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Cabry Of Congress

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## ROUGH SHOD OVER THE CONSTITUTION

Roosevelt's Policy Must Mr. Spooner also gave attention to the Involve Us in War.

Action in the Case of Panama the Beginning of a Policy of Intermeddling Whose Results Will be Written in Blood and Flame.

(By the Associated Press.) Washington, Jan. 13.-Panama was again today the principal subject of consideration in the Senate and as on vesterday the debate was spirited. Today there were only two speakers, and between them they held the floor for about four hours. Mr. Carmack opened the proceedings with a set speech in pointed criticism of the President's course, and was followed by Mr. Spooner in defense of the President's action. Mr. Tillman fre it was because he was thinking how quently interrupted Mr. Spooner and there were a number of sharp encounters between them. When the Senate adjourned the Panama question was still before the Senate, and it was announced that the

discussion would be resumed tomorrow. The Panama resolution offered by Mr. Gorman, was laid before the Senate and Mr. Carmack was recognized. He said that while he had the utmost respect for the office of the President, he did not mean to conceal the excesses of that office, "and every act of the President in this wretched Panama business," he went on, "has been in violation of law, of statutory and international law, and of the Constitution of the United States."

He spoke of the new isthmian power as a "hideous abortion of night and darkness, misnamed the Panama Republic." He compared the course of President Jackson in the Texas case with that of furniture plant of the South Dunn Manuthe expense of the latter. In that case he said there was no recognition until at an early hour this morning, entailing Mexico had abandoned the struggle. As a loss of \$75,000, on which there was infor himself when his conduct should be surance at \$34,750. The destruction of questioned, he would point to Andrew the plant was complete with the excep-Jackson, and not to Theodore Roosevelt as his guide and he had no doubt of the

The President had, he said, made it plain that he had never intended to execute rebuild at once. the Nicaragua provisions of the Spooner

al as the execution of the law. If instead much trouble ' Mr. Carmack contended that President

Roosevelt had not contented himself with recognition of Panama, but had intervened. "His acts were not simply offensive, not simply a cause of war, but they fact there never was any insurrection on the isthmus," said Mr. Carmack. "They speak of the rising," he said, "as the act of one man. Very true! and that one man and the disaster, though powerless to the United States army in raising the first flag in the Panama Republic, the Senator criticised him sharply. "I do not believe that he would have engaged in

this plot if he had not believed that he was doing the will of the administration. "That." he added, "is what I think, and if Colonel Black is not punished, I will know that I am right."

Mr. Carmack declared that a mob has as much right to hang its victim as has the President to secure what he wants by disregard of the law. President Roosevelt, he said, loses the power of reasoning and his moral sense when he become involved in action, he said and exclaimed: "Into what difficulties may we not be led by this headlong man!'

He did not agree that the President would have hesitated if Colombia had been a stronger nation. On the contrary the President would have welcomed such an opportunity.

"He makes history as he would order a melo-drama, making certain that the star performer is always in the center of the stage."

act, but a policy, and indicative of this no such bulletin was issued by the Asso character it was not meant for Colombia alone, but was the beginning of a system of intermeddling with the affairs of the such circumstances any such statement countries of Central and South America, and such a policy must inevitably involve ter was reprehensible. us in war, not only with the South American nations themselves, but with Euro-

pean nations. In conclusion Mr. Carmack said that while he was for the canal he could not vote for the treaty because he could not endorse the lawless acts of which it is

When Mr. Carmack took his seat Mr Aldrich asked what practical system Mr. Carmack had to offer.

"Defeat the treaty," responded Mr. Car-

"Then what?" "Build the Nicaragua Canal." "Ah!" responded Mr. Aldrich. That is

Mr. Spooner turned to Mr. Carmack say-

the milk in the cocoanut."

registered an oath in Heaven to discharge his duties. Mr. Carmack had made a sinister and unsupported statemen, when he said that this country had begun a systematic encroachment on the rights of the South American republics. No man had stood more consistently for these republics than had President Roosevelt, he declared. No President in history had stood more staunchly for the Monroe

North

charges of disobedience of law by the "The only enemies he has in the United

States are the result of his obedience to and enforcement of law." As the author of the Spooner act, the Senator said he wished to express the SO ASSERTS CARMACK Senator said he wished to express the opinion that the law had not been violated by what the President had done, and be entered upon an analysis of the law in

support of this proposition. After reviewing the events relating to the canal negotiations Mr. Spooner asked whether any Senators would under the circumstances have turned his back on Panama as long as there was a b... pend ing in the Colombian Congress, and he put the question especially to Mr. Tillman who was on his feet. The latter said he would have entered in

with Nicaragua and would have reported back to Congress for further instructions. He would then have said to Colombia: "You are a mangy lot; get off the face of the earth; we'll take the country and build a canal." The remark caused an

outburst of laughter, both on the floor of the Senate and in the galleries. After a minute's pause Mr. Spooner said that while he could not accept the Senator's language he congratulated him on coming to the President's position. Mr. Tillman called attention to Mr. Spooner's hesitation and the latter replied

(Continued from Fifth Page.)

## Fifty Thousand Fire Lays South Dunn Mfg. Co. in Ashes.

(Special to News and Observer.) Dunn. N. C., Jan. 13.-The m.

stance, and commended the former at the State, went up in a cyclone of flame tion of the boiler, boiler room and dry house.

Mr. M. T. Young is president of the company, which, it is said, expects to

How the blaze originated is unknown. It s stated that there was no fire in the 'Never for one moment," he said, "did finishing department where the flames he consider any plan that had in it so first burst out. When the alarm was little of the strenuous and the sensation- given they had made such headway, however, that it was seen that any effort of peering into the future as Mr. Loomis to check them would be futile. Efficient tells us he did, he had peered into the work by the fire department, however, law, he would have saved the country prevented the extension of the conflagration to three other manufacturing plants in the immediate vicinity. Some valuable timber was saved from the flames. The Atlantic Coast Line lost one box

car in the blaze. This is the third or fourth fire that has were war," he added. "As a matter of destroyed the labors of this enterprising company during its life of six or seven

A large stock of goods was on hand

Discussing the act of Colonel Black of crush the spirits of those upon whom it fells, will nevertheless be keenly felt.

#### Another Report.

(Special to News and Observer.) Goldsboro, Jan. 13.-The town of Dunn on the Atlantic Coast Line between Smithfield and Fayetteville, had an \$80,000 fire las night which destroyed the mammoth furniture plant of the South Dunn Manufacturing Company. There was about \$40,000 insurance on the burned property.

#### NO WAR BULLETIN ISSUED

#### The Associated Press Denies Falsehood of Cotton Gamblers.

(By the Associated Press.)

New Yor, Jan. 13 .- A statement was telegraphed from New Orleans this afternoon to the effect that prices on the Cotton Exchanges were affected near the close by a statement that the Associated He went on to say that the President's Press had issued a war bulletin. As memecurse in this matter was not merely an bers of the Associated Press are aware ciated Press during the day, and if the name of the association was used under was false and any action of this charac-

## Death of Colonel Denby.

(By the Associated Press.) Jamestown, N. Y., Jan. 13.-Colonel Charles Denby, of Evansville, Ind., United States Minister to China, during the administrations of Presidents Cleveland and Harrison, died here suddenly today. Colonel Denby lectured here last night. He was about 70 years of age.

### Bill to Eradicate Boll Weevil.

(By the Associated Press.) Washington, Jan. 13 .- The Senate today

THE WAR TO SEAT A DEAD MAN BEGUN

Carolina

Argument in the Moody-**Gudger Contest.** 

### **HEARD ON ITS MERITS**

The Case Against Albright Argued Before a Sub-Committee of the Senate Committee on Post-Offices. Strong Suggestion by Mr. Pou.

(Special to News and Observer. Washington, D. C., Jan. 13.-House elections Committee No. 1 today heard argument of counsel in the Moody-Gudger client. Do the terms of the statute justi contest from the Tenth North Carolina district. The committee me t at 10:30 o'clock and remained in open session until when the argument having been conluded, it went into executive session.

The opening argument for the contestant Moody was made by ex-Congressman ment of the case in committee and its final Thomas Settle. He was followed by Frank Carter, of Asheville, and Chas. M. Busbee, of Raleigh, for the contestee, Gudger. Then Mr. Settle closed the case. Col. V. S. Lusk, who is also one of Moody's counsel, was present, but did not

The argument on both sides was confined almost exclusively to the evidence, the chairman and some other members of the committee intimating quite plainly that they were inclined to brush aside all lega ltechnicalities and consider the case on its merits.

This intimation eliminated the lengthy argument that would otherwise have been made on both sides regarding the effect of the contestant's death on the contest.

BASIS OF THE CONTEST.

face of the returns of 183 for Gudger.

Moody that the entire vote from South tion. Waynesville precinct, in Haywood counfor Moody, a majority of 70 for Gudger.

It is likewise insisted that the entire poll from the precinct of Shields, in Polk county, should be rejected. This precinct returned 150 votes for Gudger, and 60

should be rejected. or a majority of 339 for Gudger.

The rejection of these precincts over-Moody.

these votes be rejected are bribery, unlawful registration and illegal voting. Moody being dead, cannot of course be awarded the seat, even if the contest should be decided adversely to Gudger. But in such event the seat now held by the latter would be declared vacant and a new election ordered.

DEATH OF THE CONTESTANT. ense that the death of the contestant expected soon. Moody on February 5th, before the pres-

ent Congress began and during the taking of evidence, put an end to the contest. Attorneys for Moody contended otherwise and the preparation of the case

set up as a further defense that the conceal the belief that war is expected. death of the contestant abated the contest and that all the proceedings there- sia's refusal to admit the right of Japan after were nullities. They ask: the death of the contestant? He is the most vital interests and to sustain, which of the Postoffice Department, according actor, the plaintiff, made so by the the Japanese government is determined to to the report of General Bristow, the statute, and he begins the action as the resort to arms. if necessary.

statute prescribes. If he does not pursue the practice as it is regulated by the statute his action is dismissed. If his notice is not served in time, or if it is insufficient in law in respect to its allegaions, or if his testimony is not taken within the period prescribed, the action is dismissed. He is held to the duty of prosecuting an action begun in the courts, not so closely perhaps, but as closely as the terms of the statute require. "It must be admitted that at the death

of a principal the authority of an attorney ceases. This is so without exception. If the cause of action survive, the attorney event of a collision between foreign does not represent the party to whom it survives until authorized by him. Upon the death of this contestant, his interest in the controversy absolutely terminated. so far as he was concerned. It then ended assed the House bill providing means for he eradication of the cotton boll weevil. claimed by opposing counsel, then new hered dividend of 2 per cent on the preferred parties should have been made. If the stock.

ontroversy was of such character as that the entire electorate of the district were parties in interest, or more of such parties should have been made prosecutors or plaintiffs and the contest continued in their name. Very surely the attorneys representing the contestant could not ontinue to exploit the contest in the name of the dead man for their own benefit And it appears from the record that the attorneys, after the death of the contest ant, continue to call themselves his attorneys and to sign process and papers as

"For whom were they attorneys? Not for the contestant, for he was dead; not for his widow, for it does not appear that she desires the contest continued. They had no standing in reference to the proceeding unless they were retained by omebody, and that somebody, if he had authority under the law to assume the right to continue the prosecution after the contestant's death, ought to have been nade a party to the action.

"Here the contestant dies and no one takes his place. No plaintiff or contest ant appears thereafter in the proceedings No elector in the District is sufficiently interested in the controversy to come in and make himself a party and prosecute If the cause of action in the statutory proceeding survived, it survived to some body and that survivor should have been made a party. It seems here that only the attorneys survived and they are seek ing to continue the contest without a fy or allow them to do so?"

VALIDITY OF THE AMENDMENT. This is the first congressional contest that has arisen in North Carolina under the new suffrage amendment and as that instrument is to some extent involved in it much interest attaches to the argu decision in the House. In their brief the (Continued on Fourth Page.)

Japan's Answer is Submitted, Negotiations Will Continue.

(By the Associated Press.)

Board of State Canvassers, and on which Tokio to Reuters Telegram Company, says past. President Roosevelt in the present in- facturing Company, one of the largest in Gudger's certificate of election is awarded, which interests most the public is the inquest was held over the remains of gives 12,700 votes to Gudger and 12,517 note was handed this afternoon to Baron opening of two new localities in Man Geo. Corn and his wife. Last night Corn votes to Moody, or a majority on the De Rosen, the Russian minister, and that churia to foreign trade—the city of shot his wife dead and then walked into ace of the returns of 183 for Gudger.

It is insisted by the attorneys for any time limit being set for their terminal Yalu river. It is to be noted in this his own head. Corn was a well-known to what extent the matter is damaged

ty, should be rejected. This precinct re- have made, according to reports publish- exchanged yesterday at Pekin, secures mestic trouble and it is said this is what turned 266 votes for Gudger and 147 for ed abroad have caused some surprise in also to international trade the opening led to his rash act. Moody, or a majority of 119 for Gudger. Tokio, according to the dispatch, and it of the port of Tatung Kou, about thir-It is also insisted that the entire poll is now stated that Japan never asked for teen miles below Antung and at the mouth York, occurred at 4:30 o'clock this mornfrom Tryon precinct, in Polk county, the evacuation of Manchuria, but on the of the Yalu. It is highly probable that be rejected. This precinct re- contrary frankly recognizes Russia's spe- the presence in these localities at an was 85 years old. Mr. Share fas the turned 119 votes for Gudger, and 49 votes cial interests there and her right to protect them. Japan demanded the realization of Russia's voluntary pledges respecting China's territorial integrity in Manchuria and the freedom of residential rights and international trade therein. Berlin, Jan. 12 .- Official opinion regardvotes for Moody, or a majority of 90 for ing the probability of war between Rus-Gudger. It is also insisted that the en- sia and Japan has suddenly changed. tire vote from the county of Buncombe Intelligence received at the Foreign Office

yesterday has caused the government, for principles of the 'open door' to which this The returns from this county give the first time since the controversy began Gudger 3,029 votes, and Moody 2,690 votes, to believe that the situation is extremely tense. The very definite views hitherto of China and its administrative control held are reversed and war has become a comes the majority of 183 accorded proximate contingency, according to the Gudger and gives a majority of 435 to view held in official circles here. Japan's delay in answering Russia's last note is The grounds on which it is asked that deemed here as being a symptom that a grave decision is under consideration.

Port Said, Egypt, Jan. 13.—The Russian ruiser Aurora has arrived here. Later the Russian cruiser Dmitri Donskoi and seven Russian torpedo boat destroyers arrived here.

The Dmitri Donskoi entered the Suez Canal bound for the Far East. The torpedo boat destroyers will await the arrival here of the remainder of the The contestee Gudger sets up as a de. Russian Mediterranean squadron, which is

#### War Seems Inevitable.

Pekin, Jan. 13.-The forecast of Russia's position regarding Manchuria, cabled by the Berlin correspondent of the Asso In addition to taking up the counties ciated Press, January 11, coincides with and precincts the legality of whose vote the information received by the foreign is challenged for bribery and unlawful legations here and also strengthens the reported to the House. registering, and defending that vote, the impression that war is unavoidable. At attorneys for the contestee in their brief the Japanese legation an effort is made to

The cruxt of the situation is still Rusto a voice in the settlement of Manchurian "Can any other result logically follow affairs, which Japan considers one of its

#### Panic in Seoul.

London, Jan. 14.-The Seoul correspondent of the Daily Mail, cables a description of a state of pani: which, he says, exists at the roval palace.

The Emperor his issued a pitiful edict. stating that the country is likely to be lost owing to the weakness and vacillation of the people whom he counsels to act for the best in their own interests. The Emperor his also issued an ordinance warning the army not to fire in the

The correspondent adds that the entire city is extremely turbulent.

Philadelphia, Jai. 13 .- The directors of as completely as if it had been an action for personal mages. If it survived, as pany today declared the usual semi-annual purveyor of the appointments.

# **WIDE BY TREATY**

News.

Ratifications of Convention With China.

This Throws Open the Ports of Mukden and Antung and Among Other Concessions Accords Our Missionaries Protection.

(By the Associated Press.) Washington, Jan. 13 .- Ratifications of the Americans-Chinese commercial treaty were exchanged at the State Department Chengtung Liang-Cheng, the Chinese Minister here. The treaty provides for the opening of the ports of Mukden and Antung, in Manchuria, to the world's cor. merce. The President today signed the proclamation putting into effect the

The following statement was issued by the State Department regarding the

"Although relating in its principal provisions to questions of commerce and navigation, removing restrictions which have hampered them both in China, it also speaks of a number of questions of great importance to the people of the two countries. For example, it defines the rights and privileges of the diplomatic and consular officers and of American citizens, especially missionaries residing in China and insures the latter en joyment of rights which they have only had in the past practically by toleration. The treaty also deals with trade-marks, copyrights and patents, ensuring them a fair degree of protection in China-a thing London, Jan. 13 .- A dispatch from which they have had very little of in the

early date of American consular officers father of Mrs. George J. Sheaprd, of Ashethe nations having treaties with China R Shepard, of Buell, N. Y. acquire by our treaty and that with Japan, the right to establish consulates at these places-will greatly tend to the establishment of order in this much disturbed borderland of China, and will powerfully contribute toward insuring country stands irrevocably committed, as well as aiding in insuring the integrity over its Manchurian provinces.'

## STRUCK OUT BY THE HOUSE.

Provision for Salaries Civil Service Commission and Clerks Thereunder.

(By the Associated Press.)

Washington, Jan. 13.-After a lively debate alsting three hours the House today in committee of the whole by a vote of 78 to 65 struck out of the legislative, executive and judicial appropriation bill the paragraph providing for the salaries and exenses of the Civil Service Commission and clerks employed under the commis-

The action was taken on motion of Mr. Hopburn, of Iowa. He was supported by Republicans and Democrats, in charge of the bill, that a yea and nay vote will be demanded on the question when the bill is

Mr. Bartlett (Georgia), taking up the report of Fourth Assistant Postmaster General Bristow addressed himself to the Civil Service system, referring to statements made by Mr. Bristow.

Mr. Bartlett charged hat in the appointment of the chief of the supply division Civil Service Law had been violated. "I call attention to this," he said, "be-

report. It meets you at the start, at the very door and stands out as a bold, bald violation of the law, and the man who til 9 o'clock tomorrow morning," said the violated it, the man who encouraged it, judge the man who started it, the man who retary of the National Republican Com-

Mr Cooper (Wisconsin), said that every one of the men under indictment except one, in connection with alleged postoffice only point brought out was that Eckstein frauds, went into the service under the and Mabel frequently quarreled and that spoils system.

Mr. Grosvenor (Ohio), spoke against why an appointment should not be as properly made upon the recommendation the Norfolk and Western Railroad Com- of a representative of the cole as to have Mr. Clark (Missouri), suggested

Mr. Grosvenor said the gentleman from Missouri (Mr. Clark) could immortalize himself if he would introduce and passible amending, enlarging fecting the old law which, he said, is regarded as the perfection of human wis-

fro mthe President's statement in connection with the Bristow report protested against any man assuming that the men under indictment are guilty before they have been tried. Mr. Hepburn declared that he was not inclined to criticise the heads of the com-

Mr. Richardson, (Alabama), reading

mission, "but the Civil Service as it is adminstered s a fraud and a humburg. THE EXCHANGES MADE The statement met with applause on both ides of the House. Mr. Gillett said he was in favor of a merit system and not a patronage system. He admitted that the system is not per-

> no good would come from striking out the paragraph in the bill providing for the expenses of the commission. The House adjourned until tomorrow.

fect and can be amended, but he said

#### Russell Sficks in Their Gorge.

(Special to News and Observer.) Winston-Salem, N. C., Jan. 13.-Local Republicans admit that ex-Governor Dan Russell has gotten himself into a predicament ove rthe Wilmington postmastertoday by Secretary Hay and Sir ship. A prominent member of the party says the Senate ought to refuse to confirm Mrs. Russell's nomination and that her husband should be politely informed that he need never ask for anything else

at the hands of his party. Local Republicans think that Russell has acted badly and that he has shown what kind of a man he is by asking a woman to even loan him money with which to go to Washington in her behalf.

## Death by the Revolver Route for George Corn and His Wife.

(Special to News and Observer.) Asheville, N. C., Jan. 13.—Deputy Sheriff was impossible to reach. Wells and Coroner Hemphill today went "Perhaps the provision of the treaty to Pole Creek, in this county, where an connection that the Japanese-Chinese farmer of this county and was over fifty The demands which Japan is said to treaty, the ratifications of which were years old. He has had considerable do- five days at furrthest, possibly not three

The death of Robert E. Sharpe, of New ing at 159 Charlotte street. The deceased

## MABEL'S LOVER ACQUITTED.

Alois Ecstein Goes Free. The Prosecution Tries the Court's Patience.

(By the Associated Press.) Allentown, Pa., Jan. 13.-Alois Eckstein, one of the lovers of Mabel Bechtel, who was so mysteriously murdered last October, was acquitted this afternoon of in which the conduct of the prosecution sorely tried the patience, not only of Judge Trexler, but also that of the jurymen and counsel for the defense. E. J. Lichtenwalner, the district attorney of Lehigh county, was so befogged that it telegram received today from Mrs. Ruswas with difficulty the case was carried sell, who is with her husband in Washingto a conclusion. Several times the court interfered and threatened to end the proceedings for the day unless the commonwealth conducted its case in a more orderly manner. At one time the district attorney's assistant in the case took charge, only to be set aside by the district atttorney later on. The court endured the proceeding until after the jury had been instructed to render a verdict of acquittal when Judge Trexler adjourned the

The district attorney wanted to go ahead with the trial of the accused members of Brigade General J. I. Metts, commanding the Bechtel family, but the attorney for the third brigade, North Carolina division, the Bechtels' protested emphatically. The U. C. V., left this afternoon to attend district attorney, however, was insistent the funeral of General Gordon in Atlanta and ordered the names of the defendants tomorrow. called, but the judge interrupted by saying to the district attorney:

"Do you intend to conduct the prosecution yourself, or will you rely on assistant counsel? If the latter, the trial will go on, otherwise this court will adjourn until tomorrow morning."

"The ditsrict attorney proposes to concause it is on the very threshold of this duct this case himself," muttered the official.

"Then this court stands adjourned un-

The opening address of Atttorney Lutz, asked it is a former First Assistant Post- who is assisting the district attorney, master General, Perry S. Heath, now Sec- was exceedingly brief, and did not give a strong indication that the commonwealth expected to fasten complicity in the mur- guard. der on Eckstein.

Eckstein is alleged to have said to her: "You are trying to drive me to the the Civil Service as it now exists, asking grave, but you may get there before me."

Eight witnesses were examined. The

This testimony was given by Mrs. Brobst, Mabel's sister, who said she overheard the remark about Easter, last year.

Five Story Brick Building in Greensboro.

LOSSES ARE HEAVY

The Fire Bursts Out in the Bevill **Building Opposite City Hall Pre**senting a Spectacle of Terrific Splendor. List of

Losses. (Special to News and Observer.) Greensboro, N. C., Jan. 13 .- Fire tonight in the five-story brick building opposite City Hall and owned by W. E. Bevill, damaged the building to the extent of \$5,000, which is covered by insur-

Plumbing stock of J. Ed. Albright, loss

Stock of groceries, Chas. E. Pugh, \$2,500. J. J. Stone Printing Company \$8,000, fully insured. Boyles & Mitchell, window shade factory, \$2,500, insured \$1,500.

A large amount of the insurance was arried by Greensboro home companies. Two large printing presses of Stone Company, valued at \$7,00, were saved by preventing the fire from the upper story burning the end of the building they were on. The bindery and other machin-

ery were totally destroyed. The fire was caused by a boy in the plumbing establishment on the first floor. In looking for something with a lighted candle he set fire to the oakum hangings on the wall, which ignited like powder, and communicated to a bale of hay near the elevator shaft, the flames shooting up the shaft to the first story and igniting plunde rthere. This, under a metal roof,

burned the stables belonging to John

Dick. Loss \$500. The J. J. Stone Printing Company published Fairbrothers' Everything, the next bu delay of issue will not be more than

Stone will at once equip office in another building, not discharging the thirty-five workmen, unless for lav off of a day or more. Bevill will rebuild as soon as insurance is adjusted. The walls of the building apparently are not damaged. and those of other nationalities-for all ville, and the grandfather of Rev. Frank The water pressure was deficient, fire being in the flith story, which occasioned great alarm for awhile. Whe nthe roof burst out after two hours' of hard fighting, amid a fall of snow, the scene was magnificent beyond description. Work of firemen in saving the part of second story containing the expensive presses of Stone Company was splendid. Ossupant of one store with large stock of groceries had

### RUSSELL SERIOUSLY ILL.

just moved out.

complicity in the crime after a brief trial Removed From Ebbitt House to Johns Hopkins Hospital.

> (Special to News and Observer.) Wilmington, N. C., Jan. 13 .- A private ton, states that ex-Governor Russell has been removed from his rooms at the Ebbitt House in that city to Johns Hopkins Hospital in Baltimore. Governor Russell is suffering with kidney trouble, and private advices tonight are that his con-

> dition is very critical. At a meeting of the allied Confederate organizations o fthe city tonight, feeling resolutions of regret upon the death of General Gordon were adopted and eloquent tributes were paid to his memory by Col. A. M. Waddell and others, Col. W. J. Woodward, of General Gordon's staff, and

#### Sixteen Damage Cases.

(By the Associated Press.) Coal Creek, Tenn., Jan. 13.—Sixteen damage cases against the Coal Creek Coal Company and G. M. Camp, superintendent, for alleged misrepresentation made to secure a party of miners brought to cal Creek from St. Louis on December 4th, last, were decided in favor of the miners in a justice court yesterday. A judgment for \$250 and all costs was rendered in each case. The company will appeal. The Fraterville mine, of the Coal Creek Coal Company is now being operated, a force of detectives and deputy sheriffs being on

#### In Honor of R. C. Caldwell.

(Special to News and Observer.) Winston-Salem, N. C., Jan. 13 .- The annex committee of the First Presbyterian church have decided to name the proposed addition "The R. C. Caldwell Memorial Building" in honor of the beloved pastor David Weisenberger refused to answer who died in Philadelphia. Work on the questions put to him which referred to his builting, which is to cost \$12,000, is to be-