

FRIDAY, fair, continued cold, with diminishing northwest winds.

# THE MORNING POST.

TEMPERATURE for the past 24 hours: Minimum, 32, maximum, 64.

Vol. XI

RALEIGH, N. C., FRIDAY, JANUARY 9, 1903.

No. 31

## Fifty Thousand Dollars Asked For

### First Bill in House Was Introduced by Mr. Scott of Alamance--Watts' Bill Restricting the Manufacture and Sale of Whisky

The legislative mill has started up and the first introduction of bills in the House came yesterday after the reading of the governor's message.

The first bill introduced was by Mr. Scott of Alamance. It is House Bill No. 3 (Nos. 1 and 2 are resolutions) and is entitled an act for the erection and equipment of an agricultural building at the A. and M. College. This bill provides for an appropriation of \$50,000 out of the funds of the public treasury for the purpose named.

Another bill that will attract wide attention is a bill by Mr. Watts of Iredell restricting and confining the manufacture and sale of intoxicating liquors to incorporated towns.

Judge Graham introduced a bill providing for an extension of the time to compute, compromise and settle the public debt from 1903 to 1905. Judge Graham explained that the measure was introduced at the request of the governor and state treasurer. A number of bondholders have within the last few days presented bonds for settlement. These bonds are on the same footing as those on which the Shaffer and South Dakota suits are based.

The House was called to order at 11:15 yesterday morning by Speaker Gattis and prayer was offered by Rev. Dr. Levi Brannon of Raleigh.

On motion of Mr. Watts the reading of the journal was dispensed with. Private Secretary Pearsall delivered a copy of Governor Aycock's biennial message to the speaker.

Mr. Doughton moved the adoption of the rules of the last House until new rules are reported and adopted.

Mr. Doughton of the committee to wait upon the governor, reported for the committee that its duties had been discharged and the governor's message was read at the speaker's desk.

Speaker Gattis ordered the clerk to read the message. At 11:30 Reading Clerk Arendell began and concluded the reading at 1 o'clock. A list of the pardons granted by the governor during the last two years with the reasons for granting them, accompanied the message.

A message from the Senate reported a joint resolution to print 1,000 copies of the governor's message. On motion of Mr. Doughton the House concurred in the resolution.

Mr. Guyton, one of the members from Mecklenburg, appeared at the speaker's desk and took the oath of office.

Member Without a Seat  
Mr. Morphy of Graham brought to the attention of the House the fact that the member from Clay, Mr. Anderson, was assigned to seat No. 129 and after diligent search was unable to find it. Mr. Anderson was temporarily over on the Democratic side, near Mr. Morphy, and wanted to get among his Republican colleagues. Mr. Morphy therefore suggested a change of seats between Mr. Ray of Yancey and Mr. Anderson. The former was seated among the Republican members.

Mr. Curtis of Brunswick thought that the idea had been to mix up with Democrats as much as possible, but failing to make much headway thereby, they now propose to get together and take a new start.

The speaker thought the question of a member being without a seat one of the highest privilege, and instructed the doorkeeper to see that the member from Clay was properly cared for.

Introduction of Bills  
Mr. Smith of Gates introduced a joint resolution providing that a committee of two from the Senate and three from the House be appointed to investigate the number of employes in the Legislature. The rules were suspended, the resolution passed and sent to the Senate without engrossment.

H. B. 3--By Scott of Alamance--An act to provide for the erection of an agricultural building at the A. and M. College.

H. B. 4--By Graham of Granville--An act to amend chapter 135, laws of 1901, relating to an extension of time to compute, compromise and settle the public debt. Referred to finance committee.

H. B. 5--By Watts of Iredell--An act to regulate the manufacture and sale of liquor in North Carolina. Referred to committee on propositions and grievances.

H. B. 6--By Abell of Johnston--An act to regulate the manufacture and sale of liquor in Johnston county. Referred to committee on propositions and grievances.

sary law. Committee on propositions and grievances.

H. B. 10--An act to incorporate the Merchants and Farmers Bank. Committee on banks and banking.

H. B. 11--By Drewry of Wake--An act for the relief of T. J. Belvin. Committee on propositions and grievances.

H. B. 12--By Williams of Union--An act to incorporate the Mutual Benefit Life Association. Committee on insurance.

H. B. 13--By McCall of Davidson--An act to incorporate the Bank of Kenosville. Committee on banks and banking.

H. B. 14--By Graham of Granville--An act to repeal the law relating to public roads in Granville county. This bill passed its several readings and was sent to the senate without engrossment.

This was the first bill passed by the legislature of 1903.

Approval of Papers  
Speaker Gattis announced the approval of papers and in doing so expressed sympathy for those he could not appoint. The pages are as follows:

Robert Denny chief, Louis Pegram, S. R. Street, Ralph Deitz, R. C. Hackaday, H. T. Hudson, Jr., George Gray, Arthur McLeod, Seth Myatt, B. F. Hooker, John Coward, Robt. E. Lee, Speed Sasser, William White.

On motion of Mr. Curtis of Buncombe the house at 1:40 adjourned until 11 o'clock this morning.

Mr. Fuller's Reply to Speech  
In responding the nomination of Mr. Gattis for speaker Mr. Jones Fuller of Durham made a brief speech that has been spoken of in such high terms by his colleagues that it is printed in full below.

Mr. Chairman:  
I second the nomination of Hon. Sam. M. Gattis of Orange for this high office.

I am sure the historic spot from which he comes, as well as his own good name and fame, strongly appeal to you. A speaker of this house from the county of Orange is no new venture in North Carolina legislation. I do not need to make extended eulogium of him, nor shall I deal in much biography.

Measured by those standards which should obtain in selecting a public servant, among those whose chief desire is to serve the state, Mr. Gattis is an ideal candidate.

He comes from near the state's physical, financial and educational center, therefore no section can say it was discriminated against. He knows no faction, nor wing, nor difference in our party platform, or policies and will, for that reason, be acceptable to all Democrats.

He has had experience in legislatures, having been twice a member of this body; once the speaker pro tempore and once the chairman of the committee of the whole house. During the weeks the revenue bill was considered, he gave evidence of those qualities that make a good speaker.

He is patient, deliberate, calm and impartial. He has strength of body to stand the work that will be required. He has strength of intellect and purpose to direct the work of this great body. He has strength of character to give force and power to his words and acts. He is a citizen of noble life, of high purpose. He has done the state some service, and today we are here to crown with this great gift his life of legislative service which has been high, honorable, conservative, and useful.

In his name I can make one promise. He will be the fair, just and impartial presiding officer of this body. Today he is fit to receive it, having come to its fruition by force of act and character, those qualities of head and heart which count for much when North Carolinians select an ideal public servant.

I second the nomination of Hon. Sam. M. Gattis of Orange county for speaker of this house.

THE WHISKY BILL  
An Act to Confine the Manufacture and Sale to Incorporated Towns

The following is the full text of the bill introduced by Mr. Watts to regulate the manufacture and sale of liquor in North Carolina:

Section 1. That it shall be unlawful for any person, firm or corporation to manufacture, sell or otherwise dispose of for gain, and spirituous, vinous or malt liquors, or intoxicating bitters within the state of North Carolina, except in incorporated cities and towns wherein the sale or manufacture of liquor is not or may not hereafter be prohibited by law.

Provided, that this act shall not be construed to forbid the sale of such spirituous, vinous or malt liquors by druggists for sickness, upon the written prescription of a regular practicing physician having such sick person under his charge.

Provided further, that this act shall not be so construed as to apply to wine or cider manufactured from grapes, berries or fruits raised on the lands of the person so manufacturing, or purchased by the manufacturer from the growers thereof.

Section 2. That it shall be unlawful for any person, persons, firm or corporation to manufacture, sell or otherwise dispose of for gain any spirituous vinous or malt liquor, or intoxicating

bitters, except as hereinbefore provided, in any incorporated city or town, without first obtaining, as provided by law, a license therefor both from the board of commissioners of the county in which said town or city is situated and from the board of aldermen or city councilmen, or the governing authorities by whatever name called, of said city or town.

Section 3. That any person violating the provisions of this act with reference to the sale, or disposition for gain, of spirituous, vinous or malt liquors, or intoxicating bitters, shall be guilty of a misdemeanor, and upon conviction shall be imprisoned not exceeding six months, or fined not exceeding \$200 or both, in the discretion of the court.

Section 4--That any person violating the provisions of this act with reference to the manufacture of spirituous, vinous or malt liquors, or intoxicating bitters, shall be guilty of a felony, and shall upon conviction be imprisoned not less than four months or more than two years, or fined not less than \$250, nor more than \$1,000 or both in the discretion of the court.

Section 5--That any physician who shall make any prescription, except in the case of sickness, for the purpose of aiding or abetting any person or persons who are not bona fide under his charge to purchase any intoxicating liquors contrary to the provisions of this act, and any druggist who shall duplicate the prescription of a physician for intoxicating liquors for any person or persons not bona fide under his charge without the written direction of the physician who gave the same, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the court, for each and every offense.

And all druggists selling intoxicating liquors by prescription as aforesaid shall keep a record thereof which shall be subject at all times to the inspection of the solicitor of the district and of the mayor and police officers of the city or town in which said druggist's business is located, and any such druggist failing to keep the record aforesaid, or refusing to accept the examination of such record by the officers named, shall be guilty of a misdemeanor and fined or imprisoned, or both, in the discretion of the court.

Section 6--That all laws and clauses of laws in conflict with this act are hereby repealed.

Section 7--That this act shall be in force from and after July 1, 1903.

CORNERING MARKETS  
An Operation That Gets a Black Eye in Court

Chicago, Jan. 8.--The appellate court today, in a sweeping decision sustained the injunction issued by Judge Chytrous against eight board of trade members charged with operating a corner and sustaining the contention against cornering of the market.

The court holds that, under the laws of the state, dealers cannot be forced to settle trades upon the basis of an artificial value created by the cornering of the market, and that margins deposited in banks or elsewhere are within the jurisdiction of the courts, in that they affect the right to property.

The decision draws a legal distinction between questions touching the disciplinary rights of the board, in which the latter has repeatedly been held to be sovereign, and questions of property rights, and holds that disputes between members involving finances can, if desired by either party, be submitted to the courts for decision.

The case of Waite, Thorburn & Co. against the board of trade was the principal case upon which the others were based, and which resulted in the securing of an injunction against the board. This firm had sold oats for July delivery. The price advanced, and it was claimed by the complainants that the market was cornered, and that the selling price insisted upon was fictitious. An injunction was accordingly asked and granted enjoining the payment of margins deposited in bank. The decision created a furor on the board at the time. It is said there are forty cases depending upon this decision of the appellate court.

SUFFOLK AND CAROLINA RAILROAD  
Bond Issue to Pay for Extension to Edenton and Elizabeth City

Baltimore, Jan. 8.--An issue of \$500,000 of bonds of the Suffolk and Carolina railway is offered for subscription. This issue covers an extension of 17 1/2 miles to Edenton, N. C., and one of 25 miles to Elizabeth City, N. C. At both places tidewater outlets are reached. It also covers the broad gauging of the entire road and the laying of new and heavier steel rails.

These improvements open the railroad for through car business with the large systems it meets at Suffolk, including the Atlantic Coast Line, Norfolk and Western, Seaboard Air Line and the Southern Railway. It also has a tidewater outlet at Suffolk, reaching by water connections towns on and about Hampton Roads. The Edenton extension is finished, and, with the completion of the line to Elizabeth City there will be 75 miles of railroad

## CASTRO MAKES ANOTHER REPLY

### He is Now Willing to Submit Disputed Matter to The Hague Tribunal

Washington, Jan. 8.--Minister Bowen transmitted to the state department today another reply from President Castro touching the arbitration proposal. As heretofore President Castro expresses willingness to submit the matter to arbitration and, in addition to his former communication, he is now willing to recognize the propriety of submitting the claims referred to in the British and German notes to The Hague, something that he has not up to this point been willing to do. Some details remain to be arranged before the appointment of commissioners can be taken up, and it is not yet known how Castro will receive the demands still insisted upon by the allies for a money payment, or how he will view the rejection of his own demand for the immediate withdrawal of the blockade as a condition precedent.

As already foreshadowed in some of the European despatches, there is a reasonable prospect that the Venezuelan trouble can be settled without involving The Hague tribunal. Minister Bowen has been definitely named by Castro as his commissioner, and if the few points relative to conditions precedent are settled amicably, it is the expectation that the British and German governments will name their ambassadors at Washington as commissioners to confer with Minister Bowen.

Caracas, Jan. 8.--The answer of the Venezuelan government consenting to accept the conditions of arbitration stipulated by the allies, was forwarded at noon today to Mr. Bowen, the American minister. The conditions asked for by Great Britain, Germany and Italy are still withheld from the public. A high government official said that they are very humiliating to Venezuela's

pride, but they had to be accepted as there was no other way out of the lion's mouth.

Mr. Bowen has been summoned by the state department to proceed immediately to Washington, and it is reported that the United States gunboat Marietta will call for him at La Guayra Monday.

The government troops today inflicted a severe defeat upon a revolutionary force at Guigui. Sixty rebels were killed and a large number wounded.

**GAVE IT UP**  
Beet Sugar Men Stop the Fight on Reciprocity

Washington, Jan. 8.--The American Beet Sugar Association had two stormy meetings here today and ended this evening by withdrawing opposition to the ratification of the Cuban reciprocity treaty. Before this was done, however, the three Michigan delegates to the meeting of the association withdrew from the association, declaring there were traitors in the camp who had misrepresented the attitude of the members of the association generally.

Under these circumstances it is not believed that the action of the association will have the slightest influence upon the Cuban treaty, one way or the other. The incident may, however, result at a later date in the reorganization of the association.

**Three Killed in Collision**  
Kenton, Ohio, Jan. 8.--The cannon ball express, one of the fast passenger trains on the Pittsburg and Fort Wayne, crashed into the rear of a local passenger train at Ada, Ohio, tonight. Three people were killed and several injured.

**Failure at Lenoir**  
Lenoir, N. C., Jan. 8.--Moore & Co., dealers in general merchandise, made an assignment today to Geo. E. Moore.

## Richardson of Tennessee May Drop Out of Congress

### Masonic Duties May Claim 'All His Time--Surprise Marriage of Representative Thomas and Mrs. Hill

Washington, Jan. 8.--Special--It is stated on good authority that Representative Richardson of Tennessee, the floor leader of the Democrats, contemplating resigning his seat in the next Congress, to which he has been elected. He may do this, it is said, on account of business connected with Masonic circles, which may require all his time. In this event, of course, he will not be a candidate for the minority leadership in the next House. John Sharpe Williams of Mississippi seems to be ahead in the running just now, while Representative De Armond has gotten out of the way for Champ Clark.

Representative Charles R. Thomas of the third North Carolina district, gave his North Carolina colleagues a surprise today when he arrived in Washington with Mrs. Thomas and registered at the Biggs House. The bride is Mrs. Mary Ruffin Hill, a daughter of one of North Carolina's oldest and most prominent families. Only a few relatives and intimate friends had been taken into the confidence of the bride and groom. The marriage took place yesterday afternoon at four o'clock at the home of Mrs. Thomas Ruffin in Hillsboro. Rev. Mr. Walters was the officiating clergyman. It was a quiet home affair and was witnessed by relatives and a few intimate friends.

There were no attendants. The bride is a beautiful woman and has always been very prominent socially. She is a daughter of the late Justice Ruffin of the supreme court of North Carolina and granddaughter of Chief Justice Ruffin, who was a member of the highest court in the state for a generation.

The groom is one of the most popular members of Congress. He was recently elected to serve his third term. He is recognized as one of the most active and influential members of the state delegation.

This afternoon Mr. and Mrs. Thomas were recipients of congratulations on all sides. They attended the diplomatic reception at the White House tonight. A bridal trip will not be taken now, it being Mr. Thomas' desire to remain in Washington and resume his duties as a member of Congress.

Representative Moody will see the president tomorrow about the Tryon post office. Mrs. LeDue, who claims to have been the school teacher of the late President McKinley, has been here this week and it is said that Mr. Roosevelt has decided to re-appoint her. Mr. Moody is backing J. W. Lanford. Charges were preferred against him, but a special agent went to the state and made an investigation which exonerated him. Prior to the report the president, for sentimental

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## Vest Resolution a Vexed Question

### It Suggests a Conflict Between the Prerogatives of the Senate and the House--What Dingley Said

Washington, Jan. 8.--The Senate today passed a bill providing that all distilled spirits now or hereafter deposited in internal revenue bonded warehouses shall be entitled to the same allowance for leakage and by evaporation now existing in favor of spirits deposited prior to January 1, 1899. The bill passed the House last June.

At the conclusion of the routine morning business the Vest resolution was laid before the Senate.

Mr. Aldrich of Rhode Island said he assumed that all senators would be as keen in their sympathy with suffering in the present coal crisis as the senator from Missouri. The senator asked that something be done immediately, but he took an unusual course. He asked that the Senate instruct the committee on finance to prepare a bill removing the duty on anthracite coal if it was wanted more speedy action he was at liberty to prepare the resolution himself.

Again, said Mr. Aldrich, the resolution referred to anthracite coal only, and the importations of anthracite are infinitesimal in amount. The duty on bituminous coal still would have to be collected. The method of relief proposed by Mr. Vest would precipitate from its very nature a discussion of tariff questions that would outlast the coal famine itself. The resolution was merely a text for a political speech or a series of them. Mr. Vest had said that reference to the committee would be to consign it to the parliamentary tomb of the Capulets and that it would never be heard of again. "I call the attention of the senator," said Mr. Aldrich, "to the fact that the finance committee already has jurisdiction of matters of this kind. I promise that if this matter is referred to the committee it will be promptly considered and reported."

Mr. Vest insisted that the constitution provided only that bills to raise revenue should originate in the House, and that bills affecting revenues otherwise could originate in the Senate. Relative to his recent statement that

the author of the Dingley bill had said the rates were made purposely higher, with a view to early reduction by reciprocity treaties, Mr. Vest quoted from the Philadelphia Evening Bulletin an editorial article dated September 29, 1902, in which it was stated that Mr. Dingley had made such a statement to the editor.

Mr. Hale of Maine said this was a remarkable statement, appearing four years after Mr. Dingley's death. "It was never made during his life," said Mr. Hale, "though he lived a year after the enactment of the great bill bearing his name. Now comes the statement that the schedules were marked up as a tradesman marks up his goods for the express purpose of knocking them down. That was not Governor Dingley's style of doing business," exclaimed Mr. Hale. "The Dingley bill was what it purported to be--a great, simple, magnificent, magnificent gift to the American people."

Mr. Hoar discussed the constitutional phase of the resolution. The house, he said, had repeatedly claimed that bills for reducing revenue as well as for raising it, should originate in the House because the subjects were inextricable.

"We cannot refuse to consider House revenue bills," said Mr. Hoar, "but the House could refuse to consider such bills coming from the Senate on the ground of what the House might consider the unconstitutionality of such bills. Our hands are tied by the constitution. It is unfortunate for the speedy relief of the present crisis that the senator from Missouri has brought up a vexing question--the rights of the two houses."

Mr. Morgan of Alabama said sentimentally: "It will be understood that this resolution cannot be disposed until the question raised by the Senator from Massachusetts is discussed."

Mr. Aldrich quoted from high authorities showing how the constitutional question raised had been decided in favor of the House and against the Senate.

Mr. Vest said he had been ignorant of the constitutional questions involved, but he hoped that "even a poor Democrat might offer a suggestion that will hasten a solution of this question."

The resolution went over the unfinished session and then adjourned until Monday.

## Philippine Constabulary Bill Takes Four Hours

### Radical Amendments Defeated by a Majority of One Vote--Argument for and Against the Bill

Washington, Jan. 8.--By the narrow margin of one vote, the House, at the end of a four hours' discussion of the Philippine constabulary bill, refused to radically amend its provisions, one result of which would have been the enforced retirement of Capt. Allen, the present chief of the force, whom it is particularly desired to retain.

A letter was read from Representative Lanham of Texas, announcing the fact that he had tendered his resignation to Governor Savers whom he is to succeed in the gubernatorial office of the Lone Star State on the 26th instant. The letter was entered on the Journal.

Speaker Henderson announced that, owing to the necessity of keeping a quorum, he hereafter would object to granting leaves of absence, "on account of important business," if no other member did so.

Under the order made yesterday the House, immediately after the reading of the Journal, in committee of the whole proceeded to consider the bill to promote the efficiency of the Philippine constabulary. The bill provides that regular army officers may be detailed to act as chief and assistant chiefs of the constabulary, and that while so serving, the chief shall receive the rank, pay and allowances of a brigadier general, and assistant chiefs those of a colonel.

It also provides that the Philippine scouts, ordered to assist the constabulary in the maintenance of order, may be placed under the command of the chief or assistant chief of the constabulary.

The bill was championed by Mr. Cooper of Wisconsin, chairman of the committee on insular affairs.

Answering questions by several members, Mr. Cooper said that under the bill it would be possible for the commissioners to make a second lieutenant chief and give him the rank and pay of a brigadier general. This, it was feared by the questioners, would prove a dangerous power. The additional expense caused by the bill it

was provided, would be chargeable to the revenue of the islands, and this formed the basis of objections to the bill urged by Mr. Maddox of Georgia, a member of the committee. He read the letter of Secretary Root, sent to Congress yesterday, asking that three million dollars be appropriated to relieve the sufferings and distress of the people of the Philippines--people on the verge of starvation because of the loss of crops, destruction of cattle and live stock, and the ravages of disease.

"Yet, in the face of this state of affairs," said Mr. Maddox, "it is proposed to tax those people to pay the expense of making a captain a brigadier general and four lieutenants probably colonels. I say it is an outrage and a shame."

He alluded to the argument of the Philippine commissioners, in behalf of the bill, that when a man got to be a brigadier general he would be too old to efficiently perform the duties of chief of police in the islands. "The man whom it is proposed to promote under this bill," Maddox continued, "is 45 years old. We all know that General Funston is not so old, and if it is necessary to have an officer of that rank in that position, why not detail him? I think he would make an ideal chief of police. And if it were necessary to act as detective, he could perform that duty as well."

Mr. Hull of Iowa opposed the bill on the ground that it would advance officers beyond their rank.

The bill was further advocated by Messrs. Crumacker of Indiana and Patterson of Tennessee, and opposed by Mr. Fitzgerald of New York, who denounced it as vicious and Mr. Williams of Mississippi, who asserted that it was but a part of a general scheme to elevate paupers into power. It would be laughable, Mr. Williams said, if it were not taking place in the Congress of the United States. "It demoralized and put on the stage to show the Kipling strenuous life of Anglo-Saxons it would do more to render the race ridiculous than anything else that could be devised."

At 4:35 the House adjourned until tomorrow.

## Relief for Filipinos

Washington, Jan. 8.--The Senate committee on the Philippines today took favorable action upon an amendment to the sundry civil appropriation bill suggested by Senator Lodge, appropriating \$2,500,000 for the purchase of draft animals for the Filipinos.