

Mantle of Simonton Falls on Pritchard

There Was Only One Choice for the Place—Lawyers Express Pleasure and Newspapers Offer Congratulations

By THOMAS J. PENCE

Washington, April 27.—Special.—President Roosevelt sent to the Senate today the nomination of Justice Jeter C. Pritchard of Columbia to be United States judge of the fourth district in connection with the late Judge Charles W. Simonton.

It was generally known that Judge Pritchard would be appointed to the place, but the promptness with which the selection was announced was somewhat of a surprise. The nomination would have been delayed possibly a week or more, had it not been for the fact that Congress adjourns tomorrow and it was considered best to send the appointment to the Senate now so that confirmation would be without delay.

Justice Pritchard will make his residence in Asheville, N. C., after he qualifies as circuit judge, which will not be later than July 1. His confirmation by the Senate will not interfere with his present duties. He expects to try the pending cases in Criminal Court No. 1 of the district and will leave next Monday when the Tyler-Brown post office cases come to trial.

Although there were many eminent lawyers from a number of states mentioned in connection with the circuit judgeship, the president resolved as soon as the matter was brought to his attention that Judge Pritchard was the man for the judicial honor. Communication was had with the district judge and it was ascertained that he would accept. That settled the appointment so far as the other applicants were concerned. While recognizing that the elevation from the district to the circuit judgeship was a distinct promotion, Judge Pritchard was at first surprised to make the change. He has not yet said anything, but he has in an election home here, which cost \$2,000, and he was well pleased with his surroundings. While the salary of circuit judge is \$5,000 more than that of his present position, he is deriving a greater sum from lectures delivered at the Georgetown University law school.

Of these things weighed with Judge Pritchard. While the honor attached to the promotion naturally appealed to him, his love of North Carolina and the promise of residence there was no less an influential factor in aiding him to the decision that he made.

The news of Judge Pritchard's promotion was hailed with satisfaction by his friends everywhere and especially by his former colleagues in the Senate. Personally there was not a more popular member of that body. The North Carolina colony here was very much pleased. Many prominent lawyers in South Carolina, North Carolina and Virginia have written and wired Judge Pritchard during the past twenty-four hours urging him to be a candidate for the circuit judgeship. Judge Boyd was one of those who wrote here strongly urging Judge Pritchard's appointment. All of these letters were highly complimentary to the new judge.

The appointment of the North Carolina jurist is a high honor to the state. It is the most distinguished judicial distinction conferred upon a Tar Heel in many years. The circuit judgeship is considered next in importance to appointment on the supreme court of the United States. Highly interesting to the connection is the following paragraph from the Washington Star this morning:

Right Honors Probably in Store
The jurist is regarded as well informed on the subject. It is predicted that the appointment of Justice Pritchard to the circuit court is merely a forerunner of his elevation to the supreme court of the United States. It is pointed out that Mr. Justice Harlan, of the highest reputation in the land, will retire within a few days of the present time. He is a Southern Republican. It is added, and it would be no more than consistent to expect a Southern Republican as his successor. Justice Pritchard, the knowing lawyer, will be the best man available to answer all the requirements, and in view of the foregoing, it is not surprising that the nomination of Justice Pritchard for the circuit court now being made by the president.

Justice Pritchard was very much pleased when he learned of his appointment. Nothing pleased him more than the prospect of returning to Asheville to live. He said:

"I regret to leave here, there are many considerations that render the appointment very desirable to me. I have in Washington been endeavoring to do my best to make me feel that I am a citizen of the State, and I go regret that the conditions are such that I will have to part with my family those of the bar, who will use every possible assistance to me since I entered upon the duties of the office. I am prepared to say that I shall leave here in the very near future. Very likely I will remain and reside in Criminal Court No. 1 until the time arrives for the taking of the usual summer recess, about the end of June."

Complimented by Washington Papers

The afternoon papers speak in terms of highest praise of Judge Pritchard, and express regret that he is to leave the district bench. The Times said: "Since Justice Pritchard assumed his duties he has made a host of warm friends among the members of the bar and the residents of Washington generally. He has always been eminently fair and impartial in all his rulings. When it became known today at the City Hall that it was likely that Justice Pritchard would be promoted to the United States circuit court bench there were expressions of sorrow at his loss to the district and congratulations for him because of his good fortune."

The Star said: "The news of Justice Pritchard's appointment spread rapidly about the city hall, and all who heard of his approaching departure hastened to express to him their regret that he is to leave the District of Columbia. The expressions were spontaneous and thoroughly sincere. At the same time the popular jurist was congratulated because of his promotion. Justice Pritchard's circuit will embrace North and South Carolina, Virginia, West Virginia and Maryland. There is one other circuit judge in the district, Justice Nathan Goff of West Virginia. It is believed that former Governor G. W. Atkinson, now United States attorney for the southern district of West Virginia, may be Justice Pritchard's successor."

The Senate confirmed the nomination this afternoon immediately after the executive session was convened. His former colleagues did the new circuit judge the honor of confirming his appointment without referring it to a committee as is the usual custom. Favorable action was taken by the Senate on the motion of Senator Pettus of Alabama, who was first to address the chair.

Simmons Amendment Killed
The post office appropriation conference struck from the bill Senator Simmons' amendment providing that the condition of roads in any proposed district should not be allowed to prevent the establishment of rural free delivery routes, provided carriers volunteered to contract for delivery of mail over these routes. As soon as Senator Simmons learned this morning that his amendment had been eliminated he arose for the purpose of protesting. He said that the amendment was nothing to the government but meant a great deal to many people in every part of the country.

The light house board, which made a vigorous fight before congress against Mr. Small's bill appropriating \$500,000 for a light house at Cape Hatteras, has now transferred its opposition to the White House, where it hopes to secure the president's veto. Information to this effect came to friends of the measure this afternoon. Mr. Frye, who is very much interested in the bill, has written a letter to the president stating that the committees of the Senate and House considered carefully all the objections of the light house board and that the measure is a meritorious one.

The North Carolina delegation, through the instrumentality of Mr. Webb, has endorsed C. N. Wrenshall of Lincoln for appointment as assistant paymaster in the navy. There are twelve vacancies which the president will soon fill.

A letter from an officeholder in the eighth district expresses alarm as to the future of those who have been protected heretofore through ex-Congressman Blackburn's influence. The official decapitation of several red hot Blackburn supporters in the service of the government seems to have alarmed some of the faithful. L. E. Davis, a Blackburn enthusiast, has been fired as deputy collector. Others who have been turned adrift are John H. Smith and J. D. Sturgill of Alleghany, and they have been succeeded by T. W. Landreth, a Linneyite. "Has the state machine turned against Blackburn?" is a significant question that a number of people are asking.

A post office inspector has been notified to make an investigation of the charges recently filed against the Hon. J. Ruff Henderson. The soft impeachment is that he is incompetent, guilty of drunkenness and insulting to patrons of the office.

ENGINE BLOWN UP

Wreck Results in Loss of Life and Property

Pittsburg, Pa., April 27.—Engine No. 220 of the Baltimore and Ohio railroad, east-bound, exploded early today while passing Tenth street, Braddock. Three men were fatally injured, three others dangerously hurt and five buildings were wrecked. Two of the houses caught fire and were destroyed.

The engine was proceeding east with a long freight train and was moving with considerable speed, when suddenly there was an explosion. This was followed by a cloud of steam, cinders and flame, which continued to be propelled into the air until the engine reached Eleventh street, a block away. Here it left the tracks, the boiler being blown twenty-five feet, striking St. Paul's Polish Lutheran church and partly demolishing it, while a cylinder head crashed through an ice house.

BRITISH IN THIBET

Reports Indicate a More Favorable Situation

London, April 27.—Colonel Younghusband, commanding the expedition to Thibet, reports that the situation there is improved. The Chinese ambassador has sent notice that he is coming to negotiate with the mission. He adds that the dalai lama is now roused to a sense of the British power. The Thibetan officials at Lhasa are greatly perturbed and want the difficulty settled. There is a general attitude of acceptance of the inevitable, combined with a sense of relief at the flight of the oppressive Lhasa officials who promoted the resistance to the mission. The people of Gyantse are friendly to the mission. Local traders are besieging the camp to sell produce to the mission at exorbitant prices. The Thibetans are sharp traders. They are already sending to India to increase their stocks.

TREATS OF BOLTING

Factions in Iowa Unable to Harmonize

Sloux City, Iowa, April 27.—As a result of a conference here today of Democratic leaders there is an indication that the Democratic convention next Wednesday will be split. The conference today included the state committee and others opposed to Hearst. It was decided that the committee shall make up a list of delegations to take part in the temporary organization, and that this shall contain enough anti-Hearst people to control. Contests have been started by the Hearst people in a number of counties. Their opponents will arrange enough more to make possible an anti-Hearst roll-call for the temporary organization, thus securing control of the committee on credentials. Each faction insists that it will bolt if the other controls.

WALL FALLS ON THREE FIREMEN

New York, April 27.—Three firemen lost their lives this morning at a fire which destroyed the three buildings of the John Stanley soap factory. They were all young men and it was their recklessness in going where Chief Croker himself had warned them not to go that cost them their lives. This danger spot was in front of a six story brick structure. After four o'clock in the morning there was not much left of the building except the front wall. The engine company, in command of Lieutenant James Foley, was stationed in front of it and had two lines of hose at work. The three men were at the nozzle of one of them, and they ventured beyond the safety line in the middle of the street to the south sidewalk so as to play their stream to better advantage. Lieutenant Foley yelled for them to come back, for the six story wall was wobbling. The three hesitated an instant and then turned to run, dragging their hose with them. But it was too late then. The wall bulged out at the second story, then came down with a roar and a crash and buried the three men.

Loss of Chinese Cruiser

Shanghai, April 27.—The Chinese cruiser Hai Tien, which struck the rocks at Eagle Point, sixty miles southeast of Shanghai, is a total loss. The United States cruiser New Orleans went to the assistance of the Hai Tien today, but her efforts were unavailing. The crew of the Hai Tien were rescued. There was no loss of life.

ALL FOR PARKER

Solid Delegation From New Hampshire to St. Louis

Concord, N. H., April 27.—The state and district conventions of the Democratic party here today resulted in a sweeping victory for Parker, electing the four district delegates, all belonging to the so-called straight Mitchell ticket, which favors the New York judge. The Hearst men decided to concentrate their forces on a single candidate for delegate at large, hoping to secure one of the four, and for that purpose John B. Nash of Conway was put upon two combination tickets, although he was pledged to Hearst. Nash received in all 27 votes.

Patrick H. Sullivan of Manchester, who was selected by the Hearst element, which dominated the state committee, to preside, did so acceptably, cutting short the discussion of candidates when the speeches began to develop an interchange of rancorous personalities, and bringing about a ballot. No attempt was made to instruct the delegates.

KILLED WRONG MAN

A Matter of Mistaken Identity in Indiana

Indianapolis, April 27.—Walter Hodges, recorder of Boone county, was murdered last night in a side street in Lebanon without any seeming provocation. George Harrison and Montgomery Herral have been arrested, charged with the crime. Hodges was walking along the street when he was assaulted by two men, one of them knocking him down with a club and beating him over the head. He regained his feet and staggered across the street, and then fell unconscious. The assailants ran to a buggy which had been left at a livery stable and drove out of town rapidly. A posse pursued them, and this morning they were captured twenty miles from the scene of their crime. They professed ignorance of the crime, but were identified by the stable keeper and others.

Apostle Taylor Is Very Much Married

He Has Five Wives and He Keeps Clear of the Investigation—Committee Will Sit During Recess of Congress

Washington, April 27.—The Senate today authorized the committee on privileges and elections to sit during the recess of the Senate and to appoint a sub-committee to sit at such times and places as it sees fit, to continue the investigation as to the right of Reed Smoot to sit in the Senate. The sub-committee will go to Utah during the summer to take further testimony. Sheriff Abbott of Davis county, Utah, was the first witness in the Smoot case this morning.

"Apostle John W. Taylor is reputed to have five wives," testified Sheriff Abbott. "He has two wives at Farmington where I live. One is Nellie Todd and the other Nettie Wooley. I am a Mormon myself, and these people are my closest neighbors. They live catty-cornered across the street from each other. Nellie Todd has six children, the oldest sixteen and the youngest two years old. Nettie Wooley has five children, the oldest eleven or twelve. Apostle Taylor is forty-five or forty-six years of age."

Mr. Taylor—who are the other reputed wives?
"Rhoda and Roxie Wellings, half sisters who live a mile from me. They are about twenty-two to twenty-four years of age."
The inquiry brought out that Apostle Taylor is supposed to be in Canada. He has property there.
Mr. Dubois—Do you know whether it is generally understood that the high officials of the Mormon church go to Mexico or Canada to contract plural marriages?
"I understand they do not go through the temple or marry plural wives with the consent of the Mormon people."
Mr. Burrows announced that the United States marshal of Utah had been unable to locate Apostle Taylor, George Teasdale, Abraham Cannon, Heber J. Grant, M. F. Cowley, Lillian Hamlin Cannon and Marion W. Merrill. A letter was read from President Joseph F. Smith, dated April 15, expressing regret that he could not procure the attendance of these persons. He said that Cowley and Taylor had written him to the effect that they would not appear in Washington. "Inasmuch as this is a political matter, and not a church matter," wrote President Smith, craftily, "I regret that I can not procure their attendance."
Mr. Taylor here rested and Chairman Burrows announced that several witnesses subpoenaed not having arrived, the committee would stand adjourned subject to his call. One of the witnesses on the way is said to have very important information against the church leaders, including President Smith himself.

Final Action on Sundry Civil Appropriation Bill

Washington, April 27.—The conference agreement on the sundry civil appropriation bill, reported today, clearing up all differences between the two Houses on this measure, is as follows as to important items added by the Senate:

The Senate amendment providing \$900,000 for an office building for senators is retained.
In relation to the extension of the east front of the capitol, substitutes are provided for House and Senate provisions for a joint commission of three senators and representatives to inquire and report at the next session of congress plans in detail and estimates of cost for the extension and completion of the capitol building.
The Senate amendment appropriating \$50,000 for a statue of Thomas Jefferson is stricken out, and a provision adopted to create a commission to report plans and designs for a statue to cost not exceeding \$100,000.

HANLY NOMINATED

Indiana Republicans Unreservedly Endorse Roosevelt

Indianapolis, Ind., April 27.—J. Frank Hanly of Lafayette was nominated for governor today on the first ballot by the Indiana Republican convention. The platform, as presented by the chairman of the resolutions committee, was unanimously adopted.

The platform heartily and unreservedly endorses the administration of President Roosevelt and instructs the delegates at large to support him. It pledges anew confidence in the wisdom and efficacy of the protective tariff, with a change of schedules as conditions demand, but made consistently with the policy of protection.

BACK FROM COLON

Canal Commissioners Made a Satisfactory Inspection

New York, April 27.—Among the passengers today on the steamer Yucatan from Colon were the members of the United States canal commission. One of the commissioners said that they had accomplished the object of their visit, which was a general inspection.
Admiral Walker this afternoon left for Washington, where, he said, the commission would meet in a few days and a formal report of the work done be made and forwarded to the president. He added: "With the exception of a mild type of malaria at Colon we found the sanitary conditions fairly good. We have decided to utilize the old works of the French company temporarily, and will repair and enlarge them wherever necessary."

Panama Officials Entertained

Colon, April 27.—President Amador, the members of his cabinet and General Huertas were entertained at lunch today on board the American cruiser Newark.

Cannon Rules Out Cockran Resolution

Democratic Appeal Laid on the Table by Republican Votes—Littlefield Talks Tariff and Williams Replies

Washington, April 27.—Speaker Cannon this afternoon announced his ruling on the point of order made by Mr. Grosvenor yesterday against the consideration of the resolution offered by Mr. Cockran, which he claimed to be privileged, to investigate the charges that he had accepted money for his participation in support of the election of Mr. McKinley in 1896. In an elaborate opinion the speaker said he was warranted in taking judicial knowledge of the fact that the offense set forth, as charged against Mr. Cockran, "if committed at all, was committed while the gentleman from New York was neither a member nor a member-elect of this House."

He read a number of precedents dating as far back as 1796, where certain offenses had been charged against senators and members having been committed before their entry into Congress and upon which their expulsion was demanded, and said that, in so far as the House was concerned, in but one of the cases had the House assumed to punish a member for acts committed prior to the time he was elected to the House.

Speaker Cannon held that what had been alleged by Mr. Dalzell constituted no crime. It was simply a question involving the propriety of the conduct of a private citizen and the House could not punish that citizen if it desired to do so. He also held that under decisions of the supreme court it was very doubtful if a committee of inquiry under such circumstances could compel the attendance of witnesses or the giving of testimony. "Under the circumstances," concluded the speaker, "the chair holds that the resolution of the gentleman from New York may not be entertained as a question of privilege."

Complete silence followed the announcement of the speaker's decision and there was close attention when Mr. Williams, the minority leader on the floor, arose in his place and addressed himself to the chair.

"With all due respect," said Mr. Williams, "we beg leave to appeal from the decision of the chair."
Mr. Payne of New York, the Republican floor leader, moved that the appeal be laid upon the table. Speaker Cannon put the question of laying the appeal on the table. The Republicans voted "aye" lustily, but the Democrats just as lustily shouted "no."

The motion to table the appeal was carried by a vote of 169 to 125.

Littlefield Makes a Pass at Cockran
Mr. Grosvenor next called up the Philippine shipping bill and asked unanimous consent that a vote be taken after two hours of general debate, one hour on a side. This motion was agreed to and Mr. Grosvenor, amid Republican applause, yielded one hour to the gentleman from Maine. Mr. Littlefield said it had been the privilege of the House during these days to listen to an unusual and remarkable display of parliamentary language, first on one side of the chamber and then on the other. The gentleman from New York, (Mr. Cockran) through his splendid natural gifts and magnificent talents, had contributed a large share to the great oratorical display. Mr. Littlefield congratulated the Democrats and the Republican members of the House as well as the country at large upon the return of the distinguished gentleman from New York to legislative duty in the House. This statement was greeted with loud applause on the Democratic side.

Mr. Littlefield continued: "It is a pleasure to meet the gentleman and an honor to know him. It is both an honor and a pleasure to hear him. He then said that the moth-eaten doctrine of free trade had attained a new distinction through the eloquent oratory of Mr. Cockran. But instead of promoting this doctrine on a sound, logical basis, the gentleman from New York had resorted to a vituperative, vilifying and a demagogic assault upon the doctrine of protectionism. Mr. Littlefield said the gentleman from New York mistook epithet for argument and denunciation for demonstration.

On Saturday last, Mr. Littlefield said, Mr. Cockran had announced tariff as an issue. On Tuesday, the tariff issue having met with a chilly reception, Mr. Cockran announced that tariff would not be an issue in the next campaign, because the Republicans would be in control of the Senate for the next four years and tariff legislation could not be enacted.
"God be praised," he said. "For four years at least the people are protected from Democratic doctrine regardless of what may happen to the presidency."

A Broadside Question
He asked the Democrats if they stood by the free trade of Mr. Cockran; did they approve it or disapprove of it; and demanded a categorical answer, yes or no; he demanded to know if they stood by the tear-down-the-custom-

house speech of Clark of Missouri, and asked for a yes or no reply. He called upon Mr. Williams to answer and upon Mr. Clark. The latter said he would answer and "knock the pins" out of Littlefield's speech if he were given an hour to do it. The Republicans laughed at this. He asked if any member stood by Mr. Cockran's free trade speech. Mr. Baker of Brooklyn shouted that he did, and that he would repeat Clark's offer to hire a hall and debate with Mr. Littlefield against free trade.

He next called upon Mr. DeArmond of Missouri to answer. The latter replied by asking Mr. Littlefield if he would stand for a tariff upon articles where the tariff afforded a shelter for monopoly and enabled domestic manufacturers to sell goods cheaper abroad than at home. Later Mr. Littlefield made a reply to this question which brought forth loud applause on the Democratic side, while the Republicans, who had before been cheering him enthusiastically, sat mute and silent. Mr. Littlefield declared that where it could be shown that a manufacturer was enabled to sell his goods cheaper abroad than at home by reason of the operation of the tariff, he was in favor of reducing the tariff to an extent sufficient to prevent such a condition. In making that statement Mr. Littlefield said he spoke only for himself and did not assume to speak for the Republican party.

The Democratic Leader Replies
Mr. Williams replied for an hour. He took Mr. Dalzell severely to task for his reference to "foreign hoodlums," and spoke of the patriotic devotion to the country of those who came to America from foreign shores.

He declared that protection was simply a subsidy, yet every Republican would denounce him if he introduced a bill to give labor a subsidy in money as it proposed to do to the shipping industry, which proposition, he said, was so closely allied to the doctrine of protection. Replying to Mr. Littlefield, he asked some questions and demanded categorical answers. Was the tariff a tax, and did the Republicans favor a tariff which would shelter monopoly? The Democratic position, he said, was not to place every article made by a trust upon the free list, but to so reduce the tariff as to make it impossible for a trust to increase its prices by reason of the tariff. As to Mr. Cockran's speech, he agreed with him in some respects and disagreed with him in others; every Democrat had individual views. Mr. Littlefield did not ask a fair question when he wanted a categorical reply. Mr. Littlefield knew that the issue was not free trade; he knew that government could not be conducted without some tariff tax, and the difference between Republicanism and Democracy was that the former believed that taxation was a blessing and should be made as high as possible, while the Democrats held it to be a necessary evil and sought to reduce it to the lowest possible amount.

Just before the recess was taken at 6:30 the Democrats achieved a victory. For several days the Republicans have been endeavoring to get consent to have political speeches for campaign purposes inserted in the record, but Mr. Williams, the minority leader has repeatedly objected and they have been kept out to a large extent. Today, Mr. Grosvenor offered a resolution to suspend the rule so as to permit members to extend remarks on the record for three days after adjournment. Mr. Williams vigorously protested and won his point. He demanded a roll call and every Democrat voted against the resolution, as did a dozen Republicans, while others shirked the vote. Mr. Grosvenor's resolution was defeated by a vote of 125 to 108. The House then took a recess until 9:00 o'clock.

After three roll calls the House tonight, by a vote of 123 to 98, passed the bill providing that government supplies for the Philippines shall be shipped in American bottoms. Consideration of the measure occupied practically all the time of the night session.
At midnight the resolution for final adjournment had not yet been presented in the House, which at that hour found itself without a quorum and unable to transact any business. It was the intention of the leaders to present the adjournment resolution and then take a recess until 10:30 tomorrow morning, but the inability to find a quorum may compel adjournment until noon.

Lawlessness in Poland

Warsaw, April 27.—In connection with the revolutionary activity here the deputy chief secret police and the deputy commissary of constables attempted to enter a suspected house. They were attacked by a party of men armed with revolvers and knives. Both the officers were killed and two of the constables were wounded. Four arrests were made.

A Tip to the Dalai Lama

St. Petersburg, April 27.—It is reported that the Russian agent at Lhasa, in view of the British expedition now in Thibet, has urged the Dalai Lama to take refuge in Russian territory.