Daniels Fined \$2,000, Refuses to Pay the Fine

Judge Purnell Gave Two Hours for the Preparation of the Answer of Editor Daniels to His Rule of Contempt---He injured. The railway and telegraph Then Fines. Him Two Thousand Dollars

Daniels are B. T. Gray, Ex-Judge W. mack, J. N. Holding, Walter L. Watson, Busbee and Busbee, Raleigh. publication was within two hundred termined to behead them without re-Judge Purneil called for an answer to yards of the court room; that he would ferring the cases to the Mukden authe rule and Daniel's counsel asked for adjudge defendant guilty of contempt thorities. time, stating that it was a matter of and impose a fine of \$2,000. Daniels so much importance that several days to be in the custoday of marshal unought to be allowed for the preparation til fine and costs were paid. of the defense. The request was re-Replied the Judge, "There is he time for a complete answer for the ing in the A. & N. C. receivership case. later and took steps to protect Chinese reason especially, that the Judge might review the whole situation. If called now judgment might be passed defense to the great injustice of Mr. Daniels. To this the judge asked: Do you mean to intimate, Mr. Gray, "Not at all," replied Mr. Gray. Judge Winston explained to their answer in two hours. So the

tions and not in the light of the whole that the Court will take an unfair adhearing was postponed until 12 o'clock. When the case was taken up again at noon the answer on the part of Editor Daniels was read by Judge Winston, of counsel for the respondent. It set out that the court had no jurisdiction to punish in such a case, because the power to punish newspapers for contempt on the strength of publications having been taken from the Circuit Courts by an act of Congress in editor to freely and fairly discuss matters so that the people may be inform ed. It disclaimed any intention on the part of Daniels of committing any contempt against the court or to interfere in any way with the judgments of the court; that the publication was not made during the sitting of the Court and this put it out of the jurisdiction. Following the reading of the answer udge Winston spoke an hour review-

SUSPENSION OF

is Said to Have Disappeared Japanese victory. Ten Days Ago --- Resumption Probable.

(By Associated Press.)

New York, May 31.—The suspension of S. Munn, Son & Company is ankeeper and cashier are said to have straightened out, the firm will be able military operations are concerned.

At the office of the firm it is said that Clarence Cameron, office man and head clerk, have been absent for a week. Examination of books, it is reported,

read on the cotton exchange:

press but counted it a sacred bulwark Raleigh, May 31.—The rule for con- of liberty. He said he invited free It is evident the Russians fled quickly tempt against Josephus Daniels, edi- criticism of judicial acts but it must tor of the Raleigh News and Observer, be respectful. The publications of this was called for a hearing by Judge Pur- morning in the News and Observer connell in the Federal Court this morning. tradicted the plea that no contempt The court-room was packed and was intended. For instance, the paper jammed with people and most intense had stated that "six hundred armed false. interest prevailed. The counsel for men were ready in Sampson county to march to Raleigh and protect the R. Winston, of Durham; F. A. Wood- editor." That at was nonsense to plead ard, of Wilson; Ex-Judge T. B. Wo- that the act was not in the presence of cution. The Chinese government, recall the court. It would not hold when the ing the trouble some time ago, is de-

Editor Daniels declines to pay the and Talionwan. While their statefine or the costs and is in the hands ments differ in many respects regarding but one answer, he must either justify of the United States Marshal. Counsel existing conditions on the Liotung Pehis course or admit the charges in the say they will confer this afternoon, as ninsula, the majority agree that the rule. He has accentuated the matter to the course they will pursue. It is Russians left both places before the in the morning's issue of his paper and presumed that they will apply to Chief junk sailed last Saturday. Upon evacu-I don't propose to allow him a field Justice Fuller or some other judge ation. The Russian bandits attacked day in this matter." Gray, of Daniels' for a writ of supersedeas similar to both towns and commenced burning counsel, insisted that there ought to that Justice Fuller allowed this morn- and pillaging. The Japanese arrived

the Judge that they might complete That is the Supposed Significance of the Recent Movement Southward--Japanese Hamhueng is broken today. Occupy Dalny and Capture Valuable Stores.

> (By Associated Press.) Tien Tsin, May 31+It is reuported here that the first brigade of the first division of Russians consisting of four Siberian regiments, left a point on the railroad twenty miles south of New Chwang for Kinchou yesterday, purpose of this movement is not known but it is believed that troops are moving to the relief of Port Arthur. They will be followed by an entire divsion.

Chinese Refugees. New Chwang, May 31.-Refugees con-

ing the case and the law governing tinue to arrive from the southern part cases of contempt, saying there has not of the Liao Tung Peninsula and reeen a case of the kind in any court port of daily fighting and severe losses reporter since 1831. He made a plea of both armies, but reports are not for the freedom of the press as the confirmed. The Russians are depending bulwark of liberty, appealed to the on press bulletins from that vicinity. judge to dismiss the case for want of The highest Russian authorities do not jurisdiction and because Editor Dan- believe Port Arthur will fall, but admit els disclaimed any intention of com- its loss would be a terrible blow to the mitting any contempt. After hearing Russian army. Russians are not santhe argument Judge Purnell held he guine as to the outlook for Port Arhad jurisdiction under section 1725. thur. Heavy rains are daily making That he had no intention to muzzle the roads almost impassable. Chinese brigands are becoming active. Cossacks Defeat.

St. Petersburg, May 31.-The war office has received a tedtailed report of the fight at Ai-Yang Pien-Men, sixty MUNN SON & CO. miles northeast of Fcng Wang Cheng, Saturday nights in which two battalions of Japanese infantry and two Saturday nights in which two battal- about here were closed this afternoon One of the Oldest Firms in seven Cossacks killed and one officer those gathered to do him honor. Prithe Cotton Trade--- Cashier | wounded. The war onice attributes it- vale set vice and at 10 tle importance to this engagement, at the late residence, and at 10

Destroy Their Gunboat. Tokio, May 31.—The Russians have wan against the Japanese left during look at the face of the dead Senator. the battle of Nanshan Hill. The name of this boat is unknown.

Japanese Mine a Gulf. Vladivostock, May 31.—It is believed E. Clay Timanus, Becomes Successor here from information received that nounced on the Cotton Exchange today. the Japanese have mined Peter the The firm is one of the oldest in the cot- Great Golf, on which this town is loon trade in this city. The head book- cated. The task was easy of accomplishment because of recent heavy fogs. disappeared ten days ago and the firm A small Korean vessel was blown up believes as soon as accounts are yesterday. The region is quiet, so far as

Refugees Arrive. Chefoo, May 31.-Five hundred Chinese refugees from Dalny and Talienwan arrived here today after sifting conflicting statements it appears that showed apparent discrepancies of a the Russians left Taliewan last Thurshundred and twenty-five thousand dol- day for Port Arthur, after burning everything likely to be useful to the The following announcement was Japanese. The bandits later took possession of the town and were pillaging I hereby announce to the members when the Japanese appeared Friday. of the Cotton Exchange that through On Thursday the Russians left Dainy, Manila, May 31.—General Wood has the absence of our head and trusted previously burning offices and residen- returned from Zabeanga, Miudano, clerk, we are obliged to suspend. We ces, besides the railroad and cutting where he has been organizing a punitive this suspension will be only temporary. We would request all members dredges and barges. A Chinese contraction of Datto Ali and his Moro followers trict. with us to present same at once. We for the Russians, was held for ransom massacreed fifty Filipino men, women further state that we have very few and his clerks killed. The town was and children, employed by the governopen contracts on the New York Cot-still burning when the refugees started ment at Camp Overton. The troops are

ime. One junk leaving Dalny was sunk by bandits and fifty persons drowned.
The Chinese who have reached here didn't leave Dalny or Talienwan for fear of the Version of the Part of the Property of fear of the Japanese or Russians, but fled from the bandits who entered the

Leaving Harbin. Harbin, May 31 .- Many women, children and male civilians are beginning

to move west. Another Attempt at Port Arthur. Mukden, May 31.-The Japanese last Saturday night made another attempt to lock Port Arthur by sinking a merchant vessel in the harbor entrance. The attempt was discovered by a searchlight and one Japanese gun boat and two destroyers were sunk. The merchant man then retired.

Japanese Capture Stores. Tokio, May 31.-Russians evacuated Dalny so hastily that they failed to destroy much property that will prove highly valuable to the Japanese. It is reported that more than a hundred barracks and storehouses remain unstation with two hundred passenger and freight cars is also un-injured. The Russians destroyed the big pier and blocked all the dock entrances with sunken steamers. They destroyed a small railway bridge in the vicinity of when Nanshan Hill was lost, expecting General Oku immediately to take possession of Dalny. All previous reports of the occupation of the town were

Bandits Beheaded.

Lio Cung, May 31.-Many condemned Chinese bandits are here awaiting exe-

Dalny Occupied.

Chefo, May 31.-A hundred Chinese refugees arrived here today from Dalny merchants. One Russian official was killed by the bandits. The Japanese troops captured the naval guns taken

Cossacks Active. Seoul, May 31.-It is understood here that M. Kato, at one time Miniscabinet, will come shortly to this country to act as advisor for the Korean government. The activity of the Cossacks in the vicinity of Hamhueng, on their posts and communication with

THE ILLINOIS CONVENTION.

Delegates Assembling for the Republican Convention-Opinion as to the (By Associated Press.)

Springfield, Ill., May 31.-Delegates, of the opinion that no nomination for noon are expected to show material change from the 58th ballot, the last one taken before recess. Lowdens followers showed great confidence and Four Men Killed and Two Fatally In said the break for Lowden might be expected on any ballot after today. Dengen's managers appeared equally confident although not attempting to Governor as much a factor as two weeks ago. Friends of Attorney General Hamlin maintained that condiable. The same view is taken by supporters of Congressman Warner,

SENATOR QUAY'S FUNERAL.

Take a Last Look at the Face of the Dead Senator.

(By Associated Press.)

Beaver, Pa., May 31.-All manufacmiles northeast of Fong Wang Cheng, tories here and in a dozen centers workmen employed in the cut had narbetween 2 and 4 o'clock during the squadrons of cavalry, about twenty-two hours set apart for the funeral of Unithundred men, attacked five squadrons ed States Senator Quay. The city was of Cossack cavalry. Russian losses were thronged early this morning with wounded. The war office attribltes lit- vate service was held at an early hour which is heralded from Tokio, as a o'clock under guard honor from the local G. A. R. post remains were removed to the Presbyterian church, where for three hours the public was destroyed the gunboat used at Talien- given the opportunity to take a last

NEW MAYOR OF BALTIMORE.

self Yesterday. Baltimore, May 31.-Fresident E Clay Timanus, of the second branch of

the city council, today took the oath of office as mayor of Baltimore, becoming The Degree of LL. D. Confered on Miss the successor of Robert McLane, who ended his life yesterday. He will serve the balance of Mayor McLane's term of three years. The new mayor is a Republican, 41 years old.

WOOD AFTER ALI.

General Wood is Hunting Down Datto Ali and His Moro Band.

(By Associated Press) ton Exchange and that these balance for Chefoo, on Saturday and the Japa-each other." nese had not appeared at Dalny at that ture or destroy him and his followers.

totheRescue of the State

Great Chief-Justice of the United States Supreme Court severe punishment. Sets Aside the Receivership Business on Request of State's Attorneys.

Washington Instead of to Richmond add Outwit the Conspirators -- Hooray!

(Special The News.)

Raleigh, May 31.- A special réceived here from Washington is to the effect that Chief Justice Fuller, of the United States Supremb Court, has, on application of counsel for the State. set aside the order of Judge Purnell making Thos. D. Meares and V. E. Mc-Bee co-receivers for the Atlantic and North Carolina railroad. The hearing is to be held next October.

vent the receivers from taking charge of the road at this time.

Attorney General Gilmer, Ex-Governor Jarvis and Mr. Jas. H. Pou, went ter of Foreign Affairs of the Japanese to Washington Monday to ask this Richmond to rush the printing of the the coast of Korea, has resulted in driv- case on appeal so as to be ready when ing telegraph operators there from the Circuit Court of Appeals convenes on June 24th.

So there is another sensation in a most sensational case.

Board of Agriculture.

Raleigh, May 31.-The State Board adopting a budget for the next six seriously. months amounting to \$45,000. It passed a resolution that no aid will be exre-assembling for the Republican State tended to the State Fair this year but Convention, today, are quite generally next year the Board will give premiums for few special crops on acre Governor will be reached before tomor- lots to encourage intensive farming, row or Thursday. Ballots this after- and will expend about \$1,500 this way.

KILLED NEAR KNOXVILLE.

jured in Dynamite Explosion.

(By Associated Press.) Knoxville, Tenn., May 31.—Four men were killed and two fatally injured yesduplicate Lowden's demonstrations, terday in a dynamite explosion which occurred near Warwick, on the Knoxville, La Follette & Jellico branch of the Louisville & Nashville road. The and hoped that he would come out dead are: James Birchell and son, all right, tions are hourly growing more favor- John; John Hunley; Henry McAlister. All the dead are residents of Campbell

The injured men are: Hal Hunley To Hear the Contempt Case and Gives and George Ridenour. The latter's eyes were blown out and the bodies of both Impressive Services-Great Crowds are lacerated by stones. The accident was due to the carelessness of men at work in a rock cut. They had been ordered to lay some blasts and it was while they were tapping the holes that the explosion occurred. Many other row escapes from death and injury.

GEORGIA DEMOCRACY.

Divided Over the Question of Instructing for Parker or Endorsing Him. (By Associated Press.) Atlanta, May 31.-The State Democratic Conventin will be held here tomorrow to elect delegates at large to the National Convention and delegates from each of 11 congressional districts, also to confirm nominations of State primaries April 20th. | No bitterness is manifested so far, but a warm contest is expected in the choice of delegates at large and questions of instruction. The unit rule or leaving the delegation of Mayor McLane Who Killed Him- free to meet the situation as it arises at St. Louis with resolutions of the convention favoring the nomination of

NEW TYPE OF SCHOLARSHIP.

Jane Adams for Philanthropic Work. (By Associated Press.) Chicago, May 31.-Miss Jane Adams will have the honorary degree of LL. D. conferred on her by the University of Wisconsin, in recognition of her reother philanthropic centers.

George Gould Denies. (By Associated Press.)
Baltimore, May 31.—Replying to a query by the Baltimore News, George J. Gould telegraphs from New York to-

> THE WEATHER. Occasional Showers Tonight and Wednesday.

GLENN IS AHEAD.

Encouraging.

(Special The News.)

Winston, May 31.-The information received here from all the counties that held primaries last Saturday is very en-

couraging to Mr. Glenn, and his friends claim that he has a decided lead over the other candidates. Figures are not given because the official returns have not all been received. Superior Court, which has been in

session here for the past ten days, will adjourn this afternoon. Judge Allen has been the presiding judge and has given universal satisfaction.

The news of the fining of Editor Daniels was received here this afternoon. It is generally regarded as very

WEATHER FOR JUNE.

As Compiled for the Past 25 Years by the Weather Bureau.

The following data, covering a period of 25 years, has been compiled from the Weather Bureau records at Charlotte. They are issued to show the conditions that have prevailed, during the month in question, for the above period of

In the past 25 years the mean or nor mal temperature for the month of June was 76 degrees. 'The warmest June according to the records was that of 1890, with an average of 80. The coldest Jude was that of 1883 with an average temperature of 71. The highest temperature for the month of June was 102, on June 20, 1887. The lowest temperature was 45 degrees on June 1, 1889. The average precipitation was 4.55; the average number of days with .01 or more was 12. The greatest monthly precipitation was 10.54 inches in 1889. The least monthly precipitation was 0.52 inches in 1890. The greatest they will be placed in the county jail county, the three men ordered to jail amount of precipitation recorded in any 24 consecutive hours was 3.08 inches on June 14-15, 1901. The average number of clear days was 10; part- they had seen Judge Peebles drunk, that they had seen Judge Peebles ly cloudy 13; cloudy days 7.

The prevailing winds have been from miles from the west on June 26, 1902.

RUNAWAY THIS MORNING.

This turn in the litigation will pre- Frightened Team Runs From Southern Station to Elizabeth College With-

A team of horses attached to a sur this morning. They ran Trade street action by Chief Justice Fuller. It was from the Southern station to Elizathought here that they had gone to beth College. The driver left them unattended at the station and they became frightened and ran. They would probably have made the trip without nishap but some men tried to-stop them near the bridge on Elizabeth Avenue, which caused them to shy to one side and overturn the surrey. By the time they were stopped up on the hill the surrey, which was a new one was almost completely demolished of Agriculture adjourned today, after The horses were hurt a little, but not

EXCITING TIMES, THESE.

Editor Daniels Has Many Friends in

The News special from Raleigh announcing the decision of Judge Purnell | well Varley, "Rainsuli, Moorish Chief, in the Daniels contempt case, caused a and Government functionary, whom the flutter of excitement in Charlotte, the like that has not been known even in these stirring times. Dr. H. M. Wilder, a former resident

ered the decree of the court oppressive punishment and that the people would stand by Editor Daniels. Many others expressed sympathy for

the editor of The News and Observer to issue a loan to the Suutan of ten

JUDGE BROWN DECLINES.

The Raleigh News and Observer of this morning has the following interesting item:

"Judge Geo. H. Brown has asked to be escused from presiding in the contempt proceedings from Robeson. "While deeply sensible of the confi-

dence in him manifested by his selection he feels that he would be greatly embarrassed by a close family connection with Mr. Wilton McLean, whose uncle married the judge's sister. The judge himself is much attached to young Mr. McLean, who is a lawyer and business man of great promise and attractive personality."

A Twelve Mile Run.

'Squire C. A. Pitts, of Concord, is in the city today and he and 'Squire S. H. Hilton are telling stories of the war. They were both members of Company First North Carolina Cavalry. 'Squire Pitts told The News man that he never ran from the Yankees Hilton to tell of a time that he did some famous running. He and Shakespeare Harris and two others had penetrated far into the Federal They were 12 miles from a place of safety when a big snow storm caught them. This was hardly over when the Yankees discovered them and gave chase. Back through the snow 12 inches deep they ran, with the enemy in hot pursuit.

There were 40 men in the pursuing party and only 4 in the fleeing party. markable work at the Hull House and The 'Squire says he did the running of his life and that Col. Harris also made splendid time. They were completely exhausted when they reached cover and safety.

> Funeral of Mr. Purefoy. The funeral of the late J. K. Purefoy.

Baptist church this morning at 9:30

Judge Peebles' Witnesses Secure Habeas Corpus

The Two Lawyers and the Mail Agent Who Were Unfortunate Enough to Say That Judge Peebless was Just Plain Drunk, Will Not Go to Jail at Present.

of Sampson arrived here this morning them. with the prisoners. Sheriff McLeod of Robeson arrived this afternoon and the prisoners were turned over to him. appeared before Associate Justice Con-He left with the three men this aftr- nor of the Supreme Court this mornnoon and the prisoners were turned ing, sued out writs of habeas corpus over to him. He left with the three men for C. F. Carroll, of Duplin, E. W. Kerr this afternoon for Lumberton where and R. J. Southerland, of Sampson under the order of Judge Peebles. It at Lumberton by Judge Peebles for will be remembered that Kerr, South- making an affidavit in contempt proerland and Carroll made affidavits that ceedings against the Lumberton bar, and for this he holds them in contempt drunk. Writs were mailed to the of court. As soon as the three men are Sheriff of Robeson county and it is the southwest. The average hourly ve placed in jail the Lumberton lawyers expected the men will be brought here locity of the wind is five miles. The will go to Raleigh and have a writ of tomorrow for a hearing. Julge Peehighest velocity of the wind was 36 Habaes Corpus isued. —[The writ has bles is in Wilmington for a few days, been issued.1

Col. N. A. McLean and Stephen Mc-Wilmington, N. C., May 31.—The Intyre, two of the respondents in the papers issued by Judge Peebles at Lum- Lumberton contempt case were here berton Saturday night for the arrest of today with the prisoners, but neither E. W. Kerr and R. C. Southerland, of them would give out a statement for lawyers of Clinton and C. F. Carroll, a publication. While in the city the entire mail agent, of Duplin county, were party stopped at the Orton and many served this morning and Sheriff Aman friends of the prisoners caled to see

Habeas Corpus. Raleigh, May 31.-Chas. M. Busbee

and is expected here for a hearing.

Seems That the Sultan Owed the Bandit Money. Uncle Sam and John Bull! in Earnest About Freeing Their Citizens.

(By Associated Press.) New York, May 31 .- A Paris corres- gardening. pendent of the Times says that Jean Hess, the explorer who has just returned from Loroco reports concerning the in charge of the upper convict camp, is kindaping of Ion-Perdicaris and Crom- a son of the deceased. Sultan forgot to pay, hopes by obtaining a ransom for his prisoners to get D. Hardin, assisted by Rev. L. D. Noel, square financially with his former masof Wake county, said that he consid- ter. There need be no fear in the United States that the cost of the expedition will not be paid by Morocco as a Paris financial institution is now preparing

France Will Help. Washington, May 31.-Through Ambassador Porter, Secretary Hay has requested the French government to exthe release of Perdicaris, the American kidnapped in Morocco. The French government has undertaken the task and because of its closer relations with the various elements it is believed it can accomplish more than any other government. The British government is also acting with great energy on behalf of Varley, stepson of Perdicaris, and a British subject, and British officials are in communication with the United States ministers.

Uncle Sam and John Bull. Tangier, May 31.-United States

gunboats, Castine and Marietta arrived here making four of the American squadron sent here in connection with the kidnapping of Perdicaris and Varley. The population is deeply impressed by the assembling of so many war vessels and the people living outside the ity are removing here for safety. British and American representatives sent a special courier to the Sultan regarding the prisoners. Officials maintain strict secrecy regarding the ne-

A "Surprise."

Tangier, May 31.-The British dis patch boat Surprise arrived today with with the British Minister regarding the kidnapping of Perdicaris and Varley. The United States flagship Brooklyn dents outside of the town have been requested by their consul to come to

wick is not expected at present to land on plants and between the rows in a party from his fleet to pursue the countless thousands. The red ant was brigands, but it is stated positively that recently exploited by the Department if Raisuli executes his threat of killing of Agriculture which is preparing to his captives the United States govern-import the insect into the Cotton States ment will insist that he be run down to combat the weevil. and executed at any cost.

The matter was discussed at some o'clock. Dr. A. C. Barron, the pastor, length at todays cabinet meeting. It is conducted the service. Quite a large expected at the Navy Department that

DEATH OF MR. LITTLE.

Aged Citizen of Charlotte Passed

Mr. William P. Little, an aged and well known citizen of Charlotte, died at his home, No. 905 East Fifth street this morning at 5 o'clock after an illness that covered a period of 12 months

The body will be taken to Gaston county, the former home of the Little family and will be buried in the family burying ground, near Beattle's Ford. For years Mr. Little was one of the most familiar figures around Charlotte. Under the late Sheriff Marshall Alexander, Mr. Little served as a deputy. Later he was coroner of Mecklepburg and still later acted as constable.

For the past few years Mr. Little has been engaged in truck farming and The deceased was about 87 years old and is survived by a wife and several children. Mr. Henry Little, who is

The funeral services will be held from the residence on East Fifth street this afternoon at 6 o'clock, Rev. Martin

will conduct the services.

In Police Circles. This is a very good day for the police. This morning's session of the court was not half over before the cells were being filled up with drunken men for

omorrow's court. One of the first to be locked up was llay Boggs, and he did what only a drunken man, would have done, came staggering into the court room while court was in session and took a seat. When taken to a cell he demanded immediate trial and declared that he was not drunk. Several others have been locked up

YE COTTON STATES

during the day for various offenses.

The Imported Red Ant is Swarming Over the Cotton Fields and Eating Up. the Boll-Weevil --- It May be Necessary to D stroy Ant.

(By Associated Press.) Fort Worth, May 31.- A special from

San Antonio says that Jose Cassians, who has several acres of cotton is the the admiral from Gibraltar, to confer bearer of good tidings concerning the work of the red ants on the boll weevils. It says less than a month ago saluted the Surprise. Inhabitants of the fields were alive with boll weevils Tangier are uneasy and British resi- and today no live weevils are in his fields. The rows are strewn with dead weevils and ants carrying them away by the thousands. It says a close inspection failed to show a single live Washington, May 31-Admiral Chad- weevil in his fields while the ants are

Funeral of Mr. Cannon.

Concord, May 31.—The funeral of the crowd was present though the weather the South Atlantic squadron now at late Mr. D. F. Cannon took place here was threatening. The body was borne Tangier will be reinforced today by this morning at 11 o'clock. There was from the church to beautiful Elmwood, the European squadron commanded, a large crowd present, both at the home where the interment took place. Rear Admiral Jewell.