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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.

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 ing 100 fasteners at \$1.25 each, but 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. Speener 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 tomor-

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." He spoke of the new isthmian power as darkness, misnamed the Panama republic." He compared the course of President Jackson in the Texas case with that of President Roosevelt in the present instance and commended the former at the expense of the latter. In that case, he said, there was no recognition until Mexico had abandoned the struggle. As for himself, when his conduct should be questioned, he would point to Andrew Jackson and not to Theodore Roosevelt as his guide and he had no doubt of the result."

"The President had," he said, "made it plain that he had never intended to execute the Nicaragua provisions of the Spooner act. Never for one moment," he said, "did he consider any plan that had in it so little of the strenuous and the sensational as the execution of the law. If instead of peering into the future as Mr. Loomis tells us he did, he had peered into the law, he would have saved the

country much trouble. Mr. Carmack contended that President Roosevelt had not contented himself with recognition of Panama, but had intervened.

"His acts were not simply offensive, not simply a cause of war, but they were war," he added. "As a matter of fact there never was any insurrection on the isthmus," said Mr. Car-"They speak of the rising," he said, " as the act of one man. Very true! and that one man was the present President of the United

Discussing the act of Col. Black, of the United States Army in raising ence in these localities at an early over which Governor Terrell will prethe first flag in the Panama republic, the Senator criticised him sharply. "I do not believe that he would have engaged in this plot if he had not believed that he was doing the will of the administration. That," he added, "is what I think, and if Col. Black is not punished, I will know that I am

Mr. Carmack declared that a mob has as much right to hang its victim the 'open door' to which this country 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 WYNNE ON THE STAND.

Gives Evidence in the Postal Fraud

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 Dougless, counsel for the defense, during which the op-) posing 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 in 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

"I knew that Mr. Machen knew what he was doing," was the reply. "Did he know that you knew your business," Mr. Douglass next in-

"He knows it now," was the quick Washington, January 13 .- Panama retort, and the court crier 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, order-Mr. Wynne said that an order for that number probably would not arrest his

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 "A hideous absorbtion of night and provides for the opening of the ports of Makden 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

"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 rangements had been completed, bequestion of great importance to the gan the procession, which has been 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 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 Pekin, secures also to international trade the opening of the port of Tatung Kou, about 13 miles below Antung and at the mouth of the Yalu. It is highly probable that the presdate of American consular officers side. Brief addresses will be made by and those of other nationalities-for men prominent in the Southern states. 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 principles of stands irrevocably committed, as well as aiding in insuring the intergrity of China and its administratve control over its Manchurian provinces."

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 econemy, 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

DAY OF GRIEF

Georgia 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 | ing himself as follows: masses of flowers, the offerings of loving friends and covered with the Confederate flag, the body of General heridity and their interest in the ma-John B. Gordon lay in state from early terial welfare of the commonwealth 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 an amendment to the constitution fixeven children trooped past the casket, catching a fleeting glimpse of the dead commander. If one would know to the constitution upon the lines which the love and veneration and grief of I have suggested, expressed in clear, 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.

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

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 da of the state capitol, where a place of honor had been provided. Nearly 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 ar-

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 are buried Georgia'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 16th 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 pri-

vate citizens. Public exercises will be held in the Hall of Representatives at 10 o'clock Among those who will speak will be General Stephen D. Lee, commander of the United Confederate Veterans succeeding General Gordon General Clement A. Evans, of Georgia, Judge Thomas G. Jones, of the United States court of Alabama, Governor Heyward of South Carolina, Governor Jennings of Florida, Judge George Christian of Virginia, General Bennett Young of Kentucky, Colonel Albert Cox and John Temple Graves of Atlanta.

Hanna Re-Elected Senator.

Columbus, O., January 13 .- In the presence of the joint assembly of the 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 cat ton boll weevil.

VICTORY FOR TOM JOHNSON.

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

Cleveland, O., January 13.-An agreement between Mayor Johnson and the officials of the Cleveland Elec-MOUINS tric Railway Company for the establishment of the three cents fare within the city of Cleveland, in accordance with the terms of the McKenna ordinance, passed by the city council Monday night will be ratified by the directors of the railroad company at a meeting which has been called for tomorrow. The agreement is prac-tically a full victory for Mayor Johnson in the fight he has waged for nearly three years.

The McKenna ordinance provides for a straight three cent fare within certain limits. These limits are at no point more than a half mile within the municipal boundares. Within these limits a straight three cent fare is to be charged. This does not entitle a passenger to a transfer. For a transfer a five cent fare must be paid as at present.

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, express-

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

"This result can only be attained by ing a higher standard of qualification for the exercises of the elective franchise. I believe that an amendment definite, simple terms, should be submitted to the people of Maryland."

FIRE IN CREENSBORO

Stationed as a guard of honor about Many Thousand Dollars Damage Done by Fire Last Right

(Special to The Messenger.) Greensboro, N. C., January 13.-A fire in a 5-story brick building tonight owned by W. E. Bevill opposite the city hall, damaged the building to the extent of five thousand dollars, which is covered by insurance. The plumb. ing stock of J. Ed Albright was damaged to the extent of a loss of \$600, the day, and the early hour, hundreds had stock of groceries of Charles E, Pugh gathered to received the remains. The to the extent of \$2,500 with insurance body was taken at once to the rotun- of \$1,500, J. J. Stone. Printing Company, \$8,000, fully insured, Boyles and Mitchell, window shade factory, \$2,500, insured for \$1,500. A large amount of the insurance is carried by the Greens. boro 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 do stroyed

The fire was caused by a boy in the plumbing establishment on the first floor, in looking for something with a lighted candle, 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 igniting plunder there under the metal roof, being impossible to reach. Another fire near the McAdoo Hotel burned the stables belonging to John Dick. The loss \$500.

The J. J. Stone Printing Company published Fairbrother's Everything, the next issue being due tomorrow. It is not known to what extent malter is damaged, but the delay of the issue will not be more than five days at the furtherest, possibly not three days. Stone will at once equip an office in another building not discharging his force of 35 workmen, unless for a lay off of a day or more.

Bevill will rebuill as soon as the insurance is adjusted. The walls of the building apparently are not damaged. The water pressure was deficient, fire being in fifth story, which occasioned great alarm for awhile. When the roof burst out, after two hours of hard fighting, amid a furious fall of snow, the scene was magnificent beyond description. The work of the firemen in saving that part of the second story containing expensive presses of the Stone Company was splendid. The occupant of one store, with a large stock of groceries had just moved out.

New Headquarters of the U. C. V.

Birmingham, Aia., January 13.-Gen. Stephen D. Lee, who has assumed command of the United Confederate Veterans as the successor of the late Genmembers of the Ohio Senate and eral 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,

General Lee states that William F. Mickle will be retained as adjutant general and all members of staff of the late general Gordon will be continued as the staff of the present commanding general.

Memphis Citizens Indignant.

Memphis, Tenn., January 13 .- At a mass meeting held here tonight which foreign troops. was attended by 3,000 citizens, resolutions were adopted strongly denouncing outrages at the recent municipal election and demanding that guilty parties be apprehended and punished.

Ratification of Treaties Implies Act of Sovereignty by China

WARNING

The Ratification is Conceded to be Equivalent to a Declaration That 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 one dollar out of the United States and between Japan and China. The treasury to Colombia on account of concensus of opinion in these editori. the secession of Panama. Nor will als is that the ratification of the it go before The Hague tribunal as a treaties implies an act of sovereignty party to any proceedings growing out by China, equivalent to a declaration of that secession. It is stated that to that Russia's occupation of Manchu- do either of these things would be to ria is only temporary and for specific commit the administration to an adpurposes.

The St. Petersburg correspondent of the Paris edition of the New York Herald and the special cablegrams from other correspondents at the Rus. DOWN SHAFT TO DEATH sian capital say that the opinion is held that the ratification of the Japanese and American treaties came as Eight Men Killed by Falling a shock to the Russian foreign office. The Daily Mail's Tokio 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 dispach from Tokia to the Reutgers Telegram Company says that Japan's answer to the ister, and that negotiations will be continued without time limit being set for their termination.

The demand which Japan is said to abroad, caused some surprise in Tokic the evacuation of Manchuria, but on without regaining consciousness. 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 to take them down. The elevator was territorial integrity in Manchuria and at the seventh floor receiving passenthe freedom of residential rights and gers when those on the sixth floor international trade therein.

Berlin January 13.—Official opinion ween Russia and Japan has suddenly changed Intelligence received at the foreign office has caused the governsituation is extremely tense. The very definite views hitherto held are review held in official circles here. Japan's delay in answering Russia's symptom that a grave question is un- ated Johnson's story. der consideration.

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

The torpedo boat destroyers will await the arrival here of the remainder of the Russian Mediterranean squadron, which is expected soon.

London, January 14.-The Times Moscow correspondent says he hears announcing sickness in his family. that the government has claimed the The following committee is appointed

Pekin, January 13 .- The forecast of Russia's position regarding Manchuria and indigent Masons; F. M. Winchescabled by the Berlin correspondent of ter, chairman; A. C. Davis, R. N. Hack-The Associated Press January 11, ett, G. Rosenthal and A. J. Parker. coincides with the information received by the foreign legations here and Charters were granted to the following also strengthens the impression that war is unavoidable. At the Japanese legation an effort is being made to Buncombe. conceal the belief that war is ex-

pected. The crux of the situation is still Russia's refusal to admit the right of are made. Japan to a voice in the settlement of A resolution was introduced that any to arms if necessary.

London, January 14.-The Seoul correspondent of the Daily Mail cables a description of a state of panic, which | Charlotte; Deputy Grand Master Franhe says, exists at the Royal palace, cis D. Winston, Senior Grand Wa den The emperor has issued a pitiful edict, Samuel M. Gattis, Junior Grand Warstating that the country is likely to be den, R. N. Hackett, Grand Secretary. lost owing to the weakness and vacil- John C. Drewey, Grand Treasurer Willation of the people whom he counsels liam Simpson. to act for the best in their own interests.

entire city is extremely turbulent

tion between Russia and Japan, but it it to subscribe.

is learned that the powers desirous of peace in the Far East are considering the desirability of such a step. Wheth-er the proposed action will be joint or independent, remains to be deter-

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 tatest Russian note had become known. If the situation warrants then, effort at meditation will be

San Francisco, January 13.-A cable to the Pacific Mail Steamship Com-pany today announced that the Japanese government has impressed into transport service the three steamships of the Oriential steamship company plying between this city and the fat 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 Russia's Occupation of Manchuria the America Maru 5,920. The America is due here next Saturday and will be sent back when discharged. The Ntp-pon left here December 30th and the Hong Kong is now in Japanese wa-

WILL NOT ADMIT WRONG.

Therefore Colombia Will Net 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 mission that it had been guilty of wronging Colombia.

from Sixth Floor to Ground

St. Louis. January 13 .- A ground of employees pressing against the elevator gate tonight on the sixth floor of last note was handed this afternoon the Brown Shoe Company building, at to Baron de Rosen, the Russian min- 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 have according to reports published four, seriously injured, hurried to the according to the dispatch, and it is city hospital. Two of the injured died now stated that Japan never asked for soon after reaching the hospital and

The employees had assembled at the close of work in the corridors on the different floors waiting for the elevator eager to get near the door and be first into the cage, began to push toward the gate. Suddenly the gate gave way. egarding the probability of war be- just as the elevator started to descend and ten of the occupants plunged head first down the shaft.

James Johnson, the elevator operator, ernment, for the first time since the was taken into custody by the police controversy began, to believe that the pending an investigation. Johnson said the elevator gate did not break, but that it had been raised by employees versed and war has become a proxi- while waiting for the car to descend mate contingency, according to the to the floor and suddenly employees in the rear of the crowd began posning, precipitating them down the maft. last note is deemed here as being a Factory Superintendent Fray corrober-

MASONS TO RAISE \$20,000 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

to make report at the next meeting of the Grand Lodge on the home for aged new lodges: Warsaw, Winterville, Pendleton, Roger, Lucama, Ashpo e and

A committee on accounts and claims was appointed to prepare a budget at each meeting before any appropriations

Manchurian affairs, which Japan con. man who makes, sells, buys, or uses siders one of its most vital interests intoxicating liquors as a beverage is and to sustain which the Japanese guilty of Masonic offense, but this was government is determined to resort voted down, while the Grand Lodge expressed its disapproval of all inter-

The Grand Lodge tonight elected as Grand Master Walter L. Liddell, of

The committee on the temple made a very full report which was unanimous-The emperor has also issued an or- ly adopted, recommending that the candinance warning the army not to fire vass of the state be completed to raise in the event of a collision between at least \$20,000 more. A resolution was unanimously adopted requesting every The correspondent adds that the lodge to subscribe as liberally as nossible to the temple bonds, and every renresentative present was requested to Paris, January 13 .- No action has yet carry this matter before his lodge as been taken in the direction of medita- soon as he returns home and induce

(Continued on Page 5.)