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EWART SPEAKS OUT

Why the Sub-Committee Reported Against Him.

HE MAKES HIS DEFENSE

His Confirmation of the Smathers Report and His Connection with the Bill Validating the Boyd Timber Contract—Wilkes County Bond Case Advanced for Hearing in the Supreme Court.

By JOHN BOYLE.

Washington, Feb. 28.—Judge Ewart has tonight for his home in Hendersonville where he will hear an important case next Monday. He will return here some time next week. Before leaving, Judge Ewart spoke so much feeling to The Post correspondent on the subject of his case, that he said:

"I do not say what action the Judicial Committee will take in my matter. I can only say that I would follow every line of the evidence presented by the sub-committee could be established, so that disinterested and impartial men could see for themselves the infamous character of the charge made against me, and the injustice that has been done me. I understand that the unfavorable action of the sub-committee was based almost entirely on the conclusions reached by the report of George H. Smathers, reporter for the Eastern Band of Cherokee Indians, and that I had introduced a bill amending the charter of the Eastern Band of Cherokee Indians, which contained a provision validating the Boyd timber contract, in which it was charged that I had an interest."

"As to the first charge, I showed conclusively that I did not have a particle of interest in the Smathers report, either as counsel or claimant; that my claim had been paid under a decree of the Circuit Court by Judge Simonon nearly a year before, and that I had absolutely no connection with the case for months preceding the making of the order of confirmation. I further showed, by letters from Judge Simonon, that I had certified the case to him for confirmation, and that he had directed me to sign the order, as he considered that there would be no impropriety in my doing so. But the sub-committee seemed to be of the opinion that I should have disregarded his instructions, and I was asked by one of the members why I had deferred my opinion to that of Judge Simonon. The answer referred to was merely a procedural order confirming the account and expenditures, to which no exceptions were filed or could have been filed."

"As to the bill amending the charter of the Eastern Band of Cherokee Indians introduced by me by request of the chief and council of the Eastern Band, and was carefully prepared by me. They insisted that the bill should be passed as they had prepared it and without amendment."

"The clause of the bill which contained the seven sections objected to by the committee, viz. the clause validating the Boyd and other contracts, only seemed to validate the contracts referred to because of the fact that they had no corporate seals, and did not carry any name to my benefit, because I had reduced my claim to a judgment several months before it was adjudicated so far as the parties interested were concerned. And in relation to this, I showed by both memoranda and letters from Representative Ray of Macon that when this bill was on its second reading, he moved to strike out this section, and that once accepted the amendment and was stricken out in the House. It was afterwards inserted in the bill in the Senate, but through no motion or influence of mine. There was nothing in the section at all that would have prejudiced the interests of the Indians, and on the contrary, it was what they would have done, and what it was to their interest to have done. Yet this act of the members and above-board as it was, seemed to have been distorted into a charge of fraud and improper thing for me to have done."

"I would not have made any statement in this matter, but as I have been repeatedly informed that these matters caused the unfavorable action of the sub-committee, I think it is nothing more than right that the facts should be given to the public, and I am especially anxious that my friends of the State should know that I have been conducted in a matter in which I acted under the advice of so able and pure a lawyer as Judge Simonon, and because I have gravely stated that I should have disregarded his directions."

"As to my statement published by the Raleigh Morning Post in 1898, in which I was charged with making a statement by every word I said then."

"Mr. Atwater got out of a sick-bed today to go to the House to vote on the Porto Rican bill. He shows evidence of his illness, which had drifted into a serious attack of grippe."

Mr. Bellamy has presented a petition of the bar of Albemarle praying for

the passage of a bill for a resident clerk of the United States Circuit Court at Charlotte.

In the Supreme Court Tuesday the board of commissioners of Wilkes county, through Judge A. C. Avery, counsel in the case of Wilkes County vs. W. N. Coler & Co., made a motion to extend the time for hearing oral argument in the case. The court denied the motion, but granted counsel in other cases involving like points time to file briefs. A motion to advance was granted, and the cause was assigned for argument Monday, October 15, next, after the case already set down for that day, or the case will be taken on printed briefs on or before the 2d of April next, if counsel shall be so advised. Mr. Charles Price and Judge John T. Dillon of New York appeared as counsel for Coler & Co.

Nathan A. Somers, of Osbornville, was today granted a pension of \$6; Milton M. Jirell, of Asheboro, of \$8.

SNOW IN THE WEST.

Chicago Reports Local Traffic Blocked and Trains Delayed—The Snow General Down the Mississippi Valley.

Chicago, Feb. 28.—Local traffic was blocked in parts of the city today by the snowstorm which started last night, and trains were badly delayed. Reports received from various cities in Tennessee, Mississippi and Louisiana indicate that the storm is general down the Mississippi Valley, although the snow line does not extend very far south of St. Louis.

Cleveland, O., Feb. 28.—From three to seven inches of snow fell within a very short time throughout northern Ohio early today. Railway trains were badly delayed as a result of the storm.

St. Louis, Mo., Feb. 28.—Wires and poles in every direction are down with the weight of ice, and hundreds of trees are broken.

ENGLAND DENOUNCED.

Russian Papers Revail Cronje's Defeat and Declare the War Infamous.

St. Petersburg, Feb. 28.—The newspapers here outdo the rest of the continental press in bewailing General Cronje's defeat and in virulently abusing Great Britain. They declare that the Transvaal has fully demonstrated its right to complete political independence, with an outlet to the sea. They suggest that the best help for the Boers would be to create a diversion against Great Britain elsewhere, and maintain that it is the duty of Europe to intervene and "end the most infamous of all the wars England has ever waged for predatory purposes."

CITY OF CHARLOTTE SUED

Right of the City to Enforce Vaccination to Be Tested.

Charlotte, N. C., Feb. 28.—Special.—Today G. W. Helms entered suit against the city of Charlotte for one thousand dollars damages for false arrest. Helms, his wife and child were put in the station-house when all were sick. They refused to be vaccinated. J. L. Jackson has also had Chief of Police Orr and three officers arrested on a charge of assault. They forcibly vaccinated Jackson's daughter and a girl who was with her at the time.

Both these cases resulted from the vaccination regulations recently enforced by the city authorities.

A TRIPLE TRAGEDY

Joseph Glean Kills His Daughter, Her Sweetheart and Himself.

Bluefield, W. Va., Feb. 28.—Joseph Glean, a farmer living near here, killed his daughter and her lover and then cut his own throat last night. Glean had forbidden Albert Marsh to call on his daughter. On returning home he found Marsh in the parlor with her. He ordered Marsh to leave, and upon his refusal took a shotgun and fired at him. Ellen Glean sprang in front of her lover and received the charge in her throat, dying instantly. The second shot killed Marsh. Glean then killed himself.

Miners Entombed in a Tunnel.

Redding, Cal., Feb. 28.—Nine miners are entombed in a tunnel of the Mountain Copper Company in Iron Mountain. Five hundred men are employed in the mine and 200 are in the night shift. Early this morning a big cave-in occurred in the tunnel and the nine men were unable to escape. They are enclosed in a natural chamber and their raps on the walls show that all are well. Every effort is being made to rescue them.

Machinists to Be Called Out.

Chicago, Feb. 28.—The first steps toward making a general strike of machinists for recognition of their union and a minimum scale of wages were taken today by the executive council of the International Machinists' Union, when a member of the executive committee left for Milwaukee to call out the union machinists of that city.

Death Sentence Affirmed.

Nashville, Tenn., Feb. 28.—The Supreme Court today affirmed the death sentence in the case of John Watson, of Warren county, who was convicted of the murder of Joe Hillis and sentenced him to be hanged April 25.

WARM DEBATE ENDED

Porto Rico Tariff Bill Passes by a Close Vote

FREE TRADE VOTED DOWN

Amos Cummings Declares It the Duty of Patriots to Support the President in Such a Crisis—He Declares That the Republican Party Snatched Porto Rico from the Talons of Spain—Sharp Political Thrusts.

Washington, Feb. 28.—The last day of the struggle over the Porto Rico Tariff bill in the House opened at 11 o'clock with almost every member in his seat and a large attendance in the galleries. The leaders on both sides were actively engaged in rallying their forces and making computations upon the final vote, which was to be taken under the order at 3 o'clock.

Mr. Underwood of Alabama, the Democratic whip, said the result would be very close and turn upon the vote of two or three men on the Democratic side. Mr. Tawney, the Republican whip, said the bill would have five votes to spare. He said the main danger lay in the motion to recommit.

Immediately after the reading of the journal the clerk began reading the bill for amendment under the five minute rule.

When section 3 was reached Mr. Payne, chairman of the Ways and Means Committee, offered a substitute. Mr. Payne explained that the substitute did two things: It reduced the duty from 25 to 15 per cent and it also removed some confusion regarding double taxation. Mr. Payne said he still adhered to the opinion that 25 per cent would be better than 15, because it would raise more revenue, but 15 per cent was better than nothing.

In answer to a question as to how much the bill as amended would raise, Mr. Payne said the estimate for the original bill was \$1,700,000. If that estimate was correct, the amended bill would raise about \$1,250,000 per annum. Mr. Payne took occasion to reprove some of his critics, who had complained that he had given no explanation. He had believed in free trade with Porto Rico at one time, but subsequent information had convinced him that the duty proposed by the pending bill should be imposed.

Mr. Berry of Kentucky said the amendment proposed was petty, instead of grand larceny, of the people of Porto Rico. He ridiculed the laborious debate through which the House had passed over the question of what the "United States" meant under the constitution. If this country had been called "Columbia," instead of the "United States," 1,200 pages of the Congressional Record would have been eliminated. No one would have had the hardihood to say that the constitution did not extend over every foot of soil.

Mr. DeArmond of Missouri called attention to the peculiar language of the substitute. The words "Coming into the United States," he said, were plainly intended to evade the constitution. But he argued that the "murdering of the Queen's English" and the "violation of the canons of language" could not make it constitutional.

Mr. Grow of Pennsylvania, the venerable ex-speaker of the House, and Mr. Graft of Illinois, spoke briefly in support of the bill. The latter said his constituents expected him to abide by the will of the majority of his party. He did not desire to go back to his district to apologize for his party by announcing that he was right and it was wrong. He referred to the history of the efforts of the Democrats to prematurely force the administration into the Spanish war in vindication of the policy of standing by the administration.

Speeches were made in favor of the bill by Messrs. Bromwell and Grosvenor of Ohio.

Mr. Orey of Virginia followed Mr. Grosvenor with a speech which convulsed the House and galleries. He mimicked the mannerism of some of the Republican leaders, concluding with a parody upon the speech of Mr. Cannon of Illinois yesterday.

The Payne amendment was adopted without division.

Many members on both sides of the House made five-minute speeches explaining their position.

Mr. Richardson of Tennessee had read a communication from a delegation of Porto Ricans appealing for free trade.

Mr. Payne, in reply, said the gentlemen who signed that communication were all directly pecuniarily interested in importing sugar and tobacco from the United States. They were winning the loblives of the United States Congress, shedding tears for the poor people of Porto Rico, yet they were unwilling to sacrifice \$100,000 for the benefit of the island. So far as the Merchants' Association of New York was concerned, it was interested in free trade with all the world.

Mr. Sibley of Pennsylvania announced his intention of voting for the bill, in a ten-minute speech that attracted much attention. He said that all the testimony before the insular committee showed that the people of

Porto Rico were in a deplorable condition. While we were debating the situation they were starving. For himself, he considered it his duty to support the bill. But Porto Rico was a mere incident to the broader proposition.

"The emergency," interrupted Mr. Williams of Illinois, "is not in Porto Rico, but in the politics of the Republican party." (Democratic applause.)

Mr. Sibley—"You have located the politics on the wrong side." (Republican applause.)

Mr. Williams—"It is pretty hard to locate you." (Laughter.)

Mr. Hepburn of Iowa, in the course of his remarks, said he was luzzarding nothing when he said that the treaty by which Porto Rico and the Philippines became ours could never have been ratified without Democratic support. "You, gentlemen," said he, addressing the Democrats, "are responsible. And now you contend that there is no power under the constitution by which American labor can be protected against the competition of the pauper labor of 10,000,000 Asiatics."

Mr. Carmack of Tennessee suggested that the Democrats had voted to ratify the treaty because they believed on the assurance of Republicans—Mr. Hepburn among them—that the Philippines were to be treated as Cuba was to be treated; that they were to be retained only temporarily.

Mr. Hepburn indignantly denied that anybody, speaking for the Republican party, had ever offered such an assurance.

At this point Mr. Cummings of New York threw the House into a furor of excitement. He described how he believed it to be the duty of every man in a great crisis to rise above party and support the government, as he had done during the Spanish war. "I believe now we should follow the lead of the President," said he, emphatically, "and I will vote for this bill."

This statement electrified the House. The Republicans, without waiting for him to finish his sentence, rose en masse and cheered, while the Democrats sat stunned and dazed.

Mr. Cummings stood with arm upraised until the Republican applause ceased.

"I will vote for the bill," he continued, addressing the Republican side, "in accordance with the advice of the President, for absolute free trade with Porto Rico."

It was now the turn of the Democrats to cheer, and for several minutes they made the rafters ring. The public galleries were packed with crowds extending far out into the corridors. The private gallery of the President's household and the diplomatic gallery were also well filled. In the front gallery sat Duke De Aroos, the Spanish minister, who listened to Mr. Cummings' ringing sentence addressed to the Republican side.

"You have snatched Porto Rico from the talons of Spain,"

Voting on the amendments, substitute and bill commenced at 3 o'clock, the first vote being taken on the McCall substitute, which provided for free trade for Porto Rico. This substitute was defeated by a vote of 159 yeas to 175 nays. On the first roll-call Mr. Bellamy was announced present, but on the second call he announced that he was paired with Mr. Bailey of Kansas. If not, he would have voted yeas with his colleagues, Atwater, Klutz, Thomas and Kitchin.

Mr. Klutz announced that Mr. Small was absent, but if present would vote yeas. Limey and White voted no. A motion by Mr. Richardson to recommit the bill was defeated by a vote of 102 to 172. A third vote was then taken on the bill itself, and it passed by a vote of 172 to 101.

The House, at 4:30, adjourned.

NEGRO WOMAN THRASHED

Tables Turned on a Cook Who Beat Her Mistress—Lynching Was Talked of.

Wilmington, N. C., Feb. 28.—Special. Considerable excitement has prevailed in this city today, the occasion being the anticipation of a lynching-bee, or at least the severe thrashing of a negro woman by a company of infuriated citizens. The situation is, that Manda Hill, a negro cook in the employ of C. W. Woodward, was very impertinent to Mrs. Woodward and refused when ordered to leave the premises. Mrs. Woodward started to telephone to police headquarters for an officer, when the negro woman rushed upon her, throwing her to the floor and began beating her severely. Fortunately a laundryman came in and went to Mrs. Woodward's rescue.

The negro woman escaped and has not been apprehended. It is, however, the opinion of many tonight that she was found on the sound near here this evening and lynched. The sheriff was warned that such was to be the case, and went with a force of deputies to prevent it. A diligent search revealed no trace of either the woman or the citizens' searching party.

At 11:30 tonight it is conceded that the negro woman was found by the citizens on the sound and thrashed within an inch of her life. There will be no lynching.

A New Winston Enterprise.

Winston, N. C., Feb. 28.—Special.—Papers were sent to Raleigh today for incorporation of the Winston Brick and Tile Company, with a capital stock of \$12,000.

Winston shipped 1,794,444 pounds of manufactured tobacco during February. Stamp sales aggregated \$215,333.28.

BULLER TRIES AGAIN

He Crosses the Tugela River at Another Place.

MAKES CLAIM OF VICTORY

Carries Boer Position at Sunset, but Sees a Considerable Body of the Enemy Between His Force and Ladysmith—Hopes His Losses Are Not Large—London Learns by Experience to Discount Buller's Victories.

London, Feb. 28.—The War Office has received the following dispatch from General Buller:

"Headquarters, Hlangwani, Feb. 28, 5 a. m.—Finding that the passage of Langewacht's Spruit was commanded by strong intrenchments, I reconnoitered for another passage of the Tugela. One was found for me below the Cataract by Colonel Sandbach, Royal Engineers, February 25. We commenced making an approach thereto, and, February 26, finding that I could make this passage practicable, I crossed the guns and baggage back to the south side of the Tugela, took up the pontoon bridge Monday night and relaid it at the new site, which is just below the point marked Cataract. During all this time the troops had been scattered, crouching under hastily constructed small stone shelters, and exposed to a galling shell and rifle fire, but throughout they maintained the most excellent spirits."

"On Tuesday, General Barton, with two battalions of the Sixth brigade and the Dublin Fusiliers, crept about a mile and a half down the banks of the river and ascended an almost precipitous cliff of about 500 feet, assaulted and carried the top of Pieter's Hill. This hill, to a certain extent, turned the enemy's left, and the Fourth brigade, under Colonel Norcott, and the Eleventh brigade, Colonel Kitchener commanding, the whole under the command of General Warren, assaulted the enemy's position, which was magnificently carried by the South Lancashire regiment about sunset. We took about sixty prisoners and scattered the enemy in all directions."

"There seems to be still a considerable body of them left on and under Bulwana mountain. Our losses, I hope, are not large. They certainly are much less than they would have been were it not for the admirable manner in which the artillery was served, especially the guns manned by the Royal navy force and the Natal naval volunteers."

A RUDE AWAKENING.

Latest News from Buller Disturbs British Sense of Complacency.

London, Feb. 28.—General Buller's account of the tremendous resistance he is encountering in his efforts to reach Ladysmith has brought public interest with a sharp turn from complacent contemplation of Lord Roberts' victory to a realization of the serious condition still existing in Natal. Though General Buller's lengthy dispatch is construed as a victory bravely won, the commander of the forces in Natal has so often reported similar victories without achieving his main object that the public has learned to contain its jubilation until Ladysmith is actually relieved, while the long list of casualties invariably following any apparent gain by General Buller is always awaited with dread and anxiety, which temporarily rob his partial successes of their acclaim.

WHEN CRONJE SURRENDERED

Boer Fire Was Kept up Until the Fatal Moment Arrived.

Paardeberg, Feb. 27.—Tuesday (Majuba Day), 3 a. m.—The British camp was awakened by the continuous rattle of rifle fire at daybreak and the news arrived that the Canadians, while building a trench close to the enemy, were fusilladed at a range of fifty yards. The Canadians gallantly worked and occupied the edge of the trenches along the river, entirely enfilading the Boers. This movement was followed by a cessation of the fire, except an occasional solitary shot. Suddenly a regiment stationed on the crest of a hill perceived a white flag and burst into cheers, thus first announcing the surrender of General Cronje. Shortly afterward a note reached Lord Roberts bringing tidings of the Boers' unconditional surrender. General Pretorius was sent to accept the surrender.

At about 7 o'clock a small group of men appeared in the distance crossing the plain toward headquarters. Lord Roberts being apprised of General Cronje's approach, walked to the front in the modest coat in which he sleeps and ordered a guard of Sea-forts to line up. A group of horsemen then approached. On General Pretorius's right rode an elderly man clad in a rough, short overcoat, a wide brimmed hat, ordinary tweed trousers and brown shoes. It was the redoubtable Cronje. His face was almost burned black and his curly beard was tinged with gray.

Casualties at Paardeberg.

London, Feb. 28.—Lord Roberts has forwarded an additional list of British

casualties during the three days' fighting at Paardeberg, showing 12 killed, 82 wounded and 4 missing, and including 7 officers and 4 Canadian privates wounded.

British Again in Rensburg.

London, Feb. 28.—4:53 p. m.—A dispatch from Arundel says that British troops have again occupied Rensburg.

Prisoners Marched Off.

London, Feb. 28.—The War Office has received the following dispatch from Field Marshal Lord Roberts, dated Paardeberg, 11:35 a. m., February 28:

"Cronje, with his family, left here yesterday in charge of Major-General Prettymann, under an escort of City of London Imperial volunteers and mounted infantry. Later in the day the remaining prisoners left under charge of the Earl of Erroll and escorted by the Gloucestershire regiment and one hundred City of London volunteers. The women and children are all being sent to their homes."

"I inspected the Boer laager yesterday and was much struck with the ingenuity and energy with which the position had been made almost impregnable to assault."

"Rensburg was re-occupied yesterday by Clements."

Enthusiasm in Cape Town.

Cape Town, Feb. 28.—The furor caused by the surrender of Commandant Cronje is unparalleled. The greater part of the population is in the streets singing patriotic songs and cheering the Queen, General Roberts, Cecil Rhodes and Governor Milner.

There are now 600 prisoners at Modder River, most of whom surrendered Friday and Saturday. They are kept under guard between wire fences.

BOLD THEFT OF DIAMONDS

The Rogue Pursued and Grabbed by a Retired Policeman.

Boston, Feb. 28.—Two young men attempted to rob E. Hodgdon, a Devonshire street jeweler, this afternoon, of loose diamonds valued at \$1,500,000. One of the thieves threw some sort of powder into the jeweler's eyes and grabbing a paper of diamonds that were shown him, darted out the front door, while his pal escaped by the rear entrance. Hodgdon was nearly blinded by the powder for a minute, but, realizing that he was being robbed, made his way to the door and shouted, "Stop thief!" at the same running down Devonshire street in pursuit. Several people attempted to stop the thief, but former Patrolman George Hobson was the only one that was successful. He grabbed the fellow as he was crossing State street and held on until a policeman appeared. At Station 2 the prisoner said he was a Spaniard and had been in this country only two days, and gave his name as Louis Valamueda. In his flight Valamueda dropped the paper of diamonds, but they were found and restored to the owner.

TWO SHARP CLERKS.

They Pocket Seven Thousand Dollars and Clear Out.

San Francisco, Feb. 28.—H. M. Bryan and F. L. Bernard, clerks of the Emporium department store, stole \$7,000 from the salary envelopes of the employees and escaped before the theft was discovered. Cashier Pepper yesterday had the pay-roll and a big stack of coin in front of him. As he called off the names his two clerks put the coin in the envelopes. As they put in the coin they substituted silver for gold and in this way cut down the salary of every employee. They must have had canvass money bags under their coats in which to deposit the money. Today when the employees found their salaries short it was discovered that the two clerks had disappeared.

Attempt on Castro's Life.

New York, Feb. 28.—The consul general of Venezuela here, Gen. M. Gonzalez Estevez, received today this dispatch telling of an attempted assassination of President Cipriano Castro, on Tuesday:

Consul General of Venezuela, New York:

While President Castro was taking part in the carnival celebration a man attempted to assassinate him, but failed and was arrested.

ANDRUEZA PALACIO, Minister of Foreign Affairs.

Davitt's Successor Elected.

London, Feb. 28.—The result of the election which took place in South Mayo yesterday for a representative in Parliament in succession to Mr. Michael Davitt, who resigned as a protest against the Boer war, was as follows:

Mr. John O'Donnell, Nationalist, 2,410; Maj. John McBride, Nationalist, 427; Mr. O'Donnell's majority, 1,983.

Major McBride was the organizer of the Irish brigade in the service of the Transvaal Boers.

At the last election in South Mayo Mr. Davitt was returned unopposed.

A Schooner Abandoned Off Hatteras

New York, Feb. 28.—Captain Somers and the crew of the schooner Sarah E. Ward, which left Charleston Friday for this port with a cargo of railroad ties, arrived here today aboard the Morgan Line steamship El Paso, from New Orleans. They abandoned the Ward off Hatteras Monday morning after spending a night in her rigging.