

The News and Observer.

VOL. LII. NO. 65.

RALEIGH, NORTH CAROLINA, FRIDAY MORNING, MAY 30, 1902.

Leads all North Carolina Dailies in News and Circulation

DEEP INTEREST IN PHILIPPINES DEBATE

Galleries of Senate Thronged With Auditors.

MORGAN FAVORS THE BILL

Some Necessary Changes He Thinks Will be Made.

CLAY OF GEORGIA OPPOSES THE MEASURE

Spencer Begins the Speech Which Will Bring to an End the General Debate. House Passes Bill to Increase Silver Coinage.

Washington, May 29.—Interest in the Philippine debate is increasing as the discussion draws to a close. Today the Senate galleries were thronged with auditors, and the attendance on the floor was larger than it has been for some time, including many members of the House.

Mr. Morgan (Ala.) delivered an extended speech in which he supported, in the main, the bill as presented by the committee. He said it looked toward peace and toward a just and peaceful government in the islands.

There never had been, said Mr. Morgan, a pretense of organized government in the Philippines. It was unjust to criticize Dewey for refusing to recognize Aguinaldo as president of the Philippine Government.

"Had he done so," said he, "he would have given aid and comfort to the declared enemies of the United States."

This was the legal attitude of Aguinaldo and every other Filipino, because Dewey had no power to change a declaration of war by the Congress.

"I would not," said he, "buy domination at the cost of any man's liberty."

"I said that our flag in Cuba would come down in honor, as it went up in the interest of liberty. And so it has, but that has nothing to do with this bill."

Adverting to the beginning of hostilities between the American and Filipino, Mr. Spooner described how the firing began. Mr. Hoar interrupted to say that Aguinaldo had written to General Otis expressing regret at the occurrence and had withdrawn his troops.

"The Filipinos were not withdrawn," interjected Mr. Spooner vehemently. "They were driven back." (Applause.)

Further along the Wisconsin Senator referred to a constitution prepared by Aguinaldo in imitation of the Mexican constitution with provision for patents of nobility and large concessions of land which he promised to his followers.

With a flourish Mr. Spooner handed the parchment to the Tennesseean with the comment: "For you, or are decimated by Aguinaldo." (Laughter.)

Mr. Spooner insisted that there was no parallel to be drawn between the situation in Cuba and that in the Philippines. The Cubans had been fighting for independence for ten years, but no such struggle had occurred in the Philippines.

He declared that the opening of hostilities in the Philippines was a perfectly wanton attack upon our troops who were fighting around Manila. He quoted the vote in the Senate by which the Philippines had been raised to be sent to the Philippines.

"Are they," he demanded, "in position to turn upon us with vituperation and challenge? They voted for it on the basis that we had acquired sovereignty in the Philippines from Spain—that we had paid for it, and that we must sustain it. They cannot properly turn on us and assert that the present situation is the result of policy instituted by the Republican party."

Mr. Spooner will conclude on Saturday.

INDICTMENT OF SIX RAILROADS

For Forming a Pool to Control Cotton Rates.

THE INTER-STATE LAW

Indictment Returned Under Amended Fifth Section.

ACTION OF THE FEDERAL GRAND JURY

Vice-President Finley of the Southern, Quotes a Decision of the Supreme Court of Tennessee and Says He is Puzzled.

Memphis, Tenn., May 29.—Six railroads entering this territory have been indicted by the Federal grand jury, in session in this city, on the charge that this "declaration" or agreement between them constitutes a pool for the purpose of dividing, on a pro-rata basis, the cotton shipped out of Memphis as well as to maintain rates.

The roads indicted are the Illinois Central, Louisville and Nashville, the St. Louis, Iron Mountain and Southern, the Frisco route (Kansas City, Memphis and Birmingham), the Southern Railway and the Nashville, Chattanooga and St. Louis.

The indictments were returned under section five of the Inter-State Commerce Law as amended for the regulation of common carriers in the United States.

United States District Attorney Randolph and J. T. Marchand, special attorney of the Inter-State Commerce Commission, are conducting the prosecution.

Vice President Finley's Statement.

Washington, May 29.—Vice-President Finley, of the Southern Railway Company, made the following statement: "I have information that the railway companies entering Memphis, Tenn., and interested in the transportation of cotton from that point have been indicted by the grand jury of the Federal court, at Memphis, Tenn., upon the charge that the railway companies entering that city have defined the respective proportions of cotton which they are prepared to handle from the passing through that city, inter se."

"Several years ago it was alleged rebates were being secured and rates unlawfully reduced through the routing of cotton via certain intermediate and connecting lines and to stop these illegal practices, and in pursuance of the policy of the lines in the South to conduct trade with proper observance of the laws of the country, steps were taken by the lines entering Memphis individually to control the routing with respect to intermediate lines; furthermore, and acting under the service of counsel, traffic officials of the various lines, recognizing the exceptional conditions under which the cotton crop is moved and the dependence of interior cotton markets in the South on a reasonable regulation of the cotton movement, adopted the principle of amending each for himself along the proposition of cotton his company was prepared to handle. No penalty was entered and no agreement was entered into."

"Both of these arrangements were involved in a suit subsequently brought at Memphis, and entitled Post vs. Southern Railway Company and in that suit the Supreme Court of Tennessee held as follows: "Where goods are tendered for shipment to a point beyond the initial carrier's line, and there are several routes equally safe, prompt, reliable and cheap, such carrier cannot be compelled to accept the goods to be carried over one route in preference to another, at the shipper's option, unless some reason appears therefor; especially where the use of one route may be advantageous to the carrier, without injury or sacrifice to the shipper."

"An initial carrier is liable to the shipper for loss from his selection of an insolvent company as the connecting line in a through shipment to a point beyond its line."

"In order to obtain relief in courts of equity against the concerted action of carriers, there must be not only concert of action, but its direct and immediate effect must be to restrain commerce and trade; and this is not the case where the road simply make declarations that they will not cut unlawfully or secretly reduce their published rates on cotton from a certain point, and that, to preserve the integrity of such rates, they will control the routing of cotton from the passing through such point, and where the rates were not advanced in consequence of such declaration, were maintained at reasonable figures, where competition had placed them."

"I am at a loss to account for the action of the grand jury of the Federal court at Memphis, and those inspiring such action in the light of the above decision."

THE VIRGINIA CONSTITUTION.

By 48 to 38 it is Decided That it Shall be Proclaimed.

(By the Associated Press.) Richmond, Va., May 29.—The Constitutional Convention by a vote of 48 to 38 today decided that the new constitution shall be proclaimed.

Chattanooga is Shaken.

(By the Associated Press.) Chattanooga, Tenn., May 29.—At 2:30 o'clock yesterday morning a considerable portion of the sleeping population here was aroused by the shaking of houses and rattling of windows, which continued for only a few seconds. Inquiries today fail to develop any damage to property, but it is now certain from the corroborative evidence of many reputable citizens that the disturbance was of seismic character.

BADLY SWATTED BY BULLS O' DURHAM

High Roosters of Erst Took a Mighty Tumble.

WHEREAT DURHAM SMOLE

It Was 8 to 1 and Raleigh Dandled the Unit.

HARK TO WILMINGTON'S MELLOW THUD

The Farmers Had it All Their Own Way For Six Innings When the Hornets Began to Hump Themselves and Then Woe!

YESTERDAY'S RESULTS.

Table with columns for Club, Won, Lost, P.C. Rows include Charlotte, Raleigh, Durham, Greensboro, New Bern, and Wilmington.

TO-DAY'S SCHEDULE.

Raleigh at Durham. Charlotte at Greensboro. New Bern at Wilmington.

(Special to News and Observer.) Durham, N. C., May 29.—One of the largest crowds of the season witnessed the game of ball this afternoon between Raleigh and Durham, in which the Red Birds were defeated by the Durham Bulls by the score of 8 to 1.

In the seventh inning Charters was put in the box by Raleigh, to relieve Childs, who was unwell and unable to do his work up to top notch, although he strive pluckily not to give in.

THE TABULATED SCORE.

Table with columns for RALEIGH, A.B.R.H.P.O.A.E. Rows include Pastor, Sofie, Smith, Roy, Farrell, Troeger, Leonard, Hook, Myers, Childs, Charters, and Total.

DURHAM.

Table with columns for A.B.R.H.P.O.A.E. Rows include Smithson, McDade, Steckdale, Castello, Rockford, Curran, Curtis, Deiters, Sofie, Logan, and Total.

Score by innings: Raleigh 0 0 0 0 1 0 0 1 7 4; Durham 4 0 1 0 0 2 2 8 7 2.

Batteries: Raleigh, Childs, Charters, Myers and Smith; Durham, Steckdale and Logan.

Summary: Earned runs, Durham 2. Stolen bases, Durham 6. Two base hits, Radford 1. Bases on ball, off Childs 5, off Charters 2. Hit by pitched ball, by Charters 1. Struck out by Childs 2, by Charters 3, by Steckdale 7. Passed balls, Myers 1, Smith 1. Wild pitches, Childs 2. Left on bases, Durham 3, Raleigh 2. Time of game 2:25. Umpire, Proud. Attendance 700.

Nip and Tuck, But the Hornets Win.

(Special to News and Observer.) Greensboro, N. C., May 29.—Until the end of the sixth inning Greensboro had it all her own way this evening when Kelly did stunts at first and let a pop fly go, causing Ashenback to score. In the eighth and ninth the greedy Hornets had no trouble in finding Walters, swatting him for two home runs, one double and two singles in the two innings, scoring four runs, which Greensboro, in her spasm was unable to overcome.

Table with columns for R. H. E. Rows include Greensboro, Charlotte, Batteries: Greensboro, Walters and McTeer; Charlotte, Applegate and Lehman.

Summary.—Home runs, McTeer, Cooper, Lehman; two base hits, Fox, Armstrong and Brothers; double plays, Kelly unassisted, Weaver, O'Steen, Brothers; struck out, by Walters 2, by Applegate 1; bases on balls, Walters 2, Applegate 5; wild pitches, Walters 1. Time of game 1:30. Attendance 1,000. Umpire, Sherman.

Went to Pieces in the Seventh.

(Special to News and Observer.) Wilmington, N. C., May 29.—The locals went up a better exhibition than usual this afternoon, but lost the game to New Bern by the score of 3 to 2.

GRAND FINALE OF SALEM CENTENNIAL

Corner Stone of Memorial Building Laid.

ADDRESS BY GOVERNOR

Clark of Montana Makes a Scholarly Speech.

DIPLOMAS TO 36 COLLEGE GRADUATES

Several Additional Diplomas Awarded to Students Who Had Taken Special Courses. Exercises Were Attended by 8,000 People.

Winston-Salem, N. C., May 29.—This was commencement day in connection with the centennial celebration of Salem Female College.

The exercises opened at 11 a. m. in the Home Moravian church, when the following program was carried out: Scripture reading, 162 Psalm; by Rev. James E. Hall, Prayer by Rev. E. S. Wolfe, of Philadelphia. Transfer of cap and gown. Essay, Miss Madecares, of North Carolina, vice-president of class. Essay and transfer of cap and gown, by Miss Ellen Hutcheson, of Texas, president of class, to Miss Bessie Sloan, of New York city, president of the incoming senior class.

Bishop Rondthaler read a handful of greetings and congratulations from the following: United States Commissioner of Education, Washington; their excellencies, the Governors of Kentucky, Virginia, Texas, Louisiana, Georgia, Mississippi and Alabama.

Presentation of diplomas to thirty-six graduates in the college course followed, twenty-five of these being from North Carolina, three from Georgia, two from Tennessee, two from South Carolina, two from Louisiana, one from Texas and one from Massachusetts. In addition diplomas were presented to graduates in special studies as follows: One in instrumental music, one post-graduate; three in book-keeping; three in phonography; four in domestic science; one on organ, and three teachers. Certificates in music were then awarded.

At the close of this part of the program a procession was formed and marched to the speaker's stand on the square. Mr. C. B. Watson introduced the Governor in an eloquent speech. At the close of the Governor's admirable address, Senator Clark made a scholarly and eloquent address, after which the multitude repaired to the Memorial Hall site where the stone for the Alumnae Memorial Building was laid with impressive ceremonies.

Bishop Rondthaler was assisted in laying the stone by Bishop Moench, of Philadelphia, Dr. Clewett, Governor Chas. B. Aycock, Senator Clark, Mrs. Ellen Starbuck and Mrs. Lindsay Fatterson.

Fortent prayer was then offered by Bishop Rondthaler, the doxology was sung and the centennial celebration closed with the benediction pronounced by Bishop Rondthaler.

Cumberland in the Race.

(Special to News and Observer.) Fayetteville, N. C., May 29.—The candidacy of Major E. J. Hale for Congress in the district is announced in this morning's paper, which, with that of Hon. H. L. Cook, will make things lively in Cumberland. Major Hale is a member of the State Executive Committee, and under the Cleveland administration was consul to Manchester.

Mr. Cook was the late presidential elector from the Third district, has been twice a member of the Legislature from Cumberland and is Chairman of the County Executive Committee.

FEDERAL COURT CASES.

Work is Pushed Against Those in Trouble With Uncle Sam.

Federal court was in session yesterday with Judge Thomas R. Furnell presiding. The docket was taken up at 9:30, the hour at which the court now meets. At yesterday's session the cases disposed of were as follows:

R. L. Chappell, violating retail laws; pleads guilty as to cancellation of stamps; fined \$50 and costs of action. Crocker Perry, illicit distilling; judgment suspended upon payment of costs. Rufus Clark, counterfeiting; verdict not guilty.

Enoch Kennedy, illicit distilling; verdict, guilty of aiding and abetting. Alex. Ivans, retailing; 18 months in penitentiary and pay \$100 and costs of action. Jack Carter, retailing; verdict, not guilty.

Job Jones, retailing; verdict, not guilty. Andrew Womack, jury withdrawn; mistrial.

Raleigh Defeats Weldon.

(Special to News and Observer.) Weldon, N. C., May 29.—Raleigh defeated Weldon in a fast and furious game. A beauty from start to finish.

Table with columns for R. H. E. Rows include Raleigh, Weldon, Batteries: Shannonhouse and Brockwell; Green and Hicks. Umpire, Forest. Strainback. Time, one hour and twenty-three minutes.

Mt Olive Defeats Goldsboro.

(Special to News and Observer.) Goldsboro, N. C., May 29.—The Independent baseball team of Mount Olive, N. C., defeated Goldsboro yesterday by a score of 10 to 3.

Table with columns for R. H. E. Rows include Mt. Olive, Goldsboro, Batteries: Mt. Olive, Dawson and Penner; Goldsboro, Bass, Yelverton and Harper. Struck out, by Dawson 14, by Bass 5.

National League Games.

Table with columns for R. H. E. Rows include Boston, New York, At Brooklyn, Philadelphia, Brooklyn.

American League Games.

Table with columns for R. H. E. Rows include Baltimore, Chicago, At Boston, Boston, St. Louis, At Philadelphia, Detroit, Philadelphia, At Washington, Washington, Cleveland.

Eastern League.

Table with columns for R. H. E. Rows include Buffalo, Montreal, Jersey City, Worcester.

College Games.

Table with columns for R. H. E. Rows include Hly Cross, Cornell, Georgetown, Andover.

WITHIN A MILE OF THE CRATER.

Daring Expedition of George J. Kavanaugh, a Newspaper Man.

(By the Associated Press.) Port de France, Martinique, May 29.—Noon.—The crater of Mont Pelee has been approached within one mile. This feat was accomplished, Tuesday afternoon by George J. Kavanaugh, an unattached newspaper man, who had accompanied Prof. Robert T. Hill, the United States Government Geologist on his expedition.

When Prof. Hill turned south, toward St. Pierre, Mr. Kavanaugh continued on past Morne Rouge. His route seems to have been along or near the Cafe Basse divide. He says he descended from Morne Rouge into the valley between Morne Rouge and Mount Pelee. This valley was deeply strewn with ashes. Mr. Kavanaugh was guided by an aged negro to where an old foot path once led to Lake Palmiste, near the summit of the crater. There an iron cross, twenty feet high, was buried in ashes to within a foot of its top. Before him stretched upward the mountain slope, covered with ashes, which, soaked by the heavy rains, and baked by the sun and volcano heat, looked like a cement sidewalk. The whole mountain top was shrouded in smoke.

Forgetful of the explosion of the previous night and the awful suddenness of the outbursts, and tempted by the seemingly easy ascent, he continued upward and made photographs and rough sketches. Mr. Kavanaugh found the valley filled with ashes, and two great rifts, which he was afraid to approach.

At six in the evening he turned back, reaching Morne Rouge at about nine o'clock. He had made no new observations, and realized his danger only the next morning, when occurred the greatest outburst since Mont Pelee's first eruption.

On Wednesday Mr. Kavanaugh tried to descend to St. Pierre, but failed. He found a little hamlet, in a valley near the mountain, black with 150 dead bodies. They were not carbonized, nor had their clothing been burned off. Probably this valley lay near the inner edge of the zone of blazing flames.

George Kennan reported from Morne Rouge this morning. Two hours ago Prof. Angelo Heilprin, president of the Philadelphia Photographical Society, left, with Mr. Ledbetter, to make a three days careful exploration and study of the new craters east and north.