

# 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 hills 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. General Stoessel, most stubborn in carrying out the will of his sovereign, has seen the advance of the besieging army gain in momentum and energy until to hold out longer would have been a crime against humanity. The conditions of the surrender are not yet known, but in all quarters it is anticipated that they are such as an honorable soldier may accept from a brave and victorious enemy.

At 9:45 o'clock Sunday night the commissioners completed the signing of the capitulation agreement. Both armies had suspended hostilities five hours earlier. The city of Port Arthur will be occupied by the Japanese.

The authorities at St. Petersburg, in the absence of direct official news from General Stoessel that Port Arthur has surrendered, have not permitted the news to become public. Emperor Nicholas is in the south of Russia, and his Ministers are for the time being in the dark as to what dispatches have been sent to him from the front.

Tokio was the scene of rejoicing, people of all ranks finding in the outcome compensation for all the sacrifices of life and money that was entailed in the ten months' siege.

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," though the specific note is perhaps lost in the later words of the minister, which call attention to the fact that the besieging army will now be free to go north, where it will be an offset to the reinforcements General Kuropatkin has been receiving from the east.

Both in Paris and in London the opinion is that the question under discussion is not a question of peace, but of the spirit of the campaign will be renewed with fresh vigor in the spring, and that the nation will not be content to permit Port Arthur to remain in the hands of the Japanese.

Chotto, By Cable.—Commander Easton, of the Russian torpedo boat destroyer Viazin, which arrived here today, in an interview said: "Port Arthur falls of exhaustion, ammunition not only of ammunition, but of men."

The remnants of the garrison left had been doing the work of horses for five days and five nights, but yesterday they reached the limit of human endurance.

"In the case of the forts one saw everywhere faces black with starvation, exhaustion and nerve strain. You spoke to them, but they did not give answer, only staring dumbly."

"The lack of ammunition alone would have suggested the seeking of terms. Scant ammunition had long been common in the fortresses, and during the past month many of the forts had nothing with which to return the fire of the enemy."

"The Russians sat in the casemates, firing not more than once to the two hundred shots sent by the Japanese. When the assault came they repulsed the enemy with bayonets. But the men themselves, having existed for three months on reduced rations, were so worn that it is marvelous they stood the final strain so long."

"Yesterday General Stoessel would still fight. His wound, which was received early in the siege, had been nothing to him, but his determination to fight until one man stood had not been diminished."

"But we cannot fight," said his generals. "Our men cannot move. They sleep standing. They cannot see the bayonets at their breasts. We can order, but they cannot obey."

"Then you generals fight," said Stoessel, clinched his fists.

"He seemed fanatical on the subject, but finally he was brought to see the sense of the situation by the subordinates. Admirals Lochinsky and Wiron, Generals Spiridov and Fock, and many others, sometimes in broken voices, urged the step which all dreaded so long."

"The greatest loss suffered by Port Arthur occurred a fortnight ago, when Major General Kronratenko was killed. Officers and men alike regarded him as the brightest star in Port Arthur's armament. When his death became known, the fall in the spirits of the soldiers was plainly visible. General Kondratenko was seated in the casemate of a certain fort discussing with seven other officers the best way of counterming against the Japanese, when an eleven-inch shell burst, killing everybody in the casemate."

"General Nogi has taken Port Arthur with his artillery and his tunnels. His rifle bullets were seldom found to be of any use."

"We who came here Monday do not know the terms of surrender suggested by General Stoessel to General Nogi nor the answer, having left Port Arthur even before the messenger had been dispatched. The general impression, however, is that Stoessel has proposed that the army shall go free and that he alone be made a prisoner."

"It is a simple story. Had the ammunition held out the fortress would have held out indefinitely. The months we held Port Arthur by bayonets alone, until food and blood were gone to men. When a man fell there was none other to replace him. Thus the garrison was gradually worn down. Two hundred and Three-Meter Hill alone cost us five thousand men. The capture of that hill was the beginning of the end."

Tokio, By Cable.—Tokio is wildly joyous over Gen. Nogi's telegram announcing that Gen. Stoessel had sent a letter relating to the surrender of Port Arthur. News boys crying extra were the center of large crowds. The people grabbed the papers and repeated the cries. Thus was the news carried throughout the city, and within a few minutes the firing of aerial shells and night rockets began in various parts of the city. Bands appeared and a score of small processions formed and marched through the principal streets. Japan has paid a heavy price for its early possession of the fortress. The Emperor's New Year's reception and absence to the army and navy and officers and civil officials continued this morning. The news from Port Arthur gave additional cheer to the general exchange of congratulations.

Increased Wages For Thousands. Pittsburg, Special.—According to information from a reliable source the United States Steel Corporation shows at the end of the quarter finished Saturday an increase of nearly \$2,000,000 over the September quarter. With the resumption of work next Tuesday the wages of over 200,000 men will be increased.

Brownlow Gets Nominations. Nashville, Tenn., Special.—Republicans of the State Legislature, in joint caucus have nominated Hon. Walter F. Brownlow, representative in Congress from the first district, as their candidate for the United States senatorship. The Legislature is overwhelmingly Democratic and Senator William B. Eate will succeed himself.

Torpedo Boat Leaves. Chotto, By Cable.—Monday morning two Russian torpedo launches from Port Arthur arrived here. There are eleven Japanese torpedo boat destroyers in the harbor.

Stoessel 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. The cablegram said the articles of capitulation were concluded at 4 o'clock Monday evening. The advice received at the Japanese legation says that General Nogi accepted the terms of surrender proposed by General Stoessel.

### 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 of 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; 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 transference."

"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. The previously mentioned officers, officials and volunteers who will sign a written parole pledging that they will not take up arms and in no wise take action contrary to the interests of the Japanese army, shall be allowed to return to their country. Each army and navy officer will be allowed one servant, and such servant will be specially released on signing the parole."

"Article 8.—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 9.—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. During such time such corps shall be required to render services under direction of the military corps and accountants of the Japanese army."

"Article 10.—The treatment to be accorded to the residents, the transfer of books and documents relating to municipal administration and finance and also detailed files necessary for the enforcement of this compact shall be embodied in a supplementary compact. The supplementary compact shall have force as this compact."

"Article 11.—One copy each of this compact shall be prepared at 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. The coroner's jury holding an inquest over the body of Alvirte found that the deceased "came to his death at the hands of an unknown mob."

Speaker of North Carolina House. Raleigh, N. C., Special.—Owen E. Guion, of Newbern, was named for Speaker of the House of the Legislature by the Democrats, who have 58 of the 120 members. Guion was placed in nomination by W. J. Wood, seconded by A. W. Graham. The nomination was made by a rising vote. The House Democratic caucus, presided over by John S. Cunningham, chose Frank D. Haddock for chief clerk and F. E. Arndell for reading clerk, the latter having no opposition. The House Democratic caucus chose A. J. Maxwell for chief clerk, John W. Simpson of Rutherford county, engineering clerk; Brown Program, of Raleigh, for sergeant-at-arms; E. W. Stanley, of Wilkes, assistant door-keeper.

Sail for Hamburg. Newport News, Va., Special.—The German steamer Adria sailed for Hamburg Tuesday with two of the Lake sub-marine boats which are said to be assigned to the Russian government. The delay in the Adria's departure was held up by the presence of the sub-marines being more recently launched in the docks, fearing that they would be damaged by the mechanical parts.

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. Mr. Moore is president of the National League of Republican Clubs and was formerly city treasurer of Philadelphia. He has accepted the appointment and will enter upon the discharge of his duties about the first of the year.

# 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 the opinion 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. Director North asserts that a continuance of the cotton ginning reports is impossible without the systematic and whole-hearted co-operation of the ginners of the South. Immediately after the receipt of the letter, Mr. Burleson, a member of the House census committee, and the author of the provision making appropriation for the gathering of cotton statistics, gave out an interview in which he upholds the director in the work now being done by his bureau. The letter is as follows:

"Hon. Albert S. Burleson, House of Representatives.

"My Dear Sir: It seems proper to invite your attention to certain anomalous conditions which confront the Census Office in carrying out the provisions of section 9 of the act to establish a permanent Census Office directing the periodical collection of statistics of cotton production through the agency of the ginners. This provision was inserted in the law at your urgent request and that of other Southern Representatives on the plea that it was necessary for the protection of the cotton producers against the speculators and others interested in depressing the price of the staple of their own profit. It was stated that the enormous losses resulted from the untrustworthy estimates put forth every year by speculators and agents of the Liverpool market and that early and trustworthy official information regarding the size of the crop would protect the grower, disarm the speculator and market manipulator, and permit the law of supply and demand to regulate the price."

"ACCUACY UNQUESTIONED. Since the law was passed, Congress has appropriated more than \$125,000 a year in the collection and dissemination of this information. The system has been gradually perfected until it has become more nearly perfect than any similar plan for obtaining exact knowledge of the size of any agricultural crop during the progress of harvesting."

"No complaint has been made that the census reports are not accurate; indeed, for a year or two past, we have been able to trace the crop so closely that practically every bale has been accounted for."

"The statistics increase in value every year; for it becomes possible, by comparison of the statistics of one year with those of the same date in preceding years, to judge the size of successive crops with an accuracy never before known or approximated. The ginning reports of the Census Office have crowded out the speculative and interested estimates referred to, and the single object which the Southern Representatives had in view in urging this legislation has been successfully accomplished."

"GENINERS' MOVIE DEPRECATED. In view of these facts, I have been surprised and concerned at the present movement in the Southern States, which is apparently approved and augmented by the cotton growers themselves, to destroy the census reports, by the concerted refusal of the ginners to make the returns upon which they are based. Thus far the movement has not seriously affected our work, but if it continues and spreads, it will necessarily destroy its value during the coming year. It appears to have been suddenly discovered that these reports, undertaken solely at the instance of the cotton grower, are highly detrimental to his interests. Mr. E. F. Webber, president of the Memphis cotton exchange, is quoted as declaring that 'the cotton interests of the South have everything to lose and nothing to gain by their continuance; they put the manufacturing interests in possession of information that is beneficial.'"

"My attention has been called to the so-called 'National Cotton Ginners' Association,' the purpose of which is stated to be to gather accurate and reliable information regarding the amount of cotton produced, in advance of the government report. It also appears that 'this information is to be sent in code and the members of the association will be sworn not to divulge it.' This information is still highly desirable, but possession of it is to be restricted to those who grow and gin the cotton."

"I am, Sir, very respectfully, your obedient servant, A. S. Burleson, Director of the Census 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.

### 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 280,210 miles of main line of railroad in operation. The gross earnings were \$20,387,940; operating expenses, \$12,848,929; net income from operations, \$7,539,011; net increase, \$1,065,173 over last year's operations. The railroads employed 15,205 persons and 120 persons were killed in the movement of trains. Of these two were passengers and 39 employees; 4,920,095 passengers were transported; 335 complaints were made to the commission, nearly all of which were disposed of.

North Carolina is the only State in which railroads 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 average rate per passenger mile on the leading roads in the State was about 23 cents. The number of banks has increased from 155 to 192. Four banks were put in receivers' hands.

### EARNINGS AND EXPENSES.

The Corporation Commission's report says the earnings of railroads during the year were: Atlantic Coast Line, \$5,234,869; Seaboard Air Line, \$3,721,713; Southern Railway, \$9,594,053; miscellaneous roads, \$1,837,305. Total, \$20,387,940. The capital stock of all the roads is \$63,390,350. Taxes paid were: Atlantic Coast Line, \$219,897; Seaboard Air Line, \$127,940; Southern Railway, \$278,446. Total, \$626,283, and by miscellaneous roads, \$51,492, making a total of all roads, \$677,775. The number of employees is Atlantic Coast Line, 4,909; Seaboard Air Line, 2,207; Southern Railway, 6,038; miscellaneous roads, 2,051. Valuation for taxation is as follows: Atlantic Coast Line, \$24,454,014; Seaboard Air Line, \$12,500,000; Southern Railway, \$26,310,589; miscellaneous roads, \$6,216,370; telegraph, telephone, street railway and express companies, \$5,061,052; total, \$74,542,025.

### Penitentiary Report.

The penitentiary directors Monday evening filed their report with Governor Aycock, showing a net surplus of \$132,868. Included in this are \$60,000 in penitentiary debt bonds purchased by the directors. Other assets, consisting mainly of cotton, are estimated at the present market value, several crops being left out of the estimate so as to offset any further slump in cotton. But for the slump the surplus would have been \$150,000, the directors state. They recommend that the \$60,000 debt bonds they hold be devoted to the establishment of a reformatory for the State. The Governor approves this recommendation. The prison and its various branches are in good physical condition and the past four years were marked by any epidemic, small or great. The order was good, generally speaking, the convicts have behaved exceptionally well, this being due to strict discipline and kind and considerate treatment. There are now hospital wards for white and negro convicts. Many improvements have been made in the convict quarters at the State farm. The latter yielded great harvest.

### 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. F. Daywalt & Bro., wholesale and retail merchants of Concord, Cooleemee and Gold Hill. The petition states the assets of the firm to be \$100,000; liabilities \$150,000. Judge Boyd ordered a subpoena to issue the parties to appear here Jan. 17 to show cause why they should not be declared bankrupt. Pending a hearing, T. D. Mansure, of Concord, was named as receiver, filing a bond of \$10,000.

Steamer Blown Up. Hamilton, Bermuda, By Cable.—The steamer Galia, from Hamburg for Havana, has arrived here with the survivors of the crew of the Norwegian bark Arpesia, Captain Jensen, from New York, Dec. 9, for Cetta. The Arpesia was blown up at sea by the explosion of her cargo of naphtha, and eleven of her crew were killed. Seven of the crew, who were saved, were landed here Monday night.

### Chadwick Couple Meet.

Cleveland, O., Special.—Sheriff Barry and Leroy S. 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. The bail bond was signed by Virgil P. Kline, counsel for Dr. Chadwick, and also by P. Dawley, counsel for Mrs. Chadwick. These formalities being completed, Dr. Chadwick was admitted to the women's department of the jail, where he held a long conference with his wife.

### Sent to Reformatory.

Roscoe, Va., Special.—In the county court at Tazewell Court House, Leander Cray and Estlin Burgin, aged respectively 18 and 16 years, were tried on the charge of wrecking a Norfolk & Western passenger train on the Clinch 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. No one was seriously hurt by the derailment of the train.

# NORTH STATE NEWS

## Occurrences of Interest in Various Parts of the State.

### General Cotton Market.

Galveston, steady ..... 6 1/2  
New Orleans, easy ..... 6 1/2  
Mobile, firm ..... 6 1/2  
Savannah, quiet ..... 6 1/2  
Charleston, quiet ..... 6 1/2  
Baltimore, nominal ..... 7 1/2  
New York, quiet ..... 6 1/2  
Boston, quiet ..... 6 1/2  
Philadelphia, quiet ..... 7 1/2

### Charlotte Cotton Market.

Middling ..... 7 1/2  
Tines ..... 6 1/2 to 7  
Stains ..... 6 1/2 to 7 1/2

### 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. Alford died Thursday night. The other partner of the firm of Alford, Bynum & Christophers, namely, Charles D. Christophers, was present and witnessed the shooting. The front door of the establishment is closed, and the terrible affair occurred in the printing room, which is separated from the front office by a door.

Bynum is a hard drinker, and has been on a debauch for some days. It is stated that he went into the place and began to curse Mr. Alford, and then made a motion as if to pull a pistol from a hip pocket. At this Alford moved towards him, and then, according to Alford's statement, Bynum rapidly shot three times. The pistol must have been held very close to the body. Powder burns show where two bullets entered the right breast, one bullet remaining in the body and the other going upward and smashing a shoulder blade. The other bullet seems to have missed the mark. The old man fell between the cases, Christophers falling to stop Bynum from leaving the place, evidently fearing that the drunken man would shoot him also. It seems that only one or two persons heard the noise of the shot, but did not locate it. Bynum walked out of the front door and along East Hargett street. His disheveled appearance led one or two persons who passed him to ask him what was the matter. He replied in a drunken voice that he did not know, or something to that effect, and went on to the corner, turning down South Blount street a few blocks from the capitol building. The first person who entered the inside of the place was to enter by the appearance of Christophers, who in a shirt sleeves and his shoulder covered with blood, ran out the front door. The man who entered asked Christophers and some others who came in in removing Alford to the office.

### 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. The capital stock being \$5,000. To the Independent African Methodist Episcopal denomination, head-quarters at Winston-Salem, the purpose of which is to establish churches, missions, schools, etc., and push the work of that denomination generally; to the W. I. Rovia Manufacturing Company, of Wilmington, which will manufacture sash, doors, blinds, etc., capital stock \$25,000; to the Gray Manufacturing Company, Gastonia, capital stock \$150,000, to manufacture fabrics of cotton and other textile. Geo. A. Gray, Joseph A. Separk, and C. J. Huak are the stockholders.

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. He says many of the new houses are fitted with terra cotta pipe, which cause twenty per cent of the fires in the State according to the report of the insurance commissioner.

### 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 closely guarded by officers. Barrow is an engineer on the Atlantic Coast Line. He is 28 years old, and had been married but two years. His wife is 20 years his junior. Domestic infelicity is said to be the cause of the tragedy. The verdict of the coroner's jury does not say whether murder was committed or the killing was accidental.

### Attempt to Wreck Train.

Richmond, Va., Special.—An attempt was made Sunday night to wreck a passenger train at the one-mile-long mill, 18 miles west of Tazewell. A safeguard was laid on the rails, and the forward truck of the engine was thrown from the track. Fortunately it was running slowly. While the damage was being repaired investigation showed another safeguard and a large rock on the track just ahead.