

OUTLINES.

President Roosevelt's annual message was read in both houses of Congress yesterday, and many portions were applauded by both Democrats and Republicans; the President's disapproval of the exclusion of Japanese from the public schools of San Francisco was received with great dissatisfaction by the California delegation, the unanimous opinion being that any guaranteeing admission of Japanese to the schools is contrary to the Constitution.—J. G. Rawlings.

A negro was hanged at Valdosta, Ga., yesterday for the murder of the children.—It is announced at Washington that it is hoped to have a decision from the Federal courts compelling the public schools of California to receive Japanese pupils.

The Senate yesterday Senator Rayburn of Maryland, introduced a resolution declaring that this government has no right to interfere with the public school system of any of the States.

The Memphis lynchings were the contempt of the Supreme Court of the United States, was argued before the Supreme Court in Washington yesterday.—The executive committee of the Southern Immigration Association met in Columbia yesterday and adopted plans for inducing immigrants to come South; each State is urged to establish a department of immigration and commerce and direct steamship lines to Southern ports is deemed of vital importance.—New York markets: Money on call strong 1 1/2 per cent, ruling rate 18, closing 15; offered at 18; spot cotton quiet, steady; flour steady but slow; wheat No. 2 red 80-18 elevator; corn No. 2 54 elevator; oats barely steady, mixed 38-12; turpentine firm 70 to 75; rosin firm.

A senator declares that women's suffrage elevate women. They also keep old man down.

Judging from President Roosevelt's message some more Democratic goods will be found on his person.

Massachusetts would experience a sense of humor if the Japs run the hog.

On account of that San Francisco school incident. It would be a good idea for the Japs to get it into their heads that they bluffed us.

Senator Foraker seems to have it for President Roosevelt. On Monday the Senate had hardly convened where he was making use of the dismissal of negro troops to show that he has a grievance that is deep-seated and tinged with malice.

Walter Wellman seems to continue to receive some attention and not only because of his proposed expedition to the North Pole in a balloon, some people do not realize yet that Wellman's expedition was of the hot variety.

A Raleigh man advertises: "Party accidentally took my bank book, known. Return it and the matter will be dropped." People who "accidentally" find things ought not to be reminded in a manner similar to the above.

Some surprise is expressed that William Randolph Hearst declares that he is not yet done with politics, as he hardly to be presumed that a man who had such a following in New York elected governor, would quit the office. The election in New York showed that Hearst is a political fact to be reckoned with.

Either one of those resolutions of Senators Penrose and Foraker calling for information concerning the dismissal of three companies of negro troops will suit President Roosevelt.

A Washington dispatch informs us this morning, "The President seems to welcome the opportunity to deliver his message."

The fight made against President Roosevelt for dismissing three companies of negro troops of the Twenty-first Regiment has resulted in a disclosure of other facts not creditable to negro soldiers. The President had a disclosure made to justify his action. It appears that a member of the same regiment was lynched in the town for murdering a citizen and that it has always been difficult to discipline negro troops. It had been better for the race in general if President's action had been quietly passed over.

AUDIT AND FINANCE

Regular Semi-Monthly Meeting of the Board Held Last Night.

NO IMPORTANT MATTERS

Some Appropriations Concurred in—Others Deferred—Salary of Milk Inspector—Proposition to Consolidate Fire Houses.

The Board of Audit and Finance of the city was in session a couple of hours last night, it transacted no business of special importance. Members present were Chairman H. C. McQueen and Messrs. R. H. Brady and Jesse Wilder. The business consisted largely of passing upon appropriations made by the Aldermen at the meeting the night before.

Action was deferred on the proposition to macadamize Eleventh street from Red Cross street toward the cemetery. The appropriation of \$1,000 for extending and opening up Dickinson street was allowed to come out of some funds which are now on hand unexpended in other departments. The \$300 for paving sidewalks around the Adrian property at Front and Dock streets to test the new law requiring property owners to pay the cost of such improvement, was allowed upon the condition that the terms of the act are fully complied with before the work is undertaken. Contract with E. H. Scott for painting Front street market house was concurred in, the amount being \$440. The fixing of the salary of the milk inspector was deferred in view of the fact that the law does not go into effect until January 1st, and the Board is unacquainted with the duties required of the officer. The clerk was instructed to write other cities to ascertain the method of paying the inspectors. It was also desired to ascertain if there are any fees arising from inspection. The employment of an extra man in the Treasurer's office during the tax collection period from November 1st, was approved until the appropriation of \$150 dollars was exhausted. Mr. F. T. Skipper has already been employed and is now engaged in the work.

The award of the contract to the Southern Electric Company for wiring the second and third floors of the City hall building for electric lights was concurred in, the amount being \$215.75. The matter was presented to the Board by Alderman Moore.

Alderman Moore and Fire Chief Schnibben were also present to present to the Board the matter of disposing of the present Hook and Ladder station on Dock street and concentrating it with the Chemical station just around the corner. Alderman Moore said that the new house could be constructed of brick, using the material from the present houses, for \$8,000 and that the present lot of the Hook and Ladder station could be disposed of by the city for certainly not less than \$4,000. The Board of Audit and Finance seemed very favorable to the idea, but no action was taken. Mr. Moore stated at the outset that he merely desired to present the matter and that members present could think over the matter.

The Board after passing a number of bills for current expenses adjourned subject to call of the chairman.

Died Suddenly Last Night.

Mrs. Elizabeth J. Hewett, aged 51 years, died last night at 9:40 o'clock rather suddenly at the home of her niece, Mrs. Mary Singletary, No. 703 South Front street. Mrs. Hewett had suffered an attack of paralysis some time ago and she suffered another yesterday evening about 6 o'clock. She never rallied and passed away about three hours later. The only surviving member of the immediate family is a brother at Southport. Funeral arrangements have not yet been made.

NEW ADVERTISEMENTS.

- Attention—Odd Fellows. Palace Market—Hame Made Lard, Academy of Music—Moving Pictures Etc.
- Wilmington Furniture Co.—Next Special Sale.
- Carl B. Rehder Candy Co.—To Retail Merchants.
- Business Locals.
- Wanted—Position by Young Man. Home Mission Society—Dr. Asad Dolls.
- Xmas Novelties now open. Manicure sets, shaving sets, mirrors, toilet articles, fancy China, cut glass, fancy lamps, brass jardiniere. F. A. Bissinger (119 Market street) d4-6t

ACCIDENTALLY SHOT

Gilbert Moseley, Young Colored Boy Almost Instantly Killed Late Yesterday Afternoon by Mr. E. S. Shipp—No Blame Attached.

Gilbert Moseley, colored, nineteen years old, was shot and almost instantly killed yesterday afternoon about 5 o'clock in Mr. Albert Steljes' saloon at Thirteenth and Market streets, by the accidental discharge of a shot gun in the hands of Mr. E. S. Shipp, a clerk in the store. The entire load in the gun took effect in the boy's head, blowing his eyes and part of his forehead away. He lived long enough to sit up and in the presence of several witnesses exonerate Mr. Shipp of all blame for the accident. He died on his way to the hospital to which he was sent soon after the accident by Dr. W. J. Love, who was passing and, was called in to give the wounded man the necessary attention.

Young Moseley is from a respectable colored family in this city, and was employed to deliver milk for one of the dairies in the city. He delivered milk daily to the saloon where Mr. Shipp is employed and also at Mr. Shipp's house. Yesterday afternoon about the hour stated he came into the saloon and asked Mr. Shipp to lend him a gun to go hunting the next day. Mr. Shipp joked with the young negro about the gun, etc., and was in the act of passing it over to him when it went off accidentally in some way and the boy fell to the floor, his entire face being peppered and torn with the full charge of shot. Several white and colored persons were present and heard the boy make the statement exonerating Mr. Shipp, who immediately gave himself up to the authorities at the City Hall. Dr. Bell, the coroner, was notified and after viewing the body and hearing the testimony of four witnesses deemed an inquest unnecessary and discharged the prisoner. The witnesses examined were Messrs. F. A. Topel and Clarence Bonham and two colored men, Alex. Wright and Nick Nixon. The body of the young man was turned over to his mother for burial.

MOVING PICTURES FRIDAY.

Popular Attraction Coming to Academy of Music.

Moving pictures have always proven popular, so it is fair to suppose that the two exhibitions to be given by the Howard Moving Picture Company at the Academy Friday will be attended by large audiences. The company possesses a large amount of new films and a machine that does not flicker or flash. The pictures make up a programme of thrilling and humorous events that have happened in real life, as well as scenes of travel. Illustrated songs will be presented at different periods during the performances. The matinee prices will be 15 and 25 cents and at night the prices will go to 50 cents. Seats for Friday night will be on sale Thursday morning.

ADAMS AND SAWYER CASE.

District Attorney Skinner and Dr. Carmichael in Washington.

A long distance telephone message to the Star last night stated that District Attorney Harry Skinner had left for Washington at the request of the President for a conference with him and with Attorney General Moody in regard to the case of Adams and Sawyer, the condemned mutineers in jail here under sentence of death, December 15th. The message stated that it was pretty generally understood in Raleigh that Col. Skinner and Judge Purnell were pretty favorable to commutation; Dr. Carmichael of Wilmington, has also gone to Washington in behalf of the condemned man and will see either or both the President and Mr. Moody.

NAVAL RESERVES ELECTION.

Civil and Military Officers of Wilmington Division Chosen.

At an enthusiastic meeting of Wilmington Division, Naval Reserves, held last night in the armory at the City Hall, Mr. H. M. Chase was re-elected Lieutenant Commander and Mr. John B. Peschan, Lieutenant Junior Grade. Mr. C. Martin was elected ensign, vice Mr. W. S. Morris, resigned. The Division parted with the services of Mr. Morris with much regret. The following civil officers were elected: President—H. C. Howard. Vice President—A. R. Hardwick. Sec. and Treas.—J. Edwin Bunting. The Division is now in excellent shape and the enthusiasm of the members in the work is most encouraging.

WANTED—A boy about 14 years old to sweep out, bring water and make himself useful generally. Apply today at the Star office.

SENSATIONAL CASE

Habeas Corpus for Young Factory Girl Who Ran Away From Fayetteville.

THE HEARING LAST NIGHT

Girl Granted Her Freedom But Strongly Advised by Court as to Her Conduct—Didn't Want to Return to Immoral Home.

In interesting and rather sensational habeas corpus proceeding growing out of the detention of Lula Taylor, the 15-year-old factory girl from Fayetteville, a mention of which was made in these columns yesterday morning, took place last night at 7:30 o'clock before Judge E. B. Jones, in the office of the clerk at the Court House. It appears that the girl did not want to return home to her mother and during the day, through friends, she employed Woodus Kellum Esq., as counsel, and petitioned for habeas corpus proceedings, reciting the rather sensational charge that she was imprisoned and restrained of her liberty at the City Hall; that the cause or pretext was that she was being held for an officer to come from Fayetteville and take her back for the purpose of forcing her to live at a house which was not a proper one for a girl of her age; that the action was without warrant of law and that the aid of the higher court was invoked to secure her from the unlawful restraint. The summons was immediately served on the proper authorities at the City Hall and the hearing was had in the evening as stated.

It will be recalled that the girl was detained as the result of an indictment of a man named Archie Turner, who had been charged in Cumberland with abducting the child. Turner represented to the Mayor that he had come to Wilmington and found the girl and was endeavoring to return her to Fayetteville to her mother in order to clear his own name. Upon this representation Turner was released and the girl was held at the request of the chief of police in Fayetteville, who was acting for the mother. The arrest of Turner was at the instance of a young and rather good looking cotton mill operative named Marion Williams, who openly expressed his purpose to marry the girl. The child was kept in custody at the City Hall Sunday night but on Monday night the local Salvation Army Corps took her in charge and kept her until last night as an act of humanity, no place for the detention of such prisoners being provided at the City Hall. It was to the wife of Adjutant Yates that the girl confided that her home was no place for her to live and the action for habeas corpus was made with a view of providing for her, release and her assignment to some good home where proper influences would be thrown around her.

Judge Jones heard all the facts obtainable last night, the Mayor stating the case as it had come to him, all of which was approved by Judge Jones. A statement was then heard from the young man, Marion Williams, upon whom the startling fact was developed that he had now a living wife. Williams, however, protested that he had a divorce from the wife and but for the fact that he had lost them, he would have the papers from the court to show for the same. On the stand he dramatically declared his purpose to marry the girl regardless of the consequences. Judge Jones took occasion, on the other hand, to remind him of the age of the child and to warn him that if he did he would subject himself to the law and that if he was not sure of his divorce papers he had better go slow sure enough. The girl, upon hearing the facts as to the other wife, said she would scorn Williams but she said that she would not go home to her mother. She wanted to stay and work in the cotton factory here, but Judge Jones said that he would not permit her going under the influence of Williams and others in the factory settlement.

Deputy Sheriff Pate of Cumberland, county, who came for Turner and found that he had been released and who waited over in an effort to induce the girl to return to her home, in the absence of any better disposition of her case, was present and made a statement as to the disappearance of the girl from the Holt-Morgan mill at Fayetteville and stated that he was waiting the action of the court. He could not give the best character to the girl's mother and told of a criminal charge against her grandfather. Her ancestors were found by the court to be of rather unsavory reputation but nothing could be done other than grant the habeas corpus. The

MACHINISTS HERE

Delegates Representing Unions of International Association Over Atlantic Coast Line System—Banquet in Their Honor.

A committee from the International Association of Machinists, embracing all the shops of the Atlantic Coast Line from Richmond to Tampa, Fla., are in the city for the annual conference with the officials of the road and for a meeting of the several local unions for discussion of the betterment of the condition of the members of the trade. The delegation is headed by Mr. J. P. Flagg, district president; Mr. F. R. Kent, vice president, and Mr. T. P. Spencer, secretary and treasurer, while a distinguished visitor is Grand Vice President J. D. Buckelew, of the International Association. Messrs. J. W. Copeland, W. M. Mechie, and W. H. Buchanan compose the executive board while the entire delegation is composed of Messrs. J. F. Aylward, E. G. Gallagher, M. G. Patterson, G. A. Harper, T. W. Meuney, T. H. McGhee and H. P. Hill. They are all guests of The Orton and expect to remain in the city several days. It is understood that the men are asking now only a change of conditions without regard to wage scale and that the conferences thus far with the Atlantic Coast Line have been very satisfactory. The boiler makers on the system are also here for a conference with the officials of the road but have about concluded their conferences very satisfactorily.

The visiting machinists were most elegantly entertained last night by Local Union No. 589, of Wilmington, at a banquet at The Only Restaurant, where a delightful menu was served and a number of interesting addresses were heard, notably by Mr. J. A. Lockfaw, of Wilmington; District President Figg, National Vice President Buckelew and others. The committee in charge from the Wilmington local was composed of Messrs. J. W. Curtis, J. W. Morris, M. M. Parker, J. A. Lockfaw and D. W. Keightley. Mr. Lockfaw presided and the meeting was both instructive and entertaining. The Wilmington machinists did themselves proud.

THE EAGLES' CARNIVAL.

Week of Gayety About to Begin—Popular Voting Contests.

The Eagles' Carnival will be on in all of its glory next week and already great preparations are under way for that big event with such a large number of the people of the city. The shows of the Barkoot Amusement Co., which will furnish the attractions are at Orangeburg this week and are reported to be giving fine satisfaction. More extended reference will be made to these later.

Chief interest will center this week in two popular voting contests that will be inaugurated today—one for the most popular young lady to whom a diamond ring now on exhibition at Huggins' jewelry store, will be presented and another for the most popular candidate for Mayor to whom a \$250 horse now on exhibition at Brice's stables, will be presented. The votes in the ring contest will be one cent each and in the mayoralty race five cents will be the charge. The boxes for the votes have been placed as follows: Bellamy's Drug Store, Hall's Drug Store, Gem Cigar Store, Crescent Cigar Store, Gerken Tobacco Co., and at J. A. Smith's Drug Store.

Enthusiastic Meeting Last Night.

Carolina Aerie, No. 1171, Fraternal Order of Eagles, at an enthusiastic meeting last night elected the following officers for the ensuing term: Past, Worthy President John J. Furlong; Worthy President, William J. Bellamy; Worthy Ice President W. S. Coleman; Secretary J. K. Crump; Treasurer, S. K. DeVaney; Worthy Conductor, Gordon Johnston; Inside Guard T. Shepard; Outside Guard, W. B. Brice. Trustees S. Mitchell, T. D. Love and Julius Well.

Judge, however, ordered that the child at her consent remain in charge of the Salvation Army people and that if she evidenced a desire to go to her home, he would communicate with the clerk of the Cumberland Court to see what could be done toward binding her out to some responsible person at Fayetteville. The girl last night said she would go home this morning with Deputy Sheriff Pate, but it is more probable that she will remain in the hands of the Salvation Army Corps here and that a good home will be found for her.

The girl has rather pretty features and is exceedingly bright for one of her years, displaying a knowledge of humankind and the law and rights of persons that made her case an exceedingly difficult one to handle.

THE SUPERIOR COURT

Owe Week Term For Trial of Civil Suits Convened Yesterday Morning.

CASES AGAINST RAILROAD

Shippers Claim Forfeitures Under Code—Many Appeals From Magistrates Heard—Honor Memo'ry of Judge Meares.

New Hanover Superior Court, Judge E. B. Jones presiding, was engaged practically all day yesterday in hearing a large number of unimportant cases, largely appeals from magistrates' courts. The calendar as arranged for Monday and Tuesday was disposed of during the day and a few cases set for later in the week were called up and disposed of. Judge Jones making remarkably rapid progress on the docket as is his wont.

Court convened at 9:30 o'clock in the morning and was called to order by Sheriff S. P. Cowan, who was present in person with Deputies W. H. Cox and E. S. Capps to look after the affairs of the court. The following jurors were returned as summoned for the week: Charles H. West, O. C. Hill, Jr., C. R. Anderson, C. W. Craig, W. A. Dick, W. W. Galloway, Ellis Fulcher, C. M. Butler, L. Tate Bowden, S. M. Boatwright, Thomas J. Burnett, James E. Willson, A. E. Boswell, J. D. Bender, E. C. Glavin, A. S. Heide, T. M. Emerson, J. J. Melton, A. D. Brown and Thomas C. Rhodes. Excused by the Court Messrs W. A. Dick, T. M. Emerson; James E. Willson, Alex. S. Heide.

Aside from the regular routine of the Court during the day a call was issued for a meeting of the bar this morning at 9:30 o'clock to pass suitable resolutions upon the death of the late Judge Oliver Pendleton Meares and Preston Cumming, Jr., Esq., was presented by Herbert McClammy, Esq., and was duly sworn in and admitted to practice in the courts of the State.

The most interesting cases disposed of during the day were those in which several shippers were suing for the recovery of the penalties as provided in the code for the failure of transportation companies to move freight promptly. Only one of these was finally disposed of during the day. That was Stone & Co. against the Atlantic Coast Line in which the plaintiffs allege that a car of hay consigned to the Brown-Williamson Lumber Company at Cerro Gordo, N. C., was delayed unnecessarily in the yards here and did not reach the consignees for some days later. Messrs. Stone & Co., were represented by Herbert McClammy and Thomas D. Meares, Jr., Esqs., while the case for the railroad was conducted by Thomas W. Davis, Esq. By agreement on a statement of facts, the jury as charged by the court, gave the plaintiffs a verdict for \$95.

Another such case as that was that of James H. Scull against the Atlantic Coast Line in which Mr. Scull sued for delays and overcharge on a shipment of holiday foliage, etc., to Cincinnati, O. The plaintiff was represented by Marsden Bellamy, Jr., Esq., and the railroad by Mr. Davis. The case had been about half completed when court took a recess at 6:30 o'clock until 9:30 this morning. Other proceedings yesterday as they appeared from the clerk's docket are as follows:

- W. Norman & Co. vs Josh Simon et al, continued for plaintiff and, set by consent for first case next civil term.
- Prigero Silverman vs Josh Simon et al, continued.
- David S. Brown & Co. vs Joseph; judgment for \$65.50.
- L. Herzog & Co., Inc. vs Josh Simon; judgment for defendant, plaintiff recovers nothing.
- D. Newmann & Son vs John L. James et al, continued.
- Thomas W. Fisher vs W. B. Cooper; judgment for plaintiff in sum of \$92.23.
- Charles Wessell vs Thorpe Applegate, set for Thursday.
- Hannah Humphrey vs John W. Humphrey, continued with leave to supply papers.
- Gaston D. Phares & Co. vs Mrs. S. Seigler, Jr., two cases, continued.
- M. F. Price vs Wilmington Cotton Mills, judgment for non suit.
- Kidder Lumber Company vs C. D. Weeks, continued.
- F. M. Bryant vs C. L. & P. Co. appeal dismissed at cost of defendants.
- Judgment for divorce was granted in the following cases: Lucy Freeman David Freeman, Gilbert Lee vs Maggie Lee, John F. Richards vs Mary Richards, John Lovett vs Elsey I. Lovett.
- Community Silver. A full line at Bissinger's, sole agent. d4-6t