in its path. It struck a small house

which stands alone at the foot of St. Vincent hospital hill, mashing it flat

the residence of Robert J. Lowe at No.

TELEGRAPHIC SUMMARY.

Colonel W. H. Cheek dies suddenly at

The impeachment trial will hardly end before Friday.

A Boer force is advancing on Queenstown, Cape Colony. Russia secures the dismissal of the director general of customs in Korea. Several persons are injured by a collision of electric cars near Washington

Russia refuses to give China an extension of time for signing the treaty

as to Manchuria, The governor appoints the sub-com-

mission to examine the proffered public school text books. Edwards & Broughton and E. M Uzzell, who made a joint bld, are

awarded the public printing. The cost of the recent session of the legislature was \$66,007. The impeachment trial will cost about \$15,000. At Rome, Ga., yesterday there was a rainfall of six inches in four hours. There was also a hail storm with high

The republican club committee of the Twenty first assembly district of New York endorses Andrew Carnegie for

The state department makes public the reply of England to the notice of the amendments to the Hay-Paunce-

At Chapel Hill yesterday the univer-

sity and LaFayette met on the diamond. Rain stopped the game in the fifth inning. In the impeachment trial yesterday F. H. Busbee concluded his speech and B. F. Long addressed the court, both

for the defense. A cyclone passed over Birmingham, Ala., yesterday. Twenty-five persons were killed and the property damaged

is placed at \$250,000. "Topeka Joe" Rapley, arrested in Hudson, Mich., confesses that he is a fugitive from Virginia, being charged

with the robbery of the Williamsburg At 10:45 o'clock last night three men entered the Southern express office in Raleigh and blew open the safe. The explosion aroused the people and the

burglars escaped through the back TELEGRAPHIC SPARKS

The British first class cruiser Terrible has been ordered from Amoy

At St. Louis the Jack Bonner-Kid Carter, 20 contest last night ended in The overdue German steamship Bru-

tus, from Scotland, for Kiel, has been lost with all on board. The new United States torpedo boat Tingey was successfully launched at the

Columbian Iron Works Monday. The widow of Preston C. Brooks, who caned Charles Sumner in the United States senate, died at Columbia, S. C.

At Intschau, Korea, collisions have occurred between the police and missionary students and several students have been killed or wounded. The president has issued a proclama-

tion announcing the acquisition by purchase of the islands of Cibitu and Cahayen forming part of Jolo archipel-A collision occurred in St. Petersburg

Sunday evening between the military and a body of factory hands. There was much bloodshed and many arrests were made.

The hearing in the case against Robert Hayden Moulton the young man who fired five shots in the Pabst hotel rathskellar last Thursday has been

postponed until April 1st. HOSTILITIES RENEWED

Severe Flighting in South Africa Since

Close of Negotiations London, March 25 .- The official casualty list issued last evening indicates a renewal of active operations since the fallure of negotiations between Lord Kitchener and General Botha. At Hartebeestfontein, March 22nd and 23rd, two officers were killed and three wounded and four men killed and twenty wounded. There also seems to have been heavy fighting at a place near Gredgedatcht, March 18th and

Ventersdorp, the scene of the defeat of Delarey, is about twenty-five miles northeast form Hartebeestfontein. It is possible, therefore that the advices as to fighting at these points really refer to the same engagement. The Pretoria correspondent of The Standard says that it is obvious that

near Ventersburg, March 16th.

months must pass before resistance can be crushed. The Amsterdam correspondent of The Daily Express says he understands that Mr. Kruger has advised Acting President Schwalkburger to formulate peace

BOLD SAFE CRACKERS

They Blow Open the Express Safe in Raleigh Early in the Night.

(Special to The Messenger.) Raleigh, March 25 .- At 10:45 o'clock Southern express office here, in a few yards of the south entrance to the capitol square. The cracksmen used too much dynamite. The explosion smashed the large windows at the front, and

alarmed people near by. The robbers were seen in the office, There were three. They had entered the back door by smashing a panel, raising a bar and unlocking the door. They ran out the same way, and down the street towards the union depot. They were seen running on the street, A telephone message was sent to the penitentiary for bloodhounds. Rain was falling at the time.

The express people say no money was taken, as the robbers did not have time to get it.

Russia's Domination in Korea Washington, March 25 .- The state department has received from Mr. Allen, our minister at Seoul, Korea, advices confirming the cabled report of the removal of McLeavy Brown, the director general of Korean customs. As this action of the emperor, undertaken at the behest of Russia, goes far to wipe out the integrity of Korea, according to the estimate of the officials here, it will not be allowed to pass without a remonstrance on our part; for the officials are convinced that Russian domination of Korea would mean the extinguishment of American interests in that quarter and they in recent years have become important,

How's This? We offer One Hundred Dollars Re-

ward for any case of Catarrh that cannot be cured by Hall's Catarrh Cure, F. J. CHENEY & CO., Props., Toledo, Ohio. We, the undersigned, have known

F. J. Cheney for the last fifteen years, and believe him perfectly honorable in all business transactions and financially able to cary out any obligations made by their firm. West & Truax, Wholesale Druggists,

Walding, Kinnan & Marvin, Wholesale Druggists, Toledo, O. Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system. Price, 75c. per bottle. Sold by all Druggists.

Hall's Family Pills are the best.

to the ground,

down treets and fences.

A CYCLONE PASSES THROUGH RESI-

DENCE PORTION OF BIRMINGHAM.

TWENTY-FIVE PERSONS KILLED

ings in its Path, One Hundred and

Fifty Feet Wide-The Black Funnel-

Shaped Cloud Rises and Falls as it

Passes Over the City, Some Sections

Thus Escaping-Heavy Wind, Hail

Birmingham, Ala., March 25.-Short-

ly before 10 o'clock this morning a fear-

ful tornado swept over the southern

section of this city travelling in an

The number of killed is estimated at

twenty-five, but only five of them are

white. The destruction of property is

placed at \$250,000. Eighteen bodies

have been recovered from the debris

up to dark, and scores of injured have

Among the dead are: Dr. G. C.

Champman, of the firm of Tally &

Chapman, who conduct a private in-

firmary in this city, and the wife and

infant child of of Hon. Robert J. Lowe,

chairman of the democratic state exec-

Following is the list of identified

whites among the dead: Dr. G. C.

Chapman, Mrs. Robert J. Lowe, infant

child of Mrs. Lowe, J. Alexander, 1it-

velocity of the

away to the east before the people

generally realized what had happened.

more than seventy-five feet. The negro

shanties and cottages in the town and

est sufferers. The larger residences

on the higher ground suffered but

slightly. The large trees on the hill

side of St. Vincents hispital were torn

up by the roots and large masses of

stone were twisted out of the ground

and broken and scattered all over the

driveways of the entrance to the insti-

From Eighth to Tenth street, the

Onward the wind sped in its fury, de-

molishing trees and fences until it

reached Eleventh street where a house

occupied by John Hayes, was leveled to

the ground, tearing the trees up by the

roots and hurled them through the air

Beyond the grove the stormcloud

swooped down on a negro settlement

and the frail cabins were crushed like

egg shells, not one being left in the

pathway of the storm. Carrie Elma, a

negro, was buried beneath the debris,

but most of the negroes escaped with

slight injuries. Eastward the storm

swept, cutting its way through an-

other strip of woods, striking the Sec-

and Presbyterian church at the corner

of Avenue H and Fifteenth street, de-

molishing the structure. The pews

were piled on top of the debris. A

small oak table, which was used on the

rostrum, was deposited on the topmost

East of the church, directly in the

ornado's path, in another negro set-

telinent, much havoc was wrought

among the frail shacks, seven of which

were swept away. A number of small

houses were leveled between Sixteenth

Th storm then struck the more

hickly settled residence portion of the

city and its work of destruction in-

creased. A cottage occupied, by Fred Schaefer, No. 1814 South Eigh-

teenth street, and a small fran:e build-

ing a few doors north occupied by L.

H. Stewart, were badly damaged. Al-

most a clean sweep was made of the

of wires made a mass of destruction.

east on Ninenteenth street between

Avenues H and I were flattened out.

Not any of the occupants had warning

and were unable to escape from their

nomes before the storm wreck'd them.

They made their escape from the piles

of wreckage by their own efforts or

were rescued by workers after the

The house on the corner of Nine-

block, was occupied by W. M. Merritt,

his family a wife and two small chil-

dren. All were rescued with no more

serious injuries than a few bruises. The second house was occupied by the

family of Edward Mann. They were

rescued slightly injured. The third

house was occupied by Roy McCul-

lough and Charles Robinson and their

families. These were rescued badly

The fourth house was occupied by

Captain N. D. Johnston and his daugh-

ter. They were caught in one corner of

a room, the only part of the house left

standing, and after the storm passed

made their way out. The last house in

the row was the property of D. McRae,

Mrs. Hardwick, a resident of the

hame house, had recently undergone

an operation, was buried under the

ruins, but rescued without an apparent

From Nineteenth to Twentieth streets

tle shanty was destroyed. Minter's

grocery store was literally picked up

killing Dr. C. G. Chapman, who had

left his buggy to escape the rain. W.

the head by a piece of flying timber,

producing concussion of the brain. He

s not expected to live. The roof and

sides of the store were lifted and car-

ried several yards away, leaving the

floor, counters and heavy groceries in-

The wind here seemed to veer apward

second street, sparing buildings be-

mile, killing and injurying many people / large sum.

P. Dickenson, medical student, who

Mr. McRae was caught beneath the

wreck, but escaped unhurt.

bruised up.

serious injury.

ied by the

member of the fire department, and

point of the wreckage.

and Sevententh strts.

injured.

like crows.

negro houses demolished.

been removed to the hospitals.

easterly direction.

and Rain Storms in Other Sections.

WILMINGTON, N. C., TUESDAY, MARCH 26, 1901.

From Twentieth street the storm plowed its way eastward through the TO SENATE AMENDMENTS TO HAYblock between Avenue H., and I., tearing away the roofs of a number of res-

idences, smashing in windows, blowing Crossing Thirtieth street, it struck

815 South Thirtieth street, levelling it to the ground and instantly killing Mr The Storm Lays Flat Most of the Build- Lowe's 4-weeks' old child and fatally crushing Mrs. Lowe, who died within fifteen minutes after being removed from the wreckage. Mr. Lowe and the nurse escaped with slight bruises. Taking in an eastward direction, the storm swept everything in its path of seventy-five yards' width until it passed beyong the city limits and struck the Lake View hill, about Thirty-fourth street. There were no houses of any in the Amended Treaty. description in its path after it had passed the city limits and consequently there was, no damage until it had reached Avondale. Oh Faggots hill, just south of Avondale a number

> persons were seriously injured many houses badly damaged.. The residence of Mr. Miller Harbin was blown down and Mr. Harbin, his wife, child and father-in-law, were severely injured. Jennie Shelton and Mrs. J. J. Henden were also hurt, and a number other persons suffered bruises. I welve houses were demolished and fences and out houses were leveled. Onward the cyclone swept and a frondale, again repeated its work of destruction. Houses and fences were leveled to the ground, and up to this writing several bodies had been recovered. A number of injured were re

ported and great property loss was en-Bessemer, Pratt City, Ensley, North Birmingham and other suburban towns, were visited by the storm and in each of these places much destruction was wrought, but no loss of life is reported. Many houses were demolished at Pratt City, including a number of churches. At Powderly there was also much

tle daughter of B. B. Hudson, undamage and destruction and at Cleveknown carpenter struck by flying lumland. Mrs. George Hatt was struck b lightning and will probably die. A terrific rain storm followed treme southwestern corner and plowed wind and greatly retarded the work its way eastward, leaving a path 150 feet wide, through the entire southern secthe city officials were quickly on the scene and a relief station was estab tion, extending from Greensprings, on the west, to Avondale, on the east, aad lished at the corner of Avenue I., and Twenty-fourth street. continued its course on until its fury

was spent in the mountains beyond Men with axes and spikes were Avondale, a small town six miles east to work in rescuing those caught beneth the rafters and timbers of the The morning dawned cloudy and sulruined buildings, and afterwards in try and grew more threatening as the rescuing what property or effects they day advanced. Clouds began to gather could. Every horse and vehicle in and shortly after 3 o'clock sharp to view the scene and every furniture lightning flashed from the southwest. van and wagon was in use, moving The air became heavy and stifling. wind sudmattresses and other household effects denly began to increase and soon to new quarters.

The dead were removed to the varifrom out of the overcast sky the dreaded funnel shaped cloud made its ous undertaking establishments while descent. Hugging close to the earth it every available ambulance in the city passed through the city in leaps and was pressed into service in removing bounds, with terrific force and was the injured to the hospitals. Tonight a mass meeting of citizen was held and a relief fund was started The altitude of the cyclone was not and a temporary committee organized to take charge until tomorrow at noon when the mayor will take up the work in the pass of the storm were the greatat the head of a new committee. Several thousand dollars have al eady been subscribed and the neces-

> ation will be raised immediately. STORMS AT OTHER POINTS. Huntersville, Ala., March 25 .- A ter ific gale here today unroofed many ouses and blew down trees, fences and telegraph poles. The wind was acempanied by heavy rain. No loss of ife has been reported.

sary money needed to relieve the situ

wind bounded like a rubber ball and it again descended it struck a two Macon, Ga., March 25.-Heavy rain story house occupied by Joseph Busenfell here tonight, filled cellars and helnor and almost razed it to the covered floors in the lower part of the ground. The 11-year-old daughter of ity, driving residents from dwellings. John Krunzey, a rolling mill man, was The wind blew down doors, broke glasscaught under the debris and severely es and wrenched blinds and signs from heir fastenings, causing much damage A house occupied by Taylor Hinson, No one was injured. nearby, was unroofed and three small

Montgomery, Ala., March 25.-In reponse to a request of Mayor Drennan of Birmingham, Governor Samford to night ordered out the state troops in hat city to protect property in th

Rome, Ga., March 25.-A rain and hair storm raged here this morning for an hour. Several business houses had their front blown in and their stocks ruined. No fatalities have been reported. Six inches of rain fell in four hours, according to the weather obser-

At Chambers, six miles from Rome the gale blew down J. A. Rounsaville's home and wrecked the cotton mill and three barns belonging to Rounsaville

and a brother. Many head of live stock were killed It is feared much injury has been done o fruit trees. The rivers are rising rapidly. Thousands of feet of lumber are in danger of washing away and large forces of hands are at work moving i

to places of safety. TRAIN BLOWN FROM THE TRACK Columbus, Ga., March 25.-A mixed train was blown off of the Central of Georgia railroad tracks one miles east of Buena Vista, thirty-seven miles from Columbus, late this afternoon. The train consisted of an engine and tender. baggage car, two coaches and twelve freight cars and was going fifteen miles an hour when struck by the storm The engine was lifted from the track the tender was turned over, the baggage car, two coaches and three freight cars were thrown on their sides. The rest of the train, however, re-

mained on the track. No one was killdistrict lying between Eighteenth and Twentieth streets and Avenues H and ed. Columbus experienced a heavy rain -two blocks. Here the scene is one of and wind storm but there was no sericomplete demolition. The frame cottages were reduced to flattened piles of

lebris; every tree, large or small, was THWART KIDNAPPERS BY 'PHONE either crushed down or uprooted, and fellen telephone poles and their tangle Girl Operator and a Constable Cause The row of small cottages fronting Arrest of North Carolina Officers

> A special to The Chicago Record from Alvarado, Tex., says: Two men from North Carolina are locked in jail here on the charge of at-

napping ever known in Texas. The teenth street and Avenue I, in this kidnappers were only thwarted by an expert telephone girl and the vigorous use of the long-distance telephone. The men came to Alvarado last Monday. They gave the names of J. L. Peterson and J. M. Cooper and claimed North Carolina named John Warnick,

Ham Iton started out to find Warnick. While he was away the two North Carolina men seized Warnick in the street' threw him down, gagged him, tied his hands and legs with ropes, hurried hing upon a train and left with the prisoner without any process of law whatever, The officees paid fare for three persons to the conductor on the train from Alvarado to Fort Worth. When Constable Hamilton returned and learned of the affair he set the village telephone girl to work, and after an hour succeeded in heading off the on Avenue I., every house but one lit- kidnappers at Mount Vernon, 200 miles away and within an hour's ride of the state line. Officers at Mount Vernon and tossed into the Van Hoose yard, took the party into custody and brought the North Carolinians back to Alva-

was with Dr. Chapman, was struck in murder charged against him. Administrator of the W. A. Rice Estat Houston, Texas, March 25 .- F. A. Rice, brother of William M. Rice, the millionaire, who died in New York, was today appointed permanent administrator of the estate in Texas. His bond and strike the earth again at Twenty- was fixed at \$300,000. The matter came up on the application of O. T. Holt, adween Twentieth and Twenty-se cond; ministrator of the estate of Mrs. W. M. hut at Twenty-second it struck, with Rice, for letters on the Rice estate, tremendous force, destroying all the which he alleges is indebted to the essmall buildings in its path for half a tate of which he is administrator in a

Warnick claims to be innocent of

ENGLAND'S ANSWER

PAUNCEFOTE TREATY.

WHY SHE CANNOT ACCEPT THEM

No Desire to Change the Clayton-Bulwer Trenty-Opposed to any Changes Solely for the Benefit of the United States-Right to Annul Clayton-Bulwer Treaty Discussed-Objection to Provisions as to the Isthmian Canal

Washington, March 25 .- The answer its inability to accept the Hay-Pauncefote treaty in the form amended by the United States senate was made public today. It is in the form of a communication from Lord Lansdowne, British minister of foreign affairs, to Lord Pauncefote, and asks the latter to read the dispatch to the secretary of state and to leave a copy in his hands.

Lord Lansdowne begins by showing there was no desire on the part of the British government to change the Clayton-Bulwer treaty; but some of its provisions, he says, had been regarded with disfavor by the government of the nessage of December 1898, it was urged that the national policy called more imperatively than ever for the "control" of the projected highway by the govrnment of the United States. Lord Lord Pauncefote made inquiry of the secretary of state as to the attitude of the president, the result being summarized by Lord Lansdowne as follows: "In reply, the views of the United States government were very frankly and openly explained. You were most emphatically assured that the president had no intention whatever of ignoring the Clayton-Bulwer convention and that he lovally observed treaty stipulations; but in view of the strong national feeling in favor of the construction of a Nicaragua canal, and of the improbability of the work being accomplished by private enterprises, the United States upon obtaining the necessary powers from congress. For that purpose, however, they must endeavor, by friendly negotiations, to obtain the consent of Great Britain to such a modification of the Clayton-Bulwer treaty as, without affecting the 'general principle' therein declared, would enable the great object in view to be accomplish-

ed for the benefit of the commerce of the world. The result, however, of the discussions, Lord Lansdowne says, was the treaty which Mr. Hay handed to Lord Pauncefote in January 1899. The British government was not yet prepared to accept the treaty, assures difficulties had arisen in seeking to arrange affairs then pending before the joint high commission, and Lord Salisbury 'did not see how her majesty's government could sanction any convention for amending the Clayton-Bulwer treaty, as the opinion of this country would hardly support them in making a concession which would be wholly to the benefit of the United States, at a time when they appeared to be so little inclined to come to a satisfactory settlement in regard to the Alaska

frontier. Later the introduction of the Nicaragua canal bill in congress revived attention to the treaty, and it was accepted. Lord Lansdowne saying: "Her majesty's government after due onsideration, determined to accept the convention unconditionally, as a signal proof of their friendly disposition and of their desire not to impede the execution of a project declared to be of national importance to the people of the United States."

Lord Lansdowne then discussed the right of the United States to annul the Clayton-Bulwer treaty saying: "The Clayton-Bulwer treaty is an inernational contract of unquestionable validity; a contract which, according to well established international usage, ought not to be abrogated or modified, save with the consent of both the par-

ies to the contract." Lord Lansdowne then considers the senate amendments declaring that the Clayton-Bulwer treaty is "hereby superseded." opposing this contention He lays most stress, however, upon the other senate amendments and says they present more formidable difficul-

ties. On these he says: "The first of them, which reserves to the United States, the rights of taking any measures which it may find neceshis majesty's government to involve a distinct departure from the principle which has, until now, found acceptance with both governments; the principle, namely, that in time of war as well as in time of peace the passage of the canal is to remain free and unimpeded and is to be so maintained by the power or powers responsible for its control. "Were this amendment added to the convention the United States would, it s presumed be within their rights, if at any moment when it seemed to them that their safety required it, in view of warlike preparations, not yet commenced but contemplated or supposed to be contemplated by another power, they resorted to warlike acts in or near the canal-acts clearly inconsistent with the neutral character which it has always been sought to

give it, and which would deny the free use of it to the commerce and navies of the world. He takes issue with the proposition that the senate amendment is analogous to a provision of the Suez canal convention, and he also points out that some of the articles of the Suez canand he quotes these providing that per manent fortifications are prohibited and for the dispersion of assemblages near the canal likely to interfere with

its use. Proceeding he says: "If the new clause were to be added the obligation to respect the neutra they were looking for a fugitive from of the canal in all circumstances would so far as Great Britain is concerned, charged with murder. They showed remain in force; the obligation of the Constable Hamilton a proclamation is- United States, on the other hand, would Del., Haide, of Belmont, N. C., Keiley, sued by the governor of North Carolina be essentially modified. The result of Savannah, and Mgr. Quigley and any kind of fruit. offering a reward of \$200 for Warnick's would be a one-sided arrangement, under which Great Britain would be debarred from any warlike action in or around the canal, while the United States would be able to resort to such action to whatever extent they might deem necessary to secure their own

safety. Respecting the contention that there is a specific prohibition in the Hay-Pauncefote treaty against the erection of fortifications, and that this would sufficiently insure the free use of the canal, Lord Lansdowne says this contention is one which his majesty's government are quite unable to admit. After calling attention to the dangerous vagueness of the language employed in the amendment he says: "Even if it were more precisely worded, it would be impossible to de-

termine what might be the effect if one clause permitting defensive measures, and another forbidding fortifications, were allowed to stand side by side in he convention. To his majesty's ernment it seems, as I have already said, that the amendment might be construed as leaving it open to the United States at any moment, not only if war existed, but even if it were anticipated, to take any measures, however stringent or far-reaching, which, in their own judgment might be represented as suitable for the purpose of protecting their national interests. Such an enactment would strike at the very root of that 'general principle' of neutralization upon which the Clay-Such an enactment would strike at the very root of that 'general principle' of were commenced for its formal estab-

ton-Bulwer treaty was based, and which was reaffirmed in the convention as THE IMPEACHMENT TRIAL

The third senate amendment struck out the provision inviting the adherence of other powers. As to this, Lord | . H.

Lansdowne says: The amendment not only removes all prospect of the wider guarantee of the neutrality of the canal, but places this country in a position of marked

disadvantage compared with other powers which would not be subject to the self-denying ordinance which Great Britain is desired to accept. It would follow were his majesty's government to agree to such an arrangement, that while the United States would have a treaty right to interfere with the canal in time of war, or apprehended war, and while other powers could, with a clear conscience, disregard any of the restrictions imposed by the convention, Great Britain alone, in spite of her enormous possessions on the Ameri can continent; in spite of the extent of her Australian colonies and her interests in the east, would be absolutely of the British Government, expressing precluded from resorting to any such action, or from taking measures to secure her interests in and near the ca-

Having thus expressed his objections to each of the three senate amend-

ments, Mr. Lansdowne concludes as fol-"I request that your excellency will explain to the secretary of state the reasons as set forth in this dispatch why his majesty's government feels unable to accept the convention in the shape presented to them by the American ambassador, and why they prefer, as matters stand at present, to remain unmodified the provisions of the Clayton-Bulwer treaty. His majesty's government have, throughout these negotiations, given evidence of their earnest dsire to meet the views of the United States. They would on this occasion have been ready to consider in a friendly spirit any amendments of the conprinpicles accepted by both governments, which the government of the United States might have desired to propose, and they would sincerely regret a failure to come to an amicable understanding in regard to this import

ant subject." THE PUBLIC PRINTING

Awarded to Edwards & Broughton and E. M. Uzzell-Cost of the Legislature.

(Special to The Messenger.) Raleigh, March 25 .- The state auditor ves the following regarding the cost prepared to undertake it themselves, of the legislature: Senators \$13,530. employees \$7,772, representtatives \$32,-550, employees \$11,155, total \$66,007. He law and judicial precedent. says he thinks the cost of the impeachment court will not exceed \$15,000. Tonight it is said the impeachment trial will hardly end before Thursday night, and may go over into Friday. This change of view is due to the increasing length of speeches.

The state auditor is refunding licens taxes which were paid on slot gambling machines which are now abolished. turns out that only nineteen of these paid taxes and of these eleven were in Raleigh. Edwards & Broughton, and E. M Izzell, of Raleigh, who made joint bid for public printing were this evening

PUBLIC SCHOOL TEXT BOOKS

sub-Commission to Examine. Them Death of Colonel W. H. Cheek

awarded the contract.

(Special to The Messenger.) Raleigh, March 25.-Governor Aycock appointed the following as subcommission to examine the school text books and report to the text book commission: J. Y. Joyner, of Greensboro J. D. Hodges, of Augusta; John (Scarborough, of Murfreesboro; C C Wright, of Straw; J. A. Butler, Statesville: C. G. Vardell, of Red Springs; W. L. Carmichael, of Bre-

vard; J. L. Kestler, of Raleigh; E. L. Flowers, of Durham. Colonel W. H. Cheek died suddenly in the office of his physician at Hender son During the civil war he command ed the First North Carolina cavalry He acted as brigadier general during the latter part of the war, and it was intended to commission him brigadier It was he, and not Wade Hampton who was the hero of driving of

Dahlgren's raiders from Richmond. BASE BALL AT THE UNIVERSITY First Game of the Season-Carolina and

LaFayette-Stopped by the Rain. (Special to The Messenger.) Chapel Hill, March 25 .- The finest game of base ball for this season was played today between the university and LaFayette. The game started out beautifully, and, no doubt, would have been hotly contested if heavy downfifth inning before either side was retired. The score at the end of the

fourth was 2 and 0 in favor of Carolina. The battery work of both teams was good, but Cunningham, of Carolina, pitched magnificent ball. Carr at short played well.

The feature of the game was a trip play of LaFavette in the third inning Another game will be played tomorrow The batteries were: Carolina, Cunningham and Graves; LaFayette. Pritcard and Ernst, Hits-Carolina 4 LaFayette 0. Errors ,1 and 1.

CHURCH CONSECRATION The Ceremony at St. Mary's Catholic

Church, of Charleston, S. C.

Charleston, S. C., March 25 .- St. oldest in the Carolinas and Georgia, was consecrated today with imposing ceremonies. Bishop Northrop, of Charleston was the officiant, assisted by Bishops Monoghan, of Wilmington,

The sermon was preached by Bishop

thirteen priests.

Keiley, of Savannah, who forcibly prosented the claim of the Roman Cath)lic church to infallability. In reference to the negro problem he said two non-Catholic religious bodies have practically monopolized the field of church work among the negroes. "Are knocked down and rendered unconthey any better religiously or morally than they were a quarter of a century ago? Have honesty and personal purity any stronger hold on them now than then? My answer is 'unquestionably, no.' The reason the Catholic church could heretofore do nothing for them was that she had but few priests and limited means in the states. There is involved in this question a social problem and on its practical solution depends the well being of both peoples; depends, may be, the preservation of our civilization. I have no hesitation in making the assertion that to the Catholic church must the negro

look for amelioraion of his spiritual condition. He closed with a tribute to Bishop Northrop, of Charleston, and said of the ancient church in which he was preach-

"St. Mary's almost ante-dates the hierarchy in the United States, for one

BUSBEE CLOSES A TWO HOURS SPEECH FOR THE DEFENCE.

HE ATTACKS THE PROSECUTION.

He Charges the Managers with Attempt to Impose Upon the Lack of Knowledge of Law of the Senators. Attempt to Shield the Judges Behind the Clerk-He Travels Out of the Record to Charge Partisanship-Mr. B. F. Long's Able Argument for the

(Special to The Messenger.) Raleigh, N. C., March 25 .- In the imeachment trial today F. H. Busbee, for the defense, concluded his argument in a two hours' speech. He said all lawyers understood writs should be issued in conformity to judgments, by clerks of the courts, without special order, except that indicated in the opinion or judgment; that the supreme court's opinion in White's case was only an affirmation of the judgment of the superior court; that its clerk would have issued the writ if Judge Clark had not specially notified him not to; that Judge Clark's doing this showed he understood the rule that executions issued on all judgements without special written instructions.

Mr. Busbee said the impeachment managers were attempting to impose on the ignorance of the law on the part of the lay members of the senate. He discussed the history of the 'office-holding cases" occurring after the democrats came into power in 1870 and said the supreme court of that day, composed of republicans ,kept republicans in office and no one dreamed of impeachment then because of their nonest interpretation of the law; that when the case of Wood vs. Bellamy was decided by the present court in favor of the demograt the democratic paper now so loudly crying for impeachment came out in flaming headlines, commending the court for stopping the "looting" of the insane asylum the same principle four years later the same paper spoke of it as contrary to On the subject of intent Mr. Busbee said no court since the days of Justinian had been charged with crime for honest even if incorrect interpretation of the law. He said if the prosecution's efforts were successful it would established the fatal precedent that the legislative branch of the government

B. F. Long next spoke for the defense. He made an elaborate, able and carefully prepared argument in behalf of the judges. He recited the history of Governor Holden's offense and impeachment and said there was a universal demand for it, while as to the present case it was not heard of or thought of seriously until the house adopted the resolutions of impeachment. He said the responsibility restng upon senators was extraordinary, they had all the power. No judge of law in this court could lay down to them the law as in other criminal trials. He defined what were impeachticles of impeachment, discussed them mpossible it was to convict under the charges made if the whole evidence in the case was to be believed, which evidence was not contradicted. He then liscussed the questions of law mvolved, cited supreme court decisions running back a century, and the last cases vere founded on the law and precedent

vas independent and supreme, not co-

ordinate with the executive and judi-

for that length of time. TO BE A CLOSE VOTE

On Question of Conviction of the Judges Defendants Confident of Acquittal. Bids for School Books to be Opened Today - No Exhibit at Buffalo.

Messenger Bureau. Raleigh, N. C., March 25. It is now agreed by both sides that the impeachment trial will probably end .Wednesday. The impeachment side say the vote will be very close, but that the judges will be convicted. They say the judges will not be convicted for opinions but for "breaking into the treasury." The general public has not the least belief that there will be conviction. The clergy, the lawyers and the business men oppose impeachment and say so It is said all fifty senators will be here and ready to vote. A senator says

there will be no long executive sesion. after arguments end, but that all will be ready to vote promptly. The judges are confident of acquittal. The penitentiary management will be changed April 2nd. The new chairman E. L. Travis, says no plans are as yet

The Home Insurance Company, of New York, today reentered the state. W. W. Fuller, of New York, general counsel of the American Tobacco Com. pany, is here to see his father, Judge Fuller, who is again sick. Tomorrow at noon the bids for school jext books are to be opened. The books Will then be turned over to the subcommission of, teachers, which was appointed today. All the leading book publishing houses in the country have representatives here including B. F.

ohnson, of Richmond. It is found to be impossible for this state to make any exhibit at Buffalo. The ligislature made no appropriation and the agricultural department has not the means. It would cost \$5,000 to Mary's Roman Catholic church, the make an exhibit of forestry and minerals alone, in proper style, Rev. Robert Kimball, of New York city, assistant secretary of the Episcopal mission, board, preached here yes terday. He is making a tour of the state in the interest of foreign missions. Fruit trees are now blooming freely As yet there is no damage by cold to

Indian Precipates a Fight By flourishing a tomahawk and uttering a war cry. Little Bear, a Cherokee Indian, precipitated a fight early yesterday at the Veiled Prophets' ball at the coliseum. In the scuffle he was scious by kicks about the head. He was taken to the Samaritan hospital. The Indian was dancing when some one pulled a wreath from his head. In fun the Cherokee drew his tomahawk and gave chase. Bystanders took up the fight.-Chicago Record.

A cheap remedy for coughs and colds is all right, but you want something that will relieve and cure the more severe and dangerous results of throat and lung troubles. What shall you do? Go to a warmer and more regular climate? Yes, if possible; if not possible for you, then in either case take the only remedy that has been introduced in all civilized countries with success in severe throat and lung troubles, "Boschee's German Syrup." It not only heals and stimu-lates the tissues to destroy the germ disease, but allays inflammation, causes easy expectoration, gives a good

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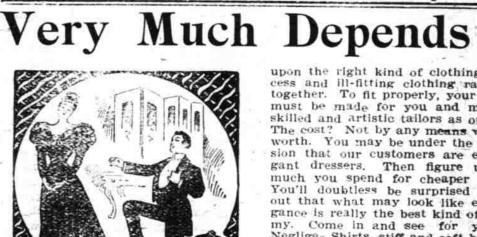
Tuesday and Wednesday, 26th, 27th

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