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NO. 11.

MANHOOD SUFFRAGE

Mr. Butler's Speech in the Senate on the Suffrage Amendment.

THE LEGISLATURE CAN NOT INSTRUCT THE COURTS.

The Legal Questions at Issue—The Illegality of North Carolina's Sixty Thousand White Voters in Danger of Being Disfranchised—Decisions of the Supreme Court Quoted. The Amendment Puts the South in a False and Unequivocal Position.

[Washington Times]

Mr. Butler, of North Carolina, addressed the Senate to-day at the close of the routine morning business, on the subject of the resolution introduced by Senator Pittgreave, relating to suffrage in North Carolina. Mr. Butler spoke, in part, as follows:

"Mr. President, I have listened attentively to the three speeches which have been delivered in the Senate in opposition to this resolution. I have been surprised that these Senators have devoted the major part of their speeches not to the legal and constitutional questions at issue, but, instead, to a discussion of a question that is not at issue and about which there is no contention—that is, whether or not the negro is as intelligent and as capable of self-government as the white man.

THE QUESTIONS INVOLVED.

"If the proposition before the Senate was a resolution for the repeal of the Fifteenth amendment, then their speeches would have been more to the point. But that is not the question raised by the resolution, nor is it the question that confronts the people of my State to be voted on at the August election of this year.

"The only questions at issue before the Senate and before the voters of North Carolina are the legal ones which would be considered by the Supreme Court if the proposed suffrage amendment should come before it to be tested. What are these legal questions?

"First, is section 5 of the proposed amendment unconstitutional in connection with the fifteenth amendment?"

"Second, if the Supreme Court should hold that section 5 is unconstitutional, would it also hold that the balance of the amendment (which makes a complete and constitutional scheme of limiting suffrage) should stand as a part of the organic law of the State?"

"These are the questions I propose to discuss. If the law and the decisions of our Supreme Court show that the answers to both of these questions must be in the affirmative, I take it that then there would not be a man in this body nor a voter in North Carolina who would dare support the proposed amendment.

"Now, the question is, is the section (known as the 'grandfather clause') constitutional? It provides that a citizen who could vote on or before January 1, 1867, or whose father or grandfather were then allowed to vote, shall be exempt from the provisions of section 4 and permitted to vote, even though unable to read and write, and therefore not possessing the qualifications required of other voters. Now, does this provision operate equally, impartially, and uniformly upon both races and upon those formerly free or formerly bond? If it does not, then clearly it is unconstitutional and must fall.

LEGAL DECISIONS QUOTED.

Mr. Butler at this point quoted from a number of decisions of the United States Supreme Court, and speeches of noted legal authorities, as proof of the unconstitutionality of the "grandfather clause."

"Should the court hold," continued Mr. Butler, "that this section is unconstitutional, and that the remainder of the amendment—which is constitutional, and which is a logical, complete, and constitutional scheme for limiting suffrage—shall stand, what will be the result? What would be the effect of the operation of the proposed North Carolina amendment with section 5 eliminated? No one familiar with the facts or who will take the trouble to examine the census reports will deny that the result will be to disfranchise fifty or sixty thousand white voters—indeed, as many white voters as colored voters.

"I regret to say it, and would not admit the fact if it threatened danger of disfranchisement of this large number of the sturdy yeomanry of the State did not demand it, that North Carolina has a larger percentage of white whites than any other State in the Union. Therefore, the adoption of such a disfranchising scheme would result in disfranchising more good substantial men in my State than in any other State in the Union. These illiterate white men are not like the class of illiterates who make up the slums of the great cities, but they are, as a rule, sturdy and as worthy citizens as North Carolina has within her borders.

"They are the descendants of the Revolutionary patriots who fought at Kings Mountain, Moore's Creek, Guilford Court House, and on every field of the Revolution. Many of them are old men and former Confederate soldiers, and are now too old to start to school and get an education even if they had the time and money to do so. Many of these class voted and entered the

United States Army in the late war with Spain.

A DANGER POINTED OUT.

"These men who compose some of the very best and most substantial citizens of my State would be disfranchised while the town-negro dulle would vote and be eligible to hold office according to the provisions of the amendment. This danger, in addition to the belief that the amendment is unconstitutional, will cause a large number of the voters of North Carolina to reject this amendment at the polls.

"The supporters of this amendment have recently realized that this is true. In fact, they have just admitted that they cannot sustain this measure in arguing before the people. I hold in my hand the proof of that confession. On last Thursday Judge Brown, one of the State Circuit Court Judges of North Carolina, while holding court at Wilmington, gave to the press an interview in which he not only expressed an opinion about the constitutionality of the proposed amendment, but he went further and advised his political friends to amend it in order to avert defeat at the polls.

"But, Mr. President, this section attempting to instruct the court how to construe the amendment will not fool the voters of the State into supporting such a dangerous scheme. They have had intelligence enough to see the danger in section 5. The same intelligence will guard them against this new device. The voters of North Carolina are intelligent enough to know that there is not only grave, but certain, danger to 60,000 white voters in this amendment, but they also know that if this amendment were adopted and section 5 eliminated, no power under heaven could restore to those voters their ballot except by again amending the constitution.

"These 60,000 illiterate white voters are intelligent enough to know that when once disfranchised they would have no vote to help change the amendment and help wipe out the wrong. They know that the average politician only fears the people so long as they have a vote.

"Mr. President, this whole scheme is not only fraught with danger, but it is unnecessary. It puts the South in a false and unequivocal position to attempt to deal with suffrage in this unadvised manner."

LONDON'S WOMAN BARBER.

She Is Learned in the Mysteries of Hypnotic Influence.

The Lady Barber's association—the original one, mark you—has existed eleven years, says the Pall Mall Gazette. Its present address is 655 Chancery Lane, and its latest proprietor, Miss St. Quentin, who has been in possession since June last. She is a charming and accomplished lady—learned in the mysteries of hypnotic influence, and has even views on Buddha. In response to the invitation conveyed in the announcement that Madame was to be held at home, the parenthetical promise of tea, the writer descended to the pleasant basement room with the electric lamps diffusing brightly warm color through the crimson shades, and beheld the priestesses of the razor performing the customary rite upon various stubbly and upturned masculine chins. It seemed so entirely pleasant a process that the writer remembered with a secret joy that he had not shaved that morning. Presently it was his turn, and, placing his head upon the pad, he suffered for sacrifice. The old statesman, less trees at Arlington was preceded by services in the Church of the Covenant, on Connecticut avenue, at which every department of the government was represented, including the President, Congress, the Supreme Court, and all the ranking officers of the army and navy within reach of Washington.

Burial of Gen. Lawton.

Washington, D. C., Special.—Major General H. W. Lawton was buried Friday in the National cemetery at Arlington, was a nation's tribute to a national hero, and the sorrow of a whole people was expressed when America added the chaplet of cypress on the brow that had worn the laurel of battle service, beneath the leafless trees at Arlington was preceded by services in the Church of the Covenant, on Connecticut avenue, at which every department of the government was represented, including the President, Congress, the Supreme Court, and all the ranking officers of the army and navy within reach of Washington.

Democrats to be Arrested.

London, Ky., Special.—The following message from Governor Taylor was received Friday by a member of the legislature:

"I have warrants issued for members of the House and put in the hands of sergeant-at-arms to serve."

The warrants were made out late in the day, and given to Sergeant-at-Arms Cecil, of the House.

New Tobacco Stemmer.

Fayetteville, N. C., Special.—J. B. Underwood, of this city, who stands high in the world of progress and industry as an inventor, has at last perfected and patented his tobacco stemmer machine, to which he has devoted much thought during the past few years, and the Underwood Stemming Machine Co. has been organized, with William Gray, of Richmond, Va., as president, and its headquarters at 11 Francis street, New York city. The capital of the corporation is fixed at \$1,000,000.

Report of the Plague.

San Francisco, Special.—The steamer Alameda arrived here Friday from Australia ports, via Samoa and Honolulu. The Alameda was ordered to quarantine, but Dr. Kinyoun, State quarantine officer, reports that up to February 2d there had been no new cases of the plague at Honolulu since January 25. There are 7,400 Japanese and Chinese in quarantine at Honolulu and three detention camps have been established.

Drunk Juror Jailed.

Martins, N. C., Special.—Quite a sensation was created here late Friday afternoon when J. G. Grant and J. W. Hemphill were arrested for contempt of court. The facts are that Grant became intoxicated while serving as a juror in the case of Godfrey vs. the Marlow Furniture Factory. Hemphill was the officer in charge of the jury and allowed Grant to drink the whiskey. Judge Shaw sentenced both men to jail for ten days. Grant and Hemphill are members of two of the best families in this county.

BULLER RETIRES.

The British Suffer Another Repulse From the Boers.

London, By Cable.—London accepts as true the Boer statement that General Buller has fallen again. These statements were passed by the British censor at Aden and are read in the light of Mr. Balfour's announcement in the Commons that General Buller is not pressing his advance. Mr. Winston Churchill wires that Vaal Krantz was impracticable for the guns which were needed to support a further advance. His cablegram leaves General Buller on Tuesday night sending a fresh brigade to relieve the tired holders of Vaal Krantz. The descriptive writers with General Buller were allowed a rather free hand, again explaining the ugly position which the British held and the natural obstacles which had to be overcome. So it is easy to infer that with Boer riflemen and artillery defending them, these hills, ravines and jungles have not been overcome, and thus the public prepared in advance for bad news. Holograms from Ladysmith, dated Monday, describe the effect General Buller's cannonade had on the worn garrison. Hope ran high that the long period of inactivity and tedium was drawing to a close. The crash of the guns was almost continuous for 10 hours, and at times it seemed as if as many as 20 shells burst in a minute. The Boers, repeating always for the possibility of defeat, were driving herds and sending long wagon trains toward the Drakensberg passes. In teno darkness and silence followed, broken only by frogs croaking and the occasional blaze of star shells, surrounding the town with a circle of light to prevent the unobstructed approach of the enemy. A series of British mines, laid for the Boers, exploded accidentally shaking and alarming the city and camp.

General Macdonald's retirement puzzles the military commentators. The theory that finds acceptance is that he was ordered by Lord Roberts and that both General Buller's and General Macdonald's operations were by the direction of the commander-in-chief, in order to occupy the Boers at widely separated points, so they would be unable to transfer any portion of their forces to oppose the projected central advance.

The Visibly Supply.

New Orleans, Special.—Secretary Hester's statement of the world's visible supply of cotton shows an increase for the week just closed of 3,547 bales, against an increase of 29,182 last year. The total visible is 4,143,589, against 4,140,152 last week, and 5,574,808 last year. Of this the total of American cotton is 3,362,589, against 3,261,152 last week and 4,649,808 last year; of all other kinds, including Egypt, Brazil, India, etc., 881,000 against 779,000 last week and 925,000 last year. Of the world's visible supply there is now about and held in Great Britain and continental Europe 1,919,000 bales, against 3,444,000 last year; in Egypt 200,000 against 271,000 last year, and in the United States 1,676 against 1,503,000 last year.

Getting Out of Russia.

An English woman who had been traveling in Russia seems to have found it easier to get in than to get out of the czar's country. She sent her passport to the authorities before starting in order to have it used, and then blithely made for the frontier. Arriving there, she was immediately detained and taken before the powers that be, rather than do, at the Russian frontier. Here she was informed that her passport did not permit her to leave the country, and that she would be obliged to make herself comfortable, while the police found all she had done while in the country. At last she was released and put in the hands of her friends, who told her that when she got home, she would find her friends all there, and that she would be obliged to make herself comfortable, while the police found all she had done while in the country. At last she was released and put in the hands of her friends, who told her that when she got home, she would find her friends all there, and that she would be obliged to make herself comfortable, while the police found all she had done while in the country.

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SENATOR PETTIGREW'S OPINION

As To Constitutionality of The Proposed Suffrage Amendment.

SECTION FIVE CLEARLY UNCONSTITUTIONAL.

The Remainder of The Amendment Would Stand.—The Courts Look Not at Legislative Declarations But at Substance of The Act.

January 23rd, 1900.
Hon. Marion Butler, United States Senator.

Dear Senator: You ask me if I have examined the constitutional amendment proposed to be adopted by the State of North Carolina, and my opinion in regard to the constitutionality of section 5, and whether or not the whole amendment would fall if that section is declared unconstitutional. I have examined the amendment, and find that its general purpose seems to be to prohibit ignorant and uneducated people from exercising the right of suffrage in that State. If section 5 of the amendment were stricken out, undoubtedly the act would be sustained by the courts.

It is always the purpose of the courts to hold only such portions of an act or amendment unconstitutional as clearly cannot be sustained, and sustain the rest of the act if it can be done and yet leave a clear, distinct and unmistakable provision carrying out the main purpose of the legislation.

The act certainly would not come under the provision of the rules laid down by Chief Justice Shaw in Warren vs. Charlestown, 2 Gray 84, because the different parts are not so intimately connected with and dependent upon each other as to warrant the belief that the legislature intended them as a whole. In arriving at the intent of the legislature the court looks at the substance of the act and not at its declarations made by the legislature. Neither would the court be warranted in declaring the whole act unconstitutional, as it affects the entire population of the Commonwealth, simply because by holding section 5 unconstitutional certain people embraced in that exception would thus be deprived of the ballot.

It cannot be presumed that the legislature in imposing an educational qualification would have refused to do so, if by so doing, a certain group of uneducated people attempted to be classified and exempted in section 5, would thus be deprived of the right of suffrage. I know of no decision of the Supreme Court that does not carry out the intent of the legislature. If the constitutional amendment were adopted, the Supreme Court will hold that section 5 is unconstitutional, and that the remainder of the provisions are constitutional and will stand.

Yours truly,
R. F. PETTIGREW.

Old Roman Gold

The excavation of the site of the ancient Forum at Rome still continues to be successfully prosecuted. Last week, for instance, two of the workmen engaged in the search for antiquities laid open a sewer dating from the time of Nero, and suddenly became aware of the presence of a glittering substance. They proceeded to the discovery of a quantity of gold coins embedded in the sediment of the sewer. They filled a bag with these coins, which when washed, enumerated and classified proved to be gold pieces of the fourth and fifth centuries that had evidently been thrown where they were found for concealment at the time of an invasion of the barbarians, their owners having had no opportunity of recovering them. They are all beautifully preserved, and many of them were evidently fresh from the mint. They are 379 in number and belong to seven different reigns.—London Daily News.

What the Transvaal Will Have to Pay.

In spite of reverses the English papers are beginning to figure on the amount of indemnity the South African republic will be forced to pay when the Boers are finally conquered. In this connection it is pointed out that the financial condition of the republic is excellent. For the year 1897 the total revenue of the Transvaal amounted to \$22,400,000. From all expenditures were \$21,900,000. From an English standpoint there will be room in the future for large reductions in expenditures, so that a big balance will be left which may be applied to the payment of interest on a loan sufficient to pay the indemnity which the British are to demand. At present the total state debt of the South African republic is less than \$14,000,000.

The Mind is Bewildered by the Contemplation of its marvelous achievements in the nineteenth century.

If time and space signified now what they did in 1860, the United States could not exist under one government. It would not be possible to maintain unity of purpose or identity of interest between communities separated by such inseparable barriers as Oregon and Florida. But time and distance are arbitrary terms, one depending on the transmission of thought, the other on the transit of ourselves and our commodities, our manufactures and our harvest. The continent has shrunk to a span. The oceans are obliterated, London and Paris and Pekin and New York are next-door neighbors. These vast accomplishments of our race have rendered democracy possible. Steam, electricity and machinery have emancipated millions and left them free to pursue higher ranges of effort. Labor has become more remunerative. The flood of wealth has raised myriads of comfort and many to affluence.

She Knew Jumpers.

"I understand you are an athlete," remarked the landlady to the new boarder.

"Yes, ma'am," proudly answered the n. b. "I am the champion high-jumper from Jumpersville."

"That being the case," said the landlady, "I will have to ask you to pay your board in advance. I've had all the experience with the jumpers I care for."

Observant Little Willis.

Willie—I guess papa has said something that I don't make mamma awfully angry. How do those callers go, he'll get it.

Clara—How do you know?

Willie—She's begun to call him "darling."—Harlem Life.

NORTH STATE CULLINGS.

The executive board of the penitentiary has decided to establish an electric light plant at that institution to supply their own lights. Heretofore they have been patronizing the light companies in the city, though the advisability of the penitentiary having its own plant has often been discussed by the board. Now it has been definitely decided that it would be economically for the institution to furnish its own lights. To this end the executive board has employed Mr. John P. Colley, an electrician, to determine exactly what was needed, and to ask bids for the necessary machinery.

D. F. Melver, for two years chief of police of Mr. Airy and at present the tax collector of the town disappeared on the night of the first instant about 8 o'clock under circumstances that are considered its suspicious. It is found nothing has been heard of him since he disappeared and town officials think that he is short in his accounts with the town to the amount of \$1,500. Attempers are being made to ascertain his whereabouts.

The North Carolina Experiment Station has discovered a new Billy which it has named "Lilium Massey" in honor of Prof. W. F. Massey, the horticulturist of the station. It is found in the high mountain meadows of this State in July and August.

Cholera has made its appearance among hogs at Aurora. It is thought that it was introduced by imported stock.

Mrs. Vickers, of Wilkesboro, discovered an egg about the size of a quail's egg, with a hard shell, inside of a large hen egg.

D. M. Riegler of Charlotte jumped from the window of the fifth story of a building in New York City, and there for surgical treatment and became mentally unbalanced.

News comes from Gastonia that a big cotton mill, which will have a million and a quarter bales of it, is to be erected there. The mill is to be broken. Mrs. Jay Gould is a large stockholder in the concern.

A letter from High Point states that at least 300 persons have left that city during the past week in order to escape compulsory vaccination.

Wm. Truesdale, colored, was hanged in the jail yard in Charlotte for the murder of his sweetheart, year ago. He had to be taken to the scaffold, being overcome with fright. He protested his innocence to the last.

The Salisbury correspondent of the Charlotte Observer says that the city has decided to help the county bear the expense incurred during the small-pox epidemic. The cost of the epidemic in this county will reach \$5,000. Salisbury will likely pay \$2,000 of this amount.

Julian S. Carr, Geo. W. Watts and L. A. Carr, all of Durham, applied to the Secretary of State to be incorporated under the style and title of the Durham Telephone Manufacturing Company. The business to be carried on is the manufacture and sale of telephones, switch-boards, electrical and mechanical appliances, and all kinds of electrical work generally. The company also has the power to buy, sell, lease and convey lands, to hold and use patents and patent rights and to enter into contracts with inventors or owners for the purchase of such rights. The principal offices will be located at Durham. The capital stock is \$12,000 and a charter of 50 years is asked for.

The "Independent Steam Boat Line" files articles of incorporation with the Secretary of State and asks that a charter be granted it with permission to construct steamboats and navigate the waters of North Carolina, Virginia and the waters of Eastern North Carolina, to carry passengers and freight for hire, at a scale of tariffs to be fixed by the officers of the company. The principal officers will be at Newbern, N. C., and the charter will run 50 years. The incorporators are Jesse J. Lassiter, Ellen Lassiter, Nicholas W. Jones, and Emma Jones, all of Newbern. The capital stock is \$5,000 with privilege of increase to \$25,000.

The bonded debt of North Carolina is \$6,570,000, and the valuation of property is \$269,867,000.

H. D. Cowles, clerk of the United States District Court, has been at Washington, D. C., to present the city of Charlotte a separate clerk for the United States Court, located there. Congressman Bellamy expects, despite Mr. Cowles' efforts, to get the same established in a very short time. He says it is an outrage that a city of the size of Charlotte is without a real clerk.

A new vegetable canning factory is contracted to be built at Winston.

Congressman Bull has introduced a bill to increase the appropriation for the public building at Elizabeth City from \$50,000 to \$80,000.

Through the efforts of Congressman Klutz the postmaster at Salisbury will be allowed an extra clerk with a salary of \$300, the department granting the request yesterday.

The State charters the Harriet Cotton Mills at Henderson, capital \$150,000. D. V. Cooper, George Badger, Harris and others stockholders. The mill will both spin and weave.

The report of miscellaneous statistics in this State, which the labor commission will make, will show a great increase in the number of persons employed on the ground that it was unfair to cut out the consideration of private claims, the regular order, and then devote the evening to private pension legislation. After a motion by Mr. Loud, of California, to adjourn, instead of taking recess, had been debated and voted on, the House by a vote of 197 to 15, recessed until evening.

Why the Cook Gave Notice.

"I see you printed something the other day about the disadvantages of my soap—well, slightly so, you know," said the man with glasses. "Now, I'm afflicted that way myself. A few nights ago when I went home it was raining hard. My umbrella was wet and I carried it immediately to the kitchen to drain. Casting about for something to stand it in, my eye caught some sort of receptacle on the floor near the stove, which I took to be the coalbox, so I stood the umbrella in it and went to bed. The next morning the cook gave notice. She had found my umbrella standing in her soap."

Syracuse Post-Standard.

CONGRESSIONAL.

Daily Doings of the National Legislature.

SENATE.

Fortieth Day.—A joint resolution, authorizing the president to appoint one woman commissioner to represent the United States and the National Society of the Daughters of the American Revolution, at the unveiling of the statue of Lafayette at the exposition, at Paris, was passed.

A bill was passed to erect a public building at Selma, Ala., at a cost of \$10,000.

Mr. Caffery, of Louisiana, then resumed his speech on the Philippine question, at the close of which the Senate adjourned.

Forty-first Day.—Mr. Vest, of Missouri, proposed in the Senate an amendment to the pending financial bill, providing that the secretary of the treasury shall have prepared to \$100,000 of treasury notes. They shall be full legal tender for all debts and shall be loaned by the secretary of the treasury to anybody who may deposit United States bonds for the amount of the same interest as the bond deposited. A joint resolution increasing the limit of cost of the new government buildings to \$10,000,000, on the account of the increased price of building materials, was passed. Mr. Tillman, of South Carolina, offered and had passed a resolution calling for information from the secretary of the treasury as to the status of the claims of South Carolina for moneys paid that by the State in the Florida war.

Forty-second Day.—Almost immediately after the Senate convened this session of the Financial "message" was resumed. Mr. Allen (Neb.) concluded his speech charging the Republican party with breaking faith with the people on bi-metalism. Mr. Cockrell (Mo.) analyzed the Financial bill. A house bill was passed granting the New Orleans Levee Board authority to move the existing lines in front of the United States Marine Hospital in New Orleans.

Forty-third Day.—As no Senator was prepared to proceed with a discussion of the financial bill the Senate transacted only routine business and adjourned early to enable members to attend the obsequies of General Lawton. Mr. Allison presented the credentials of his colleague, John H. Gear, re-elected Senator from Iowa, for a term of six years from March 4, 1901. The credentials were accepted. Senator Jones, of Arkansas, introduced a free silver coinage substitute for the pending currency bill. The substitute provides that "from and after the passage of this act the units of the United States shall be open to the coinage of silver, and there shall be coined dollars of the weight of 412.5 grains Troy of standard silver 90-10 fine, as provided by the act of January 18, 1837, and upon the same terms."

Forty-fourth Day.—A resolution expressing sympathy to the Boers in their struggle against Great Britain, and urging mediation, was introduced by the Senate in a fit of temporary aberration of attention. The resolution, introduced by Mr. Allen, of Nebraska, and went through without attracting the slightest comment from any one of the dozen or more Senators present. A minute later, however, the speaker, in the chair (Mr. Frye), Mr. Allen consented to a reconsideration of the vote by which the resolution was passed. The reconsideration was ordered. The financial debate was continued by Mr. Chandler, who urged the gold standard and strongly urged the double standard. Mr. Money, of Mississippi, also spoke.

HOUSE.

Fortieth Day.—The Philippine question again occupied the attention of the House. The House of Representatives presented an argument against the annexation of the Philippines, which attracted much attention. It was devoted almost entirely to the commercial interests of the acquisition, holding that the absorption of the islands would be ultimately ruinous to the American producers of cotton, rice, tobacco, beet and sugar.

After some remarks by Mr. Smith of Michigan, supporting the Boer side of the South African contention, the house at 5 p. m. adjourned.

Forty-first Day.—The House finished the diplomatic and consular appropriation bill, passing it substantially as it came from the committee. There was some desultory discussion of the Philippine question and the war in South Africa, the principle feature being the speech of Mr. Shafroth, in favor of the mediation in the British-Boer war under the provisions of the Hague treaty. The diplomatic bill as passed carries \$1,745,868. The House passed the Senate bill authorizing the Southeastern railway to construct a bridge across the Lumber river in Robeson county, N. C.

Forty-second Day.—The house was in session only an hour and a half, only minor business was transacted. The Ways and Means Committee bill establishing tariff rates upon goods from Porto Rico into the United States and vice versa, was reported and Chairman Payne gave notice that the bill would be called up next Thursday. The debate upon it will run for a week. Mr. Richardson (Tex.) presented the views of the minority and Mr. McCall (Miss.) presented a separate dissenting opinion.

Forty-third Day.—The House was in session scarcely an hour, adjourning early to permit members to attend the Lawton obsequies. When Mr. Payne, of New York, moved a recess until next Monday, the House objected on the ground that it was unfair to cut out the consideration of private claims, the regular order, and then devote the evening to private pension legislation. After a motion by Mr. Loud, of California, to adjourn, instead of taking recess, had been debated and voted on, the House by a vote of 197 to 15, recessed until evening.

Richard Croker writes from Scotland that his leg is healing and he expects to throw away his crutches by the middle of this month.

The Atha Illingsworth Steel Works, at Harrison, N. J., were burned Saturday night.

Information reached Norfolk Saturday of a fatal shooting affray which occurred at Norfolk, Va. The victim was Wm. J. Jenkins, a well known attorney, and John Wampler is named as the man fired the fatal shot. The shooting was occasioned by a dispute over a piece of land which Sam Wax and Wampler sold John Bates. Wax, it is said, was wounded and Bates is implicated.

Tobacco Spends Fight.

Norfolk, Va., Special.—At Martinsville Thursday night, there was an incident. The tobacco rollers at Spencer's Tobacco Factory are on a strike, and one of them, Joseph Finney, broke his pledge and agreed to return to work on the old terms. A hundred negroes gathered around the factory to give Finney a beating, and he opened fire on the crowd with a pistol. Nineteen of the rioters were arrested.

British Again Driven Back.

Headquarters Camp, Springfield Bridge, Va., Cable.—The position taken north of the Tugela river proved a difficult one to maintain. The regiments sent across as re-enforcements went into the front line of trenches, but owing to the great strength of the Boers in the Brakfontein hills, to the left, it was found impossible to advance without risking unnecessary loss. The Boers continued shelling the British position. Their superiority of shell fire rendered the advance impossible.

MR. TAYLOR TALKS.

Positively Refuses to Sign Louisville Agreement.

COURTS MUST NOW DECIDE IT.

Taylor Disbands the Troops, and Calls the Legislature to Re-Convene at Frankfort.

Frankfort, Ky., Special.—"I have only this to say: After mature deliberation and conference with my friends from every section of the State, I have concluded to allow this controversy to take its due course, vigorously contesting every inch of ground and upholding the rights of the people to the uttermost. If those rights be destroyed the responsibility for that destruction must rest with those who sit in judgment. It is due to say that the eminent gentlemen, my friends, who secured the propositions resulting from the Louisville conference, acted in good faith, from the highest motives of patriotism and did the very best they could."

The above was signed by Governor Taylor and issued as a proclamation. The decision not to sign the Louisville agreement was reached by Governor Taylor Saturday afternoon. For over two hours he had been in conference with fully 150 prominent Republicans from all parts of the State. The meeting was secret in the extreme, all those who came from the hall before Governor Taylor himself, refusing to say anything about the progress of the deliberations. The members of the conference, with the exception of Governor Taylor, gathered in the legislative hall usually occupied by the House of Representatives. Governor Taylor stated to the conference that there were two courses to be pursued. First, to sign the Louisville agreement; second, to quietly withdraw the troops; allow the legislature to reconvene in the capitol in Frankfort, to call off the session now being held in London and to ignore the Louisville agreement entirely.

Several speeches were made, and it was soon apparent that the sentiment of the gathering was very strongly in favor of the second course, and this was adopted. This action was decided upon at 1 o'clock, and the first information of the decision was given to the outside world by Governor Taylor, himself. He came rapidly through the doors unattended and looking nervous and haggard. He walked hastily toward the capitol stairs, repeating several times to the newspaper men who stood in the hall, "I don't sign."