

PORT ARTHUR HAS FALLEN

Russian Stronghold Succumbs At Last To The Assaults Of The Japanese

TERMS OF SURRENDER ARE FIXED

Following General Stoessel's Communication to General Nogi, Commissioners Representing the Two Commanders Met at 4 O'Clock Monday Afternoon and Subsequently Signed Articles of Capitulation.

Port Arthur, whose walls have for months run red with the blood of the bravest of the two war-like nations, has at last succumbed to the fierce tenacity of the Japanese attack.

At 9:45 o'clock Sunday night the commissioners completed the signing of the capitulation agreement.

To what extent the fall of Port Arthur will make for a restoration of peace is an open question. There is an encouraging note in the expression by Baron Hayashi, Japanese minister at London, of the hope that "in some way it will facilitate final peace."

Both in Paris and in London the opinion is that the squadron under Vice Admiral Rozhdestvensky, which started from Lisbon for the Red Sea three months ago, will have no return to the way home, as adherence to the original plans would involve disaster.

Chico, By Cable.—Commander Easton, of the Russian torpedo boat destroyer Vlasov, which arrived here today, in an interview said:

"Port Arthur falls of exhaustion, ammunition not only of ammuniton, but of men.

Shot Out Boy's Eyes. Bangor News, Special.—Fred Westinghouse, the small boy who was shot yesterday at Orleans by the premature explosion of a gun which was being loaded by a negro, will lose his eyesight as a result of the accident.

Police Officer Shot. Charlotte, Special.—Sergeant Officer E. H. Cole, of Belmont Park, was killed Sunday afternoon at half-past 5 o'clock by a single, Will Springs.

Chadwick Couple Meet. Cleveland, O., Special.—Sheriff Barry and Leroy Chadwick arrived here Sunday from New York and were driven at once to the county jail where a bail bond for \$10,000 was furnished for Dr. Chadwick's appearance in the Criminal Court next Tuesday.

New Bureau Chief. Washington, Special.—President Roosevelt has appointed J. Hampton Moore, of Philadelphia, chief of the Bureau of Manufacturers of the Department of Commerce and Labor.

Dr. Chadwick Not Arrested. New York, Special.—Dr. Leroy E. Chadwick, instead of Constable L. Chadwick, arrived in this country Saturday on the steamship Pretoria, ran the gauntlet of big crowds which had waited for hours to see him, was hailed by Baltimore police headquarters and to the publisher's court, and finally left the Cleveland Hotel at 6 o'clock, but the Cleveland Sheriff & Police had sent a man with a woman to the County Court which he did not see.

TEXT OF THE AGREEMENT

All Russians Taken Prisoners, the Officers Being Paroled—All Forts and War Materials to be Turned Over to the Japanese Army.

Tokio, By Cable.—A telegram from General Nogi giving the text of the capitulation convention was received Tuesday afternoon. It is as follows:

"Article 1.—All Russian soldiers, marines, volunteers, also government officials at the garrison and harbor of Port Arthur, are taken prisoners.

"Article 2.—All forts, batteries, warships, other ships and boats, arms, ammunition, horses, all materials for hostile use, government buildings and all objects belonging to the Russian government shall be transferred to the Japanese army in their existing condition.

"Article 3.—On the preceding two conditions being assented to, as a guarantee for the fulfillment thereof the men garrisoning the forts and the batteries on this mountain, Sunghu Mountain, Antsu Mountain and the line of eminences southeast therefrom shall be removed by noon of January 5, and the same shall be transferred to the Japanese army.

"Article 4.—Should Russian military or naval men be deemed to have destroyed objects named in article 3 or to have caused alteration in any way in their condition at the existing time, the signing of this compact and the negotiations shall be annulled and the Japanese army will take free action.

"Article 5.—The Russian military and naval authorities shall prepare and transfer to the Japanese army a table showing the fortifications of Port Arthur and their respective positions, and maps showing the location of mines, underground and sub-marine, and all other dangerous objects; also a table showing the composition and system of the army and naval services at Port Arthur, a list of army and navy officers with names and rank and duty of said officers; a list of army steamers, warships and other ships, with the number of their respective crews; a list of civilians, showing the number of men and women, their races and occupations.

"Article 6.—Arms, including those carried on the Russian army as being honorable war materials, government buildings, objects owned by the government, horses, warships and other ships, including their contents, excepting private property, shall be left in their present positions and the commissioners of the Russian and Japanese army shall decide upon the method of their transfere.

"Article 7.—The Japanese army, considering the gallant resistance offered by the Russian army as being honorable, will permit the officers of the Russian army and navy as well as officials belonging thereto, to carry swords and to take with them private property directly necessary for the maintenance of life.

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"Article 9.—Non-commissioned officers and privates of both army and navy and volunteers shall wear their uniforms and, taking portable tents and necessary private property, shall be commanded by their respective officers shall assemble at such places as may be indicated by the Japanese army. The Japanese commissioners will decide the necessary details therefor.

"Article 10.—The sanitary corps and the accountants belonging to the Russian army and navy shall be retained by the Japanese while their services are deemed necessary for the caring for the sick and wounded soldiers.

"Article 11.—One copy each of this compact shall be prepared by the Japanese and Russian armies, and it shall have immediate effect upon signature thereof.

No Action Taken. Memphis, Special.—A special to the Commercial Appeal from Newport, Ark., says that no action will be taken by the authorities of the town in connection with the lynching last Saturday of Louis Alvirte for the murder of two women.

Speaker of North Carolina House. Raleigh, N. C., Special.—Owen E. Gulon, of Newbern, was named for Speaker of the House of the Legislature by the Democrats, who have 88 of the 130 members.

Stowell Gets Renomination. Nashville, Tenn., Special.—Republicans of the State Legislature, in joint caucus have renominated Hon. Walter P. Stowell, representative in Congress from the first district, as their candidate for the United States senate.

Stowell Named Terms. Washington, Special.—The Japanese legation received a cablegram from Tokio, saying that the negotiations for the surrender of Port Arthur had been concluded and that details of the terms of surrender would be called later.

Hammer from Hamburg. Newport News, Va., Special.—The German steamship Adria, called for Hamburg Tuesday with two of the Lake sub-marine boats which are said to be assigned to the Russian government.

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REPORT IS UPHELD

Government Officials Claim Accuracy For Cotton Figures

BURLESON SIDES WITH BUREAU

Director North Sets Forth His Position in a Letter to the Texas Member of Congress at Whose Instance the Provision Was Inserted in the Census Act Says the Bureau Cannot Compete With the Proposed Ginners Association and That Speculators' High Estimate Would Again Prevail—Mr. Burleson Expresses His and Senator Bailey's Concurrence.

Washington, Special.—Director of the Census North, in a letter to Representative Burleson, made public, takes notice of the situation presented by the cotton statistics given out for publication Thursday and expresses his surprise and concern at the recent alleged movement in the Southern States "apparently approved and augmented by the cotton growers themselves," to destroy the census reports by concerted refusal of the ginners to make returns.

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MAKES A GOOD REPORT

Corporation Commission Gives Out Usual Statement.

The Corporation Commission this evening gave out its report to Governor Aycock, for the present year. The report says that during the year there were 280,310 miles of main line of railroad in operation. The gross earnings were \$20,387,940; operating expenses, \$12,848,929, net income from operations, \$7,538,911; net increase, \$1,065,173 over last year's operations.

North Carolina is the only State in which railways are required to permit first and second class fares for passengers, and the laws were so amended as to require only one fare that could certainly be made lower than the present first-class fare of 31-2 cents.

The Corporation Commission's report says the earnings of railways during the year were: Atlantic Coast Line, \$5,334,869; Seaboard Air Line, \$3,721,713; Southern Railway, \$9,594,053; miscellaneous roads, \$1,837,305. Total, \$20,387,940.

Penitentiary Report. The penitentiary directors Monday evening filed their report with Governor Aycock, showing a net surplus of \$132,868.

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Greensboro, Special.—In the United States Court here Judge Boyd heard a creditors' petition in involuntary bankruptcy filed by Walter Swink, of Concord, and S. M. Swink, of Winston, attorneys for the creditors of D. P. Daywalt & Bro., wholesale and retail merchants of Concord, Coolee and Gold Hill.

Creditors Want Receiver. Greensboro, Special.—In the United States Court here Judge Boyd heard a creditors' petition in involuntary bankruptcy filed by Walter Swink, of Concord, and S. M. Swink, of Winston, attorneys for the creditors of D. P. Daywalt & Bro., wholesale and retail merchants of Concord, Coolee and Gold Hill.

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Hampton, Bermuda, By Cable.—The steamer Galia, from Hamburg for Havana, has arrived here with the survivors of the crew of the Norwegian bark Arpesa, Captain Jensen, from New York, Dec. 9, for Cetta. The Arpesa was blown up at sea by the explosion of her cargo of naphtha, and eleven of her crew were killed.

Chadwick Couple Meet. Cleveland, O., Special.—Sheriff Barry and Leroy Chadwick arrived here Sunday from New York and were driven at once to the county jail where a bail bond for \$10,000 was furnished for Dr. Chadwick's appearance in the Criminal Court next Tuesday, when he will be given a preliminary hearing.

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Roscoe, Va., Special.—In the county court at Tazewell Court House, Leander Cray and Etil Burgin, aged respectively 18 and 16 years, were tried on the charge of wrecking a Norfolk & Western passenger train on the Glitch valley division a week ago by piling rocks and wood on the track, and were sentenced to the State reformatory, where they are to stay until they are 21 years of age.

NORTH STATE NEWS

Occurrences of Interest in Various Parts of the State.

General Cotton Market.

Table listing cotton market prices for various locations: Galveston, steady; New Orleans, easy; Mobile, firm; Savannah, quiet; Charleston, quiet; Baltimore, nominal; New York, quiet; Boston, quiet; Philadelphia, quiet.

Charlotte Cotton Market.

Table listing Charlotte cotton market prices: Middling, 7 1/8; Tines, 6 1/2 to 7; Stains, 6 1/4 to 6 7/8.

Tragedy in Raleigh.

Raleigh, Special.—A little before noon Thursday one of the most beloved men in Raleigh, James H. Alford, almost seventy years old, was shot down and fatally injured in his printing establishment by R. D. Bynum, a man of 35 years, one of his partners in the job printing business.

North State News. The State has granted charters to the Tar Heel Company, Greensboro, a social club of which Spencer Blackburn, A. E. Holton and other prominent Republicans are members.

State Superintendent of Schools. The State Superintendent of Schools Jagger has issued a circular letter to the county superintendents calling their attention to the unsafe condition of the school houses in regard to their liability to fire.

Tragedy at Thomasville, Ga. Thomasville, Ga., Special.—After killing his mother-in-law, Mrs. W. H. Parrish, making a desperate attempt to kill his 18-year-old wife and shooting himself twice with a Winchester rifle here, J. B. Barrow is lying in the City Hospital in a precarious condition.

Attempt to Wreck Train. Richmond, Va., Special.—An attempt was made Sunday night to wreck a passenger train at the emptying mill, 18 miles west of Tazewell.