

THE WEATHER TO-DAY.
For North Carolina:
Rain, Colder.

The News and Observer.

THE WEATHER TO-DAY.
For Raleigh:
Probably Rain,

Leads all North Carolina Dailies in News and Circulation.

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RALEIGH, NORTH CAROLINA, WEDNESDAY MORNING, FEBRUARY 20, 1901.

PRICE FIVE CENTS.

AT THE BAR OF THE SENATE

Judge Furches and Douglas Will Today be Impeached For "High Crimes and Misdemeanors."

THE HOUSE MANAGERS HAVE BEEN CHOSEN

They Will Wait Upon the Senate Today at Noon.

THE PROCEEDINGS IN IMPEACHMENT

In This Case Practically the Same Rules as Those Adopted in the Gov. Holden Impeachment Will be Followed.

The following nine members were yesterday elected by the House of Representatives as managers, for that body, of the impeachment of Judges Furches and Douglas before the Senate:

- MR. ALLEN, of Wayne, chairman.
- MR. CRAIG, of Buncombe.
- MR. GRAHAM, of Granville.
- MR. HAYES, of Chatham.
- MR. SPAINHOUR, of Burke.
- MR. ROUNTREE, of New Hanover.
- MR. NICHOLSON, of Beaufort.
- MR. SHANNONHOUSE, of Mecklenburg.
- MR. SEAWELL, of Moore.

At the hour of noon today this committee will proceed to the Senate, and at the bar thereof will give formal notice of the impeachment of the two judges by the representatives of the people, and will demand that the Senate organize a high court of impeachment and take order that Chief Justice David M. Furches and Associate Justice Robert M. Douglas appear at its bar to answer the charges which the House of Representatives will in due time exhibit and further stating that such other orders in the premises as may seem to them best calculated to bring this trial to a just and speedy termination.

The President of the Senate will thereupon, on motion and in behalf of the Senate, announce to the managers that "the Senate will receive their message, duly consider the same and take proper action thereon."

The managers will then retire.

When the articles of impeachment have been prepared and the House has agreed upon them, a message will be sent to the Senate to the effect that the articles of impeachment will be presented whenever it shall be the pleasure of the Senate to receive them."

The Senate thereupon states the time at which it will receive the articles—usually the next day.

When the managers come into the Senate to exhibit the articles of impeachment, the Senate will receive them standing and its presiding officer will cause proclamation to be made in the following words, viz: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of North Carolina articles of impeachment against ————."

After which the articles shall be exhibited, and read by the clerk, after which the President will inform the managers and members of the House that the Senate will take proper order on the articles of impeachment, of which due notice will be given to the House of Representatives."

The managers and members of the House will then withdraw from the Senate.

The impeachment will now be well under way and the Senate, after adopting rules of procedure, will order the impeached judges to appear at the bar, either in person or by attorney, and plead to the charges preferred against them by the representatives of the people.

Except some minor regulations, such as the hours for meetings and adjournings and the like, most of the rules governing impeachment trials are laid down in the Code and will be adopted in this trial as they were in the Governor Holden impeachment.

The Senate as a court shall have power to compel the attendance of parties and witnesses, to enforce obedience to its orders, mandates, writs, precepts and judgments, to preserve order, to punish in a summary way contents of its authority, orders, mandates, writs, precepts or judgments, to adjourn from time to time, and to make all lawful rules and regulations which it may deem essential or conducive to the ends of justice.

The presiding officer of the Senate shall have power:

- 1. To direct all necessary preparations in the Senate Chamber.
- 2. To make and issue by himself, or by the Clerk of the Senate, all orders, mandates, writs and precepts authorized by law, or by the Senate.
- 3. To direct all the forms of procedure during the trial not otherwise specially provided for.
- 4. To decide, in the first instance, without a division, all questions of evidence and incidental questions, but the same shall, on demand of one-fifth of the members present, be decided by the vote and yeas.

The Senate, upon the presentation of articles of impeachment and its organization as a court, shall forthwith cause the person impeached to appear and answer the articles exhibited against him and upon his appearance, either in person or

will be the first business session and the State Secretary tells me that some important matters are to be voted upon. A banquet will be given at Hotel Phoenix tomorrow night. About one hundred and fifty delegates are attending the annual session.

Mr. B. J. Pfohl, one of Salem's popular young business men, left yesterday for Bethlehem, Pa., where at two o'clock on Thursday he will be united in marriage to Miss Sarah Traeger, an accomplished young lady of that city. It will be a home wedding. Mr. Pfohl was accompanied by his sister, Miss Bessie. He will return with his bride Saturday night. A reception will be tendered the couple at the home of the groom's parents.

Ex-Lieutenant Governor R. A. Dougherty, of Allegheny county, passed through Winston yesterday on his return from Raleigh. He said there was nothing in the report to the effect that his name was being mentioned in connection with a Superior court judgeship—besides he did not want the office.

The following delegates from Forsyth will attend the State Sunday School Convention which opens in High Point tomorrow: Rev. A. D. Thayer, Rev. H. E. Rondthaler, W. T. and R. A. Spahr, J. F. Crouse, P. W. Mock and E. A. Ebert.

Sad Death of a Little Boy.

(Special to News and Observer.) Eugene Rosser, the little four year old son of Aurelia T. and Herbert Jones, died at his home, Eagle Rock, N. C., Friday evening, February 15. He had suffered for several weeks with lung and stomach troubles. He bore his afflictions with the patience of one of mature years.

Little Rosser was unusually bright for one of his age. The many friends of the bereaved parents extend their heartfelt sympathy.

THE LEWITHS FAIL

Durham's Big Department Store Closed by Sheriff.

Judge Council Appoints T. B. Christian Receiver. Company's Liabilities Estimated at \$23,000; Assets \$15,000.

(Special to News and Observer.) Durham, N. C., Feb. 19.—The doors of the Lewith Mercantile Company were closed at noon. The business was closed by Sheriff D. Markham, on an order issued by Judge Council, which T. B. Christian was appointed receiver for the concern.

The Lewith Company was an incorporated concern and began business some time last year. The business was a new departure here, it being a department store, occupying an immense building, of four stories, it was operated with pomp and for a while had quite a run, but the expenses were large and the amount of capital not sufficient to stand the drain until the business could be established on a paying basis.

Recently one or two small judgments have been obtained against the Lewith Company. R. H. Wright, the owner of the building, had some five thousand dollars invested in the business, and it was on his application that the receiver was appointed.

At this time it is impossible to learn the assets or liabilities of the company. It is the general opinion, however, that the assets will not begin to pay of the indebtedness. In his affidavit asking for the appointment of a receiver, Mr. Wright says that he loaned the concern \$5,000 on December 4th last, and that the plaintiffs, A. E. Lewith, C. Lewith and Joe Lewith, executed two promissory notes for \$2,500 each. As security the plaintiffs deposited with him 1,100 shares of stock of the company, the par value of each share being \$10. Since then a few small payments have been made on time notes. He also sets forth in his affidavit that the building, the concern are somewhere in the neighborhood of \$22,000 and that the assets will not be over \$15,000. Receiver Christian gave bond in the sum of \$4,000 and is now in charge of the business.

NEURO SHOT AT GASTONIA.

Mr. C. L. Gattis, a Prominent Citizen of That Place, Dead.

(Special to News and Observer.) Charlotte, N. C., Feb. 19.—At Gastonia last night a negro named Andy Jackson shot and instantly killed another negro, Robert Coleman. The cause of the tragedy has not been learned.

Northcott-Tadlock.

(Special to News and Observer.) Warren Plains, N. C., Feb. 19.—In the M. E. Church here today at 1 o'clock, Mr. Lewis B. Tadlock, of Windsor, N. C., was married to Miss Willie R. Northcott, of this place. Rev. E. H. Davis officiating. The church was very prettily decorated with flowers and evergreens. The happy couple left tonight for their future home in Windsor.

Mr. Tadlock is to be congratulated, for he has won one of the very prettiest girls in Warren county for his bride.

Senator McNeill, of Cumberland, returned from Fayetteville yesterday. He says the proposition of the advocates of the dispensary to agree upon a later white primary came too late, and that the primary already called will be held today.

There is no end to the rings a woman wears.

RYAN'S SHARES IN THE SEABOARD SOLD

The Williams-Middendorf Syndicate the Buyers.

DIRECTORS MEET TODAY

Prices of the Shares Were Fixed by Arbitrator Lamont.

RYAN WILL GIVE UP HIS LONG FIGHT

President Williams Denies the Report That the Seaboard Has Acquired Control of the Chattanooga, Rome, Southern Railway.

(By the Associated Press.) Baltimore, Md., Feb. 19.—The Williams-Middendorf Syndicate, which controls the Seaboard Air Line Railway Company, has acquired Thomas F. Ryan's holdings in the Seaboard and Roanoke and Raleigh and Gaston Railroad.

A settlement was made in New York where John Skelton Williams, President of the Seaboard Air Line Company, paid to Mr. Ryan the amount fixed by Daniel S. Lamont, former Secretary of War, who was selected to arbitrate the difference between Mr. Ryan and the Seaboard Syndicate. Mr. Ryan then delivered to Mr. Williams his holdings in Seaboard and Roanoke amounting to about 2,700 shares, and in Raleigh and Gaston amounting to about 100 shares.

There will be a special meeting of the board of directors of the Seaboard Air Line at the company's New York office, 32 Liberty, tomorrow, at which the details of the settlement with Mr. Ryan will be submitted. At this meeting arrangements probably will be completed for turning over to the managing of the Greater Seaboard agreement the stocks that have been acquired from Mr. Ryan and issuing in exchange for their stocks and bonds of the Seaboard Air Line Railway Company.

RYAN TO GIVE UP THE FIGHT.

New York, Feb. 19.—In connection with the disposition of Mr. Ryan's stock in the Seaboard Air Line, it was announced here today that Mr. Ryan has at the same time agreed to withdraw his several suits which have been pending for some years in various courts, and to abandon all opposition to Mr. Williams' plans to consolidation and management of the properties involved.

NOT BOUGHT FOR THE SEABOARD.

New York, Feb. 19.—It was reported in Wall street today that a syndicate supposed to represent the Seaboard Air Line has purchased control of the Chattanooga, Rome and Southern Railway, President J. S. Williams, however, denied the report. Mr. Williams confirmed the statement as to the settlement of the litigation between Mr. Ryan and the Seaboard Air Line.

HIS LOVE BROUGHT DEATH.

William Hamilton Shoots Mrs. Wilson and Then Kills Himself.

(By the Associated Press.) Atlanta, Ga., Feb. 18.—The dead bodies of Mrs. H. M. Wilson, a young widow and William Hamilton, a student in pharmacy, who disappeared from Atlanta one week ago today, were found last night, one mile from the end of the Chattahoochee River car line. The surroundings indicated that Hamilton had killed Mrs. Wilson, set fire to the woods near her body and then ended his own life. Both bodies were fearfully burned and rested upon benches thrown up by the Confederates to stem the advance of the Federal army at Atlanta in the war between the States.

The bodies were found by two negroes who, being unable to impress anybody with the truth of their statements last night, did not press the matter further until today.

Mrs. Wilson was lying by the side of a fallen log. There was a bullet hole through her right hand and another in the right temple.

The left foot was burned entirely off, the flames had destroyed her hair and her left hand was incinerated save for one finger which bore a wedding ring.

By the side of Hamilton was found a revolver and an empty cigarette box. There was a hole in Hamilton's left temple and a few inches from his left hand lay a small mirror, evidently used to direct the bullet.

When Mrs. Wilson left her mother's home one week ago, she wore only a morning gown of light material, and a light-weight dressing cap. She was without a hat and her feet were encased in slippers.

Hamilton came to Atlanta from Mobile. His tuition and expenses at a college here have been paid by Mrs. H. M. Goodall, of that city, according to a recent letter to Mrs. Wilson.

Hamilton has been devoted to Mrs. Wilson for some time, but her parents assert that she gave him no encouragement.

Great Shipment of Tobacco.

(Special to News and Observer.) Wilson, N. C., Feb. 19.—The Richmond Maury Company shipped today five hundred hogsheads of tobacco direct to Europe—the largest shipment ever made.

THE DEPORTATION OF RICE.

The Secretary of War Gives the Senate Scant Information on the Subject

(By the Associated Press.) Washington, Feb. 19.—The Secretary of War today replied to the Senate resolution of February 5th asking for the facts in the case of George T. Rice, editor of the Daily Bulletin of Manila, who was recently deported to the United States by order of General McArthur.

General McArthur called February 8 as follows: "Editor deported San Francisco, January 28th, offense, malicious publication of false charges affecting integrity of administration of officers, captain of the port, in which formerly employed. This with full knowledge of their falsity. Matter received exhaustive investigation, in which Rice was heard in his own defense. He was informed he must give bond not to republish, or must leave islands, as his actions were creating strife and were menace to military situation. He maintained attitude of defiance and was necessarily sent home. Full report with all papers February 1st."

The Secretary of War said this was the only information on the subject.

Owes \$1,407,341; Assets \$10

(By the Associated Press.) Boston, Feb. 18.—A failure for a million or over, with assets to the amount of a ten dollar bill, was shown by the voluntary petition in bankruptcy filed this afternoon by George R. Eager, a railroad builder of Newton, Mass. The actual figures of liabilities are \$1,407,341.

BLOW OPEN THE SAFE

A Robbery at Littleton Supposedly by Tramps.

They Secure From Mr. Stallings' Safe Some Valuable Papers and About Twenty-Five Dollars in Cash.

(Special to News and Observer.) Littleton, N. C., Feb. 19.—Our town was thrown into a state of excitement this morning when it was learned that Mr. Stallings, one of our largest merchants, had his safe blown open the night before by experienced safe crackers. They secured about twenty-five dollars in money and some valuable papers.

The work is supposed to have been done by some tramps that were prowling around town begging. They entered by prizing the front door open, did the work in a few minutes and got out of town, leaving no trace behind. They are supposed to have taken the south-bound Seaboard train. Neighboring towns have been notified by telephone.

A NEW OYSTER LAW.

It Puts Native and Foreign Oystermen on the Same Footing.

At a meeting of the joint committee on Shell-fish yesterday afternoon Representative Mann presented his proposed new oyster bill and it was discussed and partly adopted.

The two main features of the bill are:

1. Allowing dredging in Currier county.
2. Charging the regular tax of 2 cents a bushel, but making no rebate to those shucking, canning or consuming the oysters in North Carolina.

The first-named provision was discussed but not passed upon by the committee.

KEEPER OF THE CAPITOL.

The Council of State Yesterday Re-elected Mr. C. C. Cherry.

The Council of State held a meeting yesterday afternoon and re-elected Mr. C. C. Cherry, of Edgecombe county, as keeper of the capitol.

No term of office is named in the law, but it is generally regarded that the office is for four years—the term of the administration that elects.

Mr. Cherry was elected to this office two years ago, when the power of appointing to the place was taken from the Governor and his council by the Legislature. That power having been restored, the council yesterday considered applications for the position and chose Mr. Cherry.

FIVE FIREMEN KILLED

Fire Raging in the Shops of the Winchester Arms Company.

(By the Associated Press.) New Haven, Conn., Feb. 18.—A bad fire is raging in an unoccupied factory in a district containing the shops of the Winchester Arms Company, and other big establishments. Five firemen are reported killed.

Selma is to have a big wagon factory and wholesale and retail hardware store. At a meeting of the representative citizens of this place a few nights ago over half the required amount was subscribed. Work will begin at an early date. We will also have a graded school.

The average woman's ideal man is but a creature of the imagination.

The concert last night by our home talent was a brilliant success. Dr. Thompson, of Georgia, delivered three fine addresses on Sunday against the Desecration of the Sabbath.

THE SECRETARY OF WAR GIVES THE SENATE SCANT INFORMATION ON THE SUBJECT

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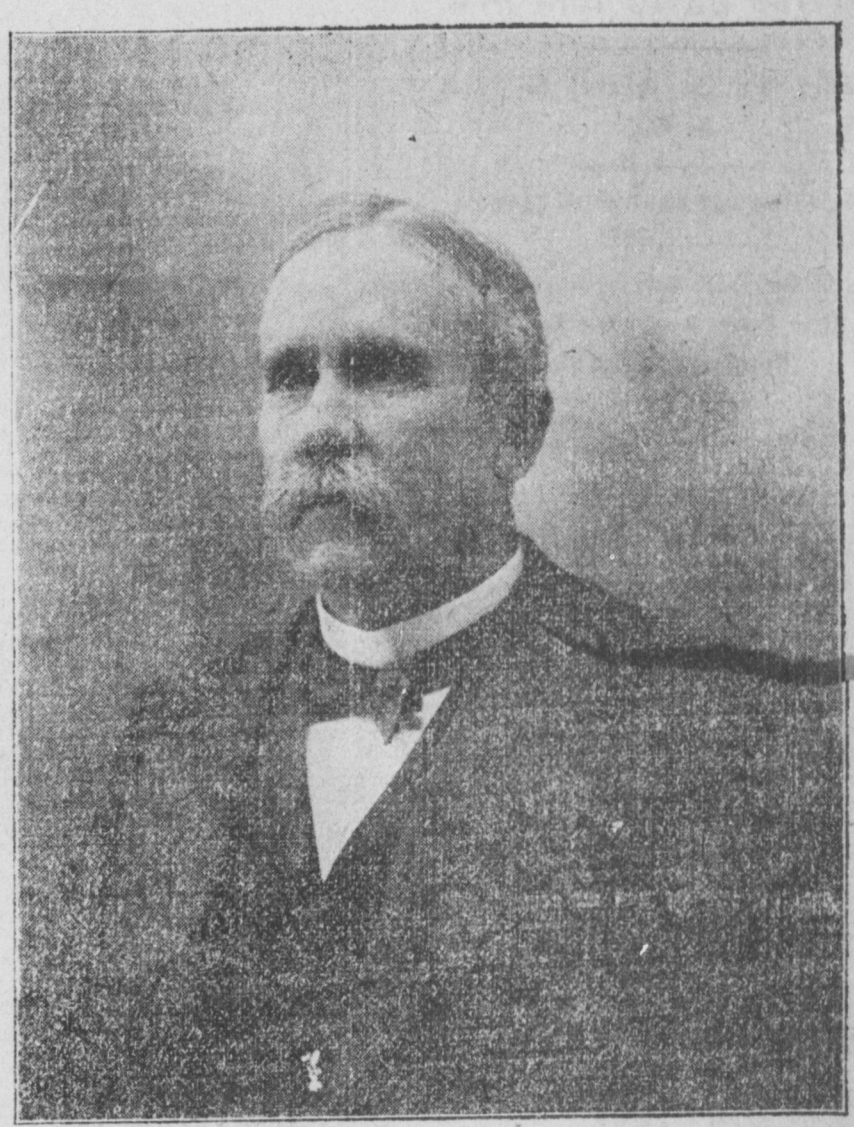
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The average woman's ideal man is but a creature of the imagination.



DR. GEORGE L. KIRBY,

Superintendent of the North Carolina Central Hospital, who Died Last Night.

Dr. Geo. L. Kirby, Superintendent of the State Hospital at Raleigh, died at 9:08 o'clock last night. He had been seriously ill with pneumonia several days, and Sunday he grew worse, and it was thought that he could not live. His son, Dr. Geo. H. Kirby, of Massachusetts, and his daughters, Mrs. Mack and Miss El Kirby, of Norfolk, and Mrs. M. E. Robinson, of Goldsboro, arrived in the city last week and took their places at his bedside.

Dr. Kirby was born in Sampson county, near Clinton, July 11th, 1835. He was educated at Clinton High School, where he remained a period and then returned to America, landing at New York the day that the city of Charleston was fired upon. He immediately tendered his services to the Confederacy, and entered the service of the Second North Carolina Regiment.

At the close of the war he began the practice of his profession at Goldsboro, and continued until 1884, when he was elected Superintendent of the Central Hospital.

He was a life-long member of the Presbyterian Church, and for many years was an Elder. He was devoted to his church, believed in its doctrine, and was faithful to its vows. He was broad and tolerant in his views and put his religion in practice in his daily life.

He is a member of the State Medical Society, having joined that organization in 1855. For a period of six years he was a member of the State Board of Examiners. Doctor Kirby was always actively identified with the State Medical Society and was a member of the Raleigh Academy of Medicine.

In the matter of secret organizations he was a member of the Masonic fraternity. In 1866 he married Miss Mary C. Green, of Goldsboro, a talented and accomplished lady. He is survived by eight children, one of whom, Dr. Geo. H. Kirby, recently graduated with honors in medicine, had a position with the Seaside Hospital at Long Island and was recently elected Assistant Physician of Worcester Insane Hospital, Worcester, Mass.

Dr. Kirby was quiet and unostentatious in his manners. He was a man of excellent sense and good judgment. He was modest in demeanor, careful and painstaking and tireless in his duties to the great institution over which he presided.

Dr. Kirby leaves eight children, all of whom were at his bedside when he died. They are Mrs. Robinson, of Goldsboro; Mrs. Mack, of Norfolk, both of whom with their families have been here several days; Dr. Geo. H. Kirby, of Massachusetts and Misses Lizzie, El., Sallie, Laura and Helen Kirby. Besides these, there was present, Mr. George Green, of Wilson; Mrs. Kirby's brother, and Miss Katie Kirby, Dr. Kirby's niece.

The funeral will be held Thursday in Goldsboro.

CADETS LEE AND SEERRILL

These Two Young North Carolinians Assigned to the Engineers.

(By the Associated Press.) West Point, N. Y., Feb. 18.—The graduating exercises of the first class were held here tonight. Major General John R. Brooke delivered the address to the class of seventy-five. Cadets Lee and Seerrill, of North Carolina are among the ten assigned to the engineers.

The Levin's Cargo Partially Burned

(By the Associated Press.) Norfolk, Va., Feb. 18.—When the British steamship Levin arrived here today for bunker coal, it was discovered that fire had broken out in her forward tank. About one hundred bales of cotton were burned, or considerably damaged before the flames were extinguished. The Levin will proceed for Bremen tomorrow. She loaded her cargo at Savannah.

At a meeting of the representative citizens of this place a few nights ago over half the required amount was subscribed. Work will begin at an early date. We will also have a graded school.

VOTE NO DISPENSARY

A Heavy Majority Against it at Fayetteville.

Outside the City the Vote so Far as Heard From Was Still More Adverse to the Dispensary.

(Special to News and Observer.) Fayetteville, N. C., Feb. 19.—The vote in the primary today was overwhelmingly against the dispensary, although dodgers were sent out at the last moment declaring that the primary had been postponed. The vote against the dispensary in the city is considerably more than a majority of the combined Simmons and City vote.

The county districts so far heard from show even heavier majorities.

A Great Cereal Combine.

(By the Associated Press.) Akron, Ohio, Feb. 18.—The plans of O. C. Barber and his associates interested in the combination of all the independent cereal companies have been completed. It will be known as the Great Western Cereal Company and will be capitalized at \$2,000,000. A list of the concerns combined follows:

- Akron Cereal Co., Akron, Ohio; Muscatine Outmeal Co., Muscatine, Ia.; H. R. Anderson, Fort Dodge, Iowa; Nebraska City Cereal Mills, Nebraska City, Neb.; St. Merod, Peoria, Ill.; Sioux City Mills, Sioux City, Iowa; Oliver, Joliet, Ill.; Washburn Outmeal Co., Washburn, Minn.; Minneapolis, Minn.; Northwestern Mills, Minneapolis, and Cedar Falls Mills, Cedar Falls, Iowa.

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