

## THE DEATH OF DAVID K. BREWER

This Distinguished Jurist, of the Supreme Court, Died Suddenly Last Night.

MANY PERSONS CALLED AT RESIDENCE TODAY

President Taft Was Deeply Pained upon Being Told of the Death of Justice Brewer—His Life Work.

Washington, March 29.—The death of Justice David J. Brewer of the United States Supreme court at his home last night, caused profound regret here, and throughout the country. Messages of condolence arrived in great numbers.

The Supreme court justices and other prominent personages were among the callers at the Brewer residence.

President Taft, upon his return from New York this morning, was much distressed by the news of Justice Brewer's death. He learned the bare fact last night soon after his departure from Jersey City. He eagerly read the detailed accounts of the noted jurist's death as soon as the newspapers were handed him on his car at the union station.

### THE IMPORTANT TRUST CASES MAY HAVE TO BE RE-ARGUED

A re-argument of the cases affecting the great corporations, now pending before the court, looms up prominently as a probable outcome of Justice Brewer's death. These include the dissolution of the Standard Oil company and the American Tobacco company, and the corporation tax cases. The decision of these cases by the seven justices on the bench, now that Justice Brewer has passed away, and Justice Moody is incapacitated for service on account of rheumatism, is believed to depend almost entirely upon unanimity of opinion on these questions. Lawyers following closely the Supreme court decisions admit the idea that such unanimity exists.

### WHO'LL BE HIS SUCCESSOR? AS CHIEF SUPREME JUDGE?

Speculation regarding a successor to Justice Brewer was heard in connection with the possible effect of his death on the big cases before the Supreme court. Politicians turned first to the great eighth circuit, from which Brewer came. It is the largest circuit in the United States. Two members of this circuit mentioned as his successor are Judge W. H. Sanborn of St. Paul and Judge W. H. Dever of Chicago. Another possibility is Lloyd W. Bowers of Chicago, now solicitor-general in the department of justice.

Justice Brewer's death and its possible effect upon court decisions in the big trust cases were discussed by President Taft and the members of the cabinet today. All members of the cabinet joined with the president in expressing deep regret over the distinguished jurist's death. Justice Brewer in all his decisions strongly favored and upheld laws dealing with the control of corporations.

### Death Came Quickly.

David Josiah Brewer, associate justice of the Supreme court of the United States, died last night at 10:30 o'clock as the result of a stroke of apoplexy. His death followed within a minute or two before he could be carried to his bed. Mrs. Brewer was with him when the end came. Justice Brewer was 73 years old.

The end came altogether unexpectedly. Although he had not been feeling well for the past few days, the aged jurist was up and out apparently in the best of health and spirits. He was in equally good spirits at dinner and spent the evening in reading.

Shortly after 10 o'clock he retired to his room, and within a few minutes Mrs. Brewer heard a heavy fall and went to investigate the cause. She found her husband prone upon the floor of the bath room. He did not regain consciousness and died before a physician, hastily summoned, could reach the house.

The two daughters of the aged jurist, Mrs. James F. Karlich and Mrs. H. B. Jettmore, were summoned at once, but reached the residence too late.

Some of His Characteristics.

Justice Brewer came to the Supreme court of the United States from the federal court in Kansas. He was the second oldest member of the court, Justice Harlan only being his senior. He was regarded as the most democratic of all the members of the court, most affable, approachable and accommodating. He was the one man on the bench who had proof copies of his opinions prepared for the newspapers and this he did consistently.

Another characteristic of the dead jurist was that he never took any of the time of the court or the public in announcing his opinion. He reached the conclusion probably many years ago that the audience in the court room was so extremely limited that it was a pure waste of time to read long opinions there. He would give only in a few words his conclusions and then hand down the proof sheets of his opinion, always completely accurate on page three.

## CANNON STILL HOLDING REINS

Sympathy Wasted on Man Who Has Lost Nothing—"How Come" Mr. Pearson Has Snuffbox.

IGNORING INSURGENTS IS THE CAMPAIGN POLICY

Speech of Representative McKinlay's Is First Piece of Literature Circulated by the Republicans.

Gazette-News Bureau, 46 Post Building, Washington, March 29.

THE senate has passed the bill denying Hon. Richmond Pearson of Asheville the privilege of receiving a diamond snuffbox, which was the gift of the shah of Persia, to whose court Mr. Pearson was formerly accredited. But as told by The Gazette-News Bureau, Pearson has in his possession the snuffbox, which the senate committee on foreign relations and the United States itself have said that he shall not have. In explanation of this anomalous situation it is necessary to state that the constitution of the United States denies to any person holding a government office the privilege of accepting any present or title from a foreign power, save with the consent of congress. When Mr. Pearson ceased to be an officer of the government he received his snuffbox, but he did not receive it officially and he never can until he gets permission of congress. Recently "requests" to the number of 200 were presented to congress for consent under this constitutional provision to receive gifts and titles tendered American officers by foreign governments, and in the number was one to give the Duke of Richmond Hill his diamond snuffbox. So far as history is concerned Mr. Pearson will not be in possession of the gift, which he has actually had for some time. Out of the 200 requests for consent to accept gifts and titles, congress only passed favorably on 20 or more. Senator Elihu Root of New York wrote the printed report for the foreign relations committee of the senate, and in support of its action he said:

"The existence of the prohibition in the constitution indicates that the presumption is against the acceptance of the present, emolument, office or title. A habit of general and indiscriminate consent by congress upon such applications would tend practically to nullify the constitutional provision, which is based upon an apprehension, not without foundation, that our officers may be affected in the performance of their duties by the desire to receive such recognition from other governments."

### Where the Speaker Stands.

A lot of sympathy has been wasted on Speaker Cannon throughout the nation, where there is a popular notion that he has been deprived of his great power. There never was a more hollow and meaningless victory than that achieved by the democrats and insurgents in increasing the membership of the rules committee and eliminating the speaker from membership thereon. While the speaker went off the committee he named his personal friends as the republican members, and his sway over the house is as much a matter of fact as it was prior to his alleged decapitation. If the insurgents had stood to the democrats and voted to declare the speaker vacant, that would have resulted in the undoing of your Uncle Joseph. They failed on a great opportunity, and now they are busy explaining their shortcoming to their constituents at home. But there were nine insurgents who did stand up and vote to put the speaker out and it is generally believed here that they made certain their re-election to congress. They are at least consistent, and cannot be charged with having voted to continue Cannonism in national politics.

### No Regard for the Insurgents.

The republican congressional campaign is to be made without regard for the welfare of the insurgents. It is to be a standpat campaign, in which a defense of the Aldrich Payne tariff bill is to be featured. At least that is the present program, although it is predicted that the result in Massachusetts, where Representative-elect Foss worked a political revolution with the tariff as an issue, may cause a change of plans. But whatever the policy of campaign adopted by the republicans they cannot evade the tariff as an issue. The result in Massachusetts shows that the people are determined on this score.

A speech by Representative McKinlay of Ohio, the chairman of the republican congressional campaign committee, who is soon to speak in Asheville is the first piece of campaign literature circulated by the republicans. A million copies have been printed, and the democrats are going to circulate many additional million copies. In this speech Mr. McKinlay says:

"We are told by certain democrats and demagogues that these higher prices are due to the tariff. High prices on any commodity cannot be attributed to the new tariff law, and those who raise the price and give the tariff as the reason are despoiling their fellow citizens." (Continued on page 3)



## IS BEING GIVEN THE THIRD DEGREE

Albert Wolter, Suspected of Having Murdered Girl in His Rooms, Pressed for Confession.

New York, March 29.—Although Albert Wolter, the youth accused of trapping Ruth Wheeler in his rooms, and then strangling her, and burning her to death, begged the detectives to give him until Wednesday, when he declared: "I'll tell the whole truth." No let up will be permitted in the pressure for his confession. Wolter passed a miserable night in the Tombs.

## SENATOR PERCY REPLIES TO BILBO'S STATEMENT

Does Not Believe Bilbo Was Bribed—Bilbo Was a Bitter Vardaman Partisan.

Washington, March 29.—Senator Leroy Percy of Mississippi, replying to the charge that State Senator Bilbo was given a bribe by L. C. Dulaney, one of Percy's supporters in the recent senatorial contest, issued a statement today declaring that he is absolutely without knowledge on the subject, except as contained in the press dispatches.

"It seems an unnecessary statement for me to make," Mr. Percy declares. "Certainly it is unnecessary so far as anyone who knows me is concerned. Not a cent was ever used during the senatorial fight by me or to my knowledge to influence any members of the legislature, nor have I the remotest idea that any such expenditure was made by any friend of mine."

Mr. Percy asserts that he has no doubt that the charge is "without foundation and absolutely false." "If there was any truth in the statement Bilbo would have made it to the legislature prior to the election," Mr. Percy says. "Bilbo was a bitter partisan of Vardaman's, and I suppose, voted for him."

### Held in Jail on Bribery Charge.

Jackson, Miss., March 29.—L. C. Dulaney has been arrested on an indictment charging bribery in the recent senatorial election. He was released on a \$5000 bond.

### Are Burned to Death.

Youngstown, O., March 29.—In a fire destroying three boarding houses this morning, two mill workers, named Thomas and Haline, were burned to death.

## Senate Rejects Expert Masseur; Members Shy at New Baths

After Debate in Which Senators Show Shocking Ignorance of Recently Installed Facilities, the Proposal for an \$1,800 Man Is Rejected.

Gazette-News Bureau, 46 Post Building, Washington, March 29.

After displaying a shocking lack of knowledge of its bathrooms in the new office building the senate reluctantly relinquished the proposal of the committee on appropriation in the legislative appropriation bill that a professional masseur be employed at \$1800 a year. Senators using the new marble baths, Turkish, Russian or otherwise, must have been content with the attendance of a citizen of the United States unskilled in the art of removing aches or wrinkles. There are still two of this class of employees provided for at \$720 a year.

It was an "insurgent" who disturbed the plans of the luxurious ones. Senator Bristow of Kansas, breaking in upon the scene just as the bill was about to be agreed upon, moved to strike out the masseur as well as the two lower priced men. This motion failed. Some of the senators voting to strike out the appropriation on a rising vote were Senators Scott of West Virginia, Burkett of Nebraska, Warner of Missouri, Flint of California, Clapp of Minnesota, and Bristow of Kansas, and enough others to make an unucky thirteen.

Senator Lodge of Massachusetts had the courage to vote to save the masseur, as did also Senators Warren of Wyoming, Keane of New Jersey, Briggs of New Jersey, Rayner of Maryland, Bacon of Georgia, and Hughes of Colorado, 16 in all. After the motion had been voted down Senator Hale had been voted down Senator Hale had the attendance in charge of the bathroom at \$1800 should be a professional masseur. This was promptly agreed to, whereupon Senator Scott moved his elimination altogether going the Maine senator one better and winning. On this last proposal most

of the democratic senators voted "No."

"These men are now employed," suggested Senator Warren when Senator Bristow moved to strike out the appropriation for bathroom attendants.

"Oh, the senator must be mistaken," said Senator Bailey. "The rooms were not completed when the committee on rules held its last meeting." Senator Clapp had inspected the rooms—he did not say he used them, for no one had the temerity to make this admission. "The attendants are there," he asserted. "They are palatial, all right," he added, with the air of a man who has seen with his own eyes.

"The senator from Kansas and the senator from Texas or Nebraska may not have occasion to use them, but they are there," confirmed Senator Burkett.

"Why have a masseur? Why not have a valet to look after our clothes, and a manicure? why not make the appointments complete?" asked Senator Scott in fine sarcasm. "I am opposed to it."

"Well, I am not defending it," hedged Senator Burkett. "I suppose a masseur is a proper man to be in charge of a bath house."

"This seems to be a man to take care of the bath, not the room," put in Senator Sutherland. "I have never tried them. What little bathing I do I do at home."

Before the episode of the bathrooms the senate had agreed to the provision in the bill appropriating \$100,000 to enforce the corporation tax law and leaving the power to make the returns public discretionary with the president. An amendment offered by Senator La Follette and accepted provided that the returns shall be available to either house of congress upon request by resolution.

## DID T. ROOSEVELT TALK TOO MUCH?

British Radical Press Takes Exception to His Remarks at University of Egypt.

London, March 29.—Former President Roosevelt's address before the students of the University of Egypt has attracted considerable comment here, where there is a difference of opinion as to the good or evil effects of his plain talking.

In denouncing the assassination of Premier Ghall, Col. Roosevelt did not mince words. The radical press takes exception to Col. Roosevelt's remarks. The Westminster Gazette says:

"Disquisitions upon the readiness or the reverse of Egypt for self-government, while permitted to men without great pretension, are perhaps better hushed within the precincts of ex-presidents."

### Quiet Day in Cairo.

Cairo, Egypt, March 29.—This was a quiet day for the Roosevelts, following the strenuous program of yesterday, which concluded with the appearance of the Roosevelt family in the Khedivial box at the opera house.

Mr. Roosevelt received an ovation at the close of the performance. Mr. Roosevelt was today a guest at a luncheon of the German minister, Hatzfeldt Wildenburg.

## HE IS LOOKING FOR BETTER TIMES

James J. Hill Believes That by Next Fall the Railroads Will Be Experiencing a Great Congestion.

Chicago, March 29.—James J. Hill, the railroad magnate, believes the railroads will experience the greatest congestion in their history, next fall and winter.

### New Cuban Minister Arrives.

Washington, March 29.—Senator Francisco Carrera, Justiz, the newly appointed Cuban minister to Washington, arrived this morning, and proceeded immediately to the legation in Sixteenth street, where he was welcomed by General Voles, the retiring minister.

### Now With Baldwin Company.

Norfolk, Va., March 29.—R. P. C. Sanderson has resigned as superintendent of motive power of the Virginian railway, to accept a new position with the Baldwin Locomotive Works.

## THE INSPECTORS PROBE ROBBERY

That Is, They Are Endeavoring to Probe That Richmond Haul and All Hands Are Keeping Silent.

A CONSIDERABLE FORCE OF AGENTS IS AT WORK

One Division Searching for the Robbers, the Other for the \$85,000 of Stuff They Got.

Washington, March 29.—A large force of inspectors are probing the sensational robbery of the Richmond postoffice, from which at least \$85,000 in cash and stamps was stolen between Saturday night and Monday morning.

While one division of the detectives is running down the robbers, another is searching for the loot. The robbery is of such gigantic proportions that none of the postoffice department officials will discuss it, for fear of destroying the possible chance of capturing the culprits.

## WIROGRAPHS

Late Afternoon News Stories in Condensed Form of World's Big and Little Events.

Barbarities Perpetrated in Granada.

New Orleans, March 29.—Barbarities are being perpetrated in Granada, under the direction of the Madrid government, according to Carlos Chamorro, brother of the leading insurgent general, who arrived here yesterday. Authentic reports say hundreds of Americans have been engaged to carry on the warfare against Madrid.

Mississippi Favors the Amendment. Jackson, Miss., March 29.—The Mississippi legislature has adopted a resolution favoring the income tax amendment to the constitution of the United States.

Model for All Nations—Of Course. Copenhagen, March 29.—King Frederick declared today that the United States was a model for all nations. This declaration was made to American Minister Egan, who returned from Washington, bringing a personal message from President Taft to the king.

Children Burned to Death. Pittsburg, March 29.—Two children one nine years old, the other four, were burned to death and their mother, Mrs. George Rowe, and three other children were injured in a fire destroying their home today.

Fire Loss of \$100,000. Holdrege, Neb., March 29.—Fire today destroyed the elevator of the Central Granaries company, Burlington Coal Chutes and five residences. The total loss is \$100,000.

Prominent Kentucky Jurist Dead. Louisville, Ky., March 29.—James Pendleton Helm, one of the most prominent lawyers in Kentucky, died today, aged 60.

Passed the Examination. Washington, March 29.—Ralph H. Lader of Virginia was among the candidates successfully passing the state department examinations for appointment as student interpreters in the diplomatic service.

Five Injured in Train Wreck. Lynn, Mass., March 29.—An express train on the Boston & Maine, bound from Portland to Boston, was wrecked near West Lynn at noon today. Five persons were injured.

Tariff Agreement Approval Bill Adopted.

Paris, March 29.—The bill approving the Franco-American tariff agreement was adopted unanimously today by the chamber of deputies.

Miners' Strike Probable. Cincinnati, March 29.—The joint convention of miners and operators of Ohio, Indiana and western Pennsylvania adjourned today, without reaching an agreement. A strike is probable.

Number of Fire Victims Is 300. Budapest, March 29.—According to an official report received from the vice governor, the dead in the ballroom fire at Okeerite number 300, while 70 were injured, many fatally.

Will Investigate Lobby. Washington, March 29.—The house has passed a resolution for investigation of the charges that a lobby is maintained in Washington by shipping interests to corruptly influence congressmen in favor of ship subsidy legislation.

Dies on Board Ship. New York, March 29.—A Roman dispatch says President Alexander Agassiz of the Calumet Mining company died on the steamship Adriatic, due in New York tomorrow.

## Allds Sends Resignation To Secretary of State

Albany, N. Y., March 29.—Senator J. P. Allds, who was accused by Senator Ben Conger of having accepted

a bribe to further the interests of certain bridge legislation in the New York legislature, has filed his resignation with the secretary of state.

### No Change in Strike Situation.

Philadelphia, March 29.—No change is noticeable today in the trolley men's strike. The strikers are waiting for what the future may develop.

### Music Publisher Dead.

New York, March 29.—Marcus Wilmer, the widely known music publisher, died today.

### THE WEATHER.

Forecast until 8 p. m. Wednesday for Asheville and vicinity: Partly cloudy, warm weather tonight and Wednesday.

### Weston Is Walking.

Dumas, Mo., March 29.—Edward Payson Weston departed this morning on his transcontinental walk, ten days ahead of his schedule.