

WEATHER FORECAST. Partly Cloudy and Slightly Cooler To-night. Friday Fair.

VOLUME TWENTY-TWO.

WILMINGTON, NORTH CAROLINA THURSDAY, MAY 4, 1916.

PRICE FIVE CENTS.

AMERICAN GOVT. READY TO ACCEPT AGREEMENT

No Date Fixed For Withdrawal of U. S. Troops From Mexico.

WAITING TO HEAR FROM GEN. CARRANZA

When He Gives Approval Another Conference Will be Held—Mexico Must Protect American Border Towns.

(By Associated Press.) Washington, May 4.—The American government is ready to accept in the main the agreement for the future pursuit of Villa and his bandits drawn up by Generals Scott and Obregon.

This agreement provides for the cooperation of the American troops and Carranza forces. While no time limit is set for the withdrawal that will be done as soon as it is definitely indicated that the American border towns are no longer in danger of raids.

Officials characterized the agreement as "satisfactory."

BUT FEW HAVE NOT MET REQUIREMENT

Only Few Disfranchised Persons in Brunswick—County Commissioners

(Special to The Dispatch.) Southport, May 4.—The Brunswick Board of County Commissioners adjourned yesterday after being in session for three days. A settlement was made with the county treasurer and the matter of settlement with the sheriff was left over until the first Monday in June.

Men who came to Southport in years gone by remember the Clemmons House right near the depot where it was sold more good things to eat could be found than on the table of any other hotel in the whole state.

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The revival services joined in by all the church folks of Southport and conducted by Rev. C. L. Everts, of the Chapman-Alexander party, has come to a close. A number of converts were made and it is thought that 50 or 60 will unite with the various

CRUSADE TAKES A NEW TURN

Now Letters by the Thousands Are Being Shown On Congressmen.

(By Associated Press.) Washington, May 4.—Printed forms of letters protesting against any step that may lead to war with Germany began pouring in by the thousands today upon members of Congress, as the sequel to the telegraphic protests which swamped the capital and the telegraph companies last week.

Suits Started.—Suits brought by the City of Wilmington against L. J. C. Cutler and W. H. James were entered in Superior Court today.

BOAT OVER TURNED IN NEUSE RIVER

Three Young Men Had Narrow Escapes—Auto Victim is Getting Better.

(Special to The Dispatch.) New Bern, N. C., May 4.—Physicians attending Mr. B. B. Hurst, Craven's general county treasurer, who was injured in an automobile accident near this city, Sunday morning, today stated that Mr. Hurst was resting well and that he seemed to be improved in every way.

Mr. Hurst is suffering with two breaks in his right arm, a dislocated shoulder and other injuries sustained when he was thrown from the machine when it left the road and struck an embankment.

James Stewart, Bryan Duffy and Elgie Carraway, three youths who are members of three of New Bern's prominent families, had a narrow escape from a watery grave late Tuesday afternoon when a boat in which they were sailing up Neuse river off East Front street, overturned, and they were thrown into the river.

While each one of the boys can swim a little they were considerable distance from shore and would never have been able to have reached it had they been forced to make the trial.

Hert Thornton, a son of Mrs. Thornton, was on the river at the time of the accident, having with him several young ladies. As soon as he saw the predicament which the boys were in, he rowed as near shore as possible in order to allow the young ladies to disembark and then hastened to the point at which the sail boat had turned over.

Young Thornton managed to get the "shipwrecked" boys in his boat and the craft and its cargo was then towed ashore by Mr. George Stratton, who had arrived on the scene with a motor boat.

Miss Bessie Rawls, a daughter of Mr. and Mrs. J. W. Rawls, No. 52 East Front street, this city, was seriously injured yesterday afternoon; when she fell from the third story of the dormitory at Littleton College, Little-

THOUGHT HE SAW BANDIT VILLA

A Tar Heel Gets Filled With Terror On Quiet Country Road.

(Special to The Dispatch.) Raleigh, N. C., May 4.—That Villa is in some of the fastnesses of Chatham county is the belief of Walter D. Siler, solicitor, both of his district and for votes for Tom Calvert for attorney general.

Mr. Siler was called from his bed at 4:50 in the morning several days ago by a prominent citizen of his county and told to come up town, Siler City to find something that needed investigation. "When I got there I found my man who was excited," Siler said today. "He said: 'Walter, as I came along the mountain over yonder about eleven miles I saw a fellow step into the road and I turned my horse. He struck out through the thicket. You know I believe that fellow was Villa and I think it's a darned shame for him to be running about in this county that way.'"

The Danger of Dellingier. Siler discovered the one statesman in the commonwealth last summer and started to run him for corporation commissioner. This Chatham man was a tax assessor in a township and surprising that the corporation commission might raise taxes a little the statesman lowered everything eleven per cent so that the re-assessment did not touch the natives.

"The chief danger to Tom Lee," Mr. Calvert said, "is the platform upon which Mr. Boyd is running. As I understand it he is in favor of every man's giving in what he wants to, putting his own valuation on it and paying his taxes when he darn feels like it. That's a hard issue to meet."

"The danger of Dellingier is his long tail coat," he outdresses Shipman and looks much more ministerial."

Mr. Siler says Calvert will win. "My man has not been writing letters and discussing his candidacy with other candidates. He just works on his job and makes votes every day. He hasn't hurt himself with notes," the solicitor thinks.

CLASS RATES ARE UPHELD TODAY

Found That Southern's Rates to North Carolina Points Are Justified.

(By Associated Press.) Washington, May 4.—Increases in class rates between Danville, Va., and other points in North Carolina on the main line of the Southern Railway, intermediate to Charlotte, between Greensboro and Goldsboro and points on the so-called Ramspur, Asheboro, Wilkesboro and Mt. Airy-Sanford branches of the Southern Railway, were upheld today by the Interstate Commerce Commission.

The increases applied in both directions, but protest made on behalf of the merchants in Danville, related only to southbound freight. The commission held that the higher rates had been justified as reasonable.

New Furniture Company. The Empire Furniture Company is the title of Wilmington's youngest furniture concern, of which Mr. Joseph Murphy is the manager. The concern will sell and exchange all kinds of second-hand and high-grade furniture at the store, No. 9 South Front street.

REPORTED METZ BEING EVACUATED. London, May 4.—Reuter's Amsterdam correspondent telegraphs that information regarded as trustworthy has been received that Metz is being evacuated by the civil authorities.

Metz is the capital of Lorraine and is a city of 60,000 population. It is rated as 1 of the strongest fortresses of the world. It is about fifteen miles north of the fighting line and 40 miles east of Verdun.

RAILWAY HEADS AGREE DIVIDE THE SOUTH

According to Letters Introduced at Hearing Today.

LETTERS HOWEVER STOUTLY DENIED

Sensational Turn In The Hearing of The Louisville and Nashville Case.

(By Associated Press.) Washington, May 4.—Correspondence purporting to have passed between Milton H. Smith, president of the Louisville & Nashville Railway, and the late Samuel Spencer, president of the Southern Railway, relating to an alleged agreement to divide the South between the two railways, was introduced by counsel for the Interstate Commerce Commission at today's investigation of the Louisville & Nashville affairs.

In the correspondence the writers likened themselves to Cortez and Pizarro, conquerors of a new world, met to divide it; one agreeing to take North America and the other South America, neither touching the Isthmus and being unable to agree on Patagonia.

President Smith said he remembered no such correspondence and characterized it as "rot."

The correspondence was dated in 1896 and resulted, Chief Consul Folk of the Interstate Commerce Commission, said, from a meeting between Smith and Spencer, at Kennesaw, Ga., October 18, 1894.

One letter, apparently written by Spencer to Smith, with regard to territorial agreement, was dated February 29, 1896.

LORIMER TO MAKE A FRESH START IN LIFE

Chicago, Ill., May 4.—William Lorimer, former senator, who last night was acquitted of charges of embezzlement and conspiracy to defraud in connection with the failure of the LaSalle Street Trust and Savings Bank while he was president, said he would start out today to accumulate money with which to reimburse the depositors who lost by the failure.

The case had been on trial for 79 days in the Superior Court and was given to the jury last night. After more than six hours' deliberation the jury rendered a verdict shortly after midnight.

RALEIGH PASTOR TO GO TO TEXAS

Rev. Charles Maddy Accepts Call to Baptist Church of University.

(Special to The Dispatch.) Raleigh, May 4.—Rev. Charles E. Maddy, pastor of the Tabernacle Baptist Church congregation of Raleigh, has again been called to the pastorate of Texas and this time he will go. He has declined the call several times, only to receive a new one that was a trifle better than his fellow. The Texas church has among its members about five hundred university boys, and in course of building a handsome new church which will cost \$50,000 or more. This new work has been made very attractive to him because it gives him an opportunity to study that he has never enjoyed in the great personal ministry necessary in such fields as he has filled.

Mr. Maddy has not announced his acceptance, but at the services Sunday morning it is expected that he will offer his resignation and announce his decision to go to Texas. He has preached there and won his future congregation in the visit. The university has always had a hankering for North Carolinians and called Dr. George T. Winston to its presidency from the University of North Carolina. Mr. Maddy graduated at the university several years after this.

The Raleigh pastor has served congregations in Greensboro, Statesville and Raleigh, and did a great deal of ministerial work during his attendance upon the university in this State. He now holds one of the most important charges in the North Carolina convention and his going away will make a place not easily filled.

The Baptists received from Rev. D. Gray, one of the big men of the Southern convention, announcement of the receipt of \$33,275 from the North Carolina Baptists, the best collection of the year. The whole Southern convention contributed \$365,800. North Carolina did her part and more than the proportionate share of the fourteen States.

FINAL ROUND IN THE STOCK LAW SQUABBLE

Restraining Order Against Building Fence Gets Knock Out Blow.

HIGHEST COURT MAKES THE DECISION

Mrs. Callie Appelbaum Loses Her Case Before State's Highest Tribunal—An Interesting Action.

(Special to The Dispatch.) Raleigh, N. C., May 4.—Faison and others against the county commissioners of Duplin in which Judge Connor vacates a restraining order which prevented the commissioners from proceeding with the construction of a fence around the county, lose in the final round yesterday and the fence will go up.

Judge George Connor granted the restraining order when the plaintiff progressives urged that there had been no valid election; that if there had been one the law made no provision for the 15 and 4 cents levies for the fence, and that if a valid election it was double taxation to enforce the payment of tax by those who do not give their stock free range territory.

The plaintiffs contend that the registration in Duplin county was 3,851 votes and that those who voted against the stock law, which means in favor of free range, were only 1,774. This lacked a good deal of a majority. The proponents of the stock law were overwhelmingly in the minority. Only two precincts in the county gave more for stock law than against it.

The court appointed referees to find the facts and after a purged ballot box they discovered 3,343 qualified voters and only 44 illegal ones, making the grand total 3,387, with 1,730 against the stock law. That was a clear majority and upon these facts Judge Walker, who writes the opinion for the court, holds the validity of the election.

Judge Walker quotes from the opinion of Justice W. A. Hoke last week in Keith and others against the county commissioners of Pender, wherein the stock law again is controverted. The plaintiffs seeking the perpetual restraining order in Duplin hold that the legislature did not provide for a tax levy, but Judge Hoke held that in the Keith case that the act imports the levy.

The third contention, that the stock owners who keep up their stock and gain no benefit from free range, and that they are double-taxed therefore, does not stand up. Judge Connor is sustained in vacating the restraining order and the friends of the pine rooster and the scrub cow have won all points because they put their propositions to the voting test and were successful in the promotion of that poll.

Mrs. Callie Scott Appelbaum cannot collect her \$5,000 policy upon the life of Jerome Appelbaum, perhaps her husband, according to the Supreme Court opinions handed down today, and the lower court's non-suit in her action against the Order of United Commercial Travelers is sustained. The case lost its life or took it under peculiar conditions in a hotel of Atlanta, and the defendant, who is now the plaintiff against the order, was tried and acquitted of murder. The death of Appelbaum, who had been living with her as her husband, having been married to her while his first wife was still living without a divorce from him, was declared to have been accidental though evidence was introduced to show that he contemplated suicide and the murder of his wife and children.

The policy that the deceased carried was taken out while the first wife of the dead man was living. As the beneficiary of the principal and \$25 a week for 52 weeks the court holds that she cannot collect because she was made the beneficiary while she was not deceased's wife. Chief Justice Clark, writing the opinion, says: "There was much evidence tending to show that the death of Jerome Appelbaum was not an accident, but was caused by pistol shots at the hands of the plaintiff. We need not consider the exceptions raised as to this matter, for it seems to us that upon the face of the certificate and upon the uncontradicted evidence the plaintiff is not entitled to her action."

"Upon the uncontradicted testimony the plaintiff went through the marriage ceremony with the deceased in 1911 in New Orleans. She again was a party to the marriage ceremony with him in July, 1912. It appears that she was married twice before the plaintiff states that she was divorced from both of these husbands. She does not know whether they are still living."

"Jerome Appelbaum was legally married to Blanche Dean, May 18, 1909, and this marriage continued in effect until February 13, 1913, at which time she obtained a divorce from him at Kansas City, Mo. He died or was killed February 25, twelve days thereafter, in Atlanta. It is very evident from this statement that the plaintiff was not his wife at the time of this application and the issue of the certificate of membership, nor at the date of his death. By the terms

FRENCH CONTINUE TO PRESS THEIR BIG ATTACKS

Have Captured Much Ground In This Counter Offensive Move.

GRENADE FIGHTING IN AVOCOURT WOOD

Artillery Is Busy West of Meuse—Three and Not Four Rebels Put to Death

(By Associated Press.) The French are continuing their counter offensive movement, near Dead Man's Hill, in the Verdun region. After the capture of German positions northwest of the hill, announced last night, they continued to advance during the night, besides consolidating the positions already taken, according to this afternoon's official bulletin.

No other notable infantry engagements are reported on the western front, though there has been grenade fighting in the Avocourt wood, southwest of Dead Man's Hill, and heavy artillery bombardment elsewhere in the district west of the Meuse and in the Vaux region, northeast of the fortress.

It is definitely established that three and not four leaders of the Irish rebellion were found guilty and executed. The men tried by court-martial and shot were Patrick Pearse, the president of the provisional government; Thomas MacDonagh and Thomas J. Clark.

James Connolly, at first reported as also executed, is in prison wounded. The confusion arose from the somewhat ambiguous announcement made by Premier Asquith in the House of Commons.

MEXICAN REPORT BEFORE WILSON

No Time Limit at All—Secretary Baker to Recommend Its Acceptance.

(By Associated Press.) Washington, May 4.—Major-General Scott's report on the conferences with General Obregon laid before President Wilson today by Secretary Baker was characterized by officials as satisfactory.

It is understood that it provides use of the Mexican railway and sets no definite time, as sixty days, as has been reported, for the withdrawal of General Pershing's forces, the same. The whole terms of the tentative agreement will not be made public; at least until after a conference between President Wilson and Secretary Baker today, but it is understood to provide that American troops will not go further south than they now are and will be withdrawn as soon as the Carranza government convinces the United States of its capacity to protect the American border territory.

It also provides for co-operation with the Carranza troops for cleaning up the bandits. Some slight changes from the agreement between Generals Scott and Obregon may be made here, but they are probably unimportant. It is indicated that Secretary Baker will recommend to the President the acceptance of the agreement, which is described as a purely military one.

Indorsed on said application and under the statute of Ohio where the company is chartered, the payment of death benefits shall be confined to the family, heirs, relatives, by blood, marriage or legal adoption, affianced wife, or to a person or persons dependent upon the member. The plaintiff does not come under either of these terms." Judge Clark holds "dependent" to mean legal dependence and declares that according to the plaintiff's own testimony does not belong to any of the classes named. "She is his bigamous wife and does not come within the class provided for beneficiaries," Judge Clark says in

conclusion, "and the defendant is not therefore required to assess its other members to raise the sum of \$6,300 for the plaintiff."

GREAT BRITAIN IS BOW TO DEMAND OF THIS COUNTRY

Will Turn Loose Men Seized on American Ship, Comes London Report.

WILL ALSO DISAVOW CAPTAIN'S ACTION

Note From United States Plain On Point and Demand Will be Conceded, Is The Belief.

(By Associated Press.) London, May 4.—The belief is expressed in neutral diplomatic circles that the British foreign office will not only order the release of the Austrians and Germans seized on board the American steamer, China, while on her way from Shanghai to San Francisco on February 19, last, but will also disavow the action of the captain of the auxiliary cruiser, Laudentic, in making the seizure.

Although the latest American note refused to discuss the actual movements of the seized passengers or their plottings it is known that the attention of the British authorities has been called to the fact that those arrested, although en route to Manila, could not reach that port on board the China, but would have been compelled to have been transhipped at Nagasaki, which would have been within the jurisdiction of Japan, England's ally. Therefore the seizure was not only unjustified, but unnecessary.

The United States takes the position that the seizure is an exact parallel of the Trent.

BRIEF WORD COMES FROM GERARD

Contains no News of Contents of The German Note—Reply In His Hands Today.

(By Associated Press.) Washington, May 4.—A brief message from Ambassador Gerard at Berlin reached Secretary Lansing this morning. It was the first the State Department had heard from the Ambassador since last Friday. The message, it was said, contained no information as to the contents of the German reply to the American note sent two weeks ago, demanding, in effect, abandonment of her submarine warfare. Unofficial information was to the effect that Germany's reply would be in the hands of Ambassador Gerard some time today.

Chairman Stone, of the Senate foreign relations committee, stated that a dispatch from Ambassador Gerard, dated yesterday, said that the ambassador expected to receive today Germany's reply to the American note demanding immediate abandonment of the present practices of submarine warfare.

Chairman Stone, of the Senate foreign relations committee, stated that a brief discussion of the German and Mexican situation. "Judging from the newspapers the tenacity of the situation with Germany is very much less than it was," said Senator Stone. "It also appears that some agreement has been reached on the border."

Senator Stone said there was no occasion for congressional action as the situation now stands.

BACK FROM THE BIG FINANCE CONFERENCE. Newport News, Va., May 4.—The cruiser, Tennessee, with Secretary of the Treasury McAdoo and party aboard, arrived in Hampton Roads shortly before 8 o'clock today. The returning commissioners from the Pan-American Financial Congress include Assistant Secretary Peters and a score of prominent financiers.

"We Have With Us Today!" The local Stores, listed below, which appeal to men, women and children, advertise in The Evening Dispatch because they want to "tell the story" of their merchandise to you as one of the great family of Evening Dispatch readers. Look to our advertisers first to fill your wants. Geo. S. Nevens & Son, The Payne Drug Co., C. D. Kenny Co., Hall & Ross, Cape Fear Hardware Co., Thomas Grocery Co., Empire Furniture Co., Belk-Williams Co., N. Jacobi Hardware Co., Elvington's Pharmacy, J. M. Solky Co., C. W. Yates Company, J. Frank Jarman.