

Cloudy, rain late in the afternoon or at night.

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READING ROOM

TRINITY COLLEGE

Temperature for the past 24 hours: Min. 34; Max. 62

No. 73

## A Filibuster Now On at Both Ends of Capital

Author of the Fairbanks Boom Requested to Vacate the Editorial Tripod—Other Washington Notes

BY THOMAS J. FENNE

Washington, Feb. 24.—Special.—A filibuster in progress at each end of the Capitol with only five days of the present session remaining, brought about the front today the old story of an extra session of Congress. While there is hardly any prospect of an extra session of Congress, an extra session of the Senate may be necessary.

Mr. Morgan announced that the Senate will be ratified at this session, and that he wishes good by the president will assemble the Senate in special session. Over in the House the Democrats have inaugurated a filibuster to prevent the unseating of Mr. Butler, but the rules in that body are such that it is impossible to stop the wheels of legislation.

Many small bills will fall by the wayside as the result of the filibuster. The big appropriation bills will be passed through. The situation tonight is not an extra session of the Senate, but there may be a change in legislation at any time.

## Legislation Carried on Under Difficulties

Democrats in Congress Retaliate on the Republicans for Unseating a Representative from Missouri

Washington, Feb. 24.—The Democrats of the House of Representatives today pledged themselves in caucus to vote that a quorum is present at all times during the remainder of the session and to demand a roll call on all measures. This action was taken in retaliation of the action of the Republicans in reporting a resolution for the unseating of Representative Butler and the seating of Wagoner. The caucus was attended by more than one hundred Democrats. The following resolution was adopted, with but two negative votes.

The question as to who will be the rural delivery agent over a newly established route leading from Lonsburg has developed a lively fight that almost equals the Charlotte contest, which waged so fiercely for a time. Several decisions have been made in this case involving a \$500 job, and in every instance an appeal has been made. Now it is threatened to take the case before the postmaster general.

C. J. Holloway, a Democrat, stood the best examination of all those who applied for the place, and naturally the board of examiners in the rural delivery service selected him for appointment. It seems that Holloway was unpopular with the Republicans, who began to plot against him. Ex-Judge Timberlake has been here for a week working to accomplish Holloway's removal. His efforts have been stoutly resisted by Representative E. W. Poirer, who declares that he will appeal the case to the civil service commission if Holloway is turned down. Judge Timberlake has pushed the matter before several heads in the post office department, and has now carried the fight direct to Superintendent A. W. March of the rural delivery system. D. D. Green stood the next best examination to Holloway, but the appointment is desired. Mr. J. A. Thomas of Lonsburg has been here for several days in Mr. Holloway's interest.

C. W. Jennings, a shipper in Greensboro, N. C., today filed a complaint with the Interstate Commerce Commission, alleging that the Southern Railway Company is daily violating the "long and short haul clause" of the Sherman Interstate Commerce act. Complainant says that the rate of carload lots of bananas shipped from Charleston to Greensboro is nearly double the rate on the same commodity shipped from Charleston to Lynchburg, Va., a longer distance, the transportation being made under similar conditions. The complainant says that this discrimination is in violation of the law, and he asks for redress.

The chairman of the North Carolina Corporation Commission, Franklin McNeill, wrote a letter to the commission requesting that the referee sought be granted.

Senator Simmons will report the nomination of J. E. Albright, as postmaster at Mount Airy, to the Senate committee on post offices Monday next. He will ask the committee to pass upon the case. The only charge against Albright is that he was imported to Mount Airy and to occupy a temporary residence. Several petitions protesting against the appointment are on file in the office of the postmaster at Mount Airy, who has been working in his brother's behalf, saw Senator Mason of Illinois, chairman of the post office committee, and other members. Of course they will take no part in the fight unless the charges are of sufficient import to warrant an unfavorable report on confirmation.

The nomination of David Kirby Pope as assayer of the mint at Charlotte has been confirmed by the Senate, but as this is not the name of the appointee the nomination will have to go again before the Senate. Pope's name is Daniel, and not David.

The date for the fall term of the Asheville court conflicts with the date of the southern editors to hold their next annual meeting at Asheville, N. C.

the sorry excuse of pretended partisan necessity, and to prevent the passage of vicious measures which there is every reason for believing the majority planned to rush through the House in the confusion incident to the ending of the final session of an expiring Congress, we pledge ourselves to stand together in support of the demand for the presence of a quorum at all times for the transaction of business and a recorded yeas and nays vote shall act up to the moment of adjournment.

The filibuster was promptly begun in the House. When the speaker announced that the journal would be read for approval, Mr. Richardson of Tennessee made the point that no quorum was present. The speaker counted 169 members—not a quorum. Mr. Payne of New York moved a call of the House. On this motion Mr. Richardson demanded the yeas and nays, and the first hour of the House over the question of approval of the journal.

It was the intention of the Republicans to take up the Butler-Wagoner election case today, and the Democrats stated that they had no hope of saving Butler's seat, but they declared themselves firm in their intention to keep the filibuster to the end of the session.

When Mr. Richardson, the Democratic leader, interrupted him and made the point of no quorum. "The constitution requires the presence of a quorum to do business," said he.

The speaker acquiesced, but was able to count only 137. Thereupon Mr. Payne, the Republican leader, moved a call of the House, and upon that motion the Democrats forced a roll call. The call of the House was ordered—237 to 0.

Mr. Payne then moved to dispense with further proceedings under the call. The rising vote resulted—yeas 137; nays 58. Mr. Richardson demanded yeas and the speaker sustained Mr. Payne's point of order that the demand was dilatory.

"Then I demand the yeas and nays," said Mr. Richardson. "That is our constitutional right."

The Democratic side arose in mass in support of his demand, and the speaker directed the clerk to again call the roll. Mr. Payne's motion was carried—232 to 1.

The next business in order was the reading of the journal. The Democrats had intended to demand the complex reading of the journal, the speaker, anticipating this, created a smile by directing the clerk to read the journal "in full." While this was proceeding, clerks of the president and the Senate, who had been in the hall for an hour, awaited patiently an opportunity to deliver their messages. The reading of the journal consumed twenty minutes.

At the conclusion of the reading Mr. Payne moved its approval, but Mr. Richardson demanded the reading of the bills and resolutions introduced yesterday. The speaker said that while it had not been the practice to read these additions, if demanded he would direct the clerk to read them. Mr. Richardson insisted and they were read. It required fifteen minutes to read the additions.

Bad feeling began to show, and a moment later when Mr. Payne renewed his motion, he exchanged sharp words with Mr. Richardson. Mr. Payne said he made the motion as there was an evident disposition on the other side to delay proceedings and all sorts of motions to amend the journal might be made.

Payne added that if the previous question were not insisted on there would doubtless be other and many requests to correct the journal, in order to protect the delay inaugurated this morning. The journal had usually been found to be correct, and there was no reason to suppose it was different today. He then moved the previous question and a storm of protests from the Democrats that he was cutting them off from an opportunity to perfect the record of the House, and Mr. Underwood, Mr. Richardson's lieutenant, was lustily shouting that he wanted to correct a vote.

The previous question was ordered—yeas 154, nays 52.

The question then came on the approval of the journal. Mr. Richardson demanded a division, but before this could be ordered Mr. Payne got in with a demand for the yeas and nays. Again the roll was called, resulting—yeas 145, nays 61.

Before the result was announced Mr. Underwood changed his vote for the purpose of moving a reconsideration. This he did, when Mr. Payne made the point that the motion was dilatory.

Speaker Henderson (while Underwood was striving to be heard). The chair sustains the point of order.

Mr. Underwood—From that decision I appeal.

Speaker Henderson—And the chair declines to entertain the appeal, as dilatory.

Thus the journal at 2:40 o'clock was finally approved.

Mr. Wadsworth of New York, chairman of the committee on agriculture, asked unanimous consent to take from the speaker's desk the agricultural appropriation bill, disagree to the Senate amendment in gross, and ask a conference thereon.

Majority in the district, by showing that with three exceptions in twenty years the Democrats had carried it; that the Republicans were hopelessly divided, so much so that Wagoner was not nominated, but ran upon a nomination paper. In order to get the honest vote cast in the district he asserted that it was not necessary for the majority to have thrown out 12,000 votes, and disfranchised half of the district.

Mr. DeArmond completed the closing nine minutes of the hour belonging to Mr. Peely in denouncing the Republicans for their contemplated action in unseating Butler. He characterized it as a farce, a shameful spectacle, and notified the Republicans that from that time until the speaker announced the House adjourned sine die the Democrats would be found doing all that the rules permitted them to do to prevent consideration of business and to show to the country the infamy of the proceeding.

Mr. Olmsted, at one point of his remarks, sought to interrupt DeArmond with a question as to the legality of Wagoner's nomination, but he declined, inveighing against the "impudence, assumption, assurance, gall, the sense of injustice of the gentleman who is trying to ride rough shod over the minority, who would seek to occupy his time when he had only nine minutes, by frivolous questions."

At the conclusion of debate Butler was unseated by a party vote.

## SMOOT THE MORMON

Charges Against the New Senator from Utah

Washington, Feb. 25.—Charges were today formally filed with the Senate committee on privileges and elections that Reed Smoot, the recently elected senator from Utah, is a polygamist. They were presented in the form of a sworn statement, signed by J. L. Leitch, "associate representative of artisans and electors of Utah." The document, which consists of 12 counts, was drawn up by General W. W. Dudley, of the law firm of Michener & Dudley of this city.

This Congress can take no action upon it, nor can Mr. Smoot be prevented from taking the oath when the next Senate meets, but, by filing the document now, it constitutes a charge against his eligibility to hold his seat, which will have to be investigated at the next session. The charges state specifically:

"That Reed Smoot is a polygamist, and that since the admission of Utah into the Union of states, he, although then and there having a legal wife,

married a plural wife in the state of Utah, and since such plural or polygamous marriage the said Reed Smoot has lived and cohabited with both his legal wife and his plural wife in the state of Utah and elsewhere as occasion offered."

The only record of the plural marriage, the petition says, is a secret record in the "exclusive custody and control of the first presidency and the quorum of the twelve apostles of the said church, of which the said Reed Smoot is one," and the Senate committee is urged to compel the church to produce this secret for the consideration of the Senate.

When Senator-elect Smoot was shown a copy of this document he declared emphatically:

"It is an infamous lie. I have but one wife. I never contracted a plural marriage, and I defy these people to produce the polygamist wife they accuse me of possessing, or of any other woman with any other woman with whom I have ever cohabited except my legal wife."

Mr. Leitch also asserts that "President Joseph F. Smith, the president of the Mormon church, is living in open polygamy and has a child born to him by his plural wife as late as 1898."

## Spain's War Bills

Madrid, Feb. 25.—The minister of finance, by King Alfonso's desire has prepared a compilation of the accounts of the Philippine and Cuban wars. The total cost of these wars was 2,500,000,000 pesetas (\$75,000,000). The account will shortly be presented to parliament. Treasury officials allege that some of the officers misused large sums. These statements have caused a sensation. Further developments are expected. It is possible that trials by court-martial of the officers charged with the misuse will follow.

## After the Battle

Charleston, W. Va., Feb. 25.—Deputy Marshal Cunningham and posse brought ten of the Raleigh county mob here this morning and lodged them in jail on charges of violating an injunction in order of the United States court. Sixty-one are held by state authorities at Beckley under warrants of conspiracy. Five are dead as a result of the battle Wednesday morning, and sixteen wounded are accounted for. The posse captured nearly 100 guns, 60 pistols and a ton of ammunition.

Greensboro, N. C., Feb. 25.—Special.—After examination of witnesses here this evening Judge Boyd dismissed the charges brought against United States Commissioner Henderson of Wilkesboro for dereliction of duty.

## Fire in Cincinnati Consumes Two Millions

Opera House and Many Business Places Burned—An Actor Saved by Using a Cuff and a Lead Pencil

Cincinnati, Feb. 25.—This city was today visited by the most destructive fire in its history. It started some time soon after midnight in the Pike building, in Fourth street, between Vine and Walnut, and destroyed one-half of a square in the territory bounded by Vine, Fourth, Walnut and Baker streets. The loss is now estimated at more than two million dollars; but, as there are more than 400 different sufferers, it is difficult to get closer figures.

The burning embers were carried for miles, the Kentucky suburbs being covered with them.

The fire departments of Newport, Covington and other Kentucky towns came promptly to the assistance of the local firemen, and it was noon before their combined efforts had the fire under control. Crews went to work all the time on the roofs of surrounding buildings and a general conflagration was narrowly averted. Joseph Schaefer and John Keenan were seriously injured by falling walls, but they both will recover. Although there are reports of persons being missing, it is not thought that any lives were lost.

The flames were discovered this morning about 1:20 o'clock in the cellar of George Joffe's grocery, in the Pike building. An hour later there was an explosion, supposed to have been from liquors in storage, and the flames soon shot through the roof of the six story stone front building, and from that time on for several hours the fire raged fiercely.

The Pike building was destroyed, including the office of the United States Express Company, the Adams Express Company, White's restaurant (owned by Maynard and Kerr), George Joffe's grocery, John B. Martin's restaurant, Emphong's confectionery, Henry Straus' cigar store, the offices of the Pike Theatre Company, on the first floor, the Pike opera house auditorium and green rooms, other offices on the second floor, and all of the offices on the third, fourth and fifth floors. The scenery and costumes used by the Pike Stock Company during the season, including the box of the building, and a ladder across the alley from the telephone exchange building, Jones was carried down and taken to a hospital.

been playing at the Pike this week, is a valuable double that of the Pike Stock Company.

The front stone walls of the Pike building and those of the adjoining structures, owned by Robert Clarke & Co., the Dehume Bros', jewelry store and the Seasons' building withstood the heat and did not fall. The rear walls of these structures, however, which are of brick, gave way with the falling floors.

The fire swept across the alley known as Baker street and burned the large publishing house of the American Book Company and other property along Baker street, and did great damage to the telephone exchange building, so that all phones in these city were cut off for some time.

As it is known that about twenty people sleep in the Pike building, there were at first reports that several lives had been lost, but none of these reports have been confirmed. There were, however, narrow escapes. Sgt. Watchmen John Asin and Garrison and Harry Richardson saved six lives by entering the building, forcing their way through the smoke, striking the alarm and rescuing the persons. Five men were asleep in a rear room, and were rescued by having their door broken in.

The escape of "Will" Jones, the well known Cincinnati actor, just before the roof of the Pike building fell, was thrilling and almost miraculous. Jones' presence of mind, which led him to throw his cuff into the street below and thus make his whereabouts known, saved his life. Jones went to the Pike building about midnight to get a valise which he had left in a studio of an artist friend on the fourth floor. After entering he was so tired that he fell asleep. When he awoke he was nearly blinded and suffocating. He crawled to the door. He went up to the roof, fell over something and was stunned.

When he recovered the flames were shooting through the roof. He crawled to the edge, but the flames in the street did not notice him. He shouted himself hoarse. Then he took his cuff and wrote on it: "I am on roof. Nearly dead from gas—Jones."

He threw it to the ground and a reporter picked it up and located the figure of a man standing outlined in the sparks. Jones crept along the edge of the roof of the building and crawled to the firemen, who placed him in a cot.

## A Fund to Build Public Schoolhouses

\$200,000 Available and to Be Loaned to the Various Counties—No Change in Pilotage Laws—Work of the State Senate Yesterday

In the Senate yesterday thirty additional new bills were introduced, and forty bills were passed, one only being killed.

Among the new bills introduced was one by Senator Henderson relative to the holding of extra terms of court. This bill amends the present law so as to make more certain the payment of the judges holding the special terms.

Another, by Senator Welborn, provides that railroad companies may issue "free passes" to Confederate veterans.

The bill to revise and amend the navigation and pilotage laws of the Cape Fear river and the ports of Wilmington and Southport was given another airing, coming up as unfinished business, and after considerable more debate the bill was tabled.

The most important matter, probably, that claimed the attention of the Senate was not finally disposed of, viz.: Senator Henderson, for the committee, reported a bill, introduced by Senator White, to create the State Literary Fund, to be known as the State Loan Fund in aid of building school houses, and asked that it be put upon its several readings and passed at once.

Objection being made to its third reading by Senators Beasley and Hicks of Granville, it was passed over for the time being and made the special order for today (Friday) at 1 o'clock. This is a most important bill and the general opinion of senators is that it ought to pass without a dissenting vote.

As Senator Henderson explained, the bill opens the way for utilizing in a most beneficial way more than \$200,000, at present locked up in the state treasury, derived from the sale of school lands, etc., some \$50,000 of it being in cash and the balance in good bonds.

The purpose is to loan this money out to the various county boards of education (who, with the state board of education, are made responsible for such loans) for the purpose of erecting public school houses wherever needed. An interest rate of four per cent, is to be charged, which together with ten per cent of the principal borrowed, is to be paid back into the state treasury annually, which would

amount to \$25,000 annually returned provided the entire original principal is loaned out. This \$25,000 could then be again loaned—thus establishing a kind of "endless chain" loan fund for building public school houses all over the state.

The fund would be as safe as it is a present, and at the same time be used as a power for good, instead of remaining idle and useless, locked up in the treasury.

The State board of education is also made a corporation and authorized to receive donations and bequests for public school purposes, etc. As stated the bill comes up for final passage in the Senate at 1 o'clock today.

The detailed report of the day's work follows:

The Senate meets today at 10 o'clock.

Proceedings in Detail

There was no prayer to pray for the state senators yesterday, and Lieutenant and Governor Turner had to call for the reading of the journal as the opening act of the day.

The Senate was called to order at 10:29 o'clock.

Reports from the various standing committees were sent up to the clerk's desk and the bills so reported were placed on the calendar.

The bills reported in The Post yesterday as having been ordered to be enrolled were as follows:

By Senator McBride (by request)—Petition signed by 2,500 voters of Robeson county requesting the removal of the county seat from Lumberton to Pembroke.

By Senator McBride (by request)—Sixteen petitions from citizens of Robeson county protesting against the removal of the county seat.

By Senator Pritchard—Petition from J. W. Graham against extension of city limits of Raleigh so as to include the property of a ward.

New Bills Introduced

New bills continue to invade the Senate. The following were introduced yesterday:

By Senator Webb—S. B. 1657—A bill supplemental to act amendatory of the stock law of Jackson county, 1901 and 1902.

By Senator Baldwin—S. B. 1654—For the relief of W. C. Brown, a Confederate veteran; pension committee.

By Senator Hoy—S. B. 1655—To authorize Cleveland county commissioners to use surplus funds in county treasury raised by special tax, for other purposes; counties, cities and towns committee.

By Senator Glenn—S. B. 1656—To amend (Continued on Sixth Page.)

## The Day Devoted To Passing Bills

Act to Incorporate the Town of Williams, Yadkin County—Revenue Bill Passes Second Reading—No Let Up in New Measures

Yesterday was a busy day in the House.

There was little talk indulged in by the members, but a flood of new bills were introduced, which with the already crowded condition of the calendar, makes the end of the session a long way off, despite the fact that the constitutional limit for pay will soon expire.

There is yet much work to be done. The revenue bill has passed the House on its second reading and after tomorrow will be in the hands of the Senate where in three days it can become law, provided no amendments are appended by that body. The finance committee is now at work on the machinery act.

From indications one of the hardest fights of the session is brewing over the bond issue bill pending in the House. There will be rigorous opposition to it, and there is no telling how much time will be consumed in discussing the measure.

Much of the session yesterday was given to the passage of roll call bills on the second reading calendar, more than thirty in that class being disposed of. Nearly fifty new bills were introduced and a large number passed final reading. Toward the close of the day's session Mr. Nisson of Forsyth introduced a bill to incorporate the town of Wilmington in Yadkin county. It is hardly necessary to say that this is a measure having for its object the exemption of the well-known Williams whiskey distillery from the operations of the Warrs bill which has just become a law.

The only discussion in the House yesterday was brief. It was provoked by a bill to require the commissioners of Tyrrell county to levy a special tax and build a new court house. It was

measure introduced in the Senate by Senator Sprull, Democrat, and passed by that body. Dr. Alexander, Republican, elected as an independent to the House from Tyrrell county, offered an amendment providing that the people of Tyrrell county be allowed to vote on the proposition.

Mr. Watts of Iredell urged the House to stand by Senator Sprull's bill and pass it as it came from the Senate. Senator Sprull is from Tyrrell and a Democrat. Mr. Board of Washington also opposed the amendment and told of the sorry old wooden building in the town of Columbia, called a court house, in which valuable records are kept stuck away in and packed upon old goods boxes, liable to be burned by fire. He hoped the general vote down the amendment and require the erection of a court house.

Dr. Alexander said he had before been a member of the Legislature and that he had never attempted to represent any county except the one which elected him. He had voted with all other gentlemen for their local bills and all he asked now was that his vote be allowed to say by themselves whether they would tax themselves to build a court house. He said he was elected here to represent Tyrrell county and that he received the votes of many of the best Democrats in the county.

Col. Lucas of Hyde came to the assistance of Dr. Alexander and made a strong speech in support of the amendment. He thought it only a matter of fairness and justice to the people of Tyrrell to let them vote on the question. Mr. King of Pitt also spoke in favor of the amendment.

Dr. Riddick of Franklin said he was glad to see the gentleman from Hyde come around to his (Riddick's) way of thinking at last, and that he was willing for the people to have a say.

Col. Lucas: "I have no questions of taxing the people of a local matter I want them to have a say, but on the honor question I am satisfied."

There was a slight ripple of laughter at this and Dr. Riddick said: "I did not mention the liquor question."

Col. Lucas: "No, but I knew what you were driving at." (Laughter.)

(Continued on 5th page.)