

THE WEATHER TODAY:
For North Carolina:
Partly Cloudy
For Raleigh:
65.

THE MORNING POST.

TEMPERATURE:
Temperature for the past
24 hours:
Maximum, 72.
Minimum, 64.

Vol. VI RALEIGH, N. C., TUESDAY, MAY 31, 1904 No. 91

JOSEPHUS DANIELS HELD FOR CONTEMPT OF COURT

Rule Issued Yesterday by Judge Purnell in Federal Court---Alleged Contempt Grows Out of Certain Editorial and Squibs in News and Observer

The feature of the day in the district federal court yesterday was the issuance of a rule by Judge Purnell against Josephus Daniels, the editor of The News and Observer, to show cause why he should not be attached for contempt of court.

Judge Purnell's statement from the bench soon after court met yesterday morning that he had issued such a rule was the most sensational incident witnessed in court here in recent years, and has been the general topic for discussion among the citizens and visitors since it became known. And the news spread rapidly. It was telegraphed to the state and people arriving on the afternoon trains asked eagerly of the standbys about the depot what the latest developments were. It was like an electric shock. Everybody knew about it and talked about it.

The rule was first made returnable at 2 o'clock yesterday afternoon, but Judge Purnell later changed the order and made it returnable at 10 o'clock this morning, as yesterday was a national holiday and he desired to adjourn court at 2 o'clock for the day.

The matter out of which these contempt proceedings started was contained in certain editorial reference to Judge Purnell in Sunday's News and Observer regarding the appointment of a new receiver for the Atlantic and North Carolina Railroad. Judge Purnell did not designate the particular matter which he holds as contempt, but filed a copy of said paper, the rule merely referring to "an editorial and certain squibs" and "to divers other articles published in said newspaper."

Judge Purnell sprung the sensation soon after he began his charge to the grand jury. He said among the offenses punishable under the United States statutes was that of contempt, and that any person who published or uttered anything calculated or intended to bring the court into disrepute should be indicted by the grand jury. He called attention to the fact that editorial matter in Sunday's issue of a Raleigh paper contained such utterances as to bring that paper within the provisions of the statute covering such cases.

Judge Purnell stated further that he had already issued a rule against the editor of said paper requiring him to answer before court in proceedings as of contempt. The judge informed the grand jurors of the law in such cases and pointed out their duty, saying they need not be afraid the court would not protect itself. He added further that the grand jurors could blacken their souls by perjury if they wanted to that they were under oath, that they could commit perjury by falling short of their duty, and that no power could touch them, but that they would have to answer before a higher tribunal.

The rule was served on Mr. Daniels, and he at once consulted his lawyers, arranging for a defense. He will appear before the court at 10 o'clock this morning and will be represented by Mr. H. T. Gray, regular attorney for The News and Observer, and associated with him will be Messrs. Busbee & Busbee of Raleigh, Judge R. W. Winston of Durham, Mr. E. A. Woodard of Wilson, Judge T. B. Womack and Messrs. J. N. Holding and Walter L. Watson of Raleigh.

It is reported last night that Mr. Daniels had gone to Washington to appear before the chief justice of the United States supreme court, a report which, however, could not be verified. It is known that Mr. P. was in Washington, and Governor Jarvis and Attorney General Gilmer are also there, and it is believed they are there for the purpose of securing a like writ in the receivership matter. Mr. P. is of course with them in the receivership matter, and it is probable that he is in Washington for that purpose.

The rule issued by Judge Purnell is as follows:

United States of America, Eastern District of North Carolina. In the Circuit Court--In Equity.

April Term, 1904.

Josephus Daniels, editor and proprietor of the News and Observer of Raleigh, North Carolina Railroad Company, complainant,

versus

The Atlantic and North Carolina Railroad Company, defendant.

Attention of the court being called to an editorial and certain squibs published in the News and Observer, a newspaper published in the city of Raleigh, on the 29th of May, 1904, and to divers articles published in said newspaper, and to Josephus Daniels, editor and proprietor of said newspaper, a copy of which newspaper was attached, the said publication and the presence of the court or so much thereof that it was and is calcu-

CRUISER BROOKLYN ARRIVES AT TANGIER

Situation of Perdicaris Considered More Serious Now Than Ever Before

Tangier, Morocco, May 30.—The United States cruiser Brooklyn, flying the flag of Rear Admiral Chadwick, has arrived here. Other vessels of the United States Squadron are following. The authorities here consider that the position of the American ion Perdicaris and his step son, Cromwell Varley, a British subject who were kidnapped by bandits headed by Raisuli, is now more serious than before.

The cruiser Atlanta arrived later and joined the Brooklyn. Two other American warships are expected shortly.

It is the understanding here that the admiral commanding the American fleet has orders to exercise pressure upon the Moroccan authorities to induce them to accept Raisuli's terms. The sultan is willing to pay a ransom and liberate Raisuli's partisans, who are now imprisoned, but Raisuli now asks American protection for the settlement. This last condition is considered dependent upon the American government.

HEAD-ON COLLISION

Trolley Cars Loaded With Pleasure Seekers Wrecked

Tamaqua, Penn., May 30.—Two big double truck trolley cars loaded with memorial day pleasure seekers, met in a head-on collision on the span of a sharp curve on the Tamaqua & Lansford Street Railway Company's line at Nesquehoning shortly before noon today. The front of both cars were crushed in and they were locked together. The motormen saved their lives by jumping. Harry Wallburn, aged 14, of Lansford, was probably fatally injured, and Miss Bessie Wiemeyer, Florence Bobst, Edward Wiersen, Stephen Geyler and David Modaca, all of Lansford, seriously injured. Eleven others were less seriously hurt.

The accident was due either to a failure of the block system to work or a misinterpretation of the signals by one of the motormen.

MURDER CHARGED

Four White Men in Jail for Using Infernal Machine

Mukseogee, I. T., May 30.—Four white men are in the federal jail, charged with the murder of Robert Suddeth, a negro at Broken Arrow, by the use of an infernal machine. Suddeth was disliked because he owned a farm in the center of a white settlement. He was blown to pieces while plowing in a field. Detectives found evidence that a contrivance to explode dynamite had been placed in the ground so that it would explode by Suddeth's plow.

THEIR LIVES THREATENED

Washington, May 30.—Mr. Gummere, the United States consul at Tangier, in a cablegram message received at the state department over night, says that threats against the lives of Raisuli's captives, Perdicaris and Varley, have been made unless the bandits demands are granted. A dispatch from Admiral Jewel, commanding the European squadron, announces the departure for Tangier of the cruisers Olympia, Baltimore, and Cleveland.

NOTICE THAT DEMANDS ARE REJECTED

Tangier, May 30.—Rear Admiral Chadwick and Consul General Gummere visited today Mohamed El Torres, the sultan's representative in Tangier, who later returned the visit at the consulate. The British and American have sent a strongly worded note to the sultan informing him that their governments are unable to accede to the demands made by the bandit, Raisuli and intimating that unless his majesty secures the release of Messrs. Perdicaris and Varley, who are prisoners in the hands of Raisuli, they will take the matter into their own hands. The arrival of the Brooklyn has greatly improved the attitude of the Moorish authorities. Raisuli is said to be elated over the situation. He threatens to capture the secretary of the Italian legation and his wife. Several of the tribes are adopting a threatening attitude. They want Raisuli to demand concessions in their behalf.

KILLED LITTLE GIRL

Run Down by Automobile. An Arrest Followed

Boston, May 30.—Naval Constructor Edward H. Scribner, of Lowell, was arrested at his home this afternoon on the charge of manslaughter in causing the death of Marion Holder, aged 6, by running her down with an automobile in Roxbury this morning. Mr. Scribner was brought to Boston and after being questioned at police headquarters was bailed in the sum of \$3,000.

This morning he and his wife and two boys started from Lowell in a touring car to witness the automobile races at Readville. Shortly after 11 o'clock he reached Roxbury and was following an electric car up Warren street. On the car was the Holder child, Herbert A. Holder, her father, and two brothers. At the corner of Savin and Warren streets the Holder party stepped off the car, little Marion being ahead, and before she could be warned the automobile ran over her, inflicting twenty minutes later. Mr. Scribner says his machine was barely moving when he steered by the car and that the child jumped back from the sidewalk directly in front of it. Others say Scribner was driving his machine at a rapid rate and that no warning horn was sounded.

WITH A MIGHTY SPLASH THEY FELL

Railroad Bridges Destroyed by the Raging Flood

Kansas City, Mo., May 30.—The Kaw river which has been bankfull reached its crest tonight and is stationary. Three railroad bridges and one wagon bridge were carried out today. All were pile structures, put over after the flood of last year which carried out 23 steel structures. This is the anniversary of the great flood of a year ago. Early this morning the great mass of wreckage which lodged against the Rock Island pile bridge began to force it out of line. One-half of the structure went out with a crash and the mass of wreckage swept on down stream.

It crashed into the pile bridge of the Kansas City Southern Railway, carrying fifty feet of it out and leaving the ties and track hanging above. The James street bridge was built on steel ponton piles driven into the soft rock of the Kaw. It stopped the great flow and for thirty minutes held the mass of drift which was upwards of an acre in extent. Then it bent and gave way, the entire west span falling with a mighty splash into the water.

For a moment this mass of wreckage held the great flow in check. Then all moved on under the flow line and tore a hole in the pile bridge of the Chicago & Great Western Railway and passed into the Missouri. The news that the bridges were out spread quickly over Kansas City, Kansas. People dropped everything else and ran to the bluff, from which a view of the river could be had. None of the steel bridges crossing the Kaw River has been damaged by the high water and none of them is likely to be. The steel bridge at Kansas avenue is three feet above water. The flood is not likely to

MEMORIAL DAY

Observed With Usual Exercises in Washington

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The services at the Arlington cemetery were particularly impressive and a very large crowd was present. There is a cotton planted, he says, in G. A. R. cemetery.

PORT ARTHUR TROOPS FOUGHT KINCHOW BATTLE

General Stoessel Will Await the Japanese Under the Walls of Port Arthur---Kuropatkin Moves in a Southerly Direction. Battle in a Fortnight

Paris, May 30.—The correspondent of The Echo De Paris in St. Petersburg says the Russians assert that troops from Port Arthur fought the battle at Kinchow. They consisted of twelve battalions of 800 men each and were commanded by General Fock.

General Stoessel will await the Japanese assault under the walls of Port Arthur.

It is stated that General Kuropatkin is advancing to take the Japanese in the rear, while on the left flank General Kandoryitch will hold the Japanese army at Feng Wang Cheng, as well as the Japanese troops that have landed at Takshan.

A dispatch to The Journal from St. Petersburg says that General Kuropatkin has commenced an offensive movement in a southerly direction and that the Russian advance guard is forty miles north of Kinchow.

The Journal's correspondent at Mukden telegraphs that General Kuropatkin arrived there on Friday and had a conference with Viceroy Alexieff and left today.

Built to Withstand a Siege

St. Petersburg, May 30.—The Gazette admits that the withdrawal from Kinchow means the investment of Port Arthur, but says there is nothing that should be discouraging in that fact. The fortress was built to withstand a siege. Now only does it enter on its role. Now only can the millions spent upon it be utilized. It is impossible to take it by storm and it can face a long siege until achievements of the

LOCOMOTIVE MUSEUM

Novel Feature at Purdue University in LaFayette

Lafayette, Ind., May 30.—Present efforts are successful Purdue University will soon have one of the greatest locomotive museums in the country. It is understood that several of the leading railroads of the country have decided to contribute engines to the museum, which was established about four years ago. The Baltimore and Ohio and the Chicago, Milwaukee and St. Paul roads have given a locomotive apiece, engines that had seen better days, but which were soon put into good condition. President Stone of Purdue is confident that the institution is destined to be the greatest technical school in the world, and he believes that various types of locomotives for practical demonstrations will go a long way toward raising the university to the predicted importance.

HIS TERM EXPIRED

Captain Troubridge Turns up in London

London, May 30.—Captain Troubridge, formerly naval attaché of the British legation at Tokio, who, according to reports received here from American, mysteriously disappeared from Japan about the time Admiral Togo's fleet sailed from Sasebo and who was supposed to have accompanied the admiral in an advisory capacity, has been in London for some time. He had an audience with King Edward on May 17. His term of service as attaché has expired.

MAJOR OF BALTIMORE ENDED HIS OWN LIFE

Shot Himself Through the Head Yesterday Afternoon--Was a Bridegroom of Two Weeks

Baltimore, May 30.—Robert McLane, mayor of Baltimore and a bridegroom of about two weeks, committed suicide at 3:30 o'clock this afternoon by shooting himself through the head. Worry over the troubles resulting from the recent big fire and family differences growing out of his recent marriage are said to have caused mental aberration which led to the rash act.

The tragedy occurred in the dressing room of the mayor's bed chamber at his home, 29 West Preston street. He died from the effects of the self-inflicted wound at 4:45 p. m.

At the time of the shooting Mrs. McLane was taking a nap in a front room on the same floor. Hearing the shot she rushed into the dressing room to find the mayor lying on the floor with a bullet in his head. Mrs. McLane gave the alarm and all nearby physicians were summoned. Messages were hurried to the members of Mr. McLane's family and the first to reach him was his father, James L. McLane.

Dr. A. Trego Shertzer was the first physician on the scene. He found that the bullet had penetrated the upper part of the right temple and had made its exit a little behind and just above the left ear. Both wounds were bleeding profusely. Other physicians were soon at the McLane house, and all agreed that the wound was fatal.

Coroner Hayden, who has charge of the case, did not hesitate to pronounce it one of direct suicide.

While the troubles of his office incidental to the big fire had considerable effect on Mayor McLane's mind, it was domestic troubles resulting from his marriage that disturbed him the most. He had been courting Mrs. Van Bibber for about ten years. She is forty-eight and the mayor was thirty-six. She was a member of the smart set in society, while the mayor's family are of the retiring aristocratic sort. The disparity of their ages and difference in social temperament led the McLane family to oppose the marriage in every way. Knowing, therefore, that none of the members of his family would attend his wedding, the mayor, on May 1th, slipped quietly over to Washington and was married. This event was the sensation of the hour in and around Baltimore, and caused a breeze in the McLane family. Though the couple lived happily together, it is stated that the mayor's wife refused to recognize his bride, and these conditions caused him no end of worry.

It soon became noticeable that though he made every effort to attend to municipal business, he could not concentrate his thoughts on anything. He appeared to be dazed at all times. He

STATE TO CONTEST NEW RECEIVERSHIP

Attorneys are in Washington With Cards Up Their Sleeves--Searching for Information

Washington, May 30.—Special.—The state of North Carolina is going to contest Judge Purnell's decision in appointing a receiver for the Atlantic and North Carolina Railroad and an immediate move is to be made looking to the annulment of the receivership. This fact was made apparent today upon the arrival of ex-Governor T. J. Jarvis, James H. POU and Attorney General R. D. Gilmer, attorneys representing the governor in the Atlantic and North Carolina litigation. The fact of their arrival upon the eve of the assembling of the supreme court tomorrow, after its recess, gave credence to the surmise that a motion was to be made before one of the justices for a writ of superseas.

None of the attorneys appearing for the state would discuss the object of their visit save in a general way. That they have a card up their sleeves is apparent. From what can be learned they are not finally resolved as to what trump to play just now. They propose to do a lot of investigating before making a move. The investigation relates to legal precedents as well as to the facts involved in the controversy at issue.

One of the objects of the visiting attorneys is to ascertain who is behind the litigation looking towards a receivership. Those opposing the receivership do not believe that Finch or Cuyler are the bona fide litigants. They entertain the view that the litigation will require the expenditure of a large sum of money and that they are not materially interested to the extent of portraying the role of "angel." Their theory is that there is a "negro in the woodpile." In this connection the holders of \$138,000 worth of bonds, originally secured by the state's stock in the Atlantic and North Carolina are mentioned. The attorneys representing the state wish to know the whereabouts of these bonds. When they find them, they think they will find other important information bearing on this case.

Over at Gettysburg today, Major Wm. Robbins of North Carolina, one of the battifield commissioners, was the center of interest in which he and the president figured. General Daniel E. Sickles was explaining the scene of the gallant charge by Longstreet at Little Round Top.

The entire party climbed to the crest of the hill and General Howard and General Sickles described to the president their part in the three days' fighting. General Sickles was in the midst of his story when he suddenly stopped and said: "And there's one of the 'Rebs' now. Mr. Roosevelt, I want to intro-

Observed in Petersburg

Petersburg, Va., May 30.—Memorial Day was observed in Petersburg by the closing of the banks and public buildings. There appeared today upon the streets a large crowd of people. The cemetery at Poplar Grove in Dinwiddie county, where are buried many thousands of union soldiers who were killed around Petersburg to take part in the

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TO CONVENE EXECUTIVE BODY

Panama, May 30.—The convention closed its session today. The president will immediately convene the executive body in special session to attend to important matters, including the monetary question.

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Russian armies elsewhere enables the garrison to take the offensive. The Japanese losses at Kinchow. The Gazette says, have impeded their active operations and greatly weakened the army on the Kwantung Peninsula.

Capture Guns and Ammunition

Tokio, May 30.—General Oku reports that the Russians at Nanshan Hill on Thursday consisted of seven regiments of infantry, the Kwantung fort artillery, five companies of railway guards and some blue-jackets. On Thursday