

# The Reidsville Review.

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REIDSVILLE, N. C., MAY 10, 1910

ISSUED TUESDAYS AND FRIDAYS.

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## POLITICS IN THE NATION

Hot Political Talk From the National Capital.  
(Special Cor. to The Review.)

Washington, May 9.—The Democrats, assisted by a handful of fighting progressive Republicans, have forced the administration to abandon some of the worst of the corporation-serving clauses placed in the railroad regulation bill by Attorney General Wickersham.

Wickersham framed this bill after a conference with six railroad presidents. Wall street knew long in advance of the public appearance of the bill that it would be so drawn as to annul the Sherman anti-trust law. Railroad interests bought and sold stock on the strength of their advance information.

Had the railroad regulation bill become a law as prepared by Wickersham, it would have practically destroyed all that has been accomplished in the last twenty years to give the government some measure of control over the railroads of the country.

No attorney general of the United States has ever been revealed in just the position Mr. Wickersham now occupies.

Instead of having drawn a bill that would tend to place greater safeguards about the rights of the people of the United States, as might naturally be expected from a public officer who is receiving a salary on the assumption that he is giving such protection to the people, Wickersham has been charged on the floor of the Senate with having attempted to take from the masses even such inadequate safeguards as they now enjoy, while at the same time giving the corporate interests the right to merge and do other things that the Sherman law has forbidden them from doing.

At the time of Wickersham's appointment it was asserted that he had been selected by President Taft in deference to the wishes of the corporations of the country, who had spent money and coerced workingmen to vote the Republican ticket, and who demanded as compensation for this service the privilege of naming the attorney general.

The unusual interest of special privilege in this office may be realized at full value when it is understood that the attorney general is in charge of the prosecuting machinery of the government.

Whether Wickersham's appointment really was the result of a pre-election arrangement or not, the trusts have had no occasion to be dissatisfied with the President's selection. Whenever the rights of the people and special privileges come into conflict, Mr. Wickersham decides favorably to the corporate interests and against the people. This is what the records of his office show.

President Taft has reached the conclusion the progressives are bad, bad men. He complains they visit him at the White House and assure him of their great personal respect and well-wishes, and then go to the capitol and vote against his railroad regulation bill.

"Why do you act this way?" a progressive Republican was asked. "Do you not respect the President of the United States?"

"I respect the President, both personally and officially," was the reply. "But I have even more respect for the welfare of 90,000,000 people of this country. The President sends the Congress a railroad regulation bill which the best authorities say absolutely annuls the Sherman anti-trust law which is the only safeguard the people now have against the combining of the big railroads. Along with this bill comes the ultimatum that our vote on the measure will be considered a test of our Republicanism. We are desirous of showing all proper respect for the President, but as between serving our conscience or the President, we are put to the painful necessity of forsaking the

## HABEAS CORPUS WRIT

Signal Service Rendered at a Critical Time by Judge Brooks.

The suggestion that the State of North Carolina place a bust of the late Judge George W. Brooks in the capitol at Raleigh has been generally approved, and has acquainted the younger generation with the signal service rendered at a critical time by this just Federal judge. His upholding of the sacred act of habeas corpus when the State courts had declared "the judiciary is exhausted" ought never to be forgotten by North Carolinians. The coming generation should know the story of that epoch-making event. In his address on General Ransom, delivered at Raleigh on the 10th of May, 1906, Col. W. H. S. Burgwyn gave the story of General Ransom's appeal to Judge Brooks and the decision that followed. The facts are so interesting that the following extract from Col. Burgwyn's speech is given to The Review readers:

On July 1, 1868, Hon. W. W. Holden took the oath of office as Governor, under what is known as the "Canby constitution." On March 7, 1870, Governor Holden declared the county of Alamance in insurrection, and on July 8 following he likewise declared the county of Caswell in insurrection. In June, 1870, Governor Holden organized some five hundred soldiers under the command of George W. Kirk, of Tennessee, as colonel, and having suspended the writ of "habeas corpus" by his proclamations, these soldiers under Colonel Kirk and his subordinates arrested numerous citizens of the counties of Alamance and Caswell, under charges of being members of the Ku-Klux Klan and guilty of the murder of J. W. Stephens and Wyatt Outlaw.

On July 15, 1870, Adolphus G. Moore, of Alamance, was arrested by Kirk, and the next day he sued out a writ of "habeas corpus" before Chief Justice Pearson, Captain E. S. Parker and Judge J. C. Stephens, his counsel. The writ was delivered to A. C. McAllister, now of Graham, North Carolina, who on the following day, which was Sunday, July 17, 1870, served the same on Colonel Kirk as his command rested about nine miles from Company Shops (Burlington) on the road to Yanceyville. Kirk's reply was, "Tell them such things are played out. I have my orders from Governor Holden, and shall not obey the writ. I will surrender my prisoners as Governor Holden orders, but not otherwise, unless they send a sufficient force to whip me."

This answer was reported to Judge Pearson on the 18th. The judge notified Governor Holden that Colonel Kirk refused to make return to the writ, and asked if Kirk was acting under the Governor's orders. On the next day Governor Holden replied that "Colonel Kirk made the arrests and now detains the prisoners by my orders." The judge thereupon announced as his decision that the Governor had no power to disobey the writ of "habeas corpus," and issued an order that Mr. Moore be brought forthwith before him and directed the same to the marshal of his court with instructions to exhibit it and a copy of his opinion to the Governor with this famous statement: "If he, the Governor, orders the petitioner to be delivered to the marshal, well, if not, following the example of Chief Justice Taney in the Merrimon case, I have discharged my duty. The power of the judiciary is exhausted, and the responsibility must rest on the executive." Governor Holden in reply, under date of July 26, 1870, gives his reasons at length for refusing to obey the writ and Judge Pearson declined to take any further action.

The condition of those in confinement, the best and most influential citizens in their respective communities, now no hope of release by the process of the law, a court martial organized to try them ordered to convene in a few days, was so deplorable that a few determined and able men came to the city of Raleigh to consult as a committee of safety on the liberties of the people. Governors Graham and Bragg, Honorable B. F. Moore, Judge W. H. Battle and his two sons and others met at Judge Battle's office the last of July. General Ransom was telegraphed to his home to attend, and he came at once.

The situation was laboriously and

## KING EDWARD IS DEAD

Is Succeeded to the Throne of Great Britain by George V.

London, May 7.—King Edward VII, who returned to England from a vacation ten days ago in the best of health, died at 11:45 o'clock last night in the presence of his family after an illness of less than a week, which was serious hardly more than three days.

The Prince of Wales succeeded to the throne immediately, according to the laws of the kingdom, without official ceremony. His first official act was to dispatch to the Lord Mayor the announcement of his father's death, in pursuance of custom.

Pneumonia, following bronchitis, is believed to have been the cause of death. Some of the King's friends are convinced that worry over the critical political situation which confronted him, with sleepless nights, aggravated if it did not cause his fatal illness.

The intelligence that the end of King Edward's reign had come was not a surprise at the last. The people had been expecting to hear it at any moment since the evening's bulletin was posted at Buckingham palace and flashed throughout the kingdom. The Capital received it without excitement, but sadly, for the King with his own people was unquestionably one of the most popular rulers in the world. They regarded him as one of the strongest forces making for the stability of the peace of the Empire.

A summons to the privy councillors has been issued by Sir Almeric Fitzroy clerk of the council, convening the council in the throne room of St. James palace at 2 o'clock this afternoon when the councillors will "with one voice and the consent of tongue and heart publish and proclaim that the high and mighty Prince George is now, by the death of our late sovereign of happy memory, become our only lawful and rightful liege Lord, George V. by the grace of God, King of the United Kingdom of Great Britain and Ireland, defender of the faith and Emperor of India to whom we do acknowledge all faith and constant obedience with all hearty and humble affection, beseeching God by whom Kings and Queens do reign, to bless the royal Prince, George V., with long and happy years to reign over us."

The new King, after this proclamation, will address the council and promise to reign as constitutional sovereign. At the conclusion of the meeting King George will issue his first proclamation requiring all officials to proceed with their duties.

The aldermen of the city of London will attend the council and swear allegiance. A proclamation has already been issued by the home office, requiring theaters to close today.

The court will go into mourning for six months, and the Lord Mayor has ordered that the great bell of St. Paul's shall be tolled throughout the day.

of the proceedings to be taxed by the clerk of this court."

Judge Brooks died in January 1881, and his remains repose under a monument in Hollywood cemetery, Elizabeth City, erected by his wife. This upright judge, this able Christian woman, his wife, the petitioner and his able and faithful attorneys, the gallant soldier, accomplished statesman, orator and diplomat, have gone to their rewards, but "lest we forget."

"These are deeds which should not pass away  
And names that must not wither  
tho' the earth  
Forgets her empires with a just decay  
The enslavers and enslaved; their death and birth."

Brown Gets the Appointment... Henry Clay Brown received a commission from Governor Kitchin to succeed the late B. F. Aycock as Corporation Commissioner.

Mr. Brown, who has been secretary to the Corporation Commissioner for eighteen years, was summoned to the Governor's office about noon on Friday and soon thereafter the announcement was made that he had been named for the commission for which there were several applicants.

This appointment will vacate the secretaryship of the commission, a place to be filled by the commission later.

The Charlotte Observer states that the postal department is considering two slight changes in the schedule of trains at Lynchburg and Danville where by New York mail will be delivered 12 hours earlier than now. The change would make train between Charlottesville and Lynchburg leave Lynchburg 38 minutes later than now, and make No. 7 leave Danville 15 minutes later than at present. These changes would prevent the delay of mail at Lynchburg, where the mail at present must lie from 9:10 a. m. until 4 p. m., when No. 43 gets it and brings it on.

A touch of rheumatism, or a twinge of neuralgia, whatever the trouble, Chamberlain's Liniment drives away the pain at once and cures the complaint quickly. First application gives relief. Sold by Dr. Brittain.

## AS TO JUDGE MANNING.

Reasons Why He Should be Nominated for Associate Justice.

The people of North Carolina are to be congratulated that there are two such worthy gentlemen, staunch Democrats and eminent jurists as Judges Manning and Allen as aspirants for the high and honorable office of associate justice of our Supreme Court, because either of them would fill that position with credit to himself and honor to the State. And yet, while this is true, we think that Democratic usage and common fairness demand the nomination of Judge Manning.

During the forty-two years, since 1868, that our judges have been nominated by political conventions and elected by a vote of the people, no Democratic State convention has "turned down," or refused to nominate, the appointee of the Governor, and only four district conventions have refused to nominate the judges of a district who had been appointed by him. So that, according to Democratic usage, Judge Manning should be nominated.

Common fairness also demands his nomination, and the people of North Carolina are fair-minded. Judge Manning has "made good" the Governor's appointment of him, for he has fully met the high expectations of his many friends who urged his appointment. He has worn the judicial ermine most worthily, and his opinions are ranked among the best ever delivered by any judge of our Supreme Court. No lawyer doubts his fitness for the office. In character, legal learning, party service and judicial temperament he is worthy of receiving the endorsement by his party of the Governor's appointment. And why should he not receive it? The only objection suggested is that another good Democrat wants it!

Is this a sufficient reason for "turning down" Judge Manning and rebuking Governor Kitchin for appointing him? While, of course, the Democratic party has the right and power to rebuke a Governor for any appointment made by him, yet does Governor Kitchin deserve such a rebuke in his appointment of Judge Manning? If Governor Kitchin had appointed Judge Allen instead of Judge Manning, when both were aspirants for the appointment, and he had discharged the duties of his office as well as Judge Manning has (and we do not doubt that he would have done so) then we would have urged Judge Allen's nomination for the same reasons above given for Judge Manning's nomination.

In this connection we may mention that the Democrats of this State, so far back as 1896, thought Judge Manning worthy of judicial honors, for at the election that year he was their candidate for judge of the Fifth judicial district, and received more votes than any other Democratic candidate on the State ticket, although all were defeated by the fusion ticket.—Chatham Record.

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**Johnston, Ivie & Dalton,**  
Attorneys at Law.  
Office in rear of Bank of Reidsville. Same as formerly occupied by Johnston & Ivie. Julius Johnston and A. D. Ivie will continue their usual visits to Reidsville, the latter on every Thursday. Practice in State and Federal Courts.

**McMichael & Saintsing,**  
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