

LACK OF LAW

President's Panama Policy Again Sharply Criticized

HAS A DEFENDER

Senator Carmack Argued That Every Act of the President in the Panama Affair Has Been in Violation of the Law and His Acts Were Not Simply a Cause of War, But They Were War—Senator Spooner Replied to Senator Carmack, Defending the Course Taken by the President—Civil Service is Discussed in the House.

Washington, January 13.—Panama was again the principal subject of consideration in the Senate and as on yesterday the debate was spirited. Today there were only two speakers and between them they held the floor for about four hours.

Mr. Carmack opened the proceedings with a set speech in pointed criticism of the President's course and was followed by Mr. Spooner in defense of the President's action. Mr. Tillman frequently interrupted Mr. Spooner and there were a number of sharp encounters between them. When the Senate adjourned the Panama question was still before the Senate and it was announced that the discussion would be resumed tomorrow.

The Panama resolution offered by Mr. Gorman was laid before the Senate and Mr. Carmack was recognized. He said that while he had the utmost respect for the office of the President, he did not mean to conceal the excesses of that office. "And every act of the President in this wretched Panama business," he went on, "has been in violation of law, of statutory and international law and of the constitution of the United States."

"Although relating in its principal provisions to questions of commerce of navigation, removing restrictions which have hampered them both in China, it also treats of a number of questions of great importance to the people of the two countries. For example it defines the rights and privileges of the diplomatic and consular officers and of American citizens, especially missionaries residing in China and insures the latter the enjoyment of rights which they have only had in the past practically by toleration. The treaty also deals with trade marks, copyrights and patents, ensuring them a fair degree of protection in China—a thing which they have had very little of in the past."

Perhaps the provision of the treaty which interests most the public, is the opening of two new localities in Manchuria to foreign trade—the city of Mukden and the town of Antung on the Yalu river. It is to be noted in this connection that the Japanese-Chinese treaty, the ratifications of which were exchanged yesterday at Peking, secures also to international trade the opening of the port of Tantung Kou, about 13 miles below Antung and at the mouth of the Yalu. It is highly probable that the presence in these localities at an early date of American consular officers and those of other nationalities—for all the nations having treaties with China acquire by our treaty and that with Japan, the right to establish consulates at these places—will greatly tend to the establishment of order in this much disturbed borderland of China, and will powerfully contribute toward insuring the integrity of China and its administrative control over its Manchurian provinces."

Mr. Carmack declared that a mob has as much right to hang its victim as has the President to secure what he wants by disregard of the law. President Roosevelt, he said, loses the power of reasoning and his moral sense when he becomes involved in action, and exclaimed "Into what difficulties may we not be led by this head strong man!" He did not agree that the President would have hesitated if Colombia had been a stronger nation. On the contrary the President would have welcomed such an opportunity. "He makes history as he would order a melodrama, making certain that he is the star performer always in the center of the stage."

He went on to say that the President's course in this matter was not merely an act, but a policy, and indicative of this character, it was not meant for Colombia alone, but was the beginning of a system of intermeddling with the affairs of the countries of Central and South America and such a policy must inevitably involve us in war, not only with the South American nations themselves, but with European nations.

In conclusion, Mr. Carmack said that while he was for the canal, he

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WYNNE ON THE STAND.

First Assistant Postmaster General Gives Evidence in the Postal Fraud Cases.

Washington, January 13.—Robert J. Wynne, first assistant postmaster general was the central figure in the postal trial today, and when court adjourned until Friday he was still on the stand. Mr. Wynne's testimony occupied most of the day and he was subjected to a rigid cross-examination by Charles Douglass, counsel for the defense, during which the opposing attorneys had several tilts necessitating a word of admonition from Justice Pritchard that they must conduct the case in peace.

The first assistant postmaster general was asked questions designed to test his knowledge of the duties of his office. The witness frankly stated that he had often signed papers prepared by Machen's division without examining into their contents, because they came to him in official form and because of the fact that he regarded Machen as one of the most expert men in the service and relied upon him as to the correctness of his acts.

"Did you know that Mr. Machen knew his business," Mr. Wynne was asked.

"I knew that Mr. Machen knew what he was doing," was the reply.

"Did he know that you knew your business," Mr. Douglass next inquired.

"He knows it now," was the quick retort, and the court order was compelled to rap for order.

Counsel read a letter signed by Mr. Wynne and dated as late as January, 1903, addressed to the Groffs, ordering 100 fasteners at \$1.25 each, but Mr. Wynne said that an order for that number probably would not arrest his attention.

John J. Howley, Mr. Wynne's chief clerk, occupied the stand for a brief time, the principal part of his testimony relating to the fact that he suggested to his superior officer the advisability of examining into the legality of Machen's initials and signature placed on letters and requisitions by Machen's subordinates.

"OPEN DOOR" IN CHINA

Ratifications of the Commercial Treaty Exchanged in Washington

Washington, January 13.—Ratifications of the American-Chinese commercial treaty were exchanged at the state department today by Secretary Hay and Sir Chentung Liang-Cheng, the Chinese minister here. The treaty provides for the opening of the ports of Mukden and Antung, in Manchuria, to the world's commerce. The President today signed the proclamation putting into effect the treaty.

The following statement was issued by the state department regarding the treaty:

"Although relating in its principal provisions to questions of commerce of navigation, removing restrictions which have hampered them both in China, it also treats of a number of questions of great importance to the people of the two countries. For example it defines the rights and privileges of the diplomatic and consular officers and of American citizens, especially missionaries residing in China and insures the latter the enjoyment of rights which they have only had in the past practically by toleration. The treaty also deals with trade marks, copyrights and patents, ensuring them a fair degree of protection in China—a thing which they have had very little of in the past."

Virginia General Assembly Hears the Governor's Message.

Richmond, Va., January 13.—The general assembly organized today with John F. Ryan, as speaker of the House and Lieutenant Governor Willard presiding in the Senate. The governor's message which was transmitted to both houses is brief, but comprehensive. It is outspoken for pure elections and a general primary law which will include the nomination of United States Senators; urges economy, pleads for an extension of the school term, recommends the establishment of an institution for the education of colored deaf, dumb and blind children and for systematic construction and maintenance of public highways. The governor also recommends that the Senate make provisions for securing a complete roster of Virginia troops that served in the Confederate army.

DAY OF GRIEF

All Georgia Mourns Around the Casket of Gordon

BODY IN STATE

All Day Long an Unending Procession Has Marched Past the Casket, Taking a Last Look at the Features of the Dead Hero—The Expressions of Grief Were Pathetic—The Funeral Services Will Take Place Today and Public Exercises Will be Held in Representatives Hall This Morning at Which Prominent Southerners Will Make Addresses.

Atlanta, Ga., January 13.—Banked in masses of flowers, the offerings of loving friends and covered with the Confederate flag, the body of General John B. Gordon lay in state from early this morning till a late hour tonight in the capitol of the state he loved. Through the long hours unending lines of veterans, citizens, men, women and even children trooped past the casket, catching a fleeting glimpse of the dead commander. If one would know the love and veneration and grief of Georgia's citizens, he had to but watch these people. Sad faces were wet with tears, old men who remembered the towering form in the prime of manhood or who followed General Gordon on the field of battle, grasped hands in silent sympathy.

Stationed as a guard of honor about the remains of the body, the details from the militia stood immovable and yet the discipline of the soldier did not prevent these men involuntarily brushing aside unbidden tears as they witnessed some of the expressions of grief.

The body arrived in Atlanta just before 7 o'clock this morning from Miami, where his last struggle ended Saturday night. At the state line of Georgia it was received from the hands of Florida's citizens and soldiers by an escort from friends in his own state. At the station here it was received by a military escort and despite the cold of a Georgia winter day, and the early hour, hundreds had gathered to receive the remains. The body was taken at once to the rotunda of the state capitol, where a place of honor had been provided. Nearby the picture of the dead general, placed on the walls of the capitol when he was governor of the state, looked down from its draping of black. Quickly the guard was stationed and even at the early hour when these arrangements had been completed, began the procession, which has been unbroken for fifteen hours.

The remains will lie in state until noon tomorrow, when they will be taken across the street to the Central Presbyterian church, where will be held the last rites of the church. The procession will be formed during the services and when they shall be concluded the march will be taken to Oakland cemetery. There the body will be laid to rest near the spot where he buried Gordon's dead who fell in the war between the states. This procession will be one of the most imposing pageants ever seen in the south. In it will have places a battalion of the 15th Infantry U. S. A., headed by Col. Butler D. Price and his staff, besides a large number of military bodies from this and neighboring states, which have arrived or will be here early in the morning. Many organizations of Confederate Veterans, Sons of Veterans and business bodies will be in line, besides thousands of private citizens.

Hanna Re-Elected Senator.

Columbus, O., January 13.—In the presence of the joint assembly of the members of the Ohio Senate and House, Lieutenant Governor Warren G. Harding today declared Marcus A. Hanna, re-elected United States Senator of Ohio for the term of six years, beginning March 4th, 1905. Senator Hanna made a brief address to the legislature.

Dividend by the N. and W.

Philadelphia, Pa., January 13.—The directors of the Norfolk and Western Railroad Company today declared the usual semi-annual dividend of two per cent on the preferred stock.

To Fight the Cotton Boll Weevil.

Washington, January 13.—The Senate today passed the House bill providing means for the eradication of the cotton boll weevil.

VICTORY FOR TOM JOHNSON.

A Three Cent Fare Will be Charged on Cleveland Car Lines.

WANTS TO LIMIT SUFFRAGE.

Only Intelligent People Should Govern, Says Warfield.

Annapolis, January 13.—Edwin Warfield was inaugurated as governor of Maryland. In his inaugural address, he spoke on the subject of limiting the suffrage to intelligent citizens, expressing himself as follows:

"The people demand that the state shall be governed by those citizens who, because of their intelligence, their heredity and their interest in the material welfare of the commonwealth are best fitted to properly, patriotically and wisely exercise the high duties of citizenship."

FIRE IN GREENSBORO

Many Thousand Dollars Damage Done by Fire Last Night

(Special to The Messenger.) Greensboro, N. C., January 13.—A fire in a 6-story brick building tonight owned by W. E. Beville opposite the city hall, damaged the building to the extent of five thousand dollars, which is covered by insurance. The plumbing stock of J. Ed Albright was damaged to the extent of a loss of \$600, the stock of groceries of Charles E. Pugh to the extent of \$2,500 with insurance of \$1,500. J. Stone Printing Company, \$3,000, fully insured, Boyles and Mitchell window shade factory, \$2,500, insured for \$1,500. A large amount of the insurance is carried by the Greensboro home companies. Two large printing presses of the Stone Company valued at \$7,000 were saved by preventing the fire from reaching the upper story of the burning end of the building they were on. The bindery and other machines were totally destroyed.

The fire was caused by a boy in the plumbing establishment on the first floor, in looking for something with a match and setting fire to oakum hanging on the wall which ignited like powder and communicated to a pile of hay near the elevator shaft, the flames shooting up the shaft to the fifth story metal roof, being impossible to reach.

Another fire near the McAdoo Hotel burned the stables belonging to John Dick. The loss \$500.

New Headquarters of the U. C. V.

Birmingham, Ala., January 13.—Gen. Stephen D. Lee, who has assumed command of the United Confederate Veterans as the successor of the late General John B. Gordon, announces that he will establish general headquarters at Columbus, Mississippi. This is the first time the order has been domiciled in Mississippi. All general orders however, will be issued from New Orleans, as heretofore.

GIVES STOCK

Ratification of Treaties Implies Act of Sovereignty by China

IS IT WARNING?

The Ratification is Conceded to be Equivalent to a Declaration That Russia's Occupation of Manchuria is Only Temporary—The German Officials Feel That the Situation is More Critical Now Than It Has Been at All—Japan's Reply is Given to Russia and it is Believed That Negotiations Will Continue for Some Time.

London, January 14.—All the morning papers have editorials which attach great importance to the ratification of the commercial treaties between the United States and China and between Japan and China. The consensus of opinion in these editorials is that the ratification of the treaties implies an act of sovereignty by China, equivalent to a declaration that Russia's occupation of Manchuria is only temporary and for specific purposes.

The St. Petersburg correspondent of the Paris edition of the New York Herald and the special cablegrams from other correspondents at the Russian capital say that the opinion is held that the ratification of the Japanese and American treaties came as a shock to the Russian foreign office.

The Daily Mail's Tokyo correspondent says that Japan's last note is couched in most courteous language, but that it re-affirms absolutely and unequivocally Japan's inability to accept Russia's proposals either as regards Korea or Manchuria.

London, January 13.—A dispatch from Tokio to the Reuters Telegram Company says that Japan's answer to the last note was handed this afternoon to Baron de Rosen, the Russian minister, and that negotiations will be continued without time limit being set for their termination.

The demand which Japan is said to have according to reports published abroad, caused some surprise in Tokio according to the dispatch, and it is now stated that Japan never asked for the evacuation of Manchuria, but on the contrary, frankly recognizes Russia's special interests there and her right to protect them. Japan only demanded the realization of Russia's voluntary pledges respecting China's territorial integrity in Manchuria and the freedom of residential rights and international trade therein.

Berlin, January 13.—Official opinion regarding the probability of war between Russia and Japan has suddenly changed. Intelligence received at its foreign office has caused the government, for the first time since the controversy began, to believe that the situation is extremely tense. The very definite views hitherto held are reversed and war has become a proximate contingency, according to the view held in official circles here. Japan's delay in answering Russia's last note is deemed here as being a symptom that a grave question is under consideration.

Port Said, Egypt, January 13.—The Russian cruiser Aurora has arrived here. Later the Russian cruiser Dmitri Donskoi and seven Russian torpedo boat destroyers arrived here. The Dmitri Donskoi entered the Suez canal for the far east.

MASONS TO RAISE \$30,000 MORE.

Then the Building of the Temple Will Start—Business Transacted by the Grand Lodge. (Special to The Messenger.) Raleigh, N. C., January 13.—Grand Master Clark, of the Grand Lodge of Masons, was called home by a telegram announcing sickness in his family. The following committee is appointed to make report at the next meeting of the Grand Lodge on the home for aged and indigent Masons: F. M. Winchester, chairman; A. C. Davis, R. N. Hackett, G. Rosenthal and A. J. Parker. Charters were granted to the following new lodges: Warsaw, Winterville, Pendleton, Roger, Lucama, Asapo and Buncombe. A committee on accounts and claims was appointed to prepare a budget at each meeting before any appropriations are made. A resolution was introduced that any man who makes, sells, buys, or uses intoxicating liquors as a beverage is guilty of Masonic offense, but this was voted down while the Grand Lodge expressed its disapproval of all interference.

is learned that the powers of peace in the Far East are considering the desirability of such a step. Whether the proposed action will be joint or independent, remains to be determined.

It is stated positively today that no representation of a mediatory character had as yet been submitted, nor was it expected that anything of the kind would be done until after the contents of the Japanese reply to the latest Russian note had become known. If the situation warrants then, effort at mediation will be made.

San Francisco, January 13.—A cable to the Pacific Mail Steamship Company today announced that the Japanese government has impressed into transport service the three steamships of the Orient Line company plying between this city and the east. The vessels are the Nippon Maru, Hong Kong Maru and the America Maru. They are fast boats, built in 1898, and have been under Japanese subsidy. A few months ago they passed government inspection.

The Nippon Maru and Hong Kong Maru are each of 4,351 tonnage and the America Maru 5,930. The American is due here next Saturday and will be sent back when discharged. The Nippon left here December 30th and the Hong Kong is now in Japanese waters.

WILL NOT ADMIT WRONG.

Therefore Colombia Will Not be Paid Any Money and Nothing Will be Referred to The Hague.

Washington, January 13.—It can be stated by authority that the administration does not contemplate paying one dollar out of the United States treasury to Colombia on account of the secession of Panama. Nor will it go before The Hague tribunal as a party to any proceedings growing out of that secession. It is stated that to do either of these things would be to commit the administration to an admission that it had been guilty of wrongdoing Colombia.

DOWN SHAFT TO DEATH

Eight Men Killed by Falling from Sixth Floor to Ground

St. Louis, January 13.—A crowd of employees pressing against the elevator gate tonight on the sixth floor of the Brown Shoe Company building, at Seventh street and Washington avenue caused the gate to give way and ten persons were plunged down the shaft. Six were taken out dead and the other four, seriously injured, hurried to the city hospital. Two of the injured died soon after reaching the hospital and without regaining consciousness.

The employees had assembled at the close of work in the corridors on the different floors waiting for the elevator to take them down. The elevator was at the seventh floor receiving passengers when those on the sixth floor began to get near the door and be first into the cage, began to push toward the gate. Suddenly the gate gave way, just as the elevator started to descend and ten of the occupants plunged head first down the shaft.

James Johnson, the elevator operator, was taken into custody by the police pending an investigation. Johnson said the elevator gate did not break, but that it had been raised by employees while waiting for the car to descend to the floor and suddenly employees in the rear of the crowd began pushing, precipitating them down the shaft. Factory Superintendent Fry corroborated Johnson's story.

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