

For N. C. — Fair, colder; for Raleigh: fair, colder.

THE MORNING POST.

Temperature for the past 24 hours: Max. 44; Min. 29.

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No. 13

A Way to Settle the Post Office Contest in Wilmington

Mrs. Russell Suggested as a Compromise—Judge Robinson Applauded by North Carolinians. He Denies the Report About Cheatham

BY THOMAS J. PENCE

Washington, Dec. 14.—Special.—There was talk today to the effect that a compromise would be reached in the Wilmington post office contest, and reports indicated that the appointment might go to Mrs. Russell, wife of the ex-governor. Friends of T. E. Walling say they know nothing of any such program, and intimate that the suggestion comes from supporters of Miss Darby. The failure of Chairman Rollins to reach Wilmington today leaves the Wilmington fight just as it was last week, and until he reaches here and makes a decision in favor of one of the candidates there are not likely to be any new developments. While it was stated today that the suggestion of Mrs. Russell's name came from the state chairman there were some people who were disposed to doubt this story. It was finally set forth that Mrs. Russell was not a candidate for the office in any sense of the word, and that her name would not be considered unless it would develop that there is no hope of Miss Darby's appointment. It was said that ex-Governor Russell is Miss Darby's friend in the post office fight and will not pursue any course unless agreeable to her. It was pointed out that Mrs. Russell resides some miles from Wilmington and was thus eliminated as a possibility, a strict rule being in force in the department which excludes persons from appointment who are non-residents. The answer was made that Mrs. Russell is within the delivery of the Wilmington office and thus eligible for appointment; that while she was not strictly a resident of the city, yet she is in the sense that she receives her mail there.

Ex-Judge Robinson, the national committee man, who has recommended Miss Darby's appointment, Ex-Governor Russell and Ex-Senator Butler were in conference today. It is said that the Wilmington contest was undecided.

State Chairman Rollins wired Judge Robinson today that he would be unable to reach here at this time. The two leaders of the state organization will meet here soon and finally pass on this and other contests.

Before leaving Washington, Judge Robinson took occasion to say in unmistakable language, that so far as he knew, there was no understanding between the administration and the organization in the state for the election of Ex-Congressman H. G. Cheatham or any other negro as a delegate at large from North Carolina to the Re-

publican-National Convention. Judge Robinson was disposed to minimize the effect of the story, which was given out by a well known Republican last week.

It was stated by a western Republican, who was here yesterday, that the administration, through the federal officeholders, would be unable to control the next North Carolina Republican state convention. While he thinks that the delegation will instruct for Roosevelt, negroes will cut little ice. This view does not generally obtain among Republicans. The fate of Alabama Republicans is impressed on them. There Mr. Roosevelt turned down the organization for asserting a little independence and filled all offices with a new element.

The action of Judge Robinson in refusing to attend Senator Hanna's banquet because of the presence of Judson W. Lyons, the negro national committee man from Georgia, continues to be a topic of general conversation. The effect of his refusal to subscribe to the social equality function of the Republican party is freely commented upon. North Carolinians are of the opinion that the judge had injured his political standing as a Republican in the state, but are inclined to take the view that he has strengthened himself with the white people. From a national viewpoint he did injure himself. That is as a Republican. Should Judge Robinson ever aspire for an office at the hands of this administration the fact that he refused to break bread with a negro would be used against him, and probably successfully. Friends of the national committee man say that he has no aspirations for a federal appointment and that the administration will never have the opportunity of reuking him for his action Saturday night. One North Carolina Republican said today:

"The Republicans of the state will applaud Judge Robinson for refusing to sit down at a table with a negro. He will not suffer as the result of his action, and you can just bet that he will be re-elected national committee man with unanimity. As Republicans we have to stand by Mr. Roosevelt, but even the president cannot force us to discard our self-respect. We will not follow him in his negro policy."

So far as can be learned Judge Robinson is the only member of the national committee who refused to eat with the negro. The other southern members were not in a position to assert their independence. Those who are asking for office are dictating the patronage in their own states, and this fact kept them from doing the thing that they wished to do. It is said that John G. Capers, the national committee man from South Carolina, wished to absent himself from the banquet hall, but he is a candidate for judge of the new federal district to be created in the state, and after mature reflection he decided that it would be best to swallow the negro pill. The comment is made that his action will bring him him the appointment.

"North Carolina Republicans are for President Roosevelt, and he will, regardless of the result of the contest."

Argument Begun for Northern Securities

It is Contended That the Merger Is Lawful if It Does Not Appear That the Effect Is in Restraint of Trade

Washington, Dec. 14.—The supreme court of the United States this afternoon began hearing arguments in the case of the Northern Securities Company, the great Northern Railway, the Northern Pacific, James J. Hill, J. P. Morgan, Daniel S. Lamont and others vs. the United States, coming to this court on appeal from the decision of the circuit court for the district of Minnesota. The decision is to the effect that the purchase of the greater part of the stock of the railway companies constituted a merger and was contrary to the Sherman anti-trust law. The case involves the community-of-interest principle.

There has been much interest in the case, and when it was called today the court room was crowded, both inside and outside the bar. Attorney General Clegg was present with quite an array of assistants from his office, while the opposition also was represented by a long list of distinguished counsel, including former Attorney General Clegg, John G. Johnson of Philadelphia, and John G. Johnson of Philadelphia, representing the Northern Securities Company, made the first argument. He announced that the three railroads and

the securities company would desire to be heard by their counsel, while it was stated in behalf of the government that only the attorney general would speak. After stating the case Mr. Johnson said that the purpose of the securities company in acquiring the stock of the railroad companies had been to prevent competition, but to prevent the injury of its own property.

Early in the argument Justice Peckham asked whether the securities company held the major portion of the stock of the two companies, and Mr. Johnson admitted that the company held nearly all the stock. He contended that, holding the stock, it had the authority to control it. He took sharp exception to the decision of the circuit court that the possession of the power which the securities company had was a violation of the law, and contended that such holding was not in accordance with decisions of the supreme court, which were uniformly to the effect that it is the abuse of the power and not the possession of it, that constitutes the offense.

Mr. Johnson said that what he had to say would be stated in six propositions, which he outlined briefly as follows: The first is that there was no agreement, contract, combination or conspiracy to restrain competition between these two railway companies or to restrain trade. But, that, on the contrary, whatever contract or understanding there was in the case, as established by uncontradicted testimony, was to enlarge, to create and in every way possible to improve trade and commerce.

The second proposition is that if two railway companies, somewhat in competition with each other, find it necessary, in order to sustain their compe-

dition against a third company, which otherwise could destroy them or greatly interfere with their usefulness to the public, to combine in any way for the purpose of protecting themselves against destruction, and in order, by means of that protection, to make a greater competition, with a greater rival, on a greater scale, for the greater advantage of the public, then the court must look to the matter as one of fact, to determine whether the real purpose was to destroy or lead to the destruction of the smaller competition in order to promote trade by the establishment of the greater competition.

The third proposition is that if the holding by the Northern Securities Company of the majority of the shares of the Sherman act, of course an agreement among any number of persons would be a violation of that act.

The fourth proposition is that the first section of the Sherman act does not in any way condemn as illegal the acquisition or ownership of the shares of two competing companies.

The fifth proposition is that the second section of the Sherman act does not in any way condemn the acquisition and holding of such ownership of the shares.

The sixth proposition is that, if the Sherman act does condemn as illegal the ownership of a controlling interest in the shares of the competing railway companies, it is unconstitutional.

Taking up the propositions, Mr. Johnson contended that there had been no thought of restraining competition in uniting the ownership of the two railroad companies, but repeated that, on the contrary, the purpose had been to enlarge and promote trade. He admitted that if there had been any agreement to restrain interstate commerce that would constitute a direct violation of the interstate commerce law, and also contended that it was immaterial what the intent had been. He knew well enough, he said, that the decision of the court would be based upon the acts performed and not upon the statement of motives.

(Continued on second page.)

WAGES REDUCED

The Cut Is Now General in New England Mills

Boston, Dec. 14.—A reduction in wages averaging 10 per cent. and involving 6,000 cotton operatives was made today in Adams and North Adams, Mass., and Norwich, Conn. At Adams, the cut went into effect in the mills of the Berkshire Manufacturing Company, the largest in western New England. They employ nearly 3,000 hands. The Eclipse, Beaver and Graylock mills of North Adams, with 1,500 hands, followed the action of the Berkshire Company. As the Williamstown mills and the North Pownal Manufacturing Company's mills reduced wages early in the fall the movement is general in northern Berkshire.

A lower wage scale was put into effect today at the mills of the Shattuck and Fall Companies, near Norwich, Conn. About 1,200 operatives are employed by the two concerns. The Attawaugan and Ballouville companies and Tetoket mills, employing 2,500 hands, have joined the other eastern Connecticut concerns in cutting pay.

In all 88,000 operatives in southern New England, western Massachusetts and scattering mill towns elsewhere are now on a lower schedule.

ON THE TRACK

A Farmer Stepped in Front of a Locomotive and Was Killed

Winston-Salem, N. C., Dec. 14.—Special.—Jenkins J. Hooker of Kings, Stokes county, aged 60 years, was killed by a south bound passenger train on the Atlantic and Yadkin Railroad near Germantown at 10:15 today. His body was horribly mangled. The engineer says Hooker was walking near the track when he first saw him, that when the engine was within a few feet of him the man stepped upon the track, making it impossible to stop the train in time to save Hooker's life. No reason is assigned for his strange action. The deceased was a well known farmer. He leaves a wife and several children.

SEAWORTHY BOATS

Torpedo Destroyers Ride Out a Heavy Gale and Rough Sea

Washington, Dec. 14.—The first torpedo boat flotilla, commanded by Lieutenant Lloyd Chandler, arrived at Port Royal, S. C., today, and Captain C. J. Train, president of the naval board of inspection and survey, who with the other members of the board, accompanied the flotilla on the cruiser Baltimore, telegraphed the navy department that the little vessels had

proved their ability to stand the long voyage to Manila.

Captain Train said that the flotilla encountered heavy weather for about twelve hours off Cape Lookout. There was a southeast gale with a heavy sea, but the five vessels under Lieutenant Chandler's command easily maintained speed of from ten to twelve knots against the sea without danger. "Board considers result of trip," said Captain Train, "conclusively proves flotilla seaworthy for cruise to Manila."

Lieutenant Chandler also sent a telegram in which he said that there was moderately heavy weather from Cape Hatteras to Charleston, where the flotilla spent the night. He said that after taking a small amount of coal at Port Royal the flotilla would proceed at once to Key West, whence it will sail at once for the Philippines under convoy of the training ship Buffalo.

STUCK IN THE SAND

The Moccasin Resists Efforts of Tugs to Float Her

Washington, Dec. 14.—Information received here from Currituck, N. C., shows that the efforts of the tug Rescue of the Merritt & Chapman Wrecking fleet and the naval tug Hercules to pull the submarine torpedo boat Moccasin off the beach at that point yesterday were unsuccessful. The small craft is firmly imbedded in the sand and the two powerful tugs were able to move her only about three feet—not sufficient to float her. The Rescue and the Hercules will remain by the Moccasin and make another effort to get her afloat when the tides are favorable today or tomorrow.

MILITARY DIVISIONS

A New Arrangement Proposed by the Chief of Staff

Washington, Dec. 14.—A plan for the creation of military divisions in the United States was laid before Secretary Root today by General Young, chief of staff. An order making the proposed change will probably be issued in a few days. It is proposed to create a division of the Atlantic with headquarters at Governors Island, N. Y., to include the department of the east with headquarters at Boston, and the department of the south at Atlanta.

There is some opposition to the location at Atlanta of the headquarters of the department of the south, and Secretary Root has agreed to hear Representative Moon of Tennessee and a delegation of citizens who desire the headquarters located at Chattanooga.

It is proposed to organize a division of the Pacific out of the present departments of California and the Columbia and to include in this division, California, Nevada, Hawaii, Washington, Oregon, Idaho and Alaska. The division of the north will include the present department of the Colorado and Dakota. There will also be a division of the lakes with headquarters at Chicago, which shall include the department of the lakes, department of Missouri and department of Texas. The Philippine archipelago will make another division. It is proposed to have the divisions commanded by major generals and the military departments within the divisions in command of brigadier generals or colonels.

BAPTISTS ADJOURN

The Convention in Charlotte Closed Sunday Night

Charlotte, N. C., Dec. 14.—Special.—The Baptist state convention was declared adjourned by President Marsh shortly before 10 o'clock last night. After a sermon by Rev. Dr. Thos. D. Huffman of Warsaw brief talks were made by Dr. R. H. Marsh of Oxford, Dr. R. J. Williamson of Richmond, Rev. Livingston Johnson of Raleigh, Maj. W. A. Graham of Lincolnton, Rev. W. R. Gwaltney of Hickory, Rev. R. T. Bryan of China, Dr. W. C. T. Three of Raleigh, Dr. Thos. E. Hume of Chapel Hill and several others.

Resolutions offered, by Dr. Huffman, thanking the people of Charlotte for their generous hospitality and welcome to and freedom of their homes, the Charlotte pastors, the other denominations for the use of their churches, the railways and especially the newspaper reporters for their courteous attendance and faithful reports, were adopted. The Baptist ministers occupied most of the Protestant pulpits Sunday and their sermons were of a high order. The Raleigh ministers had the following assignments: Rev. W. C. T. Three at the Pritchard Memorial Baptist church, Rev. J. C. Masse at Trinity Methodist church and at the Young Men's Christian association, Rev. R. S. Sturgeson at Louise Baptist church, Mr. N. B. Broughton and Rev. B. W. Spillman of Nashville, Tenn., conducted the Sunday school at Tryon Street Baptist church.

Nearly all the remaining delegates left the city today.

Fell Through a Window

Asheville, N. C., Dec. 14.—Special.—A negro named Julius Houston, while washing the plate glass windows of an office building in Church street, slipped off the table on which he was stand-

ing and fell through the glass, severing an artery in the thigh. Medical aid was called and the man's wound was dressed. He was taken to the Mission hospital in a very weak condition. He was reported to be resting well this afternoon. It is not believed that the wound will prove fatal.

LEISHMAN REPORTS

His Version of the Alexandria Affair Differs From that of the Turkish Minister

Washington, Dec. 14.—A partial report from Minister Leishman at Constantinople of his investigation of the alleged assault upon United States Consul Davis by Turkish police at Alexandria, Syria, has been received by the state department. Mr. Leishman says that Attarian, the naturalized American citizen, whose attempt to leave Alexandria without undergoing certain formalities caused the trouble, had gone aboard a steamer for Egypt, but was enticed ashore by a substitute and an attempt was made to arrest him. Consul Davis, under whose protection Attarian had placed himself and who had escorted him to the steamer, was assaulted by the police, Mr. Leishman asserts, and sought to defend himself. Afterwards Mr. Davis, failing to secure Attarian's release, withdrew from Alexandria.

The account sent by Mr. Leishman is entirely at variance with the official explanation made to the state department by Chekib Bey, the Turkish minister, who asserted that Mr. Davis began the trouble by assaulting the police who were arresting Attarian. More details are desired by the state department and Minister Leishman has been instructed to get them. No action will be taken by this government until this additional information has been received.

ALL KINDS OF TALK

The Pension Bill Furnishes the Occasion for a Variety of Discussion

Washington, Dec. 14.—The House, upon convening today, adopted a concurrent resolution providing for a recess adjournment from December 19 to January 4. A joint resolution was adopted providing that the last naval appropriation bill shall not be so construed as to deprive midshipmen at sea of commutation of rations.

Mr. Gaines of Tennessee, who was recognized for one hour, spoke on tobacco interests, asserting the need of legislation in behalf of the grower. The farmers of the tobacco states are crying out against the war taxes, which, he said, are imposed.

Mr. Sims of Tennessee defended the accuracy and fairness of the agricultural department in the matter of estimates of the cotton crop.

Mr. Adams of Pennsylvania defended the course of the administration in regard to the recognition of the Panama republic.

Mr. Lind of Minnesota made a long argument against the present tariff law.

Mr. Beall of Texas criticized the position of President Roosevelt in the canal matter and Mr. Baker of New York made an anti-monopoly speech.

Consideration of the bill was not concluded.

A RIGHT OF CONGRESS

Senator Morgan's Inquiry Concerning Contemplated Purchase of Canal Treaty

Washington, Dec. 14.—A concurrent resolution was offered in the Senate today by Mr. Morgan of Alabama, declaring it to be the right of congress to be informed of and to pass upon any contemplated purchase of property at Panama from the New Panama Canal Company before such contemplated purchase is attempted to be consummated by the president. The resolution further declares that such purchase cannot be made by the president, nor by the president and the Senate in their treaty-making capacity, without the legislative consent of congress. The resolution was laid on the table subject to Mr. Morgan's call.

Dodging Remarks in a Negro Convention

There Were Other Things to Be Dodged in the Unparliamentary Proceedings. The Police Reserves Keep the Peace

Washington, Dec. 14.—The National Suffrage League of Colored Men convened this morning in the Metropolitan Baptist church to discuss the race question and pass resolutions on the subject. After an hour and a half of somewhat unparliamentary debate the police reserves were called out and preserved order until adjournment. The excitement was due to the fact that some of the delegates would pass resolutions endorsing President Roosevelt's attitude on the negro question while others wanted the convention to denounce Booker Washington for his utterances on disfranchisement. There was a nighty warm time for a while.

The convention was supposed to begin at 11 o'clock this morning. Most of the delegates wore frock coats and high hats, and all of them were calm and dignified. When 11 o'clock arrived, however, it became necessary to appoint a chairman, the delegates laid aside most of their claims and all of their dignity, and became animated. After some general talk W. Calvin Chase, a Washington editor and lawyer and chairman of the executive committee of the local suffrage league, who stands six feet four, and weighs over two hundred pounds, attempted to call the delegates to order and introduce Rev. R. J. Meison, president of the suffrage league of Pennsylvania, when he was interrupted by Rev. J. W. Scott of this city and a dozen or so of his faithful followers. Reverend Scott and his adherents tried to take possession of the floor by other than parliamentary means. Rev. Chase cut his introduction short and with the assistance of his friends turned in to the rear of the hall. His efforts were successful, but a few minutes parliamentary practice was resumed while the delegates got their second wind.

Editor Chase had not been in the chair very long, however, before an impatient suffragist attracted his attention by throwing a leather seat cushion at his head, and there was more trouble. Interested spectators who had attended the convention to learn something about the race problem had considerable difficulty in dodging the remarks and other things that were passed merrily back and forth by the delegates, and finally selected the choir gallery as the safest place from which to view the proceedings.

It soon became apparent that Lawyer Chase and the Rev. Scott were the leaders of the two factions in the convention, but as about twenty of their adherents were expressing their views in revival tones simultaneously it was difficult to find out what the trouble was all about. Finally, however, the Rev. Nelson was selected as chairman and it became known that the Scott faction wanted to pass resolutions endorsing President Roosevelt

in his attitude toward the negro race, while the Chase followers were directly opposed. In the open-air-debate some of the delegates charged that the convention had been called at the instance of Booker T. Washington, who they alleged was also desirous of controlling it. A number of the delegates referred slightly to Booker Washington's recent utterances to the effect that disfranchisement in the south placed a premium on intelligence, wealth, character and aptness of the negro, in the endeavor to destroy his influence in the convention. Another faction in the convention intends to petition congress to enforce the provisions of the 15th amendment to the constitution.

It is probable that the convention will divide and that there will be two conventions in session tomorrow—one pro-Booker Washington, one anti-Washington, and with "pro" and "anti" Roosevelt factions within each one.

At this evening's session it was agreed to meet the day before the Republican national convention at Chicago and present to that convention a petition that a plank be inserted in the Republican platform pledging the party to standing by the fourteenth amendment. It was also agreed to bring about the defeat of northern congressmen who have large colored constituencies in case they do not support the plank.

Herbert Spencer Cremated

London, Dec. 14.—The body of Herbert Spencer was cremated today and the ashes were interred in the Highgate Cemetery. There was no religious services. An eulogistic address was delivered in the cemetery chapel by Right Hon. Leonard Courtney.

RUM DEMON ROUTED

A Minister and a Party of Women Break Up Two Joints

Weissport, Pa., Dec. 14.—"Down with the rum demon," cried the Rev. E. E. Dixon, as he led a crowd of his female communicants in a charge on Tom Kelly's saloon and pool room, a resort for the fast set of this section last night. A dozen games were in progress when the parson and his friends broke into the place and the players made a mad rush for the doors and windows. After they had cleared out the place, burned the cards and broken the Faro wheels, they sang gospel hymns and rejoiced over their victory. Next they went to the Arlington Hotel, where they cleaned out the bar and emptied the bottles on the floor.

Rev. Dixon is the clergyman who, while stationed at Stroudsburg, Pa., prayed that lightning might strike a brewery which was in course of erection there. Three days later a terrible storm visited the place and a bolt of lightning struck the building and partly destroyed it. However, it was rebuilt and is now doing a big business.

Marines Landed for Duty on the Isthmus

It is Reported That a Colombian Force Is About to March on Panama. Information From Admiral Coghlan

Colon, Dec. 14.—A company of marines from the Prairie was landed here today under the command of Captain Smedley D. Butler, and entrained for Panama, whence the marines will be sent to a point on the coast south of Panama.

This step was in consequence of the receipt of information that Colombian troops had landed in that direction with the object of marching on Panama. If this is confirmed it will mean the beginning of a long campaign of guerrilla warfare on the isthmus. The destination of the marines is said to be Yaviza, up the San Miguel gulf and the Turia river.

Reports From Scout Ships

Washington, Dec. 14.—The navy department today received two cables from Admiral Coghlan both dated the 13th. The first reads:

"Mayflower today reports Cartagena and Pinzon were at Turbo with four to eight hundred men. Took in some supplies. Sailed the 8th and supposed to have landed the troops at Gandi. Atlanta, however, was at Gandi the 9th and got opposite information, and United States consul at Cartagena reports that the Cartagena returned there the 9th. No doubt the vessels and troops were at Turbo the 8th; that information is reliable. Atlanta returns today to gulf for further search."

or vessels. Communicated with shore at the principal points. Indians suspicious of strangers. Found trails from San Blas point to Porto Bona possible for small parties, but not leading in land. Scouts leave today to cruise to Cape Tibaron and Gulf of Darien."

No Hostilities, Says Reyes

Washington, Dec. 14.—General Reyes called at the state department today and was closeted with Assistant Secretary Loomis for nearly an hour. In reply to a question, the general said he had given assurance to this government that, pending his diplomatic mission to Washington, there would be no hostilities on the part of Colombian troops. As to what would be done after that the general would make no statement, but significantly shrugged his shoulders. General Reyes expressed the hope that there would be no war between the United States and Colombia. "The United States wants civilization," he said. "She too, wants to be on friendly terms with the countries of the south."

The Senate Elects a Chaplain

Washington, Dec. 14.—The Senate today elected Rev. Edward Everett Hale its chaplain, to take effect January 1. The resolution by which he was elected was presented by Senator Allison as the result of an agreement reached in a Republican caucus. It is understood that Dr. Hale probably will not serve beyond the present session of congress.

A Battleship Named

Washington, Dec. 14.—Senator Gallinger has received a letter from the president in which the chief executive states that he has directed one of the future first class battleships of the navy named after the state of New Hampshire.