

# THE MORNING POST.

RALEIGH, N. C., SUNDAY, JANUARY 6, 1901

Vol. VII

## WORDS THAT CUT

### Sharp Exchanges on the Floor of the House

## HOPKINS CATCHES IT

### Littlefield Points His Remarks with Sarcasm in Discussing the Apportionment Bill—Others Speak

Jan. 5.—Speaker Henderson today detained at his desk the bill for the designation of the members of the committee upon the reapportionment of the House.

Mr. Littlefield of Maine was the first to speak. His argument was in favor of the bill. "The bill provides for the apportionment of the House," he said, "without intervening business upon the reapportionment of the House."

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## APPORTIONMENT BILL

### Mr. Klutz answered that they were inserted without debate at the suggestion of a member of the committee and were intended to prevent "the strings" but, he said, he agreed with Mr. Rixey that their retention would give rise to controversies as to the meaning and application of the words.

Mr. Rixey said they might be used to keep northern Republicans in the House, but they would be used to put Southern Democrats out of the House.

Taking as a text the views of Mr. Crumpacker (Republican) of Indiana, a member of the Committee on Census, favoring a reduction of the representation of those Southern States that have restricted the right of suffrage, Mr. Cox (Democrat) of Mississippi defended the constitution of that State and the conditions resulting from its adoption. In no State, he asserted, was the right of suffrage exercised by registered voters more freely and with fewer restraints than in his State.

At 5 o'clock the House adjourned.

## Rubber Trade War Begins

Boston, Jan. 5.—The United States Rubber Company has cut the prices of its products 5 per cent., and the company will relate to its jobbers 5 per cent. on all goods now on hand. Negotiations which have been pending with the fourteen independent companies have been declared off and no further effort will be made to combine outside interests, it is said. The present cut in prices is accompanied by the announcement that another and more severe cut will be made in April. April 1st is considered the opening of a rubber trade war.

## GOWARDLY GRIME IN FORSYTH COUNTY

Winston-Salem, N. C., Jan. 5.—Special.—A cowardly assault, evidently with murderous intent, was made last night upon Charles, son of Mr. R. L. Cox, at the tobacco factory of the son and father, eight miles northeast of Winston. Mr. Cox was shot in the left thigh with a pistol and received several painful gashes on the back, his assailant being unknown. The son lives with his father. Upon going out of the house last night he heard a racket at the factory, a short distance away. He went out to the building and found a stranger in the factory. The latter ran out, grabbed young Cox by the hand and began cutting him with a razor. Mr. Cox gave an alarm and his assailant thereupon drew a pistol and shot him. The stranger then ran away.

By this time it was discovered that the tobacco factory, a two-story frame structure, was on fire. Mr. R. L. Cox and daughter came from the house and met the wounded son and brother. All efforts to save the building were fruitless. There were about ten thousand pounds of manufactured tobacco (part of it being stamped), and two barns of leaf in the factory, besides a lot of machinery. The loss is \$10,000. The firm had \$3,900 insurance on building, stock, fixtures, etc.

The report of the fire and assault spread rapidly and a great crowd was soon gathered. Messengers came to Winston and reported the matter to Sheriff Alsop and other officers. The sheriff, several deputies and one or two policemen went out to the scene of the crime. Two blood hounds were also carried out, but owing to the large number of people who had gathered, the dogs could not do any successful work.

Mr. Charles Cox was a member of the tobacco manufacturing firm of Jones Cox & Co., which was engaged in business in Winston a few years ago. He received an anonymous letter this week notifying him that if he wrote another letter or called upon a certain young lady in East Bend he would be whipped and burned out. The letter was mailed on the Wilkesboro train at Donahua. Mr. Cox showed it to a lawyer here and was advised to turn it over to officers for an investigation; but Mr. Cox took it for a bluff and laughed at it. It is believed that the man who made the assault had assistance in setting fire to the building.

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## DOWAGER BALKS

### A Sudden Hitch in the Peace Negotiations

## CHANGES DEMANDED

### China's Plenipotentiaries Ordered Not to Sign the Note Containing the Demands of the Powers

Peking, Jan. 5.—There is an immediate prospect for further serious delay in the negotiations with China. The Empress Dowager has already changed her mind in regard to her bargain with the powers, as contained in the preliminary note which her plenipotentiaries were recently authorized to accept as the basis for further negotiations. The fact that she repudiates her action is evi-

## JUDGE D. M. FURCHES

### IS CHIEF JUSTICE

## Governor Russell Tendered the Appointment Yesterday and It Has Been Accepted

Judge D. M. Furches of Statesville becomes Chief Justice of the North Carolina Supreme Court. Governor Russell wired Judge Furches yesterday morning tendering him the appointment, and before night a reply had been received accepting the tender of the office.

Judge Furches is the senior Republican member of the Supreme Court. The appointment of Judge Furches as Chief Justice to succeed the late Judge Faircloth creates another vacancy on the Supreme Court bench. Governor Russell will not fill the vacancy caused by Judge Furches' elevation until Monday.

The new Chief Justice will arrive here tomorrow and he will qualify as the Chief Justice of the greatest court in the State on Monday.

The appointment of Judge Furches' successor is narrowed down to Judge

Timberlake and Judge Robinson of the Superior Court and Col. Charles A. Cook. The Governor has not intimated to whom he will give the appointment.

The name of Governor Russell has been pressed for Chief Justice by some of the State's leading lawyers, irrespective of party. The Governor decided not to make himself eligible for appointment by resigning his present office and after a careful consideration of the claims of all those mentioned tendered the appointment to Judge Furches.

The new Chief Justice is a lawyer of learning and ability. He was elected a member of the Supreme Court in 1894 and his record is well known to the people of the State. Judge was the Republican nominee for governor in 1892. He has been prominently before the people of the State for a generation.

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## IN THE SENATE

### A Vote Taken on Army Bill Amendments

## CANTEEN PASSED OVER

### Discrimination in Favor of West Pointers Severely Criticized—Another Pettigrew Resolution

Washington, Jan. 5.—In the Senate today Mr. Sewell, from the Committee on Military Affairs, reported adversely the Pettigrew amendment to the Army bill, which provides that one-third of all vacancies created in the staff by the act shall be filled by officers of the regular army without regard to age. The resolution went to the table.

Mr. Pettigrew called up his resolution calling on the Secretary of the Interior to inform the Senate whether he had promised the Sisseton and Wahpeton tribes of Indians of South Dakota before November 6, 1890, that he would pay their claims, amounting to \$1,200,000, after that date. The object of the resolution is to show that Mr. Hanna induced these tribes to vote for members of the legislature hostile to Mr. Pettigrew by a promise that these claims would be paid.

Mr. Spooner objected, saying that it was not a proper thing to ask a cabinet officer if he had been interested in a scheme of this kind.

Mr. Hoar offered a substitute resolution, which Mr. Pettigrew refused to accept. The resolution went over until Monday.

Mr. Stewart cleared up the bill extending the mining laws of the United States to public lands. The bill was passed.

The Senate today resumed consideration of the Army Reorganization bill in the close of the morning session. Under the unanimous consent agreement, the committee amendments were taken up and disposed of with the exception of the canteen amendment which went over until Monday.

Mr. Hawley called up the bill at 12:40. Mr. Proctor offered an amendment, authorizing the President to select the chief of any staff corps or department, not below the rank of lieutenant colonel, for appointment for a term not exceeding four years, but that the appointment must be confirmed by the Senate. The amendment was adopted.

Mr. Nelson spoke against the Senate committee amendment which provides that only the grade of second lieutenant shall be open to volunteer officers. He favored the House amendment, which provides for the grades of first and second lieutenant open to volunteer officers.

Messrs. Teller and Money also favored the House amendment.

Mr. Money said that the volunteer officers were of as good material as the West Point graduates. "These latter have been disgracing the whole country by this hazing business," said he, "and the volunteers are certainly as good military men and better gentlemen than some of the cadets."

The House amendment was adopted. Mr. Daniel said that the bill was a scheme on the part of a skillful army officer to keep out of the army the brightest and best material in the country. "It is the most proscription bill against the volunteer that has ever been brought before the Senate," said he.

Every one of our wars has been fought by the volunteer and he has shown his worth. Why should the Senate give the regular army a monopoly of the commissions? We want the military element in the army, but we also want the better element—the martial, expanding, intelligent element of a free people. This bill will be a beautiful welcome to the Senate to hand the returning volunteers from the Philippines. It proscribes the men who have been long in the fighting. I am against the bill. The general commanding the army is not a West Pointer. Adjutant General Corbin never rubbed his head against the walls of West Point. The bill is an insult to all Americans.

Mr. Teller said the enlisted men should be given a chance for promotion. The action on the House amendment was rescinded by common consent, and the whole disputed section went over until Monday.

The canteen amendment was passed over until Monday, on motion of Mr. Gallinger.

Messrs. Teller and Spooner offered amendments to the bill, which were laid on the table.

## EVANS SIGNS FOR THE SEA

### Washington, Jan. 5.—Capt. R. D. Evans, who commanded the battleship Illinois during the war with Spain, is an applicant for sea duty. As the commander of the battleship Illinois has not been selected, Captain Evans is eligible for duty on board this vessel. It is understood, however, that Secretary Long is considering the advisability of giving this assignment to a junior officer. In view of Captain Evans' service on the Iowa, he may be made Rear Admiral Schley's successor in command of the South Atlantic station.

## OLMSTED HAS HOPE

### He Sees the President in Regard to His Resolution

Washington, Jan. 5.—Representative Olmsted of Pennsylvania, who introduced the resolution in the House looking to the reduction of congressional representation in certain States, was at a conference with the President. He still has some hope that the Census Committee will take up and consider his resolution before their appointment bill comes up in the House. He is unwilling to admit that his plan to cut down congressional representation from the said States has been defeated.

"If there are other States which are restricting suffrage in violation of the amendments to the constitution, such as Massachusetts, as was stated yesterday," said Mr. Olmsted, "then I am in favor of applying the same methods to them as to Mississippi, South Carolina and Louisiana."

Mr. Olmsted said that his resolution did not presume to inquire into the restriction of suffrage in States, but to cut down the congressional representation in proportion to the number of votes cast.

All on Board Perished  
San Francisco, Jan. 5.—The steamer Inqua, which left this city yesterday afternoon for San Diego with a cargo of general merchandise, was wrecked last night on Duxbury Reef, outside the Golden Gate, and all on board, except Chief Engineer Burrill, who was washed ashore on an overboarded boat, after being in the water for two hours, are believed to have perished.

## THE RACES AT NEW ORLEANS

New Orleans, Jan. 5.—Results at New Orleans track, selling, 3/4 mile—Sallie J. 8 to 5, Barriera 5 to 1, Fluke 3 to 1. Time 1:24.

Second race, selling, 1/2 mile—Orion 1 to 1, Lady Curzon 8 to 5, Dick Furber 5 to 2. Time 1:58.

Third race, handicap, short course—Isen 1 to 2, Harve B. 3 to 1, Den Clarence 5 to 2. Time 4:09 1/4.

Fourth race, handicap, 1 1/4 miles—Monk Wayman 3 to 1, Strang 8 to 5, Albert Vale 7 to 5, Time 2:01 1/4.

Fifth race, selling, 8 1/2 furlongs—Sarah Gump 6 to 1, Bean 12 to 1, George Garden 5 to 1. Time 1:32 1/4.

Sixth race, selling, 3/4 mile—Sue Johnson 7 to 5, Metic Marie 3 to 1, Segurana 6 to 1. Time 1:23 1/4.

First race—Lady Curzon 100, Lucesco 102, Nearest 105, Jack Martin 107, H. Frantzman 107, Drankman 107, Fox 107, Bright Night 110, Pat Gates 111.

Second race, selling, 3/4 mile—Partridge Queen 97, Danella 97, Bramblethorn 101, Saragamp 102, George Gardner 102, Noveltty 102, Amoroso 103, Divonne 103, Monace 104, Hilliard 104, Woodstick 104, Gracious 106.

Third race, selling, 1 1/4 miles—Zack Phelps 89, Monnet 98, Indian 101, Rushfield 103, Ulers 103, Lancelwood 103, False Lead 103, Banquet H. 106, Joe Shelby 106, W. B. Gates 107.

Fourth race, handicap, 3/4 mile—Donna Zay 94, Glen Lake 94, Ed Gardland 110, Morine 108.

## SEEN WAY

### The Judgeship as from Washington

## SURE TO BE

### Timberlake or Robinson Associate Justice—Linn in It—Reynolds Postmaster

Washington, Jan. 5.—North Carolina Supreme Court which has been somewhat beginning to emerge from obscurity. Sifting the grain, the case stands thus from here:

1. That Furches will be chief justice by either Governor Reynolds or Governor Reynolds' former resigns.

2. That Timberlake or Robinson be appointed associate justice, promoted.

3. That Linney is not in the race for the judgeship. Russell or Reynolds are the favorites. These deductions are from information that has come through letters, telegrams and cables here. It is not known whether Governor Reynolds will appoint him chief justice or appoint Justice Furches as chief justice. That being the case, it is not known who would be of no avail to resign. Then, too, Linney himself is believed to feel that he cannot get the judgeship in the present situation. It is not known whether he would take a rank place him on the highest State when such lawyers as Robinson and others, of location, experience, and ability, are available.

Lieutenant Governor Reynolds is still here. His name is at Winston-Salem will be at the Senate until Governor Linney takes office. Mr. Reynolds' name will not be until after January 1st, when the judicial appointments will go to the Senate as the appointment of the Secretary of the State. The instance of Senator Pritchard, appointed President F. P. University of North Carolina of the assay commission in Philadelphia, February 1, 1900, Senator Pritchard, has appointment of a cadet at West Point Military Academy, designated Walter W. Bryan, Thaddeus W. Jones of A. Congressman Kitchin, with the position audience with the postmaster three rural free-delivery villages county. He received agreement, but no definite also saw Supervising Assessor and urged the extension of a public building. It is 1000 for this purpose.

Congressman Thomas A. today. While at home, Dec. 1900 was served with a notice of contest in the House from Linn in the next Congress. Linn has a strong case and is expected to the outcome.

Mr. Atwater 1 sin for Carolina having ten members and will support the Linn. A new post office has been at South Side, Tyrrell county. G. Brickhouse as postmaster. John S. Cunningham of is here and today had an Congressman Swanson regard to reducing the pension examining Anderson, N. C.

PREPARED FOR  
Cape Town Ready  
Boers a Warm

Cape Town, Jan. 5.—The defense of the Cape proceeded apace. Artillery men are stationed on the flats and are guarding to Cape Town, though probable that a shot was heard of the city. It is estimated that men will join the new guards.

General Brabant's command of the West is very popular. British organ, in an emphasize the duty enroll in the guards.

The Atrikander is endeavoring to minimize this movement and cold water to it.

Bank Robbers Scared Off  
Chetek, Wis., Jan. 5.—An attempt was made to rob the Farmers' and Merchants Bank late last night. The outer door of the big steel safe was blown open and the operators were then scared away. People in the building attributed the unusual noise they heard to the action of frost.

Hazing to Be Suppressed  
Washington, Jan. 5.—Representative Brownlow, a member of the House Committee on Military Affairs, said this morning that Congress, before adjourning, will enact some legislation looking toward the suppression of hazing at West Point and Annapolis.

Evans Signs for the Sea  
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Center of Population  
Washington, Jan. 5.—The Census Bureau today issued the following: The center of population is in the following position: Latitude 39.936, longitude 85.4854.

## Standard Oil Reaching Oil

### Information has been received here that the Standard Oil Company which recently bought the oil properties of the Pacific Oil Company, is now negotiating for the fields of the Central Oil Company in the Whitaker district which are among the best in the State, and is after other fields in the California oil field district. The general opinion is that it will be only a short time before the syndicate has everything of value in the oil line in California.

## Center of Population

Washington, Jan. 5.—The Census Bureau today issued the following: The center of population is in the following position: Latitude 39.936, longitude 85.4854.

In ten years the center of population has moved westward about fourteen miles and southward about three miles. It now rests in southern Indiana, at a point about seven miles southeast of the city of Columbus.

## Attorney T. T. Hicks

### SKINS MORDECAI

## The Well Known Henderson Lawyer Touches On the Vacillating Policy of the News and Observer

To the Editor and the Lawyers:  
The time has come for us all to speak out. All concede that it was a question of some delicacy for Governor Russell to resign and be appointed Chief Justice, and all concede that either of our brethren, C. A. Cook, Timberlake or Robinson, though perhaps not the greatest lawyers in the State (greatest lawyers don't always make greatest judges), would fill the position of Supreme Court Judge with credit to themselves and honor to the State and the general satisfaction of everybody in the State except The News and Observer and a few "scrub politicians" who cannot see that the judicial office is above politics. I think God that the lawyers recognize the dignity of the judicial office, and that in cases of doubt and delicacy they can have an unerring guide to their opinions, to-wit, by taking sides opposed to what The News and Observer favors.

Why, my brethren, it has not been three weeks since a leading editorial in that paper advocated the impeachment of Chief Justice Faircloth for what it called high crimes and misdemeanors in that great office; and inside of two weeks thereafter, before he had been dead two hours, it published almost fulsome eulogies upon him. It has within five years lauded to the skies this very court for respecting the doctrine of Hoke vs. Henderson, and afterward damned it to perdition for the same thing. Lawyers cannot afford to follow any such leadership. I am and have been for years informed that Governor Russell is regarded by the lawyers with whom he lived as a lawyer of ability, a fair and honorable practitioner, and the strongest lawyer of his party in eastern North Carolina. All lawyers who owe more to party than

the profession, who consider the effect of their every act upon their political prospect, who hate every man The News and Observer denounces, and who love every one it praises, as well as all those who really think Governor Russell is unfit or who think the delicacy of the situation ought to prompt him to decline the position, should stand up and be counted against his appointment. But all those who believe he would bring to the discharge of the duties of that high office great ability and experience, and all those who are not clearly of the opinion that he would not, should allow the railings and vituperations of The News and Observer, against all law and authority that does not stand in with its party and its leading, to bring the scale down on Russell's side. If I were in doubt, as I confess I was, on the propriety of his resigning at the end of his term to accept it, that would settle it with me, even if I were not in company of such good and great lawyers as Charles M. Cook, F. L. Osborne, Clement Manly, W. A. Montgomery, John D. Bellamy, John W. Hinsdale, C. B. Watson, George Rountree and the many other strong lawyers who endorse him for Chief Justice. I think the opposition of The News and Observer ought to settle the matter with the profession in favor of Russell, for there is nothing in the attitude of that paper that appeals to the higher instincts of our noble profession. It denounces all of us who do not agree with it as sold to the trusts and the railroads, or bribed and swerved from duty by our employments; and attributes every act not in accordance with its ideas to sinister and unworthy motives.

T. T. HICKS.  
Henderson, Jan. 5, 1901.

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