

The News and Observer.

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RALEIGH, NORTH CAROLINA, FRIDAY MORNING, OCTOBER 6, 1899.

FIVE CENTS.

LEADS ALL NORTH CAROLINA DAILIES IN NEWS AND CIRCULATION.

THE NEW FLEET FOR PHILIPPINES

Brooklyn, Nashville, New Orleans, Bancroft, Badger.

NO GUNBOATS WILL GO

NOT FORMIDABLE ENOUGH FOR THE WORK NEEDED.

THE NEW SHIPS TO BE UNDER WATSON

Aguinaldo Orders Troops in the Northern Provinces to Return to Their Towns and to Resume Farming. Orani Expedition Returns.

Washington, Oct. 5.—The Navy Department was busily engaged today in arranging to reinforce the fleet in the Philippines as suggested yesterday by Admiral Dewey, in the course of his conference with the President. In going over the field of available ships it was found this morning that the plan conceived last evening of sending the Marietta and Machias with the Brooklyn would have to be modified so as to drop the two gunboats.

In addition to the Brooklyn, the following ships will be added to Watson's fleet: Nashville, New Orleans, Bancroft and Badger.

It was Admiral Dewey's idea that vessels of a larger type than were first thought of should be sent to Manila. He pointed out that the smaller class of gunboats would be exposed to a good deal of unnecessary danger if they were sent out. To carry out the plans of cutting the insurgents off from their supplies, these vessels must be scattered around among the islands often without consorts, and thus exposed to sudden attack. The larger vessels will not only be able to take care of themselves in such cases, but may serve as parent ships from which may be operated a number of the small launches that have been doing such good service.

By noon the Department had completed its programme and was in position to send sailing orders to the ships chosen to go to Manila.

The New Orleans was telegraphed to proceed at once to the New York Navy Yard to have some changes made in the galley apparatus. This change can be made in six days, when the ship will start on her voyage. The Brooklyn will be turned back from Hampton Roads as soon as she comes within signalling distance and sent to New York, whence she sailed this morning before the Department could reach her with orders. She will be ready to sail by the end of next week. A cablegram was sent to the Nashville at San Domingo to proceed at once to Manila via Suez, and she is expected to get off within 24 hours. Orders were also telegraphed to the Badger at Mare Island to proceed to the Philippines as soon as possible. No orders have as yet been sent to the Bancroft at Boston.

It was suggested at the Navy Department that three of the four vessels now under orders for Manila will pass through the Suez Canal, so will be available to divert to South Africa should matters there take shape requiring the presence of a United States naval force.

ORDERED TO THEIR FARMS.

Manila, Oct. 5.—11:30 p. m.—Aguinaldo, according to a report brought to Manila today by a Dominican Friar from the north, has issued orders to the Filipino soldiers in the northern provinces to return to their towns and to resume farming.

This story lacks confirmation, but the rumor may be in accordance with Aguinaldo's policy of keeping the country as productive as possible by using his men in alternate shifts on the farms or under arms.

Dagupan, San Fernando and Delic, which are under the guns of the United States warships, are supposed to be evacuated. It is alleged that the evacuation order calls upon the male inhabitants to be orderly in case of the arrival of the troops and expresses the hope that the Americans will protect the towns.

BRINGING URDANETA'S HULL.

Manila, Oct. 5.—5:10 p. m.—The expedition sent to the Orani river under the command of Captain Cornwell, to recover the sunken gunboat Urdaneta, returned to Cavite yesterday with the hull of the boat, after bombarding Orani and landing a force.

Captain Cornwell brought one prisoner, Lieutenant Franklin of the army gunboat Laguna de Bay, guided the expedition. There were no casualties.

On Monday morning the expedition entered the river and anchored above Orani, near the Urdaneta, the inhabitants of the town simultaneously evacuating it and carrying their belongings with them.

The gunboats bombarded Orani, the beaches and the surrounding country for half an hour, receiving a Mauser volley in reply.

The Urdaneta was towed off the bar about 10 o'clock that evening, the operations of the Americans being unopposed. The following morning the bombardment was renewed to cover a landing of

one hundred and eighty blue jackets and marines about half a mile above the town.

On entering Orani the Americans experienced a slight rifle fire from the Filipino trenches. They found the town untenanted and that the shells had ignited a few huts.

The Archbishop of Manila notified General Otis that there was a plot on foot to burn the residences of the Governor General, and the Archbishop, together with several government buildings and banks, but the plot failed to materialize, possibly because of a display of force. The first reports regarding the affair at Paranaque last night seem to have been much exaggerated. The facts are that a small band of insurgents, following the bay road, poured a volley into the village and later anchored into Las Pinas, with the result that two or three houses were burned. The cracking of the bamboos caused it to be telegraphed to Manila that there had been much shooting.

The United States transport Warren from San Francisco with 1,200 recruits, has arrived.

The United States gunboat Wheeling from Vancouver, March 3rd, via Honolulu, while passing St. Vincent, in Northern Luzon, shot down a Filipino flag. The Filipinos fired a volley at the Wheeling's men who were sleeping on deck, and the Wheeling bombarded the settlement.

SENATOR JAMES COMES TODAY.

New York, Oct. 5.—Senator James K. Jones, Chairman of the Democratic National Committee will arrive at this port on the steamer Umbria tomorrow. He will be met at the wharf by George Fred Williams, W. J. Abbott, Dr. Gardner and other gentlemen representing the Chicago platform Democrats, as well as by a delegation from the Democratic Club of New York City.

THE DEWEY HOME FUND

THE ADMIRAL WILL MEET THE COMMITTEE THIS MORNING.

The Fund is Now About \$60,000. A Home Will Probably be Built Instead of Bought.

Washington, Oct. 5.—Admiral Dewey spent the greater portion of today in the McLean mansion on Farragut Square. He received no callers during the morning and only a few during the afternoon, although hundreds of cards were sent up by the servants in blue and silver livery at the door.

Admiral Dewey will meet the members of the Dewey Home Fund Committee at 11 o'clock tomorrow morning in the office of Assistant Secretary Allen, of the Navy, when the first conference regarding the gift of a house to him will be held. It is believed that the fund will amount to \$60,000 and that in view of the fact that a large marble column of the Green Mountain State has agreed to donate for the construction of a house, it is altogether likely that one will now be built and not purchased, as was at first intended.

DRUGGED AND ASSAULTED.

ASensational Feature of the Mazet Investigations Yesterday.

New York, Oct. 5.—The Mazet Committee resumed its sessions today. Evidence was brought out concerning the unlawful sale of liquor by tenants of buildings owned by the city in the parks in the Borough of The Bronx. Gussie Storm, a 16-year old girl testified that she was drugged and assaulted by Samuel Leht. She was subsequently arrested in his apartments and both were arrested. She was taken to the District Attorney's office. June 24th and was asked by Assistant District Attorney Grady, a brother of Senator Thomas F. Grady, the Tammany orator, not to press the charge against Leht. Mr. Grady promised, she claimed, that if she would not press the charge he would see that Leht was punished and that she could go free at once. Otherwise he asserted he would make it bad for her.

A letter purporting to be from her was sent to the trial judge, stating that she herself was not altogether faultless. The witness claimed that she had never written such a letter. Leht's brother-in-law, Joseph Lapidus, showed her a similar letter and tried to get her to sign it. When she refused he told her that others would fix it up. The letter was sent and Leht went free. Grady is now dead. George P. Hammond, a subpoena server, testified that the office of Mr. Moss had been under continual espionage. Mr. Moss asserted that he had asked for this information because he believed that the case of Gussie Storm was brought to trial because she had complained to his office.

THERE WAS NO ELECTION.

Effort to Choose a Successor to the Late Lawrence Gardner.

Washington, Oct. 5.—The District of Columbia Democratic Central Committee met tonight to select a successor to the late Lawrence Gardner as the District member of the Democratic National Committee and adjourned indefinitely without choice, after taking 11 ballots. Jas. L. Morris led throughout and had ten out of a necessary twelve votes on the last ballot, but the opposition, based largely on charges of luke-warmness in support of Bryan, brought about an adjournment subject to call of the chairman. The National committee may have to name the committee man without the formal local recommendation. The meeting unanimously adopted resolutions endorsing Bryan and the Chicago platform,

HIS OPINION IN THE CARTER CASE

Att'y-Gen. Griggs Finds the Proceedings Regular.

OBJECTIONS DISCUSSED

NO ERROR IN REFUSING WESTCOTT'S EVIDENCE.

CARTER'S RAPIDLY RISING BANK ACCOUNT

His Story of Dealing in the Funds of his Father-in-Law Westcott Improbable. No Proof of his Efforts to Get Westcott to Testify.

Washington, Oct. 5.—The opinion of Attorney General Griggs in the case of Captain Oberlin M. Carter of the army, upon which the President approved the finding of the court martial was made public today. After dismissing certain of the minor charges as unproven the Attorney General takes up the more serious questions involved, first considering the objections that the charges upon which Captain Carter was found guilty were immaterial. He says that unlike the ordinary criminal procedure the military usage and procedure permit of an indefinite number of offenses being charged and adjudicated, together in one and the same proceeding. "It is not necessary," he says, "to discuss whether this practice is wise, or whether it is prejudicial to the rights of the accused. It appears to be established by long continued practice, and, so far as I am able on investigation to discover without previous challenge."

"But even if this objection were well founded," the Attorney General says, "he does not think the accused should be allowed to avail himself of the objection now because he proceeded to trial without objection to this alleged misjoinder and permitted the court to enter on an investigation of all the different specifications, and himself brought forward his defense as to each of them. The objection should have been promptly taken to be made available."

The objection concerning the admission of evidence barred by the statute of limitations is disposed of by saying that this evidence was "not offered for the purpose of proving against the accused the particular offense as to which he had interposed this protective plea, nor of having him declared guilty thereof, but for the purpose of showing the relation between the accused and the other alleged conspirators, and their course and conduct with reference to matters of a nature similar to those, and in many respects connected with those, involved in the transaction under trial." For this purpose he thinks the evidence was admissible.

Other objections relating to the admission of evidence of conversations and acts of the alleged co-conspirators antedating the time of the particular conspiracy charged, he also thinks were admissible.

Referring to the seizure of the private papers of Captain Carter, Mr. Griggs says the facts do not show that the seizure was unreasonable, and that Carter practically consented to the use made of the papers. The point is made in this connection that even in the absence of such consent it was not incompetent to offer the papers as evidence. The use of a letter written by Witness Cooper to Captain Gillette, is condemned, but it is argued that the letter did not injure Carter. The Attorney General also finds that the court did not err in refusing to admit certain evidence offered by Carter, including the letter of his father-in-law, Mr. R. F. Westcott.

This brings the inquiry to the investigation of the main charges upon which the conviction was based. Summing up many of the specifications, including Captain Carter's intimacy with Greene and the Gaynors, the method of advertising for the work and of letting the contracts, the character of the Atlantic Contracting Company, the large profits made on the contracts, etc., the Attorney General says that they might justly be considered as falling to fix upon the accused criminal knowledge and purpose to defraud the Government if it were shown that he had no corrupt personal motive, that he had not profited by these loose methods and irregular and questionable proceedings.

He then proceeds to the investigation of these motives. He shows that in 1891 the Captain's salary was only \$252 per month and that from that time forward his personal expenditures increased very rapidly, being \$8,947 in 1891 and \$29,611 in 1896. The fact is also pointed out that in 1892 Captain Carter began to make notably large deposits with the Union Trust Company of New York and also to buy investment securities, these increasing until 1895 when his holdings had increased to a market value of \$43,000.

Mr. Griggs does not accept Captain Carter's explanation that he was dealing in the securities and with the funds of his father-in-law, Mr. Westcott, and was the recipient of large presents from him.

"If it be true, as contended, that Mr. Westcott had such an extravagant affection and regard for his son-in-law as to induce him to confide to him so great a trust, and to make him the donee of such large sums of money, then the natural suggestion would be that he would be interested intensely in the result of the trial in which the honor as well as the liberty of his son-in-law were involved. One would naturally think that a father-in-law so regardful of his son-in-law's interest would be quick to rush to his defense, and by his testimony add confirmation to the story, which, if true, would exculpate him from these serious charges."

"It is said that Captain Carter made great efforts to secure the attendance of Mr. Westcott as a witness, but there is no proof of it. There is no evidence that he wrote him or requested him in any wise to appear as a witness before the court martial. The inference is that his testimony would not have benefitted Captain Carter if he had appeared. Such is the irresistible conclusion, and, therefore, finding that the one witness in all the world who could have created conviction in the minds of the court as to the truth of this extraordinary story withholds himself, and that there is no satisfactory evidence that the defendant made any exertion to produce him, we must conclude that his testimony would not have been useful. It is also noteworthy that Westcott cancelled the power of attorney which Carter held, almost immediately after the accusation against Carter became public in the fall of 1897."

The Attorney General then shows by an analysis of Captain Carter's testimony that in his dealings with his father-in-law he rendered strict account to that gentleman, and that Carter's funds in the Union Trust Company were in excess of those of Mr. Westcott during the entire time that he had control of the latter's affairs.

"The testimony," he adds, "does not strike me as that of a man possessed of a clear idea of the truth and determined to tell it, but rather as a clever (Continued on Second Page.)"

FROM THE JAWS OF OCEAN

RESCUE OF THE CREW OF THE CARRIE A. LANE.

The Schooner Shipwrecked Tuesday In the Gulf Stream. The Crew Brought in by the Rhodesia.

Norfolk, Va., October 5.—The British steamship Rhodesia, Captain Bates, from New Orleans to Hamburg, arrived at Lambert's Point this morning, having on board the crew of the schooner Carrie A. Lane, of Bath, Me., who were picked up in the Gulf Stream shipwrecked Tuesday. The crew is composed of Captain J. Frank Skofield, whose wife is with him, and eight men. Their experience was a most thrilling one.

The Lane, which was a three-masted schooner, sailed from Apalachicola, Fla., for Noank, Conn., on September 19th, with a load of lumber and had good weather up to about Tuesday of last week, when northeast winds set in. She labored heavily in the sea afterwards, but had no accident until Sunday afternoon.

All hands were at dinner when the vessel suddenly shipped a heavy sea and shifted her deck-load of lumber. She immediately began to leak, and when the pumps were first put to work she had eleven inches of water in her hold. At 9 o'clock Sunday night there were seven and a half feet of water and the crew took to the deckhouse. Here they remained until Tuesday morning, when a lifeboat was sent out from the Rhodesia, in charge of Chief Officer Jewell, and they were taken on board the British ship. In the attempt to hoist the lifeboat to the deck, after the party had been rescued, it was smashed by the heavy rolling sea and lost. Captain Bates says that the wreck of the Lane is right in the track of vessels plying along this coast, and is very dangerous to navigation.

Most of the Lane's crew reside in Baltimore. Their names are as follows: Mate, C. Van Lippely, Edward Jones, L. C. Howe, George Coleman, Ernest Johnson, P. A. Keeler, Charles Albert and Joseph Locust.

ITS LARGEST OPENING.

State Normal and Industrial Starts up With 425 Students.

Greensboro, N. C., Oct. 5.—(Special.)—The State Normal and Industrial College opened today with four hundred and twenty-five students. This is the largest opening in the history of the college.

ATLANTA YEARNS FOR DEWEY.

Atlanta, Ga., Oct. 5.—A committee from the Chamber of Commerce, the Business Men's League and the City Council, left here tonight for Washington to invite Admiral Dewey to visit Atlanta. If the Admiral accepts the invitation the date of his visit will be left to his choice.

THE TEXAS FIRST THERE.

Fortress Monroe, Va., Oct. 5.—The battleship Texas, the first of the North Atlantic Squadron to arrive from Tompkinsville, steamed into Hampton Roads at 6 o'clock this afternoon and anchored off the fort. The balance of the White Squadron will arrive in the morning about daybreak.

FIFTEEN REFUGEES IN CAMP.

Jackson, Miss., Oct. 5.—The official record for today shows no new cases and no deaths. The camp of refuge north of Jackson established by the Marine Hospital Service, has fifteen refugees in it from infected houses.

THE WIND AGAIN LAUGHS AT THEM

The Races Once More Declared Off.

A DRIFTING MATCH ONLY

THIS CONTINUED FOUR AND A HALF HOURS.

THEN THE REGATTA COMMITTEE GAVE UP

While the Wind Was Astern the Columbia Showed the Shamrock her Feels, but in the Shifting Winds the Shamrock Gained.

New York, October 5.—Again today the sea refused the Shamrock and Columbia a field of conflict; again today the multitude which went out to watch the contestants for the yachting championship of the world returned disappointed and not a little disgusted. The question of supremacy of the two great yachts is still as much an open question as before they first met, as the contest today was in some respects more of a draw than that of Tuesday. It was a drifting match almost from start to finish. The yachts crossed the line with a breeze of five knots and the wind never blew more than six knots, most of the time less than three, and part of the time not a breath of air was stirring. After sailing four hours and forty-three minutes the yachts having covered only twelve miles of the course to the outer mark, the Regatta committee declared the race off, as it was manifestly impossible with the breeze then blowing, for the boats to round the stake before the time limit expired, much less to get back home again.

During the time in which the yachts were at it the wind, which carried them around until it over the line, had hauled around into its teeth. While the wind held astern, the Columbia steadily out-footed her rival until she was fully half a mile ahead, but in the shifting, baffling winds that followed during the last three hours, with the great single-stickers tacking and beating and gybing to catch every streak of wind, with fortune helping one about as much as the other, the Shamrock gradually worked her way up until, when the race was declared off the two boats were about on even terms, the Shamrock perhaps half a length ahead, but so close was the Columbia that Captain Barr could have thrown a biscuit to the foreigner.

The only lesson learned by the nautical sharps from today's trial of the abilities of the two boats is that in light weather conditions the Columbia is the superior in running and reaching, and the Shamrock slightly better in beating. There has yet been no indication of what either boat can do in a piping whole sail breeze.

So gentle were the crestless, pulsating seas that any sort of harbor or river craft, from a steamer to a row boat, could venture out with impunity, and a vast colony of excursion boats, ocean-going steamers, yachts, tugs, sidewheelers and sailing vessels, gathered around the red bulk of the Sandy Hook Lightship, seven miles from the entrance to the lower bay, to watch the start. A heavy haze hung over the sea and land, and shut off the view of the thousands waiting on the Highlands of Navassa and the Long Island shore. The torpedo boats, guarding the course, threaded their way in and out through the acres of boats like neeves, their wakes a threat of foam, warning the excursion skippers to keep their distance. But little difficulty was experienced today, as Captain Evans interviews threatening dire consequence to the offending skippers had had a wholesome effect. Already the crowd was disappointed. Each one had come down praying for a stiff breeze and had found instead that there was hardly wind enough to keep the flags fluttering. What there was came from the northwest by north from over the land. Preparations were made aboard both yachts for the lightest airs before the start. The Columbia discarded her heavy steel topsail yard for a lighter and longer pine one and the Irish boat sent aloft the largest club topsail ever seen on her, large by yards than any used in her trials on this side.

Mrs. Iselin, wife of the managing owner of the Yankee boat and who never fails to be aboard during a race, was snugly ensconced in the companionway of the Columbia, attired in a jaunty white flannel yachting costume, with a red streamer around her hat. As soon as the committee boat had hoisted the signal letters "D C L," making the course 15 miles southeast by south, dead before the wind and return, a puffing tug steamed straight out to sea to plant the outer mark, which neither of the racers was destined to round today. There was some pretty maneuvering behind the line before the start, each breaking out her balloon jib and lowering her spinnaker boom as they jockeyed for position. Both got across in the smoke of the last gun, the white beauty a length ahead and in the windward berth.

The official time of the start was: Columbia 11:05:53; Shamrock 11:01:05. The wind was blowing hardly 5 knots. As she crossed the green boat broke

out her spinnaker, which was in stops. It is an English fashion to hoist this sail from the boom, and the Shamrock in her trials clung to the English way, but since her arrival she has learned many Yankee tricks and breaking out the spinnaker is one of them. The cup defender was a little slow on getting her big belling sail out, and this somewhat dampened the ardor of the patriotic throng of Americans, who love nothing so much as forehandedness and snip, but sixty seconds later both boats were on even terms, fleeing before the gentle breeze wing and wing, spinnaker balancing mainsail and bulging balloon jib drawing forward.

The bells in the engine rooms of the excursion fleet clanged, and the creneling hulls started forward in pursuit. But they slowed down almost immediately and then stopped.

The light breeze was carrying the big yachts down the wind at a snail's pace. They drifted along like two lazy clouds of smoke upon the surface of the water. For almost an hour the spectators on the excursion boats watched them drift like Coleridge's "Painted Ship upon a Painted Ocean." The only cheering feature of the situation was that the Columbia steadily gained ground, inch by inch she crept along. At the end of 15 minutes several lengths of clear water showed between her and her green rival. The bands played and a few whistles tooted. On she moved until she was fully five hundred yards ahead. It was picturesque, but not exciting. The immense spread of canvas, including the balloon jib was drawing in the gentle breeze. Then the wind began to die and the great balloons of canvas forward collapsed like meal sacks.

At the same time the wind canted a little and Columbia concluded to change her tactics. She took in her spinnaker and tried reaching, leaving the balloon jib set, but it was a challenge to the (Continued on Second Page.)

A MAD RACE WITH FLAME

THE LEONA FLIES FOR PORT WITH BATTENED HATCHES.

Firemen Battle Vainly With the Flames When she Reaches New York. The Cargo Practically Destroyed.

New York, Oct. 5.—The Mallory Line steamer Leona, was burned and sunk at her wharf in East River tonight. The cargo, consisting of tobacco and 8,000 bales of cotton, and valued at \$250,000 to \$300,000 is a total loss, and the boat is little better than a wreck.

It is believed that the Leona, which sailed from Galveston September 27th, caught fire at sea several days ago, since which time she had proceeded at full speed with battened hatches, for this port. At 3:30 this afternoon the Leona came racing up east River to her pier, where haste was made to debark the passengers and open the hatches. An hour later an army of men were vainly fighting a fire in the steamer's hold. Finally the ship was scuttled.

As soon as the Leona made fast to her pier, about four o'clock the officers of the vessel, commanded by Captain Wilder, ordered the members of the crew to try to put out the fire in the hold without calling the fire department. This was soon found to be impossible, and an alarm was sent in. By 5:30 o'clock ten streams were playing from fire engines and six streams from fire boats. The firemen had a hard time to get at the flames as the boat came into her dock sternmost, leaving the burning portion out in the water. The fire at first was confined to the forward hatchway, directly forward of the foremast. The hatches being lifted, a tremendous volume of smoke came out, making it impossible for the firemen to see. Soon tons of water were pouring into the doomed vessel, and the ship began to list to starboard, settling a little as she did so. At six o'clock about seventy firemen with the chief and deputy chief were on the boat, working to keep the fire from spreading toward the stern. It was found to be beyond the efforts of the firemen and an order was given to open the fore and aft portholes in order to allow the boat to enter and make her settle. The water already pouring into the boat was managing to run along the bilge keels until it had reached aft and the ship showed evidence of listing to starboard. Most of the firemen finally left the ship by sliding down a hose which was fastened to the wheel.

About half a dozen men who were on the starboard side of the boat were unable to get to the pier, and kept on working as if nothing was happening to endanger their lives. They continued until the ship was partially submerged beside her pier. The men were thrown into the water. Deputy Chief Duane and Fireman Thomas McFarland of engine No. 12, had to battle for life and were rescued with difficulty. Several of the fireboats engaged in the work of rescuing the firemen were nearly carried down by the sinking of the Leona.

At 7:30 o'clock tonight a report that shook the deck plates forward showed the presence of gas and possibly powder in the forward hold. Another report came about fifteen minutes later and a third in about 10 minutes. The explosions were not serious enough to cause a further inflow of water. At about 8:15 the flames were under control at the main hatchway and the entire work was confined to the forward hatch. The flames were so persistent that they were not under control for a long time, and the New York was kept at the boat playing on her all night.

As the Presidential train sped through Ohio yesterday, there were demonstrations at many places, much cheering and waving of flags.