

Library of Congress 1897 1612

Leads all North Carolina Dailies in News and Circulation

SCHLEY CARRIES HIS CASE TO THE PRESIDENT

To Appeal From Majority Decision of the Court of Inquiry.

HIS REQUEST GRANTED

Roosevelt Will Consider the Appeal and Work Upon It to Begin.

IT WILL CONTAIN MUCH NEW MATTER

This Has an Important Bearing Upon the Controversy. The Document Will not Reach the President Until After the Twentieth Instant.

(By the Associated Press.) Washington, Jan. 7.—The object of Admiral Schley's visit to the White House yesterday was to request the President to entertain and consider an appeal for the reversal of the action of Secretary Long and the disapproval of the majority judgment of the court of inquiry.

The interview with the President was arranged in advance, and at its conclusion Admiral Schley left the White House in a satisfactory state of mind. He had been given a full opportunity to present the case from his standpoint and to acquaint the President with many details of which the latter could not have any knowledge.

Admiral Schley's interview with the President was the result of his determination to exhaust every means in his power to overturn the judgment which has been rendered against him.

Messrs. Rayner and Teague, counsel for Rear-Admiral Schley, came over from Baltimore and were closeted for several hours with their client.

Admiral Schley has concluded, after mature and careful deliberation, to appeal from the majority decision of the court of inquiry to the President of the United States as commander-in-chief of the army and the navy.

Mr. Rayner stated that it will take some time to prepare the appeal and that it will not be filed with the President until after the return of Admiral Schley from his visit to Savannah, about the 20th instant.

MORGAN AFTER THE RAILROADS.

Resolution to Inquire Into Alleged Relations Between Them and Panama Canal Co.

(By the Associated Press.) Washington, Jan. 7.—The first of the contests between the Nicaragua and Panama routes for the Isthmian canal were heard in the Senate today. After an hour had been spent in purely routine business, Mr. Morgan offered and secured the admission of a resolution which indicated his purpose to have the Committee on Inter-Oceanic Canals inquire into the relations alleged to exist between the trans-continental railroad companies of the United States and Canada and the Panama Canal Company.

That the Committee on Inter-Oceanic Canals has leave to sit during the sessions of the Senate to execute the resolution of the Senate passed on the 21st of May, 1900, which is hereby continued in force and that said committee is further empowered to make inquiry and report with reference to any agreements or concert of action between any railroad companies in the United States or in Canada or Panama or of any American line of ships to control transportation, or the rates thereof, for cargoes or passengers passing across the Isthmus of Panama, and in regard to any matter referred to said committee by order of the Senate.

In answer to inquiries as to the scope of the resolution Mr. Morgan explained that he understood certain contracts between railroads of this country and Canada and the Canal Company existed looking to the diversion of freight.

already has cost the people of the Pacific coast millions of dollars." The Senate adjourned until tomorrow.

CLASH WITH RUSSIANS.

Sailors of the Vicksburg and Muscovite Soldiers Fight

(By the Associated Press.)

Washington, Jan. 7.—A serious clash has occurred between American sailors of the U. S. S. Vicksburg, and the Russian soldiery at Nieuchang, China. There have been three fights and as a result one Russian soldier is reported wounded. The matter was made the subject of complaint by the Russian Ambassador in Peking to United States Minister Conger, and Mr. Conger in turn has informed the State Department. Secretary of the Navy Long has cabled Commander Barry, of the Vicksburg to use every effort to prevent further collisions.

ESCAPED FROM LYNCHERS.

Negro Covered With Blood and Bruises Appears at Tampa.

(By the Associated Press.)

Tampa, Fla., Jan. 7.—John Miller, a negro, covered with blood and bruises, walked into police headquarters today and stated an attempt to lynch him had been made at Port Tampa City, eight miles below here, last night. Several houses were burned there and Mills says a crowd of white men, many of whom he knew, placed a rope around his neck and took him out into the woods where they tried to hang him. He managed to escape and was locked up for safe keeping.

INTERESTS EX-CONFEDERATES.

May Receive Pay for Horses, etc., Taken in Violation Terms of Surrender.

(By the Associated Press.)

Washington, Jan. 7.—A bill of much interest to ex-Confederate soldiers today was favorably acted upon by the House Committee on War Claims. It provides for paying former Confederate soldiers for horses, bridles, saddles and side arms, taken from them in violation of the terms of surrender made by Generals Lee and Johnston with Generals Grant and Sherman. The bill was introduced by Representative Padgett, of Tennessee.

A LYNCHING FEARED.

Capital City Guard Holds Itself Ready to Defend Mathis.

(By the Associated Press.)

Jackson, Miss., Jan. 7.—Governor Long has ordered the Capital City Guard of this city to hold themselves in readiness to go to Oxford. The sheriff there is apprehensive that a mob will tonight try to lynch Will Mathis, Orlander Tyler, Will Jackson and Whit Owens, in jail there. Three of these men have recently been convicted of the murder of the two Montgomeries.

To Die for Killing His Mistress.

(By the Associated Press.)

Newport News, Va., Jan. 7.—William O'Boyle was sentenced by Judge Barham, of the Corporation Court here today to be hanged February 28th, for the murder of his mistress, Alma Hamilton. The crime was committed in July 1898. This is the second death sentence passed upon O'Boyle.

Capt. King to Have a New Trial.

(By the Associated Press.)

New Orleans, La., Jan. 7.—Captain Cyril W. King, the United States volunteer army officer and assistant quartermaster under sentence at Mobile for accepting bribes in connection with the erection of barracks at Fort Morgan, near Mobile, was granted a new trial by the United States Circuit Court of Appeals, sitting at New Orleans today.

The Legislature Convenes.

(By the Associated Press.)

Jackson, Miss., Jan. 7.—Mississippi Legislature convened here today in biennial session. The message of Governor Longins urges the home of Jefferson Davis as a suitable location for a soldiers' home. A liberal appropriation for a State exhibit at the Louisiana Purchase Exposition to be held in St. Louis in 1904 is also advocated.

The Liberty Bell.

(By the Associated Press.)

Roanoke, Va., Jan. 7.—The Liberty Bell arrived in Roanoke at 3:35 o'clock this morning, over the Shenandoah Valley railroad. The engine was changed and in 15 minutes the train pulled out for the west over the Norfolk and Western main line. There was only a small crowd to see the relic and all those on the train except the policemen seemed to be asleep.

Two New Corporations.

(By the Associated Press.)

The Sneed-Markham-Pearson Company, of Durham, was incorporated yesterday with \$2,000 capital stock, to conduct a mercantile store.

Robertson, Newton & Co., a mercantile firm of Tarboro, was incorporated with \$20,000 capital. The incorporators are Robert Stator, W. O. Howard, J. K. Newton and E. L. Robertson.

TO BACK BERNARD AGAINST SKINNER

Marion Butler's Voice is For War.

I WILL WIN, SAYS BERNARD

No Other New Developments in Fight For Attorneyship.

J. C. DANCY CALLS ON THE PRESIDENT

He Won't be Appointed Recorder Until a Successor For Him as Collector is Decided On. This Waits During Pritchard's Absence.

(Special to News and Observer.)

Washington, D. C., Jan. 7.—Ex-Senator Marion Butler arrived here today. It was understood that he came here to fight Skinner's appointment as District Attorney. He is not so much for Bernard as he is against Skinner, though he will back Bernard. The Ex-Senator went to New York this afternoon, but it is the understanding that he will return here in a day or two and remain "for the war." In the meantime there are no developments in the district attorneyship fight.

Senator Pritchard is still at home with his sick wife. Bernard is here and says he will win.

John C. Dancy, the negro collector of the port of Wilmington, who is slated for recorder of deeds of the District of Columbia called on the President today. He will not be appointed until a successor to him as collector has been decided upon and this matter waits during Pritchard's absence.

Both the North Carolina Senators have the illness of their wives. Senator Simons kept away from Washington by means has taken his wife to a sanitarium at Harrisburg, Pa., where he can easily go on Sundays to be with her.

Mr. E. P. Keith, of Wilmington, an applicant for the position of Collector of Customs, is here with the endorsement of about 100 business men of Wilmington. He hopes to get Senator Pritchard's O. K. mark.

The creation of another Assistant Postmaster Generalship, to have charge of the free city and rural delivery service, is contemplated in a bill shortly to be introduced in the House by Representative Watson, of Indiana. The proposed legislation is the result of the vast growth of the rural free delivery service throughout the country, which, with the free delivery service, which comprises an aggregate cost of over \$30,000,000 during the next fiscal year.

The free delivery service, which comprises both the city and rural delivery, now has about 375 employees, distributed among a number of divisions. The new officer if the bill passes, will be the Fifth Assistant Postmaster General, whose chief assistant will be a chief clerk.

There isn't much contentment in the grab-game as played here. When the late Senator Sewell, of New Jersey, came to North Carolina in the vain search for health, Senator Depew was convinced that he would die. As Senator Sewell had a good seat in the Senate Chamber, and Senator Depew a poor one, the New Yorker filed a claim for the seat of the New Jersey Senator, and then went away to get married. Isn't there something uncanny in this applying for a dead man's shoes before he dies?

Confer on Suffrage Question.

(By the Associated Press.)

Richmond, Va., Jan. 7.—The Constitutional convention today defeated Judge Marshall's proposition that the convention take up the suffrage matter on Jan. 13th and that a vote be taken on all pending propositions on Thursday, January 23. The majority against the motion was large.

The report of the judiciary committee was amended so as to provide that circuit and city judges shall receive a salary of not less than \$2,000 a year.

The Democratic conference on the suffrage question have been resumed, and last night, after hearing argument by Dr. McIlwaine in favor of Delegate Montague's plan it was determined to hold meetings on each Monday, Wednesday and Friday night until the important matter is finally disposed of.

Buit's Creek Academy.

(Special to News and Observer.)

Buit's Creek, N. C., Jan. 7.—School has opened for the spring term and brings with it more than fifty new students, making more than 225 for the year, representing for the year more than forty counties and five states. There are about twenty ministerial students.

THE PANAMA ROUTE HAS FEW FRIENDS

Debate on Nicaragua Canal Bill Opens.

HEPBURN ARGUES FOR IT

Are Trans-Continental Lines Scheming to Delay?

THE PANAMA CANAL COMPANY'S OFFER.

A Suspicion That the Railroads Are Behind It. Morgan Voices His Hostility to the Company in the Strongest Terms.

(By the Associated Press.)

Washington, Jan. 7.—The debate on the Nicaragua Canal bill in the House was opened in lively fashion today by Mr. Hepburn, Chairman of the Inter-State and Foreign Commerce Committee which reported the bill. For two hours he held the floor replying to a volley of questions concerning the recent offer of the Panama Canal Company to sell its property and franchise to the United States for \$40,000,000.

The interest in the debate centered almost entirely in this new phase of the subject. Mr. Hepburn maintained that the alleged new offer of the Panama Canal Company was part of the plan of delay and all his utterances along that line were liberally applauded. He pointed out what he claimed was the suspicious circumstance that the Panama Company held out for \$109,000,000 until it was decided before the holiday recess to consider the Nicaragua bill and then suddenly dropped the price to \$40,000,000.

Mr. Morris (Minnesota) said that the proper time he would offer an amendment to authorize the President if he could procure the property and rights of the Panama Company for \$40,000,000 to purchase and proceed to complete the Panama Canal.

Mr. Hepburn in his remarks said the report of the Walker Commission gave careful consideration to every feature of the work. The bill submitted by his committee proposed to concentrate all authority in the hands of the President. It opened no opportunity for defunct statesmen or the pensioning of persons who had been passed in the race of life. It gave the United States the authority to protect, defend and operate the canal. In view of all the reports submitted Mr. Hepburn said there could now be no question in the mind of any well informed man of the feasibility of an inter-oceanic canal.

There was not an atom of work in general engineering, said he, yet to be done. In favor of the feasibility and practicability no enterprise that had ever received the attention of man had gone so conclusively proved. If the pending bill became a law the work could be begun at once and should be completed in eight years.

Mr. Hepburn said that as a commercial venture the commissions figures of 7,000,000 tons could be safely taken. At the latter figure the total revenue at the Suez route would be \$14,000,000, enough to meet the cost of maintenance (\$3,500,000) and leave over \$10,500,000 to meet interest charges if there were such.

Mr. Hepburn pointed out the advantages of the Nicaragua route for sailing vessels on account of the better winds prevailing there contending in this connection that it was a mistake to suppose that the sailing ship was destined to disappear from the ocean. Where the Panama route was located sailing ships sometimes lay for five months in the doldrums. When Mr. Hepburn said he had hoped that the proposed waterway would be free of charge to American ships there was an outburst of applause on the Republican side. If that might be done, he said, it would give a great impetus to American shipping.

In concluding Mr. Hepburn said there might be some interests in the United States which believed they would be harmed by the rivalry of this canal and who thought the time was not ripe for the building for the canal or that an enterprise of such magnitude should not be undertaken. They were perhaps terrified by the spectre of scandal. "But," he concluded, "I insist that the American people have made their decree that the canal shall be built and that now is the time to build it." (Applause.)

Mr. McDermott, New Jersey, called to the statement in the report of the Walker commission giving the cost of the Panama Canal property as \$109,000,000 and the newspaper reports that the company now offered to sell the property for \$40,000,000. If the latter report were true the Panama Canal would cost less than the Nicaragua and he asked if Mr. Hepburn did not believe with equal cost that the commission would have reported in favor of the Panama.

Mr. Hepburn replied that the commission had stated the respective advantages of both routes under conditions then existing. He could not tell what the commission would have reported under other circumstances. "Any gentleman who absorbs the commission's report," said he, "and weighs it must believe that the things being equal the canal that is 400 miles nearer our territory, that makes New Orleans 480 miles nearer San Francisco and New York 375 miles nearer than the other is the better canal for us."

asked Mr. Sims, (Tenn.), "is it not likely that the French Government will complete the Panama canal?"

"There is the same probability of two canals," answered Mr. Hepburn, "that there is of the Suez canal being paralleled by navigaland."

In reply to another as to the advisability of giving the President the authority to build on either route, Mr. Hepburn again caused an outburst of applause by declaring that he looked upon any attempt to entangle the United States in the Panama enterprise as an effort to defeat any canal.

Mr. Reeves, (Ill.), asked whether it would not be better to wait a few days or weeks until the Secretary of State could inform Congress just what we could obtain in the way of concessions from Nicaragua.

"In an enterprise of this magnitude," replied Mr. Hepburn, "there never has been and never will be a day when some gentleman will not be able to urge some reason for postponement." (Applause.) "We have been suffering from that for years. I am assured by those who know that the protocol with Nicaragua has reached such a stage that we are certain to get what we want." (Applause.) Replying to Mr. Cannon's inquiries as to the conditions of the protocol with Nicaragua Mr. Hepburn stated his understanding was that \$5,000,000 and \$1,000,000 were about the figures allowed Nicaragua and Costa Rica.

Mr. Cannon closed the colloquy with Mr. Hepburn by stating that while he had always favored the canal he was satisfied the precipitate passage of this bill sacrificed advantages which the United States now possessed and meant a heavy increase in cost which would have to come out of the Treasury.

Mr. Davis, (Fla.), a member of the committee which reported the bill followed Mr. Hepburn with an earnest plea for its passage. He advocated the Nicaragua rather than the Panama route and insisted that the time had now arrived when talk should cease and work begin. "We need this canal," said Mr. Davis, "for the convenience and the expansion of our commerce; we need it for the proper handling of our navy, for bringing nearer together our eastern and western shores, for the protection of our island possessions and for easy access to them. The American farmer needs it, that foreign markets may be opened up for the product of his toil; the merchant and manufacturer, that they may compete with rivals in other lands."

Mr. Richardson, (Ala.), also supported the bill, arguing that the Nicaragua was preferable in many ways to the Panama route. Mr. Mann, (N.J.), declared that the experts who had examined the routes had differed widely. No two commissions ever had agreed either upon the cost or route and it was therefore with some hesitancy that he accepted unreservedly the report of the latest commission. Mr. Mann pointed out that the estimates of the various commissions appointed to inspect the Nicaragua route ran from \$31,000,000 to \$184,000,000.

He said that the contractors he built the Chicago Drainage Canal on the basis of the estimates made fortunes in profits.

Mr. Adams (Pennsylvania) who opposed a similar bill at the last session on account of the existence of the Clayton-Bulwer Treaty, thought the offer of the Panama commission should receive careful consideration. If the cost of two routes were substantial he contended Panama was preferable.

At the conclusion of Mr. Adams' reports Mr. Morris (Minnesota) said that the proper time would offer the following amendment:

"Provided, however, that if the Panama Canal, so far as constructed and the property rights, privileges and franchises of all the corporations or persons interested therein can be acquired by the United States, free and clear of all incumbrances for a sum not exceeding \$40,000,000 and in addition thereto equally desirable political and territorial rights and privileges as in case of the Nicaragua route and at no greater expense than six months from the passage of this act then the President if the Isthmian Canal Commission or a majority thereof shall so recommend is hereby authorized to purchase the same and to complete the construction of said Panama Canal, subject to all the conditions, provisions and limitations aforesaid. And the sum of \$50,000,000 is hereby appropriated out of any money in the treasury not otherwise appropriated toward the project herein contemplated."

Hooker's Resolution Thanking Schley.

(By the Associate Press.)

Washington, Jan. 7.—Representative Hooker, of Mississippi, today introduced a joint resolution reciting that Commodore Schley was the senior officer in command at the battle of Santiago; that he was in absolute command at that battle and is "entitled to the credit due to such commanding officer for the glorious victory which resulted in the total destruction of the Spanish ships."

The resolution provides for the thanks of Congress to Admiral Schley and the officers and men under his command.

An Insurance Banquet.

(By the Associated Press.)

As a pleasant social gathering, Mr. N. E. Bradford, the resident superintendent of the Life Insurance Company of Virginia will tonight give a banquet to the local representatives of his company. The banquet will be served at Dorset's Hotel and will be enjoyed by the representatives and their families.

DIED IN AN EFFORT TO SAVE THE TRAIN

Flagman Could not Prevent Collision.

BLINDFOLDED BY THE FOG

The Engine Rushed Over Him to Fearful Disaster.

TWO OTHERS MET THEIR DEATH THERE.

Both Engines Were Badly Crushed in the Impact, and Two Cars Caught Fire and Were Destroyed. No Passenger Injured.

(By the Associated Press.)

Roanoke, Va., Jan. 7.—There was a head on collision on the Kenova division of the Norfolk and Western Railroad at 7 o'clock this morning, in which Hugh Smith, an express messenger, and baggage master of this city and Flagman John Turner, of Bluefield, W. Va., were killed.

The collision occurred near Alwrick, W. Va., between train No. 4, a passenger train eastbound, and an extra westbound freight train. The passenger train was on time and the freight was delayed. The freight train sent Flagman Turner ahead to hold the passenger train at Alwrick, but owing to the heavy fog the engineer of the passenger train did not see him and the flagman in his efforts to be seen got on the track in front of the train, was run over and killed.

The two trains came into collision just east of Alwrick. Both engines were badly damaged.

The express car was crushed and Messenger Smith killed. Engineer Bailey, of the passenger train was seriously hurt and Conductor Moran of the same train slightly injured by being cut with broken glass.

Engineer Kipps of the freight train was slightly hurt, but his fireman was uninjured. The express car and the combination express and baggage car caught fire and were destroyed, nothing being saved except two trunks. The body of Messenger Smith was badly burned before it was rescued from the flames. None of the passengers were injured.

Later—Engineer Bailey, of the passenger train whose home was at Bluefield, died this evening from his injuries, making the number of dead three. It was not thought at first that Engineer Bailey's injuries would prove fatal.

PERRY BELMONT DEFEATED.

Lessler, the Republican Candidate Elected by 394 Votes.

(By the Associated Press.)

New York, Jan. 7.—Montague Lessler, Republican, was elected to Congress in the Seventh district today to succeed Nicholas Muller, Democrat, resigned. He beat Perry Belmont, the regular Democratic candidate, by 394 votes, the count showing these figures:

Lessler, 7,677; Belmont, 7,283.

The rest of the vote was: Ward, Social Democrat, 197; Lindinger, Independent Democrat, 155; Belmont, Greater New York Democracy, 182.

The Seventh Congressional district is made up of Richmond borough (State Island) and thirty election districts in the extreme lower end of this city. There were five candidates in the field—Perry Belmont, Democrat; Montague Lessler, Republican; Christopher Ward, Social Democrat; Fritz Lindinger, Independent Democrat, and John E. Bennett, Greater New York Democracy. Belmont and Lessler were the chief candidates, however.

There was a contest over the Democratic nomination between Mr. Belmont and Jos. F. O'Grady, each of whom declared himself to be the regularly chosen nominee. Justice Sept, of the Supreme Court, decided in favor of Belmont, and O'Grady and Lindinger, who had announced himself as an Independent Democratic candidate, thereupon withdrew. Lindinger withdrew too late to have his name stricken from the official ballot.

The canvas was a most bitter one, as regards the Democratic factions. Charges of free use of money were frequent and last night Superintendent of Elections McCullough announced that he had discovered a plan of wholesale electioneering. During today McCullough deputies made a score of arrests. Among them, those of Aldermen Jos. Wellington and John Pye, a Democrat district captain, who were carried to court on a charge of having abetted illegal registration. Each was released in \$2,000 bail until Thursday.

TWO DAVIDSON SCHOLARSHIPS.

They Have Been Endowed by B B Peters and Mrs. J. M. Odell.

(By the Associated Press.)

Charlotte, N. C., Jan. 7.—Two scholarships in Davidson College, one of the leading institutions in the South, have been endowed by P. B. Peters and Mrs. J. M. Odell, of Concord, N. C.