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NORTH CAROLINA DAILIES IN NEWS AND GIRGUI TION.

1899 SYMPOSIUM ON THE TOBACCO TRUST THE PROVINCE OF THE BIS ASSOCIATION THE LEGISLATION OF

Speech of Hon, H. G. Connor, of Wilson, Speaker of the A Discussion of its Evils and the Remedies for Them, Giv- Address of Pres. Platt D. Walker, of House of Representatives, Before the State Bar Association at Morehead City.

zen lawyers there are few sources of his- purpose, having but one idea in common torical study more interesting than the in all other respects discordant and anlegislative records of the State. It is there that he finds an expression of the moral sentiment, the political opinions and the highest aspirations of the people. It is there that he finds the development of the political will, the struggle for the adjustment of the law in unison with the thought and sentiment of the people. After all that is bi-ennially said and written, as each General Assembly of the representatives of promises, its failures, its hopes and its ate and House. The importance of the quantum of public sentiment.

The great Gladstone while devoting his life to questions of finance and taxation, church and state and foreign affairs, did not forget the duty which he owed to the man at the throttle and the brake and in the mine. His em-ployers liability act constitutes the basis of our recent fellow servant act, which by some strange accident is buried, so far as its publication can bury it, in the private Acts of 1897. Surely so beneficial a statute was entitled to better treatment at the hands of the publisher. It is gratifying to know that the law has re-ceived the approval of the bench and the bar, and will for all time remain as a part of the law of the State. To Mr. Lacy, the present Commissioner of La-bor statistics, great credit is due for its enactment. Its presence will prevent the making of many ingenious and learned arguments, and many well conlearned arguments, and many well considered and exhaustive opinions, but we will be compensated therefor by the reflection that many deserving and meritorious mechanics and laborers and their families will recover damages for injuries sustained by a penny-wise policy the part of managers of corporations or the part of managers of corporations. having more regard for gratifying their stockholders with large dividends than for human life and human suffering

I am invited to enter into this most interesting and attractive field of research, but I must not forget that, with wise precaution your committee, to whom I am indebted for this opportunity, put me within bounds and commanded me to confine myself to the Legisla-

ture of 1899. At no period of the State's history

has the pendulum marking the movement of political sentiment swung to points of such extreme divergence or been so rapid and violent as from 1892 to 1899. This movement is strongly marked in the legislation of 1895-97 and '99. It regard to towns and cities than the legwould not be proper for me to attempt an analysis, or examination of the cause of this well recognized fact. The time will come when the historian of the State will do so and mark a most interesting and instructive chapter in our annals. We live in the smoke of the conflict, and on an occasion like this must study the conditions that as lawyers and citizens we may be the better able to discharge our duty. The legislature of 1893 and its acts are interesting as being the last of the old order. It contained many strong and prominent men. Many important changes were made in the jurisprudence of the feated. State. Changes which were responsive to the best thought of the bar, bench and ception of the extent to which the politi people. The statute providing for the cal sentiment of the people had swung settlement, by a civil action of con- from one extreme to the other. Events troversies in regard to the title to land. analogous to the Bill of Equity for quieting title, but relieved of many of its features which impaired its value, was drawn and its passage secured by ex-Judge Battle. The creating and defining of two grades of the crime of murder is a copy of the English act and finds apwith the people. The decisions of the Supreme court construing the act do not appear to be entirely har-The last case finding its way to this tribunal developed a marked diversity of opinion among its members. It is not improper to indulge the hope that soon, as early as possible, some fixed and plain principle will find favor with the court in regard to this important statute. Its enforcement must result in securing a greater certainty in the punishment for the taking of human life. We find at this session an expression of the apprehension which has grown with years, and been intensified by events, of the crime of lynchiaz An act was passed at this time for its suppression. No legislation along this line will be effective until a strong. healthy public sentiment develops, a sentiment which will not content itself with mere protests, but will do and dare whatever is necessary to remove this evil from our midst. It behooves all good citizens and in an especial manner to such "other recommendations" all lawyers to actively aid in the culti-

vation of this sentiment. The legislature of 1895 was the product of two political forces. One fiercely attacking and seeeking to destroy the supremacy of the party and men who, for a generation, had controlled and directed the affairs of the will" has undergone so marked a change State. The other seeking to mould and

To the citizen and especially the citi- weld into solidarity, political thought and tagonistic, a desire to destroy what they considered a common enemy.

The political tone and color of this body was in marked contrast to that which had controlled since 1870. fusionists were in a majority so large that the minority were helpless. For the first time in our history a statute found its way into the hands of the Clerk on Enrolled Bills and had the signature of the presiding officers which the people comes and goes with its in fact had not been enacted by the Sendisappointments, those who gather in the State House constitute, upon the whole, a fair type of the citizenship of the State, and that which they "do attack, the facts admitted and its validenact" is for the time being, and as ity sustained by the Supreme court, but they understand and interpret it, the with strong dissenting opinions, the sub-will of the average man in the State, lit is equally true that in any given sion among members of the bar. While It is equally true that in any given period of time of sufficient length to enable social and political forces to revolted at the suggestion that a statute have fair play, the legislation of a free State will furnish the historian a safe of law otherwise than by the

guide by which to study the character of the people and the statesman to draw of the people, there is much in the conclusions in dealing with political argument that the integrity of the problems. Every statute of general application, has behind it a considerable ernment cannot be called into question ernment cannot be called into question by another department. The people, as they always should do in a government like ours, where their wrongs may be righted by constitutional methods, obeyed the statute until the next General Assembly repealed it. It is to be hoped that the occasion will not again arise for the discussion of so delicate and vexing a question. That it ever arose is to be

deplored. We find that but little legislation affecting the substantive law or that of procedure was enacted at this session. Many statutes, especially the revenue law, indicate the temper of the body in regard to the adjustment of the politi-cal burdens and benefits. It was at this session that an act bearing the title. "An act to restore self government to the people," reversing the policy of the State for twenty years, was passed. By this change the election of the Justice of the Justice of the people of the people of the Justice of the people of the pe

tion law its best thought and enacted what was declared to be in very truth the perfection of human reason, political fairness and wisdom. If made to per petuate its own power, the impartial his the light of the after math declare that it was a dismal failure. The radical changes made in the municipal charters followed by the as sumption of control without regard for the wishes or interests of the citizens can not be easily reconciled with the professed devotion to local self-government. There has not been in the history of the State exhibited more disregard for the right of local self-government in islation of 1895 and '97. The results which followed this legislation were en tirely characteristic of the people of this State from their earlier history. Law abiding and peaceful when left to them selves they have ever been restive and even turbulent when any other government than that of their own choosing was imposed upon them. The men of 1898 were lineal descendants of those of Mecklenburg and the Cape Fear of 1775.

The members of the General Assem bly of 1899, as a rule, accepted nominations with the expectation of being de The leaders and exponents of thought in the State, had but little con occurring pending the campaign had a marked effect upon the result which was but little less than a revolution, sur prising the leaders and attracting the at tention of the entire country. A ques tion which had to a large extent become quiescent suddenly forced itself to the front and stirred the minds and hearts of the dominant race as never before in our history. The House of Representa tives contained an overwhelming majority of Democrats. The minerity were divided between Populists and Republi cans, of the latter four were negroes The Senate was even more unanimous More than the usual number of strong able and experienced lawyers were mem bers. The farming, manufacturing and general business interest of the State were well represented. As an indication of the temper of the body in respect to the acts and doings of the sessions of 1895 and 1897, the second resolution in troduced and adopted contained a provision for the appointment of a committee of five to "carefully examine all public laws passed by the General Assemblies of 1895 and 1897, and to re port what laws should be repealed or amended and to make such other recommendations in regard to such laws as to them may seem proper." While, course, the committee made no report as find that of the 218 statutes then in

force which were repealed and amended

100 of them were of the public laws of

sion of 1895. Probably it is the only

instance in the history of this or of any

other State where "the State's collected

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the session of 1897, and 51 of the ses

en in the Midsummer Southern Tobacco Journal.

A MANUFACTURER'S VIEWS. (Harry Weissinger.)

to increase happiness; the concentration of capital does not increase the wealth of a nation; neither does the combination of individual manufacturing plants into gigantic trusts increase business. I state these three propositions he would.
because they are akin, and a joint con"I am receiving hundreds of letters in because they are akin, and a joint consideration of them will give a better un-derstanding of the truth of the last one.

Increased profit is the only purpose of combinations, and increased profit can come only in one of two ways or both. The cost of production must be decreased, or the price of the article produced must be increased. If the cost of production is decreased, it must be the result either of the depression in the value of the raw material, or a reduction in wages, or both. If the price of the article produced is advanced, it must be because competition has been overcome, and a monopoly has grown up.

I will not undertake to particularize. You can take any manufacturing business you please, and suppose the control be seen that competition for the raw material it consumes and the labor it emergence everything else. ploys is utterly destroyed. Hence, the producer will have but one customer, the laborer but one employer and the con-

| up. Then Col. Wetmore made this statement, and he repeated it to a World re-Density of population does not tend porter last night at the Waldorf-Astoria DECLARES WAR ON TRUSTS.

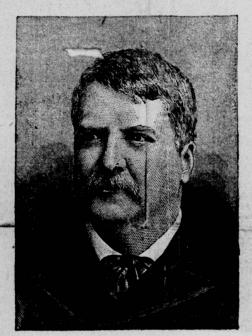
"I am going to devote the rest of my life and my fortune to fighting trusts." Since making this declaration he could not have withdrawn from the fight if

dorsing my course every day," said he, "I shall keep up the fight as long as there is any fight in me, but I think it will all be over inside of two years. The next Presidential campaign will be fought on the trust issue, and on that the Democrats will win. Why, the whole West and South are hotbeds of antitrust sentiment.

"The Democrats, with a strong plank on this evil in their platform will sweep every State west of Pennsylvania.

The farmer is feeling the iron bee of the trust every day. Everything he needs to build his house or barn with has been advanced in price from 25 to 250 per cent. His land isn't worth any

the anti-trust idea will overshadow



COL. HARRY WEISSINGER.

sumer but one source of supply. The work every day. Why, my own com consumer will have no choice in the pany, since it has gone into the trust; has selection of the article of consumption, discharged four high-priced salesmen and must either take what is set be- besides a number of cheaper men. Prices fore him at the price named by the will go up as soon as the combination is manufacturer, or else do without it.

This holds good in everything produced by a combination known as a trust. They can exercise arbitrary power over every one with whom they come in contact; that they will exercise it to the injury of the people is proven by | ness. We paid \$20,000,000 and bought all history from the beginning of time down to the present. Trusts dwarf in dividuality and reduce individual effort to a minimum, and thus the tendency will be to destroy all independence, and in the end, the government will become a plutocracy instead of a democracy and there will be nothing left for the people but revolution.

I am supposing now that the trend of business to trusts and combinations is not checked. I have greater faith, however, in the people, and believe they will realize the danger before it is too late, and that public sentiment will force the Legislatures of the States to enact such laws as will make the success of trusts impossible; or if this cannot be done, will have the Constitution so amended as to protect the people against trusts

In the meantime, the failure or suc ess of trusts must depend on the individual act of the consumer. If he will ase the product of the independent factory, he will aid competition; but if he uses the product of trusts, he will help destroy competition. No lover of liberty will hesitate in his choice; he will not sell his "birthright for a mess of pottage.

It is the duty of every man who loves his liberty to do all that he can to enlighten his neighbors on this question and while your paper has already done good work in this direction, I hope you will keep it up to the end.

COL. WETMORE'S PROPHECY.

(New York World.) The man who is going to devote the est of his life and his large fortune to fighting trusts is in New York. present he is simply Col. M. C. Wetmore, of St. Louis, but up to a short time ago he was president of the great Liggett & Myers Tobacco Company.

This concern was Col. Wetmore's pe and pride. He had been connected with it for nearly a quarter of a century, and under his presidency it had the reputation of being the biggest money-maker in the tobacco business.

When the new Tobacco Trust was be ing formed the Colonel stoutly refused all overtures to enter the combine. He did not have a controlling interest, in his company, however, and startled one day to be told that the trust had secured enough stock to vote his company into the trust.

The Colonel stormed, but it was of no avail, and he saw his plant swallowed!

perfected, and on the other hand, the grower of leaf tobacco will have to take less for his crop because a single buyer will fix the price.

"Another thing that will lead to Democratic success is this Philippine busi nothing but a war. McKinley blundered and he will have to pay for it.

"The thousands of letters I have received are not from Democrats alone, A large percentage are from Republicans, and the writers say they are going to vote for the party that will down the trusts.

"You in the East do not realize how strong this sentiment is in other parts of the country. It means that Bryan will be the next President.'

"THE GATE OF OPPORTUNITY."

(Josephus Daniels.) In 1865 an industrious North Carolina farmer returned from the war to face the new conditions that confronted the New South. . He owned an uncneumbered farm, and was the father of several bright children. Beyond these possessions he had nothing, except a stout heart, a long head and willing hands. The Federal soldiers had encamped at the railroad station near his farm, and carried to every section of America some of the tobacco which enterprising men had beaten into granulated shape farmer soon saw that there was nothing but a living to be made on the farm, and he turned his eyes in the direction of making smoking tobacco to help supply the demand which came from all portions of the country. He began on a small scale, doing the heaviest work with his own hands. His sons were big enough to help him, and before a great while they had built up a nice little business. It was not long before the business outgrew the small houses on the farm, and the farmer and his sons decided to move their modest plant to the safe refuge for any and all who may the railroad station. The business, by hard work and wise management, rapidly, until one day the boys and the farmer woke up to find their fort 129 measured by the thousands. They lad shown foresight and business sagacity and the money was invested and reinvested in the enlargement of the business until now the father and his sons count their fortunes by the million. Today, on a poor farm, near that then

small railroad village, lives another poor farmer of capacity and industry, with a bright family of industrious boys. Fiflabor. Every year that has passed they

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ing Session of the Bar Association, At Morehead City.

Charlotte, President North Carolina Bar not by profession law-makers, but our Association:

Association:

I am not unmindful of the high honor received at your hands when you called received at your hands when you called vantages and supplied with better opporme to the first presidency of this body, tunities than the layman for the perand it is, therefore, mete and proper that, at this our first annual meeting, I tice and experience is ever presenting to should again give you my cordial thanks us the deficiencies and imperfections of for this manifestation of your confidence the law, where any exist, and by reason and favor, though I assure you that I of these special qualifications it is a but feebly and inadequately express my sacred duty we owe to the State and its gratitude to you.

This is not the first time that we have engaged in an effort of this kind, but whatever may have been done in the in the administration of justice. past, or whatever we may have failed to do, I am quite sure that we have come to this meeting with the single and determined purpose that nothing shall be left undone hereafter in our effort to establish this Association upon a firm and enduring foundation, and to make it what it should be, an honor to the

profession and to the State. We have good cause for congratula-tion, that within the few months of its measure of success which gives us asearnest and cordial support of the members of the Bar. We can not hope, though, to increase its membership, and to enlarge the sphere of its usefulness confidence that we propose to make it what it was designed to be, a society orstandard of integrity, honor and courtesy in the profession, and to cherish a spirit of brotherhood, and a closer fellowship. and more intimate relationship among its

We must believe that these principles and purposes commend themselves to alted judiciary profoundly learned in the every lawyer who loves his profession law and endowed with the highest virevery lawyer who loves his profession and is proud of its prestige and past history, of its noble traditions, and of the great part it has performed in the establishment and preservation of good which, Mr. Webster said, is the greatest government, in the protection of the just interest of man on earth. rights and privileges of the citizen, and in the advancement of his welfare and

It can not well be denied that our profession has always been strong in the defence of the cherished institutions of our country, and in the vindication of and good magistracy is the strongest the constitutional rights and liberties of the citizen, and has ever been the determined foe of oppression and wrong, pugned. History, I think, will demonstrate that no other one force has contributed so much as it to the formation and maintenance of good government, the estabthe more perfect and stable administration of justice. Such a profession can not have too much of the veneration and devotion of its members, and for its advancement we can not study too profoundly or cultivate too assiduously the great principles of jurisprudence, can we erect too high, for the guidance of its members, the standards of truth, honor and integrity.

It must not be forgotten, though, that, while we have a glorious past to which we can turn with the utmost pride and gratification, the pursuit and practice of this profession imposes upon us responsible duties and obligations to ourselves and to the public. In this respect it is somewhat peculiar. We have to do with the administration of the law and the dispensation of justice, which affect every day the interests of the people and the personal welfare of each individual. In what way these laws shall be en-forced and this justice shall be meted out is a question of vital concern to every member of society. The first duty of the citizen, no less than of the soldier to his captain, is obedience to the law and to those in authority over him, and the government which exacts this submission and obedience should see that this law is always administered with justice and equity.

If the laws are bad, or even if they are good but badly administered, the result must be that the respect and confidence of the people, for whom they were made and whose authority and approval they should always have, are either lost or impaired, and what should be a well regulated system of government and law, founded upon the will and consent of the governed becomes an intolerable system of oppression and tyranny. Such a condition should not exist and should not be possible in a free country, and among a free people devoted to liberty and justice, and where the supreme law of the land should be the sure hope, and our temples of justice seek the vindication of a right, or the redress of a wrong.

But we must first know the law before we can hope to reform or improve the law and its administration, and the careful study and cultivation of the doctrines and principles of jurisprudence is enjoined by our constitution to qualius for the discharge of this part of our duty, and to enable us to correct imperfections, and remedy evils in the administration of justice. We must by research and discussion discover the great principles which are best adapted bright family of industrious boys. Fif-teen years ago they grew bright tobacco, ble in their ever changing condition and prices that gave good returns for their environment, and apply them in the enfication of those that already exist, as will make for their increased happiness

Address of Hon. Platt D. Walker, of and prosperity. It is true that we are influence, if rightly exerted, can not fail Gentlemen of the North Carolina Bar to have its proper weight in the enactment of wise and useful statutes.

We have been endowed with better adformance of this task. Our daily pracpeople to use our learning and experience in procuring the adoption of good laws, and the greatest certainty and efficiency

We can never hope to establish a per fect system of law or jurisprudence, but by sufficient and well directed effort, if animated and inspired by a consecrated purpose, we can at least set up one, which, if correctly administered, will insure to each and every citizen the just and equal protection of the law.

We should not and must not overlook more, though.

I am a Democrat, and although my one gigantic corporation. It will readily party will not forsake silver in the tariff existence the Association has attained a calculate the importance of having the best procedure by which the law is to be administrated and interest the importance of having the best procedure by which the law is to be administrated and interest the importance of having the best procedure by which the law is to be administrated and interest the importance of having the best procedure by which the law is to be administrated and interest the importance of having the best procedure by which the law is to be administrated and interest the importance of having the best procedure by the importance of having the importance o istered and its remedies applied. It can measure of success which gives us as surance that it will not only be a per-not be doubted that the repeal of the manent institution, but will receive the ancient, and, in many instances, obso-earnest and cordial support of the mem-lete rules and forms of common law pleading and practice has greatly facilitated the application of the principles of law and equity to legal controversies, unless we inspire the profession with the and has prevented the defeat of justice by mere technical errors or inaccuracies in matters of form which do not affect ganized in truth and in fact to cultivate" the substantial rights of litigants. But the science of jurisprudence, to promote even now there are defects and imperfecthe reform of law, to facilitate the administration of justice, to elevate the pleading and practice is moulded into a perfect system or adapted to the correct administration of legal remedies.

But our duty does not even end here, We may have the best system of laws and procedure devised by the wit of men, and yet, without an able and extues, we will not attain the end which we strive, the wise and unsullied

We have been told that we may repose secure under the shade of a learned. impartial and trusted magistracy, and we need no more. Whether this is all we need it is not

bulwark and defense of the liberty and rights of the citizens cannot be We should see to it that our judges are men who, in the language of the elo-

quent Choate, not only know the law and are upright and well intentioned, Ishment of wise and beneficent laws, and but who will not respect persons in judgment standing only for justice. The judge should be so clear in his high office that as the ermine rests on

him it can find nothing "that is not whiter than itself.' The character of the judiciary can be

made to depend largely upon the influence of the Bar, and, therefore, if we have an inefficient judiciary we must willingly accept our share of the responsibility. How shall our part in this great work

of legislative and judicial reform be fulfilled? Individual effort, however well exerted, will not suffice to secure and maintain a good system of laws or an able and upright judiciary. Each lawyer can do something, and, perhaps, much towards this end, but only by organized and concentrated effort can we hope to attain the full measure of success.

The Bar Association is the ideal, if not the only plan, that has been devised for this purpose, and if well organized and conducted upon a basis that will enforce or insure submission to its authority and discipline, I can conceive of no better means of accomplishing this, the desired end, and, at the same time, of elevating and ennobling our profession by the adoption of better rules and standards of honor and courtesy in our daily practice and methods.

Chancellor Kent thought that a compact organization of the members of the Bar was essential to the proper support and maintenance of an effective system of jurisprudence.

In his address to the Bar Association of the City of New York more than a half Century ago, he used these words:

"When we consider the powerful influence of the lawyers in our country, when we consider that to them is committed the great work of sustaining, if I may use the expression, the machinery of our jurisprudence, when we consider the mighty responsibility resting upon them; when we recall the prejudices and opposition, and I had almost said hatred of a powerful class of people, we see at once the necessity of combining our influence, our strength our eloqence in a body or society that shall resist all op-position, and strengthen their work in sustaining the great fabric of our jurisprudence, by bringing to its aid the powers and influence resulting from association."

This strong and impressive language of an eminent jurist which describes a situation not much unlike that which confronts us, clearly and eloquently sets forth the advantages of organization in any effort that is made to advance and promote the science of law and jurisprudence which so materially concerns interests of the State, and the welfare of her people.

In this connection we cannot do better (Continued on Third Page.)