

The News and Observer.

VOL. XLVII. NO. 31.

RALEIGH, NORTH CAROLINA, TUESDAY MORNING, OCTOBER 17, 1899.

PRICE FIVE CENTS

LEADS ALL NORTH CAROLINA DAILIES IN NEWS AND CIRCULATION.

THAT SECRET UNDERSTANDING

McKinley Cannot Mediate as Asked by the Boers.

ENGLAND AFTER LAND

THE BOERS ARE FIGHTING ENGLAND FOR THE SAME REASON WASHINGTON FOUGHT IT.

McKINLEY'S CAMPAIGN SPEAKING IN WEST

The Cabinet Officers are Rather Indiscreet. The Treasury Helps Wall Street. Croker's Move. The Censorship Said to be Abolished.

Washington, D. C., October 16.—(Special.)—The expected has happened in the Transvaal. President Kruger has declared war against Great Britain in order that he may strike before the British can assemble an overwhelming and crushing force.

With all lines of cable communication from South Africa under British control, the public need not expect to hear anything favorable to the Boers for weeks to come. But the prediction is here made with all emphasis that for the next month the Boers will sweep over the British outposts in Natal and Cape Colony with almost unbroken strides.

The Boers will make their struggle for liberty and the possession of their own land without even the sympathy of this country. In an official statement from the State Department, it is learned that the President "does not think it expedient to offer mediation," because he has received no intimation that it would be acceptable to both parties.

Of course mediation would not be acceptable to Great Britain, but the Transvaal has intimated that it would appreciate the good offices of this country to avert war and yet secure some deliverance from the oppression of Great Britain.

The secret understanding with Great Britain is the most weighty reason why McKinley cannot interfere to even give moral support to a country fighting for the same freedom that our own Colonies sought from the domination of Great Britain. But it is also possible that the Administration sees the absurdity of offering to mediate in the Transvaal matter when it is engaged in the business of subjugating the Filipinos, who are also fighting for liberty and the right to govern their own country in their own way.

Great Britain is approaching a catastrophe which may take from her many of her possessions and reduce her to a third rate power. She is by no means invincible. The Boers are better marksmen than the British. The Boers are in their own country. They are hardy and used to exposure. They can live on dried beef and parched corn. Great Britain will have considerable trouble in massing her troops to fight the Boers. She will find her soldiers as helpless before Boer tactics as our soldiers are in the jungle of the Philippines. She will shortly find herself fighting not only the people of the Transvaal but also the Afrikaners of Cape Colony and Natal. She has not only to fear the loss of South Africa, but just as soon as she encounters defeat there, she will be set upon by the Continental powers who have a long score to settle and have been waiting a fitting opportunity. Should France, Germany and Russia seize this opportunity to demand their share of the spoils of empire which England has accumulated, she would emerge from the conflict a third rate power comparable to Denmark.

To guard against such a defeat has Salisbury sought and consummated a secret alliance with McKinley. The deal has been made and its ramifications are deeper and wider than has ever been charged. The one weak excuse for this base surrender is the alleged interference of Great Britain to prevent a coalition of Continental powers against the United States and in favor of Spain during the recent Spanish war. That coalition was never contemplated. Great Britain rendered us no service. Her whole idea in the alliance is to make the United States render her service and give nothing in return. McKinley falls into the trap with great readiness.

It was Great Britain's policy to so involve the United States in the Asiatic squabble that in the end this country would be obliged to ask her support. It is dangerously near succeeding. This country is plunged into the Philippine complication so deeply that it is difficult to see any satisfactory ending of our war of conquest. The worse the situation gets, the better it will suit the designs of Great Britain.

THAT TRIP OF McKINLEY'S.

The opinion gains ground in Washington that President McKinley's Western trip has been considerable of a frost. Even the Republican leaders fear that he has done himself and the party much more harm than good. There have been no great public demonstrations of affection and approval. Instead, the masses have been distinctly chilly. To be sure there is always a certain

amount of curiosity to see a high public official. And the crowd might well gape and stare at the spectacle of the President and his Cabinet making grotesque and frantic efforts to catch votes.

The weary Thirteenth Minnesota volunteers failed to even look happy, still less to applaud enthusiastically when the President told them how he had come all the way from Washington to greet them and tell them what brave good boys they were. They tried to listen politely but men filled with malaria and burning with a sense of resentment could not be expected to be very joyous over the greeting of the Administration which had kept them in the Philippines months after they were entitled to their discharge and in a kind of warfare for which they never enlisted. In Minnesota as at Chicago, it was distinctly noticeable that the President appeared to find a more congenial atmosphere at the expensive and select banquets than when addressing the ordinary mob of citizens and tax-payers. But the Administration which is the creature of trusts and corporations could hardly be expected to be at ease with the victims of these forces.

Then, too, the satellites of the Administration made speeches and these speeches often failed to dove-tail with McKinley's platitudes. He at least could not be accused of saying anything. He carefully avoided the many things in his administration which badly need explaining. Some of his official small boys evidently forgot their cues and fell into the error of telling how Aguinaldo had been offered a commission as General in our army and somebody else rose to explain just what we bought in the Philippines and how we came to pay that \$20,000,000. It would be interesting to know just when and where and how Aguinaldo was offered that commission for instance. Statements of that sort tend to raise suspicion that a good many things have been censored which would interest the voters of this country. McKinley really ought to have had his official family better drilled. Both he and they made spectacles of themselves and increased the chances of Democratic victory in every State where they spoke.

TREASURY TO THE ASSISTANCE OF WALL STREET.

The Treasury Department has decided to anticipate the entire fiscal year's interest on government bonds and thus contribute \$25,000,000 to relieve the present stringency of the money situation. The response to this offer in Wall Street was immediate. Prices began to go up and there was a feeling of greater confidence. It is just a little inconsistent with the prosperity cry to have Wall Street in such straits that it needs assistance of this sort. But it is characteristic of this Administration that it gets it. There were large sums appropriated for public buildings in '98, but not a dollar of this is put into circulation. Secretary Gage says the Treasury is in a position to advance the interest payments without the least embarrassment, but it is another story when it comes to putting money into circulation where it would do the people any good.

DEMOCRACY OF NEW YORK FOR BRYAN.

The Democratic State Committee of New York has declared itself for Bryan and that carries with it the necessary inference that it endorses the principles he represents. Croker, the Tammany leader, was right with the committee in fact this action comes as a corollary to Croker's declaration that he was for Bryan, made on his return from Europe. Not too much weight should be given to Croker's action. He is simply the astute leader who knows enough to follow the wishes of the rank and file of the party when he cannot direct or control them. The Democrats of New York State and New York city are so enthusiastic for Bryan that it is useless to oppose them. Croker had rather lead them to party victory even on an issue that he does not much like than see them defeated by holding to unpopular issues. Democrats all over the country have reason to feel encouraged at the attitude of the New York Democracy and Croker will stand by his declaration.

CENSORSHIP ABOLISHED.

General Otis's latest fairy tale from Manila is that he abolished the censorship in September. It appears that he did this simply in his own consciousness and forgot to tell the newspaper correspondents anything about it. He happened to remember it when the Navy Department took exception to one of his reports stating that his forces had utterly routed the Filipinos as usual. The Navy claimed credit for the alleged victory and this brought forth the assertion from Otis that the censorship had been abolished. As the Navy Department does not believe him there really is no reason why anybody else should. It is coming to about that time in the State campaigns where the Administration may be expected to do more or less romancing. It may deceive the Republicans but is not likely to affect the Democrats.

NO RIGHT TO UGLINESS.

The woman who is lovely in face, form and temper will always have friends, but one who would be attractive must keep her health. If she is weak, sickly and all run down, she will be nervous and irritable. If she has constipation or kidney, skin eruptions and a wretched complexion, Electric Bitters is the best medicine in the world to regulate the stomach, liver and kidneys and to purify the blood. It gives strong nerves, bright eyes, smooth, velvety skin, rich complexion. It will make a good-looking, charming woman of a run-down invalid. Only 50 cents at all drug stores.

Silence is golden. The wagon tongue has nothing to say, but it usually gets there ahead of the rest of the outfit.

Soft Shell Crabs at Giersch's.

A SALARY DEATHLESS; AN OFFICE IMMORTAL

Hoke Vs. Henderson Decision Run to Seed.

REDUCTIO AD ABSURDUM

A SALARY THAT CAME TO LIFE AFTER TWENTY YEARS.

A DISSENTING OPINION BY JUSTICE CLARK

The Plaintiff in this Case Was Claiming a Salary That Existed Once but Was Abolished Twenty Years Before He Was Elected.

The Supreme court's recent decision in the case of Nichols vs. Edenton shows to what an absurd conclusion the reasoning in Hoke vs. Henderson may lead.

In fact the decision in this case is Hoke vs. Henderson run to seed, and the logical conclusions reached by the court are:

1. That to abolish an office it must be killed outright, root and branch, and nothing resembling it must be substituted in its place.
2. That even after twenty years elapses any one discharging similar duties may draw the salary of the abolished office.
3. That a charge upon the public treasury cannot be modified, and therefore the powers of the Legislature for reforming the public service are destroyed.

This case of Nichols vs. Edenton is an action brought by the plaintiff Nichols to recover \$37.50 salary alleged to be due him for services as a member of the Board of Councilmen of Edenton.

The charter of the town (chapter 123, Acts 1869-70) provides that it shall be regulated and governed by a Board of Commissioners, and that "each one of the commissioners . . . shall receive \$25 per annum, and they shall be required to fix the salaries of the other town officers not otherwise provided for in this act."

This charter was amended in 1874-77 (chapter 88) and provided that the affairs of the town should be controlled by the mayor and six councilmen, known as "the Board of Councilmen of Edenton," and that all laws and parts of laws in conflict with this act are repealed. No mention of compensation to the councilmen is made.

On this statement of facts the court decides in favor of Nichols and holds, Chief Justice Faircloth writing the opinion, that the duties, functions and powers of the councilmen are the same as those exercised by the commissioners. "The act of 1874-77 does not purport to repeal the act of 1869-70, but expressly to amend it. In such cases the unreppealed parts remain in force as if re-enacted."

From this opinion Justice Walter Clark dissents, and vigorously protests against the doctrine now so fashionable with the court that an office once created must exist forever. He says in his opinion:

"The charter of 1869-70 (Private Laws, chapter 123) provided for five commissioners elected each year by the whole town with sundry specified powers, rights and incidents annexed peculiar to the office, among them that if any commissioner should be sick or absent from town any justice of the peace might act in his place, and allowing a salary of \$25 per annum to each of the five commissioners."

"The act of 1874-77 (Private Laws, chapter 88) enlarged and re-organized the town into wards and provided that 'the municipal affairs of the town of Edenton shall be controlled by a mayor and six councilmen who shall be known as the Board of Councilmen of Edenton, and provided for their election, two by each ward and for terms of two years, with a provision repealing all laws in conflict with the new act. The Board of Councilmen elected in May, 1877, passed a resolution that no salary should be allowed themselves. In January, 1889, the plaintiff brought this action for eighteen months salary at \$25 per year."

"When the act of 1874-77 reorganized the town, providing that its government should be by six councilmen elected by wards for two years, and repealed all laws in conflict therewith, this was a complete abolition and annihilation of the offices of the five commissioners elected for the term of one year, by the whole town, and with this abolition all the powers, rights and incidents annexed to the abolished office ceased. 'Councilman' is not a continuation of the office of 'commissioner' with the peculiar or special incidents annexed to the latter and was not made such by a provision that the former should continue in office till the new officers qualified. Whatever rights and incidents the two offices have in common are due to the nature of the office and are simply incidents annexed to such positions by common law and statute. In claiming a right not given to his board by the general law or any special statute, but a peculiar incident annexed to an office which was abolished twenty years before he was elected. It is true the act of 1874-77 is

an amendment of the act of 1869-70, but within the scope it is a complete repeal of the first act.

"All the cases from Hoke vs. Henderson down to the present hold that the Legislature can abolish any office created by the Legislature.

"In Day's case, 124 N. C. 362, it is true it was held that when an office was abolished, if the same duties, though divided up, were devolved upon other persons, the incumbent of the abolished office was entitled to continue to draw the salary and discharge his former duties, notwithstanding the expression of the legislative will to the contrary. But here the plaintiff, one of the board of six 'councilmen' elected for a term of two years, and by an entirely different constituency, claims that he is entitled to draw the salary of one of a Board of five 'commissioners' which office he never filled, an office elective by the whole town for the term of one year, and which was abolished twenty years before the plaintiff was elected.

"He claims the salary on the ground that he is discharging substantially the same duties. Inasmuch as scarcely any office can be abolished whose duties will not devolve upon or be discharged by some one else, if not only the incumbent of the abolished office but all those discharging similar duties after the lapse of twenty years, shall be entitled to the salary of the abolished office, the powers of the legislature will be much restricted in the direction of effecting any retrenchment and reform in the public service. A salary will be almost deathless and immortal. The charge upon the public treasury once created will abide with us and stick to us like another shirt of Nessus, and future generations will be born that they may continue to pay it. Changed is the title of this office, the number of its occupants, the term of its duration, the constituency by which it is elected, but Proteus-like, under whatever guise it may take, it is the same office, and one elected twenty years or a remote period after the legislature decrees its destruction may claim its salary because of the similarity of the duties.

You may break, you may shatter, the vase if you will, but the scent of the roses will cling 'round it still.

The average citizen of the State a visit to the Agricultural and Mechanical College and a first hand observation of what it is really doing would reveal much that would be surprising.

If he should go in the morning expecting to find mechanics and agriculturists at work he would find instead very much what he would see at any other college—rows on rows of boys and young men in the lecture rooms, having to do with books.

If he should go in the afternoons expecting to find these things he would discover that the college student had been lost in the workman, that the book had given place to the forge and hammer, the chisel and saw, and that the smooth tones of the lecturer had yielded to the whir of machinery, and steam-driven tools biting into wood and iron, according to designs wrought out by the student himself if he is an upper classman and by others if he is in his first year.

There is nothing of the kid-glove or the lily hand about it—if any has conceived that idea let him demiss it. It

AT A. & M. COLLEGE

How the Student Spends his Work Day.

WORK AND PLENTY OF IT

AND IT IS NOT DONE WITH KID GLOVES ON.

DISCIPLES OF THE SHOP AND FORGE

The Student Must Learn to Plan With his Head and to Execute With his Hands. A Spirit Zealous for Work Per- vades the Institution.

Liberty of Congress is the thoroughly workmanlike in which everything is done and the aption of the classes in their al work that requires the best and hand and eye has to That boy just there in overalls making a drill of chilled steel may lead his class in English literature but you will not see him so much interested in doing it as in his present work.

And then here are the draughting rooms where the student begins by copying plans of buildings, then goes out and makes plans of the buildings on the campus, and finally draws and designs for himself.

A STUDENT'S DAY.

The day of the student at the A. and M. College is a full one. At 6:30 a. m. he gets up and dresses for breakfast. Promptly at 7 he drops with his fellows into battalion formation, his dress is inspected and he marches to the dining room where he has twenty minutes for breakfast. The meal over he falls in and is marched out. From 7:30 to 7:45 he is at liberty to spend his time as he will. If he did not set his room in order before going to breakfast he does that. At 7:45 he falls in and marches to prayers. At 8 o'clock all the rooms are inspected and if one is found in disorder the occupants do not go down town for many days thereafter.

At 8 o'clock also the recitations begin and the student is on recitation or at study continuously until 12 o'clock. From twelve to one he has for dinner. At one o'clock he goes to work in the laboratory, in the iron or wood working departments, or in the fields with the agriculturist or horticulturist. From three to four o'clock, three times a week, he has military drill. From four to six he has two hours that are his own. At this season if he is a member of the football team or of the patriotic and long-suffering "scrub" eleven he practices on the gridiron. At six he gets an excellent supper for which he has an appetite ready seven days in the week. From 7 to 10:30 he studies in his room and at 10:30 he must put out his light and go to bed—and usually he does not require any persuasion.

On Saturday half the day is devoted to work, and the other half the student has as a holiday and is free to go down town. On Sunday morning he must attend some church while his Sunday evenings are his own.



AGRICULTURAL AND MECHANICAL COLLEGE, RALEIGH, N. C.

CONFEDERATE ORGAN IN PERIL.

Let the Daughters of the Confederate and the Veterans Rally to Its Support.

To the Editor: The existence of the Confederate Veteran (Nashville, Tennessee) the exponent of the Confederate spirit pure and undefiled, is imperiled. In discharge of its duty as the guardian of Confederate interests it has had to express the short comings of an agent employed in behalf of the Battle Abbey. The result is a suit for \$50,000 damages. While the strictures were in the plain line of duty and manifestly for the public good, and the suit can but vindicate the Veteran and Col. Cunningham, its editor, it must necessarily cost a great deal of money. For in this mercenary age money can hire talent able not only to make the worse appear the better reason, but to blacken the whiteness of innocence itself. And innocence is safe not in being innocence, but only in proportion to the dollars that back it.

This expense will mean the death of the Confederate Veteran unless it receives prompt and substantial support. The support accorded it has always been spasmodic and enthusiastic rather than steady and practical. Its death at the hands now upon its throat would be a stigma upon Southern manhood and womanhood. That every day, every folly of this silly age should be able to sumptuously maintain its organ and exponent, while this cause for which oceans of blood hath flown and myriads of hearts uncomplainingly broke, which hath been fractioned in the ages matchless examples of heroism and devotion should be denied the mite necessary to keep alive the embodiment of its principles—the ark of its covenant—is something impossible to conceive did not the fact in all its baldness now confront us.

Both moral and material support is needed. Work for the subscription list of the paper. Look into the matter and uphold the hand of its editor by sympathy and moral support.

O. W. BLACKNALL.
Kittrell, N. C.

It thus appears that half the time of each student is devoted to study and half to manual work of some sort.

THE AIM OF THE PRESIDENT.

"What is it your aim to accomplish?" was asked of President Winston.

"Our aim is to give not merely a book and practical education but an education in habits as well. We insist on punctuality because it is an essential in the business man; the student who is behind forfeits his freedom. We forbid tobacco and cards, not because we are making war on them, but because neither is of any service to the student and we have plenty for him to do that is of service. We require students to wear uniforms because they are cheaper and do away with slovenliness and foppery at the same time. In brief we try to so train a young man that he will be fitted to take up any business without changing his habits."

The institution now needs two more dormitories to hold at least 100 men each. Already more than sixty students have been turned away and applications are being refused at an average of two per day.

About thirty young men are paying their way by work, waiting in the dining room, feeding and milking cattle and in other ways.

LIST OF STUDENTS BY COUNTIES.

- ALAMANCE COUNTY: J. S. Cafes, W. S. Harris, Paul E. Morrow, T. O. Pomeroy, Jno. A. Robertson.
- ALLEGHANY COUNTY: W. G. Fields.
- ANSON COUNTY: W. O. Bennett, Jr., R. B. Flake, J. J. Liles, C. H. McQueen, M. W. Maske, S. H. Threadgill.
- ASHE COUNTY: W. S. Sturgill.
- BEAUFORT COUNTY: F. L. Carthy.
- BERTIE COUNTY: E. E. Ethredge, F. J. Gilliam, T. W. Griffin, G. R. Harrell, J. W. Holley, J. H. Spivey, J. T. Stokes.
- BLADEN COUNTY: Jno. D. Ferguson, J. L. Parker, J. E. Porter.
- BRUNSWICK COUNTY: L. J. Pinner.
- BUNCOMBE COUNTY: G. E. Brown, J. N. Garren, B. O. Hood, J. J. Nichols.
- BURKE COUNTY: S. W. Asbury, A. H. Slocum, W. S. Stacy.

(Continued on Second Page.)