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6Thinfl CENTS. Lubry Of Congress



NEW GOVERNMENT DEPARTMENT BIL

It Does Not Meet the Senate's Approval.

IT MUST BE AMENDED

The Discussion Brief. No Definite Action Taken.

MISREPRESENTED ON CANAL QUESTION

Senators Declare That Statements Representing Them as in Favor of Panama Canal Route Are Incorrect. Number of Uncontested Bills Passed

(By the Associated Press.) Washington, Jan. 16 .- For a brief time teday the Senate had under consideration the bill creating a Department of Commerce. The discussion tended to show that the measure will have to be amended in many particulars before it "can receive the approval of the Senate. Serious objections were raised to the transfer to the proposed department of several important bureaus now a part of other departments of the Government. Notice of several important amendments was given but no definite action on the measure was taken.

A large number of uncontested bills and private pension measures was passed, after which the Senate adjourned until Monday.

Mr. Hoar asked that his resolution adopted yesterday calling for information concerning the exaction of duties upon supplies and comforts in regard to the Boer prisoners in Bermuda from this country be recalled. He explained that the article of the House convention upon which the resolution had been based had been adopted by Great Britain but had not been adopted by the United States. He said he had been informed; since the adoption of the resolution that the Governor of Bermuda proposed to the Legislature of Bermuda that the law exacting such duties be repealed. He said the exaction of such duties was not a violation of treaty obligations, but he thought it was a matter which ought to be investigated The motion to recall was adopted and the resolution was referred to the Committee on Foreign Relations.

TO the Geological Survey to the Department of Commerce, was stricken out. Mr. Hale gave notice of an amendment providing for the transfer of the Coast and Geodetic Survey to the Navy De partment. After Mr. Platt (Conn.), had criticised North Carolina's Delegation A Train Held up in Indian

the bill and urged that no action be taken at this time, the measure went over

The following bills, together with a large number of private pension bills, were passed, appropriating \$90,000 for Government expenses and floor space at the Charleston (S. C.) exposition; to construct, at a cost of \$11,500, a road te the National Cemetery at Dover, Tenn.; to pay certain persons in the South for property taken from them by the military forces of the United States. Mr. Clay (Ga.), referring to his privi-

ledged statement made earlier in th session concerning a newspaper article dealing with the attitude of Senators upon the isthmian canal project said that an examination of the article showed that he had been included among Senators favorable to a full consideration of the canal question. That was true, he had been misled by the headlines."

In introducing a bill to exclude Chinese from coming to the United States Mr. Mitchell, (Ore.), said the policy and general provisions of the measure were approved by the Pacific coast Senators and Representatives but that it had been agreed that this approval should not affect the privilege of any member to offer amendments when the bill was considered. The bill was referred to the Committee on Immigration.

The Senate then, on motion of Mr. Spooner, went into executive session. When the doors were re-opened Mr. Cul berson (Texas), presented a resolution expressive of the Senate's sorrow at the death of Robert E. Burke, formerly a

Continued on page 2.)



Mr. S. W. Matthews of Rocky Mount Killed in a

Runaway.

(Special to News and Observer.) Rocky Mount. N. C. Jan. 16 .- Mr. S. W. Matthews came to his death by a distressing accident yesterday. While out driving, his horse ran away with him, and the buggy came in violent contact with an electric light pole, breaking the vehicle to pieces and in some way inflicting a fatal wound in the tack of

Meet to Confer. Territory.

Will Act in Concert For Larger Appropriations One Report Says the Seven Men Secured For the State. Russell and the \$2,000, Another That \$3 Only

Collectorship.

(Special to News and Observer.) Washington, D. C., Jan. 16 .- The meeting of the North Carolina delegation this morning was fully attended. Representative Blackburn being the only absentee. The meeting decided to act in concert for larger appropriations for our rivers and harbors; for the Appalachian Park and for Roanoke Island Celebration. It was decided to hold monthly meetings hereafter on the first Wednesday in each month. Senator Simmons conceived the idea of these meetings of the delegation. and much good will result from this action.

The Wilmington collectorship is again hung up until Monday. Yesterday it seemed certain that Keith would be appointed, but tonight there is a rumor that Governor Russell, failing to get the district attorneyship, will become a candidate for the collectorship. There are no other developments today in the Tar Heel office contests.

While the delegation of Salem Female Academy ladies were unable yesterday to get President Roosevelt to agree to attend their centennial next June, they were more successful today with prominent Senators and Congressman, many of whom promised to attend.

Referring to North Carolina appointnents and North Carolina politics, the Evening Star has this to say:

The collectorship of customs at Wilmington, N. C., is about settled, and it is thought the next collector will be B. F. Keith. Mr. Keith was presented to the President today by ex-Senator Marion Butler. Senator Pritchard will recommend him tomorrow, and there is little doubt of his selection. Mr. Keith will C. Dancy, colored, who succeed John comes to Washington as recorder of deeds of the District. Mr. Keith is a white man, and was indorsed by the business men of Wilmington. Senator Pritchard had decided from the beginning to present either Mr. Keith, who is a citizen of Wilmington, or A. H. Slocum, who lives in Fayetteville. President Roosevelt was asked whether he would rather nominate a Wilmington man or one from

Was Taken. (By the Associated Press.) Fort Smith, Ark., Jan. 16 .- The southbound Kansas City Southern passenger train was held up last night at eleven o'clock, half a mile north of Spiro, I. T., by seven masked men. The express and mail fars were entered. The local safe in the express car was opened but nothing secured from it. The robbers tried to open the through safe but failed. Then they rifled the mail car and it is said, secured a quantity of reg-

istered mail. The scene of the robbery is fifteen miles from Fort Smith. A report today from there says that United States marshals are scouring the country in search of the robbers. Three suspects miners, have been arrested and taken to Foteau, I. T. Railroad and express officials decline to state how much booty was secured. It is stated however, that the robbers got away with \$2,000.

The robbers flagged the train between Spiro and Redland. While two of the even men covered the engineer and fireman, with revolvers, others forced a porter, who had appeared on the steps of the forward coach to uncouple the baggage car from the rest of the train. John Block, a travelling salesman from Fort Smith alighted from the train and wa about to fire upon one of the robbers when he was prevented by Conducto Sullivan, who feared that the men would fire into the passenger coaches. The baggage car uncoupled, the engineer was compelled to pull up the road a distance of one mile. There the robbers, after disarming the messenger, went through the baggage and mail car. Their worl finished, one of the robbers handed the messenger the revolver taken from him and all made for the timber.

Postoffice officials here deny that any registered mail was taken, and the express officials say that one package, containing \$3, covers their loss.

Spiro is a small station near the Arkansas River in Indian Territory. It is a desolate place in the timber, which affords good cover for a robbery. Poteau the second station from Spiro, was the scene of a former train hold-up.

testator, Mr. Willard. Mr. Busbee further said in the course of his remarks that Mrs. T M. Ashe had never received one cent from the estate of her husband, and that if the court held that Mr. Ashe had no interest in Mr. Willard's estre all of his debts, amounting to \$7,000, would go unpaid.

Judge Allen took the papers and will render his decision in a, week or so. The executors and trustees were represented by R. H. Battle, Judge T. B. Womack was in court, for the infant de fendants, and C. M. Busbee and Ernest Haywood were the attorneys for Mrs. Ashe, administratrix of Thos. M. Ashe.

Real Estate and Trust Co.

The annual meeting of the stockholders of the Raleigh Real Estate and Trust Company was held yesterday evening in the office of Womack & Hayes. The following gentlemen were elected as directors: J. G. Brown, Dr. J. R. Rogers, J. S. Wynne, F. W. Habel, Jno. A. Mills, Wm. J. Andrews, Jno. C. Drewry, F. T. Ward and N. E. Edgerton.

Immediately after the adjournment of the stockholders, the directors met and elected the following officers: J. S. Wynne, president; F. K. Ellington, vicepresident and general manager; F. P. Prown, secretary and treasurer; and Wo. mack & Hayes, attorneys.

Body of Former Mayor in River.

Huntington, W. Va., Jan. 15 .- The body of Sturgis F. Jones, a prominent attorney and former mayor of Roanoke, Va., was found in the Ohio River near the wharf boat here today. It is not known how he came to his death but indications point to suicide. Jones had been here several days. The coroner's jury is investigating.



Quits S. A L. For Southern, as Superintendent of the Charleston Division.

(Special to News and Observer.) Knoxville, Tenn., Jan. 16 .-- It is reforted here semi-ofcially that Major F. K. Huger now superintendent of the Second division of the Seaboard Air Line, will resign his position to enter upon similar duties for the Southern Railway, as superintendent of its Charleston division.



is Tame.

REFERS TO THE BOER WAR

But Gives Small Assurance of an Early Peace.

HUMANITY OF BRITISH TROOPS PRAISED

When the King Refers to This the House of Lords Breaks Into Cheers, Boers Have

Made No Overtures

for Peace.

(By the Associated Press.)

London, Jan. 16 .- King Edward opened Parliament today witht a ceremonial in all essential respects similar to that of February last, he procession to the House of Lords was of the same character as that witnessed on the occasion of the opening of the first Parliament of King Edward's reign, while within the upper house were seen the same state pageantry, the sae historic dresses and the same revival of ancient forms.

After robing, King Edward and Queen Alexandra entered the House of Peers and occupied their thrones, beneath a canopy, with the Prince and Princess of Wales on either side of them. The other members of the royal family were seated on chairs at the foot of the steps leading to the throne.

The gentleman usher of the Black Rod, General Sir Michael Biddulph, having summoned the speaker and the members of the House of Commons, His Majesty read the speech from the throne.

The speech was not an important utterance. His Majesty referred in terms of gratification to the world tour of the Prince and Princess of Wales, expressed regret at the fact that the war in South Africa was not concluded, said he trusted the decision of the sugar conference would lend to the abandonment of bounties, and noted the conclusion of the sthmian canal treaty Contrary to expectations, the King's reference to the war was just as indefinite as the statements on the subject made in the last half a dozen messages from the throne. "I regret," said His Majesty, "that the war in South Africa is not yet concluded, though the course of the operations has been favorable to our arms, the area of war largely reduced and industries are a position with the Southern Railway. I being resumed in my new colonies. In spite of the tedious character of the campaign, my soldiers throughout have displayed a cheuerfulness in the endurance of the hardships incident to gueril-"I do not know just yet, but just as la warfare, and a humanity even to their own detriment, in their treatment of the enemy, which are deserving of the highest praise. The necessity for relieving those of my troops who have most felt the strain of war, has afforded me the opportunity of again availing myself of the loyal and patriotic offers of my colonies, and further contingents will shortly reach South Africa from the on the Southern, and can not be but Dominion of Canada, the commonwealth of Australia and New Zealand." Then came the following clause: "I have concluded with the President of the United States, a treaty, the provisions of which will facilitate the construction of an inter-oceanic canal under guarantees that its neutrality will be maintained, and that it will be open to the commerce and shipping of all nations. Their Majesties then retired amid a fanfare of trumpets and attended by the same regal ceremony as accompanied their entry into/the House The crowds which lined the route from Buckingham Palace to Westminster to view the procession, were not nearly so large as on the occasion of the last opening of Parliament. For once royalty was late, and when the King and Queen drove out from the court yard in front oof Buckingham Palace, they were twenty minutes behind time and King Edward was still struggling with an unruly glove. Their Majesties were greeted enthutiastically. As they sat in the great state coach, whose gilded pinnacle brushed the boughs of the trees in the Green Park, King Edward and Queen Alexandra looked for all the world life a flattering painting of Henry VIII, and one of his better-looking spouses. They bowed somewhat wildly from their huge gold and glass frame, which shook and reeled on its ancient springs, like a ship in a storm. The only departure from the extremely decorous character of the proceedings occurred when the King referred to the humanity of the British troops in South Africa. This led to an unprecedented scene in the House of Lords. Peers and Peeresses and high officers of state broke out into a prolonged cheer, which was repeated again and again, to the evident satisfaction of His Majesty, but to the apparent dismay of the officials of the House, whose signalled deprecations of this departure from ancient traditions were ineffectual to stop the outburst of enthusiasm.

A House concurrent resolution providing that the two branches of Congress assemble in the Hall of the House of Representatives on Thursday, February 27, to participate in services in memory of the late Eresident McKinley was adopted.

Mr. Mallory (Fla.), rising to a question of privilege called attention to an article in a New York newspaper of the 14th instant purporting to give a poll of the Senate on the subject of an isthmian canal in the course of which he was represented as being in favor of the Panama route. He declared he had had no interview with any one upon that subject. As a matter of fact the article misrepresented him entirely. "I am decidedly in favor," said he, "of pressing the Nicaragua project as rapidly as possible and if it were in my power I should be very glad to bring the matter up for a vote today."

Mr. Clay (Ga.), made a similar state ment about the same article, asserting that he never had intimated to anyone, what his views on the canal question were, but that he did, as a fact, favor the Nicaragua project and not the Panama route, as stated in the article in question.

The bill to establish the Department of Commerce was called up by Mr. Nelson (Minn).

After some minor amendments to the measures had been offered by Mr. Nelson and adopted, Mr. Lodge offered an amendment to section 11 of the bill, providing that the Secretary of State should designate an official in his department to furnish instructions to consular officers supplied by the Secretary of Commerce and to prepare the dispatches of the consular officers for trans mission to the Secretary of Commerce. The amendment aroused considerable comment, all of it being favorable to

Mr. Lodge's proposition. Mr. Hale sharply criticised the bill. He said the measure so suddenly flashed upon the Senate created the largest department in the government. The Secretary of Commerce would become the most important member of the Cabinet. He would be even a more important official than the Secretary of the Treaspary with all of his great administrative duties.

Many bureaus had been included in the proposed department that have no more relation to commerce than light has to darkness. He referred particularly to the transfer to the new Department of the Coast and Geodetic Survey and urged that if that bureau were changed at all It should be placed under the Navy Department. He referred to various navies in the several departments.

This brought Mr. Tillman to his feet. would like to add another navy to those enumerated by the Senator.' he said "that is, the army transport service. That is assuming great proportions and about it I have heard some scandal.

At the instance of Mr. Teller section 6 of the bill providing for the transfer of

Mr. Matthews' head

Some people who saw the accident carried him to his home nearby and Drs. W. H. Whitehead and Geo L. Wimberley were called in to see him. Mr. Matthews never regained consciousness however, and died about 11 o'clock last night. He will be buried in the cemetery here today. The deceased was about fifty years of age and leaves a wife and one child.

Mr. Matthews had long been in busiress in this place, and at the time of his death was a member of the firm of Matthews, Williams & Davenport. His death is regretted by a very large circle of friends.

N. C. BASE BALL LEAGUE.

There is a Move For Such an Organization Mr. E. M. Ashenback Here.

Mr. E. M. Ashenback of baseball fame, arived in the city yesterday to confer with local cranks about the organization of a league in this State next summer.

It was Mr. Ashenback's idea that a Tri-State League, composed of the best towns in North and South Carolina and Georgia could be formed, but it was found impossible to interest Charleston, and without Charleston such a league can not be organized. The people of Charleston are so much absorbed in the exposition that they are not thinking of baseball and the Tri-State League scheme was given up.

There is now a movement for the organization of a State League with a salary limit of \$750 per month. As yet it has not taken any tangible shape and is only being discussed. Mr. Ashenback is conferring with interested parties here as to the organization of such a league. Among the towns mentioned are Raleigh, Durham, Tarboro, Wilmington, Newbern, Goldsboro, Greensboro, Winston and Charlotte.

Rixey to Succeed Van Reypen

(By the Associated Press.)

Washington, Jan. 1 .-- Rear Admiral William K. Van Reypen, Chief of the Naval Eureau of Medicine and Surgery, will be placed on the retired list of the navy on the 25th instant with the rank, and retired pay of a senior rear admiral corresponding to that of Major General Schley case, and refused to vote when the M. Rixey, who now has the rank of com- ocrats present voted for the resolution. mander, will succeed Admiral Van Reypen.

Separate School For One Negro.

(By the Associated Press.)

Guthrie, Okla., Jan. 15 .- Chief Justice Burford has issued an order to the effect that if there is only one colored child of school age in a school district, the authorities must provide a separate school house and teacher. This order takes in the entire Territory and will prove very expensive to the various counties.

At Annapolis, Md., yesterday, Delegate Griffth (Republican), introduced in the

House of Delegates a bill to appropriate \$3,000 to purchase and erect in the State House a life-size bust of Rear Admiral W. S. Schley.

the outside. He thought a local man would be better for a local office, and RALEIGH POST MASTER this led Senator Pritchard to at once decide upon Mr. Keith.

"Ex-Senator Butler, who was the Populist leader of North Carolina for years, is working closely with the Republicans of that State now. Senator Pritchard's personal popularity has led the elements opposed to the Democrats to believe that by getting together they may be able to elect a legislature that will return Mr. Pritchard to the Senate.

APPROPRIATIONS DEFEATED.

The Virginia Military Institute and the University Get Nothing.

(By the Associated Press.)

Richmond, Va., Jan. 16 .- The Constituional Convention today settled the question of making appropriations for the University of Virginia and the Virginia Military Institute. The propositions were defeated, but apparently may come up again, owing to some misunderstanding in the vote on the question of reconsideration.

The Flood amendment, providing for biennial, instead of quadriennial sessions of the Legislature, was adopted by a vote of 38 to 37. A fight for reconsideration was on at the hour of adjournment.

Arranging For Roosevelt's Visit.

(By the Associated Press.)

Washington, Jan. 16 .- Mayor Smyth, Hon. John F. Ficken and Colonel J. C. Hemphill, of Charleston, S: C., were at the White House today to complete the arrangements for the President's trip to the Charleston Exposition next month. It has been decided that the President will be in Charleston on Lincoln's birthday, February 12.-The arangements for the trip will probably be completed this afternoon or tomorrow.

Republicans Refused to Condemn Court

(By the Associated Press.) *

Frankfort, Ky., Jan. 16 .- The House today after a spirited debate adopted the resolution commendatory of Admiral Schley. The Republicans opposed that part of the resolution which condemned the Court of Inquiry that sat in the ocrats present voted for the resolution.

When Alfonso Comes of Age.

(By the Associapted Press.)

Washington, Jan. 16 .- Dr. J. L. M. Curry has been appointed special envoy extraordinary and minister plenipotentiary to represent the President at the coming of age of the King of Spain. Dr. Curry is a native of Virginia and was formerly Minister to Spain.

For Improvements on the James.

(By the Associated Press.)

Washington, Jan, 16 .- A delegation from Richmond, Va., was before the River and Harbor Committee today in advocacy of extended improvements on the James River to cost about \$3,307,000.

TO PAY RURAL CARRIERS.

They Will Receive Their Checks in Future From Mr Bailey Instead of Direct From Washington.

All rural carrier in North Carolina will from the first of February be paid from the Raleigh office. Heretofore they have been paid by checks from the department in Washington. There are about eighty of these carriers in the State now: and the amount to be handled by Postmaster Bailey will consequently be \$40,-000, as the pay of these carriers is \$500 each per year.

Mr. Bailey is of the opinion that it will take about two hundred rural carriers to cover the State, finally thus bringing \$100,000 into circulation in North Carolina.

At any rate, here is the sum of \$40,000 a year coming into the State, to be counted among the benefits of the rural free delivery system.

The new arangement will not affect the carriers in any way, except that they will receive their checks from Postmaster Bailey, instead of direct from the department at Washington.

Congratulations are due the Raleigh office for the confidence reposed in its management by the department.

WILLARD WILL CONTEST.

Judge Allen Hears Argument and Will Render Decision Shortly

Considerable time was occupied in the Superior court yesterday with the suit brought by Capt. S. A. Ashe and others executors of W. H. Willard, deceased against Mrs. Nannie B. Ashe and others. The suit is for the construction of the will of Mr. Willard. Capt. Ashe and the other executors contended that under the will of Mr. Willard the interest of the late hos. M. Ashe in Mr. Willard's estate survived to the remaining children of Capt. S. A. Ashe, and that the wife of the late T. M. Ashe was not entitled to arything under the will for the payment of the debts of the late Mr. Ashe. The estate was worth about \$150,000, and the executors, since the death of Mr. Wil lard, have advanced \$30,000 to W. W. and S. A. Ashe, Jr., and \$17,000 to the other children, making altogether \$47,000. The late Thos. M. Ashe, at the time of his death, had no property except his interest in Mr. Willard's estate and he owed cebts to the amount of about \$7,000, inciuding the expenses in his last sickness and the funeral expenses.

It appeared in court yesterday that Mr. T. M. Ashe's father-in-law, Mr. Armis-

tead Jones, had paid the debts incurred in Mrs. Ashe's last sickness, and also the funeral expenses. Mr. C. M. Busbee, one of the attorneys of Mrs. T. M. Ashe, told the judge that Mrs. Ashe did not desire a cent from Mr. Willard's estate except what was necessary to pay her husband's debts. It seemed to be agreed upon both sides that the executors possibly might have had a right to make the advance of \$47,000, but that will be the question for Judge Allen to decided. It r:ay be that the court will say that if

the executors rad a right to advance so large a sum as \$47,600 to a few of the right to advance the whole estate, and in ' for the Field Marshal's health.

he above telegram was received here last night and Major Huger, whose headquarters are here, and who was in the city at the Yarborough, was aclled upon y a representative of this paper. He was at supper-but came at once in reply

to a request sent him. "Yes," said he, when the telegram was hown him, "that is so. I have accepted m to be the superintendent of the Chareston division with headquarters in Charleston."

"When do you leave?"

scon as the Seaboard supplies my place. While being sorry to leave Raleigh, where I have been so hospitably received, I am delighted to go to Charleston which is my old home.'

Continuing, Major Huger said: "Before coming to the Seaboard I had done service for the Southern for twenty years The new position is a promotion for me pleased.'

Major Huger came to Raleigh on November 25th, succeeding Mr. J. M. urner. He is an able railroad man, and a typical Southern gentleman. He and his charming wife have made many friends here, and Raleigh will regret to see them go. Last night Major Huger more than once spoke of his regret in leaving Raleigh, and of the high regard he had for the people here.

BELIEVED TO BE KEENS.

Man Held in New Orleans Thought to be New York Jewelry Thief.

(By the Associated Press.)

New Orleans, aJn. 16.-T. E. Manners, who says he is a Chicago jeweler in business with his father, but who Klein and West, the two men under arrest on charge of stealing Manners' cases of jewelry from a hotel in this city, declare is Edward Kerns, an alleged New York jewelry thief, is still in jail at Gretna. Manners is indignant at his incarceration and stoutly denies that he is the fugitive. He declares Klein and West accused him simply to put him to trouble. Manners has telegraphed to Chicago friends to come here and identify him.

Affidavits were made today against Klein and West for robbing aMnners of \$2,500 worth of jewelry. Klein made a long statement in his cell to the effect that Manners planned the theft with him and West with the understanding that he would sue the hotel company. 'Phony" jewelry, he said had been placed in the trunk and it was planned to bring suit for the loss of genuine jewels. John A. Evans, of this city, today identified Klein as a man who had passed a bad check on him. Klein and West are measured by the Bertillon system and had their pictures taken. The police do not expect to determinate whether Manners is or is not Kern until Kern's picture and his measurements reach here from New York. The police express the opinion that Manners is not Kern.

Count VonWaldersee and his wife will older children, that they would have the visit America in April. he trip is made

The Lord Chancellor, Earl Halsbury, formally read the King's speech.

Earl Spencer (Liberal) criticising the address, said that while he recognized the impossibility of granting the Boer demands for independence, he deprecated

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