THE RICHMOND DISPATCH.

WHOLE NUMBER, 15,238. RICHMOND, VA., TUESDAY, MARCH 13, 1900. THREE CENTS PER COPY.

MR. YOUNG OUSTED.

His Seat in the House Given to R. A. Wise.

VOTE EXCEEDINGLY CLOSE.

Normal Republican Majority of 16 Reduced to 7.

PHILIPPINE QUESTION IN SENATE.

Mr. Rawlins, of Utah, Against Retention of the Islands—He Holds That the Filipinos Are Not Insurgents.

WASHINGTON, March 12.—To-day, for the second time within a week, a Democrat was unseated by the House and a Republican seated in his place. R. A. Wise was given the seat hitherto occupied by W. A. Young, from the Second Virginia District.

Previous to taking the vote, John S. Wise, of Virginia, who was formerly a member of the House from Virginia, and who is a brother of R. A. Wise's, and his attorney in the case, was excluded from the hall by Speaker Henderson, on the protest of the Democrats that he was abusing the privileges of the floor, to which he was entitled by the rules, by interfering with the debate upon the case.

The votes were exceedingly close, and were attended with considerable excitement. While none of the Republicans voted with the Democrats, enough were absent and unpaired to reduce the Republican majority upon the final vote from sixteen, the normal majority, to seven.

The urgent deficiency bill, carrying $1,439,780, was passed.

The Speaker appointed Mr. McCleary, of Minnesota, as chairman of the Committee on Library, vice Mr. Harmer, of Pennsylvania, deceased.

CHARLOTTESVILLE COURT.

A bill was passed authorizing a term of the United States Court for the Western District of Virginia, to be held at Charlottesville, Va.

A resolution was adopted providing for the printing of 75,000 copies of the eulogies delivered in Congress upon the late Vice-President Hobart.

An important bill, to extend the placer mining laws of the United States, with certain modifications, to the shore rights, beach working, etc., in Alaska, was passed. This bill is designed to meet the conditions obtaining at Cape Nome.

An amendment was adopted prohibiting corporations from locating claims.

WISE-YOUNG CASE.

The Wise-Young case was then called up under the agreement to vote at 2:30 P. M. to-day. Mr. Diggs (Democrat), of New York, addressed the House in support of the claims of the sitting member—Mr. Young. Mr. Diggs expressed the opinion that contested election cases should be adjudicated by the courts, and not by partisan majorities in the House.

Mr. Hay (Democrat), of Virginia, closed for Mr. Young. If the latter were unseated, he said, it would be by an arbitrary exercise of power, unwarranted by facts, law, or evidence.

SOME EXCITEMENT.

During the progress of the remarks of Mr. Weeks, of Michigan, who closed the debate for the contestant, some excitement was caused by Mr. Clayton (Democrat), of Alabama, who arose abruptly and protested that the contestant's brother, John S. Wise, who is an ex-member of the House, was abusing the privileges of the floor, to which he was entitled as an ex-member, by interfering with the debate.

Mr. Wise was sitting alongside of Mr. Weeks at the time. He was writing. As soon as the point was made Mr. Wise hurriedly arose, handed Mr. Weeks the note, and withdraw back of the railing.

J. S. WISE'S INTERFERENCE

Mr. Richardson, the minority leader, backed up Mr. Clayton's point of order. He declared that Mr. Wise was the attorney of record in his brother's case; that he was abusing the privilege accorded him by prompting gentlemen in debate, and interfering generally. He adverted to the fact that a remark interjected by Mr. Wise in the course of the debate last Saturday called forth a protest from Mr. Burke, of Texas, who was on the floor at the time.

Mr. Richardson said it was bad enough to turn members out of the House, without allowing attorneys to come on the floor and prosecute them. It was indecent, he declared, and he appealed to fair-minded men on the other side to protect the House from such abuse.

Mr. Weeks replied that a good deal of noise and confusion were being engendered about nothing. He said that the note written by Mr. Wise related in no manner to the debate.

"Does the gentleman concede that Mr. Wise is the attorney of record?" inquired the Speaker.

"He was the attorney before the committee," replied Mr. Weeks.

J. S. WISE EXCITED.

The Speaker called attention to the rule that gave ex-members the privilege of the floor when not interested in any claim or bill before Congress.

It was customary in such alleged offences, the Speaker said, to refer the case to a special committee for investigation, but as it was admitted that Mr. Wise was the attorney of record it became the duty of the Chair to act especially during the pendency of the case.

"The protection of the dignity of the House and every element of fair play require that the Chair should act," said the Speaker, "and the Chair holds that the gentleman shall not occupy a place on this floor. The Doorkeeper is directed to exclude Mr. Wise until the case is disposed of." (Democratic applause.)

The Doorkeeper hurried to the cloakroom to execute the Speaker's order, but Mr. Wise had already passed out through a side entrance to the corridor beyond.

VOTE ON WISE-YOUNG CASE.

At 2:30, in accordance with the agreement, the previous question was ordered, and the vote was taken by yeas and nays, first on the substitute resolutions declaring the sitting member, Mr. Young, entitled to his seat.

At the conclusion of the first call the Republicans had a majority of three, while at the conclusion of the second call the Democrats were one ahead.

QUESTION AS TO PAIRING.

Mr. Tawney (Republican), of Minnesota, before the result was announced, challenged the right of Mr. Small (Democrat), of North Carolina, to vote, saying that Mr. Fordney (Republican), of Michigan, before he left the House on Saturday, informed him that he was paired with Mr. Small. The latter explained that he had paired with Mr. Fordney on all political questions, but had transferred his pair after consulting with members on both sides, who informed him that it was the custom, when the right to transfer had not been prohibited.

The Speaker said that pairs were purely a matter of honor between members.

Mr. Tawney attempted to pursue the subject, but the Chair sustained the point of order, that he was out of order.

SPEAKER TIES THE VOTE.

The Democrats called for an announcement of the vote. There was much confusion on the floor. The Speaker directed the Clerk to call his name. He responded in the negative. This tied the vote, and for a moment the result hung in the balance. But only for a moment. Then Mr. Mann (Republican), of Illinois, ascertained that he was entitled to vote, as his colleague, with whom he was paired, had returned to the House.

MINORITY RESOLUTION DEFEATED.

Mr. Kluttz (Democrat), who was paired, withdrew his vote. It being manifest that the Democrats were beaten, Mr. Richardson, the minority leader, changed from aye to no, and when the Speaker announced that the resolutions were defeated—128 to 132—he moved to reconsider. Mr. Weeks moved to lay that motion on the table. The motion to reconsider was laid on the table—132 to 139.

The vote then recurred upon the majority resolutions, declaring Mr. Young not elected and Mr. Wise elected.

Mr. Richardson demanded a division of the question, and the vote was accordingly taken first upon the resolution declaring Mr. Young not entitled to the seat. It was adopted—132 to 126.

The other resolution, declaring Mr. Wise entitled to the seat, was agreed to—132 to 125.

WISE SWORN IN.

Mr. Wise was then sworn in as a member.

The House then went into Committee of the Whole to consider the urgent deficiency appropriation bill. After some discussion the bill was passed, and at 5:30 P. M. the House adjourned.

Senate Proceedings.

WASHINGTON, March 12.—During almost the entire session of the Senate to-day Mr. Rawlins, of Utah, occupied the floor in a discussion of the Philippine question. He went deeply into the constitutional phases of the matter, and his argument was largely legal and technical. He is opposed to the holding of the Philippines.

Under special order, the Senate convened at 10 A. M. to-day, two hours before the regular hour being consumed in the reading of the Alaskan civil code bill.

Mr. Allen, of Nebraska, offered the following resolution, which was passed:

"That the President be requested, if not incompatible with the public interest, to inform the Senate whether or not any communication has been received from this country's consular representative at Pretoria, embodying the request of the Presidents of the South African republics for mediation or intervention, with a view to ending the war now in progress between these republics and Great Britain, as reported in the public press, and if not incompatible with the public interest, that he furnish the Senate with copies of such communication or communications."

FILIPINOS NOT INSURGENTS.

Mr. Rawlins then spoke: "Those people—the Filipinos—never acknowledged their allegiance to this government," said he. "Hence they are not in insurrection against the United States. A war of aggression is being waged against them."

After saying he presumed that the speeches of Messrs. Beveridge and Lodge voiced the sentiments, and presented the programme, of the administration, Mr. Rawlins continued:

"I am opposed to the carrying out of this programme. No vote of mine will aid in the carrying into effect the policy outlined by those senators. I oppose the programme because it is in violation of the fundamental principles upon which our free institutions are erected; because it is in opposition to the Constitution; because it proposes to rule by a despotic power, and not by rights secured under the Constitution; because it is not expansion, but retrogression from all that we have held highest, and because it is unjust, immoral, and a breach of the plighted faith of this nation."

He maintained that the Constitution must necessarily extend over outlying territory, and that the inhabitants—Germans, Frenchmen, and others—on those islands could be governed by Congress only under the limitations of the Constitution.

FILIPINOS DECEIVED.

Mr. Rawlins declared that the Filipinos had been deceived by our proclamations, and have been induced to believe that "the great white republic spoke to them with a deceptive and forked tongue."

"To that fact," he charged, "may be ascribed the death of many brave American soldiers and the waste and bloodshed that have occurred."

He asserted that the Spooner bill was a recognition of hostilities.

Mr. Spooner inquired if Mr. Rawlins had not himself expressly consented to a state of hostilities in the Philippines by voting to increase the army, knowing that the soldiers were to be employed in the Philippines.

Mr. Rawlins replied that the proposition he voted for was one to supply troops for the relief of those already in the field. There was nothing in the enactment which could be construed into a declaration of war. "I did not by my vote," said he, "consent that that army should be used for an aggressive war against the Filipinos."

OPEN-DOOR IN CHINA.

He charged that "the open-door" in China was purely an English triumph—an achievement of the Secretary of State's, on a par with his other, "known as the Hay-Pauncefote treaty."

All the pension bills on the private calendar—86 in number—were then passed.

After a brief executive session, consideration of the Alaskan Code bill was resumed, and at 5:30 P. M. the Senate adjourned.

A SENSATIONAL SUICIDE.

F. C. Lehman Drinks Carbolic Acid at Lancaster, Pa.

LANCASTER, PA., March 12.—Freeland C. Lehman, a wholesale flour dealer, committed suicide to-day, under sensational circumstances. He boarded at the American House, and shortly before noon walked up to the room of J. A. C. Knoop, a travelling salesman, holding a glass in his hand. He said: "Here's looking at you, Jack; I'll meet you in Heaven," and drank the contents, which were afterward ascertained to be carbolic acid. He died twenty minutes later. He was 39 years of age, and had been despondent because of ill health.

To Attend Kansas City Convention.

ATLANTA, GA., March 12.—The Young Men's Democratic League decided to-day to attend the Kansas City convention, and a committee was appointed to arrange for a special train. Governor Candler, the Georgia delegation in Congress, and State officials will be invited to accompany the league.

Dr. Siegert's Angostura Bitters, the world-renowned appetizer and invigorator, is used over the world. Beware of imitations.

A PEACE MOVEMENT?

Indications That Uncle Sam is Using His Good Offices.

APPEALS FROM KRUGER.

Great Powers Said to Have Been Asked to Intervene.

GERMANY DECLINES TO ACT.

Replies to Boer President That She is in No Way Concerned in the Existing Conflict—The Matter in Parliament.

WASHINGTON, March 12.—There is reason to believe that the United States Government is using its good offices to restore peace between Great Britain and the South African republics. This effort has not taken the shape of a proffer of mediation. That would be distinctly repugnant to Great Britain, and according to the rules of international law, which have, without exception, governed the State Department in the past, could not be volunteered by us, until it was known to be acceptable to both parties to the war.

But the United States might very properly serve as an intermediary to transmit an appeal for peace, and the terms upon which peace can be secured. The United States has successfully served in this capacity in the past, notably in the termination of the China-Japanese war, and it is believed its good offices in this line are now being extended.

If this belief is well founded, then Adelbert Hay, United States Consul at Pretoria, has been the instrument for transmitting to the British Government, through the double intervention of the Department of State and Ambassador Choate, an application from Presidents Kruger and Steyn to be informed as to the terms upon which the war can be ended.

FACTS IN A DAY OR TWO.

The facts in the case will be fully developed in a day or two.

Lord Pauncefote called at the State Department late in the afternoon and spent half an hour with Secretary Hay. If he was made acquainted with the tenor of any communications relative to peace that may have come from Pretoria yesterday, he gave no sign of the fact.

The officials of the department also maintained a reserve respecting this subject that was inpenetrable, and all that could be obtained from them was an injunction to await the developments of the next twenty-four hours.

It is surmised from this that the department is restrained from discussing the subject by a regard for the diplomatic proprieties, and especially because of the requirement that the person to whom a note is addressed should be permitted to receive it before its substance is made public. In such case, presuming that Mr. Choate received a note only to-day, it is probable that he would not be able to inform the State Department that he had delivered it to Lord Salisbury before to-morrow.

THE MATTER IN PARLIAMENT.

LONDON, March 12.—In the House of Commons to-day Mr. Balfour, the First Lord of the Treasury, the government leader, replying to a question as to whether, consistently with public interests, he could state the essential conditions on which alone the government would entertain peace proposals from the South African republics, promised that papers in this connection would shortly be presented to the House.

When asked if there was any foundation for the report that President Kruger had addressed a communication to the government, Mr. Balfour reiterated his promise that papers bearing on this subject would be presented to the House within a short time.

PAPERS TO-DAY.

These papers will be presented to-morrow, and will confirm in every respect the news cabled by the Associated Press Friday last, that the peace rumors were founded on the fact that President Kruger had appealed to Lord Salisbury for a cessation of hostilities, setting forth at length, by cable, the terms which he was willing to accept, and also that the cable dispatch to the Premier was signed by President Steyn, as well as by President Kruger.

Lord Salisbury's answer is as given by the Associated Press at the same time—namely, that the advances had met with an emphatic rejection at the hands of Lord Salisbury, who also said that no such attempt to retain the independence of the Transvaal could be considered for a moment by the British Government.

MEMORIAL ASKING PEACE.

LONDON, March 12.—Leonard B. Courtney, M. P., and others, in behalf of the South African Conciliation Committee, will memorialize Lord Salisbury to make peace, now that the British arms are triumphant, on the basis of equal rights to all whites and disarmament, leaving the two republics national life within their own borders.

KRUGER'S APPEALS.

THE HAGUE, March 12.—It is learned from a reliable source that President Kruger, through the consuls at Pretoria, has appealed for the intervention of the great Powers in the Transvaal war, and has also appealed to the governments of Belgium, Holland, and Switzerland.

GERMANY WILL NOT INTERFERE.

DURBAN, Monday, March 12.—The Transvaal having appealed to Germany for intervention or mediation in the war with Great Britain, Germany has replied that she declines to interfere, as she is in no way concerned in the conflict.

ROBERTS ADVANCING RAPIDLY.

Again Misleading the Boers—Political Aspects of the War.

LONDON, March 13—4:15 A. M.—Lord Roberts is making a very rapid advance, and he is again misleading the Boers by continuing the advance southward, instead of through the flat country due east of Aasoval Kop. He will probably seize the railway south of Bloemfontein, and although another battle is possible, it is more likely that the Boers are only endeavoring to delay his advance until all the rolling stock of the railroad and the stores and troops from the Orange river district can be gotten away north.

Such confidence is now felt in the military operations that interest rather centres in the political aspects of the war.

The Daily News quotes Whitelaw Reid in a private letter as saying: "I give you hearty congratulations on the changed aspect of the war. It is an immense relief to us all, as well as to you."

BOER APPEALS IN VAIN.

Except in the case of Germany, the replies of the Powers to the Boer appeals for intervention are not yet known publicly here, but it is quite certain that Austria, Hungary, and Italy will decline to interfere, and there is no apprehension that anything will come of the overtures of the two republics.

A dispatch from Lorenzo Marques announces the arrival there of Mr. Fischer, the Orange Free State Secretary, and Mr. Wolmerans, a member of the Transvaal Executive Council. It is not known whether they are bound on a mission to foreign powers, or to Sir Alfred Milner. Mr. Wolmerans is in President Kruger's confidence.

BOERS FLANKED.

VENTERS VLEI, ORANGE FREE STATE, Monday, March 12.—Evening.—The British forces, which, since the fighting at Dreifontein, have been marching rapidly hither, have turned the Boer position. Our cavalry are ahead. The Boers were reported this morning about 12,000 strong, with eighteen guns in position on a range of kopjes commanding the direct road to Bloemfontein, which is distant fifteen miles.

TWELVE MILES FROM BLOEMFONTEIN.

LONDON, March 13.—The Daily News has the following dispatch, dated Monday evening, March 12th, from Venters Vlei:

"We left Aasoval Kop this morning, preceded by cavalry, and marched here, a distance of about fifteen miles. The army has been following Kaal's Spruit, and we are now rather to the south of Bloemfontein and only about twelve miles off.

"All the divisions have now joined the main advance. Lord Roberts's headquarters are at Gregorowski's farm. You will remember that the reform prisoners were tried before Judge Gregorowski.

BOERS OUTWITTED.

"By advancing along Kaal Spruit Lord Roberts has again outwitted the Boers, who had entrenched themselves along the Modder, thinking that our route would be in that direction. We found most of the farms along our line of march deserted, with white flags flying over the houses. All the belongings worth removal had been taken away, and there were evident signs that the occupants had left in a great hurry, things being littered about.

"The commander-in-chief has given strict orders that nothing is to be touched. It is not expected that we shall meet great opposition in entering Bloemfontein."

Roberts's White Flag Warning.

LONDON, March 11.—The War Office has received the following advices from Lord Roberts, dated Driefontein, Sunday, March 11th, 9:45 A. M.:

"The following telegram has been addressed by me to their Honors, the Presidents of the Orange Free State and the South African republic:

"'Another instance having occurred of gross abuse of the white flag, and of the signal of holding up hands in token of surrender, it is my duty to inform you that, if such abuse occurs again, I shall most reluctantly be compelled to order my troops to disregard the white flag entirely.

"'The instance occurred on a kopje east of Drienfontein farm yesterday evening, and was witnessed by several of my own staff officers, as well as by myself, and resulted in the wounding of several of my officers and men.

"'A large quantity of explosive bullets of three different kinds was found in Commandant Cronje's laager, and this has been the case after every engagement with your Honors' troops. Such breaches of the recognized usages of war and of the Geneva convention are a disgrace to any civilized Power. A copy of this telegram has been sent to my government, with the request that it may be communicated to all neutral Powers.'"

A dispatch to the Daily Mail from Asvoge Kop says:

"The white-flag treachery was personally witnessed at Driefontein by Lord Roberts, who was looking through a telescope when the Welsh were charging, and saw the Boers hold up their hands, show the flag, and drop their guns. He saw an English officer advance to receive their surrender, whereupon a Boer volley was fired and the officer fell."

Roberts's Saturday Fight.

(New York Tribune.)

General Roberts's army engaged the Boers on Saturday east of Bloemfontein, and forced them from a strong position, after a smart fight. The British casualties included about a dozen officers killed or wounded. The Boers left 102 dead on the field, and twenty were made prisoners.

General Roberts sent a note to Presidents Kruger and Steyn strongly protesting against the continued abuse of the white flag by the Boers, and the use by them of explosive bullets.

The rebels in Northern Cape Colony are reported to be laying down their arms in large numbers. Many were killed in a fight at Ladygrey.

BOER PRESIDENTS SEEK PEACE.

Presidents Kruger and Steyn seek peace on the basis of independence of the republics and amnesty for rebel colonials. The foreign consuls at Pretoria have been asked to invite the intervention of the Powers they represent.

The Queen will confer a baronetcy on Lord Mayor Newton, of London, and knighthood on Sheriffs Treloar and Bevan, of the city.

TO GET A DIPLOMA.

What is Necessary in the Dispatch's Home Study Circle to Obtain One.

We have been asked if a person can study any one of the five studies in our Home Study Circle and receive a diploma; also, in what month the examinations will be held. You can stand an examination and get a diploma on any one of the studies. The examination questions will be published immediately after the close of the spring term, June 15th.

The opportunity afforded by the Dispatch's Home Study Circle is a golden one for all who would improve themselves in science, biography, history, and French conversation. You will find a lesson that will be interesting and improving on the editorial page of every issue of the Dispatch, except Saturday's. Devote twenty or thirty minutes daily to this course between now and June 15th, and you will be astonished at the learning you will acquire. For those of our subscribers who have failed to begin with the first lesson, we will, upon application, furnish the back numbers free of charge.

Motion to Dismiss Carter Appeal.

WASHINGTON, March 12.—Solicitor-General Richards to-day gave notice that at the proper time he would file a motion to dismiss the appeal and writ of error in the case of Captain Oberlin M. Carter, now before the Supreme Court, on the ground that no constitutional question was involved in the case, and, therefore, the court was without jurisdiction in the matter.

The Best Prescription for Chills and Fever is a bottle of Grove's Tasteless Chill Tonic. The formula is plainly printed on each package. It is simply Iron and Quinine in a tasteless form, and is compounded in correct proportions. The reason imitators do not advertise their formula is because they know you would not buy their medicine if you knew its ingredients. Grove's is the original, and is the only chill and fever remedy sold throughout the entire malarial section of the United States. No cure, no pay. Price 50 cents.

TEST ITS VALIDITY.

Constitutionality of the Commissioners of Valuation Act.

LOCAL FIRM QUESTIONS IT.

Richmond Leather Manufacturing Company to Commence Proceedings.

MR. ROYAL TO MAKE FIGHT.

Will Ask Injunction to Restrain Public Printer from Publishing It as a Valid Act—Mr. Royal States His Views.

The constitutionality of the Commissioners-of-Valuation act, passed by the General Assembly at its recent session, will be tested.

The opposition to the bill has assumed a concrete form. The Richmond Leather Manufacturing Company has asked Mr. William L. Royall for an opinion in regard to the constitutionality of the act, and he has given the opinion that it is unconstitutional, and the company has determined to contest it.

The matter will not be delayed. Mr. Royall will probably initiate proceedings to-day in the City Circuit Court. The decision of the courts, it is said, will be made very promptly. The question of the constitutionality of the act will probably be answered very shortly, as the result of these proceedings.

The Leather Company, in taking this action, it is stated, has no inclination to evade the law, but desires that the law shall be fully and finally intrepreted. Should the courts hold the act to be constitutional, the company will conform to its provisions in every respect. The company has not been approached by any officer appointed under the act. In order to institute the proceedings in contemplation, however, it was not necessary to wait the demand for information which the commissioners are empowered to make.

The courts will probably be asked for an injunction restraining the Public Printer from publication of the Commissioners-of-Valuation act as one of the acts of the last session of the General Assembly.

MR. ROYALL'S VIEWS.

Mr. Royall was seen by a Dispatch reporter last night, and asked upon what grounds he thought the law unconstitutional, and he said that, in his opinion, it was perfectly plain that when the journals of the General Assembly failed to show that the act was passed by a constitutional vote, the courts could look into the question of whether it had been validly passed or not. Continuing, Mr. Royall said: "Further, the act is the most infamous and villainous attack upon the right of the citizen to conduct his own business in his own way that was ever conceived of in the history of legislation."

Although he was not now prepared to say that the decisions of the courts had condemned this interference by government with the every-day privacy of the citizen's life, he knew that the principles of common law condemned it, and he believed that when the subject was investigated, and this act was put to the test of the cardinal principles upon which our common law rests, it would be condemned by the courts as unwarrantable intrusion into the family affairs of the citizen.

HOW GOTTEN BEFORE THE COURTS.

Mr. Royall was asked how he would raise this question in the courts, and he replied that it could be raised in many ways. The speediest and most effective way would be for a number of tax-payers to apply to the courts to restrain and enjoin the publication of this act as one of the acts of the last session of the General Assembly, since the Superintendent of Public Printing can only publish as acts of the Virginia Legislature what have really passed validly as acts. But, continued Mr. Royall, there are many other ways in which the validity of the act can be tested.

Mr. Royall was asked in what court the proceedings would be brought, and he stated that any of the judges in the State could be applied to for an injunction, and if the Judge applied to denied the petition, the petitioner could go at once to a judge of the Supreme Court of Appeals, and as each judge of that tribunal has authority to grant the injunction, it was fairly to be presumed that in a case of such magnitude and importance as this they would all confer together, and granting or refusal of the injunction would be the action of the whole court.

ANSWER TO FRICK.

Carnegie Company's Response to His Suit.

PITTSBURG, PA., March 12.—Late this afternoon the answer of the Carnegie Steel Company, Limited, defendant in the equity suit of H. C. Frick to determine the value of his holdings in said company, was filed in Common Pleas Court No. 1.

The answers filed are for the Carnegie Steel Company, Limited, and the thirty individual defendants named in the suit. The document meets every averment of the plaintiff in the fullest detail. It is denied that the defendants during April, May, and June, 1892, executed articles of association for the Carnegie Steel Company, Limited, but they did subscribe to an amendment of the original contract, under which Carnegie Brothers & Co., Limited, had been organized as a limited partnership association. This was solely for modifying the terms of the original certificate, and was effected at a shareholders' meeting, at which Frick was chief actor in carrying out the plan.

The answer says Mr. Frick is primarily responsible for any defect, if any exists, as averred by Mr. Frick, in these articles, as the details of the amendment were entrusted to him. It denies that the character of the business had been changed, though admitting that the business was enlarged, the capital increased by $20,000,000 and more than double that amount additional paid in and invested in the association's business. It recites the acquirement of Carnegie, Phipps & Co., Limited, a separate partnership association, for $10,000,000, which was paid for in the usual manner, and Frick devised and executed the method of this payment.

HOW FRICK WENT IN.

It sets out that Mr. Frick's own actions in connection with the association estop him from questioning the validity of its origin as a partnership association. The history of Frick's membership in the association is reviewed in detail, and shows that he was admitted as other young partners are, his payment for the partnership being out of future profits. His interests were acquired under the "iron-clad agreement," and consisted of $100,000 of capital stock. Through various opportunities he had, in February, 1895, became owner of 11 per cent. of the capital, on which he owed Carnegie $1,809,191, balance of purchase price, the interest being Carnegie's only security. Afraid of the then existing business depression, he had asked Mr. Carnegie to buy at the book value 5 of his 11 per cent., which was done.

This is all Mr. Frick has paid for his interest in the Carnegie Steel Company. With the credits from his stock earnings, the amount paid was only $30,000, all told, for an interest worth $5,000,000. He accepted without question the book value for 5 per cent. of his holdings, at a time when he was scared, and feared the stock would depreciate, but now refuses to accept book valuation for the balance of his holdings.

FRICK PRACTICALLY OUT SINCE '95.

The answer also avers that since 1895 Mr. Frick's functions have been merely advisory, the president assuming general executive power.

Mr. Frick, it is alleged, was dissatisfied, demanded absolute power, and with violent outbursts of passion attempted to make a personal matter of business differences. It is alleged that Mr. Frick gave most of his time to other enterprises, and various speculative schemes for placing the property of the association in the hands of promoters to be floated in marketable securities on the public.

The answer says Mr. Carnegie, on a paper signed by all acting members of the Board of Management, demanded Frick's resignation solely to preserve harmony, and Carnegie denies controlling or seeking to control his associate partners. He admits that Frick's averments as to profits for 1899 are substantially true, but adds that on December 11th last the net value of assets was only $75,810,104. It is denied that animosity had been manifested towards the plaintiff on account of his failure to avail himself of an option given by Carnegie. In this connection it is stated that the price to be paid for the property of the association and the coke company on this option was $320,000,000, being on the basis of $250,000,000 for the property of the association and the balance for the coke property. Mr. Carnegie was to receive for his interest $100,000,000 in bonds and the balance, about $57,750,000, in cash.

FRICK UPHELD AGREEMENT.

Mr. Frick, it is claimed, has upheld and enforced the so-called "iron-clad agreement" at all times, opposing an attempt on the part of Mr. Henry Phipps to make a change in the original, and Mr. Frick is the first to attempt to evade it.

The answer avers that $4,900,000 is the full amount due Frick. While in the association, in addition to an adequate salary as manager, Mr. Frick, the answer avers, received actual dividends in cash, which not only repaid him the sum of $310,000 which he himself paid for his interest, but an additional sum, or clear profit, of $938,275.87.

The defendants say that plaintiff has no reason to complain of the operation of a contract which gives to him nearly $5,000,000 for an interest which involved no investment of capital by him, and which has already paid him, in cash, profits amounting to almost $1,000,000.

Concluding, the answer says the so-called iron-clad agreement is a good and valid contract, and binding upon the plaintiff, and asks that the bill be dismissed, the plaintiff to pay costs.

KENTUCKY SITUATION IMPROVED.

Uneasiness Still, However, Especially Among Republicans.

FRANKFORT, KY., March 12.—The situation in Frankfort has radically improved, and public excitement has subsided. Nevertheless, great uneasiness still exists, especially among Republicans. More arrests in connection with the assassination are rumored, the names including Taylor, Republican legislators, Attorney-General Coley, and others.

Taylor, probably, will remain here, instead of going to London, as urged. After a conference between Governor Beckham, Mayor DeHoney, of Frankfort, and Sheriff Sutter, twenty-five extra deputy sheriffs and fifty special policemen were sworn in.

The Legislature expires to-morrow.

ANOTHER SUSPECT ARRESTED.

LOUISVILLE, KY., March 12.—W. L. Hazelipp, of Grayson county, steward of the Central Asylum for the Insane, was arrested this evening, on a charge of conspiracy. He is alleged to have been implicated in the plot to assassinate William Goebel. He was appointed by Governor Bradley. He is in the custody of detectives at Lakeland, and will be brought to Louisville.

TAYLOR ORDER IGNORED.

LEXINGTON, KY., March 12.—Captain C. W. Longmire late to-day was ordered by Lieutenant-Colonel S. S. Morrow, in command of the Second Kentucky Regiment of the State Guard, to disperse his company and return all arms. He ignored the order.

INDICTMENTS AT COVINGTON.

COVINGTON, KY., March 12.—The grand jury, which has been investigating the election of last November, to-day returned indictments, among others, against the following, charged with obstructing the election: Magistrate Wheeler, Chief of the Fire Department Meyers, Charles F. M. Striger, J. W. Ehrt, J. W. Thompson, Greene McCoy, George Jansen, R. Mitchell, Benjamin Sommers, William Carring, Ed. S. Sprague, and George Davis.

BOY SHOOTS HIS MOTHER.

Was Playing With Revolver His Father Gave Him.

CHICAGO, March 12.—While playing with a revolver, Richard Essig, 7 years old, shot his mother in the abdomen. It is feared the wound will prove fatal. The child's father, Charles T. Essig, who is secretary of the Fort Dearborn Athletic Club, is well known in sporting circles, and manager of Joe Choynski. When the boy expressed a desire for a revolver his father took home a 22-calibre revolver. A box of cartridges accompanied the gift, and the son was cautioned to be careful in the handling of the weapon.

NEW YORK CIGARMAKERS STRIKE

About 2,300 Go Out on Demand for More Wages.

NEW YORK, March 12.—About 2,300 cigar-makers, of which number nearly 800 are girls, employed by the firm of Kerbs, Wertheim & Schiffer, are on a strike. The strikers have asked for an increase of wages running from 20 to 30 per cent., and that the factory go under the control of the union.

Ready for the Pen.

Messrs. Edward S. Rose & Co. are distributing a unique souvenir among their friends. It is a nice pen-wiper, with the words "Ready for the Pen" printed on the side of a celluloid representation of a pig.

Mr. Sam Duggins has left for the North, to make heavy purchases in Clothing and Furnishings for the spring season.

"Pillsbury's Best,"
the best Flour on earth.

Hammond.

The best Roses, Violets, Carnations, and other Cut-Flowers, always on hand. Special attention given to weddings, and decorating.

CAME TO KILL HIM

A Most Distressing Affair in Brunswick County.

MINISTER SHOOTS PHYSICIAN.

Rev. J. E. R. Riddick and Dr. W. H. Temple the Men.

FIVE WOUNDS WERE INFLICTED.

The Preacher Charged That the Doctor Had Insulted His Wife—The Former Arrested and Committed to Jail—The Community Excited.

LAWRENCEVILLE, VA., March 12.—(Special.)—Yesterday morning Dr. W. H. Temple, a prominent citizen and physician of Brunswick, residing near White Plains, was shot and dangerously, if not fatally, wounded by the Rev. J. E. R. Riddick, pastor of the South Brunswick Circuit of the Methodist Episcopal Church. The men are near neighbors. The shooting occurred at an early hour. From the information so far obtained it seems that Dr. Temple was called in night before last by the Rev. Mr. Riddick to attend his wife, who was in a delicate condition. Certain alleged words and actions of Dr. Temple's were construed by Mr. Riddick as an insult to his wife, and yesterday morning he called on Dr. Temple before he had dressed and informed him that he had come to kill him, at the same time drawing a pistol and snapping it at the Doctor. Dr. Temple ran from the room, followed by Riddick, who fired five shots, four of which took effect. Drs. Powell and Moseley were called in, and Dr. Hugh Taylor, of Richmond, came in answer to a telegram. From last reports Dr. Temple's case seemed hopeless. Mr. Riddick was arrested and lodged in jail this morning.

Mr. E. P. Buford, attorney for the Commonwealth, left to-day for the scene of shooting, to have Dr. Temple's dying declaration taken, if necessary. Further particulars are difficult to obtain. The whole community is greatly stirred up over the affair.

HAS TWO BROTHERS HERE.

One Leaves at Once for Brunswick—Dr. Taylor Attends Dr. Temple.

The news of the Brunswick tragedy created much interest and sorrow here. Rev. Mr. Riddick is the brother of Messrs. Junius R. and C. B. Riddick, of the firm of Long & Riddick, this city. Mr. Junius Riddick left for Brodnax immediately on receipt of intelligence of the sad affair. Mr. C. B. Riddick remained in Richmond. The telegram to them gave the most meagre information about the shooting, and up to last night no further details had been received.

Dr. Hugh M. Taylor went to White Plains on Sunday to attend Dr. Temple. Surgical operations were necessary, and blood poisoning had set in. Dr. Temple's condition is such as to cause his friends the greatest uneasiness, and fears are entertained that he will not recover.

Rev. James E. R. Riddick is one of a family of preachers. He is a native of Loudoun county, and will be 40 years old next Sunday. His father was Rev. Joseph H. Riddick. Rev. Mr. Riddick entered the Virginia Conference in 1882, and has served acceptably on several circuits. His pastorates have all been successful. He is of average stature and stout build, with light hair and blue eyes.

Excursion to Washington Easter Monday.

over the Richmond, Fredericksburg and Potomac railroad for the benefit of Summer Rest, conducted by Mr. and Mrs. George A. Barksdale and Mrs. Anna F. Rahm. Train will leave Board and Hancock streets at 7 A. M.; returning, leave Washington at 6 P. M. next day. Tickets, $2.50, good on excursion train only.

Cheaper Than Stated.

By a typographical error Messrs. O. H. Berry & Co.'s advertisement of Sunday was made to read: "Smoking Jackets and House Coats reduced to $10 and $12.50." The same should have stated that hundreds of Smoking Jackets and House Coats that have been $5 to $20 are now offered at from $10 down to $2.50.

Help a Good Cause.

The attention of the public is called to the Brooms made by the children of the Bethany Home Orphanage, near Bon Air, Va. These Brooms are first-class in quality. You get a good article and help a good cause by buying them. For sale at office of Fonticello Lithia Water Company, 631 east Main street. Orders by 'phone or postal filled.

"Pillsbury's Best,"
the best Flour on earth.

Best Granulated Sugar, 5lc. Pound.

Teas and Coffees retailed at wholesale prices. C. D. KENNY CO.,
Northwest, Broad and Sixth street.
Southeast, Main and Seventeenth street.

"Pillsbury's Best,"
the best Flour on earth.

The Weather.

WASHINGTON, March 12.—Forecast for Tuesday and Wednesday:

Virginia—Fair and warmer Tuesday; Wednesday fair; winds becoming fresh southeasterly.

North Carolina and South Carolina—Fair and warmer Tuesday; Wednesday fair; fresh east to south winds.

THE WEATHER IN RICHMOND YESTERDAY was cold, except during the middle of the day while the sun shone brightly. There was snow in the early morning. The range of the thermometer was as follows:

6 A. M.	[illegible]
9 A. M.	[illegible]
12 M.	[illegible]
3 P. M.	[illegible]
6 P. M.	[illegible]
12 Night	[illegible]

Mean temperature [illegible]