, the United States Naval officer who at a recent dinner given in London by the Lord Mayor declared that if Great Britain ever was seriously threatened she could depend on "every man, every dollar, and every drop of blood" in this country, should be publicly reprimanded. "His offense has been so conspicuous," said the President in a letter to Secretary of the Navy Meyer, directing the reprimand, "that the action of the department in reprimanding it should be equally so."

A "NEVER AGAIN" CLUB

STARTED IN NEW JERSEY

Trenton, N. J., Jan. 10.—Only persons who have previously attempted suicide are eligible for membership in the club chartered here for uplifting despondent fellow-men. The club has forty members. Its motto as embodied in the charter is "Never Again."

READY FOR LAUNCHING

Philadelphia, Jan. 10.—Preparations have been completed at the New York ship building yards, in Camden, for launching the battleship Arkansas, Saturday afternoon. Officials of the company said any controversy between the Navy Department and the Arkansas Governor as to details of the launching would not interfere with Saturday's plans.

DENOUNCES LORIMER

Senator From South Dakota Hurdled Condemnation on His Bribery Methods—Does Not Want Lorimer to Remain Seated.

Washington, Jan. 10.—In an exhaustive speech, Senator Crawford, of South Dakota, today denounced the alleged methods employed by Senator Wm. Lorimer's agents in the Illinois Legislature and declared his conviction that Lorimer was not entitled to retain his seat in the upper branch of Congress. Despite Lorimer's repeated protestations of innocence Crawford flatly charged Lorimer was cognizant of questionable practices of his lieutenants.

FIRE BURNED SHED AND TWO TRAINS TODAY

Chattanooga, Tenn., Jan. 10.—Fire of unknown origin, starting in a mail car of a Chattanooga and Nashville passenger train, standing under the shed of the Nashville, Chattanooga and St. Louis railroad station, this morning destroyed both train and shed. The loss is \$125,000.

THREE TORPEDO BOATS MADE RECORD RUN

New Orleans, Jan. 10.—After making the fastest run ever recorded on the Mississippi river three United States torpedo boat destroyers, the Paul Ding, Rod and Terry, arrived last night from Key West, Fla. The boats made the trip from the Mississippi bar to the city, 116 miles, in four hours and fifty minutes.

NO ROYAL ROAD

Leads to the North Pole, is Commander Peary's Declaration—Appears Before Congressional Committee Again Today.

Washington, Jan. 10.—There is no royal road to the north pole and no sign posts mark the way, according to Captain Robert E. Peary, the Arctic explorer, who was today before the House Naval Affairs Committee. He declared the data collected of the dash of the Peary expedition to the top of the world would be practically valueless to other aspiring Polar argonauts. "Then the North pole is as much lost as ever?" inquired Representative Gregg. "The discovery of the North pole is a misnomer," retorted Peary. "It is an attainment." He acknowledged that he had made no official report to the Navy Department.

OKLAHOMA'S GOVERNOR URGES CAUTIOUS METHODS

Oklahoma City, Jan. 10.—Decriing any "wholesale changes" of existing State laws, Governor Lee Cruce in a message to the Oklahoma legislature has urged the body not to attempt to "base its merits on the number of laws passed." The Governor recommended that the election laws be changed, taking care to protect the integrity of elections.

Grand Theatre.
Very funny, "The Joke They Played on Bumptious."

Grand Theatre.
Greatest picture ever made, "The Tont's Remembrance."

TAKING SCHENK CASE EVIDENCE

Prosecution Starts to Weave its Web

Expects to Close by Saturday and Case Will Go to Jury Soon Afterward—Medical Men on the Stand Today—Mrs. Schenk Appears More Composed.

Wheeling, W. Va., Jan. 10.—With the jury completed progress began this morning in the trial of Mrs. Laura Farnsworth Schenk, for alleged poisoning of her millionaire husband, John O. Schenk, the pork packer several months ago. The prosecution's witnesses, many of them physicians called in to diagnose Schenk's ailment, were called to the stand. Two hours before the doors opened at 9:30 o'clock, immense crowds surged about the court house. Additional police were necessary to prevent overcrowding of the room where the famous case is being tried.

Judge Jordan's orders were specifically observed and not a minor was in the room. Mrs. Schenk was brought in by the sheriff. She smiled pleasantly to her counsel. She carried a record book, which evidently is destined to play a leading part in the trial. Prosecutor Handlan said he would take until Saturday to present his evidence. Judge Jordan hopes to send the case to the jury on the same date. Wm. Wolfe, a manufacturer, was the first witness. He described his trip abroad with John O. Schenk in 1910 and declared the man was never in better health. Wolfe said Schenk became ill two days after his return to Wheeling, complaining of his stomach and he became steadily worse. He said Mrs. Schenk said to him: "Billy, I don't believe John will live very long."

Sharp tilts between attorney around Mrs. Schenk's deep interest. Dr. Bigger Best testified he was summoned to the Schenk home last October. He treated Schenk for "stomach trouble" Dr. Gregory Ackermann, the next witness, said: "I examined Schenk October 5, and found he had inflammation of the stomach and intestines." He ordered Schenk taken to a certain hospital, but he was taken to another. He found a black line and indication of lead poison. A blood test revealed this condition. "I found all symptoms. None was lacking." There was no cross examination.

DOCTORS MAKING STUDY OF THE DIVORCE EVIL

New York, Jan. 10.—The New York Society of Medical Jurisprudence is making a study of the divorce laws of the country, with a view to making recommendations for amendments, making divorce easier and marriage more difficult. It is urged that more sociology and less theology is needed to correct marriage evils.

IDENTITY OF STRANDED SCHOONER ESTABLISHED

Atlantic City, Jan. 10.—Signals from the Barnegat Life Saving crew, at sea, has established the identity of the vessel stranded off that station, as the Harold B. Cousins, bound from Portland to Washington. The schooner carried a crew of seven men. It is feared the vessel will go to pieces before wrecking tugs can reach her.

COMBINE TO FIGHT FOR SENATORIAL HONORS

Charleston, W. Va., Jan. 10.—John T. McGraw, of Grafton, and John H. Holt, of Huntington, have combined to fight for election as successors to the United States Senators Scott and Elkins, it was announced by their friends here.

Grand Theatre.
Mr. Morgan will sing "Phoebe Jane" illustrated.

ITS A FARCE ON ITS FACE

Telegram from the Mayor of Des Moines

Wires That the Success of the Commission Form of Government Depends on Election of Commissioners and Abolition of Ward Lines—Commissioners Must Recognize Their Responsibility to the People.

Des Moines, Iowa, Jan. 9, 1910. L. B. Rogers, Wilmington, N. C. Important to abolish ward lines. Chief merits of plan are responsibility to the people and simplicity and directness of administrative power; therefore commissioners should feel that they owe offices to an election by the people. Plan a great success here. (Signed.) JAMES R. HANNA, Mayor.

The above telegram speaks for itself. It is claimed that the proposed commission plan is fashioned after the successful Des Moines form. Part of the way so good, but the most vital, the very foundation, as The Dispatch has always contended, part of the Des Moines plan has been omitted. The above wire plainly shows this. So what would Wilmington's butchered up plan amount to, besides from being a travesty on Democratic doctrine and absolute disfranchisement of over two thousand white men in the city of Wilmington. When one wants to deprive a man of his vote he places himself in a position to be criticised. Every successful commission form has been based on election by the people, but Wilmington's proposed plan would absolutely throw this feature into the mud, and present not only an un-Democratic instrument, that will rebound with crushing effect upon those who advocate it and upon the Democratic party, but an edict of imperialism. Why not stand forth before the people? Why not meet the issue squarely? If a commission form is to be adopted why not adhere to what has proven a success. Don't try and experiment.

The telegram above came in response to one sent to Mayor Hanna by Mr. Rogers. The latter outlined the features of the Wilmington plan, and the above is the answer—the people must rule. Wilmington's neighbor, Columbia, S. C., elected her commissioners, but poor old Wilmington is different. Will the legislature shackle this city with un-Democratic rule?

People of Wilmington are taking an interest in electing commissioners by the people. If one will get out upon the streets he will not only hear such, but he will hear, in some cases, some very harsh remarks.

Bitter But Just Condemnation.

Editor of The Dispatch. Ament a commission form of government for the City of Wilmington. It would appear that the burning question in consideration of this subject is the personnel of the Commission and the manner in which they are to be clothed with authority; whether they are to be chosen by a direct vote of the people, and thus become the properly constituted representatives of the people, or whether they are to be named in the bill creating the Commission, and in that way become the obedient menials of some individual, or coterie of individuals whose loftiest aim is to control, regardless of whether or not it meets the approval of the people.

I respectfully submit that if the citizens of Wilmington possessed that degree of intelligence necessary to choose a representative, then it is reasonable to assume that they are perfectly capable of passing upon any bill which that representative may propose for enactment into law. If the people are to be called upon to surrender the rights and privileges guaranteed to them under the present charter of the City, and to be subjected to government by a Commission of the citizens, without being allowed the right to say by ballot who those five commissioners shall be, then, on the same principle, why should we further concern ourselves about municipal government? Why not turn the whole matter over to that self-constituted authority which has the power to dictate who the commissioners shall be, and go about our several vocations? This would save to the community a deal of trouble and inconvenience, not to

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