

MARION BUTLER'S 'RALEIGH' SPEECH.

(Continued from Page 1.)

fore recommend that the General Assembly accept and approve it.

"Respectfully submitted,"

"R. B. Glenn, A. C. Zollicoffer, A. M. Scales, J. R. Gordon, H. B. Coffield, Walter Murphy, Committee."

"We concur in the above."

"J. Bryan Grimes, B. F. Dixon, J. Y. Joyner, R. B. Lacy, Council of State."

The Facts Suppressed and New Slanders Started.

"When these bald, pregnant and unanswerable facts were brought out and made public through the suit before the Supreme Court of the United States, did the editor of the Raleigh News and Observer publish the same and retract its false and baseless charges? No. It takes a man with an ordinary amount of honesty and courage and decency to make an honest retraction, and the editor of that paper is wanting in these ordinary qualities of manhood and decency. Instead of giving its readers the benefit of the facts and making an honorable retraction of false and slanderous charges, that paper at once invented further means for abusing, misrepresenting and slandering me."

The line of attack may be classed under two heads:

(1) Charging that Mr. Butler when bringing this suit before the Supreme Court was guilty of working a fraud upon the jurisdiction of the Supreme Court of the United States.

(2) Charging that Mr. Butler was guilty of moral treason against his State for agreeing to accept employment to act as counsel to test the validity of these bonds a few weeks before the end of his term as United States Senator.

Fraud on the Jurisdiction of the Supreme Court.

"As to the first charge, what are the facts? When the case was brought to trial before the Supreme Court of the United States, the great array of counsel employed by the State did not go before the Court contending that the bonds were fraudulent or illegal, or that it was not an honest debt, because they dared not do so in the face of the evidence produced before the Court, but they appeared before that great tribunal fighting the case on technicalities. Their chief technicality was in that they contended that the Court should not take jurisdiction of this case on the ground that an attempt to bring such a suit was working a fraud upon the jurisdiction of that Court. Thus we see that that question of fraud on the jurisdiction of the Court was not only before the Supreme Court of the United States, but was the leading defense.

"Now let us see what view the Supreme Court took of that charge or of that defense. The Supreme Court considered that question carefully, as shown by its opinion, and held that the bringing of such a suit was entirely proper, and that it was the duty of that Court to hear that case and render judgment according to the law and the facts. What is the situation today? The opinion of the highest court in the land, which is today the law of the land, is that the bringing of that suit was not an attempt to work a fraud upon its jurisdiction.

"Therefore, when the editor of the Raleigh News and Observer, in the face of that decision, in order to attempt to injure and slander me, continues to charge that I was guilty of a crime in working a fraud upon the jurisdiction of the Supreme Court, he is not only attacking the decision of that august tribunal, but he is wilfully and maliciously using his contemptible sheet to slander me and to fool the good people who are forced to read it for the Associated Press dispatches. No honest man would make such a charge in the face of the final decision of that great Court.

As to Moral Treason.

"As to the other charge that I was guilty of moral treason in agreeing to bring this suit in the Supreme Court of the United States a few weeks before the end of my term in the Senate, I have to say that that is a question that I am willing to submit, and do now submit, to the fair and candid judgment of a great, fair and honest people. I take it that if the editor of the Raleigh News and Observer had been serving in the Senate, as I was, within a few weeks of his term, his successor having been elected, and that if the holders of these honest bonds had approached him to know if he would bring the suit in the Supreme Court to test their validity, that he would have answered, 'Yes, I know your bonds are honest; I am going to practice law to support my family, but please wait for three weeks, and in the meantime, for Heaven's sake, do not employ any other attorney, and then come back to me on the fifth day of March, as I walk down the front steps of the Capitol, and then I will accept employment.'

"That is just what any contemptible, cowardly hypocrite would do. That is not my way of dealing with the world. Through life I have never done anything under cover that I would not do in the open. The only guide for an ordinary frank and honest man in his dealings with his fel-

low-man each day is to do what seems to be right at the time, and not to do what appears to him to be mean or improper in any respect. This simple ordinary rule in small things as well as in large, I submit, marks the difference between a frank, straightforward, honest man, on the one hand, and a cowardly, double-dealing, dishonest hypocrite on the other.

Hon. Fabius H. Busbee an Attorney for These Bonds.

"At that time Hon. Fabius H. Busbee, of Raleigh, N. C., was the attorney for the holders of these bonds, and had been for a number of years. He went to Washington to see me, and said that he had for a number of years appealed to the Legislature to pay this honest debt. He said that he believed that if he could get the facts before a sufficient number of the members of any Legislature, that their conscience and sense of justice would be aroused so that they would no longer permit their State to continue in the position of refusing to pay an honest debt.

"He said that he had just made another appeal to the Legislature then in session, and had been so disheartened by the indifference and the repulses which he had met that he had given up all hope of ever wiping this stain from the fair name of the State, unless the truth about the honesty of these bonds could be brought to the attention of the people of the State. He said that he had decided that the only way to accomplish this result was, if possible, to bring a suit in the Supreme Court of the United States to test the validity of these bonds. He asked me if I felt satisfied the bonds were honest. I told him yes. He said that if he was a member of the State Legislature that he would unhesitatingly vote to pay or make some honorable adjustment of the same. I frankly told him I would do likewise if I were a member of the Legislature.

"He then asked me if I was willing to become associated with him in an effort to bring a suit in the Supreme Court of the United States. I frankly told him, yes. It did not occur to me that there was any man in the State so unfair or dishonest as to attempt to misrepresent me because I answered him then, instead of telling him to wait a few weeks and come back, when I would give him my answer.

"Here was a case that could not be brought to trial in the Supreme Court of the United States for several years—a case that could not interfere with my duties as a United States Senator, even if I had had years to serve instead of a few weeks,—and it is for this that I am charged with being guilty of moral treason to the State.

The Line of Duty and Ethics.

"I submit that when a lawyer is holding a position of public honor or trust, whether great or small, that that position limits him in the practice of his profession as a lawyer to cases where his duty as a public official and his duty as counsel will not conflict. If a member of the State Legislature is at the same time an attorney for a railroad corporation or some public service corporation that should be regulated by law in the interest of justice between the corporation and the public, that it is the duty of that official to either resign as an attorney or resign as a public official; and yet has there ever been one of the many Democrats who served as members of the Legislature and at the same time as attorneys for such corporations resigned from either place, and has any one of such Democrats ever been criticised by the self-professed virtuous editor of the Raleigh News and Observer? There have no doubt been some Senators and Congressmen who, while serving in such places, have also, at the same time, been the regularly retained counsel for railroads or corporations whose interests are liable to be affected by legislation.

"I have always considered such employment by lawyers holding such public positions as improper. I have refused employment in a number of such cases myself, though I take it that it would not be difficult to find more than one Democrat in this State today holding such positions, and also, at the same time, acting as such paid attorneys.

"I have never accepted employment while holding public office in any case where there could, under any possibility, arise any conflict between my duty as a public officer and my duty as counsel. The Democratic ring in this State have kept up a constant tirade of attack and abuse on me ever since I left the Democratic party and before. I was even attacked and abused villainously by the Democratic machine press and politicians when I was a Democratic member of the Legislature, simply because I dared to stand for certain great reform measures in the interest of the people and for the uplift and progress of the State.

"They have searched my record, public and private, to find some one fact that they could bring to my discredit. They have never found one thing. They have never even dared to criticise a single vote of mine cast in the State Legislature or in the United States Senate. I have simply gone along doing my plain simple duty each day as I saw it, and it has made a record of which I am proud and in which they cannot find a single fact to criticise or condemn.

"In this matter of taking employment to collect these bonds I did what I had a right to do—aye, what

was my duty as a loyal son of the State to do. The repudiation of these honest bonds is the only stain that has ever been placed on the fair name of this great State, and I thank God I had some part in removing that Democratic stain, so that to-day the State can face the world as an honest man desires to face the world. This the men who are slandering me know, and yet in their desperation they cry, 'Moral treason.'

"Moral treason and moral obliquity lie at the door of him who would repudiate an honest debt, public or private. No citizen of North Carolina could afford to teach his child to sanction a dishonest act. (Prolonged applause.)

(Continued next week.)

WITH THE LAWMAKERS.

(Continued from Page 1.)

make appropriations for the support and maintenance and for increasing the dormitory capacity of the State Normal and Industrial College. Committee on Education.

S. B. 642, by Mr. Reinhardt: Permitting the Commissioners of Lincoln County to donate money for erecting a Confederate monument thereon. Committee on Pensions and Soldiers' Home.

S. B. 655, by Mr. Cobb: In relation to reduction from weights or prices of cotton for bagging and ties. Committee on Agriculture.

S. B. 657, by Mr. Martin, of Washington: To establish fisheries commission. Committee on Fish and Fisheries.

S. B. 647, by Mr. Hobgood: To prevent the prostitution of women and girls in bawdy houses. Committee on Judiciary.

In the House.

The following bills were introduced:

Spainhour: To appropriate \$400,000 in addition to present appropriations to public schools.

Dillard, of Cherokee: To secure the more accurate listing of incomes in excess of \$1,000.

The bill establishing a State Highway Commission was reported unfavorably by the Committee on Roads and Turnpikes.

To amend the Revisal relating to theatricals at Chapel Hill. (Prevents vaudeville and moving picture shows.)

To allow Sampson County to donate funds to Confederate monument at Clinton.

Resolution requesting Senators and Representatives in Congress to vote for a parcels post bill.

To provide for supplying free school books to indigent children of Wilkes County.

To amend the charter of the National Religious Training School and Chataqua for the colored race.

Mr. Connor, of Wilson, presented a resolution authorizing Representative-elect William A. Bailey, of Davie County to qualify before the clerk of the court and thence be entitled to his per diem. Mr. Bailey has been desperately ill and is reported as unable to recover. The resolution was placed on the calendar and was immediately passed.

A night session was held for the purpose of considering Connors' uniform bill of lading measure. The bill finally passed second reading.

The bill to issue bonds to the extent of one million dollars for a State Administration building was reported favorably by the House Committee.

Senate—Saturday.

Senator Sikes introduced in the Senate a bill increasing the school tax by seven cents on the hundred dollars of property.

Senator Pharr offered an amendment to the insurance law so as to allow mutual fire insurance companies to be formed by persons engaged in the same kind of business with twenty-five risks. He also introduced an act incorporating the Industrial Reform and Manual Training School for colored youth.

The Senate received the favorable report on the Boyden-Horne measure for the erection of a million dollar administration building, but action was postponed until Wednesday.

The bill increasing the salary of the Adjutant General from \$1,600 to \$2,000 per annum was reported favorably by the Committee on Salaries and Fees.

Senator J. C. Martin's measure to allow married women to contract as if unmarried, was reported favorably, and deferred until a fuller attendance.

Bills Introduced.

S. B. 679, by Mr. Martin, of Washington: To amend law relative to fish laws. Committee on Fish and Fisheries.

S. B. 686, by Mr. Lemmond: To permit dentists and veterinary surgeons in Union County to write prescriptions for whiskey. Committee on Revisal.

The following bills were ratified: Resolution to ratify sixteenth amendment to Federal Constitution of United States.

To allow Sampson County to appropriate funds for Confederate monument at Clinton.

The following bills passed third reading:

To regulate the sale of land under mortgages and deeds in trust. Engrossed and sent to the House.

To raise the age limit from 18 to 21 for working public roads in cer-

tain counties. Sent to the House for concurrence.

In the House.

Doughton's bill providing for a bond issue to fund bonds falling due in 1913, and to allow the State Treasurer to give a note for deficit in State Treasury went through its second reading.

The following bills were introduced:

Marshall: To pension all ex-Confederate soldiers and their widows and all Home guards at \$5.00 per month.

Kellum: Joint resolution relative to the sale of the Atlantic and Yadkin Railroad. (Referred to Committee on Public Service Corporations.)

Nunn: To fix scale for measuring timber logs bought or sold in North Carolina.

Bartlett: To allow special tax for Camden County.

Carr, of Duplin: To establish uniform hours of labor.

Marshall: To provide for election of all county boards of education by the people.

Kent: To provide for industrial railroad tracks and sidings.

Unfavorable reports were made on bills to allow counties to issue road construction bonds; to require the union label on public printing; to prohibit the purchasing or sale of cartridges and pistols except by officers.

A Bond Issue and Note to Pay Off Deficit.

The bill authorizing a State bond issue of \$550,000 to meet bonds falling due July 1, 1913, and to authorize the State Treasurer to give a short time note to pay off the deficit of current expenses was heard. After some debate, the measure was passed.

The following bills passed third reading:

Joint resolution in favor of the widow of the late Representative John L. Stewart, of Montgomery County, allowing her his per diem of \$240.

To provide for the proper registration of all employees of departments and institutions of the State. As soon as it was read this bill was held up and went back to the calendar.

Senate—Monday.

The bill recently introduced by Senator Hicks to prohibit the dumping of sawdust into the streams of North Carolina, passed the Senate. With an amendment, that the bill does not go into effect until after six months from date of passage.

After the Tax-Payer.

Senator Graham introduced a bill to authorize the Governor to appoint a tax commission consisting of three men to report by October 25th next a scheme for equalizing the valuation of lands and other property. It is provided that each member of the commission shall receive for his services the sum of \$500 and actual traveling expenses to place of meeting and return.

Other bills were introduced as follows:

S. B. 719, by Mr. Bassett: Authorizing the commitment of a certain class of the dangerous insane. Committee on Insane Asylums.

S. B. 720, by Mr. Bassett: To promote the observance of Sunday as a day of rest by the employees of railroad companies. Committee on Judiciary.

S. B. 722, by Mr. Thorne: To amend Chapter 494 of the Public Laws of 1909 and Chapter 926 of the Public Laws of 1907, relative to primary elections in Nash County.

S. B. 726, by Mr. Hobgood: To regulate the licensing of insurance agents.

S. B. 729, by Mr. Green: To provide for the naval militia of North Carolina.

S. B. 734, by Mr. Bassett: To aid in the prevention and spread of hog cholera in this State. Committee on Agriculture.

S. B. 735, by Mr. Bellamy: To protect peanut growers of North Carolina. Committee on Agriculture.

S. B. 737, by Mr. Barham: To amend certain sections of the Public Laws of 1907 and 1909.

Passed Third Reading.

To amend Revisal, concerning undertakings by defendants in claim and delivery proceedings, Enrolled for ratification.

To prohibit the dumping of sawdust into the streams of North Carolina. Sent to House without engrossment.

To increase the salary of the Adjutant-General from \$1,600 to \$2,000 per annum.

The bill providing for the establishment of farm life schools was made a special order for Thursday at noon.

In the House.

A bill was introduced by Mr. Koonce, of Onslow, appropriating one million dollars to pension ex-Confederate veterans or their widows.

Other bills were introduced as follows:

Shipman: To build a lawful fence between Columbus and Bladen Counties.

Spainhour: To amend the sub-contractors' lien law.

Rawls: To amend the law relative to isolating diseased boys.

Carr, of Duplin: To establish uniform laws of labor.

Majette: To amend the law of 1907 so as to extend the time for registering grants.

Battle: To amend the law of 1909.

making appropriations to State institutions.

The consideration of the House \$1,000,000 administration building bill was made a special order for Thursday.

The following bill passed final reading:

To provide for the redemption of State bonds falling due July 1, 1913, and to meet the deficiency in the State Treasury.

Messages From the Governor.

Messages were received from the Governor transmitting report of the trustees of the University.

Also a message recommending an increase of amounts allowed for clerical aid in the Executive office; for an increase of expenses allowed for Supreme and Superior Court Judges.

Mr. Marshall, of Surry, asked that 500 copies of his bill, to furnish free text-books to indigent children, be ordered printed. The request was denied, which is contrary to the usual rule of the House.

The Ewart bill to appoint a committee to investigate trusts was tabled; some saying it was useless, as they had an anti-trust bill coming that would cover all.

At a night session the mileage book bill passed on its second reading; ob-

jection was made to its final reading.

Senate—Tuesday.

Senator O. Max Gardner, of Cleveland, offered a joint resolution of interest to many counties. It directed State Treasurer B. H. Lacy to forthwith furnish to this General Assembly a revised list of the counties after having credited the several counties with the tax paid on public service corporations.

Senator Gardner, in a clear-cut and vigorous speech, told of the humiliation his county had suffered on account of the charge that it was a pauper county. He showed by the report of the State Treasurer that Cleveland County was accredited with receiving \$2,344.94 more than it paid into the State; he showed that the Treasurer had failed to credit his county for the tax paid direct into the treasury by the public service corporation, banks and corporate entities, and that his county paid \$3,008.49 in this manner, thus making his county a surplus county. Gardner showed that only the money credited to the various counties by the Treasurer has been the money paid by the sheriffs, and that the money from the counties paid on public

(Continued on Page 4.)

PLANT-BED CLOTH.

Can furnish you first-class Canvass for plant-beds by bolt, bale or yard.

WOOLLCOTT
DRY GOODS COMPANY
RALEIGH, N. C.

East Carolina Teachers' Training School

A state school organized and maintained for one definite purpose: Training young men and women for teaching. The regular session opens Tuesday, Sept. 13, 1910

For catalogue and information, address

Robt. H. Wright, Pres., Greenville, N. C.

Menz Ease Shoe

For Comfort & Long Service

WE can show you proof that eight out of ten men wear their MENZ EASE twelve to twenty-four months.

Isn't saving the price of one or two ordinary shoes every year good enough for you?

Herbert Rosenthal

The Shoe Fitter

129 Fayetteville St., Raleigh, N. C.



Agents Wanted

To Write LIFE INSURANCE for the

PEOPLE'S MUTUAL BENEVOLENT ASSOCIATION

OF NORTH CAROLINA.

BIG MONEY TO A HUSTLING MAN.

More than \$50,000 Paid to Home People Last Year.

All Money Kept at Home, and Paid Only to Home People. No high salaried officers to support.

Apply to—

H. E. KING, Sec'y-Treas.

RALEIGH, N. C., Box 2