

THE CAUCASIAN.

TRI-WEEKLY.

THURSDAY, March 2, 1905.

Entered as second class matter February 11, 1904, at the postoffice at Shreveport, La., under the Act of Congress of March 3, 1879.

Subscription Price \$2.00 a year.

Published three times a week, on Sunday morning, Tuesday and Thursday afternoon, at the Simon Building, Shreveport, La., by The Caucasian & Carney Brothers Printing Company, Limited, publishers.

THE SWAYNE IMPEACHMENT.

The impeachment of Judge Charles Swayne, of the United States Court for the Northern District of Florida, has resulted in his acquittal.

He was tried in the United States Senate.

Judge Swayne is a Republican. He was deemed not guilty by his friends the Republicans. The Democrats voted to convict.

Judge Swayne's offending as charged was in making excessive report of expenses incurred in the public service; of having used private cars in traveling and charging mileage therefor, and of punishing unjustly various persons for contempt.

Under the rules two-thirds of the senators present was necessary for conviction. This is another instance of a scandalous partisan judgment, but viewed from the side of the madman sentimentalist and the man who is always ready to extenuate, and to forgive and to forget any act of a public official, Judge Swayne in crediting himself with expenses incurred in the public service, in traveling in private cars and in punishing unjustly, as alleged, various persons for contempt, exercised in a higher degree what some judge may arrogate to himself to be a special privilege, in a minor degree. However, these shortcomings, in connection with the public service, may be "excused" but the punishment for contempt is to our mind the most serious of the propositions.

In what sense is a contempt of court contempt? It must be a weak and vacillating judge who will construe a contempt, by any act not intended or implied, in contempt of the court. Would a laugh in court be contempt? Would a loud talk in the courtroom be contempt? Would any ordinary act by any one, particularly an ignorant man, in the court be contempt? Yet the contempt of court is limitless in the construction of the contempt so-called by the judge!

For instance: If an ignorant man, a negro, were to laugh in a court of justice, or the District Court during the progress of a trial, would the negro be guilty of contempt? May not the so-called contempt be more or less a fancy, by the judge whose dignity may be easily ruffled by the laugh of a negro?

Would such an indiscretion warrant any dignified judge in sentencing the offender to thirty, sixty and more than a hundred days on the public road, or would not the fullest dignity of the court be fully maintained by a reprimand, to do so no more?

Of course, the act of contempt may be construed by the judge and therefore a judge of any court, be it a justice of the peace, the judge of a City Court, or of a District Court, or some higher court, is a dangerous, a very dangerous man, who may exercise his conception of a contempt and have the unfortunate, innocent, the more so, if friendless and penniless, to a term in prison or the public roads.

Such a man is dangerous in any sphere of his official jurisdiction.

SHERIFF'S SALE.

No. 9346—In First Judicial District Court of Caddo Parish, La.: Andrew Currie vs. George Jourdan.

By virtue of a writ of fieri facias, to me issued in the above entitled and numbered suit, by the Honorable First Judicial District Court of Caddo Parish, Louisiana, I have seized and will offer for sale at public auction, at the premises formerly occupied by the defendant, on E. Smith place on Harb's Island, about two miles below the city of Shreveport, for cash, according to law, with benefit of appraisement, on

SATURDAY, MARCH 4, 1905.

One horse and wagon, a lot of agricultural implements and about seven bales of cotton, more or less ginned and unginned.

Said property seized to be sold to satisfy the debt specified in the said writ in the sum of six hundred and twenty dollars, with 5 per cent interest from October 14, 1904, and all costs of the suit.

S. J. WARD,

Sheriff of Caddo Parish, Louisiana.

Commenced Feb. 12, 1905.

STATION.

The following notice will be to the effect that the station and

CHARTER

OF THE SHREVEPORT-TEXARKANA OIL AND PIPE LINE COMPANY.

State of Louisiana, Parish of Caddo. Be it remembered that on this, the 9th day of February, A. D. 1905, personally came and appeared before me at my office in said parish and state, W. E. Green, a resident of Tyler, State of Texas; E. G. Allen, a resident of said parish and state; J. B. Reynolds, a resident of Texarkana, State of Texas; C. F. Hamilton and C. S. Searing, residents of said parish and state, who each stated and declared to me notary that they have formed and constitute themselves, as well as all others that may hereafter become associated with them, in a body corporate, under the name and style and for the purposes and objects hereinafter named, under and by virtue of the laws of the State of Louisiana, in such cases made and provided, and have adopted this as their charter and act of incorporation to wit:

ARTICLE I.

The name of this corporation shall be the Shreveport-Texarkana Oil and Pipe Line Company, with its domicile at the city of Shreveport, said parish and state; under said corporate name it shall have and enjoy the right of succession for a period of 99 years from this date, unless sooner dissolved in the manner hereinafter set forth.

ARTICLE II.

The object for which this corporation is formed and the business to be carried on by it are hereby declared to be to own, operate, lease or acquire oil and mineral lands, oil, contracts or leases pipe lines for the conveyance of oil, and to bore and develop such oil lands or oil rights, and operate oil wells, sulphur wells or other mineral wells, and to own and operate such lines of railway, tanks, cars, oil tanks and other useful appliances as may be necessary to carry into effect the purposes herein declared.

ARTICLE III.

The capital stock of this corporation shall be and is hereby fixed at the sum of one hundred and fifty thousand dollars, divided into one hundred and fifty thousand shares of the par value of one dollar each, to be paid for in cash or real estate at the time of the subscription thereto, and it shall commence business whenever eighty-five thousand dollars of its capital stock is subscribed for and fully paid. Each share of stock shall be entitled to one vote in all meetings of stockholders, either by its owner in person or by written proxy, and all stock of said corporation shall be transferable on the books of said corporation at its domicile.

ARTICLE IV.

This corporation shall have power to hold, buy and own both real and personal property, to lease, or acquire, all kinds of property; sell, mortgage or hypothecate both real and personal property; to contract, sue and be sued in its corporate name; to make and use a corporate seal and the same to change or alter at its pleasure; to name and appoint such agents, officers, employees and managers as its interest may require and the same to discharge at pleasure, and to make and adopt such rules and by-laws as the interest and business of the corporation may from time to time demand.

ARTICLE V.

The officers of this corporation shall be a president, vice-president and secretary and treasurer, who shall hold their offices from the first Monday in March, 1905, until their successors are duly elected and qualified. All legal process shall be served on the president, or in his absence on the vice president, or in the absence of both on the secretary and treasurer, at the office of the corporation in the city of Shreveport, La.

ARTICLE VI.

The affairs of this corporation shall be managed by a board of directors consisting of five stockholders, who shall be elected annually by the stockholders at a general stockholders' meeting to be held on the first Monday in March of each year, and who shall hold their office for the period of one year or until their successors are duly elected and installed, and from the board of directors so chosen, said board shall elect its president, vice-president and secretary and treasurer. In the event of any vacancy occurring in said board of directors the same shall be filled by the remaining members of said board electing a stockholder to fill out the unexpired term of said vacancy. The first board of directors shall be W. E. Green, who shall be president; E. G. Allen, who shall be vice-president; J. B. Reynolds, who shall be secretary and treasurer, and C. F. Hamilton and C. S. Searing, who shall hold their respective offices until the first Monday in March, 1905, or until their successors are elected.

ARTICLE VII.

This corporation may be dissolved, or its charter amended at any time by a vote of three-fourths of the capital stock actually paid for and issued, at a meeting called for that purpose, after thirty days' written notice mailed to each of the stockholders at his usual postoffice address, provided that said meeting may be sooner held and said notice waived by a majority of all of the stock-

holders present. Whenever it is dissolved, whether by limitation or otherwise, its affairs shall be liquidated and wound up by three liquidators selected by the stockholders for that purpose, who shall give such bond and security for the fidelity of their administration as shall be required by the stockholders, and shall perform such duties as may be prescribed for them.

ARTICLE VIII.

No stockholder shall ever be held liable or responsible for the contracts or faults of this corporation in any further sum than the unpaid balance due by him on the shares owned by him, nor shall any mere informality in the organization have the effect of rendering this charter null or of exposing any stockholder to any liability beyond the amount of his stock.

ARTICLE IX.

And the said named parties declared that they and each of them have subscribed for and this day paid in full for the amount of stock set opposite to their several names, as follows to wit:

- W. E. Green, twenty thousand shares of stock.
 - E. G. Allen, twenty thousand shares of stock.
 - J. B. Reynolds, twenty thousand shares of stock.
 - C. F. Hamilton, twenty thousand shares of stock.
 - C. S. Searing, five thousand shares of stock.
- Making a total of eighty-five thousand shares of the par value of one dollar each, fully subscribed for and paid up by the said named stockholders.
- In witness whereof I have caused said parties to hereunto affix their names in presence of me, notary, and the undersigned attesting witnesses, on the day and date first in the beginning written as the date hereof.
- W. E. GREEN.
E. G. ALLEN.
J. B. REYNOLDS.
C. F. HAMILTON.
C. S. SEARING.

Attest:
T. ALEXANDER,
B. DILLINGHAM,
J. D. WILKINSON,
Notary Public.

Having examined the foregoing act of incorporation, and finding nothing therein contrary to the laws of the State of Louisiana, I hereby approve the same.

Done and signed officially this 9th day of February, 1905.

J. M. FOSTER,
District Attorney of First District.
(Endorsed.) Filed and Recorded Feb. 9, 1905.
W. M. LEVY,
Deputy Clerk and Ex-Officio Deputy Recorder

State of Louisiana, Parish of Caddo. I hereby certify that the above and foregoing is a true and correct copy of the original act, as the same now appears on file and of record in my office.

Given under my hand and seal of office, this 9th day of Feb. 1905.

W. M. LEVY,
Deputy Clerk and Ex-Officio Deputy Recorder

FEB. 12, 1905.

CITY MARSHAL'S SALE.

No. 2788—J. Waldauer vs. Mrs. Kate Lamont.

By virtue of a writ of fieri facias, issued in the above entitled and numbered suit, by the Honorable C. D. Hicks, judge of the city court, Shreveport, La., and to me directed, I have seized and will sell at public auction at the Texas street front, door of the court house of Caddo parish, between the legal hours for such sales, on

SATURDAY, MARCH 4, 1905.

One sewing machine, one piano, one stool, one dresser, one washstand, four rocking chairs, one trunk, one lot books, one kitchen safe, one old wardrobe, two tables, one cooking stove and utensils, one clock, one lot crockeryware.

Terms of sale cash subject to appraisalment.

O. P. OGLIVIE,
City Marshal.

GLASS.

150 Sizes

Window and Show Case Glass Carried in Stock. You can get almost any size you want without cutting, therefore your glass comes cheaper.

FLORENTINE GLASS FOR FRONT DOORS.

FRONT DOORS. WEATHER STRIPS TO KEEP OUT THE COLD.

STRANSKY STEEL WARE, FINEST MADE.

ROGERS AND WORSTENHOLM CARVERS at Cut Prices.

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510 and 521 Edwards Street.

THE TEXAS & PACIFIC.

Effective Sunday, November 27th, the Texas & Pacific train No. 52, arriving Shreveport at 8:35 P. M., and New Orleans at 8:35 A. M., will arrive at Shreveport 5:30 P. M., leave at 5:30 P. M., arriving in New Orleans 6:40 A. M. E. F. Turner, Gen'l. Pass. Agt., Dallas, Texas. J. W. Walker, Pass. & Ticket Agent, Shreveport, La.

STEWART'S PARDON.

By a Rising Vote House Asks Mexican Governor to Do This.

Austin, March 2.—Concurrent resolution was adopted in the house Tuesday by a rising vote providing that the legislature of Texas petition and urge the governor of Chihuahua, Mexico, to pardon and deport from Mexico the Confederate veteran, Mac Stewart, now serving a twenty years' sentence for killing a Mexican policeman ten years ago. This is a noted case, and Stewart has already served half his term.

The house concurred in senate amendments to Representative Love's bill equalizing franchise tax, which increases the permit fees of foreign corporations. Senate amendments exempt corporations without capital stock. The bill will become a law upon receiving the governor's signature.

A numerously signed petition was presented in the senate from citizens of Robertson county objecting to the passage of a bill providing for working short term convicts.

A resolution of respect was adopted in the senate on the death of H. E. (Babe) Henderson of Sulphur Springs. Senate engrossed bill prohibiting adulteration of foodstuffs by manufacturers.

The bill passed finally to give furnishers of feed for cattle a prior lien on such cattle.

House adopted an amendment to the Love and taxing gross receipts of railroads from 1 1/2 to 1 per cent. The bill was then passed.

Representative Biant used his alarm clock again Tuesday to call time on speakers who were overrunning the limit. It ran out on a point of order when Mr. Cobbs was speaking on the Love tax bill.

Senate finally passed Senator Hale's bill providing for appeals in receivership proceedings where the court fails to appoint receivers.

Senator Davidson called up his bill requiring railroads accepting any special law passed by this or any future legislature to provide free transportation for heads of departments, members of the legislature and sheriffs. Ordered engrossed.

House committee on common carriers reported favorably the senate bill authorizing the sale of the Dallas-San Antonio Pass division of the Texas and New Orleans railroad. This features early consideration of the measure by the house.

JUROR ILL.

This Prevented a Session of Court on Tuesday Afternoon.

Austin, March 2.—N. B. Metz, one of the jurors in the Moore case, was taken ill with grip during the noon recess of court Tuesday and, accompanied by a deputy sheriff, went to his residence in this city. In consequence there was no session in the afternoon. The rest of the jurors were not permitted to go home.

Frank Glover, during the morning session, was subjected to a vigorous cross-examination by Judge Peabody of counsel for the defense.

SECOND LINE.

Another Charter Filed For Galveston-Houston Electric Line.

Austin, March 2.—Articles of incorporation were filed in the state department by the Houston-Galveston Electric Railway company. The purpose of this corporation is to construct an electric line between Houston and Galveston, with capital stock \$1,350,000. Headquarters are at Houston. This is the second company chartered to build an electric line between these two cities.

Caused a Flurry.

Houston, March 2.—The decision of the supreme court, holding permits of National and Southern Oil company branches doing business in Texas will be cancelled, caused a great flurry among oil concerns here. Two of the largest branches are located at Houston, another at Hearne, Seguin, Waco and Denison. Under the ruling all must be quit business. It is said the sales of these plants will speedily follow to private capital.

Round Bale Plant Burns.

Bartlett, Tex., March 2.—The American round bale gin plant here burned. Loss is about \$10,000. Concern has been idle some time, being in a receiver's hands. Some eight or ten operators, who seemed to have made it their home, were driven out and captured.

Slave Colony.

San Angelo, Tex., March 2.—Dr. C. C. Young of the Russian church is prospecting in this section. He wishes to locate a colony of 200 Slav families.

Henderson Buried.

Dangerfield, Tex., March 2.—The funeral of the late H. E. (Babe) Henderson was held here Tuesday. All business houses closed.

Valley View Fires.

Valley View, Tex., March 2.—Fire which broke out in the Scranton restaurant destroyed that building and several others.

Destroyed by Rabbits.

Denison, March 2.—Rabbits are destroying thousands of fruit trees around here. Many young orchards have been ruined.

DEFENDS HERSELF.

Mrs. Cody Denies She Ever Attempted to Poison Buffalo Bill.

North Platte, Neb., March 2.—Mrs. Louisa Cody took the witness stand in defense of her character, which has been assailed by W. F. Cody (Buffalo Bill), in his petition for divorce. Mrs. Cody denied that she had ever attempted to poison her husband, or that she had administered dragon's blood for the purpose of getting control of him.

Five hundred tons of alfalfa hay burned near Rowlett, N. M.

DA PASS IS CAPTURED

After a Desperate Engagement Japs Take the Place.

OPENING TO FUSHUN

According to Reports From Russian Headquarters at Huan Mountain the Mikado's Forces Continue Aggressive.

Huan Mountain, March 2.—The Japanese attack was renewed on Monday along the whole eastern front, and Da Pass was taken after fighting of the most stubborn character. An engagement occurred at Kandolesan, where the Japanese opened a fire on Liangzun, where they advanced in great force, meeting with stubborn resistance.

The capture of Da Pass opens the way to Fushun and Tie Pass, but the Russians are gathering a strong force to meet the threatened attack on their line of communications. The Japanese were supported by a strong force of artillery, a reserve of seven batteries being discovered east of Kandolesan, which is silent.

The Japanese army now holds a line from Syaohie, opposite Dehantun, through Shahaopao, along the Shakh river, to Vanupudzi, and thence to Da Pass and Tomaduzi southeastward.

The Japanese have effected a crossing of the Shakhe at Vanupudzi and attacked the Russian center under cover of darkness Feb. 28, driving back the Russian advance posts, but supports came up and stopped the Japanese advance. The officer in command of the Japanese heard the Russians cry out that their cartridges were exhausted, and they therefore advanced cautiously and received a volley, losing heavily.

BATTLE BEGINS.

Extends Along the Whole Front Occupied by Antagonists.

London, March 2.—Fighting on a large scale is in progress between the Russian and Japanese armies in Manchuria. General Kuropatkin, after meeting the initiative of the Japanese in the eastern part of the Shakh valley assumed the aggressive in the western portion Tuesday and under cover of a heavy artillery fire from Putloff hill and Novgorod hill succeeded in driving the Japanese from a position in the outskirts of Sandipai. Simultaneously the Russians attacked and captured a railroad bridge on the Japanese center. Much more serious is the Japanese move against the Russian left wing, which threatens, unless quickly checked, to oblige General Kuropatkin to abandon the positions on the Hun river, which he has occupied and fortified during the winter. There is no confirmation of the report that the Russian commander in chief has notified the emperor that retreat northward had become imperative.

SIGNAL VICTORY.

Japanese Proved Their Superiority as Hill Fighters.

Fushun, March 2.—The Japanese achieved a signal victory over the forces commanded by General Renton-kampff. While this victory is important, it is more so, because of the strategic advantage gained.

General Kuropatkin's men displayed remarkable qualities as hill fighters and proved their superiority to the famous cavalry of the Russians.

The right of the Japanese position has been near Pochienca, west of the Hailte river. In Monday's movement a battery of Japanese troops which had been advancing swept the Russians before them.

The Japanese now hold strong lines extending from southwest to northeast and partly eastward of the Taitee river, threatening the Russian left. General Tennenkampff commanded a division of infantry and a body of sharpshooters with full complements of guns. The principal engagement was where Russians had strongly defended entrenchments.

The Russians left 203 dead on the field there and lost several machine guns. Their casualties are estimated at over 2000.

BLAIN IN BALOON.

Dead Negro Had Attempted to Assault Proprietor's Little Girl.

Oklahoma City, March 2.—The Turf Exchange saloon was the scene of a tragedy in which Napoleon Ferguson, a negro, was shot and killed. A short time before the shooting C. L. Dixon, the proprietor, was apprised that the negro, who was in his employ as a porter, had attempted to assault his little 5-year-old daughter. Dixon met Ferguson in the saloon and started to chastise him, when the negro drew a revolver and fired. Dixon struck the weapon, when the trigger was pulled and the bullet went wild. Dixon then drew his revolver and shot Ferguson in the head, causing death instantly. Coronor's jury exonerated Dixon.

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