

SCENE SHIFTED

Boers Are Fighting in British Territory

FIGHT AT FORT ITALIA

Severe Attack in Which the British Lost Heavily—Cape Town Regarded as the Boer Objective Point

London, Sept. 30.—According to advices received here the situation in South Africa is anything but reassuring for the British, notwithstanding recent reports to the effect that the Boer forces had become so reduced that they were practically no longer formidable. Private news received at Cologne declares that the whole field of war in South Africa has changed. It is asserted that all the fighting is now being done in British territory, in Cape Colony and Natal, while the Transvaal and Orange River colonies are comparatively quiet. According to advices received from reliable quarters there are now nine burgher commands in Cape Colony and they are growing rapidly in numbers. There is an idea in certain districts that the Boers are making a concerted movement toward Cape Town and that the developments of the next few weeks will be more than surprising to the British. A dispatch has been received from Durban, Natal, to the effect that the attack on Fort Italia, Zululand, which was reported last night by General Lord Kitchener, was a most severe one. In his report General Kitchener stated that Gen. Bruce Hamilton had inflicted severe losses upon the Boer commands, which had attacked him in force. The correspondent of the Central News says that the British lost Lieutenant Kane and eleven men killed, that Major Chapman, four other officers and thirty-eight men were wounded, and sixty-three are missing. The majority of the missing men are believed to have been killed or wounded during the engagement. The British also had 240 horses and mules killed during the fight. A dispatch to Reuter's Telegraph Company confirms the statements in the Central News cablegram from Durban in regard to the British casualties at Fort Italia.

London, Sept. 30.—The War Office confirms the figures of the losses at Fort Italia, but does not indicate the fate of the sixty-three missing men.

An unofficial telegram from Eshowe states that the Boers left 305 of their comrades on the field. Another dispatch from Ladysmith states that 200 Boers were killed and 300 wounded and captured.

THE HEMP COMBINE

Heistand Inquiry Begun by a Senate Committee

Washington, Sept. 30.—The Senate committee to which were referred the charges against Lieut. Col. H. O. S. Heistand convened at the capitol this morning, and what is known as the hemp combine inquiry was formally instituted. There were present Senators Hawley, Cockrell and Burrows, Col. Heistand and Major Hawk, upon whose statements the charges were based, were also on hand. Senator Hawley presided over the session. Charles W. Needham was present as counsel for Col. Heistand. After the reading of a number of letters relating to the character and standing of Major Hawk, the reply of the accused to the charges was read. Hawk charges Heistand with conduct unbecoming an officer and a gentleman, the specification being that he had engaged in a combination to control the output of Manila hemp and the manufacture of cordage and had represented that Messrs. Meiklejohn, Corbin, Boyd and Allen were engaged with him, which these men had denied. These charges were sent to Col. Heistand in China, and his reply was returned from there. This denies the allegations of Hawk and asserts that the proposed enterprise which seems to have come to naught was a perfectly honorable and legal one.

FIRED AT A PHANTOM

A Guard at the Tomb of McKinley Shoots His Gun

Canton, O., Sept. 30.—"I think the sentinel deceived himself. I do not think an actual attack was made, such as related. There was no evidence of a struggle when the ground was examined this morning." This statement, made by Capt. Bidle, Company C, Fourteenth Infantry, detailed to guard the temporary tomb of President McKinley, is the only expression which any of the officers so far have allowed themselves to be quoted in connection with the strange story that came from Westlawn Cemetery last night. Private Debrand, who fired a shot that aroused the whole camp, claiming that his aim was directed at a man stealthily approaching his post and that another man caught his gun and attempted to stab him in the abdomen, still adheres to the story. The general impression among the family and their most intimate friends, as well as others here, is that the sentinel fired at a phantom conjured up by the loneliness of his position.

Meets with Opposition

Pekin, Oct. 1.—There is an increasing opposition, especially on the part of the British and Dutch ministers, to the plan of the Chinese to send commissioners to the various Chinese colonies throughout the world to collect funds to aid in paying the indemnity to the foreign powers. Five of the ministers

chiefly concerned have apparently disposed of the matter by stating in reply to Li Hung Chang's request that they issue passports to the commissioners that they have not the power to issue such documents except to citizens of the countries they represent. Admiral Kempff arrived yesterday to consult with Minister Conger.

Found Dead in Bed

Charlotte, N. C., Sept. 30.—Special.—J. Douglas Fox, a well known and popular young man of this city, was found dead in bed in the Bryan building this morning. The deceased had been ill some time, but was feeling better yesterday. At the time of his death Mr. Fox was engaged in the insurance business.

AS FIGHTING BOB EVANS TOLD IT

(Continued from 1st page.)

Iowa called out, "Look out for the Texas. Look out, captain, you will be into the Texas." He looked where the navigator indicated and saw the Texas in a bank of smoke with the Brooklyn directly across her bows. The Texas was backing. He ceased his helm and the Oregon passed between the Iowa and the Texas. The three ships were all bunched together. He described the chase of the Colon, saying that the course of the Brooklyn was to the southward.

On cross-examination by Mr. Rayner, Admiral Evans said that the code of signals which Captain McCalla had arranged with the Cuban insurgents had been communicated to him by Captain Chadwick at Key West.

"What I say is this," continued Admiral Evans. "I never entered my head to think about the signals one way or the other. It was given to me as a piece of information, and I thought every other captain had it. If I had for a moment supposed that Commodore Schley did not have that code of signals I would have given it to him."

Mr. Rayner read from Admiral Evans' book on the Spanish war, but this was ruled out by the court, and he then quoted his language in that book in regard to the signal lights which the admiral said was exactly true.

Q.—You thought he had the signals?
A.—I did. I took it for granted he had the signals.

Q.—You never explained to him what the signal lights meant?
A.—No.

Q.—Who did have that conversation explaining them to him?
A.—I don't know. You will have to get that conversation from him.

Q.—You never gave him any information about the subject?
A.—I did not see those lights?

Q.—When they were reported by the officer of the deck, you were reported by the officer of the deck you knew what they meant?
A.—I did.

Q.—When were those signal lights reported?
A.—To the best of my knowledge, Sunday night, the 22d of May. They were reported to me twice.

Q.—During the 23d and 24th did you make any inquiries whether Commodore Schley knew whether they were signal lights?
A.—No, sir.

Mr. Rayner asked if the witness remembered Admiral Schley telling him July 5 that the Brooklyn had not the Texas was the vessel that made the turn, "you having supposed that the Texas made it." "I never imagined it," said Admiral Evans, and he then gave an account of the conversation. He had gone to the Brooklyn that day and, entering Schley's cabin, found the commodore there with "a person named Graham" referring to a press reporter on the Brooklyn. Commodore Schley, according to the witness, had his hand on his (the witness' shoulder. "Bobby," said he, "I have been just writing my report of the battle, and I have said that you handled your vessel with consummate skill! Just then Captain Cook came into the cabin and asked me as to the positions of certain Spanish ships, and then I left Commodore Schley's cabin."

To the judge advocate Admiral Evans said that he never saw any signals from the Brooklyn July 3, that he had never had any written or verbal instructions from Commodore Schley for battle, and that there was no order of battle for the flying squadron to follow if the enemy had come out of Santiago harbor prior to June 1, the date when Admiral Sampson arrived.

These questions were asked Admiral Evans by the court:

Q.—Was any further effort made by the flying squadron to destroy the Colon?
A.—None.

Q.—Was the firing of the enemy's batteries on the 31st heavy enough to seriously endanger the attacking ships?
A.—No sir. It was not heavy at all. The projectiles mostly fell short of us. Two of them crossed my ship.

Q.—In the attack on the Colon on May 31st, did any of the enemy's shots fall near the squadron?
A.—Two of them fell near the Iowa.

Q.—Would it have been possible for the Iowa to coal from the Merrimac in the afternoon of May 26?
A.—It would have been.

Q.—Do you know of any reason why the ships could not get near the Colon on May 31?
A.—I know no reason why they could not.

Q.—Is there any place between Cienfuegos and the neighborhood of Santiago where vessels could coal in rough weather?
A.—I know of none.

On the suggestion of Mr. Rayner, who said he wanted to examine Admiral Evans' testimony before asking any more questions, court adjourned until tomorrow, when Admiral Evans will resume the stand.

Porter on Reciprocity

Washington, Sept. 30.—Robert P. Porter, formerly special commissioner of the United States to Cuba and Porto Rico, who has recently returned from Europe, called on President Roosevelt today to talk with him in regard to reciprocity. Mr. Porter said that it would be a serious matter if the Senate should refuse to ratify the reciprocity treaties for European countries are likely at any time to adopt tariff measures of a retaliatory nature against us.

COURT WEEK IN DURHAM

Two Divorces Granted the First Day

BIG CASES FOR TRIAL

Policeman Fired for Sleeping on His Beat—Professor Horner Returns with His Bride

Durham, N. C., Sept. 30.—Special.—Superior Court convened here this morning with Judge Shaw on the bench. The first business to dispose of was two divorce cases. In one Mrs. Ivy Lyon Gulley asked for an absolute divorce from her husband, Louis D. Gulley, Jr. The grounds alleged were that Gulley had been indicted for a felony and had fled the State more than a year ago, and that he had failed to provide support for her. The prayer was not reported by the attorneys. Some think that the divorce was granted, Mr. Gulley is a son of Mr. Louis D. Gulley, Sr., of Goldsboro, and Mrs. Ivy Lyon Gulley is a daughter of Mr. and Mrs. J. Ed Lyon. The other divorce was where a negro man asked for a divorce from his wife. It was granted without being resisted.

There are a large number of cases to be tried by the court, among them the two cases against the Durham Water Company this week, unless there is a compromise. The report that these cases have been compromised was premature. It is now remains for the officers of the water company to sanction the agreement reached by the attorneys. Some think that they will not accept the terms of the agreed compromise and that the cases will have to be tried. A little more than nine thousand dollars is involved in these suits. One of the cases was tried here some time ago and went to the Supreme Court.

Yesterday morning Officer Staggs was discharged for sleeping on his beat. He was found asleep in front of Jordan's store in Chapel Hill street. Two citizens carried his hat to Sergeant W. G. Crabtree and he went up and awoke him. This is the third officer discharged during the last month, the other two for failure to discharge their duty in connection with an arrest.

Prof. and Mrs. J. Horner were in the city today on their way to their home in Oxford. Professor Horner and Miss Kent were married at Fort du Lac about a week ago and are now on their way home. Miss Kent had charge of the manual training department of the city graded schools for some time, but returned north to her home a few months ago. Professor Horner is principal of the Horner Military School in Oxford.

There were twenty cases before the mayor this morning. Eugene Dorsett, a writer, was charged with assaulting Sergeant Cunniff of the police force. He was sent to jail in default of a \$50 bond. Three negro boys were given good whippings by their parents, this being done to keep them off the streets. William Parker, colored, was sent to jail for carrying a pistol and fined \$10 for shooting inside the city limits. The other cases were for small violations of the laws.

The new dog tax ordinance goes into effect tomorrow. Up to 3 o'clock this afternoon about 300 tax tags had been sold. In conversation with Chief of Police Woodall I was told that there were somewhere in the neighborhood of one thousand dogs in the city. All who fail to comply with the law will be fined \$5 for each day of neglect.

Mr. Annie Mahony died at the Watts Hospital yesterday night, after an illness of several weeks. Her remains were taken north for interment yesterday. She came here with her husband, who is chief of the export department of the American Tobacco Company, several months ago.

ANY OLD THING WILL SUIT WHITE

Our Colored Statesman Hunting for an Office

Washington, Sept. 30.—Special.—Geo. H. White, a negro congressman from North Carolina during the present year, called at the White House today. He shook hands with President Roosevelt and when he came out said he expected the new president to be fair to the negro race. He always treated them as American citizens and not as colored people, and that was all his race asked.

White wants an office. "Any old thing" will do, just so he can attach himself to the government pay roll. But since Heatham has stolen a march on all of his race and the white Republican residents of the District of Columbia besides, it is not clear to what place White can be appointed. It is hardly likely that the president will give him a federal office in North Carolina, as that would raise a storm of indignation that would sweep even Senator Pritchard off his feet, strongly as he is entrenched, and what place he can be given outside is not now apparent. But still White has hopes; so had Micawber.

Judge James E. Boyd was also a caller on the president. He remained only long enough to pay his respects.

The National Bank of Fayetteville has selected as its reserve agent at Philadelphia—the Corn Exchange National Bank, and at Baltimore the Merchants' National Bank.

Frank Armfield of Monroe, N. C., has been admitted to practice before the Interior Department.

The following pensions have been granted: to minors of Reddick Simmons, Williamston, N. C., \$14. Original—John Vines, Bethel, \$10.

Postmasters appointed are W. M. Harper at Bois, Halifax county, vice G. W. Harper, resigned; M. P. Greenwood, Hoaring River, Wilkes county, vice J. H. Foote, removed.

The Birth of a Gusher

New Orleans, Sept. 30.—A genuine oil gusher was brought in at Velich this morning that apparently ceases, if that were possible, any gusher yet located at

Beaumont. While the drillers were at work suddenly the drill broke through the cap rock, and with a mighty rush and roar the oil came gushing to the surface and then into the air, going higher and higher until the column was at least two hundred feet in height. The derrick and drilling machinery were badly wrecked by the force of the ascending column of oil and gas.

SOLDIERS' HOME BURNED

The Seventy Inmates Escape Without Loss of Life

Atlanta, Ga., Sept. 30.—The Confederate soldiers' home of Georgia was destroyed by fire this morning. There were seventy inmates, but no loss of life is reported.

The institution was built through the efforts of the late Henry W. Grady in 1888, to which New York and Boston contributed. For ten years the legislature refused to accept it and two gubernatorial campaigns were fought over it. The last legislature accepted it, appropriating \$15,000 a year for its maintenance. Originally the home cost \$40,000. It was insured for only \$10,000. All the local papers have inaugurated funds for rebuilding the home. There is no doubt that a larger and finer structure will supplant the one destroyed. Temporary quarters for the inmates have been arranged for their accommodation. Several were in the hospital, but were safely taken from the building.

ESTATE OF THE LATE PRESIDENT

The Will Probated and There Appraisers Appointed

Canton, O., Sept. 30.—Is making application for letters testamentary today. Judge Day and Secretary to the President Cortelyou stated that the estate of the late President McKinley amounts to about \$210,000. Of this \$140,000 is in personal property and \$70,000 in real estate. No schedule of the property has yet been filed. At the request of the administrators Judge Jacob P. Fawcett, Postmaster G. B. Freese and H. W. Hessler were appointed appraisers, and they will have until some time next week in which to place valuation upon the property and file the formal schedule.

The formality of probating the will was accomplished today by the filing of the waivers by Mrs. Sarah Duncan and Miss Helen McKinley of notice, and the appointment of Judge Day and Mr. Cortelyou as administrators was made in response to the written recommendation to the court of Mrs. McKinley. The administrators' bond was fixed at \$100,000 and was signed by William R. Day, George B. Cortelyou, Austin Lynch, Mary E. Dey and Mary B. Barber.

Mrs. McKinley's condition remains practically the same. Mr. Cortelyou expects to leave for Washington tomorrow.

THE RACE TODAY

Pros and Cons of the Big Sloop Yachts

BOTH WANT A BREEZE

The Course Will Be a Triangle of Thirty Miles in All—Experts Find It Hard to Pick the Winner

New York, Sept. 30.—The race tomorrow between the Shamrock and the Columbia will be over a triangular course, and the supporters of the Shamrock think that the challenger will show at her best in this contest.

They argue that the Shamrock has shown by last Saturday's races that she is a little faster than the Columbia in turning to windward, and they think that with the wind just aft the beam the challenger will prove to be faster than the Columbia and will consequently win the race. If there is a fresh wind, anything stronger than a ten knot breeze, those who favor the Shamrock say that she will be a good distance in the lead at the windward mark and that she will increase that lead when reaching over the two other legs of the course. It is possible that this will be so; but those who favor the Columbia, and there are more Columbia supporters than there are supporters of the Shamrock, know that the American yacht is very much at home when the wind freshens, and they have no fear of the result in a breeze.

The local weather bureau makes the following general forecast for tomorrow: Fair and cooler, with fresh winds of a velocity of about ten miles.

The following special bulletin was issued by the weather bureau in Washington: Off Sandy Hook Tuesday the weather will be fair with light to fresh northerly winds in the morning, which will diminish in force and become variable in the afternoon.

The triangular course will be laid from the Sandy Hook lightship if possible, and the first leg will be to windward, if a windward leg of ten miles can be laid. With the wind holding true the other two legs will be reached, one on the port tack and the other on the starboard tack; but if the wind

should haul or back a couple of points it would make one of the legs a run and spinnakers will be carried. The start will be made as usual at 11 o'clock, but the regatta committee will postpone the start if necessary when there is wind enough for the yachts. The starting signal for this race will be the same as on former days, and it will have to be a very light wind that will not send the yachts around the course within the time limit of five and a half hours.

Both yachts were at their moorings all day. The crews made everything snug for tomorrow. Mr. E. D. Morgan and Mr. Herbert C. Leeds, of the Columbia, paid a visit to Sir Thomas Lipton on board the Erin. Before going to the Erin Mr. Morgan said he hoped that there would be a good wind for the race, and he thought it would be an interesting one.

The crew of the Shamrock were very busy. The bronze topsides were hoisted and then the mainsail was hoisted to let the wind dry it out thoroughly. A new sail is to be tried tomorrow. This sail fits well, but it is of lighter texture and weighs less than the sail used in the previous race. Sailmaker Ratsey said that it was thought it would be a better sail for light weather and for the triangular race which is to be sailed tomorrow. The change will probably be made before the yachts leave their moorings in the morning. A new jib was hoisted during the afternoon and carefully inspected by Mr. Ratsey, and then some slight alterations were made in it. Many yachtsmen think that the Shamrock will be most dangerous in tomorrow's race.

TOO MANY ELECTIONS

Gen. Wood Suggests a Reduction of the Number

Havana, Sept. 30.—Governor General Wood has written to the Constitutional Convention, saying that the election law prepared by that body is good except for the fact that the number of elections provided for might interfere with the agricultural industry of the island. He therefore suggested that the number be reduced to two, one a general election to be participated in by the people, in which all officers and electors shall be chosen, and the other to choose electors who will elect a president and senators. General Wood recommended that the convention suggest to the members of the convention to form a commission to take the place of the convention with regard to the election. A number of the delegates met and considered the letter, which was accepted, but there was not a quorum present.

The leading revolutionist politicians have issued a manifesto to the country recommending Senator Tomas Estrada Palma as a candidate for the presidency. They also commend Senator Palma's recent letter setting forth his views as the programme of his supporters.

A PREMIUM OF
Fifty Dollars In Gold
Will be paid to any North Carolina Policy-Holder or to the wife, daughter, sister or niece of any North Carolina policy-holder in the
PENN MUTUAL
Life Insurance Co.,
Who will name in a communication addressed to the General Agent prior to January 1st, 1902, the amount nearest the sum of new business written by the company in North Carolina during the present year.
In writing, this information must be given: (1) number of the policy, (2) name of the policy-holder, (3) name and address of contestant, (4) her relationship to the policy-holder.
The premium will be paid by the Commercial and Farmers' Bank, of Raleigh, immediately upon the announcement by the Insurance Commissioner of the total amount of new business for 1901.
For the guidance of those who enter the contest, it is stated that the amount of NEW BUSINESS OF THE PENN MUTUAL IN NORTH CAROLINA FOR THE YEAR 1891 WAS \$415,000; 1892, \$467,000; 1893, \$538,100; 1894, \$642,550; 1895, \$644,600; 1896, \$1,188,000; 1897, \$1,058,850; AND FOR THE FIRST SIX MONTHS OF 1901 IT WAS \$906,146. It is probable that the increased ratio for the first six months of the present year will be maintained, on account of the growing impression that the PENN MUTUAL is

Not Only the Most Economical But the Best and Safest
Old-Line life insurance company. It furnishes the best contracts at rates from 10 to 20 per cent less than most companies. Agents wanted where we are not represented.
R. B. Raney, General Agent for North Carolina, Raleigh, N. C.

AUTUMN LEAVES

Are beginning to fall and the crisper air adds its sign of the coming of cold weather. This is nature's warning, which sensible people are prompt to heed. ARE YOU READY? WE ARE.

Within Our Great Storehouse of Seasonable Clothing

Are piles upon piles of suits which are precisely suited to the autumn. **HERE ARE THE LATEST STYLES in Single and Double Breasted Sacks, Cutaways and Prince Alberts.** They are at all prices, are of the fullest values, of the best makes and of **GUARANTEED MATERIALS AND MANUFACTURE.** They suit people who want elegance as well as durability. Be the first to wear one of our New Fall Suits. Our prices are quick sellers and we correct all errors. Our line of **UNDERWEAR**, light, medium and heavy weights, is complete.

A Brilliant Show of Neckwear.

Of exclusive patterns and shapes, is made in our windows. It arrests attention at once and deserves it.

S. & D. BERWANGER,

ONE PRICE CLOTHIERS