

## IN THE SENATE

### Upper House Closes Week with a Clean Calendar

### EDITORS' LIBEL LAW

### By Senator London—Personal Privilege—Charters of Corporations Discussed—New Bill—Bills Passed

I was not indulging in ancient history when I charged and showed that your party had for years ago (the last time you were in power in the General Assembly) elected a negro doorknocker, and turned out a named Confederate soldier in order to do so.

Senator Pinck called Senator Brown to order, claiming that he was making a political speech.

Senator Brown: I am replying to the Senator from Jackson. I meant no discourtesy and see no cause for his having arisen to a question of privilege.

Senator Candler: I have always stood up for the Confederate soldier. I do not desire to arouse personal animosities. It is my earnest wish to be on good terms with all senators.

After Senator Morrison had drawn from Senator Marshall the admission that he "didn't know" there had been negro rule in North Carolina, the incident was closed.

Leave of absence was granted Senator Aycock until Monday.

**Petitions**

By Senator Brown: A petition from Lee's township, Columbus county, in reference to the sale of liquor near certain churches. Petitions and Grievances.

Senator Warren: From citizens of Havelock (Craven county), with regard to the sale of liquor near a certain church.

Senator Thomas: From citizens of Davidson county on the same subject. Propositions and Grievances committee.

Senator Speight: Petition from citizens of the village of Whitakers requesting a change in the corporate limits of the village. Counties, Cities and Towns.

Senator Gudger reported from the Committee on Enrolled Bills the endorsement of Senate bill No. 1, House bill No. 56.

**Reports of Committees**

Senator London, from the Committee on Finance: S. B. 2—Providing for the better ventilation of the two legislative halls, with a favorable (unanimous) recommendation.

Senator Calvert, from the Judiciary Committee: S. B. 20—Amendatory of section 2840 of the Code, abolishing office of standard keeper of Northampton county. Favorably.

Senator Morton, from Committee on Corporations: S. B. 62, amending charter of Howard Relief Association; favorably. Also bill S. B. 63, amending charter Whitin Reduction Co. (amending commanding of private property or use of company); favorably.

By Senator Arlington, from Committee on Education: S. B. 24—For the relief of M. W. Jones of Robeson county; favorably. Also S. B. 39, providing for payment of certain money due public school teachers of Aetkenburg; favorably.

By Senator Broughton, from Committee on Education: S. B. 23—For the relief of Peter Carver (colored) of Robeson county; favorably. Also S. B. 8, to establish graded schools at Rocky Mount; favorably.

By Senator Brown, from Committee on Propositions and Grievances: S. B. 6—For the relief of ex-Sheriff James A. Monroe, of Rowan; favorably. Also S. B. 19, prohibiting sale of liquor near church at Havelock; favorably.

By Senator Henderson, from the Judiciary Committee: S. B. 27—Amendatory of section 1275 of the Code; favorably.

By Senator Henderson, from the Committee on Corporations: S. B. 30—To repeal chapter 107, Acts 1899, which prevents the formation and incorporation of companies with capital exceeding \$1,500,000; favorably.

**New Bills and Resolutions**

By Senator Thomas: Bill to amend chapter 205, act of 1899. Referred to Committee on Propositions and Grievances.

By Senator Lindsay: Resolution to pay M. A. Apple for expenses in recovering escaped convict. Committee on Claims.

By Senator Miller of Pauline: Bill for the relief of Confederate soldiers. Committee on Pensions.

By Senator Ward: Bill to prevent hunting on lands of another without consent of owner in Washington county. Propositions and Grievances.

By Senator Broughton (by request): Bill to incorporate the Optical Society of North Carolina. Committee on Corporations.

By Senator Justice: To incorporate Commercial Bank of Rutherfordton, Banks and Banking.

By Senator Speight: Bill for the relief of dangerous insane in charge of the Raleigh Hospital for the Insane. Committee on Appropriations.

By Senator Brown: To create a new township in Columbus county. Committee on Counties, Cities and Towns.

By Senator Fox: To exempt Pender county from the road law of 1899. Public Roads.

**New Libel Law Asked**

Senator London then introduced a bill relative to the law of libel, according to the action taken at the last meeting of the North Carolina Press Association, and it was referred to the Committee on the Judiciary. It will be considered by the Judiciary Committee next Monday, at which time a number of State newspaper men are expected here—the day preceding the inauguration ceremonies. Following is the full text of the bill:

**A Bill to Be Entitled an Act Relative to the Law of Libel.**

The General Assembly of North Carolina do enact, That before any proceeding, either civil or criminal, shall be brought for the publication of a libel, the plaintiff or prosecutor shall at least five days before instituting such proceedings, serve notice in writing on the defendant and defendants, specifying the article and the statements therein which he alleges to be false and defamatory.

If it shall appear upon the trial that such article was published in good faith, that its falsity was due to mistake or misapprehension of the facts, or that there were reasonable grounds for believing it to be true, then the defendant shall be held not liable therefor.

Senator London: I do not question the wisdom of the Senator. I stated that I knew of no such case and asked for more definite information. My charge against you and your party, really, was that you are now hypocritically holding up the Confederate soldiers here and pretending to be their friend when the Republicans have done so little for them

## CUSHMAN DAVIS

### Senators Pay Tribute to His Memory

### ONE OF THE TOILERS

### His Life Was in the Daylight and He Was Everywhere a Gentleman—He Left a Shining Example

Washington, Jan. 12.—Senate.—At the close of the morning business in the Senate today Mr. Nelson submitted resolutions commemorative of the life and services of Hon. Cushman K. Davis, late Senator from the State of Minnesota. Mr. Nelson was the first speaker and was followed by Messrs. Hoar, Morgan, Clark, Lodge, Danies, Spooner, and Cumber, Foster and Towns. The galleries were well filled with those who had known Senator Davis. Mrs. Davis, widow of the deceased, occupied a seat in the members' gallery with a score of friends.

Mr. Nelson gave an extended account of the life of Mr. Davis and eulogized his public works. He referred to him as the foremost lawyer in Minnesota during his life.

Mr. Hoar said that every member of the Committee on Foreign Relations had a warm place in his heart for the late Cushman K. Davis. "His life was in the daylight. His country knew him and loved him. What more can be said? He was a great Senator and a noble man. He was ready to die. He had discharged life's greatest duty. He was everywhere a gentleman. He always granted favors without asking them. He ever kept his own counsel and it was safe for other men to share counsel with him. His popularity in the Senate has been unequaled in my time in this body. He was true as steel. His work will never be completed."

Mr. Morgan was the next speaker. He said that Mr. Davis had occupied a high place in the Senate and had won fame. "He was one of the toilers," said he. "His advanced mind caused others to follow him. His example stands as an invitation to all to see honor. He never forgot his high position as to force an opponent to the wall or to subject him to ridicule. He lives no longer, but his works follow him."

Mr. Daniel made an impressive address and Mr. Lodge spoke of Mr. Davis' connection with the Paris treaty.

It remained for Mr. Towns of Minnesota, to make a final address. It was a classic in its way and breathed a very religious tone throughout. No address on a similar occasion has attracted so much attention in the Senate for years.

At 3:40 o'clock the Senate adjourned.

## BRYAN STILL THE GREAT LEADER

### Omaha, Neb., Jan. 12.—When W. J. Bryan returned to Nebraska after his Chicago speech there was considerable discussion as to whether he really intended the public to accept his statements as to the announcements that he was out of politics.

The World-Herald this morning prints an editorial, prepared by Richard L. Metcalfe, an intimate friend of Mr. Bryan, which may be accepted as practically the utterance of the latter on the subject. It says:

"Instead of intimating an intention of retiring from politics, Mr. Bryan (in his Chicago speech) emphasized his purpose of continuing actively in the discussion of public questions. It is not difficult from Mr. Bryan's speech to obtain the idea that he does not expect to again be a candidate for public office. Indeed, he admitted that, in selecting journalism as a field of usefulness, he was not placing himself in an advantageous position for a candidate, and deliberately, because he was more interested in the promulgation of Democratic principles than in enjoying any honors which his countrymen could bestow.

"Mr. Bryan is today the great Democratic leader. He will continue as such, not in a position where his usefulness is out in a position where, without the hope of acquiring office for himself, he may defend the principles to which his life work has been dedicated, where he may act as the leader of these Democrats who insist that the Democratic organization shall not be led to destruction as the Republican organization has been led to destruction."

## NOTABLE SPEAKERS

### Bryan First on a List of Oratorical Attractions

### Colonel Mills on Customs at West Point

### DIGNITY GONE TO SEED

### Upper Class Men Put on Superior Airs—Hazing to Be Cured by Creating Sentiment Against It

Columbus, Ohio, Jan. 12.—At the meeting of the Jefferson, Jackson and Lincoln League last night, Congressman Lutz announced that the speakers of the banquet to be given under the auspices of the league in this city February 12 would be: W. J. Bryan, who will respond to the toast "Jefferson"; George Fred Williams of Massachusetts who will respond to "Jackson"; Senator Charles A. Towne of Minnesota, who will respond to the sentiment, "Lincoln"; Senator Richard T. Pettigrew of South Dakota, who will talk of "From Lincoln to Hanna"; Senator-elect E. W. Carmack of Tennessee, who has the subject of "Jefferson to Lincoln"; ex-Governor Altgeld of Illinois and Representative D. A. Dearmond of Missouri, whose subjects are not specified. Dr. Howard S. Taylor of Chicago, author of "The Creed of the Flag" and "The Confessional," will offer an original poem of the occasion.

West Point, Jan. 12.—Col. A. L. Mills, superintendent of the Military Academy, was recalled to the stand when the congressional committee of inquiry into cadet hazing convened at 9:45 o'clock this morning. Judge Smith, the Iowa Representative, took him in hand.

"When you were a cadet at the academy twenty years ago, was it a tradition that fourth-class men should pay as much respect and obedience to upper-class men as they would to army officers?" asked the judge.

"No, sir," said Superintendent Mills.

"Were the fourth-class men expected to refrain from addressing the upper-class men?"

"There was not much social intercourse between them."

"Was the same demerit system in vogue?"

"Yes, sir."

Horace Booz, who testified before the military board with regard to the hazing while the colonel was talking. He had been summoned from Buffalo for examination by the committee.

"When you were a cadet 'scrapping' committees when you were a cadet?" Judge Smith asked Colonel Mills.

"They did not," was the reply.

"Did they have fist fights to the finish, with seconds and other paraphernalia of the prize ring?"

"Not that I can recall. I think there were only two or three fights all the time I was a cadet. They were of an impromptu nature and I believe they were between first class men. The present system has been in vogue, I think, for about ten years."

"Has it been a practice of cadets to assign sore eyes as a cause for resignation?"

"No, sir; it is the practice of cadets to assign no reason."

"It is not the custom to give stereotyped reasons, then?"

"No."

Judge Smith asked many questions, regarding the surveillance of cadets at night and wound up with this:

"As a matter of fact no officer is supposed to be awake all night in order to see that these cadets do not get out of barracks?"

He replied: "That is true."

Colonel Mills also explained that it was not the purpose of such sentries of the regular army as were posted at night to observe and report the conduct of cadets.

"Had you discovered at the time that Cadet Bender was detected in other delinquencies that he was a hazyer, known among the cadets as the most violent hazyer in the academy; that he had a habit of shocking other cadets with electric batteries?"

The witness replied in the negative.

It developed in the inquiry that Cadet Bender was dismissed in February 1899, for breaking into and falsifying the records of the academy and stealing military records, either to raise their class standing, or to render a Christmas frolic more probable, but changed the records of eleven other cadets.

It was charged against Bender and Lane also that they broke into the cadet commissary and stole \$100 worth of postage stamps, a set of engineering instruments and other articles. The colonel went on to say that in spite of the vigilance of the tactical department but two of the many fights that had been testified to as having been held here had come to the knowledge of the authorities since he became superintendent.

Judge Smith asked if the enforcement of regulations was entrusted almost entirely to the ten tactical officers at the academy out of the seventy-one stationed there?

The colonel said that it was so. In defense of the academy authorities he went on to say that he thought fighting would soon cease any way and that he believed that if there had been no necessity for the two investigations of hazing, the evils which caused the creation of the military court and the present commission would have disappeared in the next two years. "I believe that the best thing to do is to create a sentiment in the corps against hazing, and that I have striven to do," said Colonel Mills. "I have represented to the cadets that the only legitimate kind of a fight was that which followed the resentment of an insult on the spot."

**Victims by the Score**

Washington, Jan. 12.—"Flower & Co." of Washington, dealers in investment securities, has disappeared, leaving behind them a trail of victims alleged to have been swindled out of hundreds of thousands of dollars. At the same time Dr. B. C. Flower of New York, father of Manager Flower of the Washington office, has disappeared also, and as the securities' more than a million is said to have disappeared with him. The losses here aggregate nearly \$400,000, and among the losers are some of the most prominent business men of the city and scores of department clerks.

## McKinley Convalescent

### Washington, Jan. 12.—President McKinley is convalescent, but he is still confined to his bed. He sat up for a time today and moved from one side of the mansion to the other in order to have a change of surroundings.

### Which Increases the Salary of the Governor

### DEBATED IN THE HOUSE

### Consideration Was Postponed Until Monday—Majority and Minority Reports By Committee

As his condition improves the President becomes restless and anxious to return to his duties. The close confinement for the past week has been as great a hardship to Mr. McKinley as the disease itself, and it has been necessary for his physicians to insist that he remain quietly in his apartments. It is expected that he will be able to be in his office the first of next week.

**THE GERMAN IDEA**

**Development of Commerce While Observing Neutrality**

Berlin, Jan. 12.—There was and perhaps still is an idea abroad that Germany desires to purchase one of the Danish West Indian islands, such as St. Thomas, in order to secure a supply base at a convenient distance from the proposed Nicaragua Canal. As a matter of fact, Germany never entertained any such idea, and, indeed, no European power has ever had the slightest desire to purchase the islands. Germany's watchword at present is certainly to develop commerce while observing neutrality. Neither Switzerland nor Belgium are more determined on a policy of neutrality just now than Emperor William.

**MR. J. S. WYNNE RESIGNS**

**Tenders His Resignation As a Member of the Board of Aldermen**

Alderman J. Stan. Wynne of the first division of the First ward has tendered his resignation as a member of the board.

Mr. Wynne's resignation was placed in the hands of Mayor Powell yesterday and with it went a request that it be acted upon at the earliest opportunity. The vacancy in the board also makes vacant the office of mayor pro tem, which Mr. Wynne has held for two years.

Mr. Wynne, who is one of Raleigh's most substantial citizens, has made a splendid alderman. He has given much of his valuable time to the interests and welfare of the city. He has acted in a manner satisfactory and creditable alike.

**Strikers Gain Everything**

Reading, Pa., Jan. 12.—The arbitration board to settle the street-car strike held another session which lasted until 2 o'clock this morning, when a settlement was reached and all cars began moving again at 5 o'clock. The men gained nearly all they struck for, the United Street Traction Company reinstating the dismissed employees, recognizing the union, increasing the wages to 16½ cents an hour, nine hours a day, and agreed to arbitrate all cases of dismissals in the future.

**Ball Manager and Subs**

Chapel Hill, N. C., Jan. 12.—Special.—The election of chief ball manager and subs for the commencement of 1901 was held today, and the following were elected: Chief, W. A. Murphy of Morganton. Subs, Markley of Edenboro, E. B. Cobb of Wilson, Frank Smithey of Waynesville, Henry Turner of Raleigh, Joe Ramsey of Rocky Mount, and W. R. Campbell of Edenton. The election of chief marshal will be held in one week.

**France Pleased to Concur**

Paris, Jan. 12.—It is believed in French official circles that the action of the United States in withdrawing the proposal for the transfer of the "Chinese negotiations from Peking to Washington or some European city, was due to a desire on the part of the American authorities to have the matter settled as quickly as possible. In this the French officials heartily concur.

**Another German Loan**

London, Jan. 12.—It is reported here that Germany is likely to issue within a month a fresh loan of \$150,000,000. Negotiations are believed to be proceeding both with New York and London for participation.

**Adams Out of the Race**

Denver, Col., Jan. 12.—Ex-Governor Alva Adams has formally withdrawn as a candidate for United States Senator. In a letter published in the Denver papers today he says he believes the time of the Legislature should not be taken up with a long contest, and that his action will simplify the struggle. It is generally believed that the Adams votes will be going to T. M. Patterson, thus insuring his election.

**Under Consideration**

Washington, Jan. 12.—The British government has acknowledged the receipt of the amended Hay-Pauncefote treaty, but has given no indication of its intentions, confining itself to a mere statement that the amendments have been taken under consideration.

**Kruger's Days Numbered**

Paris, Jan. 12.—Private advices received here say that a German physician who recently examined President Kruger, pronounced him dangerously ill, scarcely likely to live more than a fortnight longer.

## EVERYBODY AGAINST HIM

### Cadets Mill Sought to Destroy Himself and Marcus Erwin

### Asheville, N. C., Jan. 12.—Special.—Marcus Erwin, clerk of the Superior Court, had a narrow escape this afternoon from destruction at the hands of Claude Miller, Erwin had Miller prosecuted for embezzlement. This morning Miller was bound over to court. Later he called Erwin into the corridor of the court house and produced a dynamite stick, lit the end, intending to blow him and Erwin up. A desperate struggle for possession of the stick ensued, Erwin finally being successful, and extinguishing the fuse. Miller's excuse was that every man's hand seemed to be against him and he did not care if he did die.

Nottingham, Eng., Jan. 12.—Three young women who live in contained some mystery, either of love or crime, but probably of love alone, put an end to their lives in the river Trent under circumstances that have aroused deep sympathy. They wrote a note which said simply that they had decided to die together, giving no reason whatever for the decision. Then they jumped into the river and were found dead in each others' arms, their hair floating and waving on the surface of the water. All were good looking, somewhat sentimental and to mantic.

**Made a Clean Sweep**

Albany, N. Y., Jan. 12.—Louis Currier, aged 40 years, at an early hour this morning cut his wife's throat, broke his son Archie's head with a brass ball bat, and shot a dose of Paris green and then cut his own throat from ear to ear with a razor. All three are dead. Currier left a letter addressed to the police which shows that the murder was premeditated.

**Seal on His Happiness**

Nisch, Servia, Jan. 12.—The Narodna Skupstina (national assembly) was opened today by King Alexander. In a speech from the throne his majesty declared that his marriage had set a seal on his life's happiness. He emphasized the split with his father (former King Milan), saying that Milan had left the country forever. Therefore he hoped for better service from the present ministry than the last.

Paris, Jan. 12.—The court today considered Maj. Esterhazy's appeal against the decision retiring him from the army. Judgment will be rendered next Friday.

## THREE SILLY GIRLS

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**Opposition Lines Up**

Mr. M. Nell of Brunswick favored postponement till Monday. He said he did not want the impression to go out that the bill had been railroaded through the House.

Mr. Smith of Gates said that the bill involved a constitutional question in which lawyers differed. This being so, he thought the House should proceed slowly. He expressed the opinion that

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