THE MORNING POST.

Vol. VII. RALEIGH, N. C., THURSDAY, FEBRUARY 21, 1901 No. 77

BEFORE THE BAR OF THE SENATE

The Committee from the House Prefer Articles of Impeachment Against

FURCHES AND DOUGLAS

Senate Receives Committee and Listens to Message Standing—Great Crowd to Witness the Unusual and Impressive Scene—Not Definitely Known When Next Step Will Be Taken—Work of the Senate—State Stock Law Bill Killed—Pension Bill Special Order for Saturday—Divorce Bill Today

It was an impressive scene—one not to be witnessed twice in an ordinary lifetime, and one long to be remembered.

It was all over in a few moments, it is true, but the solemnity of the proceedings and the importance of the event were felt by every witness.

The lobbies and galleries of the Senate chamber had been crowded for an hour and a half, the throng of visitors (largely composed of ladies) having arrived before the hour of noon—the time originally set and announced—but the delay did not cause any who had procured seats to withdraw, the crowd patiently listening to the discussion and passage of bills in the meantime.

* * *

The hands of the Senate clock had hardly reached the hour of 1:30, and Senator Morrison was speaking on a pending bill, when Sergeant-at-Arms Smith suddenly announced:

"Mr. President: A committee from the House of Representatives has arrived, and awaits without to approach the bar of the Senate."

"Invite the committee to come forward," replied the Lieutenant Governor, and as he uttered the invitation the Senators arose to receive the visitors standing.

Thereupon the committee—consisting of Representatives Winston, Ardrey, Blount, Zachary and Carlton—appeared, and approached the bar of the Senate through the centre aisle, taking position in line (with Chairman F. D. Winston in the center) immediately in front of the newspaper reporters' desk and facing the presiding officer and clerks of the Senate.

Mr. Winston, acting as spokesman, then read from manuscript, in an impressive and ceremonious manner, the following message:

"Mr. President and Senators:

"We are directed by the House of Representatives to convey to you this message of great moment.

"After long and patient consideration, by pronounced majority, that branch of this General Assembly, declares that David M. Furches, late Associate Justice and now Chief Justice, and Robert M. Douglas, Associate Justice, of the Supreme Court of North Carolina, in violation of the letter and spirit of the Constitution and in defiance of the plain statutory law of the State, have usurped powers subversive of the rights of the Legislative Department of our State Government.

"For this misconduct, it declares that these officers be impeached of high crimes and misdemeanors in office.

"In obedience to the duty imposed upon us we now present to your honorable body certain resolutions relating to such impeachment."

At this juncture Representative Ardrey approached the presiding officer and handed him the resolution in question. Mr. Winston then said:

"Senators: As directed by the order of the House of Representatives, and in the name of the whole people of North Carolina, whose Constitution has been broken, whose laws have been defied, whose future peace is threatened and imperiled, we impeach David M. Furches, late associate justice and now chief justice, and Robert M. Douglas, associate justice, of the Supreme Court of North Carolina, of high crimes and misdemeanors in office.

"In the name of the representatives of the people, we do demand that the Senate organize a High Court of Impeachment, and take order that David M. Furches and Robert M. Douglas appear at its bar, to answer the particular charges which the House of Representatives will in due time exhibit; and that the Senate do make such other and further orders in the premises as may seem to them best calculated to bring this trial to a just and speedy termination.

"In conclusion, the House of Representatives through us, its chosen messengers, prays that the God of Eternal Truth and Justice, may protect the rights of the impeached, and preserve unbroken the Constitution of the fathers.

"And now, Mr. President, having discharged this momentous and melancholy duty ,we await your answer as provided by law, which answer we will make to those who sent us hither."

Senator London then arose and offered the following resolution, which was adopted:

"Resolved, That the President of the Senate, in behalf of the Senate, announce to the gentlemen of the committee of the House of Representatives, that the Senate will receive their message, duly consider the same and take proper action thereon."

The Lieutenant Governor then replied as follows:

"Gentlemen of the Committee: You will bear to the House of Representatives the message that the Senate has received its message, and that the Senate will give proper consideration to the same and, later, take due action thereon, as required by the Constitution and the laws of the State."

The committeemen then simultaneously made a profound bow and retired from the Senate chamber.

That was all—the whole proceeding occupying scarcely fifteen minutes of time—and in another moment the Senate had resumed its business. Senator Morrison continued his speech and the legislative machinery was again at work on the business of the day, as though nothing unusual had occurred.

But a world of meaning was enveloped in that brief space of time to two citizens of the State—men who have been honored by the State and its people and in whom the people had reposed trust and confidence in the past—and upon the result of the great trial, of which this was the beginning, their future career depends and the honor or dishonor of their names hangs in the balance.

* * *

Soon after the Senate was called to order yesterday, Dr. Speight, Senator from Edgecombe, arose and offered a joint resolution expressive of the regret of the Legislature at the death of Dr. George L. Kirby, the able and popular superintendent of the Hospital for the Insane at Raleigh, and tendering the sympathy of the General Assembly to his afflicted family.

In offering the resolution, Senator Speight spoke feelingly of the deceased and paid a high tribute to his life and work—a tribute endorsed by all who heard it and knew that good man and eminent physician in life. The resolution was, on motion of Senator London, adopted by a rising vote, and it was ordered that the resolution be spread upon the Senate Journal and a copy sent to the family of the deceased. Expressions of personal regret, and in many cases of personal loss, at the death of Dr. Kirby (who less than three weeks ago appeared before the Senate Committee on Charitable Institutions in behalf of the asylum in his charge, and about the welfare of the inmates of which he always exhibited so much commendable concern) were heard on all hands in the Senate chamber, prior to the opening of the session, and the general verdict was that he had made a superintendent than whom the State never had an abler or more efficient one, and that his death is a positive loss to this Commonwealth.

The divorce bill, which was to have been again sonsidered yesterday, was postponed and made the special order for today (Thursday) at 1 o'clock, at which time Senators London and others are scheduled to make arguments. This will make the fifth day—distributed through almost as many weeks—that this bill has been before the Senate, and under discussion.

But the amendment which has precipitated the fight, allowing divorce for abandonment after three years, is an important one.

* * *

Let the male pedagogues look out!

Senator Bray yesterday introduced a bill ("by request" he stated) to prohibit the use of tobacco by teachers in the public schools of the State.

Let the female schoolma'ms have a care!

A Senator tells the writer (in confidence of course, so far as his name is concerned) that he intends to offer an amendment to include snuff also in the bill.

Senator London's pension bill, for the relief of ex-Confederate veterans, etc., was ordered printed and made the special order for next Saturday. The features of the bill have been published in The Post, but an amendment was added yesterday (by Senator London) providing that money in the State treasury not otherwise appropriated shall become available if the pension fund is not sufficient to meet the demands of the bill: provided, that not more than $200,000 shall be paid out for pensions in any one year, etc. The text of the amendment is as follows:

"Add to Section 1.—If the fund collected from the special pension tax in any year should be insufficient to pay in full the pensions allowed by this act, then and in that event the State treasurer shall pay said pensions out of any public funds not otherwise appropriated, provided, however, that in no year shall the total amount paid for pensions exceed $200,000."

The sub-committee on finance had agreed to five cents on property and 15 cents on the poll for pensions, but the full committee reduced this to 4 cents and 12 cents, stating that this would raise a sufficient amount. The amendment was to assure that.

* * *

The general stock law bill of Senator Speight (heretofore noted in these reports) came up and had a lively time of it.

Looked as though nearly all the Senators wanted to exempt their counties from the provisions of the bill, and finally it was killed.

Senator Woodard's bill to incorporate the State Prison and regulate the government thereof, was not taken up yesterday, although Mr. Woodard asked it.

Senator Morton objected to hasty consideration (the bill just having been introduced, although Senator Woodard stated that the committee on penal institutions had examined and endorsed it) saying it was one of the most important of measures, and that he and other Senators desired to have time to examine and consider it.

The bill provides (as will be seen from the bill printed in this issue of The Post) for a board of five directors and a general manager. The bill will come up in the regular order, possibly today or tomorrow.

Senator Morton scored a victory in his fight over the sale of New Hanover county's old court house property, temporarily at least, and may yet secure its passage, instead of the one which passed the House. Mr. Morton's bill is designed to give the Naval Reserves the continued use of the property, instead of selling it and covering the money into the county treasury.

The Senate meets at 10 o'clock this morning.

PROCEEDINGS IN DETAIL

Senate called to order at 11 o'clock by Lieutenant Governor Turner, and session opened with prayer by Senator Broughton. The Journal of Tuesday was approved without being read.

Reports from the various standing committees sent forward and bills placed on Thursday's calendar.

Petitions were presented as follows:

By Mr. London: From citizens of Chatham county asking that churches in that county be incorporated.

On motion of Senator Justice the special order (divorce bill) was postponed, and made the special order for today (Thursday) at 1 o'clock.

A message from the House was received announcing that the impeachment managers would approach the Senate at 1:30 o'clock (instead of 12, as at first arranged), and when that hour arrived the committee approached the bar of the Senate and the proceedings reported in the introduction of this report followed.

The State Prison Bill

Senator Woodard sent forward a bill (S. B. 848) prociding for the incorporation of the State prison and to regulate the government thereof.

He stated that the bill had been submitted to and been carefully considered by the Committee on Penal Institutions (of which Senator Woodard is chairman) and that the bill as it stands is the result of the deliberations of that committee. He asked that it be taken up and passed at once.

Objection being made, the bill was placed on the calendar. The bill is printed at the end of this report.

Special Orders

The bill to revise the corporation laws of North Carolina was made the special order for tomorrow (Friday) at 12 o'clock.

The divorce bal was postponed and made the special order for today (Thursday) at 1 o'clock.

New Bills Introduced

By Mr. Foushee: S. B. 839—To amend the charter of the town of Mt. Airy. Committee on Counties, Cities and Towns.

By Mr. Marshall: S. B. 840—To amend the charter of the Mt. Airy and Eastern Railroad Company. Committee on Railroads.

By Mr. Bray (by request): S. B. 841—To prevent the use of tobacco by school teachers. Committee on Education.

By Mr. Justice: S. B. 842—To attach a part of the town of Saluda to Polk county. Committee on Counties, Cities and Towns.

By Mr. Sugg: S. B. 843—To appoint certain justices of the peace in Craven county. Committee on Justices of the Peace.

By Mr. Justice: S. B. 844—To drain certain creeks in Rutherford county. Counties, Cities and Towns Committee.

By Mr. Justice: S. B. 845—In relation to the town of Rutherfordton. Counties, Cities and Towns Committee.

By Mr. Justice: S. B. 846—To authorize commissioners of the town of Rutherfordton to issue bonds. Counties, Cities and Towns Committee.

Resolution Anent the Death of Dr. George L. Kirby

Senator Speight introduced a joint resolution expressing the regret and sympathy of the Legislature at the death of Dr. George L. Kirby, superintendent of the State Hospital for the insane at Raleigh, which was adopted by a rising vote and copies of the same ordered spread upon the journal of the Senate and sent to the family of the deceased. Senator Speight feelingly alluded to the life and work of this splendid man and official, with whom he had been intimately associated in the management of the Hospital for a number of years.

Bills Passed Final Reading

The following roll call bills passed third and final reading:

S. B. 775—To establish graded schools in the town of Smithfield.

S. B. 557.—To authorize New Hanover county to issue bonds for road improvements.

S. B. 734, H. B. 1067—to amend and enlarge the charter of the town of Williamston, Martin county.

S. B. 733, H. B. 929—To incorporate the town of Rayford, in Cumberland and Robeson counties.

S. B. 884, H. B. 732—To authorize the town of Weaversville to levy a special tax.

S. B. 692—To amend charter of town of Mt. Pleasant, Cabarrus county.

(Continued on Fifth Page.)

MACON & VANCE

Bill to Place Their Statues in U. S. Capitol

A BUSY DAY IN HOUSE

Republicans Wont Their Protests Filed—Fight Over a Bill Creating a Board of Examiners

The impeachment proceedings were transferred temporarily yesterday from the House to the Senate.

At 1:30 yesterday the committee of five proceeded to the bar of the Senate and commenced the action of the House. Five minutes later the doorkeeper announced the return of the committee.

The members stood in front of the Speaker's stand, while Mr. Winston of Bertie, the chairman of the committee announced the discharge of the duty imposed on it. Mr. Winston said:

Mr. Speaker—In obedience to the order of the House, we this day proceeded to the bar of the Senate, and in the name of this body, and of all the people of the State of North Carolina, we impeached, as we were directed to do, David M. Furches, late Associate Justice and now Chief Justice and Robt. M. Douglas, Associate Justice of the Supreme Court of North Carolina, of high crimes and misdemeanors in office; and we demanded that the Senate should take order to make them appear before that body to answer for the same; and announced to the Senate that the House would soon present articles of impeachment and make good the same.

To which the response was "The Senate has received the message and will consider the same and take proper action thereon."

Mr. Watts of Iredell, introduced a bill authorizing the expenditure of $10,000 for marble statues of Nathaniel Macon and Zebulon B. Vance, to be placed in the statuary hall of Congress. The bill is as follows:

That the sum of $10,000 or so much thereof as may be necessary be appropriated out of any money in the treasury, not otherwise appropriated for the purpose of having executed and erected in the Hall of Satuary in the capitol of the United States in Washington, District of Columbia, marble statues of Nathaniel Macon and Zebulon Baird Vance, two of North Carolina's foremost statesmen.

Section 2. That Matthew W. Ransom of Northampton county, Thos. J. Jarvis of Pitt, and Thos. J. Allison of Iredell county, be and they are hereby appointed commissioners to carry out the provisions of this act, and they are authorized to make any or all contracts that may be necessary to the execution and erection of said statues, and they are authorized to draw their warrants upon the treasury for the amounts or amounts necessary for the work aforesaid, and when the said warrants shall be countersigned by the Governor of North Carolina they shall be paid by the public treasurer out of any funds in his hands not otherwise appropriated.

The House passed a great many bills yesterday and adjourned until this morning at 10 o'clock.

FILIBUSTERING FIGHT

Bill for the Governor to Appoint a Board of Examiners

The bill authorizing the Governor to appoint a board of examiners consisting of three members, who shall visit all the State institutions and report on their management and condition before the Assembly of the Legislature, developed quite a fight in the House yesterday.

Much maneuvering was done on both sides, but the bill passed its second reading and went over until today.

There was not so much objection to the bill among those opposing as there was to the amendment offered by Mr. Watts, which provided that no citizen who lives in a county where a State institution is located shall be eligible for appointment on the board. Wake's representatives and Mr. Gattis of Orange led in the fight against the amendment.

Mr. McLean of Scotland said this was one of the best bills introduced, but he doubted the wisdom of sending the same committee to all the institutions.

Mr. Spainhour said this was one of the best features of the bill; that one committee could ascertain the relative needs of the institutions and report intelligently to the Legislature.

Mr. Morgan introduced an amendment requiring the members to take an oath for the faithful discharge of their duties. This was accepted by Mr. Spainhour.

Mr. Watts offered an amendment which provides that members of the board of examiners shall not be residents of the county in which the institutions are located.

Mr. Smith of Gates offered an amendment providing that no citizen should be a member of the board who is in any way connected with the State institutions.

Mr. Gattis said while in sympathy with the bill, he was opposed to the amendments. He said the Governor was competent to make selections without so much advice, and that he could be trusted to select good men. He said it looked like the House was afraid of somebody. He did not think it right to say to the county of Burke or Wake that its citizens should not serve on this board.

Mr. Watts said there was more or less human nature in everybody, and that it would be natural for citizens in counties in which the State institutions are located to get as large appropriations as possible.

Mr. Gattis said these amendments smacked of Populism, though he said he was satisfied that the gentlemen who introduced them were not Populists. He asked that the bill be recommitted to the committee, but Mr. Spainhour objected because he thought such action would result in the death of the bill.

Mr. Watts said: "I think the assertion of the gentleman from Orange, that these amendments smack of Populism, is gratuitous. I believe my amendment is in the interest of the tax-payers of North Carolina. I deny the imputation of Populism. When the Populists were in control in this State they squandered the people's money and this bill will save the State money."

Mr. Blount of Washington offered an amendment giving the Legislature authority to appoint instead of the Governor. He said the State institutions spent enormous sums, and that as the Legislature appropriated this money it should name the committee to report on the manner in which it is expended.

Mr. Spainhour—"We did differ, and the gentleman from Washington wanted the Legislature to appoint a committee of three, consisting of one Democrat, a Populist and a woman." (Laughter.)

Mr. Blount—"I did suggest such a thing, and I am not ashamed of it. There are as many women confined in these institutions as there are men, and why should not a good woman serve on this committee? I see nothing to laugh at."

Mr. McLean—"I believe the Legislature should elect this committee. I have great confidence in our Governor, but we have been putting too much power in his hands."

Mr. Robinson of Anson—"I have full confidence in Governor Charles B. Aycock. If this Legislature makes the selection a caucus must be held and the men who would be chosen would get their appointments as the result of political influence."

Mr. Blount said he had no objection to the Governor making appointments. "We are going to make this law, and we may not have a Governor like Charles B. Aycock always. I meant no disrespect to the Governor. I have fallen in love with this bill. I think the Legislature should elect the committee."

Mr. Graham of Granville said it would take four or five weeks to carry out the requirements of the bill, and he did not think the Legislature was elected to do this work. He said he himself was not competent to do the work, and he thought there was a better opportunity for selecting men qualified for this task outside of the Legislature. He said he favored the selection of a non-partisan committee, and he did not know but that it would be wise to select a woman as a member of the committee.

Mr. Blount said he would oppose the selection of any members of the Legislature as members of the committee.

The amendment offered by Mr. Smith was adopted.

Mr. Beddingfield spoke against the Watts amendment. He said: "This bill attacks the honesty of citizens who live in a county where there are State institutions. I resent the attack in behalf of 60,000 citizens of Wake. I believe it best to leave the selection to the Governor and allow him to choose from all parts of the State. Why are the men in one county better than another. I believe the citizens of Wake, Wayne, Guilford and other counties are as good as those in any others."

Mr. Watts denied that his amendment was an attack on any one. He said it was in the interest of economy.

The Watts amendment was adopted by a vote of 34 to 32.

Mr. Rountree moved to reconsider and this motion was lost by a vote of 41 to 38.

Filibustering tactics were then resorted to. A motion was made to adjourn, and Mr. Gattis of Orange demanded an aye-and-nay vote. A sufficient number supported the call. The motion to adjourn was defeated by a vote of 56 to 20.

A motion by Mr. Allen of Wayne to take a recess until 8 o'clock was also defeated.

Mr. Simms wanted the consideration of the bill postponed until Saturday. As amended, he said, the bill reflected on citizens of leading counties in the State. The House refused to postpone.

Mr. Blount's amendment to allow the Legislature to choose the board was defeated by a decisive vote.

Another motion to adjourn was defeated.

The warring elements finally agreed that the bill should pass its second reading and go over till today. This action was taken.

The House refused to take a recess until 8 p. m., but adjourned until today at 10 o'clock.

Mr. Ebbs of Madison, the Republican leader arose to a question of inquiry to ascertain what the Committee of Rules had done with the protest against the passage of the bill increasing the Governor's salary and the adoption of the impeachment resolution. "This privilege is given every member of the Legislature by the constitution," Mr. Ebbs declared. "And I can't see why the protests were referred to any committee. It is not a matter for the Legislature to pass on. The constitution gives this right and I arise to get this information."

Mr. Gattis of Orange—The chairman of the Committee on Rules is not here when he returns the matter will be taken up. There is no disposition to prevent the protests from being spread on the records. The constitution grants that right. The only reason the protests were referred to the committee was to consider the language.

Mr. Ebbs—I can't understand why the protests were referred to the Committee on Rules. This thing of reference is unprecedented. The Legislature has no discretion in this matter.

Mr. Allen of Wayne—I will ask if the Republicans and Populists did not in 1897 take the same course with reference to the filing of protests.

Mr. Ebbs—If they did they did so in open and outright violation of the constitution. They had no authority to do so.

Mr. Allen of Wayne—I arise to a point of order. There is nothing before the House.

Speaker Moore—The gentleman has a

(Continued on Fifth Page.)

BAD FOR BUTLER

His Efforts in Behalf of Economy Defeated

MAILS AND RAILROADS

Comparisons Made Between Roads of America and Europe — Depew on the Subject

Washington, Feb. 20.—Soon after the Senate convened today Mr. Pettigrew of South Dakota offered a resolution which was agreed to, directing the Committee on Printing to ascertain why the public printer had not delivered to the Senate the instructions and papers sent to the Paris Peace Commission.

Bills to grant land warrants to descendants of the New York Indians who served in the war of 1812, and to pay an award of the Secretary of the Interior in favor of the Cherokee Indians, were referred to the Court of Claims.

Consideration of the Post Office appropriation bill was resumed at the conclusion of routine business. The pending question was the amendment of Mr. Butler of North Carolina to reduce the pay of railroads for carrying the mails, an aggregate of about nine per cent. The North Carolina Senator continued his speech, which was begun Monday.

Mr. Butler said he would rather see the Ship-subsidy bill become a law than to have the pending bill pass, containing the present provision for railway mail pay, as under the pending appropriation bill a bigger hole would be made in the treasury than would be made by the Subsidy bill.

Mr. Butler pointed out that according to the report of Professor Adams, the expert of the postal commission, which he was having read, 48 per cent of the amount paid to the railroads for carrying the mails actually was paid for carrying mail pouches.

He had often wondered, he said, why the leather and the locks in the mail bags were so heavy. "It seems," he continued, "that the railroads have used their influence to have them made heavy because they are getting the same pay for carrying them as they are getting for carrying mail matter." He thought there would be just as much sense in charging the weight of the car against the government.

Mr. Butler contrasted the cost of railway mail pay in Europe and in this country, to the disadvantage of the United States.

Mr. Depew interrupted to say that the wages paid by European continental railroads were only about one-fourth of the rate of railway wages in this country, while the freight rates in this country were only a little more than one-fourth of what they were in Europe.

"Does the Senator mean," inquired Mr. Butler, "that the American railroads are losing money?"

"I do not mean to say they are losing money," responded Mr. Depew; "I mean to say that if they had anything like the rates charged for freight in continental Europe they could carry the mails free, and in addition pay a large revenue to the government."

"No railroads in the world have larger profits than those of the United States," asserted Mr. Butler.

"The capitalization of railroads in Europe," responded Mr. Depew, "is much larger than it is here. In Great Britain it is about $350,000 a mile. If that capitalization be reduced to the average capitalization in the United States you will find that the profits of the English roads are enormous."

Mr. Wolcott said as to European railroads carrying the mails free, that in Great Britain the cost of railroad mail transportation was little less, if any, than it is here. In continental Europe the governments, he added, either owned the railroads or guaranteed the payment of the principal and interest of their bonds and of five or six per cent dividends on their stock, whether they earned it or not.

The amendment offered by Mr. Butler to reduce the pay to railways for carrying the mail about nine per cent was voted down by a vote of 18 to 51.

The paragraph relating to pneumatic tubes was next reached, and Mr. Hale made a point of order against it. It gave rise to an extended discussion, participated in by Messrs. Hale, Thurston, Cullom, Wolcott, Mason and Chandler. The point of order was decided in the affirmative, and then Mr. Hale made another point of order that the tube system was not estimated for.

This was pending when the Senate at 5:30 adjourned.

WON BY WIT

Private John Gets an Appropriation for a Fish Hatchery

Washington, Feb. 20.—Without preliminary business, the House today went into committee of the whole and resumed consideration of the Sundry Civil bill.

The proceedings were enlivened by a humorous speech made by Mr. Allen of Mississippi, "the wit of the House," in favor of an amendment offered by him to appropriate $20,000 for a fish hatchery at Tupelo, Miss. Mr. Allen goes out of Congress March 4, after a service of sixteen years. In the course of his remarks he declared that "thousands and millions of unborn fish were clamoring to this Congress for the opportunity of being born in Tupelo" (Mr. Allen's home). The amendment was unanimously adopted.

The question of re-arranging the hall of Representatives for the accommodation of members in accordance with a plan agitated some years ago, to remove the seats and sub-benches, something after the manner in which the House of Commons is arranged, came up on a motion made by Mr. Crumpacker of Indiana to appropriate $15,000 "for refurnishing and re-arranging the hall of the House of Representatives, including the removal of the individual desks of members and the reduction of the size and the reseating of the hall in a manner that will be more convenient for the sessions of the House."

The amendment also provided for the refurnishing of the speaker's room. The proposition was debated at considerable length.

Mr. Moody favored the English system of benches, and said so much confusion usually prevailed on the floor that members could not be heard.

Mr. Grosvenor wanted desks retained.

Mr. Moody—"I favor the change in the interest of those who want to hear. Why, only the other day a member spoke on an important matter, and as I was close to him I received more information in ten minutes than was imparted in a discussion of several hours. But he could not be heard five feet away."

Mr. Grosvenor—"I do not recollect making the speech referred to, but presume I did." (Great laughter.)

The motion to do away with desks failed and the bill was passed.

The General Deficiency bill was then taken up in Committee of the Whole. An agreement was made to close general debate at once, leave to print for five days accorded instead.

Mr. Lentz of Ohio, had read an article from a Columbus paper referring to the death of Charles A. Leland, a judge in the Territory of New Mexico. He had been an anti-Hanna Republican in the Ohio Legislature who afterwards voted for Hanna for United States Senator, and the article alleged that he had received the appointment in consequence of that act. Lentz then launched out in a general assault upon what he termed the political corruption of the administration and leading Republicans.

Mr. Cannon briefly replied. He did not know the non-partisan paper involved; he did know the gentleman from Ohio. "Brave men fight the living; ghouls descend into the tombs of the dead."

Mr. Grosvenor later tried to reply to Lentz's speech, but first was taken off the floor by an objection raised by Mr. McDermott and failed to secure unanimous consent to speak. Mr. Grosvenor seemed incredulous that Mr. Lentz could maintain the objection, after having had five minutes himself without objection, and when he realized that he was not to be permitted to speak, shouted over the banging of the gavel that Lentz had made a maliciously false charge against a dead man, a wilful falsehood.

When the paragraph was reached containing authority to the Secretary of War to pay $50 for the arrest and return of deserters, Mr. Lentz declaimed against the character of warfare waged by the United States forces in the Philippines, saying that if that were to be continued, a much larger sum than $50 would have to be provided to stop desertion. Barbarities unexampled in warfare had been reported, and he had seen a letter conveying that information. If the charges were true the brave boys should desert.

Mr. Graham challenged Lentz to produce the letter. In his belief it existed only in the gentleman's imagination.

Mr. Cannon said the gentleman on the floor of the House was perfectly safe in advising the boys who enlisted under the flag, sworn to protect its honor, to desert. "But if he were in the Philippines and made such a speech he would be tried, as he ought to be, by drum-head court-martial and shot." (Applause.)

Mr. Lentz replied with all the vigor of his voice and gesture, asserting that he was not to be browbeaten by talk about drumhead court-martials. He stood for Christian civilization, repeating his statement that if the stories from the Philippines were true no more brutal barbarities were ever committed—men shot down while at work by troops of the United States. If the charges were true the Congress of the United States ought to be ashamed to look mankind in the face. The law of murder was not confined to one man; if he could not kill his fellow, neither could 77,000,000 kill men in the Philippines because they had the power.

REPORTED ADVERSELY

Attempt to Shelve Senator Morgan's Canal Resolution

Washington, Feb. 20.—In the Senate today Mr. Lodge from the Committee on Foreign Relations reported adversely a resolution, presented by Mr. Morgan, which abrogates the Clayton-Bulwer treaty, provides that the ratification of the Hay-Pauncefote treaty be not made a condition precedent to legislation on the Nicaragua Canal, and enters into a protocol with Costa Rica.

Mr. Lodge gave notice that a minority report would be filed by Mr. Morgan.

The adverse report is held by the friends of the canal to mean that there will be no waterway legislation at this session of Congress. Mr. Morgan had depended upon a favorable report, that the Hepburn bill might be made a law.

By the adverse action of the committee it is given as the intention of Congress to await action on the Hay-Pauncefote treaty by Great Britain, and that no forward step such as summarily abrogating the Clayton-Bulwer treaty will be taken.

It is given as the opinion of a majority of the committee that the ratification of the Hay-Pauncefote treaty by Great Britain is a condition precedent to the passage of any canal legislation.

Those who voted to report the resolution adversely were Messrs. Lodge, Frye, Cullom, Clarke, Foraker and Wolcott—all Republicans.

Those voting to report the resolution favorably were Messrs. Morgan, Daniel, Bacon and Money—all Democrats.

Mr. Morgan intends, when he presents the minority report, to call up the resolution, thus forcing the Senate to go on record in the matter.

The Pope's Twenty-fourth Year

Rome, Feb. 20.—The Pope entered the twenty-fourth year of his pontificate today in good health.