

CLEVELAND, THE PIVOTAL STATES AND THE STAR DO.

Our esteemed and valued cotemporary the Raleigh Post says:

"It is not believed that anybody in North Carolina will seriously contend for an instructed delegation to the St. Louis convention."

Well we should smile if there was not a serious reason why such a contention should be made. We have too much respect for logic to go in the face of the situation that now confronts us.

As we have often mentioned, it is impossible for the Democrats to slip the White House from under Theodore Roosevelt without carrying the doubtful or pivotal States. Those pivotal States, with the exception of New Jersey, have instructed for Judge Parker, while as a matter of fact the New Jersey delegation is for him and the greatest citizen in that State, in the person of ex-President Cleveland, has pronounced Parker the most available candidate.

These pivotal States have tried to "show us the way to go home," the Democracy of North Carolina has been convinced that they have named the right man, and if these presents do not constitute the most palpable reason why North Carolina should instruct for the Sage of Esopus, then we are in the market to buy a gold brick.

All over the country great significance is being attached to an interview given out by Mr. Cleveland a few days ago. After having had time to look over the situation, the ex-President says he is convinced that Judge Parker should be made the nominee, among other logical reasons being his conviction that "Judge Parker is a man for whom every Democrat and the great body of independent voters can vote unreservedly." Mr. Cleveland seems, however, to find greater satisfaction in his observation that "Whether Judge Parker shall be nominated or not, his candidacy has been a blessing to the party, for the energetic exploitation of his name during the last year has made certain the Democracy's return to fundamental principles."

Judge Parker's name has been a tower of strength to the Democracy and by means of his candidacy a majority of the Democratic State conventions have demonstrated that they have pulled off the side track onto the main line. It is no "reorganization" that the Democracy is now engaged in, but a house cleaning in which the scraps of exploded fallacies are being swept off the ground floor. What has already been accomplished scores a victory for Democracy whether it elects its candidate this time or not.

Speaking of the platform to be adopted at St. Louis, Mr. Cleveland said in his recent interview:

"The two points of attack in a political campaign are the candidate and the platform. If the candidate is vulnerable, not so much attention will be paid to the platform. But when, as in the case of Judge Parker, the candidate cannot be assailed upon any substantial ground, the platform is sure to be studied minutely and critically by our opponents, and must be so constructed as to be wholly free from weak points."

It is an extremely fortunate thing for the great Democratic party that it has within its ranks a man of the irreproachable character, clear record, and marked ability of Judge Parker. The Republicans have not been able to level a single shaft at him, and every characteristic of the eminent New York jurist marks him as the one American to whom the Republic can look for a sound re-establishment of the wise principles upon which the founders of this government builded as a guarantee of freedom, independence and safety.

With regard to the platform upon which Judge Parker is to stand, we will warrant that it is already in the draft and that it will be one upon which the Party can go with confidence to the American people. John Sharpe Williams, Arthur Pae Gardner and other level-headed leaders outlined the Democratic policy in Congress, and the national platform will ring clear upon the issues which are to be laid down at St. Louis. However, Mr. Cleveland has this suggestion to make upon it:

"It should be short, treating only of the strongest points at issue, and I am pleased to note that this opinion, as evidenced by the expressions from Democratic leaders and newspapers, is growing. There is particular reason why this platform should be short and strong and thoroughly bottomed upon the fundamental Democratic doctrine, if Judge Parker is to be the party candidate."

The fundamentalists (not "re-organizers") have swept the field and with Parker on a platform that will be four-square on the issues, there will be a tremendous eruption of enthusiasm when the St. Louis convention finishes up its work.

LEAST BIT TOO FAST.

A. & N. C. Remains in Hands of Receivers Until Hearing in Court To-day.

THE PEEBLES CONTEMPT CASE

Will Not Reach the Supreme Court Until This Morning—Judge Leaves for the Scene—Supreme Court Decisions—Raleigh News.

(Special Star Telegram.)

RALEIGH, N. C., May 31.—An order supersedeas was received here today from Chief Justice Fuller, of the United States Supreme Court, staying the order of Judge Parnell appointing Thomas D. Meares and V. E. McBea, co-receivers of the A. & N. C. Railroad, and ordering that the property be left in the hands of its officers until a hearing of the appeal in the Circuit Court of Appeals at Raleigh at the next term. The appellants' \$25,000 bond pending a hearing of the order prevented the receivers from taking charge of the road to-day at Newbern.

Governor Aycock said in speaking of interference of Chief Justice Fuller, that if this order had not been made, he should have felt it his duty to call the Legislature in extra session with a view to having the road investigated, not only the condition of the road, but of the men and motives behind this unbecomingly effort to put the road into the hands of a receiver. It being perfectly apparent that Osteenble Plaintiff Cuyler has nothing whatever to do with the suit.

Ex-Gov. T. J. Jarvis, James H. Pae and Attorney General R. D. Gilmer went to Washington in behalf of the State of North Carolina and they appeared before the U. S. Supreme Court this morning.

RALEIGH, N. C., June 1.—There was an unexpected hold-up in the transfer to the regular officers of the A. & N. C. Railroad from Receivers Meares and McBea, who took charge yesterday, under the supersedeas order of Chief Justice Fuller for the officers to file with Judge Parnell a \$25,000 bond and retain the management until the hearing of the Cuyler complaint. The bond was made up and certified before the clerk of Judge Parnell's court this morning, but when counsel walked into the court and tendered it, Col. Argo, of counsel for the receivers, gave notice that they desired to be heard in opposition to the acceptance of the bond. Finally, the hearing was set for 9 o'clock to-morrow, when they will contend among other things that the receivers having already taken charge when the order was served, it cannot be effective, having no retrospective force. Counsel on both sides are preparing for a battle royal to-morrow. In the meantime the receivers are running the "Old Miller," as the road is known. There are many proposals now to change the name of the road to the "Rel," so hard does it seem for any regime to hold it late.

It was decided to-night that the Supreme Court will hear the Kerr, Carroll and Southerland writs of habeas corpus in the Judge Peebles contempt proceedings at 9 o'clock to-morrow instead of 11 o'clock. Many witnesses are to be alive to-night and to-morrow, but the plan to-night is to confine the hearing to legal argument, reviewing the whole contempt proceedings by Judge Peebles against the Robeson county lawyers, out of which the habeas corpus writs grew through the ordering of the three men to jail by Judge Parnell. This was the day charged him with drunkenness.

The Supreme Court rendered these opinions to-day: Vann vs. Edwards, from Norfolk, over trial; Creech vs. Cotton Mills, from New Bern, over trial; McNeill vs. Durham & Charlotte R. R. Company, from Moore, petition to rehear allowed, judgment being affirmed; Walker vs. C. C. R. Company, from Mecklenburg, affirmed.

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Deafness Cannot be Cured. By local applications, as they cannot reach the diseased portion of the ear. There is only one way to cure deafness, and that is by constitutional remedies. Deafness is caused by an inflamed condition of the mucous lining of the Eustachian Tube. When this tube is inflamed you have a running ear, which is not dangerous, and which is entirely curable. If it is neglected, however, it becomes chronic, and the hearing is lost. If you have a running ear, it is entirely curable, and when it is entirely cured, the hearing is restored. Deafness is caused by an inflamed condition of the mucous lining of the Eustachian Tube. When this tube is inflamed you have a running ear, which is not dangerous, and which is entirely curable. If it is neglected, however, it becomes chronic, and the hearing is lost. If you have a running ear, it is entirely curable, and when it is entirely cured, the hearing is restored.

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Mr. Daniels came into court promptly at the hour named with his counsel, Mr. Charles M. Busber, Mr. R. T. Gray, Judge T. B. Womack, Mr. J. N. Holding, Mr. W. L. Watson, of Durham; and Hon. F. A. Woodard, of Wilson. Mr. Daniels' counsel first asked for a continuance of three days, but Judge Parnell refused any motion to that effect. He said in substance that the remarks of Mr. Daniels in Sunday's Observer constituted the strongest sort of intimidation that he, Judge Parnell, had been guilty of malfeasance in office and was conspiring to take an unjust advantage of the State in the A. & N. C. R. R. receivership matter, which remarks if allowed to pass unnoticed would bring the judiciary into contempt and subvert the purpose for which it was instituted. He said furthermore that Mr. Daniels must purge himself of the charge of contempt at once. He was allowed until noon to file a complete answer. Mr. Daniels' answer to the judge's rule was in effect that he was an editor; that he conceived it his duty to discuss matters freely; that in expressing disapprobation of McBea's appointment as receiver, he intended no contempt. He denies that the act was in the presence of the court or calculated to obstruct the administration of justice; that the constitution says the liberty of the press cannot be abridged; that the court has no jurisdiction since the statute of 1831. Judge R. W. Winston, of Durham, argued for Mr. Daniels, denying the court's jurisdiction, and saying there had been no such case in seventy years, since Congress took this power from the court.

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RICHMOND, VA., June 1.—Rev. Robert Strange, D. D. rector of St. Paul's Episcopal church, who was recently elected Bishop co-adjutor in North Carolina, announced his acceptance of the office to a committee from North Carolina to-night. He will take up his work in the fall and will probably live in Wilmington.

RICHMOND, VA., June 1.—Rev. Dr. Strange, rector of St. Paul's church, this city, met the committee appointed to inform him of his election as co-adjutor bishop of East Carolina, this evening, and announced to them that he would accept the high office for which he has been chosen. It is understood that he will leave Richmond for his new home in the autumn.

Harbor Master's Report. The monthly report of Capt. Edgar D. Williams, harbor master, shows arrivals of 15 vessels of 90 tons and over at the port of Wilmington during May. The combined tonnage of the vessels was 134,68. Of the number, 18 were American and two foreign. The American vessels were nine steamers, 11,510 tons, and four schooners, 1,455 tons. The foreign vessels were one brig, 324 tons, and one schooner, 179 tons. The report compares very favorably with that of some month last year.

Police Statistics for '04. During the month of May the police made 73 arrests, 47 of the defendants being colored and 26 white. During May, 1903, the number of arrests was 92, and during May, 1902, the number was only 71.

THE GUBERNATORIAL RACE.

Mailfax Will Give Stedman Thirty-five in State Convention—Hearing News from Other Counties.

EDITOR FINED \$2,000.

Mr. Josephus Daniels, of News and Observer, is Adjudged Guilty of Contempt.

IN THE FEDERAL COURT.

Refuses Payment of Fine and Appeals to the U. S. Supreme Court for Writ of Habeas Corpus—The A. & N. C. Receivers Ousted.

RALEIGH, N. C., May 31.—Two thousand dollars fine and cost was the penalty imposed upon Editor Josephus Daniels, of the News and Observer, when Mr. Daniels was adjudged guilty of contempt upon a hearing in the Federal Court here this morning upon a writ served Monday because of editorial utterances in defendant's paper Sunday morning with reference to the A. & N. C. receivership. The hearing was the sensation of the year in Raleigh and the court room was crowded when the case was called at 10 o'clock. Mr. Daniels will remain in custody of the United States Marshal until the fine is paid or there are developments upon a petition to the United States Supreme Court at Washington for a writ of habeas corpus. Judge Parnell holding that there can be no appeal and that he has no right to name any bond.

Mr. Daniels came into court promptly at the hour named with his counsel, Mr. Charles M. Busber, Mr. R. T. Gray, Judge T. B. Womack, Mr. J. N. Holding, Mr. W. L. Watson, of Durham; and Hon. F. A. Woodard, of Wilson. Mr. Daniels' counsel first asked for a continuance of three days, but Judge Parnell refused any motion to that effect. He said in substance that the remarks of Mr. Daniels in Sunday's Observer constituted the strongest sort of intimidation that he, Judge Parnell, had been guilty of malfeasance in office and was conspiring to take an unjust advantage of the State in the A. & N. C. R. R. receivership matter, which remarks if allowed to pass unnoticed would bring the judiciary into contempt and subvert the purpose for which it was instituted. He said furthermore that Mr. Daniels must purge himself of the charge of contempt at once. He was allowed until noon to file a complete answer. Mr. Daniels' answer to the judge's rule was in effect that he was an editor; that he conceived it