The News and Observer.

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RALEIGH, NORTH CAROLINA, WEDNESDAY MORNING, OCTOBER 18, 1899.

PRICE FIVE CENTS

LEADS ALL NORTH GAROLINA

BILL DAY PLAYED FOR

Directors Gave Him Till November First board expects an itemized statement of to Make Out Required Report.

ALL SALARIES PAID AS PROMISED

Summerell Matter to be Taken up by the Board This Morning.

CONVICTS WILL NOT BE WORKED IN MINES

The Tillery Farm is the Subject of Some Criticism 1st? -- Dr. [Rogers Will Get his Full Salary-- Day Very Unselfish When it Comes to

Giving Out Offices.

The penitentiary directors met yester- | larms?" day in special session. The object of

this meeting was three-fold: 1. To get from Captain Day, the superintendent, some sort of report of the condition of the penitentiary.

In this the board, after an all-day effort, failed, giving Day until November 1st to submit his report.

2. To finally dispose of the Summerell matter.

This will come up today.

3. To make plans for the future farming operations of the penitentiary.

This also will be considered today. Yesterday's meeting, though not a very fruitful one, was exceedingly interest-

THE SUMMERELL MATTER.

The board was called to order at 10:30 o'clock by Chairman Young. The roll call showed eighteen of the twenty members of the board present, only Messrs. Osborne and Sigmon being absent. Sec-Osborne and Sigmon being absent. Sec-retary Ballard read the proceedings of the last meeting, which consumed half granting it. But we must have a re-

On adoption of the minutes Mr. Travis, of the special committee appointed to investigate the charges of cruelty on the Northamp on farm, stated that the committee had been unable to agree and Supervisor Summerell was present hearing before the board, before further action was taken.

Mr. Weddington said the board was here to transact other business; this mathad been refered to a special committee and he saw no reason for the board to go into it snew. And cerit was foolish to talk about hear ing testimony on any side until the spe cial committee made its report.

Travis-"The committee will re port that it is unable to agree." Mr. Weddington -- "Then perhaps the board can agree

Mr. Newland-"But Mr. Summerell has his testimony here.

Mr. Weddington-"Who has testimony on the other side?"

"We have all of it here ready. It was taken down."

You heard both sides, didn't you?"

"Why introduce that on one side here

'He says it's additional testimony.' "Any reason why he didn't introduce that testimony before you?"

"He gives no reason." Mr. Legrand—"I move Mr. Travis be instructed to notify Capt. Summerell

cannot be heard today, if at all. Mr. Newland-"But he is here with witnesses on expense Mr. Weddington-"Well, we are here

too, on expense, and the State's expense at that; and we have appointed a committee to investigate this matter.' NO REPORT FROM DAY.

Mr. Travis-"But suppose we adjourn today. I know of nothing special be side this to take our time at this meet-

Mr. Weddington-"Yes, there is. Has the executive board a detailed report?

'We have not." "Did the committee not know that

the board expected one?' "A report is being prepared, but not

a detailed report." 'Has any effort been made to have

this report ready?" Yes, I have a partial report and the book-keeper is now preparing a balance

"But no detailed report will be forthcoming?"

"It might be made cut, if sufficient time were allowed.'

"Do not the rules require a written monthly report from the superintendent to the executive board?" "It does, but the reports have not been made."

"Have you requested it?"
"I have."

"Only for the months of August and September. We expected a report from Capt.—Day in July and wrote a letter to him requesting reports. He has made none yet."

"Have we any power to obtain those

reports?"

"We can prefer charges against any who has wilfully disregarded the rules."

"Capt. Day had complied with these rules would this meeting have been

"I hardly think so, unless to make plans for the future, the State having purchased its own farms." THE MEETINGS A FARCE.

Mr. Legrand-"I think the principal business before this board is to have these reports and examine into the onduct of this institution. The statute requires that we have these reports both from the superintendent and the executive board, and some one ought to notify Capt. Day that these reports must ve promptly laid before the board or it will be grounds for us to prefer charges

Mr. Perry-"I'm not. He knew these reports were required and expected, and I see no use fooling over the matter

Mr. Travis explained that the reason the executive board did not have its with counsel and witnesses and wanted report ready was that it could not prepare it on account of the failure of the superintendent to make his report.

"I will state further that we were some time in getting Capt. Day to comply with the resolution requiring him to deposit his money with the State Treasurer. Finally, on the first of September, we did get him to so dispose of his money and now no money can be paid out except through the Treasurer. Up to that time he put it in bank and checked on it himself."

Mr. Weddington-"Mr. Travis, what is our recourse under these circumstances? We meet here and pass rules and regula They are disregarded. We tions. get no information. I'm not in favor of being a party to a farce. I'm going to do something or quit. I'm tired of coming down here at the State's expense and doing nothing. I'll know something about the institution I'm put in charge

or or I'll resign."
Mr. Travis—"We can make our report as far as we can get it. book keeper can't make his books balance. He complains of the lack of in formation from the superintendent in is work to enable him to keep his books correctly."

A FORMAL DEMAND MADE.

Mr. Denmark-"I move that the board formally call on Capt. Day for his report.

Mr. Travis-"He has been repeatedly called on by the executive board for these reports and we have always failed to get them. At the August meeting the executive board passed a formal resolution asking this report. Up to that time we had asked for it in writing. A committee of four, consisting of Messrs. Cotten, Legrand, Travis and Newland, was appointed to notify Capt. Day that the board was now ready to hear his written report made as the law

The committee returned and Capt Day with them. Chairman Young said: "Capt. Day, the board desires to have the reports from you provided for by law and the rules of this institution.'

HAD ONLY A VERBAL REPORT. Capt. Day-"Mr. Chairman, I have no written report at this time. I didn't think it necessary, because it would have been only a partial report. I can, however, make a verbal report. I will an

wer any questions you care to ask."
With this Capt. Day launched into a statement of the financial condition of the institution. "We are in debt today \$36,062. We have expended the \$50,000 annual ap-Have you had no report at all from propriation made by the last Legislature

him."

"Not for August and September, ex- Of these amounts \$10,000 went for cept that Mr. Arendell, manager of the Central Prison, has submitted his bank book which he says contains all his indebtedness we will have 2,500 bales

United States Government. If there is no mistake the institution is in good ondition and will pay out this year."
Thus began Capt. Day's play for time,

which he finally won,
"But," objected Mr. Young, "this receipts and disbursements from you,

Capt. Day-"Mr. Travis gets that ev-

ery month."
Mr. Weddington—"A resolution was passed by this board at its April meeting requiring you to make a report to this board. No report has yet been handed in."

WIMBISH DIDN'T WORK.

Capt. Day-"That report is made to he directors by the chairman of the executive board. Up to September un-der the direction of the executive board the money was kept in bank and checked out. On September 1st we began the voucher system. The bank accounts have been handed to Mr. Travis, and I take it that is what you gentlemen

Mr. Weddington—"Have you tried to have the report ready for the commit-

Day-"The book-keeper commenced only recently properly keeping the ac-"Wasn't Wimbish here till September

'Yes, but he didn't keep any books." "What did he do?"
"Nothing. He was here pretending

Mr. Dockery-"Wasn't he here ready

to do whatever he was told to do?" "I suppose he was. But we were beginning a new system. Capt. Ramsey was sent to Joliet, Ill., to learn it." Mr. Legrand-"How long will it take

you to make that report, if you can't make it now? We must have it and if we will adjourn till we can

BALANCE SHEET REPORT.

Capt. Day called in the book-keeper, Mr. Pearson, and asked him how long it would take to make an itemized statement of all receipts and disbursements. He said it would take a month to do

Mr. Weddington-"Mr. Pearson, have you ever been requested to make out a report for the board?"

"I have not. Capt. Day requested Mr. Pearson to

read his balance sheet.

Mr. Legrand: "I object to that. We are getting at this thing by piece-meals. You know, Capt. Day, what we want. You knew what the statute required. If you haven't got it, then I'm in favor of adjourning until we can get that re-

Capt. Day: "I have complied with the statute of 1899 and have made a report monthly to the executive board. This information has been furnished Mr. Travis every month by the manager of the Central Prison and the superintenlents of the farm."

But we want a report from you." "Oh, it will give me the greatest pleasure to make the report."

On request of Mr. Weddington the rule requiring monthly reports from the superintendent was read for Capt. Day's

Mr. Weddington: "Now if each memher of this board had the information re quired by that rule we would be satis We know nothing of the condition or financial standing of the institution except what we see in the Raleigh papers. And when people ask me about how the penitentiary is getting along, I

feel like a fool." Capt. Day insisted on reading his balance sheet. Mr. Legrand objected on the ground that it was not Capt. Day's

ARENDELL'S BANK ACCOUNT. Mr. Travis, chairman of the executive been handed in to him. They were simply bank accounts, he said, signed by nobody and certified to by nobody. They were handed him by the manager, Mr. to Mr. Reinhardt we should make a sim-Arendell. The statement of purchases lilar allowance to all the other supervis simply shows the amount of each purhase, no prices are given, or other particulars. This, he said, the board had been able to get only by reference to the original bill.

The superintendent was given till 9 o'clock this morning to get his report

Mr. Travis presented the report of the executive board in regard to the expenditure of the \$50,000 appropriation is follows:

For mules.....\$10,000.00 For fertilizers..... 4,524.97 Pay rolls to July 1st...... 11,971,23 Current expenses..... 1,000,00 5.000.00 Pay rolls and accounts..... 9,482.89

....\$50,000,00 Total......\$50,000.00 Mr. Weddington: "What is your pay roll per month?"
Mr. Travis: "About \$4,500 a month

or about \$55,000 a year. "As best I can come at it, the expenditures from January 1st to October 1st are \$41.837.30. This includes every-

thing. TILLERY FARM SCANDAL. On motion of Mr. Weddington the board heard reports of the committees

appointed to visit the penitentiary farms. Mr. Cotten read his report of a visit to the Roanoke farms on September 25th. This report appears elsewhere in this Mr. Cotten said at the conclusion of

his report that he was making an attack on nobody, but he found a very beautiful road-"the prettiest I ever saw in my life-around this farm, greatly enhancing its value. I learned on inquery that this road was built by the State. About 40 convicts worked on it make us close up our claws and keep 5 days during the busiest season, when quiet," whispered a member of the the fodder on the other farms in which the State owned the entire interest was We are determined to have that report wasting for the lack of labor to gether of his.'

rice, a large quantity of cotton seed, right Tillery had to give orders. They the appointments so far I've made only 2,000,000 brick and \$4,000 due by the told me Capt. Day had ordered that all one—that is Supervisor Sherron. All orders given by Tillery be obeyed. I the rest were made by you, gentlemen.

lery's offer of service free of charge."
WHO OWNS THE FARMS? Capt. Day: "Don't you know, Mr. Cotten, that Dick Tillery does not own that farm?"

Mr. Legrand: "He has a mortgage or it and gets the profits."
Mr. Weddington: "Who owns it?"

Capt. Day: "Mr. Tillery's brothers Mr. Cotten: "No matter who owns it,

it's wrong to keep convicts there improving this farm in which we have only half interest, while the camps on the farms in which the State owns the entire interest are going to waste."

Mr. Cotten further stated that he had

been informed that when it was desired to put up a telephone line on his farm by the State, Tillery would not grant the right of way desired and charged \$2.50 for each pole. Since the line had been put up along another route, Mr. Tillery, he had been told, had put up a line also and had strung his wires on

Capt, Day: "Mr. Tillery is one of the best farmers in North Carolina, If I were to fill every requisition that Rhem and McIver make here, I'd break this penitentiary in six months. I ought long ago to have discharged these two men. They want to obey nobody, but heir own hard heads.'

Mr. Weddington: "Why do you keep "Oh, well, they are good men."

On motion of Mr. Weddington the report of Mr. Cotten was accepted and

At this point the board took an hour's ecess for dinner. BILL DAY'S TIME EXTENDED.

On re-assembling of the board after dinner, Mr. Weddington moved that Capt. Day be requested to furnish to each member of the board, on or before November 1, and each month thereafter, an itemized statement of the receipts and expuditures of the penitentiary, provided by law and required by the rules. This motion prevailed. Mr. Legrand gave notice that he could make a motion, before the board

adjourned, to abandon all the farms except those owned by the State-the Anson farm and the two Caledonia farmsand the Tillery farm on which the State has a lease for two more years. Mr. Cotten said he had recommended retention of the Northampton farm, and he would like to know whether or not

such a proposition would be entertained, This farm, he said, was one of the finest in North Carolina, and it could be bought, 1,600 acres, for \$20,000. Capt, Day said he would acknowledge all claims as to the fertility of the farm, but it was needless to talk about

it as there would not be convicts suffi-

cient to work it. No action was taken on this matter. NO WORKING IN THE MINES. Capt. Day stated that Mr. Barnes, of

the Cumnock mines, was in the city and had a proposition he wanted to make for a number of convicts to work in the mines. Several members expressed their op-

position to working convicts in any mine, and on motion of Mr. Travis the board passed an order that no convict shall be worked in a mine at any price. This includes the Castle Hayne mines. Supervisor Reinhardt, of the Anson farm, appeared before the board and made a statement in regard to a misunderstanding with the former adminis tration in regard to his salary. He claimed \$21.50 a month from May 1st, 1899, to September 1st. He was said, elected for a year at \$71.50 a month and on May 1st it was reduced

to \$50 a month. Mr. Travis said Warden T. B. Rus sell had a similar claim of \$15 a month board, displayed such reports as had for four months, which claim he desired

presented to the board. "And I want to suggest," continued Mr. Travis, "that if we allow this claim ors. I believe in treating them all ahke."

Mr. Legrand said that the others were not in the same position as Mr. Rein hardt, that the State had a contract with him and in consideration of this fact he moved that the claim be allowed. The motion prevailed, as did also tion to allow Warden Russell \$15 a

month for four months. A motion was also passed authorizing the executive board to settle all similar claims, founded on like grounds.

On motion of Mr. Cotten the following order of business was adopted; 1. That a committee of five be appointed by the chair to consider sug

gestions and recommendations made in reports.
2. To consider the dismissal and appointment of employes.

3. To inspect the cells and quarters of onvicts. 4. To consider how the convict camps shall be closed and what disposition shall be made of the property.

5. To consider and dispose of the Summerell matter. On adoption of this rule of order the committee of five provided for in it was appointed as follows: Messrs. Cotten, Gwaltney, Davis, Dockery and Clark,

UNSELFISH BILL DAY. Mr. Legrand-"And now in view the adoption of that rule of order I suggest that the superintendent be required to furnish the board with a list appointed to make a contract for operaof the names of employes whose time tion of the shirt-factory, reported that expires and also a list of those whom a five-year contract had been made with expires and also a list of those whom he proposes to appoint in their places. Capt. Day-"Now, gentlemen, there is no use bothering about that. I'll put in just whomsoever you all may want. "Now, he's throwing in raw meat to

"Of course," the Captain continued, ansactions."

"I asked who ordered this. They "I have a right under the statute to board adjourning at "Have you any reports from the 30,000 barrels of corn, 6,000 bushels of told me Tillery ordered it. I asked what appoint, but I'll not do that. In all o'clock this morning.

poard. "But he's mistaken his men.

told me Capt. Day had ordered that all one-that is Supervisor Sherron. All was surprised at this, especially as the There is one more I want to make here board had expressly declined Mr. Til- in the office as soon as I can find a vacancy. Then you all may take the balance."

"And who is that?" was asked. "An old Confederate soldier from Halifax county—shot half in two dur-

ing the war."
"Then I'm afraid he's not able to discharge the duties of the position."

"Oh, yes he is." Mr. Newland: "How about the appointment of Dr. Melice." Capt. Day: "Yes, I appointed him,

Mr. Cotten: "How about the discharge of Dr. Rogers. I should have supposed from the manuer in which it was done there would have been charges." "Well I thought Dr. McKee the best

doctor-in fact the best doctor I ever "Wasn't Dr. Rogers competent?" "Well, he didn't manage the hospital

as I thought he ought." DR. M'KEE NOT PAID. Mr. Weddington-"That being so do

you think you dismissed him in the right manner? I've heard some criticism of that." Capt. Day-"Well, he had notice and

he kept coming and I told the gate-keeper not to let him in again." Mr. Legrand-"I understand that when this matter comes up Dr. Rogers and his attorneys desire to be heard. There's a question of salary involved, for Dr. Rogers was elected for a year and the year didn't expire till September 1st,

and he was dismissed July 1st." Mr. Newland-"That is true and for that reason we have not paid Dr. Mc-Kee. We have held the money and paid it to neither.' Mr. Young—"Under the order just passed to pay such claims we'll have to

pay Dr. Rogers from July 1st to September 1st." Capt. Day-"Mr. Arendell gave Dr. Rogers verbal notice that he was not wanted any longer and I gave him writ-

ten notice. But he kept coming."
Mr. Dockery—"It seems that Dr. Rogers is on trial and I move the matter e postponed till he can be heard." Capt. Day opposed this, as he thought nothing but a question of salary was

"And as far as that is concerned, I

don't suppose it makes a row of pins dif-ference with anybody," Capt. Day con-tinued. "I know it doesn't with Jim McKee." DR. ROGERS TO BE HEARD. On motion of Mr. Dockery the clerk was directed to notify Dr. Rogers that he would be given a hearing at 10 o'clock this (Wednesday) morning.

On motion of Mr. Newland the board decided to meet at 9 o'clock and take up the Summerell matter. The clerk directed to notify Captain Sum merell to be present at that hour. Captain Day said he wanted instruc ployment of convicts on the railroads The road to be built to Wakefield, he

said, would want a large number, and the new road from Ashpole was after some of them.

"There are now fifty convicts working on the railroad," he added. Mr. Cotten-"Those men ought to be on the farms gathering the crops now, instead of employing free labor. think this institution ought to be run so as to come in conflict with free labor as little as possible. The farmers of Eastern North Carolina are complaining bitterly that we are taking their

hands and paying higher prices.

CONVICT VS. FREE LABOR. Captain Day said he was not going to let the crops rot in the fields, and as to the fifty men on the railroads he them there while on the farm they would next January, and the question of deline them there will come before ite action in this matter will come before whole farming system of the State

does this. "We are raising peanuts. This puts us in conflict with free labor. We are going to sell this year from 40,000 to 60,-000 bushels of corn. This keeps down the price of corn in that section and comes in conflict with free labor."

Mr. Travis presented bills from the attorneys of the board in the Day case as follows: Shepherd and \$200, and R. O. Burton, \$200. He stated that Captain Day had paid his attorneys out of the penitentiary funds and the

amount was \$750.

"Yes, yes," broke in Captain Day,
"and I had the advice of the best lawvers in the State." After considerable discussion the mo-

tion to allow the bills prevailed. SELLLING THE COTTON CROP. Capt. Day-"I want to have some intruction about selling cotton.'

Mr. Cotten—"Do we owe any bills?" "About \$28,000." "Then sell and pay your debts." Some of the members thought cotton yould soon be higher and it would be better to hold the crop. Others thought it better to market the crop as gathered. Mr. Cotten-"I am told that the penitentiary is buying from Dick, Tom and Harry on a credit-buying meat by the box and paying half a cent a pound higher than it can be bought in quanti-ties for cash. We are losing more by buying our meat on a credit than we

can save by holding the cotton.' Mr. Young for the special committee Lederer & Bloch, of New York; the penitentiary to receive 50 cents per ozen shirts and furnish labor; Lederer & Bloch to furnish all material and put in all new machinery that may be come necessary. The contract may be terminated upon violation by either side. A bond of \$5,000 is required of the contractors. The contract specifies exactly the style and make of the shirt. No action was taken on the report, the board adjourning at this point till 9

Men Worked in the Cold Barefoot.

NEED BETTER QUARTERS

DIRECTOR COTTEN RECOM-MENDS CHANGES.

BOOKS ARE BADLY KEPT ON THE FARMS

A Number of Ways in Which the State's Contract is Being Violated on the Tillery Farm. Bills that Ought to

be Collected. At the meeting of the penitentiary directors yesterday a somewhat sensational report was read by Mr. Cotten, one of the directors, in regard to the condition of affairs on the State farms on the Roanoke, Mr. Cotten has visited these farms at the request of the board, and in his report of that visit he tells of conditions there that certainly should be remedied.

The report submitted to the board by him was as follows: To the Honorable Board, of Directors

of North Carolina Penitentiary: Gentlemen: In pursuance of a written request from the chairman of the Executive committee of this board that I should meet Mr. Thompson at Halifax on September 25th and visit the State farms on Roanoke River and report to this meting, I herewith submit the fol-

The date appointed found me in Halifax, but Mr. Thompson failed to meet me, to my regret. On the Northampton farm I found about one thousand acres in cotton which I estimate will yield about six hundred bales; 1,150 acres in corn, which is fine, and about 70,000 pounds fodder cured; 200 acres in Spanish peanuts, fine; 75 acres in black peas. I found at this camp 141 convicts, of whom about twenty (20) are infirm and

Thirty-seven mules were sent to this camp last spring, they now have 50 mules among them, six too old for active service on a farm. Also 33 milk cows and 16 calves. At this camp I found a convict from Buncombe county serving a term of five years, who is only thirteen years of age. His system seems to be full of malaria and the surroundings bad for so young a person. I recommend that steps be taken to have this boy sent to the Anson farm. I found the hospital and prisoners' quarters clean. Unless the supervisor can be furnished more laborers, it is my judgment that the crops on this farm will not be harvested before February. It would seem reasonable that the full quota of hands which cudtivated the crops should be held on the farm to harvest it.

time to gaining an intelligent idea of the situation. The present lease covers about 2,780 acres, of which about 700 acres are subject to over-flow. The greater portion of that which is subject to overflow is known as "Mrs. Long's"about 1,100 acres in all. The remaining 1,600 acres, known as the "Urquhart land," I consider superior to any land I have yet seen on Roanoke River. It is above any overflow known in the history of freshets. No better cotton, grain or grass lands can be found in Eastern Carolina. The drinking water is exceptionally good.

All the wood and timber lies on this land, therefore I would advise serious consideration of this matter before a complete surrender is made of this valuable property.

HALIFAX FARM.

At this camp I found 36 male and 22 female convicts, fifteen convicts had been sent elsewhere. Prison quarters seemed to be fairly well kept. To save the crops more labor will be needed. At the time of my visit they had fifty hands (free labor) picking cotton, in addition to the convicts; had about 75 bales of cotton picked. Supervisor Sherron seemed to be doing all he could, but worked under difficulties and much annoyed by worn-out gin and engine, both unfit for use. The gin was not running; stockade was in a dilapidated condition and unsafe to keep convicts. Nothing but the utmost vigilance will prevent the

escape of convicts from this camp. I found about 450 acres in cotton; 200 acres in corn (poorly cultivated); 200 acres in peanuts. Prospects in cotton for about 175 bales; 25 mules, 4 colts, 4 horses, 3 colts (one year); team generally

in good condition. CALEDONIA FARM NO. 1.

At this camp I found about 900 acres in cotton which I estimate will yield 500 bales; 1,000 acres in corn, fairly well cultivated: 70 mules of which 25 are infirm and unfit for work on this farm; 15 horses of which 4 are unfit for work here, 39 convicts-18 just arrived

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