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WHY BULLER RETIRED

British Guns Unable to Silence Boer Batteries.

HE CHANGED HIS TACTICS

MacDonald's Command Attacked by Boers in Force—The Enemy Retires After the Arrival of Reinforcements for the British—The Expedition Recalled to the Modder River—Feeling in Continental Europe Unfriendly to England.

London, Feb. 10.—Later details of General Buller's retirement were contained in a dispatch which was sent from British headquarters at 1:50 p. m. February 9. This telegram states that the retirement was due to the impossibility of holding Vaalwater. All the British guns were kept at work, but they were unable to silence the big Boer masked batteries, while the burghers' Nordenfords covered the British infantry which were entrenched on the hill.

Wednesday afternoon Buller determined not to press the advance, and moved his train back. The infantry evacuated the hill during the night according to a Boer telegram, the entire British force was withdrawn at daylight Thursday morning.

A dispatch to the Central News from Spearman's Camp, February 9, states that Buller's retirement was merely a change of tactics which was necessary owing to information which he obtained during the present forward movement. The correspondent adds that the entire force will soon be at work again. British casualties, he says, were trifling and were mostly cases of men slightly wounded.

Laffan's continental correspondents send interesting comments on the attitude of European powers and peoples. There is general popular satisfaction over the latest repulse of Buller and a growing belief in the ultimate failure of the British campaign. In governmental circles, especially in Paris, there is not the slightest desire to offer any interference to the progress of military events along present lines. It is argued, quite illogically, that England is weakening herself daily as the war goes on, and there is no wish to interrupt the process. Frenchmen seem to lose sight of the fact that so long as the actual loss of men is so comparatively trifling as now, the experience which British men and officers are gaining will be of incalculable benefit to them in any future war.

Baron Krupp was in Rome today and completed an interesting date. There were in Krupp's arsenal at Essen a couple of batteries of heavy field guns, made to order for the Turkish war department. Delivery was delayed owing to the usual difficulty respecting ready cash. Tuesday Krupp sold the guns to an Italian syndicate. The price obtained leaves no doubt that he was aware that he was dealing indirectly with England. The Italian government is constraining its neutrality obligations very benevolently, so there is not likely to be much difficulty about shipping the batteries to South Africa for use of the British.

THE FIGHT AT KOODOESBERG

Boers Retire Upon Arrival of a British Cavalry Brigade.

Koodoesberg Drift, Feb. 8.—Boers, strongly reinforced from Zulani Lager, eighteen miles west of the head laager at Koppies Dam, made a determined attack on MacDonald's forces yesterday.

The Boers opened at dawn, with occasional sniping. During the morning the firing increased, especially to the westward. The Boers mounted a 7-pounder among the scrub on the flat top of a kopje to the west, and at 9 o'clock commenced shelling three companies of the Seaforth Highlanders, who were holding a breastwork on the back half of the kopje. The Boers found the range, which was about 1,500 yards, and the first shot hit the base of the hill. The Boers then maintained a hot shrapnel fire for two hours. There were comparatively few casualties among the British. This is due to the fact that the men took advantage of every bit of cover that could be found.

Major Granet, with the Sixty-second battery, opened on the Boer gun from a position south of the river and west of the British position. The ranges were from 3,000 to 3,500 yards. The position of the Boer gun was ascertained by smoke when the gun was fired, and the Sixty-second battery poured in shells and shrapnel till the gun was silenced in the middle of the afternoon. Meanwhile the Boers descended the hill they had been holding under cover of some brush on the side and occupied Painter's Farm and Sand Drift, two miles to the west. Two companies of Argyll and Sutherland Highlanders, with their Maxim gun and a section of artillery, held the British in this position till dusk. The Boers kept sniping persistently from a kopje, but when they attempted to creep eastward among the trees along

both banks of the river they were driven back by the British. A cavalry brigade, consisting of the Composite regiment, the Scots Greys and Sixteenth and Twelfth Lancers and two batteries of horse artillery, arrived from Modder River at 3:30 o'clock in the afternoon and kept to the north with a view of cutting off the burghers. The Boers then retired to the west, generally between Sand Drift and the kopjes. Wire fence entanglements impeded the advance of the cavalry brigade, but it is believed that some execution was done among the Boers who galloped away to the west.

The British cavalrymen were too exhausted to continue the pursuit and returned to camp. The officers say that if they had been able to encircle the Boer position quicker they would have captured the gun which caused so much annoyance and would have inflicted heavy loss on the burghers. The Seaforth Highlanders, three companies of the First Highland Light Infantry and two companies of the Black Watch held the eastern kopje till sundown and remained there for the night.

The British were greatly handicapped early in the day because of the lack of mounted men. The field telegraph worked admirably.

MacDonald's Expedition Called Off

London, Feb. 10.—It is reported that the forces of General MacDonald and Babington have arrived at Modder River from Koodoesberg Drift. The true inwardness of the recall of this expedition is not definitely explained from any source. One dispatch states that the expedition was withdrawn because the Boers deserted their positions. On the contrary, another dispatch says the expedition was withdrawn because the original plan could not be carried out, owing to difficulties of the ground.

Burghers Not to Be Seen

Modder River, Feb. 8.—General MacDonald's cavalry reconnoitered north and west of Koodoesberg yesterday morning, but could not find any Boers. A squadron of the Ninth Lancers skirmished four miles below the drift, but could not see any burghers, and it was evident that they had retreated during the night.

The Boers lost several men yesterday trying to reach the only accessible water. To get to this point they had to traverse a sand ridge about three hundred yards in length. A few thorn bushes afforded the only cover, and Argyll and Sutherland Highlanders, with a Maxim gun and a section of artillery, pounded this ridge incessantly throughout the afternoon. The Boers, from a kopje near by, made desperate efforts to reach the water, but were not successful.

A section of a cavalry brigade and horse artillery attacked the Boers in the forenoon and drove them back to their mountain laager at Kamelboek. It is estimated that the Boers have lost about one hundred men since the fighting began.

Boer Lines of Communication Open

London, Feb. 10.—A dispatch from Rensberg, Cape Colony, of yesterday's date, thus describes the situation at Colesburg:

"British troops are in a semi-circle to the south and hold the Boers in check. The Boers hold a corresponding semi-circle to the north and are in full possession of their lines of communication to Orange Free State."

The foregoing dispatch seems to dispose of the idea that the Boers are surrounded.

Whereabouts of General Roberts

London, Feb. 10.—A telegram from Modder River, dated February 9, states that General Roberts has had further communication with Presidents Kruger and Steyn in regard to alleged wanton damage to property in Natal. This is a significant hint as to the whereabouts of the commander-in-chief of British forces in South Africa.

Boers Capture Inkandhla

Durban, Feb. 10.—Boers have captured the Inkandhla Magistracy in Zululand. Before the arrival of the Boers Magistrate Knight blew up the magazine and escaped with his staff and the police to Eshowe.

The Real Campaign as Leyds Sees It

Brussels, Feb. 10.—Dr. Leyds, agent of the Transvaal government, has received hundreds of congratulatory telegrams on the latest Boer successes. Leyds believes the military operations are merely a subterfuge to divert attention from the frontier of Orange Free State, where the forces of Generals French, Gatacre and Kelly-Kenny are combining for a joint advance on Bloemfontein.

The Transvaal agent says the fall or relief of Ladysmith is unimportant, as the English regard it merely as an episode of the campaign.

Balloonist Saw Big Guns

London, Feb. 10.—A correspondent of the Central News, telegraphing from Springfield Bridge, Friday, states that one cause for the retreat of Buller was the discovery made by a balloonist that the Boers had mounted a dozen heavy guns, some of them of the disappearing pattern, on Doornkloof, which commands the road to Ladysmith.

Molineux Found Guilty

New York, Feb. 10.—The jury in the Molineux trial at 11 o'clock tonight rendered a verdict of guilty of murder in the first degree.

TAYLOR WILL FIGHT

Kentucky's Governor Flings Defiance to Democrats

HE SENDS SOLDIERS HOME

In Announcing His Determination to Have It Out in the Courts, Taylor Says He Will Contest Every Inch—Legislature Ordered Back to Frankfort—Democratic Plans Upset by the Action of the Governor.

Frankfort, Feb. 10.—General Taylor refuses positively to abide by the Louisville agreement and has invited the Democrats to come and take his office from him; but he warns them that it must be by due process of law, and in the legal fight in the State courts he will contest every inch of the way. He has ordered the militia home.

The Governor's determination to fight in the courts was announced this afternoon at the close of a conference attended by 250 Republican leaders from all parts of the State. The announcement was made by Taylor in the shape of a proclamation as follows:

"The excitement recently prevailing in this city having to some extent subsided, and there appearing now to be no necessity for the general assembly to remain in London, I do hereby by this proclamation reconvene the legislature in Frankfort February 12 at 12 o'clock noon."

Simultaneously with the issue of the proclamation orders were issued to commanders of the National Guard to disperse their commands, and in less than an hour one company had started on a train for home. Five more companies left tonight, and in the morning the rest will leave, with the exception, perhaps, of one or two companies which will be left to guard the State house.

After issuing his proclamation Governor Taylor remained an hour in his office talking with friends. He then went home. Previous to his departure he invited newspaper men to see him at home this evening. When they called he excused himself and gave out the following statement which, he explained, embodied everything that he would say under any circumstances:

Governor Taylor's Statement

"I have only this to say: 'After mature deliberation and conference with my friends from every section of the State, I have concluded to allow this controversy to take its due course, vigorously contesting every inch of ground and upholding the rights of the people to the uttermost. If these rights be destroyed the responsibility for that destruction must rest with those who sit in judgment. It is due them to say that the eminent gentlemen, my friends, who secured the proposition resulting from the Louisville conference, acted in perfect good faith from the highest motives of patriotism, and did the very best they could.'"

The proclamation issued by the governor took the Democrats by surprise, and up to late tonight they had decided on no plan of action. Nearly all of them are in Louisville.

Democrats who are here are incensed at Taylor's action. They say that the Democratic legislators cannot come here Monday without recognizing the fact that Taylor is governor and that they cannot get possession of the State house and the State property, which is the bone of contention, without coming here.

From Louisville tonight comes word that Beckham has advised the Democrats that he cannot guarantee them protection in Frankfort, and therefore they declare that they cannot come here.

The stand taken by the governor seems to leave the situation, from the Republican standpoint, exactly where it was before Goebel was shot.

Beckham, after learning the decision of Taylor, sent a message to the Democratic legislators notifying them of Taylor's refusal to sign the agreement and declaring that all negotiations in that line were ended. He recommends that they continue their sessions for the present in Louisville, where they will be protected. He says the capitol buildings are now held by an armed force in defiance of law, and promises that as the legally elected governor he will use every lawful means to restore order at the State capital. He further says that as soon as the legislators deem it advisable they can adjourn their meetings to Frankfort and ask their co-operation in bringing about peace.

When the Democratic legislators heard the message read they passed resolutions providing for the appointment of a joint committee to investigate and report to the general assembly whether such conditions prevail at the seat of government as will render it possible and advisable for the legislature to resume its sittings there, and in the meantime the assembly will continue to hold sittings in Louisville.

It is the general belief here that the whole situation will be solved by the courts and that there will be no further bloodshed.

FORTUNE AND TAYLOR GUILTY

They Are to Be Hanged Next Month for the Murder of Robert Hester.

Nashville, N. C., Feb. 10.—Special.—Robert Fortune and John Taylor were tried in the criminal court yesterday for the murder of Robert Hester, near Rocky Mount. The solicitor was assisted in the prosecution by L. V. Bassett and B. H. Bunn. Judge Battle appointed Austin & Grantham to defend the prisoners. The morning session was occupied in securing a jury. The defendants offered no evidence.

The State made a very clear case. The evidence located the prisoners in Rocky Mount and followed them to the scene of the murder. Two or three different witnesses saw two negroes resembling the defendants at the place of the tragedy only a few minutes before the pistol shots were heard. Other witnesses saw and recognized the defendants a short while after the shooting coming from the direction of the scene of the murder towards the railroad. They took the railroad and went to Battleboro, where they were arrested. A pistol was found on the person of each—two empty chambers in one, and one in the other, which corresponded with the times Hester was shot. Seven dollars and twenty cents was also found on their persons, which corresponded with the amount taken from Mr. Hester. The prisoners were taken from Battleboro to Hester's home. He recognized them and positively identified them as the negroes who robbed and shot him. When taken before the mayor of Rocky Mount for a preliminary hearing they confessed the crime. Fortune said they asked Hester to change some money for them. When he took out his purse they asked him to give all he had to them, whereupon he threw his purse to them. Then they shot him—Fortune twice and Taylor once.

After the State closed the defendants did not care to testify in their own behalf. No argument was made by counsel on either side, but the case was left with His Honor's charge to the jury. The jury was out only a short while when they returned with a verdict of guilty of murder in the first degree. Judge Battle, in a very solemn and serious manner, pronounced the sentence of death upon the prisoners. They are to be hanged the 15th day of March.

RYAN FALLS DOWN AGAIN

Judge Waddill Declines to Grant an Injunction.

Counsel for Ryan Say Their Cause Is Not Lost—They Will Continue the Fight Against Consolidation Seaboard Roads

Richmond, Va., Feb. 10.—Judge Waddill, sitting in the United States District Court, this morning handed down an opinion in the application of Thomas F. Ryan for a preliminary injunction against the Seaboard & Roanoke Railroad following the granting of consolidation privileges by the Virginia legislature.

Judge Waddill states that the complainant does not seem to have sustained any loss up to the present time by reason of the movement to consolidate, and is likely to sustain none that is irremediable in the future, and that his claim does not warrant so extraordinary a proceeding as an injunction. He therefore refuses to issue it.

An appeal in the case of Ryan against the Raleigh & Gaston Railroad from the United States Circuit Court of North Carolina has been filed in the United States Circuit Court of Appeals here, and will be heard at May term.

Ryan Not Done with It

Norfolk, Va., Feb. 10.—William L. Marbury, of Baltimore, and D. Lawrence Groner, of Norfolk, the only two of Thomas F. Ryan's counsel present in court when the opinion of Judge Waddill denying a temporary restraining order was read, were seen on their return from Richmond this afternoon and were asked whether the apparently adverse decision of the court would deter Ryan from further efforts to block the Seaboard reorganization.

"By no means," replied Mr. Marbury. "We do not consider the decision of the court delivered today as deciding any vital questions in the case, and until they are declared we are unable to see that our case has lost in strength. It must not be forgotten that the two previous hearings, including the one on which the opinion today is based, were essentially preliminary in their bearings, and the court's opinion largely rests upon these facts. We deny that the Seaboard has any right to consolidate, for various reasons fully set out in the case. Not one of the questions raised has yet been finally passed upon even by the lower court, and until the testimony has been taken they will not be. A favorable decision on any one of the points raised will completely prevent any consolidation so far as the Seaboard road is concerned."

The case will be pushed as rapidly as possible, Mr. Marbury said.

MOLINEUX MUST DIE

Jury Finds Him Guilty in the First Degree.

PRISONER DID NOT FLINCH

Impressive Scene When the Verdict Was Rendered—Molineux Wanted Sentence Pronounced Immediately—One of the Jurors in Tears—Wife and Mother Not Present—The Longest Murder Trial on Record.

New York, Feb. 10.—After seven hours and a half of deliberation, during which they carefully studied the handwriting evidence, the Molineux jury found him guilty at 10:45 tonight. Molineux took the blow without flinching. His father took it like an old soldier. The mother and wife of the prisoner were not present. At the close Recorder Goff departed from the usual procedure on the side of mercy and permitted the father to follow the son to his cell.

It was the most impressive scene, perhaps, in the history of criminal procedure of the present time, coming as it did at the end of the longest and most bitterly fought murder trial on record, when the foreman of the jury, turning in his place to look the defendant in the face, said slowly and with great distinctness in every word: "We find him guilty of murder in the first degree."

When the jurors entered the courtroom their faces wore a set expression. Not one of them looked toward the prisoner and his father. When silence was established the prisoner was brought in. He walked rapidly to the chair between his father and Counsel Weeks. Leaving over, he whispered to his counsel, his eyes scanning the jury. "A few minutes later the recorder entered and ordered the clerk to call the roll. The jurors answered to their names, and then the foreman announced the verdict. Several jurors dropped glances as they met the eyes of the prisoner, and one of the jurors' eyes were full of tears. Molineux's counsel asked that the jury be polled, which was done. The recorder then asked Weeks if he had any requests to make in the matter of passing of sentence.

Molineux, who had resumed his seat, leaned over and whispered eagerly to Weeks: "Ask him to sentence me to death immediately." Weeks shook his head and said to the court: "Any day your honor sets is satisfactory." The recorder then set February 16, and ordered the defendant removed.

DOWN ON TRUSTS

Pitt County Farmers Strongly Condemn Big Tobacco Corporations.

Greenville, N. C., Feb. 10.—Special.—A big crowd of farmers was present today at the anti-trust and tobacco convention. Bad weather kept numbers away. Strong resolutions favoring boycotting the American and Continental Tobacco Companies' goods were passed, also favoring efforts to induce merchants not to handle their goods. Reduction of acreage and use of home fertilizers was urged. State Chemist Kilgore was present and made an instructive talk on fertilizers, the ingredients used, how to use, cost, etc.

Dr. O'Hagan made a capital speech urging living at home, making supplies, cultivating less, becoming independent of trusts.

BOYS CAPTURE BRYAN

The Great Silver Orator Will Speak at the University.

Chapel Hill, N. C., Feb. 10.—Special.—Hon. William Jennings Bryan will lecture next Wednesday morning at 12 o'clock before the student body in Memorial Hall. His subject will be "Pending Problems," and an admission fee of fifty cents will be charged. Two hundred and fifty dollars of the proceeds will be used for the establishment of an annual prize for the best thesis on the science of government. The remainder will go to the college or to the two literary societies. Large crowds are expected to attend his lecture.

Max O'Rell, the celebrated French wit, delighted an audience tonight on "John Bull, Sandy and Pat."

WILL NOT VOTE A DOLLAR

Representative Klutz Opposes the Hay-Pauncefote Treaty.

Washington, Feb. 10.—Special.—In a brief interview this morning, Representative Klutz of North Carolina said that in his opinion the Hay-Pauncefote treaty ought not to be ratified by the Senate, and further that if ratified by the Senate the House ought not and would not vote an appropriation for building the Nicaragua Canal under its provisions. Mr. Klutz is heartily in favor of the canal as a great outlet for Southern productions, both agricultural and manufactured, but in his opinion the canal, when built, should be absolutely under the

control of this country, with full right to fortify, protect, regulate and control it.

"We should have absolute right to exclude from its advantages ships of hostile nations in case of war," he said. "Otherwise we will simply be putting up money to build a canal for the benefit of foreign and possibly hostile nations without ability to protect it or adjacent waters; and in case of war with any European power we would be simply furnishing it with shorter highway for reaching and attacking our Pacific coast and island possessions. The treaty is the worst diplomatic blunder in all our history. It practically abrogates the Monroe doctrine, acknowledges the defunct Clayton-Bulwer treaty and nullifies the patriotic action of previous administrations, and is generally un-American, un-Democratic and un-Republican."

Mr. Klutz does not believe the administration can force its passage.

CHANDLER ON BIMETALLISM

Republicans Urged to Be True to the Platform of 1896.

Washington, Feb. 10.—Three Senators spoke on the Financial bill today, all of whom opposed the measure. They were Messrs. Chandler, Clifton and Money. Mr. Chandler's speech was the feature. He urged the Republicans to remain true to the platform of 1896, and declared he would be false to his duties if he acted otherwise than he did in opposing the bill. He favored the double standard and said the vast majority of the people were bimetallists. He declared that monometallists want, to curtail the money of the world, thereby inflicting suffering and distress on millions of God's poor people while they grew fat. Mr. Clifton declared that the bill was framed solely in the interest of national banks. Mr. Money predicted that if gold increased at the rates it had during the past five years bimetallists would be asking for demonetization of gold and remonetization of silver.

FIGHT AT CONEY ISLAND

San Francisco Club Failed to Put up for Corbett-Jeffries Battle.

New York, Feb. 10.—At a meeting of Considine, Corbett's manager, and Brady today, it was decided not to hold the Corbett-Jeffries fight at the National Athletic Club, San Francisco, because the club had failed to post the deposit with Al Smith, as requested by the articles of agreement. Considine was very warm over the club's failure to deposit the money and threatened to call the fight off. After some further conference Brady and Considine agreed for the men to fight at the Seaside Club, Coney Island, April 10, for sixty per cent of the gate receipts. Articles of agreement were drawn up to the satisfaction of both managers.

FIRE AT WELDON

Buildings of the Neuse River Institute a Total Loss.

Weldon, N. C., Feb. 10.—Special.—Fire destroyed the buildings of the Neuse River Institute here this morning. The school was a large one for colored people. Rev. S. G. Newsom was principal. A few of the books were saved and ten of the desks. About one hundred pupils attended from various sections of the State. There was no insurance at all and the loss is quite a heavy one to those interested.

The Mayor of Selma Found Guilty

Mr. James H. Pou returned yesterday from Selma, where he went to appear for Mayor Parker of that place, who was indicted for failure to carry out the quarantine laws of the city. It was shown that the mayor had used his best efforts to comply with the health laws, but he admitted his inability to do so, and was taxed with the costs. Two physicians testified during the trial that there were two well developed cases of smallpox in Selma. Two other physicians who were presented combated the idea that smallpox existed in Selma. They declared that the patients had "elephant itch."

Smallpox in the Philippines

Manila, Saturday, Feb. 10.—Smallpox, which is always prevalent here, is on the increase. Colonel Greenleaf, assistant surgeon general, has issued orders for the vaccination of troops and also natives wherever possible. He says that while the disease is stubborn, there is nothing to be worried about. Two officers of the Thirty-sixth infantry died of smallpox yesterday. Five thousand virus points have been sent to Daguapan, where Captain Woodson, the surgeon who stamped out the epidemic of smallpox at Holguin, Cuba, is superintendent of the army medical service.

Thirty-two Thousand Men Stricken

Chicago, Feb. 10.—All the trades affiliated with the building trades were locked out today. It affects the men employed on all buildings in the city. The contractors refused to grant Saturday half-holiday and the men struck. There are 32,000 idle, and if other trades quit in sympathy, 60,000 will be idle Monday.

Mrs. G. T. Winston returned yesterday from a visit to Winston.