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PR

Leads all North Carolina Dailies in News and Circulation

RAILROAD TAX CASE SETTLED

The Southern, Seaboard and Atlantic Will Pay on the Assessment Made by Corporation Commission

The Corporation Commission Agrees Hereafter to Assess Railroad Property Only Once in Four Years.

The End of Litigation is Reached.

The State Wins the Case. Thus Showing That the Assessment Was Moderate and Reasonable. State Gets More Taxes.

The State Corporation Commission has won its fight.

The railroads will pay taxes for the past two years on the assessment of over \$42,000,000 made by the Corporation Commission in July 1899 and again in July 1900. They have paid on the old assessment of \$32,000,000 for the past two years, and now owe the tax on the ten million increase. They agree to pay this, with the penalty, which will give the State Treasury about \$50,000, and about twice as much to the counties and towns through which the roads run. The property assessment for 1901 and 1902 will remain at the present figures.

Hon. Franklin McNeill, chairman of the Corporation Commission, has stood like a stone wall against all the onsets of the railroad attorneys and against all the suggestions or offers of compromise. The Commission was conscientious in making the assessment and gave the railroads the benefit of every doubt, making the assessment very moderate and very conservative. The railroads, aided by Simonton, have made a vigorous attack on the assessment, hoping thereby to force some compromise. The head of the Commission, Mr. McNeill, refused to consider any suggestion of compromise, or to do anything that was in that nature. And the result justifies his wisdom.

The Commission has been willing all along to recommend to the General Assembly that in the future railroad property be assessed but once in four years, the same time that real property is assessed. It is a part of the settlement that this recommendation will be made to the General Assembly. Beyond that, the State makes no agreement.

It has been believed for nearly a year that Col. Warren G. Elliott, president of the Atlantic Coast Line, was tired of the suit. He is reported to have said:

"When this suit was begun I thought that the property of all the individuals of the State was systematically undervalued. I find that such is not the case. It is true that there is much irregularity and much inequality, but the small holders of property pay much nearer the true value than I had been led to believe. The railroads are willing to pay their proportionate share of the burdens of government, and are not disposed to make any factious or unnecessary fight against what the State deems is right."

He may not have used these exact words, though his action at Wilmington shows that he is proceeding along the line indicated in this quotation. That is the proper spirit that ought to prevail among all officers of corporations as well as individuals.

The State had examined witnesses from eight counties. It had 5,000 witnesses ready to swear that there was no systematic policy of undervaluation of property in North Carolina. This evidence had been prepared by the general counsel and special counsel in 97 counties. As developed in Raleigh and Wilmington it utterly demolished the contention of the railroads that property of individuals in North Carolina was undervalued by design and system. The evidence in these counties disclosed the fact that some property is undervalued; that some is overvalued; but that this is not by design, but due to the individual differences of judgment of assessors. It was shown that since the land was assessed for value in the cotton counties, the value has increased. It was assessed in 1899 on the five or six cent cotton basis, whereas ten cent cotton has enhanced the value of all cotton lands. As soon as Col. Elliott saw the significance of this testimony, he saw that the railroad contention could not stand. When the Corporation Commission's attorneys proposed to show the true cash value of the railroads, he also saw that the evidence that he and others would give would make it clear that, even if private property is assessed at only 66 2-3 cents on the dollar that railroad property is assessed at even less, and he saw that the State would of necessity win the case. Other railroad men who had studied the evidence began to have the same conviction.

And so at Wilmington, after the State had examined witnesses from eight counties, Col. Elliott made a proposition on behalf of the railroads to withdraw the suit on condition that the assessments on the through stems of the main lines should be reduced \$2,000 a mile. "Not a cent of reduc-

tion" said Ironsides McNeill, whose Scotch blood makes him hate a quitter. He did not say it in any spirit of unwillingness to do what was right to secure a settlement of the litigation, but because under his oath he could not conscientiously consent to any reduction from the assessment that the Commission had made after full investigation. The railroad people saw that they could not move the Scotch Chairman, and so they agreed to pay the assessment.

The Corporation Commission and its attorneys agree to recommend to the Legislature that the law be changed, and that the railroad property be assessed hereafter once in four years, at the same time real estate is assessed for taxation.

The railroad agrees to pay at once all the taxes due—about \$200,000—and pay the costs (not the State's attorneys' fees) of the suit.

The terms of the agreement cannot be obtained. I called yesterday to see Col. John W. Hinsdale, Hon. F. M. Simmons and James H. Poirer, Esq., attorneys for the State, and asked them for the particulars of the agreement. They declined to be interviewed or to make any statement whatever.

Governor-elect Aycock was in Wilmington in consultation with the attorneys and took part in bringing about the understanding which puts the property on the tax books at the figures assessed by the Corporation Commission.

The report of the Corporation Commission and their attorneys will probably not be ready to be given to the public until the Legislature meets.

The railroad property in 1898 was assessed at \$32,522,921. In 1899 the Corporation Commission, then composed of Franklin McNeill, chairman, E. C. Beddingfield and S. L. Rogers, assessed the property at \$42,119,000, and made practically the same assessment in 1900. The taxes paid in 1899 and 1900 was on the valuation of 1898, by order of Judge Simonton, and aggregated about \$25,000 for each year. According to the valuation of the Commission the tax would have been about \$425,000 for each year for all taxes—State, county, schools, towns, etc., or about \$200,000 more than was paid for the two years.

THE COMMISSIONS ASSESSMENT.

Here is the tax payable on the assessment of the Corporation Commission:

School tax (25c).....	\$ 105,255
School tax (18c).....	75,783
Total.....	\$ 181,038
Counties and Towns.....	243,962
Grand total.....	\$ 425,000

SIMONTON'S ASSESSMENT.

State tax (25c).....	\$ 81,307.50
School tax (18c).....	58,541.26
Total.....	\$ 139,848
County and Towns.....	185,152
Grand total.....	\$ 325,000

The amount, under the agreement, which the railroads will now pay to the State, schools, counties and towns is as follows:

State.....	\$ 25,947.70
Schools.....	17,241.74
Counties and Towns.....	58,810.00

AMENDS HIS RESOLUTION

Shattuc Has the Grace to Admit That Suffrage is Restricted North.

(By the Associated Press.)
Washington, Jan. 4.—Representative Shattuc, of Ohio, today introduced in an amended form his resolution proposing a Congressional inquiry into alleged abridgement of the right of suffrage. The resolution declares that Massachusetts, Maine, Connecticut, Delaware, California, Wyoming, Oregon, and other States deny the right to vote to certain male citizens of full age and that "such denial in certain of the said States extends to more than one-half of those who, prior to the last apportionment of representation, were entitled to vote in such States." The resolution calls for an investigation by a select committee of five, chosen from the Census Committee and a report within twenty days with a bill, apportioning memberships in the House of Representatives based on the provisions of the Fourteenth Amendment to the Constitution.

The Sedgwick Here From Cuba.

(By the Associated Press.)
Newport News, Va., Jan. 4.—The United States transport Sedgwick arrived in Hampton Roads early this morning from Cienfuegos, Cuba, and is now at anchor off Fort Monroe.

A TELLING SPEECH TO LORD LANSDOWNE

Klutz' Logic Shows Olmstead Enslaved by Prejudice.

No State in the Union Whose Requirements for Suffrage Conform to Language of the Fourteenth Amendment.

(Special to News and Observer.)
Washington, D. C., Jan. 4.—Representative Klutz made a telling speech and evoked considerable enthusiasm in the House today in opposition to the Olmstead resolution. He said:
"There is not a single State in this Union whose requirements for suffrage conform to the language of the Fourteenth Amendment. Maine, Massachusetts, Connecticut, South Carolina, Mississippi, Louisiana, Colorado and Wyoming all have an educational qualification. Rhode Island, Pennsylvania, Delaware, Georgia, Florida, Mississippi, Tennessee and Nevada have provisions requiring payment of a specified tax and Delaware, Maine, Massachusetts, Missouri, New Hampshire and New Jersey have qualifications which exclude paupers, men upon whom God has laid his hand and who are unable to pay a tax. A property qualification is demanded in Rhode Island and a registration fee of one dollar in Delaware."
This was an effectual answer to the criticism leveled at North Carolina's Constitutional Amendment.

DEATH OF ELI T. BANGS

Millionaire Contractor Who Charged the Gaynors With Conspiracy.

(By the Associated Press.)
Syracuse, N. Y., Jan. 4.—Eli T. Bangs, a contractor and millionaire, died today at his home at Fayetteville, after a long illness. He had been engaged in many important Government contracts, among the more notable being the construction of the Sault Ste Marie locks; Delaware breakwater and Charleston harbor. He was 75 years old.

It was Mr. Bangs who brought the Gaynors into the contract business. He took them into his companies, but when the Savannah contracts and the deals with Carter came up he quarreled with the Gaynors and openly charged them and Carter with conspiring to defraud the Government, giving details of the division of the spoils.

TROUBLES IN VENEZUELA

Disquieting Advice From Minister Loomis. Nothing Given Out.

(By the Associated Press.)
Washington, Jan. 4.—Cable advices received at the State Department today from Minister Loomis are of a disquieting character. The department declines to make public the details, but it is surmised that there is a possibility of resistance on the part of one of the asphalt companies to the legal processes of the Venezuelan Government that may result seriously.

The Scorpion has arrived at La Guayra, Venezuela, where she will assist Minister Loomis in his mission. This is said at the State Department to be limited entirely to the procurement of a judicial and equitable determination of the existing issues growing out of the asphalt franchise.

LOUISVILLE TO PORT ROYAL

Work Upon This Railroad Expected to Begin in the Spring.

(By the Associated Press.)
Chicago, Jan. 4.—The Record tomorrow will say:
"A company of Tennessee and Chicago capitalists in preparing to construct a railroad from Louisville, Ky., to Port Royal, S. C. Those interested in the project have organized themselves into the Louisville and Port Royal Railroad Company, which has been chartered with a capital stock of \$100,000. Surveys will be made within the next two or three weeks and next spring the promoters expect to have the work under way."

Capture of Filipino Officers.

(By the Associated Press.)
Washington, Jan. 4.—The following dispatch was received at the Navy Department this afternoon from Admiral Remey:
"Manila, January 4th.
"Bureau of Navigation, Washington:
"An attack on the morning of the 3rd by the Fourth Infantry marines of Navv at Cavite Viejo, resulted in the capture of one lieutenant colonel, two majors, five captains, one lieutenant, 48 private insurgents and four idrones."
(Signed) "REMEY."

Illinois' Trial Trip Next Month.

Washington, Jan. 4.—It is reported that the battleship Illinois, rapidly nearing completion at the Newport News ship yard will be ready for her builders' trial trip about the middle of February. The trial would have been made before but for the delay in the delivery of armor. Considerable interest attaches to the trial of the Illinois as the prediction has been made that she will exceed the speed record made by either the Kearsarge or the Kentucky.

Confederate Monument Dedicated.

(By the Associated Press.)
Lake City, Fla., Jan. 4.—A monument erected in honor of Confederates who fell in the battle of Olustee, was dedicated here today, prominent military men and Confederates from all over the State taking part.

Amendments of Hay-Pauncefote Treaty Submitted.

No Discussion Took Place Between Him and the American Ambassador. The Answer Not Indicated.

(By the Associated Press.)
London, Jan. 4.—United States Ambassador Choate presented the Hay-Pauncefote Treaty amendments to the Secretary of State for Foreign Affairs, the Marquis of Lansdowne, today.

No discussion occurred and the nature of Lord Lansdowne's answer is not indicated. Mr. Choate simply notified the Secretary of State for Foreign Affairs that he had sent him a document forwarded by the State Department. An answer probably will not be sent until the Cabinet discusses the matter fully.

MANY NEW STUDENTS

Movements and Doings of the Professors at the University.

(Special to News and Observer.)
Chapel Hill, Jan. 4.—New students and old ones are coming in rapidly and registering. From present indications it is thought that the registration books will show over 500 students by the first of next week.

The law department is being much recruited by new students. The senior law class that will go down in February, staid here and reviewed during the holidays. It is composed of twelve or fifteen members. Judge MacRae was exceedingly kind in offering his services in helping the class to review for the Supreme court, during the Xmas holidays.

Dr. Ruffin, instructor in law, has returned from a trip to Washington, Philadelphia, Boston and New York, where he spent the holidays.

Prof. Toy attended the meeting of the Philological Association at Philadelphia.

Prof. Cobb has returned from his trip through Florida, where he has been making geological observations.

A branch of the Alumni Association was formed in New York on Saturday, December 29th. Dr. Venable was present and took part in the organization. Judge Van Wyck was elected president.

GREAT RAILROAD DEAL

Rumor of Lease of C. M. & St. P. to Northern Pacific and Great Northern.

(By the Associated Press.)
Milwaukee, Jan. 4.—The Evening Wisconsin says today:
"It is learned through railroads and financial circles that it cannot be questioned that there is more foundation for rumors of a lease of the Chicago, Milwaukee and St. Paul Railroad to the Northern Pacific and Great Northern than most persons interested care to acknowledge. In this connection President Roswell Miller's qualifying statement 'no lease has been made yet' is regarded as significant."
"According to the Wisconsin's authority John D. Rockefeller and J. H. Hill are working together to bring about the change. Mr. Rockefeller, who recently owned 100,000 shares of Milwaukee preferred, is said to be a very large holder in the Northern Pacific, and presumably Great Northern."

MANY SMALL SUCCESSSES

Destruction of Filipino Camps. Seizures of Supplies.

(By the Associated Press.)
Manila, Jan. 4.—Generals Whenton and Bates report many small captures, the destruction of insurgent camps and other necessities. Among the captures, in Smith's district, was Colonel Techon, the insurgent Governor of Tarlac.

A BILL BY MR. KITCHIN

(Special to News and Observer.)
Washington, Jan. 4.—Representative Kitchin was at the Postoffice Department today and urged a reinspection of the three rural free delivery routes in Granville county. An inspector recently reported adversely on these routes. Mr. Kitchin was also at the Treasury Department and had an interview with the supervising architect in regard to the

WILL RUSSELL DISGRACE US?

Railroad Attorneys Working to "Persuade" Russell--A Willing Barkis--To Appoint Himself.

Fake Report of Endorsement of Russell by Lawyers Exposed as False by Prominent Lawyers.

It Would be "An Unseemly and Disgraceful Job."

The Rocky Mount Bar Rings Clear. How Russell and Reynolds Would Fix Up the Dicker.

The Morning Post, organ of the Southern Railway and the Tobacco Trust, which is now engaged in the pleasant task of elevating Russell, a Southern Railway tool, into the office of Chief Justice, said in its issue of January 3rd:

"Governor Russell now has the subject of his resignation under consideration. His friends assert that he is governed entirely by the action of the bar of the State."
Following this up in big head line type, it said: "The Henderson Bar endorsed the Governor for Chief Justice"—a thing the Henderson bar has not done. As a matter of fact only two practicing attorneys signed it. Four names were attached to the paper, two of whom are not in the active practise. Everybody familiar with the Henderson bar will note that neither of these Henderson lawyers favored Russell for Chief Justice: Messrs. A. C. Zollicoffer, W. B. Shaw, T. M. Pittman, A. J. Harris, J. H. Bridgers and R. S. McCain.

CENSURE OF SECRETARY ROOF

Pettigrew's Resolution Condemning His Refusal to Submit Laws to Report.

(By the Associated Press.)
Washington, Jan. 4.—Senator Pettigrew today introduced the following resolution in the Senate:
"Resolved, that the Senate hereby expresses its condemnation of the refusal of the Secretary of War under whatever influence to send to the Senate copies of papers called for by its resolution of the nineteenth of December, 1900, requesting the Secretary of War to send to the Senate the report of A. L. Lawshe in relation to the receipts and expenditures in Cuba, as in violation of his official duty and subversive of the fundamental principles of the Government and of a good administration thereof."
Consideration of the resolution was postponed until tomorrow.

SENIOR CLASS SUSPENDED

The Techs Refused to Attend Recitations on New Year's Day.

(By the Associated Press.)
Atlanta, Ga., Jan. 4.—The entire senior class of the Georgia School of Technology has been suspended for the refusal of the members to attend recitations December 31st and New Year's day. No commencement exercises will be held next June. The engineering students will be granted diplomas in November, 1901, and the textile students in December, 1901.

BOERS RE-CROSS THE ORANGE

Russian Commanders Petrowski and Du Plooy Killed at Utrecht.

(By the Associated Press.)
Cape Town, Jan. 4.—Two hundred Boers have re-crossed the Orange River, going north.

The Russian commandants, Petrowski and Du Plooy, were killed in the fighting at Utrecht, December 25th.

Nominations by McKinley.

(By the Associated Press.)
Washington, Jan. 4.—The President today sent the following nominations to the Senate:
Nolen L. Chew, of Indiana, Deputy Auditor for the Postoffice Department; Cyrus F. Adams, of Illinois, Assistant Register of the Treasury.
To be Brigadier Generals in the Volunteer army, Colonel Samuel M. Whiteside, Tenth cavalry; Lieutenant Colonel James R. Campbell, Thirtieth infantry U. S. V.; Major Charles Bird, quartermaster U. S. army.
Postmasters: Virginia—E. A. Deborneave, Franklin; W. G. Saltsman, Charlottesville.

Murder Follows Jealousy.

(By the Associated Press.)
Mobile, Ala., Jan. 4.—This afternoon near the centre of the city Oscar Mann, a public painter, killed Claude Norden, a clerk. Norden was reproving an associate for using foul language on the street when Mann reached over his shoulder and thrust a long knife into his jugular. Norden died in about five minutes. Mann was arrested and denies that he cut Norden. The animus of the attack is said to be that Norden has been visiting Mann's divorced wife.

Bryan Lectures at Tyler.

(By the Associated Press.)
Tyler, Texas, Jan. 4.—W. J. Bryan lectured here tonight to a large audience. An informal reception was held during the afternoon. He left tonight for Dallas, where he will lecture tomorrow night. It was erroneously reported last night that Mr. Bryan had passed through Pensacola, Fla.

The Earth Quaked.

(By the Associated Press.)
St. Louis, Mo., Jan. 4.—Telegrams to the Post-Dispatch from Eldorado Springs, and Appleton City, Mo., say a distinct earthquake shock was felt at those points at 9:12 p. m. yesterday. At Eldorado Springs, window panes were broken and other slight damage occurred.

UNSEEMLY AND DISGRACEFUL JOB.

ROCKY MOUNT, N. C., January 4, 1901.

Whereas, the Raleigh Post is urging Governor Russell to appoint himself Chief Justice of North Carolina, upon the ground that it is demanded by the bar of the State; and

Whereas, our silence might be considered as an approval of this proposition,

Therefore, we, the undersigned members of the bar of Rocky Mount, feel it our duty to express our absolute disapproval of such action, which we would regard as one of the most unseemly and disgraceful jobs ever performed by the Governor of a great State.

(Signed) B. H. BUNN,

JACOB BATTLE,

THOS. H. BATTLE,

W. L. THORP,

L. V. BASSETT,

J. H. BAKER, JR.,

T. T. THORNE,

T. M. ARRINGTON.

Fake "Endorsing" of Russell.

The Raleigh Times yesterday afternoon stated that notices "had been received stating that the bar of Winston, Charlotte, Wilmington and Dobson have endorsed the Governor and urged him to take the place." The Times obtained this information evidently from men close to Russell, and thought it was true. But there isn't as much truth in it as in the report of the action of the Henderson bar.

CHARLOTTE BAR DID NOT ENDORSE. It was impossible to reach Dobson by wire, but this telegram was sent to Charlotte:

Hon. Heriot Clarkson, Charlotte, N. C.

Reported here that Charlotte bar endorses Russell for Chief Justice of the Supreme court. Is it true? Answer:

NEWS AND OBSERVER.

Within a few minutes this telegram was received:

Charlotte, N. C., Jan. 4.

News and Observer,

Raleigh, N. C.

The report is not true.

HERIOT CLARKSON.

WINSTON HASN'T ENDORSED.

A similar telegram was sent to Hon. E. B. Jones, of Winston. He promptly answered:

Winston-Salem, N. C., Jan. 4, 1901.

(Continued on Fourth Page.)