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"LAWLESSNESS WALKED THE STATE LIKE A PESTILENCE."

GOVERNOR AYCOCK STATED IN HIS INAUGURAL ADDRESS THAT UNDER, AND THEREFORE BY IMPLICATION IN CONSEQUENCE OF, FUSION RULE "LAWLESSNESS WALKED THE STATE LIKE A PESTILENCE, CRIME STALKED ABOARD AT NOON-DAY, SLEEP LAY DOWN WITH ALARM AND THE SOUND OF THE PISTOL WAS MORE FREQUENT THAN THE SONG OF THE MOCKING BIRD."

DISTURBANCE IN DUBLIN.

Last Sunday's Morning Post is authority for the statement that in Duplin County, N. C., in this year of grace, a condition exists on account of which the political situation is much mixed in that blooming region of uncontested Democratic ascendancy.

It is stated that the Democratic convention made an order submitting the question of road tax to the voters of the county and then went on to legislate further to the effect that only those who vote for the Democratic nominees on the day of election shall be eligible to vote on the road tax question.

So it appears there are still some democrats whose sense of fairness and justice rebels against undemocratic methods notwithstanding the Simmons case. Talk about taxation without representation! Prate about governments deriving their powers only through and by the consent of the governed!

It is too late now for our democratic friends to deny that Judge Winston did write that letter. It might be pardonable in some democratic papers to make such denial, for we must admit that it is difficult to believe that any man could get so far in the low-grounds of politics as to write such a letter as Judge Winston did, but the News & Observer is stopped from making such denial now for out of its own mouth it shall be condemned.

The spectacle of a little democratic organization assembling an aggregation of party heeled and proceeding to pass a law which exacts money in taxes from the people, at the same time passing an edict that only democrats shall be allowed to vote on the question, outrageous as it is, is in keeping with their machine methods when so firmly entrenched as to fear no opposition.

Let the people enjoy it, and feast and fatten upon it if they can. It is a condition of their own making. Be it remembered that Duplin County was a seething hot bed of red-shirtism in 1898 and 1900.

AND THIS IS THE BEGINNING.

The following article on Democratic high taxes is being circulated in Wake county:

"There are two ways of raising taxes. One is by raising the rate of tax the other by raising the assessment. The last Legislature found the rate of tax as high as the Constitution would permit, and it could not raise that rate, but it determined to get more tax out of the people, and it undertook to raise the assessment of property. The Machinery Act provided that one member of the Corporation Commission should go to every county in the State and instruct the assessors how to assess property, and all the instructions given were with a view of getting more taxes and putting a higher valuation on the property. The Legislature then provided that property was not to be assessed at its cash value, or its auction value but in the way that property is usually sold, that is, on time, and the law requires this method of assessment of property in this State. They have a Corporation Commission to force the assessment up to the throat lath. In Raleigh township there was almost a revolution. The Democratic candidate for the Legislature, Mr. Stromach, in a public letter published in the News and Observer, said he had fought in the war four years, and would fight four more to prevent this injustice. Other citizens brought suit to enjoin this excessive taxation of their property, but the Democratic Court gave them no relief. This method of raising taxes—that is, by raising the value—is without limit.

"They raised property last year heavily; they will need more taxes next year, and they are already publishing pieces in the papers stating that property is selling for two or three times what it is assessed for. They are preparing the public for another raise in the assessment of land. If you don't believe this, compare the tax on your house and lot or your farm this year and see if it is not higher than you ever had to pay before under Republicans, Fusionists, Russell, or anybody else. See if your tax is not higher than it has ever been since North Carolina was made a State, and this is the beginning."

The above facts are not only true in Wake county, but the same is true all over North Carolina. And, as the above article says, this is only the beginning. Even with the increased amount of money they will receive this year, as the result of increasing the valuation of your property, "State savers" will not be able to pay the State out of debt. Then what will be the result? They will again increase the valuation of your property or will issue more bonds and increase the State's indebtedness for your children and grandchildren to pay.

JUDGE WINSTON'S FAMOUS NEGRO LETTER.

The News & Observer of the 23rd inst., states that Frances D. Winston, the Democratic candidate for Lieutenant-Governor, did not write to the negro, Geo. H. White, that famous letter so often quoted in the public press of this State, and now calls it a "bogus" letter. The Democratic party now sees that they have made a monstrous blunder by nominating for the second place on their ticket, the most noted negro-philist in the State, and the only white man in the South, so far as we have seen, that has openly advocated social equality.

It is too late now for our democratic friends to deny that Judge Winston did write that letter. It might be pardonable in some democratic papers to make such denial, for we must admit that it is difficult to believe that any man could get so far in the low-grounds of politics as to write such a letter as Judge Winston did, but the News & Observer is stopped from making such denial now for out of its own mouth it shall be condemned.

Judge Winston made a speech at Ahoskie, on September 20th, 1898, then posing as a democrat, and employed by the State Committee to organize "White Supremacy Clubs," (think of it!) and that speech appeared the next day, Sept. 21st, 1898, in the columns of the News & Observer. Judge Winston admits writing that famous letter before a large public audience, and the News & Observer vouches for it by giving his admission publicly through the columns of its paper. There now! You and Judge Winston admitted the letter in 1898, but since Gov. Aycock appointed him judge, you have got him on your ticket, you find you have got a black elephant on your hands, and don't know what to do with him.

You have found out that the self-respecting people of the State will not swallow Winston, and before they will be forced to do so will repudiate the entire Democratic ticket. The democratic party is getting rattled, they see there is apathy and disgust among the rank and file in their own party, and in their confusion have dug a deep well and then fell into it. "So let Winston purge it he will. But he is foul and filthy still; You're foul democrats, who're after the swill. Your nest befouled, you're filthy still."

ROOSEVELT VS. PARKER.

(Continued from 1st page.)

delighted to know that you endorse the views expressed in my interviews, and that you will support President Roosevelt.

I am especially gratified to know that the Populists in your section will support him practically as a solid body, and, besides, that there are many Democrats who will also support him.

In response to your several inquiries will say that Judge Parker, in his letter of acceptance, showed more directness and spirit than in his speech of acceptance several weeks earlier; and in a certain way that he attempts to establish substantially the contention which you say that the Democratic papers and politicians are putting forth in his behalf. But to comply with your request, let us look at the charges and claims in detail:

THAT PROMISE (1) TO THE PHILIPPINES

1st. Judge Parker, in his letter, attacked the Administration in general; terms on its Philippine policy, but concludes by admitting that if he is elected President he will not be in favor of giving the Philippines independence at once, but says that he is in favor of making a promise to them now that they shall have independence whenever he and his party think they are ready for it. But he holds out no hopes as to when that time will come. His position differs from that of President Roosevelt only in that the President thinks it is best for the Philippines and our administration of the islands not to make a promise of independence now, while no one knows, or will predict, when they will be in a condition to receive it. He believes that we should proceed to give them, as fast as possible, more and more of self-government, and thus fit them by experience, as soon as we can, to receive a large measure of participation in self-government.

WHICH IS THE WISER COURSE?

There is in substance no difference in the position of the Administration and the position which Judge Parker assumes, save in a matter of detail, and it is a question as to which course is the wiser. But if we are to believe former Governor Taft and the present Governor of the island, General Wright, who is a Southern man, an ex-Confederate soldier and a Democrat, then it is unwise to make them such a promise till they are ready to assume such responsibilities of government. Every one in a position to know has stated that such a promise would retard the very purpose in view. If they are correct then it would be unwise to attempt the experiment proposed by Judge Parker, which could not improve conditions, and might make them worse. The question is not at issue whether or not we should be in the Philippine Island. We are there and we are there by the action of Congress, which action was supported by members of all parties, including Mr. Bryan and his personal influence with his political friends in Congress. Therefore the only question that can now be a political issue is how to perform our duty there.

WHAT WE HAVE DONE FOR THE PHILIPPINES.

We have given the Philippines the liberty enjoyed by the citizens of the United States, and as citizens of the Philippine Islands they are assured of the protection of the United States throughout the world. Now, what more have we done for the Philippines? When the roar of the guns of our naval vessels died on the shores of Manila Bay and Spanish authority over those islands died with their echoes, liberty was not even a dream to that people. No native inhabitant of that soil aspired to a government assuring individual liberty. In criminal procedure, on arrest, the prisoner was denied the right of counsel; then followed secret examination which was afterwards used against him; on trial he was denied the right of cross-examination of witnesses; his guilt was presumed and the burden of proof was upon him to establish his innocence; there was no habeas corpus.

On the civil side in the administration of justice as by them practiced, the courts were purchasable; by the allowance of interlocutory appeals, instead of appealing only from final judgments, suits were practically interminable; a single issue was unknown to their jurisprudence; the course of justice was ever subject to extrajudicial influences; freedom of religious thought and worship did not exist; there were no public schools and interest in education was confined to the very few; the resistance of the authority of Spain and subsequently the resistance of the authority of the United States, had no higher motive than the personal power of self-constituted leaders, and no broader knowledge of liberty than Spain had taught. The United States has changed all this. We have planted there the habeas corpus; the presumption of innocence in criminal trials; certainty and a single issue in pleadings; judicial purity; the right of representation by counsel; the right of cross-examination of witnesses; the public school and freedom of religious thought and act. We are about to establish a representative legislature. These are practical and logical steps towards preparing the people for self-government.

THE RECORD OF THE DEMOCRATIC PARTY ON TRUSTS.

In this connection it is well to remember the recent record of the Democratic party on the Trust question. After the Republicans had enacted the Sherman anti-Trust Law, the Democrats denounced the law as inadequate, and also attacked the sincerity of the Republican party in enacting the law. At the next election in 1892 the Demo-

crats gained complete control of the Government, having the President, the Senate and the House. What did the Democratic Congress do? It did not repeal the Sherman anti-Trust Law. It did not attempt to amend it. But it tacked on several paragraphs about Trusts on the Sherman-Wilson tariff bill, which they announced would be a complete and effective remedy for the Trust evil. Did President Cleveland or any one of his law officers attempt to enforce that law? No. Did they ever attempt to enforce the Sherman anti-Trust Law against any single one of the combinations? No. But President Roosevelt has proceeded to enforce the Sherman anti-Trust Law, and did it effectively. The fact is that every anti-Trust Law that is on the statute books which has any force was enacted by the Republican party, and every serious effort at enforcing that law against Trusts has been done under the Republican Administration. This is why the Trusts backed Cleveland, and it is why they are now backing Parker.

THE TRUTH ABOUT PENSION ORDERS

NO. 78.

3d. With reference to the claim that Judge Parker has charged Roosevelt with having usurped the right of Congress in issuing the Pension Order No. 78, I have only to say that a Democratic Attorney-General advised President Cleveland that the Pension Law passed by Congress vested in him, the Executive, the power and duty, in administering the law, to fix an age limit for disability under which soldiers should be considered to be incapacitated to perform no more than half labor, and should, therefore, receive a half of the lowest pension. On such advice, President Cleveland issued a Pension Order, fixing the age at 75 years, and Congress sustained him in it.

ROOSEVELT FOLLOWED MCKINLEY AND CLEVELAND.

President Roosevelt followed the precedent of both Cleveland and McKinley, and in the light of experience gained by the administration of the law and following the principle established by the Executive pension orders of his two predecessors, issued an order limiting the age to 62 years. This is all there is to the charge that the President has usurped Congressional authority.

CONGRESS APPROVES

Congress promptly endorsed the President's order by appropriating the money estimated to be necessary to meet the requirements thereunder. Judge Parker does not say that the Pension Order made by President Roosevelt is wrong in principle, but he says that he will revoke the order if elected, and appeal to Congress to do the same thing and even more. He goes to the extent of saying that he will ask Congress to pass a general Invalid Pension Law.

WHAT WILL BE THE RESULT OF JUDGE PARKER'S DECLARATION IF HE IS ELECTED AND IT SHOULD BE CARRIED INTO EFFECT?

He would, if he should be elected, revoke the order, and, therefore, at once cut off pensions from those whom he admits are entitled to them, and let them continue without these pensions until Congress should act. And then he would have Congress go further and pension everybody who served in the Union army, no matter what the age. His policy would carry pensions to many that are not now receiving them, and would call for a very large appropriation of money to meet the same.

SHOULD THE ORDER BE REVOKED?

Judge Parker would undoubtedly have the power to revoke that order should he be elected President, but in doing so he would exercise the executive authority in a way not warranted by the fixed rule governing the Executive Department in dealing with private rights, and against precedent and the rulings of the Supreme Court of the United States.

It is a fixed executive policy not to disturb the principle established by a long line of Executive or Departmental Rulings. A law passed by Congress must be construed in its application by the executive officer or his constitutional legal adviser, who is charged with its enforcement; so much weight and deference is given to the interpretation of the law by the executive that the Supreme Court of the United States itself, when called upon to construe a law which has been applied by any executive officer when enforcing it, will always give great weight to such construction and will seldom overturn the same.

Therefore, if the construction of this Pension Law was to-day before the Supreme Court of the United States that body would not decide differently from the construction already made by the executive, except for the most cogent reasons, for the Supreme Court has said in U. S. vs. Moore, 95 U. S. 760, that "The construction given to a statute by those charged with the duty of executing it is always entitled to the most respectful consideration, and ought not to be overruled without cogent reasons."

NO USURPATION.

There can be no usurpation of the power of Congress in a matter that Congress, by its deliberate vote,

upon the character of the Filipino people he would be very slow to make promises. That is what Spain did. The United States has not promised, but its performance has carried the blessings of civil and religious liberty to every foot of ground on these islands, and the object lesson is there to remain. Not promises, but performance is what the United States has given the Philippine Islands; and, finally peace, even against the advice and counsel of the "Anti-imperialists," as those who have increased the burdens of the United States in the Philippines are pleased to style themselves. But there can be no "Imperialism" known under our Constitution, and none exists, and Judge Parker perfectly knows that to be the fact. But if Judge Parker calls the policy of the United States "Imperialism," how would his policy differ from it? The only thing he proposes is to make an indefinite promise that would be fraught with immediate and infinite harm.

THAT COMMON LAW REMEDY (1) FOR TRUSTS.

2d. Judge Parker's and his party's position on the Trust question is one that will, upon investigation by any good lawyer, appear to be untenable, if not ridiculous. Judge Parker seems to claim that the Common Law is applicable to Trusts, and embraces a "complete remedy," for the evil. But what is the Common Law on Trusts? It is only such law as was in force in England when our Constitution was adopted. Judge Parker goes no further, however, in fact than to say, that in the case of the Western Union Telegraph Company v. The Call Publishing Company (181 U. S., p. 92), the Supreme Court decided that "common law principles could be applied by the United States courts in cases involving interstate commerce in the absence of United States Statutes specifically covering the case," but he leaves it to be inferred that the common law regulates commerce and in the absence of statutory authority vests the courts with power to regulate such commerce.

WHAT THE SUPREME COURT HELD

Judge Parker's statement of fact is true; his inference is distinctly erroneous and misleading. What the U. S. Supreme Court held was that the dealings of persons by and through commercial transactions between the State was subject, like other transactions, to the principles of the common law in the absence of statutory enactment controlling the subject-matter. The court has not held, nor has it learned in the direction of holding, that the common law was "sufficient," without federal authority, to control interstate commerce. While the principles of the common law may be applied in cases involving interstate commerce, such principles can only be applied in government transactions between individuals the same as they may be applied within a State. And this is what the court held. And Mr. Justice Brewer in that decision quotes, with approval, the words of Mr. Justice Matthews in Smith v. Alabama (124 U. S., 465), as follows: "There is no common law of the United States in the sense of a National customary law distinct from the common law of England as adopted by the several States, each for itself, applied as its local law, and subject to such alteration as may be provided by its own statutes."

But even in England while an offence against public trade, such as "forestalling the market," was a misdemeanor under the common law, it was found necessary to regulate that evil by statute, which was done by 6th and 6th Edward VI, ch. 14. "Forestalling was the practice of sending out agents upon the roads leading into large market towns, especially London, to buy up produce brought in by country vendors and then, by combination or individual control, advance prices. If legislation were necessary in England in the 16th century to break up this infantile effort at Trusts, is it likely to be less essential in the United States now, our common law and all thereof being inherited from England? And besides when we consider that the present trust evils which loudly call for correction are an outgrowth of modern industrial conditions are not only different in form and operation but gigantic in scope in comparison with anything known in the previous history of the world, it is apparent that the common law which knew little or nothing of them must essentially be inadequate in their regulation.

It would be interesting to see Judge Parker undertake to apply the statute of 6th Edward VI to such a Trust as the Northern Securities Company or the Standard Oil Company, even if that statute be now a part of the law of the land inherited from England. Would Judge Parker, if elected, be in favor of at once repealing the Sherman anti-Trust Law in order that he might try to apply the common law against Trusts?

Did President Cleveland or any one of his law officers attempt to enforce that law? No. Did they ever attempt to enforce the Sherman anti-Trust Law against any single one of the combinations? No. But President Roosevelt has proceeded to enforce the Sherman anti-Trust Law, and did it effectively. The fact is that every anti-Trust Law that is on the statute books which has any force was enacted by the Republican party, and every serious effort at enforcing that law against Trusts has been done under the Republican Administration. This is why the Trusts backed Cleveland, and it is why they are now backing Parker.

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President McKinley followed the same precedent, and acting on the experience acquired by the Department in the administration of the Pension Law, changed the date to 65 years.

There can be no usurpation of the power of Congress in a matter that Congress, by its deliberate vote,

stamps with its approval. It is an insult to the 58th Congress to assume that the rights of that body were "usurped" and to say that "It dared not resist the usurpation."

Judge Parker indirectly charges President Roosevelt with making that pension order simply as a bid for the soldier's vote. But what shall we say of Judge Parker, who out-Herod Herod while attempting to criticize the President? If this is not a bold bid for votes in attempting to outbid President Roosevelt, what is it?

WHERE WOULD JUDGE PARKER'S ECONOMY BEGIN?

4th. With reference to Judge Parker's charge of extravagance and promise to economize it would be interesting to know where he would begin with his economy program. He admits that he will not begin on pensions, for he declares in favor of largely increasing pensions. He wants to pension everybody. Would he begin on cutting off the river and harbor improvements? Would he begin by stopping the erection of public buildings in the various States? Would he begin by stopping the building of the Nicaraguan canal? Would he begin by stopping the irrigation schemes, inaugurated by President Roosevelt, which will gather up the waste water in the semi-arid regions of the West and turn it on lands extremely rich and which will make very prosperous homes for millions and millions more of American people? Will he begin by stopping the building of the American navy? Will he begin by withdrawing our soldiers from the Philippines? He has not shown the courage to make such a suggestion in his letter.

If there is such great extravagance in the Government, would not simple candor require Judge Parker to at least name in which department it exists and how, where, and when and to what extent he intends to inaugurate economy?

DOES JUDGE PARKER EVEN FAVOR A CANAL?

5th. Yes, Judge Parker attacked President Roosevelt for what he calls the manner in which he secured the right to begin the building of the Panama canal. But does he attempt to show how the President could have pursued any other course? And does he attempt to show that if the President had pursued any other course, whether or not it would have resulted in another of the many failures to secure the canal?

The fact is, President Roosevelt completed a treaty with Colombia for control of the canal strip, and purposing to pay therefore a certain sum of money as authorized by Congress to do. The Colombian government refused to ratify the treaty and it was understood to be done to try to wring from this Government a greater sum of money. The delegates from the State of Panama in the National Congress of Colombia, seeing that such greedy action on the part of the majority would result in the defeat of the canal and send it over the Nicaragua route, at once went home and advised their people to separate from the Colombian government, as South American people are in the habit of doing, and set up a republic of their own, in order that they might secure the location of the canal through their territory.

THE PRESIDENT'S CONSTITUTIONAL DUTY.

Does not Congress vest the President with authority and power to recognize new governments? Would he not be blamed to-day by the whole American people if he had refused to recognize this republic, and negotiate with them a treaty which they were anxious to make in order to secure the right to build the canal? His action in doing so was promptly approved, not only at home but abroad. All of the leading nations of the world, as soon as the facts and true situation were brought to their attention, at once recognized the independence of the new Republic of Panama.

We have been told in the political discussions of this question by a distinguished leader of the Democratic party near Judge Parker in his councils that it would have been better to have paid twice the sum the canal strip has cost us than to have acquired the strip from the Republic of Panama. In the United States there was opposition to the canal from various adverse commercial interests; in Colombia the opposition was distinctly mercenary.

Those who know the diplomatic methods of Colombia in this transaction best, can best understand the significance of a demand for more money, and I, for one, am delighted that the President found himself in a position by reason of the policy of Colombia to adopt a course which eliminated the financial hopes of those dominating the Colombian government. It was a meeting of a look of frankness, by energy and directness; it secured the canal, and it received the approval of the civilized world.

OUR WARSHIPS RIGHTFULLY ON THE SPOT.

It is true we had warships on the spot; but did not the law require that we have them there in order to protect free transit across the Isthmian railroad? And when a revolution broke out that endangered this railroad, was it not necessary for us to redouble our vigilance and to protect traffic over this road? This and only this is the offence charged against the

President.

Even General Reyes, who came to this country as special envoy from the Colombian government to try to induce our Government to again submit the Hay-Herran treaty to the government for ratification, and assuring us that if we would do that his government would then accept it and give us title to the canal strip at the price originally agreed upon, admits now that his government was in fault. General Reyes has since been elected President of the Colombian Republic, and in an official report to his people recently published, he says that the loss of Panama to that Republic and the loss of the money paid for the canal strip to the treasury of his country is due to the shortsightedness and mistakes of the Colombian Congress in rejecting the treaty.

OPPOSITION OF CANAL SUPPORTERS TO PARKER.

Judge Parker, in his letter, after attempting to criticize President Roosevelt for his success in making the long hoped-for canal an assured success, concedes that if he is elected President that now under the law he will have to finish the canal, but he does not say that he even favors the building of the canal. If he had been President during the last administration would he have been for or against the canal? It is well known that there are powerful interests in this country that have always strenuously opposed the building of any canal to connect the two oceans, and it is also very noticeable that some of the most prominent and powerful of those influences are today supporting Judge Parker. If he had been President it is safe to say that we would now be as far from the realization of a canal as we have been for the last fifty years.

It is fortunate for the United States that we did not have, when the emergency arose, a timid, negative character for President. If Judge Parker should be elected his administration of the laws and treaties providing for the construction of this canal would be of that negative character which would not lead to a speedy completion of this great project which is so essential as a means of national defence and which opens such possibilities for industrial and commercial development. But it is unnecessary for us to discuss this matter further; the American people are in possession of the facts, and they have with general unanimity commended the President for his timely courage and wisdom.

WHO STARTED THE CRY THAT THE PRESIDENT IS "USURPER"?

6th. In response to your inquiry as to the origin of the campaign cry "President Roosevelt is unsafe," I beg to state, that if you will remember that he has fearlessly and patriotically enforced the law, against the rich and the poor alike, and at the same time exercised his authority to protect the interests of both labor and capital with impartiality, it will at once occur to you that a number of powerful influences which have sought and hoped to secure more than even-handed justice, would naturally be the persons who started that cry.

You will remember that when President Roosevelt had the courage and patriotism to rise to the emergency, during the great Anthracite coal strike, and tendered the good offices of his commanding personality, enhanced as it was by his great position, to adjust the disastrous difference that then existed between labor and capital, and the result of which was bringing great hardship to the people of the whole nation, that from some mysterious and unseen force there then arose the cry "That the President was rash and unsafe." Yet, you will remember with what diplomacy a great national calamity was then averted by a peaceful settlement. It took a President, not only with a high sense of justice, but with great faith in the people, to attempt such an adjustment by arbitration.

I say again, as I said in my interview, to which you refer, that the President's action in that matter has had a wonderfully sobering effect upon both labor and capital, and has given to the whole country hope and assurance for the future. Indeed, it is hard to appreciate the important and far reaching effects of that timely and welcome lesson to both organized labor and organized capital.

Again, when the President instructed his Attorney General to investigate the great Railroad Trust combination, known as the Northern Security Company, and that if he should find it to be a combination in restraint of trade in violation of the law, that he should proceed against that great transportation trust under the anti-Sherman Trust Law, again there arose from certain quarters the cry that "The President is rash and unsafe."

In short, when the allied combinations and trusts were joining their efforts to defeat the nomination of