cientists Think the Mountain Has Spent Itself and the Newspapers Assume a Tone of Courage and Confidence—The Distress Among Thousands Appalling and the Magnitude of the Disaster Indescribable—Eing Victor to Personally Superintend the Relief Work—Loss to Property Estimated at \$20,000,000, and \$6,000 Have Been Rendered Property Estimated at \$20,000,000, and 50,000 Have Been Rendered

Naples, April 11.-Conditions toeruption of Mount Vesuvius are great- the inter-State commerce commission's ly amellorated. The fall of volcanic ash has diminished and scientists express the opinion that the volcano has spent itself. All the papers to-night advise the public to be calm, pointing it was learned that this organization not out the improved condition of affairs. The papers also eulogize Director Matteucci for his courage in returning to the ruined observatory on Mount Vesuvius and sending from that place messages of encouragement and expressions of confidence that Vesuvius

The threatres, cafes and places of musement throughout the city have been closed and before all the sacred mages in the streets candles are kep urning, while smaller images are being carried about, in many cases being set down in the open air and surround ed by candles.

TROOPS CLEANING ROOFS. Troops are engaged in clearing the roofs of buildings of the accumulations of sand and ashes, which endangers the structures. The large glassovered galleries throughout the city which are much frequented have been ordered closed, lest the weight upon the roofs cause them to collapse.

vallige of San Gennaro has been partially buried in sand and ashes, and several houses have fallen. At that place three persons were killed and more than twenty injured. In the road at Torre del Greco three persons were found dead from suffo-The people who remain Torre Annunziata are in danger of perishing from starvation, all the shops een closed. Rations for 200 persons have been sent there. The warships ordered here have been doing effective service in the removal of refugees. Premier Sannina reached here to-day by train from Rome, his journey having been greatly impeded. He ad a conference immediately after his arrival with King Victor Emmanuel, with whom the premier discussed measures to be adopted to restore public confidence, maintain order, aid the refugees and repair the damages

caused by the eruption. AMERICAN GIRLS RESCUED. Two American girls who had head-

lessly ventured into the Vesuvius diswhere the abandonment of the train by which they were traveling caused them much discomfort and no little peril, were brought here to-day by the steamer St. Bon

lars to raze houses made unsafe for ashes and cinders on the roofs; erect Gladstone would reveal certain dec flee from their homes; clear the roofs of buildings that may yet be saved; and extricate from the rules of fallen structures and bury the dead.

THE DISTRESS APPALLING. The distress among the tens of thousands of fugitives is appalling. plies of food and money, several of the Italian cities have done the same, and private citizens are contributing money for the assistance of the suffer-

ers, but more help is needed. King Victor Emmanuel has placed the royal palace at Cappodimonti, situated above the city, at the dispo of the injured refugees and early in the day announced his intention of returning to Naples from Rome in or-der to personally direct the relief work. The news caused much satisfaction and when the matertles reached Naples this evening, they received a most enthusiastic greeting. the King and Queen visited the sufferers in the hospital and were heartily cheered as they passed through the streets. Although the report that Sarno has been destroyed is denied, it is now officially admitted that Ottathere and in the surrounding villages are not known, but three hundred, it is believed, would be a low estimate. Even Capri, a small Island off the coast of Campania, nineteen miles south of Naples, a favorite resort for tourists and artists, has been covered with ashes and has been abandone

by its foreign population, which in-cluded several Americans. DESOLATION AND TERROR. The magnitude of the disaster is lmost indescribable. Mount Vesuvius has spread desolation and terror over

an immense tract of country.
Some idea of the difficulties encountered by authorities in obtaining accurate knowledge of the situation, may be gained from the fact that may be gained from the fact that Minister of Fnance Salandra and Under Secretary of State Denaya were blockaded at Torre Annunciats by ash heaps and were compelled to go to Castellammare in an automobile, reaching that place with great difficulty. They hoped to get a boat at Castellammare to take them from there to this city, but even the subwere blockaded at Torre Annungiats by ash heaps and were compelled to go to Castellammare in an automobile, reaching that place with great difficulty. They hoped to get a boat at Castellammare to take them from there to this city, but even the fishermen refused to run the risk of crossing the bay of Naples as they would have to pass Mount Vesuvius, which is situated about half way bewhich is situated about half way between Castellammare and Naples. The train which brought Premier Bonnino here to-day from Rome was considerably delayed by ashes.

Washington, April 11.—The Senate to-day passed bills appropriating 25,-100 for the improvement of the monument on the Moore's Creek battlefield, North Carolina.

Authorising the maintainance of a toil bridge across Tugaloo river between the States of South Carolina and Georgia.

five-state Commerce Commission of Investigation Draws Blood—Mr. Searles Denies That the Purpose of the Rates is to Stop Competition—Tonnage Apportioned Among the Roads Comprising the Association—Final Hearing Into Alleged Abuses of Coal Trade.

Philadelphia, April 11.-That rates are posed of various coal-carrying railroads was the admission drawn to-day from night in the section affected by the railroad officials at the final hearing of investigation into the alleged abuses of the coal trade. Through Joseph G. Sear les, coal traffic manager of the Pennsy vania Railroad Company, who is chairman of the All-Rail Traffic Association only fixes the percentage of tonnage allotted to each railroad, but also establishes the rates. Counsel for the commission produced the minutes of a meeting of the Tidewater Bituminous Steam Coal Traffic Association, held on September 19, 1900. The records showed that a resolution offered by the Norfolk & Western sompany permitted that company and the Chesapeake & Ohio Railroad to carry tidewater coal at the rate of \$1.25 a ton was voted down and that the rate was fixed at \$1.40 a ton on Mr. Searle's resolution. At the meeting of the Norfolk & Western Railroad complained that their interests were being injured by differentials in freight rates.

ESTABLISHMENT OF RATES. only fixes the percentage of tonnage al-

ESTABLISHMENT OF RATES.

Mr. Searles admitted that there had been an agreement as to the tonnage to be allowed each road and that if one road, shipped more and another less a settlement was made. He said that there had been no settlements since 1896. In explaining the establishment of rates Mr. Searles stated that each company fixed its price which was later agreed to by the members of the association. If any company should reduce the rate he said it would demoralize the general situation. Mr. Searles denied that there was an understanding to maintain rates between all-rail and all-water associations for the purpose of preventing competition. It was shown by the records that the rates on soft coal were increased in 1900. Since then there has been no change. Mr. Searles denied also that the purpose of these rates was to stop competition.

W. W. Atterbury, general manager of the Pennsylvania Haliroad, was recalled to-day and produced the documents relating to cars and tonnage which the compission asked for yesterday. ESTABLISHMENT OF RATES.

# DOWIE AND SON AT ODDS.

Each Threatens to Make Shocking Revelations as to the Other's Character—Fight for Control of Zion City to Begin To-Day.

Chicago, April 11.—John Alexander Dowle and his counsellors to-morrow will begin the fight to regain the \$20,-000,000 said to be involved in the con-trol of Zion City by filing in the courts troi of Zion City by hing in the courts a bill in chancery, petitioning that the transfer of Zion City properties made to Deacon Alexander Granger by General Wilbur Glenn Volvia, as attorney for Dowie, be set aside.
The grounds upon which the petition

will be based will be that Volvia. Granger and Mr. Dowie endeavored fraudulently and illegally to despoil The loss of property by the volcanic which he claims. The court will also outbreak is estimated at \$20,000,000 be asked to issue an injunction command it is estimated that 50,000 persons have been rendered homeless. from in any way handling the estate. So widespread is the catastrophe What other legal steps may be taken that it is estimated it will require an are not yet been decided upon organized body of 100,000 men and the In referring to a threat, which it expenditure of many millions of doi- is asserted that Gladstone Dowle made habitation by the accumulation of cease in his attacks on Mrs. Dowle, temporary huts of refuge for the said to have occurred in 1877 in Austhousands who have been obliged to traila, Dowle to-day said:

"I remember nothing particular that occurred in the year 1877. I know of no reason why any exposure of my acts during that period of time should cause me to be afraid. Coming - to think of it, however, there is one thing that happened in the year 1877 which I greatly regret and that is that the Lord gave unto me a son whom I named Gladstone. All my life I've tried to give him counsel and supply him with money, but my efforts in ing him in the paths that I would have him walk have been without avail, New, unless this young man ceases making these threats and insinuations, I will be forced to reveal his true character to the world; it will be a story of degeneracy that will be shock-

'At the conclusion of a day of conferences between representatives of Catholic Church in Zion, the statement was made late to-night that the whole controvesry would probably be settled by conciliation. Both sides to the dispute, according to Attorney Emil C. Wetten, John Alexander Dowle's legal representative, are anxious for an amicable adjustment of the whole dispute.

# THEIR FATE WITH THE JURY.

Greene-Gaynor Case All Over Save for the Verdict—Judge Speer Oc-cupies Eight Hours in His Charge. cupies Eight Hours in His Charge. Savannah, Ga., April 11.—Judge Emory Speer at 12 o'clock to-night concluded his charge to the Greene and Gaynor jury and the fate of the contractors charged by the government with frauds amounting to more than \$1,500,000 now rests with the twelve jurors who for three months have listened to evidence and arguments.

Again to-night the court room was crowded with spectators, so keen has been the interest in the celebrated case. The charge of Judge Speer was of such length that he required eight hours for its delivery and throughout the closest attention was paid by the audience.

years he was managing director of the Barnum and Balley show. Prac-tically his whole life was spent in the circus business as employe and proprietor. He joined P. T. Barnum in 1881 and since that time most of the big circuses of the country have been consolidated with him as direc-

# A LULL IN THE VOLCANIC STORM OFFICIALS ADMIT THE CHARGE TILLMAN, RED MAN'S CHAMPION

inte Bill Bobs Up Again, Giving Mr.
Aldrich Time to Predict the End of
the General Debate, and Then Gives
Place to the Wrongs of the Five
Civilized Tribes—The Senator Comments
and is Drawn Into
More Than One Controversy.

Washington, April 11 .- In the Senate o-day Mr. Aldrich expressed the opinion that the end of the general debate on the railroad rate bill would become apparent before the end of the present week and that then an agreement upon a day for a vote could be reached. The statement was made in esponse to a request by Mr. Tillman for such an agreement. There was no other discussion of the rate bill durng the day, owing to the fact that no Senator was prepared to speak. It was announced that Mr. Spooner would re-ply to-morrow to Mr. Bailey's speech of yesterday.

The session was almost entirely devoted to the consideration of the conerence report on the bill providing for the final settlement of the affairs of the Five Civilized Tribes of Indians and in connection with that report there was a sharp controversy over an which provided for the ratification of the disbursement of \$186,000 of the loyal Seminole fund made by Special Agent J. E. Jenking and Administrator A. J. Brown. The debate turned upon the exceptional fact that the House was insisting upon the retention of a Senate was apparently anxious to recede. The debate was characterized by a number of spirited passages between Mr. Tillman on the one side and Messrs. Teller and Clapp on the other. The South Carolina Senator contended, while his opponents urged that if they had been the proposed legislation did not deprive them of their rights under the law. No conclusion was

### reached. TILLMAN VS. TELLER.

Mr. Teller defended the action of the conferees and in the course of a sharp colloquy with Mr. Tillman expressed aprehension that before the matter was disposed of the South Carolina Senator would accuse him of stealing something. Senator expects nothing of the

kind," responded Mr. Tillman; "I contradict him flatly." Mr. Teller responded that Mr. Tillman's arraignment of the committee did not come with good grace from a Senator who confesses that he knows nothing about the question, "If," he said. "the Senator were even a good

corn-field lawyer he would know that the Indians lose none of their rights by the adoption of the Senate provis-While the conference report was pending the railroad rate bill was laid sefore the Senate and Mr. Tillman made another effort to secure an agreement to fix a date for a final vote on the bill. In doing so he made com-plaint that the debate on the rate bill was "lagging." Mr. Athich, shalleng-ed that statement, saying he had never cnown a time when th

important a measure had been so con-tinuous and so well sustained. "If," said, "the Senator is able to sustain his seat for a few days until some more important speeches are made I hope we will then be able to reach an understanding. I should say that beforesee the end of the general discussion.

SHOULD PROTECT INDIANS. The bill was then temporarily laid aside and the discussion of the report on the Indian settlement bill was sumed. Mr. Tillman attacked the Seminole payment provision, declaring that Congress should protect the Indians "against thieves whom we put in charge of their property."

Mr. Tillman said that if the Secretary of the Interior had permitted himself to be duped in the matter of the payment of the Inflians be was not fit for his place. He contended that the suits for the recovery of the money suits for the recovery of the money should be prosecuted by the govern-ment. "The question," he said, re-plying to Mr. Clapp, "is whether some lawyer has not come up here from Indian Territory and bamboozled the

government. "If the Senator has been bamboozied it was when he was asleep at the switch and let the provision go through the Senate originally," responded Mr. Clapp sharply.

"If the Senator from South Carolina has been asleep at the switch," said Mr. Tillman, just as pointedly. "it was when this bill was stolen from his committee. The bill should have been considered by the committee on the Five Civilized Tribes of which I am

"That," Mr. Clapp said in reply, would have been a sorry spectacle The Senate then adjourned until to-

# HOUSE ON POSTOFFICE BILL Mr. Rixey Puts in a Word Against Referees on Southern Postmaster-ships—Mr. Finley Comments the

Postal Service. Washington, April 11 .- After nearly of days of general debate with the postoffice appropriation bill as the vehicle for the discussion of a wide range

postornee appropriation in as the vehicle for the discussion of a wide range of subjects, the House, lats to-day reached the consideration of the bill itself an hour having been given to the reading of the measure. There were a number of lively debates during the day, but little progress was made with the bill under the five minute rule.

Mr. Finley, of South Carolina, made a general speech on the excellent character of the postal service. It was, he said, the best in the world. He also held that the Department seemed hostile to the rural service. Forty-nine routes had been discontinued, 18 of which were in the South. A count of the pieces of mail delivered was now going on, he said, which might result in further abandonment of routes. He believed, however, that in the future there would be less cause of complaint on this point.

rhamms Member's Assertion That He Did Not Recognize Mr. Small as a Gentleman Inaugurates a Lively Discussion—Southern Fast Mail Appropriation the Cause of it All—Mr. Page Speaks in Con-ciliatory but Firm Manner and Reiterates His Position on the Bill Under Consideration—John Wesley Gaines Participates in Collogay. Under Consideration—John Wes Gaines Participates in Colloguy.

BY W. A. HILDEBRAND.

Observer Bureau. 1117 G Street N. W., Washington, April 11. An eruption, characterized by Vesuvian violence, occurred to-day in the House. It goes without saying that the Southern fast mail appropriation was the cause of it all. Mr. Macon, of Arkansas, asserted that, in pre-vious discussions, he had yielded to Mr. Small as a gentleman but that he no longer recognized him as such Mr. Small retorted, with laughter in which the members generally joined, that he would, at all events, endeavor to survive. The House declines to take Mr. Macon very seriously. This the way the proceedings opened and the House then gradually warmed up to the subject. The storm broke out afresh around Mr. Small's defenseless head when the irresistable and ubiquious John Wesley Gaines took the floor, and the detonations Wesley Gaines were loud and continuous for five consecutive minutes. The member North Carolina and the member from Tennessee also had some further conversation in the cloak room after the Gain's speech, when the amenities were momentarily overloked, but they subsequently shook hands across the great "subsidy" chasm.

FORGOT THEMSELVES IN HEAT OF CONTROVERSY. Mr. Page followed the Tennessee member. Mr. Page spoke in such conciliatory, albeit firm vein, that members were able to rid themselves of hastily conceived visions of possible meetings on the capitol green at the cold gray dawn of the morne ing at ten paces apart. Mr. Page said: "The conduct of those gentlemen who have discussed particularly one feature of the bill under consideration, namely the appropriation to facilitate mails, and I use this word in deference to their delicate senses to expedite the mail between Washington and New Orleans, leads me to remark that these gentlemen, who are usually so courteous, who are usually so well possessed of their tempers have, it seems to me, departed from league from North Carolina, Mr. Small, who has made for himself here, as at home, a reputation for courtesy and gentlemanly conduct, so far forgot himself in the heat of discussion in his speech on yesterday as to impress me with being discourteous to one of his colleagues from his own State (Mr. Webb.) Mr. Webb made a statement and my colleague (Mr. Small) challenged that statement and challenged him to prove his assertion.

the purpose of proving the statement that he had made, my colleague refused to let him do it, and so my pur-pose upon this floor now, as much as any other thing, is to make peace between the members of my own delegation.

### INTERRUPTED BY MR SMALL. Mr. Small: "May I interrupt the gentleman a moment?"

Mr. Page: "Certainly, sir." understood it, was for the purpose of quoting a statement made by the cond Assistant Postmaster General. I challenged the gentleman to produce any such statement by that official. letter from the Postmaster General, Mr. Cortelyou, to be interpolated into my remarks, not intending any discourteousy."
Mr. Webb: "Mr. Chairman!"

The Chairman: "Does the gentleman vield?" = Mr. Page: "I yield to my colleague."

MR. WEBB EXPLAINS. Mr. Webb: "My colleague (Mr. Small) seems to object that I wanted to put into his speech a statement from the Postmaster General, I in-

sisted that the letter which I have, and which was written on the 7th of this month, three days ago, was not only signed by the Postmaster General, but was initialed and countersigned "W. S. S," which means William S. Shallenberger, the Second Assistant Postmaster General, and in that letter he says as to whether the withdrawal of special facility pay, by Congress would cripple mail service between Washington and Atlanta; that no apprehension is felt that the service would be crippled.' That is the statement which I wanted to get into the record." (Applause.)
Mr. Small: "But I would suggest

that letters from the vice president of the Southern Rallway and from the president of the Atlantic & West Point Railway, as read by the gen-tleman from Louisiana (Mr. Meyer,) tleman from Louisiana (Mr. Meyer,)
this morning contain positive, statements that this special train, No. 97,
under the present schedule for expediting mails will not be continued
if this appropriation is withheld, and
I take it that they know more about
the matter than does the Postmaster
Constrain.

planations which they have both planations which they have both made. Now there was one other statement made by my colleague (Mr. Small) that I want to give him the opportunity to correct on his foor. In his speech yesterday he charged that those gentlemen who had opposed this appropriation to faciliate mail between Washington and New Orbetween Washington and New Orbetween bad uniformly voted for the apcome had uniformly voted for the appropriation to expedite the mail between the Pacific coast and the en the Pacific coast and the isand of Tahiti."
"Mr. Gaines, of Tennessee:

the gentleman yield for a moment? MR. PAGE REFUTES THE CHARGE Mr. Page. "No sir, not now. I re-fute the charge, and if my language is parlimentary and if no one will ask to have it taken down, I will say that that statement is untrue as

MACON STARTED BALL ROLLING UNION'S FIGHT A HOPELESS ONE HE MAY GET NO NEW TRIAL ADVINTISED SYSTEM A

Numbers of its Locked-Out Employes of High Point Furniture Factories Applying for Reinstatement—Some Taken Back, Others Refused Employment—National Organizer Roberts Returns to Washington and Fight is Locked Upon as Hopeless—No Trace Can be Found of the Spencer Order Said to Have Been Countermanded—Mr. Roberts Talks.

Special to The Observer. High Point, April 11.—The manufacturers say that more people applied for their old jobs in the various factories to-day than on any previous day since the factories decided not to employ union labor. The manufactur-ers are constantly being approached in person and by letter by former em-ployes asking if the applicants can return to work as non-union men. Most of the replies are favorable, but there are several agitators and disturbers that could not get back under any cir-

Circulars have been issued and are being sent throughout the State of-fering work to men not belonging to unions and at good prices. This means that the manufacturers of High Point are not going to depend on idle men here as employes. Not that they are in urgent need of men now, but they are looking out for the fu-

UNION'S FIGHT A HOPELESS ONE. It is the talk heard on the street corners, and believed by those in a position to know, that the fight the union men are making is a hopeless one, that shortly the fight will be stopped and that those who can get back in the factories will do so while the others will seek new pastures. Some of them have already left.

Mr. F. C. Roberts, of the American Federation of Labor, who has been here for a week or more advising with the men who left their positions in the factories, left for his home in Washington to-day. In a conversation with a newspaper man Mr. Roberts said his advice to the union men was to weed out the boys and incom-petent men and get together for the tuture, so that they could demand recognition, that then the manufacturers should and would most probably pay union wages to them. Mr. Roberts practically admitted that he had come to the conclusion that the existes, from the boy employes at 75 cents a day to the skilled mechanic, are all together in one body, does organized labor in its true attitude more harm than good and that nothing can be done for the organization as it stands. SOME MISSTATEMENTS.

Mr. Roberts seems to be a fair-minded gentleman, cool and conservative, and the statement appearing in the Raleigh paper this morning, sent by a union man, in regard to the speechmaking tour of Mr. Roberts through the State next week and quoting him as saying that the lockout here would be fought by unions all over the United States and Canada, does not exactly tally with his parting advice to the union men of the city. I am requested to announce that the statement sent to the Raleigh paper this morning in regard to a union man bethe did not return to work, is absolutely false and ridiculous in the extreme. No good citizen believes it. The report that union men are being own the houses is also untrue, only where the renter does not pay his rent in a reasonable time, which is the case the world over. On the other hand, the factory men of High Point feel kindly towards their former em-

ployes. THAT SPENCER ORDER A FAKE? In regard to the Spencer annullment of the furniture order on account of General in response to one that he had written and I declined, and I think properly declined to not the manufacturers here want it understood the national labor organization with skilled men but with the conditions as they exist here. Boys and incompetent men are mixed up with good workmen and are causing dissatisfac-

### tion. ROBBERS IN THE TOWN.

Robbers were in town last night and put in their work while people were on the streets. The time was about 10 o'clock and the place was in front of the First National Bank building and the First National Bank building and almost under the nose of citizens. A horse and buggy hitched to a tree belonging to Marvin Parker, and a bicycle belonging to Frank Armfield were seized and nothing has been heard of them as yet. At first Mr. Parker thought someone had played a joke on him and kept the matter quiet unfil this afternoon, for some cause. The hitching strap was cut in two. The hitching strap was cut in two. The animal was a dark iron gray mare, weight 1,300; the buggy is a watertown open, red running gear and black spindle body, stick seat and rubber tired; \$25 is offered for the research to the research and the seat and turn of the buggy and horse and \$25 for the apprehension of the thief or thieves. Telegrams and postal cards have been sent all over the State announcing the theft and reward.

REPLY OF THE MINERS READY.

Believed That the Operators' Offer, to Leave the Trouble With the Strike Commission, Will be Accepted— Secrecy Surrounds Work of Com-

New York, April 11.-After having the counter arbitration plan of the anthracite operators under consideration nearly all day, the general scale committee of the hard coal miners completed the draft of their reply and will present it to the com-

their reply and will present it to the committee of mine owners at the joint session to be held here to-morrow. The strictest secrecy surrounded the work of the committeemen. It is believed the miners have decided to accept the operators' offer that the anthractic strike commission take up the dispute, but will ask that the tribunal be permitted to consider the original demands with certain important modifications.

The concessions said to have been decided upon are that, instead of an agreement being entered into between the operators and the United Mine Workers of America, it be made with the anthracite mine workers; that the check-off be limited to the wage workers who agree to an assessment to defray the expenses incurred in carrying out the miner's part of the agreement instead of all mine workers—union and non-union—being compelled to contribute, and that the duration of the agreement be left to the commission.

Motion for New Trial on Ground of Newly Discovered Evidence Argued Before Supreme Court—Commissioner Patterson Addresses Letter to Commissioners of Other States Relative to Appalachian Forest Relative to Appalachian Forest Reserve—Dead Gold-Brick Swind-ler a Singular Character—Norris Case Reopened — Supreme Court Opinions—Powers of Police Jus-tices—Raleigh News Notes.

Observer Bureau. 122 South Dawson Street, Raleigh, April 11.

Commissioner of Agriculture Patterson has written a letter to the other commissioners of various Southern States regarding the Appalachian forest reserve bill, notifying them that the House of Representatives had set Wednesday, April 25th, for a hearing on the bill. He says the latter will pass the Senate and probably the House also, if it can be brought to a vote. President Rooseis one of its best friends. Altogether the outlook is very promising. provided the people themselves, liv-ing in the States most interested, will give it their hearty and active support. Mr. Patterson urges the other commissioners to attend the meeting and also to secure the attendance of other State officials and especially wners of water-powers and of per sons interested in preventing the wasteful destruction of forests and the washing away of the soil. He says the opportunity has come, as opportunities enough to the South, and that people

cannot afford not to seize it. A SINGULAR CHARACTER. The death of H. D. Hawley, the gold-brick convict at the penitentiary, removes from the public a very singular character. He must have been a very important man of the New York politicians, for the endorsements he had by them, or procured through their influence, were simply astonishing. Last summer The Observer's correspondent made a long story about this. The most extraordinary and sensational attempts were made to get this man out of the penitentiary, and money was offered by the thousands of dol-lars. Some of these days the whole story will come out and, to be sure, it will make a twentieth century romance. Hawley's lawyer, an kansas man, was here two or three years ago, and ordered a handsome suit of clothes sent to him at the penitentiary, showing a big batch of endorsements of men high up in politics in the North. The clothes vere sent, but to this day have never been paid for.

NORRIS CASE REOPENED. A magistrate here held M. T. Norris,

a prominent Raleigh merchant, in a \$1,000 bail to appear before Superior Court in July on the charge of burnin a country residence owned by his wife to obtain the insurance The State board of education has declined to renew an option on 15,000 acres of land in Carteret county, held tions are to be granted any persons on these swamp lands, which are under the control of the board of education, until the survey is completed and the report made. Expert foresters from the United States Agricultural Depart-

men are examining the timber on these lands. amount of taxes to be collected this year will be about the same as last year except those from corporations, as he thinks about 600 new corporations wil be put on during the current year. The taxes will be ample to run the State, which has not had to borrow any money since the spring 1902. That borrowed was paid back. The auditor says North Carolina will compare financially with any other State in the Union.

SUPREME COURT OPINIONS. The Supreme Court has filed the following opinions: Horn vs. Power Company, New Hanover, new trial; State vs. Baskerville, Wake, judgment ar-rested; Edwards vs. Goldsboro, Wayne, no error; Johnson vs. Johnson Chatham, proceeding dismissed; State vs. Barringer, Richmond, no error; Bynum vs. Wicker, Moore, error; Ray vs. Railroad Co., Scotland, new trial; Haire vs. Haire, Anson, new trial; Fearington vs. Tobacco Company. Durham, new trial; Freeman vs. Freeman; Durham, affirmed; Cook vs. Vickers, Durham, reversed; Alexander vs. Telegraph Company, Alamance, no error; Moore vs. Railroad, Durham, no error; Davis vs. Smith, Durham, reversed; State vs. Wilkerson, Guilford, appeal withdrawn by defendant. The Supreme Court, in the Baskerville case from Raleigh, holds that po-lice justices have exclusive and original jurisdiction in the matter of misdemeanors in cities and towns. Justice Hoke delivered the opinion. defendant was tried by a magistrate for a violation of a city ordinance, the magistrate refusing to quash the bill on motion of the attorney who con-tended that a police justice has ex-clusive jurisdiction. The Supreme Court arrests the judgment of the magistrate, saying he had no jurisdic-tion and that the Legislature had ample power to create police courts. The Supreme Court in the Lytle case from Asheville, last term, did not pass on this exclusive jurisdiction question because not squarely presented. HEARING LILLESTON CASE.

In the Supreme Court to-day there was a conclusion of arguments in the very interesting and, in some respects, unique case of Beb Lilleston, the fa-kir convicted of killing Charles G. Smith here and who was sentenced to 14 years in the penitentiary for mur-der in the second degrees. Attorney Argo, for Lilleston, lodged a motion for a new trial upon the ground of newly discovered evidence, this being that of a woman and given since the for a new trial upon the ground of newly discovered evidence, this being that of a woman, and given since the trial in Superior Court. It is said that the Superior Court will hardly grant this motion after its action in the concil case from Cumberiand county. In this case Associate Justice Douglas respited Council on the ground of newly discovered evidence until the full bench could look into that matter and pass upon the evidence. The court decided that this was not the practice and that there was no precedent. The court affirmed this doctrine in the Register case. For these reasons it is not thought that anything will come of the motion.

# FIERY VESUVIUS FAGGED RATES AND TONNAGE FIXED INDIAN AFFAIRS IN SENATE ERUPTION IN THE HOUSE WANT THEIR OLD PLACES HEARING LILLESTON CASE WATER SCARCE IN COLON

Hole in the Ground About Only Thing Existent of the Reservoir Which Secretary Hearalded—Work on Mains Reservoirs Carried on in a I tory Fashion With Small For Natives and the Prospects Natives and the Prospects for Plentiful Supply of Good W. Anything but Bright.—Trop Undergrowth and Rotten Veg tion Not Likely to be Conducty Good Sanitary Conditions.

## BY WOODWORTH CLUM.

Correspondence of The Observer. Colon, Panama, March 31.-Secri tary Taft, in a special report dated January 8,0 1906, informs the public that there is no scarcity of water in Colon; that a permanent reservoir with a capacity of 500,000,000 gallons is under construction, with two permanent standpipes, one of 400,000 and the other of 500,000 gallons capacity under contract to be completed by April 1. velt favors it, Secretary of Agricul- On this last day of March I am able ture Wilson warmly advocates it to report that there is a scarcity of and Head Forestor Gifford Pinchot good water in Colon; that the work of clearing the ground for the 500,000-gallon reservoir has scarcely begun; that the work on the permanent dam is practically at a standstill, and that neither of the two standpipes has been

begun. I do not cite these points in contradiction to the statements of the honorable Secretary of War, but to demonstrate that some of the governmental experts on the Isthmus of Panama are taking advantage of the ad-ministration. Secretary Taft also stated on January 8 that "7,000 feet of permanent (water) mains have already been laid and that the remaining 9,000 feet are being laid at the rate of 400 to 500 feet daily." If this progress had been maintained the laying of the mains would have been completed within twenty-three days at the outside. Nearly three months have elaps-ed since then, and the laying of mains has not been completed.

in endeavoring to ascertain facts concerning conditions and progress on the Isthmus of Panama, it is indeed difficult to separate the wheat from the chaff. Colon is full of "soreheads"men who for some reason or other have acquired a wonderful grudge against the isthmian canal commision, and when they discover a possibility of "getting back" at the government by "exposing" some rottenness of administration, they are never satisfied until they have intrusted cies of some itinerant journalists. But when one actually encounters these conditions complained of, the atmosphere clears, and the problem of "factfinding" is easier to solve. Upon arrival at Colon I was told there was a water famine; that there was no good water; that the government was taking advantage of the situation by bringing spring water into town and selling it at 2 cents gold per gallon, and a hundred and one other dreadful things that made me wish I had avoided the place altogether.

However, I have had the pleasure paying the 2 cents per gallon for fair-ly good drinking water, furnished by the government for a short while, but now discontinued; and while the residents manage to get along with the rain water and water such as finds its way through the pipes from the temporary reservoir, there is everywhere apparent a painful economy-an economy that results in the use of a single tub of water by the washerwomen in cleansing (?) the linen of half a dozen

These conditions are not so bad in thesmesives. In fact, the people of Colon never were better off than they are to-day in the matter of water supply. The point I desire to make is the progress has not been nearly as rapid or commendable as has been so widely

Having in mind the 500,000,000-gallon reservoir, which was about ready to furnish Colon and Cristobal with wat-er. I followed the twenty-inch pipe line leading from the city, through the tropical jungle, pass the queer lit-tle cemetery at Monkey Hill, until finally, about four miles from Colon, I reached the first dam, which the enginears told me would be the beginning of the reservoir. It was about 10 o'clock in the morning, when all em-ployes should be at their tasks, but over a quarter of a mile of dam I found only a dozen workmen. Jamaican negroes, with a negro foreman, pumping out of a hole in the ground, hoping, they said, to find a good base for some foundation work. I asked them where the great 500,000,000 reservoir might be found, and they pointed to the valley in front of them.

It was a pretty little valley, to be sure, filled with beautiful trees, luxuriant vines, and undergrowth, but having in its center a sluggish, stag-nant stream, book when the stream nant stream, upon whose banks lay masses of rotten timber and other vegetation. "Is this the dam that is to be ready

for use by April 1?" I asked.
The foreman smiled and admitted that it was.
"Well, are they not going to
the reservoir of this rank yeget

I persisted.

"Oh, they are clearing it." said me friend the foreman, and pointing one corner of the valley he showed in a small band of Martinique negros about twenty, slashing away at it. underbrush with their machetes.

For an hour I walked around the proposed reservoir and the permanent dam. In that time I did not encounter

more than 200 men working on the entire project.

"Why do you not have 2,000?" asked of each foreman I met. They a acknowledged what I thought to be self-evident fact, the if 2,000 men were