

THE MORNING STAR.

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One Year, by Mail.....\$5.00
Six Months, by Mail.....2.50
Three Months, by Mail.....1.25

WILMINGTON, SATURDAY, NOVEMBER 3, 1906.

WHOLE NUMBER 12115.

OUTLINES.

FOR THE DEFENDANT

Case of Capt. Lauchlin McLean Continued Yesterday in United States Court

WILL GET TO JURY TO-DAY

Strong Array of Witnesses for Master of British Ship Charged With Detention of U. S. Marines—Grand Jury Discharged.

All of yesterday's session of the Federal Court was taken up with the continuation of the trial of Capt. Lauchlin McLean, master of the British steamer Osceola, charged with unlawfully detaining aboard his ship the United States marines, Byrnes and Flynn. The defence presented a strong array of facts in contradiction of the testimony of the seamen during the morning and had practically closed its case when a recess for the day was taken at 2 o'clock. This morning at 9:30 o'clock argument by counsel will likely begin and it is expected that the case will get to the jury about the noon hour. Judge Purnell announced from the bench yesterday that court would take a recess at 2 o'clock this afternoon until Thursday of next week.

The government having rested its case the afternoon before, the defence began with its testimony yesterday morning. J. E. Bradley, the boarding master, was the first witness yesterday. He testified to having shipped the men and said they were perfectly sober and climbed up a long ladder on the side of the ship without assistance. He was certain they had nothing to drink from the time they went to bed at 11 o'clock the night before they went aboard the ship at 5 o'clock the next morning. They signed the ship's papers under fictitious names in the presence of the British vice consul and the master of the ship. Capt. McLean, the defendant, was the next witness and told the same story of the affair as was given in at the Commissioner's hearing. The first he knew of the men on board being marines was when the steamer was off Southport coming into Wilmington. He told the men to remain aboard the ship until he reached Wilmington and he would investigate the matter. Upon his arrival he reported to British Vice Consul Sprunt and was giving the story of the men to that official when a telephone message came to Mr. Sprunt's office that the men had already deserted. Under the advice of Mr. Sprunt, it was agreed to have the men looked up for desertion from the ship and in connection with the same the claim that the men were marines would be inquired into. Mayor Waddell, who gave the men preliminary trial for desertion, corroborated the captain as to its being his purpose to fully investigate the claim of the men to being marines.

Maj. James Haughton, British Vice Consul at Newport News, was the star witness for the defence. He testified to the men being sober when they were taken aboard and told of their signing the ship's articles in his presence. He testified to the high character of Capt. McLean and absolved him from the use of profane language under the most trying circumstances. He had been British Vice Consul at Newport News for more than nine years and during that time had shipped more than three thousand sailors. The cross-examination of the witness by District Attorney Skinner was vigorous and several minor tilts occurred between the witness and the official of the court.

Other witnesses who testified most positively in Capt. McLean's favor were Karl Klein, steward of the ship; A. Frostbalm, boatswain; John McBeasley, & Weeks, W. T. Dorch and Curdy, first mate; Robert McIntyre, second engineer; John Watson, chief engineer, and one or two other members of the Osceola's crew.

Byrnes, Flynn and the other witnesses held in jail by the government as witnesses have been discharged and now have their freedom. Although it is reported that Byrnes and Flynn have been posted as deserters from the U. S. S. Columbia, there seems to be no effort made to arrest them for desertion from the cruiser.

The only other matters disposed of in the court yesterday were the following: Miles I. P. Clark, alias Cook, Cumberland county, illicit distilling, capias and continued. Ed. Burns, Cumberland county, retailing, etc., called and failed, nisi scilicet and capias. Jas. Barfield, Cumberland, retailing, true bill by grand jury.

The grand jury came into court at 10:55 o'clock, reported that it had completed its work and was discharged with thanks.

William Cash, an attendant of the court, came in yesterday morning in a very drunken condition and was talking out loud to the annoyance of everybody. He was promptly ordered to jail by Judge Purnell.

MODEL INSTITUTION

Funeral Director Walter E. Yopp Now in Handsome New Establishment on Princess Street—Show and Stock Rooms Well Filled.

Mr. Walter E. Yopp, the funeral director, is now located in his handsome new three-story brick building at No. 211 Princess street and has one of the prettiest and most handsomely appointed establishments of its kind in the State. The first floor front is devoted to the display of fine coffins and caskets in handsome glass cases finished in antique oak and presenting a very attractive appearance. The rear on the first floor is the office and trimming rooms of the establishment and on the second floor, reached either by elevator or stairway, is the stock room. On the third floor has been fitted up in convenient style a room to be used as a morgue.

In the show and stock rooms are to be found some of the prettiest coffins and caskets manufactured in the country, Mr. Yopp having recently enlarged his line of all kinds of goods. The show room will later be beautified with a number of potted plants and flowers to make the place as attractive as possible for the people who go there.

Mr. Yopp has with him a very able assistant in Mr. Fred A. Nort, of Atlanta, Ga., who enjoys the unique distinction of being the second youngest funeral director and embalmer in the United States—a very talented one, too, as shown by the difficult work done since he came to Wilmington. Mr. Nort is a graduate of the Bellevue Hospital Morgue and the Renard School of Embalming, in New York. He will room in the building and an electrical device has been placed for night calls. Mr. Yopp is to be congratulated upon his new place and one would like to say "it is a pleasure to do business with him."

BENJAMIN MAY DIE.

Negro Hurt at Compress in Extremis at Florence, S. C.

Chief of Police Williams yesterday received advices from Florence, S. C., that Elias Benjamin, the negro assaulted Monday morning at the Champion compress by the two Murphys, who are confined in jail, has become much worse and that the probabilities are that he will die. The Murphys were arrested, it will be remembered, as they were preparing to leave their homes after the assault upon Benjamin with a bar of iron. Benjamin was carried to the hospital at first but he recovered somewhat and wanted to go to his home at Florence. He was permitted to do so on Wednesday, but has become much worse.

The Murphys are under commitment from Justice Bornemann, who was advised by Chief Williams yesterday of the message he had received from Florence. Justice Bornemann will keep the Murphys in jail without bond until he hears further from Florence.

VERDICT FOR \$36,768.80.

Lengthy Suit Pending in Sampson For Years Completed Yesterday.

Sampson Superior Court which has been in session for two weeks, was engaged since Monday in the trial of an important suit entitled M. A. Moseley and others against W. A. Johnson, administrator of W. N. Peden, deceased and the United States Fidelity and Guaranty Company, involving the settlement of a large estate near Clinton. All the week was taken up in hearing the testimony and the jury which had the case in hearing returned a verdict last night at 8 o'clock awarding the plaintiffs \$36,768.80, which was one of the largest in the history of the county. The plaintiffs were represented by Stevens, Beasley, & Weeks, W. T. Dorch and George E. Butler while the defence was represented by Maj. John D. Kerr and F. R. Cooper, of Clinton. Col. Johnson, of this city, and others from this city attended the court.

Republican Campaigning.

H. F. Seawell, Esq., of Carthage, was in the city yesterday on his way to Burgaw, Pender county, where he spoke to an audience of small proportions yesterday. From Burgaw he goes to Kenansville, Duplin county to-day. Col. Harry Skinner, Col. W. S. Pearson and Hon. J. E. Fowler have an appointment to speak at Smithfield to-day. Ex-Senator Marion Butler has an appointment to speak at Clinton on Monday of the coming week. Thus far the Republican spellbinding has been confined almost exclusively to the West.

DEMOCRATIC RALLY

Speaking in First and Fifth Wards Last Night Were Well Attended.

EFFORTS OF THE COMMITTEE

Godwin, Sinclair, Morton and Bellamy Were Centers of "Whirlwind Campaign" Last Night—Campaign Literature.

Chairman William J. Bellamy and the Democratic County Executive Committee may well feel gratified at the success of the rally of the party in the First and Fifth wards of the city last night. The weather was a tribulation and uninviting for the ordinary voter to attend an open air meeting, but the crowds were good and the addresses by the speakers were inspiring. The rally in each of the wards also suffered from the disadvantage of the meeting in the open part of the city, but all told, with the divided crowd, the attendance at each place betokens an increased majority for the ticket next Tuesday.

The manner of the two meetings under the one auspices and with the same speakers at each place alternating savored of the whirlwind campaigning of other days and the details were certainly carried out with that effect. As fast as one speaker had concluded at one of the stands he was whisked across the town in an automobile to the next appointment and vice versa.

The meeting in First ward was the most largely attended and the crowd there was composed largely of working men to whom attendance meant some sacrifice. They came in good numbers, listened attentively and went away with an evident resolution to do their duty on election day. Chairman William J. Bellamy presided alternately at both meetings and at each place spoke briefly of the efforts of the Executive Committee and the need of co-operation on the part of the people. The speaking in First ward was at Fourth and Brunswick streets from an improvised stand erected there, the corner being lit up with burning far barrels. Hon. H. L. Godwin, Democratic nominee for Congress in this district, was the principal speaker there and was presented by Col. Geo. L. Morton, Democratic nominee for the Legislature from New Hanover. Mr. Godwin made a fine impression on the voters of the First, making a good speech upon both State and National issues. Col. George L. Morton also spoke at some length to his constituents of that division of the city. Hon. N. A. Sinclair, Democratic nominee for Solicitor in the Seventh district, had expected to be present and speak at the earlier appointment in the First ward but his destiny hung on the A. & Y. train upon which he was travelling from Fayetteville and the people understood what that meant.

The speaking in the Fifth ward was at Fifth and Castle streets where the crowd was not so large but very enthusiastic, standing in closely buttoned overcoats and listening attentively. Both Mr. Godwin and Mr. Sinclair spoke in the ward, the former confining himself largely to National issues and the latter discussing State issues with gloves on. His arraignment of the Republican party and its leaders was quite severe and brought forth manifestations of approval from the gathering.

While Mr. Godwin was speaking, a sensational incident occurred in the crowd that came near marring the effect of the speech. Some hearer cast some aspersions upon Mr. Godwin, little thinking that any of his friends were around. A strong light remark and nailing of the speaker placed him under the ban of the crowd, which followed until the patrol wagon carried him off. His friends, however, volunteered any amount of bail and several accompanied him down to the police station where bond was given and the stranger released before the ink was dry on his name on the police record of arrests. He rejoined the crowd at the speaking a little later and was congratulated by a number of the enthusiastic Godwin men at the speaking.

Music for the rally last night was furnished by Kneissel's Band.

It was much regretted that Solicitor Duffy was not able to be present as he expected. He is still sick at his home in Onslow and while a telegram yesterday stated that he was improved, he was too unwell to fill his appointment. The same disappointment was felt because of the fact that Hon.

HIS BROTHER DYING

Governor Glenn Cancels All Campaign Dates in North Carolina—Long Trip For Prisoner—Rev. J. N. Cole Removes to Raleigh.

(By Southern Bell Long Distance Telephone.)

Raleigh, N. C., Nov. 2.—A telegram was received at the Governor's mansion this afternoon from the Governor at Macon, Ga., stating that his brother, E. T. B. Glenn, cannot live. His death is expected at any moment. Governor Glenn is with him and has cancelled all campaign engagements in the State.

A requisition was made on the Governor of California to-day for James McKinney, who is wanted in Mitchell county for the murder of Daniel M. Hollyfield on October 27th of last year. McKinney is now in jail at Los Angeles, Cal., and Sheriff P. H. Mashburn, of McDowell county, will make the transcontinental trip for the prisoner.

Rev. John N. Cole, D. D., the retiring presiding elder of the Rockingham district of the Methodist Church, will make his final visitation to his congregation this week and move his family to Raleigh on Wednesday. He has already taken charge of the Methodist Orphanage at Raleigh. His successor as presiding elder of the Rockingham district will be named by the Bishop in a few days.

WARM IN GUILFORD.

Heated Campaign Closed With Rally in Greensboro Last Night.

(By Southern Bell Long Distance Distance.)

Greensboro, N. C., Nov. 2.—The Democratic campaign in Guilford county came to a spectacular close here to-night with a grand rally at which all the county candidates spoke. The ticket will be elected next Tuesday by a good safe majority. Hon. E. J. Justice flayed Republican Chairman Adams in his address to-night, making reply to what was termed his keynote speech at Asheville in the early part of the campaign. There was no joint canvass in the county this year, the Republicans declining to meet the Democrats. The majority it is confidently predicted will be larger than ever before in this county.

UNITED STATES ENGINEER.

Maj. Joseph E. Kuhn Named as Temporary Successor of Maj. Winslow.

The district offices of the United States Engineers in this city is advised that Maj. Joseph E. Kuhn succeeds Maj. E. Evelyn Winslow, in charge of the Norfolk district permanently and the Wilmington district temporarily. The office will be transferred to him November 1st. Maj. Winslow is transferred from the Norfolk district to the Washington barracks, at Washington, D. C., and will be in charge of the school of instruction there. Maj. Kuhn is expected to arrive in Wilmington shortly and take charge of the office here. It is not known when an engineer will be named to permanently succeed Capt. R. P. Johnston, resigned to take charge of extensive private interests which he has near Asheville, in this State.

HALLOWE'EN AT THE Y. M. C. A.

Elaborate Affair Last Night Under Auspices of Ladies' Auxiliary.

One of the most pretentious entertainments ever given at the Y. M. C. A. under the auspices of the Ladies' Auxiliary of the Association, was the Halloween party last night, which was put on by 90 or more prominent young people with elaborate settings and costumes. The entire second floor of the Association was used to carry out the Halloween effect and the attendance was very large indeed. Music, refreshments and the tempting of fate by numerous guests of the delightful affair, were the chief features of the evening and the ladies scored a great success with the undertaking.

H. L. Cook, of Cumberland, could not be present. He was called back to his home in Fayetteville yesterday, quite unexpectedly to him at the time the appointment was made.

A large amount of active work is being done by the Democratic County Executive Committee just at present and the headquarters at Mr. Bellamy's office yesterday presented a busy scene. Four clerical assistants and a number of boys were engaged in folding printed matter which is being mailed to voters urging them to come out on Tuesday and vote. Tickets are also being mailed so that there will be no mistake. Two buggy loads of literature bearing on the election were mailed through the Wilmington post-office yesterday.

THE ARTESIA COLONY

New Village of Carolina Trucking Development Company Near Lake Waccamaw

SETTLERS FROM ENGLAND

Great Activity Among Immigrants Preparing to Make Their Homes on This Side—Business Enterprises Are Rapidly Springing Up.

(Special Star Correspondence.)

Artesia, N. C., Nov. 1.—Twenty-five English people arrived yesterday direct from Liverpool, Eng., to settle on the land of the Carolina Trucking Development Company at the new town of Artesia, three miles west of Lake Waccamaw. These are the first of a large number of English families who are coming to settle on the truck farms of the company in this county. They are a healthy, energetic looking set of people and have already purchased their farms from the splendid land of the Briggs tract, which is one of the properties acquired and developed by this enterprising company in the Wilmington section of the State. Everyone in the party is delighted with this country and with Artesia, including the women and children, who are making themselves perfectly at home on their new farms.

The Carolina Trucking Development Company ran out a special train from Wilmington to bring the party to Artesia and to-day seventy-eight pieces of baggage containing all their personal effects were put off from the afternoon train.

Artesia is a very busy looking place this week. The Lamphear-Buck Lumber Company which opened up its large mill here in July is running at full time, employing about fifty-five hands and cutting the mill timber from the farm lands. There are two restaurants at Artesia now, five houses are under construction and at least a dozen more will be built within a month.

The Bogue Trading Company, of Hallsboro, N. C., of which Mr. Bruce Pierce is manager, has just put in a stock of goods at the company's store building at Artesia and within a week will move its large stock of goods there, having leased the store of the C. D. T. Co.

A request to the government to establish a postoffice at Artesia is receiving numerous signatures and one will be opened at a very early date.

The Artesia school site has already been tendered by the company to the superintendent of public instruction and the school will be erected at once. Mr. Lamphear, of the Lamphear-Buck Lumber Company, has brought his large touring automobile to Artesia and is now the champion of good roads movements for Bogue township.

The Carolina Trucking Development Company holds out the same liberal terms to people of this section as it does as to immigrants from Europe and has already sold some very desirable farms and town lots to people from Hallsboro and Wilmington. The latest investigations of the Department of Agriculture at Washington, are furnished direct to the company and then its Agriculture Department provides the settlers with all needed information regarding the cultivation of the truck crops for which this part of our country is better adapted than any other. At present Mr. P. W. Davis, represents the Agricultural interest of the company at Artesia, and Mr. Geo. Catlett is the civil engineer in charge of the extensive road construction and drainage which is being completed on this tract.

We extend to these new comers to our State, a hearty welcome, and wish them a good measure of prosperity, feeling assured that they are a valuable acquisition to our American citizenship.

No Trace of Missing Man.

Mr. Taylor Fields, of Laurinburg, has arrived in the city to prosecute the search for his son young Walter Fields, who mysteriously disappeared from Wilmington on Monday night, the particulars of which were given in yesterday's paper. Mr. Fields was able to learn nothing and the drowning theory thus far seems to be the most plausible. The city and county authorities have been enlisted in the search for the missing young man and it is expected that the fate of the stranger will be established in a day or two.

It is the exquisite hop flavor in Portner's Hofbrau that is recognized by the connoisseur. Try it for yourself. Phone 99.