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THE LAW MAKERS.

CONDENSED REPORT OF THE NORTH CAROLINA STATE LEGISLATURE.

MOST IMPORTANT BILLS INTRODUCED AND PASSED.

Many Bills and Resolutions Introduced—Some of the Important Measures of Greatest Interest to Our Readers.

WEDNESDAY AFTERNOON.

SENATE—A bill has been introduced by Senator Aycock to provide poor children, who cannot purchase school books themselves, with books bought with money raised by the taxation of dogs, at the rate of 25 cents per dog. The bill is as follows:

Section 1 levies a tax of 25 cents on every male dog and \$2 on every female dog, to be collected annually. Section 2 provides that all dog owners shall list their dogs at the time and in the same manner as other property is listed.

Section 3 requires the Secretary of State to provide a separate column for this dog tax in the preparation of forms and tax lists. The taxes shall be used in the township where collected for the purpose of buying books for public school children of the township who are the most needy.

Section 4 provides for the distribution of the funds so raised among the different schools in each township, and the trustees shall pay to the teachers of each school the amount allotted; the teachers to buy the books as required.

Section 5 any teacher misapplying this fund shall be deprived of his or her certificate and be debarred of teaching in the public schools of this State again.

Section 6 makes it a misdemeanor for any person owning or harboring a dog to fail to list the same.

Section 7 this act to apply only to Wayne, Cabarrus and Mecklenburg counties.

Below are some of the other important measures introduced:

By Mr. Morton—Relative to the treatment of animals. Propositions and Grievances Committee.

By Mr. James—To increase number of commissioners of Pitt county. Counties, Cities and Towns Committee.

By Mr. Foushee—To protect the interests of infants, married women and corporations. Judiciary Committee.

By Mr. Foushee—To repeal the part of the Southport, Wilmington and Western Railroad Company, Judiciary Committee.

By Mr. London—To provide fund to pay witnesses in coming impeachment trial. Judiciary Committee.

By Mr. Warren—Requiring all sales of real estate and personal property under execution to be made by a regularly licensed auctioneer. Judiciary Committee.

By Mr. Aycock—Authorizing board of aldermen of Goldsboro to issue bonds. Calendar.

By Mr. London—Resolution for the printing of the proceedings of the Court of Impeachment—a sort of "Congressional Record" journal each day.

By Mr. Henderson—Providing for a new registration of voters of town of Salisbury.

By Mr. Marshall—To protect cattle in Surry and Stokes counties.

BILLS PASSED FINAL READING.

The following roll-call bills passed final reading:

To establish liquor dispensary at Kenly.

To authorize town of Marshall to issue bonds.

To improve the roads of McDowell county.

To incorporate the Atlantic & Northwestern Railroad Company. (Amendment of House concurred in.)

To establish stock law in portions of Pamlico county.

To validate stock-law elections in Macon county.

Authorizing Catawba county commissioners to raise revenue to build bridges, etc.

Authorizing city of Durham to issue bonds.

To prohibit sale and manufacture of liquor within five miles of Round Hill Academy.

HOUSE—The following bills passed third reading:

To provide for the Soldiers' Home. Provides \$13,000 per annum for support.

To low commissioners of Scotland county to condemn land.

To incorporate the Greenville & Vanceboro Railroad Company.

NIGHT SESSION.

The following bills were introduced:

By Mr. Green—An act to levy special tax in Wilkes county; an act allowing the working of convicts on the public roads of Wilkes county.

By Mr. Craig—A bill to amend the Code, so as to allow the killing of pigeons in prize contests in Buncombe county, and not be liable under the law of cruelty to animals. Tabled.

To prevent felling trees in Beaufort county.

To increase the number of county commissioners of Durham county.

To create a new township in Randolph county.

To incorporate the Bank of Franklinton.

To authorize the city of Salisbury to issue bonds for street improvements.

To improve the public roads of Guilford county.

To authorize the town of Sanford to issue bonds for water works and other public improvements.

To empower the commissioners of Sampson to levy a special tax.

To allow the commissioners of Albemarle in Stanly county to issue bonds and levy a special tax.

To amend section 1005 of Th Code, so as to permit tax collector to carry concealed weapons.

To prevent live stock from running at large in Bladen county.

To regulate the working of the roads and highways of Iredell county.

To allow the citizens of Gaston county to express their will in moving the county seat from Dallas to the building of the same.

To incorporate the town of Staley in the county of Randolph.

To authorize the commissioners of Chatham county to levy a special tax.

To incorporate the Wayne and Sampson Railroad Company.

To regulate the stock law in the Johnston county.

To establish stock law in certain sections of Jones county.

To levy a special tax in Tarboro, in Edgecombe county.

To authorize the town of Edenton to issue bonds and levy a special tax.

To authorize the town of Rutherford to levy a special tax and issue bonds.

To incorporate the town of Clarkton, Bladen county.

To authorize the levy of a fence tax in the stock law territory in Beaufort county.

To authorize the commissioners of Wilkes county to levy a special tax.

Making certain sections of Pamlico, Perquimans and Chowan counties a stock law territory.

BILLS PASSED FINAL READING.

To repeal chapter 63, Acts 1899, to restore rights to the Governor to appoint commissioners on State Board of Public Improvements.

To establish a new township in Polk county.

To regulate the salary of the treasurer of Buncombe county, changing salary from \$1,200 to \$1,750.

To allow Guilford county to issue bonds for roads.

To incorporate the Scotland Neck & Roanoke Railroad Company.

To bill to incorporate the Raleigh & Cape Fear Railroad Company passed its second reading.

THURSDAY.

SENATE—The following bills passed final reading:

To improve the public highways and streets of the township of Gastonia, Gaston county.

To authorize Yancey county to issue bonds. Amendment by Mr. Buchanan, changing rate of interest, from 6 to 5 per cent was defeated.

To authorize McDowell county to levy special tax to build a bridge across Catawba river.

To incorporate the Weldon Bridge Steamboat and Ferry Company.

To protect drainways in Beaufort, Pitt, Tyrrell and Craven counties.

To regulate elections in city of Charlotte. (Amendment by Mr. Alexander redefining that lists of voters shall be furnished by registrars to any person who asks for them and will pay ten cents per hundred for the names. The amendment was adopted.)

To protect primary election, etc., in Mecklenburg county. Amendment by Mr. Alexander in same respect as above bill. Adopted.

To allow Salisbury city to have a new registration of voters.

To validate election of certain justices of the peace in Alleghany county.

To prevent cutting of cherry timber when the leaves are on the trees.

To increase number of commissioners of Pitt county.

To pay witnesses attending court of impeachment (\$1.50 per day and 5 cents per mile; includes witnesses on both sides).

To regulate sale of liquor in town of Goldsboro and all other incorporated towns of Wayne county.

To print official proceedings of the Court of Impeachment.

To aid in purchasing school books for children of indigent parents in public schools, and provide a fund therefor by taxing dogs 25 cents each. A number of counties were added to the bill, including Wake, Chatham, Robeson, New Hanover, Columbus, Jackson, Watauga and Pasquotank. Wayne, Cabarrus and Mecklenburg counties were in original bill. Amended so as to make tax on female dogs \$1 instead of \$2, the tax on male dogs being 25 cents each. The bill then passed its second and third readings, and sent to the House for concurrence.

The bill placing the A. and M. College under direction of the Board of Agriculture—as was the case formerly—was passed and sent to the House.

To incorporate State Prison and regulate management of same.

To prohibit the sale or manufacture of liquors (except cider and wine where already being manufactured) in Cumberland county.

To appoint tax collector for Randolph county.

To protect the interests of infants, married women and corporations.

PASSED SECOND READING.

To preserve public roads of Forsyth county.

To establish schools at Greenville.

To authorize Granville county to issue bonds for road improvements.

To authorize the town of Lenoir to issue bonds.

To incorporate the Kenansville Air Line Railroad Company.

To provide stock law for certain portions of Craven county.

To authorize Goldsboro to issue bonds.

To authorize Richmond county to issue bonds.

Supplemental to act authorizing Jackson county to levy special tax.

HOUSE—Mr. Duncan presented petitions from citizens of several counties asking for modification of the election law.

BILLS PASSED THIRD READING.

To incorporate the Marion and Bakersville Turnpike Company.

To amend section 1276, of the Code, relating to the appointment of trustees in case of death by the clerk of the court in certain cases.

To establish a stock law in Warsaw township in Duplin county.

An act to authorize the town of Laurinburg to vote on electric lights.

To levy a special tax in Wilkes county.

To incorporate the town of Staley in Rockingham county.

To amend the charter of the town of Wilson.

To authorize the town of Rutherford to issue bonds for water works.

To authorize the town of Edenton to issue bonds and levy a special tax.

To establish stock law in certain sections of Jones county.

To prevent live stock from running at large in certain portions of Craven county.

In regard to stock law in Chatham county.

To incorporate the Wayne and Sanford Railroad Company.

To authorize the town of Sanford to issue bonds and establish water works.

To incorporate the Raleigh and Cape Fear Railroad Company. Relating to the stock law in Johnston county.

FRIDAY.

SENATE—A message from the Governor was received respecting the receipt of communications from various States regarding elections of United States Senators by the popular vote. Referred to Committee on Federal Relations.

A bill was introduced by Mr. Wood—To regulate quo warranto proceedings.

BILLS PASSED FINAL READING.

Senate bill as to complaints in quo warranto proceedings.

Senate bill to regulate quo warranto proceedings.

To authorize Richmond county to issue bonds.

To establish graded schools at Greenville.

To allow Granville to issue bonds for public road purposes.

Supplemental to act allowing Jackson county to issue bonds and levy special tax.

To preserve public highways of Forsyth county.

To provide stock law for parts of Craven county.

To repeal all laws granting graduates of normal or other colleges, or any person, privilege to teach in the public schools of the counties without the usual examination by the county boards of education.

The bill of the Committee on Senatorial Districts, apportioning new senatorial districts, with House amendments, came up for passage. The amendments were finally concurred in, and the bill passed.

Providing for local option elections on the liquor dispensary shall be filed not less than one thousand dollars for each and every offense. The bill places the enforcement of the act in the hands of the Corporation Commission, and provides that the act shall not apply to corporations whose maximum capital stock is two hundred and fifty thousand dollars or less.

The bill created quite a discussion and Mr. Wilson seeing that his bill was very unpopular, asked permission to withdraw it, but said he thought it his duty to present it. He was allowed to withdraw the bill.

SPEAKER PETTUS DEAD.

Son of Alabama Senator Dies Shortly After Adjournment of Legislature.

Montgomery, Ala., March 7.—Frances L. Pettus, speaker of the Alabama house of representatives, which adjourned its biennial session at midnight last night, died here this morning at the residence of State Treasurer Smith. He was a son of United States Senator Pettus, and was one of the most conspicuous men in Alabama, having twice been president of the Senate and twice speaker of the house. He was forty-two years of age, and a great favorite throughout the State.

Burned to Death by Roadside.

Lynchburg, Va., March 9.—At an early hour in the morning the charred body of an unknown white man was found on the roadside near Lucado's Station by section hands on the Southern Railway. The coroner's inquest developed the fact that while under the influence of liquor the man had walked into a fire left the night before by railroad workmen.

The body was found some distance from the fire, but the man's course could be traced by pieces of burned clothing and flesh that had fallen from him.

BILLS PASSED THIRD READING.

The following bills passed their third reading:

The school bill appropriating \$200,000 for the public schools of the State came up as a special order and passed its final readings by a unanimous vote.

The omnibus liquor bill passed its several readings and was ordered sent to the Senate without engrossment.

Amending chapter 524 of the Public Laws of 1899, relating to the oyster interests of New Hanover county.

For local option in Union county on the dispensary question.

To protect deer in Tyrrell county.

To require complaint to be served with quo warranto proceedings.

To regulate quo warranto proceedings.

To allow the county of Davie to bond outstanding debt.

To levy a special tax in Wilkes county.

To establish a dispensary at Kenly, in Johnston county.

Concerning the welfare of the Wilmington Light Infantry and Naval Reserves.

To authorize the city of Goldsboro to issue bonds.

To authorize the commissioners of Richmond county to issue bonds.

To improve the public roads of Guilford county.

To authorize the commissioners of Perquimans county to issue bonds.

To establish stock law in Warsaw township, Duplin county.

To prohibit the sale and manufacture of liquor near any church in Chatham county.

To amend chapter 109, Laws 1899, in regard to trial of civil actions.

To prevent trespass upon lands in Vance county.

To protect game in Carteret county.

To protect land-owners in Beaufort township, Carteret county.

To regulate shooting wild fowl in Carteret county.

To create a certain school district for the white race in Moore and Chatham counties.

To prevent the indebtedness of State institutions without positive and specific authority of the Legislature.

For working convicts in Wilkes county.

For relief of C. F. Siler, Chatham county.

To prohibit fast driving over certain bridges in Camden county.

To amend the charter of the town of Maxton.

For relief of Plato Collins, clerk Superior Court, Lenoir county. Relating to the graded schools in the city of Charlotte. Adjourned until 9:30 Saturday morning.

(Continued on Second Page.)

THE MANUFACTURERS' BILL.

Introduced by Mr. Wilson For Their Protection.

Mr. Wilson introduced a bill in the House entitled an act to prevent discrimination against independent manufacturers and dealers, came up as special order.

Mr. Wilson addressed the House at some length on the merits of his bill.

The bill prohibits any corporation engaged in the manufacture of any article, goods or finished products, or the agent or agents of such corporation, which shall sell or offer for sale in this State any manufactured article, goods or finished product, for a price less than what he termed a fair and reasonable cost of production and a profit of ten per cent thereon, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one thousand dollars nor more than ten thousand dollars for each and every offense. The bill places the enforcement of the act in the hands of the Corporation Commission, and provides that the act shall not apply to corporations whose maximum capital stock is two hundred and fifty thousand dollars or less.

The bill created quite a discussion and Mr. Wilson seeing that his bill was very unpopular, asked permission to withdraw it, but said he thought it his duty to present it. He was allowed to withdraw the bill.

BUTLER'S MONUMENT.

RURAL FREE DELIVERY OF MAIL ORIGINATED WITH HIM.

HE HAD AN UP HILL FIGHT.

Growth of the System in Four Years—Confers Benefits and Increases Revenue—A Permanent Institution.

John Boyle, in Raleigh Post, March 8th.

Washington, March 7.—In departing from public life Mr. Butler leaves behind a monument to his zeal and activity in the rural free delivery service, of which he may well claim to be the originator. As far back as 1896 he was advocating this system, which has now been grafted in our postal system as firmly as city delivery. The Postoffice Committee of the Senate reported it adversely, but on a vote of the Senate, secured by Mr. Butler's personal efforts, it was carried by the close vote of 30 to 28. Even then Postmaster General Wilson thought it impracticable and at first declined to expend the \$50,000 provided for experimenting with the service. Only after persistent effort Mr. Butler induced Mr. Wilson to give the system a trial in the thickly populated sections of New England. Some 41 routes were mapped out and the service gave such satisfaction that in the next year, 1897, \$50,000 was appropriated, without an effort, to continue the service. As its advantages became known its popularity increased and in 1898 \$150,000 was appropriated for the service. The scope of the service was extended. From this date it became firmly rooted as part of the postal service.

In 1899 \$300,000 was appropriated for this service; in 1900 \$1,750,000, and in this year, 1901, \$3,500,000. There are now 4,200 routes, covering an area greater than Great Britain. It is estimated that it will not cost more than \$14,000,000 a year to extend this service to every hamlet in the country and to nearly every home, even in remote sections of the country. This sum is less than that now paid for free delivery in cities.

The increased receipts of the Postoffice Department come largely as the result of establishing and extending free rural delivery, and go a long way toward paying the expenses of the service. Not since Sir Rowland Hill established in 1811 the penny post in England has such a revolution occurred in the postal service of any country. Mr. Butler carries with him into private life the satisfaction of having originated this new departure and seen it grow until now it could no more be detached from the postal system, than could the telephone and city delivery from business life.

The Postoffice Department officials, from being antagonistic to it, are now its warmest supporters. Postmaster General Smith finds in this system a partial solution of the problem of keeping the rural population on the farms and a betterment of farm conditions. The sons of farmers, reared in comfort and independence, instead of crowding to the cities and forced to accept places below their social position, now remain at home and at the same time continue in touch with the busy life of the city, enjoying the comfort and independence of rural life. The influence of free rural delivery will grow each year, and those who have watched its progress expect from it results that cannot be measured by mere dollars and cents. And Mr. Butler is one of them.

COUNTY CONVICT BEATEN TO DEATH.

Coroner's Jury Charges Fulton with Death of Hart.

Winston-Salem, N. C., March 8.—The taking of evidence before the coroner's jury in the case of Rand Hart, a young white convict, who died at one of the county camps Tuesday night, was not concluded until this afternoon. The testimony given by all of the witnesses showed that Hart was brutally beaten Tuesday with switches and a raw hide by Pink Fulton, one of the guards. The county physician who made the post mortem after the body was taken up yesterday, testified that Rand's body was terribly lacerated and bruised; that the wounds were sufficient to produce death. The jury returned a verdict charging Fulton with being responsible for the death of Hart. The guard was discharged Wednesday night. Papers were issued today for his arrest, but the officers have not found him. His father is Rev. Henry Fulton, who attended the hearing today.

Found in a Lot of Waste Paper.

Kalamazoo, Mich., March 7.—An autograph letter of George Washington, dated 1766, was found among some waste paper stock at the Bryant Paper Mill. It was written to Capt. James Jamieson, a New York merchant, asking for best freight rates on flour. Two copies of The Federal Gazette and Baltimore Advertiser, over 100 years old, and an autograph letter of Robert Morris, of Philadelphia, dated 1783, were also found. The waste paper came from Philadelphia.

MR. EBBES ON THE IMPEACHMENT.

His Speech Was Full of Legal Arguments That Could Not Be Refuted—The Protest Against Impeachment Was Introduced by Mr. Ebbes.

(Continued from Last Week.)

(Cotton vs. Ellis) and other cases mentioned while ago. Now, Mr. Speaker, if the \$881.15, for which White brought suit, asking mandamus, had been set apart by the act of 1897 and 1899, amendatory thereto, as his salary for services as Chief Inspector of the Shell Fish Industry of North Carolina, I ask in the name of law, justice and reason, why should that salary be denied him, and when it was denied, why should these Judges be impeached because they confirmed a judgment of the lower court granting the writ of mandamus when which is admitted by all as having been set apart by the acts of 1897, and 1899, amendatory thereto? Mr. Speaker, we have had many quotations made from the Bible in this discussion, all of which I am glad to hear, for the reason, when men are well grounded in Biblical knowledge they do not usually go wrong. The Bible is the best law book in the world—it contains law enough for the citizenship of the universe, and when I am surrounded by men, who are versed in its history, I feel as if I were surrounded as by a great fortress, impenetrable and insurmountable. Then I desire to appeal to thinking men, conscientious men, God-loving men and God-serving men, to arise above party spirit and party lines and do their duty in this matter, though the heavens fall. Mr. Speaker, it is a fixed principle in law, that there is no wrong for which there is not a corresponding method of redress, and that there is a way by which all rights can be preserved. If Mr. White was appointed to the office of Chief Inspector of the Shell Fish Industry for four years he was entitled to the salary, and if he did not get it, he had a means of redress by applying to the courts for a writ of mandamus. It was decided in Bailey vs. Caldwell 68 N. C. 472, that the Legislature might alter, amend or repeal an act fixing a salary, yet if the convention (as in this instance) provides that a reasonable compensation shall be made for the services mentioned, the Legislature could not abolish altogether pay or salary without fixing another compensation which they deem reasonable. In other words, Mr. Speaker, the Legislature has the power to decrease the salary of an officer, but so long as the office exists, they cannot deprive the incumbent of the benefits of the salary—they cannot deny to him the benefits of the salary, for the reason, to "starve him out" of the office, or, in other words, to do by indirection that which they are not permitted to do by direct action, and I am sure this is a proposition for which no one would contend, seriously, for a moment. Mr. Speaker, a great many things have been said about this body being analogous to a grand jury. I cannot agree to this proposition for the reason, that the grand jury is a secret body and only hears the State's side of the testimony, acts upon no presentments made by itself, but such presentments are acted upon by a subsequent grand jury. The defendants are never permitted to introduce testimony to be acted upon by a grand jury. In this case both sides of the question have been presented. It would be a close analogy to say, in my opinion, we are in the position of a Justice of the Peace, where he has no jurisdiction except an inquisitorial one; in such cases he cannot acquit or convict, but discharges or binds to a court of competent jurisdiction, as the evidence in the case justifies. His first inquiry is, has a crime been committed; the second, is there probable cause to believe the defendant guilty of the crime as charged in the warrant? That is what we are doing in this case. It is our duty, as sworn members of the Senate, ascertain first, as to whether or not the high crimes and misdemeanors in office have been committed as alleged in this resolution, and if we should so find, and I cannot see how this can be done, then it is our duty to find as to whether or not those Judges have acted corruptly, knowingly, wilfully and intentionally, being unmindful of their high position as the Supreme Court of North Carolina, in issuing the writ of mandamus in the case of White vs. Auditor.

I do maintain further, Mr. Speaker, and gentlemen, until we do so find that we ought not to send these Judges to the bar of the Senate of North Carolina, there to answer a charge of high crimes and misdemeanors in office.

Now, Mr. Speaker, I wish to read from the 125 N. C., 206, of Abbott vs. Beddingfield. Justice Furches writes the opinion of the Court. Justice Montgomery answers and Justice Clark writes a dissenting opinion. Furches, in delivering the opinion of the Court, said: "Contemporaneous legislation about the same subject matter is in pari materia, and may be read and construed together. Wilson vs. Jordan, 124 N. C., 658." A public office, to which there is attached a salary, is a vested interest. Hoke vs. Henderson, 15 N. C., 1. A change of the name from Railroad Commissioner to that of Corporation Commissioner does not deprive the holder of his office. Day's case, 124 N. C., 362. Neither does the addition of

some new duty to the office have that effect; neither does a statute professing to repeal the former act, but which in reality is merely amendatory, have such effect.

The speaker here further read from the decision of Abbott vs. Beddingfield:

"The only restriction upon the legislative power is that after the officer has accepted office upon the terms specified in the act creating the office, this being a contract between him and the State, the Legislature cannot turn him out by an act purporting to abolish the office, but which in effect continues the same office in existence. This is on the ground that an office is a contract between the officer and the State, as was held in Hoke vs. Henderson, 15 N. C., 1, and has ever since been followed in North Carolina down to and including Wood vs. Bellamy, 120 N. C., 212."

Now, Mr. Speaker and gentlemen, as I stated a while ago, Justice Clark wrote a dissenting opinion in the case of Abbott vs. Beddingfield, but in the case of State vs. Southern Railway Co., 125 N. C., 666, we find that Justice Clark wrote the opinion of the court, and in doing so said: "The statute of 1891, chapter 329, is not repealed by the Acts of 1892, chapter 164 and chapter 506, but was in effect amended, re-enacted and continued in force. Abbott vs. Beddingfield, 125 N. C., 256, at this term." Justice Clark further states in rendering this opinion: "The other points, and the one principally relied on by the defendant is, that the statute under which the indictment was drawn, Laws 1891, chapter 329, section 4, is repealed by chapter 506, Laws 1899, but it was held at this term, Abbott vs. Beddingfield, that chapter 329, Laws 1891, creating the Corporation Commission, which was enacted on the same day as chapter 506, in effect re-enacted and continued in force chapter 329, Laws 1891. It necessarily follows, therefore, that this individual has lost none of its vitality by virtue of an act which merely amended and continued in force the statute under which it was drawn." This decision sustains our contention as to the use of White vs. Auditor. It was held in State vs. Williams 117 N. C., 953, as follows:

"The re-enactment by the Legislature of a law in the terms of a former law at the same time it repeals the former law, is not, in contemplation of law, a repeal, but it is a re-affirmation of the former law, whose provisions are thus continued without any intermission."

Now, Mr. Speaker, and gentlemen, it does seem to me that Justice Clark is a little inconsistent in his opinion in the case of State vs. Southern Railway Co., when the same is compared with his dissenting opinion in the case of White vs. Auditor. If he was right at first, then he is certainly wrong now, if he is right now, then just as certainly he was wrong at first. I do not want to criticize, it is not my province to criticize the acts of any one, but when he reduces his opinions to writing, I am then entitled to read and comment upon them. In the Holy Bible, it was David, I believe, who exclaimed: "Oh, that mine enemy would write a book," and in this case, I think that has been done. Mr. Speaker and gentlemen, the question of sympathy, the question of conscience has been brought into this discussion, and many quotations have been made from the Bible. I am indeed, glad to be among a body of men, who has such a store of Biblical knowledge, it makes me feel like I was surrounded by a great fortress, impenetrable and insurmountable; and now I appeal to these men, who are thus equipped with so much Bible knowledge, and whom, I trust, are God-loving, God-serving and God-fearing men, and ask them in God's name, to not rush into this matter, as the mad horse rushes, unthinkingly, into battle, but stop and think and consider well before giving their assent to the impeachment of these Judges. If wrongfully done it will be a stain upon the bright escutcheon of North Carolina and a blot on her history and fair name for all time to come. Now as to the questions of character, sympathy and conscience. I have been taught from my early infancy that character is the principal thing to be without it, is to be wanting in that which it takes to constitute a man in the true sense of the word, all riches become as trash when compared with character. But it was said the other day, that all the more these Judges ought to be impeached, because of their good avails me nothing in the hour of distress and misfortune, it would have been better had I never obeyed the laws of my country. It is said that the question of sympathy does not enter into this matter. That is true to a certain extent. But I want to say, if I am ever so unfortunate as to be put on trial, I want no man to try me who has not an abundance of the milk of human kindness in his heart. I contend that we can let sympathy, and ought to, play a part in this case. As to being governed by conscience, I desire to say, that one of the best men this country ever produced, was Benjamin Franklin, statesman, philosopher, patriot and above all a good man in every sense of the word—lived, as he died, and died as he lived, with a smile on his face. The principal tenet in Franklin's religion was, "Whatever conscience dictates to be done or warns me not to do,

(Continued on Second Page.)

LAW-MAKERS IN COURT.

TEXAS CONGRESSMAN PARTICIPATES IN ASSAULT AND BATTERY CASE.

MR. BARKER HAD HIS FACE SLAPPED.

U. S. Happened Because Mr. Barker, of Maine, Objected to Congressman Cooper, of Texas, Splitting in the Air of a Southern Passenger Car.

Washington Post.

Congressional dignity lent additional interest to the proceedings in Criminal Court No. 2, which sat for civil business yesterday during the first day's hearing in the suit of George G. Barker, of Maine, against Representative Samuel B. Cooper, of Texas, to recover damages in the sum of \$10,000. The complainant demands the sum stated as redress for an assault alleged to have been committed upon him by the Texas Representative, while both parties were traveling in a Pullman car en route to this city over the Southern Railway. There was a fair-sized crowd in the courtroom when Justice Cole and a jury began consideration of the case. Among the spectators were Representative Burnett, of Alabama; Stephens and Burleson, of Texas, who are themselves fine lawyers. Messrs. Cotton and White appeared as attorneys for the plaintiff, and Attorneys Davis and Tucker for the defendant.

Attorney White made the opening address in behalf of Mr. Barker. He declared that while the parties to the suit were traveling in the same Pullman they were strangers on the date mentioned. He asserted that Mr. Cooper so disgusted Mr. Barker by expectorating in the aisle of the car that he made complaint to the conductor. Finally Mr. Barker remonstrated with Mr. Cooper, personally, who, it was explained to the jury, admitted that it was not exactly the proper thing to spit on the floor, but at the same time did not care to be taken to task in the presence of ladies who were passengers.

Barker remarked that persons who insisted on acting as Mr. Cooper did on that occasion should ride in cattle cars. Mr. Cooper soon after went into the smoking car. Mr. Barker followed a little later, and Mr. Cooper thereon resumed the discussion and struck Barker in the face, knocking his spectacles across the car.

STUDENTS ROUGHLY TREATED.

Russian Police Hide Over Students—Presented from Celebrating.

St. Petersburg, March 7.—To-day was the fortieth anniversary of the emancipation of the serfs. The students had been planning for some time to keep the day as a holiday, and perhaps make some demonstration, but no particular plans were made. At noon a thousand or fifteen hundred men students and women students gathered in and around the Kasan Cathedral, on the Nevsky Prospect, where mass for the repose of the soul of Czar Alexander II was being celebrated.

After the mass the students began singing, and the police gathered in great numbers, including a force of mounted police. The students were surrounded and driven in a crowd toward the city hall, not far away, and also on the Nevsky Prospect. For no special reason the police began beating the students and trampling them under the feet of their horses. The Nevsky prospect was filled with spectators. The banks and business houses were nearly all closed, with shutters fastened and doors locked. The spectators and the women students screamed with horror, but the police kept up their attack on the students until 100 of the latter were driven into the courtyard of the city hall, the others escaping into the crowd. The entire city was horrified by the conduct of the police.

The police were warned beforehand, and twenty-five delegates from the various St. Petersburg higher educational institutions were arrested Friday night for meeting to consider student affairs.

It is not known whether the 400 students captured by the police today will be imprisoned, or whether the authorities will merely take their names.

Reflections of a Bachelor.

New York Press.

There ought to be a law to make every grass-widow carry around a cow-bell.

An old bachelor is a man who has thought seriously enough of getting married.

There are more men than women in the world but if half the women had the men they wanted there would be none of us left for the rest.

The average man respects a woman who is honest enough not to try to smile when he steps on the back of her dress and they both hear it tear.

The Governor has pardoned William Coble, of Watauga county, out of the penitentiary.

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