

THE WEATHER TODAY.
For North Carolina:
Generally Fair.

The News and Observer.

THE WEATHER TO-DAY
For Raleigh:
Fair.

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IS THIS A CASE OF "JUST SEVERITY?"

Our "Epileptic Mountebanks" May Call it Murder

STRUNG UP AND SHOT

President of Santa Magdalena Forced to Dig His Own Grave.

TWO OFFICIALS TORTURED BY SOLDIERS

A Report of the Governor J. G. Livingstone of Sresagon Which Reads Like a Chapter From Prescott's Conquest of Mexico.

(By the Associated Press.)
Washington, D. C., May 31.—The Secretary of War has transmitted to the Senate Committee on the Philippines a copy of a report made by J. G. Livingstone, Governor of the Philippine Province of Sresagon, of the killing by soldiers of two native officials of the town of Santa Magdalena of that province. One of the men was the president of the town named Ysro Gallanosa and the other a policeman. The secretary of the town, one Quintin Gamit also was tortured for the purpose of forcing a confession from him.

Governor Livingstone says that a native who was trusted by the American authorities was sent to the town to spy out men connected with the movement known as the "Anting-Anting" movement; that he arrested some such men and took them with their papers before the president and that while all were there a detachment of troops under a corporal entered and arrested all as insurgents. They were then taken before Lieutenant F. W. Harker, of the Fifteenth infantry, who put them to work on the streets. The report continues: "The next day the president and Gamit were taken out in the woods and hung until their feet were nearly of the ground and were asked if they would 'talk,' to which they replied that they would, naturally. They were returned to Matnog, where the secretary was again questioned by Lieutenant Harker as to the conduct and character of the president, giving, according to his (the secretary's) statement, satisfactory answers. He was returned to the jail, and later he, with the president and Curacio Funes, a policeman of Magdalena, were again taken to the hills, being compelled to carry a rope, a pick and a spade, and on reaching a certain spot the president was put to work digging what would appear to be a grave. Then the president was bound and shot in the back. The secretary states he saw all of this himself and also saw the policeman bound in the same way and a little later heard shots, which he presumed were fired at the policeman, as he was also killed."

The report also says, "It is claimed that the president and policeman attempted to escape, and the soldiers concerned have made affidavits to this effect, but I believe this to be absolutely untrue."

Governor Livingstone concludes by giving his own opinion of the case as follows: "Upon careful consideration of the whole question, from my knowledge of the conditions existing at the time and from my personal knowledge of these men, I am forced to the opinion that the original order for the arrest of these men was absolutely unwarranted, possibly due to misinterpretation and over-zealousness on the part of the corporal; that the two prisoners killed did not attempt to escape and that their killing was murder."

Enclosed with the Governor's report are affidavits of the private soldiers who shot the president and also an affidavit from a native prisoner saying that the president had allowed him to escape for pay. There also is a report upon the case by Captain E. Wittenmeyer, of the Fifteenth infantry, as follows: "I wish to call your attention to the fact that at the time this occurred some 400 prisoners had been captured, most of whom were members of the Anting-Anting Society, and I have no doubt that this president was a member of this gang. It is a fact that cannot be disputed that a company of Anting-Anting from St. Magdalena was in the fight at Gull, September 7th, and some of their wounded were cared for by this president and his subordinates. There is no doubt in my mind that he was guilty of inciting and sustaining insurrection and opposition against United States forces."

VILLAGE GIVEN TO FLAMES

A Concentration Camp Described as a Suburb of Hell.

(By the Associated Press.)
Washington, May 31.—Colonel Wagner, Assistant Adjutant General U. S. Army, and formerly Adjutant General of the Army in the Philippines, today continued his testimony before the Senate Philippine Committee. He said he knew that one village had been burned because the citizens would not give information of the murderers of a native friendly to the United States. He gave a fine character to General Bell as a humane officer. He said the conduct of Americans in the Philippines had been uniformly

kind and considerate to the native prisoners.
Colonel Wagner did not agree with General Hughes that the war in the Philippines was not civilized war. He said that in the provinces commanded by General Bell about 10,000 people were gathered in the concentration camps. Their property left outside the camps was confiscated and the wealthy people lost heavily. He did not believe that any camp described by an anonymous officer as a "suburb of hell" ever existed.

CLEVELAND TO SPEAK AT THE NEW TILDEN CLUB OPENING.

Bryan, Hill, Olney, Bacon of Georgia and Many Other Prominent Democrats Invited to be Present.
(By the Associated Press.)
New York, May 31.—Ex-President Grover Cleveland has accepted an invitation to speak at the opening of the new Tilden Club on June 19th. About fifteen hundred men prominent in the Democratic party have been invited. Among those expected are David B. Hill, William J. Bryan, Senator Bacon, of Georgia, Mayor Patrick A. Collins, of Boston, John D. Milburn, of Buffalo, Richard Olney, Dr. Felix Adler, Bourke Cockran, William C. Whitney, Ex-Mayor Grover, Gray, Gilroy, Van Wyck, Hewitt, Cooper, Edison and Ely, and Lewis Nixon. This is the first time that Mr. Cleveland has consented to address a political audience since his retirement from office. This coupled with the fact that so many distinguished Democrats, whose views on silver and other questions of the day were radically opposed to each other, are to be present, is pointed to as evidence that the occasion of the opening of the club means a direct effort to harmonize various discordant elements of the party.

GREENE COUNTY CONVENTION.

Clark Gets 52 of 88 Votes for Chief Justice, Connor 52 for Associate.

(Special to News and Observer.)
La Grange, N. C., May 31.—The Greene County Democratic convention met today at Snow Hill, and resolutions endorsing Claude Kitchin for Congress, E. C. Beddingfield for Corporation Commissioner, J. Y. Joyner for Superintendent of Public Instruction, and J. E. W. Suggs for the State Senate were unanimously adopted.

For Chief Justice Judge Walter Clark was practically endorsed, having received fifty-two of the fifty-eight votes of the convention. For Associate Justice Connor received fifty-two and Brown two. For Solicitor of the Third Judicial district, Larry I. Moore received fifty and a half and D. L. Ward seven and a half.

ENGINEERS TAKE NO ACTION.

On the Proposition to Unite With the Federation of Labor.

(By the Associated Press.)
Norfolk, Va., May 31.—The Brotherhood of Locomotive Engineers at their session today adopted a resolution of thanks to Mr. James O'Connell, president of the National Machinists, who delivered an address favoring the Federation of the Brotherhood with the American Federation of Labor. Thus far no official attention has been given the proposition submitted to the Brotherhood by Mr. O'Connell, who came to Norfolk as the representative of the American Federation of Labor and upon the consent of Grand Chief Arthur for the purpose of making the proposition.

Assistant Grand Chief Youngson, of the Brotherhood, stated to the Associated Press correspondent tonight that while the sympathy of the Brotherhood was extended to all organized labor, the federation of his order with the American Federation of Labor was an entirely different question and had not been considered by the convention.

Five thousand cape jessamine blooms were received from Houston, Texas, to do on ice. They were intended as inducements to have the next convention held at Houston. The delegates from Texas declare with regret, that the flowers were thirty minutes late.

WINNERS OF GOLD MEDALS.

Here and Money Go Into the River at Washington.

(Special to News and Observer.)
Washington, N. C., May 31.—Three school students from Washington have been awarded gold medals for excellence. They are Miss Ella Keith, "M. H. Jones" gold medal for excellence at Conservatory of Music at Durham; Edward Stewart, Debators gold medal of Bingham school, Mebane; Wm. Bogart, at A. and M. Raleigh.

Steyn Suffers With Paralysis.

(By the Associated Press.)
Freteria, Transvaal, May 31.—Acting President Steyn, of the Transvaal, is suffering from paralysis and will not participate further in the peace conference at Vereeniging.

SAINTS IN PEACE, DEVILS IN WAR

Spooner's Excuses for Cruelties in the Philippines

LO! THE PILGRIM FATHERS

First Fell on their Knees, Then on the Indians.

THE SENATE HOLDS A NIGHT SESSION

Hear and Spooner Have a Hot Passage of Words Over the Philippine Question.

A Remark by Carmack Greeted With Hisses.

(By the Associated Press.)
Washington, D. C., May 31.—Hissing in the Senate is so unusual that when it occurred in the course of the Philippine debate today it created a sensation. Mr. Spooner, of Wisconsin, was speaking and referred, incidentally, to the story that a thousand Filipinos had been put to death by American troops in trenches which they were compelled to dig. Mr. Lodge, of Massachusetts, said the story had been denied by the father of the soldier who had started it, and that the War Department had cabled to General Chaffee to ascertain the facts. Mr. Carmack, of Tennessee, interrupted to say that no doubt the soldier would deny the story as all soldiers in the Philippines had been required to do. His remark was greeted with hisses from the galleries, the demonstration of disapprobation calling out a sharp rapping of the gavel from the chair.

Mr. Spooner occupied nearly five hours of today's session in concluding his speech begun on Thursday. His eloquence and earnestness attracted the attention of all Senators and of hundreds of occupants of the crowded galleries. He did not believe in the admission of the Philippines to the Union as States, but in the conduct of the islands nothing saving of imperialism had been suggested except for party purposes.

"I have not been in favor of permanent dominion over the Philippines," said Mr. Spooner, but I do not mean by that that I have been in favor of the United States running away like a coward or abandoning a people who have come under our protection or surrendering them to tyranny, anarchy and chaos."

Mr. Spooner declared that there was little or no similarity between the conditions in Cuba and those in the Philippines.

"Those Senators," he insisted, "who cannot see the difference between the Philippines and Cuba have some sort of mental strabismus."

"If Congress had recognized the independence of the Philippines," said he, "instead of being there, as we are now, with a title which the Supreme Court has saved us from that unutterable folly."

Later Mr. Hoar inquired if the inhabitants of the Philippines were not a people where there were millions of men, acting together, who raised an army, selected a general, turned Spain out of all territory except only the city of Manila and who had agreed upon a constitution. Republican in form.

"They would be a people," replied Mr. Spooner, "if that were true."

Puritans had bought and paid for every foot of land acquired from the Indians and that the statute of 1722 was "cruel and barbarous."

"Do you approve of it," he demanded, "when at the beginning of the twentieth century you make it a precedent?"

"I think," said Mr. Spooner, "that our fathers bought the lands of the Indians in Massachusetts and then proceeded to buy their scalps."

"I will agree," retorted Mr. Hoar, "that this policy which the Senator defends in the Philippines is well supported by all the wicked precedents which can be found in the lives of good men." (Laughter.)

"Senators," declared Mr. Spooner, "who denounce our policy in the Philippines in general language, on ex parte testimony ought not to forget that our forebears, (brave men in war) also found it necessary to resort in war to what in time of peace no man on earth would approve."

"Does the Senator approve of the order?" demanded Mr. Hoar, "in war or in peace."

"If it were necessary," suggested Mr. Spooner, "to make the order in Massachusetts so that the pilgrim might protect his home from destruction, his wife from debauchery and his children from cruelty, I would have done what he had done. What does the Senator say?"

"It never was necessary to do it," Mr. Hoar declared. "It was a base and wicked order, and when the Senator talks of forebears I am happy to say that the man of that generation who bore my name incurred obloquy and indignities through resisting things then as I do now." (Applause.)

Mr. Spooner said to Mr. Hoar that if he did not believe his party was right, and could not act with them he would vote for the other party.

This elicited quite a long reply from Mr. Hoar who said he did not believe the Democratic party was right in their view of the question. He believed that the Republican party would work out the problem right in the end, but that they should be shown that their present policy was wrong. He could not be expected to abandon a party in whose policies in the main he believed, to join a party to whose policies he was opposed.

THE BIRDS BRUSH THE TOBACCO TAGS ASIDE

Raleigh Finds There's Luck in Odd Numbers

DURHAM GETS SHUT OUT

However the Birds Make But One Home Flight.

THE HORNETS SOCK IT TO THE FARMERS

Four to Three is the Story, Told By the Score, The Gulls Again Flop Before the Onslaught of the Trainers.

YESTERDAY'S RESULTS.

Durham 0, Raleigh 1.
Greensboro 3, Charlotte 4.
Wilmington 4, New Bern 7.

STANDING OF THE CLUBS.

Club	Won	Lost	P.C.
Charlotte	29	3	87.0
Raleigh	14	10	58.3
Durham	14	10	58.3
New Bern	12	12	50.0
Greensboro	10	14	41.7
Wilmington	1	22	4.3

MONDAY'S SCHEDULE.

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

(Special to News and Observer.)
Durham, N. C., May 31.—Raleigh defeated Durham this afternoon in one of the prettiest games played here this season. The score was one to nothing.

Raleigh's run came in the third inning, and was made on a hit, fielders choice and an error. Childs pitched a beautiful game. Stockdale for Durham seemed to be slightly off, although he pitched a fairly good game. He allowed six hits. The story is told in the tabulated score and summary.

RALEIGH. AB. R. H. P. O. A. E.

Paytor, 3b.	4	1	1	1	0	0
Soffel, s.	4	0	1	2	1	1
Smith, c.	4	0	0	1	0	1
Treagar, l. f.	4	0	0	1	0	0
Farrell, lb.	4	0	2	7	0	0
White, c. f.	3	0	0	1	0	0
Hook, 2b.	3	0	1	4	0	0
Myers, r. f.	3	0	0	1	0	0
Childs, p.	3	0	1	0	4	0
Total	32	1	6	27	6	3

DURHAM. AB. R. H. P. O. A. E.

McDade, 2b.	3	0	0	5	2	0
Costello, c. f.	3	0	0	1	0	0
Rockford, lb.	4	0	1	14	1	0
Curran, r. f.	3	0	0	1	0	1
Curtis, l. f.	4	0	0	0	0	0
Smithson, s. f.	4	0	0	0	7	0
Soffel, p.	4	0	0	0	3	0
Logan, c.	3	0	0	5	1	0
Stockdale, p.	3	0	1	0	1	0
Total	31	0	2	25	15	2

*Hook out pop fly infield.
Score by innings: R. H. E.
Raleigh... 001000000-1 6 3
Durham... 000000000-0 2 2

Batteries: Raleigh, Childs and Smith; Durham, Stockdale and Logan.

Summary—Bases stolen, Durham 5; double play, Smithson to McDade to Rockford; struck out by Stockdale 6; by Childs 9; bases on balls, off Childs 3; left on bases, Raleigh 4, Durham 7. Time of game, 1:20. Attendance 650. Umpire, Proud.

Gulls Thought They'd Got There, But

(Special to News and Observer.)
Wilmington, N. C., May 31.—The locals for the once this afternoon had the game coming their own way until the eighth inning, when the Trainers lighted on Dunn, the local curve dispenser, and pounded out four hits, one of them for two bases, which, with a glaring error by McCann in right field and two passes double play, Smithson to McDade to Rockford, struck out by Stockdale 6; by Childs 9; bases on balls, off Childs 3; left on bases, Raleigh 4, Durham 7. Time of game, 1:20. Attendance 650. Umpire, Proud.

SUGGS FAILS IN THE FOURTH.

(Special to News and Observer.)
Greensboro, N. C., May 31.—Charlotte again completed a series of three straight from Greensboro in a splendid game.

Suggs pitched fine ball, but let down in the fourth inning, allowing the visitors to bunch hits and score four runs. Both pitchers struck out five men, but the sensation of the game was Fox's running catch of Weaver's fly and his fine play on second base. Kicking on the

"DID NOT KNOW IT"

Hon. M. H. Justice Says He Did Not Know of the Use of His Name

Reports That the Anti-Clark People are Straining Every Nerve to Prevent His Nomination as Chief Justice.

The report has been "in the air" for several days that New Hanover, of Judge Clark, that "something would drop" very soon, and that Judge Clark would not get the nomination for Chief Justice.

At Wilmington, tickets bearing the name of Hon. M. H. Justice, present Superior Court Judge of the Fifteenth district, were printed, and an active campaign was waged to carry the county for Mr. Justice. The result of the primary was that Judge Clark carried the county by about 200 majority. His friends say that New Hanover is the only county in the State in which there are very few country votes, and that even in the city vote he had 200 majority, and that in the country districts his majority will be much larger than in the city wards.

Is Mr. Justice a candidate? Did he know his name was to be used in New Hanover? Is he cognizant of the use that is now being made of it? These questions were generally asked yesterday. In order to give an answer this telegram was sent to Mr. Justice: Hon. M. H. Justice, Rutherfordton, N. C. Is the use of your name for Chief Justice authorized by you? Please answer. NEWS & OBSERVER. This is his reply: Rutherfordton, N. C., May 21. News & Observer. I did not know it was being used; have had nothing to say about it one way or the other. M. H. JUSTICE.

JUSTICE IS NOMINATED FOR JUDGE OF FOURTH

and Spanhour for Solicitor. A Resol Adopted Endorsing Judge Clark Chief Justice

(Special to News and Observer.)
Marion, N. C., May 31.—The Democrats of the Fourteenth Judicial District assembled in convention here today. M. L. Shipman, of Hendersonville, was elected chairman and T. G. Cobb, of Morganton, secretary. Judge M. H. Justice and Solicitor J. F. Spanhour were nominated by acclamation to succeed themselves. Mr. Spanhour was sent for and expressed his appreciation of the action of the convention in a brief speech, which was cheered to the echo. W. A. Smith, Esq., of Hendersonville, introduced the following resolution, which was adopted by the convention: "Resolved, that we have implicit faith in the personal character, ability and patriotism of Justice Walter Clark, and as he is the senior Associate Justice of the Supreme Court, and the only Democrat on that bench he is a line of promotion to the position of Chief Justice and we endorse him for nomination to that office by the Democratic State Convention, which meets in Greensboro on July 16, 1902."

In Olivia Raney Library.

The following is a list of some of the new books in the Olivia Raney Library: Atherton's "The Conqueror"; Burnett's "The Methods of Lady Walsley"; Doyle's "Hound of the Baskervilles"; Eggleston's "Dorothy South"; Hopkins' "The Fighting Bishop"; Long's "Naughty Nan"; Howell's "The Kentons"; McCarthy's "If I Were King"; Rouse's "Under My Own Roof"; Sears' "None But the Brave"; Sedgwick's "The Rescue"; Twin Mark, "A Double-Barreled Detective Story"; Vigny's "Cinq-Mars"; Wharton's "Valley of Decision"; Loti's "Pecheur d'Islande."

Dr. Lewis Battle, of Washington, D. C., sent the library two beautifully illustrated copies of "Our Islands and Their People," edited and arranged by William S. Bryan. Judge Clark, the 4th and 5th volumes of N. C. Regimental History, Mr. J. R. Young, a copy of the "Annual Report of Insurance Commissioner of N. C. for 1901," Miss Louise Mahler, Whiting's "No 5 John St.," Audrey Baker, Childs' "House With Sixty Closets," Miss Musa Ellison, Alger's "Lute Walton," Paul Pittenger, Alger's "Helping Himself," and a copy of Andrews' "A Faith Gentil Knight," was given by a friend.

A Close Vote for Judge.

(Special to News and Observer.)
Randeman, N. C., May 31.—The Randeman primary at a full meeting today instructed unanimously for Hammer for solicitor, Robt. N. Page for Congress and Benj. F. Long for judge. The vote was very close between Hoke and Clark, with a majority of one for Clark. Platt D. Walker and Judge Conner were endorsed unanimously.

A Sunday Morning Edition.

(By the Associated Press.)
Atlanta, Ga., May 31.—The Atlanta Journal will begin tomorrow the publication of a Sunday morning edition in addition to appearing every afternoon in the week. The Journal will have the full report of The Associated Press.

New York, May 31.—Total bank clearings week ended May 29th, \$2,067,456,109, increase \$28,216,000; outside of New York \$743,661,423, increase 28.5 per cent.