

# The News and Observer.

## LEADS ALL NORTH CAROLINA DAILIES IN NEWS AND CIRCULATION.

### SKIRMISHING ON THE TUGELA RIVER

#### Buller's Guns Stop the Boers' Work of Intrenching.

#### BOERS SHELL LADYSMITH

#### ENOUGH FOOD THERE NOW FOR TWO MONTHS.

#### ARRESTED FOR AIDING THE BOERS

#### Two Men Imprisoned Who Claim the Protection of Germany. Methuen Remains at Modder River. A British Reconnaissance.

Chieveley Camp, Natal, Dec. 27.—(Wednesday)—A heavy Boer gun on Bulwaha Hill fired steadily upon Ladysmith throughout the morning. Ladysmith did not respond.

The enemy having been again detected attempting to improve their trenches facing General Buller, the British heavy guns opened upon them and the Boers scampered back into the hills.

The British patrols sighted the enemy in force on the extreme left. Nine Boers were killed in a skirmish that followed, and six Boer wagons were captured.

#### THE BRITISH CONFIDENT.

London, Dec. 28.—The latest independent news from Ladysmith, says: "The field fortifications would not withstand any organized attack the enemy is likely to deliver. There are sufficient food stuffs for two months. The question of forage might be troublesome, but since the rains there has been some grazing within the British lines. There is no horse sickness.

"The casualties caused by our shell fire are increasing, and the Boers are reported to be becoming nervous. They fear night sorties and constantly open a heavy fusillade on an imaginary attack."

The German officials have promptly stopped the Boers from recruiting in Durbanland. Neither men nor horses are permitted to cross the border.

#### METHUEN STILL QUIESCENT.

London, Dec. 28.—The War Office has received the following from Cape Town, dated Wednesday, December 27th: "Methuen reports as follows: "At 9:30 yesterday evening the Boers on the southside of Magersfontein opened a very heavy fire for some time. This morning the Naval brigade fired at the enemy at the west part of Magersfontein. The cavalry brigade is reconnoitering in a northerly direction.

"Lieutenant Easters has made an extended reconnaissance westward and northward of Enstein and reports all well. The farmers were glad to see our men. They were suffering from want of food.

"I have established a market here, where I can purchase fresh milk and vegetables, selling to the farmers tea and other articles which they cannot otherwise purchase.

"Heavy rain fell last night."

Gatacre and French report no change in the situation.

"Baden-Powell reports all well December 12th."

#### EX-PREMIER OF NATAL DIES.

Durban, Natal, Dec. 27.—(Wednesday)—Harry Escombe, former premier of Natal, died suddenly on the street this afternoon.

#### FOR AIDING THE BOERS.

Durban, Natal, Dec. 27.—(Wednesday)—A German farmer named Stucke, and the Rev. Mr. Hartes, director of the Hanover Missions in Natal, have been arrested and imprisoned at Estcourt, on the charge of aiding the Boers. They both claim the protection of Germany.

#### WARNED BY LAMPS.

London, December 29.—(Friday)—4:40 A. M.—The Modder River correspondent of the Daily Chronicle gives an explanation of a sudden rifle fire inexplicably opened from the Boer trenches. He says: "The Boers have wires stretched along the ground in front of the trenches and connected with lamps. If a wire be touched a lamp is extinguished, this giving warning. One night a high wind extinguished a lamp, which resulted in a false warning. The fire ceased when the Boers discovered that the alarm was false."

The Transvaal Government, according to information supplied by Boer sympathizers, threatens to "reduce the rations of British prisoners if Great Britain stops the entry of food by Delagoa Bay."

It is now estimated that the war will cost at least 60,000,000 pounds sterling (\$250,000,000) and it is suggested that the sinking fund of the national debt should be suspended for five or six years in order to defray the cost.

#### A USEFUL DUTCH ALLY.

London, Dec. 28.—A correspondent of the Standard at Lourenzo Marques says: "Delagoa Bay is the residence of Herr Pott, a Hollander, who is Consul General for the Transvaal and Consul for the Netherlands. Pott is the principal medium between Pretoria and Dr. Leyds in Europe. He controls the Netherland Railway through the Transvaal and is the head of the Transvaal customs. He is also head of the Dutch

### THE FLOUR SEIZURE

#### Consular Agent at Lourenzo Marques to Investigate.

#### Should Protest be Made the Case May Drag on a Year or Two Before a Decision is Reached.

Washington, Dec. 28.—The ascertainment of the facts connected with the seizure of American flour by British warships off the coast of Portuguese East Africa has been confided to the United States consular agent at Lourenzo Marques. Under the instructions sent to him by Secretary Hay yesterday he will ascertain all of the facts connected with the seizure of the flour, and particularly the names of the persons to whom this flour was consigned, and the actual ownership of the goods. The Department of State is determined to do everything proper to maintain American rights in the matter of neutral trade in this case. But so far, the department is in absolute ignorance of many essential facts regarding the seizure and cannot be expected to act otherwise than in the line indicated. During our late war with Spain, wherever a seizure was made by our warships of a merchant vessel laden with supplies intended for Spanish ports, we politely informed foreign powers which understood to protest that they would be obliged to wait the usual and regular action of our prize courts. Thus when a French ship was towed into Charleston, notwithstanding the representation made by the French Government, our Government insisted on carrying out all of the routine proceedings of a prize trial. In one of the cases growing out of that particular seizure, it was nearly two years before the parties claiming to be aggrieved by the seizure and detention of the ship, secured a final decision of the case by the Supreme Court of the United States. Yet this case was simplicity itself compared with the legal problems presented in the stoppage of a British merchant ship by a British man-of-war, and the search of a neutral cargo for contraband of war.

#### A MILITARY DICTATORSHIP.

#### Time For Something of the Kind, Says the London Post.

London, Dec. 29.—(Friday)—Mr. Henry Spenser Wilkinson, the Morning Post's military expert, in his review of the situation today says: "The time has apparently arrived for the nation to insist if not upon a military dictatorship, at least upon the admission into the Cabinet of a military minister empowered to veto any proposals detrimental to the successful prosecution of the war, and also that the administration of the army should be placed wholly in the hands of a tried military administrator."

#### Rapid Transit Investigation.

New York, Dec. 28.—The grand jury was discharged by Judge Cowing today after it had handed in a presentment in the Brooklyn Rapid Transit Company investigation, in which it found no indictment.

Judge Beckman heard arguments today on the application for an injunction to restrain the Brooklyn Rapid Transit Company from paying a reward of \$25,000 for information fixing the identity of the person or persons who, as alleged, originated false reports as to the financial condition of the company with the purpose of affecting the price of its stock on the market. Decision was reserved.

#### He Had no Bill of Health.

Baltimore, Md., Dec. 28.—Captain Ruscoe, of the Italian steamer Etna, from Potni, by way of Malta, was fined \$500 by Collector Stone today for being without a bill of health from the latter port. Captain Ruscoe explained that he had not been in a United States port since 1888, and was not aware that a bill of health from a port of call was necessary. Under orders from the Treasury Department the extreme penalty was inflicted.

#### Sentenced to be Garrotted.

San Juan, Porto Rico, Dec. 28.—The Supreme court of Porto Rico, at Ponce, has sentenced five men to be garrotted. In October, 1898, twenty men heavily armed with guns and machetes robbed a house at Yanco, Province of Ponce, and murdered a man named Prudencio Mendez. They also danced around the body with his daughters who were under confinement. Seven of the men were caught, but subsequently one of the prisoners escaped and one died in jail.

#### Fire at Vienna, Georgia.

Vienna, a., Dec. 28.—This city was swept by fire this morning. The fire started in Smith's restaurant, but the exact cause has not yet been ascertained.

The fire was not checked until the following buildings were consumed: Smith's restaurant, a barber shop, the postoffice, Miss Christian's millinery store, Powell's law office, Dr. Poell's office, the Vienna House.

No lives were lost. The insurance was only partial.

#### Lawton Fund \$26,792.

Washington, Dec. 28.—The subscriptions to the Lawton Home Fund received up to noon by Adjutant General Corbin and excluding the subscriptions collected in other cities aggregate \$26,792.

#### Tanner Not a Candidate.

Springfield, Ill., Dec. 28.—At the gathering of Illinois Republicans for their annual love feast today Governor John R. Tanner declared that he was not a candidate for re-election.

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#### A FANTASTIC STORY.

London, Dec. 28.—A dispatch to the Times from Berlin, comments on the Lokal Anzeiger treaty statements as follows: "When it is remembered that two of Portugal's Asiatic possessions, Goa and Damão, form enclaves of the province of Bombay, the statement of the Lokal Anzeiger borders on the fantastic."

#### A WARRANT FOR STAHL.

Philadelphia, Dec. 28.—Judge McPherson in the United States District Court today appointed Frank M. Crawford receiver for Stahl and Straub, fixing the security at \$5,000. Counsel for the creditors asked for a restraining order to prevent the transfer of securities and to have the firm adjudicated involuntary bankrupt.

Charles H. Vollum, the expert accountant in charge of the brokers' books, said at a meeting of the creditors today: "This is the cleanest case of looting I have met with in thirty years."

An official at the banking rooms said today, in referring to Stahl's methods: "He ran three separate accounts on securities in the care of the firm, paying interest on stocks, dividends on the same stocks, and further interest from the firm, and this was apparently one of his ways of blinding the eyes of his partner."

"The committee appointed by creditors to investigate the accounts of Stahl and Straub, who failed November 29th, report that not a dollar's worth of available resources were found. The total liabilities amount to \$1,221,308 and the total assets \$927,478, leaving a deficiency of \$293,830."

John H. Straub, the junior member of the firm is under bail on the charge of embezzlement. His partner, Mr. Stahl, is missing and a warrant has been issued for his arrest.

#### HARPER BROS' CREDITORS.

#### Plan of Reorganization to be Submitted to Them.

New York, Dec. 28.—At the instance of creditors whose claims aggregate nearly half the entire indebtedness of Harper and Brothers, a committee of five, of which Alexander E. Orr is chairman, has undertaken to prepare and submit to creditors a plan of reorganization. It is believed that with proper management the business can earn in 1900 about \$100,000 above operating expenses.

The committee therefore recommends to the creditors that the business be continued under strong single-handed control.

The total liabilities are \$2,993,000 and the gross assets \$2,120,413.

#### New Weekly Line to Liverpool.

New York, Dec. 28.—The announcement was made today that arrangements had been completed by Frederick Leyland and Company, limited, of Liverpool, for the establishment of a weekly passenger steamship service between New York and Liverpool. This new line, which will constitute the most important addition to the trans-Atlantic service in recent years, will have in operation within two months six big vessels and will conduct a weekly service similar in methods to those of the Atlantic Transport Line, now running between this port and London.

The vessels to be placed in the new service are the Winifredian, Armenian, Cestrian, Victorian, Columbian and Georgian, several of them being at present used by the British Government temporarily for transport service. These vessels average some 9,000 tons each, and can make the voyage in about 10 days.

#### Corpse Found Shot in the Back.

Norfolk, Va., Dec. 28.—Stone dead, with a bullet in the back of his neck, was the condition in which Mr. C. Beverley Turner was found near the stable in his yard Wednesday night. Mr. Turner lived near Ferguson's Wharf, in Isle of Wight county, and was a well known saw mill man, owning large interests near his home.

Mr. Turner was last seen alive about 6:30 o'clock, when he went out to feed his stock. Some time afterwards he was found lying not very far from the house, and between him and the stable were found his hat and lantern evidencing that he had made an attempt to reach the house after being shot. The motive for the murder is unknown, but a man named Nat Gilligan has been arrested on suspicion of being the slayer of the dead man. Gilligan vigorously protests his innocence.

### BRANDED AS FICTION

#### The Story of an Anglo-German-Portuguese Treaty.

#### Said to Have as Its Object the Division of Portugal's Territory in Africa Between England and Germany.

Berlin, Dec. 28.—Regarding the statement by the Lokal Anzeiger that a secret Anglo-German-Portuguese treaty exists for the division of the Portuguese colonies in South Africa, the correspondent of the Associated Press is able to assert on the highest authority that the story is a pure fiction, and is in all its claim without foundation in fact. The high official who authorizes this denial made the following declaration: "There is no objection to stating that the understanding had by Great Britain, Germany and Portugal refers only to Africa and leaves Asia wholly out of the account. It is quite certain, however, that Germany under no consideration would conclude such a bargain with Portugal as the Lokal Anzeiger sets forth. Anyone with the slightest political sense ought to see that these tiny enclaves in the midst of British India are the last colonial possessions Germany would dream of."

#### STORY NOT CREDITED.

Washington, Dec. 28.—Nothing is known here of the reported intention of Great Britain and Germany to partition Portuguese East Africa between them. The officials here attach no credence to the story, because, as they point out, a movement of this kind, disturbing the balance of power in Africa, would lead almost certainly to serious complications between the principals and the other powers of Europe. Moreover, the old rumor of a secret treaty between England and Portugal, whereby the former might for a proper consideration possess itself of Delagoa Bay whenever the place is needed for military purposes has always been credited to some extent here, and if such a treaty really exists, there would be no reason for Germany's participation, as reported.

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#### Receiver Appointed. How Stahl Blinded His Partner, Straub.

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#### Effort to Save the Ariosto.

Norfolk, Va., Dec. 28.—Capt. Barnes, of the British steamship Ariosto, ashore at Hatteras, is to be reinforced by the presence of Captain Weldon, sent by the underwriters' agents. The steamer Rescue has been ordered from New York and is expected to touch here en route to assist the barges Haggerty and William Coley, at work on the wreck. The efforts to rescue will be continued until all chance of saving the ship has disappeared.

#### Threatened Uprising Averted.

Fort White, Fla., Dec. 28.—The threatened uprising of negroes here over the killing of Tom White, a negro, by the marshal of this place, has been averted by the citizens arming themselves and making a show of force. Several shots were fired into residences by unknown parties who are supposed to have been negroes. Armed guards are kept out to prevent incendiary fires.

#### Collector Shoots a Woman.

Chattanooga, Tenn., Dec. 28.—This afternoon, Samuel Mills, a collector for an installment house, attempted to seize furniture in the house of Mary Venable, for a small debt. The woman attempted to prevent it, and in the struggle that ensued, Mills shot the woman and her little son and daughter, all seriously.

#### Ball Players Off For Cuba.

New Orleans, La., Dec. 28.—Abner Powell left by the Morgan Line steamer today for Cuba with a team of baseball players. They will spend a month in Havana and Matanzas. Among the players were Gooding, Kansas City; Childers, Philadelphia; Steinfield, Cincinnati, and McAllister, St. Louis.

#### Accidentally Killed His Son.

Charleston, S. C., Dec. 28.—William Sichel, an Orangeburg county farmer, while hunting on Tuesday afternoon near St. Matthews, accidentally shot and killed his only child, a boy eight years old.

#### Deputy Sheriff Killed.

Cordele, Fla., Dec. 28.—News has just reached here that Deputy Sheriff McMullen of Citrus county was killed Tuesday night by some unknown person. A posse is looking for the murderer.

On the same night Mr. McMullen's barn at this place was burned down.

#### Queen at Isle of Wight.

London, Dec. 28.—Queen Victoria arrived at Osborne, Isle of Wight, this afternoon. The water was very rough on route.

### THE SENTIMENT

#### HAS NOW CHANGED

#### Some Believe Simonton May Reverse Himself.

#### F. M. SIMMONS' SPEECH

#### HE CLOSED AN ABLE ARGUMENT FOR THE STATE.

#### MR. BURTON MADE A VIGOROUS ATTACK

#### Declared Decision in the Abbott-Beedingfield Case Not Good Law. Western Union Case Against Corporation Commission Will be Argued Today.

Charleston, S. C., Dec. 28.—(Special).—The argument in the action of the various railroad companies against the North Carolina Corporation Commission, commenced on yesterday, was concluded today. Col. Hinsdale completed his very clear and painstaking argument, and was followed by Mr. Burton, who attacked very vigorously the decision of the Abbott-Beedingfield case as not being good law, and therefore Judge Simonton should not reverse his former decision and hold that the Corporation Commission had power to assess the property of the various railroad companies for taxation.

Mr. Simmons concluded for the commission and discussed the single question whether Judge Simonton should consider himself bound by the decision in the case of Abbott vs. Beedingfield. Mr. Simmons was well prepared and made a most creditable argument. The sentiment has now changed, and it is believed Judge Simonton will reverse himself.

The action of the Western Union Telegraph Company against the Corporation Commission will be argued tomorrow by Mr. Robert Strong for plaintiff and Col. John W. Hinsdale for defendant.

#### PUT HIS WIFE OUT OF DOORS.

#### Ed Durham Goes to Jail For Threatening Her Life.

Durham, N. C., Dec. 28.—(Special).—Ed Durham, a white man, was today bound over under a one hundred dollar bond by Justices Gunter and Owens. He had threatened the lives of his wife and mother-in-law, and several days ago put his wife out of doors. Since then she has lived on the hospitality of neighbors.

Durham told his wife his mind was made up to kill her. This threat caused his arrest, and in default of bail he was sent to jail.

#### Coming Gold Exports.

New York, Dec. 28.—Wall Street estimates of next Saturday's gold engagements place the amount at \$3,000,000. Superintendent Mason, of the Assay Office, has not yet been instructed to furnish bars for export at less than one-tenth of one per cent premium, so nothing but coin, it is thought, will be shipped.

Muller Schall and Company will ship \$750,000 and August Belmont and Company \$500,000 by Saturday's steamers. The discrepancy between Wall Street announcements of gold engagements for last Saturday's steamer and the custom house reports of actual shipments was cleared up today when the papers covering the Goldman, Sachs and Company shipment of \$1,550,000 were filed.

#### GOES TO ATTORNEY GENERAL.

#### Complaint of Shippers Against New Classification of Freight.

Washington, Dec. 28.—Today the inter-State Commerce Commission in compliance with the request of the freight shippers and representatives of the commercial interests, transmitted to Attorney General Griggs a transcript of the evidence taken at the hearing last week respecting the new classification of freight made by the official classification committee.

The proposed classification is to be made effective on January 1st, by all railroads using the official classification. These include more than sixty lines east of the Mississippi and north of the Ohio and Potomac rivers. The petition of the shippers was that the commission should transmit the evidence taken before it to the Attorney General with a recommendation that he institute legal proceedings, by injunction or otherwise, to restrain the railroads from putting the new classification into effect.

To the request of the shippers the commission in part complies. The evidence and arguments are transmitted to the Attorney General but without recommendation.

"The letter says: "The protesting shippers assert that increases in rates, to the extent effected by these changes in classification, are without justification and will result in excessive charges upon most if not all of the articles in question. They also allege that hardship and injustice will be made in the relation of rates, and especially from the increases in the differences between carloads and less than carload charges. If their contention in these respects is well founded, as to which we express no opinion, a wrong is about to be accomplished which the commission is powerless to prevent and for which the act to regulate commerce affords no adequate redress."

Attorney General Griggs, who is ill today, has given, of course, no intimation yet as to what action, if any, he may take in the premises. Necessarily he will have to review the testimony before he can reach an intelligent conclusion. In any event, it is said, it will be several days before the matter can be determined.

#### Bubonic Plague at Honolulu.

San Francisco, Dec. 28.—The army transports Centennial and Newport, which arrived here last night from Manila, via Honolulu, bring the startling news that the bubonic plague is raging in the capital city of the Hawaiian Islands. It is understood that the scourge was brought into Honolulu by vessels from one of the infected ports of China.

#### Cleveland Able to be Up.

Princeton, N. J., Dec. 28.—Ex-President Grover Cleveland, who has been confined to his bed for the last three days, was much improved today. The attending physician at the Cleveland residence stated that the ex-President was up and able to get about the house and would soon be entirely recovered from his sickness.