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LOANING LIQUOR

ILLEGAL EXCEPT CASE OF SNAKE BITE—M'NEIL LOOKS FOR A SPEEDY RULING

IN FREIGHT RATE CASES

(By W. J. Martin.)

Raleigh, N. C., Nov. 16.—In state vs Mitchell, from Forsyth, the court holds that the loaning of whiskey with the understanding that it is to be paid back with other whiskey makes the parties guilty of selling and that this loaning of whiskey could not be excused under any circumstances save, possibly, in case one is bitten by a snake of venomous insect or under some similar circumstances. Justice Brown wrote the opinion for the court.

In state vs Dove, from Granville, a sentence for manslaughter is sustained over an appeal the evidence of self defense should enter into mitigation of the punishment.

Another State case is State vs Neville, from Alamance county, in which Richard Neville's sentence of five years for stealing a mule is affirmed, the evidence being that he induced his nephew to take the mule to Virginia and sell it, sending the money back to him in Alamance county.

Chairman Franklin McNeill, of the Corporation Commission, just back from Washington and the hearing before the new Commerce Court in the Norfolk and Western freight case says there is every indication of a speedy ruling that will end this litigation. And also that the indications are that the reduced freight rates involved to Winston-Salem and Durham from Cincinnati and the west will be sustained. It is a notable fact that these rates having been on since last June the showing before the Commerce Court was what the Norfolk and Western freight business to Winston-Salem and Durham has increased from 44,000,000 pounds to 60,000,000 pounds for the year. And this is being used as a plea that the lower rates are attracting business from the Southern and Seaboard Air Line, the railroads making this plea for the restoration of the former higher rates.

In the work of pushing the construction of the Central Highway New York to Atlanta and Jacksonville, south of Raleigh in this State it has been impossible to induce Chatham and Lee counties to construct their sections of the proposed routes as originally located and the promoters of the enterprise have turned to Hoke county whose commissioners have arranged for a standard road to be built that will provide the desired link at a cost of about \$300 per mile. This makes the route somewhat more circuitous but it is through a fine country and later on when Chatham and Lee counties wake up to their best interests the original route will be built giving the tourists a choice of two fine roads.

The free dispensary treatment of hookworm treatment has just been established in Harnett county by Secretary Jno. A. Ferrell, of the hookworm commission. He is also pushing this work in Brunswick, Pitt and Hertford counties and has completed this line of treatment in ten other counties. Also there are fourteen other counties that have made the required appropriations for this work and will be "invaded" just as soon as they can be reached. A fine spirit of co-operation has developed in every section of the State.

Miss Margaret Jordan Boylan, daughter of Mrs. James Boylan, became the bride of Mr. Claiborne Carr of Durham, son of Gen. Julian S. Carr, Wednesday evening at one o'clock in Christ Episcopal church, this city, Rev. Milton A. Barber, the rector, officiating and with special wedding music by R. Blinn Owen, organist and Miss Fannie Johnson and Kimbrough Jones as violinists. In the bridal party as dame of honor was Mrs. Stedman Thompson and Miss Katherine Boylan, as maid of honor, sisters of the bride; Misses Louise Carr, Durham; Annie Louise Vaughn, Durham; Emmie Drewry, Josephine Boylan, Elsie Heywood and Annie Root as bridesmaids, Marvin Carr, New York and Julian Carr, Jr., Durham, brothers of the bridegroom, as best men.

Twenty appeals were disposed of with opinions and otherwise this weekly delivery day by the Supreme court, the list following: Wacksmuth vs Atlantic Coast Line Railroad Co., Edgecombe, no error. King vs Atlantic Coast Line Railroad Co., New Hanover, new trial. Carmichael vs Bell Telephone Co., New Hanover, new trial. Maynard vs Sears, Wake, error. State vs Neville, Alamance, no error. State vs Dove, Granville, no error. Patterson vs Trust Co., Guilford, no error.

Thompson vs Revolution Cotton Mills, Guilford, no error. Urquhart vs Durham and Southern Carolina Railroad Co., Durham, no error.

Young vs Southern Railway, Guilford no error.

Trollinger vs Fleeer, Davidson, no error.

Jeffords vs Albemarle Waeerworks, Stanley, affirmed.

Currie vs Fleeer, Davidson, no error

Goodman vs Heilig, Davidson, affirmed.

Pritchett vs Southern Railway, Rowan, no error.

Davidson vs Southern Railway Co., Iredell, no trial.

Beck vs Bank of Thomasville, Davidson, appeal dismissed.

Gallimore vs Grubb, Davidson, no error.

State vs George Mitchell, Forsyth, no error.

Johnson vs Mutual Benefit Life Insurance Co., Stokes, no error.

Fire at Whitakers.

Whitakers, N. C., Nov. 16.—Fire at 10 o'clock Monday night, put the telephone system of this place entirely out of commission, destroyed the store occupied by the L. B. Gardner Merchandise Co., and owned by Dr. Cobb and partially burned W. H. Barnes' brick store occupied by Cicero Denton.

Mr. J. W. Strickland, of this city, and a crew of two dozen men, reached here today and expect to have the telephones in order by tomorrow morning. The damage to the Gardner place was \$1,000, covered by \$700 insurance. Other damage amounted to less than \$250.

The fire started in the rear of the Gardner store. The cause is unknown. Gardner's was damaged, both stock and building. The other places merely by water and smoke. The fire department did effective service.

Petition in Tobacco Case.

New York, Nov. 16.—The filing today by the Independent tobacco dealers of a petition to intervene in the government's dissolution suit against the tobacco trust makes certain an appeal from the plan of the United States supreme court and may delay disintegration of the trust in the opinion of counsel in the case.

Should the independents' petition be granted by the circuit court, the case will be taken to the supreme court by the protestants, who would then be parties of the suit, their counsel Felix H. Levy, declared should the circuit court deny the independent their plea, he added, they will take it to the higher tribunal notwithstanding. In addition, the petitioners suggest, "as friends to court," that the circuit embody in the forthcoming decree a clause that the decree shall be brought as speedily as possible before the supreme court for review. The petition bears the signatures of the National Leaf Tobacco Association and Cigar Manufacturers Association of America. It is directed against District Attorney Wise, representing the government; various defendants counsel in the government suit and Chas. R. Carruth, counsel for R. P. Richardson, Jr., & Co., who already have settled their differences with the trust.

The independents recite in the petition, they are vitally interested in the dissolution of the tobacco trust and base their plea to intervene on the grounds that the "decision will, in substance, and effect, conform to the requirements of the opinion and decree made by the United States supreme court."

Aldrich Chief Speaker.

Kansas City, Mo., Nov. 16.—Currency reform and the proposed change in the banking system of the country as outlined by the National Monetary Commission formed the central theme under consideration by the delegates to the Trans-Mississippi Commercial Congress, which convened today in annual session.

The principal address was delivered by former Senator Nelson W. Aldrich, chairman of the commission who explained the proposed plan. He asserted that people of this region would derive general benefits from the proposed change in banking conditions.

"The organization of credit," he said, "is the most important element of the successful existence of communities or States. This is especially valuable to the newer communities such as you have in the trans-Mississippi territory."

Referring to the criticism that possibly the proposed national reserve might be determined by political influences, Mr. Aldrich said that no sensible plan for the reorganization of the country's banking system could be controlled by politics.

"Neither can it be dominated by Wall Street nor any clique in New York or elsewhere," he said.

Mr. Aldrich said that the new plan would give a uniform rate of discount throughout the country and that it would offer more competition to foreign banks. He commended the proposed plan to allow national banks to have savings departments.

Henry L. Stimson, Secretary of War, urged upon his hearers the importance of the country's trying for closer commercial relations with South America.

DIVIDING UP STOCK

STANDARD OIL COMPANY LAYS DOWN THEIR SCHEME OF DIVISION

FOR ITS 34 COMPANIES

New York, Nov. 16.—Plans for the distribution of stock of the thirty-four subsidiary companies of the Standard Oil Company of New Jersey to conform with the mandate of the Supreme Court of the United States were made public today and show that the holders of one share of Standard Oil of New Jersey stock will receive varying amounts in the separate companies in fractions of one share.

These stocks will be ready for distribution on December 15.

The basis of distribution was determined by the capitalization of the Standard Oil Company of New Jersey and its subsidiaries. Thus, in the case of the Atlantic Refining Company, a holder of one share of the Standard Oil Company of New Jersey received a proportional interest in the irregularities in the cotton bills for Company in this case 49996,983383rds of one share.

The Standard Oil Company of New Jersey having divested itself of its subsidiaries will be maintained in its present corporate form with the same officers.

The 35 companies including the Standard Oil Company of New Jersey which will carry on the Standard Oil business will be directed by no officers in common, according to an authority in the company. They will carry out the full intent of the Supreme Court's decree and with the distribution of their stock will begin operating as distinct units with nothing in common.

Sherman Law's Constitutionality is Attacked.

Chicago, Nov. 16.—A further effort of the indicted Chicago meat packers unconstitutional, void and of no force the Sherman anti-trust law was made today.

The latest move was a surprise to the government and consisted in the surrender to the United States marshal of the packers, and an immediate appeal to United States Circuit Judge C. C. Kohlsaat for a writ of habeas corpus. The arguments will be heard on Thursday.

The request for a decision on the constitutionality of the Sherman anti-trust law before undergoing trial was said to have been taken as a necessary step to carry the case before the United States Supreme Court without the cost or delay of a trial.

Violations of the fifth, sixth and eighth amendments to the United States constitution, ambiguity and alleged failure of the act either to create an offense against the government or so to define what it set up as an offense in a manner that would enable the citizen to know when he erred and when not, were charged against the Sherman law as the law was recently interpreted by the United States Supreme Court in the Standard Oil and the Tobacco cases.

Attorney John S. Miller who as chief of counsel for the packers conducted today's court action, characterized the Sherman law as a "net large enough to catch all possible offenders and leaves it to the courts to step in and say who rightfully can be detained and who set at large."

Paul Denies He Made Affidavit.

Richmond, Va., Nov. 16.—Paul Beattie, cousin of the condemned man, flatly denies that he made any affidavits in Washington.

He says the affidavit attributed to him is a clever forgery.

Paul also denies having written the letter Henry C. Beattie, Sr., claims to have received from him.

Paul claims that he is the victim of a conspiracy.

He says that while in Washington he was "doped" and was induced to smoke an odd-looking pipe.

Lawyer Walter C. Balderston, before whom Paul Beattie is alleged to have made the affidavit, says the affidavit was in a normal condition when he saw him.

Paul's Washington landlady says, however, that among his effects she saw some curious looking pipes — the kind opium smokers use.

L. L. Scherer thinks Paul Beattie is telling the truth.

Our Service Ahead.

Two days ago we published that the United States would land troops in China to protect the Tien Tsin railroad in accordance with the terms of the Boxer treaty. The Associated Press and others newspaper associations have just deservd it.

ORDER OUT OF CHAOS

WU TING FANG AND YUAN SHI KAI WILL STRAIGHTEN AFFAIRS IN CHINA

THE PEOPLE TO RULE

Pekin, Nov. 16.—Wu Ting Fang, former minister of the United States and Gen. Yuan Shi Kai, the new Premier is bringing orders from Chaos. The reformation of China has begun. Peace is sought by both Wu and Yuan. Yuan declares for a limited monarchy and Wu for a republic. A conference will be called to determine the will of the people.

General Li Yuen Heng commander of the rebel forces announces that he will obey the orders of Yuan if he will consent to become President, but would not recognize him as a Manchu Premier. In his opinion it would not be difficult to reconcile the provinces, most of which are giving the strongest evidences of a desire for peace. The complete constitution already pledged would satisfy the revolutionaries, except for the fear that Manchu intrigue would begin immediately arms were laid down.

One of the prominent members of the National Assembly today informed an attache of a foreign legation that although the assembly had committed itself to a constitution under the Manchu dynasty, a majority would prefer to reorganize the government on the lines of a republic.

The president of the Ta Ching government bank has deserted his post and fled from the city. The vice president, Chang Chin Tao, who was recently in Europe in connection with a currency loan, is endeavoring to conduct the wrecked institution. As the provinces secede the various branches of this government bank have been confiscated. At only one or two treaty ports were the deposits saved by hasty transfer to foreign banks.

Financial stress is being felt by the administration. The board of finance has only about \$300,000, while the late Empress Dowager's hoarded silver and gold is not thought to amount to more than \$3,000,000, the palace, it is said, having contributed largely to famine funds and other charities, as well as for the Hankow and other campaigns.

A consular dispatch from Chee Foo says that the rebel authorities have notified the consuls that they have taken over the administration and that they intend to protect foreigners. They ask that they be not interfered with.

Yuan to Accept.

Peking, Nov. 16.—Yuan Shi Kai has accepted the premiership and will assume office probably today. Yesterday's official Gazette contained an expression of thanks from Yuan Shi Kai to the throne for his appointment but the truth is that he did not under take the task without receiving guarantees that he would have practically a free hand in conducting affairs while he retained his official position.

The new premier yesterday received several foreign ministers, including the United States minister to China, William J. Calhoun, who only recently returned here. In conversation with a foreigner, Yuan Shi Kai said he intended to form a cabinet immediately and endeavor to carry on the government by gaining the support of as many provinces as possible allowing the remainder to retain their independence for the time being. It would be his endeavor also gradually to win back their allegiance to the throne.

San Rao Chi, the viceroy of Shantung, has been elected president of the republic which has been proclaimed in that province. His acceptance of this office is in accordance with the government's advice, and several other viceroys have gone with the people in the hope of influencing the provinces later to renew their allegiance. The provincial assembly of Chi-Li has adopted a memorial to the throne in favor of the establishment of a republic with Yuan Shi Kai as president.

A NEW WITNESS IN THE RICHESON CASE.

A Mutual Friend of Avis Linnell Who Knew Her and Richeson.

Boston, Nov. 16.—The Richeson defense announced a new witness today He was the mutual friend of Avis Linnell, who knew the girl and Rev. Richeson. Developments are expected in the approaching trial of the young minister.

Many Killed at Spanish Elections.

Madrid, Nov. 16.—Many are dead having been killed by gendarmes at the election riots in Puerto de Orotasa, the Canary Islands.

Th Medical Meeting.

Rocky Mount, Nov. 16.—Those present at Medical meeting held here this v k were:

Dr. James J. Phillips, of Tarboro; E. Dickinson, of Wilson; K. C. M. s, of Wilson; A. F. Williams, of on; J. C. Grady, of Kenly; C. E. A. e, of Wilson; E. G. Moore, of Elm City; W. H. Anderson, of Wilson; K. L. Savage, of Rocky Mount; R. H. Speight, Jr., of Rocky Mount; J. P. Speight, of Rocky Mount; W. H. Whitaker, of Nashville; E. B. Quillen, of Rocky Mount; N. T. Kirk of Rocky Mount; D. Russell Nixon, of Rocky Mount; James K. Hall, of Rocky Mount and M. M. Saliba, of Wilson

The board of directors of the A. C. L. Y. M. C. A., met in the ladies parlor of the First Methodist church and the following officers were elected: W. B. Barrow, president; J. C. Brasswell, vice president; E. R. Hines recording secretary and L. E. Tillery treasurer.

By-laws were adopted as suggested and several other matters of interest were taken up. The next meeting of the board will be called by the president at an early date.

Mr. Finch, secretary of the Y. M. C. A., says that no definite time has been set for the opening of the building but as soon as the electric switch board arrives and is installed a date will be set.

At the next meeting of the board the different committees will be elected and laws governing these committees will be adopted.

ExSenator Quits Banquet.

Chicago, Ills., Nov. 16.—Herando De Soti Money, former senator from Mississippi, now one of the four members of the national monetary commission, went to the dinner given last night by the Western Economic Society in the Auditorium Hotel, but hurried from the speaker's table a few minutes after the guests were seated.

Mr. Money's hurried departure caused much comment. One story was that when he saw a negro sitting directly in front of him with the diners he grew angry, and demanded why the negro was sitting with white persons. When told that the man was a member of the society, Mr. Money left the hall.

When seen in his room an hour later, Mr. Money said that he had left the dinner because he was troubled with neuralgia.

"It is rumored in the banquet hall that you went because of the presence of the negro," was suggested. "I refuse to be cross-examined on that topic," was the formersenator's reply.

Want Share.

New Orleans, Nov. 16.—At the conference of immigration officials, called by Secretary Nagel, of the Department of Commerce and Labor, to meet in Washington Thursday of this week, representatives of State immigration departments in the South will make a determined effort to have such a division made of immigration that the South will get a greater share of newcomers to the United States.

This was learned here today from officers on the Louisiana State board of immigration.

44 Millions Spent on Good Roads.

Washington, Nov. 15.—Speaking of the advantages of good roads and of what is being done in that direction, Secretary of Agriculture Wilson declared yesterday that nearly \$44,000,000 was expended during the present year for good roads in the Southern States alone. The Secretary will speak on the subject at the Good Roads Congress to be held this week in Richmond, Va.

FAILED TO PUT GOVERNMENT ON DEFENSIVE.

Movement to Quash Indictment on the Ground That the Packers were Never Formally Arrested.

Chicago, Nov. 16.—The Packer's habeas corpus scheme has failed to put the government on the defensive. The government in court today moved to quash the writ on the ground that packers were never formally arrested by the government but voluntarily appeared and gave bail.

WILL NOT APPEAL TOBACCO CASES.

Mr. Wickersham Announced After the Conference This Morning Between Taft and Wickersham.

Washington, Nov. 16.—The government will not appeal the tobacco trust cases it is authoritatively stated after the conference this morning between Mess. Taft and Wickersham.

AGAIN IN LIMELIGHT.

Roosevelt in the Outlook Advocates Government Control Over All Business Engaged in Inter-State Commerce.

New York, Nov. 16.—Mr. Roosevelt in the outlook today advocates complete government control over the organization and capitalization of all business concerns engaged in interstate commerce.

OGDEN IS FIRE SWEEP

\$800,000 WORTH OF PROPERTY GOES UP IN SMOKE—MANY PEOPLE HURT

FIRE IS UNDER CONTROL

Ogden, Utah, Nov. 16.—The business section of this city was swept this morning by an eight hundred thousand dollar fire which was under control by this morning. City officials and others were hurt.

A LEADING FIGURE DEAD.

Rev. Alexander Smith, Bishop Co-Adjutor of the Episcopal Diocese Here.

Philadelphia, Nov. 16.—Rev. Alexander McKay, Bishop Co-Adjutor of the Episcopal Diocese, died here this morning aged 62 years old. He was former rector of St. John's church in Washington and was consecrated bishop in 1902. He was one of the leading figures in the religious world.

MUST NOT INTERFERE.

Russia Notifies Mr. Shuster an American Adjusting Persia's Finances. St. Petersburg, Nov. 16.—W. Morgan Shuster, the American in charge of the Persian finances is warned by Russia to exercise no authority in Northern Persia. A Persian invasion is threatened by Russia, unless Persia immediately replies to the ultimatum demanding reforms in Northern Persia.

Stripes for Criminals.

Washington, Nov. 16.—"Felon's stripes" as a punishment for "trust criminals" in the United States to end "commercial piracy under benevolent rules of reason," are proposed in a bill amending the Sherman Anti-Trust law drafted by Representative Henry, of Texas, to be introduced in the House upon the opening of Congress next month. Its introduction probably will mean its passage in the House.

FOURTEEN HUNDRED JOBS.

At Eight Hundred Dollars a Year Are Open to the Civil Service Appointment as the Result of the Strike.

New York, Nov. 16.—Fourteen hundred jobs paying eight hundred dollars a year are open to the civil service appointment as a result of the strike. The appointees will have to work at night, which was a point on which the street cleaners strike was called.

MARKETS.

COTTON TODAY.

New York, Nov. 16.—Jan. opened 9.05, March 9.11, May 9.21, July 9.27, Oct. 9.33, Dec. 9.27.

At 11:30 Jan. was 9.08, March 9.15, May 9.24, July 9.31, Dec. 9.29.

Liverpool closed three points down from yesterday with Jan.-Feb. 4.95, June-July 5.04 1-2, Sept.-Oct. 5.05 1-2, Dec.-Jan. 4.95.

Spots Wilson market 9 1-8. Close of the market: Jan. 9.05, March 9.19, May 9.26, July 9.30, Dec. 9.31.

At 2 o'clock Dec. cotton was 9.36, March 9.17, May 9.25, Oct. 9.32.

STOCKS.

New York, Nov. 16.—There was a sharp contrast in this morning's market in the strong Union Pacific and weak Lehigh Valley. The fall in Lehigh Valley result in the failure of the directors to make a statement at the meeting yesterday. Other price movements were mixed. The curb is quiet and steady. Union Pacific was the feature of Americans in London. The other stocks were heavy in that market.

PROVISIONS.

Chicago, Nov. 16.—The opening in wheat was Dec. 94 1-8, Corn, Dec. 63 1-2.

At 11:30 Dec. wheat was 94 3-8, Dec. corn was 63 7-8.

At 2 o'clock, Dec. wheat was 94 1-2, corn, Dec. 64 1-8.

Fair and slightly colder tonight and Friday with increasing cloudiness probably followed by rain and warmer in the western portion with moderate northerly winds becoming variable.