

THE MORNING STAR.

VOL. LXVIII.—NO. 42.

WILMINGTON, N. C., FRIDAY, MAY 10, 1901.

WHOLE NO. 10,522

SEWERAGE QUESTION.

It Has Bobbed Up Serenely Again and Will Very Likely be Reconsidered.

MR. BAILEY GIVES NOTICE.

To Hon. J. D. Bellamy, Attorney for Philadelphia Capitalists, That He Will Bring the Franchise Matter to Attention of Aldermen.

And the sewerage question is not ended. Exactly as suggested in the STAR yesterday morning, the reason for Mr. Bailey's change from the negative to the affirmative side of the question of approving the plans as adopted by the Aldermen Wednesday night, was that he hoped at a subsequent meeting to move for a reconsideration. This was correct, as the following letter mailed under special delivery stamp last night will show:

"WILMINGTON, N. C., May 9.
"Hon. J. D. Bellamy, Attorney Representing the Wilmington Sewer Co., Wilmington, N. C.:
"DEAR SIR—I take this means of putting the Wilmington Sewer Company on notice that I will at the next regular meeting of the Board of Aldermen move to reconsider the adoption of the plans of the Wilmington Sewer Company, which was passed at a special meeting of the Board of Aldermen May 8th, 1901."
"E. P. BAILEY.
"Alderman of the Fourth Ward of the City of Wilmington."

TILESTON ALUMNI ASSOCIATION.

Enthusiastic Meeting Yesterday at Which Important Matters Were Discussed.

A meeting of the Tileston High School Alumni Association was held yesterday afternoon at the home of its president, Miss Louise Corbett, No. 411 North Fourth street. Miss Corbett presided at the meeting and in the absence of the secretary, Miss Mary Walsh, Miss Lucy McIntosh acted in that capacity.

The chief matters of discussion were the adoption of a constitution and by-laws for the Association, the outlines of which were presented by a committee appointed at the last meeting composed of Miss Bessie Hankins, Mr. James Craft and Miss Florrie King, and the matter of arrangements for the annual reception to the incoming alumni from the graduating class this year, of which there are eight in number.

Definite action upon both propositions was, however, postponed until another called meeting to be held next Thursday afternoon at 5 o'clock in the library at the High School building.

DEATH OF MRS. S. L. YOPP.

Passed Quietly Away at an Early Hour Yesterday—The Funeral Today.

Friends in the city and elsewhere will hear with profound sorrow of the death of Mrs. Georgiana Yopp, wife of Mr. S. L. Yopp, which occurred yesterday morning at the family home, No. 809 Chesnut street, at 8:30 o'clock after an illness of some time with malarial fever.

Mrs. Yopp was in the 69th year of her age and had been feeble for a long time. About fourteen years ago she suffered a stroke of paralysis from which she never fully recovered, and this combined with her recent illness to cause her death.

She was born at Southport, N. C., but moved to Wilmington in early childhood. She was a consistent member of Grace M. E. Church, and is survived by her husband and six children, Messrs. G. W., S. F., and W. E. Yopp, Mrs. Lou M. Merrill, of this city, and Mrs. Emma Ellsworth, of Portsmouth.

MEMORIAL DAY OBSERVANCE.

Many Places of Business Will Close—Exercises at Oakdale Cemetery.

This is Memorial Day and will be fittingly observed in honor of the Confederate dead. The programme of exercises at Oakdale Cemetery, to be observed under the auspices of Cape Fear Chapter, Daughters of the Confederacy, has already been printed in these columns and it now only remains to be carried out. The ladies of the Oakdale Memorial Association make an earnest appeal to merchants and others to close their places of business this afternoon at 1 o'clock and allow their employes to participate in the exercises. Many of the banks, county offices, Produce Exchange, etc., will be closed for the day.

The Wilmington Street Railway Company announces that cars from the Princess street side of the belt line will be run through without transfer at Front street and passengers will not suffer the inconvenience of a transfer at the junction. This will also apply to those who go the ball park.

NEW ADVERTISEMENTS.

C. C. R. Co.—Special meeting. Government—Proposals wanted. Seashore Hotel—Wrightsville Beach.

BUSINESS LOCALS.

U. C. V.—Cape Fear Camp. Notice—Third N. C. Inf'y Ass'n.

LOCAL DOTS.

An important notice to Carolina Central stockholders is given in another column.

There was no meeting of the Chamber of Commerce yesterday afternoon on account of the lack of a quorum.

All the market houses will be open until 12 o'clock today, but will not be open in the afternoon, on account of Memorial Day.

Mr. W. M. Cumming and wife yesterday transferred by deed to R. T. Pickett for \$100 the lot on the east side of Tenth between Queen and Wooster streets, 66x178 feet in size.

Maj. D. O'Connor and wife yesterday transferred by deed to C. D. Gilbert and wife for \$300 the lot, 40x165 feet in size, on south side of Chesnut between Eighth and Ninth streets.

The Adam and Eve is the name of a pretty little yacht recently purchased by Mr. Ed W. Manning from parties at Providence, R. I. He will use it for pleasure parties at the beach this Summer.

There is an exhibition in the show window of Messrs. J. H. Rehder & Co., a bird's eye view of the ruins just after the recent conflagration at Jacksonville, Fla. It was presented to Mr. Rehder by Mr. Frank H. Scott, of the firm of E. H. Scott & Sons, of this city, who was at Jacksonville soon after the fire.

Policeman B. R. King yesterday reminded a reporter that the same gentleman who predicted the Galveson flood some time before its occurrence, also made a correct prognostication as to the Jacksonville conflagration and to the panic in New York yesterday, which is spoken of in the STAR's telegraphic column this morning.

CREW WENT DOWN.

Skippers From "Good Ship Mary Jane" Defeated by Wilmington Giants.

SHOULD HAVE BEEN SHUT-OUT

Raleigh Red Birds Beat Asheville's Boat Builders and Portsmouth Aglets Takes a Game From Richmond—Some General Base Ball Notes.

YESTERDAY'S GAMES.

Wilmington, 9; Norfolk, 1. Raleigh, 5; Newport, 4. Richmond, 5; Portsmouth, 9. WHERE THEY PLAY TO-DAY, Norfolk at Wilmington. Newport News at Raleigh. Portsmouth at Richmond.

STANDING OF THE CLUBS.

Club	Won	Lost	Per cent
Norfolk	12	7	.631
Raleigh	13	8	.619
Wilmington	11	9	.550
Newport News	10	9	.526
Portsmouth	8	13	.380
Richmond	6	14	.300

The "Good Ship Mary Jane" sprung a leak on the baseball diamond at Hilton yesterday afternoon and before the very eyes of President Cunningham and Secretary Doran, of the Two State League, the entire crew went down with the single and not able exception of its gallant captain, Gilligan E., who saved himself in the ninth inning by crossing the plate on two unfortunate errors made by the then over-confident Giants, who were thereby deprived of a complete shut out as the game should have been.

It was a matchless exhibition of ball and though a trifle one sided, it lacked none of the ginger and snap that the average crowd of spectators want to see. The Norfolk team played good hard ball but the Giants played harder and that's why the score is nine to one. It would have been a shut-out, pure and simple but for a wild throw in the ninth to Stafford at first by Clayton and a muff by McGinnis after a long run in centre. Smith and Mullen had gone out from short and third and the people were leaving and chuckling over the shut out to "leaders" had received; E. Gilligan hit to short and on a low throw to Stafford got first; "Reddy" Gilligan singled to right and Morrissey flew away up to centre. The critical moment had come. McGinnis, who was deep in the ever-present "Kid" Clayton and standing expectantly to his left was Crockett, with hands folded, as cool as a judge. "Mack," for a thousand wonders, muffed just the least bit, and in came Gilligan. After his game, however, McGinnis is entirely excusable for his error and was cleverly joked by the team afterwards.

Vorhees was in the box for the Giants and pitched magnificent ball—it has not been excelled here this season or anywhere else in the League. He yielded only two hits, while Wolfe, for the visitors, who was a comfortable distance in the air during the entire game, allowed the Giants 11. He received fairly good support, but Vorhees received better and thereby hangs a tale of woes for the unfortunate skippers of the Mary Jane.

Norfolk took first at bat and Spratt and Smith fanned, while Mullen went out from a hit to Clayton. Wilmington got to business from the very start with a single by Oranston to centre and a sacrifice by Crockett. McGinnis went out from second, but Stafford hit safe to third and on throw to first the inevitable Oranston scored, and was soon followed by Stafford on Clayton's single to right. Allen hit past second and scored. Clayton, but Warren went out from the pitcher. All the runs were made with two men down and the score was 3 to 0 for the Giants.

In the second, E. Gilligan beat the air furiously twice, but "Cy" let him walk for a novelty. His cousin "Reddy" came up and he stole second. "Reddy" walked and Morrissey came up. E. Gilligan tried third from second, but "Cy" was too swift for him. Morrissey and McDade flew out to left and right. Delaney and Vorhees went out from the infield; Oranston got first after three strikes, on passed ball and Crockett went out to right.

In the third, Weeks and Wolfe went out to centre and Spratt fanned. McGinnis out from short; Stafford went to left for two bags; Clayton singled right; Allen up and throw to second; Allen hit to third, forcing the "Kid" at second; Warren went out from pitch.

The fourth found Smith walking and Mullen popped out to catch, while the same Mr. Smith, who promanaged to first, was thrown out attempting second. Capt. Gilligan fanned. Delaney is out from pitcher for Wilmington. "Cy" had a fellow feeling for Wolfe and allows him his only strike out of the game. Oranston went to left for two bags. Crockett is up and Oranston steals second; Crockett is out from second.

In the fifth, Gilligan is out from short, E. Gilligan is hit and walks. Just here the star play of the afternoon is made. Morrissey hits to Stafford very near first base and without tagging the base, he threw out Gilligan at second to Clayton, who with lightning rapidity, returned the sphere to "Staff" in time to get Morrissey, who was at bat. The play was enthusiastically applauded from everywhere. Wilmington came up and McGinnis went out from pitch; Stafford flew to left and on error got second; Clayton up and Stafford got third on wild pitch; Clayton walked and stole second; Allen hit through

NEW REVENUE ACT.

Amendments Were Material and Did Not Pass the Three Separate Readings.

THE NEWS IN RALEIGH.

Least Governor Thinks There is Really Something in Claim of Wilmington Lawyers—Talk of Extra Session. Act of 1899 Also Invalid.

The exclusive publication in the STAR Wednesday morning of the new Revenue Act passed by the Legislature all over the State. The counsel employed in Wilmington upon the case are hard at work to maintain their position already set forth in these columns that the manner of the passage of the bill was in direct conflict with Article 2, Section 14 of the State Constitution, and in Raleigh where the records are being searched, it is given out that the position of the Wilmington lawyers is pretty well grounded in that the bill did not pass the constitutional readings.

The News and Observer of yesterday in printing a decision of the Supreme Court bearing upon the case (Glenn vs. Wray, 126 N. C. 730 and decided in May, 1890), says:

"The matter presents many interesting questions and it now seems not unlikely that an agreed case will be made up and presented to the Supreme Court for its immediate action. If the law is to be tested at all, it is important that it be tested at once, as tax listing soon begins."

"Naturally the State officials are much concerned about the matter and will at once thoroughly investigate the facts in regard to the passage of the bill."

"It is claimed that the bill was not passed in the manner required by the Constitution, in that material amendments were adopted on the third reading and the bill was then finally passed, whereas it should have been again put on its three several readings on three different days and passed by an aye and no vote."

Lieut. Gov. Turner, president of the Senate, when seen in regard to the bill, said he thought there was something in the contention of the Wilmington people in regard to the passage of the bill and the possibility of its being null and void. He appeared to be of the opinion that the act must either stand as finally passed and ratified or fall entirely. "In that case," he said, "we would have to fall back upon the Revenue Act of 1899. But that also was passed in exactly the same manner as the 1901 act; and, in fact, I think every Revenue Act the State has had for many years was passed in the same way, the point having never before been raised."

Upon this opinion the question of an extra session of the Legislature naturally suggested itself, and Governor Aycock was seen. He said that he had been so busily engrossed with the text book matter that he had been unable to carefully examine into the question, but did not think the act will be, or can be, disturbed on account of the amendments adopted to it. As to the extra session, he said he had not thought about it and could not say what he would do if the act was declared null and void.

Regarding the question the following special telegram was received by the STAR last night:

"RALEIGH, N. C., May 9.—The raising of the question as to the legality of the passage of the Revenue act through the General Assembly is scarcely taken seriously in official circles here. No steps have been taken as yet to investigate the matter save to ascertain that the act passed just as all such measures have been enacted during the past fifty years or more."

"James H. Pout, whom there is no better legislative expert hereabouts, said here to-night that his opinion was that there is no ground whatever upon which to question the legality of the act and was surprised that there should be any question raised as to its force."

"The general opinion here is that if a test case be made up, the Supreme Court, in observing its past policy of passing upon work of the Legislature, would certainly hold the act binding as passed."

Hon. Jno. D. Bellamy and Mr. Eugene S. Martin are among the counsel employed in Wilmington looking to an invalidation of the act. Mr. Martin will likely leave for Raleigh early next week in the interest of his clients.

Colored Woman Dropped Dead. Melina Wilkins, an aged and respectable colored woman, living at No. 811 South Second street, died suddenly yesterday afternoon about 1 o'clock while returning from a trip down town. She was walking along in the vicinity of the residence of Mr. J. C. Stevenson, No. 419 South Third street, and it is supposed she grew faint and she stepped just inside a side gate and lay down upon the ground. Some members of Mr. Stevenson's family, seeing the unfortunate old woman hastened out of the house with restoratives but she had died before relief came. Dr. C. D. Bell, the coroner, viewed the body and pronounced the death as resulting from heart disease.

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Sheriff George B. McLeod and wife, of Lumberton, were arrivals at The Orton yesterday.

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Among the passengers on the steamer Driver yesterday were Messrs. D. C. Thompson and E. F. McCulloch, White Oak, N. C.; C. Martin, Elizabethtown; A. E. Cain, Waddell's Ferry; D. M. McLeod, Elizabethtown; Thos. Martin and Edgar McCulloch, White Oak.

THE DAMAGE BY HAIL.

Was Slight in Vicinity of Warsaw—Second Storm in Nash County.

WARSAW, N. C., May 9.—There was no material damage here by the recent hail, and the damage in the vicinity was only slight.

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The fire at 2 o'clock this morning was in the blacksmith and wood shop of Mr. D. J. Benson, southeast corner of Front and Queen streets. The building was owned by Mr. R. M. Wickett and is damaged about \$50; the contents, belonging to Mr. Benson, about \$100.

NEW ADVERTISEMENTS.

TREASURY DEPARTMENT, OFFICE OF THE U. S. MARINE-HOSPITAL SERVICE, May 10, 1901. Sealed proposals will be received at this office until noon of Wednesday, May 23, 1901, for furnishing subsistence and other supplies, including fuel, gas, electric light, water and telephone service for use of the Marine-Hospital Service at Wilmington, N. C., during the fiscal year ending June 30, 1902. Schedules and further information may be obtained upon application to the undersigned, at the office of the Surgeon U. S. S. in command of Station, No. 10.

To the Stockholders of the Carolina Central Railroad Company.

Notice is hereby given that a special general meeting of the stockholders of the above named company will be held at its office, 32 Liberty street, in the city of New York, N. Y., on the 15th day of May, 1901, at 10 o'clock A. M., for the purpose of taking into consideration Articles of Agreement and amendments thereto proposed by the Wilmington, N. C., and Greensboro, N. C., and Raleigh, N. C., and Atlantic City, N. J., and Norfolk, Va., and Washington, D. C., and New York, N. Y., and Philadelphia, Pa., and Baltimore, Md., and New Orleans, La., and St. Louis, Mo., and Kansas City, Mo., and Omaha, Neb., and Denver, Colo., and Salt Lake City, Utah, and Portland, Ore., and San Francisco, Cal., and Los Angeles, Cal., and San Diego, Cal., and Honolulu, Hawaii, and other places, and for the purpose of electing directors and officers for the year 1901-1902.

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