

The News and Observer.

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PRICE FIVE CENTS.

THE LARGEST CIRCULATION OF ANY NORTH CAROLINA DAILY.

THE LAW RESPECTED

NO FILIBUSTERING EXPEDITION NOW LEAVES THE COAST OF FLORIDA.

REPORT OF CAPTAIN MERRILL.

The Cruiser Raleigh has Stopped all Serious Attempts to Violate the Neutrality Laws--The Spanish Minister Thinks that the Press Dispatches From Cuba are Doctored--Has Received no Official Information of the Recent Disaster to Spanish Arms.

WASHINGTON, D. C., June 27.—Secretary Herbert has furnished the State Department with a copy of the first official report made by Capt. Merrill Miller, commanding the Raleigh, since that vessel reached Florida under orders to prevent by force, if necessary, any evasions or violations of the neutrality laws.

Under date of Key West, June 22nd, Captain Miller says he has finished coaling, and proposed to cruise at sea to the westward probably as far as Tampa Bay. Matters at Key West were very quiet, and the conditions were such as to make it very improbable that any serious attempts to violate the neutrality laws would be made.

The report continues: "In case there are any Cubans here who desire to go to Cuba at this time, and who have determination enough to attempt it, the movement would of necessity be confined to small parties and the transportation to some of the small craft capable of navigating the reefs. Such vessels would be able to accommodate small parties only."

"The revenue cutter McLane which has light draft and can navigate the passages inside the reef and among the keys is well adapted for service here and since our arrival she has made a cruise to the eastward as far as Fowey Rocks inside the reefs and among the keys. She returned this morning, and the captain informs me that he has not seen anything of a suspicious nature."

"The fact seems to be well established now that the party which left here on the 6th numbered between fifteen and twenty only, and they were taken from the north end of the island by a small sailing vessel and probably transferred to some other vessel near the Bahamas. The weather is unusually hot for this season of the year."

Untrustworthy Cuban News.

"I am inclined to think," said the Spanish Minister, Mr. Dupuy DeLome, this morning, "that since the publication of my statement the other day, that Cuban news by way of Tampa and Key West could always be discredited, that the people who have been writing those dispatches may have adopted the experiment of dating their inventions at Havana."

Mr. DeLome's suggestion which was made in a jocular manner, was apropos of the published despatches from Havana this morning, which state that the insurgents have recently completed two garrisons containing Spanish troops in the province of Puerto Principe. The Minister has received no information concerning such a disaster to the Spanish arms, and he does not believe that such events have occurred. Should the report prove true, however, that a garrison of twenty five Spanish soldiers under Lieutenant Romero, had surrendered to the Insurgents, it would not, in the minister's opinion, be remarkable, when according to the dispatches the enemy numbered one hundred.

The despatches state that the Spanish troops were quartered in a guano house, of which there are many such in Cuba and the tropics. These houses are constructed partly of palms and afford no more defence than a hut of straw.

A Pleasure Party in Limbo.

NEW ORLEANS, June 27.—A cablegram has been received from Havana from Mr. W. A. Gordon saying that the well known cruising yacht Nepthene, at this place was overhauled yesterday evening by a Spanish warship and was towed into Havana and the party aboard of the boat is now in Spanish limbo.

The Nepthene is well known to all members of the Southern Yacht Club. The boat left a few weeks ago for an extended cruise, having taken on board the owners, Messrs. Agar and Dudley, together with a small party of kindred spirits from the cotton exchange members.

The object of the trip was distinctly pleasure and the suspicion of action with any filibustering expedition is considered ridiculous by the friends of the party, and not to be worth a single moment's serious contemplation. The presence of the yacht about Spanish territory has been made the ground work for what undoubtedly will be exposed to a most unwarranted seizure and a gross outrage upon a party of American citizens.

Charges Against Premier Crispi.

ROME, June 27.—Deputy Cavalotti has deposited in the office of the public prosecutor a statement of his charges against Premier Crispi. Cavrotti's action is ascribed to the failure of his charges in the Chamber of deputies.

Behring Sea Bill A Law.

LONDON, June 27.—In the House of Lords to-day Royal assent was given to the Behring Sea bill and it thus became a law.

SOUTHERN PINES FRUIT.

A Carload a Day is Being Shipped from its Orchards.

Special to the News and Observer.

SOUTHERN PINES, N. C., June 27. I stopped over at Southern Pines a few hours this morning and found everybody in the community busy gathering, packing and shipping fruit, peaches, plums and berries.

Mr. E. B. Hodgin, manager of the J. Van Lindley Orchard Company, shipped to New York on Monday 200 crates of early peaches which brought from \$2.50 to \$3.25 per crate. He tried Washington City with 80 crates which sold at \$3 per crate. This is from 50 cents to \$1 per crate higher than other peaches are selling for in these markets, and the Southern Pines variety is making a distinctive name all over the country.

The Van Lindley orchard now comprises 350 acres. One hundred acres more will be cleared and planted this winter. The company owns 1,100 acres of land all in one body which they propose to make one grand peach orchard.

"New Florida," is the name of Mr. James W. Tuft's new town, which will be built on the lands recently bought from the Pages. Mr. Tuft already has a force of hands surveying, clearing, grading and improving the land. His scheme is not a charity scheme as has been stated. It has in it, however, a feature of philanthropy in the fact that it contemplates furnishing to industrious people of limited means the opportunity for profitable development.

The whole pine section is forging ahead, and just now, when broad fields are almost groaning under the weight of ripening fruit, it is peculiarly attractive and interesting.

All the fruit, or nearly all of it, is being shipped in refrigerator cars, fitted up at the ice plant of T. L. Eberhardt & Co., of Raleigh.

AT THE TEACHERS' ASSEMBLY.

The Annual Election of Officers Will be Held To-Day.

Special to the News and Observer.

MORREHEAD CITY, N. C., June 27.

In the entire history of the Teachers' Assembly there have been no better, nor more forceful, nor more useful papers read than those to-day by Misses Scott, Dinwiddie, and Royster on "Woman's Work in the Schools." In scope of treatment, depth of thought and philosophy of view they were masterpieces. By a unanimous vote of the audience the papers will be published.

To-night Prof. Joyner delivered an able address on English which was well received. The election closes off to-morrow and the Assembly closes.

Many prominent politicians are here and others come in by every train.

HALIFAX FOR FREE SILVER.

Polk Miller's Concert Wednesday Evening at Scotland Neck.

Special to the News and Observer.

SCOTLAND NECK, N. C., June 27.

An observing gentleman said here yesterday that North Carolina will be almost solid for free silver in the next campaign. Others say that there are more gold men than is now supposed, and after awhile they will speak up.

Polk Miller gave his entertainment here last night under the auspices of the Temperance Association. A good audience greeted him. The entertainment was highly enjoyable and quite a nice little sum was realized for the Temperance Association.

OFF FOR THE OLD COUNTRY.

Three North Carolina Brothers Will See Europe on Bicycles.

Special to the News and Observer.

GREENSBORO, N. C., June 27.

Dr. H. L. Smith, of Davidson College; Rev. Dr. Egbert Smith, of the First Presbyterian Church of this city, and Dr. Alphonso Smith, of the University of Louisiana, left last night for New York, where, on Saturday, they will take passage on the City of Rome for Europe, to be gone about three months.

These young men are brothers, and will travel after their arrival at their destination on bicycles.

THERE MUST BE A SETTLEMENT

Senator Vest says Either Gold or Silver Must Be Determined Upon.

SWEET SPRINGS, Md., June 27.—Senator Vest, who is stopping at his cottage near here, had this to say on the money question in its relation to the country as a whole and especially to Missouri:

"There must be a settlement of the silver question without equivocation. We must determine to adopt the gold standard permanently, retire the greenbacks, and perpetuate the national banks with their paper based exclusively on gold, or we must open our mints to silver."

"I believe in real bimetalism, the use of both gold and silver as standard money, but if we must have one metal or the other, I would take silver, for we would then at least be independent instead of being the tail of the English kite and the helpless victim of the Rothschilds syndicate."

Assignment in Richmond.

RICHMOND, Va., June 27.—Mr. Rosendorf, dealer in liquor and cigars, assigned here to-day naming Sol L. Bloomberg as trustee. The deed conveys the stock, store, and office furniture and fixtures, machinery, horses and wagons owned by Rosendorf. The principal creditor is the firm of Mahalevitch, Fletcher and Company of Cincinnati, Ohio, \$2,856 63. Liabilities and assets not given.

THE CASE PRESENTED

THE FOURTH DAY'S PROCEEDINGS IN THE MASSEY-PILOT LIBEL SUIT.

EXTRACTS FROM THE PILOT READ.

Charter of the American Book Company and Virginia's Contract with the Company Offered as Evidence--Massey Charged With Swindling the State and Defrauding Personal Creditors--Gov. O'Ferrall and Other Distinguished Spectators in Court.

NORFOLK, Va., June 27.—There were a great many new faces in the court-room to-day, when the fourth day's session of the now famous suit of John F. Massey, Superintendent of Education, vs. The Pilot Publishing Company and others, was begun.

There was a breeze of comment in the audience when ex-Governor McKinney and Attorney General Scott entered, and were given seats on the left of the Judge.

Virginia's distinguished Governor, Hon. Charles T. O'Ferrall, accompanied by Secretary of the Commonwealth, Jos. T. Lawrence, Managing Editor Chesterman of the Dispatch and editor Copeland of the State arrived at 12:30, and were given accommodations on the bench back of the Judge.

The learned and dignified Richard Walke, counsel for plaintiff, who up to day had done none of the talking, engaged the attention of the court, jury and audience nearly all of today's session.

As soon as the court was ready for business, Mr. Walke arose and said: "We will begin, if it may please your Honor, and gentlemen of the jury, by submitting as a part of the plaintiff's testimony the charter of the defendant's company."

He then read the date of the granting of the charter and the names of the directors and their duties. He offered next a copy of the oath taken by Mr. Massey in 1890 as Superintendent of Education, also the oath taken in 1894.

Mr. Walke then submitted the charter of the American Book Company which he read, showing its business and entire capital of \$5,000,000.

The minutes of the Board of Education for the meeting of March 25th, 1890, were read, showing the list of the books adopted at that meeting. Also for the meetings held subsequently during that year. Also the minutes of the board for March, 1894. At this meeting the board declined to hear oral arguments from the publishers or their agents, and adopted books for the public schools of the State. He submitted also the regulations of the board in regard to the adoption, sale and price of books.

Mr. Walke also offered as evidence Virginia's contract with the American Book Company.

From a number of copies of the Pilot, Mr. Walke selected the one containing the article making the attack upon Mr. Massey and the Board of Education.

It was about 11:30 when Mr. Walke began reading. He commenced at the display headlines. It contained a description of the American Book Company, its alleged manner and methods of doing business, its capital and its agencies, detailing its alleged operations in Virginia and the various States.

Mr. Massey was treated as a citizen, official and politician, his alleged acts public and private were held up to the public gaze. In this article he is charged with swindling the State as an official and defrauding his personal creditors. As a matter of fact, all that the counsel for the defense had said during the trial derogatory of Mr. Massey, is found in this article.

Articles from the Pilot subsequent to the alleged libelous article were then read in one of which it was stated that the Pilot company was thoroughly responsible and composed of some of the wealthiest men in Norfolk; that for that reason the Pilot had been sure of the facts (in regard to the Massey Book Company article). Mr. Walke emphasized significantly this language. He also read a number of editorials published during the months of January, February and March touching the libel suit, in which severe language was used in regard to Mr. Massey as a private citizen and an officer.

The reading of these various articles consumed about two hours.

At this point Mr. Wise, for the defense, objected to the articles that were presented subsequent to the alleged libelous article of December 23rd. He contended that the counsel had failed to lay the foundation for this evidence. He said he could not see why it was desired to get in these articles to connect the directors of the Pilot with the responsibility. He held that the directors were in no way responsible for any of the articles published, as they had no control over the editorial department of the paper and the editors and composers of an article are not the agents of the directors, but of the company. He asked if they are the agents of the directors, what becomes of the Pilot Company.

not alone on account of the written words, but on account of the spirit in which they were written.

There was a slight passage between Judge Neely and Mr. Wise which was cut short by the court.

Mr. Small, of the defense, contended that all of the editorials written prior or subsequent to the appearance of the Massey-Book contract article, should be excluded, as they were in no way connected with that article.

At 3:45 p. m. the court adjourned till to-morrow morning, when Judge Prentiss will probably render his decision on the points raised.

WILL HE BE EXECUTED?

Gov. Morton Will Hear no Further Appeals in Behalf of Dr. Buchanan.

ALBANY, N. Y., June 27.—Private Secretary Cole, this morning, under instruction from Gov. Morton, informed Mrs. Annie Buchanan that the Governor must decline to hear any further appeals for clemency in behalf of Dr. Robert W. Buchanan, now under sentence of death at Sing Sing prison.

Preparations for the Execution.

SING SING, N. Y., June 27.—Warden Sage has returned from Albany and is busy to-day making preparations to put Dr. Buchanan to death during the week, beginning Monday next. For the fourth time invitations to the persons who will witness the execution are to be sent out to-night. The warden will not say just what time the execution is to take place, but it is generally believed that Buchanan will be ordered to the electric chair at 11 a. m. on Monday unless the court interferes.

Appeal to the U. S. Supreme Court.

NEW YORK, June 27.—Lawyer Arthur C. Butts appealed before Judge Lacombe of the United States Circuit court to-day and applied for a writ of habeas corpus for Dr. Robert Buchanan who is in Sing Sing prison condemned to death on July 1st. Judge Lacombe denied the motion and lawyer Butts has made an appeal to the United States Supreme court which acts as a stay of the execution.

FIRE IN SAN FRANCISCO.

It is the Largest in 40 Years and a Number of Lives are Lost.

SAN FRANCISCO, Cal., June 27.—The largest fire here since the early fifties is now raging. It has been beyond control for an hour and a half. Oakland and Alameda have sent assistance. Firemen are now blowing up buildings to check the flames which threaten the southside of the city from 4th street to Bay. A number of lives are reported lost.

Fire Under Control.

At 9:45 fire was gotten under control. The high brick wall of the deserted Southern Pacific offices at 4th and Townsend streets acted as a barrier over which the flames could not work.

The water from the bay from the Oakland engines and the Southern Pacific pumps soon had the outer edge of the flames subdued. During the progress of the fire all sorts of rumors were current. It was reported that when the powder exploded several persons had been killed, but this is hardly true.

THE FIGHT WILL COME OFF.

Only a War with Mexico will Stop the Corbett-Fitzsimmons Contest.

NEW YORK, June 27.—Joe Vendig became nervous at the rumored opposition that the Dallas ministers had worked up against the Corbett-Fitzsimmons fight, and wired to Stuart, the Manager of the Dallas Athletic Club, to know just what the opposition amounted to. He received the following reply:

"J. H. Vendig—Don't worry about this end. Nothing outside of war with Mexico will stop the contest. The authorities are friendly."

(Signed) "DANIEL A. STUART."

This answer so encouraged Vendig that he at once offered a \$7,500 purse for Dixon and Plimmer to battle for at Dallas during the week in which the Corbett-Fitzsimmons fight will take place.

It is believed Dixon and Plimmer will accept the offer. Dixon wants to fight at 116 pounds, weigh-in at ringside, and a cable dispatch has been sent to Plimmer, who is in England asking him if he will fight at this weight.

YALE WON THE RACE.

Harvard was a Close Second and Columbia a Weak Third.

NEW LONDON, June 27.—Yale '98 won the triangular Yale-Harvard-Columbia freshmen race this morning by less than one length, Harvard finishing a close second and Columbia a weak third.

Columbia took the lead at the start. Harvard passed her less than one hundred yards from the beginning of the race, and held the lead till just as the mile post was passed. Yale then secured a slight lead, but Harvard apparently pulled up again and led till the last mile. Then Yale made a heroic spurt and finished a winner in the closest race ever rowed here and in the hardest freshman race known.

The official time follows: Yale 10:28; Harvard 10:33; Columbia 11:18 1/2.

Imprisoned For Duelling.

BISMIL, June 27.—Liebericht Von Kotze and Baron Von Schraeder, have each been sentenced to three months imprisonment in a fortress for duelling.

IT WAS ALMOST A RIOT

A SCENE OF THE WILDEST DISORDER IN THE KENTUCKY CONVENTION.

RACE FOR SECRETARY OF STATE.

Chairman Berry Accused of Unfairness and Roudly Cursed by an Enthusiastic Delegate--The Hardin Men Nominate Seven out of Nine of the State Officers--The Campaign to Open in a few Days--Hardin will Visit Every County in the State.

LOUISVILLE, Ky., June 27.—For Governor, P. Wat Hardin; For Lieutenant Governor, R. T. Tyler; For Treasurer, R. C. Ford; For Auditor, L. C. Norman; For Register of the Land Office, G. B. Swange; For Attorney General, W. J. Hendrick; For Secretary of State, Henry S. Hale; For Superintendent of Public Instruction, Edward Porter Thompson; For Commissioner of Agriculture, Ion B. Nall.

The foregoing ticket was nominated by the Democratic State convention which came near ending in a riot this afternoon. It was during the progress of the most bitterly contested race of the session, to which the contest for Governor was comparatively a quiet affair—the race for Secretary of State. With the exception of Governor, the office of Secretary of State is the best paying office in the gift of the convention, and there was rivalry between the four candidates for the nomination. Henry S. Hale, the present incumbent, John W. Headley, J. Stoddard Johnson and C. W. Metcalf were the candidates. Each had a large following and four ballots were taken before there was any result.

During the progress of the third ballot, O. P. Taylor, of Mason county, rushed down the central aisle and denounced Chairman A. S. Berry for alleged unfairness, winding up with a round cursing. This was the beginning of a scene of wild disorder. Every delegate was on his feet and crowding toward the platform where the chairman sat, and, shoving their way through were Hale and Metcalf, two of the contestants. Both men leaped upon the stage, and a dozen others followed, and for a while fists were shaken and threats made on every side. Partial order was finally restored by the chairman to have another call of the roll for a fourth ballot before allowing counties to change their votes. Hale was nominated.

The other contests were uninteresting with the exception of that for Register of the land office, which took three ballots to decide—H. B. Swange, the present holder of the office, being nominated.

Ed. Porter Thompson, the Superintendent of Public Instruction was nominated again.

Auditor L. C. Norman and Attorney General W. J. Hendricks were re-nominated by acclamation.

A slate, made up by the Hardin men, was smashed in two instances, but seven out of nine offices were filled according to the dictates of those who nominated the free silver men for Governor.

The committee on permanent organization made a bulky report. The only new thing recommended was that the State Central Committee consist of fourteen men hereafter instead of one from each of eleven Congressional districts as heretofore. Of the three new men the chairman will be one, and the other two will be named by the committee at each convention.

The convention was a continuous session from 9:30 a. m. to 7:30 p. m. and then adjourned *sine die*. Sandwiches and lemonade were brought in in place of dinner.

In the last hours of the convention, some would-be humorous resolutions were presented, among them the following:

Resolved, That this convention adopt the rooster or chicken cock as the emblem or device of the Democratic party, for use at elections.

Loud cries of approval greeted this resolution and it was passed by a unanimous vote.

Gen. P. Wat Hardin, the Democratic nominee for Governor, came into the convention hall this morning smiling and in an excellent humor. Gen. Hardin was asked when he expected to open his campaign.

good chance to carry the State next November in the present state of affairs.

Republicans Laying Plans.

The Republicans think so and have already begun to lay their plans for the coming campaign. To a reporter Cassius M. Clay, Jr., the defeated candidate for Governor, who left for his home in Bourbon county to-day, said he was out of politics for good. "I am very thankful to my friends," he said, "for what they have done for me, but I will never again be a candidate for public office."

Nevertheless, Mr. Clay's friends say they will run him for Governor four years hence but those who are closest to him do not believe he will consent to be a candidate at that time.

The ticket as made up distributes the patronage of the convention about equal geographically.

The following resolution prepared by Mrs. James Bennet, of Richmond, a prominent member of the Womens' Club of Central Kentucky, was industriously circulated this morning, but was not presented to the convention for its formal consideration:

WHEREAS, the Supreme Court of the United States, declared in their Virginia miner decision of 1875, that women have always been citizens of the United States and entitled to all the privileges and immunities of citizens; therefore,

Resolved, That we, the Democrats of Kentucky, in Convention assembled, do hereby instruct our Congressmen to protect white and black women equally with white and black men in exercising the right of citizens of the United States to vote for members of Congress in the several States of the union by passing a declaratory act saying that sections 5508 and 5520 of the Revised Statutes of the United States shall be held by the courts to apply to white and black women as well as to white and black men.

BASEBALL YESTERDAY.

At Pittsburg: 1 0 1 2 1 0 1 3 x-9
St. Louis, 1 1 1 0 1 0 0 0 0-4
Batteries: Hart, Sugden and Merritt; Staley and Miller.
Basis: Pittsburg, 13; St. Louis, 9.
Errors: Pittsburg, 2; St. Louis, 1.
At Cincinnati: -
Cincinnati, 0 0 3 0 0 1 0 3 x-4
Louisville, 0 0 0 0 0 1 2 0 0-8
Batteries: Foreman and Murphy; Cunningham and Spies.
Basis: Cincinnati, 9; Louisville, 8.
Errors: Cincinnati 3; St. Louis 2.
At Cleveland:
Cleveland, 0 0 1 1 0 1 0 1 0 x-4
Chicago, 0 0 2 0 0 0 0 0 0 0-2
Base hits: Cleveland 8; Chicago 4.
Errors: Cleveland 1; Chicago 1.
Batteries: Young and Zimmer, Hutchison and Donahue.
At Brooklyn:
Brooklyn-Washington postponed; wet grounds.
At Baltimore:
Baltimore-New York postponed; rain.
At Boston:
Boston-Philadelphia postponed; rain.

How the Clubs Stand.

CLUBS.	Won.	Lost.	Pr Ct.
Boston,	32	17	653
Baltimore,	29	19	596
Pittsburg,	32	23	593
Cleveland,	32	22	593
Chicago,	33	24	579
Cincinnati,	28	23	549
Philadelphia,	27	24	529
Brooklyn,	27	24	529
New York,	26	26	500
Washington,	21	29	420
St. Louis,	17	37	315
Louisville,	7	43	140

NO MORE LIQUOR TO BE SEIZED.

Judge Simonton Refuses to Modify His Injunction Order.

CHARLESTON, S. C., June 27.—Judge Simonton entered a formal order of record in the United States Circuit Court here to-day in the Donald liquor case refusing to modify the injunction order in the Donald case and refusing to suspend it until hearing an appeal by the Supreme Court of the United States and affirming the former position of the court that all persons in the State of South Carolina can now import into the State beers, ales, wines and spirituous liquors for their own use, and will be fully protected by the court in the exercise of this adjudged legal right to bring liquors into the State for their own use.

Chief State constable Holley has filed an affidavit in the court in which "he disclaims any intention to willfully disobey any order of the court or show contempt for its authority and the court, has amply vindicated its authority by imprisoning three State constables for seizing liquors imported for personal use, and ordered all such liquors to be returned to the owners."

The Assistant Attorney General of the State, speaking for the Attorney General, has assured the bench and the public in open court that no liquor hereafter imported by any citizen into the State for personal use will be seized by the State constables. The citizens of the State may now continue to exercise this right without fear of any molestation or hindrance whatever.

Distinguished Baptist Divine Dead.

NORFOLK, Va., June 27.—Rev. Dr. Tiberius Gracchus Jones, for many years pastor of the Baptist church in this city and Nashville, Tenn., died in Richmond this morning while on a visit to his daughter. He was one of the most prominent Baptist divines in the South. He was about 72 years old.