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SMITHFIELD, N. C., FRIDAY, FEBRUARY 17, 1899.

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NO. 43

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VOL. 17.

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THE LEGISLATURE.

Many Measures of Importance Being Passed Daily.

THURSDAY FEB. 9

At noon in the House to day the bill to create the County of "Scotland," out of four southern townships of Richmond county, came up as the special order. It was discussed by McLean of Richmond and Winston of Richmond and by Wall of Richmond and Patterson of Robeson against it. After more than two hours' debate the bill passed on second reading by vote of 85 to 13 against. It will be put on its third reading to-morrow.

Among the bills passed on final reading were: To transfer from the Governor to the Board of Aldermen the appointment of a Police Justice for Asheville; to make abandonment for two years cause for divorce—a law like this was passed by the Legislature of 1895, but it was made not to apply to separation that might occur after passage of the act—the bill passed to day lets the bars down for good and all; to appropriate \$47,000 for support and maintenance of the North Carolina School for the Deaf and Dumb; to change the time for meeting of the new Board of Internal Improvements, and to confer upon the board the appointment of an agent to superintend and supervise the swamp lands of the State. The State Board of Education has heretofore been appointing an agent at a salary of \$1,000 a year. The position is now held by John A. Ramsay, of Salisbury.

IN THE SENATE.

Among bills introduced in the Senate were: To establish a graded school at Newbern; to regulate trial of criminal actions—this bill provides that no man who formed or expressed an opinion in any criminal action shall be allowed to serve as a juror; to appropriate \$276,550 for support and maintenance of three insane asylums. The calendar was taken up and bills were passed: To declare the Southeastern Railroad Company a duly incorporated organization; to amend Chapter 249, Laws of 1885, relative to the stock law in Pender; to prevent live stock from running at large in Cross Creek township, Cumberland.

Both the House and the Senate to-day elected B. W. Ballard, of Franklin county, a director of the penitentiary, to succeed R. W. Ricks, of Nash county, resigned.

The House concurred in Senate amendments to the bill taking from the Governor all power as regards the Atlantic and North Carolina Railway.

The House Judiciary Committee passed a resolution this afternoon declaring that Judge Norwood is liable to impeachment and that his conduct deserves impeachment. The vote was twelve for impeachment and six against. The resolution will be reported to the House to-morrow morning and a committee will be appointed to present the case to the Senate.

The Judiciary Committee also decided to report the Stevens anti-trust bill favorably, with an amendment that it shall not apply to any wholesale merchant or jobber who is not a party to, or interested in, or the agent of a trust; nor shall it apply to any fishing, trucking or canning industry in the State. Also, an amendment was adopted striking out the clause of the bill making it impossible for a trust to collect by law a bill for goods sold on credit in the State.

The Committee on Congressional Districts has decided to restore the Seventh and Ninth districts as they were before the Fusionists changed them, except that Catawba will be in the Eighth and Lincoln in the Seventh.

FRIDAY FEB. 10.

Bills passed as follows: Declaring the South-eastern Railroad duly incorporated; to amend the charter of Red Springs; to remove the state arsenal from the capitol square; to improve the roads in Anson; to give telegraph and telephone companies equal rights; to establish a dispensary at Madison,

Rockingham county.

By leave, Senator McIntyre introduced a bill to appropriate \$100,000 to the public schools. Bills passed as follows: To incorporate the North and South Carolina railroad; to incorporate the bank at Chapel Hill; to incorporate Coleman cotton mill; to establish a dispensary at Clayton; to incorporate the Great Order of North Carolina Order of Red Men.

The report of the judiciary committee in favor of the impeachment of W. L. Norwood as judge was presented by Mr. Foushee, and made a special order for to-morrow. A resolution was embodied in the report providing that a committee of three from the house impeach Norwood at the bar of the senate of high crimes, and misdemeanors, and declared that the house will prove its charges, and that Norwood be brought before the senate to answer the charges made.

By leave Mr. Molman introduced a bill to appropriate from the general fund \$100,000 to the public schools.

The committee on congressional districts presented a bill with a favorable report placing Catawba, Cleveland, Gaston and Mitchell counties in the Eighth district, and Davie and Yadkin in the Seventh district.

The bill to establish the Vance textile school as a department of the Agricultural and Mechanical college came up on its third reading, and passed—ayes, 45; noes, 36.

The bill to create the county of Scotland out of four southern townships of Richmond came up on its third reading.

Mr. Patterson, of Robeson, endeavored to secure a postponement because of the absence of Mr. Wall, of Richmond, but the bill passed—ayes, 75; noes, 9.

By leave, Mr. Robinson introduced a bill to incorporate the bank of Cumberland, at Fayetteville. The house took up as a special order the Stevens anti-trust bill. The committee had amended the bill so it did not apply to jobbers, canning, fishing or cotton mill corporations which are not agents of any trust.

The bill passed its second reading without debate. It is entitled "An Act to Punish Pools, Trusts and Conspiracies." On third reading there was a debate.

The bill passed to change from April 1st to February 1st the date of expiration of turpentine leases. Brunswick, Cumberland and some other counties are excepted.

The bill to make an appropriation for the white institution for the blind and the one for the negro deaf-mute and blind at Raleigh came up. It carried an annual appropriation of \$16,500, and also of \$200 per annum, for each pupil in excess of 200.

Mr. McLean, of Harnett, ably supported the bill. He said no further appropriations for buildings would be asked for twenty-five years. It has purchased twenty acres of land at \$40 an acre in the suburbs of Raleigh near the negro institution. It is supposed that the bill will carry a total appropriation of \$65,000 annually. There are now 328 inmates, and there are many applications. For four months the institution has been operated on credit. The \$16,500 is mainly for buildings for girls at the white institution and the other desired appropriations can be made without increasing the tax rate.

Mr. Thompson, of Onslow, said it would increase the tax rate. Mr. Leatherwood spoke warmly in support of the bill. The bill passed its second and third readings with hardly any dissenting votes.

The bill passed to establish a dispensary at Smithfield, Johnston county.

Bismarck's Iron Nerve.

Was the result of his splendid health. Indomitable will and tremendous energy are not found where Stomach, Liver, Kidneys and Bowels are out of order. If you want these qualities and the success they bring, use Dr. King's New Life Pills. They develop every power of brain and body. Only 25c. at Hood Bros' drug store.

FILIPINOS ROUTED AGAIN.

American Troops Take Calococan.

Manila, Feb. 10.—Major General Otis' army administered a sound thrashing to the Filipinos this afternoon. Their killed will probably reach one thousand, with many more wounded and taken prisoners. The American soldiers fought with the greatest heroism, charging with cheers and shouting encouragement all along the line. It was a brilliant victory and crushed at one blow the army that Aguinaldo was massing in order to make another attack on our lines.

The shattered forces of the Filipinos, after Sunday's battle, were gathered in the town of Calococan, about a mile and a half from Malabon. From here the Filipino chieftain determined to form for a second advance, and he was reinforced by natives from the northern provinces of the Island of Luzon, who had arrived too late for the first battle.

A MORNING SKIRMISH.

All during the day small bodies of armed Filipinos had been sifting their positions and moving into Calococan. In order to cover their movements the rebels opened fire during the morning on the Kansas pickets. They were hidden in a jungle and kept up the crack of their mausers for about twenty minutes, but without effect. A detachment emerged from the bamboo as if to attack the Kansas re-enforcements, but a well-directed volley sent them scurrying back under cover.

General Otis' brigade was in a splendid position, stretching from Calococan to a Chinese cemetery in which stood de la Lome Church, and the tower of which was used as a signal station to wig-wag to the ships in the bay and to the regiments. Shortly after dinner the double-turreted seagoing monitor Monadnock and the gunboat Concord moved up off Malabon. By a prearranged plan of attack, these vessels began to hurl a shower of shells into Calococan at half-past 2 o'clock. They did considerable execution.

At 3 o'clock the signal was sent from de la Lome Church tower for a general advance of Brigadier General Otis' troops. In two hours and a half our troops were in complete possession of the city and the Stars and Stripes were flying over piles of Filipino dead, while remnants of Aguinaldo's army were in flight.

The Sixth Regular Artillery and the Utah Battery opened the fight on the land side, their missiles joining in cross fire with those of the Monadnock and the Concord and playing havoc with the Filipino entrenchments. The natives displayed great heroism, however, and stuck to their fortifications. They did not reply to the big guns, reserving their fire for the troops.

BATTLE UNDER FULL SWAY.

At 4 o'clock, with staff officers scurrying to and fro carrying orders, our advance was well under way, with Brigadier General Otis directing the attack. Our line was formed in the following order from left to right: Twentieth Kansas and First Montana supported by the Fourth Regular Cavalry.

The advance of the left wing was made through a heavy field of bamboo. As the Kansas and Montana boys emerged from the brush they were met by terrific successive volleys. Not once did they flinch. Their lines were as steady and straight as on parade. Sunday's battle had made veterans of them. They immediately returned the Filipinos' fire with great enthusiasm, cheering as they fought.

From the right came an answering cheer. It was from the Idaho Infantry and the Fourth Regular Cavalry. They had the hardest time. They had to cross an open field and were under fire all the time. They advanced steadily, not firing a shot until they reached the Filipino trenches.

Some of the enemy's sharpshooters made their way through a jungle from which they could fire on the Pennsylvania troops at long range. Two artillery guns were wheeled around, and

after several volleys of shrapnel the sharpshooters fled.

The Third Artillery all the while was keeping up its steady volleys of solid shot.

Then the fight began in earnest. One company of the Montana Regiment, under command of Major J. E. Bell, which volunteered for the service, crossed over and executed a neat flank move against the enemy's left.

CAPTURE OF THE CITY.

Cheering like mad, the long American line started on Calococan. The enemy fought every foot of the way, but was steadily driven back, leaving furrows of their dead to mark their lines. Their aim was bad, while every shot of the Americans told with deadly effect.

Soon the main body of the Filipinos began to waver, and the Americans started on the run, firing as fast as they could. Up over the trenches they leaped, cutting down those who had remained. In a twinkling the Filipinos scattered like rabbits.

The Twentieth Kansas and the First Montana entered the town on the south and found in some of the bamboo houses a body of natives, who evidently hoped to get in our rear. The houses were set fire to and the natives shot as they ran.

Our men entered the town as the Filipinos went out at the other end.

STARS AND STRIPES RAISED.

The only flagstaff in the place was that on the small house of an Englishman named Higgins. He was not at home, and the place was borrowed for the occasion and the Stars and Stripes run up.

Our losses did not amount to much. Lieutenant Colonel Bruce Wallace, of the First Montana Volunteers, was wounded in the charge. There were about 600 Filipinos in the battle, including a famous native regiment, which in the revolution of two years ago killed all of its Spanish officers and deserted Manila. They are probably the best drilled of the native troops.

As to Aguinaldo, he is further away than ever. He is said to be at Maricao, four miles north of Calococan, endeavoring to gather his men together.

BRIGADE HAS FOUGHT WELL.

Brigadier General Otis, to reach the position from which he attacked the Filipinos to-day, has advanced four times since Saturday in a series of brilliant combats. He has had to fight, and fight hard. In the battle of Sunday the Pennsylvania and Montana Regiments charged the enemy, and routing them, took the Chinese cemetery. They had to advance up a slope and made a picturesque advance.

The advance on Tuesday was the hardest. The Americans kept up a hot rifle fire and after two hours determined to try cold steel on the Filipinos. They charged three times with the bayonet successfully. In this engagement the Americans lost one killed and six wounded, while the Filipinos had forty-four killed. Previous to to-day the brigade lost six killed and fifty-five wounded, while Brigadier General Otis has buried 130 Filipinos.

Discovered by a Woman.

Another great discovery has been made, and that too, by a lady in this country. "Disease fastened its clutches upon her and for seven years she withstood its severest tests, but her vital organs were undermined and death seemed imminent. For three months she coughed incessantly, and could not sleep. She finally discovered a way to recovery, by purchasing of us a bottle of Dr. King's New Discovery for Consumption, and was so much relieved on taking first dose, that she slept all night, and with two bottles, has been absolutely cured. Her name is Mrs. Luther Lutz. Thus Shelby, N. C. Trial bottles free at Hood Bros. drug store. Regular size 50c and \$1. Every bottle guaranteed.

It isn't likely that Solomon succeeded in convincing all his wives that a word to the wise was sufficient.

Mother's trusted friend, Simmons Squaw Vine Wine or Tablets, prepare the system for confinement, shorten labor and make child-birth easy.

The White Man's Burden.

Take up the white man's burden— Send forth the best ye breed— Go, bind your sons to exile To serve your captives' need; To wait, in heavy harness, On fluttered folk and wild— Your new-caught sullen peoples, Half devil and half child.

Take up the white man's burden— In patience to abide, To veil the threat of pride; To check the show of force; To open speech and simple, An hundred times made plain, To seek another's gain; And work another's gain.

Take up the white man's burden— The savage wars of peace— Fill full the mouths of Famine, And bid the sickness cease; And when your goal is nearest (The end for others sought), Watch sloth and heaten folly Bring all your hope to nought.

Take up the white man's burden— No iron rule of kings, But toil of serf and sweeper— The tale of common things; The ports ye shall not enter, The roads ye shall not tread, Go make them with your living And mark them with your dead.

Take up the white man's burden— And reap his old reward— The blame of those ye better, The hate of those ye guard— The cry of hosts of humor— ("Ah, slowly!" toward the light—"Why brought ye us from bondage, Our loved Egyptian night?")

Take up the white man's burden— Ye dare not stoop to less— Nor call too loud on Freedom, To choke your weariness. By all ye give or whisper, By all ye leave or do, The silent, sullen peoples Shall weigh your God and you.

Take up the white man's burden— Have done with childish days— The lightly proffered laurel, The easy, ungrudged praise; Comes now to search your manhood Through all the thankless years, Cold, edged with dear-bought wisdom, The judgment of your peers.

—Rudyard Kipling, in McClure's Magazine.

New Pen Directors Meet.

Raleigh Post, Feb. 11.

The Supreme Court has a task ahead of it to unravel the tangle at the penitentiary. Yesterday morning the new members of the Board, elected by the present General Assembly, met at the penitentiary and proceeded to organization. The members of the old board, who were also present, were invited to participate in the meeting, but they declined, stating in a written communication, as their reason that the act under which they claimed authority was unconstitutional. The new board then effected a permanent organization and after doing this notified Captain W. H. Day of their action and made a demand of him, in writing, for the delivery of the State's property and the convicts in his possession. Captain Day made immediate reply declining to comply with the request of the board.

The new board assembled in one of the front waiting rooms, and the old board was entrenched in the Secretary's office, while Capt Day, with his attorney, Col. T. M. Argo, barricaded himself in the office of the superintendent. Each recognized the other as belligerents, and when not in the act of firing communications and answers at one another, mingled freely with each other.

The new members were met by Captain Day and given the glad hand. The best of good feeling prevailed and the tri-cornered preliminary contest occurred without any disagreeable incident. The nearest the new board came to being recognized was an invitation to dinner, which was accepted.

Mr. R. O. Burton and Mr. C. M. Busbee, of counsel for the members of the new board, attended the meeting. After an informal discussion the following communication was sent to the members of the old board, it having been ascertained that they did not intend to meet with them:

Raleigh, N. C. Feb. 10, 1899. Messrs. E. T. Clark, J. W. Denmark, A. Y. Sigmon, Claudius Dockery, R. R. Cotton, Gentlemen: The undersigned members of the Board of Directors of the State's Prison of North Carolina, having this day met in pursuance of the provisions of the act of the General Assembly of North Carolina, ratified January 26th, 1899, for the purpose of organization and the transaction of business, you

are hereby notified as individual members of said board appointed by said act, to meet with us in the organization of said board and in such business as may come before the same.

E. L. Travis, J. L. Gwaltney, M. F. Morphew, W. H. Osborne, L. M. Bryan, J. W. Perry, J. H. Weddington, B. W. Ballard, Jas. LeGrand, A. B. Young, W. C. Newland, James C. Davis.

The letter of invitation was taken by Mr. R. R. Cotton, of the old board. By Mr. Cotton's presence a quorum of the old board resulted. Chairman Dockery took advantage of Czar Reed's tactics and went through the form of calling the board to order. The communication was read and the invitation declined, Director Cotton dissenting. Director Sigmon was inclined to meet with the new board, but the other directors were violently opposed to it. After consulting with Captain Day and his attorney, Col. T. M. Argo, the following reply was made to the new directors:

Raleigh, N. C., Feb. 10, 1899. Messrs. E. L. Travis, J. L. Gwaltney, M. F. Morphew, W. H. Osborne, L. M. Bryan, J. W. Perry, J. H. Weddington, B. W. Ballard, James T. LeGrand, A. B. Young, W. C. Newland, and James C. Davis.

Gentlemen:—At a meeting of the Board of Directors of the State's Prison this day held Messrs. Claudius Dockery, E. T. Clark, I. W. Denmark, A. Y. Sigmon, Heenan Hughes and R. R. Cotton being present, it was resolved, Mr. R. R. Cotton dissenting, as follows: Resolved, That we, respectively and courteously decline the invitation of Messrs. E. L. Travis and others to participate in their proceedings as Directors of the State's Prison, because of our opinion that the act of Assembly under which they claim their authority to act, ratified January 26th, 1899, is unconstitutional.

F. B. Wimlish, Clerk North Carolina Penitentiary.

After organization had been effected, a demand was made upon Captain Day for possession of the prison. The demand, which was reduced to writing was delivered by Mr. Newland.

W. H. Day, Esq. Dear Sir:—We hereby notify you that the Board of Directors of the State's Prison of North Carolina has been this day duly organized, under the provisions of the act of the General Assembly, ratified January 26th, 1899, and we hereby demand that you surrender and deliver to us such of the property of said State's Prison and also the convicts confined therein, as are in your possession.

Yours respectfully, The Board of Directors of the State's Prison of North Carolina.

By A. B. Young, Chairman. B. W. Ballard, Secretary.

A reply from Captain Day was soon forthcoming. It was as follows:

North Carolina State Penitentiary. Raleigh, N. C., Feb. 10, '99. To Messrs. E. L. Travis, J. L. Gwaltney, H. F. Morphew, W. H. Osborne, L. M. Bryan, J. W. Perry, J. H. Weddington, B. W. Ballard, James T. LeGrand, A. B. Young, W. C. Newland and James C. Davis.

Gentlemen:—Being of opinion that the act of Assembly ratified January 26, 1899, under authority of which you propose to act, is unconstitutional, and has no effect to deprive me of official authority, or to relieve me or my bondsmen of responsibility, or to authorize you to demand the property now in my custody, or to assume and exercise any of my official functions, I therefore decline your demand for the surrender of the same, and the delivery of said property for the control of the convicts into your hands. At the same time, I am ready to facilitate a judicial determination of your claims.

Very respectfully, W. H. DAY, Superintendent North Carolina State Prison.

A motion was then made retaining Messrs. R. O. Burton, Shepherd and Busbee, as counsel, to assert the rights of the board. Adjournment was next taken subject to the call of the executive board.

ROYAL Baking Powder

Made from pure cream of tartar.

Safeguards the food against alum.

Alum baking powders are the greatest menaces to health of the present day.

GENERAL NEWS.

There were 1,600 deaths in Bombay, India, last week, from the plague.

William Joel Kelsey, a fourteen-year-old boy, committed suicide in Atlanta last week by taking morphine.

The Supreme Military Court of Spain has decided to prosecute Admiral Cervera for his defeat at Santiago last July.

Miss Eliza Works, of East Henrietta, N. Y., celebrated her 105th birthday on February 10th by giving a dinner party for two, herself and her nephew, a youth of 76, who lives with her. She does her own housework and prepares the meals for the household.

To stop the crisis of his baby twin brothers Friday three-year-old James Hughes, of Reading, Pa., mixed them some medicine as he had seen his mother do, but innocently put in some arsenic and landanum, which killed both the infants within a few hours. They were the children of Mrs. Mary Grace Hughes.

John D. Clews, aged 102 years, and Mrs. Sarah H. Jennings, aged 100, were married in Franklin, Pa., on Monday by Alderman Henderson. The bridegroom is a wealthy oil producer and a veteran of the civil and Mexican wars, while the bride is a cousin of Abraham Lincoln, and resides in Foxburg. She was married in 1824 to James Jennings, and has four daughters and seven sons and twenty-five grandchildren all living.

President McKinley signed the peace treaty at 2:30 Friday afternoon. Mrs. McKinley was present, together with Secretary of State Day and his two daughters and the President's house guests, Charles Spencer Borden and Mr. and Mrs. J. J. Brookes, and Abner McKinley and Lieutenant Montgomery of the Signal Corps, chief operator for the White House. The signing took place in the library, the President using a new gold pen and ebony holder provided by the Secretary of State.

George Keplinger, a farmer 21 years old, of Marion, Ind., shot and killed his sweetheart, Miss Laura Pegan, one evening last week, because she refused to marry him. The shooting occurred at the young lady's home. Keplinger knocked at the door of her home, and when she opened it he threw one arm around her neck and with the other held a pistol to her head and sent a ball crashing into her brain. He left the lifeless body fall to the floor and placed the pistol against his own head and pulled the trigger. The ball inflicted a flesh wound and glanced off, doing little damage. Keplinger then fled, but was captured.

New York State has the honor of having the oldest postmaster in the employ of the postal service. He is Roswell Beardley, of North Lansing, Tompkins county, and has been in the service of the post office at that place since June 28, 1828. When he was appointed postmaster the office had been in existence about two years, having been established April 6, 1826, with Joseph Bishop as postmaster. Mr. Beardley is regarded as a model postmaster by the department officials, and during his long service of 71 years there has never been a complaint against this administration of the affairs of the office. The Postmaster-General received a letter from this aged postmaster a short while ago, in which he said that he still enjoyed good health and was able to personally write all his reports and attend to the office, which pays a salary of \$175 per annum.