

IT IS NOW JUDGE WEBB.

Gov. Aycock Selects Former Solicitor to Succeed Judge Hoke.

CLARKSON SUCCEEDS WEBB.

Charlotte Lawyer to Represent the State in Place of the Old Solicitor.

Governor Aycock has appointed Jas. L. Webb of Cleveland county, judge of the Twelfth district to succeed Judge W. A. Hoke, who resigned on account of his nomination and election to the supreme court bench, and he appoints Mr. Heriot Clarkson, of Charlotte, solicitor to fill the vacancy made by the appointment of Mr. Webb as judge.

The announcement was made by the governor last evening about 6 o'clock, after spending a good part of the day in conference with the friends of the two gentlemen who received the appointments. The resignation of Judge Hoke does not take effect until Saturday, and it is expected that Mr. Webb will qualify as judge and Mr. Clarkson as solicitor, Saturday evening, and they will go to Berle county Monday to convene a term of court.

There has been a sharp contest for some time over the appointment of the successor to Judge Hoke, the friends of Webb and Clarkson being especially active for the interests of each. Yesterday there were delegations of prominent citizens here before the governor, urging the claims of each for the appointment. Mr. C. R. Hoey, of Shelby and Mr. E. K. Mason, of Dallas, were here in behalf of Mr. Webb, and Messrs. P. M. Brown (mayor), W. C. Dowd, F. R. McNich, H. M. Pharr, L. H. Robinson, T. L. Kilpatrick, and J. D. McCall, of Charlotte, in the interest of Mr. Clarkson. Each delegation laid their claims before the governor and after a full hearing each was told that the appointment would be made about 6 o'clock, but he could give no intimation as to who would be appointed judge. Both delegations left on the afternoon train for the west without knowing what the fate of their respective candidates would be.

When the governor decided to give the judgeship appointment to Mr. Webb he telegraphed him immediately to wire his resignation as solicitor of the district, and also telegraphed to Charlotte tendering the solicitorship to Mr. Clarkson, who, in reply signified his willingness to accept that appointment. In this way the whole contest was settled to the satisfaction of all parties, the real value of the solicitorship being about on a par with the judgeship so far as the pecuniary interests are concerned.

The new judge of the Twelfth district is regarded as one of the best equipped lawyers in the district, having made a splendid official record as solicitor during a number of terms. He is about 45 years of age. He served as a member of the state senate prior to Cleveland's first term as president. Cleveland appointed him a post office inspector and after some time he resigned on account of the continued illness of his wife. Later he was appointed solicitor of the old Eleventh judicial district to succeed Osborn and was repeatedly re-elected at the polls and the Twelfth district fell to his lot when the districts were rearranged and increased in number by the last legislature.

In urging his claims for the appointment as judge to succeed Judge Hoke, Mr. Webb had the endorsement of four of the five counties in his district—Cleveland, Gaston, Lincoln and Cabarrus, while Mecklenburg, the fifth, county was pulling for Mr. Clarkson who, however had a strong following in all the other counties in the district.

Both appointments are excellent ones, both appointees being of the very best legal and judicial timber. Mr. Clarkson is one of the best lawyers in the state a leader in the splendid progress Charlotte is making in all the branches of industry. He has represented Mecklenburg in the general assembly with marked ability. Governor Aycock is being congratulated on the happy manner in which he disposed of the problem that confronted him in the appointment of a successor to Judge Hoke. He said last night that he only wished he could have appointed both the aspirants to the judgeship and that he did the very best he could for all parties.—Raleigh Post.

TO HOLD HIS JOB

President Reconsiders Determination to Dismiss Mr. Brown Low.

Washington, D. C., Nov. 11.—President Roosevelt has reconsidered his determination to dismiss Colonel John B. Brownlow of the postoffice department for writing an alleged insulting letter to the late postmas-

ter-general. Dismissal has been mitigated to apology and Colonel Brownlow will be retained.

Colonel Brownlow, who has been in office more than twenty years, is a son of the famous Parson Brownlow, whose name is revered by Eastern Tennesseans, and is a cousin of Congressman Wm. P. Brownlow.

Since the announcement that Colonel Brownlow was to be dismissed for resenting what he believed to be a reflection upon his honor, there have been mutterings, which have finally reached the ears of the President. Colonel Brownlow was in charge of the postoffices at the St. Louis exposition. His accounts, itemized, did not suit the late postmaster general, and a new and more fully itemized account was made. In his reply Colonel Brownlow declared that his division was the one bright spot in the cloud of conspiracy and fraud that had enveloped the department. The report of the auditor showed that Colonel Brownlow's accounts were absolutely correct, but the late postmaster general recommended him for dismissal for language used in addressing the head of the department.

Colonel Brownlow was ordered to report at the department for a conference. He arrived to day and it was given out that after proper apology, and declaration that he intended no personal reflection upon the postmaster general, the incident would be considered closed.

JUDGE PARKER GIVES ADVICE

Thanks All Who Supported Him and says He will not Again Be a Candidate.

BETTER DAYS COMING.

The People Will Yet Rise In Their Might And Route The Trusts.

ESOPUS, N. Y., Nov. 9.—Judge Parker tonight gave the press an open letter addressed "To the Democracy of the Nation," in which he thanked those in charge of his campaign work and declared that the people will soon realize that "the tariff-fed trusts are absorbing the wealth of the nation. He said that when that time comes the people will turn to the Democratic party for relief. In this letter, Judge Parker says he shall never seek a nomination for public office. The letter follows:

"To the Democracy of the Nation:

"Our thanks are due to the members of the national committee and to the executive committees in charge of the campaign for their unselfish, capable and brilliant party service. All that it was possible for men to do, they did, but our difficulty was beyond the reach of party managers.

"I am most grateful to them and wish in this general way to extend my thanks to the workers as well as the rank and file, all over the country. I know how hard they struggled against overwhelming odds, and I only wish I could take each one by the hand and thank him.

"Deeply as I regretted leaving the bench at the time of it, in the presence of overwhelming defeat I do not lament it. I thought it was my duty. In the light of my present information I am now even more confident that I did right. I shall never seek a nomination for public office, but I shall to the best of my ability serve the party that has honored me, and through the party my country.

"The party has in the near future a great mission. Before long the people will realize that the tariff fed trusts and illegal combinations are absorbing the wealth of the nation.

"Then they will wish to throw off these leeches, but the Republican party will not aid them to do it, for its leaders appreciate too well the uses to which the money of the trusts can be put in political campaigns.

"When that time comes, and come it will, the people will turn to the Democratic party for relief, and the party should be ready—ready with an organization of patriotic citizens covering every election district who are willing to work for the love of the cause—in town, city, county and State officers as we are able to elect in the meantime. We entered this campaign with every Northern, Western and Eastern State, save one, in Republican control.

"This gave to that party a large army of office-holders, reaching into every hamlet, many of whom gladly followed the examples set for them by the members of the President's cabinet in devoting their time and services to the party.

"To accomplish much in this election, however, we must forget the difficulties of the past. If any one suspects his neighbor of treachery, let him not hint of his suspicion. If he knows he has deserted us, let him not tell it. Our forces have been weakened by divisions. We have quarreled at times over non-essentials. If we would help the people, if we would furnish an organization through which they may be relieved of a party that has grown so corrupt that it will gladly enter into partnership with trusts to secure moneys for election purposes, we must forget the differences of the past

and begin this day to build up, wherever it may be needed, a broad and effective organization. And we must, by constant teaching through the press and from the platform, apprise the people of the way the vicious tariff circle works.

"We must bring home to them at other than election times, the fact that money contributed to the Republican party by the trusts is not only dishonest, but it is given that the trusts may, without hindrance, take a much larger sum from the people.

"In the presence of a defeat that would take away all personal ambition, were it true that otherwise it possessed me—I do not hesitate to say that in my opinion the greatest moral question, which now confronts us, is: "Shall the trusts and corporations be prevented from contributing money to control or to aid in controlling, elections?"

"Such service as I can render in that or any other direction will be gladly rendered. And I beg the co-operation as a fellow-worker of every Democrat in the country."

ALTON B. PARKER.

The telegraph office at Rosemount Lodge was dismantled to-night after the day's business. Judge Parker said to-night that his plans for the future were not definitely made, but that soon he would be in harness again. It is generally believed here that he will engage in the practice of law in New York, forming a partnership with some well established firm.

THE TENTH DISTRICT

Coming Back Steadily to Old Time Conditions.

The People See That the Republicans Have Misrepresented the True Situation as to Constitutional Amendment.

From the News and Observer.

Two years ago the democrats barely squeezed through in the Tenth congressional district, and four years ago it elected a republican to congress.

In the election last Tuesday the democrats carried the district by a very comfortable majority, showing that the people of the mountains are surely, if slowly, returning to their old allegiance to the democratic party. The time was when the mountain section was more strongly dem-

onstrated the corruption and debauchery of the voters in North Carolina and examples must be made of the corruptors.

"The democrats of the Tenth district did well," said Mr. Rogers. "In the face of the republican landslide everywhere else they did wonderfully and surprisingly well. Though the republican candidate for governor resides in Jackson county the democrats in that county elected a democrat to the legislature and increased their majority. The democrats reclaimed Mason, Transylvania and McDowell, all of which send democrats this year to the legislature. The counties of Yancey and Haywood, which have been uncomfortably close of late, give old time democratic majorities. Buncombe and Rutherford, both give splendid democratic majorities. The republicans carry only Henderson, Swain and Cherokee counties. The gains are good, not large, and the gains will be slow, but we believe they will be sure and steady. The party is in better shape in the Tenth district than it has been for a long time."

Chairman Shipman.

In the congressional campaign much credit is due to Mr. M. L. Shipman, editor of the Hendersonville Hustler, who was chairman of the committee. Upon being elected chairman, Mr. Shipman held a conference with the leaders in each county at which a committee from every precinct was selected to look after the congressional ticket. He made a second canvass of the district in person a few days previous to the election, and saw that the organization was in good shape, and spared no effort to bring out the full vote. A strong candidate splendid speeches and a righteous cause often fall because of the lack of effective and efficient organization. Chairman Shipman and the county chairmen in the Tenth had a splendid organization, and much of the credit of the result is due to their hard work.

Mr. Shipman is a democrat of the right type. There is no young man in the state or elsewhere who is more deserving than M. L. Shipman. He was born on a farm in the Bowman's Bluff section of Henderson county, and followed the plow until he attained his majority. Has not had the advantage of a collegiate education, but worked his way through the common schools by his own efforts. It is such men as this that the people should wish to honor.

More Than Passing Notice.

(From The Asheville Citizen.)

In the congressional contest now being ended, much credit is being given those who have stood by the helm while the battle was raging. After the result was announced two years ago many predicted that the district was surely drifting into the hands of the republican party and especially would this be the case if the democrats should re-nominate Congressman Guder. This opinion was not long lived, for so faithful, conservative and effective were the services of Mr. Guder that by the time the democratic convention assembled the people with one voice directed him to again take the banner in his hands and lead the party to victory.

The result of the fight entitles the members of the committee, Messrs. M. L. Shipman and B. H. Kirkpatrick, to more than a passing notice. Both of them were born in the district and reared on the farm, attending the common schools in the winter and working during the summer. Both later taught in the public schools.

Later Mr. Shipman went into the newspaper business at Brevard and was superintendent of public schools of Transylvania county for three years. In 1896 he established The French Broad Hustler at Hendersonville of which he is now editor. His paper is one of the best in the state leading democratic weekly in the district.

Mr. Kirkpatrick left the farm and studied law. He led his class at the State University and is now in the front rank of the young attorneys in the west.

Mr. Shipman has had considerable experience in the political field, having been chairman of the Henderson county democratic executive committee since 1898 and chairman of the senatorial executive committee of his district for six years, during which time the campaigns have been conducted to successful conclusions. The democratic candidates for state senator in his district two years ago were elected by more than two thousand majority and this year about the same result prevails. He is a member of the state executive committee for the tenth district. Has served as calendar clerk of the State senate for three successive terms, being twice chosen by acclamation. The party will re-elect him to this position, which he has so admirably filled, if he should again seek the place.

Like Chairman Shipman, Major Kirkpatrick is not without political experience. He was nominated by his party for representative before he attained his majority and has since been in the thickest of the fight in many of the counties of the district. He was appointed private secretary by Congressman Guder two years ago. He brought to the service of the Congressional committee an accurate knowledge of the political conditions in all sections of the district and while yet only 26 years of age, he knows personally most of the party leaders and has the confidence and esteem of them all. He is a good talker and often discusses the issues of the day on the hustings with old and experienced campaigners, always taking care of himself and his party.

PICKELSIMER IS CONVICTED.

Prominent Citizen of Transylvania Censured by Judge Boyd.

RELEASED ON BOND.

After Receiving Verdict, Sentence is Deferred Until a Later Day.

R. J. Pickelsimer, rich, intelligent, a successful merchant and prominent society man of Brevard, was tried and convicted in the Federal court yesterday morning on the charge of owning and aiding and abetting in the operation of an illicit distillery.

Not only was he declared guilty of this offense, but he jury in finding a verdict as it did, impliedly branded him a perjurer, a bribe giver and an obstructor of justice.

Judge's Condemnation.

Judge Boyd, from the bench, expressed himself very strongly on the case, condemning the defendant's action in no uncertain terms and branding his defense as an effort to escape punishment by "screening himself behind his social position and shifting the burden of the offense to the back of an illiterate, unintelligent tool."

There is some excuse, according to Judge Boyd for the ignorant mountaineer who is entirely without the advantages of a modern education, and does not realize the gravity of the offense of conducting an illicit still, but there is none in a case like this. "He comes here, he declared after having committed a crime and lead others into doing the same, and relies on his previous good character to clear him."

"It is just an ordinary blockading case," objected Mr. Rollins, counsel for Pickelsimer.

"It is not an ordinary case," declared the court. "These cases I have been trying all day long are the ordinary cases; this is an extraordinary one and the defendant will be fortunate if he escapes a term in the penitentiary."

Released on Bond.

The defendant was released on a \$1,000 appearance bond until Monday when the court will pass sentence upon him.

Mr. Pickelsimer has for years been a prominent merchant in Brevard and, according to the evidence, has been conducting the distillery business in connection with his other affairs. Personally he took no part in the operation of the still, leaving that to his son Charles, against whom an indictment has also been found, but who is eluding all efforts on the part of the government officers to capture him.

One witness testified that he had of ten taken material to the still at the defendant's direction, and said that when the place was discovered, and the operators captured, Pickelsimer tried to bribe him with promises of help in his own case if he would not testify as to his connection with the business.

Defendant's Story.

A few moments later the defendant took the stand, and, after being sworn, declared that he had no connection with the distillery and gave additional evidence which tended to show that this state's witness was the guilty party.

The jury listened to the evidence of these two men, and that of the other witnesses, and then, after mature deliberation, returned a verdict of guilty as charged.

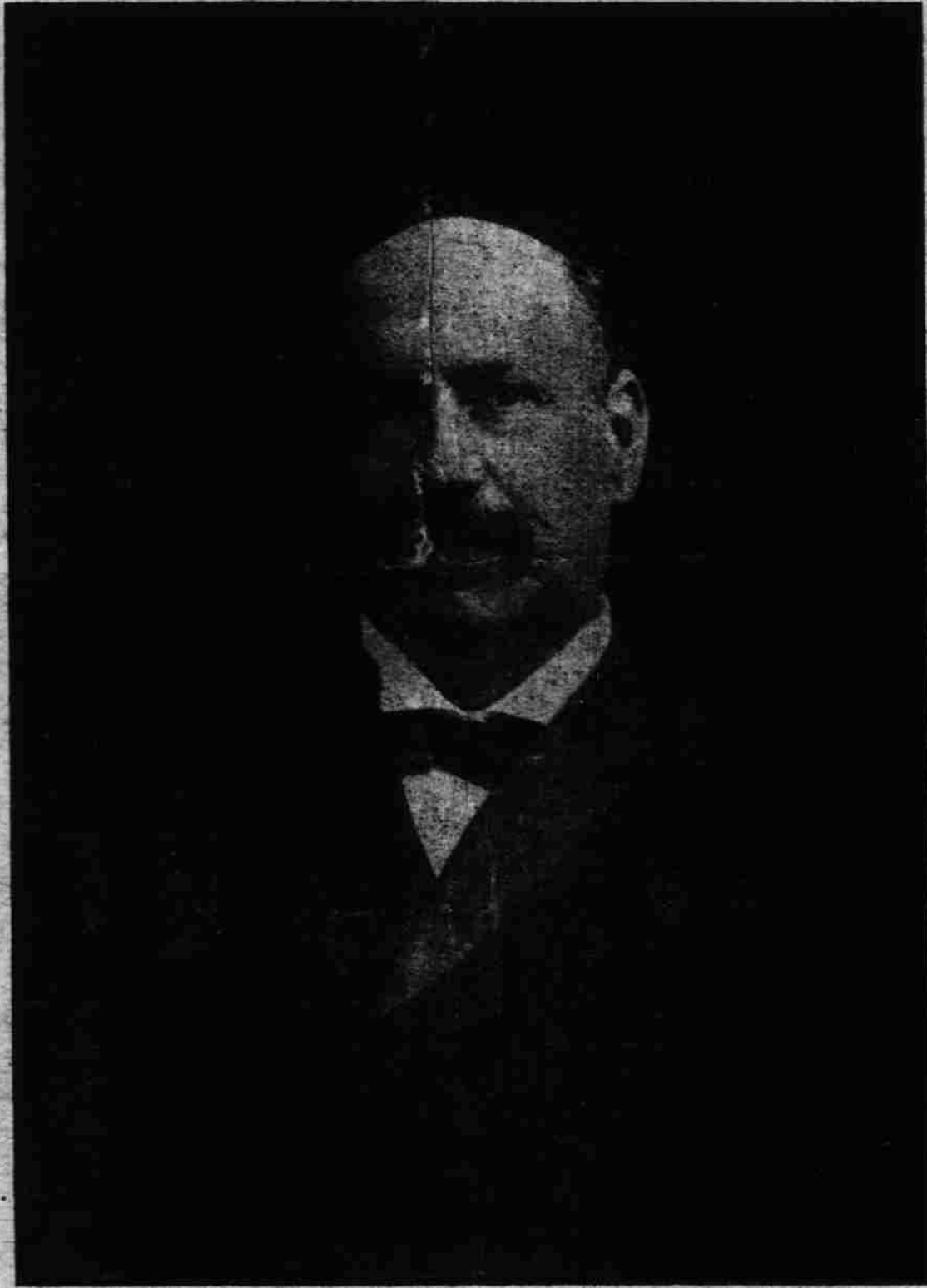
The court room was crowded when the decision was announced, and an intense interest in every step of the proceedings both during the trial and later in the day when judgment was prayed was plainly shown. It was this latter occasion, after Mr. Rollins had made an eloquent appeal for mercy for his client, that Judge Boyd expressed his opinion of the case so forcibly and clearly and declared that in his estimation no cause for showing mercy existed.

Prominent Family.

The family of which Pickelsimer is a member has been prominent in Brevard life for many years and has been universally respected. The defendant has been engaged in the mercantile business, and has, it is said, amassed a considerable fortune during his residence in the county. Never before has he been charged with the least violation of the law, and the present case came as a surprise to those who knew him.

It was said in court yesterday that the man has lost a great deal of money in the past year and is in a serious condition financially, but persons who know him well declare that his fortune is measured by thousands of dollars and that a heavy fine would not embarrass him.

Much speculation is rife as to what disposition will be made of the case by the court and a heavy fine at least is expected.—Asheville Citizen.



Hon. J. M. Guder, jr.

Who is re-elected to Congress by a largely increased majority.

"I WILL IF I CAN."

The Girl Didn't Answer Right, the Man got Mad and the Marriage Ceremony Was Stopped.

North Wilkesboro Hustler, Oct. 28th.

An amusing story, really the truth, comes from Rock Creek township. Last Sunday a young man who had previously secured his license procured the girl of his choice and they hid themselves to a justice of the peace for the purpose of being united in the holy bonds of matrimony. Their hearts were light and gay—filled with anticipated happiness—at least his was, but he was unaware of the feelings that possessed her being. After he had answered, satisfactorily, the official's questions and it came her turn she balked and all the officer got from her answer to his questions was, "I will if I can." This did not satisfy the officer and he repeated the question with the admonition that she give the proper answer, but she refused to change. The would-be husband then remonstrated with her and thought he had things right, and the question was again repeated, but her only answer was, "I will if, I can." At this the husband that "was to be but hain't" became engaged, jerked the license from the justice of the peace, tore the paper into shreds and left. She followed him some distance and asked him if he did not "know how to take fun?" He replied that it was no time to be fooling. And the ceremony has not yet been performed.

eratic than now. Several causes operated to help the republicans, chief among which in the old times was the county government system under which the magistrates were appointed by the legislature instead of being elected by the people. That never was popular in all white counties, but was established for the whole state as the essential to preserve white and good government in eastern North Carolina.

Then came the agitation for the constitutional amendment, regulating and limiting suffrage. With few negroes in their counties, there were not a few voters in the west who did not understand the amendment. The republicans made a vigorous, vicious and unfair assault upon it, telling the voters that it would disfranchise every white man who was uneducated. The illiterate voters, naturally jealous of their right to vote, were greatly troubled, and gave heed to the false charge of the republican speakers. Two elections have been held under the constitutional amendment, and the people who were fooled into voting the republican ticket see that they have been deceived, and some of them are resenting the deception by voting the democratic ticket. Others will do likewise. Republicanism will retrograde in the mountains from now on. The tide has changed in this election when the democrats feared local conditions and the Roosevelt tidal wave would reduce the democratic vote.

Corporation Commissioner Rogers, who lives in Macon county, has returned to Raleigh, much cheered by the gains made in the mountain district. But for the wholesale use of money and whiskey by the radical leaders the democratic majority would have been much greater. Some stringent legislation must be enacted to