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### WILL TAFT PROMOTE "PRIVATE CAR" LURTON?

His Action in Filling Vacancy on Supreme Court Bench Will Reveal the True Character of the President, Will Show Whether He is Hand in Glove With the Interests of the People--Record of Tennessee Judge

An executive shows the trend of his mind better in the character and opinions of the men he appoints to the bench than in any other way. Mr. Taft must soon fill a vacancy on the Supreme Court bench. The public seems to be divided as to whether Mr. Taft is a reactionist, as his sweeping endorsement of Aldrich, made since his election, would indicate, or whether he is devoted to "Roosevelt policies" as he was particular to declare before he was nominated and during the campaign. He is trying to please both factions of his party, but so far he has given praise and place to the reactionists and only words and tattle to the progressives.

The public will get the real Taft attitude when he names the Associate Justice of the Supreme Court. It is now believed that he will name Judge Lurton, of Tennessee, a Democrat who was appointed to the Circuit Court by Cleveland, and a lawyer who, it is alleged, has never doubted the divine right of railroads and trusts to rule this country. Recently prominent North Carolina Democrats have received letters urging them to endorse Judge Lurton for the vacancy. Naturally Southern Democrats would like to see a Democrat named if he is a sound Democrat and is not a reactionist. Judge Lurton's record such as to make his appointment desirable to those who wish to regulate railroads, street car lines and put an end to government of the dollars? Gilson Gardner, a newspaper correspondent, desiring to learn the views and standing of Judge Lurton, recently visited Nashville and here is the result of his investigation as published in the Atlanta Journal:

Nashville, Tenn.—I came here to see what kind of a reputation his public life has been given by President Taft to succeed Justice Peckham on the United States Supreme Court.

"The railroads and the corporations of Tennessee will be entirely satisfied with Judge Lurton's appointment," said the first man I asked. "He has served them here in Tennessee long and faithfully, and they will be glad to see him promoted to the last place."

"I asked what evidence there was of friendliness between Judge Lurton and the railroads. The familiar designation, 'Private Car Lurton,' the lawyer answered. 'I suppose you've known what everybody knows through-

out this section of the South about Judge Lurton's habitual use of private cars furnished by the railroads. Up to the passage of the Hepburn law, Judge Lurton scarcely moved without the private car.

"True enough, everywhere I went I found tales of Lurton's private cars. Not for business merely did he use them, but he gave private car parties. Once he took a party of young friends, men and women, through the West, including a visit to the Yellowstone. On such occasions the railroads furnished not only the cars, but the chef, the provisions and all the little extras that go to make a junket of this sort complete.

"It should be understood that the expenses of these cars were borne by railroads which were actual or potential litigants in his court. At one time, I am informed, there was a receivership which brought the management of a railway into Judge Lurton's court, and the judge simply indicated to the receiver his desire to have a private car. The receiver naturally obeyed.

"Neither Judge Lurton nor his friends ever have denied his frequent habitual use of private cars. Nor have they tried to justify it. I was talking to a grizzled corporation lawyer who was most friendly to the judge.

"I don't think that story should be brought up at this time," said the lawyer. "Judge Lurton has reformed and seen the error of his ways. Why not forget the past?"

"He went on to say that this private car affair had already lost the judge a promotion to the Supreme Court.

"It was President Roosevelt's purpose to appoint Judge Lurton to succeed Justice Brown," the lawyer said. "Judge Taft who was then Secretary of War, was pressing Lurton's name. But Roosevelt got the story of Judge Lurton's use of private cars, and heard about his general railroad leanings, and he dropped that name from his list."

"President Taft and Judge Lurton were on the bench together. At one time the court was made up of Taft, Lurton and Day, the latter being Mr. Justice Day, of the United States Supreme Court. The district included Michigan, Ohio, Kentucky and Tennessee. Judge Lurton owed his appointment to President Cleveland.

"A leading member of the Nashville bar and himself a corporation lawyer is John J. Ventresca. What he had to say of Judge Lurton takes on added significance from the fact that he is personally and professionally the judge's friend.

"In these days," said Mr. Ventresca, "judges and lawyers are apt to be classified under two heads; those who place the emphasis on property rights and those who place the emphasis on personal rights. To the former class belongs Judge Lurton."

"The attorney went on to argue that this position is the correct one, and that stability of property should be

### WHO WILL OPEN IT?



—The Washington Star.

made paramount. I talked with lawyers in Cincinnati and Memphis, and found nothing to contradict the impression as to Lurton's corporate and railway leanings.

"If Judge Lurton has ever decided a motion, or a case in a way disastrous to the Louisville and Nashville railroad," said a Memphis attorney, "I have never heard of the case, and he added: 'This may mean that the L. & N. road is always right; but if that is what it means it is singular to say the least.'"

"Judge Lurton's pro-railroad and pro-corporation record covers a period of about thirty years. It began when the firm was Lurton & Smith, and he was local attorney for the L. & N. It is made up of many learned decisions, well-written and fully buttressed by hoary precedent, and all tending to the weakening of personal rights and the strengthening of property rights. They have contributed to the defeat of personal injury claims against railroads and to the breaking

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### BAPTISTS CLOSE A GREAT MEETING

Reports on Wake Forest and Meredith Colleges IN FLOURISHING SHAPE

Prof. Carlyle Spoke Accentuating the Purity of the Wake Forest Ideal and Calling for Larger Equipment—Dr. Vann's Report on Meredith College—Report on Secondary Schools and Addresses in Their Interest—Wadsworth Hospital Spoken of in High Terms—Resolution of Thanks.

(Special to News and Observer.) Wadesboro, Dec. 10.—The Baptist State Convention convened again this morning for another busy day. Hendersonville has been chosen as the meeting place of the convention next year. Rev. J. J. Hill, D. D., is to preach the convention sermon, Rev. Josiah Vincent, alternate. The following resolution was adopted: Resolved, that we hear with pleasure of the prosperity of Oxford Seminary and extend to President Houghton our hearty good wishes for the continued success of his school. On motion Duke's Creek Academy was included in the above endorsement. Rev. O. L. Strickland, who did a notable work for Meredith College several years ago, was in the convention this morning and with a hearty reception.

Resolutions of thanks were passed, expressing the gratitude of the convention for the entertainment accorded by the Wadesboro church and the citizens of Wadesboro generally. Rev. T. W. Chambliss was especially mentioned in the report as having arranged the entertainment of the convention in such a most agreeable and enjoyable manner. Mr. N. B. Broughton said that it had been the best managed convention in this respect in many years. Resolutions were also passed thanking the citizens for courtesies in transportation and the Charlotte and Raleigh papers for their reports of the convention contained in their columns.

The following were appointed to write reports on the session of the convention: on Foreign Missions, Dr. J. H. Foy; Home Missions, Dr. W. M. Vinson; orphanage, Prof. J. A. Campbell; Sunday Schools, Rev. W. M. Hendry; churches, J. J. Taylor; state missions, C. E. Maudry; Biblical Recorder, J. W. Palfrey; Ministerial Education, T. W. Chambliss. The Board of Trustees of Wake Forest College were reported through President Houghton. The report stated that the college was prospering. The health of the students has been good. Seventy-seven graduated last commencement, 85 percent of students and church members. The 75th anniversary of the college was celebrated this year. It has had over 1,100 graduates. It has about \$650,000 in endowment and property of other kinds. 787 students have entered this year; 140 are first year men; 73 are ministerial students. The total collections of endowment yet unpaid.

Prof. J. B. Carlyle spoke, saying that the important things in a college

are spirit, ideals and equipment. The spirit no one can define, but it is contagious in the atmosphere of the campus and recitation rooms. It puts men to work for others. The Wake Forest spirit is democratic. There is no spot on the globe where a stronger, purer spirit of democracy exists than in the Wake Forest campus. There are manhood counts. The ideals of the college are two—to impart culture, to develop character. He said a Wake Forest man who cannot speak is a monstrosity. He spoke of the victory of Wake Forest debaters in eleven contests out of fifteen. The college trains men not to rant but reason. Not to soar but to serve. As to scholarship, the sons of the college are in prominent places everywhere. There are professors and fellows from Wake Forest in Cornell, in Harvard and all the great universities. But the college crowns culture with character—noble, true, Christian character. The ideals of the college are noble (Continued on Page Five.)

### ENGLISH SOCIAL UNREST SEVERELY ARRANGED

The British Budget, Which Has Plunged the Country Into One of its Greatest Political Struggles is Really of Secondary Importance--The Supreme Question is Whether the Old Relic of Feudal Days Shall Continue

That there is a greater question involved in the controversy over the British budget than any mere question of finance can be understood readily enough by any one who has viewed English society, even from the most detached point of view. The American who for the first time drives through the magnificent estate, say of the duke of Westminster, can not help cherishing a hope that, no matter what changes may come, "this great fortified post of the barbarians" may long be held against all attack. So lovely and imposing is it that even the fiercest democrat cannot but sympathize with those who would preserve it. At least the traveler hopes to visit England again, and what would England be without such homes as that which shelters his grace of Westminster? And yet he knows in his soul that what he has seen is a survival of feudalism, which is as out of place in the modern world as armor and chivalry and the Round Table in the old days the men who lived in these lordly homes performed a real service to the people, though they robbed them, too. The people were protected, and their protectors were the leaders in war. But what do the great dukes do now? Hundreds of thousands of acres are kept out of cultivation in order that noblemen may have parks and preserves for hare and deer and golden pheasants, and may have them practically free of taxes. It is of course clear that this state of things can not continue. It is against it that the new scheme of taxation is principally directed. But looking a little further into the situation it will be found that a whole social order is built up about these great landed estates, which is also threatened. Here again the American traveler can not but be pleasantly impressed by the apparent stability and solidity of English society, its ordered life, its sharp differentiation of rank, and the seeming contentment of each man with his state in life. When you first hear an Englishman say "thank you" for being permitted to render you a service, and then recall the "say feller" of our supposedly lower classes, you almost wish that fortune had decreed that you should have been born an English gentleman. You forget the servility in the country, and your thought of your own countrymen is not flattering.

Social Hierarchy. And yet, is the English system right? Can it be permanent? Surely not, if democracy is to prevail. Two books have recently been published in which there is a severe indictment of the landed gentry system. Mr. Wells, in his "Tono-Bungay" condemns it utterly—condemns, not simply the system, but the whole social ideal which is its product. The people of the lower classes, he says, look on the people of "The Hall" as like God in that they live somewhere "above

the ceiling." The effect of the social hierarchy, of which the country house is the apex, is to breed a cringing deference to those above, and a patronizing condescension to those below one. It is nothing to the purpose that the people who suffer from the system do not realize it—that they seem to be content. The important thing is that the feet of it all is to make men less men, to breed snobs and sycophants. The American who reads Thackeray's "Book of Snobs"—though he has met snobs in this country—can hardly picture to himself such types as are therein portrayed. They seem to be well known in England, seem to be a necessary part of the system—and they are not extinct. Unless, therefore, Mr. Wells is wholly wrong, the persistence of the feudal social ideal in England is a thing to be deplored. If he is right, the ideal can't survive. Ought it to survive? In the days of the great reform all right it was contended that, though the rotten borough system was bad and corrupt, the gentry governed the country well, society was stable, and the political system firmly founded. There was much to be said in support of the theory. There is much to be said in support of the present system. A contented peasantry, a prosperous mercantile class, and a brave and just aristocracy, make a society which it is not easy to stampede, much less to overthrow.

Protest of Democracy. But is it a sound society? There are Englishmen who do not think so. Matthew Arnold contrasted the English peasant unfavorably with his French brother, and accounted for the inferiority of the Englishman on the ground that he had no sense of equality. He was free, but he was subordinate and inferior to men and classes that might be no better than he or of the class to which he belonged. And in Mr. De Morgan's new book, "It Can Never Happen Again," we have this:

The model groom, Bullett, who had driven the trap to the station, had just time to establish himself on the back seat, when the model mare was off at a spin, and an agricultural population, whose convictions and diet changed very little since the days of William the Norman, were abusing themselves in a humiliating manner unworthy of the age we live in—uncaring male heads and hobnob female skirts—at the doors of cottages whose hygienic arrangements were a disgrace to a Christian country and a reflection on civilization. So said the Grime Sentinel in an editorial; and as it spoke as though the editor had tried all those arrangements and found them wanting, no doubt, it was right. It is impossible not to believe that the editor of the Grime Sentinel accurately reflects the opinion of Mr. De Morgan. It is quite certain that (Continued on Page Two.)



PROBABLE NEW SUPREME COURT JUSTICE; HIS FAMILY AND HOME IN NASHVILLE.



ARMY AND NAVY AIDS TO THE PRESIDENT WHO DIRECT WHITE HOUSE SOCIAL AFFAIRS.