

Vladivostok is Bom- barded by Jap Fleet

The Russian Flank at This Same Point is Threatened By Japs.

NO DAMAGE IS DONE

The War Has Been Lag- ging for Past Week, But From Present In- dications, there Will Be "Something Do- ing" Before Long— Russians are Forag- ing—Other News.

Vladivostok, March 6.—A fleet of five Japanese battle ships and two cruisers appeared off this place at 1:25 o'clock this afternoon and bombarded the town and shore batteries for fifty-five minutes.

The fleet approached from the direction of Askold island at the east entrance of Ussuri bay, and about 32 miles southeast of Vladivostok. Entering Ussuri bay the enemy formed in line of battle, but did not approach a closer range than 5-1.3 miles. They directed their fire against the shore batteries and the town, but no damage resulted, as most of their 200 lyddite shells failed to burst.

The Russian batteries, commanded by Generals Veronetz and Artamoff did not reply, awaiting a closer approach of the enemy.

The Japanese fire ceased at 2:20 p. m., and the enemy retired in the direction of Askold island. Simultaneously the torpedo boat destroyers appeared near Askold island, and two more near Cape Miadel.

The Japanese ships were covered with ice.

The attack resulted in no loss to the Russians, but cost the enemy 200,000 roubles (\$100,000) in ammunition. Most of the projectiles were six and twelve inch shells.

The population of Vladivostok was warned this morning of the presence on the horizon of a hostile fleet, and the prospect of an attack during the day, but it remained tranquil.

Japs Threaten Russian Flank.

Vladivostok, March 6. The 2,500 Japanese troops who landed at Plaksin bay (on the east coast of northern Korea), are advancing toward Mussian (218 miles from Gensan), with the intention of ultimately reaching Hun Chun (on the left bank of the Tumen river, about 100 miles west of Vladivostok), and threatening the Russian flank.

In order to checkmate this move the Russian outpost, 1,500 strong, which recently crossed the Tumen is advancing to occupy Koryyong, on the Tumen river, a walled city commanding the trails along which the Japanese must pass.

The naval mobilization foreshadowed in these dispatches was partially decided upon to-day. Three eastern provinces of European Russia, Tyatka, Perm and Ufa are included in the plan, the purpose stated being the strengthening of the crews on the Pacific squadron.

The Czar Troubled.

St. Petersburg, March 4.—The czar and zarina are in a deplorable state of mind because of the war. The czar is almost constantly praying and sending offerings to famous shrines. Some fear his mind may give away. He upbraids his ministers for the present condition of affairs. The czarina remains in her own apartment. She thinks the trouble is due to her, because she abandoned the Protestant faith in order to marry the czar.

Munitions of war and men are being forwarded to the Far East as rapidly as expected, and the concentration at Harbin is much larger than was supposed.

Russia Plans Decisive Move.

St. Petersburg, March 4.—Russia's Port Arthur fleet is preparing to make a decisive move under Admiral Makaroff. Torpedo boats will play an important part. An imperial summons has been issued for reserve men, military and naval, for six weeks' training, thus planning for the entire Russian army's mobilizing.

Russian Strategy.

London, March 4.—It is rumored that

the Russians contemplate an early retreat from Port Arthur and Liaotung Peninsula. Kuropatkin's and Alexieff's headquarters will be at Mukden. This might be a master stroke of strategy, compelling the Japanese to fight inland far from their base of supplies.

Quiet at Vladivostok.

Vladivostok, March 4.—All quiet. No Japanese ships have been seen since February 25, when ten were sighted. The ice is still thick and the cold severe. The inhabitants are fast leaving for the interior.

Japanese Losses Reported.

Paris, March 4.—A St. Petersburg dispatch says that since February 25 the Japanese fleet at Port Arthur lost six cruisers and five torpedo boat destroyers.

Attempt to Kill Minister.

Tokio, March 4.—An unsuccessful attempt was made to kill the Korean minister who signed a protocol with Japan.

Success of the Japanese.

New York, March 4.—The Japanese have been so successful in Manchuria, according to a statement published in the London Morning Post, as to guard against the possibility of Russia again assuming a dominant attitude in that portion of the Chinese territory; also in the clause in original concession under which China was to have to purchase the entire Russian railway and its stock after a term of years and this may be brought into play.

Much Russian Suffering.

Washington March 2.—Information was received in Washington, today from a Far Eastern source that the Japanese have decided not to attack Port Arthur with a view of investing it for two weeks. The Japanese land forces will not be ready before. In the meantime the Japanese fleet will continue to bombard the fortifications from a safe distance, to annoy and wear out the Russians.

Brigands Active.

Berlin March 2.—A dispatch from St. Petersburg says there is a vast amount of suffering among the Russian troops on the way to the Far East; scarcity of food. The soldiers are given dry porridge and weak tea. In all resting places soldiers try to sell their clothing to buy intoxicants and drunkenness results. Many are frozen to death.

Russian Army Report.

Yinkow, March 2.—Brigands and former soldiers have banded together in the hills. Five hundred armed with rifles attacked the Russian outposts at Paleihotee, near where there is a Russian garrison. The Russians suffered a loss of 42 killed and wounded out of 50. The brigands lost 87, including 6 Japanese. Later Russian re-inforcements came and burned the village.

Several accidents happened to the Russians laying mines at the entrance to the harbor here as the river tide runs swiftly.

Port Arthur.

St. Petersburg, March 2.—Russian official's deny that fighting took place at Port Arthur on February 29 or March 1, as hurricanes made the harbor approach impossible.

Leaving Vladivostok.

London, March 2.—A Vladivostok dispatch (undated) states that the town is nearly deserted. The military element predominates and great quantities of ammunition are arriving. The Chinese peaceful.

Shanghai, March 2.—It is reported that the Japanese will build a Seoul Wiju railway, ignoring the powers protest.

Russian Revolution Impending.

Berlin March 2.—According to dispatches to the daily Rundschau, Russia is on the verge of revolution. Peasants are plundering and murdering land owners' and martial law has been proclaimed in 71 provinces.

Constantinople, March 2.—There is no hope of the Russian Black Sea fleet passing the Dardanelles. The Porte would use force and arms to prevent any such attempts.

St. Petersburg, March 2.—As no news was received here today it is thought that a great battle is raging near Port Arthur.

Washington, March 2.—Japanese information here says that the attack on Port Arthur peninsula will not take place for a fortnight.

Japs Secure Control of Wires.

Shanghai, March 2.—Confidential information received here from an official source at Tokio states that the Japanese have succeeded in gaining possession of the Russian telegraph line to Vladivostok, thus cutting of the port from

ON THE NEGRO PROBLEM

Governor Aycock Says North Carolina Has Solved Negro Problem

THE 15TH AMENDMENTS WORK

Let Him "Tote His Own Skillet" and Quit Making Him "The White Man's Burden."

I am proud of my State moreover, because there we have solved the negro problem which recently seems to have given you some trouble. We have taken him out of politics and have thereby secured good government under any party and laid foundations for the future development of both races. We have secured peace and rendered prosperity. I am inclined to give to your solution of this problem. It is first, as far as possible, under the fifteenth amendment to disfranchise him; after that let him alone, quit writing about him, making him "the white man's burden," let him "tote his own skillet;" quit coddling him, let him learn that no man, no race—ever got anything worth the having that he did not himself earn; that character is the outcome of sacrifice and worth is the result of toil; that whatever his future may be the present has in it for him nothing that is not the product of industry, thrift, obedience to law, and uprightness. That he cannot, by reason of council or league accomplish anything; that can do much by work; that violence may gratify his passions, that he may eat rarely of the cooking of equality, but he will always find when he does that "there is death in the pot." Let the negro learn once for all that there is unending separation of the races; that the two people may develop side by side to the fullest, but they cannot intermingle. Let the white man determine that no man shall by act, or thought, or speech, cross this line and the race problem will be at an end. These things are not in enmity to the negro, but in regard to him. He constitutes one-third of the population of my State; he has always been my personal friend; as a lawyer I have often defended him, but there flows in my veins the blood of the dominant race; that race that has conquered the earth and seeks out the mysteries of heights and depths. If manifest destiny leads to the seizure of Panama, it is certain that it likewise leads to the dominance of the Caucasian. When the negro recognizes this fact, we shall have peace and good will between the races, but I would not have the white people forget their duty to the negro. We must seek the truth and pursue it. We owe an obligation to "the man in black;" we brought him here; he served us well; he is patient and teachable; we owe him gratitude; above all, we owe him justice. We cannot forget his fidelity and we ought not to magnify his faults; we can not change his color, neither can we ignore his service. No individual ever "rose on stepping stone of dead" others "to higher things," and no people can. We must rise by ourselves, we must execute judgment in righteousness; we must educate not only ourselves, but see to it that the negro has an opportunity for education. As a white man, I am afraid of but one thing for my race, and that is, that we shall become afraid to give the negro a chance. The first duty of every man is to develop himself to the uttermost and the only limitation upon the duty is that he shall take pains to see that in his own development he does no injustice to those beneath him. This is true of races as well as of individuals. Considered properly, it is not a limitation, but a condition of development; the white man in the South can never attain to his fullest growth until he does absolute justice to the negro race. If he is doing this now, it is well for him. If he is not doing it, he must seek to know the ways of truth and pursue them. My own opinion is, that so far we have done well and that the future holds no menace for us if we do the duty which lies next to us, training, developing the coming generation so that the problems which seem difficult to us shall be easy to them. We have a great country, great in material wealth, great in the strength of its people, great in the opportunity to make manifest that strength in the works of righteousness. Our greatness shall grow as individuals of the nation grow in virtue; our greatness shall wane as men fall below the standard of truth.—Governor Aycock at Baltimore.

CONG. J. M. GUDGER WRITES

Deprecates the Fact That Other Aspirants Have Been Referred to in Discussion of Congressional Contest

Mr. Editor:

In the discussion on the question of an available man as a Democratic candidate for Congress, I am very sorry that any reference tending to criticize any other aspirant or other person, has been made. Such does not mean my approval. My candidacy must rest on my own merits, and my course as a representative. If I am entitled to an endorsement, and a renomination, let the good people of this district say so at the primaries. The aspirants and other parties mentioned are worthy, popular men, and my personal friends. Let not friend be arrayed against friend; let no bitterness or strife be engendered, but on the contrary let harmony and good feeling prevail. The people at the primaries will settle the matter rightly, and all will be content.

March 4, 1904. J. M. GUDGER, JR.

THE ANTI-JUG LAW DEFINED.

The Supreme Court Holds That Under the Act of 1903 the Place of Delivery is the Place of Sale.

The Supreme Court this evening described the most important case known as the "anti-juug law" case, that of Patterson, from Durham, in which Patterson, of Roxboro, was indicted for sending whiskey to one Guess at Durham. The point was whether this was a sale at Roxboro or at Durham. The court below decided in Patterson favor. The Supreme Court, Chief Justice Clark delivering the opinion and Justice Douglas dissenting, reversed this opinion and decided that the place of delivery is the place of sale under section 2, chapter 349, acts of 1903, which explicitly says that the place of actual delivery to the buyer or to which liquor shall be shipped for delivery to him, shall be construed to be the place of sale.

It was contended that this provision was not effective because this section is in the statute entitled "an act to prohibit the manufacture, sale and importation of liquors in Cleveland, Ca. harrus, Mitchell and Gaston counties." The Supreme Court says that formerly the caption of an act was not at all considered to any extent whatever in construing it, but the modern doctrine is that when the language of a statute is ambiguous the courts can resort to the title as aid in giving such act its true

CONTESTS ARE EXPENSIVE

Good Things for Lawyers, but not Always for Contestants.

MOODY-GUDGER CONTEST FEE

Thomas Settle Comes in for Some Sharp Criticism About Conduct of the Matter.

Washington, D. C., March 5.—That Congressional contests are a good thing for lawyers, but not always for the contestants, is well illustrated by the Moody Gudger contest. Few cases have come up to Congress in recent years having less foundation in fact than had this. And yet the lawyers for the contestant (Moody) got no less than four thousand dollars for making it.

Of this amount the government paid the usual two thousand, Moody paying fifteen hundred of it to his attorneys before his death, and Mrs. Moody paying five hundred more soon thereafter.

Some months later Mr. Settle, one of Mr. Moody's attorneys, went to her home in Waynesville and by certain representations secured two thousand more from her to carry on the case. This amount has never been returned by Mr. Settle, nor, it is alleged, has any part of it ever been paid to his associate, Col. Lusk, who is quoted as saying it was not needed nor used in the case.

However that may be friends of Mrs. Moody are now making an effort to have Congress reimburse her the two thousand dollars, and at least one gentleman who feels that she has been treated badly in the matter, has been here this week to consult the North Carolina delegation as to what steps should be taken to that end.

It is further said by those who are in possession of the facts that the incident will destroy any political prospects that Mr. Settle may have had in that district.

2ND SCHOOL APPORTIONMENT

Second Hundred Thousand Dollars Now Ready.

The Department of Public Instruction has completed, with the exception of one county, the apportionment of the second one hundred thousand dollars appropriated by the State to increase the school term in every county to four months. Fifty-eight counties are on the list.

The warrants have been issued to all counties which have complied with the regulations regarding the distribution of the fund.

Amounts for counties in this section, apportioned, 1904, from second hundred thousand dollars for a four months' school term:

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|----------------------------|-------------|
| Clay | 354.56 |
| Graham | 424.00 |
| Henderson | 232.29 |
| Jackson | 1,580.10 |
| Macon | 1,232.08 |
| Madison | 724.65 |
| McDowell | 1,864.32 |
| Mitchell | 2,560.56 |
| Polk | 769.08 |
| Rutherford | 3,042.92 |
| Transylvania | 819.38 |
| Yancey | 1,434.01 |
| The total for entire State | \$89,944.10 |

8 KILLED; SEVERAL ARE HURT

In the Collapse of Darlington Hotel in New York.

New York March 2.—Eight persons are known to be dead; three or more fatally injured, ten are missing, some of whom are probably buried in the ruins, and more were seriously hurt in the collapse of the Hotel Darlington, an apartment house in course of construction at Forty-sixth street this afternoon.

Four of the persons killed were work men employed on the building. The other two were killed in the extension dining room of the Hotel Paterson, Forty-seventh street, which was crushed by the falling iron and brick. The accident is thought to have been caused by a load of cement on the ninth floor. Owing to the lightness of construction, the work was ordered stopped by the city several days ago, and plans to strengthen the frame work had been made. Warrants have been issued for the arrest of the contractors.

In the Hotel Patterson dining room, Mrs. Frank Storrs, wife of the millionaire, and a waiter were killed, and the wife of the Rev. Minot Savage and several other guests had narrow escapes.

To Keep "Hands Off" of the Suffrage Law

meaning, but that this cannot be done where the language used is clear and unambiguous. This provision is positive in its character and its operation cannot be restrained by any reference to the title. In the section of this chapter other than 1 and 2 there is no reference to the place in which the act is to be operative and hence by reference to the title they are to be applied only to the four counties therein named. Section 2 is specially made operative in the counties therein named and is to take effect at a different date and section 2 is made operative as to the sale of any spirituous or intoxicating liquors anywhere in the State and as to them the title cannot be used to restrict or extend the meaning of the explicit, clear and unambiguous language used.

It is further objected that if the statute has this meaning it is unconstitutional, but no section is cited which forbids the law making power to designate the place of sale when goods are shipped by vendor or by common carrier. The courts have held that the place of sale is where goods are delivered to the carrier, the latter being the agent of the vendor, but this rule is comparatively modern, is not uniformly held, and is subject to many exceptions. It is merely a rule of judicial construction, made in the absence of legislation, and is not protected by any constitutional form of legislative power to change it. Especially can the Legislature change such rule in the exercise of its police power over the sale of intoxicating liquors, when, as here, it can be readily seen that with the multiplication of common carriers and the speed and ease with which intoxicating liquors can be shipped, it would be a vain thing to prohibit the sale of liquor in any designated territory if vendors a short distance off can, at will, fill orders coming from within the prohibited territory. Upon the special verdict Defendant Patterson is adjudged guilty.—Raleigh Dispatch.

House Republicans Show Disposition to Let Southern Politics Alone.

DEMOCRATS PLEASED

Committee on Contested Election Cases to Send to the House the Reports in the North Carolina, South Carolina and California Cases all on Same Day.

Washington, March 4. Chairman Mann said to-day that the subcommittee had not as yet submitted its report in writing in the Gudger contested election case, and probably would dispense with this formality as the committee had already taken a vote. Mr. Mann thought the report, when completed, would in all probability be transmitted direct to the House. It is said to be the purpose of the committee to send to the House the reports in three cases, that from North Carolina, South Carolina and California, all on the same day, and ask for an immediate vote, as in each instance there is a unanimous report in favor of the contestee. The chairman of the committee wishes to avoid any discussion whatsoever, and will bide his time until a favorable opportunity arises to present the reports and have them adopted. The case from South Carolina, in which Representative Lever is the contestee, involves the negro suffrage question in a very direct manner, and a report is to the effect that Chairman Mann fears that some of the Crumpackers of the House may make the decision of the committee in this case the pretext for precipitating a general debate on the race issue. It has been pointed out that the report on these contested election cases from the Carolinas are very significant, and the effect will be of vast concern to the South. It is acknowledged that thousands of negroes sought to vote against Mr. Lever, and yet the committee has decided in his favor, the report being in effect a disclaimer of authority to regulate Southern suffrage laws. The report establishes a precedent which is greatly pleasing to Democrats, some of whom think the House may be very close after the next election. Should such a condition as this arise Republicans could easily, as has been done before, oust a few Southern Democrats in order to secure a good working majority, if no precedent stood in the way.

While the House Republicans have shown a disposition to let Southerners work out their own political salvation, significance is also attached to a recent decision of the Supreme Court, as indicating that that tribunal is similarly minded. In the Alabama and other cases the court has thrown the cases out on some technicality, claiming the lack of jurisdiction, until there is a robust suspicion that these eminent jurists are very glad of a pretext to avoid the direct issue. Any way, this is the opinion of the House member who suggested the facts that have just been recited.—Observer.

COLONEL M'NAMEE RESIGNS

As Manager of the Famous Biltmore Estate.

Asheville, March 4.—It was officially announced to-night that Col. Charles McNamee had resigned as manager of George W. Vanderbilt famous Biltmore estate; that Col. McNamee would in a short time leave for the West to look out for his own as well as Mr. Vanderbilt's interests there, and that the Biltmore estate would be conducted by the various heads of departments until Mr. and Mrs. Vanderbilt's return from France, when the lord of Biltmore would give his personal attention to his vast estate near the city. Mr. McNamee came to Asheville from New York about 15 years ago, undertook the personal management of Vanderbilt's affairs at Biltmore, and has been in active control there ever since.